

Syllabus

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Course Objective:

A professional or academic involved in the telecommunications industry cannot overlook one of its central characteristics -- that it is a regulated industry. This course introduces you to the basic elements of telecommunications regulation, allowing you to become a better-informed professional with the ability to analyze phenomena in this industry and contextualize them in a broad framework. The course will establish for its students the context for regulation, its justifications, history, structure, principles, standards, technological challenges, economic pressures, and legal solutions. Students will study regulatory concepts in their broadest sense and at the same time will be exposed to specific contemporary and historical issues faced by the industry and debated among practitioners and regulators alike. Further context will be provided by a review of international developments in the field.

Course readings:

All course readings are included in the reader “**Telecommunications, Broadcasting and Information: Law, Policy, and Regulation**” created especially for this course. It is referred to in the reading list as “Reader.”



Your reader published by Cognella/University Readers is now available online at www.universityreaders.com. I have carefully selected the readings included in it to provide you with a more relevant, custom learning experience. Please purchase this reader to stay on top of your readings. Doing so will help you be successful in this class. The reader's price is **\$99.95**, and it includes materials that we will use in class and which will be required for your exams. Also, please keep in mind that our institution adheres to copyright law, so any copyrighted material should not be copied or duplicated in any manner.

To purchase the reader, please follow the instructions on the next page.

Purchasing the course reader:

To purchase the textbook, please follow the instructions below:

Step 1: Log on to <https://students.universityreaders.com/store/>.

Step 2: Create an account or log in if you have an existing account to purchase.

Step 3: Easy-to-follow instructions will guide you through the rest of the ordering process. Payment can be made by all major credit cards or with an electronic check.

Step 4: After purchasing, you can access your partial e-book (FREE 20% PDF) by logging into your account and clicking **My Digital Materials** to get started on your readings right away.

Course structure, outline, schedule and reading list:

- A. Readings are assigned according to the class schedule.
- B. You are expected to come to class after you have read the assigned reading for the topic to be discussed that day.

Note: The schedule is subject to changes. Readings may be added, removed or declared “elective.” Changes will be announced in class and emailed to students through ANGEL. Once an announcement is made during class time it is assumed you have heard it and no excuse such as “I wasn’t in class” will be accepted.

- C. The telecommunications industry in general, and the regulatory activity within it in particular, are dynamic. While the course deals with concepts, it is important students are able to see their “real life” connection. Understanding regulatory issues requires being informed regarding everyday occurrences in the field. This is also a very good practice to adopt if you intend to be a successful professional in the field. In addition to the course readings, students are required to subscribe and follow daily the “Benton Foundation” communications related headlines, which can be accessed at: <http://benton.org/user>. Once you are on the link, get on the “Create new account” tab and scroll down to join “Headlines in the Classroom.” The “Educator’s ID” for this course is **schejter-16184**. Hit “Create new account” after checking the box next to “Subscribe to Benton’s Headlines”

Six quizzes will be held during the semester on the stories that appeared in this headline service and in other sources that will be discussed in class (the quizzes refer to ALL the stories that appear on the “Benton Headlines” and to stories discussed in class that may have appeared in other sources you were not required to read).

CHAPTER 1: PRINCIPLES, INSTITUTIONS, AND VALUES**Week 1: (1/10) and (1/12)**

Introduction

Unit 0: Chaos or Order? – The U.S. legal system

Reading: Will be posted on ANGEL

Major Principles of Media Law/ *Wayne Overbeck and Genelle Belmas***HAND OUT ASSIGNMENT ONE****Week 2: (1/17) and (1/19)****Unit 1:** Distributing or Regulating? – The role of the State

Reading: Reader pp. 3-32

The Context of Public Policy/ *Larry N. Gerston*Why Regulate? *Robert Baldwin and Martin Cave*Legal Basis of Regulation/ *Christopher H. Sterling, Phyllis W. Bernt, and Martin B.H. Weiss***ASSIGNMENT ONE DUE****Unit 2:** Competition law or Telecommunication Law I? – Antitrust regulation basics

Reading: Reader pp. 33-54

Antitrust Economics: Price Theory and Industrial Organization/ *Herbert Hovenkamp*The Analytical Framework: Markets and Market Power/ *John H. Shenefield and Irwin M. Stelzer*Rate-of-Return Regulation/ *Christopher H. Sterling, Phyllis W. Bernt, and Martin B.H. Weiss*Price Caps/ *Jonathan E. Nuechterlein and Philip J. Weiser***Week 3: (1/24) and (1/26)****Unit 3:** Competition law or Telecommunication Law II? – Network regulation basics

Reading: Reader pp. 55-91

Information Theory/ *P.H. Longstaff*A Tool for Networks/ *P.H. Longstaff*Network Effects and Interconnection/ *Jonathan E. Nuechterlein and Philip J. Weiser***Unit 4:** The State or an Independent Regulator? – Types of regulators

Reading: Reader pp. 92-113

The Federal Communications Commission: Front Line in the Culture and Regulation Wars/ *Kimberly A. Zarkin and Michael J. Zarkin***Week 4: (1/31) and (2/2)****Unit 5:** To speak or to be silenced? – The First Amendment

