

**From:** <DIANE4TOM@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 6:51 AM  
**Subject:** Merger Delay

00-30  
**ORIGINAL**

**EX PARTE OR LATE FILED**

Another political delay? This is just politics as usual. Vote in the affirmative for the merger.

**RECEIVED**

JAN 11 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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List ABCDE

**From:** <ABarringer@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 7:52 AM  
**Subject:** AOI Twx

What are you people doning?? Lets get this done!!!!!!!!!!!!

**ORIGINAL**

**From:** FNicholas <faithann@bignet.net>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 7:53 AM  
**Subject:** AOL

This is madness! You are going to decimate this merger so badly it will have no benefit for anyone!! The purpose of a merger is NOT to give parts of the company away to competitors. I am going to urge Bush to replace power hungry FCC members as soon as possible.

ORIGINAL

**From:** <JBe6825021@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 8:15 AM  
**Subject:** aol/time warner

Its time to get this merger done so business can be taken care of. You are ruining lots of peoples lives by delaying this deal. You've had a year to think about this. Get together, get this done!

**From:** <JBe6825021@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 8:29 AM  
**Subject:** Aol/Time Warner deal

Aol has given up too many concessions as it is. You guys are stalling. There is no need for further delay. It really frustrating to me that our govt. intervenes in free enterprise. Is this Russia? Aol has plenty of competition. If the competition is so worried, why don't they spend some cash and come up with something the consumer wants. It is not fair you guys punish a successful company, which already have said they want open access. Lets get this deal done and quickly. Thanks!

ORIGINAL

**From:** <BiggerBear@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 8:43 AM  
**Subject:** aol/twx

Its Time!

Art Beebe  
6821A Surrey Rd  
Fayetteville NC  
28306

910-425 1712

**From:** Dr. William Chimiak <w.chimiak@ieee.org>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 8:44 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

Dr. William Chimiak (w.chimiak@ieee.org) writes:

I am the I Institute of Electrical and Electronic Engineers (IEEE) engineer of the year for Region 3. I was the Vice Chairman of North Carolina Communications Advisory Council, as well as having prominent positions in the North Carolina Information Highway planning committees which was the Nation's first state-wide Internet 2 (predating the hype).

I am emailing to voice my strong concern over the Time-Warner/CNN/AOL merger. I believe this to be a great mistake and an assault on free-speech. You are creating an information monopoly. Already I have no alternative to CNN in the airports, this merger will make things even more difficult for competition.

Allowing this merger indicates to me that you have no desire for competition and free speech. I ask you to reject this merger as it is an assault on the basic American values of freedom and fair competition.

Thank you.

Sincerely,

Dr. William J. Chimiak  
Ph.D. ECE

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Server protocol: HTTP/1.0  
Remote host: 150.216.193.190  
Remote IP address: 150.216.193.190

**From:** <Ohringen@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 8:59 AM  
**Subject:** Merger

Hello !!!! Millions of Stock Holders are Waiting for a Decision????? Our Economy and Country Depends on this Decision. Approve NOW.

**From:** <London555@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 9:08 AM  
**Subject:** what is wrong with you folks-youve had a yr re AOL .

**From:** David Kuper <Cvis@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 9:28 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

David Kuper (Cvis@aol.com) writes:

I am outraged that your review of the AOI-Time Warner merger has now carried over into 2001. Your agency's lack of focus is undermining the morale at these companies and making it very difficult for employees to plan their future. This merger is about people, not just wires. Get the job done!!

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Server protocol: HTTP/1.0  
Remote host: 152.163.204.203  
Remote IP address: 152.163.204.203

**From:** <JMiamiTriad@aol.com>  
**To:** <gtristan@fcc.gov>, <bkennard@fcc.gov>, <sness@fcc.com>, <mpowell@fcc.gov>, <hfurchtg@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:14 AM  
**Subject:** How Pathetic is the FCC?

