

Sandralyn Bailey

From: Will Rudolph (dragonreborn0@yahoo.com)
Sent: Thursday, March 23, 2006 1:43 PM
To: KJMWEB
Subject: Comments to the Chairman

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APR - 3 2006

Federal Communications Commission
Office of the Secretary

Will Rudolph (dragonreborn0@yahoo.com) writes:

Leave the internet content neutral.

Hasn't the US Taxpayer already been paying for bandwidth upgrades? Didn't the federal government allow Telcos to charge for "Network infrastructure upgrades" in the 1996 telecommunications act? I can't see how allowing them to charge on Internet Tiers to their users (and getting into the pockets of providers) would neither increase competition(it stifles it) or be fair to the taxpayer (who is paying more for telecom services anyway.), or increase the competitiveness in the market place. The idea of allowing ISPs to charge content providers fees for their content will -

- Make it more expensive to start any new internet service
- Force anyone that isn't paying money into the "slow lanes" and give preferential treatment to those with money
- Drive prices up for consumers, allowing ISPs to look at consumers uses and re-pricing them upon use.
- Lower competition

I have 2 wires that come into my house. Cable and Phone, therefore I have two choices for internet service. The FCC has already given the line owners an "extreme" competitive advantage over companies that don't own the lines, by letting the line owners control prices and renegotiate with secondary providers like Covad or EarthLink.

If the new ATT isn't (in your mind) a monopoly then I would like to know what is - or when ATT will be one. Allowing ATT to re-merge is one thing - giving them the ability to create and control a new type of internet monopoly is something that is in your power to stop.

Please prove that you are not a corporate "yes man" that will let ATT and the other ISPs just keep raising the rates on consumers and other companies.

Server protocol: HTTP/1.1
Remote host: 207.69.174.7
Remote IP address: 207.69.174.7

Sandralyn Bailey

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From: William Leonhard [devlinsmailbox@verizon.net]
Sent: Friday, March 24, 2006 12:43 PM
To: KJMWEB
Subject: Comments to the Chairman

APR - 3 2006

Federal Communications Commission
Office of the Secretary

William Leonhard (devlinsmailbox@verizon.net) writes:

Your comments on the ability of the telco's to limit bandwidth are unfathomable. The bandwidth is already in a tier set-up. I am sure the telco's didn't address the billing differences they charge for IDSN, T-1 lines, T-3 lines, and the like. They do charge for these different line volumes so the various connections to the internet are already tiered.

How about making them explain to the public what happened to the billions of dollars in government subsidies/grants they got to upgrade the nations telco networks to fiber-optic over a decade ago yet 98% of the country is still copper. We're paying more money for dramatically slower service than most of the other countries that have broadband in the world.

Net neutrality is what got the internet where it is today! Not to mention my tax dollars PAID for the internet to even exist in the first place. NO company(s) should own or be able to muscle the internet community with extortion fees.

Please don't let the telco's expand their description of "tiered service". As stated in the first paragraph it IS already tiered don't let them fool you and make the internet more expensive for all of us.

Thank you,
Bill L.
Keene, NH

Server protocol: HTTP/1.1
Remote host: 70.16.200.88
Remote IP address: 70.16.200.88

Sandralyn Bailey

From: William T Gilliland Jr. [billy@bgillilandjr.com]
Sent: Thursday, March 23, 2006 9:30 AM
To: KJMWEB
Subject: Comments to the Chairman

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APR - 3 2006

Federal Communications Commission
 Office of the Secretary

William T Gilliland Jr. (billy@bgillilandjr.com) writes:

Chairman Martin,

After reading the following articles at http://digg.com/technology/FCC_Chief%3A_AT_T_Can_Limit_Net_Bandwidth, <http://www.networkingpipeline.com/news/183701554>, http://www.networkingpipeline.com/blog/archives/2006/03/fcc_chief_att_c.html, and http://news.zdnet.com/2100-1035_22-6052239.html I feel that you have no real idea of Net Neutrality or what network innovation is.

I think if you allow AT&T and other ISP's to Extort Money out of Consumers by Teiring Internet to whatever the market can handle, will push a lot of low and middle income people back to a dial-up like service speed. It is bad enough that we are paying higher prices for broadband speeds as it is then other countries, but then again this is the United Corporations of America and not the United States of America!

