

January 15, 2010



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

Re: Notice of *Ex Parte* Presentation  
GN Docket No. 09-137 (Advanced Telecommunications Inquiry)  
GN Docket No. 09-51 (National Broadband Plan)  
GN Docket No. 09-47 (Broadband Data Improvement Act)  
CG Docket No. 09-158 (Consumer Information and Disclosure)  
CC Docket No. 98-170 (Truth-in-Billing and Billing Format)

Dear Ms. Dortch:

On January 14, 2010, Sascha Meinrath, Director of the New America Foundation's Open Technology Initiative ("OTI"); Chris Riley, Policy Counsel, Free Press; and Matt Wood, Associate Director, Media Access Project (collectively, the "Participants"), met with the following Commission staff: Joel Gurin, Chief, Consumer & Governmental Affairs Bureau ("CGB"); Julius Knapp, Chief, Office of Engineering and Technology ("OET"); Jon Peha, Federal Communications Commission Chief Technologist; Mark Stone, Deputy Bureau Chief, CGB; Walter Johnston, Chief of OET's Electromagnetic Compatibility Division; Stagg Newman, Chief Technologist, Omnibus Broadband Initiative; and Peter Bowen, Applications Director, Omnibus Broadband Initiative.

The meeting centered on discussion of Measurement Lab (or "M-Lab"), and more specifically, research that M-Lab conducts and facilitates on topics of great importance to the Commission's ongoing national broadband plan and broadband mapping efforts, as well as its consumer information disclosure and transparency initiatives.

M-Lab is a collaborative effort founded by OTI, the PlanetLab Consortium, Google Inc., and an array of Internet researchers – academics who devote their time to the investigation of critical questions regarding the design, deployment, and performance of broadband networks around the globe. The goal of M-Lab is "to advance network research and empower the public with useful information about their broadband connections."<sup>1</sup> It accomplishes this goal by providing users with innovative tools that test and measure the data rates of Internet connections, but such measurements do not focus solely on "last mile" or ISP network performance. M-Lab tools instead measure performance on each and every link between M-Lab's high-capacity servers and the end-user's device, including the user's home network and router, pinpointing any congestion or performance-limiting factors within each link.

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<sup>1</sup> See "About Measurement Lab," at <http://www.measurementlab.net/about> (last visited Jan. 15, 2010).

M-Lab does not collect or store personally identifiable information during the course of conducting such tests. All of the technical data that M-Lab gathers, however, during approximately 100,000 user-initiated tests per day at the present time, is made freely available to regulators, researchers, developers, and Internet end-users alike. M-Lab data is made available pursuant to a royalty-free creative commons license. The platform utilizes open source software freely and readily available to developers who wish to build measurement tools using M-Lab as the powerful “back-end” for such applications. Public access to granular Internet performance metrics and data of this scope and quality contributes greatly to sustaining a healthy, innovative Internet.

Mr. Meinrath described to the Commission staff present at the meeting M-Lab’s mission, structure, and strategies; its current work, resources, and research output; and its potential plans for future development and adaptation of the platform. The Participants and the staff members in attendance discussed potential uses that the Commission might make of the M-Lab platform’s tools and data in pursuing the Commission’s mandate to develop the national broadband plan, improve broadband mapping and data-gathering, and enhance the transparency and accuracy of information disclosed to broadband Internet access service consumers.

We submit this letter to the Secretary’s office today pursuant to Section 1.1206(b) of the Commission’s rules, 47 C.F.R. §1.1206(b). Please contact the undersigned should you have any questions regarding this submission.

Respectfully submitted,

/s/ Matthew F. Wood

Associate Director  
Media Access Project

cc: Joel Gurin  
Julius Knapp  
Jon Peha  
Mark Stone  
Walter Johnston  
Stagg Newman  
Peter Bowen