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January 20, 2010

Ex Parte

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: GN Docket Nos. 09-47, 09-51, and 09-137

Dear Ms. Dortch:

Yesterday, Mr. Eric Wenger and Mrs. Paula Boyd of Microsoft Corp. (“Microsoft”) discussed a number of questions concerning data portability, cloud computing and broadband raised by NBP Public Notice #21¹ with Mr. Eugene Huang, Mr. Kevin Bennett, and Mr. Vishal Doshi of the FCC’s Broadband Task Force.

Mr. Wenger discussed various challenges and benefits that intersect with the development of cloud computing, including: (1) conflicting international legal obligations with respect to issues such as data privacy and data retention; (2) the importance of ensuring that the government publishes its data in commonly-accepted, machine-readable, and interoperable formats; (3) the importance of choice in terms of enabling users to balance the goals of reducing costs, increasing efficiency, mitigating environmental impacts, protecting privacy, and securing sensitive data; and (4) the importance of federating identity management across various cloud platforms. Mr. Wenger also discussed a possible framework for establishing baseline security processes across the federal ecosystem and within individual government agencies (see page 5 of the attached testimony by Scott Charney). In addition, Microsoft attaches to this letter a copy of a speech delivered today at the Brookings Institution Policy Forum by Brad Smith, General Counsel of Microsoft. Mr. Smith’s speech addresses “Cloud Computing for Business and Society” and explores the steps that industry and government can take to promote a safe and open cloud. These steps are explored in further detail in the attached white paper also released today by Microsoft, “Building Confidence in the Cloud: A Proposal for Industry and Government Action to Advance Cloud Computing.”

¹ *Comment Sought on Data Portability and Its Relationship to Broadband*, NBP Public Notice # 21, DA 09-2433 (rel. Nov. 18, 2009).

Pursuant to the Commission's rules, a copy of this letter is being filed electronically in the above-referenced docket. Please let me know if you have any questions.

Sincerely,
/s/ Paula Boyd
Paula Boyd
Regulatory Counsel for Microsoft Corp.

cc: Eugene Huang
Kevin Bennett
Vishal Doshi

Attachments