Basically it comes down to this, ISP's Tier our internet connections to a point where we are paying \$40.00 a month for 56kbps speeds and well over 100.00 a month for 1.5mbps. That is a serious step backwards in innovation and just pumps the pockets of the corporate big wigs looking to boost their annual salaries or bonuses. This also pushes broadband Internet out of the reach of most Americans. For my example I make right at what the Median income for my city is (\$36,800.00 a year) and it is considered a Blue-collar wage. I pay my Taxes, own my own home, and have 2 cars between my wife and I. My Internet connection is 4mbps down and 512kbps up and I pay 40.00 a month for it. That connection allows me to use Skype VoIP, down load music from iTunes and Napster pay services, and Play video games as my source of Entertainment. Now comes my ISP (which has actually said they don't support the tiered crap that AT&T and Comcast are talking about) they decide they want to tier my service, they tell me now that the fastest I can go for 40.00 a month is 56kbps both ways and I am limited to 1GB of data transfer a month! That to me is like paying AOL the outrageous fee they charge for dial-up! I look to switch providers because of this and guess what (here it is AT&T) the DSL Provider is also doing the same thing and want 50.00 a month for the same speeds! So what do I do I drop net service completely, I lose my source of entertainment, loose my telephone service, and I end up with nothing.

I ask you Mr. Chairman to stand up for the little guys like me, like the Government is supposed to do, not for the money hungry ISP's and Telco's that are trying to make the internet die.

William Gilliland Jr.

Email: billy@bgillilandjr.com

Snail Mail:
 135 S Nevada St , Wichita, Kansas 67209

 Server protocol: HTTP/1.0
 Remote host: 66.109.83.7
 Remote IP address: 66.109.83.7

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SandraLyn Bailey

APR - 3 2006

From: anthony riddle [raiseeveryvoice@yahoo.com]

Sent: Thursday, March 16, 2006 9:27 AM

To: Joshua_Lamel@wyden.senate.gov; gbsohn@starpower.net; Congressman Ed Case, Steven C. Cramer, Senator Dorgan; Congressman Neil Abercrombie; Jonathan Adelstein; Kathleen Abernathy; KJMWEB; Michael Copps

Cc: Kevin Taglang; linda thurston; George Stoney; Shawn Chang; Kat Aaron; Patricia Aufderheide; jim baller

Subject: Fwd: Press Release: Alliance for Community Media Supports Senator Wyden on Net Neutrality

Federal Communications Commission
Office of the Secretary

Please see the ATTACHED DOCUMENT.

Thanks.

TR

Anthony T. Riddle
Alliance for Community Media
666 11th Street NW, Suite 740
Washington, DC 20001
202.393.2650 p, 202.393.2653 f
<www.alliancecm.org>

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Summary Testimony of
Anthony Thomas Riddle, Executive Director
Alliance for Community Media
On Video Franchising

U.S. Senate Committee On Science, Commerce and Transportation

February 14, 2006

The Alliance for Community Media, a national membership organization represents an estimated 3,000 Public, Educational and Governmental (PEG) Access centers across the nation. PEG channels are used by 1.2 million volunteers and 250,000 community organizations. Local PEG programmers produce 20,000 hours of new programs per week – more new programming than all of the broadcast networks combined.

PEG Access is the only means by which average citizens and community groups interact in their communities via television. PEG serves that purpose exceedingly well, providing the only unmediated coverage Congress Members receive in the home district; religious programming—which represents 20-40% of programming; coverage of local cultural activities; reinforcement of the cultural identities of our towns, cities and counties; local governmental and educational programming; technical training and jobs; and news for local military families.

Funding The federal Cable Act allows LFAs to provide funds for PEG capital equipment and facilities in addition to the 5% cable franchise fee. The funding over 5% should be designated for PEG use. The Alliance would oppose any funding regimen that would eliminate or substantially reduce those sources of funds to support PEG.

Franchise Fee Revenue Base Should Not Be Reduced A reduced franchise fee revenue base would reduce LFA financial support for PEG. The current definition of gross revenue should be retained.

PEG Capacity Must Not Be Tied To Current Levels The federal Cable Act allows LFAs to require cable operators to set aside capacity on their systems for PEG use that is sufficient to meet the local community's needs. PEG capacity needs are not static, typically growing over time.

Technical Comparability PEG bandwidth should be handled on par with that of commercial users with equal access to electronic promotions and customer portals, such as menus or hyperlinks, and to interactive switching as other users.

