



400 N. CAPITOL STREET, NW, SUITE 585  
WASHINGTON, DC 20001  
OPENINTERNETCOALITION.COM

December 13, 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, I spoke with Zachary Katz in Chairman Genachowski's office.

We discussed the Commission's ongoing efforts to establish open Internet rules. Consistent with the Open Internet Coalition's prior filings, we discussed the items that we have argued are important in any open Internet rule.

Specifically, we discussed that there should be a clarification that paid prioritization on an open, best-efforts Internet be presumptively unlawful. We discussed the need for a broad definition of broadband Internet access. And, we discussed the importance of not creating arbitrary distinctions between wireline and wireless Internet access platforms.

Very truly yours,

\_\_\_\_\_/s/\_\_\_\_\_  
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Markham C. Erickson  
Partner, Holch & Erickson LLP and  
Executive Director  
Open Internet Coalition

Copy to: Zachary Katz