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Via Hand Delivery

April 25, 2002

EX PARTE

RECEIVED
APR 25 2002
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Marlene Dortch
Secretary
Federal Communications Commission
The Portals
TW-A325
445 12th Street, S.W.
Washington, D.C. 20554

Re: Oral *Ex Parte* Presentation
CC Docket Nos. 01-337; 02-33; 98-10; 95-20; MB Docket 02-70

Dear Ms. Dortch:

On April 24, 2002, Dave Baker, Vice President, EarthLink, and the undersigned met with the following FCC staff of the Wireline Competition Bureau: Dorothy Attwood; Carol Mattey; Brent Olsen; Cathy Carpino; Jessica Rosenworcel; Chris Libertelli; Eric Einhorn; Jodie Donovan-May; and Paul Garnett.

In this meeting, EarthLink raised several issues that it has previously filed in Comments and Reply Comments in the above-referenced dockets as well as several of the issues in the attached bullet-sheet, "Promoting Competition in the High-Speed Internet Market." Further, EarthLink provided Ms. Attwood a copy of the attached EarthLink company-related materials which highlight the services it offers including broadband services. EarthLink discussed how American consumers benefit from the ability to choose from among multiple ISPs on the basis of price, service quality, connection speed, ad content (or lack thereof), spam (or lack thereof) and other services, including security and privacy features. Further, we discussed how some ISPs establish content-based differences and, as an example, discussed "russiannation.com" and provided Ms. Attwood and Ms. Donovan-May with copies of the attached web-site materials.

EarthLink discussed that the desire of incumbent LECs to provide flexible advanced services to address the business markets has no relation to deregulation of ADSL services, since such businesses do not purchase wholesale ADSL. Furthermore, the Commission's price cap flexibility orders already provide relief for business-oriented advanced special access services. EarthLink also discussed the need for continued transparent and nondiscriminatory access to the BOCs' DSL telecommunications services on cost-based rates and regulation that would prevent such anticompetitive tactics as a price squeeze. On tariff deregulation, EarthLink stressed the need for price justification of services not subject to competition and FCC review of

unreasonable terms, and that flexible notice or web posting of terms may be a way to provide some regulatory relief.

Separately, Dave Baker and the undersigned also met with Scott Marcus and Robert Cannon of the FCC's Office and Plans and Policy. We discussed largely the same issues as in our prior meeting, and provided staff with the attached materials. In addition, we discussed the need to formulate effective rules of access for ISPs and how some ONA obligations and principles have continuing relevance in the broadband context, in addition to CEI principles of access to the telecommunications used by BOC-affiliated ISPs.

During these meetings, EarthLink also referenced in passing its Senate testimony on April 23 in the AT&T-Comcast merger concerning the need for these MSOs, especially AT&T to honor promises it made to the FCC and other entities in 1999 that it will open all its systems and allow consumer choice in ISPs by June 2002. EarthLink stated that it had not yet committed to a specific regulatory course of action in the FCC's pending AT&T-Comcast merger proceeding.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, ten copies of this Notice are being provided to you for inclusion in the public record in the above-captioned proceedings. Should you have any questions, please contact me.

Sincerely,

Mark J. O'Connor

CC: Dorothy Attwood
Carol Mattey
Brent Olsen
Cathy Carpino
Jessica Rosenworcel
Chris Libertelli
Eric Einhorn
Jodie Donovan-May
Paul Garnett
Scott Marcus
Robert Cannon

PROMOTING COMPETITION IN THE HIGH-SPEED INTERNET MARKET

I. FCC's Overarching Goal -- Promote Competition and Consumer Choice in Information Services Market.

- All ISPs – including BOC affiliates – are unregulated information service providers.
- Consumer welfare is maximized when consumers can choose their unregulated ISP and applications.
- ISPs deliver value to American public: content, new applications, community/diversity, price competition, diversity of services.
- Wholesale Transport market - Incumbent LECs have not demonstrated any change in market share, ability to engage in predatory pricing.
- Retail competition – market indications are mixed; cable and DSL platform does not present competitive choices for consumers.
- If reform is necessary, then rules of access in broadband should be specific, with swift enforcement.

II. Keeping ILEC Broadband Telecom Services Available on Non-Discriminatory Terms is Vital for Maintaining Consumer Choice and ISP Competition.

- FCC has found that wholesale DSL is an advanced "telecommunications service" that is subject to Computer III obligations. Advanced Services MO&O, 13 FCC Rcd at 24030 (¶37) (1998).
- Consumer choice of broadband ISP should remain the overarching goal. Choice promotes efficiency, innovation and competition (inter- and intra-modal).
- Promoting intermodal competition and platforms (e.g., cable, DSL) need not be at the expense of existing intramodal competition and applications (e.g., Internet access providers).

