



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Acting Chief, Wireline Competition Bureau
Acting Chief, Consumer & Governmental Affairs Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *National Association of State Utility Consumer Advocates v. FCC & USA*,
Eleventh Cir. No. 05-11682D and *Vermont Public Service Board v. FCC & USA*,
Second Cir. No. 05-1578-AG. Filing of Petitions for Review in the United States
Courts of Appeals for the Eleventh and Second Circuits.

DATE: April 15, 2005

This is to advise you that, on March 28, 2005, the National Association of State Utility Consumer Advocates ("NASUCA") and Vermont Public Service Board ("Vermont") filed Petitions for Review in the U.S. Courts of Appeals for the Eleventh and Second Circuits, respectively, pursuant to 47 U.S.C. 402(a), of the following order: *In the Matter of Truth-in-Billing Format; National Association of State Utility Consumer Advocates' Petition for Declaratory Ruling Regarding Truth-in-Billing*, Second Report and Order, Declaratory Ruling, and Second Further Notice of Proposed Rulemaking, CC Docket No. 98-170 and CG Docket No. 04-208, FCC 05-55 (rel. March 18, 2005).

NASUCA and Vermont challenge the above-referenced order that clarifies and restates the Commission's policies regarding the use of separate line items in telephone company bills for service, to ensure that such line items are not misleading and do not incorrectly state that certain billing amounts are the result of government impositions of fees.

The Courts have docketed these cases as Nos. 05-11682D and 05-1578-AG. On April 7, 2005, the Judicial Panel on Multidistrict Litigation randomly selected the Eleventh Circuit in which to consolidate these petitions for review. The attorney assigned to handle the litigation of these cases is Laurence N. Bourne.