

February 5, 2003

Re: Triennial Review, Docket 01-338  
Subject: "All that's left is the kitchen sink"

Dear Chairman and Commissioners;

First, I want to say thanks to you and everybody behind the scenes at the FCC commission for everything they done over the past year. The Triennial Review is truly a process to make things better in the telecommunications industry. Behind all the rhetoric and politics the companies put forth, that is truly what it is all about. I thank each and every one of you that have helped in the process.

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Now, for the past year the ILEC's have thrown every imaginable challenge against the DSL CLEC's to eliminate them from the competition. They have tried it all:

- Spent tens of millions of dollars challenging every aspect of the Telecommunications Act of 1996 at both the State and Federal level.
- Endured countless anti-competitive fines that were chalked up to the cost of doing business.
- Continues to spread the myth that the Telecom Act of 1996 only applies to local voice and not data.
- Thought up every imaginable challenge; Dom/Nom Dom, re-classifications as an Information Service, removal of line-sharing, re-monopolization via remote terminals, and now finally speed caps on what CLEC's can offer to their customers.

The ILEC's have done this all in the goodness of competition of course. The ILEC's have been perfect! Their actions have been far and above their call to duty. The only thing left for them was to throw in the kitchen sink. Well, I've done my small part and have sent you the kitchen sink for them. I saved them \$43.17 (with shipping), which they can kindly invest back into the funds that upgrade the network for DSL. It is personal for me. I want access to a remote terminal, as I am 23,000 feet from the closest central office. But I want a choice, and I don't want their service. I don't think my story is too dissimilar from many people across the country.

It is time for the rhetoric to end. I am tired of hearing that the FCC is the only Commission that is left to bring capital spending back into the industry. Look at the kitchen sink I sent you (it really is on its way). You will see the same drain that has swallowed the same broken promises from ILEC's over the past 7 years. Their threats of not investing have been a constant lie. Since 1996 it has been a never-ending drone of "We will not invest under these regulatory conditions." But they have, and they will. If they don't, they will lose their ability to compete in the years to come, and the others will pass them. They know this, that is why they have continued to invest, and this is why they are ready to compete today and years to come. Who in the telecom industry is in a better situation today to compete? The ILEC's are.

To each Commissioner: Now is not the time to compromise on what is right. "We, the people, ..." are who you are looking after. There is no one else. Every child from New York City, New York to Mobile, Alabama; from Gainesville, Florida to Anchorage, Alaska; to the heartland children in rural communities across the nation; these are the future users of Broadband. Now is not the time to compromise on them.

You have every imaginable piece of broadband information before you. Now you can add the kitchen sink.

Jeffrey Bower