

## TELECOMMUNICATIONS SEMINAR

12/08

PROFESSOR ROBERTS

### READING LIST

#### Telecommunications Act of 1996

1. Krattenmaker, *The Telecommunications Act of 1996*, 49 Fed. Comm. L.J. 1 (1996).
2. Price and Duffy, *Technological Change and Doctrinal Persistence: Telecommunications Reform in Congress and the Court*, 97 Colum. L. Rev. (1997).

#### Convergence

3. European Commission, Green Paper on Convergence, December 3, 1997.

#### Digital Television

4. Goodman, *Digital Television and the Allure of Auctions: The Birth and Stillbirth of DTV Legislation*, 49 Fed. Comm. L.J. 517 (1997).
5. Advanced Television Systems, FCC 97-116 (April 21, 1997), pp. 1-28.
6. Government Accountability Office, *Digital Television Transition* (GAO 08-43, November 2007).
7. Third Periodic Review of the Commission's Rules and Policies Affecting the Transition to Digital Television, FCC 07-228 (December 31, 2007), pp. 3-19, 90-104.

#### Industry Structure

8. FCC Ownership Rules Revisions, FCC 03-127 (July 2, 2003) (excerpts, with related materials).
9. Prometheus Radio Project v. FCC, 373 F.3d 372 ( 3d.Cir. 2004).
10. FCC Further Notice re Ownership Rules, FCC 06-93 (July 24, 2006).

11. Sirius-XM Merger Order, FCC 08-178 (August 5, 2008).

### **First Amendment Issues**

12. FCC v. Pacifica Foundation, 438 U.S. 726 (1978).

13. Denver Area Educational Telecommunications Consortium v. FCC, 116 S. Ct. 2374 (1996).

14. Reno v. ACLU, 117 S. Ct. 2329 (1997).

15. Robinson, *The Electronic First Amendment: An Essay for the New Age*, 47 Duke L.J. 899 (1998).

16. FCC Super Bowl Indecency Ruling, FCC 04-209 (Sept. 22, 2004).

17. FCC Omnibus Indecency Opinion, FCC 06-166 (November 6, 2006).

18. Fox Television Stations v. FCC, 489 F.3rd. 444 (2d. Cir., 2007).

19. CBS v. FCC, 535 F.3rd 167 (3<sup>rd</sup> Cir. 2008) (Super Bowl appeal).

### **Broadband Access/ Internet**

20. Speta, *Handicapping the Race for the Last Mile?: A Critique of Open Access Rules for Broadband Platforms*, 17 Yale J. on Reg. 39 (2000).

21. Cooper, *Unbundling and Open Access Policies*, 71 Colo. L. Rev. 1001 (2000).

22. Lemley and Lessig, Statement to the FCC on Open Access in AT&T– Media One Merger Proceeding.

23. FCC Declaratory Ruling and Notice of Proposed Rulemaking on Internet over Cable, FCC 02-77 (March 15, 2002).

24. National Cable and Telecommunications Association v. Brand X Internet Services, 125 S. Ct. 2688 (2005).

25. FCC Notice of Proposed Rulemaking on Broadband Access via Wireline Facilities, FCC 02-42 (February 15, 2002).
26. FCC Report and Order on Intercarrier Compensation for ISP-Bound Traffic, FCC 01-131 (April 27, 2001).
27. *In re Core Communications., Inc.*, 531 F. 3<sup>rd</sup> 849 (D.C. Cir., 2008)
28. Intercarrier Compensation for ISP-Bound Traffic, FCC 08-262 (November 5, 2008) (Order on Remand from D.C. Circuit).
29. IP-enabled Services NPRM, FCC 04-28 (March 10, 2004).
30. Vonage ruling on VoIP jurisdiction, FCC 04-267 (November 12, 2004).
31. Pulver Petition for Declaratory Ruling, FCC 04-27 (February 19, 2004).
32. AT&T Petition for Declaratory Ruling, FCC 04-97 (April 21, 2004).

### **Network Neutrality**

33. Broadband Connectivity Competition Policy, FTC Staff Report, June 2007, pp. 1-36, 51-69.
34. Broadband Industry Practices, Notice of Inquiry, FCC 07-31 (April 16, 2007)
35. Howard A. Shelanski, *The Digital Broadband Migration: The Next Wave of Integration*, 6 J. On Telecomm. & High Tech L. 23 (2007).
36. Broadband Industry Practices, FCC 08-183 (August 20, 2008) (BitTorrent controversy).

### **Telephone Regulation**

37. *AT &T v. Iowa Utilities Board*, 119 S. Ct. 721 (1999).
38. Roberts, *The Sources of Statutory Meaning: An Archaeological Case Study of the 1996 Telecommunications Act*, 35 SMU L. Rev.143 (2000).
39. *Verizon Communications, Inc. v. FCC*, 122 S. Ct. 1646 (2002).

## **Cellular Telephone Issues**

40. Webster, *Third Generation Wireless: Will the United States Flourish or Flounder in the Global Race to Launch Third Generation Services?* 13 DePaul Bus. L.J. 309 (2001).
41. FCC Report and Order on 3G Spectrum Requirements, FCC 03-16 (February 10, 2003).
42. FCC Report and Order on Advanced Wireless Service Rules, FCC 03-251 (November 25, 2003).
43. FCC Report and Order on Cellular Spectrum Caps, FCC 01-328 (November 8, 2001)
44. FCC Rules for Auctioning the Reclaimed DTV Spectrum, FCC 07-132 (August 10, 2007), pp. 1-44, 75-93, 142-167.
45. Implementing a Nationwide , Broadband Public Safety Network in the 700 MHz Band, FCC 08-230 (September 25, 2008), pp. 1-127.
46. Unlicensed Operations in the TV Broadcast Bands, FCC 08-260 (November 14, 2008) (White Space Order).

## **International Issues**

47. Harwood, Lake and Sohn, *Competition in International Telecommunications Services*, 97 Colum. L. Rev. 874 (1997).
48. Lando, *The European Community's Road to Telecommunications Deregulation*, 62 Fordham L. Rev. 2159 (1994).
49. Lang, *Media, Multimedia and European Community Antitrust Law*, 21 Fordham Intl. L. J. 1296 (1998).

## **Cable Issues**

50. Packet of excerpts from articles and briefs concerning regulation of program supply contracts.