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December 7, 2010

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Notice
GN Docket No. 09-191
GN Docket No. 10-127
WC Docket No. 07-52

Dear Ms. Dortch:

On December 6, 2010, the undersigned and Howard Symons of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo met with Christine Kurth, Policy Director and Wireline Counsel to Commissioner Mc Dowell, and Brad Gillen, Legal Advisor – Wireline to Commissioner Baker, to discuss the above-captioned proceedings.

In the meetings, we emphasized that if the Commission were to adopt any “open Internet” rules, it should follow the framework contained in the draft bill submitted into the record of these proceedings by Chairman Waxman. We also urged that the order adopting any such rules should likewise not go beyond that framework. Finally, we noted that predicating ancillary authority on a laundry list of Communications Act provisions was unnecessary to establish ancillary authority to adopt the Waxman framework and cautioned that doing so could lead to distracting and resource-intensive litigation over the scope of the rules.

Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

/s/ **Rick Chessen**

Rick Chessen

cc: Christine Kurth
Brad Gillen