

October 11, 2000

To the FCC Commissioners

Ladies and Gentlemen:

I believe there to be a crisis on the Internet. Your decision in the merger matter pending will either save the Internet for the use of the average citizen user or destroy it.

Originally, the Internet was designed as a form of communication, not a commercial tool to sell "content" to subscribers. However, to communicate on the Internet, you must have access to the Internet. This is in the form of an ISP (Internet Service Provider) such as Time Warner, America On Line or other's.

Before you is the matter of a merger between the two most powerful gatekeepers to the Internet. The question is, will I and others continue to 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?

Their rules 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:

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?

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?

I entreat you to consider all users of the Internet. As 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.

Michael D. Roberts