

**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

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AT&T INC.,

Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION  
and UNITED STATES OF AMERICA,

Respondents.

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No. 08-4024

**PETITIONER AT&T INC.'S RESPONSE TO INTERVENOR COMPTel'S  
MOTION TO PRESENT ORAL ARGUMENT**

Petitioner AT&T Inc. ("AT&T") respectfully responds to CompTel's March 2, 2009, Motion to Present Oral Argument. CompTel has intervened in this matter in opposition to AT&T's petition for review and in support of the respondent Federal Communications Commission ("FCC"). Accordingly, AT&T has no objection to CompTel's motion, provided that the total amount of argument time allotted to AT&T equals the total amount allotted to the parties (the FCC and CompTel) opposing AT&T's petition for review.

As reflected in CompTel's motion, one way to accomplish this result is to reduce the 15 minutes of argument time allotted to the FCC by the amount of any time allotted to CompTel. In its response to CompTel's motion, the FCC objects to this result and suggests instead that the Court could award time to CompTel *in*

*addition to* the 15 minutes the Court has allotted to the FCC. AT&T has no objection to the FCC's alternative proposal, provided that the Court also increase AT&T's argument time by the amount of any time that is allotted to CompTel. In this way, the Court would ensure that an equal amount of time is allotted to both sides of the case.

Respectfully submitted,

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March 4, 2009

## **CERTIFICATE OF SERVICE**

I hereby certify that, on the 4th day of March 2009, the foregoing was served on the Filing Users identified in the attached service list by the Third Circuit Court of Appeals' Notice of Docket Activity.

/s/ Samantha Dahl  
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