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July 14, 2010

Ex Parte via Electronic Filing

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

**Re: GN Docket No. 10-127 (Framework for Broadband Internet Service),
GN Docket No. 09-51 (A National Broadband Plan for Our Future),
GN Docket No. 09-191 (Preserving the Open Internet)**

Dear Ms. Dortch:

On July 13, 2010, the undersigned from Google Inc. met with Christi Shewman, Legal Advisor for wireline and universal service for FCC Commissioner Meredith Attwell Baker, to discuss certain matters related to the above-referenced proceedings.

In the course of the discussion, I explained some of Google's initial views regarding the appropriate legal framework for broadband. In particular, I noted that the FCC needs to assert affirmative oversight and enforcement authority regarding the broadband services sector, much as the U.S. Federal Trade Commission uses its more general jurisdiction to oversee other industry sectors, such as providers of Internet applications and content. In that regard, I discussed how, in light of the *Comcast* decision, continued use of Title I "ancillary" authority to oversee the broadband sector likely would expose the agency needlessly to repeated significant litigation risks affecting a wide range of broadband-related policy priorities. I also indicated that the extent of Google's concern is narrowly focused on the relatively scarce and essential "last-mile" broadband transmission facilities between the end user customer and the broadband network. Finally, I reiterated the Company's view that the Commission should adopt a nondiscrimination standard premised on preventing harm to users, to competition, or to the openness of the Internet.

Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard S. Whitt".

Richard S. Whitt, Esq.
Washington Telecom and Media Counsel