

May 5, 2010

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

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

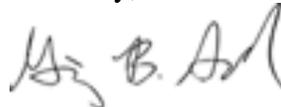
Dear Ms. Dortch:

On May 4, 2010, I met with Commissioner Mignon Clyburn and Acting Wireline Legal Advisor Angela Kronenberg with regard to the above captioned proceedings.

We discussed the desirability and feasibility of the FCC 1) classifying broadband Internet access as a Title II service; and 2) making the case for ancillary authority under Title I and Section 706 of the Communications Act. I advocated the first option as providing the Commission with the firmest legal ground for accomplishing its open Internet goals and implementing significant portions of the National Broadband Plan. I stated that the second option would not only likely be struck down by the courts, but that Public Knowledge, among others, would oppose that option because if successful, it would vest too much power in the FCC to regulate applications and content providers

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: Commissioner Mignon Clyburn
Angela Kronenberg