



September 13, 2011

E-filed

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: **Notice of Ex Parte Presentation
Entertainment Software Association
CG Docket No. 10-213, WT Docket No. 96-198, and CG Docket No. 10-145**

Dear Ms. Dortch:

This is to notify you that on Friday, September 9, 2011, Michael Gallagher, President and CEO of the Entertainment Software Association (“ESA”), Craig Hagen, Senior Director of Government Affairs, Electronic Arts (“EA”), Paula Boyd, Director, Government and Regulatory Affairs, Microsoft, and Mike Warnecke, Senior Policy Counsel, ESA, met with FCC Chairman Julius Genachowski, Amy Levine, Senior Counsel & Legal Advisor to the Chairman, and Josh Gottheimer, Senior Counselor to the Chairman.

The ESA (including its members) discussed its pending waiver request and related policy issues in the above-captioned proceedings.¹ The ESA encouraged implementation of the Twenty-First Century Communications and Accessibility Act (“CVAA”) consistent with the statutory text, including an important provision added during the legislative process that authorized the exclusion of equipment and services with multiple purposes from new requirements related to advanced communications services (“ACS”) if the primary purpose of such offerings, as designed, is other than ACS. The ESA highlighted the industry’s recent innovations and the ways in which the industry is making its products and services more accessible. In addition, we emphasized the need for regulatory clarity on the waiver issue. ESA will follow up with any additional information that the Chairman's office may request.

¹ See ESA Comments, CG Docket Nos. 10-213 & 10-145; WT Docket No. 96-168 (filed Apr. 25, 2011); ESA Reply Comments, CG Docket Nos. 10-213 & 10-145, WT Docket No. 96-168 (filed May 23, 2011).

The Secretary
September 13, 2011
Page 2

Pursuant to Section 1.1206 of the Commission rules, we are electronically filing this letter with your office and are electronically providing a copy of this submission to the meeting attendees.

Respectfully submitted,

/s/ Michael Warnecke

Senior Policy Counsel
Entertainment Software Association
575 7th Street NW, #300
Washington, DC 20004
202-223-2400

cc: Chairman Julius Genachowski
Amy Levine, Senior Counsel and Legal Advisor to the Chairman
Josh Gottheimer, Senior Counselor to the Chairman