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December 10, 2010

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

**Re: Notice of Oral *Ex Parte* Communication**  
***Preserving the Open Internet, GN Docket No. 09-191***  
***Broadband Industry Practices, WC Docket No. 07-52***

Dear Ms. Dortch:

I submit this notice in compliance with Section 1.1206(b) of the Commission's rules.

On December 10, 2010, Derek Turner, Aparna Sridhar and I spoke over the phone with Angela Kronenberg, Wireline Legal Advisor to Commissioner Clyburn.

We discussed the Commission's ongoing efforts to establish open Internet rules. Consistent with our prior filings, we emphasized that consumers access one Internet and creating two separate set of rules based on how consumers connect to the Internet has the potential to balkanize the Internet, create long-term harm to the wireless broadband marketplace and would run counter to FCC precedent in this area. We also emphasized that the Commission's definition of broadband should not be narrow, but rather flexible to take into account changing technology.

Very truly yours,

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

Joel Kelsey  
Political Adviser