

July 21, 2010



Marlene Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

RE: Notice of Oral *Ex Parte* Communication  
GN Docket 10-127

Dear Ms. Dortch:

This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

On June 2, 2010, Tyrone Brown and Andrew Jay Schwartzman of Media Access Project met with Chairman Julius Genachowski, Chief of Staff Edward Lazarus and Senior Counsel to the Chairman Rick Kaplan with respect to the above-captioned matter.

Messrs. Brown and Schwartzman largely reiterated points made in Media Access Project's written submissions in this docket. They called for prompt action to classify broadband services as telecommunications services subject to the Commission's Title II jurisdiction. They argued that the matter involves more issues than non-discrimination, and that Title II classification is essential to fulfillment of many aspects of the National Broadband Plan. They also said that efforts to employ Title I authority for these purposes will inevitably be subject to judicial challenge. By contrast, they said, there is a very high likelihood that the Commission would prevail in any challenge to classification employing Title II jurisdiction.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew Jay Schwartzman".

Andrew Jay Schwartzman  
Senior Vice President and Policy Director

cc. Chairman Genachowski  
Edward Lazarus  
Rick Kaplan