

April 14, 2010

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

RE: Notice of *Ex Parte* presentation in:                      GN Docket No. 09-191  
   GN Docket No. 09-51

Dear Ms. Dortch:

On April 13, 2010, Harold Feld and Gigi Sohn of Public Knowledge met with Edward P. Lazarus and Colin Crowell with regard to the above captioned proceedings. They subsequently met with Austin Schlick, FCC General Counsel, where the same points were discussed.

PK urged the Commission should issue a *Notice of Inquiry* on the impact of the *Comcast* decision on the Commission's authority to carry out the components of the National Broadband Plan. This notice should solicit comment on explicit theories of Title I authority, but should also seek comment on whether it would better serve the public interest and advance the goals of the National Broadband Plan to classify broadband access service as a Title II service.

In accordance with the FCC's *ex parte* rules, this document is being electronically filed in the above-referenced dockets today.

Sincerely,

\_\_\_\_\_/s/\_\_\_\_\_  
Harold Feld  
Legal Director  
Public Knowledge

CC: Colin Crowell  
Edward P. Lazarus  
Austin Schlick