

ORIGINAL

From: "Derek" <DerekC@mailandnews.com>
To: <rpitofsky@ftc.gov>
Date: Mon, Dec 4, 2000 4:54 AM
Subject: Please don't approve the AOL-Time Warner merger!

EX PARTE OR LATE FILED

Please don't approve the AOL-Time Warner merger!

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From: <erin@officemail.bigfoot.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 14, 2000 1:11 PM
Subject: aol/time warner - II

Dear Madam,

I am still opposed to the proposed aol/time warner merger, however, I have discovered that the example I submitted is in error. The magazine, People, is now available on the general web - I do not know if this is because AOL has opened up access or because their partnership terminated. However, I did want to clarify this and apologize for my mistake.

Sincerely,

Erin P. Smith

"Our greatest glory is not in never falling,
but in rising every time we fall." - Confucious

Download NeoPlanet at <http://www.neoplanet.com>

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ORIGINAL

From: <Etcf@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 14, 2000 3:31 PM
Subject: Protection for the Consumer

Commissioner,

Please oppose & vote against the merger of AOL & Time-Warner.
They are too big and too powerful now.
Who protect the consumer against the DSL Industry?
Does Erate apply to DSL installations in schools?

Frank Clarke
Huntington Beach, CA

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ORIGINAL

From: <Etcf@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 14, 2000 3:34 PM
Subject: Protect the Consumer

Commissioner,

Please protect the consumer & vote against the merger of AOL & Time-Warner. They are both too big now. We need to call a halt to the wave of mergers and acquisitions.

Who protects the consumer against the DSL Industry?
Does the Erate apply to DSL Installations in Schools?

Frank Clarke
Educate the Children

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From: "Jon Gallagher" <jggall@worldnet.att.net>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurcht@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>
Date: Thu, Dec 14, 2000 8:06 PM
Subject: AOL/Time Warner

I think it would be a great DIS-service, to the majority of internet users, for AOL to merge with Time Warner.

As it is right now, AOL wants everyone to do things their way. I try to send photos to friends on AOL, and they e-mail me back that they don't know how to display the pics. AOL wants only AOL users to communicate, and I think that is wrong. The information I send to NON-AOL users have no problem with my e-mails. Other non-aol users feel the same way as I.

Who knows what they will do with Time Warner companies???

Before approving the merger please check them out thoroughly.

Thank you,

Jon Q Gallagher
1020 Wilshire Drive
Fort Myers, FL 33919-2632
jggall@worldnet.att.net

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From: Noel Charles Schwenk <noelschwenk@yahoo.com>
To: <gtristan@fcc.gov>
Date: Fri, Dec 15, 2000 12:23 PM
Subject: Comments from Commissioner Tristani's Homepage

Noel Charles Schwenk (noelschwenk@yahoo.com) writes:

I urge you to reject the Time-Warner AOL application to merge, fro the following reasons:

1. Huge conglomerates become too big to fail. If the marketplace is no longer allowed to penalize poor managerial decisions, then business has less discipline and no incentive to make good decisions or revise bad ones. It is the ultimate insurance policy.
2. It would be bad for competition. Large conglomerates have deep pockets and can outbid, outspend or outlose the small one.

It would be bad for the consumer and the economy, for democracy and the free market.

Server protocol: HTTP/1.0
Remote host: 198.234.94.111
Remote IP address: 198.234.94.111

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From: "Michael G. Glasser" <Support@computershappen.com>
To: <Support@computershappen.com>
Date: Sat, Dec 16, 2000 8:11 AM
Subject: AOL - TIME WARNER MERGER

Michael G. Glasser
P.O. Box 808 Carmel, NY 10512
(845) 228-0048
m_glasser@computershappen.com <mailto:m_glasser@computershappen.com>

12/16/2000

Dear FCC Officials,

I believe that you, as government watchdogs should truly look beyond the simple hardware (Fiber etc.) sharing and realize the possibilities of the BIG BROTHER syndrome. Certainly the potential for misuse of power is an obvious consideration with regard to the AOL TIME WARNER merger. Microsoft! What browser supremacy? AOL has 1 in 10 Americans using its service. Talk about a monopoly, AOL has gone beyond they browser advantage they are a threat to our privacy and competition on the Web. AOL collects demographics on the public in order to sell and share private information, likes and dislikes etc. with AOL partners and anyone who will pay for such personal information. Do you want AOL to control your NEWS (CNN), Entertainment (Warner Films, TV and Music), Magazines (TIME LIFE etc.) and several Textbook publishers? AOL also wants to control CABLE FIBER NETWORK (Time Warner Cable).

