



## FALL 2025 COURSE SYLLABUS

Course Number: 181-001  
Course Title: Communications Law  
Credit Hours: 3  
Grading Mode: LETTER GRADE  
Meeting Time(s): MON / WED 9:00-10:25AM  
Meeting Mode: ON CAMPUS  
Exam Time(s): DEC. 9, NOON  
Exam Mode: ON CAMPUS  
Prerequisite(s): N/A  
Corequisite(s): N/A  
Instructor(s):  
Nicholas Degani | Michael Carlson

### Contact Info:

[ndegani@gmu.edu](mailto:ndegani@gmu.edu) | [mcarls5@gmu.edu](mailto:mcarls5@gmu.edu)

Email is our preferred method of communication. If you have any questions or concerns, please reach out to both of us.

### Reading(s) & Supplement(s):

*Digital Crossroads: Telecommunications Law and Policy in the Internet Age* (3<sup>rd</sup> ed.) by Jonathan E. Nuechterlein and Howard A. Shelanski (forthcoming, MIT Press).

This book is not yet published, so we will be providing the readings from *Digital Crossroads*, along with supplemental readings, on CANVAS. However, you will be responsible for finding both statutory provisions and (almost all) FCC orders yourself, with a brief primer on how to do so during the first class.

## Course Overview

This course surveys the principles underlying our nation's communications law, policy, and regulation. The course includes a close study of the Communications Act of 1934, as amended, and the Telecommunications Act of 1996, the two foundational statutes for communications law, and in-depth review of several prominent orders of the Federal Communications Commission and cases before the courts. In particular, we will examine the regulatory treatment of a number of related technologies including telephony, broadband Internet, wireless communications, satellites, broadcasting, and cable—as well as the legal strictures that sustain or restrain action by the Commission.

## Course Learning Outcomes

By the end of this course, students will have a basic grasp of administrative law and its application in the world of communications law, will have the ability to read legislation and see it translated into real-

world outcomes, will be able to identify relevant and enduring concepts in communications law, will be able to find and analyze decisions of the Commission in an interdisciplinary manner, and will learn to think outside the box and analyze communications law issues from a variety of perspectives.

### Grading Policies

Your grade will be almost entirely based on the final exam, although it may be modified based on your in-class participation and attendance. The final exam is on December 9 from 12:00 to 3:00 pm. The 3-hour final exam will be open book. However, like most exams, it will be time pressured so that you will have limited time to review your notes and other materials.

### Classroom Policies

**Attendance:** Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

**Absences:** Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Your attendance may also impact your eligibility for course credit. Per GMU policy, absence from six or more sessions in this course *for any reason* will result in a loss of credit. A student who is not present for at least 75% of a session is considered absent. A student cannot participate in a class, if he or she is absent.

### Participation & Preparation:

In-class participation may impact your final grade. Students are expected to be active and thoughtful participants in classroom discussions. Exceptional performance may result in an upward adjustment of your final grade by one step (e.g., from B+ to A -); a significant lack of in-class participation may result in a downward adjustment of your final grade by one step (e.g., from B+ to B). You do not need an administrative-law, technology, or economic background to succeed in this course. You do, however, need to be prepared on a daily basis and need to exercise critical thinking skills and common sense during in-class discussions. If you do not regularly read before class, this course is not for you.

### Use of Technology & AI:

**Moderate Use Policy:** Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, outline, and study outside of class, but may not use AI at any point in the classroom or during testing. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

### Use of Electronic Text Books During Exams:

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's *written* exam instructions. Electronic text books (e-books) may be used during

exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

## Course Schedule & Assignments

Please note that there will be no class on September 1 (Labor Day) or October 13 (Fall Break).

Class # (Date)	Topic	Reading
1 (8/18)	Network Basics Admin Law Basics	<i>Digital Crossroads</i> 1-18 5 U.S.C. § 706
2 (8/20)	Rate Regulation: The Basics	Communications Act §§ 201, 203 <i>Digital Crossroads</i> 19-29
3 (8/25)	FCC Authority: The Basics	<i>AT&amp;T v. Iowa Utilities Board</i> (Sup. Ct. 1999, pp. 370-86) <i>MCI v. AT&amp;T</i> (Sup. Ct. 1994, pp. 220-45)
4 (8/27)	FCC Overview	<i>Communications Law and Policy</i> (8.0) 25-34 The Importance of Economic Analysis at the FCC
5 (9/3)	Universal Service: High-Cost	Communications Act § 254 <i>Universal Service Order</i> (FCC 97-157, paras. 223-31, 250-51) Urban Rate Survey Results (DA 23-1172)
6 (9/8)	Rate Regulation: An Evolving Example	<i>First Inmate Calling Order</i> (FCC 13-113, paras. 39-81) <i>Second Inmate Calling Order</i> (FCC 15-136, paras. 48-75)
7 (9/10)	FCC Authority: Vis-à-vis the States	Communications Act § 2 <i>Louisiana PSC v. FCC</i> (Sup. Ct. 1986, pp. 358-63, 368-79) <i>Global Tel*Link v. FCC</i> (D.C. Cir. 2017, pp. 8-15, 20-28)
8 (9/15)	Early Competition	Remarks on the 100 <sup>th</sup> Anniversary of the Kingsbury Commitment <i>Digital Crossroads</i> 29-39
9 (9/17)	Introducing Competition	Communications Act § 253 <i>Sandwich Isles 253 Order</i> (FCC 17-85, paras. 1-29) <i>Minnesota Public Utilities Commission v. FCC</i> (8 <sup>th</sup> Cir. 2007, pp. 6-10, 13-22)
10 (9/22)	Competition Through Resale	Communications Act § 251 <i>Digital Crossroads</i> 39-51
11 (9/24)	Competition Through Buildout	Communications Act § 224 <i>2011 Pole Attachment Reform Order</i> (FCC 11-50, paras. 127-52) <i>One-Touch Make-Ready Order</i> (FCC 18-111, paras. 140-60)