Has the California energy market taught government regulators nothing? The government should stick to governing and stay away from things they can NOT understand. An entire year the FCC has grappled with the AOL/TWX merger, and yet a decision has yet to be made. That alone shows the commission is very much unequipped to handle this issue and should leave consumers as the final judge and juror. Congress can always make needed amendments down the road that would effect then entire industry and not just two individual companies. The FTC has already embarrassed itself, don't join them!

Sincerely,  
James Lawrence

**From:** Frank Buono <fbesq@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:20 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

Frank Buono (fbesq@aol.com) writes:

I know you think you are protecting consumers with all this AOL restrictive stuff. But what you are accomplishing is the destruction out of the gate of a great company that was, prior to all this interference, giving consumers a new breath of life in the digital age.

What I've learned from the AOL Merger approval process is that government is indeed the people's greatest enemy. Every time I get a chance, I will vote for less government. Furthermore, whenever there is a government process added to a company's calendar, I will, like those smarter investors did, unload unload my stock.

If your agency was protecting consumers, my telephone line wouldn't be used to invade my home and business with unwanted solicitations, my AOL line would be bringing me cable fast access and DSL would have been available a long long time ago.

I have a dog who is a member of the Small Dogs Association who has a request. Can he and his membership have doghouses burrowed into AOL TimeWarner cable lines in those regions where TimeWarner is the exclusive cable provider. I'm sure you can force the company to provide dry and wet food, even if it takes just five years or so to figure out how to prevent the dogs from messing up the internet service.

Disgusted,

Frank A. Buono

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Server protocol: HTTP/1.0  
Remote host: 64.12.105.159  
Remote IP address: 64.12.105.159

**From:** c curtis <clhcurtis@yahoo.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:21 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

c curtis (clhcurtis@yahoo.com) writes:

please, this unnecessary holdup on aol/twx is ridiculous and destructive. please approve the merger for the benefit of everyone. thank you

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Server protocol: HTTP/1.1  
Remote host: 165.247.93.94  
Remote IP address: 165.247.93.94

**From:** <BEROG@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:36 AM  
**Subject:** AOL merger

I would like to encourage you to approve the merger of AOL and Time Warner. I think it is utterly ridiculous for Microsoft and ATT to ask for regulations on their competitors while they insist that none should be applied to themselves. If ATT had agreed to a reasonable arrangement, they could have had open access with AOL over a year ago.

I think it is in the best interest of the public to continue providing information over the internet and AOL is doing a good job of this without harming the public interest.

Thank you for your consideration.

J Robert Gore

**From:** <JMiamiTriad@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <gtristan@fcc.gov>, <mpowell@fcc.gov>, <hfurchtg@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:36 AM  
**Subject:** Is the FCC an arm of the Communist Party...

What has happened to free market competition? What kind of insane world does the FCC live in where it makes sense for any company to write the laws by which they would like to "compete". No wonder the congress is anxious to strip the FCC of merger approval power. The sheer stupidity shown by the FCC on the AOL/TWX merger confirms the commission is a danger to the American economy and free enterprise and capitalism worldwide. At this point most consumers would love to see AOL and TWX tell the FCC to stuff it, and slam them in the supreme court!

Sincerely,  
James Lawrence

**From:** <Ranger0288@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:40 AM  
**Subject:** AOL/TWX merger

You people have had a year to study this merger and at the last minute come up with objections from lobbyists about conditions the FTC didn't impose? Be very careful about crossing the line into imposing conditions on one company that are not imposed on anyone else.  
Bureaucracy at its worst. Shame on you.

**From:** <Pgm498@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 11:31 AM  
**Subject:** Aol Merger

The Government has had a year to decide on this merger !!!!  
How long does the Government need ????????

I am a shareholder and I have lost thousands of dollars I believe because of this time delay. How about being more considerate to the people involved ??

Its almost getting to the point I'm afraid to invest any more because of Government interference.

Phil Martin  
Hamilton, Ohio

**From:** <DE32037@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>, <hfurchtg@fcc.gov>  
**Date:** Fri, Jan 5, 2001 12:09 PM  
**Subject:** AOL/TWX

You are a bunch of anti-American low life.