Remember the case of Timothy McVeigh? Not the Oklahoma City McVeigh but the one almost drummed out of the military for allegedly being homosexual. AOL released Mr. McVeighs OLD EMAIL (why did they keep it?) without due legal process (warrant or other legal order) they just gave out Mr. McVeighs information on request. The outcome of which was an out of court, undisclosed settlement and a violation of Mr. Mc Veighs civil rights. Is that type of behavior considered OK? When AOL raised their monthly fee from \$9.95 to \$19.95 overnight without proper notice to its subscribers, were they punished, as any other business would have been? No they saved themselves from financial disaster so 3 plus years later they could acquire Time Warner!

What has become of The American Dream and consumer protection? Where are the values that made FREE AND FAIR TRADE an American way of life? Why would anyone place the potential for abuse of power and the demise of privacy in the hands of any entity?

I DO NOT WANT TO SEE AOL TIME WARNER AS AMERICAS BIG BROTHER!

PLEASE STOP THE AOL ACQUISITION OF TIME WARNER.

Very Truly Yours,
Michael G. Glasser

Ps. I would like to appear at any hearings you may have with regard to this issue. Please notify me of any such proceedings.

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I will be in Washington on December 21st 2000 and I would like to meet with one of the commissioners to give a packet of information and articles which may help the commission with its examination of the AOL TIME WARNER merger.

Cc: Hon. William J. Clinton
Gov. G. W. Bush

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From: Garry Anderson <garry@wipo.org.uk>
To: <gtristan@fcc.gov>
Date: Sun, Dec 17, 2000 6:43 PM
Subject: Comments from Commissioner Tristani's Homepage

Garry Anderson (garry@wipo.org.uk) writes:

Dear Madam,

The AOL and Time Warner deal must not go through. I hope you are a person of conscience.

In early January I emailed Washington Post, amongst many others, about big businesses control of Internet:

"if you believe in free speech why don't you try having the domain name AOLtimewarner.com to complain about the monopoly they are holding and then see what happens."

Time Warner own all these:

<http://www.cjr.org/owners/time-warner.asp>

The European Commission originally opposed the merger of AOL and Time-Warner, on grounds they would be too powerful. On November 10, 2000 the U.S. anti-trust regulators voted unanimously to delay their decision on the \$127 billion union.

It looks like they caved in to Big Businesses Big Money. They obviously have no concept of what a monopoly is - they are imbeciles.

WIPO.org.uk - nothing to do with the World Intellectual Property Organization (WIPO.ORG)

P.S. I just realized my misspelling of monopoly above. This was also on my comments to your fellow commissioners. It looks slovenly, please apologize to them for me. Thank you.

Server protocol: HTTP/1.0
Remote host: 195.92.67.88
Remote IP address: 195.92.67.88

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From: Barbara Lee <bahlee@nyc.rr.com>
To: <gtristan@fcc.gov>
Date: Mon, Dec 18, 2000 10:25 PM
Subject: AOL Time Warner Merger

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Dear Ms. Tristani,

Please vote no to the AOL Time Warner Merger. AOL wants to control consumers access to all information on TVs, computers, cell phones and PDAs, not only is it monopolistic, but it is fascism in the making.

A media company should not be owned by a distribution company and Time Warner shouldn't own a cable company either.

Sincerely,

Barbara Lee
801 West End Avenue Apt.1B
New York, NY 10025
212-280-1972

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From: <AMS74@aol.com>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <gtristan@fcc.gov>, <mpowell@fcc.gov>
Date: Wed, Dec 20, 2000 11:09 AM
Subject: AOL Time Warner Merger

Dear Mr. Kennard, Ms. Ness, Mr. Furchtgott-Roth, Mr. Powell, and Ms. Tristani,

Early this morning, I read an article that deeply concerned me. I understand that Microsoft CEO, Bill Gates, and other America Online rivals are petitioning the FCC to require AOL to make additional concessions in the Time Warner merger by altering its proprietary Instant Messenger system.

America Online, under the leadership of Stephen Case has been a leader and innovator in the internet sector. Its Instant Messenger concept has been adopted by many internet companies, such as Microsoft, Yahoo, and I recently learned AT&T. I find it appalling that America Online would be required to share this system with any of its competitors. Free market forces have driven our technology at a tremendous rate, which goes unprecedented in our country's history. A vital component of the free market model is the ability of rivals to differentiate their products and images and develop fair competitive advantages.

