

**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.

FEDERAL COMMUNICATIONS
COMMISSION and UNITED STATES
OF AMERICA,

Respondents.

No. 15-1151

*Consolidated with
Nos. 15-1063 (Lead), 15-1078,
15-1086, 15-1090, 15-1091, 15-1092,
15-1095, 15-1099, 15-1117, 15-1128*

**MOTION FOR LEAVE TO INTERVENE OF NATIONAL CABLE &
TELECOMMUNICATIONS ASSOCIATION**

Pursuant to 28 U.S.C. § 2348, 47 U.S.C. § 402(e), Rule 15(d) of the Federal Rules of Appellate Procedure, and D.C. Circuit Rule 15(b), the National Cable & Telecommunications Association (“NCTA”) hereby moves for leave to intervene as a matter of right in the above-captioned case.

In this case recently transferred from the U.S. Court of Appeals for the Third Circuit, Full Service Network, TruConnect Mobile, Sage Telecommunications LLC, and Telescape Communications Inc. (collectively “Full Service”) seek review of the FCC’s Order in *Protecting and Promoting the Open Internet*, Report and Order on Remand, Declaratory Ruling, and Order, FCC 15-24, GN Docket No.

14-28 (*released* Mar. 12, 2015), 80 Fed. Reg. 19737 (published Apr. 13, 2015) (“Order”). In the Order, the FCC reclassified broadband Internet access service as a “telecommunications service” under Title II of the Communications Act of 1934 (47 U.S.C. §§ 151 *et seq*). The FCC also exercised its authority under Section 10 of the Communications Act, 47 U.S.C. § 160, to forbear from applying certain provisions of Title II and certain agency regulations to broadband providers. *See* Order ¶¶ 434-542.

The same Order is the subject of several other petitions for review already pending in this Court, filed by NCTA* and others, all of which have been consolidated with *United States Telecom Association v. FCC*, No. 15-1063 (D.C. Cir.), as the lead case. Unlike NCTA and other petitioners in the other consolidated cases, however, Full Service agrees with the FCC’s decision to reclassify broadband as a “telecommunications service,” and intends to argue that the FCC should have imposed even *more* regulation on providers of broadband Internet access service, including NCTA’s members. Pet. for Review 2-3, *Full Service Network v. FCC*, No. 15-1151 (docketed May 26, 2015). Specifically, Full Service contends that the FCC unlawfully applied Section 10 of the Communications Act and Section 706 of the Telecommunications Act of 1996, 47 U.S.C. § 1302, by declaring certain common-carrier requirements inapplicable

* *Nat’l Cable & Telecom. Ass’n v. FCC*, No. 15-1090 (D.C. Cir. Apr. 14, 2015).

to broadband providers. *Id.* Full Service thus seeks review of “those portions of the Open Internet Order that purport to grant forbearance under section 10 of the Communications Act, fail to properly apply statutory or regulatory definitions, or impose regulation or grant forbearance to section 706 of the Telecommunications Act[.]” *Id.* at 3.

NCTA has a direct interest in these proceedings. NCTA is the principal trade association of the cable television industry in the United States, and NCTA’s members are among the largest providers of broadband Internet access service in the country. NCTA meets the statutory requirements to intervene because it was an active participant in the agency proceeding below and because the interests of NCTA’s members will be substantially affected by this Court’s review of the Order. NCTA is therefore entitled to intervene as a matter of right under 28 U.S.C. § 2348.

Accordingly, NCTA respectfully requests that it be granted leave to intervene in support of Respondents with respect to that portion of the Order that forbears from applying certain provisions of Title II and agency regulations to providers of broadband Internet access service.

CONCLUSION

NCTA’s motion to intervene should be granted.

