

**Updated: February 3, 2014**

**LIST OF PENDING APPELLATE CASES**

Name:	Ion Media Chicago License, Inc. v. FCC
Case No:	01-1457
Court:	District of Columbia Circuit
FCC Order Description:	In re: Paxson Chicago License, Inc. v. 21 <sup>st</sup> Century TV Cable, Inc., et al., DA 01-149, 16 FCC Rcd 2185 and Paxson Chicago License, Inc. v. 21 <sup>st</sup> Century TV Cable, Inc., et al., 16 FCC Rcd 15571 (2001). Not docketed. FCC Order No. 01-226
Case Description:	Paxson challenges the FCC's denial of its "must carry" complaints against thirteen Chicago cable operators on the basis of a finding that no current FCC rules require mandatory carriage of both a broadcaster's digital and analog signal among other things.
Status:	Held in abeyance.

Name:	James A. Kay, Jr., et al. v. FCC
Case No:	06-1076
Court:	District of Columbia Circuit
FCC Order Description:	In re: improving public safety communications in the 800 MHz band, 22 FCC Rcd 10467 (2007) and previous underlying orders, FCC Docket No. WT 02-55, et al. FCC Order No. 05-174, et al.
Case Description:	Petitioners challenge the FCC's decisions restructuring the 800 MHz band to reduce radiofrequency interference to public safety systems. Among other things, they claim that the decisions unfairly discriminate between similarly situated parties.
Status:	Held in abeyance.

Name:	Sprint Nextel Corporation v. FCC
Case No:	06-1278
Court:	District of Columbia Circuit
FCC Order Description:	In re: review of the spectrum sharing plan among non-geostationary satellite orbit mobile satellite service systems in the 1.6/2.4 GHz bands, 19 FCC Rcd 13356 (2004), et al., FCC Docket No. WT 03-66, et al. FCC Order No. 04-134 and 06-46.
Case Description:	Petitioner seeks review of the FCC's orders in which the FCC adopted a plan for spectrum sharing among operators in the 2495-2690 MHz bands.
Status:	Held in abeyance.

Name:	Tribune Company v. FCC
Case No:	07-1488
Court:	District of Columbia Circuit
FCC Order Description:	In re: shareholders of Tribune Co., and Sam Zell, et al. for consent to the transfer of control of the Tribune Co. and applications for the renewal of license of KTLA(TV), Los Angeles, 22 FCC Rcd 21266 (2007). FCC 07-211; MB Docket No. 07-119.
Case Description:	Appellants challenge the FCC's denial of their request for a waiver in selected markets of the FCC's "newspaper/broadcast cross-ownership rule," which prohibits common ownership of a daily newspaper and a broadcast station in the same market.
Status:	Held in abeyance. FCC status report filed January 31, 2014 informing court that the agency had issued an order resolving the pending petitions for reconsideration.

Name:	Verizon v. FCC
Case No:	11-1355
Court:	D.C. Cir.
FCC Order Description:	In the Matter of: Preserving the Open Internet; Broadband Industry Practices (rel. Dec. 23, 2010), FCC 10-201; GN Docket No. 09-191; WC Docket No. 07-52.
Case Description:	Verizon challenges the Commission's implementation of rules safeguarding the openness of the Internet.
Status:	Notice of Appeal filed September 30, 2011. Notice of Multicircuit Petitions for Review filed October 5, 2011. The Judicial Panel on Multidistrict Litigation randomly selected the U.S. Court of Appeals for the District of Columbia Circuit in which to consolidate these petitions for review on October 6, 2011. December 8, 2011 order consolidates case numbers 11-1356, 11-1403, 11-1404, and 11-1411 with lead case number 11-1355. Initial brief filed September 10, 2012. Court order dated July 3, 2012 granted Voluntary Dismissal of Case No. 11-1411 (Free Press). Sur-reply brief filed January 4, 2013. Final briefs filed January 18, 2013. Court order dated May 20, 2013 granted Voluntary Dismissal of Case Nos. 11-1403 and 11-1404 (MetroPCS). Oral argument held September 9, 2013. Vacated in part & Remand by Opinion January 14, 2014.

