

## Europass curriculum vitae



### Personal information

Surname(s) / First name(s)

**Carter, Kenneth R.**

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k.carter@wik-consult.com

Nationality

USA

Date of birth

21 January 1970

Gender

Male

### Work experience

Dates

April 2007 – Present

Occupation or position held

Senior Consultant

Main activities and responsibilities

The Wissenschaftliches Institut für Infrastruktur und Kommunikationsdienste (Scientific Institute for Infrastructure and Communication Services) is Germany's leading research and advisory organization for communication services. Advise both private and public clients on matters concerning economics, business strategy, and regulatory policy for network industries. Areas of specialization include:

- Network carrier business strategies
- Network interconnection (including PSTN, NGN, and Internet)
- Next-generation spectrum policy
- Regulation under convergence
- International comparative markets analysis (Europe, Japan, and the U.S.)

International comparative legal and regulatory analysis (Europe, Japan, and the U.S.)

Name and address of employer

wik-Consult GmbH  
NGN and Internet Economics Department,  
Rhöndorfer Str. 68,  
D53604 Bad Honnef  
Germany

Type of business or sector

Telecommunications Consultancy

Dates

September 2002 - April 2007

Occupation or position held

Senior Counsel for Business and Economics

Main activities and responsibilities

The Office, in concert with the Chairman, Commissioners, Bureaus, and other Offices, works to develop a strategic plan identifying short- and long-term policy objectives.

#### Spectrum Policy

- Co-authored Unlicensed and Unshackled, a comprehensive white paper on the technology, value chain, and regulatory issues of Part 15 unlicensed wireless devices. This publication assists FCC policy development and is widely cited in FCC Reports and Orders, as well as in the trade and popular press, academic periodicals, equity research, and by other nation's telecommunications regulators.
- Conducted a first of its kind legal analysis of how the assignment of spectrum usage rights determines the wireless Personal Communications Service (PCS) market structure.
- Conducted a policy analysis of the potential licensing regimes for the emerging WiMAX (IEEE 802.16) wireless networking standard.

#### Financial Analysis

- Built a comprehensive financial model and business plan of a hypothetical competitive local exchange carrier (CLEC), projecting: capital/operational expenditures; retail revenues; interconnection costs/revenues; network scale; and entry/exit decisions to derive a net present value. This model tested the effects of alternative policies on the business case and valuation.
- Formulated a statistical benchmarking study using a linear programming model to make international comparisons of telecommunications carriers' productivity.
- Conducted periodic analysis of financial statements of selected communications companies to determine overall industry health.

#### Market Analysis

- Analyzed differing business case options for municipal broadband networks and formulated recommendations for national policy best practices.
- Conducted market research for: Annual Commercial Mobile Radio Service (CMRS) Competition Reports; quarterly Internet Statistics Factbook; quarterly Telecom Financial Weather Report; FCC Rural Wireless Internet Service Provider (WISP) Showcase and Workshop; VoIP Forum; Wireless Broadband Access Task Force; U.S. broadband Internet adoption studies; and senior staff speeches and presentations.
- Authored biweekly columns on emerging technologies and business trends to anticipate disruptive technologies which may impact future Commission decision making.

#### Homeland Security

- Served as a key member on the FCC's Hurricane Katrina relief team. Designed and implemented a system to collect data concerning status national communications networks to be included in situational awareness reports for the FCC Chairman, FCC Director of the Office of Homeland Security, and Whitehouse Office of Science and Telecommunications Policy.

Served as OSP member on the FCC's Continuity of Operations Crisis Team.

Name and address of employer	<b>Federal Communications Commission</b> Office of Strategic Planning 445 12 <sup>th</sup> Street, SW Washington, DC 20554
Type of business or sector	Independent Regulatory Agency
Dates	June 1998 – August 2002
Occupation or position held	Deputy Director, Associate Director
Main activities and responsibilities	<p>The Columbia Institute for Tele-Information (CITI) is a university-based research center focusing on economic, strategy, management, and policy issues in telecommunications, computing, and electronic mass media industries.</p> <ul style="list-style-type: none"><li>• Responsible for all aspects of operations and development, including implementing a \$1.2 million grant from the Alfred P. Sloan Foundation. Managed a staff of 20+ full-time and part-time employees and oversaw annual budget in excess of \$600,000.</li><li>• Developed and maintained corporate sponsorships with over 60 companies in 13 countries. Designed</li></ul>

collaborative research projects which brought in more than 10 new corporate affiliates. Organized annual road show to Japan.

