

JAMES B. SPETA
Northwestern University School of Law
357 East Chicago Avenue
Chicago, Illinois 60611
Phone: (312) 503-8470
E-Mail: j-speta@northwestern.edu

EDUCATION

The University of Michigan, Ann Arbor, Michigan.
J.D., magna cum laude, 1991.
Editor-in-Chief, Michigan Law Review (Vol. 89, 1990-1991).
B.A., with highest distinction, 1988 (major: economics).

EXPERIENCE

Professor, Northwestern University School of Law (Aug. 2005-present); *Assistant & Associate Professor* (Aug. 1999-Aug. 2005). Principal research areas: telecommunications law, Internet regulation, antitrust and regulation, and network industry regulation.

Director, Northwestern University School of Law Executive LLM Program – Seoul.

Visiting Assistant Professor, Northwestern University School of Law (Aug. 1998-Aug. 1999).

Associate, Sidley, Austin, Brown & Wood, Chicago, Illinois (Aug. 1993-Aug. 1998). Practice concentrated in telecommunications matters, appellate and complex civil litigation, antitrust, and contested corporate transactions.

Visiting Assistant Professor, The University of Michigan Law School (Aug. 1992-May 1993). Taught Federal Appellate Practice (issues of federal jurisdiction and administrative law) and Contemporary First Amendment Issues.

Law Clerk, The Honorable Harry T. Edwards, United States Court of Appeals for the District of Columbia Circuit (Aug. 1991-Aug. 1992).

PUBLICATIONS

Spectrum Policy Experiments: What's Next?, U. Chi. Legal Forum (forthcoming 2008).

Assessing the Network Neutrality Alternatives, Journal of Network Economics (forthcoming 2008).

Modeling an Antitrust Regulator for Telecommunications, in Balancing Antitrust and Regulation in Network Industries (H. Shelanski & F. Leveque eds., forthcoming 2008).

Resale Requirements and the Intersection of Antitrust and Regulated Industries, 31 J. Corp. L. 307 (2006).

Making Spectrum Reform "Thinkable," 4 J. Telecom. & High Tech. L. 183 (2006).

Rewriting U.S. Telecommunications Law with an Eye on Europe, in *Connecting Markets & Societies* (Jürgen Müller & Brigitte Preissl, eds.) (2006).

An Overview of Media Concentration in the United States: Regulation and the Theory of Deregulation, in *Digitale Satellitenplattformen in den USA und Europa und ihre Regulierung* (Institutes für Europäisches Medienrecht 2005).

Policy Levers in Korean Broadband, 4 J. Korean Law 1 (2004).

Deregulating Telecommunications in Internet Time, 61 Wash. & Lee L. Rev. 1063 (2004).

Vertical Regulation in Digital Television: Explaining Why the United States Has No Access Directive, in *Regulating Access to Digital Television Technical Bottlenecks, Vertically-Integrated Markets and New Forms of Media Concentration* 53-65 (European Audiovisual Observatory 2004).

Antitrust and Local Competition under the Telecommunications Act, 71 Antitrust L.J. 99 (2003).

FCC Authority To Regulate The Internet: Creating It and Limiting It, 35 Loy. U. Chi. L.J. 15 (2003).

Competitive Neutrality in Right of Way Regulation: The Consequences of Convergence, 35 Conn. L. Rev. 763 (2003).

Maintaining Competition in Information Platforms: Thoughts on Vertical Restrictions in Emerging Information Platforms, 1 J. Tel. & High Tech. L. 185 (2002).

A Vision of Internet Openness by Government Fiat, 96 Nw. U. L. Rev. 1553 (2002) (reviewing Lawrence Lessig, *The Future of Ideas: the Fate of the Commons in a Connected World*).

A Common Carrier Approach To Internet Interconnection, 54 Fed. Comm. L.J. 225 (2002).

The Vertical Dimension of Cable Open Access, 71 Colo. L. Rev. 975 (2000).

Handicapping the Race for the Last Mile?: A Critique of Open Access Rules for Broadband Platforms, 17 Yale J. on Reg. 39 (2000).

Tying, Essential Facilities, and Network Externalities: A Comment on Piraino, 93 Nw. U.L. Rev. 1277 (1999).

Internet Theology, 2 Green Bag 2d 227 (1999) (reviewing Mike Godwin, *Cyber Rights* (1998)).