Dated: May 26, 2015

Rick C. Chessen
Neal M. Goldberg
Michael S. Schooler
NATIONAL CABLE &
TELECOMMUNICATIONS ASSOCIATION
25 Massachusetts Avenue, N.W.
Suite 100
Washington, D.C. 20001
(202) 222-2445

Respectfully submitted,

/s/ Miguel A. Estrada
Miguel A. Estrada
Counsel of Record
Theodore B. Olson
Jonathan C. Bond
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500

Matthew A. Brill
Matthew T. Murchison
Jonathan Y. Ellis
LATHAM & WATKINS LLP
555 Eleventh Street, N.W.
Suite 1000
Washington, D.C. 20004
(202) 637-2200

Counsel for Movant-Intervenor National Cable & Telecommunications Association

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and this Court's Rule 26.1, movant-intervenor National Cable & Telecommunications Association ("NCTA") respectfully submits the following corporate disclosure statement.

NCTA is the principal trade association of the cable television industry in the United States. Its members include owners and operators of cable television systems serving over 80 percent of the nation's cable television customers, as well as more than 200 cable program networks. NCTA also represents equipment suppliers and others interested in or affiliated with the cable television industry. NCTA has no parent companies, subsidiaries, or affiliates whose listing is required by Rule 26.1.

CERTIFICATE OF PARTIES AND *AMICI*

Pursuant to Circuit Rules 15(c)(3) and 28(a)(1), movant-intervenor National Cable & Telecommunications Association (“NCTA”) respectfully submits the following Provisional Certificate of Parties, Rulings, And Related Cases:

The petitioners in this petition for review (No. 15-1151)—originally filed in, and transferred from, the U.S. Court of Appeals for the Third Circuit—are Full Service Network, TruConnect Mobile, Sage Telecommunications LLC, and Telescope Communications Inc.

This petition has been consolidated with other petitions seeking review of the same agency order, in which the petitioners are: movant-intervenor NCTA (No. 15-1090); United States Telecom Association (Nos. 15-1063 and 15-1086); Alamo Broadband, Inc. (No. 15-1078); CTIA – The Wireless Association (No. 15-1091); AT&T, Inc. (No. 15-1092); American Cable Association (No. 15-1095); CenturyLink (No. 15-1099); Wireless Internet Service Providers Association (No. 15-1117); and Daniel Berninger (No. 15-1128).

Respondents in these consolidated cases are the Federal Communications Commission (“FCC”) and United States of America.

Many thousands of companies, organizations, and individuals participated in some manner in the rulemaking proceeding (GN Docket No. 14-28) before the FCC. The FCC did not include in its order a listing of the participants before the

agency. Below is a reasonably complete, but not comprehensive, list of companies and organizations that filed comments or reply comments during the rulemaking according to the FCC's Electronic Comment Filing System:

4G Americas
18MillionRising.org
21st Century Fox, Inc.
AARP
Access
Access Sonoma Broadband
Ad Hoc Telecommunications Users Committee
ADT Corporation
ADTRAN, Inc.
Advanced Communications Law & Policy Institute at New York Law School
AHCJET
Akamai Technologies, Inc.
Alamo Broadband
Alarm Industry Communications Committee
Alaska Rural Coalition
Alcatel–Lucent
American Association for Justice
American Association of Law Libraries et al.
American Association of People with Disabilities
American Association of State Colleges and Universities et al.
American Cable Association
American Civil Liberties Union
American Consumer Institute
American Library Association
American Public Media Group
American Society of Journalists and Authors
American Sustainable Business Council
Americans for Tax Reform and Digital Liberty
AOL Inc.
Arris Group, Inc.
Asian Americans Advancing Justice | AAJC
Association for Information Systems
Association of Free Community Papers

AT&T Services, Inc.
Automotive Parts & Services Association
Benton Foundation
Black Women's Roundtable
Blackfoot Telephone Cooperative
Boulder Regional Emergency Telephone Service Authority
Bright House Networks, LLC
Broadband Alliance of Mendocino
Broadband Institute of California
BT Americas
Cablevision
California Manufacturers & Technology Association
California Public Utilities Commission
California Telehealth Network
CALinnovates
CBS Corp.
CCIA
Center for Boundless Innovation in Technology
Center for Democracy & Technology
Center for Individual Freedom
Center for Media Justice et al.
CenturyLink
Cequel Communications, LLC d/b/a Suddenlink Communications
Charter Communications, Inc.
Chatham Business Association
Chicagoland Black Chamber of Commerce
Cisco Systems, Inc.
Citizens Against Government Waste
Citrus Council of the National Kidney Foundation of Florida
City of Boston, Massachusetts
City of New York, New York
City of Los Angeles, California
City of Philadelphia, Pennsylvania
City of Portland, Oregon
City of San Francisco, California
Coalition of Arts and Cultural Organizations
Codecademy
CodeCombat
Cogent Communications Group, Inc.
ColorOfChange.org

