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April 9, 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 April 9, 2010, Ben Scott, Policy Director of Free Press; Derek Turner, Research Director of Free Press; and I met with Edward Lazarus, Chief of Staff to Chairman Julius Genachowski; Colin Crowell, Senior Counselor to Chairman Genachowski; Bruce Gottlieb, Chief Counsel and Senior Legal Advisor to Chairman Genachowski; Zachary Katz, Deputy Chief of the Office of Strategic Planning and Policy Analysis; Austin Schlick, General Counsel; and David Tannenbaum, Special Counsel. In light of the D.C. Circuit decision in *Comcast Corporation v. FCC*, __ F.3d __, 2010 WL 1286658 (D.C. Cir. 2010), we suggested that the Commission immediately open a proceeding to clarify its authority over broadband networks and reclassify the transmission component of broadband Internet access service as a telecommunications service. We argued that failure to do so could endanger the Commission's ability to adopt rules to preserve the Open Internet and implement its National Broadband Plan.

Very truly yours,

_____/s/_____

Aparna Sridhar
Policy Counsel

cc: Edward Lazarus
Colin Crowell
Bruce Gottlieb
Zachary Katz
Austin Schlick
David Tannenbaum