

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-1122**September Term, 2018****Filed On:** October 11, 2018

In re: NTCH, Inc.,

Petitioner

BEFORE: Henderson, Millett, and Wilkins, Circuit Judges**ORDER**

Upon consideration of the petition for writ of mandamus, the response thereto, and the reply, it is

ORDERED that the petition be denied. The Federal Communications Commission Wireless Telecommunications Bureau denied petitioner's petition for reconsideration on August 7, 2018. Therefore, to the extent petitioner seeks mandamus relief ordering the Bureau or the full Commission to act on the reconsideration petition, that request is now moot. See Daimler Trucks North America LLC v. EPA, 745 F.3d 1212, 1216 (D.C. Cir. 2013) (a case is moot "if events have so transpired that the decision will neither presently affect the parties' rights nor have a more-than-speculative chance of affecting them in the future") (internal quotation marks and citation omitted). Further, petitioner has not shown that the full Commission has delayed in acting on an application for review of the Bureau's decision denying the reconsideration petition, nor has petitioner demonstrated that any such delay "is so egregious as to warrant mandamus." Telecommunications Research & Action Ctr. v. FCC, 750 F.2d 70, 79 (D.C. Cir. 1984). Denial of this aspect of the mandamus petition is without prejudice to renewal in the event of significant delay.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.

Per Curiam