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January 27, 2003

FILED ELECTRONICALLY

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

**Re: CS Docket No. 02-52; CC Docket Nos. 02-33, 95-20 & 98-10; and GN
Docket No. 00-185
Notice of *Ex Parte* Presentation**

Dear Ms. Salas:

Submitted herewith pursuant to Section 1.1206(b)(2) of the Commission's rules is a notice regarding permitted oral *ex parte* presentations in the above-captioned proceedings. On January 24, 2003, Paula Boyd, Policy Counsel to Microsoft Corp., met with Matthew Brill, Senior Legal Advisor to Commissioner Abernathy, and Joe Dailey and LaNelle Owens, interns to the Commissioner, concerning the need for consumers to be able to connect to and use the broadband network across all platforms without interference by network operators.

Broadband deployment will accomplish little if consumers are deprived of the ability they now enjoy lawfully to roam over the Internet; to run the applications they want using the equipment they choose; to gather, create, and share information; and to connect to websites absent interference by network operators. The history of the Internet has been characterized by consumer ability to use an unprecedented array of content, services, and applications via an ever-increasing repertoire of products and equipment. Ms. Boyd expressed concern that the longstanding principles of network neutrality and consumer connectivity, which have existed for decades in the wireline context, may not be carried forward into the broadband era.

The parties discussed the increasing consensus among large numbers of companies in the e-commerce, software, hardware, and telecommunications industries, as well as groups representing citizens who use the Internet for interactive communications, as to the importance of this problem and the need for preserving well-accepted non-impairment principles in the above-captioned proceedings. They also talked about the Commission's jurisdiction to take

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measured steps in this area. Finally, the parties discussed the timing for a decision in these proceedings.

Kindly address any questions to the undersigned.

Sincerely,



Gerard J. Waldron
Counsel to Microsoft

cc: Matthew Brill
Joe Dailey
LaNelle Owens