Name:	National Association of Broadcasters v. FCC & USA
Case No:	12-1225
Court:	D.C. Circuit
FCC Order Description:	Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations; Extension of the Filing Requirement for Children's Television Programming Report (FCC Form 398), FCC 12-44; MM Docket Nos. 00-44 and 00-168.
Case Description:	Petitioner challenges a Commission report and order that adopted FCC rules requiring that television stations post public files on FCC hosted website.
Status:	Held in abeyance.

Name:	Agape Church, Inc., et al. v. FCC & USA
Case No:	12-1334
Court:	D.C. Circuit
FCC Order Description:	In the Matter of Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules, FCC 12-59; CS Docket No. 98-120.
Case Description:	The petitioning broadcasters seek review of an FCC rulemaking order that allowed the agency's "viewability rule" (which required certain cable operators to carry the signals for local over-the-air television channels in both analog and digital format) to sunset.
Status:	Petition for Review filed July 31, 2012. Petitioner's Joint Motion for Stay denied September 24, 2012. Record filed September 14, 2012. Initial brief filed December 21, 2012. Final brief filed February 14, 2013. Oral argument held September 27, 2013. Petition for Review denied by Opinion December 27, 2013.

Name:	Comcast Cable Communications, LLC v. FCC & USA
Case No:	12-1337
Court:	D.C. Circuit
FCC Order Description:	In the Matter of Tennis Channel, Inc., Complainant v. Comcast Cable Communications, LLC, Defendant, FCC 12-78; MB Docket No. 10-204.
Case Description:	Comcast challenges an FCC order granting a complaint filed by Tennis Channel holding that Comcast had violated Section 616 by providing broader carriage to its affiliated sports networks, Gof Channel and Versus, than it gives to Tennis Channel.
Status:	Petition for Review filed August 1, 2012. Record filed September 17, 2012. Initial brief filed November 7, 2012. Final brief filed December 3, 2012. Oral argument held February 25, 2013. Petition for Review granted by Opinion May 28, 2013. Tennis Channel's Petition for Rehearing and Petition for Rehearing En Banc denied by court order September 4, 2013. Mandate issued September 13, 2013. Tennis Channel's Petition for Writ of Certiorari filed December 3, 2013.

Name:	Blanca Telephone Company, et al. v. FCC & USA
Case No:	12-1365
Court:	D.C. Circuit
FCC Order Description:	In The Matter of Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones - - Petitions for Waiver of Section 20.19 of the Commission's Rules, FCC 08-07 and 12-89; WT Docket No. 01-309.
Case Description:	Petitioners seek review of the FCC's denial of their requests for waiver of the September 18, 2006 deadline to provide handsets that meet the FCC's hearing aid compatibility standard for inductive coupling.
Status:	Petition for Review filed August 23, 2012. Initial brief filed March 1, 2013. Final brief filed April 5, 2013. Oral argument held September 20, 2013.

Name:	Global Crossing Bandwidth, Inc. v. FCC & USA
Case No:	12-1482
Court:	D.C. Circuit
FCC Order Description:	In the Matter of Universal Service Contribution Methodology
Case Description:	Global Crossing challenges <i>Universal Service Contribution Methodology</i> , FCC 12-134, WC Docket No. 06-122 (rel. Nov. 5, 2012). In that Order, the FCC affirmed certain aspects of its universal service contribution methodology – specifically, the contribution obligations of a wholesale carrier. The FCC also provided guidance on the type and quality of evidence that the Universal Service Administrative Company (“USAC”) should use in evaluating a wholesale carrier’s claim that it should not be held responsible for making universal service contributions based on revenues from providing service to reseller customers.
Status:	Court order December 13, 2013 continued to hold case in abeyance and ordered parties to file motions to govern further proceedings by March 12, 2014.