<b>Class # (Date)</b>	<b>Topic</b>	<b>Reading</b>
12 (9/19)	Competition & Deregulation	Communications Act § 10 <i>Digital Crossroads</i> 51-58 <i>UNE Forbearance Order</i> (FCC 19-72, paras. 1-22, 25-35)
13 (10/1)	Universal Service: The Evolution	<i>Digital Crossroads</i> 213-28
14 (10/6)	Spectrum: The Basics	<i>Digital Crossroads</i> 59-70, 100-11
15 (10/8)	Spectrum: Models of Control	<i>Digital Crossroads</i> 70-95 Some Economics of Wireless Communications (2002, pp. 27-36)
16 (10/15)	Spectrum: Auctions	<i>Incentive Auction Order</i> (FCC 14-50, paras. 1-37, 325-46) <i>C-Band Auction Order</i> (FCC 20-22, paras. 1-12, 20-53, 178-92, 211-41)
17 (10/20)	FCC Authority: The First Amendment	<i>Communications Law and Policy</i> (8.0) 57-69
18 (10/22)	Broadcasting & Cable: Part I	<i>Digital Crossroads</i> 238-54
19 (10/27)	Broadcasting & Cable: Part II	<i>Digital Crossroads</i> 255-75
20 (10/29)	FCC Authority: Classification	Communications Act § 3(24), (50), (51), (53) <i>Cable Modem Order</i> (FCC 02-77, paras. 1, 31-59) <i>NCTA v. Brand X</i> (Sup. Ct. 2005, pp. 973-80, 986-1000, 1005-14)
21 (11/3)	Net Neutrality: Part I	<i>Digital Crossroads</i> 153-65 <i>Comcast BitTorrent Order</i> (FCC 08-183, paras. 1-11, 41-56)
22 (11/5)	FCC Authority: Ancillary Authority	Communications Act § 1, 2, 4(i) Telecommunications Act § 706 <i>Comcast BitTorrent Order</i> (FCC 08-183, paras. 12-27) <i>Comcast v. FCC</i> (D.C. Cir. 2010, pp. 2-8, 12-36)
23 (11/10)	Net Neutrality: Part II	<i>Digital Crossroads</i> 165-87 <i>Title II Order</i> (FCC 15-24, paras. 310-30, 355-87) <i>Title II Order</i> (Pai Dissent, pp. 32-43)

<b>Class # (Date)</b>	<b>Topic</b>	<b>Reading</b>
24 (11/12)	Net Neutrality: Part III	<p><i>Second Title II Stay Order</i>, Case No. 24-7000 (6th Cir. 2024)</p> <p><i>Ohio Telecom Ass’n v. FCC</i> (6th Cir. 2025, pp. 1-20)</p> <p><i>USTA v. FCC</i> (D.C. Cir. en banc 2017, Kavanaugh Dissent pp. 19-36, Srinivasan &amp; Tatel concurrence pp. 12-23)</p>
25 (11/17)	Current Debates: The IP Transition	<p><i>IP-Enabled Services NPRM</i> (FCC 04-28, paras. 1-22, 35-37)</p> <p>The IP Transition: Great Expectations or Bleak House? (2014)</p> <p>DPI’s Comments on the IP Transition (2025)</p>
26 (11/19)	Current Debates: Satellites	<p><i>NGSO Spectrum Sharing Order</i> (FCC 23-29, paras. 1-8, 13-21, 26-31)</p> <p><i>Supplemental Coverage from Space Order</i> (FCC 24-28, paras. 1-6, 18-26)</p>

## [Student Resources](#)

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

[Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:](#)

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703 -380-1434 or Counseling and Psychological Services (CAPS) at 703 -993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703 -993-8730, or emailing [titleix@gmu.edu](mailto:titleix@gmu.edu).

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

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