

To the FCC Commissioners

Ladies and Gentlemen:

I wish to affirm my support of the following statements. Arbitrary censorship and artificial bandwidth restrictions are simply WRONG! I use the internet extensively for work and play. I, ME, MYSELF, WILL decide what I wish to view, NOT Time Warner. I would be APPALED to find that information I use to make my living was "CENSORED" in any way. Likewise, my personal use of the internet is my business, not Time Warner's. The internet is truly the harbinger of the new information age. Please do not allow companies such as AOL and Time Warner to apply their personal standards as if they were mine, or yours. Their standards are NOT my standards, and they are NOT your standards. Yet they apply censorship while advertising just the opposite in their advertising, and I quote:

Begin Quote:

The monthly service fee, starting at \$39.95, includes unlimited access to the Internet

End Quote:

A simple example of this is NewsGroups, just check TimeWarner for newsgroups beginning with "Alabama": Time Warner: None, nada, zero, yet there are in fact at least 21. "uwisc", Time Warner: 4, actually 14.

Regarding bandwidth - restrictions, Time Warner advertises, and I quote:

Begin Quote:

instant, always-on connections to graphically rich content; and end to busy signals and lengthy initiation routines; and slow download speeds of traditional telephone modems. The Road Runner service provides its subscribers with a lightening-fast online experience, including direct access to the Internet, without the need for a telephone line or an Internet Service Provider

End Quote

Both of the above quotes are from "[http://www.newroadrunner.com/news\\_frame.htm](http://www.newroadrunner.com/news_frame.htm)" , and is a news release. The full text of the release is included in Addendum I at the end of this communication.

While I didn't write the following, I support these statements fully. Please read and consider these issues. The American way is not what AOL and Time Warner are attempting, it is small people trying to impose their will on others for personal gain. Please STOP them.

Sincerely Yours

Martin E. Meyers  
5201 South Hill Dr.  
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I am writing in response to the proposed merger of America Time Warner Communications. There are two elements in the proposal that greatly concern me. I would hope that the commissioners would carefully consider these in making their decisions.

The development and evolution of the Internet is a study in how a system without artificial limits can exceed anyone's expectations. The "rules of the road" for the information superhighway, such as they are, have been agreed upon by community consensus and is a marvelous example of market forces at work. One of the guiding principles which has evolved within this community is the open and free exchange of information, much as there is within the academic environment that fostered the early years of the Internet. The internet has always subscribed to and operated under the guarantees of the First amendment to the Constitution, without regard for questioning whether this was a legal requirement.

The proposed merger as set forth in proceeding # 00-30 will violate every principle of freedom of speech upon which the Internet has historically been based. Specifically, the combination of Time Warner and AOL will be powerful enough to establish the rules which everyone desiring high speed, and possibly any, access will be subject to, and those rules are truly alarming to those accustomed to freedom of the net. They state:

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.

This language is quite frightening, given that it grants license to censor to a corporate entity not to the common good, but to bottom line economic forces. Our guarantees under the constitution were designed by its authors to be beyond those forces for good reason. They recognized that such a fundamental right to freedom could never be effectively overseen by a purely commercial, or even political, entity. I believe that the Commissioners would be well served to remember that example, and move to insure that access cannot be denied to the internet by the gatekeeper based on the content of the speech of the user.

My second concern is related, although it could never have been foreseen by our founding fathers. Bandwidth is fundamental to the ability to communicate on the Internet. Here again, Time Warner Communication proposes to hold a noose around the available bandwidth, and, subject to their whim alone, choke off access to those they deem unacceptable.

Certainly this commission cannot order how much bandwidth they supply to their customer. But this commission can and should insure that any company, as a condition of the privilege of merger, deliver to their customers what they promise. A company which advertises and sells unlimited access, then terminates those who use this access, while retaining what, to them is the most profitable base, those who do not use this access, is defrauding the public.

I urge you, therefore, to consider these concerns in reaching your decision. The easy course will be to merely accede to the demands of the corporations. That, however, will require that someone eventually solve the problems that will inevitably result from that decision - and the person who must repair the damage may be you.