Name:	Illinois Public Telecommunications Association v. FCC & USA
Case No:	13-1059
Court:	D.C. Circuit
FCC Order Description:	In re: Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, FCC 13-24, CC Docket No. 96-128 (rel: February 27, 2013)
Case Description:	This case challenges the Commission's decision not to preempt the decisions of several state regulatory agencies that declined to order refunds of charges collected by LECs from payphone service providers.
Status:	Petition for Review filed March 8, 2013. Case numbers 13-1083 & 13-1149 consolidated with this case. Record filed April 25, 2013. Initial brief filed November 5, 2013. Final brief filed January 28, 2014.

Name:	Sorenson Communications Inc., et al. v. FCC & USA
Case No:	13-1122
Court:	D.C. Circuit
FCC Order Description:	Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, FCC 13-13, GC Docket Nos. 13-24 and 03-123 (rel. January 25, 2013)
Case Description:	Petitioners challenge a Commission report and order that adopted interim rules governing IP CTS (Internet Protocol Captioned Telephone Service)
Status:	Petition for Review filed April 8, 2013. Petitioner's Motion for Summary Reversal denied by court order October 16, 2013. By court order December 6, 2013, case number 13-1246 was consolidated with this case and the court granted in part & denied in part the motion for stay filed in case number 13-1246. Initial brief due February 5, 2014. Final brief due March 13, 2014.

Name:	DISH Network, LLC v. FCC & USA
Case No:	13-1182
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: The Joint Petition Filed by DISH Network, LLC, The United States of America, and the States of California, Illinois, North Carolina, and Ohio for Declaratory Ruling Concerning the Telephone Consumer Protection Act (TCPA) Rules, FCC 13-54, CG Docket No. 11-50 (rel. May 9, 2013).
Case Description:	Petitioner challenges a Commission Declaratory Ruling holding that a seller may be vicariously liable under federal common law agency principles for violations of the Telephone Consumer Protection Act committed by third-party telemarketers.
Status:	Petition for Review filed May 17, 2013. Record filed July 3, 2013. FCC Final brief filed November 7, 2013. Oral argument held January 13, 2014. Petition for Review dismissed by unpublished Judgment January 22, 2014.

Name:	Sorenson Communications, Inc. v. FCC & USA
Case No:	13-1215
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Structure and Practices of the Video Relay Service Program - - Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, FCC 13-82; CG Docket Nos. 03-123 and 10-51.
Case Description:	Petitioner challenges a Commission report and order that adopted rules to reform VRS (Video Relay Service).
Status:	Petition for Review filed July 11, 2013. Initial brief filed December 20, 2013. Final brief filed January 28, 2014. Oral argument scheduled for March 17, 2014.

Name:	Verizon and AT&T, Inc. v. FCC & USA
Case No:	13-1220
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Petition of USTelecom for Forbearance Under 47 U.S.C. 160(c) from Enforcement of Certain Legacy Telecommunications Regulation, FCC 13-69; WC Docket No. 12-61.
Case Description:	Verizon and AT&T seek review of the FCC's order denying in part a petition filed by US Telecomm asking for forbearance from a number of rules, including the Part 32 Uniform System of Accounts for price cap carriers.
Status:	Petition for Review filed July 15, 2013. Record filed August 30, 2013. Initial brief due February 18, 2014. Final brief due April 1, 2014.

Name:	Spectrum Five LLC v. FCC
Case No:	13-1231
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: EchoStar Satellite Operating Company – Application for Special Temporary Authority Related to Moving the EchoStar 6 Satellite from the 77° W.L. Orbital Location to the 96.2° W.L. Orbital Location, and to Operate at the 96.2° W.L. Orbital Location, FCC 13-93 (released July 9, 2013) and DA 13-593 (released April 1, 2013)
Case Description:	Spectrum Five challenges the FCC's decision to grant EchoStar's request for Special Temporary Authority to relocate one of EchoStar's satellites to another orbital location.
Status:	Notice of Appeal filed August 2, 2013. Record filed September 19, 2013. Order dated October 2, 2013 denied Appellant's Motion for Summary Reversal. FCC Final brief filed December 23, 2013. Oral argument scheduled for March 11, 2014.