Dan Elliott  
7719 S. River Rd.  
Indianapolis, IN. 46240

**From:** <Kmorimoto@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 1:16 PM  
**Subject:** AOL/TWX merger

Ms. Tristan,

Please, please, please approve the merger!!!

Thanking you so much,

Sincerely,

One of the consumers whom you try to protect!!!!

Kay

**From:** Angry Citizen <antibusinessfcc@communist.gov>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 1:24 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

Angry Citizen (antibusinessfcc@communist.gov) writes:

Why are you taking so long with the AOL/TWX merger? You people have had more than enough time. You are acting like a bunch of antibusiness communists. This is America! Start acting like you live here.

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Server protocol: HTTP/1.1  
Remote host: 152.163.190.1  
Remote IP address: 152.163.190.1

**From:** <KRPurcel@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 1:27 PM  
**Subject:** What now

Dear Sirs:

I write once again as a concerned shareholder in both AOL and Time Warner. I have now read today's announcements stating you are asking small ISP's to help draft restrictive provisions to the merger.

Since when do companies' competitors get to decide how they should be limited? First we are told that you "need more time" after knowing about the merger for a year. Now you are saying that you don't even know what you should do? So you are asking people who don't want the merger to go through to draft the restrictions?

Excuse me, but that certainly begs the question - what are we paying you for? You are all fortunate you are not elected officials. You are giving us another good example of just what a sham our government agencies are.

Kevin R Purcell

**From:** <Unegamin@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 1:40 PM  
**Subject:** AOL/Time Warner Merger Delay

Dear Commissioners,

I have just read a report in the WSJ that there is yet another delay in voting on the AOL/Time Warner merger. I feel the FCC has had more than ample time to consider this merger. In fact the FCC's self imposed deadline has already passed.

These delays are unwarranted and pose an unnecessary burden on these two companies and it's shareholders. I also think this is a waste of tax dollars. I find this especially troubling during this time of market and economic uncertainties. This is a major obstacle for free enterprise in America.

Regards,

Theresa Francis

**From:** <USANDY@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 4:21 PM  
**Subject:** Please approve the AOL Time Warner merger quickly

Dear Commissioners,

I am writing you for the first and possibly only time. I would like to request that you approve the merger of AOL/Time Warner quickly for the following reasons:

1. The companies have pushed innovation, not stymied it. We are much better off because of AOL's dominance of the ISP market because they have the effect of standardizing the market. I shudder to think what a disparate mess the Instant Messaging function would be today if not for AOL. They have allowed others into the loop as long as they do not try to run the show or gain access to information sensitive to AOL.
2. I am a Time Warner cable customer. I also subscribe to Road Runner. I also am an AOL customer. The combined company would actually SAVE ME MONEY over what I pay today.
3. You are being unfair in letting AOL competitors voice their concerns without considering their considerable bias. This also occurred in the Microsoft case, and although your commission didn't review that issue, the effect is the same...a considerable drop in efficiency in the high tech industry that is so important to our countries economy.
4. The perception of many is that you are throwing your weight around and exercising your power as a commission by using delaying tactics. This is not the way to protect the public. I should not have to tell you the way to protect the public is to formulate clear, concise and objective policy in a timely manner. You have had almost a year to review the case. The impression that you are involved in a witchhunt is pervasive and unseemly.

Sincerely,  
Andy Crossfield  
Lakeland, FL

**From:** jcook <jcook32132@www.fcc.gov>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 4:31 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

jcook (jcook32132) writes:

If you would like to get an idea of what thirty million members think of the job you and your buddies are doing, go to the A.O.L. message board. But I guess if you were sensitive to what you are doing to peoples lives and investments, the A.O.L. merger wouldn't be in the mess it's in. You need to can the speeches, get in the office and do your job!!!!!!