Reading: Reader pp. 114-137

The First Amendment/ *Philip M. Napoli*The Legacy of Freedom/ *Wayne Overbeck and Genelle Belmas*

Unit 6: The State or the Public? – The public interest standard in telecom regulation

Reading: Reader pp. 158-178

The “Public Interest” Standard: The Search for the Holy Grail/ *Erwin G. Krasnow and Jack N. Goodman*

Week 5: (2/7) and (2/9)

Unit 7: Sell, Lend or Lease? - Spectrum management issues

Reading: Reader pp. 179-188

An Introduction to the Electromagnetic Spectrum/ *Stuart Minor Benjamin, Douglas Gary Lichtman, and Howard A. Shelanski*

Review session for Exam #1 (Units 0-7)

Week 6: (2/14) and (2/16)

EXAM #1

CHAPTER 2: REGULATING THE CONTENT INDUSTRIES

Unit 8: Enough or too many? – Media ownership and digital broadcasting

Reading: Reader pp. 190-209

The Economics of Media Consolidation/ *Todd Chambers and Herbert H. Howard*

Week 7: (2/21) and (2/23)

Unit 9: Reactive or proactive? – Regulating content

A. Public broadcasting

Reading: Reader pp. 210-223

Public Broadcasting in the U.S./ *Robert W. McChesney*

Public Broadcasting, the Information Society, and the Internet: A Paradigm Shift?

Amit M. Schejter

B. Political speech

Reading: Reader pp. 225-248

The Fairness Doctrine: A Solution in Search of a Problem/ *Adrian Cronauer*

Political Broadcasting Rules/ *Roger L. Sadler*

Week 8: (2/28) and (3/1)

C. Children Programming

Reading: Reader pp. 249-250

Regulating Children’s Programming/ *Wayne Overbeck and Genelle Belmas*

D. Minority ownership

Reading: Reader 251-275

Inequities on the Air: The FCC Media Ownership Rules Encouraging Economic

Efficiency and Disregarding the Needs of Minorities/ *W. LaNelle Owens*

E. Indecency

Reading: Will be posted on ANGEL

Unit 10: Speech or transaction? – Regulation of commercial speech

Reading: Reader 277-290

Commercial Communications: Rights and Regulations/ *Michael G. Parkinson and L. Marie Parkinson*

Week 9: (3/13) and (3/15)

Unit 11: Must or must not carry? - Regulation of multiplatform video delivery systems

Reading: Reader pp. 291-306

Cable and Satellite Regulation/ *Roger L. Sadler*

Review for Exam #2 (units 8-11)

Week 10: (3/20) and (3/22)

EXAM #2

CHAPTER 3: REGULATING THE TELECOMMUNICATIONS INFRASTRUCTURE

Unit 12: Monopoly or competition? – History of common carrier regulation and the Telecommunications Act of 1996

Reading: Reader pp. 308-353

A. Historical review

Introducing Telecommunications/ *Christopher H. Sterling, Phyllis W. Bernt, and Martin B.H. Weiss*

Competition and Divestiture/ *Henk Brands and Evan T. Leo*

The Telecommunications Act of 1996/ *Sharon K. Black*

Week 11: (3/27) and (3/29)

B. Interconnection

Reading: Reader pp. 355-368

Interconnecting the Network of Networks/ *Eli M. Noam*

C. Universal service

Reading: Reader pp. 369-372; 387-391

Universal Service: A Concept in Search of a History/ *Milton L. Mueller, Jr.*

Universal Service/ *Nicholas Garnham*

Week 12: (4/3) and (4/5)

D. Unbundling

Reading: Reader pp. 393-406

'From All My Teachers I Have Grown Wise, and From My Students More than Anyone

Else': What Lessons Can the U.S. Learn from Broadband Policies in Europe? *Amit M. Schejter*

Unit 13: Wired or wireless? – The regulation of mobile networks

Reading: Reader pp. 407-418

The Way Forward for Wireless/ *Rob Frieden*

Week 13: (4/10) and (4/12)

Unit 14: Telecommunications or Information? - The boundaries of telecom regulation

Reading: Reader pp. 419-447

The Legacy of the Federal Communications Commission's Computer Inquiries/ *Robert Cannon*

Unit 15: Circuit Switched or Packet Switched? – Regulation of the Internet

Reading: Reader pp. 448-456

Access to Broadband Networks: The Net Neutrality Debate/ *Angele A. Gilroy*

Week 14: (4/17) and (4/19)

Review session for Exam #3 (Units 12-15)

EXAM #3

CHAPTER 4: WRAPPING UP

Week 15: (4/24) and (4/26)

“Reg-Fest 2009”: The Bi-Annual Telecom Regulation Festival – Poster sessions of regulatory issues.

Grading: There will be one written assignment, 3 exams, 6 current affair quizzes, and a presentation in a “poster session.” They will be graded as following:

Assignment 1	5%
Exam #1:	20% (for a score of 100*)
Exam #2:	20%
Exam #3 (final):	20%
Quizzes 1-6:	25%
“Poster”:	10%
Total:	100%
Bonuses:	5% poster creativity
	5% for taking part in the “Race Relations Project.”

