

Telecommunications

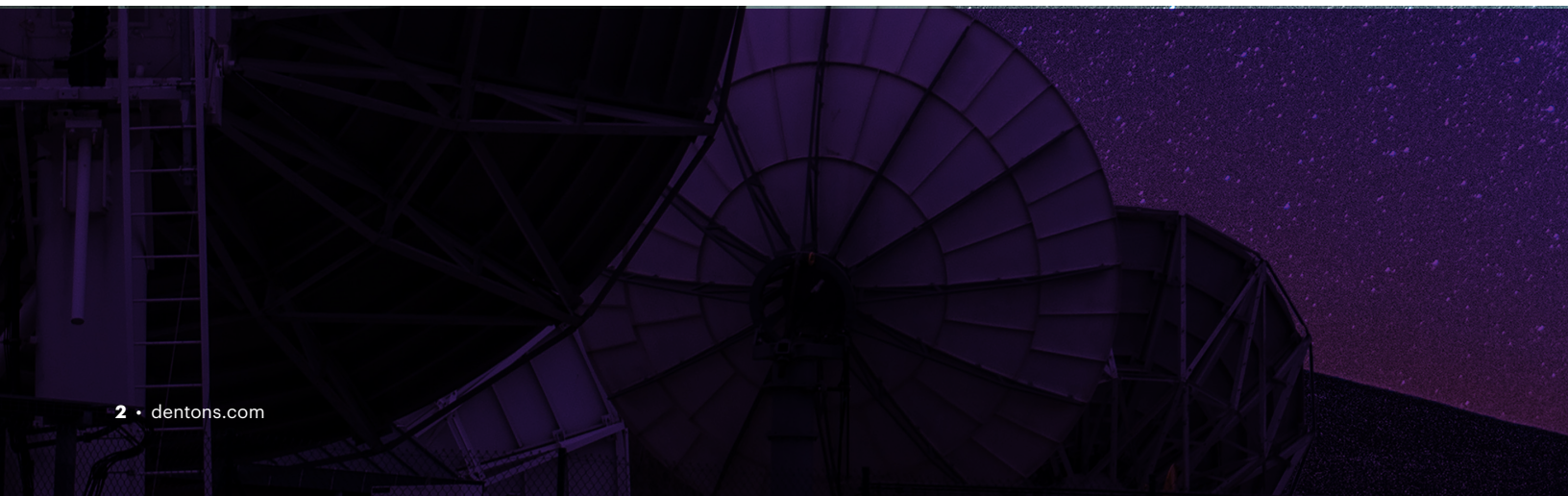


Introduction

Dentons' Telecommunications group provides regulatory advice, representation and commercial counsel to companies that provide, sell or purchase telecom and data equipment and services, connected and autonomous vehicle technologies, health-related communication solutions, and similar technologies. The team also provides government advocacy services to support client efforts to shape the rules and policies affecting their ability to do business and enter new markets.

The team's client roster includes nationwide and regional voice and data providers, edge providers, device manufacturers, startups and emerging companies, sector-focused investors, and heavy users of telecommunications services across a range of sectors, including banking, health care, consumer product manufacturing, energy, retail, travel & leisure, drones and autonomous vehicles, and sports and entertainment.

More than 20 years working with a diverse clientele, including T-Mobile US Inc., Nokia Corporation, Avis Budget Group Inc., Pure IP, DAZN, Nicor Gas (and many more who have requested confidentiality), has given the Telecommunications group unique insight into how a telecom's size, capital structure, market share, footprint, and customer and supply chain relationships can affect outcomes when negotiating retail, wholesale or carrier-to-carrier services agreements; dealing with regulators on compliance-related matters; or advocating for policy change.



Key differentiators

Comprehensive approach

Our team counsels and represents clients on the full gamut of telecommunications regulations—federal, state and municipal—including assisting with certification- and tariff-filing requirements, reviewing customer information security and marketing compliance programs, and responding to consumer and regulatory commission complaints. The group also provides service providers and product developers not subject to traditional utility regulation with regulatory strategy and support, and negotiates complex commercial contracts for them. Finally the team provides dispute resolution services—adjudicative (i.e., litigation or arbitration) and consensual (i.e., mediation, conciliation or negotiation)—and assists with legislative and public policy advocacy. As no aspect of the law operates in isolation, being well-rounded adds value to every matter on which the group works.

