



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

February 12, 2024

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

Re: Consumers' Research v. FCC, No. 23-743

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on January 5, 2024. Responses to the petition are now due, after one extension, on March 4, 2024. We respectfully request, under Rule 30.4 of the Rules of this Court, a further extension of time to and including April 3, 2024, for all respondents to file responses.

This extension is necessary because the U.S. Court of Appeals for the Fifth Circuit has granted rehearing en banc in a parallel case, Consumers' Research v. FCC, No. 22-60008 (argued Sept. 19, 2023). The Fifth Circuit's decision could affect the resolution of the petition for a writ of certiorari in this case.

Counsel for petitioners and for intervenor-respondents consent to this further extension.

Sincerely,

Elizabeth B. Prelogar
Solicitor General

cc: See Attached Service List

23-0743

CONSUMERS' RESEARCH, ET AL.
FEDERAL COMMUNICATIONS COMMISSION, ET
AL.

ROBERT E. HENNEKE
TEXAS PUBLIC POLICY FOUNDATION FOR
THE AMERICAN FUTURE
901 CONGRESS AVENUE
AUSTIN, TX 78701
512-472-2700
RHENNEKE@TEXASPOLICY.COM

R. TRENT MCCOTTER
BOYDEN GRAY & ASSOCIATES
801 17TH STREET, NW
SUITE 350
WASHINGTON, DC 20006
202-706-5488
MCCOTTER@BOYDENGGRAYASSOCIATES.CO
M

MICHAEL R. WILLIAMS
OFFICE OF THE WEST VIRGINIA ATTORNEY
GENERAL
STATE CAPITOL COMPLEX
BUILDING 1, ROOM E-26
CHARLESTON, WV 25305
304-558-2021
MWILLIAMS@WVAGO.GOV