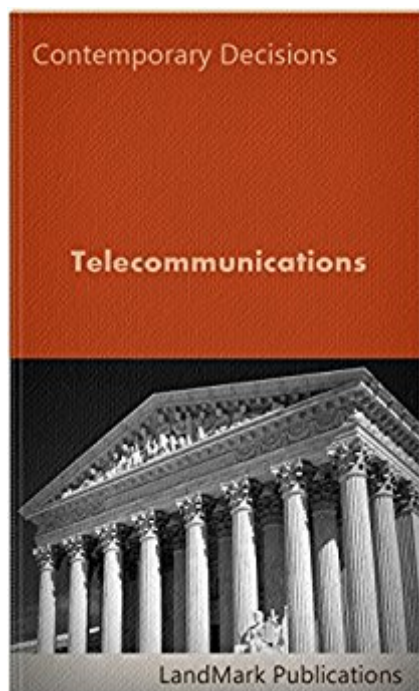


The book was found

# Telecommunications (Litigator Series)



## Synopsis

THIS CASEBOOK contains a selection of 177 U. S. Court of Appeals decisions that discuss and analyze issues affecting the telecommunications industries. The selection of decisions spans from 2004 to the date of publication. In the Nineteenth Century, American courts began imposing certain obligations "conceptually derived from the traditional legal duties of innkeepers, ferrymen, and others who served the public" on companies in the transportation and communications industries. As the Supreme Court explained in *Interstate Commerce Commission v. Baltimore & Ohio Railroad Co.*, 145 U.S. 263, 275, 12 S.Ct. 844, 36 L.Ed. 699 (1892), "the principles of the common law applicable to common carriers... demanded little more than that they should carry for all persons who applied, in the order in which the goods were delivered at the particular station, and that their charges for transportation should be reasonable." Congress subsequently codified these duties, first in the 1887 Interstate Commerce Act, ch. 104, 24 Stat. 379, then the Manns-Elkins Act of 1910, ch. 309, 36 Stat. 539, and, most relevant here, the Communications Act of 1934, ch. 652, 48 Stat. 1064. [Citations Omitted.] *Verizon v. FCC*, 740 F. 3d 623 (DC Cir. 2014) Although the nature and scope of the duties imposed on common carriers have evolved over the last century, see, e.g., *Orloff v. FCC*, 352 F.3d 415, 418-21 (D.C.Cir.2003) (discussing the implications of the relaxation of the tariff-filing requirement), the core of the common law concept of common carriage has remained intact. In *National Association of Regulatory Utility Commissioners v. FCC*, 525 F.2d 630, 642 (D.C.Cir.1976) ("NARUC I"), we identified the basic characteristic that distinguishes common carriers from "private" carriers "i.e., entities that are not common carriers" as "[t]he common law requirement of holding oneself out to serve the public indiscriminately." "[A] carrier will not be a common carrier," we further explained, "where its practice is to make individualized decisions, in particular cases, whether and on what terms to deal." *Id.* at 641. Similarly, in *National Association of Regulatory Utility Commissioners v. FCC*, 533 F.2d 601, 608 (1976) ("NARUC II"), we concluded that "the primary sine qua non of common carrier status is a quasi-public character, which arises out of the undertaking to carry for all people indifferently." (Internal quotation marks omitted). *Verizon v. FCC*, *ibid.*

## Book Information

File Size: 4940 KB

Simultaneous Device Usage: Unlimited

Publisher: LandMark Publications (August 28, 2014)

Publication Date: August 28, 2014

Sold by:Â Digital Services LLC

Language: English

ASIN: B00N4ZV2ZK

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Enhanced Typesetting: Not Enabled

Best Sellers Rank: #2,576,295 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #32

inÂ Kindle Store > Kindle eBooks > Law > Administrative Law > Public Utilities #96 inÂ Books >

Law > Administrative Law > Public Utilities #1137132 inÂ Kindle Store > Kindle eBooks >

Nonfiction

[Download to continue reading...](#)

Telecommunications (Litigator Series) Cyber Law: Software and Computer Networks (Litigator Series) The Regulation of Natural Gas (Litigator Series) Regulation of Power Generation (Litigator Series) The Arbitrary and Capricious Standard Under the APA (Litigator Series) Electric Utilities (Litigator Series) Natural Gas Act (Litigator Series) Broadband (Litigator Series) Fair Credit Reporting Act (Litigator Series) Chapter 11 Reorganizations (Litigator Series) Fair Debt Collection Practices Act (Litigator Series) Mortgage Foreclosure (Litigator Series) Sports Law: Contemporary Cases (Litigator Series) Class Action Settlements (Litigator Series) The Rule Against Hearsay and Its Exceptions (Litigator Series) Active Noise Control Systems: Algorithms and DSP Implementations (Wiley Series in Telecommunications and Signal Processing) Digital Telephony (Wiley Series in Telecommunications and Signal Processing) The Essential Guide to Telecommunications (4th Edition) Optical Fiber Telecommunications Volume VIB, Sixth Edition: Systems and Networks (Optics and Photonics) Optical Fiber Telecommunications Volume VIA, Sixth Edition: Components and Subsystems (Optics and Photonics)

[Dmca](#)