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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

February 7, 2008

Re: Notice of *Ex Parte* Presentation

GN Docket No. 07-45: Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996

WC Docket No. 07-38: Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans Improvement of Wireless Broadband Subscriberhip Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscriberhip

Dear Ms. Dortch,

This letter is to advise you, in accordance with Section 1.1206(b) of the Commission's rules, that on February 6, 2008, Derek Turner and Ben Scott of Free Press met with legal advisors Scott Deutchman and Bruce Gottlieb for Commissioner Copps as well as Scott Bergmann for Commissioner Adelstein at the offices of the Federal Communications Commission.

We discussed comments and reply comments filed by Free Press in the aforementioned dockets in May and June of 2007. We discussed several different options for the configuration of a revised Form 477 for broadband data collection in accordance with the requirements of Section 706 of the Telecommunications Act. We reviewed the proposal we made in Reply Comments in GN Docket No. 07-45, a matrix of reporting options which captures download and upload speeds in a given geographic area. We also discussed the pros and cons of collecting data using 5-digit ZIP codes, 9-digit ZIP codes, Census Tracts, or Census Block Groups—concluding that Census Tracts and/or Census Block Groups were the mechanism that provided the broadest application of the data to address the relevant policy questions before the Commission concerning broadband deployment.

In addition, we proposed a mechanism for collecting data concerning the availability of broadband, as opposed to the level of adoption of the service. This would permit the Commission to evaluate the percentage of households that subscribe to broadband service when it is available to them. Such a data set already exists. Most broadband providers offer a tool on their commercial websites for retail services that allows consumers to input residential addresses

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to determine whether broadband service is available to them from a given provider. This data may not be perfectly accurate. However, it is clearly accurate enough to be a useful metric for the carriers and their consumers. Furthermore, it is already known to the carriers. We proposed that the underlying data for these residential address search tools should be provided to the FCC. The Commission could protect data considered sensitive and proprietary by the carriers while still using the data in aggregate to inform policy decisions stemming from Section 706 reports.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Scott", with a long horizontal line extending from the end of the signature.

Ben Scott, Policy Director
Free Press, Washington Office
bscott@freepress.net