Thank you again for your attention to my concerns.

Matin E. Meyers

-----Addendum I

March 28, 2000  
Time Warner Cable

### **Time Warner Cable Announces Road Runner *High Speed Online* Service Will Soon Have Northeast Wisconsin Saying, "*Beep! Beep!*"**

(Fox Cities) Time Warner Cable announced plans today to bring Road Runner, one of the nation's largest high-speed online services, to Northeast Wisconsin in late-summer 2000. Northeast Wisconsin residents will join nearly 750,000 Road Runner customers nationwide in enjoying the benefits of cable modem technology - instant, always-on connections to graphically rich content; and end to busy signals and lengthy initiation routines; and slow download speeds of traditional telephone modems. The Road Runner service provides its subscribers with a lightening-fast online experience, including direct access to the Internet, without the need for a telephone line or an Internet Service Provider. Road Runner is delivered over the same cable lines that already run into the home, but uses a group of cable frequencies that aren't used for television signals. Customers can use road Runner, watch television (and talk on the phone) all at the same time!

"We're very excited to bring this service to our customers to provide them with the latest, fastest online service available that includes many entertainment leaders as content partners as well as our own local content flair," said Kathy Keating, Division President.

The monthly service fee, starting at \$39.95, includes unlimited access to the Internet, multiple e-

mail addresses, 5 MB of personal web page hosting and the rental of the cable modem. From there, customers are just a mouse-click away from the rich broadband content provided by nearly 90 of the nation's leading programmers including TIME, Bloomberg, A&E, Entertainment Weekly, Discovery Channel Online, CNNfn and more. Content specific to Northeast Wisconsin will be provided by partnerships with several exclusive local content providers and will include local events, news, business and sports.

The rapidly growing Northeast Wisconsin market is more than ready for the swift, secure communication offered by Time Warner Cable's \$68 million upgrade which is creating a high performance broadband network of fiber-optic lines and coaxial cable. The upgrade from 450 MHz to 750 MHz delivers the best quality services and cutting edge technologies, including Road Runner and Digital Cable.

"Less than five years ago when we, along with the rest of Time Warner Cable, announced we were upgrading our cable plant to 750 MHz, people questioned the need and purpose," said Keating. "We knew back then the tremendous technological potential of fiber-optic/coaxial cable systems. Road Runner is just one of many new technologies that will be brought to the home by Time Warner Cable."

Early birds interested in Road Runner can get on Time Warner Cable's priority listing now by registering at Early Bird [Sign up! <signup\\_frame.html>](#) Ongoing updates on the service will be posted regularly at this site. Interested people are also advised to watch for a special opportunity to beat the Road Runner rush by getting an additional outlet near their computer installed prior to product launch.

Time Warner Cable owns and manages the world's most advanced, best-clustered cable television operations with 82% of its 13 million customers in systems of 100,000 subscribers or more. Time Warner Cable-Green Bay Division services over 145,000 customers in northeast Wisconsin including Marinette/Menominee, Green Bay, Fox Cities, Menasha, Neenah, OshKosh and surrounding communities.

[Click here to Sign up! <signup\\_frame.html>](#)

[Homepage <homepage\\_frame.html>](#) | [What Is Road Runner? <whatisrr\\_frame.html>](#) | [Road Runner Sneak Peek <sneakpeek\\_frame.html>](#) | [Road Runner FAQ <rrfaq\\_frame.html>](#) | [Technical FAQ <techfaq\\_frame.html>](#)

| [Sign up <signup\\_frame.html>](#) | [Availability <fiber\\_frame.html>](#) | [National Site <http://www.rr.com/rdrun/>](#) | [Time Warner Cable <http://www.newtimewarnercable.com>](#)

Problems or comments? Email the [Web Developer](#).  
[<mailto:webmaster@new.rr.com?subject=NEWRoadrunner>](mailto:webmaster@new.rr.com?subject=NEWRoadrunner)

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