Telecommunications Regulation and Law: Licensing, Spectrum, Interconnection and Market Power

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Paris - Right Bank business hotel



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Introduction:

Telecommunications regulation and law shape every operator decision on licences, spectrum, network access and retail offers, yet many regulatory teams react to consultations and determinations late, with arguments that are legally weak or economically thin. Regulators face the opposite problem: rules that are hard to enforce or that deter investment. This Core Concept course gives regulatory affairs, legal and strategy staff at operators and ICT regulators a working method for licensing, spectrum assignment, interconnection, market power remedies, universal service and consumer rules. Each participant drafts a Regulatory Consultation Response on a case issue.

Course Objectives:

- Explain the economic and public-interest rationale for sector regulation and assess the independence, powers and accountability of an ICT regulator
- Interpret individual licences, class authorisations and licence conditions and advise on obligations, fees, transfers and renewal
- Evaluate spectrum assignment options, including administrative award, auctions, secondary trading and refarming, against efficiency and coverage goals
- Analyse interconnection and wholesale access disputes and apply market definition, dominance tests and ex-ante remedies to a case
- Assess universal service funding, net neutrality, quality of service and consumer protection rules for their effect on operators and end users
- Draft a Regulatory Consultation Response that sets out legal grounds, economic evidence and proposed remedies on a live sector issue

Target Audience:

- Regulatory affairs functions that manage licence conditions, regulator correspondence and consultation submissions at operators
- Legal functions that advise on telecom statutes, licence terms, interconnection agreements and sector disputes
- Strategy and wholesale functions whose plans depend on spectrum holdings, access terms and market power findings
- Policy, licensing and market analysis functions within ICT regulators
- Compliance and governance functions that monitor regulatory obligations and reporting inside operators
- Consumer affairs and quality of service functions that handle complaints, service standards and dispute escalation

Course Outline:

Day 1: Why Telecom Is Regulated and the Institutional Model of the Regulator

- Natural Monopoly, Network Effects and Scarce Spectrum as the Case for Sector Regulation
- Sector Legislation Hierarchy: Telecom Statute, Implementing Regulations, Licence Conditions and Decisions
- Regulator Institutional Models: Independence, Funding, Board Structure and Accountability Tests
- ITU Role at Overview: ITU-R, Radio Regulations and International Coordination Principles
- Regulatory Impact Assessment and Public Consultation Procedure: Notice, Comments and Determination

Day 2: Licensing Regimes, Authorisations, Spectrum and Numbering

- Individual Licences Versus General Authorisations: Scope, Fees, Transfer and Renewal Terms
- Licence Condition Register: Rollout, Coverage, Reporting and Security Obligations
- Spectrum Assignment Methods: Administrative Award, Comparative Selection, Auctions and Lotteries
- Spectrum Pricing, Auction Design Choices, Secondary Trading and Band Refarming
- National Numbering Plan Administration, Number Allocation and Portability Obligations

Day 3: Interconnection, Wholesale Access and Market Power Analysis

- Interconnection Obligations and the Reference Interconnection Offer: Structure and Approval
- Wholesale Access Products: Unbundling, Bitstream, Duct Access and National Roaming
- Relevant Market Definition Using the SSNIP Test and Substitutability Evidence
- Dominance Assessment: Market Shares, HHI Concentration, Barriers to Entry and Countervailing Power
- Ex-Ante Remedies: Access, Non-Discrimination, Transparency, Price Control and Accounting Separation

Day 4: Universal Service, Net Neutrality, Consumer Protection and Disputes

- Universal Service Obligations and Universal Service Fund Levy, Tendering and Disbursement Models
- Net Neutrality Principles and Reasonable Traffic Management Exceptions
- Retail Price Regulation at Overview and Consumer Protection Rules on Contracts and Billing
- Quality of Service Indicators, Measurement Regimes and Enforcement Penalties
- Passive and Active Infrastructure Sharing and Regulatory Dispute Resolution Procedures

Day 5: Case Study: Regulatory Consultation Response and Operator Compliance Function

- Operator Regulatory Compliance Function: Obligations Register, Controls and Board Reporting
- Case Data Pack Review: Draft Regulatory Decision, Market Data and Stakeholder Positions
- Legal Grounds and Economic Evidence Mapping for the Consultation Case Issue
- Drafting Proposed Remedies, Alternatives and Implementation Conditions
- Regulatory Consultation Response Presentation and Regulator Panel Challenge

Skills You Will Gain:

- Licence Condition Analysis
- Spectrum Award Evaluation
- Interconnection Dispute Handling
- Relevant Market Definition
- Ex-Ante Remedy Design
- Universal Service Fund Assessment
- Quality of Service Enforcement Review
- Consultation Submission Drafting

Why Attend This Course:

- Return with a Regulatory Consultation Response built on a realistic sector case and ready to adapt to your own submissions
- Read a draft regulatory decision and identify the legal and economic points that can change its outcome
- Understand how regulators and operators each approach spectrum, access and market power questions by working both sides of a case
- Exchange practice with legal, regulatory and strategy peers from mobile, fixed and satellite operators and ICT regulators

Conclusion:

Sound telecommunications regulation rests on clear legal powers, credible economic evidence and transparent procedure. The one week move from the rationale for sector regulation and the regulator's institutional model, through licensing, spectrum and numbering, to interconnection, wholesale access and market power analysis, then to universal service, net neutrality, consumer protection and dispute resolution. The final day applies these methods to a case and produces a Regulatory Consultation Response that participants can use as a template for future submissions.