

Google Inc.  
Public Policy Department  
1101 New York Avenue, NW  
Second Floor  
Washington, DC 20005



Main 202 346-1100  
Fax 202 346-1101  
www.google.com

December 8, 2009

**Ex Parte via Electronic Filing**

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

**Re: Preserving the Open Internet (GN Docket No. 09-191); Broadband Industry Practices (WC Docket No. 07-52)**

Dear Ms. Dortch:

On December 7, 2009, the undersigned representative from Google Inc. ("Google") met with Bruce Gottlieb, Chief Counsel and Senior Legal Advisor in the Office of Chairman Genachowski, Edward Lazarus, Chief of Staff in the Chairman's Office, Colin Crowell, Senior Counselor in the Chairman's Office, Sharon Gillett, Chief of the Wireline Competition Bureau, and Zachary Katz of the Office of Strategic Planning and Policy Analysis.

The topic for discussion was the draft rules contained in the *Notice of Proposed Rulemaking* in the above-captioned dockets. My comments, consistent with Google's filings submitted previously in WC Docket No. 07-52, focused on the need for Commission oversight of the broadband sector, based in part on the unique infrastructure role and consequential economic incentives of vertically-integrated broadband providers. I also discussed the legal history and potential reach of various "nondiscrimination" provisions, employment of engineering-based standards for reasonable network management, consideration of open Internet principles as applied to different wireless network interfaces, and the desirability of a swift and effective enforcement regime buttressed by expert technical advice.

Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard S. Whitt".

Richard S. Whitt, Esq.  
Washington Telecom and Media Counsel

cc: Bruce Gottlieb, Edward Lazarus, Colin Crowell, Sharon Gillett, Zachary Katz