

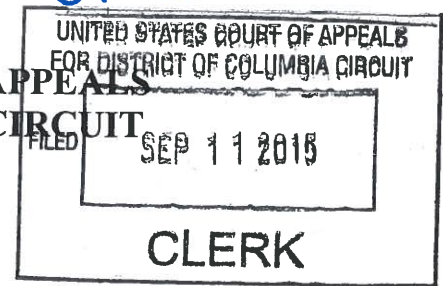
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UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUITIN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

SEP 11 2015

UNITED STATES TELECOM ASSOCIATION,  
**RECEIVED***Petitioner,*

v.

FEDERAL COMMUNICATIONS COMMISSION  
and UNITED STATES OF AMERICA,*Respondents.*No. 15-1322**PETITION FOR REVIEW**

Pursuant to 5 U.S.C. § 706, 47 U.S.C. § 402(a), 28 U.S.C. §§ 2342(1) and 2344, and Federal Rule of Appellate Procedure 15(a), the United States Telecom Association (“USTelecom”) hereby petitions this Court for review of the order of the Federal Communications Commission (“Commission”). *See* Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, *Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund*, 30 FCC Rcd 7818 (2015) (“*Order*”). The *Order*, a copy of which is attached as Exhibit A to this petition, was released on June 22, 2015, and published in the Federal Register on July 14, 2015 (80 Fed. Reg. 40,923). Venue is proper in this Court pursuant to 28 U.S.C. § 2343.

In the *Order*, the Commission, among other things, asserted authority under 47 U.S.C. § 201(b) and 47 U.S.C. § 222(a) to impose on telecommunications carriers duties to protect the confidentiality of information that does not qualify as customer proprietary network information under 47 U.S.C. § 222(c). The Commission, moreover, relied on that asserted authority to adopt regulations imposing such duties on Eligible Telecommunications Carriers, including members of USTelecom.

USTelecom and its members, which participated in the proceedings below, must comply with those new regulations. USTelecom is thus aggrieved by the *Order* and has standing to challenge it.

USTelecom seeks review on the ground that the FCC's assertion of authority under 47 U.S.C. § 201(b) and 47 U.S.C. § 222, and the regulations promulgated pursuant to that asserted authority, are in excess of statutory authority, arbitrary, capricious, an abuse of discretion, or otherwise contrary to law. USTelecom requests that the Court hold unlawful and vacate this portion of the *Order*.

Respectfully submitted,



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September 11, 2015

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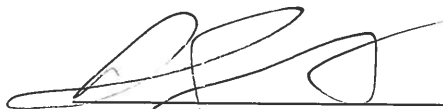
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**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and this Court’s Rule 26.1, United States Telecom Association (“USTelecom”) respectfully submits the following corporate disclosure statement.

USTelecom is a non-profit association of service providers and suppliers for the telecom industry. Its members provide services to millions of consumers and business across the country. USTelecom has no parent corporation, and no publicly held corporation owns 10 percent or more of its stock.

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September 11, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that, on September 11, 2015, I caused one copy of the foregoing Petition for Review and Corporate Disclosure Statement to be served on the following counsel by the manner indicated:

*By First Class Mail and  
Electronic Mail*

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