
Appendix A

To: Jim Schlichting[REDACTED]; Michael Janson[REDACTED]
From: Joel Taubenblatt
Sent: Wed 11/12/2014 8:43:32 PM
Subject: RE: OI -- next steps
OI Further Comment - Topics List - DRAFT 11-12-2014 msd wtb.docx

I added draft input into the document that Matt sent me. Similar to what I sent before the meeting but less detailed. [REDACTED]
[REDACTED]

From: Joel Taubenblatt
Sent: Wednesday, November 12, 2014 2:31 PM
To: Jim Schlichting; Michael Janson
Subject: OI -- next steps
Importance: High

Potential issues for your consideration, to discuss at 3 pm and as input later in the day.

Joel Taubenblatt

Chief, Spectrum and Competition Policy Division

Wireless Telecommunications Bureau

Federal Communications Commission

[REDACTED]

Joel Taubenblatt [REDACTED]@fcc.gov

Non-Public/For Internal Use Only

To: Antonio Sweet[REDACTED]@fcc.gov]
From: Scott Jordan
Sent: Wed 11/12/2014 9:17:59 PM
Subject: transparency
Open Internet - Transparency (10-31-14) sj.docx

Attached

Scott Jordan

Chief Technologist, FCC

[REDACTED]

Scott Jordan [REDACTED]@fcc.gov

To: Daniel Ball [REDACTED]@fcc.gov; Jennifer Salhus [REDACTED]@fcc.gov
From: Joel Taubenblatt
Sent: Mon 11/17/2014 9:35:57 PM
Subject: RE: Minor Edits
OI Public Notice redline 11-18-14 jdt RNM 430 pm clean.docx

Thanks, Dan. Jennifer, please use this version of RNM to put into the document we send back to WCB. I accepted all edits and decided to delete all comments. If Dan has a partial cite for the first sentence of para. 8, you can add that in and delete my comment "[true?]" Thanks.

From: Daniel Ball
Sent: Monday, November 17, 2014 4:30 PM
To: Joel Taubenblatt; Jennifer Salhus
Subject: Minor Edits

Minor edits in the attached.

Working on the cite for para. 8.

Daniel R. Ball ■ *Spectrum & Competition Policy Division ■ *Wireless Telecommunications Bureau ■ *Federal Communications Commission

To: Claude Aiken [REDACTED]@fcc.gov]
Cc: Melissa Droller Kirke [REDACTED]@fcc.gov]; Kristine Fargotstein [REDACTED]@fcc.gov]; Thomas Parisi [REDACTED]@fcc.gov]; Zachary Ross [REDACTED]@fcc.gov]; Joel Taubenblatt [REDACTED]@fcc.gov]; Daniel Ball [REDACTED]@fcc.gov]
From: Jennifer Salhus
Sent: Mon 11/17/2014 9:54:34 PM
Subject: RE: Draft OI PN
[OI Public Notice WTB inserts final 11-17-14.docx](#)

We are sorry for the delay, here are the mobile sections, added to the version of the draft you sent us earlier.

From: Joel Taubenblatt
Sent: Monday, November 17, 2014 2:46 PM
To: Claude Aiken; Daniel Ball; Jennifer Salhus
Cc: Melissa Droller Kinkel; Kristine Fargotstein; Thomas Parisi; Zachary Ross
Subject: RE: Draft OI PN

Yes, please include Jim and Roger in the review chain. At this point, it looks like we'll have one version to send you this afternoon . . .

From: Claude Aiken
Sent: Monday, November 17, 2014 2:26 PM
To: Joel Taubenblatt; Daniel Ball; Jennifer Salhus
Cc: Melissa Droller Kinkel; Kristine Fargotstein; Thomas Parisi; Zachary Ross
Subject: RE: Draft OI PN

We'll probably compile around 4:30pm, if that works for you. I assume you'd like us to include Jim/Roger on the review chain as well.

From: Joel Taubenblatt
Sent: Monday, November 17, 2014 11:44 AM
To: Claude Aiken; Daniel Ball; Jennifer Salhus
Cc: Melissa Droller Kinkel; Kristine Fargotstein; Thomas Parisi; Zachary Ross
Subject: RE: Draft OI PN

Thanks, Claude. We should have something to share with you early afternoon. We'll likely have a revised version later this afternoon – what time will you be compiling the draft for the B/O Chiefs? Thanks.

From: Claude Aiken
Sent: Monday, November 17, 2014 11:14 AM
To: Joel Taubenblatt; Daniel Ball; Jennifer Salhus
Cc: Melissa Droller Kinkel; Kristine Fargotstein; Thomas Parisi; Zachary Ross
Subject: Draft OI PN

Joel, Dan, and Jennifer,

I've attached a rough draft of the OI PN that we're sending to Matt & Julie today, so you can see what sort of direction we're taking on this. Please let me know if you have any questions.