Ease of Negotiation for New Entrants The fastest available means of entry is for new entrants to adopt agreements comparable to those of the incumbent provider. There are many examples demonstrating that new entrants can quickly enter existing markets if they are willing to match incumbent provider obligations.

Local Enforcement Regulatory authority for protecting and designing PEG should be a function of the municipality, as should resolution of consumer complaints.

Net Neutrality Our members have a direct interest in networks remaining neutral and open to assure a vibrant community conversation, and leave room for the thousands of small entrepreneurs whose creativity forms the basis of American innovation.

Technical Neutrality Any new legislation should be technologically neutral, with all forms of video delivery located in the PROW subject to the same or equivalent public obligations. Proposed legislation should be carefully constructed to avoid providing incentives that artificially interfere with market innovation.

Ownership Caps Any new legislation should impose caps on horizontal ownership of communications systems using PROW. It should require some level of government oversight on transfers of ownership.

Citizenship and Access to Broadband Communications Any new legislation should anticipate inevitable market imbalances and should have tests for identifying those imbalances as well as concrete methods for remedy. Opportunity to participate in communications society should be available to all.



Alliance for Community Media
666 11th Street NW, Suite 740
Washington, DC 20001-4542
Voice: 202-393-2650
Fax: 202-393-2650

Contact: Anthony Riddle
ariddle@alliancecm.org

March 16, 2006

FOR IMMEDIATE RELEASE

ALLIANCE ENDORSES SENATOR WYDEN'S NET NEUTRALITY BILL (S 2360)

The Alliance for Community Media supports Senator Wyden's *Internet Non-Discrimination Act of 2006*. We believe that network neutrality is the core upon which the vibrant growth and innovation of the Internet and future electronic communications are based.

We offer a brief illustration showing why the Alliance has an interest in the net neutrality debate. We now see clearly how critical this issue will be critical to our members.

Recently, we were given a demonstration of a powerful, futuristic video delivery system by one of the Bells. It showed great potential to bring a bright and enticing future. Key components of the public interest would rely on the internet for video delivery. The signal to the home is via twisted pair. More importantly, the signal from the PEG provider to the Bell is across the internet via T-1 line. *Our channel signal to the video provider is to be carried across the open internet.*

What does this have to do with network neutrality? When your community channel is on the information superhighway with all the other voice, data and video signals, you will see a difference if it is lined up at a *toll-booth* while the Disney Channel is waved through at high speed. A tiered system will leave smaller providers—PEG channels, the public at large and the small, innovative companies who have really made the internet what it is—with grainy picture, undependable or slow delivery and virtual invisibility.

It is tough to serve the community with so little funding for equipment, staff or production, but across the country our member PEG stations have done an admirable job. The one thing that has never been an issue is signal carriage. In theory, all PEG channels had to be carried on an equal basis with commercial channels. One could not buy special status. One could not pay to have another's channel dimmed. Channels, on the most basic level, had to rise or fall on the content of their own character.

Now, we will all be judged strictly on the content of our bank accounts.

Our elected officials should not be swayed by Wall Street's threats to hold back investment if internet freedom is protected. Competition applies to the investment field as well as to communications and technology: If speculators withhold investment from what is already the most vibrant sector of the economy, then they must also be prepared to stand aside and watch the amassing of great fortune by those who seize the opportunity to invest.

The Internet was created through public funding, supported for decades by public institutions, enhanced by the creative innovations of individuals and small enterprises, dedicated to mass communications between peers, efficient delivery of public services, and provision of an effective meeting-place for communities of like interests.

Senator Wyden's bill protects these core American values, so the Alliance for Community Media vigorously supports Senator Wyden's bill.

###

EX PARTE OR LATE FILED

Sandralyn Bailey

From: Erica [erica1066_99@yahoo.com]
Sent: Tuesday, February 14, 2006 11:36 AM
To: Jonathan Adelstein
Subject: In support of network neutrality

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Federal Communications Commission
Office of the Secretary

Honorable Commisioner:

As a private citizen and as a small business owner, I urge the FCC not to abandon network neutrality in the Internet. I see no reason why the current system, which works equitably for all, should be allowed to be hijacked by huge corporations for the sole benefit of huge corporations. Telecommunications companies would no doubt try to say that they want to benefit their shareholders, who include many Americans. I say that this argument seeks to cannibalize our economy, increasing profits for the very shareholders who then can't afford to pay for the cost of living. Even if shareholders benefitted, who has the most shares? Wealthy people who don't need more profits. Who will lose their ability to research, grow, raise the children of tomorrow's America with the best educational opportunities available at home and at school? The poor and the middle class. Immiagrants, single parents, working families. Small businesses who would have NO chance to compete for a decent website that searchers might find and use. Please, I ask you to support the people of America on this issue, not big business.

