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January 29, 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. Dortch:

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 28, 2003, Paula Boyd, Regulatory Counsel to Microsoft Corp., met with Lisa Zaina, Senior Legal Advisor to Commissioner Adelstein, and also with Kyle Dixon of the Media Bureau concerning the need for consumers to be able to connect to and use the broadband network across all platforms without interference by network operators.

Ms. Boyd emphasized that the Commission needs to ensure that consumers continue to enjoy the ability to roam lawfully 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 success of the Internet has been built on consumer choice among an unprecedented array of content, services, and applications via an ever-increasing repertoire of products and equipment. She 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 also 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. In addition, the parties discussed how the Commission can accomplish this goal without adopting overly prescriptive regulations.

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Kindly address any questions to the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Gerard J. Waldron". The signature is written in a cursive style with a large, stylized initial "G".

Gerard J. Waldron
Counsel to Microsoft

cc: Lisa Zaina
Kyle Dixon