Thanks,
Claude

*** Non-Public: For Internal Use Only ***

Message

From: Joel Taubenblatt [REDACTED]
Sent: 11/5/2014 8:13:26 PM
To: Daniel Ball [REDACTED]@fcc.gov]
CC: Jennifer Salhus [REDACTED]@fcc.gov]
Subject: RE: OI Draft with Mobile Inserts 11-5-14 current WTB edits.docx
Attachments: OI Draft with Mobile Inserts 11-5-14 current WTB edits rev.docx

From: Daniel Ball
Sent: Wednesday, November 05, 2014 2:55 PM
To: Joel Taubenblatt
Cc: Jennifer Salhus
Subject: OI Draft with Mobile Inserts 11-5-14 current WTB edits.docx

Joel—

For your review. Edits based upon today's meeting with Jim in "track changes."

Will send to WCB at 3 unless you would prefer otherwise.

Thank you.

Dan

Message

From: Joel Taubenblatt [REDACTED]
Sent: 11/4/2014 7:01:24 PM
To: Jennifer Salhus [REDACTED]@fcc.gov]; Daniel Ball [REDACTED]@fcc.gov]
Subject: FW: Draft Outline for 5 5 OCH Briefing.docx
Attachments: OI Draft - summary of major policy cuts.docx

Please hold closely. I find this a helpful document for keeping track of issues in the draft.

From: Matthew DelNero
Sent: Tuesday, November 04, 2014 1:00 PM
To: Jonathan Sallet; Stephanie Weiner; Julie Veach; Roger Sherman; Jim Schlichting; Joel Taubenblatt
Subject: RE: Draft Outline for 5 5 OCH Briefing.docx

Jon, I've attached a draft of the briefing sheet. I wasn't sure how much you wanted to go into legal authority. For now, it's noted briefly in the discussion of BIAS and BSAS—for use as a jumping off point at the briefing. Roger, Jim and Joel, I've also included a placeholder stating that WTB is developing the details of how RNM will apply to mobile. Please feel free to elaborate on that if you'd like it to go in the briefing sheet.

Matt

From: Matthew DelNero
Sent: Tuesday, November 04, 2014 7:57 AM
To: Jonathan Sallet; Stephanie Weiner; Julie Veach; Roger Sherman; Jim Schlichting; Joel Taubenblatt
Subject: RE: Draft Outline for 5 5 OCH Briefing.docx

Jon, no problem. I'll put that together and will send it around to this group.

Matt

-----Original Message-----

From: Jonathan Sallet
Sent: Tuesday, November 04, 2014 06:52 AM Eastern Standard Time
To: Stephanie Weiner; Julie Veach; Matthew DelNero; Roger Sherman; Jim Schlichting; Joel Taubenblatt
Subject: RE: Draft Outline for 5 5 OCH Briefing.docx

Matt: Would you be able to put together a one-pager briefing sheet (could be more than one page, of course) like the one you did in August that summarizes the conclusions in the order. Just in a sentence apiece. If we can give that to the Chairman cob, then we can concentrate the discussion on open topics. Thanks Jon

From: Stephanie Weiner
Sent: Monday, November 03, 2014 10:20 PM
To: Julie Veach; Matthew DelNero; Roger Sherman; Jim Schlichting; Joel Taubenblatt
Cc: Jonathan Sallet
Subject: FW: Draft Outline for 5 5 OCH Briefing.docx

Hi all,

Jon asked me to send around the attached – which is a draft outline for our briefing with the Chairman on Wednesday afternoon.

Thanks,
Stephanie

From: Jonathan Sallet
Sent: Monday, November 03, 2014 2:15 PM
To: Stephanie Weiner
Subject: Draft Outline for 5 5 OCH Briefing.docx

Message

From: Thomas Parisi [REDACTED]
[REDACTED]
Sent: 11/5/2014 10:14:30 PM
To: Claude Aiken [REDACTED]@fcc.gov]
Subject: Open Internet Order - Compare 10-31 to 11-5.docx
Attachments: Open Internet Order - Compare 10-31 to 11-5.docx

Here you are!

Message

From: Zachary Ross [REDACTED]@fcc.gov]
Sent: 11/5/2014 5:12:54 PM
To: Thomas Parisi [REDACTED]@fcc.gov]
Subject: RE: The Great Reassembling
Attachments: Background 11-05-14.docx

From: Thomas Parisi
Sent: Wednesday, November 05, 2014 11:57 AM
To: Claude Aiken; Kristine Fargotstein; Melissa Droller Kinkel; Zachary Ross
Subject: The Great Reassembling

Hi All,

I just spoke with Claude, and I am going to start assembling the document again by taking the last full draft we circulated and replacing the sections in that draft with the new product we have been working on. Let me know when something is ready to go in, and I will be sure to replace it.

