

JEFFREY AUGUST EISENACH

Education

Ph.D. in Economics, University of Virginia, 1985
B.A. in Economics, Claremont McKenna College, 1979

Professional Experience

Managing Director and Principal, Navigant Economics LLC, January 2010-present
Chairman and Managing Partner, Empiris LLC, September 2008-January 2010
Chairman, Criterion Economics, LLC, June 2006-September 2008
Chairman, The CapAnalysis Group, LLC, July 2005-May 2006
Executive Vice Chairman, The CapAnalysis Group, LLC, February 2003-July 2005
President, The Progress & Freedom Foundation, June 1993-January 2003
Executive Director, GOPAC, July 1991-May 1993
President, Washington Policy Group, Inc., March 1988-June 1991
Director of Research, Pete du Pont for President, Inc., September 1986-February 1988
Executive Assistant to the Director, Office of Management and Budget, 1985-1986
Special Advisor for Economic Policy and Operations, Office of the Chairman, Federal Trade Commission, 1984-1985
Economist, Bureau of Economics, Federal Trade Commission, 1983-1984
Special Assistant to James C. Miller III, Office of Management and Budget/Presidential Task Force on Regulatory Relief, 1981
Research Associate, American Enterprise Institute, 1979-1981
Consultant, Economic Impact Analysts, Inc., 1980
Research Assistant, Potomac International Corporation, 1978

Teaching Experience

Adjunct Professor, George Mason University School of Law, 2000-present (Courses Taught: Regulated Industries; Perspectives on Government Regulation; The Law and Economics of the Digital Revolution)
Adjunct Lecturer, Harvard University, John F. Kennedy School of Government, 1995-1999 (Course Taught: The Role of Government in the 21st Century)
Adjunct Professor, George Mason University, 1989 (Course Taught: Principles of Economics)
Adjunct Professor, Virginia Polytechnic Institute and State University, 1985, 1988 (Courses Taught: Graduate Industrial Organization, Principles of Economics)
Instructor, University of Virginia, 1983-1984 (Courses Taught: Value Theory, Antitrust Policy)
Teaching Assistant, University of Virginia, 1982-1983 (Courses Taught: Graduate Microeconomics, Undergraduate Macroeconomics)

Awards, Activities and Concurrent Positions

Member, Board of Directors, Information Technology & Innovation Foundation, 2011-
Vice President (Education) and Member of Audit Committee, Economic Club of Washington, 2011-
Member, World Bank ICT Broadband Strategies Toolkit Advisory Group, 2010-2011
Member, Economic Club of Washington, 2009-
Member, Board of Directors, Intelligent Grid Solutions, 2009-
Member, Board of Directors, PowerGrid Communications, 2008-2009
Member, Board of Advisors, Washington Mutual Investors Fund, 2008-
Member, Board of Advisors, Pew Project on the Internet and American Life, 2002-
Member, Board of Directors, The Progress & Freedom Foundation, 1993-2009
Member, Attorney General's Identity Theft Task Force, Virginia, 2002

Member of the Board of Directors, Privacilla.com, 2002-2003
Member, Executive Board of Advisors, George Mason University Tech Center, 2001-2004
Contributing Editor, *American Spectator*, 2001-2002
Member, Bush-Cheney Transition Advisory Committee on the FCC, 2001
Member, Governor's Task Force on E-Communities, State of Virginia, 2000-2001
Member, 2000-2001 Networked Economy Summit Advisory Committee, 1999-2001
Member, Board of Directors, Internet Education Foundation, 1998-2003
Member, Internet Caucus Advisory Committee, 1998-2003
Member, American Assembly Leadership Advisory Committee, 1996 -2002
Member, Commission on America's National Interests, 1995-2000
Adjunct Scholar, Hudson Institute, 1988-1991
Visiting Fellow, Heritage Foundation, 1988-1991
President's Fellowship, University of Virginia, 1981-1984
Earhart Foundation Fellowship, University of Virginia, 1981-1983
Member, Reagan-Bush Transition Team on the Federal Trade Commission, 1981
Henry Salvatori Award, Claremont Men's College, 1979
Frank W. Taussig Award, American Economic Association, 1978