Sincerely,

Erica McCabe
418 Broad Street
Tatamy, PA 18085

Yahoo! Mail

Use [Photomail](#) to share photos without annoying attachments.

EX PARTE OR LATE FILED

Sandralyn Bailey**RECEIVED**

From: Flydutchmotel@aol.com
Sent: Friday, February 10, 2006 1:09 PM
To: Michael Copps
Subject: comments on cable tv

APR - 3 2006

Federal Communications Commission
Office of the Secretary

hello

i am writing to you about cable television and the high and fast rising costs of it. i understand that there could be legislation this year on getting rid of local franchising laws and making the federal govt the sole issuer of these rights. in theory this would open up competition (verizon or other companies) and allow for multiple providers to enter the marketplace and thus lower bills. i do not know if this is the only way but after years of high cable increases and no alternatives i am open to anything. whatever the legislation it MUST include net neutrality which means an internet service provider must treat all data equally, not speed its own and slow or block others. this is crucial to the free flow of information and commerce.

also program access rules must be revamped to end the loophole that allows comcast to keep its philadelphia sportsnet channel from its satellite competitors. this is another example of the cable companies holding its customers hostage to their high monopolistic rates. it is ten years since deregulation and it is obvious the cable companies do not know how to act without regulation. please make this a landmark year for the cable industry must like it was for telephone companies in the early 80's when ma bell was broken up. competition and choice make the market better and ultimately make technology grow at a faster rate. please do not give in to the cable or phone industry's lobbyists and remember the little guys when you are considering this legislation in the future.

thank you for your time in reading this letter and i look forward to your action in the future.

bill diantonio
mantua,nj
609-868-7025

3/31/2006

EX PARTE OR LATE FILED

Sandralyn Bailey

From: Bubba [bobhepi40@yahoo.com]
Sent: Thursday, February 16, 2006 4:26 PM
To: KJMWEB
Cc: Michael Copps; Jonathan Adelstein; Deborah Tate
Subject: Internet

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APR - 3 2006

Federal Communications Commission
Office of the Secretary

Hello; Please keep the Internet free (neutral) and out of the hands of Telecoms and others who want to control and profit from what should always be free and accessible to all. Also, a la carte selection of Television channels is a great idea whose time is long past due and should be supported and implemented. Thank you, R.M Fullen

What are the most popular cars? Find out at [Yahoo! Autos](#)

Sandralyn Bailey**RECEIVED****From:** James Sissel [jimsissel@yahoo.com]

APR - 3 2006

Sent: Friday, March 24, 2006 11:19 AM**To:** KJMWEBFederal Communications Commission
Office of the Secretary

FCC backs two tiered internet

Customer pays twice is ok by us

By Nick Farrell: Friday 24 March 2006, 06:49

THE FCC has decided to back a plan by AT&T which will mean that sites like Google which have heavy traffic will have to pay when comms companies send them customers.

Excuse me. I pay ATT \$50 a month for my DSL line. That means ATT already is getting paid when I send traffic to Google or anybody else. Google already pays for their T1 lines. The pay more for them than I pay since a T1 line is faster. All this means is ATT is already getting their money. I really don't think they should get paid even yet again. How greedy can they get? Say a resounding NO to this plan.

EX PARTE OR LATE FILED

Sandralyn Bailey

From: glennbush [gwbush@access995.com]
Sent: Friday, February 17, 2006 5:10 PM
To: KJMWEB
Cc: Michael Copps; Jonathan Adelstein; Deborah Tate
Subject: Internet Freedom
Importance: High

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APR - 3 2006

Federal Communications Commission
Office of the Secretary

Dear Sir:

I recently read some disturbing news about possible changes in the handling of internet messages.

It is absolutely necessary that internet freedom and neutrality be supported. Small businesses and individuals would be severely disadvantaged if the proposed plans by telecommunication companies to have priorities over others in sending messages would be permitted. The proposed plans would create unnecessary businesses leading to monopolies that would be discriminatory.