III. USF Pass-Through Must Be Non-Discriminatory.

- ILECs do not merely self-provision to affiliated ISPs; ISPs purchase DSL telecommunications service under tariff.
- Allowing ILECs to "self-provision" to affiliated ISPs and then charge USF pass-through to unaffiliated ISPs would amount to rate discrimination and violate USF orders.

IV. FCC Review of Broadband Access Rules Should Address Streamlined But More Effective Rules for Intramodal Competition on the Broadband Wireline Platform.

- Commission can promote broadband deployment while preserving competition and consumer choice in the Information Services market.
- Principles of access in Computer II and Computer III foster competition and consumer choice in the information services market. This promotes innovation, diversity, efficiency, and market-based pricing in information services.

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Atlanta Georgia 30309
Phone 404.815.0770

EarthLink

FACT SHEET

Company:

EarthLink brings the magic of the Internet to approximately 4.8 million subscribers every day. Headquartered in Atlanta, EarthLink provides a full range of innovative access, hosting and e-commerce solutions to thousands of communities over a nationwide network of dial-up points of presence, as well as high-speed access and wireless technologies.

Through its dedication to its core values, its actions, and products and services, EarthLink continually proves its commitment to making the Internet a relevant, entertaining and personal tool for its subscribers. Reflecting this commitment, EarthLink regularly wins industry awards for member satisfaction, reliability and outstanding service.

Core Values & Beliefs

The 10 Core Values and Beliefs (CVBs) [http://www.earthlink.net/about/ourvalues/cvb/index.html] at the heart of everything EarthLink does -- from the most significant strategic decisions to daily interaction with its subscribers -- are the driving force behind EarthLink's corporate culture. Along with *Your Internet Bill of Rights* (http://rights.earthlink.net/) -- a charter of what EarthLink subscribers should expect from their ISP -- the CVBs are the definitive statement of EarthLink's commitment to continually providing the best service in the ISP industry.

Standard Services

EarthLink's $21.95-a-month unlimited dial-up service includes:

- EarthLink 5.0 software, an easy-to-use, intuitive, all-in-one interface that combines the power of the open Internet with the simplicity of an online service;
- 8 total email addresses, each with its own 10 MB personal Web site and Personal Start Page
- "Click-N-Build" Web site creation tool;
- Award-winning 24/7 toll-free support;
- Customizable portal to the Internet -- the Personal Start Page℠;
- Access to EarhLink's nationwide network of dial-up numbers in North America with local coverage in markets covering 99 percent of U.S. households, 99 percent of which are v.90 standard;
- *eLink,* EarthLink's weekly subscriber electronic newsletter.

High-Speed Services

EarthLink's high-speed Internet service includes everything highlighted in EarthLink's "Standard Services" plus:

- An always-on connection with speeds up to 1.5 Mbps
- Convenient and easy self-install option in many areas;
- Free firewall software with all accounts;
- Home Networking and Static IP options available
- Service over DSL, cable and satellite;
- Access to EarthLink's network of dial-up numbers.

Personal Start Page

EarthLink's popular Personal Start Page℠ is a content-rich and highly customizable portal, designed to make each EarthLink subscriber's Internet experience even more personalized and productive.

As part of a highly customizable "personal start environment," EarthLink's Start Page provides subscribers with a wide range of choices for receiving the news, information and services they want from the sources they want.

Personal Start Page features include:

- Web-based email;
- Updated headline news, sports news and customizable sports scores, current weather conditions and forecasts, and business and financial news from leading media sources;
- Easy access to EarthLink's e-commerce site, The EarthLink Mall;
- A "Finance" area to EarthLink's Finance Center -- a personal finance portal including stock quotes, a broad variety of personal finance and investment content, and individual portfolio creation tools;
- A "Chat" area, which allows people to communicate in real-time via EarthLink's version of Instant Messenger, locate chat rooms of interest, and browse Internet event listings;
- A "Sports" area that provides customizable sports scores, news and updates;
- An "Entertainment" area offering the latest news and information on movies, music and books;
- A "Health" area providing news and information about personal health issues for women, men and children;
- A "Biz Center" area to EarthLink's personal business center which keeps EarthLink's business subscribers up to speed with a variety of content and services such as industry-specific news for local businesses, news feeds according to specific industry relevance, and a suite of e-commerce solutions;
- A "Support" area to EarthLink's Personal Support Center -- a single, easy-to-navigate support portal that puts all of EarthLink's award-winning service and support resources at subscribers' fingertips;

EarthLink's Personal Start Page lets subscribers condense the expanse of the Internet into a tight package of content specific to their preferences. Each subscriber's preferences are stored and their updated content is displayed every time they log on to the Internet or click back to their home page.

Customer Support: EarthLink devotes approximately 60 percent of its staff to providing award-winning toll-free support, 24-hours-a-day, seven-days-a-week.

