

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

Re: Open Internet Remand, GN Docket No. 14-28

Filed via ECFS

June 26, 2014

Dear Ms. Dortch:

On June 24, Fred Wilson and I, both of Union Square Ventures, met with Jonathan Sallet, General Counsel, and Henning Schulzrinne, CTO, of the FCC to discuss the Open Internet Remand.

We reiterated arguments made in my previous ex parte letters. As investors in the application layer of the Internet, we explained that the Chairman's proposal would harm investment in applications and particularly weaken the hand of entrepreneurs and early employees seeking to build companies. We explained that the FCC should ensure that phone and cable companies do not leverage their terminating access monopolies to impose new tolls on applications or to discriminate amongst them—whether through interconnection with their access networks or through deep packet inspection. We explained that the investment and entrepreneur community needs far more certainty than that offered by the FCC's proposed rule. We also explained that, because Section 706 cannot support rules against discrimination, the FCC should ground its action in Title II.

Sincerely,
Brad Burnham
Union Square Ventures