

John Bergmayer wrote the following about his experience at [Public Knowledge](#), a non-profit advocacy group that works on issues in telecommunications, media, and intellectual property law:

My work at Public Knowledge required not only an understanding of law, public policy, and the procedures of dealing with different government agencies, but an understanding of the technological and business underpinnings of the issues being worked on. I worked on many projects over the summer with Public Knowledge. Many of these were very quick research memos and similar projects. I attended several meetings with Hill staff and FCC commissioners and staff. I also wrote many pieces for the [Public Knowledge blog](#), and wrote and designed several handouts that summarized Public Knowledge's positions on a number of topics. The largest issue Public Knowledge worked on this summer related to the upcoming 700 MHz spectrum auction, and I did a lot of research and other work on issues relating to it. However, the rest of this letter will be taken up with describing two of the more substantive projects I worked on.

CableCARD Letter

There is ongoing friction between the cable industry and the consumer electronics industry regarding the technology standards by which consumer electronics devices can receive and decode cable signals. Public Knowledge is one of the few public interest groups to have become interested in the matter. Before the FCC were competing proposals for what is known as two-way cable compatibility—means by which consumer electronics devices can access services (like Video-on-Demand) that require two-way communication between the receiving device and the cable head-end. I wrote a letter to the FCC largely supporting the Consumer Electronics Association proposal. In researching this issue we met with lawyers and staff from the CEA and several large consumer electronics companies. We had to calibrate the message in order to receive support from several allied public interest groups, and we met with and had to defend our position with cable industry lawyers, who were quite piqued that we waded into this highly technical area and took a position opposed to theirs. Our letter to the Commission apparently had its desired effect, as it has initiated a Notice of Proposed Rulemaking on the CEA proposal. Our work on CableCARD has received some notice in the field (e.g., it was picked up by Benton's Communications-related Headlines). I also prepared a comment on the NPRM for Public Knowledge which elaborates Public Knowledge's position, and which will be filed with the Commission shortly.

NBC Universal Reply Comments

NBC Universal filed a comment with the FCC asking it to require that Internet Service Providers begin taking steps to block internet users' access to Internet "applications that allow" copyright infringement. On behalf of Public Knowledge and about a dozen other public interest groups, I drafted a reply comment countering NBC's proposal on legal, technological, and public policy grounds. We argued that the FCC did not have the jurisdiction to implement NBC's proposal, and that even if it did, the kind of network filters NBC proposed would be a bad idea from a public policy perspective and doomed to fail from a technological perspective. As with the CableCARD letter, I had to make substantial

modifications to the filing in order to receive support from several prominent allied public interest groups. This filing ended up making something of an impact, as it was picked up by CNET News and Investor's Business Daily, as well as the usual trade and technology press.

Conclusion

I have always been interested in the kinds of issues that Public Knowledge works on— but only as a spectator. I did not know if I would actually enjoy working on them for a living. What I found out this summer was that the legal, advocacy, and policy work surrounding these exciting issues is itself exciting. I hope to be able to do this kind of work in my career after law school. I am grateful to everyone at the Silicon Flatirons Program who made it possible for me to go to Washington this summer to work on the kinds of issues that genuinely interest and motivate me.

John Bergmayer is a student at the University of Colorado Law School. He has a degree in English from Colorado State University, and served for six years in the Colorado Army National Guard. He is interested in telecommunications and intellectual property law and policy.