Headquarters: 1375 Peachtree Street
Atlanta, Georgia, 30309

Employees: 6,000+

Management:
Sky Dayton, Chairman
Garry Betty, CEO
Mike McQuary, President
Lee Adrean, CFO, Executive Vice President, Accounting and Finance
Bill Heys, Executive Vice President, Sales
Brinton Young, Executive Vice President, Strategic Planning and Marketing
Carter Calle, Executive Vice President, Member Support
Greg Stromberg, Executive Vice President, Employee Services
Jon Irwin, Executive Vice President, Member Experience
Karen Gough, Executive Vice President, Marketing
Lance Weatherby, Executive Vice President, EarthLink Everywhere
Linda Beck, Executive Vice President, Operations
Mike Lunsford, Executive Vice President, Strategic Brand Marketing
Sam DeSimone, Executive Vice President and General Counsel
Veronica Murdock, Executive Vice President, Acquisition and Integration
Mark Petrovic, Vice President, Research and Development
Dave Baker, Vice President, Law and Public Policy
Les Seagraves, Chief Privacy Officer
Dan Greenfield, Vice President, Corporate Communications

Company Contact: Debra A. Thomas, Corporate Communications, 626-351-7064; presslink@earthlink.net

# # #

Contact: Kurt Rahn
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EarthLink™
High Speed Internet

High Speed Internet Products and Services

With more than 471,000 high-speed subscribers, EarthLink is one of the leading high-speed Internet service providers. EarthLink Cable is currently available in 28 Time Warner Cable markets nationwide, and EarthLink DSL is available in more than 90 major metropolitan markets. The company also offers its award-winning Internet services through satellite and fixed wireless technologies. Its commitment to offer a variety of broadband technologies through multiple vendors allows EarthLink to offer its high-speed services to subscribers in more areas of the country.

System	Product	Price	Features
Home Network	EarthLink™ HOME NETWORKING	Equipment: Wired – FREE** Wireless - $150.00** Service: $9.95 per month	**Requires an EarthLink High Speed DSL or Cable connection. Customers can choose from wired or wireless versions. Includes: • Full support for anything connected to the home network • Built-in firewall • Availability of future value-added services
Cable	TIME WARNER CABLE EarthLink High Speed Cable	Per Month: $41.95 Standard Installation: Free	Speed: - Up to 2Mbps downstream - Up to 384Kbps upstream • Unlimited dial-up access—so you can access your email and the Web when you're away from home • Eight email accounts • 10MB personal webspace per email box • Free ZoneAlarm personal firewall software • 24/7 toll-free customer support

	EarthLink DSL (aDSL)	$49.95/month	• Unlimited DSL Internet access • Downstream speed of up to 1.5Mbps • Upstream speed of up to 128Kbps • 8 email accounts • Free ZoneAlarm personal firewall software • 8 10MB Web sites and Personal Start Pages℠ • Dynamic IP addressing for added security • 24/7 toll-free customer support • 20 hours of dial-up access per month
	EarthLink DSL Telecommuter Product	$64.95/month	• Static IP address available for $15 per month more
Two-Way Satellite	 EarthLink High Speed Satellite	Professional Installation: *$199.00 Equipment Charge: *$399.00 DirectDuo dish upgrade (both Internet access and DirecTV services): $274.00 for professional installation; $429.00 for equipment Service: $69.95	Speed: - Up to 400Kbps downstream - Up to 128Kbps upstream • 20 hrs. free dial-up roaming • 8 email addresses • 20MB personal Web space • 24/7 toll-free customer support

* Special promotion rate. Non-promotional price: $250.00 (Installation)/ $649.00 (Equipment charge)
**Special promotion rate. Non-promotional price: $149.95 (Wired)/ $299.95 (Wireless)

AT&T Broadband

EarthLink

FOR IMMEDIATE RELEASE: March 12, 2002

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AT&T BROADBAND AND EARTHLINK FORGE ISP CHOICE AGREEMENT

—EarthLink to offer Consumers High-Speed Internet via AT&T Broadband network in Greater Boston and the Seattle Market—

ATLANTA and ENGLEWOOD, Colo. — AT&T Broadband and EarthLink have reached an agreement that allows EarthLink to offer high-speed cable Internet service via AT&T Broadband's network, the companies said today. EarthLink will initially launch its EarthLink High Speed Internet service in greater Boston and in the Seattle market. The companies anticipate launching EarthLink's service in additional cities in 2003.

As part of the agreement, EarthLink will offer a full service package including high-speed Internet access, content, applications and functionality.

AT&T Broadband began testing ISP choice in Boulder, Colo., in June 2000. The $20 million six-month trial, which included EarthLink, tested technical and operational issues enabling multiple ISPs on the broadband network.

