

August 4, 2010

Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

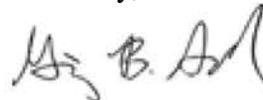
RE: Notice of Oral *Ex Parte* Communication
Docket GN 09-191

Dear Ms. Dortch:

On August 4, 2010, Public Knowledge Legal Director Harold Feld and I met with General Counsel Austin Schlick and Special Counsel David Tannenbaum. This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

Mr. Feld and I discussed the ongoing negotiations between broadband Internet access providers and Internet companies for an interim agreement and possible legislation relating to open Internet principles. Specifically, we expressed our doubts about the enforceability of any agreement, and expressed concern that consumers might not have the ability to bring a complaint to the Commission should they believe that an access provider has engaged in conduct that is harmful to consumers. We also stated that an agreement on open Internet principles would not resolve the FCC's questionable authority under the DC Circuit's *Comcast v. FCC* decision to move universal service funds to broadband, adopt lifeline/linkup programs for broadband, ensure disability access to broadband and implement other parts of the National Broadband Plan.

Sincerely,



Gigi B. Sohn
President

cc. Austin Schlick
David Tannenbaum