

May 15, 2003

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

*Ex Parte Notice*

**Re: Appropriate Regulatory Treatment for Broadband Access to the Internet Over  
Cable Facilities, CS Docket No. 02-52**

Dear Ms. Dortch:

We wish to clarify an ex parte report filed on May 8, 2003 on behalf of Comcast Corporation (“Comcast”). As that report accurately stated, “the ‘VPN restriction’ about which certain parties have complained has been eliminated from and is no longer part of Comcast’s subscriber agreements and terms of service for its high-speed Internet customers.” This statement led to a press article that implies that this change was made as a “concession” to lobbying efforts by the Coalition of Broadband Users and Innovators (“CBUI”). This implication, however, is unfounded. In fact, as was stated during our May 7 meeting, this change in Comcast’s subscriber agreement occurred last Fall, well before CBUI criticized Comcast’s “VPN restriction” in its January 8, 2003 ex parte filing.

As a matter of background, the VPN restriction was originally put in place by the now-defunct @Home, from whom Comcast took over cable Internet provisioning in early 2002. Comcast’s decision to remove the “VPN restriction” was a natural part of the continuing evolution from the policies of @Home to Comcast policies that reflect current technologies and competitive marketplace conditions. Although there remains a need to ensure appropriate management of shared bandwidth, maintain network security, prevent network abuse, and provide customers with guidance as to which services and equipment will receive technical support, Comcast itself determined many months ago that restricting customers’ use of VPNs on Comcast’s network was no longer necessary. Thus, Comcast removed the restriction last Fall as part of Comcast’s continuing commitment to provide its customers with the services they desire.

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This letter is filed pursuant to Section 1.1206(b)(2) of the Commission's rules. Please let me know if you have any questions.

Respectfully submitted,

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