Name:	Sorenson Communications, Inc., et al. v. FCC & USA
Case No:	13-1246
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Misuse of Internet Protocol (IP) Captioned Telephone Service - - Telecommunications Rely Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, FCC 13-118; CG Docket Nos. 03-123 and 13-24
Case Description:	Petitioners challenge a Commission report and order that adopted permanent rules governing IP CTS (Internet Protocol Captioned Telephone Service).
Status:	Petition for Review filed September 6, 2013. Petitioner's Motion for Judicial Stay granted in part & denied in part by court order December 6, 2013. This case is consolidated with case number 13-1122.

Name:	Sky Television, LLC. v. FCC & USA
Case No:	13-1270
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Assessment and Collection of Regulatory Fees for Fiscal Year 2013; Procedures for Assessment and Collection of Regulatory Fees; and Assessment and Collection of Regulatory Fees for Fiscal Year 2008, FCC 13-110; MD Docket Nos. 08-65, 12-201 and 13-140.
Case Description:	Sky Television challenges the Commission's decision to postpone, until fiscal year 2014, the effective date of its combination of regulatory fees for same-market VHF and UHF digital television stations into a single category, as set forth in Assessment and Collection of Regulatory Fees for Fiscal Year 2013, Procedures for Assessment and Collection of Regulatory Fees, Assessment and Collection of Regulatory Fees for Fiscal Year 2008, 28 FCC Rcd 12351 (2013).
Status:	Petition for Review filed October 22, 2013. Record filed December 9, 2013. Initial brief due March 31, 2014. Final brief due May 5, 2014.

Name:	Securus Technologies, Inc. v. FCC & USA
Case No:	13-1280
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Rates for Interstate Inmate Calling Services, FCC 13-113 (rel: September 26, 2013), WC Docket No. 12-375
Case Description:	In the order on review, the Commission required that end user rates for payphone calls placed from incarceration facilities, known as Inmate Calling Services, be based on the costs of providing service. As an interim measure to bring rates closer to costs pending receipt of additional information on which to base a permanent regime, the agency established a two-tiered rate cap pricing system that includes a “safe harbor” rate and a higher hard cap that no carrier may exceed without a waiver.
Status:	Petition for Review filed November 14, 2013. Case numbers 13-1281, 13-1291, 13-1300, 14-1003 & 14-1006 consolidated with this case. Record filed December 30, 2013. Court order January 13, 2014 granted in part & denied in part petitioners’ motions for judicial stay. Parties ordered to submit proposed briefing format within 30 days of this order.

Name:	Global Tel*Link v. FCC & USA
Case No:	13-1281
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Rates for Interstate Inmate Calling Services, FCC 13-113 (rel: September 26, 2013), WC Docket No. 12-375
Case Description:	In the order on review, the Commission required that end user rates for payphone calls placed from incarceration facilities, known as Inmate Calling Services, be based on the costs of providing service. As an interim measure to bring rates closer to costs pending receipt of additional information on which to base a permanent regime, the agency established a two-tiered rate cap pricing system that includes a “safe harbor” rate and a higher hard cap that no carrier may exceed without a waiver.
Status:	Petition for Review filed November 14, 2013. Consolidated with case number 13-1280.

Name:	CenturyLink Public Communications, Inc. v. FCC & USA
Case No:	13-1291
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Rates for Interstate Inmate Calling Services, FCC 13-113 (rel: September 26, 2013), WC Docket No. 12-375
Case Description:	In the order on review, the Commission required that end user rates for payphone calls placed from incarceration facilities, known as Inmate Calling Services, be based on the costs of providing service. As an interim measure to bring rates closer to costs pending receipt of additional information on which to base a permanent regime, the agency established a two-tiered rate cap pricing system that includes a “safe harbor” rate and a higher hard cap that no carrier may exceed without a waiver.
Status:	Petition for Review filed November 22, 2013. Consolidated with case number 13-1280.