Best regards,
Glenn W. Bush

Bush and Associates
213 Timberyoke Road
Moon Township, PA 15108
T: 412-264-4826
F: 412-262-3940

EX PARTE OR LATE FILED

Sandralyn Bailey**RECEIVED**

From: John Ben Harrison [jbharrison@gmail.com]
Sent: Thursday, March 23, 2006 12:54 PM
To: KJMWEB; Michael Copps; Jonathan Adelstein; dtayloratateweb
Subject: "Tiered" Internet Will Be Disasterous

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Recently, Kevin Martin, the Chairman of the Federal Communications Commission (FCC), promoted and supported the telecommunication companies' desire to limit the bandwidth a customer can use on major websites. This seems to contradict his view of "net neutrality," the idea that providers are not able to limit services or bandwidth.

By supporting the telecommunication companies in this endeavor, the FCC is supporting the limiting of information and resources available. This could mean websites from Google, to Wikipedia, to Yahoo, to any website they deem traffic-heavy - websites that are used as resources to connect people with information - will be limited, at least to those unable to pay for the services.

Unfortunately, those unable to get a "traditional" education (such as, attending a college or university) are those most in need of this "alternative" service. Those in a lower financial status (lower class and lower-to-middle class) would be unable to afford the high-broadband, unlimited access Internet service that these companies would now be able to charge more for; they would have to deal with the low-broadband, limited access dial-up service. Basically, these people already have a limited amount of resources available to them, and now that amount will be further limited.

To those who are able to pay for the unlimited services, they should still have a question to ask their providers: "If I'm already paying you to access these websites, why do they have to pay you for me to access them?" Google and Yahoo! may be able to afford to pay these companies the fee, but what about growing websites (companies not yet big enough to support this kind of fee) that could be put on the list of major websites, or what about not-for-profit websites (such as Wikipedia) who could also be put on this list?

Simply put, these websites will be limited by the telecommunication companies, which will reduce their ability to maintain themselves. Many diverse, pertinent, and unique websites could no longer be used as a resource, simply because the telecommunication companies are able to limit access to their website.

By supporting the telecommunication companies' desire to limit access to major websites, you going to close a viable, easily accessible, and importantly, fairly inexpensive means of education. This change only serves the telecommunications companies, and harms both the consumer as well as any current or potential high-profile websites.

What caused the change? If the FCC really is trying to serve the people, why are they siding with the businesses to limit resources and a means of education?

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SandraLyn Bailey

From: Jeanpaul Burnett [jeanpaul.burnett@gmail.com]
Sent: Thursday, March 23, 2006 8:48 AM
To: KJMWEB
Subject: Net Neutrality

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Mr. Martin,

I read your comments from the TelecomNext show about your support for a tiered internet, and I was greatly disappointed with the idea. Having web sites pay telecommunications companies for adequate bandwidth is a bad idea. How does this work with your stated support of net neutrality? The FCC has already stepped in to stop an ISP from blocking Vonage VoIP service. How is the Vonage case different from making web sites pay for bandwidth? These sites should not be penalized because of their popularity. Telecommunications companies charge us end users for the right to access web sites, but they shouldn't be double dipping, charging web sites extra money for the right to have unfettered access to users. If the telecommunications companies are having problems with their balance sheets, that is not my problem. Looking for new revenue streams by extortion of popular web sites does not sit well with me, and I cannot see how the FCC can abide by it either.

I urge you to not support this idea of a tiered internet. The internet was created so that all users could have access to all web sites, to allow for a free flow of information. Creating higher barriers to entry for websites goes against what the internet stands for, and I will certainly let my friends, family, and coworkers know about this issue and my opposition to it.

Jeanpaul Burnett

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SandraLyn Bailey

From: jchester@pop.mail.rcn.net
Sent: Thursday, February 09, 2006 9:34 AM
To: Jonathan Adelstein
Subject: Vonage IPO needs net neutrality

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Hi: It's clear in its IPO that without Congressional or FCC rules on network neutrality, Vonage may not succeed at all. See excerpts below. I have resources on the network neutrality issue at:
<http://www.democraticmedia.org/issues/netneutrality.html>

Regards,

Jeff
Center for Digital Democracy

from SEC S-1, 2/8:

"The success of our business relies on customers' continued and unimpeded access to broadband service. Providers of broadband services may be able to block our services, which could adversely affect our revenue and growth.

