

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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Nos. 17-1107, 17-1109, 17-1110, 17-1111

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PROMETHEUS RADIO PROJECT

\*National Association of Broadcasters  
\*\*Cox Media Group LLC,  
Intervenors

v.

FEDERAL COMMUNICATIONS COMMISSION;  
UNITED STATES OF AMERICA

Prometheus Radio Project and Media Mobilizing Project,  
Petitioners in No. 17-1107

Multicultural Media, Telecom and Internet Counsel and  
National Association of Black Owned Broadcasters, Inc.,  
Petitioners in 17-1109

The Scranton Times, L.P.,  
Petitioners in 17-1110

Bonneville International Corporation,  
Petitioners in 17-111

\* Prometheus Radio Project, Media Mobilizing Project,  
Benton Foundation, Common Cause, Media Alliance,  
Media Council Hawaii, National Association of Broadcasters  
Employees and Technicians Communications Workers of  
America, National Organization for Woman Foundation,  
Office of Communication of the United Church of Christ Inc.,  
Intervenors

\*(Pursuant to the Clerk's Order date 1/18/17)

\*\* (Pursuant to the Clerk's Order dated 2/7/17)

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Nos. 18-1092, 18-1669, 18-1670, 18-1671, 18-2943 & 18-3335

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PROMETHEUS RADIO PROJECT;  
MEDIA MOBILIZING PROJECT,

Petitioners (No. 18-1092, 18-2943)

INDEPENDENT TELEVISION GROUP,

Petitioners (No. 18-1669)

MULTICULTURAL MEDIA, TELECOM AND INTERNET COUNCIL, INC.;  
NATIONAL ASSOCIATION OF BLACK-OWNED BROADCASTERS,

Petitioners (No. 18-1670, 18-3335)

FREE PRESS;  
OFFICE OF COMMUNICATION, INC. OF THE UNITED CHURCH OF CHRIST;  
NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES AND  
TECHNICIANS-COMMUNICATIONS WORKERS OF AMERICA;  
COMMON CAUSE,

Petitioners (No. 18-1671)

v.

FEDERAL COMMUNICATIONS COMMISSION;  
UNITED STATES OF AMERICA

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On Petition for Review of An Order of  
the Federal Communications Commission  
(FCC Nos. FCC-1: FCC-16-107; FCC-17-156; FCC-18-114)

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Before: SMITH, Chief Judge, McKEE, AMBRO, CHAGARES, JORDAN,  
SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER,  
MATEY, PHIPPS, SCIRICA\* and FUENTES\* Circuit Judges

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\* Senior Judges Scirica and Fuentes are limited to panel rehearing only.

**SUR PETITION FOR REHEARING**

The petitions for rehearing filed by Respondents and Intervenors in support of Respondents in the above-entitled cases having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing and a majority of the judges of the circuit in regular service not having voted for rehearing, the petitions for rehearing by the panel and the Court *en banc* are denied.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: November 20, 2019  
MB/arr/cc: All Counsel of Record