As a stockholder of America Online and long time loyal customer I ask that you not require them to share this vital component of its overall product. AOL has made many concessions that ensure that there are not any unfair advantages with which it will eliminate its competitors. Microsoft, AT&T and Yahoo should be held accountable to improve their products (which coincidentally are not even compatible with each other!) to gain consumer confidence and improve their marketshare.

America Online's concessions include allowing its rivals to use its cable access to launch their high-speed internet products, in some cases, making its availability cheaper than local phone companies! This surely demonstrates America Online's good faith to protect consumers from monopolies. America Online is simply internalizing its distribution to continue to propagate its growth, an appropriate and necessary action.

When one examines America Online's past, its ability to attract new consumers and offer new products to its existing client base is still untouched. By inhibiting its growth, its consumers will be deprived of further developments. America Online currently has the largest number of subscribers in the industry; this is without manipulative and unfair business practices. They simply have great ideas and know how to develop and implement them better than their competitors.

In the 1950's, the American and Japanese auto industry ensued on a journey to make production more efficient. Both had different approaches as to how they could increase their production and decrease their cost. American automobile makers operated under the assumption that mold changeover times were fixed while the Japanese focussed their efforts to reduce this time. By the 1980's, Toyota had reduced its changeover time to forty-four seconds, while the Americans still lagged behind with a six to eight hour changeover time. Due to their ingenuity, they generated more efficient production and large

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cost savings for the industry and consumers. American automakers caught on to this idea only later and changed their system using the same concept. The Japanese still maintain this production advantage; however, American automakers now produce cars better due to competitive forces generated by competition. Most of all, consumers were afforded cheaper cars and a larger variety. The Federal Government never intervened with this competition by forcing Japan to share its technology with the United States automakers. In essence free market systems are survival of the fittest and ultimately, provide fair competition and lead to consumer benefits by either improving technology or reducing cost.

The Federal Government should not impart on making a decision that endangers free market conditions, which have allowed our country to continue its tremendous thrust into developing more sophisticated technology in every sector. By ruling that America Online does not have to sacrifice its individuality, leadership and proprietary system, the FCC will surely act in the best interest of our country.

I appreciate your time and kind consideration and look forward to either a response or a decision in favor of America Online.

Very Truly Yours,

Aaron M. Stein
(908) 351-4719
215 Palisade Road
Elizabeth, NJ 07208

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From: <Monyet01@aol.com>
To: <gtristan@fcc.gov>
Date: Tue, Dec 26, 2000 1:33 AM
Subject: Please Vote

Dear Commissioner Tristani,

I urge you to vote in favor of the AOL/TWX merger this week.

Thank you,
Richard M. Young
St. George, Utah

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From: <RunnerVA@aol.com>
To: <gtristan@fcc.gov>
Date: Tue, Dec 26, 2000 2:27 AM
Subject: AOL TWX MERGER

STOP DELAYING AND APPROVE THE MERGER!

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From: <JStennett@aol.com>
To: <bkennard@fcc.gov>
Date: Tue, Dec 26, 2000 12:42 PM
Subject: Instant Messaging compatibility on AOL

Dear Mr. Kennard and Commissioners:

I am writing to you to urge that AOL be required to "open up" their instant messaging to work with other providers' offerings, as a condition of their merger approval.

I am a CUSTOMER of AOL, an EMPLOYEE of AT&T, and a STOCKHOLDER of Microsoft- so I have something "in the game" from every side of this issue. I think I'm not alone, nor rare.

AOL has been very outspoken against Microsoft regarding the well-publicized court case, and vocal in insisting that AT&T "open up" their cable systems to access by competitors. But where is this spirit of "open access" in AOL's offerings? It's hypocritical, and just not fair.

Everyone benefits from compatibility.

As a requirement of their merger approval, please require them to open up their Instant Messaging. Make them "be nice and share". It's only FAIR!!

Thanks for listening,

James A. Stennett
Seattle, WA

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

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From: <JMarz@aol.com>
To: <bkennard@fcc.gov>
Date: Thu, Dec 28, 2000 10:16 AM
Subject: Polish those resumes!!

Polish those resumes boys and girl! On January 20 you're all out on your behinds. It's time to let businesses be innovative. It's time to support the AOL-Time Warner deal.

I want to know who's lining your pockets to block this thing? You've had all year to review. Why hold it up now?

I'm especially appalled at Gloria's lack of understanding of technology. Your just a liberal Gloria, so it's time for you and others to go. Happy job hunting!

