

Finlay Clinical Laboratory, Inc.

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SINCE 1961

**Chairman Julius Genachowski
Commissioner Meredith Attwell Baker
Commissioner Mignon Clyburn
Commissioner Michael J. Copps
Commissioner Robert M. McDowell**

**Federal Communications Commission
445 12th Street, SW
Washington, DC 20554**

Re:GN Docket No 09-191

January 5, 2010

Dear Chairman Genachowski and Commissioners:

On behalf of Finlay Clinical Laboratory, Inc, I urge you to consider the impact of this proceeding on the emerging Tele-medicine industry and those we serve.

My business increasingly relies on broadband internet services to research options, to order supplies, and, importantly, to offer medical services to our patients. But, we require robust deployment and fast networks to make that happen. I am concerned that net neutrality rules could slow or stall this progress and put at risk the benefits (and potential benefits) these new Internet based services can offer.

Finlay has been recognized for almost fifty years as a Reference Laboratory. We provide medical laboratory services in the various areas of the Clinical and Anatomic Pathology. The laboratory provides the latest in diagnostic instrumentation and methodologies. Finlay offers computerized report generation, which includes multiple, chart-ready copies with patient information, normal ranges, and pertinent diagnostic information. We

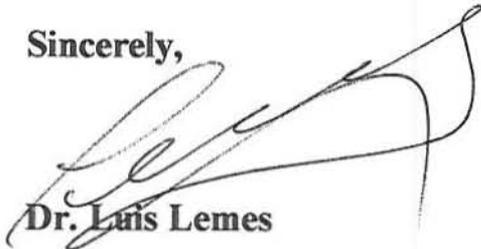
remain concerned about the consequences that potential net neutrality regulations could have on our clients and patients.

We believe that the FCC should work to encourage broadband deployment and adoption, particularly for those not yet enjoying the benefits of the Internet. To attain broader availability of broadband, however, we rely on the private sector to invest and improve the network. It is vital, then, that the rules continue to encourage investment and deployment, rather than micromanage the network (but effectively the businesses who own the network) in such a way that investment is slowed and consumer costs increase. This is particularly important for the new user, for whom even a marginal increase in cost can mean they must withdraw from the Internet altogether.

Tele-medicine promises great benefits to our citizens. Whether offering expertise to those in rural areas, managing a surgery remotely, educating children about nutrition, offering programs statewide, it expands the reach of the medical community and improves its impact. We should encourage investment in the network so that more-not fewer-Americans can benefit from the technological innovation. Please consider policies that balance the need for an open Internet with the serious need for continued, private investment, which delivers broader deployment, faster networks, innovations, jobs, and investment.

The commission has the chance to adopt policies that bring broadband to new consumers who have not yet experienced its benefits. We hope that the commission will not counteract the Plan's intended results by placing additional obstacles in the way of 100 percent broadband access.

Sincerely,



Dr. Luis Lemes