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March 9, 2004

**BY ELECTRONIC FILING**

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

**Re: Notification of *Ex Parte* Communication  
MB Docket No. 02-230**

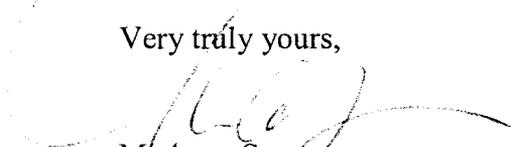
Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that Emery Simon of the Business Software Alliance ("BSA"), the other participants listed on Attachment A hereto, and I met on Monday, March 8, 2004, with Bryan Tramont, Chief of Staff, and Jonathan Cody, Legal Advisor to Chairman Michael K. Powell.

The discussion focused on the comments that BSA and the Computer Systems Policy Project (together the "IT Coalition") submitted on February 13, 2004, in the above-referenced docket. At the meeting, the IT Coalition explained that it supported the FCC's adoption of the ordinary user as the robustness standard under the broadcast flag regime and the FCC's articulation of preventing the indiscriminate redistribution of broadcast content over the Internet as the goal of this proceeding. The IT Coalition also noted that it opposed adoption of a location-based definition of scope. In addition, the IT Coalition noted that the FCC's final broadcast flag rules should permit self-certification based upon functional criteria.

As required by Section 1.1206(b), as modified by the policies applicable to electronic filings, one electronic copy of this letter is being submitted for the above-referenced docket.

Very truly yours,



M. Anne Swanson

cc (by email): Bryan Tramont, Esquire  
Jonathan Cody, Esquire

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**ATTACHMENT A**

Richard Beutel (Dell)  
Paula Boyd (Microsoft)  
David Isaacs (Hewlett-Packard)  
Gary Mittelstaedt (Intel)  
Ann Morton (Computer Systems Policy Project)  
Andy Moss (Microsoft)  
Vikki Pachera (Hewlett-Packard)  
Josh Tenuta (Apple)  
Guy Tribble (Apple)  
Don Whiteside (Intel)