Thom

Message

From: Claude Aiken [REDACTED]@fcc.gov]
Sent: 12/12/2014 3:38:32 AM
To: Brian Hurley [REDACTED]@fcc.gov]
Subject: OI Intro docs
Attachments: OI guidance - rev 11-30-2014.docx; BF DRO 10-8-10 working draft - clean.doc

Brian,

Here are some basic background documents that we discussed in the meeting today. First is the Third Way Order, which is part of the basis for classification/forbearance that you'll be doing. Second is the latest set of high-level guidance for drafting that we're working off of right now. Both documents are password protected with the password you got this afternoon. Let me know if you have any questions!

Thanks,
Claude

*** Non-Public: For Internal Use Only ***

Message

From: Claude Aiken [REDACTED]
Sent: 12/13/2014 3:44:16 AM
To: Matthew DelNero [REDACTED]@fcc.gov; Stephanie Weiner [REDACTED]@fcc.gov; Jim Schlichting [REDACTED]@fcc.gov
Subject: OI Draft
Attachments: Open Internet Order Draft 12-12-14 to FO redline.docx; Open Internet Order Draft 12-12-14 to FO.docx

Matt, Stephanie, and Jim,

Here is the current version of the OI draft, minus several sections that are still works in progress (e.g., forbearance & classification). Note that this draft may not include some line edits that WTB provided to various WCB, CGB and EB sections, primarily due to changes in policy direction, and also does not include WTB text on certain sections (e.g., no-throttling).

To the extent it is helpful, I also include a redline against the prior draft so you can see what has changed. Looking forward to your thoughts!

Thanks,
Claude

*** Non-Public: For Internal Use Only ***

Message

From: Claude Aiken [Martha Heller]@fcc.gov]
Sent: 12/13/2014 2:06:26 AM
To: Claude Aiken
Subject: FW: EB Sections of OI Order
Attachments: Open Internet Order EB sections 12 12 14.docx

*** Non-Public: For Internal Use Only ***

-----Original Message-----

From: Martha Heller
Sent: Friday, December 12, 2014 03:24 PM Eastern Standard Time
To: Stephanie Weiner; Claude Aiken
Cc: Travis LeBlanc; Paula Blizzard; Christopher Killion; Gregory Simon; Stephanie Weiner
Subject: EB Sections of OI Order
Hi Stephanie and Claude,

The attached includes some minor edits to our sections of the Order.

Please let us know if you have questions or would like to discuss any of them.

Thanks,

Martha

Martha E. Heller
Assistant Chief, Enforcement Bureau
Federal Communications Commission
445 12th Street SW, [REDACTED]
Washington, DC 20554
(t) [REDACTED]
[Martha Heller]@fcc.gov

Message

From: Claude Aiken [Jerusha Burnett]@fcc.gov]
Sent: 12/13/2014 2:05:49 AM
To: Claude Aiken
Subject: FW: Current OI Transparency Draft
Attachments: OI - Transparency (12-12-14).docx

*** Non-Public: For Internal Use Only ***

-----Original Message-----

From: Jerusha Burnett
Sent: Friday, December 12, 2014 04:14 PM Eastern Standard Time
To: Claude Aiken
Cc: Richard Smith; John B. Adams; Kurt Schroeder; Mark Stone; Aaron Garza
Subject: Current OI Transparency Draft
Claude,

Attached is the draft of the OI Order including the most up to date version of the transparency section. It's password protected with the password you requested. There is currently a placeholder for Wireless specific rules, as we are awaiting further input from WTB.

Thank You,

Jerusha Burnett
Law Clerk, Consumer Policy
Consumer and Governmental Affairs

Message

From: Daniel Ball [REDACTED]@fcc.gov]
Sent: 12/12/2014 6:55:47 PM
To: Kristine Fargotstein [REDACTED]@fcc.gov]; Claude Aiken [REDACTED]@fcc.gov]
CC: Joel Taubenblatt [REDACTED]@fcc.gov]; Peter Trachtenberg [REDACTED]@fcc.gov]; Jennifer Salhus [REDACTED]@fcc.gov]; Ziad Sleem [REDACTED]@fcc.gov]; Sara Mechanic [REDACTED]@fcc.gov]; Pramesh Jobanputra [REDACTED]@fcc.gov]; Gloria Sheu [REDACTED]@fcc.gov]; Amy Brett [REDACTED]@fcc.gov]; Michael Janson [REDACTED]@fcc.gov]
Subject: OI Draft
Attachments: Open Internet Order 12 Dec 14 1400 clean.docx

Kristine and Claude—

Attached please find the OI draft order reflecting the WTB's most recent edits. Please note that we are still doing further thinking about economic justifications, throttling, and transparency as they apply to mobile and will reflect those in the next draft.

