

April 15, 2002

Federal Communications Commission
445 12th Street SW
Washington, DC 20554

In Re: FCC Notice of Proposed Rule Making in CC Docket No. 02-33 (NPRM 02-33),
and Further Notice of Proposed Rulemaking in CC Docket No. 96-45 (FNPRM 96-45).

Dear Sir or Madam:

The Incumbent Local Exchange Carriers engage in illegal and predatory practices which do great harm to competitors and consumers in the United States. Of this, there is no doubt. They do this, and have been doing this for decades with impunity. The weight of evidence is enormous and these facts are indisputable. But they have thousands of lawyers and lobbyists. They spend hundreds of millions of dollars buying the influence they need to continue to reap unfair economic bounty. Your influence. As you read this, you know it to be true. You are the representative of my government. Somehow, you and the rest of my government turn a blind eye. I presume it is because they pay you to look the other way.

Why does Korea have more broadband than the US? Where have all the independent DSL providers gone? I have worked in telecommunications since 1988, first at Bell Atlantic, then as a consultant and entrepreneur. I have personally observed providers such as Northpoint stymied by Verizon when they try to install a Northpoint DSL connection, only to have Verizon successfully and "miraculously" install Verizon brand DSL a few weeks later. I've personally observed working DSL connections provided by Rhythms mysteriously fail when Verizon installers visit the premises to make a simple inside wire change to a separate phone line. I don't believe much in coincidence.

If you were hearing one or two anecdotes like this you might chalk it off to coincidence. But I can assure you it is not. It happens time and again, and you know it. There is a pattern and practice of illegal and collusive behavior at every level within Verizon, Bell South, Qwest, SBC and hundreds of other ILECs. This practice extends from the highest senior executives down to the most junior installer. The junior telephone installer may merely be misguided; believing that he is protecting his job and family by pulling a competitor's wire loose or installing a bridged tap on a line. The senior executives, however, know exactly what they are doing. It is their modus operandi and it is, in fact, criminal.

Of course, the ILECs have an army of attorneys, paid to keep anyone from proving their crimes. The attorneys are paid from the coffers brimming with stolen loot.

And even when they are caught red-handed, the fines and penalties you levy are but a token, a pittance compared to the illegal bounty they reap. If you are a bureaucrat like the junior telephone installer, you may just be misguided. But if you are senior official, making or enforcing policy, interpreting the rules our democratic process has set forth, you too are colluding with their special interest group. It is illegal. It is wrong. You should be ashamed.

And, now you want to involve the ILECs in the fledgling wireless internet business? Where is the logic in that? Tax the wireless provider to subsidize the monopolies? That is nonsense. Wireless was one area of communications where competitors and consumers did not need to rely on the largess of Ma Bell to do business. Wireless was a ray of light, and you're going to douse it.

There is a concerted effort by a few to line their own pockets at the expense of all Americans, competitors and consumers alike. Everyone knows it. Its as plain as the nose on your face. But no one will acknowledge it. The emperor has no clothes. You should be ashamed.

Sincerely,
/SIGNED/

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