



FCC Boot Camp

Basic training in core regulatory concepts for communications lawyers, business executives, engineers, and policy analysts

June 22-24, 2015 • Sheraton Fisherman's Wharf • San Francisco, CA

Distinguished Co-Chairs:

Christopher Bjornson
Of Counsel
Steptoe & Johnson LLP

Robert D. Primosch
Partner
Wilkinson Barker Knauer LLP

Speakers include the nation's top communications lawyers who previously served at:

FCC as

Chief of Staff and Senior Legal Advisor to Commissioner Robert McDowell

Deputy Chief of the Competition Division, Office of the General Counsel

Chief Counsel for Chairman Julius Genachowski

Senior Legal Advisor to Commissioner Kathleen Q. Abernathy

Senior Advisor, National Broadband Plan Task Force

Attorney-Advisor at the Broadcast Bureau

Preminent members of the nation's telecommunications bar will drill you in the basics of FCC law and regulation as they help you:

- **DETERMINE** how to make engineering and business decisions that comply with FCC regulations
- **MASTER** the FCC's preemption of state laws on municipalities controlling broadband access
- **COMPREHEND** the essentials of equipment authorization for emerging technologies and smart devices
- **ANALYZE** spectrum policy, including the reverse and forward auctions in the upcoming broadcast incentive auction
- **DEVELOP** best practices for responding to written communications from the FCC
- **EXAMINE** the IP revolution and the transition to IP networks for wire line communication
- **EXPLORE** the differences between must-carry and retransmission consent agreements
- **APPRECIATE** the types of conditions the FCC may impose on a merger or acquisition
- **UNDERSTAND** the interplay between the FTC and FCC on privacy and security matters



Pre-Conference Workshop June 22, 2015	Interactive Post-Conference Master Class June 24, 2015
Workshop A Fundamentals of FCC Regulatory Law with Ethics Session	Workshop B Master Class on Net Neutrality Politics, Policies, and Rules

FCC Boot Camp is the premier event that will provide you with the ultimate roadmap to the complicated landscape of FCC regulations

ACI's FCC Boot Camp has been designed by leading regulatory attorneys to give professionals that work in conjunction with the telecommunications, satellite, wire line, wireless, and cable industries — as well as spectrum negotiators, industry in-house counsel, and engineers — a strong working knowledge of core FCC competencies.

An esteemed faculty of top FCC regulatory experts — a “Who's Who of the Telecommunications Bar” — will share their knowledge and give you critical insight on:

- The organization, jurisdiction, functions, and operations of the FCC
- The essentials of the approval process for emerging technologies
- Developing a wireless infrastructure that complies with federal, state, and local requirements
- Navigating the rules for the upcoming spectrum auction
- Identifying the scope of FCC enforcement authority

Don't forget to sign up for the pre-conference workshop or post-conference master class to get the background and/or the comprehensive information you need to maximize your learning and networking at this event!

Workshop A: **Fundamentals of FCC Regulatory Law with Ethics Session** will address topics to set the stage for the main conference by helping you thoroughly grasp the structure of the FCC and explore best practices when meeting with the commissioners. Get the background you need to flow seamlessly into the conversations at FCC Boot Camp.

Workshop B: **Master Class on Net Neutrality Politics, Policies, and Rules** will provide an in-depth overview of the current rules and debate surrounding Open Internet. This interactive workshop will help you understand the significant compliance issues to prepare for the FCC's net neutrality framework.

Attend this conference and learn to navigate your way through the regulatory maze that plays such a crucial role to your technology and business decisions. Don't delay — register now by calling **1-888-224-2480**, or registering online at **www.AmericanConference.com/FCCBootCamp**.

I look forward to seeing you in San Francisco in June!

