



October 14, 2014

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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Presentation, GN Docket No. 14-28, *Protecting and Promoting the Open Internet.*

Dear Ms. Dortch:

On Friday, October 10, representatives of The Internet Association met with staff of the Federal Communications Commission Wireless Telecommunications Bureau. Participants for The Internet Association were Gina Woodworth, Vice President of Policy and Governmental Affairs; Abigail Slater, Vice President, Legal and Regulatory Policy; Tom Manatos, Senior Director of Government Affairs, The Internet Association; Markham C. Erickson, Partner, Steptoe & Johnson LLP and General Counsel to The Internet Association. Staff for the FCC's Wireless Telecommunications Bureau included Daniel Ball, Jennifer Salhus, Ziad Sleem, Joel Taubenblatt, and Jim Schlichting. In the meeting, The Internet Association made the following points, consistent with comments it filed in the docket:

- Mobile broadband networks are as essential to the Internet as wired broadband networks. Americans rely on mobile wireless connectivity either to “multiscreen” their interaction with Internet content or services or because they are wholly reliant on mobile wireless for Internet access.
- Low-income Americans are particularly likely to rely exclusively on mobile broadband for access to the Internet. Unequal application of open Internet protections is most likely to interfere with the user experience and the reasonable expectations of those Americans.
- The 2010 *Open Internet Order* proposed narrower open Internet protections for mobile broadband because, at the time, mobile wireless broadband was “an earlier-stage platform” than wired broadband and faced unique bandwidth constraints. Those considerations no longer justify applying less robust open Internet protections to mobile broadband. In the four years since the *Order*, mobile broadband has become an established part of the Internet economy and ecosystem. Further, the *Order*'s “reasonable network management” framework is sufficiently flexible to accommodate legitimate concerns related to bandwidth constraints or engineering challenges faced by mobile wireless providers.
- Platform parity in open Internet rules will enhance competition among both edge providers and broadband providers. If a consumer knows that she can access the same



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content and services on mobile wireless devices as she can over wired broadband connections, she will be more likely to view wireless broadband providers as genuine alternatives to wired broadband providers. Allowing a consumer to access the applications and services of her choice over any wireless connection also will ensure that pay-to-play agreements with mobile broadband providers do not determine winners and losers in the Internet marketplace.

- Platform parity leads to certainty for all participants in the Internet’s virtuous circle of investment and innovation. As the *Open Internet Order* and Chairman Wheeler have stated, “there is one Internet.” The rules that apply to that Internet should not depend on the particular device or network a consumer uses to access it. Such disparities and double standards would create consumer confusion and uncertainty for edge providers. The Commission therefore should promulgate a stable, consistent, and universally applicable set of open Internet protections.

In accordance with the Commission’s rules, this ex parte notice is being filed electronically in the above-referenced docket.

Respectfully submitted,

/s/_____

Abigail Slater

Vice President, Legal and Regulatory Policy