"This agreement is the culmination of years of investing to develop a multiple-ISP solution to offer consumers a choice of Internet providers on our network," said C. Michael Armstrong, AT&T chairman. "We look forward to working with EarthLink to bring the power of high-speed cable Internet and choice to more consumers."

-- more --

2-2-2 AT&T BROADBAND AND EARTHLINK FORGE ISP CHOICE AGREEMENT

"Reaching a second cable partnership – particularly with the largest cable provider in the industry – is a significant milestone in helping us to achieve our broadband expansion goals," said Garry Betty, chief executive officer of EarthLink. "Along with AT&T Broadband, we are pleased to be able to offer these customers a choice of ISPs."

AT&T Broadband is the nation's largest cable provider in the U.S. with 13.6 million cable customers. About 1.5 million customers subscribe to AT&T Broadband Internet, the company's high-speed cable Internet service. AT&T Broadband will continue to offer a full range of ISP services. AT&T Broadband will pursue discussions with other ISPs to offer consumers additional choice.

The agreement also gives EarthLink the largest cable Internet footprint of any independent ISP in the country. The company signed its first multiple-ISP agreement with Time Warner Cable in November 2000. Since then, EarthLink High Speed Internet service has been launched in 24 Time Warner Cable markets, and plans are in place to launch in the remaining 15 Time Warner markets by mid-2002.

Today, EarthLink is a leading broadband Internet service provider. EarthLink is the only ISP to offer high-speed Internet access nationally through three major broadband technologies: cable, DSL and two-way satellite. The company also offers its award-winning Internet services on a wholesale basis via cable, DSL and fixed wireless technologies. Its commitment to offer a variety of broadband technologies through multiple vendors allows EarthLink to offer its high-speed services to customers in more areas of the country.

NOTE: AT&T Broadband and EarthLink will hold a press briefing regarding this announcement on a conference call today, March 12, 2002, at 11 a.m. ET. Media interested in participating may dial 800-553-0351. A rebroadcast of the teleconference will be available beginning at 2:30 p.m. ET today until March 13, 2002 at midnight. The rebroadcast number is 800-475-6701 access code 631301.

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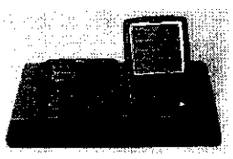
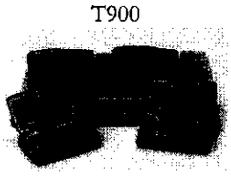
EarthLink

EarthLink Everywhere

"EarthLink Everywhere" is EarthLink's initiative to extend its award-winning Internet access and the EarthLink experience beyond the personal computer, into the world of Internet-connected appliances and mobile devices. Internally, the EarthLink Everywhere team helps EarthLink explore and select the most promising new technologies and then establish core groups dedicated to bringing those access technologies to market.

System	Partner	Device	Price	EarthLink Component
Wireless Devices	EarthLink Wireless Email & EarthLink Mobile Internet featuring BlackBerry™  BLACKBERRY WIRELESS EMAIL SOLUTION	Research In Motion's 950 and 957 two-way wireless handhelds deliver Always On, Always Connected™ mobile access to email. The units also include an address book, task list and calendar functions, and offer PC synchronization. The easy to use units have an intuitive, menu-driven interface with simple trackwheel and keyboard.	RIM 950: $399.00 RIM 957: $499.00 Service: $39.95/ month Add-on Mobile Internet service: $9.95/ month	Introduced in Dec. 2001, EarthLink Wireless Email featuring the popular BlackBerry™ handheld allows EarthLink subscribers to stay connected to their primary email account by sending and receiving messages -- in real time -- from anywhere in the nation. An "Enterprise Edition" offering makes the service available to Microsoft Exchange and Lotus Domino email users. In Oct. 2001, EarthLink Mobile Internet service became available to EarthLink Wireless Email subscribers. The new service features a mobile Internet browser, powered by Neomar, which gives users secure access to Wireless Web sites, relevant news and content categories of their choice, Web search, and directory services.
	EarthLink Wireless Email featuring Motorola Talkabout® T900  MOTOROLA	The Talkabout T900 is a fun, user-friendly mobile connection to email with a full QWERTY keyboard, a four-line display screen and an address book for up to 250 contacts. Less than four ounces and about the size of a large pack of gum, the T900 can reply, forward, delete and store emails.	Unit: $99.95 Service: $24.95/ month	Launched in April 2001, EarthLink offers its subscribers an extension of their primary email address and allows them to send and receive messages without being tied to a PC. Subscribers can communicate via email to most open-standard email addresses, other T900s, and other wireless devices.
	OmniSky Wireless Platform OmniSky™	In December 2001, EarthLink announced plans acquire the installed subscriber base and key wireless infrastructure components of OmniSky, a leading wireless ISP and developer and provider of wireless data applications and services on mobile wireless devices.	Unit and service fee prices will vary.	The acquisition of OmniSky's subscribers, and the underpinnings of its award-winning wireless data services, will serve to extend EarthLink's mobile wireless service offerings onto popular Palm and PocketPC wireless handheld devices. The acquisition also will firmly establish EarthLink as one of the leading providers of mobile wireless Internet services.

