

For Immediate Release

Contact: Andrew Jay Schwartzman
(202) 232-4300



MEDIA ACCESS PROJECT SAYS FCC ACTION ON AOL/TIME WARNER MERGER VINDICATES CITIZEN GROUPS' CHALLENGE

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Assuring Public's Right to Choose Local Internet Companies Is "Icing on the Cake."

Media Access Project, the public interest law firm which represented citizen and consumer groups in their opposition to the AOL/Time Warner merger, today issued this victory statement from its President and CEO, Andrew Jay Schwartzman:

The FCC's decision to attach significant conditions to its approval of the AOL/Time Warner merger is a big win for the American public. We are especially pleased that the FCC has taken steps to help smaller internet service providers (ISPs) obtain access to provide high speed internet connections through the AOL/Time Warner cable systems. It's the icing on the cake.

The FCC's action promotes the public's First Amendment right to use the Internet as a medium to speak, as well as to receive information and speech. The ability to choose smaller ISPs who can address differing social and cultural needs will help bring internet service to Americans who might otherwise be left on the wrong side of the digital divide.

MAP shares Commissioner Tristani's disappointment that the Commission did not provide immediate and full interoperability for competing Instant Messaging Services, but the decision goes a long way in making sure that innovative developers will soon be able to connect to the AOL customer base.

Yesterday's decision, combined with the FTC consent decree, acknowledges the validity of our legal case, and provides meaningful remedies. We got most of what we needed to protect free speech, economic growth and and competition in this new interactive medium. AOL has always said that open access is a sound business model, and now the FTC and FTC have demonstrated that they have the legal power to mandate it.

MAP's clients in this case were Consumers Union, Consumer Federation of America and the Center for Media Education.