Very truly yours,



Bolam Kim, Esq.
Legal Analyst & Conference Director

MONDAY, JUNE 22, 2015
PRE-CONFERENCE WORKSHOP A
2:00 – 5:00 pm
(registration begins at 1:00 pm)

FCC Regulatory Fundamentals 101
with Ethics Session

2:00 Fundamentals of FCC Regulatory Law

Mitchell F. Brecher
Shareholder
Greenberg Traurig, LLP (Washington, DC)

Sherrese M. Smith
Partner
Paul Hastings LLP

(Washington, DC) Aimed at providing a primer to professionals who have limited or no experience working with the FCC on regulatory matters, this workshop will provide you with a basic overview of FCC regulations and will prepare you for the more in-depth discussions that will take place throughout the conference. Topics addressed during this workshop will set the stage for the main conference by helping you thoroughly comprehend the structure of the FCC. Get the background you need to flow seamlessly into the conversation at FCC Boot Camp.

Topics to be discussed include:

- FCC Mission
- FCC Organization and Structure
 - Understanding the distinctions between the various FCC bureaus and departments
- History of FCC laws
- Acronyms and terminology
- Navigating the FCC databases and making filings electronically
- Informal rulemaking through ex parte meetings
 - Comprehending the rules involved for ex parte meetings
 - Best practices for communicating with the commissioners
- Determining when a matter is brought before the Administrative Law Judge
- Equipment authorization, including for smart devices and emerging technology
- Licensed and unlicensed transmissions
- Spectrum policy, including incentive auctions
- Interplay with state public utility commissions
- Universal Service Fund
- Ensuring compliance under Section 255 of the Communications Act to provide access for people with disabilities
- Exploring how the FCC's Net Neutrality decision will impact practice before the Commission

4:00 Resolving Ethical Challenges for the FCC Practitioner

Mitchell F. Brecher
Shareholder
Greenberg Traurig, LLP (Washington, DC)

This one hour session will explore ethical issues that may arise in the context of practicing before the FCC on behalf of clients. The program is based on scenarios involving situations in which the FCC requires full disclosure of adverse information and authority. For example, participants will discuss:

- Comprehending unauthorized practice of law when working in multiple jurisdictions
- Identifying potential conflicts of interest between multiple clients when advocating at the FCC
- Determining when interests are “adverse” among clients
- Considering whether an attorney can “zealously” represent multiple clients with adverse interests

TUESDAY, JUNE 23, 2015
MAIN CONFERENCE – DAY 1

7:45 Registration and Continental Breakfast

8:45 Co-Chairs' Opening Remarks

Christopher Bjornson
Of Counsel
Step toe & Johnson LLP (Washington, DC)

Robert D. Primosch
Partner
Wilkinson Barker Knauer LLP (Washington, DC)

9:00 Delineating Federal and State Boundaries to Understand Compliance Responsibilities and Redundancies

Mark J. Maier
Partner
McGuire Woods LLP (Tysons Corner, VA)

Jeffrey Sinsheimer
Of Counsel
Coblentz Patch Duffy & Bass LLP (San Francisco, CA)

- Determining the various and evolving roles of the different federal bodies with jurisdiction that coincides with the FCC
 - Department of Justice
 - Federal Trade Commission
 - Food and Drug Administration
 - Federal Aviation Administration
 - National Telecommunications & Information Administration
 - Environmental Protection Agency
 - Occupational Safety and Health Administration
 - The Department of Homeland Security
 - The Department of Transportation
- Identifying the differences between advocating at the FCC and representing clients at state public utility commissions (“PUC”)
- Analyzing the Commission's move to preempt state laws which would limit municipalities' ability to operate and sell Internet access
- States implementing commercial and multi-tenant e911 while the FCC focuses on carriers

10:00 **Session 2: Wireless Infrastructure and Cell Phone Practices and Policies**

Mordy Gross

General Counsel

Xchange Telecom (Brooklyn, NY)

Martin L. Stern

Partner

K&L Gates LLP (Washington, DC)

Building and Developing a Wireless Infrastructure:

- Understanding the relative roles of federal, state, and local governmental entities in the siting of wireless facilities
- Federal statutes that govern the process of obtaining siting approval
- How federal laws and FCC rules affect state and local zoning authority for personal wireless facilities: the FCC's new small cell, DAS order
- Complying with environmental and historic preservation requirements
 - National Environmental Policy Act
 - National Historic Preservation Act
 - Endangered Species Act
 - FCC Rules
- Working with the FAA and FCC on antenna structure issues
 - Filing Antenna Structure Registration ("ASR")
- Best practices for filing the required forms (e.g., FCC Form 620 and FCC Form 621)
- Shot clock: comprehending the timeline for tower siting requests
- Practical examples of how the process works and associated business risks
- Case studies
 - Pole attachments
 - Benefits of using wireless to replace costly fiber digging
 - Deploying 3.65 GHz and unlicensed wireless networks in an urban setting
- Deploying and using Wi-Fi hotspots in multitenant environments and convention spaces: Restrictions on landlords and facilities owners

Understanding the Rules for Cell Phones:

- Assessing industry standards for unlocking cell phones
- Contract exclusivity agreements
- Roaming agreements with other carriers
 - Voice vs. Data Roaming
- Hearing Aid Compatibility (HAC) requirements

11:00 **Morning Refreshment Break**

11:15 **The FCC's Equipment Authorization Process**

Robert D. Primosch

Partner

Wilkinson Barker Knauer LLP (Washington, DC)

James A. Stenger

Counsel

Chadbourne & Parke LLP (Washington, DC)

- When do you need to go through the equipment authorization process?
- Analyzing Part 15 (47 C.F.R. 15) and understanding the testing standards for electronic equipment

- Verification
- Declaration of Conformity
- Certification
- Authorization from a Telecommunications Certification Body ("TCB")
- An overview of the key definitions under Part 15
 - Unintentional radiator versus intentional radiator
 - Digital Device
 - Class A Digital Device
 - Class B Digital Device
- Identifying importation issues if a product is manufactured outside of the U.S.
- Assessing the timeline of the authorization process
 - Forecasting the timeline for authorization for emerging technologies
- Reviewing the different federal entities that may be involved in approving the equipment

12:15 **Networking Luncheon**

1:15 **Spectrum Policy Overview**

Angela E. Giancarlo

Partner

Mayer Brown LLP (Washington, DC)

Jaime L. Hjort

Assistant Vice President, Government Affairs
CTIA (Washington, DC)

- What is spectrum?
- Comprehending consumer demand for ever-increasing speeds and innovations
- Licensed v. Unlicensed: Regulatory Implications
- Spectrum Planning: Options for Obtaining Spectrum
 - Auction
 - Secondary Market
 - FCC Petition
 - Unlicensed
 - Equipment Authorization
- Spectrum Policy
 - Legislative
 - Spectrum Act of 2012
 - Regulatory
 - National Telecommunications and Information Administration
 - Federal use
 - FirstNet
 - Federal Communications Commission
 - AWS-3 Auction (completed January 2015)
 - Broadcast Spectrum Incentive Auction (as yet unscheduled)
 - 5.0 GHz
 - 3.5 GHz
 - Above 24 GHz ("Spectrum Frontiers")
 - FCC Reports to Congress

2:15 **Analyzing the FCC's Role in Commercial Transactions**

Christopher Bjornson

Of Counsel

Stoptoe & Johnson LLP (Washington, DC)



Maureen R. Jeffreys

Partner and Co-Chair of Telecommunications, Internet, and Media Practice Group
Arnold & Porter LLP (Washington, DC)

- Reviewing the Commission's statutory authority to review transactions involving FCC licenses
- Processes and time frames for FCC review of different types of license transfers and transaction types
 - Evaluating potential FCC approvals for companies whose core business does not involve telecommunications
- Clarifying the factors involved in an approval of an application to transfer a license
 - "the public interest, convenience, and necessity"
- Balancing the potential public interest harms and the potential public interest benefits
- Deciphering the types of conditions the FCC may impose on a transaction
- Examining FCC interplay with the Department of Justice and the Federal Trade Commission
- Recent significant transactions

3:15 **Afternoon Refreshment Break**

4:15 **How to Respond to FCC: Best Practices, Tips, Tricks, and Pitfalls to Avoid**

Michael Lazarus

Managing Member
Telecommunications Law Professionals PLLC
(Washington, DC)

Christopher W. Savage

Partner and Co-Chair, Communications Practice
Davis Wright Tremaine LLP (Washington, DC)

Companies will sometimes receive a written communication from the FCC, such as a Letter of Inquiry ("LOI"), Notice of Apparent Liability for Forfeiture ("NAL"), or Citation from the FCC's Enforcement Bureau. Given that the FCC's enforcement activity has significantly increased in recent years, and the FCC has imposed multimillion dollar penalties even for technical violations, it is important for companies to know how to go about responding to such communications in a way as to provide them with the best opportunity for success.

