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Kevin J. Martin, Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

August 4, 2005

Dear Chairman Martin;

We are an Internet Service Provider in the Dallas, Texas area serving approximately 65,000 domains and tens of thousands of users, both residential and business customers.

Although the FCC is considering what the phone companies are calling "deregulation" of telecom-based broadband, the end result is actually "re-monopolization" of a network that has been publicly regulated and paid for by rate payers for more than 100 years.

This deregulation is not leveling the playing field. It is putting a fence around the playing field and giving the keys to a few ILECs, letting them decide who can play in the broadband game.

Consumers and businesses need and deserve the choice they enjoy today and deregulation will take away their right to choose broadband providers and services.

In 2002, President Bush signed Executive Order 13272, requiring federal agencies to implement policies protecting small businesses when writing new rules and regulations. President Bush's own Small Business Agenda states that every new business starts with an idea for a better product or process, which has been the driving force of Internet innovation. Not a single innovation related to the Internet has come from the former Bell phone companies. In fact, when DSL was being launched by other smaller companies, the Bells continued to insist that DSL would threaten the quality of voice calls.

Innovation becomes reality only when confident entrepreneurs are willing to take economic risks and ISPs have taken this risk -- to the betterment of the entire economy. ILECs were not even pioneers in the Internet but they now seek to control access to it.

Small businesses are the heart of the American economy because they drive innovation. In fact, new firms are established on the very premise that they can do a better job and recognize that a one-size-fits all approach is not good for business and innovation.

A few legacy carriers cannot continue to benefit from valuable government grants and licenses, including the use of public rights-of-way, and be allowed to extend those rights in a way that bars ISPs from offering their service to the public.

The FCC is entrusted with protecting consumers, encouraging economic development, and ensuring that competition is allowed to develop, rather than being quashed by a de-regulated monopoly. Already, we are seeing the Bells move to increase prices, and without regulation, small business will be harmed, thousands of ISPs will be forced out business, highly-skilled workers will lose their jobs and consumers will lose the choice of platform for broadband services and support.

Deregulation will be bad for America and we encourage you to reconsider turning control over "open access" to ILECs.

Sincerely,

Chris Gebhardt, President