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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; Framework for Broadband
Internet Service, GN Docket No. 10-127***

Dear Ms. Dortch:

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

On December 10, 2010, Joel Kelsey, Political Adviser for Free Press, and I had two discussions via telephone with John Giusti, Chief of Staff to Commissioner Michael J. Copps, and Margaret McCarthy, Wireline Policy Advisor to Commissioner Copps. In the second phone call, we were joined by Derek Turner, Research Director for Free Press.

In both conversations, we discussed the Commission's ongoing efforts to establish open Internet rules. Our presentations were consistent with our prior filings. In the first conversation, we principally discussed the importance of defining the term "broadband Internet access service" as broadly as possible, so as to prevent the possibility that a narrow definition would create significant loopholes undermining the utility of the Commission's open Internet rules. We also suggested that the Commission's authority to make these rules would be strengthened if the Commission classified broadband Internet connectivity as a telecommunications service, and that the principal factual underpinnings justifying the Commission's 2002, 2005, and 2007 classification decisions no longer hold in 2010. In our second conversation, we reiterated the importance of defining the term "broadband Internet access" broadly, and we discussed the harms that would be caused by a rule that fails to ban paid prioritization agreements.

Very truly yours,

_____/s/_____

Aparna Sridhar
Policy Counsel

cc: John Giusti
Margaret McCarthy