



**National Cable & Telecommunications Association**  
25 Massachusetts Avenue, NW, Suite 100  
Washington, DC 20001-1431  
(202) 222-2300

**Rick Chessen**  
Senior Vice President  
Law and Regulatory Policy

(202) 222-2445  
(202) 222-2448 Fax  
rchessen@ncta.com

December 9, 2010

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> 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 8, 2010, I met with John Giusti, Chief of Staff and Legal Advisor – International, Public Safety and Wireless to Commissioner Michael J. Copps, and Margaret McCarthy, Policy Advisor – Broadband to Commissioner Copps, to discuss the above-captioned proceedings.

In the meeting, I 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. I also urged that the order adopting any such rules should likewise not go beyond that framework. Finally, I 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: John Giusti  
Margaret McCarthy