Comcast Corporation
Common Cause
Communications Workers of America
Competitive Carriers Association
Competitive Enterprise Institute
COMPTEL
Computer & Communications Industry Ass'n (CCIA)
Consumer Electronics Association
Consumer Federation of America
Consumer Watchdog
Consumers Union
Cox Communications, Inc.
Creative Commons – USA
Croatan Institute
CTIA – The Wireless Association®
Daily Kos
Data Foundry
Digital Policy Institute
Distributed Computing Industry Association (DCIA)
Dwolla Corp.
eBay Inc.
Elder Care Advocacy of Florida
Electronic Frontier Foundation
Embedly
Engine Advocacy
Entertainment Software Association
Ericsson
Etsy, Inc.
European Digital Rights
European Telecommunications Network Operators' Association
Fandor
Fiber to the Home Council Americas
Financial Services Roundtable
Floor64 / Techdirt
Florida State Hispanic Chamber of Commerce
Free Press
Free State Foundation
Free-Market Advocates Opposed to Internet Regulation
Frontier Communications
Future of Music Coalition

General Assembly
Global Healthy Living Foundation
Golden Frog
Google Inc.
Greenlining Institute
GSM Association
GVNW Consulting, Inc.
Hepatitis Education Awareness and Liver Support (H.E.A.L.S.) of the South
Heyzap
Hippo Smashblast
Home Telecom
i2Coalition
iClick2Media
Independent Colleges & Universities of Texas, Inc.
Independent Film & Television Alliance
Independent Filmmaker Organizations
Information Technology Industry Council
Institute for Local Self-Reliance
Institute for Policy Integrity at New York University School of Law
Intel Corp.
Interisle Consulting Group LLC
International Center for Law & Economics
International Documentary Association et al.
Internet Association
Internet Business Council
Internet Business Council for Africa
Internet Innovation Alliance (IIA)
ITIF
ITTA – The Voice of Midsize Communications Companies
Kentucky Public Library Association Intellectual Freedom Committee
Kickstarter, Inc.
Level 3 Communications, LLC
Liberty Global
MadHat Media, Inc.
Massachusetts Department of Telecommunications and Cable
Media Action Grassroots Network
Media Alliance
MediaFreedom.org
Meetup, Inc.
Mercatus Center at George Mason University

Microsoft Corporation
Minority Media & Telecom Council
MIT Media Lab
MLB Advanced Media, L.P.
Mobile Future
Motion Picture Association of America
Mozilla
NAACP
National Arts and Cultural Organizations
National Association of Black Journalists
National Association of Consumer Advocates
National Association of Independent Colleges and Universities
National Association of Manufacturers (NAM)
National Association of Realtors
National Association of Regulatory Utility Commissioners
National Association of State Utility Consumer Advocates
National Black Chamber of Commerce et al.
National Black Church Initiative
National Cable & Telecommunications Association
National Congress of American Indians
National Grange
National Minority Organizations
National Public Radio, Inc.
National Religious Broadcasters
National Venture Capital Association
NetAccess Futures
Netflix, Inc.
New America Foundation
New Media Rights
New Networks
Newspaper Association of America
Nokia Solutions and Networks US LLC
Northeast Ohio Coalition for the Homeless
NTCA – The Rural Broadband Association
OCHIN
OneCommunity
Online News Association
Online Publishers Association
Open MIC et al.
OpenCurriculum

