July 12, 2000 Exam No. _____

INTERNATIONAL TELECOMMUNICATIONS LAW

FINAL EXAM (2 Hours)

Professor Levin **Summer 2000**

DIRECTIONS: This exam is for two hours and is OPEN book. Write the answers to the essay and short answer questions in the bluebooks provided. Remember to put your exam number on each bluebook and on each page of the exam.

I suggest that you spend your time as follows:

Essay I:	30 minutes
Essay II:	30 minutes
Essay III:	20 minutes
Essay IV:	20 minutes
Short Answers:	20 minutes

There are no questions permitted after the distribution of the exam. If you think something is missing or mistaken, plainly state a corrective assumption and proceed with your answer.

ESSAY I.

1. Will Flinton, your law school roommate, has been elected as the President of Telestan, a country of 35 million people in Africa that is classified as a least-developed country and is a Member State of the ITU. Flinton has asked you to recommend a new reform plan for the Telestan phone system, which is presently an entirely state-owned monopoly under the Ministry of Posts and Telegraph. Prepare a legal opinion for Will, discussing the key features, advantages and disadvantages of your proposed regulatory system, including the structure and function of the regulatory body. Your opinion should also advise whether Telestan should join the World Trade Organization (WTO) and if so, whether it should file a schedule of commitments under the WTO Basic Agreement on Telecommunications.

ESSAY II.

2. Congratulations. Although a lowly staff attorney at PhoneCom, you have just received a letter that you are the long-lost nephew of Andy Orchard, the super-rich owner and founder of Outel. He is offering to give you 4 billion dollars to invest in the telecommunications field. Please write your uncle to accept the gift and tell him how you plan to invest the money. The options you should consider are launching a third generation mobile phone service, starting an Internet Telephony and Service provider or buying shares in a large telecommunications operator. Provide the reasons for your choice and discuss the pros and cons of each option, focusing on the legal and regulatory obstacles.

ESSAY III.

3. The Minister of Telecommunications of Mars, a developed country in Asia, is angry and has come to consult you. He has just received a formal notice of protest from MarsTel, the dominant phone company in Mars. A subsidiary of MarsTel wants to offer wireless phone service in Germany, but considers that the interconnection rates set by the dominant operator and approved by the regulatory authority are too high. Both Mars and Germany are Member States of the ITU and Members of the WTO, where they have filed schedules of commitments that include the Reference Paper on Telecommunications. Please prepare an opinion advising the Minister as to the actions Mars can pursue at the national and international level to assist MarsTel.

ESSAY IV.

You are a lawyer with the ITU. The Secretary-General has received a letter from the Principality of Sealand seeking to become a Member State of the ITU and to obtain a Country Code for its phone system. Sealand is located on an artificial island in the North Sea. Prepare a legal opinion for the Secretary-General, advising him as to how he should respond to the request.

SHORT ANSWERS

Describe and briefly explain (two or three sentences) the following terms:

1. Accounting Rates

2. Golden Share

3. Universal Service Obligation

4 Intergovernmental Organization

5. Harmful Interference

6. Assignment of Radiofrequency Spectrum

7 Radio Regulations Board