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APR 17 1996

**From:** Dean Anderson <dean@av8.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/16/96 8:35pm  
**Subject:** Internet phone regulation

I am against regulation or prohibition of the Internet Phone Service. It is my feeling that the purpose of government regulation of carrier service is protect the public from mistreatment at the hands of monopolies. A secondary service of regulation is content control. I would like to briefly explore the nature of these protections and how they should apply to internet phone.

#### Regulation of Monopolies

Obviously, a monopoly existed prior to the breakup of ATT. However, a localized monopoly can be just as damaging. Such local monopolies depend on the customers ability to choose alternative service providers. In the case of phone companies, cable providers, and the like, the monopoly can be enforced by the cost and other factors involved in the local cabling. When the cables to the service point can only be provided by one vendor, the customer has no choice, and a monopoly exists. For example, in New England, one can only purchase local phone service from Nynex.

However, when the monopoly is artificially created by the local legislative bodies, such as cities or towns making exclusive service arrangements with a company, no regulatory protection should be offered, since any ill effects of the monopoly are the sole responsibility of the municipality or agency creating the monopoly. For example, Continental Cablevision holds an exclusive service agreement with many Boston area communities.

#### Regulation of Content

It is important to allow persons to make informed choices about the content of programs or books they are about to experience. Therefore, it is necessary to have a uniform system to indicate what is contained in the content. However, in the case of books, the content is well reviewed in general prior to consumption, therefore no rating system is needed. It should be noted that this system is and should be entirely voluntary, with unrated programs or other media consumed at the risk of the consumer.

In the case of phone service, little regulation is permitted beyond that of age limitations (and those are specific to the activities, rather than the circumstance of the activities involving a phone), and prohibitions against harassment, and other intentional abuse. Privacy and other civil rights are also guaranteed. This structure of regulation of has worked reasonably well in the past to avoid constitutional infringement, and yet provide some structure of expected or anticipated content.

#### Internet Phone service

It is my feeling, and I think a market survey will support, that there are many internet service providers, and internet phone software providers to choose from. Therefore, no monopoly exists for the customer in regard to either of these kinds of providers. So no regulation is necessary for controlling a monopoly.

As far as content is concerned, I think Internet Phone services should be treated just like other voice phone services regarding age, harassment, privacy, and abuses, etc. So no changes will be necessary to the regulation beyond perhaps defining Internet Phone service to be a means of voice communication, and thus subject to the protections afforded to other forms of voice communication.

#### Data Service Monopoly

However, this does raise one issue with which the FCC should be concerned.

Currently, internet service is dependent on the the phone company to provide services between the customer and the internet service provider.

The customer is still dependent on the service monopoly of the phone company, and in fact, the phone company monopoly should be viewed as extending from a voice monopoly to a data monopoly. The extension of the power of this monopoly to the area of data services should be viewed as a discouraging development, and should be discouraged by the FCC.

The FCC can influence and reduce this extension of monopoly by permitting internet phone services to continue

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**From:** Ted Lemon <mellon@fugue.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/16/96 9:55pm  
**Subject:** Comments on ACTA petition

I'm writing to comment on the ACTA petition to the FCC asking you to stop various software companies from providing "long distance service" over the Internet.

I can think of two reasons why you should not rule in favor of the ACTA's petition. Firstly, the service that people who make voice calls over the internet are getting is not the same as that which is currently being provided by members of the ACTA, and thus does not compete. Secondly, the companies providing the software are not actually providing long-distance service, but rather software with which long-distance calls may be made.

On the first point, consider the kind of service I get when I place a voice call. What I get is a point-to-point bidirectional voice link with a bandwidth of at least 3 KHz. I have every reason to assume that when I talk, my voice will be relayed virtually instantaneously to the party with whom I am speaking, and vice versa.

Consider the service that I get when I make a voice call over the Internet. The Internet is a packet-switching network. No guarantee is made by the underlying protocols that packets will arrive in order, or that they will arrive at any particular time, or that any given amount of bandwidth will be available. The networking software does its best to provide the illusion that packets are arriving in order, but the price we pay is that we see delays and reduced throughput if there is any contention on the link (there usually is). With voice over the Internet, I can certainly hope that I might get a connection with the quality of a standard long-distance voice call, but such a hope is almost certainly unrealistic.

Why, then, would anybody want this service? Because it is cheaper. If I can't afford to call my grandparents in Romania over the long-distance telephone network, I call them over the Internet, and if the connection is lousy, at least I got to hear their voices. The service that I am getting is fundamentally different, and thus does not fall under the standard FCC long-distance regulations.

On the second point, consider who is providing the "long-distance service" in both cases. In the case of traditional long-distance service, carriers like those represented by the ACTA are providing long-distance service. As a customer, I buy telephone service from the local provider. I buy a telephone, plug it into my phone line, and dial a long-distance number to make my call.

