

IN THE
UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

In re: FCC 11-161 (No. 11-9900)

ERRATUM TO
UNCITED JOINT UNIVERSAL SERVICE FUND PRINCIPAL BRIEF

The National Association of State Utility Consumer Advocates ("NASUCA"), a Petitioner in the above-captioned proceeding and a participant in the "Uncited Joint Universal Service Fund Principal Brief," respectfully submits the following erratum to said brief.

Footnote 32 on page 60 of the Brief designates certain parties' non-joinder in certain portions of the Brief. NASUCA's position is described as: "NASUCA does not join in Sections III, V, VII, VIII and XI." This is and was incorrect.

NASUCA communicated its non-joinder on certain issues in terms of the statement of issues,¹ which were Arabic-numbered in that stage of the draft Brief.² Inadvertently, in the filed version of

¹ See Brief at 1-3.

² The issues were listed in the e-mail as "Issue 3, Issue 5, Issue 7, Issue 8, and Issue 11."

the Brief, those Arabic-numbered issues were converted to the Roman-numbered sections of the Brief listed in the footnote.

NASUCA has determined that the issues as to which it wished to express non-joinder are represented by arguments II.C. and D., IV., V., VI. and IX in the filed Brief. Therefore, NASUCA respectfully requests that footnote 32 be corrected to read "NASUCA does not join in Sections II.C. and D., IV., V., VI. and IX."

This correction does not change the substance of any of the arguments in the brief. Thus no party to this appeal can be prejudiced by the correction. Harvey L. Reiter, who submitted the Brief on behalf of the Joint Petitioners, agrees that this correction is appropriate.

WHEREFORE, NASUCA respectfully requests that the Court accept this erratum to the Uncited Joint Universal Service Fund Brief.

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CERTIFICATE OF COMPLIANCE

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/s/ David C. Bergmann
October 31, 2012

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/s/ David C. Bergmann
October 31, 2012