Our customers must have broadband access to the Internet in order to use our service. Some providers of broadband access have taken measures that affect their customers' ability to use our service, such as degrading the quality of the data packets we transmit over their lines, giving those packets low priority, giving other packets higher priority than ours, blocking our packets entirely or attempting to charge their customers more for also using our services. It is not clear whether suppliers of broadband access services have a legal obligation to allow their customers to access and use our service without interference. As a result of recent decisions by the U.S. Supreme Court and the Federal Communications Commission, or FCC, providers of broadband services are subject to relatively light regulation by the FCC. Consequently, federal and state regulators might not prohibit broadband providers from limiting their customers' access to VoIP or otherwise discriminating against VoIP providers. Interference with our service or higher charges for using our service could cause us to lose existing customers, impair our ability to attract new customers and harm our revenue and growth. "

" Access to Networks

Our customers must have broadband access to the Internet in order to use our service. Some providers of broadband access have previously taken measures that interfere with their customers' ability to use our service. The extent of the legal obligation of providers of broadband access to allow their customers to use our service without interference, without imposing additional costs, and without degradation of service quality is not clear. If broadband providers interfere with our services, there will be a material adverse affect on us.

The Wireline Broadband Internet Access Services Proceeding

On September 23, 2005, the FCC released an order concluding that wireline broadband Internet access, such as digital subscriber line, or DSL, is an information service, not a telecommunications service, and thus is subject to lighter regulation than the FCC applies to telecommunications services. This order may give providers of wireline broadband Internet access services the right to limit their customers' access to VoIP and Internet services, including our service, or otherwise discriminating against providers of VoIP services such that our service becomes less attractive to customers. However, because telecommunications carriers that provide wireline broadband Internet access services will remain subject to Title II of the Telecom Act, their ability to engage in discriminatory and anticompetitive behavior may be limited by other provisions of law.

To facilitate a smooth transition to this new regulatory regime, the FCC's September 23, 2005 order requires facilities-based wireline broadband Internet access service providers to continue providing their wireline broadband transmission offerings on the same terms and conditions for one year from the effective date of the order.

The same day as the September 23, 2005 order, the FCC released a policy statement expressing its position that consumers should have access to the Internet and Internet-based services like ours. The FCC stated that consumers should be

able to access content, connect equipment and run applications of their choice. The policy statement also reaffirms that consumers are entitled to competition among network service, application and content providers. The document is only a statement of policy and is not independently enforceable, and the ability and willingness of the FCC to protect access to these services is unclear. However, we believe the policy statement indicates that the FCC may protect consumers' access to VoIP services like ours. In that regard, as a condition to the FCC's October 31, 2005 approval of the mergers of Verizon and MCI and SBC and AT&T, the FCC required each of the merged companies to commit to conducting business in a manner that comports with the policy statement for two years from the merger closing dates.

Bundling of DSL and Voice Services by Incumbent Telephone Companies

In March 2005, the FCC ruled that state public utility commissions cannot require that incumbent telecommunications carriers permit competing carriers to provide voice service to retail customers over the same copper wires used by the incumbent carriers to provide DSL service. As a result of this ruling, many incumbent carriers no longer permit retail customers to purchase DSL as a stand-alone service. This ruling makes our service much less attractive to customers who obtain broadband Internet access through an incumbent telecommunications carrier because the incumbent carrier can require them to buy voice service together with DSL. While some incumbent carriers continue to make DSL available on a stand-alone basis, they have no legal obligation to do so and could discontinue such offerings at any time. However, in connection with its approval of the mergers of SBC and AT&T and Verizon and MCI, the FCC required each of the merged companies to offer DSL to consumers without requiring them also to purchase voice service for two years from the start dates. These conditions could make our service more attractive to our customers who obtain broadband Internet access through the merged entities. In addition to the FCC's requirements, some states imposed conditions on their approvals of the mergers that require the merged companies to offer standalone DSL.

The FCC's Consent Decree with the Madison River Companies

In February 2005, we filed a complaint with the FCC alleging that the Madison River Companies were improperly blocking our VoIP traffic on its DSL network. The FCC investigated our complaint and, in March 2005, entered into a consent decree with the Madison River Companies. While admitting to no wrongdoing, the Madison River Companies agreed to pay \$15,000 to the United States Treasury and agreed not to block ports used for VoIP applications or otherwise prevent customers from accessing VoIP applications. The consent decree is scheduled to expire on September 3, 2007, but it could expire sooner under certain limited circumstances.

