

**04-277 NATIONAL CABLE & TELECOMM. ASSN. V. BRAND X INTERNET SERVICES**

DECISION BELOW: 345 F3d 1120

LOWER COURT CASE NUMBER: 02-70518, 02-70684, 02-70685, 02-70686, 02-70879, 02-71425, 02-72251

**QUESTION PRESENTED:**

Whether, under the framework set out in *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984), the FCC was entitled to decide that, for purposes of regulation under the Communications Act, cable operators offering so-called "cable modem service" (high-speed Internet access over cable television systems) provide only an "information service" and not a "telecommunications service."

CONSOLIDATED WITH 04-281 FOR ONE HOUR ORAL ARGUMENT.

CERT. GRANTED 12/3/2004