

April 22, 2014

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

RE: Notice of *Ex Parte* presentation in: GN Docket No. 14-28

Dear Ms. Dortch:

On behalf of Public Knowledge, this letter is to provide information relating to discussions between Michael Weinberg, Vice President, Public Knowledge (PK), Diane Cornell, Special Counsel, FCC, and Daniel Alvarez, Legal Advisory, FCC on April 21, 2014.

PK reviewed the contents of its previous filings in this docket. Specifically, PK noted that consumers are currently without formal open internet protections, and urged the Commission to work quickly to implement rules that would both protect consumers and withstand the inevitable court challenge.

As it argued in its previous filings, PK urged the Commission to examine all options for moving forward with an open internet order. That should include refreshing the record on reclassifying broadband internet access as a Title II service, not merely an exploration of its Section 706 authority.

PK also urged the Commission to avoid merely re-implementing the 2010 rules. Instead, the Commission should take the opportunity to learn from the development of broadband internet access for the past four years and potentially reevaluate the structure of the rules themselves.

Some areas that could benefit from an reexamination are the distinction between mobile and wired networks, the scope of a specialized services exemption, the inclusion of data caps and other usage-based billing in any rules, and the inclusion of peering in any rules. Each of these areas have changed enough that, at a minimum, the Commission should understand their evolution before simply re-imposing the 2010 rules.

PK also discussed alternative ways to address concerns related to the open internet, specifically peering, by addressing them in a separate proceeding. PK did not categorically reject this approach, and suggested that it could potentially be an effective way to address peering-related concerns. However, PK emphasized that such an approach would only be effective if done in conjunction with broader, effective open internet rules. A peering-based solution alone would be unlikely to resolve many open internet-related concerns.

Finally, PK reiterated its support for municipal broadband, and urged the Commission to use its section 706 authority to remove barriers to the deployment of municipal broadband. Oftentimes local level actors are best positioned to coordinate a community-driven effort to build high-speed

networks, and state laws that prevent such efforts slow the deployment of faster, more reliable internet access to many communities nationwide.

In accordance with the FCC's *ex parte* rules, this document is being electronically filed in the above-referenced dockets today.

Sincerely,

_____/s/_____
Michael Weinberg
Vice President
Public Knowledge

CC: Diane Cornell
Daniel Alvarez