Opera Software ASA
Orange County Business Council
Orange County Taxpayers Association
Peer 2 Peer University & The School of Open
Pennsylvania Public Utility Commission
Phoenix Center
Popular Resistance
Presente.Org
Private Citizen
Public Citizen
Public Knowledge
QUALCOMM Incorporated
RCN Telecom
reddit, Inc.
Rewheel
Rivada Networks
Roku, Inc.
Rural Broadband Policy Group
Sandvine Incorporated
Scripps Networks Interactive, Inc.
Security Industry Association
Sickle Cell Disease Association
Small Business & Entrepreneurship Council
Smithwick & Belendiuk, P.C.
Southern Company Services, Inc.
Sprint Corporation
State Educational Technology Directors Association (SETDA)
State Library of Kansas
State of Illinois
State of New York
STEM4US!
Stop the Cap!
Syntonic Wireless, Inc.
Taxpayers Protection Alliance
TechAmerica
TechFreedom
Technology Policy Institute
Telecom Italia
Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI), et al.
Telecommunications Industry Association

TELEFONICA
ThoughtWorks
TimeBank USA
Time Warner Cable Inc.
Time Warner Inc.
T-Mobile USA, Inc.
Tompkins County, New York
TouchCast
Tumblr, Inc.
U.S. Cellular Corp.
U.S. Chamber of Commerce
U.S. Public Interest Research Group
United Church of Christ et al.
United Spinal Association
United States Conference of Mayors
United States Distance Learning Association
United States Hispanic Chamber of Commerce
United States Telecom Association
Utilities Telecom Council
Verizon
Verizon Wireless
Vermont Office of the Attorney General
Vermont Public Service Board
Viacom Inc.
Vimeo, LLC
Voices for Internet Freedom et al.
Vonage Holdings Corp.
Walt Disney Co.
WATCH
Williamson & Williams, PLLC
Wireless Internet Service Providers Association
Wisconsin Dept. of Public Instruction
Women, Action & the Media et al.
Women's Media Center
Writers Guild of America, East
Writers Guild of America, West, Inc.
WTA – Advocates for Rural Broadband
Y Combinator

The Independent Telephone and Telecommunications Alliance has been granted leave to intervene in support of petitioner CenturyLink. The following entities have been granted leave to intervene in support of respondents in these consolidated cases: AdHoc Telecommunications Users Committee; Akamai Technologies, Inc.; Center for Democracy & Technology; COMPTEL; Cogent Communications; ColorOfChange.org; Credo Mobil, Inc.; Demand Progress; DISH Network Corp.; Etsy, Inc.; Fight for the Future, Inc.; Free Press; Kickstarter, Inc.; Level 3 Communications, LLC; Meetup, Inc.; National Association of Regulatory Utility Commissioners; National Association of State Utility Consumer Advocates; Netflix, Inc.; New America's Open Technology Institute; Public Knowledge; Tumblr, Inc.; Union Square Ventures, LLC; and Vimeo, Inc.

There currently are no *amici curiae*.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of May, 2015, I filed the foregoing Motion for Leave to Intervene with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system. Service was accomplished by the CM/ECF system on the following counsel for petitioners and respondents who are registered CM/ECF users:

Michael A. Graziano
ECKERT, SEAMANS, CHERIN & MELLOTT
1717 Pennsylvania Ave., N.W.
12th Floor
Washington, D.C. 20006
(202) 659-6671
mgraziano@eckertseamans.com

Jonathan R. Nadler, Esq.
ECKERT, SEAMANS, CHERIN & MELLOTT
50 South 16th Street
Two Liberty Place, 22nd Floor
Philadelphia, PA 19102
(215) 851-8410
jnadler@eckertseamans.com

*Counsel for Petitioners Full Service
Network, TruConnect Mobile, Sage
Telecommunications LLC, and
Telescope Communications Inc.*

David M. Gossett
Jacob M. Lewis
Richard Kiser Welch
James M. Carr
FEDERAL COMMUNICATIONS
COMMISSION
Office of General Counsel
Room 8-A741
445 12th Street, S.W.
Washington, D.C. 20554
(202) 418-1700
david.gossett@fcc.gov
jacob.lewis@fcc.gov
richard.welch@fcc.gov
james.carr@fcc.gov

