



**U.S. Department of Justice
Office of the Solicitor General**

*Washington, D.C. 20530
November 22, 2017*

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Daniel Berninger v. FCC, et al., S.Ct No. 17-498
AT&T Inc. v. FCC, et al., S.Ct. No. 17-499
American Cable Association v. FCC, et al., S.Ct. No.17-500
CTIA-The Wireless Association, et al. v. FCC, et al., S.Ct. No. 17-501
NCTA-The Internet & Television Association v. FCC, et al., S.Ct. No. 502
Techfreedom, et al. v. FCC, et al., S.Ct. No. 17-503
U.S. Telecom Association, et al. v. FCC, et al., S.Ct. No. 17-504

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned cases were filed on September 27, 2017 and September 28, 2017, and placed on the docket on October 3, 2017. The government's response is due after one extension, on December 4, 2017. We respectfully request, under Rule 30.4 of the rules of this Court, an extension of time for all respondents to and including January 3, 2018, within to file a response..

This extension is necessary because the attorneys with principal responsibility for preparation of the government's response have been heavily engaged with the press of previously assigned matters with proximate due dates.

Counsels for petitioners does not oppose this further extension.

Sincerely,

Noel J. Francisco
Solicitor General

cc: See Attached Service List

17-0498
BERNINGER, DANIEL
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

CHRIS FEDELI
JUDICIAL WATCH
425 THIRD ST., SW
SUITE 800
WASHINGTON, DC 20024
202-646-5172
CFEDELI@JUDICIALWATCH.ORG

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

SAM KAZMAN
COMPETITIVE ENTERPRISE INSTITUTE
1310 L ST. NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010
SAM.KAZMAN@CEI.ORG

MICHAEL K. KELLOGG
KELLOGG,HANSEN,TODD,FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

JEFFREY A. MANDELL
STAFFORD ROSENBAUM LLP
222 WEST WASHINGTON AVE.
SUITE 900
P.O. BOX 1784
MADISON , WI 53701-1784
608-210-6303
JMANDELL@STAFFORDLAW.COM

RYAN C. RADIA
COMPETITIVE ENTERPISE INSTITUTE
1310 L STREET NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010

STEPHEN J. ROSEN
LB3 LEVINEBLASZAK BLOCK & BOOTHBY
2001 L STREET NW
SUITE 900
WASHINGTON, DC 20036
202-875-2550

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE., N.W.
WASHINGTON , DC 20036-5306
202-887-3599
HWALKER@GIBSONDUNN.COM

CHRISTOPHER J. WRIGHT
HARRIS, WILTSHIRE &
GRANNIS LLP
1919 M STREET N.W.
EIGHTH FLOOR
WASHINGTON, DC 20036
202-730-1300
CWRIGHT@HWGLAW.COM

17-0499
AT & T INC.
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

PETER D. KEISLER
SIDLEY AUSTIN LLP
1501 K STREET, NW
WASHINGTON, DC 20005
202-736-8000
PKEISLER@SIDLEY.COM

MICHAEL K. KELLOGG
KELLOGG,HANSEN,TODD,FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

DAVID R. MCATEE, II
AT & T INC.
1120 20TH STREET, NW
SUITE 1000
WASHINGTON, DC 20036
202-457-3055

RYAN C. RADIA
COMPETITIVE ENTERPRISE INSTITUTE
1310 L STREET NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010

STEPHEN J. ROSEN
LB3 LEVINEBLASZAK BLOCK & BOOTHBY
2001 L STREET NW
SUITE 900
WASHINGTON, DC 20036
202-875-2550

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE. N.W.
WASHINGTON, DC 20036-5306
202-887-3599
HWALKER@GIBSONDUNN.COM

CHRISTOPHER J. WRIGHT
HARRIS, WILTSHIRE &
GRANNIS LLP
1919 M STREET N.W.
EIGHTH FLOOR
WASHINGTON, DC 20036
202-730-1300
CWRIGHT@HWGLAW.COM

17-0500
AMERICAN CABLE ASSOCIATION
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

BARBARA S. ESBIN
PETR
1875 EYE STREET, NW
SUITE 700
WASHINGTON, DC 20006
202-872-6811

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

MICHAEL K. KELLOGG
KELLOGG,HANSEN,TODD,FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

JEFFREY A. LAMKEN
MOLOLAMKEN LLP
THE WATERGATE
600 NEW HAMPSHIRE AVE., NW
SUITE 660
WASHINGTON, DC 20037
202-556-2000
JLAMKEN@MOLOLAMKEN.COM

ROSS J. LIEBERMAN
AMERICAN CABLE ASSOCIATION
2415 39TH PLACE, NW
WASHINGTON, DC 20007
202-494-5561

RYAN C. RADIA
COMPETITIVE ENTERPRISE INSTITUTE
1310 L STREET NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010

STEPHEN J. ROSEN
LB3 LEVINEBLASZAK BLOCK & BOOTHBY
2001 L STREET NW
SUITE 900
WASHINGTON, DC 20036
202-875-2550

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE., N.W.
WASHINGTON, DC 20036-5306
202-955-8500
HWALKER@GIBSONDUNN.COM

CHRISTOPHER J. WRIGHT
HARRIS, WILTSHIRE &
GRANNIS LLP
1919 M STREET N.W.
EIGHTH FLOOR
WASHINGTON, DC 20036
202-730-1300
CWRIGHT@HWGLAW.COM

17-0501

CTIA-THE WIRELESS ASSOCIATION, ET AL.
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

MICHAEL K. KELLOGG
KELLOGG,HANSEN,TODD,FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

