



## Consumer Federation of America

1620 I Street, N.W., Suite 200 \* Washington, DC 20006

March 3, 2010

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C 20554

RE: Notice of Oral *Ex Parte*  
Docket GN 09-191  
Docket WC 07-52  
Docket GN 09-51

Dear Ms. Dortch:

This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

March 1, 2010, Dr. Mark Cooper, Director of Research of the Consumer Federation of America, met with Blair Levin, Executive Director, Omnibus Broadband Initiative, and described the broad thrust of the comments and analysis recently filed by the Consumer Federation and other public interest groups. He emphasized four basic points:

- (1) The United States needs to return to world leadership in communications because universal broadband service is vital to building an effective economy and society, as well as maintain the global competitive position of the United States.
- (2) The *laissez faire* policy of the Bush administration had failed miserably, reducing the U.S. from the top of the global communications ranks to a middling position. Immediate implementation of active public policies to address both digital exclusion and digital evolution are critically necessary to restore the U.S. to world leadership. Dr. Cooper lamented the fact that the Bush administration had abandoned the public interest principles of the Communications Act, principles that had served the nation so well for a century, and urged the Commission to return to the vigorous implementation of those public interest principles in policy.
- (3) In order to implement the necessary policies Dr. Cooper urged the FCC to view each major obstacle to digital inclusion and evolution through three lenses – knowledge, power and resources. It should explain why the policy is necessary, what its authority is and the existing authorization to spend resources to implement the policy.

- (4) In each area, the commission should identify the immediate steps it will take to start the movement toward the goals, as well as those measures that require more knowledge, new authority or additional resources.

As an example, Dr. Cooper explained that the National Broadband Report should find that the FCC should define broadband as eligible for support with universal service funds, following the Joint Board recommendation. Since the National Broadband Plan is just a report, to Congress, albeit an important one that will be influential in justifying further action, the FCC should immediately launch the proceedings necessary under the Communications Act to do define broadband as a universal service. In those proceedings, the Commission will, naturally, state the full rationale for the proposed rule, the authority under which it is acting and the resources it intends to use to implement the rule. It would also identify areas where there are uncertainties that need to be clarified.

Sincerely,

A handwritten signature in black ink that reads "Mark Cooper". The signature is written in a cursive style with a large, prominent initial "M".