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Server protocol: HTTP/1.0  
Remote host: 205.188.199.157  
Remote IP address: 205.188.199.157

**From:** <London555@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 5:43 PM  
**Subject:** YOUVE HAD A YEAR TO VOTE ON AOL-WHERE IS IT?

**From:** Christopher Herman <cherman1@tampabay.rr.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 7:38 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

Christopher Herman (cherman1@tampabay.rr.com) writes:

Dear Ms. Tristani,

I would ask that when you decide about the Time Warner AOL deal you factor into your decision the 37% price difference between Time Warner Hillsborough County Florida and Time Warner Pinellas County Florida. They are adjoining counties that offer near identical services. In Pinellas County however, Florida Time Warner customers get a substantially lower rate because GTE Americast is offering competing service. GTE Americast however can not expand into other counties because Time Warner has so substantially lowered their rate as to make any profits difficult. All this as residents just miles away in Hillsborough County pay 37% more for the identical service because there is NO competition, and if fact probably subsidize Time Warner's plan to eliminate competition in Pinellas County. I could not be more disappointed, and I think the FCC should investigate. I have cable bills from both counties showing identical services. Please contact me if I can be any assistance.

Thanks  
Chris Herman

---

Server protocol: HTTP/1.1  
Remote host: 65.32.38.63  
Remote IP address: 65.32.38.63

**From:** <Gabby5555@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 7:53 PM  
**Subject:** aol

these two companys need to merge. we pay for what we as people see that meet our needs, if one gym has more weights and hotboxes, whirlpools for \$30 a month, and the gym down the street only has half as much for \$30 a month, can we tell the gym down the street to get more equiptment? no,we cant... so do the world a favor and merge these two companys , thanks for your time.....

**From:** <Corrao@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Fri, Jan 5, 2001 10:38 PM  
**Subject:** Aol-Twx

Mrs. Tristani,

How could you not approve this deal yet. You sure didn't step in when ATT would not open access for anyone including aol! Why the double standard? Your committee has sat on this deal for a year, and now your going to ask these other isp/competitors, how can we make open access available to you, give me some ideas!!!!

What kind of response do you think your going to get from competitors. Aol made instant messenger. It's theirs! How in the world can you possibly force Aol to give it away. Why do you think these other isp's can compete?

- 1: They have no content.
- 2: Ease of use!
- 3: Instant messenger(they created it, remember)
- 4: I don't have to go to best buy and buy a computer and save \$400.00. Oops did I tell you that saving the \$400.00 locks me in for 3 years with Microsoft(MSN) as my browser!!!!
- 5: They have content, I know I said that already, but nobody else has it. Not MSN, not cnbci, not even execpc.

Please leave a legacy in the fact that Aol built itself up and created what it is today, whether by merger, self creativity, or acquisition. MSN and everyone else will have to work at it and not have it delivered to them as if they are on welfare!

Respectfully,

Andy

**From:** <EAleccia@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Sat, Jan 6, 2001 4:39 PM  
**Subject:** aol-time warner merger

Please approve the merger asap. This undo delay in securing additional concessions is disgracfull given the time FCC has had to review merger. Please do not insult the united states and the american public that additional concessions are necessary. The FCC handling of merger is a perfect example of government beaucroacy at work. The FCC has had one year to analyze merger of two vertical companies. Moreover, the FCC approved merger of ATT&MEDIA ONE without open access conditions. How in good faith can you rationalize FCC posture regarding AOL-TIME WARNER merger. Please reconsider position and approve ASAP absent additional conditions. Thank you.

**CC:** <bkennard%fcc.gov.sness%fcc.gov.mpowell@fcc.gov>

**From:** Michael Bilben <mbilben@setterleach.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Sun, Jan 7, 2001 10:58 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

Michael Bilben (mbilben@setterleach.com) writes:

Commissioner Tristani:

I am commenting on the AOL/Time Warner merger proceedings.

Please complete your review in a timely manner and consider the following.

