

Dear Representative Reed:

Our Office, along with state attorneys general from 20 other states and the District of Columbia, has filed a Petition for Review in the United States Court of Appeals for the District of Columbia seeking to overturn the FCC's recent rollback of net neutrality rules. Our Petition for Review claims that the FCC's action violates the Administrative Procedures Act because it is "arbitrary, capricious and an abuse of discretion" and also violates other substantive federal laws and regulations. The litigation is still in its early stages. Because the matter is in litigation, we are reticent to comment publicly about strategies, legal theories and potential outcomes. To the extent it would be helpful, we would be willing to provide committee leadership with more information in a private setting. In the meantime, I have attached a copy of our press release about the court filing, which includes a link to the Petition for Review.

Regards,

Robert W. Clark

Special Counsel to the Attorney General

<http://www.ct.gov/ag/cwp/view.asp?Q=600182&A=2341>