System	Partner	Device	Price	EarthLink Component
Internet/Email Appliances	Mivo™ and MailStation™ personal email devices	With devices that have retailed to date for as little as $99.95 and a $9.95 monthly service fee, Cidco has successfully marketed its MailStation™ and Mivo™ products through a number of major retailers. **In October 2001, EarthLink announced its plans to acquire Cidco's product line and subscriber base of 120,000. The acquisition is estimated to be completed by end of February 2002.**	Unit: As low as $99.95 Monthly Email service: $9.95	The addition of Cidco's line of personal email devices to EarthLink's stable of Internet products and services will strengthen the ISP's presence with mainstream retailers that want to offer consumers a suite of Internet access offerings at every level -- from low-cost appliances, to standard PC-based dial-up access, to premium services such as high-speed, home networking and wireless services.
	New Internet Computer (NIC)	The New Internet Computer's NIC Internet appliance offers plug-and-play email and Internet access via completely Internet-compatible dial-up or broadband access. A flat-screen monitor and other options are available and come without the cost or complexity of a PC.	Unit: $199.99 plus monitor Service: $19.95/ month	NIC began offering EarthLink Internet access on its machines in February 2001. EarthLink subscribers with NICs will be provided the same EarthLink experience, interface, customer service and functionality accessible on a traditional personal computer.
	Netpliance	Netpliance's i-opener Internet appliance gives existing customers instant access to the latest weather, news, and mail services without having to always connect to the Web. i-opener units include a 10-inch LCD display, a keyboard with full size keys, a built-in mouse, and one-touch keys to email. **Production of the i-opener has been discontinued by Netpliance.**	Service: $21.95/ month	EarthLink acquired Netpliance's i-opener subscriber base in February 2001, allowing them to continue using the i-opener to access their email and the Internet with EarthLink.
	Audrey™ from 3com	Focused on the family, Audrey can sync calendars and address books from two Palm-powered handhelds, send and receive emails scribbled on the touch screen or with recorded voice email attachments. Audrey also allows users to surf the Web and access pre-selected Internet content with the turn of a dial. **Production of the Audrey has been discontinued by 3Com.**	Service: $19.95/ month	EarthLink email and Internet service is currently available to existing Audrey owners. Audrey allows EarthLink subscribers to quickly and easily access their favorite and most useful Web content while organizing their busy schedules.

RECENT AWARDS

EarthLink

March 2002	***2002 Ziff Davis Smart Business "Five-Star Award"*** — EarthLink has received the only five-star rating among Internet service providers (ISP) from the editors of *Ziff Davis Smart Business*. The magazine selected the Atlanta-based ISP as its "top pick," citing EarthLink's easy installation, abundance of local-access dial-up numbers and array of broadband choices, including cable, DSL and satellite high-speed access. In a review titled *Deathmatch: Internet Service Providers*, Gordon Bass writes, "The Net, the way you want it....Remarkably simple to install," and "Fastest time for a 1MB download with a 56Kbps connection." *Ziff Davis Smart Business 5-Star Award Logo is a trademark of Ziff Davis Publishing Holdings Inc.*
October 2001 & February 2000	***2001 Mobile Computing's "First Class Award"*** — They write, "Once again, our First Class Award goes to EarthLink, but not just for providing a fast and reliable connection to the Internet without pop-up ads. This international ISP has rounded out its offerings by adding two pricing plans... and more important, by supporting a wide variety of wireless-access devices." ***2000 Mobile Computing's Best ISP Award*** — Both EarthLink and MindSpring were named best Internet service provider in Mobile Computing's editorial review. "Based on these factors [ability to connect to the Internet in a variety of ways and the time it took to connect], two companies which are soon to be one, came out on top."
June 4, 2001	***2001 Inter@ctive Week's "Top Internet Service Provider" Award*** — For the second year in a row, EarthLink was honored with another award from Inter@ctive Week. This year, IT managers rated EarthLink the "Top Internet Service Provider" in a survey. "No Internet service provider is more deserving of a top spot in the ISP category than EarthLink ... Number one fights hard to become a real alternative to America Online."
March 2001	***2001 CNET Editors' Choice Award*** — EarthLink was named CNET's Editors' Choice for best Internet service provider for two years in a row! "Thanks to its flexibility and all these extras [Web-based news and shopping content, email service ...], EarthLink caters to both home and business users so skillfully that it wins our Editors' Choice for the second year running." "Whether you're a Net newbie or a seasoned surfer, EarthLink is the ISP for you ... We think EarthLink is the one-size-fits-all ISP."
March 2001	***2001 Ziff Davis Smart Business' "Best of the Best" Award*** — Formerly *PC Computing*, *Ziff Davis Smart Business Magazine* awarded EarthLink its second straight MVP award for best ISP while EarthLink Biz was named a Web Hosting finalist. The magazine writes "[EarthLink] ... comes in first place for easy access to the Net from just about anywhere in the 50 states ... What else could you want?"
April 2000	***2000 Smart Computing's Top ISP Award*** — MindSpring was named Smart Computing's top Internet service provider in their editorial review. "Our research indicates that [MindSpring] delivers fast Internet access with few dial-up problems."