Per my discussion with Kristine, the attached draft is "clean."

If we can be of any assistance, please let me know.

Thank you.

Daniel R. Ball ■ Spectrum & Competition Policy Division ■ Wireless Telecommunications Bureau ■ Federal Communications Commission ■ 445 12th St SW ■ Washington, DC 20554 ■ [REDACTED]

Message

From: Kristine Fargotstein [REDACTED]@fcc.gov]
Sent: 12/12/2014 4:18:00 PM
To: Daniel Ball [REDACTED]@fcc.gov]; Claude Aiken [REDACTED]@fcc.gov]
CC: Jennifer Salhus [REDACTED]@fcc.gov]
Subject: RE: OI Draft Status and Throttling
Attachments: Open Internet Order Draft 11.10.14.docx

Dan,

Attached is the draft we had from the fall. Depending on how much you are changing, you can either red line the updated WTB sections or just send us the WTB material in a clean version – whichever is easiest.

Thanks,
Kristine

From: Daniel Ball
Sent: Friday, December 12, 2014 9:43 AM
To: Kristine Fargotstein; Claude Aiken
Cc: Jennifer Salhus
Subject: RE: OI Draft Status and Throttling

Kristine—

Thanks for the quick response. Would you mind sending me the document against which you want me to run the comparison? Sorry to have to ask, but I just want to make sure we are on the same page and to avoid any unnecessary confusion.

Thank you.

From: Kristine Fargotstein
Sent: Friday, December 12, 2014 9:39 AM
To: Daniel Ball; Claude Aiken
Cc: Jennifer Salhus
Subject: RE: OI Draft Status and Throttling

Thanks Dan, that sounds great! In terms of what you provide, if you want to send us a comparison version and a clean version that would be helpful.

Attached is the text for the No-Throttling rule. We've teed up an introduction all three conduct-based rules as well, so no need to worry about that for now (although, I suspect, there will be some additions for WTB specific content at some point).

Please don't hesitate to let us know if you have any other questions!
Kristine

From: Daniel Ball
Sent: Friday, December 12, 2014 9:35 AM

To: Kristine Fargotstein; Claude Aiken
Cc: Jennifer Salhus
Subject: OI Draft Status and Throttling

Good morning Kristine and Claude—

We are on track to deliver our draft to you by 2 pm today. Given the time since we last exchanged drafts, I suspect you will want to run a comparison with whatever your most recent version is, but I am happy to provide anything in that regard that you would find helpful. Please just let me know.

I know throttling is still a work in progress, but if you have anything you are comfortable sending us at this point, it might help us get a sense on what we might want to add from the mobile side. If not, we'll just make sure to have it in the version for next Friday.

We are not focusing on footnotes for this draft, but understand that they need to be cleaned up for next Friday.

Please let me know if we can be of any assistance.

Thank you.

Daniel R. Ball ■ Spectrum & Competition Policy Division ■ Wireless Telecommunications Bureau ■ Federal Communications Commission ■ 445 12th St SW ■ Washington, DC 20554 ■ [REDACTED]

Message

From: Claude Aiken [REDACTED]
Sent: 12/12/2014 2:14:22 AM
To: Zachary Ross [REDACTED]@fcc.gov]
Subject: RE: Revised Background
Attachments: Background 12-10-14 +cta.docx

Zach,

Thanks for this. I think your edits are good (and I've added a few plus some comments of my own), but now I'm thinking we need a section dealing with forbearance precedent as well. The big piece we should try to get tomorrow is some of the wireless stuff and the BSAS stuff worked into the background re the classifications. We should definitely talk (probably right after the WCB breakfast if that works for you).

Thanks,
Claude

From: Zachary Ross
Sent: Wednesday, December 10, 2014 4:41 PM
To: Claude Aiken
Subject: Revised Background

Hey Claude – here's my first crack at combining/updating the background section, all recent changes are tracked. I'm not sure what I did for a bridge to the reclassification section works but hopefully it's at least a good starting point!

Zachary A. Ross
Law Clerk, Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission

Zachary Ross [REDACTED]@fcc.gov
[REDACTED]

Message

From: Claude Aiken [REDACTED]
Sent: 12/11/2014 8:39:40 PM
To: Stephanie Weiner [REDACTED]@fcc.gov]; Matthew DelNero [REDACTED]@fcc.gov]
CC: Thomas Parisi [REDACTED]@fcc.gov]
Subject: RE: Rule examples
Attachments: Examples of Rule Violations 12-11-14 ca msd.docx

Stephanie,

With many thanks to Thom for pulling this together, here is a document with the draft rules and examples of a provider practices that would violate each rule. The document is password-protected with the new OI password which we gave you previously.

Please let us know if you need anything else on this!

