



Alison Minea
Corporate Counsel
alison.minea@dishnetwork.com
(202) 293-0981

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EX PARTE PRESENTATION

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

Re: Ex Parte Presentation in GN Docket No. 09-191, *Preserving the Open Internet*; GN Docket No. 10-127, *Framework for Broadband Internet Service*; and MB Docket No. 10-56, *Applications of Comcast Corporation, General Electric Company and NBC Universal, Inc. For Consent to Assign Licenses or Transfer Control of Licensees*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network ("DISH") submits this letter summarizing its meeting on Wednesday June 30, 2010 with Edward Lazarus, Chief of Staff to Chairman Genachowski.

During the meeting, DISH stressed that the FCC must adopt a strong nondiscrimination rule backed by robust enforcement mechanisms, and any such rule must apply to both wireline and wireless broadband. The nondiscrimination rule should prohibit both technical discrimination such as anticompetitive blocking and degrading, as well as economic discrimination through pricing models that artificially steer consumers to choose broadband providers' integrated services over those of competitors. DISH has proposed conditions on the Comcast/NBCU merger that would address both kinds of discriminatory practices by Comcast, but we stressed the need for such safeguards to apply to all facilities-based providers of broadband service.

In addition, DISH believes that any rule mandating transparency of broadband providers' network management practices is necessary but not sufficient given that, for example, the public disclosure of AT&T's lengthy refusal to allow the 3G-capable SlingPlayer mobile application did not deter AT&T from engaging in anticompetitive blocking of a competing video product. We also urged further study of the proposed category of "managed services" and argued that the Commission should not adopt any exemptions to the nondiscrimination rule for such services that would undermine the open Internet.

Finally, DISH reiterated its strong support for Chairman Genachowski's plan in the recently released *Notice of Inquiry* in GN Docket No. 10-127 to resolve legal uncertainty by pursuing the so-called "third way" strategy of classifying broadband Internet access service under Title II of the Communications Act, with forbearance from all but those statutory provisions necessary to carry out the Commission's policy goals.

Respectfully submitted,

/s/ Alison Minea

cc: Edward Lazarus