



June 23, 2005

VIA ELECTRONIC FILING

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

Re: *Ex Parte* Notice

Appropriate Regulatory Treatment for Broadband Access to the Internet over Cable Facilities, CS Docket No. 02-52; Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, CC Docket No. 02-33; and IP-Enabled Services, WC Docket No. 04-36.

Dear Ms. Dortch:

On Tuesday, June 21, 2005, representatives of the Telecommunications Industry Association (TIA) met with Commissioner Adelstein and the Commissioner's legal advisors, Scott Bergmann and Rudy Brioche. The TIA representatives were Doug Cooper, Paul Kenefick, Charles Mathias, Grant Seiffert, Derek Khlopin and the undersigned. The purpose of the meeting was for TIA to reiterate its position on the subject matter central to the *Brand X* case – that is, classification of cable modem services as information services under the Telecom Act. TIA's *amicus curiae* brief is submitted as an attachment hereto, as is a TIA paper entitled "Convergence Policy Agenda." TIA urged that the Commission maintain a path consistent with its earlier ruling that cable modem services, and broadband services in general, are information services.

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, a copy of this submission is being provided to Commissioner Adelstein, Scott Bergmann and Rudy Brioche. Please contact the undersigned with any questions in connection with this filing.

Respectfully submitted,

/s/ Danielle Jafari

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