Cutting-edge capability

Our team counsels and represents clients on the full gamut of A rapidly evolving technology and regulatory environment demands legal counsel that operate at the cutting edge of legal scholarship. We regularly advise clients in technological areas where the law is either inchoate or in flux, such as our work for cell phone carrier T-Mobile in structuring and negotiating a groundbreaking agreement with voice and messaging services provider Inteliquent that fundamentally changed the way T-Mobile interconnects with other carriers.

Technology expertise

Telecommunications law can be challenging because the technology it seeks to regulate is not only complicated but is evolving so rapidly that legislators and regulators are always a few steps behind. Our team is led by an individual with the technical knowledge and legal experience to keep you a few steps ahead. Leveraging a background in engineering, Todd Daubert, chair of the (US) Telecommunications team, crafts innovative solutions to help telecom service providers (TSPs), Internet service providers (ISPs), software and application developers, broadcasters, investors, and major users of communications services reach their business goals and minimize their risks. The team boasts a number of other members with science backgrounds.

Regulatory insight

In highly regulated industries, having lawyers with a regulatory background can be extremely helpful as they are able to provide valuable insights into an agency's inner workings, from its enforcement priorities to its role in the legislative budget process. Team member Lauren Wilson, for example, brings knowledge and experience from her time at the FCC, where she was a legal advisor to the chief of the Consumer and Governmental Affairs Bureau.

Core capabilities

Commercial transactions and business counseling

The telecommunications team drafts, advises on and negotiates:

- Interconnection, resale, roaming, backhaul, mobile virtual network operator (MVNO) agreements between national and regional wireless carriers and local exchange carriers (LECs) and interexchange carriers (IXCs);
- Vendor and service agreements between carriers and service providers, equipment manufacturers and other stakeholders;
- Municipal franchise, pole attachment, right-of-way, colocation and building-access agreements;
- Acquisitions of FCC-licensed television broadcast facilities and the attendant regulatory requirements;
- Amendments to spectrum licenses and frequency authorizations, building access and pole attachments, construction permits, methods and apparatuses for providing addressability.

Regulatory compliance and enforcement

The broadcast, cable television, telephone and Internet industries are heavily regulated—by the US federal government, state governments and international institutions. The telecom team helps clients in these industries, as well as customers and end users, navigate the Communications Act (the Act) and subsidiary legislation, including the Telephone Consumer Protection Act (TCPA), the Twenty-First Century Communications and Video Accessibility Act (CVAA) and the Communications Decency Act (CDA). The team also represents clients before the Federal Communications Commission (FCC), the agency charged with administering and enforcing the Act.

The Telecommunications group also provides counsel and guidance on federal laws governing the use of telecom technology in particular sectors (such as financial services, health care, transportation and defense) or addressing particular societal concerns, such as antitrust, data privacy, emergency responder communications and electronic surveillance. In addition, the group advises on state and municipal laws regulating telecom services and facilities; and on changes in law, policy and technology relating to telecom content and carriage around the world—a particularly important area given the radically different approaches countries have taken to issues such as privacy and data security (which often play into national security concerns).

The legal advice provided by the team extends beyond the letter of the law to also encompass formal and informal guidance from federal and state regulators and emerging industry best practices, informing the development, implementation and management of integrated compliance programs and risk management solutions.

The Telecommunications team has assisted national and regional wireless carriers and other industry players in:

- Filing petitions with the FCC for “eligible telecommunications carrier” designation;
- Navigating the tariff-approval regime;
- Filing applications with state regulators for interconnection, certificates of registration, and operating authority;
- Responding to consumer and regulatory commission complaints;

- Advising on regulatory matters relating to deployment of new products and services;
- Representing clients in investigations, audits and proceedings initiated by the FCC, the Federal Trade Commission (FTC), the Universal Service Administrative Company (USAC) and state regulatory authorities, in state and federal courts, in matters alleging unfair billing practices, violations of deceptive advertising laws and the TCPA, interconnection agreement claims, numbering practices and tariff interpretation, and intercarrier compensation and other contract disputes;
- Developing appellate strategies and representing clients and trade associations in appeals of rulemakings and court orders;
- Developing and implementing compliance strategies, policies, procedures and manuals relating to 911 services, customer proprietary network information (CPNI), the Communications Assistance for Law Enforcement Act (CALEA), universal service, truth-in-billing, numbering and number portability, telecommunications relay services (TRS), and signaling protocols;
- Advising and defending against regulatory inquiries and investigations in connection with the implementation of new payment technologies, including e-commerce systems, and POS (point-of-sale) and mPOS (mobile point-of-sale) payment terminals; and
- Advising on issues pertaining to Native American tribes, including the Universal Service Fund, tribal broadband infrastructure, and facilitation of effective government-to-government consultation.