- Designed, managed, and produced more than 35 forward-looking studies and conference events examining fundamental changes in policy, economics, and technology. Selected projects include:

- The Broadband Economy and Emerging Markets in Bandwidth

- Mass Media Content for Mobile Wireless Communications

- Television Over the Internet

- The Telecommunications Industry and Financial Markets

- Resilience of Communications Networks in Times of Disaster

- Completed a strategic planning analysis for a major equipment manufacturer, identifying market indicators for executives to make near-term tactical decisions.

- Published a case study examining NTT DoCoMo's business venture into the U.S. telecommunications market, analyzing the transferability of competitive advantages and choice of strategic partner and assessing its strategic options.

- Developed the first web-based course for MBA graduate students in communications and media management.

- Improved productivity and reduced data loss through multi-year technology upgrade initiative.

Served as legal counsel for intellectual property, contract, and employment law.

Name and address of employer	Columbia Institute for Tele-Information Columbia University in the City of New York, Graduate School of Business 3022 Broadway New York, NY 10027
Type of business or sector	Telecommunications Research Centre
Dates	Summer 1997
Occupation or position held	Legal Intern
Main activities and responsibilities	Wrote legal memoranda on the FTC's jurisdiction over vendors of prepaid telephone calling cards and obtained a preliminary injunction. Wrote and presented a legal memorandum advising FTC attorneys of the Fed. R. Evid. 702 standards to admit scientific evidence under <i>Daubert v. Dow Merrell Pharmaceuticals</i> ..
Name and address of employer	<b>Federal Trade Commission</b> New York, NY
Type of business or sector	Governmental Agency
Dates	Spring 1997
Occupation or position held	Alexander Judicial Fellow,
Main activities and responsibilities	Competitively selected by a faculty committee to serve as a full-time junior clerk in a federal judge's chambers for academic credit. Researched and wrote memoranda and draft opinions on a broad range of civil legal issues. Assisted Judge in matters before the Court.
Name and address of employer	<b>Honorable John C. Lifland</b> , U.S. District Court for the District of New Jersey
Type of business or sector	US Federal Trial Court
Dates	Summer 1996
Occupation or position held	Law Clerk
Main activities and responsibilities	Performed due diligence to determine Island's copyrights and contractual obligations affecting business transactions. Created deal memoranda abstracting recording contracts.
Name and address of employer	<b>Island Records, Inc.</b> , New York, NY
Type of business or sector	Music Recording and Distribution
Dates	1993 – 1995
Occupation or position held	Sales and Research Assistant
Main activities and responsibilities	Created contracts and sales reports for international and domestic television program sales.

Evaluated business requirements and implemented software to catalogue program titles for license. Tracked performance of syndicated television programs in Nielsen metered markets.

Name and address of employer	<b>DLT Entertainment, Ltd.</b> , New York, NY
Type of business or sector	International Television Program Sales
Dates	1992 - 1993
Occupation or position held	Computer Consultant to MTV Networks
Main activities and responsibilities	Served as liaison between IS and accounting departments for the analysis and development of software for accounts receivable, needed to accommodate rapid growth in MTV's business
Name and address of employer	<b>Allegiance Group</b> , New York, NY
Type of business or sector	ICT Software Development

## Education and training

Dates	December 2000 to August 2002.
Title of qualification awarded	Executive Masters of Business Administration
Principal subjects/Occupational skills covered	Media and Communications Management
Name and type of organisation providing education and training	<b>Columbia Business School</b> , Columbia University in the City of New York
Dates	May 1995 to January 1998.
Title of qualification awarded	Juris Doctorate
Principal subjects/Occupational skills covered	Arts & Entertainment Law Journal Alexander Judicial Fellow
Name and type of organisation providing education and training	<b>Benjamin N. Cardozo School of Law</b> New York, NY
Dates	August 1988 to May 1992.
Title of qualification awarded	Bachelor of Arts
Principal subjects/Occupational skills covered	Economics Asian Studies – Japan
Name and type of organisation providing education and training	<b>Colgate University</b> Hamilton, NY

**Personal skills and competences**

Mother tongue(s)

Other language(s)

Self-assessment

European level (\*)

**Japanese**

**French**

**German**

**Additional information**

**English**

Understanding		Speaking		Writing
Listening	Reading	Spoken interaction	Spoken production	
good	basic	excellent	good	basic
fair	basic	good	fair	basic
basic	basic	basic	basic	basic

Advisory Boards and Committees

International Advisory Forum on Next Generation Broadband/Networks, Minister Eamon Ryan, TD, Department of Communications, Energy and Natural Resources, Republic of Ireland.

