

Gentlemen,

I would like to state that over all I approve of the AOL/Time Warner merger but have some concerns that I would like to voice.

The internet was designed as a form of communication, not as a tool of commercial concerns to sell "content" to their subscribers. AOL and Time Warner seem to believe the latter because it is more profitable.

The rules of AOL and Time Warner are extremely clear; if they do not approve my speech, then I can not speak. If I decide to use the internet as a medium for the transfer of data and ideas rather than merely the purchase "content" from Time Warner and AOL, then my access is speed capped or my account is removed. Their Acceptable Use policy states the following:

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.

This worries me because they are putting themselves in a position of having editorial control over what I may say and do on the Internet. When I purchase unlimited service, I expect a service which comes with no content or bandwidth limitations. Not one that restricts content and places a speed cap on my transfer rates.

They should not be allowed in a position of policing the Internet. Please consider AOL and Time Warner's Acceptable Use Policies when reviewing the dynamics of this proposed merger.

Thank you for your time.

P.S., I would also like to add that I do not feel AOL is engaging in monopolistic or anti competitive practices by keeping its Instant Messaging network closed to outside organizations. AOL is in no way restricting competing companies from developing their own IM networks or making peer agreements with other organizations, and AOL is in no way inhibiting its customers from migrating to these other services.