Dear FCC Commissioners & Staff:

My name is Janet Rogers and I am the founder and CTO of an Internet Service Provider (ISP) known as InfoRamp, Inc. in Chicago, Illinois. After starting up in 1995, we have grown to about 15,000 subscribers and are one of the larger remaining independent ISPs in this area. We employ about 25 people and our services are sold by about 40 independent business as well.

Most of our subscriber base is in rural areas. In fact, in towns like Ottawa, LaSalle, Peru and Princeton, Illinois InfoRamp was the first, and remains the dominant, Internet provider. Companies like SBC/Ameritech and Verizon had no interest in serving these towns for years after we were there. In fact, today you still cannot get broadband in any part of rural Illinois from Ameritech. You can, however, buy it from InfoRamp in towns served by Competitive Local Exchange Carrier (CLEC) Focal Communications.

Ameritech and Verizon have continually lagged behind the market where innovation and service is involved. In the early years we had trouble tickets almost daily with Ameritech on ordinary analog POTS lines. By switching to a CLEC partner InfoRamp has been able to purchase higher quality, more reliable service, offer it to a wider area and spend less money.

In the broadband arena today, we are besieged by potential customers who are so frustrated with SBC/Ameritech and Verizon that they are looking for any possible outlet. It helps that our company is highly regarded, but the real truth is that most consumers would go anywhere other than the incumbent who has mistreated them year after year.

A few years ago, the majority of Americans purchased their Internet service from an independent ISP like InfoRamp because they wanted to. The market spoke. Unfortunately, government has not been listening. Over the last few years mergers have been approved and regulatory 'relief' proposed that exclusively favors the large, cumbersome telecom firms that most Americans were trying so hard to avoid.

Nowhere is this more true than in the DSL space.

Realistically, the UNEs - the outside wiring that is the 'last mile' of the phone network - are the exclusive province of the incumbent telco. To be clear, it is not because it rightfully belongs to them. The 1996 Act recognized that decades of 'cost-plus' pricing regimes meant that the PUBLIC was the true builder of the phone network and that the PUBLIC has an interest in forcing the networks open and keeping them that way. No one can really 'overbuild' effectively.

The incumbents are the gatekeepers to DSL for CLECs, ISPs and their customers and they have held DSL hostage for years. The incumbent telcos have in engaged in every possible variety of anti-competitive tricks, ranging from obstructionist provisioning tactics and a flat-out refusal to allow CLECs access to various facilities to predatory pricing schemes in which they sell service at retail for dramatically less than they will sell it wholesale to ISPs.

In one particularly egregious recent predatory pricing example, SBC/Ameritech offered us retail DSL service (without knowing they were speaking with an ISP) for $29.95 per month with no real startup or equipment costs during the same period that the best deal they would offer us wholesale was about $40 per month PLUS $200 in startup fees.

We are losing customers. They leave with regret. They like us. However, they require faster service. If the only place they can get what they need is the incumbent telco or the cable company they will go there. The free market is not working for them. The tyranny of a Internet duopoly is rapidly becoming the reality for many consumers.

Meanwhile, our business is dying. We do not have the resources to fight the predatory tariffs of SBC/Ameritech. However, it would be even worse to allow incumbents to stop selling access to the network at all or to take away the provisions of the 1996 Act that are intended to prevent companies like SBC/Ameritech from discrimina

Sincerely,

Janet Rogers
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