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February 22, 2010

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

Re: Notice of Oral *Ex Parte* Communication
***A National Broadband Plan for Our Future*, GN Docket No. 09-51**
***Preserving the Open Internet*, GN 09-191**
***Broadband Industry Practices*, WC Docket No. 07-52**

Dear Ms. Dortch:

We submit this notice in compliance with Section 1.1206(b) of the Commission's rules.

On February 19, 2010, Joel Kelsey of Consumers Union and I met with Jennifer Schneider, Senior Policy Advisor to Commissioner Michael J. Copps.

We principally discussed the National Broadband Plan, although we also mentioned the Open Internet proceeding. We argued that the Commission's National Broadband Plan should include a discussion of authority and jurisdiction to implement its proposals. There has been significant discussion of this topic in the record, and its resolution has serious implications for the Commission's plans. Many commenters have either highlighted the inadequacies of Title I jurisdiction or argued that a Title II classification, with appropriate forbearance, would allow the Commission to adopt USF and other policies on cleaner jurisdictional footing. The proposals issued in the NBP ought to set America on the path of leading the world in broadband deployment and adoption. We therefore argued that they must rest on sound jurisdictional grounds.

Very truly yours,

_____/s/_____

Aparna Sridhar
Policy Counsel

cc: Jennifer Schneider