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VIA ELECTRONIC SUBMISSION

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

Re: Protecting and Promoting the Open Internet; Framework for Broadband Internet Services; GN Docket No. 14-28; GN Docket No. 10-127

Dear Ms. Dortch:

On Thursday, September 11th, 2014, Jim Cicconi, Senior Executive Vice President, External and Regulatory Affairs and I met with Ruth Milkman, Chief of Staff to Chairman Tom Wheeler, and Jon Sallet, FCC General Counsel. During the meeting, we discussed the above proceedings.

We discussed the Commission's ability to protect the open Internet by using its authority under section 706 of the Communications Act. We explained that the Commission could address concerns about the provision of "fast lanes" to favored edge providers, by prohibiting non-user directed paid prioritization. Arrangements between Internet service providers and edge providers for other services would be subject to a multi-factor test under a "commercial reasonableness" standard. Such an approach would preserve the ability of Internet service providers to engage in individualized negotiations with edge providers for a host of services, while prohibiting the precise practice that has raised "fast lane" concerns. We strongly believe that such a framework would be upheld by any reviewing court.

We also discussed the significant harms that would follow an attempt to regulate broadband Internet access services as telecommunications services under Title II of the Communications Act. Such regulation would create uncertainty about the scope of regulations to which Internet service providers might be subject, have a chilling effect on investment and jobs in the broadband economy, and would also have spillover implications for a plethora of other services that, like Internet access service, are not subject to Title II regulation under existing Commission precedent.

Pursuant to section 1.1206 of the Commission's rules, this letter is being filed electronically with your office for inclusion in the public record of the above referenced proceeding. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Robert W. Quinn, Jr." in a cursive script.

Robert W. Quinn, Jr.

Cc: Ruth Milkman
Jon Sallet