Thanks,
Claude

From: Stephanie Weiner
Sent: Thursday, December 11, 2014 10:16 AM
To: Matthew DelNero; Claude Aiken
Subject: Rule examples

Hi Matt and Claude,

OCH has asked, via Jon, for an answer to the following –

For each OI rule, what is an example of a broadband provider practice that would violate the rule?

As you guys are knee deep in the rules section, I wondered if you could take a crack at this? For paid prioritization, I think we can use the Helgi quote from the argument. But we'll need to find something for throttling – given that Verizon's practice would no longer meet our definition of throttling. . . . Can you help?

Thanks,
Stephanie

Message

From: Claude Aiken [REDACTED]
Sent: 12/8/2014 11:26:06 PM
To: Matthew DelNero [REDACTED]@fcc.gov]
Subject: RE: Throttling materials for next OI Law and Policy Discussion

Thank you!

*** Non-Public: For Internal Use Only ***

-----Original Message-----

From: Matthew DelNero
Sent: Monday, December 08, 2014 06:06 PM Eastern Standard Time
To: Claude Aiken
Subject: FW: Throttling materials for next OI Law and Policy Discussion

fyi

From: Stephanie Weiner
Sent: Monday, December 08, 2014 3:10 PM
To: Jonathan Sallet; Julie Veach; Roger Sherman; Philip Verveer; Jim Schlichting; Joel Taubenblatt; Matthew DelNero
Subject: Throttling materials for next OI Law and Policy Discussion

All,

Please see attached the following background <<OI scenarios 12-6-14.docx>> <<Waxman outgoing.pdf>> <<Waxman Proposal on Net Neutrality-2014-10-3.pdf>> <<10.22.14 Eshoo Net Neutrality Letter to FCC.pdf>> <<ATT NAL 12 2 14 meh.docx>> materials related to throttling:

1. WTB's 1-pager on options for a no throttling rule ("OI Scenarios 12-6-14")
2. Waxman incoming
3. Chairman Wheeler's outgoing response to Waxman
4. Eshoo incoming (the outgoing response did not specifically mention throttling)
5. EB's draft NAL re ATT's violation of the existing transparency rule

If there are other relevant materials I've missed, please feel free to send them around. We are working on the challenge of scheduling a follow up meeting this week to discuss this topic.

Thanks,

Stephanie

Message

From: Claude Aiken [REDACTED]
Sent: 11/17/2014 10:25:24 PM
To: Julie Veach [REDACTED]@fcc.gov; Matthew DelNero [REDACTED]@fcc.gov; Roger Sherman [REDACTED]@fcc.gov; Jim Schlichting [REDACTED]@fcc.gov
CC: Randy Clarke [REDACTED]@fcc.gov; Melissa Droller Kinkel [REDACTED]@fcc.gov; Kristine Fargotstein [REDACTED]@fcc.gov; Zachary Ross [REDACTED]@fcc.gov; Thomas Parisi [REDACTED]@fcc.gov; Joel Taubenblatt [REDACTED]@fcc.gov; Daniel Ball [REDACTED]@fcc.gov
Subject: OI PN
Attachments: OI Public Notice (11 17 14) to FO.docx

Julie, Matt, Roger, and Jim,

Thanks to the quick work of the WCB and WTB OI teams, here is the short draft PN that is due to go to OCH on 11/19. Please let us know if you have any questions or comments on the draft. We look forward to your edits.

Thanks,
Claude

*** Non-Public: For Internal Use Only ***

Message

From: Claude Aiken [REDACTED]
Sent: 11/13/2014 7:58:56 PM
To: Jonathan Sallet [REDACTED]@fcc.gov; Julie Veach [REDACTED]@fcc.gov; Roger Sherman [REDACTED]@fcc.gov]
CC: Stephanie Weiner [REDACTED]@fcc.gov; Matthew DelNero [REDACTED]@fcc.gov; Jim Schlichting [REDACTED]@fcc.gov; Michael Janson [REDACTED]@fcc.gov; Joel Taubenblatt [REDACTED]@fcc.gov
Subject: Possible further comment on O/I
Attachments: OI Further Comment - Topics List - DRAFT 11-13-2014.docx

Jon, Julie, and Roger,

Here is a matrix of Open Internet issues where we think it may be fruitful to seek further comment or otherwise bolster the record. Please let us know if you have any questions.

Thanks,
Claude

*** Non-Public: For Internal Use Only ***

Message

From: Kristine Fargotstein [REDACTED]@fcc.gov]
Sent: 11/10/2014 5:01:32 PM
To: Claude Aiken [REDACTED]@fcc.gov]; Melissa Droller Kinkel [REDACTED]@fcc.gov]; Thomas Parisi [REDACTED]@fcc.gov]; Zachary Ross [REDACTED]@fcc.gov]
Subject: OI Draft Update
Attachments: Open Internet Order Draft 11.10.14.docx

Team,

Please find a current, complete version of the draft attached. This version includes the most recent sections from WCB (with Bob Cannon, Jon's, and Scott Jordan's feedback included) as well as Marcus' Forbearance update, CGB's Transparency update, and EB's Enforcement update.

