

Telecommunications, the Internet, and other Network Industries

In addition to traditionally regulated network industries, such as telecommunications, broadcasting, energy, and railroads, many new technologies are founded on the same economic principles: computer software, social media websites, and even search engines all depend on network externalities. Firms in network industries present unique cost and asset characteristics that generate many of the most complex business and legal issues faced today. Many network industries are characterized by rapid innovation—firms may enjoy only brief windows of opportunity to win and to retain customers, before next-generation technologies displace them. The protection of intellectual property rights is of paramount strategic importance. These realities generate critical legal and economic questions.

Criterion has deep expertise in the economics of network industries. The firm's work has been cited and adopted by courts and regulators in the United States and abroad.

Our clients span the globe and are leaders in a wide range of dynamic fields. Representative engagements undertaken by Criterion experts have included:

- Analysis of proposed “network neutrality” regulation of the Internet
- Scores of matters involving telecommunications deregulation, interconnection, unbundling, rate regulation, mergers, takings, and industry restructuring for Verizon, AT&T, Vodafone, Telstra, Bell Canada, TelMex, Nippon Telegraph & Telephone, eircom, Portugal Telecom, and others

Representative Clients

- Arnold & Porter
- AT&T
- Bell Canada
- Cable & Wireless
- Deutsche Telekom
- Disney
- Latham & Watkins
- Microsoft
- National Association of Broadcasters
- Nippon Telegraph & Telephone
- Qualcomm
- United Parcel Service
- Verizon
- Vodafone
- Wiley Rein



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1614 20th Street, N.W.
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202.518.5120
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Telecommunications, the Internet, and other Network Industries, continued

- Analysis for the Republic of Mexico in the World Trade Organization's first arbitration under the General Agreement on Trade in Services (GATS), which concerned settlement rates on international telephone calls from the United States to Mexico
 - Analysis of the WorldCom fraud and bankruptcy
 - Stranded cost proceedings and restructuring for investor-owned electric utilities in numerous states
 - Analysis of spectrum auction policy
 - Evaluation of the competitive consequences of mergers in satellite radio and satellite television industries
 - Studies of the United States Postal Service and the postal rate and fee structure
 - Analysis of the FCC's broadcast ownership rules
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Publications and Presentations

- J. Gregory Sidak, *The Failure of Good Intentions: The WorldCom Fraud and the Collapse of American Telecommunications After Deregulation*, YALE JOURNAL ON REGULATION.
- J. Gregory Sidak, *A Consumer-Welfare Approach to Mandatory Unbundling of Telecommunications Networks*, YALE LAW JOURNAL, co-authored with Jerry A. Hausman.
- J. Gregory Sidak, *A Consumer-Welfare Approach to Network Neutrality Regulation of the Internet*, JOURNAL OF COMPETITION LAW & ECONOMICS.
- J. Gregory Sidak, *Did Mandatory Unbundling Achieve Its Purpose? Empirical Evidence from Five Countries*, JOURNAL OF COMPETITION LAW & ECONOMICS, co-authored with Jerry A. Hausman.
- J. Gregory Sidak, *Should Regulators Set Rates to Terminate Calls on Mobile Networks?*, YALE JOURNAL ON REGULATION, co-authored with Robert W. Crandall.
- J. Gregory Sidak, *Deregulatory Takings and the Regulatory Contract: The Competitive Transformation of Network Industries in the United States*, (Cambridge University Press), co-authored with Daniel F. Spulber.
- J. Gregory Sidak, *Antitrust Divestiture in Network Industries*, UNIVERSITY OF CHICAGO LAW REVIEW, co-authored with Howard A. Shelanski.
- J. Gregory Sidak, *An Antitrust Rule for Software Integration*, YALE JOURNAL ON REGULATION.

Practice Chair:

Professor J. Gregory Sidak