Communications, Broadband & New Media Law

GrayRobinson’s communications lawyers provide clients with a wide variety of legal services pertaining to the telecommunications, cable television and video, broadband and Internet and wireless industries. Our knowledge of these fields results from years of experience working both within this industry and as outside counsel to regulators of the industry and applying state and federal communications laws at the local level. Communications is a unique and heavily regulated field. Our commitment to this area of the law is demonstrated by Attorney Gary Resnick, the head of our communications team, serving on the Board of Directors of the National Association of Telecommunications Officers and Advisors (NATOA), was a founding member and is currently an officer of the Florida Chapter of NATOA (FLATOA) and being appointed by the Chair of the Federal Communications Commission to serve on its Intergovernmental Advisory Committee.

Our communications lawyers represent both public and private entities on communications contractual and regulatory matters and on policy issues at the state and federal levels, including the Federal Communications Commission (FCC), Congress, Florida Legislature, Florida Department of Revenue, before the Florida Public Service Commission and the Puerto Rico Telecommunications Regulatory Board. The firm further represents public and private entities in litigation in Florida courts as well as in proceedings at the Federal Communications Commission, Florida Public Service Commission, Puerto Rico Telecommunications Regulatory Board and Puerto Rico courts.

Telephone

Our communications lawyers provide legal counsel with regard to changing laws pertaining to the telephone industry. We represent public and private entities with respect to fiber leases, contracts for the provision of services and the implementation and administration of Florida's Communications Services Tax Simplification Law, as well as on such issues as access to poles and conduits and regulation and compensation for use of public rights-of-way, pole attachment fees, taxes and franchise fees and audits, interconnection agreements with incumbent telephone companies and anticompetitive disputes against incumbent providers.

Cable Television and Video

Our communications lawyers have significant experience representing public and private entities with respect to virtually every issue involving the cable industry. Whether the matter involves a homeowners association a developer or government regulatory issues to comply with changes in the industry or in federal and state law, our clients benefit from our attorneys’ years of in-depth experience in this industry. We offer a thorough understanding of the technical and financial issues in this rapidly changing field, as well as its complex legal and regulatory framework.

Our communications lawyers represent numerous local governments in connection with franchise issues with the nation's major cable television companies, including Comcast, Verizon, Time Warner, Adelphia, Bright House Networks, Atlantic Broadband and Charter
Communications. We regularly advise and represent local governments regarding public; education; and government access channels; competitive issues; institutional networks; customer service requirements; FCC regulations and technical issues. In addition, we assist local governments with regulation and compensation pertaining to the use of the public rights-of-way, often drafting such ordinances to protect local governments’ authority under federal and state law and providing assistance with audits, pole attachment agreements and use of public facilities. We were very involved in Florida’s cable franchising statute adopted in 2007 and have advised hundreds of clients with respect to the state law’s requirements.

Our communications lawyers are also knowledgeable regarding Direct Broadcast Satellite, Internet Protocol (IP) video and other video distribution technologies and regularly advise clients regarding regulations pertaining to such providers of such services and compensation issues associated with these services. We further have substantial experience representing private entities, including broadcasters and leased access users, with respect to issues involving the cable industry and federal and state regulations, including carriage rights and agreements.

Wireless Services

Our communications lawyers draft ordinances and advises local governments and private property owners with respect to issues involving the placement and maintenance of wireless facilities under applicable state and federal laws, including the Telecommunications Act of 1996. Mr. Resnick was instrumental in rewriting Florida's statute dealing with local regulation of the placement of cellular towers and facilities. Our communications lawyers provide counsel and legal services in connection with applications for permits for towers and antennas. Our attorneys also advise and assist public and private property owners in connection with lease negotiations for wireless facilities on their property.

Broadband

As technology continues to evolve, our attorneys remain focused on how these technologies impact and create opportunities for local governments. Our communications lawyers are involved in shaping state and federal laws that impact local governments' regulation and offering of broadband services. We represent local governments and private entities with respect to requests for proposals and the negotiation of agreements to obtain broadband services in their communities, including Wi-Fi services, and we assist them in pursuing revenue opportunities by making broadband services available to their residents. Whether the issues involve DSL, Wi-Fi, VoIP, broadband over power lines or other new technologies, our attorneys are well-equipped to advise local governments on issues involving competition, compensation, rights-of-way management, consumer protection, public safety and revenue opportunities.

800 MHz and Public Safety Communications

Our communications lawyers represent numerous governments with respect to issues involving the 800 MHz spectrum frequencies and the FCC’s Rebanding Order. Further, the firm represents public and private entities with respect to ensuring appropriate communications systems in the event of emergencies and disasters, including backup communications systems, hurricane preparedness plans and grants for communications systems.
Private Contracts

We have extensive experience with private contracts for video, broadband and communications services and/or communications infrastructure with developers, homeowner/condominium associations and owners of multi dwelling unit and commercial properties. Whether the matter involves negotiating and drafting terms of such agreements, analyzing issues of compliance and termination, or applying of state and federal law to such contracts, our attorneys have years of experience with such agreements. Our depth of experience ranges from contracts covering communities with only a few units to agreements covering tens of thousands of units, and from small, private providers to the largest communications and cable companies in the country. Our ability to work with leaders in the industry has led to excellent results, in terms of both financial considerations and the technical aspects of such agreements.

Litigation/Arbitration

While we take pride in our record of being able to create solutions that work for all parties and to avoid litigation, occasionally disputes cannot be resolved outside of a court or administrative agency forum. We have litigated such disputes in courts throughout Florida and in administrative agencies such as the Federal Communications Commission, Florida Public Service Commission and Puerto Rico Telecommunications Regulatory Board. Our litigation experience covers the wide range of disputes that arise in the complex communications industry, including contractual disputes, issues involving competitive practices, regulatory matters and commercial torts. We also have ample experience in telecommunications arbitrations involving interconnection agreements with the telephone incumbents.

Recent E-lerts

GrayRobinson E-lert -- Gary Resnick Testifies Before U.S. Senate on Broadband Infrastructure (5/5/17)


New Federal Regulations Regarding Regulating Wireless Facilities (3/30/15)

CC&B E-lert -- Middle Class Tax Relief and Job Creation Act 2012 (7/30/12)

CC&B E-lert -- President Issues Executive Order to Accelerate Broadband Infrastructure Deployment (6/22/12)


CC&B E-lert -- Florida Condo Laws Amended to Allow for Bulk Broadband Contracts (11/22/10)

CC&B E-lert -- Operation of Certain Wireless Microphones Prohibited After June 12, 2010 (6/1/10)

CC&B E-lert -- FCC Releases National Broadband Plan (3/19/10)
CC&B E-lert -- NTIA'S Second Round of Broadband Stimulus Federal Funding (2/19/10)

CC&B E-lert -- New Ruling Affects Wireless Tower and Antenna Applications (12/9/09)

CC&B E-lert -- New Appellate Decision Affecting Developers of Condos & Condo Associations (8/27/09)