

REGULATORY ADVOCACY AND COMPLIANCE

The Sheppard Mullin Communications team is actively engaged in regulatory advocacy and compliance. When important issues of first impression arise in the telecom industry, clients turn to us for focused insight and effective problem-solving. We regularly assist clients in navigating FCC, state and international regulations. We frequently represent clients in FCC complaint and rulemaking proceedings, and counsel companies regarding the regulatory requirements related to, among other things, the deployment of broadband and IP-enabled services, such as VoIP. Sheppard Mullin attorneys have provided experienced legal counsel in the structural rules governing cable system ownership; program access and program carriage rules; local franchising authority negotiations; proposed changes to local franchising requirements; copyright laws; and the legal and business aspects of the production, licensing, and distribution of programming.

We represent wireless and wireline carriers in their provision of video and data services. Our experience on wireline issues includes:

- Regulation of VoIP and other Internet Protocol (IP)-enabled services, including emergency 911 and CALEA
- Universal Service, intercarrier compensation, and access charge reform
- Communications privacy issues

We also advise wireless carriers in connection with:

- Spectrum rebanding and restructuring proceedings and related auctions
- Rulemaking proceedings, including cognitive radio technology, RFID technology, and hearing aid compatibility
- Advice on tower siting issues

Sheppard Mullin also is well-positioned to advise wireline and wireless clients on issues arising from their entry into the market for the delivery of video content.

We have counseled broadcast clients in FCC regulatory matters, including:

- Digital television transition (DTV) Issues, including channel election issues, the DTV conversion schedule, DTV service rules, content protection technologies, rules governing ancillary and supplementary uses of digital spectrum, and carriage issues.
- Content regulation issues, including indecency, sponsorship identification rules, payola/plugola, closed captioning, the provision of emergency information, children's television obligations, contests and promotions, and political broadcasting.
- Licensing issues, including auction of broadcast construction permits, character qualification issues, ownership reporting, renewal applications, foreign ownership limits, national, multiple and cross-ownership rules.
- Compliance with tower siting requirements, federal environmental and endangered species statutes, related FAA and FCC rules, and antenna structure registration.

We have also represented both multi-channel video programming distributors (MVPD) and content suppliers.

Our representations include:

- Representing a Direct Broadcast Satellite provider in FCC proceedings implementing the Satellite Home Viewer Extension and Reauthorization Act (SHVERA).
- Structuring and negotiating an affiliation agreement between a content provider and a large cable multi-system operator.
- Advocacy on behalf of a Direct Broadcast Satellite provider in FCC proceedings governing the provision of emergency alert information.
- Preparation of Congressional testimony and "white papers" for meetings with members of Congress and their staff.
- Advising a programmer on closed captioning obligations.

We have represent several major manufacturers of consumer electronics and equipment, as well as leading industry trade association. Manufacturers turn to us for advice on the following policies and FCC regulations:

- Part 15 Rule Compliance
- Equipment Certification
- Device Interoperability Issues
- Copy Protection Mandates and Technologies
- Effects of Regulations Governing the Digital Transition and Broadband Deployment on Consumer Electronics Manufacturers

Finally, we have a great deal of experience advising Native American-owned and/or operated telecommunications companies with respect to the configuration and build-out of their networks; the regulatory approvals and/or waivers necessary to establish and operate their network, and the service agreements associated with the provision of telecommunications and broadband services.