



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

**October 24, 2014**  
**Re: Notice of *Ex Parte* Presentation**  
**RE: GN Docket Nos. 14-28, 10-127**

Dear Ms. Dortch,

This letter is to advise you, in accordance with the Commission's rules, that on October 22, 2014, Chris Riley and Denelle Dixon-Thayer of Mozilla spoke with Jonathan Sallet, General Counsel, and Stephanie Weiner, Associate General Counsel.

The substance of our presentation was grounded in, and consistent with, the petition submitted by Mozilla to the Commission on May 5, 2014 and comments and reply comments filed by Mozilla, all included in the above referenced dockets. We focused our discussion on the two primary arguments raised in the record in opposition to Mozilla's proposal: 1) the identification of a separable Remote End Point (REP) service, legally distinguishable from current access services offered to end users to connect them to the Internet, and 2) the Commission's ability to classify REP services as telecommunications services under the Communications Act without direct monetary payment. On the second, "for a fee" issue, we offered arguments present in the record, including interpreting fee to include consideration broadly as well as chaining of fees. We acknowledged that there are some precedents the Commission would need to distinguish to come to this conclusion, but stated the Commission has ample authority and opportunity to do so. On the issue of identifying a distinct REP service, we suggested considering hypothetical service arrangements that include written contracts or payments, for purposes of understanding how a non-written service based on exchange of value can be easily distinguished.

We discussed how to apply the Mozilla proposal of REP services to mobile networks. In response to arguments that the Commission cannot identify a mobile broadband common carrier service because of the statutory interconnection requirement, we gave a technical perspective that mobile broadband access services are "interconnected" with fixed services, in that there are technical connections and data can be exchanged between them; and fixed services are clearly "interconnected" with the public switched telephone network to support Voice over IP.

Sincerely,

/s/ M. Chris Riley

M. Chris Riley  
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cc: Jonathan Sallet, Stephanie Weiner