Name:	Manifest Wireless, LLC v. FCC
Case No:	13-1299
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Promoting Interoperability in the 700 MHz Commercial Spectrum - - Requests for Waiver and Extension of Lower 700 MHz Band Interim Construction Benchmark Deadlines, FCC 13-136 (rel: October 29, 2013), WT Docket Nos. 12-69 & 12-332
Case Description:	Appellant Manifest Wireless (a subsidiary of DISH Network) challenges the FCC's 700 MHz Interoperability Order insofar as it modifies certain technical requirements for the Lower 700 MHz E Block in order to curb the potential for harmful interference.
Status:	Notice of Appeal filed December 5, 2013. Motion for Voluntary Dismissal of Appeal filed January 14, 2014, granted by court order January 21, 2014.

Name:	Mississippi Dept. of Corrections, et al. v. FCC & USA
Case No:	13-1300
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Rates for Interstate Inmate Calling Services, FCC 13-113 (rel: September 26, 2013), WC Docket No. 12-375
Case Description:	In the order on review, the Commission required that end user rates for payphone calls placed from incarceration facilities, known as Inmate Calling Services, be based on the costs of providing service. As an interim measure to bring rates closer to costs pending receipt of additional information on which to base a permanent regime, the agency established a two-tiered rate cap pricing system that includes a “safe harbor” rate and a higher hard cap that no carrier may exceed without a waiver.
Status:	Petition for Review filed December 9, 2013. Consolidated with case number 13-1280.

Name:	Mary V. Harris Foundation v. FCC
Case No:	13-1304
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Holy Family Communications, Inc. – For a New Noncommercial FM Station at Lancaster, New York, FCC 13-41 (rel: April 2, 2013)
Case Description:	An appeal involving the grant of a construction permit for a new noncommercial educational FM broadcast station in western NY. Appellant primarily argues that the Media Bureau was unreasonable in not granting the Foundation a dispositive “fair distribution preference” where the station would be close to, but under, the threshold set out in the rules for that preference.
Status:	Appeal filed December 13, 2013. Record filed January 30, 2014.

Name:	Warren C. Havens v. FCC
Case No:	13-1314
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Warren C. Havens – Applications to Provide Automated Maritime Telecommunications Systems Stations at Various Locations in Texas . . . , FCC 13-151 (rel: November 26, 2013)
Case Description:	Appeal from the Commission's order denying review of a staff decision that dismissed Havens' petition for reconsideration of an earlier Commission order sanctioning him for having abused the agency's processes in a specified licensing proceeding.
Status:	Appeal filed December 26, 2013. Notice of Voluntary Dismissal filed January 27, 2014.

Name:	Alpine PCS, Inc. v. FCC
Case No:	13-5205
Court:	D.C. Circuit
FCC Order Description:	No FCC Order
Case Description:	Appeal from a June 3, 2013 district court order in which the court dismissed Alpine's claims.
Status:	Appeal filed July 10, 2013. Government's brief filed November 25, 2013.

Name:	Pay Tel Communications, Inc. v. FCC & USA
Case No:	14-1003
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Rates for Interstate Inmate Calling Services, FCC 13-113 (rel: September 26, 2013), WC Docket No. 12-375
Case Description:	In the order on review, the Commission required that end user rates for payphone calls placed from incarceration facilities, known as Inmate Calling Services, be based on the costs of providing service. As an interim measure to bring rates closer to costs pending receipt of additional information on which to base a permanent regime, the agency established a two-tiered rate cap pricing system that includes a “safe harbor” rate and a higher hard cap that no carrier may exceed without a waiver.
Status:	Petition for Review filed January 9, 2014. Consolidated with case number 13-1280.