Government advocacy

The Telecommunications team regularly engages with members of the US Senate and House of Representatives and their staff, White House and executive agency officials and employees, state legislators and regulators, and municipal officials on issues involving telecom law and policy. Many members of our bipartisan team have relationships with legislators, government leaders and policymakers, which they leverage to provide clients with efficient and streamlined advocacy before legislative, executive and administrative bodies.





The Telecommunications team's government affairs services include:

- Advocating and lobbying on key legislative and regulatory matters, such as universal service, media ownership, intercarrier compensation, competition, privacy and public safety issues;
- Monitoring federal and state legislation and regulatory activity, including enforcement efforts by state attorneys general and class action trends, and reporting key developments to clients. The team offers various reporting options, from periodic gathering to real-time updates; and
- Advising on the rapidly evolving legal landscape of cloud computing; net neutrality; Internet content, such as child pornography, defamation and information sensitive to national security; network security; data security and breach notification; deployment of connected vehicle technologies in the new era of mobility; and responding to cybersecurity threats associated with social networking sites.

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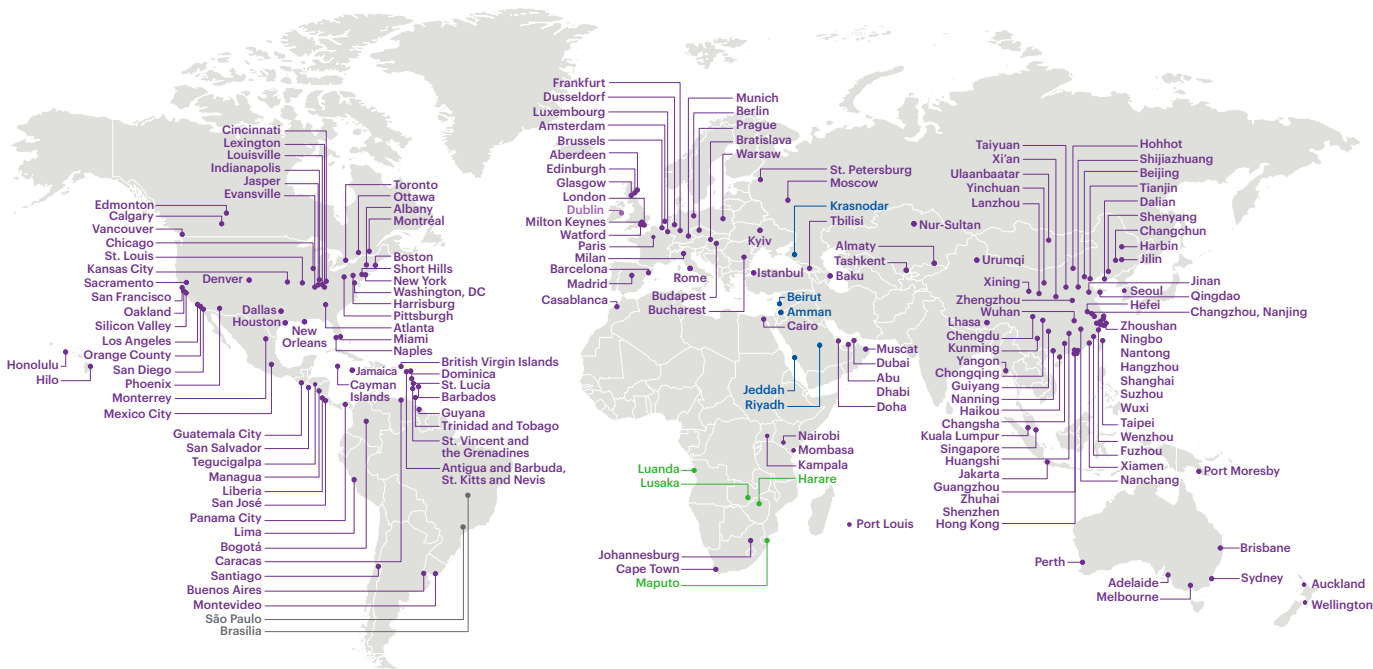


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Our global presence



Locations in purple represent Dentons offices.
Office opening in 2020.
Locations in blue represent associate firms, offices and special alliances.
Locations in green represent proposed combinations that have not yet been formalized.





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