

Dear FCC,

I am a Time Warner customer and find the pending merger with Comcast to be deeply troubling. Currently I enjoy unlimited data on my monthly plan, and have been enjoying this since my family first subscribed to Road Runner back in the late nineties. Having grown up on the net and working in IT, I tend to use it for quite a bit-- research, work, connecting with friends, streaming music and video, online shopping, gaming (inc. purchases through digital distribution), and more.

As you might imagine, all of this combined puts me in the top percentages for bandwidth use. While my average usage over the last two years is a healthy 301GB, month to month I can spike as high as a whole terabyte transferred depending on what projects I'm working on. And yet despite my relatively high usage, Time Warner has never raised a stink about it.

Why would they? Unlike my water utility's towers and reservoirs, Time Warner doesn't have any giant tanks labeled "DATA" that can be depleted. Their only concern is congestion, and that becomes less of a problem as technology progresses-- bandwidth becomes faster and cheaper. If I happen to backup a large set of files at 4 AM when the neighbors are asleep and the neighborhood loop is practically idle, there is no impact to anyone. So why count that late night usage against anyone in a useless quota? Besides, I doubt that TWC is keen on reimplementing usage-based-billing after the massive backlashes and threatened legislation they faced in 2009.

Comcast on the other hand seemingly knows no such fear, having spent over \$3 Billion in political donations since 2001. They've rolled out data caps in over six states, and expect to have it implemented nationwide by 2019 according to their Executive VP, David Cohen. Their current data cap is a paltry 300GB. Families can easily surpass this quota using Netflix and Hulu without much effort, and indeed the average "cord cutter" uses 212GB per month according to Sandvine. There's not much overhead there, and I expect there will be even less as more sites enable HD streaming at higher bitrates.

Assuming that Comcast's policies override Time Warner in the event of a merger, TWC customers are going to face severe impacts. (And that's beyond the already-poor ratings for customer service). Arbitrary data caps are going to lead to higher costs for internet, with little if anything to show for it. And who am I supposed to run to? AT&T with their 150GB cap? High-latency wireless?

Never mind the increases in cost, but penalizing downloads would stifle growth in the online service industries that are shifting towards digital distribution. Music, games and movies are increasingly being sold digitally, and you'll be hard-pressed to find many PC games that aren't linked to bandwidth-loving Steam and Origin platforms. Indie musicians often rely on the internet as their sole means of distribution. If the internet suddenly becomes an artificially finite resource, where a lack of competition means the gradual increases to caps and infrastructure improvements continue to move at an ever glacial pace, don't you think this will hurt other parts of the economy? "Oh man, I really want to BUY that new Wolfenstein game on Steam, but I just can't afford to download 45GB right now."

And yes, let's talk about competition. There isn't any, and it's true that Comcast and TWC merging wouldn't make competition any worse than it already is since the two refuse to compete with each other. That said, enabling them to merge would result in a monstrous organization, holding a MONOPOLY on the access path for 1/3rd of fixed line broadband subscribers. I'd hate to be a new startup in this environment, knowing that in order to serve content reliably to a third of my potential customers in the US, I need to pay shakedown money like Netflix had to. (And could I even afford it, knowing the same deals would need to be made for Verizon and AT&T, let alone the global ISPs that follow?) I'd also hate to be running an independent cable company, since all my future cable equipment wouldn't necessarily be built to push the limits of innovation, but rather just fill whatever requirement Comcast/TWC ordered since they're going to own 2/3rds of the broadband cable market in the US.

Please stop this merger.

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Respectfully,
-Scott