Name:	Arizona Dept. of Corrections v. FCC & USA
Case No:	14-1006
Court:	D.C. Circuit
FCC Order Description:	In the Matter of: Rates for Interstate Inmate Calling Services, FCC 13-113 (rel: September 26, 2013), WC Docket No. 12-375
Case Description:	In the order on review, the Commission required that end user rates for payphone calls placed from incarceration facilities, known as Inmate Calling Services, be based on the costs of providing service. As an interim measure to bring rates closer to costs pending receipt of additional information on which to base a permanent regime, the agency established a two-tiered rate cap pricing system that includes a “safe harbor” rate and a higher hard cap that no carrier may exceed without a waiver.
Status:	Petition for Review filed January 13, 2014. Consolidated with case number 13-1280.

Name:	Bloomberg, LP. v. FCC & USA
Case No:	13-3788
Court:	Second Circuit
FCC Order Description:	In the Matter of: Bloomberg, LP, Complainant v. Comcast Cable Communications, LLC, Defendant. FCC 13-124; MB Docket No. 11-104
Case Description:	Bloomberg and Comcast Cable seek review of an FCC order affirming staff decisions partially granting Bloomberg's complaint for enforcement of a condition to the FCC's approval of Comcast's merger with NBC Universal. That condition requires Comcast to carry all independent news and business news channels in a neighborhood if it places any such programming in a neighborhood of similar programming. The Commission held that a grouping of four news or business news channels within any five adjacent channel positions qualifies as a news neighborhood, whether or not that channel grouping existed at the time of the merger.
Status:	Petition for Review filed October 7, 2013. Case number 13-4407 consolidated with this case. FCC brief due June 27, 2014.

Name:	Comcast Cable Communications, LLC. v. FCC & USA
Case No:	13-4407
Court:	Second Circuit
FCC Order Description:	In the Matter of: Bloomberg, LP, Complainant v. Comcast Cable Communications, LLC, Defendant. FCC 13-124; MB Docket No. 11-104
Case Description:	Comcast Cable and Bloomberg seek review of an FCC order affirming staff decisions partially granting Bloomberg's complaint for enforcement of a condition to the FCC's approval of Comcast's merger with NBC Universal. That condition requires Comcast to carry all independent news and business news channels in a neighborhood if it places any such programming in a neighborhood of similar programming.
Status:	Petition for Review filed October 7, 2013 (formerly case number 13-1266 (D.C. Cir.)). Notice of Multicircuit Petitions for Review filed October 15, 2013. The Judicial Panel on Multidistrict Litigation randomly selected the U.S. Court of Appeals for the Second Circuit in which to consolidate these petitions for review on October 16, 2013. This case is consolidated with case number 13-3788.

Name:	Dayton Access Television, Inc. v. FCC
Case No:	07-4467
Court:	Sixth Circuit
FCC Order Description:	In re: implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992, 22 FCC Rcd 19633 (2007). FCC Docket No. MB 05-311. FCC Order No. 07-190.
Case Description:	Petitioners challenge the FCC's decision to extend a number of the rules adopted in the first Section 621 Order to applications for franchise renewals by incumbent cable operators.
Status:	Held in abeyance.

Name:	National Cable & Telecommunications Association v. FCC
Case No:	08-3369
Court:	Sixth Circuit
FCC Order Description:	In the Matter of: Leased Commercial Access, R&O and Further NPR, 23 FCC Rcd 2909 (2008). FCC Docket No. MB 07-42. FCC Order No. 07-208.
Case Description:	Petitioners challenge the FCC's modification of its leased access rules, which require cable operators to provide channel capacity for commercial use by unaffiliated programmers pursuant to 47 U.S.C. 532.
Status:	Held in abeyance.



Name:	Minority Television Project, Inc. v. FCC
Case No:	09-17311
Court:	Ninth Circuit
FCC Order Description:	None
Case Description:	Minority Television Project is the licensee of a non-commercial educational station in San Francisco. After the station was found to have broadcast unlawful promotional advertisements and fined \$10,000, it filed suit in district court challenging both the fine and aspects of the restrictions on promotional advertisements on public stations. The district court dismissed part of Minority's case and granted summary judgment in favor of the government on the remainder. Minority now seeks appellate review of those decisions.
Status:	En Banc opinion issued December 2, 2013 affirmed district court opinion in its entirety and upheld the constitutionality of section 399B of the Communications Act. Mandate issued January 27, 2014.

