

1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

7925 JONES BRANCH DRIVE
McLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wileyrein.com

November 14, 2014

Bennett L. Ross
202.719.7524
bross@wileyrein.com

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Protecting and Promoting the Open Internet; Framework for Broadband Internet Service*, GN Docket 14-28, GN Docket No. 10-127

Dear Ms. Dortch:

On November 13, 2014, in connection with the above-referenced proceedings, Jason Friedrich, Head of US Government & Regulatory Affairs for ARRIS Group, Inc. (“ARRIS”), Jeff Campbell, Vice President - Government Affairs for Cisco Systems, Inc. (“Cisco”), Peter Pitsch, Executive Director - Communications and Associate General Counsel for Intel Corporation (“Intel”), and the undersigned with Wiley Rein LLP met with Julie Veach, Chief of the Wireline Competition Bureau, Matthew DeNero, Deputy Bureau Chief of the Wireline Competition Bureau, and Stephanie Weiner, Deputy General Counsel.

As suppliers to broadband providers, edge providers, and end users, Cisco, ARRIS, and Intel explained their interest in a healthy Internet ecosystem in which all participants thrive. As was explained during the meeting, the best way to achieve this objective is for the Commission to adopt Open Internet rules that encourage broadband investment and innovation, not discourage it.

During the meeting, Cisco, ARRIS, and Intel expressed their support for the rules proposed in the Notice of Proposed Rulemaking in this proceeding,¹ which represent a balanced approach that will benefit consumers as well as all sectors of the Internet ecosystem. We also discussed paid prioritization, noting that prioritization is an inherent feature of the Internet that does not result in the creation of purported “fast lanes” and “slow lanes.” We also explained that prioritization arrangements can have important consumer benefits and that prohibiting all such arrangements would harm consumers and would be antithetical to innovation.

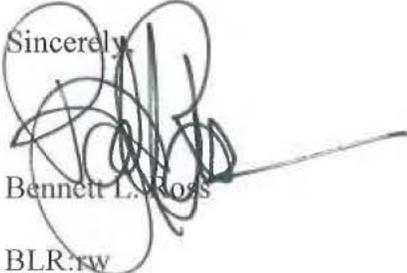
¹ *Protecting & Promoting the Open Internet, Notice of Proposed Rulemaking*, GN Docket No. 14-28 (rel. May 15, 2014).

Ms. Marlene H. Dortch
November 14, 2014
Page 2

Finally, we discussed proposals to regulate broadband Internet access service as a Title II “telecommunications service.” We explained that Title II regulation of broadband services would be unlawful and unwise, relegating the industry to years of litigation and uncertainty that would be detrimental to investment. We noted that classification of broadband services as Title II “telecommunications services” also would have other unintended consequences, such as the possibility of subjecting broadband to state regulation as well as state and local taxation. We discussed the challenges of attempting to address industry concerns about Title II classification through forbearance, which would be a contentious and litigious process. We also explained the negative international ramifications of Title II regulation of broadband services in the United States. We urged that the Commission continue its light touch regulatory treatment of broadband services by relying upon its section 706 authority as the legal predicate for any Open Internet rules.

Pursuant to 47 C.F.R. § 1.1206, please include this ex parte filing in the above-referenced dockets.

Sincerely,



Bennett L. Ross

BLR:rw

cc: Julie Veach
Matthew DelNero
Stephanie Weiner