

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

ACA CONNECTS – AMERICA’S  
COMMUNICATIONS ASSOCIATION;

CTIA – THE WIRELESS ASSOCIATION®;

NCTA – THE INTERNET & TELEVISION  
ASSOCIATION; and

USTELECOM – THE BROADBAND  
ASSOCIATION,

Plaintiffs,

v.

Case No. 1:20-cv-00055-LEW

AARON FREY, in his official capacity as  
Attorney General of the State of Maine;

PHILIP L. BARTLETT II, in his official  
capacity as Chairman of the Maine Public  
Utilities Commission;

R. BRUCE WILLIAMSON, in his official  
capacity as Commissioner of the Maine Public  
Utilities Commission; and

RANDALL D. DAVIS, in his official capacity  
as Commissioner of the Maine Public Utilities  
Commission,

Defendants.

**PLAINTIFFS’ NOTICE OF DISMISSAL OF PUC DEFENDANTS WITHOUT  
PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs ACA Connects – America’s Communications Association, CTIA – The Wireless Association®, NCTA – The Internet & Television Association, and USTelecom – The Broadband Association (collectively

the “Plaintiffs”), through their undersigned attorneys, hereby stipulate to the dismissal of Defendants Philip L. Bartlett, II, R. Bruce Williamson, and Randall D. Davis, each in their official capacities as Chairman and Commissioners, respectively, of the Maine Public Utilities Commission (collectively the “PUC DEFENDANTS”) as follows.

WHEREAS, Defendant Aaron Frey, in his official capacity as the Attorney General for the State of Maine (the “STATE DEFENDANT”) has agreed that he has enforcement authority under Title 35-A M.R.S. § 9301 and, therefore, is a proper defendant in this action; and

WHEREAS, the STATE DEFENDANT and the PUC DEFENDANTS each agree that the PUC DEFENDANTS do not have enforcement authority under 35-A M.R.S. § 9301, and, as such, that the PUC DEFENDANTS are not necessary parties to this action; and

WHEREAS, the STATE DEFENDANT and the PUC DEFENDANTS have further agreed that they will not argue or assert to the contrary in the course of this litigation;

NOW, THEREFORE, in accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(i):

1. Plaintiffs hereby notify the Court that they voluntarily dismiss the PUC DEFENDANTS from this action, without prejudice, and with all parties to bear their own attorneys’ fees, expenses, charges, and costs.

Dated: March 6, 2020

Respectfully submitted,

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By /s/ Joshua A. Randlett  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing document entitled *Plaintiffs’ Notice of Dismissal of PUC Defendants Without Prejudice* via the Court’s CM/ECF system, which will serve a copy of same upon all counsel of record.

DATED: March 6, 2020

/s/ Joshua A. Randlett  
Joshua A. Randlett, Esq.