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CENTER FOR DEMOCRACY
& TECHNOLOGY

1634 Eye Street, NW
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November 16, 2010

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

RE: Notice of *ex parte* presentation in:

GN Docket No. 09-191
WC Docket No. 07-52
GN Docket 10-127

Dear Ms. Dortch,

On Monday, November 15, John Morris and David Sohn of the Center for Democracy and Technology (CDT) spoke by telephone with Zachary Katz, legal advisor to Chairman Genachowski. We discussed the effort earlier this fall by House Energy and Commerce Committee Chairman Henry Waxman to craft a compromise legislative framework for preserving the open Internet.

CDT expressed support for the idea of a framework that includes a nondiscrimination requirement. We noted that any compromise would likely contain some ambiguities, leaving some matters to be settled by Commission action at a later date. We emphasized, however, that it now appears clear that there is an unresolvable stalemate on this issue in Congress, making it essential for the Commission to take action in the dockets referenced above. The views CDT expressed regarding Commission action, including general support for the Chairman's "third way" proposal and opposition to exempting wireless broadband services, reflected the positions CDT has taken in its written comments in those proceedings.

Sincerely,

David M. Sohn
Senior Policy Counsel

