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CENTER FOR DEMOCRACY  
& TECHNOLOGY

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July 22, 2010

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Washington, DC 20554  
*Filed Electronically*

RE: Notice of *ex parte* presentation in:

GN Docket No. 09-191  
WC Docket No. 07-52  
GN Docket 10-127

Dear Ms. Dortch,

On Wednesday, July 21, David Sohn of the Center for Democracy and Technology (CDT) spoke by telephone with Edward Lazarus, Chief of Staff to Chairman Genachowski. We discussed the issues related to the classification of broadband Internet access services and the Open Internet proceeding.

Consistent with CDT's July 15 comments in GN Docket 10-127, Mr. Sohn expressed general support for Title II classification as envisioned in the FCC's "third way" proposal. We further discussed how open Internet principles should apply to wireless services and whether wireless carriers should be permitted to block selected applications. Consistent with CDT's comments in the Open Internet proceeding, Mr. Sohn expressed the view that, with certain exceptions such as for applications that harm the network, application blocking should not be permitted and wireless carriers should address bandwidth concerns by focusing on how much bandwidth individual subscribers use, not which specific apps they choose to employ.

Sincerely,

David M. Sohn  
Senior Policy Counsel

Cc: Edward Lazarus