1. I think that instant messaging and interactive TV issues should be studied post-merger as an industry-wide application. I think you should determine if any regulation is needed and, if so, how that regulation can be applied industry-wide and not focused on any one company.
2. I think interactive TV issues should be studied post-merger to avoid making rules apply to any one company.
3. I think the FTC condition on open access to cable systems should be implemented with little modification by the FCC. The FCC can later look at industry-wide regulations to see if further open access rules need to be implemented.

Thank you for your consideration.

Michael Bilben

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Server protocol: HTTP/1.1  
Remote host: 63.228.56.237  
Remote IP address: 63.228.56.237

**From:** "art fougner, md" <evsono@pipeline.com>  
**To:** <bkennard@fcc.gov>  
**Date:** Sun, Jan 7, 2001 11:47 AM  
**Subject:** aol - time warner merger

Dear Commissioners -

this has been going on for almost a year - certainly enough time to have all the info necessary at your disposal. here's a thought - why not approve the merger, then meet to decide regulations over the ENTIRE interactive TV industry - a global solution and not company specific. as for cable access, TW is NOT the only cable provider so global solutions should work here as well.

thank you for your consideration.

arthur c. fougner, md

**CC:** <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>

**From:** David Miller <mil502@earthlink.net>  
**To:** <gtristan@fcc.gov>  
**Date:** Sun, Jan 7, 2001 11:53 PM  
**Subject:** AOL merger

Hello, we just want you to know that we are 110% against the TImewarner/ AOL merger. I think this would be bad for Americans, it stifle competition and creatilve growth in the industry of communications. Thanks for listening

David and Gayle Miller , Seminole, Florida

**From:** <DOUGMHURST@aol.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Mon, Jan 8, 2001 8:43 AM  
**Subject:** AOL Time Warner acquisition

To all FCC commissioners,

So, you've got 200 or so complainers and a few small ISP's trying their darndest to scuttle the AOL Time Warner deal. And you've got some big time Democrat contributors like Disney lobbying hard against it. On the other hand, you've got 26 million satisfied customers who want to see the deal consummated so they can start enjoying high speed access to not only the biggest, but the best internet service available.

Excuse me, but where were these companies when AOL was a very small company and through the blood, sweat and tears of their employees and management built the company into what it is today? Now, the little guys and even a few big guys want what AOL has built without putting in any of the effort?

You know, this is not like Microsoft where there is little choice but to use the Windows operating system. Users can pick any internet service they want and they pick AOL because they're the best and easiest to use. If they weren't, they'd pick someone else.

As regards AOL Instant Messenger (AIM), say Coca-Cola was going to merge with a big food company like General Foods to improve distribution. I can't believe the FTC or the FCC would order Coca-Cola to give the formula for Coke to all the other Cola manufacturers in the U. S. and abroad as a requirement passing on that merger.

This is a capitalist country, not socialist... at least not yet. Again, AOL built AIM on innovation, blood, sweat and tears. Now, everyone wants access to it for nothing.

I'm requesting that you approve the AOL Time Warner merger without further delay.

Doug Hurst  
Springfield, VA

**From:** Chris Brinkman <CWB54@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Mon, Jan 8, 2001 12:44 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

Chris Brinkman (CWB54@aol.com) writes:

My concern is regarding the length of time it is taking the government - FTC and FCC - to decide the AOL-Time Warner merger. It has been over a year now and still no decision. Just more bureaucracy, in my opinion. If the FCC opposes the merger, then while I think you are wrong, I would urge you to DECIDE. The American consumer wants the kinds of services this new company will provide - and they want them NOW. There is absolutely nothing more frustrating to us folks out here in the hinterlands than to watch a government agency slow the information age's progress. I realize you have a job to do, but a year is long enough. Hell, the Empire State Bldg. was built in 18 months - and that was back in 1934 or so! Please act now - one way or the other - just make a decision.

