

Chairman and Commissioners:

I am writing to express my grave concern regarding the decisions presently being made regarding broadband internet services. I hope also to share some insight.

As an employee of a medium-sized business ISP, I can clearly see the potential for a policy change such as this to change the face of Internet products, services and access options as we know them. My company considers itself to be a value-added, customer-oriented provider. In fact, these are the reasons that we even exist as a company to this point. Our customers know that, if they need to call us, there will be someone who answers the phone. We don't even have a voice mail system, so that, no matter what, our customers can speak to a live person. We pride ourselves on the fact that nobody has to wait on hold for hours to get resolution to a problem. We also offer products and services that fit our unique position in the marketplace. Our larger competitors cannot offer some of these services simply because they don't have the resources to deal with these things on the scale at which they operate. Our size presents opportunity to work with customers on specific solutions to address their needs, implementing new and updated technology "on-the-fly" in order to meet special demands. ISP's with larger client bases cannot do this type of solution matching, as they must reach and work with a larger market, and therefore must implement services that meet the needs of the many, while leaving those that have special needs "in the lurch."

This policy change could, without much of a stretch by the incumbents, put us, and others like us, completely out of business. This would allow a "take-it-or-leave-it" attitude to pervade the Internet access market. There would be nobody to get access from other than the incumbent...or, heaven forbid, the cable company. I, as a consumer, would have to make my systems work with what Bell supplies, rather than being able to obtain a solution that meets MY needs. This will slow technological progress, as the Bells will not have to innovate in order to keep customers. The little guys like us are the ones that can, and do, innovate.

Consider another viewpoint. Take Earthlink's position for example. Earthlink provides broadband to hundreds of thousands of consumers across the nation. If the rules change, and Bell can keep Earthlink from using the facilities they are already using, there is nothing keeping them from doing just that. Bell can literally turn off access for all of Earthlink's broadband subscribers without much more than a flick of a switch. Realistically, Bell would be insane not to do just that. Cut off all the other networks, so people come running to them.

Should I go further? Why are the incumbents even offering DSL services at all? Consider the DLECs and CLECs that brought broadband technology to the masses in this country. These were the cutting-edge companies that deployed the first networks, turned up the first customers, and offered the first high-speed internet access to residential as well as business consumers. In fact, the company I work for installed the first DSL lines in the state of Georgia, both Bell-network DSL and CLEC DSL. Bell had to deploy their networks simply to remain competitive. I'll tell you that the ILECs don't really want to sell a copper pair for DSL for \$50 per month, when they can get \$1000

for that same copper if they sell it as a T1. They were hesitant to deploy it, hesitant to support it, and are still committing less money, and fewer resources to it than to their higher-priced offerings. This is why, if you have a T1 go down, it gets fixed, on average, in four hours, while a DSL line can go 72 hours before they're even lifting a finger.

Also consider the millions of consumers who have broadband access now. They are paying \$60-80 per month for basic service. Would they be as likely to pay \$120 per month for that same service? How about \$200? I don't know about you, but broadband quickly becomes expendable when it competes with putting food on the table. Consider that, when NorthPoint and Rhythms ceased operations, the prices for basic DSL service suddenly jumped 50% in this market. What's to say that when Earthlink, or AOL get cut out of the market, that the prices won't jump 50, 100 even 200 percent?

I want also to make a point about the competition you aim to promote with this action. Competition between Cable, DSL and wireless access technologies is not as plausible as one might imagine. The differences in the technologies are the reasons to chose one over the other, not the prices involved. For instance, Cable networks re typically shared at higher rations than DSL networks at similar prices. This results in widely varied connection speeds based solely on the number of users online at any given moment. For a consumer, this type of problem may be a non-issue, however, for a small business, who must have access in order to conduct business, having these bandwidth variations makes Cable access an unattractive option compared to DSL. Companies generally will pay more for the more consistent connection, and ignore any price advantage Cable access may present. In the business market, decisions are made based on reliability and usability, rather than being based on price. This fact has kept the independent ISPs and CLECs in the market for as long as we have been. If you provide a more stable network, your network makes sense for business. Again, an independent ISP with a thousand customers is more likely to consider a single customer as ultimately important that an ILEC who has four-hundred thousand customers. Businesses can and do pay for that attention.

Consider also the tens or hundreds of thousands of people who are employed by the independent broadband providers. I bet they won't be putting much money into the economy when they lose thier jobs. Then there are the companies who exist solely on the Internet, and will lose money due to rising costs of business. How many jobs will be lost when they can no longer survive?

I hope that I have expressed my point to the extent that I can. Please consider this information, and make a wise decision base upon it, and the other comments you are certainly receiving in volume.

Sincerely,

Greg Seaman  
Citizen of the United States  
Consumer and provider of Broadband Access