

RE: Proceeding 14-28
Protecting and Promoting the Open Internet

Chairman Wheeler and the Federal Communications Commission
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554
May 07, 2014

Dear Sirs:

I have been using the "Internet" since 1994, when the world-wide community of Internet users was estimated at under 500,000 people. This was before the advent of web browsers; a time when one had to know command-line (UNIX) to do so much as to post a comment on a "Bulletin Board System" or BBS. As a result, I have had the opportunity to watch the world of the Internet grow and flourish into the marvelous modern communications, business and entertainment platform it has evolved to become some 20 years later.

Today, as an owner/operator of a commercial data center, I find the idea of 'pay-to-play' internet repugnant. We make a business of providing our customers with access to as much unrestricted bandwidth as they are willing to pay for and neither prioritize traffic to our clients, nor throttle it. They get every megabit they pay for, on an equal basis whether or not they choose to use it and no matter what use they may choose to put it to. To expect the American public to do anything different is unfair, unreasonable, and will stifle the remarkable innovation and creativity that has helped make the modern Internet what it is.

The internet has evolved from a "Ham radio" hobby of a handful of military users, scientists, students, pioneers and innovators to a truly breathtaking communications tool for modern society. Attempting to restrict access to what has become a de-facto utility for the public will stifle growth and innovation and burden the American public with a system that has little incentive to change except to enhance the ability for the major carriers to extract more dollars from their customers.

Each party in an internet transaction already pays for the service. The end-user pays their monthly access fee, and the other end-user (for example, a sales website) pays for their access to the 'net to sell their product to their customer. If either party winds up short on bandwidth, they can always purchase more pipe! The fees being paid to upstream providers are currently more than ample to cover the cost of network enhancements, maintenance and repair.

Attempting to 'prioritize' the Internet in favor of a handful of large companies fractures this balance. The portals are *already* paying fees for access, and the consumer is *already* paying for a way to get to them. The internet is not at all like a cable service where you should have to pay more for access to 'premium' content sites.

I liken this to telephone services. Mom pays for her line and access charges, and I pay for mine. If Mom wants to call me and talk for 18 hours a day, seven days a week, there is no additional cost to her. If I call her and talk for 18 hours, there is no additional cost to me because we are BOTH paying for access on BOTH sides of the line. It doesn't matter what use we put the line to- if we are simply talking, or I am playing music to her, or sending a Fax, it's the same phone line. The Internet is above all a communications medium, not an entertainment venue.

Therefore, the Internet should not be treated any differently than a telephone- keep it an open playing field to all users, treat it like a utility service, and do not restrict uses or types of uses of the data.
PLEASE USE COMMON SENSE and CLASSIFY THE INTERNET AS A TELECOMMUNICATIONS COMMON CARRIER.

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Further, I question how impartial Chairman Wheeler is able to be on this topic. As a former Cable company lobbyist, he directly represented those parties that stand most to benefit directly from the proposed Net Neutrality changes. It is difficult for me to believe that now that he is no longer a lobbyist he has shed either his personal viewpoints or his industry ties.

In my opinion, allowing Chairman Wheeler to weigh in on a decision that affects every American with Internet access calls into serious question the fairness of this decision making process. If the vote were to fall in favor of the cable companies this decision would always carry the taint of cronyism and favor-currying from the cable industry. At a minimum, the Chairman should publicly recognize the clear conflict of interest and address it by recusing himself from all further involvement with the decision process.

Otherwise, it would seem apparent that the FCC has not only allowed a fox into the proverbial henhouse, it has also invited the fox to preside over it.

Again, I urge the FCC to PLEASE USE COMMON SENSE and CLASSIFY THE INTERNET AS A TELECOMMUNICATIONS COMMON CARRIER.

Thank you for your time and consideration.

Please feel free to reach me at the below email address if anyone actually bothers to read this and wishes to contact me.

Jeff Daniels
bikerswine-(at)-yahoo-{dawt}-com...
(email address deliberately obfuscated to defeat address collection 'bots)