



July 12, 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, July 12, 2005, the representatives of the Telecommunications Industry Association (TIA) met with Commissioner Kathleen Abernathy and Pete Belvin, Legal Advisor to the Commissioner. The TIA representatives were Doug Cooper, Charles Mathias, Jack Cutts, Jeff Campbell, Grant Seiffert, Derek Khlopin, and the undersigned. The purpose of the meeting was for TIA to discuss the Commissioner's agenda in light of the recent U.S. Supreme Court decision in *Brand X* to uphold the Commission's classification of cable modem services as information services under the Telecom Act. TIA also urged that the Commission determine within 90 days of the *Brand X* decision that wireline broadband services also 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 the Commissioner and Pete Belvin. Please contact the undersigned with any questions in connection with this filing.

Respectfully submitted,

/s/ Danielle Jafari

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cc:  
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