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Server protocol: HTTP/1.0  
Remote host: 216.68.74.185  
Remote IP address: 216.68.74.185

**From:** <ADOBEFINAN@aol.com>  
**To:** <sness@fcc.gov>  
**Date:** Mon, Jan 8, 2001 3:28 PM  
**Subject:** Fwd: aol merger approval

**CC:** <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>

**From:** David Pine <pine1@whc.net>  
**To:** <gtristan@fcc.gov>  
**Date:** Mon, Jan 8, 2001 6:13 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

David Pine (pine1@whc.net) writes:

The AOL-Time Warner merger has all the ear markings which could cause the demise of many small ISPs, such as my company. I have been advised that the FCC is going to select some ISPs to develop a study in working with this pending merger. I am a small ISP serving parts of Texas and New Mexico. If there is any way we can participate in any study, I would appreciate consideration. So would my 65 employees throughout Texas and New Mexico. Thank you,

David Pine  
President  
USAonline, Inc.

---

Server protocol: HTTP/1.1  
Remote host: 206.249.219.111  
Remote IP address: 206.249.219.111

**From:** Renee Halvorsen <mingi36m@yahoo.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Tue, Jan 9, 2001 9:54 AM  
**Subject:** AOL IS NOT - THAT IS NOT \_ HOBEST CHECK EVERYTHING

EVERYTHING BEEDS LOOKING AT - EVERYTHING RE AOL

AOL deceives members AS A MATTER OF PLANNED POLICY.  
 WE NEED LAWS about how ANY company CAN IMPOSE obligations on a customer.  
 AOL MAKES a MEMBER ALLOW SOMEONE ELSE HIS CC access  
 if he just lets that person online just to do to

the web.  
 AOL will NOT let the account holder give adult computer access to a friend without giving him his Credit Card at the same time.  
 That's BAD ENOUGH.

What's EVEN WOIRSE is AOL does not properly inform the member that this is the case. IT is a built in DEFAULT that goes with the 18+ category.  
 YET on this AOL help website site  
 <A  
 HREF="http://aolhelp.web.aol.com/SS/PC/225010.html">  
 AboutScreenNameCategoryTypes</A>

AOL does NOT MENTION IT!!!!!!! Go look.

=====  
 Look over this board for more on the subject:

iVerify - free serices website  
 >>http://www.iverify.com/ivboard.html<<

-----  
 Here is one recent post:  
  
 under the topic line  
 AOL and the BBB - latest news (posted Jan 8)

-----  
 The latest news is NO NEWS.  
 ALL REMAINS THE SAME.  
 AOL continues to have two screen sequences for online shopping, no review, no cancel option, one click, no ID "ordering", etc.  
 AND