There is no one set of answers for every response. Oftentimes, the specifics of the response depend upon the type and substance of the communication and the circumstances surrounding the issuance of the communication. This presentation will provide valuable insights, gained from years of experience, and will cover the following topics:

- Comprehending the scope of FCC enforcement authority
- Deciphering the possible consequences of an enforcement action
- Who at the FCC should the response be addressed to?
- Who should the response be written for?
- How do you assure that you have addressed all of the issues FCC is concerned with (and it's not always the issues that are articulated in the FCC communication)?
- At what level of complexity/specific should the response be written?
- Who should be the signatory of the response?
- What if any follow-up should the company engage in?

5:15 **Conference Adjourns to Day Two**

WEDNESDAY, JUNE 24, 2015 MAIN CONFERENCE – DAY 2

7:30 **Continental Breakfast**

8:30 **Co-Chairs' Opening Remarks and Recap of Day One**

Christopher Bjornson

Of Counsel

Steptoe & Johnson LLP (Washington, DC)

Robert D. Primosch

Partner

Wilkinson Barker Knauer LLP (Washington, DC)

8:45 **Exploring the FCC's Jurisdiction Over Broadcasting, Cable, and Satellite**

Leighton T. Brown

Partner

Holland & Knight LLP (Washington, DC)

Harry F. Cole

Partner

Fletcher, Heald & Hildreth PLC (Washington, DC)

- An overview of the various laws and regulations impacting television
 - Cable Television Consumer Protection and Competition Act of 1992
 - Telecommunications Act of 1996
 - STELA Reauthorization Act of 2014
 - Satellite Home Viewer Improvement Act of 1999
 - Relevant FCC rules
- What is the difference between mandatory carriage ("must-carry") and retransmission consent ("may carry")?
 - Developing best practices for retransmission consent negotiations
- What is a multichannel video programming distributor ("MVPD")?
- What are over-the-top TV providers ("OTT") and why does it matter?
 - Reviewing the FCC's proposal to treat Internet video providers similarly to cable and broadcast satellite systems
- Forecasting the impact of net neutrality on the broadcasting, cable, and satellite industries

9:45 **Investigating the FCC's Role in Wireline Communications**

Tom Koutsky

Chief Policy Counsel

Connected Nation, Inc. (Washington, DC)

Brita D. Strandberg

Partner

Harris, Wiltshire & Grannis LLP (Washington, DC)

- Incumbent Local Exchange Carrier ("ILEC") versus Competitive Local Exchange Carrier ("CLEC")
 - Understanding the different regulatory structures that apply to ILECs and CLECs
 - FCC vs. PUC Jurisdiction
- VoIP versus public switched telephone network ("PSTN")
- Dissecting the IP transition and predicting its impact on the communications industry

- Shifting from a traditional circuit network to an IP network
 - Comprehending the regulatory obligations when transitioning to an IP network
 - Retail versus wholesale
 - Obtaining last mile access when interconnecting with a network
- Transforming the FCC's Universal Service Programs to Broadband

10:45 Morning Refreshment Break

11:00 Spotlight on Wi-Fi in 2015 and Beyond

Stephen E. Coran

Member

Lerman Senter PLLC (Washington, DC)

- Understanding evolving role of Wi-Fi in wireless networks
- Coexistence of LTE-U/LAA with Wi-Fi
- Legal issues and challenges in siting of Wi-Fi facilities
- Examining the FCC's Enforcement Advisory on prohibiting Wi-Fi intentional interference in hotels and other commercial establishments

11:45 Demystifying the FCC's Role in Privacy and Security Matters

Yaron Dori

Partner

Covington & Burling LLP (Washington, DC)

Michelle Fleming

General Counsel

Digium, Inc. (New York, NY)

