



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FOR IMMEDIATE RELEASE  
October 6, 2003

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## **Statement of FCC Chairman Michael Powell On 9th Circuit Cable Modem Decision**

I am disappointed that the Court felt that it was bound by its prior decision and did not address the merits of the Commission's classification.

Unfortunately, as noted by Judge O'Scannlain, the ruling "effectively stops a vitally important policy debate in its tracks," producing "a strange result" which will throw a monkey wrench into the FCC's efforts to develop a vitally important national broadband policy.

I will direct the FCC's General Counsel to appeal.