If I want to make a call via the Internet, I buy some software from one of the companies that ACTA wishes to see regulated. I buy local telephone service, the same as before. I also buy connectivity from an Internet Service Provider (ISP). I buy a sound-capable computer from some hardware manufacturer.

I believe that companies that sell software to make voice calls over the Internet fall into the same category as manufacturers of telephone equipment. Like telephone equipment manufacturers, they must be expected to follow the protocols for connection to the network

(although in this case, the IP protocol is not regulated by the FCC).

Like telephone equipment manufacturers, they are "not" required to have anything to do with FCC tariff issues. It is absurd to think that the manufacturer of a telephone should be subject to FCC tariff requirements. Likewise, it is absurd to think that a company that sells software allowing two parties on the Internet to communicate by voice should be subject to FCC tariffs.

Finally, the ACTA predicts that voice calls over the Internet will kill the Internet. I've been on the Internet since 1985. If I had a nickel for every time the imminent death of the Internet has been predicted by somebody with an axe to grind during that time, I'd be set for life.

It may be just faintly possible that voice calls over the Internet may cause trouble in the future, but I think the likelihood of that is quite low, and frankly the Internet community doesn't spend a lot of time worrying about that. We spend a lot more time worrying about whether peering politics are screwing up connectivity for customers, or where the next Gigaswitch is going to come from.

I hope that your eventual decision on this matter will be that the

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ACTA petition is groundless.

Sincerely,

Ted Lemon

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**From:** Lisanke, M.G. (Mike) (8-443-6076) <michael@VNET.IBM.COM>  
**To:** A16.A16(rm8775)  
**Date:** 4/16/96 6:18pm  
**Subject:** ACTA Petition

FEDERAL BUREAU OF INVESTIGATION  
OFFICE OF THE ATTORNEY GENERAL

We have reached a juncture, when the disparity of price vs. cost will become apparent. Those who run our government must decide which side of the issue they want to be associate with. In my mind, it is already obvious that our government representatives and officials represent a small group of business interests which seek to delude the American people into the belief that they have been getting a 'real value' in long distance communications. What a joke!

Those of a technical mind know it doesn't cost a phone company \$.10 a minute to let somebody speak with another. If the general public were 'aware', you'd have no way of suppressing the current internet voice technology. As it is, you still have a chance to maintain the telecommunication's business interests.

Move quickly to suppress the internet now, before it allows any real democracy to invade your sanctum; or do the right thing! Your choice. Regards, Mike

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**From:** Rich Morin <rdm@cfd.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/16/96 9:21pm  
**Subject:** ACTA petition

FEDERAL COMMUNICATIONS COMMISSION  
GENERAL SECRETARY  
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It seems to me that the FCC should be in the business of encouraging new forms of communication, rather than maintaining the profits of existing communications oligopolies. The ACTA petition is equivalent to a request to prohibit electronic mail, newsgroups, Web sites, or other Internet activities that compete with existing media services. The existing media services all have benefits to offer; let them compete in an open market.

Yours, Rich Morin  
Prime Time Freeware  
SunExpert Magazine  
UNIX Review Magazine

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**From:** Michael Green <Michael\_Green@thurso.fc.uhi.ac.uk>  
**To:** A16.A16(rm8775)  
**Date:** 4/17/96 10:55am  
**Subject:** Laudup for Aberdeen?

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Today I heard a stunning story from inside Ibrox(my uncle is the commercial manager). It is rummerd that Aberdeen have put a bid in for Brian Laudrup, they are going to swap Stephen Glass and Scott Booth for Laudrup. The deal could go through as Rangers are nearly certain to sign Ginola and Vialli. Walter Smith and Laudrup haven't being seeing eye to eye because Rangers won't buy Michael Laudrup. My Uncle asked Walter Smith about The Laudrup Gossip he said "Brian and Me are having talks, he has had his mind set on playing in England but is quite interested in finishing his Career in Scotland, hopefully we can hold on too this highly skilled player".

Well all you dons fans imageing Brian Laudrup playing for Aberdeen!!!!!!!!!!!!!!

That was Michael Green telling you a major gossip story from inside Ibrox.

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**From:** Robert Brucoleri <bruc@bms.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/17/96 9:42am  
**Subject:** ACTA Petition to regulate Internet voice communication

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF TELECOM

The ACTA petition appears to be just a blatant attempt by the telephone companies to squelch new competition.

Voice communication over a network is different than telephone service because the parties involved must agree to talk before the communication can begin. In addition, the Internet is very new, it is not a threat to our society, and it is too early to regulate it.

Sincerely,  
Robert E. Brucoleri

P.S. This views are my own, and should not be construed as the opinion of my employer.

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+-----+
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| Member of the League for Programming Freedom |
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INTERNET PHONE  
COMMUNICATIONS

**From:** todd combre <hbbus057@dewey.csun.edu>  
**To:** A16.A16(rm8775)  
**Date:** 4/17/96 1:49am  
**Subject:** Internet Phone

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Just like the "buggy whip" manufacturers, the phone companies will either adjust to new technology or perish.