- Differences between FCC, FTC and State AG jurisdiction over privacy
- Scope (and continuing expansion) of FCC authority over new technologies
- Key FCC-specific privacy laws
 - Customer Proprietary Network Information (CPNI) (47 U.S.C. § 222)
 - Communications Assistance Law Enforcement Act (CALEA) (47 U.S.C. § 1001, et seq.)
 - The Cable Privacy Act (47 U.S.C. § 551)
 - The Telephone Consumer Protection Act (47 U.S.C. § 227)
- The FCC's evolving role in privacy compliance
 - Recent FCC enforcement activity
 - Implications for transaction approval
 - Interplay with national security
- Implications of net neutrality decision on privacy compliance

12:30 Conference Adjourns

A networking luncheon will be served at 12:30 for delegates attending the afternoon Master Class

WEDNESDAY, JUNE 24, 2015 POST-CONFERENCE WORKSHOP B 2:00 – 5:00 pm Master Class on Net Neutrality Politics, Policies, and Rules

Matthew A. Brill

Partner

Latham & Watkins LLP (Washington, DC)

J.G. Harrington

Special Counsel

Cooley LLP (Washington, DC)

Christopher W. Savage

Partner and Co-Chair, Communications Practice

Davis Wright Tremaine LLP (Washington, DC)

Earlier this year, the FCC announced a new framework for net neutrality principles, which have been surrounded by political debate and controversy. While the long-term impact of the net neutrality rules has yet to be determined, one thing is clear: the FCC's rules will have a dramatic impact on the industry and raise significant compliance issues. This Master Class will delve into net neutrality and help you thoroughly comprehend the complexities and nuances in this space. The issues to be discussed include:

- How did we get here?
 - Internet Service Providers as "Title I"/Unregulated Entities
 - Cable Modem Service/"Open Access"/Computer II?
 - Brand X, DSL as Title I, "Principles"
 - Comcast & Bittorrent, Comcast v. FCC
 - 2010 Rules, Verizon v. FCC
- What is net neutrality?
 - Blocking or throttling lawful content
 - Prioritization
 - General conduct rule
 - Transparency
- Types of services and service providers covered by the rules
 - BIAS
 - Exceptions – the "coffee shop" exemption and other services that are not covered
- Interconnection obligations
- The impact of Title II classification
 - Requirements that now apply to broadband Internet – privacy, disabilities accessibility, etc.
 - Understanding forbearance and examining which Title II regulations will not apply to providers of broadband services
 - Authority to regulate rates?
- Permitted vs. non-permitted conduct
- Practical examples of how net neutrality rules come into play in a business setting
 - What BIAS providers now need to worry about
 - What types of actions that affect edge providers might be treated as net neutrality violations?
 - What types of actions impacting interconnecting networks can be treated as net neutrality violations?
 - What types of actions can be seen as a net neutrality violation affecting consumers?
- What happens when someone violates the net neutrality rules?
 - Where to pursue legal recourse
 - Types of relief available
- Coming attractions: court appeals, FCC rulemakings and potential disruptions in the market



Who You Will Meet

- ✓ **Legal counsel and professionals having responsibility for:**
 - Telecommunications
 - FCC Regulatory and Compliance
 - Communications Litigation
 - Wireless Communications
 - Wire Line Communications
 - Spectrum Policy
 - Broadband
 - Internet
 - Emerging Technologies
 - Engineering
 - Compliance

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Unparalleled Learning and Networking

ACI understands that gaining perspectives from – and building relationships with – your fellow delegates during the breaks can be just as valuable as the structured conference sessions. ACI strives to make both the formal and informal aspects of your conference as productive as possible.

About the Venue



Sheraton Fisherman's Wharf Hotel

Experience a feeling of welcome unlike any other at the Sheraton Fisherman's Wharf Hotel. This amazing hotel ensures great stays just steps from San Francisco's famous Fisherman's Wharf. Centrally located in one of San Francisco's most popular neighborhoods, we are close to all the major attractions such as Pier 39, Ghirardelli Square, Alcatraz Island, and much more.

The American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. To reserve a room at the discounted rate please visit the Venue & Accommodation page on our website.



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Politics, Policies, and Rules

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