

October 4, 2007

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Re:** Notice of Oral *Ex Parte* Presentation in WT Docket No. 06-150

Dear Ms. Dortch:

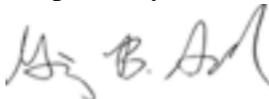
On October 3, 2007, Harold Feld and Andrew Jay Schwartzman of the Media Access Project, Sascha Meinrath of New America Foundation, Chris Murray of Consumers Union, Shawn Chang of Free Press, and Gigi Sohn, Alex Curtis, and Michael Moreno of Public Knowledge (all members of the Public Interest Spectrum Coalition, or PISC) met with Chairman Kevin Martin, Aaron Goldberger, wireless advisor to the Chairman, and Fred Campbell, Chief of the Wireless Bureau, with regard to the above referenced docket.

In response to the Chairman's query as to whether the July 31, 2007 *Order* in the above referenced docket required clarification with regards to the device and applications conditions on the C Block, PISC stated that the Commission should take no action unless Verizon or some other party specifically sought clarification or reconsideration through an appropriately filed motion. Absent the specificity of a specific request, PISC cannot possibly hope to address all potential issues, matters or hypothetical scenarios parties might raise. Further, in the Verizon's case, it should be forced to live with the consequences of its decision to file a judicial Petition for Review rather than a Reconsideration Petition with the FCC.

PISC then stated that they believed that, as a general matter, no clarification of the *Order* was necessary, and that specifically, the *Order* was clear on the obligations of network providers with regards to devices and applications. Further, efforts to clarify the *Order* in response to hypothetical concerns could have unintended consequences, such as the creation of "safe harbors" for discriminatory conduct.

In accordance with the FCC's *ex parte* rules, one electronic copy has been filed this day in the above-referenced dockets.

Respectfully submitted,



Gigi B. Sohn  
*On Behalf of PISC*

cc. Chairman Martin  
Aaron Goldberger  
Fred Campbell