Ain't history neat..

Todd Combre

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**From:** Paul Dowd <pauldowd@phantom.com>  
**To:** A16.A16(m8775)  
**Date:** 4/17/96 1:37pm  
**Subject:** Yes on Internet Phones!

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RECEIVED BY THE SECRETARY OF THE HOUSE OF REPRESENTATIVES

The use of the Internet to make long distance calls should not be banned. In the American spirit of innovation and free enterprise that such pursuits should be applauded, not outlawed.

-Paul

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creative@engineering.com <http://www.phantom.com/~pauldowd/>

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**From:** The one true Frank <feist@chaph.usc.edu>  
**To:** A16.A16(rm8775)  
**Date:** 4/17/96 1:44pm  
**Subject:** Internet voice applications

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Dear FCC,

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I have just been informed that you may possibly choose to regulate the use of voice communications over the Internet. I feel this is totally ludicrous.

I'm sure you will find various legal reasons to censor the ability of the public to communicate, but what moral reasons can you give to justify such an act?

Not being familiar with communications law, I find myself unable to argue, but I will ask you one question. For whom do you work? The individual citizens of this company? Or large corporations with A LOT of money?

Sincerely,

Frank Henry Feist

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**From:** Steve Cathersal <scathersal@path.path.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/17/96 1:46pm  
**Subject:** Internet Telephone

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

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DUPLICATE

Just a note to say that I think that the FCC should keep its nose out of the Internet and allow the Internet telephone products to continue to flourish.

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**From:** <grmcmd@ix.netcom.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/16/96 11:03pm  
**Subject:** please reject ACTA's request

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

while it is true that users of the internet can and possibly will use various software and hardware to use the 'net as a long distance voice medium, ACTA seems to have misplaced logic.

first, the use of the 'net is still limited: almost everyone has a phone (more and more have several phone lines), but a very small number have 'net access.

second, a phone costs around \$10-100, and the service maybe \$50-75 per month (this includes numerous options like caller ID, etc. as well as long distance charges). on the other hand, 'net access runs \$20+ per month; the hardware required tops several hundred dollars exclusive of the computer itself.

third, voice quality is lousy compared to the phone services. although advances in software and hardware will likely improve this aspect, such competition will also spur the voice carriers to improve their transmission.

as with most things in our country, this is a matter of economics. this is a means by which voice carriers can force consumers into making do with less choice and unresponsive service. it is piggery, greed, and fear. in truth, the numbers are not present, the rationale at best self-conclusionary.

please allow competition to work, and disallow the ACTA request.

... gary maze

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**From:** aqui <aquila@interramp.com>  
**To:** A16.A16(rm8775)  
**Date:** 4/16/96 11:28pm  
**Subject:** rm8775

APR 17 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Commentary on the ACTA petition:

ACTA claims that the providers of software which enables real time verbal communication over the Internet are interstate common carriers. These software manufacturers are providing a terminal product, much like the telephone, and not carrier services, like local or long distance circuits and switching facilities. The term carrier itself implies the facility to bear, or carry, information over a transmission medium and not necessarily the means to access that medium. The software is not the transmission medium, the Internet circuits are. If the FCC rules that the software manufacturers are common carriers then doesn't that also mean that all manufacturers that provide a means of accessing interstate telecommunications services are common carriers? Would every company that ever wrote computer code for a central office be a common carrier? Would every manufacturer of telephones be a common carrier? Would the manufacturers of personal computers and their internal hardware, especially modems, be a common ca

rier since without the hardware the software would be useless? The ACTA assertion is counter to the intended meaning of common carrier.

The ACTA petition repeatedly implies that these calls are free. End users pay fees to their internet service providers for access to the Internet and those service providers in turn pay fees to carriers who provide them with national internet access. Those carriers include MCI and Sprint which are two of this nations largest long distance service providers. So, even though these carriers are not receiving a per minute charge for the use of their facilities they are being compensated.

ACTA is seeking relief against advancing technology. Did the manufacturers of radios succeed, or even attempt, to halt the advent of television simply because their products would be less attractive to some? If they wanted to survive in a dynamic manufacturing environment they had the option of building TV's besides radios. The members of ACTA have the option of opening their services up to Internet traffic if they choose to capitalize on its increasing use for both traditional data and voice communication.

ACTA's position implies that voice over the Internet is a comparable service to normal long distance voice communication. Anyone who has used any of these internet software solutions knows that the quality of the transmission is severely lacking by comparison. Also it is very cumbersome to initiate a connection. Both parties have to be on line at the same time in order to connect as opposed to the idle condition of a normal long distance call recipients phone.

It is against the spirit of the Telecommunications Act of 1996, which seeks to increase competition in order to provide consumers with cheaper and better communications services, to rule in favor of ACTA's position.

Thank You,  
Aqui Ordonez aquila@interramp.com

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