

Nos. 19-1231, 19-1241

In The
Supreme Court of the United States

FEDERAL COMMUNICATIONS COMMISSION, ET AL.,
Petitioners,

v.

PROMETHEUS RADIO PROJECT, ET AL.,
Respondents.

NATIONAL ASSOCIATION OF BROADCASTERS, ET AL.,
Petitioners,

v.

PROMETHEUS RADIO PROJECT, ET AL.,
Respondents.

*On Petitions for Writs of Certiorari to the
United States Court of Appeals for the Third Circuit*

BRIEF IN OPPOSITION

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QUESTION PRESENTED

Whether the Third Circuit correctly applied long-settled standards of administrative law—the same standards that Petitioners ask this Court to apply—to hold that the Federal Communications Commission acted arbitrarily and capriciously in promulgating its media-ownership rules after the agency failed to adequately consider what it has long recognized to be an important aspect of the public interest served by those rules.

(i)

PARTIES TO THE PROCEEDINGS

Respondents here are the Prometheus Radio Project, the Movement Alliance Project (formerly known as the Media Mobilizing Project); Common Cause; the National Association of Broadcast Employees and Technicians–Communications Workers of America (NABET-CWA); Free Press; and the Office of Communication, Inc. of the United Church of Christ (petitioners below); together with the Benton Institute for Broadband & Society (formerly known as the Benton Foundation); the National Hispanic Media Coalition; the National Organization for Women Foundation; Media Alliance; and Media Counsel Hawai'i (respondents-intervenors below).

All other parties to the proceedings are correctly described in the Petition of the National Association of Broadcasters, et al., No. 19-1241 (at ii–iv).

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