

No. 21-719

In the Supreme Court of the United States

SANDWICH ISLES COMMUNICATIONS, INC., PETITIONER

v.

UNITED STATES OF AMERICA

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT*

BRIEF FOR THE UNITED STATES IN OPPOSITION

ELIZABETH B. PRELOGAR

Solicitor General

Counsel of Record

BRIAN M. BOYNTON

Principal Deputy Assistant

Attorney General

PATRICIA M. MCCARTHY

L. MISHA PREHEIM

SHARI A. ROSE

Attorneys

Department of Justice

Washington, D.C. 20530-0001

SupremeCtBriefs@usdoj.gov

(202) 514-2217

QUESTION PRESENTED

Whether petitioner's takings claim, which challenges orders of the Federal Communications Commission regarding the amount of federal subsidy funding that petitioner is eligible to receive, may proceed in the Court of Federal Claims under the Tucker Act, 28 U.S.C. 1491(a)(1), or instead must be presented through the judicial-review scheme of the Communications Act of 1934, 47 U.S.C. 402(a).

(I)

TABLE OF CONTENTS

Page
Opinions below 1
Jurisdiction..... 1
Statement 2
Argument..... 8
Conclusion 15

TABLE OF AUTHORITIES

Cases:

Alabama Power Co. v. FCC,
311 F.3d 1357 (11th Cir. 2002), cert. denied,
540 U.S. 937 (2003)..... 13
Alpine PCS, Inc. v. United States:
878 F.3d 1086 (Fed. Cir.), cert. denied,
139 S. Ct. 78 (2018) 14
139 S. Ct. 78 (2018) 8
Cablevision Sys. Corp. v. FCC,
570 F.3d 83 (2d Cir. 2009), cert. denied,
560 U.S. 918 (2010)..... 13
Connect Am. Fund, In re,
28 FCC Rcd 6553 (2013)..... 4, 5
FCC v. ITT World Commc'ns, Inc.,
466 U.S. 463 (1984)..... 10
FCC 11-161, In re,
753 F.3d 1015 (10th Cir. 2014), cert. denied,
575 U.S. 995, and 575 U.S. 996 (2015) 12, 13
Horne v. Department of Agric.,
569 U.S. 513 (2013)..... 7, 9
Rural Tel. Coal. v. FCC,
838 F.2d 1307 (D.C. Cir. 1988)..... 13
Sandwich Isles Commc'ns, Inc. v. FCC,
741 Fed. Appx. 808 (D.C. Cir. 2018)..... 3, 4

(III)

IV

Cases—Continued:	Page
<i>Sandwich Isles Commc’ns, Inc. v. FCC</i> , No. 19-1056, 2019 WL 2564087 (D.C. Cir. May 17, 2019).....	6
<i>Sandwich Isles Commc’ns, Inc., In re</i> : 31 FCC Rcd 12,999 (2016), recons. denied, 34 FCC Rcd 577 (2019), pet. dismissed, No. 19-1056, 2019 WL 2564087 (D.C. Cir. May 17, 2019).....	2, 5, 6
34 FCC Rcd 577 (2019), pet. dismissed, No. 19-1056, 2019 WL 2564087 (D.C. Cir. May 17, 2019).....	6
<i>Sandwich Isles Commc’ns., Inc., In re</i> , No. 17-1248, 2018 U.S. App. LEXIS 4139 (D.C. Cir. Feb. 16, 2018).....	5
<i>Sinclair Broad. Grp., Inc. v. FCC</i> , 284 F.3d 148 (D.C. Cir. 2002).....	13
<i>United States v. Bormes</i> , 568 U.S. 6 (2012)	9
<i>Verizon Commc’ns Inc. v. FCC</i> , 535 U.S. 467 (2002).....	12

Constitution, statutes, and regulations:

U.S. Const. Amend. V	6, 13
Agricultural Marketing Agreement Act of 1937, 7 U.S.C. 601 <i>et seq.</i>	9
Communications Act of 1934, 47 U.S.C. 151 <i>et seq.</i>	2
47 U.S.C. 151.....	2
47 U.S.C. 254(b)(3)	2, 3
47 U.S.C. 254(b)(5)	2
47 U.S.C. 254(e)	2
47 U.S.C. 402.....	10, 13
47 U.S.C. 402(a)	7, 10, 11, 14
47 U.S.C. 402(b).....	10

Statutes and regulations—Continued:	Page
Hobbs Act, 28 U.S.C. 2341 <i>et seq.</i>	6
Tucker Act, 28 U.S.C. 1491 <i>et seq.</i> , 2341 <i>et seq.</i>	7
28 U.S.C. 1491(a)(1).....	9
28 U.S.C. 2342.....	7
28 U.S.C. 2342(1)	10
26 U.S.C. 7206(1)	5
26 U.S.C. 7212(a)	5
47 C.F.R.:	
Section 54.302(a).....	4
Section 54.701(a).....	2
Section 69.601	2
Section 69.601(b).....	3

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