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EarthLink

EARTHLINK REPORTS CONTINUED BROADBAND GROWTH IN FIRST QUARTER RESULTS

Company Passes the Half Million Mark for High Speed Subscribers

ATLANTA, Apr. 22, 2002 - EarthLink, Inc. (NASDAQ: ELNK) today announced its first quarter financial results for the three-month period ending March 31, 2002.

EarthLink reported that revenues grew to $333.4 million in the first quarter, a 13 percent increase over the first quarter of 2001. Earnings before interest, taxes, depreciation and amortization (EBITDA) were $6.5 million for the quarter, a $25.0 million improvement from the prior year first quarter. The net loss for the first quarter, excluding acquisition and merger related expenses, narrowed to a negative $19.0 million, or $(0.13) per share, compared to a negative $35.1 million for the first quarter 2001. The company also reported that it ended the quarter with approximately 4.9 million paying subscribers.

"Once again, EarthLink has demonstrated its ability to generate strong broadband growth, as we crossed the half million mark for high-speed subscribers during the first quarter," said Garry Betty, EarthLink's chief executive officer. "In addition, we built on the success of our multiple ISP relationship with AOL Time Warner by announcing an agreement with AT&T Broadband to begin offering a competitive high-speed alternative to customers in Boston and Seattle later this year. Through its cable, DSL and satellite offerings, EarthLink has the largest national broadband footprint of any ISP in the country."

First Quarter Financial Results
Revenue
Narrowband revenues were $262.7 million in the quarter, an increase of 9 percent from the prior year first quarter. EarthLink ended the quarter with 4.2 million narrowband subscribers, down from 4.3 million a year ago, reflecting the negative effect on customer growth of price increases implemented in the second half of 2001 and the continuing migration of subscribers to high-speed access. EarthLink acquired 89,000 subscribers in the first quarter from smaller ISPs, including 30,000 wireless subscribers from OmniSky.

High-speed access continued to be an important component in EarthLink's growth strategy, as revenues rose to $54.0 million, a 67 percent increase over the prior year's first quarter. EarthLink ended the quarter with 532,000 broadband subscribers, an 85 percent increase compared to a year ago and a 13 percent increase from yearend.

Web hosting revenues in the first quarter were $13.5 million, a 19 percent decrease from the same quarter last year. The number of Web hosting customers was 175,000, up 2,000 from the end of the first quarter of 2001.

Advertising, content and commerce revenue was $3.2 million in the quarter, down slightly from $3.9 million in the prior year first quarter.

Monthly customer churn improved from 4.5 percent in the fourth quarter of 2001 to 4.1 percent in the current quarter. Some further improvement in churn is expected over the course of the year as the company continues to focus on enhancing the customer experience and as the customer mix shifts more toward broadband services, which have lower rates of churn than narrowband offerings.

Earnings before Interest, Taxes, Depreciation, and Amortization (EBITDA) EarthLink's quarterly EBITDA improved to a positive $6.5 million from a loss of $18.5 million in the prior year first quarter. The improvement in the quarter continues to reflect increased revenue and margins from the narrowband price increase, lower narrowband telecommunications expenses, and effective containment of operating costs, while providing for additional sales and marketing expenditures.

Balance Sheet
As of March 31, 2001, EarthLink held cash and marketable securities of $554.2 million. Total cash used in the quarter was $39.8 million. Capital expenditures were $10.0 million in the quarter while payments related to acquisitions were $11.5 million. Accounts payable and accrued liabilities declined by $26.4 million, reflecting principally the payment in the first quarter of employee bonuses for 2001.

Other First Quarter Highlights

In the first quarter, EarthLink began the next phase in the deployment of its multiple ISP agreement with AOL Time Warner, launching high-speed service in 6 additional markets. Through the March 31, 2002, EarthLink was offering its award-winning Internet service and its full package of high-speed Internet access, content, applications and functionality to approximately 16 million homes passed in 26 markets. In addition, EarthLink laid the foundation for future growth by announcing a multiple ISP agreement with AT&T Broadband to launch broadband service in Boston and Seattle later this year. EarthLink also expanded its home networking service to high-speed cable subscribers, allowing both EarthLink's cable and DSL customers to enjoy the benefits of sharing their high-speed Internet connection across all the computers and peripherals in their homes.