Vice Chair, Program Committee, Telecommunications Policy Research Conference, Arlington, VA.

IT Steering Committee, Federal Communications Commission, Washington, DC

Legal Co-Chair, Research and Development Subcommittee, Spectrum Policy Task Force, Federal Communications Commission, Washington, DC

Bar Admission

**Supreme Court of the United States** (April 24, 2006).

**District of Columbia** (September 11, 2000).

**New York State**, First Department (October 26, 1998).

**Annexes**

**Publications**

SSRN Author #475585

Kenneth R. Carter, *Safety First: Reinvesting the Digital Dividend in Safeguarding Citizens*, White Paper for the Public Safety and Security Community (May 2005).

Kenneth R. Carter, *Unlicensed to Kill: A Brief History of the FCC's Part 15 Rules, The Genesis of Unlicensed Wireless Policy*, George Mason University Law School (April 2008).

Mark Bykowsky, et al., *Enhancing Spectrum's Value via Market-Informed Congestion Etiquettes*, FCC OSP Working Paper Series (February 2008) (SSRN #1088707).

J. Scott Marcus, et al., *The Future of IP Interconnection: Technical, Economic and Public Policy Aspects*, European Commission, Directorate General, Information Society & Media (DG8) (January 2008).

J. Scott Marcus, et al., *Comparison of Privacy and Trust Policies in the Area of Electronic Communications*, European Commission, Directorate General, Information Society & Media (DG8) (July 2007) (SSRN #1086929).

Kenneth R. Carter, *Policy Lessons from Personal Communications Services: Licensed vs. Unlicensed Spectrum Access*, 15 CommLaw Conspectus 93 (2007) (SSRN #1087303).

Kenneth R. Carter, *Technical Note: WiMax Licensing Regimes* (June 2005).

Kenneth R. Carter, *Searching for Kenneth R. Carter*, Cacti Times, 35<sup>th</sup> Infantry Regiment Associations (Spring 2005).

Kenneth R. Carter, *Policy Lessons from Personal Communications Services: A Hohfeldian Analysis of Licensed vs. Unlicensed Spectrum Access*, Telecommunications Policy Research Conference (October 2004).

Kenneth R. Carter, *3G or Not 3G: Building the Wi-Fi Walled Garden*, in *Mass Media Content for Mobile Wireless* (V. Feldmann, et al, eds. 2005) (SSRN #1088709).

Kenneth R. Carter, et al., *White Paper on Unlicensed Devices and Their Regulatory Issues*, Translation into Japanese, *Overseas Telecommunications Journal*, Research Institute of Telecommunication Economics, Japan (RITE) (Spring 2003) (SSRN #1086943).

Kenneth R. Carter, Some Thoughts on Intellectual Property and Internet TV Syndication, in *TV Over the Internet: Implications for Infrastructure, Content, Policy and Strategy* (D. Gerbarg, ed. 2003) (SSRN #1088328).

Kenneth R. Carter, et al., *Unlicensed and Unshackled: A Joint OSP-OET White Paper on Unlicensed Devices and Their Regulatory Issues*, FCC OSP Working Paper Series (Citations and Filed Comments) (May 2003) (SSRN #1086626).

Kenneth R. Carter, et al., *NTT DoCoMo, USA: Can It Bring the Wireless Internet to America?*, *Chazen Web J. of Intl. Bus.*, Issue II (April 15, 2003) (SSRN #1086642).

Kenneth R. Carter, et al., *Spectrum Licenses as Sunk Costs: A Critique of an FCC Working Paper*, CITI Working Paper Series (May 2001).

Kenneth R. Carter, *Spectrum Licenses as Long-Lived Assets*, CITI Working Paper Series (April 2001).

Production Manager, Eli M. Noam, *Interconnecting the Network of Networks* (MIT Press, 2001).

Kenneth R. Carter and Ivana Kriznic, *Internet Services and New Regulations in Argentina*, 8 *Latin Am. Law & Bus. Rep.* 2 (August 2000) (SSRN #1088705).

Production Manager, Eli M. Noam, *Ownership and Concentration in the U.S. Communications Industry*.

Kenneth R. Carter, *Admission by Party Proponent: Polygraph Evidence under the Federal Rules of Evidence and the Fifth Amendment*, 71 pages (1997) (unpublished, on file with the author).

Kenneth R. Carter, *The Virtual Article of Manufacture: The Design Patentability of Computer-Generated Icons*, 55 pages (1996) (CITI Working Paper 919).