

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

FULL SERVICE NETWORK;)	
TRUCONNECT MOBILE; SAGE)	
TELECOMMUNICATIONS, LLC; and ,)	
TELESCAPE COMMUNICATIONS, INC.)	
)	
Petitioners,)	
)	
v.)	No. 15-1151
)	
FEDERAL COMMUNICATIONS)	Consolidated with Nos.
COMMISSION AND UNITED STATES)	15-1063 (Lead), 15-1078,
OF AMERICA,)	15-1086, 15-1090, 15-1091,
)	15-1092, 15-1095, 15-1099,
Respondents.)	15-1117, 15-1128

**RESPONSE OF FULL SERVICE NETWORK, ET AL
TO MOTIONS FOR LEAVE TO INTERVENE BY AT&T, UNITED
STATES TELECOM ASSOCIATION, CTIA, AMERICAN CABLE
ASSOCIATION, NATIONAL CABLE & TELECOMMUNICATIONS
ASSOCIATION, WIRELESS INTERNET SERVICE PROVIDERS
ASSOCIATION, AND CENTURYLINK**

Pursuant to Rule 27(a)(3) of the Federal Rules of Appellate Procedure, Full Service Network, TruConnect Mobile, Sage Telecommunications, LLC, and Telescape Communications, Inc. (collectively “Full Service Network”) oppose the above captioned motions to intervene because each of the parties moving to intervene are already petitioners in the consolidated cases before the court. As petitioners these parties already are entitled to file both an initial brief and a reply brief through which they can represent and protect their interests.

Simply put, these parties to the case are each seeking leave of the court to file a third brief. In the proceeding below, not one of them found it necessary to respond to the arguments Full Service Network had raised in that proceeding. The court should not grant them an additional brief to do so now.

None of the motions to intervene cited any case law to support the novel concept that a petitioner or respondent in a case has any right to intervene in the same case, nor any case where a court had granted a petitioner or respondent such dual status. The United States Court of Appeals for the Seventh Circuit rejected a similar attempt by an appellant to get an additional brief, saying that accepting the appellee's argument would result in "a prima facie entitlement to file a brief twice as long as the plaintiff in the same case. Such an entitlement wouldn't make any sense at all, and there is no basis in the rules or in case law for it." *Licari v. City of Chicago*, 262 F.3d 646, 648 (7th Cir. 2001).

Wherefore, Full Service Network respectfully requests that the Court deny the motions to intervene by the respective petitioners or, at a minimum, require a single, consolidated brief by the petitioner/intervenors.

Dated: June 5, 2015

Respectfully submitted,

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