

January 19, 2010

JAN 19 2010

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

Federal Communications Commission
Office of the Secretary

**Re: Notice of Ex Parte Communication
GN Docket No. 09-191; WC Docket No. 07-52**

Dear Ms. Dortch:

On January 13, 2010, Brad Burnham of Union Square Ventures sent an e-mail to Zachary Katz, Office of Strategic Planning and Policy Analysis and David Tannenbaum, Office of General Counsel, directed in part to the merits of the above proceeding.

Mr. Burnham stated:

1. The layered architecture of the internet facilitates innovation in many ways but two stand out.
 1. applications can be developed and deployed without requiring any change to the underlying network and without requiring anyone's permission
 2. The cost of application development is dramatically reduced because the applications developer only needs to invest in the application, the network is an assumed shared social resource

The venture capital industry has been burnt by trying to invest in the applications layer of the wireless industry. It would be really instructive to compare, total investment and return in wireless applications to the total investment and return for internet applications. To see the trend clearly, eliminate the infrastructure investment on both sides. So eliminate the investment in spectrum licenses, and network build outs on the wireless side and the investment in CLECs router companies etc on the wired side. Look just at applications. I am convinced based on my anecdotal experience that there would be an order of magnitude difference in the investment amounts and an even larger difference in the returns.

Sincerely,

David Tannenbaum
Special Counsel
Federal Communications Commission

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