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IN THE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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People of the State of California and the Public Utilities Commission of the State of California, Petitioners, v. Federal Communications Commission And United States of America, Respondents.	No._____ 05-70007

PETITION FOR REVIEW

Pursuant to 47 U.S.C. § 402(a), 28 U.S.C. §§ 2342 and 2344, and Rule 15(a) of the Federal Rules of Appellate Procedure, the People of the State of California and the Public Utilities Commission of the State of California hereby petition this Court for review of the Memorandum Opinion and Order ("Order") of the Federal Communications Commission ("Commission") in *In re Vonage Holdings Corporation, Petition for Declaratory Ruling Concerning an Order of the Minnesota Public Utilities Commission*, WC Docket No. 03-211, released November 12, 2004. A copy of the Declaratory Ruling is attached hereto. Venue is proper in this Court pursuant to 28 U.S.C. § 2343.

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Petitioners seek an order and judgment that the Commission's order is in excess of the Commission's statutory jurisdiction, authority, or limitations, or short of statutory right, 5 U.S.C. § 706(2)(C); and is arbitrary, capricious, an abuse of discretion and otherwise contrary to law, 5 U.S.C. § 706 (2)(A).

Respectfully submitted,

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