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April 18, 2002

Chairman Michael Powell
FCC
445 12 th St SW
Washington, DC 20554
RE: CC Docket 02-33
ECFS Submission

Dear Sir,

As a long time Wide Area Network user (I have been using email and other network services since 1988), I have been very pleased to find an affordable and flexible broadband service for my home using DSL with my local ISP provider. This service is crucial to my work as a teacher and researcher, and its necessity will only grow as more and more of my work is conducted "on line". This is an industry in its very infancy with frequent innovations and improvements in speed and service features. It will be another decade before a model of service is established that could be construed as mature. Until that time it is essential that the regulatory structure encourage as many participants as possible to encourage innovation in service speed and features.

Here is just one example of a problem with giving the local phone company power to exclude small ISP's. SBC (Pacific Bell) wanted to eliminate the use of fixed or assigned IP numbers. The availability of fixed IP numbers are essential to running certain internet services, but apparently are more troublesome or expensive to maintain than dynamic IP numbers. It was only because small ISP providers were willing to fight for it that users in our area were able to retain this important service.

So, if market competition were weakened in DSL service, as proposed by the FCC, by reclassifying DSL as an information service, the ability of individuals and businesses to take full advantage of the benefit of electronic communication would be lost. This would happen because crucial innovation would be quashed during this early development stage of the industry. Thus this reclassification be rejected so that competition can catalyze continuous innovation essential to the development of the fledgling broadband industry.

Sincerely,

/s/ Andrew L. Waterhouse
Professor, Chancellor's Fellow