

TO: HON. COMMISSIONERS OF THE FEDERAL COMMUNICATIONS COMMISSION  
RE: PROCEEDING 00-30  
AMERICA ONLINE/TIME WARNER MERGER

Gentlemen and Ladies:

I wish to add my voice to all of those who want both strong free speech and open access requirements applied to the proposed AOL/Time Warner merger.

From its inception, the Internet has been a public forum for the free exchange of all forms of information. This right to electronic free speech was affirmed by the U. S. Supreme Court in ruling the so-called Communications Decency Act unconstitutional.

Today, effective high-speed access to the Internet is available only through Time Warner. Their acceptable use policy states "Time Warner Communications shall have the sole and unreviewable right to determine whether content violates these standards." These standards are such that almost anything I might post, however inoffensive or uncontroversial, could be considered to violate them. Combining this with America Online's notorious pro-censorship policies, it is imperative that the FCC act to require the merged company to return to the standards of free speech as upheld by the Court.

Open access is another, equally important issue. Given the virtual monopoly Time Warner has over cable systems in many markets (including New York City's), as well as its de facto monopoly in high speed Internet access, I strongly believe that the FCC must require as terms for the proposed merger both (1) guarantees of nondiscriminatory access to Internet content providers on AOL/Time Warner's Internet and broadband platforms, and (2) the prevention of discrimination against unaffiliated content providers (such as placement and navigation) in favor of AOL/Time Warner-owned content. I, for one, believe the Internet should continue as a new technology of public information and empowerment, and not reduced to a tool for selling more Bugs Bunny merchandise.

Please consider these important issues in making your decision on the proposed AOL/Time Warner merger.

Sincerely,

Jim Wilson