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July 9, 1996

HAND DELIVER

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

RECEIVED
JUL - 9 1996
Federal Communications Commission
Office of Secretary

Re: CC Docket No. 96-98
CC Docket No. 96-45
RM No. 8775
Ex Parte Presentations

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's Rules, this letter is to advise you that several representatives of the Internet service provider ("ISP") community met today with several Commission staff persons. Attending the meeting were Robert Collet of the Commercial Internet eXchange Association ("CIX"), David Johnson of Counsel Connect, William Schrader of PSiNet, William Burrington of America Online, Inc., Glee Harrah Cady of NETCOM, as well as Ronald Plessner, James Halpert and myself of Piper & Marbury, L.L.P. We met with the following FCC staff: Robert Pepper, Elliott Maxwell, Mark Corbitt, Diane Cornell, James Schlitchting, Jane Jackson, Doug Slotter, Kevin Werbach, Tim Peterson, Tom Wasilewski, Brett Haan, and Peter Cowhey.

The purpose of the meetings was to initiate a dialogue between ISPs and the FCC on the many issues that face the Commission, especially as it implements the Telecommunications Act of 1996. We expressed our concern for the Commission to appreciate the position of ISPs as it begins to look at access charge reform and interconnection between ISPs and the incumbent LEC providers. We also indicated our concern that ISPs should be able to participate in the offerings of unbundled network

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elements of the incumbent LEC. We also expressed our general view that claims that the ISP community "overburdens" the local exchange network seem unwarranted and require further study. While the meetings today were largely initial, we file this letter in the above-referenced dockets in the interest of full disclosure. A copy of a CIX brochure (attached hereto) was also distributed to Commission staff at the meetings.

In accordance with the Commission's rules, I hereby submit one original and five copies of this letter for inclusion in the above-referenced docket.

Sincerely,



Mark J. O'Connor
Counsel for the Commercial Internet
eXchange Association

Enclosure

cc: Robert Pepper
Elliott Maxwell
Mark Corbitt
Diane Cornell
James Schlitchting
Jane Jackson
Doug Slotter
Kevin Werbach
Tim Peterson
Tom Wasilewski
Brett Haan
Peter Cowhey

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THE FOLLOWING 174 FIRMS ARE CIX MEMBERS:

- 2020Net (Electronic Systems of Richmond), Virginia & Washington D.C.
- 3C Europe Ltd., United Kingdom
- Able Tech, San Jose, California
- Advantis, National U.S.
- Agate Internet Services, Bangor, Maine
- Ainet, California
- Allied Access, Illinois
- AlphaNet, Wisconsin
- AlterNet, National U.S.
- American Network, New York
- ANS CO+RE Systems, Inc., National U.S.
- Apex Global Info Systems (AGIS), Michigan
- Ashion Communications, Mexico and National U.S.
- Associates Espada C.A., Venezuela
- AuroraNet, Canada
- a2i Communications, San Francisco Bay Area, California
- alpha-web, Japan
- BARRNet, Northern California
- Berbee Information Networks, California
- Best Internet Communication, Wisconsin
- BTnet, United Kingdom
- Bull HN Information Systems Inc., Massachusetts
- CA*net, Canada
- Cable Online, United Kingdom
- Cable & Wireless, Inc., National U.S.
- Capcon Library Network, Virginia, Maryland
- CenNet, Boston Area, Massachusetts
- Cerberus, United Kingdom
- CEFFnet, West Coast U.S.
- Commonwealth Telephone Company, Pennsylvania
- Comnetique, New Orleans, Louisiana
- Compserve, National U.S. and International
- connect.com.au, Australia
- ConnexNet, Washington State
- CR Internet, Japan
- CRL, National U.S.
- Crocker Communications, Greenfield, Massachusetts
- Crossroads Communications, National U.S.
- CS & W, Inc., Minnesota
- CTS Network Services, California
- Cybergate, Florida & Southeast U.S.
- Cyberstore Systems, Canada
- Cyber Technologies, International Japan
- DataBank, Kansas
- Databatics, Inc., Ohio
- Databit, Hungary
- DataXchange, Florida
- Dayton Network Access Company, Ohio
- Demon Internet, United Kingdom
- Destek Group, Inc., Northern New England
- Digital Express Group, East Coast, U.S.
- Direct Net Corporation, National U.S.
- DRANet, National U.S., Canada, Far East, Europe, and South America
- EctoNet, Inc., San Diego, California
- Ecto-Byte Technologies, Canada
- EMI Communications, New York Area
- Emirates Internet, United Arab Emirates
- EShut, Virginia
- Eskimo, Northwestern Washington State
- EUnet, Europe
- EuroNet Internet, Europe
- EZnet, New York
- Fibernet, National U.S.
- FIBRCOM, Texas
- Fujitsu, Japan
- Global Enterprise Services/JWNNet, National U.S.
- Global SprintLink, International
- Globalcenter.net, National U.S. and Canada
- Hinet (Formerly DCI), Taiwan
- Hitachi, Ltd., Japan
- H.C. Internet, National U.S.
- HotNet, National U.S. & Canada
- Hong Kong SuperNet, Hong Kong
- HookupNet, Canada
- HTP Services, New York, Long Island
- I-2000, New Jersey, New York City, Long Island and Connecticut
- IDT, Arizona, California, Massachusetts, New York, New Jersey, Pennsylvania, and Washington D.C.
- IJ, Japan
- I-Net Technologies, Korea
- Ichibus Access Networking, West Virginia and Southern Ohio
- iCon International, National U.S.
- Inacom, Nebraska
- Infinite Access, Inc., Florida
- InfoTel, South Africa
- INS Info Services, Iowa/Midwest U.S.
- INSAC, Canada
- INTAC Access Corporation, Northeast U.S.
- InterCon, Japan
- Interated Corp., Nevada
- Internet Africa, South Africa
- Internet Atlanta, Inc., Southeast U.S.
- Internet Exchange Europe, Netherlands
- Internet@DD, Japan
- The Internet Mainstreet, San Francisco Bay Area, California
- Internet Media Network, Inc., Southern California
- Internet Oklahoma, Oklahoma
- Internet Public Access Corp., San Jose, California
- The Internet Solution, South Africa
- Internet Technology Systems, Rocky Mountain U.S.
- Internetwork, Inc., Northwest U.S.
- Interpath, Southeast U.S.
- InterServe Communication, Hong Kong
- ITnet, Italy
- UUnet, Italy
- Jax Gateway to the World, Florida
- JC Information Systems, California
- JNet, Japan
- KorNet, Korea
- LDG-PanAmerica, National U.S.
- Lincoln Telephone & Telegraph, Nebraska
- Logical Net, New York
- LYAD, Bermuda
- MagiNet, Southern California
- MCI, National U.S. & International
- MIRMET, Kentucky
- MV Communications, New Hampshire
- Nando.net, Raleigh, North Carolina
- NEARNET, New England
- NEC, Japan
- NSINC, National U.S. and International
- NETDOM, National U.S.
- NetNet, Inc., Wisconsin
- NetVision, Israel
- Netcity Communications, Inc., California
- New York Net, Northeast U.S.
- Nissan Information Network Co., Ltd., Japan
- Nordic Carriers, Scandinavia
- NorthWestNet, Northwest U.S.
- Novia Internetworking, Nebraska
- Open Business Systems, Illinois
- Pacific Bell Internet, California
- Packet Works, Inc., Florida
- PearlVision (PEARL-NET), Japan
- Pilot Network Services San Francisco Bay Area, California
- PIPEX, United Kingdom
- Planet Online Limited, United Kingdom
- Parval Communications, National U.S.
- PSHNet, National U.S. and Japan
- Qwest Communications, Western U.S.
- RACSAnet, Costa Rica
- RIGnet, Oregon and California
- RIMNET, Japan
- SARENET, Spain
- Singapore Telecom, Singapore
- Sovrem Telegort, Russia
- SprintNet (AT&T Jews), Japan
- SprintLink, National U.S.
- STANet, St. Louis, Missouri
- Sun Microsystems Inc., National U.S.
- Superlink, New Jersey
- SURAnet, Southeast U.S.
- Synergy Communications, National U.S.
- Tachyon Communications Corp., Florida
- TCHUNet, Kenya, Africa
- Technet, Singapore
- THEnet, Texas
- ThoughtNet, National U.S.
- TogetherNet, Vermont and New York City
- Total Communication Platform Network (TCP-NET), Japan
- TokyoNet, Japan
- TOPNET, Netherlands
- Total Connectivity Providers Ltd, United Kingdom
- Treadline Information and Communication Services, Ltd., Israel
- TWICS, Japan
- U-NET, United Kingdom
- US Cyber, National U.S.
- USIT, Tennessee
- ValCom (TNCNet), California and Florida
- Vision Network Limited, Hong Kong
- VISTAnet, Vermont
- West Publishing Corporation, Minnesota
- WWW Comunicaciones, Guatemala, Honduras, and El Salvador
- Wyoming.com, Wyoming
- xs4all, Europe

