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FEB 23 2018 IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

RECEIVED
NATIONAL HISPANIC MEDIA
COALITION,
Petitioner
v.
FEDERAL COMMUNICATIONS
COMMISSION and the UNITED
STATES OF AMERICA,
Respondents

18-1056
CASE NO. _____

PETITION FOR REVIEW

Pursuant to 5 U.S.C. § 706, 47 U.S.C. § 402(a), 28 U.S.C. §§ 2342(1) and 2344, Rule 15(a) of the Federal Rules of Appellate Procedure, and Rule 15 of the Rules of this Court, National Hispanic Media Coalition (“NHMC”) petitions this Court for review of the order of the Federal Communications Commission (“FCC”) captioned *In the Matter of Restoring Internet Freedom*, Declaratory Ruling, Report and Order, and Order, WC Docket No. 17-108, FCC 17-166, 83 Fed. Reg. 7852 (Feb. 22, 2018) (“Order”). A copy of the Order is contained in Exhibit A to this Petition.

Venue is proper in this Court pursuant to 28 U.S.C. § 2343.

NHMC was a party to and actively participated in the underlying proceeding before the FCC that led to the Order, and is aggrieved by the Order


within the meaning of 28 U.S.C. § 2344. In the Order, the FCC eliminated the rules that it promulgated in 2015 and that this Court upheld. *See In re Protecting and Promoting the Open Internet*, Report and Order On Remand, Declaratory Ruling, and Order, GN Docket No. 14-28, 30 FCC Red. 5601 (2015), *aff'd sub nom. U.S. Telecom Ass'n v. FCC*, 825 F.3d 674 (D.C. Cir. 2016). In the Order, the FCC reclassified broadband Internet access service from a telecommunication service subject to Title II of the Communications Act of 1934, as amended, to an information service subject to Title I of that Act. The Order also, among other things, denied NHMC's and others' Joint Motion To Make Informal Open Internet Complaint Documents Part of the Record and To Set a Pleading Cycle for Comment on Them.

NHMC seeks a determination by this Court that the Order is arbitrary, capricious, and an abuse of discretion within the meaning of the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*; violates federal law, including, but not limited to, the Communications Act of 1934, as amended, and FCC regulations promulgated thereunder; conflicts with the notice-and-comment rulemaking requirements of 5 U.S.C. § 553; and is otherwise contrary to law.

NHMC respectfully requests that the Court grant this Petition, hold unlawful, vacate, enjoin, and set aside the Order, and provide such additional relief as may be proper.

Respectfully submitted,

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FEBRUARY 23, 2018

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Local Rule 26.1 of this Court, National Hispanic Media Coalition (“NHMC”) hereby submits the following disclosure statements.

NHMC is a non-partisan, non-profit, media advocacy and civil rights organization. Its mission includes advocacy on media and telecommunications policy issues. NHMC is a non-profit corporation that does not issue stock. It has no parent companies, subsidiaries, or affiliates.

Respectfully submitted,

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FEBRUARY 23, 2018

CERTIFICATE OF SERVICE

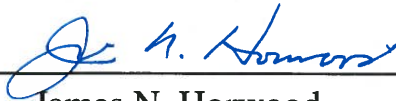
I hereby certify that I have on this 23rd day of February, 2018,
caused the foregoing documents to be served upon each person listed below in the
manner indicated, in accordance with Fed. R. App. P. 15(c):

By First Class Mail and Electronic Mail

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