

**04-281 FCC 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 the court of appeals erred in holding that the Federal Communications Commission had impermissibly concluded that cable modem service is an "information service," without a separately regulated telecommunications service component, under the Communications Act of 1934, 47 U.S.C. 151 et seq.

CONSOLIDATED WITH 04-277 FOR ONE HOUR ORAL ARGUMENT.

CERT. GRANTED 12/3/2004