Name:	In re: FCC 11-161
Case No:	11-9900
Court:	Tenth Circuit
FCC Order Description:	In the Matter of: Connect America Fund. WC 10-90, 07-135, 05-337 and 03-109; GN 09-51; CC 01-92 and 96-45; WT 10-208. FCC 11-161
Case Description:	Petitioners challenge various aspects of an order in which the FCC comprehensively reformed its universal service and intercarrier compensation systems.
Status:	Petition for Review filed December 2, 2011. Thirty-One (31) additional petitions for review have been consolidated with this lead case. FCC filed thirteen (13) responsive briefs in February - March 2013. FCC Final briefs filed July 24 and July 29, 2013. Oral argument held November 19, 2013.

<b>Name:</b>	Council Tree Investors, Inc., et al. v. FCC
<b>Case No:</b>	12-9543
<b>Court:</b>	Tenth Circuit
<b>FCC Order Description:</b>	In the Matter of: Waiver of Section 1.2110(b)(3)(iv)(A) of the Commission's Rules for the Upper 700 MHz Band D Block License (rel. Nov. 15, 2007). FCC 07-197. In the Matter of: Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures (rel. Feb. 1, 2012). WT Docket No. 05-211. FCC 12-12.
<b>Case Description:</b>	Petitioners seek to rescind the 700 MHz spectrum license auction (Auction 73) by challenging FCC orders granting a limited waiver of one designated entity eligibility rule in connection with that auction.
<b>Status:</b>	Petition for Review filed March 29, 2012. Record filed May 9, 2012. Brief filed July 23, 2012. Oral argument held November 5, 2012. Petition for Review dismissed in part and denied in part by Opinion January 3, 2014.

<b>Name:</b>	National Telecommunications Cooperative Ass'n v. FCC & USA
<b>Case No:</b>	13-9587
<b>Court:</b>	Tenth Circuit
<b>FCC Order Description:</b>	In the Matter of: Connect America Fund; High-Cost Universal Service Support, WC Docket Nos. 10-90 & 05-337, DA 12-646, (rel. April 25, 2012), and FCC 13-16 (rel. Feb. 27, 2013)
<b>Case Description:</b>	Petitioner challenges the Sixth Order on Reconsideration in the Commission's Connect America Fund proceeding.
<b>Status:</b>	Petition for Review filed May 20, 2013. Court order dated August 28, 2013, transferred this case from the Fourth Circuit (No. 13-1661) to the Tenth Circuit. Docketed in Tenth Circuit under Case No. 13-9587 on August 29, 2013. Court order September 10, 2013 held this case in abeyance pending the outcome of In Re: FCC 11-161, case number 11-9900.

Name:	Accipiter Communications, Inc. v. FCC & USA
Case No:	13-9590
Court:	Tenth Circuit
FCC Order Description:	In the Matter of: Connect America Fund; High-Cost Universal Service Support, WC Docket Nos. 10-90 & 05-337, FCC 11-161 (rel. Nov. 18, 2011), and FCC 13-16 (rel. Feb. 27, 2013)
Case Description:	Petitioner challenges the Sixth Order on Reconsideration in the Commission's Connect America Fund proceeding.
Status:	Petition for Review filed May 20, 2013. FCC's Motion to Transfer (to 10 <sup>th</sup> Circuit) filed June 6, 2013. Court order dated August 26, 2013 transferred this case from the Ninth Circuit (No. 13-71760) to the Tenth Circuit. Docketed in Tenth Circuit under Case No. 13-9590 on September 5, 2013. Petitioner's Motion to Establish Briefing Schedule filed September 17, 2013. FCC's response and Motion to Hold in Abeyance filed September 26, 2013. Petitioner's reply filed October 9, 2013. Court order dated October 10, 2013 denied Motion to Establish Briefing Schedule and held case in abeyance pending outcome of In Re: FCC 11-161, case number 11-9900.