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

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From: <IntrnalMed@aol.com>
To: <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>, <bkennard@fcc.gov>
Date: Thu, Dec 28, 2000 11:17 AM
Subject: GRANT AOL-TWX MERGER IN 2000

YOU PEOPLE HAVE KNOWN FOR A YEAR ABOUT THIS MERGER. I AM SICK AND TIRED OF GOVERNMENT GRIDLOCK AT THE EXPENSE OF ITS TAXPAYERS AND CITIZENS. YOU NEED TO DO YOUR JOB AS EFFICIENTLY AS WE ALL HAVE TO DO OURS..OR FIND ANOTHER ONE. AN IRATE TAXPAYER...

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From: <STaylor596@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 11:38 AM
Subject: AOL Merger

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Please stop blocking a merger that is in the best interest of America. Enough is enough. Thank you.
Sam

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From: <WLeach6566@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 12:00 PM
Subject: AOL Time Warner Merger

Ms. Tristani. Even being as liberal, anti-business, and myopic as you are, you have to see the efficacy of this merger. Show your mettle, earn your salary and act. I hope you and the FCC look better in 2001, then you have this year. William Leach, Penfield, NY

cc: Congresswoman Louis Slaughter.

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From: Mike Robey <mikerobey@charter.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 1:51 PM
Subject: Comments from Commissioner Tristani's Homepage

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Mike Robey (mikerobey@charter.com) writes:

Hello, I have read some of your comments about the AOL Time Warner merger. I would like you to know that I feel you've had a year to come up with some decision and now that you violate your own deadline you put your credibility at serious risk. You have been told that this delay will cause extra costs to the company.

Moreover, I do not feel you have the technical competence to judge all the aspects you seem to be looking into. This is still quite new. Nor do you possess some crystal ball that tells you whether your action will or will not result in better Internet access etc.

It is entirely possible that you will further delay the implementation and deployment that we all desire so much.

Additionally - I have watched AOL since its beginning. They worked real hard to develop this On-Line phenomenon and did so in the face of all kinds of significant competition. AT&T, Microsoft and friends did not help AOL and were not required to give them advantages. No they, AOL, worked hard to come to this point. And now I see people like you wondering about competition and standards and in fact considering forcing AOL to literally give away what they have earned, fair and square.

This delay and posturing and trying to make the universe perfect just isn't right.

I could probably go on for a few pages about the folly you are engaged in. But in the end I really cannot fathom your true intentions nor who you are really catering to. So I merely implore you to take a deep breath, forget all about how important you think you are, and let the technology move forward, competition continue without interference, and live up to your commitment to get this finished

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by year end!

Regards, Mike

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Remote host: 24.240.90.162
Remote IP address: 24.240.90.162

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From: <AOnorat@aol.com>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 2:35 PM
Subject: AOL/Time Warner Merger

The time it has taken to process the merger through the FTC and the license transfer through your agency is, by any measure excessive. Immediate action is essential and I ask each of you to vote prior to the end of the year. I encourage approval of the license transfer, but if you choose to disapprove, so be it, but please act. The process has become patently ridiculous and is causing undue harm to those of us invested in the companies planning to merge. Thank You,
Angelo R. Onorato

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From: Shawn Phipps <Saabqueen1@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 2:49 PM
Subject: Comments from Commissioner Tristani's Homepage

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Shawn Phipps (Saabqueen1@aol.com) writes:

I am outraged that you and the rest of the commisioners have not voted on this merger. This merger was announced nearly 12 months ago and approved by the FTC weeks ago. What is the hold, up and are you insulated from the fact that this vote is negatively impacting consumers and shareholders of both companies? This is a glaring indication of why the American people are so frustrated with how government aproaches business and free enterprise. I wonder if your position as well as the remaining commissoners positions were dependent on productivity, if the vote would have already been taken and announced. This is how the rest of the world does business.

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Remote IP address: 205.188.193.44

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From: <Gram1@aol.com>
To: <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 2:56 PM
Subject: Aol-Time Warner

Enough jerking them around. You have yet to make another company jump through the loops that you have made AOL do. It was not 2 years ago that the courts said AT&T did not have to open lines to let AOL in and now you want AOL to give away everything? AOL has always been forth right in the deals with competitors. Enough is enough let it go through, or do you all have deals with Disney or AT&T? That sure is the way it looks to me and everyone I know.

Sara Price

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From: <Makearun@aol.com>
To: <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>
Date: Thu, Dec 28, 2000 3:04 PM
Subject: AOL/Time Warner

Act now!!!! This continuing delay is outrageous. Your agency has had almost one year to ponder the implications of the deal. Further delay is inexcusable.

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