

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

UNITED STATES TELECOM
ASSOCIATION,

Petitioner,

v.

FEDERAL COMMUNICATIONS
COMMISSION and UNITED STATES
OF AMERICA,

Respondents.

Case No. 15-1063
(and consolidated cases)

MOTION FOR LEAVE TO INTERVENE

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), Public Knowledge (“PK”) hereby moves for leave to intervene as of right in the above-captioned Petition for Review in support of Respondents Federal Communications Commission (“FCC” or “Commission”) and United States of America. Pursuant to D.C. Circuit Rule 15(b), Public Knowledge understands that its motion to intervene in this case will also be deemed a motion to intervene in the cases *Alamo Broadband Inc. v. FCC*, D.C. Circuit Case No. 15-1078, *United States Telecom Association v. FCC*, D.C. Circuit Case No. 15-1086, *National Cable & Telecommunications Association v. FCC*, D.C. Circuit Case No. 15-1090, *CTIA—*

The Wireless Association v. FCC, D.C. Circuit Case No. 15-1091, *AT&T Inc. v. FCC*, D.C. Circuit Case No. 15-1092, *American Cable Association v. FCC*, D.C. Circuit Case No. 15-1095, and *CenturyLink v. FCC*, D.C. Circuit Case No. 15-1099, because all of the foregoing cases concern direct review of the same agency order.

Petitioner United States Telecom Association seeks review of the final order of the FCC captioned *In the Matter of 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) (“*Order*”). In the *Order*, the Commission duly followed the opinion of this Court in *Verizon v. FCC*, 740 F.3d 623 (D.C. Cir. 2014), lawfully reclassified broadband Internet access service as a telecommunications service, and adopted a framework for rules to protect innovation, investment, competition, and free expression by protecting an open Internet.

PK actively participated in the *Protecting and Promoting the Open Internet* proceeding below and represents members who would be adversely affected by a reversal of the *Order* because their activities or businesses depend upon access to an open Internet. In addition, PK relies on an open Internet to communicate with members and the public in furtherance of its mission as a 501(c)(3) tax-exempt educational organization. Therefore, PK’s interests will be substantially affected

by this Court's review of the Commission's *Order*. PK is thus is a "party in interest in the proceeding" entitled to intervene "as of right" in this matter. 28 U.S.C. § 2348; 47 U.S.C. § 402(e).

PK therefore respectfully requests that this Court grant its motion for leave to intervene in support of Respondents Federal Communications Commission and United States of America.

Respectfully submitted,
/s/ Harold Feld
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April 22, 2015

**IN THE UNITED STATES COURT OF APPEALS
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FEDERAL COMMUNICATIONS
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CERTIFICATE AS TO PARTIES

Pursuant to D.C. Circuit Rule 27(a)(4) and D.C. Circuit Rule 28(a)(1)(A),
Public Knowledge hereby certifies the following:

In Case No. 15-1063, the Petitioner is United States Telecom Association
and the Respondents are the Federal Communications Commission (“FCC”) and
the United States of America. Movant Public Knowledge seeks leave to appear in
this matter as an Intervenor in support of Respondents FCC and United States of
America. No amici have appeared before this Court.

In Case No. 15-1078, the Petitioner is Alamo Broadband Inc. The
Respondents are the FCC and the United States of America.

In Case No. 15-1086, the Petitioner is the United States Telecom Association. The Respondents are the FCC and the United States of America.

In Case No. 15-1090, the Petitioner is the National Cable & Telecommunications Association. The Respondents are the FCC and the United States of America.

In Case No. 15-1091, the Petitioner is CTIA—The Wireless Association. The Respondents are the FCC and the United States of America.

In Case No. 15-1092, the Petitioner is AT&T Inc. The Respondents are the FCC and the United States of America.

In Case No. 15-1095, the Petitioner is the American Cable Association. The Respondents are the FCC and the United States of America.

In Case No. 15-1099, the Petitioner is CenturyLink. The Respondents are the FCC and the United States of America.

Respectfully submitted,
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April 22, 2015

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, Public Knowledge (“PK”) submits the following corporate disclosure statement.

PK is a non-profit organization incorporated in the District of Columbia. PK has no parent corporation, nor is there any publicly-held corporation that owns stock or other interest in PK.

Respectfully submitted,
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April 22, 2015

CERTIFICATE OF SERVICE

I hereby certify that, on behalf of Public Knowledge, on April 22, 2015, I electronically filed the foregoing Motion for Leave to Intervene with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the CM/ECF system.

I certify further that I have directed that copies of the foregoing Motion for Leave to Intervene be served by electronic service via CM/ECF or by first-class mail, as indicated, to the following persons.

/s/ Harold Feld

Harold Feld
Senior Vice President
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