We believe the consent decree, like the FCC's September 23, 2005 policy statement and the condition imposed by the FCC on the mergers of SBC and AT&T and Verizon and MCI, indicates that the FCC is willing to take action to ensure that providers of wireline broadband Internet access services do not improperly deny consumers access to VoIP and other Internet applications. However, the consent decree is limited by its terms to the Madison River Companies, and the FCC has not prohibited all broadband Internet access service providers from engaging in similar behavior. Moreover, the consent decree relies on a section of the Telecom Act that applies only to telecommunications common carriers, and it is unclear whether the FCC has the legal authority to prohibit other broadband Internet access service providers from engaging in similar behavior. Finally, because the consent decree predates the FCC's September 23, 2005 order that wireline broadband Internet access service is an information service, it is unclear whether the FCC would be willing or able to prohibit similar conduct by other providers in the future.

The Supreme Court's Brand X Decision

On June 27, 2005, the United States Supreme Court issued a decision in *National Cable and Telecommunications Association v. Brand X*, upholding an FCC ruling that cable modem service is an information service and not a telecommunications service. Under this decision, providers of cable modem service may be able to restrict or interfere with their customers' access to and use of our service."

STOP SET RESOLUTION=000
@PJL ENTER LANGUAGE=PCL

EX PARTE OR LATE FILED

Sandralyn Bailey

From: Timothy Roger Vruwink [vruwink@uiuc.edu]
Sent: Thursday, March 23, 2006 11:13 AM
To: KJMWEB
Cc: Jonathan Adelstein; Michael Copps; dtaylor@tateweb
Subject: Network Neutrality

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APR - 3 2006

Federal Communications Commission
Office of the Secretary

Mr Martin:

As a voting networking professional, I am writing to you to express my concerns about your statements that you support a tiered Internet. My understanding of this matter is that large telco companies such as AT&T wish to segregate the backbone connections into fast and slow lanes, and charge companies exorbitant fees to have their data be routed over the "fast lane". I find this grossly wrong and it violates the very principal on which the Internet was designed. Internet traffic, once it hits the backbone should all be treated equal. Backbone ISP's such as AT&T, Level3, Sprint and others all have existing peering agreements that work and should be left in place. All bits should be treated equally. The fallacy that some traffic is more important than others is simply a ruse to allow these monopolistic corporations to place tollbooths on the Internet and nickle and dime end users and innovative companies such as Google to death. Much like the overpriced and underperforming cell phone market - where we are charged for both outgoing AND incoming cell phone calls - Companies like AT&T salivate at the idea of charging users and companies on a per bit basis. Companies already pay ISP's to connect to the Internet. For example the University of Illinois pays huge amounts of money for our connection to the Internet. We (and others such as Google) should not be forced to pay twice just to have our traffic be routed on the fast lanes.

Furthermore, allowing these tollbooths to be placed immediately create artificial boundaries of entry. No longer is the Internet a level playing field where anyone with an innovative idea and hard work ethic can setup a site and become the next Google or Amazon. Now for these companies to be able to reach their consumers - they have to pay huge fees to be able to have their traffic from their sites routed quickly lest it be stuck in the quagmire of a slow connection. This sort of artificial roadblock creates a game of scarcity (falsely so) - where only those who have money can "talk" on the Internet. Much like the FCC licensing radio waves for billions of dollars - only the very rich would be able to pay.

The Internet is designed to be an end-to-end medium. The content, innovation, communication and essence of the Internet are on it's edges. This means anyone can talk to anyone else. There are some who find this level of decentralized control threatening. No longer is all the information Joe Six-pack receives comes from one or two sources. No longer are users trapped in an panopticon (<http://www.tformaro.com/thesis/panopticon.html>) where all content is fed from one source. Rather, today there are innumerable sources of news, opinions and information. Many times overwhelmingly so. This is a good thing and it must not end.

As I've grown up I've watch the Internet grow. As an undergrad at the University of Illinois in the mid 90's the Internet was a vibrant resource filled with useful information and fun sites. As it became more commercialized, it slowly changed for the worse - ads, spam, spy ware, etc. While the Internet was great for business, the needs of consumers and businesses can be different. Segregating the Internet into a fast and slow lane is only good for a few large businesses and content providers. It will irrevocably change the Internet for the worse and future generations will lament this decision.

