

January 10, 2013

Via Electronic Filing

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

Re: Notice of Oral *Ex Parte* Communications, GN Docket No. 12-264

On January 8th, 2013, James Miller, Walter Johnston, Deborah Broderson, Jennifer Tatel, and Tejas Narechania from the Federal Communications Commission met with Thomas Gideon and Meredith Whittaker, representing Measurement Lab (M-Lab), to discuss the Commission's Measuring Broadband America program's mobile measurement effort.

Conversation focused on the Commission's transparency principles and data release. Mr. Johnston and Mr. Miller affirmed that the Commission intends to uphold its transparency commitments, and that a means of releasing useful, contextualized data without exposing personal user information is currently being explored. Mobile measurement will run against M-Lab servers, as was the case in the fixed measurement study.

Ms. Whittaker reiterated M-Lab's policies, in which all data collected on M-Lab as a part of any study be made publicly available in its raw form, enabling scientific review and verification. As a precedent for responsible, useful release of raw data, she cited two examples. First, the Commission's Consumer Broadband Test,¹ in which the performance data is collected via tests on M-Lab (and Ookla) while personal information is collected on FCC servers. Second, the Commission's Measuring Broadband America program's fixed measurement effort,² in which performance data is collected via M-Lab while users and ISPs submit personal data to SamKnows, the FCC contractor. To ensure that the Commission meets its commitment to researchers and the public, a similar model was suggested for the mobile measurements, in which data directly from the handset (e.g. location, device ID) be collected separately from performance data tested against M-Lab.

Mr. Miller discussed ongoing conversations with academics and other stakeholders looking at how to process and aggregate personal user information in a way that can responsibly provide context for released data.

¹ <http://www.broadband.gov/qualitytest/>

² <http://www.fcc.gov/measuring-broadband-america>

M-Lab welcomes the Commission's mobile measurement effort, and the collaborative process that is ongoing to ensure accurate and useful release of collected data. As this process moves forward, it is critical that the Commission's transparency principles be instantiated as a clear requirement regarding data release. Adhering to these principles ensures that the numbers issued in any public reports can be reproduced and verified by the scientific community, thus ensuring their accuracy, and providing the data as a collaborative platform on which the state of the art can progress. The principle of reproducibility and peer-review is at the core of the scientific process, and we are heartened by the FCC's progress toward this goal, and their cognizance of its importance. We encourage the continued and rigorous adherence to these principles in the mobile measurement program.

Respectfully submitted,
/s/ Thomas Gideon

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