Hon. Harry T. Edwards and James B. Speta, "Our Federalism": Doctrines of Legislative and Judicial Federalism in the United States (Comparative Lessons for "Subsidiarity" in the European

Community?) (Mentor Group Working Paper 1993).

Note, *Narrowing the Scope of Civil Drug Forfeiture: Section 881, Substantial Connection, and the Eighth Amendment*, 89 Mich. L. Rev. 165 (1990).

WORKING PAPERS

The Consumer Benefits of Video Franchise Reform in Illinois, Heartland Policy Study #112 (2007) (with John Skorburg & Steven Titch).

Network Neutrality Is a Federal Issue, Free State Foundation Working Paper (2007).

GRANTS

Measuring the Welfare Loss from the FCC's TV Table of Allocations, Searle Foundation, 2003-2004 (with David Haddock).

PANEL & PAPER PRESENTATIONS

The Future of Intercarrier Compensation, University of Pennsylvania Conference on 25 Years after the Bell Decree, April 2008.

The Year in Telecommunications Regulation, Searle Center on Law and Regulation, April 9, 2008.

Getting Past the Network Neutrality Roadblock, SNU-Berkeley Centers for Law and Technology, January 2007.

The Digital Age Communications Act's Approach to Net Neutrality. March 2006.

Antitrust and Unfair Competition, SNU-Berkeley Centers for Law and Technology, Annual Conference, February 2006.

Antitrust and Regulation in Telecoms, Ecole des Mines, January 2006.

Commentary on the Federal/State Relations Proposal, Digital Age Communications Act Project, September 2005.

The Regulatory Framework Proposal, Digital Age Communications Act, June 2005.

VoIP Blocking and Network Neutrality, Congressional Internet Caucus, on April 19, 2005.

The Political Economy of Spectrum Reform, Silicon Flatirons, University of Colorado, February 2005.

Commentary on Broadcasting Convergence in the U.S. and Korea, SNU-Berkeley Centers for Law and Technology, Annual Conference, January 2005.

Options and Prospects for Voice over Internet Protocol Regulation, Presentation, Federal Communications Bar Association, October 2004.

Comparative Law and Economics of U.S. and European Telecommunications Reform, Telecommunications Policy Research Conference (Washington, D.C.), October 2004.

The FCC's Jurisdiction To Regulate the Internet, Cardozo Law School, September 2004.

Rewriting U.S. Telecommunications Law with an Eye on Europe, International Telecommunications Society, Berlin, Germany, September 2004.

Current U.S. Broadband Policy and Prospects for Deregulation, Presentations to Korean Ministry of Information and Communications and Korean Information Strategy Development Institute, June 2004.

U.S. Approaches To Vertical Media Regulation, Medienforum.nrw, Cologne, Germany, June 2004.

Untangling Copyright and Communications Law: The FCC's Digital Rights Management Policies, Michigan State University-DCL College of Law, March 2004.

Lessons from Korean Broadband Policy for the United States, SNU-Berkeley Technology Centers, February 2004.

Deregulating Telecommunications in Internet Time, Georgetown Law School Intellectual Property and Technology Law Colloquium, December 2003.

U.S. Vertical Regulation of Digital Television Platforms, European Audiovisual Observatory & IVIR, University of Amsterdam, September 2003.

The Article I Authority of the FCC, Loyola University of Chicago, February 2003.

Legal Rules To Implement Dynamic Spectrum Sharing, Panel Presentation, Carnegie Mellon University, Insites Program, February 2002.

The Antitrust Regulation of Information Platforms, Panel Presentation and Paper, Silicon Flatirons, University of Colorado, January 2002.

Vertical Exclusivity in Third-Generation Wireless, Paper and Presentation, Pacific Telecommunications Council, Seoul, South Korea, June 2001.

Corporate Control and Industry Structure in Global Communications, London Business School, Paper Discussant, May 2001.

Cable Internet Regulation and Market Incentives for Openness, Stanford Center for Internet and Society, Panel Presentation, December 2000.

A Common Carrier Approach to Internet Interconnection, Paper and Presentation, Telecommunications Policy Research Conference, Washington, D.C., September 23, 2000.

Open Source and Open Access, Panel Presentation, The E-Business Transformation, Brookings Institution and Department of Commerce, September 2000.