- HTP Services, New York, Long Island
- I-2000, New Jersey, New York City, Long Island and Connecticut
- IDT, Arizona, California, Massachusetts, New York, New Jersey, Pennsylvania, and Washington D.C.
- IJ, Japan
- I-Net Technologies, Korea
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- Internetwork, Inc., Northwest U.S.
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- NETDOM, National U.S.
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- Nordic Carriers, Scandinavia
- NorthWestNet, Northwest U.S.
- Novia Internetworking, Nebraska
- Open Business Systems, Illinois
- Pacific Bell Internet, California
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- RACSAnet, Costa Rica
- RIGnet, Oregon and California
- RIMNET, Japan
- SARENET, Spain
- Singapore Telecom, Singapore
- Sovrem Telegort, Russia
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- SprintLink, National U.S.
- STANet, St. Louis, Missouri
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- Treadline Information and Communication Services, Ltd., Israel
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- VISTAnet, Vermont
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- WWW Comunicaciones, Guatemala, Honduras, and El Salvador
- Wyoming.com, Wyoming
- xs4all, Europe

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THE COMMERCIAL INTERNET EXCHANGE ASSOCIATION

Internet service providers, Internet hardware and software vendors, and the businesses and people on the Internet are defining the way in which we communicate. They are forging new global alliances and building bridges of communications not thought possible just a few years ago. They are the stakeholders in the Internet industry.

WHAT IS CIX?

CIX IS AN INTERNATIONAL COALITION OF INTERNET SERVICE PROVIDERS AND INDUSTRY STAKEHOLDERS.

The CIX membership is diverse, ranging from established mature businesses to organizations with fewer than ten employees. These member companies represent large multinational telecommunication carriers to small entrepreneurial organizations around the world. Regardless of size, all companies share a common interest in the commercialization of the Internet. To this end, these companies invest in research, development and training to produce one of the most valuable business assets today—knowledge.

WHAT IS THE CIX ROLE?

CIX IS THE BRIDGE BETWEEN WHAT HAS BEEN, WHAT IS, AND WHAT WILL BE.

CIX monitors and participates, where appropriate, in the development of government regulation and legal decisions affecting the commercialization and evolution of the Internet. As worldwide telecommunications deregulation unfolds, CIX will play a constructive role in analyzing these events.

CIX facilitates global connectivity by operating a large-scale router and a public SMDS network. The router and SMDS network act as a network access point for member companies.

CIX is developing an Internet Registry Tool Set to further facilitate its goal of global connectivity. By providing a uniform interface to the existing Internet registry bodies, these tools will enhance the level of service industry-wide.

CIX sponsors prominent industry events. These events range from industry trade shows such as Internet World to regional, network operators' conferences around the globe. In addition, CIX attends and reports on international conferences such as Telecom '95, sponsored by the International Telecommunications Union (ITU), and the Internet Engineering Task Force (IETF) meetings.

WHY CIX?

CIX IS A KEY VOICE FOR THE INTERNET INDUSTRY.

As governments worldwide debate the legal, ethical, and economic issues of the communications industry, it is critical that they also hear from Internet-knowledgeable sources. This is a formidable task because the Internet industry is still rapidly evolving in dramatic and complex ways.

CIX is uniquely positioned to convey the intricacies of Internet technology and operations to government legislators, policymakers, and the courts. CIX endeavors not only to understand technological and regulatory issues, but to work on ensuring that decision-makers are well-informed on Internet-related issues. Our professional staff and counsel track legislation, regulation, and legal proceedings. These important issues often have a reverberating effect on the industry. CIX takes positions on these issues and communicates these positions through policy white papers, meetings, presentations, sponsorship of industry events, press releases and other forums.

CIX's goal is to ensure healthy regulatory government policy and legal frameworks for Internet industry shareholders. CIX members' participation will help to ensure the success of this communications wave into the 21st century. As one business, your voice may be small. Through the Association, our collective voices are joined by those of other stakeholders and heard by the decision-makers who can impact the Internet community.

WHAT ARE THE GOALS OF THE COMMERCIAL INTERNET EXCHANGE ASSOCIATION?

