



FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

# Memorandum

**TO:** Director, Reference Information Center

**FROM:** *DMA*  
Daniel M. Armstrong  
Associate General Counsel

**SUBJECT:** MTPCS, LLC v. FCC & USA, No. 08-1285. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

**DATE:** December 23, 2008

This is to advise you that on August 29, 2008, MTPCS, LLC, d/b/a Cellular One ("Petitioner") filed a Petition for Review in the U.S. Court of Appeals for the District of Columbia Circuit pursuant to 47 U.S.C. § 402(a), of the following order: *In the Matter of High-Cost Universal Service Support Federal-State Joint Board on Universal Service Alltel Communications, Inc., et al. Petitions for Designation as Eligible Telecommunications Carriers RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment*, WC Docket No. 05-337, CC Docket No. 96-45, Order, 23 FCC Rcd 8834 (2008).

Petitioner challenges an order that amends the Commission's rules to adopt an interim, emergency cap on the amount of high-cost support that competitive eligible telecom. carriers may receive. This case has been consolidated with case number 08-1284.

The Court has docketed this case as No. 08-1285. The attorney assigned to handle the litigation of this case is Maureen K. Flood.