Unbundling & Open Access, Telecommunications in the 21st Century, Paper and Presentation, University of Colorado Law Review, February 2000.

Telecommunications Innovation, Moderator, University of Chicago Legal Forum, October 1999.

Mandatory Resale Rules in Long Distance Markets: Regulation Searching for an (Economic) Justification, Working Paper and Presentation, Telecommunications Policy Research Conference, Washington, D.C., September 1999.

TESTIMONY AND AGENCY SUBMISSIONS

Testimony (invited panelist), Federal Communications Commission, Media Concentration Field Hearing, September 20, 2007.

Testimony, "Video Franchising Reform in Illinois," Illinois House Telecommunications Committee, March 15, 2007.

Testimony, "Competition in the Communications Marketplace: How Technology Is Changing the Structure of the Industry," House Energy & Commerce Committee, March 2, 2005.

Comments, Inquiry Concerning High-Speed Access to the Internet over Cable and Other Facilities, FCC GN Docket 00-185 (Jan. 19, 2001) [filed on behalf of AT&T Corp.].

Comments on Request by Staff of Senate Commerce Committee, Hearings on Internet Access and the Consumer, Senate Commerce Committee (April 13, 1999)
(comments available at <http://www.senate.gov/~commerce/hearings/0414spe.pdf>).

Ex Parte Comments, In the Matter of the Merger of AT&T Corp. and MediaOne, Submitted to the Federal Communications Commission (Dec. 22, 1999) (addressing whether FCC should condition approval of merger on open access conditions).

OTHER PROFESSIONAL ACTIVITIES

Board of Academic Advisors, The Free State Foundation, 2008-present.

Advisory Board (including peer review), I/S: A Journal of Law and Policy for the Information

Society.

Co-Chair, Working Group on “New Regulatory Framework,” The Digital Age Communications Act Project, Progress & Freedom Foundation, 2004-2006.

Board of Advisors, Institute for Regulatory Law & Economics, 2003-present.

Board of Legal Experts, Carnegie Mellon University Insites Program (Law and Technology), 2002-2006.

Admitted to Illinois, Seventh Circuit, and Northern and Central Districts of Illinois Bars. Active membership.

Expert Declaration for AT&T Corp. in Inquiry Concerning High-Speed Access to the Internet over Cable and Other Facilities, FCC GN Docket 00-185 (Jan. 19, 2001).

United States Court of Appeals for Seventh Circuit. Accepted appointments in civil cases on request of Circuit Executive. One continuing matter (as of 2008).

Occasional appellate and complex litigation consulting. Clients (either directly or indirectly through a law firm) have included Citgo Petroleum Corp., Union Carbide Corp., and PacTiv Corp.

TEACHING

Courses: Administrative Law, Antitrust Law, Business Associations, Intellectual Property, Telecommunications and Internet Policy, and Torts

Teaching Awards: Best Teacher of a First-Year Class (1999-2000 and 2007-2008)
(student-voted award)
Childres Award for Teaching Excellence
(2000-2001 & 2005-2006) (student-voted award for best overall teacher)
Dean’s Teaching Award (2002-2003, 2005-2006)
Elected “Last Lecturer” for Graduating Class (2005, 2006).

SERVICE

2007-2008: Co-Chair, University Committee to revise patenting policy.
Member, Dean’s Working Group on skills development and curriculum.
Member, Clerkship Committee.

2006-2007: Chair, Curriculum Committee
Member, Business and Commercial Appointments Subcommittee

2005-2006: Chair, Curriculum Committee
Member, Intellectual Property Appointments Subcommittee

- 2003-2004: Chair, Clerkship Committee
Faculty Advisor, Media & Entertainment Law Society (assisted students organizing conference on FCC media ownership rules)
- 2002-2003: Member, Faculty Advisory Committee (faculty-elected member)
Law Review Faculty Advisor
Member, Clerkship Committee
- 2001-2002: Member, Faculty Advisory Committee (faculty-elected member)
Law Review Faculty Advisor
- 2000-2001: Co-chair, Clerkship Committee
Member, Corporate and Securities Appointments subcommittee
Member, Entry-level Appointments subcommittee
Program Committee, Election 2000 Conference
Northwestern Great Debates, sponsored by Provost's office, Feb. 2001
- 1999-2000: Member, Appointments Committee
Chair, Clerkship Committee