As our FCC chairman, it is imperative that you do not allow large monopolistic corporations such as Comcast, AT&T and others to turn the democratic, open Internet into a segregated, fenced in service. The future of the Internet should be modeled after the Internet2.

Support Network Neutrality.
Support the needs of people first.
Don't be a corporate shill.

Respectfully,

Tim Vruwink

Tim Vruwink
DS/CITES Consultant
CPRD

email: vruwink@uiuc.edu
phone: 265.8011 - cell: 217.202.1607
pager: 265.2854 - epage: vruwink@pager.uiuc.edu

EX PARTE OR LATE FILED

SandraLyn Bailey

From: Richard Schwarz [dickjack@verizon.net]

Sent: Saturday, March 18, 2006 6:15 PM

To: KJMWEB

Subject: Internet Neutrality

RECEIVED

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Sir:

With respect to discussions concerning internet neutrality, I believe that all information crossing the internet is of equal importance, and that there is no need to create priority "packets" that would allow large (telecom) companies to charge certain commercial customers to expedite their information. This is without merit and simply provides a source of revenue for companies using a free service (the internet).

I am also contacting my elected representatives to ask them to do the same - vote against any such proposed legislation.

Respectfully,

Richard K. Schwarz
Virginia Beach, VA

EX PARTE OR LATE FILED

Sandralyn Bailey

From: Patty McIntire [patty.mcintire@verizon.net]
Sent: Thursday, March 23, 2006 11:28 AM
To: KJMWEB
Subject: Net neutrality Good :: Tiered Bad

RECEIVED

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Dear Mr. Martin,

I am very concerned about your comments supporting a tiered internet.

I already pay Verizon a nice sum every month to access the sites I wish to visit on the internet and those sites already pay for bandwidth. You are proposing that they get paid a third time. Outrageous.

In addition, this tiered model does much to hamper the natural growth of the internet as well as to hamper its potential in empowering people worldwide, a goal our President has often alluded to.

I am Very much against a two tiered internet.

Patty McIntire

EX PARTE OR LATE FILED

Sandralyn Bailey

From: Theodore Brassfield [brassfield@gmail.com]
Sent: Thursday, March 23, 2006 11:12 AM
To: KJMWEB
Cc: Michael Copps; Jonathan Adelstein; dtaylor@ateweb
Subject: Regarding Network Neutrality and your speech at TelcomNext

RECEIVED

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Dear Chairman Martin,

I am greatly disheartened that you have taken the step to endorse tiered Internet service at the expense of small businesses and consumers. Our nation's broadband providers enjoy a virtual monopoly across broad swaths of the country and have not demonstrated any efforts to improve the infrastructure to the levels found in Europe, severely hampering our ability to innovate in a free market.

Tiered service will stifle independent content producers and the small businesses that drive the engine of our economy.

Shame on you, Sir.

Sincerely,
Ted Brassfield

EX PARTE OR LATE FILED

Sandralyn Bailey

From: Marciel Mailing [maryannm@marciel.com]
Sent: Wednesday, February 15, 2006 12:04 PM
To: Jonathan Adelstein
Subject: Network Neutrality and Network Freedom

RECEIVED

APR - 3 2006

Federal Communications Commission
Office of the Secretary

I am sending this to you as an FCC Commissioner because I'm concerned about what I hear about possible changes to the internet.

Small businesses cannot remain competitive if large telecom companies are allowed to charge Internet companies for "priority service" or even for internet access. This ultimately becomes a form of corporate censorship and loss of one more competitive freedom for all Americans. This attack on use of the internet by all people also becomes an attack on our economy and rights.

Mary Ann Marciel

EX PARTE OR LATE FILED

SandraLyn Bailey

From: Timothy Roger Vruwink [vruwink@uiuc.edu]
Sent: Thursday, March 23, 2006 11:13 AM
To: KJMWEB
Cc: Jonathan Adelstein; Michael Copps; dtaylor@tateweb
Subject: Network Neutrality

RECEIVED

APR - 3 2006

Federal Communications Commission
Office of the Secretary

Mr Martin:

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3/31/2006

Respectfully,

Tim Vruwink

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