



July 12, 2005

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th 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, July 12, 2005, the Telecommunications Industry Association delivered the attached letter to Chairman Martin, Commissioner Adelstein, Commissioner Abernathy, and Commissioner Copps, urging the Commission to determine within 90 days of the *Brand X* U.S. Supreme Court decision that wireline broadband services are information services under the Communications Act, as are cable modem 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 the Chairman and Commissioners, as well as the individuals in the "copy to" block of the letter. Please contact the undersigned with any questions in connection with this filing.

Respectfully submitted,

/s/ Danielle Jafari

Danielle Jafari

cc:
Chairman Kevin Martin

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Commissioner Kathleen Abernathy
Commissioner Michael Copps