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*J. ON TELECOMM. & HIGH TECH. L.*

## FROM THE EDITOR

This second issue of the fifth volume of the *Journal on Telecommunications and High Technology Law* begins with three articles and a book review. In the first article, Dr. Barbara van Schewick completes her already influential economic analysis of network neutrality.<sup>1</sup> In the second article, Professors Lynne Holt and Mark Jamison explain recent findings by their home institution, the Public Utility Research Center at the University of Florida, in an article on Universal Service Fund reform. In the third article, Andy Crain polishes his research at the Gerald R. Ford Presidential Library into an unprecedented historical record of deregulation during the Ford and Carter administrations. Finally, Professor Ann Bartow reviews Yochai Benkler's new book, *The Wealth of Networks*,<sup>2</sup> and suggests some additions for his next edition.

This issue also contains two pieces resulting from the recent Silicon Flatirons Telecommunications Program symposium,<sup>3</sup> as well as the winning student note from the 2006 Silicon Flatirons Writing Competition. Professor Susan Crawford, a conference panel participant, examines the terminological pitfalls of using the term "the Internet" within debates over network neutrality. Keynote speaker and Level 3 CEO James Crowe adds to Crawford's consideration of network neutrality in his address on regulation of the telecommunications industry. Danny Sherwinter, our Executive Editor, rounds out the issue with his award-winning note on "strong" encryption, law enforcement, and private efforts to stem legislative erosion of privacy protections. The variety and quality of material in this issue is simply astounding.

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1. See, e.g., Brett M. Frischmann & Mark A. Lemley, *Spillovers*, 107 COLUM. L. REV. 257, 298 n.150 (2007); Tim Wu, *Why Have a Telecommunications Law? Anti-Discrimination Norms in Communications*, 5 J. ON TELECOMM. & HIGH TECH. L. 15, 25 n.27 (2006); Hannibal Travis, *Wi-Fi Everywhere: Universal Broadband Access as Antitrust and Telecommunications Policy*, 55 AM. U. L. REV. 1697, 1717 n.105 (2006); Barbara A. Cherry, *Misusing Network Neutrality to Eliminate Common Carriage Threatens Free Speech and the Postal System*, 33 N. KY. L. REV. 483, 486 n.12 (2006).

2. YOCHAI BENKLER, *THE WEALTH OF NETWORKS: HOW SOCIAL PRODUCTION TRANSFORMS MARKETS AND FREEDOM* (2006).

3. The Silicon Flatirons Telecommunications Program, *The Digital Broadband Migration: Confronting the New Regulatory Frontiers*, [http://www.silicon-flatirons.org/conferences\\_old/20060219dbm.asp](http://www.silicon-flatirons.org/conferences_old/20060219dbm.asp) (last visited Sept. 29, 2006); see also *Integrated Telecommunications Program, SFTP Conference Videos*, [http://telecom.colorado.edu/index.php?load=content&page\\_id=126](http://telecom.colorado.edu/index.php?load=content&page_id=126) (last visited Sept. 29, 2006) (offering videos of the conference proceedings).

*J. ON TELECOMM. & HIGH TECH. L.*

I must thank Kevin Bell, James Crowe Jr., Preston Johnson, and Darlene Kondo for helping to produce such a fine collection of scholarship. Becky Farr, Patrick Haines, Ryan Howe, and Justin Pless deserve equal gratitude, as the student notes in the sixth volume will fully demonstrate. Without Mark Walker, Danny Sherwinter, and Todd Spanier, however, the trains would not run on time, and so I commend them for keeping the boilers stoked. Above all, however, I owe particular thanks to Mike Boucher and Michael Beylkin for their fantastic production efforts.

Beyond the staff, Dale Hatfield, Patrick Ryan, and Brad Bernthal deserve special thanks for their continued help and advice. Paul Ohm, winner of the 2007 JTHTL “Right, Right, Right” Award, continues to exceed the call of duty, and I am forever in his debt. The Silicon Flatirons Program Advisory Board likewise allows this publication to reach new heights, and we thank them for their continued support. And no acknowledgement from this publication would be complete without a tip of the hat to Phil Weiser, who continues to demonstrate why he is the veritable Godfather of Telecomm, cape and all.

Phil is technically on sabbatical this year, but is never further than a phone call or email away. He’s an endless font of advice, and we happily welcome him back to the Front Range with open arms, a stack of resumes, and our admiration.

With that, I am pleased to offer this, the second issue of the fifth volume of the *Journal on Telecommunications & High Technology Law*.

*Micah Schwab*  
*Editor-in-Chief*

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