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November 19, 2014

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**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 17, 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”), and Brett Shumate and the undersigned with Wiley Rein LLP met with Rebekah Goodheart.

As suppliers to broadband providers, edge providers, and end users, Cisco and ARRIS 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 and ARRIS expressed their support for the rules proposed in the Notice of Proposed Rulemaking in this proceeding,<sup>1</sup> 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.

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

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

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of litigation and uncertainty that would be detrimental to investment. 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 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,

A handwritten signature in black ink, appearing to read "Bennett L. Ross", with a long horizontal line extending to the right.

Bennett L. Ross

BLR:rw

cc: Rebekah Goodheart