In the first quarter, EarthLink also completed the acquisitions of Cidco and Omnisky and launched EarthLink Wireless Email and Internet Service on select Palm OS and Pocket PC handheld devices. These efforts are an important part of the company's expanding EarthLink Everywhere initiative to capitalize on the growing mobility of Internet access through non-PC based appliances.
EarthLink now provides wireless email and Internet access on more handheld devices than any other major consumer ISP.

Building on its existing OEM agreements with Apple and Hewlett Packard, EarthLink also announced deals with IBM and Compaq during the quarter to extend its sales channels for the company's dial-up and high-speed services.

EarthLink also launched StarTrek.net, the only Star Trek-themed Internet access service, from EarthLink and Paramount Digital Entertainment. In addition, EarthLink received the only five-star rating among Internet service providers from the editors of Ziff Davis Smart Business. The magazine selected the Atlanta-based ISP as its "top pick," citing EarthLink's easy installation, abundance of local-access dial-up numbers and array of broadband choices, including cable, DSL and satellite high-speed access.

Business Outlook
The following statements are based on management's current expectations.
These statements are forward-looking, and actual results may differ materially. See comments under "Forward-Looking Statements" below. The company undertakes no obligations to update these statements.

EarthLink's principal operating objectives are to deliver steady growth in total subscribers while continuing to improve profitability. Based on first quarter results, current market trends, and the company's operating plans for the remainder of the year, EarthLink is refining its guidance for 2002.

EarthLink expects to end 2002 with approximately 5.2 million paying subscribers. We anticipate that the largest portion of the subscriber growth will come from EarthLink's high-speed offerings, where EarthLink will capitalize on its well-established DSL and satellite offerings and its expanding cable broadband services to grow its high-speed subscriber base by 250,000-300,000 subscribers for the year. The remaining growth will come from further improvement in narrowband churn over the course of the year and growth in EarthLink's MailStation Internet appliance offering, particularly in the seasonally strong year-end holiday period. Revenues for the year are expected to be approximately $1.4 billion.

EarthLink expects to improve operating margins in 2002 compared to 2001 by continuing to reduce telecommunications costs per subscriber for both its narrowband and broadband services, consolidating to a single billing and customer information system, improving efficiencies in the customer support call centers, and growing all other operating expenses more slowly than revenue, which is expected to increase operating leverage. Higher operating margins are expected to fund an approximately 10 percent increase in sales and marketing expenses over the prior year while still significantly increasing EBITDA. The company expects EBITDA to be in the range of $60-$75 million for the year and net loss, before merger and acquisition related costs, to be in the range of ($0.14) - ($0.24) per share.

EarthLink anticipates ending the second quarter of 2002 with between 590,000 - 600,000 broadband subscribers and between 4.9-4.95 million total paying subscribers. Revenues are expected to be in the range of $338-$342 million. The company expects EBITDA to be in the range of $9-$14 million, and expects net loss, before merger and acquisition related costs, to be in the range of ($0.08) - ($0.11) per share.

Conference Call for Analysts and Investors

Management will host a conference call on April 22, 2002 at 5 p.m. EDT.

Investors in the United States and Canada interested in participating in the conference call may dial (877)
502-9273 and reference the EarthLink earnings call. International investors may dial (913) 981-5582 and reference the same. EarthLink recommends dialing in approximately 10 minutes prior to the scheduled start time.
Investors will also have the opportunity to listen to a live Webcast of the conference call via the Internet at the following site:
http://www.corporate-ir.net/ireye/ir_site.zhtml?ticker=ELNK&script=2100
A taped replay will be available beginning at 6 p.m. EST on April 22 through 10:00 p.m. EDT on April 26, 2002 by dialing (888) 203-1112. International callers should dial (719) 457-0820 for the replay. The replay confirmation code is 761867. Additionally, the Webcast of this call will be archived on our site at: http://www.corporate-ir.net/ireye/ir_site.zhtml?ticker=ELNK&script=1100

