

COALITION OF BROADBAND USERS AND INNOVATORS

August 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, 98-10 & 95-20;
GN Docket No. 00-185
Ex Parte Submission**

Dear Ms. Dortch:

The Coalition of Broadband Users and Innovators (the “Coalition”), representing twenty-five premier online content companies, consumer groups, and manufacturers of consumer electronics equipment—the leading companies investing in Internet content, applications, services, and devices—submits this *ex parte* filing to reiterate its commitment to ensuring that consumers in the broadband era have unfettered access to Internet content, applications, and services and the right to attach all nonharmful devices to the network. Over the last several weeks, a number of telcos, including BellSouth,¹ Qwest,² SBC,³ and Verizon,⁴ have filed *ex parte* submissions in the above-captioned proceedings urging the Commission, among other things, to jettison its longstanding *Computer Inquiry* rules with respect to telco-provided broadband Internet access service and to classify wireline broadband service as a Title I information service.

The Coalition restates here the views it has set forth before the Commission previously: (1) The Coalition does not take a position with respect to how the Commission should classify broadband Internet access service (though individual members have stated their views on that issue). (2) The Commission should take affirmative steps to preserve the principle

¹ See *Ex Parte* Presentation of the BellSouth Corporation in WC Docket Nos. 02-33, 98-10, 95-20; 01-337; CC Docket Nos. 02-52, Errata (Aug. 11, 2003).

² See *Ex Parte* Presentation of Qwest in CC Docket No. 02-33, (Aug. 8, 2003).

³ See Notice of Written *Ex Parte* Presentation of SBC Telecommunications, Inc. in CC Docket Nos. 02-33; 01-337; 95-20; 98-10; CS Docket No. 02-52; GN Docket No. 00-185 (July 31, 2003).

⁴ See *Ex Parte* Presentation of Verizon Communications in CC Docket Nos. 02-33, 95-20, 98-10, and 01-337 (June 26, 2003).

of network neutrality that has enabled the growth and development of the Internet in the narrowband world by adopting across broadband platforms reasonable, targeted safeguards that ensure the right of consumers to attach any nonharmful devices to the network and to access their choice of lawful Internet content, applications, and services. Taking these narrow and limited steps will create regulatory certainty for both consumers and for the companies that provide the innovative new Internet products, services, and devices that consumers want, thereby spurring investment in broadband-based content and services as well as broadband deployment.

Kindly address any questions to the undersigned.

Sincerely,



Gerard J. Waldron

cc: Mr. Paul Gallant
Mr. Chris Libertelli
Mr. Jonathan Cody
Mr. Matt Brill
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Ms. Jessica Rosenworcel
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