

From: Beckwith, Richard
To: 'microsoft.atr(a)usdoj.gov'
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Subject: Comment on case

Before getting into my comment, I must mention that I work for Intel. In my opinion my employment has no bearing at all on my support (or lack of support) for Microsoft's proposed settlement, I am certain that most people would believe it significant. I should also mention that the lab in which I work at Intel was started by one of the main government witnesses in the federal case against Microsoft. Again, I do not believe that this has any bearing on my judgment. As you will see, I support some aspects of the plan and do not support others.

For background, I am a developmental psychologist working at Intel. I have a PhD in developmental and educational psychology from Teachers College at Columbia University. I came to Intel from an academic position where I was doing research on technology in education (at Northwestern University's Institute for the Learning Sciences). I have been doing research on technology and education off and on for over twenty years. Therefore, I have some expertise to comment on Microsoft's settlement offer.

I would like to suggest that Microsoft's proposed settlement approaches fairness. I do not believe that donations to schools should be turned down because they would give Microsoft an advantage over Apple. One of the reasons that I came to Intel is because platforms running Microsoft software are the most cost effective means to deliver computational power. I wanted to be able to influence how services might be offered to young students. The cost differential is quite significant here. We know that most schools have decided to go with the "commodity platform" running Microsoft software. I think that the cost differential is what has driven these school districts to make this decision and there is little reason to think that low income schools could reasonably be expected to go with Apple equipment.

However, I also know that Microsoft has a tendency to overvalue its cost in donating software to schools. Before a particular plan is accepted, I would recommend that Microsoft's real costs in the donation be taken into consideration. The real costs are not insignificant since support would be included. Lost sales are a real concern but we need to consider that Microsoft would have sold this software in an OEM bundle and may have gotten less than \$20 per system. Do not let them treat this as a sale of boxed software.

Finally, I would think that Microsoft would tend to donate systems with WindowsXP. I personally have no plans to run XP on my current Intel provided computer since it is a 600 mHz Pentium II. My computer is really not good enough to run XP well. I'm better off with an older OS. My Pentium II is still useful to me though and I won't be getting a new one for a while. I wonder what the refurbished machines that Microsoft will donate

will be. If these computers are older, low power computers; they may have a difficult time running some software. This is important because speed is still related to ease-of-use. You can use the power of the PC to make the task easier. This is only true if the PC is powerful enough. I hate to think that kids with the most need would get computers that are not quite up to the task of helping them out. You know that the schools won't be upgrading any time too soon. It would be best to make sure that they don't have to.

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