*Counsel for Respondent Federal
Communications Commission*

Robert J. Wiggers
Kristen Ceara Limarzi
Nickolai Gilford Levin
UNITED STATES DEPARTMENT OF
JUSTICE
Antitrust Division, Appellate Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
(202) 514-2460
robert.wiggers@usdoj.gov
kristen.limarzi@usdoj.gov
nickolai.levin@usdoj.gov

*Counsel for Respondent United States of
America*

Michael K. Kellogg
Scott H. Angstreich
KELLOGG, HUBER, HANSEN, TODD,
EVANS & FIGEL, PLLC
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
(202) 326-7900
mkellogg@khhte.com
sangstreich@khhte.com

*Counsel for USTelecom, CTIA, and
AT&T*

Kathleen M. Sullivan
QUINN, EMANUEL, URQUHART &
SULLIVAN LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000
kathleensullivan@quinnemanuel.com

Counsel for USTelecom

Brett Shumate
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000
bshumate@wileyrein.com

*Counsel for Alamo Broadband, Inc. and
Daniel Berninger*

Andrew G. McBride
Eve Klindera Reed
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000
amcbride@wileyrein.com
ereed@wileyrein.com

Counsel for Alamo Broadband, Inc.

Helgi C. Walker
Michael R. Huston
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
(202) 887-3599
hwalker@gibsondunn.com
mhuston@gibsondunn.com

*Counsel for CTIA – The Wireless
Association*

Peter D. Keisler
James P. Young
C. Frederick Beckner III
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000
pkeisler@sidley.com
jyoung@sidley.com
rbeckner@sidley.com

Counsel for AT&T

Gary L. Phillips
Christopher M. Heimann
AT&T SERVICES, INC.
1120 20th Street, N.W., Suite 1000
Washington, D.C. 20036
(202) 457-3055
gp3812@att.com
ch1541@att.com

Counsel for AT&T

Jeffrey A. Lamken
MOLOLAMKEN LLP
The Watergate
Suite 660
600 New Hampshire Avenue, N.W.
Washington, D.C. 20037
(202) 556-2000
jlamken@mololamken.com

Counsel for ACA

David H. Solomon
Russell P. Hanser
WILKINSON BARKER KNAUER, LLP
2300 N Street, N.W., Suite 700
Washington, D.C. 20037
(202) 783-4141
dsolomon@wbklaw.com
rhanser@wbklaw.com

Counsel for CenturyLink

Stephen E. Coran
LERMAN SENTER PLLC
2000 K Street, N.W., Suite 600
Washington, D.C. 20006
(202) 429-8970

Counsel for WISPA

Richard E. Wiley
Bennett L. Ross
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000
rwiley@wileyrein.com
bross@wileyrein.com

Counsel for Daniel Berninger

Patrick J. Whittle
Colleen Boothby
LEVINE, BLASZAK, BLOCK &
BOOTHBY, LLP
2001 L Street, N.W.
Suite 900
Washington, D.C. 20036
(202) 857-2550
pwhittle@lb3law.com

*Counsel for AdHoc Telecommunications
Users Committee*

Christopher J. Wright
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street, N.W.
8th Floor
Washington, D.C. 20036
(202) 730-1335
cwright@wiltshiregrannis.com

Scott Blake Harris
WILKINSON BARKER KNAUER, LLP
2300 N Street, N.W.
Suite 700
Washington, D.C. 20037
(202) 833-1330
sbharris@wbklaw.com

Counsel for Akamai Technologies, Inc.