the BBB continues to OVERLOOK the many violations

of the BBB's own CODEs for  
ethical business.

~~~~~SUMMARY~~~~~

The BIGGEST internet service provider in the  
world  
- AOL -  
deliberately misleads and confuses members in  
ways that lead to lots of EXTRA  
\$\$\$\$ for AOL from online shopping for  
merchandise, for "new" accounts, for  
magazine subscriptions from third parties, - - you

name it,

WHILE:

The BIGGEST, or at least ONE of the BIGGEST  
(collectively speaking), of the  
alleged watchdog organizations in the world -  
created with the "mission" of promoting "ethical"

business practises and

protecting consumers,

The Better Business Bureau of the USA -

has AOL ON RECORD AS A MEMBER IN GOOD STANDING.

The most casual reading shows that  
the BBB's standards for decent online commerce  
and  
AOL's shenanigans [which deceive and confuse  
members regularly]  
ARE IN COMPLETE CONFLICT.

The Washington DC BBB (the BBB of which AOL is a  
member)  
is FULLY AWARE of this and DOES and SAYS NOTHING.

Our presumptive new Secretary of State is on the  
Board of Directors of AOL.  
(At least AOL has its board of directors on a  
website!!)

The BBB websites (there are MANY) do not appear  
to have  
put the board of director lists on the web for  
any of their regional  
organizations, or even for their "umbrella"  
organization,  
the COUNCIL OF BETTER BUSINESS BUREAUS.

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Do You Yahoo!?

Yahoo! Photos - Share your holiday photos online!

<http://photos.yahoo.com/>

**From:** "Brad and Joanne Waite" <bwaite1@austin.rr.com>  
**To:** <bkennard@fcc.gov>, <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>  
**Date:** Tue, Jan 9, 2001 12:37 PM  
**Subject:** AOL merger comments

Please consider requiring AOL to open up it's instant messenger service, and for them to maintain open access for ISPs via cable.

Despite attempts by other companies to maintain open access to Instant Messenger, AOL has consistently prevented, and interfered with access by various instant messenger services. They also say it is not "big business". A while back I was receiving a lot of updates to my Microsoft Instant Messenger, all because AOL kept changing access to block it. It was in the news, a lot of vendors complained. Perhaps you remember it.

Instant messengers are a useful feature, much like a phone, or radio. The only difference is messages are typed. The usefulness will decline if we have to use different vendors to contact different people.

Imagine if early telephone vendors had been allowed to block access by other vendors phones, or early radio broadcasters been able to have their own broadcast format. We'd now be able to only communicate with the people using the same vendors phones, and have to have separate radios for each broadcaster. It would have been chaos. Imagine if that had happened, in the end, how useful would the telephone or radios be.

Instead there was open access, and the industries thrived. With common FCC communications rules, guidelines, laws, in place, it has allowed commercial development of both phones and radios.

Like phones, and radio, the FCC can cause AOL to open up access, and force them to quit blocking other vendors as a part of this merger.

If AOL is allowed to continue to block Instant Messenger access, it will be the same chaos. Their statements that it is not "big business" so there is no need for you to require open access to Instant Messaging, rings hollow. Perhaps it isn't big business. But, if they don't expect it to become big business why block it? Besides, good, while it is "small business", and small, let's make certain it is open. Once it becomes big business with much greater investment, there will be more intractable interests. (Again, image if we were talking about earlier phones, and radio.)

About ISPs. This will be a very large company with the potential to lock out competition, or cause other ISPs to have difficulties when people try to connect to someone else. The Federal Trade Commission had the right idea on this one. Make sure they can connect users with another ISP in each area BEFORE they are allowed to deploy. That should prevent foot dragging by AOL/Time Warner with other ISPs.

Thank you for listening to my opinions.

Brad Waite  
1102 Double File Trail

Round Rock, TX 78664  
512 255-8310

**From:** Mike Robey <mikerobey@charter.net>  
**To:** <gtristan@fcc.gov>  
**Date:** Tue, Jan 9, 2001 1:09 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

Mike Robey (mikerobey@charter.net) writes:

Hello, here is another friendly input on the AOL Time Warner merger. The news keeps saying you are concerned about instant messaging. How many years should it take you to understand this simple of all features? And it is free! I am very very worried and concerned about your behavior. It is not only inexcusable to miss your own deadline after a year, but I suspect some amount of "politics" are at work here with some probability of unfair catering to the whining parasites like Microsoft and AT&T.

I wish you would simply do your job and not try and make some career out of this.

Regards, Mike

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Server protocol: HTTP/1.0  
Remote host: 24.240.90.162  
Remote IP address: 24.240.90.162

**From:** <Newriverex@aol.com>  
**To:** <bkennard@fcc.gov>  
**Date:** Tue, Jan 9, 2001 2:12 PM  
**Subject:** Re: AOL/Time Warner Merger

Dear Sir:

I would like to ask for your support for the proposed AOL/Time Warner merger. I think the merger will provide new and innovative services to the consumer and have a good chance to survive in the world markets. This would only benefit the U.S. in tax revenue and may bring some cost savings to the American consumer with a more efficient integrated company.

Thank you for your prompt support of this merger.

Sincerely,

Robert Hixon    Houston, Texas

**CC:** <sness@fcc.gov>, <hfurchtg@fcc.gov>, <mpowell@fcc.gov>, <gtristan@fcc.gov>

**From:** <DIANE4TOM@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Tue, Jan 9, 2001 9:00 PM  
**Subject:** AOL/TW Merger

Absolutely "heinous" that you cannot approve the deal by now, considering you have had over 11 months to ponder its implications. Always asking for more concessions and raising the bar. Maybe AOL should give freebies to Microsoft and Yahoo or any other cry baby. Why does the delay go on, and on and on? Surely, there are other companies to work on and delay. Was really sad that World Com and Sprint did not merge. World Com is really down in the dumps due to big government interference. Love it!

**From:** Angry Citizen <angrycitizen@us.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Tue, Jan 9, 2001 9:32 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

Angry Citizen (angrycitizen@us.com) writes:

I think it is pathetic that the FCC has taken a full year now to review the AOL/TWX merger. You have proven to be nothing more than a worthless group of government employees. I don't like how my tax dollars have been spent on this process. Start earning your pay.

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Server protocol: HTTP/1.1  
Remote host: 65.24.121.234  
Remote IP address: 65.24.121.234

**From:** Robert L. Jacobson <ootz34@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Tue, Jan 9, 2001 9:36 PM  
**Subject:** Comments from Commissioner Tristani's Homepage

Robert L. Jacobson (ootz34@aol.com) writes:

Your group has had over one year to review the AOL-Time Warner merger. Why don't you save your regulation efforts for the industry as a whole. Ironically AOL went for the merger to get access to broadband because you refused regulate. They had to buy their access, and now you want to impose restrictions on AOL alone. If the entire industry needs regulation, then regulate the entire industry. Approve the merger now, and regulate everyone later. The FCC is not an anti-trust regulator. Also instant messaging is content, not usage. The same is true with instant messaging. Regulate it for everyone later. The merger will not change anything. The FTC has already opened up the cable wires. That was their job. Now do yours.

PS. This merger should have been completed by December 31, 2000. Now there are millions of dollars in cost to prepare more paperwork.

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Server protocol: HTTP/1.0  
Remote host: 64.12.104.41  
Remote IP address: 64.12.104.41

**From:** William D McGrath <billm333@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Wed, Jan 10, 2001 9:47 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

William D McGrath (billm333@aol.com) writes:

Dear Commissioner,

I would like to know what the hold is on the AOL Time Warner deal? Also, why are you opposed to the merger and what does instant messaging have to with monopolistic tendencies?

The trouble with your commission is that you do not know so you hold up the vote. I cannot understand that as a fair process. Further, I have worked in the internet industry for over seven years and the only certain thing about the internet is its uncertainty.

So please stop acting like God or some prophet trying to interpret the future. It is time to act on the facts at hand. And the facts point to no monopoly if AOL/Twx merge. It will take a year or two just for the two companies to figure out how to operate.

Thanks for hearing me and good luck in your new job.

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Server protocol: HTTP/1.1  
Remote host: 152.163.190.1  
Remote IP address: 152.163.190.1

**From:** Mike Watts <wlaw96@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Wed, Jan 10, 2001 9:49 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

Mike Watts (wlaw96@aol.com) writes:

I am very disappointed with the way the FCC has handled the AOL/TWX merger. The FCC has had over a year to review and discuss this merger. I don't care how you vote, but vote. This lengthy delay is inexcusable. Many Americans are investors in these two companies or have 401K investments in funds holding AOL/TWX shares and the uncertainty caused by this lengthy delay has impacted those investments in a negative way. Just do your job in a timely fashion.....approve or disapprove, it's your decision, but do it now.

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Server protocol: HTTP/1.1  
Remote host: 65.26.205.106  
Remote IP address: 65.26.205.106

**From:** Donald P. Wang <skyline420@aol.com>  
**To:** <gtristan@fcc.gov>  
**Date:** Wed, Jan 10, 2001 10:06 AM  
**Subject:** Comments from Commissioner Tristani's Homepage

Donald P. Wang (skyline420@aol.com) writes:

AOL and Time-Warner must allow other companies access to Instant Messaging to ensure fair competition.

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Server protocol: HTTP/1.0  
Remote host: 64.12.105.178  
Remote IP address: 64.12.105.178