



Public Knowledge

May 10, 2010

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

Re: GN Docket No. 09-191, WC Docket No. 07-52, GN Docket No. 09-51, GN Docket No. 09-137, CG Docket No. 09-158, CC Docket No. 98-170

Dear Ms. Dortch:

Today, Public Knowledge (PK) submitted the attached letter to Chairman Waxman, responding to Commissioner McDowell's letter of May 5 ("Summary of the History of the Regulatory Classification of Broadband Internet Access Services"). PK submits it to relevant dockets as an *ex parte* exhibit. It contains PK's analysis of the legal issues surrounding broadband reclassification, and some historical issues regarding broadband regulation.

Sincerely,

/s/

John Bergmayer
Staff Attorney
Public Knowledge

cc:

Austin Schlick, Office of General Counsel
Robert McDowell, Commissioner
Christine D. Kurth, Office of Commissioner McDowell