

Statement of Interest.

NASUCA is a voluntary association of 44 consumer advocate offices in 41 states and the District of Columbia, incorporated in Florida as a non-profit corporation. NASUCA's members are designated by laws of their respective jurisdictions to represent the interests of utility consumers before state and federal regulators and in the courts. Members operate independently from state utility commissions as advocates for utility ratepayers. Some NASUCA member offices are separately established advocate organizations while others are divisions of larger state agencies (e.g., the state Attorney General's office). NASUCA's associate and affiliate members also serve utility consumers but are not created by state law or do not have statewide authority. Some NASUCA member offices advocate in states whose respective state commissions do not have jurisdiction over certain telecommunications issues.

On behalf of consumers, NASUCA filed numerous comments and, pursuant to FCC rules, made ex parte communications, in the proceedings leading to the *Broadband Lifeline Order*.²

NASUCA's standing on appeal of FCC orders affecting consumers has been recognized in this circuit and elsewhere. NASUCA intervened and signed on to an intervenor brief in *United States Telecom Ass'n v. FCC*, D.C. Cir Case No. 15-

² See, e.g., WC Docket No. 11-42, et al., NASUCA Comments (August 31, 2015); NASUCA Reply Comments (September 24, 2015); NASUCA ex parte communication (March 24, 2016).

1063 (issued June 14, 2016). This Circuit heard NASUCA's appeal of FCC unbundling rules in *Covad v. FCC*, 450 F.3d 528 (D.C. Cir., 2006). NASUCA was one of thirty petitioners *In re FCC 11-161*, 753 F.3d 1015 (10th Cir., 2014), filed its own brief and joined in the main briefs, and presented oral argument. The standing recognized in those cases meets any reasonable test for intervention in this appeal.

NASUCA supports the key basis of NARUC's appeal: That the FCC improperly pre-empted state jurisdiction over ETCs. This proper classification protects consumers from the harms that have been and likely would be inflicted by dominant network owners.

Therefore, NASUCA moves this Court to grant its intervention in this appeal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I caused this Motion of the National Association of State Utility Consumer Advocates to Intervene in Support of Respondent to be served by filing with the CM/ECF system of the United States Court of Appeal for the D.C. Circuit.

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RULE 261 STATEMENT

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NASUCA has no parent company, subsidiary, or affiliate that has issued securities to the public. No publicly traded company owns any equity interest in NASUCA.