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EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Broadband Industry Practices; Docket No. 07-52

Dear Ms. Dortch:

On July 25, 2008, Kyle McSarrow, President and CEO of the National Cable & Telecommunications Association (NCTA) had a telephone conversation with Commissioner Deborah Tate to discuss the “network management” issues raised in the Petition for Declaratory Ruling of Free Press *et al.* and the Petition for Rulemaking of Vuze, Inc., which have been incorporated into the above-captioned proceeding.

Mr. McSarrow reiterated the points raised in the filings submitted by NCTA in the above-referenced proceeding. He emphasized the importance of giving ISPs flexibility in responding to network management challenges and meeting customer needs in order to provide a high-quality experience for all broadband customers.

Sincerely,

/s/ **Daniel L. Brenner**

Daniel L. Brenner

cc: Commissioner Deborah Tate