It is also saved on the K Drive. In addition, I cleaned up the drafts folder so that the older versions are now filed under "Old Drafts".

K:\Bureaus-Offices\WCB\CPD\Policy\Open Internet 2014\2014 Order\2014 Drafts

Kristine Fargotstein
Attorney Advisor
Wireline Competition Bureau – CPD
Federal Communications Commission
[REDACTED]

Message

From: Matthew DelNero [REDACTED]@fcc.gov]
Sent: 11/20/2014 9:00:37 PM
To: Joel Taubenblatt [REDACTED]@fcc.gov]; Stephanie Weiner [REDACTED]@fcc.gov]; Jim Schlichting [REDACTED]@fcc.gov]; Julie Veach [REDACTED]@fcc.gov]; Roger Sherman [REDACTED]@fcc.gov]; Jonathan Sallet [REDACTED]@fcc.gov]; Claude Aiken [REDACTED]@fcc.gov]
Subject: RE: List of OI Issues
Attachments: Options Memo - Specialized Services REDLINE.docx; Traffic Exchange Options Memo vs REDLINE.docx; OI Conduct Rules Memo 11-19-14 v2.docx; Options - Specialized Services 11-19-2014 v2.docx; Options - Internet Traffic Exchange - 11-19-2014 v2.docx

Claude and I are attaching revised drafts of the specialized services and traffic exchange memos, in clean and redline (redline marking changes against the versions Stephanie sent earlier today). Also attached is a clean copy of the conduct rules memo – for that, we just accepted the edits. Happy to answer any questions or make further changes. Thanks.

Matt

From: Joel Taubenblatt
Sent: Thursday, November 20, 2014 3:51 PM
To: Stephanie Weiner; Jim Schlichting; Matthew DelNero; Julie Veach; Roger Sherman; Jonathan Sallet; Claude Aiken
Subject: RE: List of OI Issues

Attached please find clean and redlined versions of the RNM and transparency memos. We've addressed comments in the redline, including in one instance in RNM where we propose not to take the suggested edit (not changing "taking into account" to "based on" in the definition).

Please let us know if you have any questions.

Thanks. - Joel

From: Stephanie Weiner
Sent: Thursday, November 20, 2014 12:23 PM
To: Jim Schlichting; Matthew DelNero; Julie Veach; Roger Sherman; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

Thanks for all of the great work on these. Attached are redline edits and comments from Jon on each of the memos (I included mine as well for full disclosure!). The comments requiring the most further work are on IPX and Specialized Services – Matt/Claude, let me know if you want to talk through this or if there are ways I can help.

The goal remains to get these to OCH by COB today. So please turn these around incorporating these (and any other edits) and get these back to me by 5pm if possible.

Thanks,

Stephanie

From: Jim Schlichting
Sent: Wednesday, November 19, 2014 11:42 PM
To: Stephanie Weiner; Matthew DelNero; Julie Veach; Roger Sherman; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

Attached are current versions of two options memos affecting mobile - one dealing with transparency issues, the other regarding RNM. We undoubtedly will find greater clarity in the morning!

Jim

From: Stephanie Weiner
Sent: Wednesday, November 19, 2014 7:42 PM
To: Matthew DelNero; Julie Veach; Roger Sherman; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

Attached are drafts of the three options memos assigned to OGC: (1) Jon's memo on the overall test; (2) my memo on the edge-side service (which Jon has not yet reviewed); and (3) a slightly revised version of the prioritization ban vs. presumption memo I circulated yesterday.

WTB, I know you are swamped, but please send a draft of your options memo tonight if at all possible as I understand Jon's plan is to review all of them in the early morning.

Thank you,
Stephanie

From: Matthew DelNero
Sent: Wednesday, November 19, 2014 6:54 PM
To: Stephanie Weiner; Julie Veach; Roger Sherman; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All, attached are drafts of the options memos on traffic exchange and specialized services. Also attached is the summary of the no blocking, no throttling, and no paid prioritization rules. Many thanks to Claude for all his help with these.

From: Stephanie Weiner
Sent: Tuesday, November 18, 2014 6:07 PM
To: Julie Veach; Roger Sherman; Matthew DelNero; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

As discussed when some of us met earlier, attached is my current draft of a paid prioritization memo – number 1 on the list below.

Jon has not reviewed it and there may be further refinements on the substance. But feel free to use as an example with respect to approach/format to the extent helpful. This memo may be more straightforward than some others, though, so please use your judgment to do what in your view makes sense for each one.