RYAN C. RADIA
COMPETITIVE ENTERPISE INSTITUTE
1310 L STREET NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010

REBEKAH PERRY RICKETTS
GIBSON, DUNN & CRUTCHER LLP
2100 MCKINNEY AVE.
DALLAS, TX 75201

STEPHEN J. ROSEN
LB3 LEVINEBLASZAK BLOCK & BOOTHBY
2001 L STREET NW
SUITE 900
WASHINGTON, DC 20036
202-875-2550

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE. N.W.
WASHINGTON, DC 20036-5306
202-887-3599
HWALKER@GIBSONDUNN.COM

CHRISTOPHER J. WRIGHT
HARRIS, WILTSHIRE &
GRANNIS LLP
1919 M STREET N.W.
EIGHTH FLOOR
WASHINGTON, DC 20036
202-730-1300
CWRIGHT@HWGLAW.COM

17-0502
NCTA-THE INTERNET & TELEVISION
ASSOCIATION
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

RICK C. CHESSEN
NCTA-THE INTERNET & TELEVISION
ASSOCIATION
25 MASSACHUSETTS AVENUE, NW
SUITE 100
WASHINGTON, DC 20001
202-222-2445

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

MIGUEL A. ESTRADA
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036
202-955-8500
MESTRADA@GIBSONDUNN.COM

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

MICHAEL K. KELLOGG
KELLOGG, HANSEN, TODD, FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE., N.W.
WASHINGTON, DC 20036-5306
202-955-8500
HWALKER@GIBSONDUNN.COM

CHRISTOPHER J. WRIGHT
HARRIS, WILTSHIRE &
GRANNIS LLP
1919 M STREET N.W.
EIGHTH FLOOR
WASHINGTON, DC 20036
202-730-1300
CWRIGHT@HWGLAW.COM

17-0503
TECHFREEDOM, ET AL.
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

MICHAEL K. KELLOGG
KELLOGG,HANSEN,TODD,FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

CHARLES KENNEDY
TECHFREEDOM
110 MARYLAND AVENUE, NE
SUITE 409
WASHINGTON, DC 20002
202-803-2867
BSZOKA@TECHFREEDOM.ORG

RYAN C. RADIA
COMPETITIVE ENTERPISE INSTITUTE
1310 L STREET NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010

STEPHEN J. ROSEN
LB3 LEVINEBLASZAK BLOCK & BOOTHBY
2001 L STREET NW
SUITE 900
WASHINGTON, DC 20036
202-875-2550

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE., N.W.
WASHINGTON, DC 20036-5306
202-955-8500
HWALKER@GIBSONDUNN.COM

CHRISTOPHER J. WRIGHT
HARRIS, WILTSHIRE &
GRANNIS LLP
1919 M STREET N.W.
EIGHTH FLOOR
WASHINGTON, DC 20036
202-730-1300
CWRIGHT@HWGLAW.COM

17-0504
U.S. TELECOM ASSOCIATION, ET AL.
FCC, ET AL.

DAVID C. BERGMANN
3293 NOREEN DRIVE
COLUMBUS, OH 43221
614-771-5979
DAVID.C.BERGMANN@GMAIL.COM

TIMOTHY M. BOUCHER
CENTURLINK
1099 NEW YORK AVENUE, NW
SUITE 250
WASHINGTON, DC 20001
303-992-5751

ANTHONY T. CASO
CENTER FOR CONSTITUTIONAL
JURISPRUDENCE
FOWLER SCHOOL OF LAW
CHAPMAN UNIVERSITY
ONE UNIVERSITY DRIVE
ORANGE, CA 92866
877-855-3330
CASO@CHAPMAN.EDU

MICHAEL A. CHEAH
VIMEO, INC.
555 WEST 18TH STREET
NEW YORK, NY 10011
212-314-7457
MICHAEL@VIMEO.COM

OLIVER J. DUNFORD
PACIFIC LEGAL FOUNDATION
930 G STREET
SACRAMENTO, CA 95814
916-419-7111
BAS@PACIFICLEGAL.ORG

MARKHAM C. ERICKSON
STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, NW
WASHINGTON, DC 20036-1795
202-429-8032
MERICKSON@STEPTOE.COM

LISA A. HAYES
CENTER FOR DEMOCRACY & TECHNOLOGY
1401 K STREET, NW
SUITE 200
WASHINGTON, DE 20005

MICHAEL K. KELLOGG
KELLOGG,HANSEN,TODD,FIGEL &
FREDERICK P.L.L.C
1615 M STREET, NW
SUITE 400
WASHINGTON, DC 20036
202-326-7900
MKELLOGG@KELLOGGHANSEN.COM

RYAN C. RADIA
COMPETITIVE ENTERPISE INSTITUTE
1310 L STREET NW
7TH FLOOR
WASHINGTON, DC 20005
202-331-1010

STEPHEN J. ROSEN
LB3 LEVINEBLASZAK BLOCK & BOOTHBY
2001 L STREET NW
SUITE 900
WASHINGTON, DC 20036
202-875-2550

KEVIN K. RUSSELL
GOLDSTEIN & RUSSELL, P.C.
7475 WISCONSIN AVE.
SUITE 850
WASHINGTON, DC 20814
202-362-0636
KR@GOLDSTEINRUSSELL.COM

HELGI C. WALKER
GIBSON, DUNN & CRUTCHER LLP
1050 CONNECTICUT AVE. N.W.
WASHINGTON, DC 20036-5306
202-887-3599
HWALKER@GIBSONDUNN.COM