

August 2, 2010

ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
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Re: Notice of *Ex Parte* Conversation, GN Docket No. 09-191, WC Docket No. 07-52

Dear Ms. Dortch:

On July 30, 2010, I, Barbara van Schewick, spoke by telephone with Zachary Katz of the Office of Strategic Planning and Policy Analysis.

We discussed different proposals for a non-discrimination rule. I outlined my concerns regarding a non-discrimination rule that would ban discrimination that is anticompetitive or harms users, while leaving the application of the rule to future case-by-case adjudications by the FCC. I proposed a non-discrimination rule that would ban all application-specific discrimination and allow all application-agnostic discrimination.

The discussion covered the arguments in the attached document. Should you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Barbara van Schewick

Barbara van Schewick  
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cc:

Zachary Katz

David Tannenbaum