

June 2, 2010

Crown Quadrangle
559 Nathan Abbott Way
Stanford, CA 94305-8610
Tel: 650 723-2465
Fax: 650 725-0253
info@law.stanford.edu
www.law.stanford.edu

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

Re: Notice of *Ex Parte* Conversations, GN Docket No. 09-191, WC Docket No. 07-52

Dear Ms. Dortch:

On June 1, 2010, I, Barbara van Schewick, spoke by telephone with Zachary Katz of the Office of Strategic Planning and Policy Analysis and David Tannenbaum, Special Counsel to the General Counsel.

We discussed whether there are IP-based services that should not be subject to Open Internet rules. I suggested that

- IPTV services offered by network providers in competition to or as replacement for legacy cable television services and
- digital voice services offered by network providers in competition to or as a replacement for legacy telephony services

should not be subject to Open Internet rules.

I also highlighted considerations that should be considered when defining a category of managed services to which Open Internet rules would not apply. In particular, I argued that the definition should make sure that managed services cannot be used to circumvent the Open Internet rules. In addition, if managed services share bandwidth with broadband Internet access services, it may be necessary to protect the amount of bandwidth that is available for broadband Internet access service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Barbara van Schewick

Barbara van Schewick
Assistant Professor of Law and (by courtesy) Electrical Engineering
Faculty Director, Center for Internet and Society
Stanford Law School
650-723-8340
schewick@stanford.edu

cc:

Zachary Katz
David Tannenbaum