Erik Robert Stallman
CENTER FOR DEMOCRACY &
TECHNOLOGY
1634 I Street, N.W.
Suite 1100
Washington, D.C. 20006
(202) 341-7313
erikstallman@gmail.com

*Counsel for Center for Democracy &
Technology*

Scott E. Gant
Hamish Hume
Hershel Wancjer
BOIES, SCHILLER & FLEXNER LLP
5301 Wisconsin Ave., N.W.
Suite 800
Washington, D.C. 20015
(202) 237-2727
sgant@bsfllp.com
hhume@bsfllp.com
hwancjer@bsfllp.com

*Counsel for Cogent Communications,
Inc.*

Andrew Jay Schwartzman
GEORGETOWN UNIVERSITY LAW CENTER
Room 312
600 New Jersey Ave., N.w.
Washington, D.C. 20001
(202) 662-9170
andyschwartzman@gmail.com

Counsel for ColorOfChange.org

Pantelis Michalopoulos
Markham Erickson
Stephanie Ann Roy
Andrew Guhr
STEPTOE & JOHNSON LLP
1330 Connecticut Ave., N.W.
Washington, D.C. 20036
(202) 429-3000
pmichalopolous@steptoe.com
merickson@steptoe.com
sroy@steptoe.com
aguhr@steptoe.com

Counsel for COMPTTEL, DISH Network Corp., Level 3 Communications, LLC, and Netflix, Inc.

Marvin Ammori
FREE PRESS
1025 Connecticut Ave., N.W.
Suite 1110
Washington, D.C. 20036
(202) 505-3680
ammorim@post.harvard.edu

Counsel for Credo Mobil, Inc., Demand Progress, and Fight For The Future, Inc.

Seth David Greenstein
Robert S. Schwartz
CONSTANTINE CANNON LLP
1301 K Street, N.W.
Suite 1050 East
Washington, D.C. 20005
(202) 204-3500
sgreenstein@constantinecannon.com
rschwartz@constantinecannon.com

Counsel for Etsy, Inc., Kickstarter, Inc., Meetup, Inc., Tumblr, Inc., Union Square Ventures, LLC, and Viemo, Inc.

Matthew F. Wood
FREE PRESS
1025 Connecticut Ave., N.W.
Suite 1110
Washington, D.C. 20036
(202) 265-1490
mwood@freepress.net

Counsel for Free Press

Genevieve Morelli
INDEPENDENT TELEPHONE &
TELECOMMUNICATIONS ALLIANCE
1101 Vermont Ave., N.W.
Suite 501
Washington, D.C. 20005
(202) 898-1519
gmorelli@itta.us

Counsel for Independent Telephone & Telecommunications Alliance

James B. Ramsay
NATIONAL ASSOCIATION OF
REGULATORY UTILITY COMMISSIONERS
1101 Vermont Ave., N.W.
Suite 200
Washington, D.C. 20005
(202) 898-2200
jramsay@naruc.org

*Counsel for National Association of
Regulatory Utility Commissioners*

David Bergmann
LAW OFFICE OF DAVID C. BERGMANN
3293 Noreen Dr.
Columbus, OH 43221
(614) 771-5979
David.c.bergmann@gmail.com

*Counsel for National Association of
State Utility Consumer Advocates*

Kevin S. Bankston
Sarah J. Morris
NEW AMERICA FOUNDATION
1899 L Street, N.W.
Suite 400
Washington, D.C. 20036
(202) 986-2700
bankston@newamerica.org
sarmorris@newamerica.org

*Counsel for New America's Open
Technology Institute*

Harold J. Feld
PUBLIC KNOWLEDGE
1818 N. Street, N.W.
Suite 410
Washington, D.C. 20036
(202) 861-0020
hfeld@publicknowledge.org

Counsel for Public Knowledge

Michael A. Cheah
VIMEO LLC
555 W. 18th St.
New York, NY 10011
(212) 314 7457
Michael.cheah@iac.com

Counsel for Vimeo, Inc.

Joshua M. Bobeck
Russell M. Blau
MORGAN, LEWIS & BOCKIUS LLP
2020 K Street, N.W.
Washington, D.C. 20006
(202) 373-6000
joshua.bobeck@morganlewis.com
russell.blau@morganlewis.com

Counsel for Vonage Holdings Corp.

Dated: May 26, 2015

/s/ Miguel A. Estrada

Miguel A. Estrada

GIBSON, DUNN & CRUTCHER LLP

1050 Connecticut Avenue, N.W.

Washington, D.C. 11101

Telephone: (202) 955-8500

Mestrada@gibsondunn.com

*Counsel for Movant-Intervenor National
Cable and Television Association*