

MASSACHUSETTS
40 main st, suite 301
florence, ma 01062
tel 413.585.1533
fax 413.585.8904

WASHINGTON
501 third street nw, suite 875
washington, dc 20001
tel 202.265.1490
fax 202.265.1489



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

September 19, 2008

Re: Notice of *Ex Parte* Presentation

RE: Docket 08-7

Dear Ms. Dortch,

This letter is to advise you, in accordance with Section 1.1206(b) of the Commission's rules, that on September 17, 2008, Ben Scott and Derek Turner of Free Press met with Chairman Kevin Martin and his chief of staff, Dan Gonzalez.

We discussed the status of the aforementioned proceeding regarding the petition we filed with Public Knowledge concerning discrimination in text message services. We reiterated our position that the Commission should move forward by ruling that consumers of text messaging services are protected from discrimination and censorship by extant rules in both Title 1 and Title 2 of the Communications Act.

The lack of clarity in the marketplace today regarding text messaging services and the status of consumer protection remains a problem. We urged him to push for this proceeding to be concluded this year.

Sincerely,

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

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