

To the FCC Commissioners

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. The question is, will I be able to enter through that gate? And, once there, may I voice my concerns on important social, political, and even commercial concerns, or will I be summarily banned because the gatekeeper doesn't approve of what I say? Even now before the merger AOL is able to force their morals and standards by allowing pornographic newsgroups to their subscribers but not certain binary software groups. What gives them the right to force these standards or morals on us? Should we not be able to decide on our own whether or not we want to learn more about technology or pornography?

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 regularly correspond with users from many foreign countries. Their ISP's cannot control their speech. Why does not an American citizen have at least the same freedom of speech, as do the citizens of foreign countries? We taught them the value and power of freedom of speech. Must they now teach us how to avoid its death at the hands of commercial mega-corporations concerned only with their sale of "content?"

If AOL and Time Warner are allowed to take over the responsibility of deciding who can say what to whom, how will you return the internet to its stated purpose of a media of public discourse? How will you put the genie back in the bottle? How will you explain to me why my viewpoint is so offensive that I must be barred from the Internet?

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