

April 23, 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

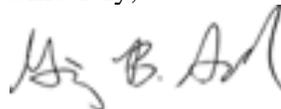
Dear Ms. Dortch:

On April 22, 2010, I met with Chairman Julius Genachowski and Chief of Staff Edward Lazarus with regard to the above captioned proceedings.

The Chairman and I discussed the various options available for the FCC to ensure that it has authority to protect broadband consumers and implement parts of the National Broadband Plan in the wake of the recent *Comcast v. FCC* decision. We discussed the desirability and feasibility of the FCC 1) classifying broadband Internet access as a Title II service; 2) making the case for ancillary authority under Title I of the Communications Act; and 3) seeking explicit Congressional authority to regulate broadband Internet access. I advocated the first option as providing the Commission with the firmest legal ground for accomplishing its open Internet goals, including transparency, and implementing significant portions of the National Broadband Plan.

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

Sincerely,



Gigi B. Sohn  
President

CC:    Chairman Julius Genachowski  
      Edward Lazarus