White Papers and Academic Publications

“Spectrum Reallocation and the National Broadband Plan,” *Federal Communications Law Journal* 64;1 (December 2011)
“The Rural Utilities Service Should Reassess its Reliance on Universal Service High-Cost Support to Leverage Broadband Loans,” Navigant Economics LLC, September 2011
“The Effects of Regulation on Economies of Scale and Scope in TV Broadcasting,” Navigant Economics LLC, June 2011
“Evaluating the Cost-Effectiveness of RUS Broadband Subsidies: Three Case Studies,” Navigant Economics LLC, April 2011
“Revenues from a Possible Spectrum Incentive Auction: Why the CTIA/CEA Estimate is Not Reliable,” Navigant Economics LLC, April 2011
“Competition in the New Jersey Communications Market: Implications for Reform,” Navigant Economics LLC, March 2011
“The Role of Independent Contractors in the U.S. Economy,” Navigant Economics LLC, December 2010
“Vertical Separation of Telecommunications Networks: Evidence from Five Countries,” (with R. Crandall and R. Litan), *Federal Communications Law Journal* 62;3, June 2010
“Video Programming Costs and Cable TV Prices: A Reply to CRA,” (with K. Caves), Navigant Economics LLC, June 2010
“Video Programming Costs and Cable TV Prices,” Navigant Economics LLC, April 2010
“Retransmission Consent and Economic Welfare: A Reply to Compass Lexecon,” Navigant Economics LLC, April 2010
“The Benefits and Costs of Implementing ‘Return-Free’ Tax Filing In the U.S.,” (with R. Litan and C. Caves), Navigant Economics LLC, March 2010
“The Impact of Regulation on Innovation and Choice in Wireless Communications,” (with E. Ehrlich and W. Leighton), *Review of Network Economics* 9;1, 2010
“Uncollected Sales Taxes on Electronic Commerce,” (with R. Litan), Empiris LLC, February 2010
“The Economics of ESPN360.com,” Empiris LLC, November 2009
“Net Neutrality versus Consumer Welfare,” in *The Consequences of Net Neutrality Regulations on Broadband Investment and Consumer Welfare: A Collection of Essays*, American Consumer Institute, November 2009
“The Economics of Retransmission Consent,” Empiris LLC, March 2009

- “Economic Effects of Tax Incentives for Broadband Infrastructure Deployment,” (with H. Singer and J. West), Empiris LLC, January 5, 2009
- “An Event Analysis Study of the Economic Implications of the FCC’s UNE Decision: Backdrop For Current Network Sharing Proposals,” (with P. Lowengrub and J.C. Miller III), *Commlaw Conspectus* 17;1, 2008
- “Broadband Policy: Does the U.S. Have It Right After All?” in *Telecommunications Policy & Regulation*, Practising Law Institute, December 2008
- “Broadband in the U.S. – Myths and Facts,” in *Australia’s Broadband Future: Four Doors to Greater Competition*, Committee for Economic Development of Australia, 2008
- “The Benefits and Costs of I-File,” (with R. Litan and K. Caves), Criterion Economics, LLC, April 14, 2008
- “Irrational Expectations: Can a Regulator Credibly Commit to Removing an Unbundling Obligation?” (with Hal J. Singer), *AEI-Brookings Joint Center Related Publication 07-28*, December 2007
- “Due Diligence: Risk Factors in the Frontline Proposal,” Criterion Economics, LLC, June 28, 2007
- “The Effects of Providing Universal Service Subsidies to Wireless Carriers” (with K. Caves) Criterion Economics, LLC, June 13, 2007
- “Assessing the Costs of the Family and Medical Leave Act,” Criterion Economics, LLC, February 16, 2007
- “Improving Public Safety Communications: An Analysis of Alternative Approaches,” (with P. Cramton, T. Dombrowsky, A. Ingraham, H. Singer) Criterion Economics, LLC, February 6, 2007
- “Economic and Regulatory Implications of Unregulated Entry in the Canadian Mortgage Insurance Market,” Criterion Economics, LLC, June 20, 2006
- “The FCC’s Further Report on A La Carte Pricing of Cable Television,” (with R. Ludwick) The CapAnalysis Group, LLC, March 6, 2006
- “The EX-IM Bank’s Proposal to Subsidize the Sale of Semiconductor Manufacturing Equipment to China: Updated Economic Impact Analysis,” (with J.C. Miller III, R. Ludwick) The CapAnalysis Group, LLC, November 2005
- “Retransmission Consent and Cable Television Prices,” (with D. Trueheart) The CapAnalysis Group, LLC, March 2005
- “The EX-IM Bank’s Proposal to Subsidize the Sale of Semiconductor Manufacturing Equipment to China: An Economic Impact Analysis,” (with J.C. Miller III, R. Ludwick, O. Grawe) The CapAnalysis Group, LLC, January 2005.
- “Peer-to-Peer Software Providers’ Liability under Section 5 of the FTC Act,” (with J.C. Miller III, L. Fales, C. Webb) The CapAnalysis Group, LLC and Howrey LLP, April 2004
- “Mandatory Unbundling: Bad Policy for Prison Payphones,” (with D. Trueheart, J. Mrozek) The CapAnalysis Group, LLC, March 2004
- “UNE Rates Do Not Reflect Underlying Costs: A Rebuttal to Ekelund and Ford,” (with J. Mrozek), The CapAnalysis Group, LLC, January 30, 2004
- “Do UNE Rates Reflect Underlying Costs?” (with J. Mrozek) The CapAnalysis Group, LLC, December 2003
- “Rising Cable TV Rates: Are Programming Costs the Villain?” (with D. Trueheart) The CapAnalysis Group, LLC, October 2003
- “Economic Implications of the FCC’s UNE Decision: An Event Analysis Study,” (with J.C. Miller III, P. Lowengrub) The CapAnalysis Group, LLC, April 2003
- “Telecom Deregulation and the Economy: The Impact of ‘UNE-P’ on Jobs, Investment and Growth” (with T. Lenard) *Progress on Point 10.3*, The Progress & Freedom Foundation, January 2003.
- “The CLEC Experiment: Anatomy of a Meltdown,” (with L. Darby and J. Kraemer) *Progress on Point 9.23*, The Progress & Freedom Foundation, September 2002