These bonuses allow you to compensate for less than satisfactory performance in other assignments, however they do not compensate for missed quizzes or exams.

***In each exam you will be able to score up to 120 points. The extra 20 points can be used to compensate for a less than a 100% performance in another exam, but it cannot compensate for a no-show for an exam or quiz.**

***Only your best 5 quizzes will be counted for your grade, however all no-shows will be counted as well (in other words a “0” will not be counted as your worse quiz).**

***A quiz or exam you miss cannot be made up and will be awarded 0 points toward you final grade. This is a non-debatable issue.**

***If you miss three quizzes or two exams you will receive a failing grade for the course. This issue as well is non-debatable.**

***Any assignment not handed in on time (day and hour) will count as a “0”.**

World in Conversation Project: The World in Conversation Project (WinC) is a peer-facilitated diversity program that employs trained undergraduate students from Penn State to lead small group discussions and create dialogues about social and cultural issues that expand perspectives and invite greater understanding between people--locally and globally. Two facilitators from WinC encourage participants in your group to express their views and experiences on these issues. Because WinC’s mission is to expand the multicultural dialogue, facilitators do not teach or tell you what you should think. Instead, they encourage you to uncover for yourself what you actually think.

WinC programs occur outside of the regular meeting times of your class. Most programs are held in the evenings, although there are some day time programs throughout the week to accommodate your schedule. For more information on WinC, visit the WinC website <http://www.worldinconversation.org> or watch this short video <http://www.youtube.com/watch?v=oAcGXFuAFIE>

Participation in the WinC program is worth 5 points toward your grade.

Be aware, the programs for this class will only be offered **at specific dates**. One week before the start date you will receive an email explaining how to register for the WinC program. All questions regarding the WinC should be directed to the WinC staff at: worldinconversation@psu.edu

Attendance and assignment policy: I do not make distinctions between excused and unexcused absences – I assume that if you are not in class, you have a good reason and it’s none of my business. Therefore, I don’t want to see doctors’ notes, letters from coaches or excuses from parents, for example. Still, **it is not possible to make up missed work done in class, no matter the reason. Quizzes and exams begin at the moment declared by the administrator of the quiz or the exam. Once a student has finished either a quiz or exam and has left the classroom, no late entries will be allowed. If you are late to a quiz or exam, you will not be allowed to take it, so always make sure your alarm clock is functioning and that you make it to the bus stop in time.**

ANGEL: The course syllabus is available on ANGEL. We will use ANGEL in this course regularly for information, correspondence, and at times, the distribution of course-related materials and the handing in of assignments; you should therefore

check it daily for activity and updates. *As a means of introducing ourselves to one another, please post a picture to ANGEL so your classmates and instructors can sooner put names to faces in efforts to better establish a learning community.*

Personal Communication Devices: Use of cell phones, pagers, ipods, or any other personal communication devices or programs in the classroom during class time **is strictly prohibited**. You will be asked to leave for the day if you engage in such practices. Repeated offenses may affect your grades. Make sure these devices are turned off prior to entering the classroom.

Food and Beverages: Food and drinks are prohibited in the classroom as a result of past experience with crumbs, spills, and left garbage. Eat and get your caffeine before you come to class. You will be asked to dispose of any food items found in class, and asked to leave if you are found consuming them during class time. Water will be allowed on a trial basis; if garbage is left or spills occur, it will consequently also be prohibited; i.e. drink responsibly. **Likewise, you will be expected to dispose of any newspapers or other materials in your vicinity as you exit class, leaving the room in the best shape possible for the next class session. Take pride in your actions.**

Academic Integrity: Academic integrity is the pursuit of scholarly and creative activity in an open, honest and responsible manner, free from fraud and deception, and is an educational objective of the College of Communications and the university. Cheating, including plagiarism, falsification of research data, using the same assignment for more than one class, turning in someone else's work, or passively allowing others to copy your work, will result in academic penalties at the discretion of the instructor, and may result in the grade of "XF" (failed for academic dishonesty) being put on your permanent transcript. In serious cases it could also result in suspension or dismissal from the university. As students studying communication, you should understand and avoid plagiarism (presenting the work of others as your own). A discussion of plagiarism, with examples, can be found at: <http://tlt.its.psu.edu/suggestions/cyberplag/cyberplagstudent.html>. The rules and policies regarding academic integrity should be reviewed by every student, and can be found online at: www.psu.edu/ufs/policies/47-00.html#49-20, and in the College of Communications document, "Academic Integrity Policy and Procedures." Any student with a question about academic integrity or plagiarism is strongly encouraged to discuss it with his or her instructor.

Note to Students With Disabilities: Penn State welcomes students with disabilities into the University's educational programs. If you have a disability-related need for reasonable academic adjustments in this course, contact the Office for Disability Services, ODS located in room 116 Boucke Building at 814-863-1807(V/TTY). For further information regarding ODS, please visit their web site at www.equity.psu.edu/ods/. Instructors should be notified as early in the semester as possible regarding the need for reasonable academic adjustments.