Thanks,
Stephanie

From: Stephanie Weiner

Sent: Friday, November 14, 2014 5:52 PM

To: Julie Veach; Roger Sherman; Matthew DelNero; Jim Schlichting; Jonathan Sallet

Subject: List of OI Issues

Hi All,

As we discussed yesterday, Jon and I put together the list below of open questions on Open Internet. While there are other parts of any draft order that will need to work on (e.g., transparency, enforcement, etc) and other more granular decisions (e.g., scope of any forbearance), this list is focused on teeing up those issues the Chairman would likely need to address in the near-term in conjunction with the strategy for moving forward. That said, please let us know if you think there are other questions add to the list.

Our thinking is that for next week we would do 1-page options memos on each of these topics for the Chairman, with the goal of having drafts on Wed that could go to TW on Thursday.

1. Ban vs. presumption on paid prioritization (SW)
2. Specific Practices (MD) [Note: More of a briefing memo describing our understanding of the desired approach]
 - a. No blocking
 - b. No Throttling
 - c. Paid Prioritization
3. Mobile (WTB)
4. Interconnection (MD)
5. Specialized Services (MD)
6. The overall test for ISP practices (JS)
7. Classification of an edge service (SW)

Let me know if you have questions. Or if folks feel it would be helpful, we could also pull together this group for a quick meeting on Monday.

Thanks,
Stephanie

Message

From: Matthew DelNero [REDACTED]@fcc.gov]
Sent: 11/20/2014 5:24:47 PM
To: Claude Aiken [REDACTED]@fcc.gov]
Subject: FW: List of OI Issues
Attachments: Options Memo RNM --Mobile 11-19-14 1130pm (JS).doc; OI - transparency options_111914_1130pm (JS).docx; OI Conduct Rules Memo 11-19-14(JS).docx; Options - Internet Traffic Exchange - 11-19-2014 (JS).docx; Options - Specialized Services 11-19-2014 (JS).docx; Options Mem - Edge-side Memo (11.20)(JS).docx; Draft Options Memo - Paid Prioritization (11 20)(JS).docx

Claude, could you take the lead on turning a new draft for specialized services? It seems like the suggested change there is mostly structural. I'll talk with Stephanie about the idea for 706 rules on ITX. Thanks.

From: Stephanie Weiner
Sent: Thursday, November 20, 2014 12:23 PM
To: Jim Schlichting; Matthew DelNero; Julie Veach; Roger Sherman; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

Thanks for all of the great work on these. Attached are redline edits and comments from Jon on each of the memos (I included mine as well for full disclosure!). The comments requiring the most further work are on IPX and Specialized Services – Matt/Claude, let me know if you want to talk through this or if there are ways I can help.

The goal remains to get these to OCH by COB today. So please turn these around incorporating these (and any other edits) and get these back to me by 5pm if possible.

Thanks,
Stephanie

From: Jim Schlichting
Sent: Wednesday, November 19, 2014 11:42 PM
To: Stephanie Weiner; Matthew DelNero; Julie Veach; Roger Sherman; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

Attached are current versions of two options memos affecting mobile - one dealing with transparency issues, the other regarding RNM. We undoubtedly will find greater clarity in the morning!

Jim

From: Stephanie Weiner
Sent: Wednesday, November 19, 2014 7:42 PM
To: Matthew DelNero; Julie Veach; Roger Sherman; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

Attached are drafts of the three options memos assigned to OGC: (1) Jon's memo on the overall test; (2) my memo on the edge-side service (which Jon has not yet reviewed); and (3) a slightly revised version of the prioritization ban vs. presumption memo I circulated yesterday.

WTB, I know you are swamped, but please send a draft of your options memo tonight if at all possible as I understand Jon's plan is to review all of them in the early morning.

Thank you,
Stephanie

From: Matthew DelNero
Sent: Wednesday, November 19, 2014 6:54 PM
To: Stephanie Weiner; Julie Veach; Roger Sherman; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All, attached are drafts of the options memos on traffic exchange and specialized services. Also attached is the summary of the no blocking, no throttling, and no paid prioritization rules. Many thanks to Claude for all his help with these.

From: Stephanie Weiner
Sent: Tuesday, November 18, 2014 6:07 PM
To: Julie Veach; Roger Sherman; Matthew DelNero; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

As discussed when some of us met earlier, attached is my current draft of a paid prioritization memo -- number 1 on the list below.

Jon has not reviewed it and there may be further refinements on the substance. But feel free to use as an example with respect to approach/format to the extent helpful. This memo may be more straightforward than some others, though, so please use your judgment to do what in your view makes sense for each one.

