

**EX PARTE**

September 27, 2006

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW B-204  
445 12th Street, SW  
Washington, DC 20554

Re: *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992*, MB Docket No. 05-311

*Federal State Joint Board on Universal Service*, CC Docket No. 96-45

Dear Ms. Dortch:

Yesterday Discovery Institute Senior Fellow George Gilder and the undersigned met with Chairman Kevin Martin; Michelle Carey, Senior Legal Advisor; Heather Dixon, Legal Advisor; and Catherine Bohigian, Chief, Office of Strategic Planning and Policy Analysis. The views we expressed were consistent with comments filed by the Discovery Institute earlier this year in support of cable franchise reform. We also supported the concept of using auctions to determine universal service support.

Sincerely,

/s/

Hance Haney  
Director & Senior Fellow  
Democracy & Technology Project