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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**

Dear Ms. Dortch:

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

On December 10, 2010, I met with Zachary Katz, Legal Advisor to Chairman Julius Genachowski. We discussed the Commission's ongoing efforts to establish open Internet rules. Consistent with our prior filings, I emphasize that paid prioritization agreements are the precise harmful practices that an open Internet rule is designed to guard against. I suggested that the popular discussion of network neutrality centers around paid prioritization — i.e. fast lanes for content providers who can afford them and slow lanes for everyone else. I stated my belief that the Commission's proposed order — which to the best of my knowledge does not create a ban on paid prioritization — does not go far enough in guarding against this harmful practice. We also discussed the definition of broadband Internet access set forth in the compromise language offered during legislative negotiations led by Rep. Henry Waxman this summer. I stated my belief that the language in the legislative proposal creates significant loopholes that would allow broadband Internet access providers to escape the reach of the rule by simply arguing that a particular service offering did not fit the definition of broadband Internet access. We also briefly discussed the possibility that the Commission's *Open Internet* rule may accord differential treatment to wireline and wireless networks. I suggested that there are no sound technological, policy, or legal reasons to exempt wireless networks from any rules that the Commission proposes to adopt for wireline networks.

Very truly yours,

_____/s/_____

Aparna Sridhar
Policy Counsel

cc: Zachary Katz