Thanks,
Stephanie

From: Stephanie Weiner
Sent: Friday, November 14, 2014 5:52 PM
To: Julie Veach; Roger Sherman; Matthew DelNero; Jim Schlichting; Jonathan Sallet
Subject: List of OI Issues

Hi All,

As we discussed yesterday, Jon and I put together the list below of open questions on Open Internet. While there are other parts of any draft order that will need to work on (e.g., transparency, enforcement, etc) and other more granular

decisions (e.g., scope of any forbearance), this list is focused on teeing up those issues the Chairman would likely need to address in the near-term in conjunction with the strategy for moving forward. That said, please let us know if you think there are other questions add to the list.

Our thinking is that for next week we would do 1-page options memos on each of these topics for the Chairman, with the goal of having drafts on Wed that could go to TW on Thursday.

1. Ban vs. presumption on paid prioritization (SW)
2. Specific Practices (MD) [Note: More of a briefing memo describing our understanding of the desired approach]
 - a. No blocking
 - b. No Throttling
 - c. Paid Prioritization
3. Mobile (WTB)
4. Interconnection (MD)
5. Specialized Services (MD)
6. The overall test for ISP practices (JS)
7. Classification of an edge service (SW)

Let me know if you have questions. Or if folks feel it would be helpful, we could also pull together this group for a quick meeting on Monday.

Thanks,
Stephanie

Message

From: Claude Aiken [REDACTED]
Sent: 11/20/2014 1:43:11 AM
To: Melissa Droller Kinkel [REDACTED]@fcc.gov]; Kristine Fargotstein [REDACTED]@fcc.gov]; Thomas Parisi [REDACTED]@fcc.gov]; Zachary Ross [REDACTED]@fcc.gov]
CC: Randy Clarke [REDACTED]@fcc.gov]
Subject: FW: List of OI Issues
Attachments: Options Memo -- General Rule of Conduct.docx; Options Mem - Edge-side Memo.docx; Draft Options Memo - Paid Prioritization (11 19).docx

FYI, OGC memos.

From: Stephanie Weiner
Sent: Wednesday, November 19, 2014 7:42 PM
To: Matthew DelNero; Julie Veach; Roger Sherman; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

Attached are drafts of the three options memos assigned to OGC: (1) Jon's memo on the overall test; (2) my memo on the edge-side service (which Jon has not yet reviewed); and (3) a slightly revised version of the prioritization ban vs. presumption memo I circulated yesterday.

WTB, I know you are swamped, but please send a draft of your options memo tonight if at all possible as I understand Jon's plan is to review all of them in the early morning.

Thank you,
Stephanie

From: Matthew DelNero
Sent: Wednesday, November 19, 2014 6:54 PM
To: Stephanie Weiner; Julie Veach; Roger Sherman; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All, attached are drafts of the options memos on traffic exchange and specialized services. Also attached is the summary of the no blocking, no throttling, and no paid prioritization rules.

From: Stephanie Weiner
Sent: Tuesday, November 18, 2014 6:07 PM
To: Julie Veach; Roger Sherman; Matthew DelNero; Jim Schlichting; Jonathan Sallet
Cc: Claude Aiken; Joel Taubenblatt
Subject: RE: List of OI Issues

All,

As discussed when some of us met earlier, attached is my current draft of a paid prioritization memo – number 1 on the list below.

Jon has not reviewed it and there may be further refinements on the substance. But feel free to use as an example with respect to approach/format to the extent helpful. This memo may be more straightforward than some others, though, so please use your judgment to do what in your view makes sense for each one.

Thanks,
Stephanie

From: Stephanie Weiner
Sent: Friday, November 14, 2014 5:52 PM
To: Julie Veach; Roger Sherman; Matthew DelNero; Jim Schlichting; Jonathan Sallet
Subject: List of OI Issues

Hi All,

As we discussed yesterday, Jon and I put together the list below of open questions on Open Internet. While there are other parts of any draft order that will need to work on (e.g., transparency, enforcement, etc) and other more granular decisions (e.g., scope of any forbearance), this list is focused on teeing up those issues the Chairman would likely need to address in the near-term in conjunction with the strategy for moving forward. That said, please let us know if you think there are other questions add to the list.

Our thinking is that for next week we would do 1-page options memos on each of these topics for the Chairman, with the goal of having drafts on Wed that could go to TW on Thursday.

1. Ban vs. presumption on paid prioritization (SW)
2. Specific Practices (MD) [Note: More of a briefing memo describing our understanding of the desired approach]
 - a. No blocking
 - b. No Throttling
 - c. Paid Prioritization
3. Mobile (WTB)
4. Interconnection (MD)
5. Specialized Services (MD)
6. The overall test for ISP practices (JS)
7. Classification of an edge service (SW)

Let me know if you have questions. Or if folks feel it would be helpful, we could also pull together this group for a quick meeting on Monday.

Thanks,
Stephanie