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May 1, 2003

FILED ELECTRONICALLY

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

**Re: CC Docket Nos. 02-33, 98-10 & 95-20; CS Docket Nos. 02-52 & 97-80;  
GN Docket No. 00-185; and PP Docket No. 00-67  
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 April 30, 2003, Paula Boyd of Microsoft Corp. met separately with Susan Eid, Legal Advisor to Chairman Powell, and Jessica Rosenworcel, Legal Advisor to Commissioner Copps, concerning the overriding importance of ensuring network neutrality and connectivity principles in the broadband era -- i.e., assuring that broadband users continue to have unfettered access to their choice of Internet content, applications, and services using any nonharmful devices they want without interference from or impairment by network operators -- as expressed in earlier filings in the above-captioned dockets by Amazon.com, Yahoo!, and other members of the Coalition of Broadband Users and Innovators.

It is critical that these longstanding principles, embodied both in the Commission's rules on cable navigation devices and in *Carterfone* and subsequent Commission decisions for decades, be carried forward into the broadband era. Failure to do so threatens not only the deployment and adoption of broadband, but also the tremendous innovation and investment in creative new Internet products, services, and equipment that has been unleashed over the last decade. The parties also spoke about the timing of a Commission decision in these proceedings.

In addition, Ms. Boyd spoke with Ms. Eid about the Commission's pending "plug and play" cable compatibility proceeding. Ms. Boyd explained that the DFAST license does not apply to bi-directional devices, and the parties discussed whether a decision would mandate use of 5C technology.

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Kindly address any questions to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerard J. Waldron". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Gerard J. Waldron  
*Counsel to Microsoft*

cc: Ms. Susan Eid  
Ms. Jessica Rosenworcel