

November 13, 2009

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



RE: Notice of Oral *Ex Parte* Communication
Docket GN 09-191
Docket WC 07-52

Dear Ms. Dortch:

This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

On November 12, 2009, Andrew Jay Schwartzman and Parul Desai of Media Access Project ("MAP"), Joel Kelsey of Consumers Union ("CU") and M. Chris Riley of Free Press met with Commissioner Clyburn and her Legal Advisor, Media and Chief of External Affairs Richard Kaplan on issues relating to the Commission's Network Neutrality Proceedings.

The representatives of MAP, CU and Free Press discussed the history of the Commission's policies with respect to non-discrimination in telephone-based networks, and the fact that the "dial up" Internet operates on that basis. They explained that, absent network neutrality regulation, ISP's have economic incentives to discriminate on the basis of content and source of data, and that they are likely to follow strategies which minimize deployment of new network capacity. This particularly affects small entrepreneurs and innovators which lack the capital to compete with large entrenched incumbent businesses. They also briefly discussed how network neutrality promotes civic participation and democratic discourse.

Respectfully submitted,
/s/
Andrew Jay Schwartzman

cc. Commissioner Clyburn
Richard Kaplan