# # #

Cautionary Information Regarding Forward-Looking Statements Although we believe that our expectations that are expressed in these forward-looking statements are reasonable, we cannot promise that our expectations will turn out to be correct. Our actual results could be materially different from and worse than our expectations. With respect to such forward-looking statements, the Company seeks the protections afforded by the Private Securities Litigation Reform Act of 1995. These risks include, without limitation, (1) that we may not successfully enhance existing or develop new products and services in a cost-effective manner to meet customer demand in the rapidly evolving market for Internet services; (2) that our service offerings may fail to be competitive with existing and new competitors; (3) that competitive product, price or marketing pressures could cause us to lose existing customers to competitors, or may cause us to reduce, or prevent us from raising, prices for our services; (4) that our commercial and alliance arrangements, including marketing arrangements with Apple and Sprint, may be terminated or may not be as beneficial to us as management anticipates; (5) that declining levels of economic activity, increasing maturity of the market for internet access, or fluctuations in the use of the Internet could negatively impact our subscriber growth rates and incremental revenue levels; (6) that we may experience other difficulties that limit our growth potential or lower future overall revenues; (7) that service interruptions could harm our business; (8) that we are not profitable and may never achieve profitability or positive cash flow; (9) that our third party network providers may be unwilling or unable to provide Internet access; (10) that we may be unable to maintain or increase our customer levels if we do not have uninterrupted and reasonably priced access to local and long-distance telecommunications systems for delivering dial-up and/or broadband access, including, specifically, that integrated local exchange carriers and cable companies may not provide last mile broadband access to the Company on a wholesale basis at all or on terms or at prices that allow the Company to grow and be profitable in the broadband market; (11) that we may not be able to protect our proprietary technologies or successfully defend infringement claims and may be required to enter licensing arrangements on unfavorable terms; (12) that our new initiatives such as "EarthLink Everywhere" may not be as successful as management anticipates; (13) that government regulations could force us to change our business practices; (14) that our stock

price may fluctuate significantly regardless of EarthLink's actual operating performance; and (15) that some other unforeseen difficulties may occur. This list is intended to identify some of the principal factors that could cause actual results to differ materially from those described in the forward-looking statements included herein. These factors are not intended to represent a complete list of all risks and uncertainties inherent in the Company's business, and should be read in conjunction with the more detailed cautionary statements included in EarthLink's other filings with the Securities and Exchange Commission. The company believes that EBITDA and net loss, excluding acquisition and merger related costs, are additional meaningful measures of operating performance. However, this pro forma information will necessarily be different from comparable information provided by other companies and should not be used as an alternative to our operating and other financial information as determined under accounting principles generally accepted in the United States of America.

Dan Greenfield, Vice President
Corporate Communications

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Astrology

Taurus (21.04 - 20.05) Your plans will be realized as if by magic, you hardly dreamed about such results of your activity. There will be rather great probability to be noticed and estimated at your true worth. There can be a situation when you will have to answer not only for yourself, but also for someone else. Try not to... MORE

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Dow	10147.77	+11.34
NYSE	587.06	+1.01
S&P 500	1107.09	-0.74

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Package Prices					
Monthly Fee	$49.95	$59.95	$69.95	$79.95	$149.00
Activation Fee	$0.00	$0.00	$0.00	$0.00	Installation and additional equipment charges may apply.
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41 Users: 1 Guests: 40

About Us

About Us / RussianNation.com

Philosophy

RussianNation.com's main goal is to unite and educate people around the world, encourage cultural preservation, and to connect the communities to other communities. We can do this by providing a dynamic, fun, and safe Internet environment for everyone.

Our company's vision is to offer the user instantaneous, cross-language translation capabilities within our chat rooms and our bulletin boards. This exciting feature will be further developed to allow members of the Russian community to "visit" members of the Chinese community and speak in their own language and have the ability to communicate. This unique feature breaks any language barriers in global communications, thereby offering more of a cultural understanding and greater commerce potential.

Communication

Interactive message forums: Allow all users to be part of the RussianNation.com community regardless of age, gender, or interest. Encourage users to express and exchange ideas on various issues. Allows all users to get help on any topic.

Dynamic chat rooms: Promote friendly, energetic, and respectful chat rooms which cover a variety of interests.

Community News

Community news: Keep users informed with news from around the world and within their community.

Entertainment: Provide interactive online games and the latest reviews on Russian music, books, and videos.

Stock quotes: Provide users with latest stock quotes.

Education

Education section: Provide educational materials and articles on Russian culture, language, and spirit. Allows all users to learn and explore the beauty of Russia and its people.

Second language assistance: Help users learn and improve their English and/or Russian through online classes and tutorials.

Internet and web development: Provide users with web tools and tutorials.

Other Services

Homepages/emails: Provide users with free homepages and email accounts.

Free Chat room & Free Daily News: Provide users with ways to make their own homepage popular.

Electronic Cards: Allow users to send customized e-cards.

RussianNation.com Web Assistance: Help users navigate the web more effectively.

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- Запретить
- Только части тела
- Для экспериментов

Голосовать
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Ежегодное президентское послание было неоднозначно воспринято политиками, как правого,... ДАЛЕЕ

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И глава государства, и глава правительства Китая в одно и то же время оказались... ДАЛЕЕ

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- Российской нефти станет больше
- Как панды и дромедары встречают весну
- ЦРУ получит свое
- Франсис Лемарк: Париж простился со своим поэтом
- Индия и Израиль: методы защиты от "исламского терроризма"
- Ирак подтягивает к границам ракетные установки
- Футбол. Черный день Донбасса
- Европа намерена состыковать арабов и израильтян

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