

To the FCC Commissioners

Sirs:

As a current subscriber to Time Warner's RoadRunner cable service, I have serious concerns regarding the policies and rules set forth by AOL and Time Warner for "Acceptable Use" of their proposed ISP service. In particular, the following clause, excerpted from their Acceptable Use policy, seems to grant AOL/Time Warner an unlimited power of censorship over user posted content.

"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."

If the US Congress is denied such power by the First Amendment of the US Constitution, how and why should be grant such power to a corporate entity? 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?

The internet was created to be an open communication medium, not as a tool of commercial concerns to sell "content" to subscribers. But communicating on the internet requires access, and the merger between AOL and Time Warner will create the single most powerful granter of that access on the planet. That power to grant access must never be combined with an unlimited power to censor subscriber's views and opinions, or with the power to refuse access to anyone based on their views and opinions! More importantly, that power should never be granted to a corporate entity whose sole intent is to push their own commercial content onto unwilling subscribers!

I have seen AOL's service. Many of my friends and relatives are AOL subscribers. I am appalled when I see the amount of commercial material they have to see JUST TO LOG INTO THE INTERNET! These are folks that are paying for full, UNLIMITED access to the internet. AOL does not openly tell their subscribers that their internet access must be subsidized by advertisers, nor do they give their subscribers the option of not viewing such material, and for good reason; their service costs no less that internet access provided by other ISPs that do not push this type of advertising onto their subscribers.

I sincerely entreat you to consider me, and all other citizen users of the internet. Please, when you make your decision, insure that I can continue to use the internet, and specifically that high speed access will not be denied to me based upon the quantity or content of my speech.

Thank you.