The goals of the CIX Association are to:

- ▲ Facilitate global connectivity among commercial Internet Service Providers (ISPs)
- ▲ Encourage commercial uses of the Internet
- ▲ Foster fair and open environments for Internet commercialization (in standards, international law, etc.)
- ▲ Provide forums for the exchange of experiences and ideas to enhance the vitality of the ISP industry

In addition, we promote the enactment of legislation and regulation which recognizes the needs of Internet Service Providers and Internet users.

WHAT SERVICES DO CIX MEMBERS RECEIVE?

- Network Connection. CIX operates a Network Access Point (NAP) consisting of a multilateral exchange router in conjunction with 34 Mbps Switched Multimegabit Digital Service (SMDS). Full members may utilize either service.
- *CIXtra*. A monthly newsletter which highlights ISP industry events and information.
- CIX WWW Site (www.cix.org). Provides hot-links to member home pages, and on-line versions of *CIXtra*, white papers, legislative/regulatory and legal transmittals, and other postings.
- Internet Yellow Pages. CIX members can offer their customers use of the Internet Yellow Pages at a substantial discount.
- CIX-News. Open e-mail channel for distribution of CIX news.
- Annual Meeting. Opportunity to network and influence decisions face-to-face with peers.

1995 CIX ACTIVITIES

INFRASTRUCTURE

Router/SMDS

CIX operates a Network Access Point consisting of a multilateral exchange router in conjunction with 34 Mbps Switched Multimegabit Digital Service (SMDS).

Internet Registry Tool Set (IRTS)

CIX is developing a tool set that integrates IP address, DNS, reverse name and directory functions to support decentralized registry operations of ISPs or large corporations.

LEGISLATIVE

Telecommunications Competition and Deregulation Act of 1995. CIX is providing advice to congressional staffs regarding H.R. 1555 and S. 652 and the National Information Infrastructure (NII) issues.

REGULATORY

CIX has responded to the following FCC notices and continues to track ISP-related activities at the FCC.

- Universal Service Fund
- Subscriber Line Charges
- Proposals by Wireless Information Networks Forum and Apple Computer petitions for rulemaking to allocate bandwidth and adopt service rules for a shared unlicensed personal radio network
- Remand of Computer Inquiry III
- Bell Operating Company (BOC), Comparable Efficient Interconnection (CEI), Open Network Architecture (ONA) and Video Dialtone (VDT) plans
- LEC price cap concession in regard to offering of information and broadband services for public and civic institutions

CIX is also involved at the Federal Trade Commission (FTC) regarding telemarketing proceedings to assure responsiveness to ISP requirements.

LEGAL

- Prodigy v. Stratton-Oakmont. Submitted a friend of the court brief supporting Prodigy in this libelous language filtering case.
- American Bar Association (ABA) Copyright. Participates in task force to develop copyright trade practice for cyberspace.

- Church of Scientology v. Digital Gateway Systems. Developed a friend of the court brief to support Digital Gateway Systems regarding copyright violation by one of its subscribers.
- Assuring no cross-subsidy of enhanced services by a dominant operating company's regulated operations.

GOVERNMENT/POLICY WHITE PAPERS & ACTIVITIES

- US Telecommunications Policy White Paper
- Global Telecommunications White Paper (4thQ95)
- ISP - BOC ISP Interconnection White Paper
- Participating in proceedings of National Institute of Standards & Technology (NIST) addressing commercial services, network encryption and escrow policies.
- Participating in proceedings of the Department of Commerce concerning National Copyright Policy and National Information Infrastructure (NII).
- Participating in National Science Foundation (NSF) activities regarding the determination and funding of Internet Intellectual Infrastructure and associated policies.

MEETINGS/PRESENTATIONS

- CIX has provided ISP industry advice to the United States White House and the US State Department.
- CIX is participating in the On-Line Industry Forum proceedings to monitor the market impact of the Windows '95-bundled Microsoft Network.
- The Association is a participant at the North American Network Operator's Group (NANOG), Asia Pacific Regional Internet Conference on Operation Technology (APRICOT), Réseau IP Européens (RIPE), and Internet Engineering Task Force (IETF). CIX sponsors operators' conferences such as NANOG and APRICOT and attends industry meetings such as the IETF and RIPE to assure responsiveness to the membership and to report actions.
- CIX participates in various industry events including: Internet Society, Telestrategies, Internet World (CIX is a co-sponsor), Interop-Networld, Federation of American Research Networks (FARNET) and MIT's Internet Economics forums.

CIX Help Desk (703) 824-9249 **Web Site** www.cix.org