- “The Debate Over Digital Online Content: Understanding the Issues,” (with W. Adkinson, Jr.) *Progress on Point 9.14*, The Progress & Freedom Foundation, April 2002
- “Electricity Deregulation after Enron,” *Progress on Point 9.11*, The Progress & Freedom Foundation, April 2002
- “Political Privacy: Is Less Information Really Better?” *Progress on Point 9.2*, The Progress & Freedom Foundation, January 2002
- “Communications Deregulation and FCC Reform: Finishing the Job,” (with R. May), in *Communications Deregulation and FCC Reform: What Comes Next?* (ed., with R. May) Kluwer Academic Publishers, 2001
- “Does Government Belong in the Telecom Business?” *Progress on Point 8.1*, The Progress & Freedom Foundation, January 2001
- “Critics Fear Surveillance of Web Surfers Compromising Personal Privacy,” *Progress on Point 7.11*, The Progress & Freedom Foundation, July 2000
- “Access Charges and The Internet: A Primer,” *Progress on Point 7.9*, The Progress & Freedom Foundation, June 2000
- “The Need for a Practical Theory of Modern Governance,” *Progress on Point 7.7*, The Progress & Freedom Foundation, May 2000
- “The Microsoft Monopoly: The Facts, the Law and the Remedy,” (with T. Lenard) *Progress on Point 7.4*. The Progress & Freedom Foundation, April 2000
- “Regulatory Overkill: Pennsylvania’s Proposal to Breakup Bell Atlantic,” (with C. Eldering, R. May) *Progress on Point 6.13*, The Progress & Freedom Foundation, December 1999
- “Is There a Moore's Law for Bandwidth?” (with C. Eldering, M. Sylla), *IEEE Communications Magazine*, October 1999
- “The High Cost of Taxing Telecom” *Progress on Point 6.6*, The Progress & Freedom Foundation, September 1999
- “Creating the Digital State: A Four Point Program,” *Progress on Point 6.4*, The Progress & Freedom Foundation, August 1999
- “How to Recognize a Regulatory Wolf in Free Market Clothing: An Electricity Deregulation Scorecard,” (with T. Lenard) *Progress on Point 6.3*, The Progress & Freedom Foundation, July 1999
- “Into the Fray: The Computer Industry Flexes Its Muscle on Bandwidth,” *Progress on Point 5.9*, The Progress & Freedom Foundation, December 1998
- “Surprise: Even in Electricity, the Market Works,” The Progress & Freedom Foundation, Nov. 1998
- “Finally! An ‘Electricity Deregulation’ Bill That Deregulates,” *Progress on Point 5.7*, The Progress & Freedom Foundation, October 1998
- “Time to Walk the Walk on Telecom Policy,” *Progress on Point 4.3*, The Progress & Freedom Foundation, July 1997
- “The FCC and the Telecommunications Act of 1996: Putting Competition on Hold?” (with G. Keyworth), *Progress on Point 2.1*, The Progress & Freedom Foundation, October 1996
- “Forebearance, Self-Certification and Privatization,” (with J. Gattuso, et al) *Future Insight No. 3.2*, The Progress & Freedom Foundation, May 1996
- “Privatizing the Electromagnetic Spectrum,” (with R. Crandall, et al) *Future Insight No. 3.1*, The Progress & Freedom Foundation, April 1996
- “Broadcast Spectrum: Putting Principles First,” (with R. Crandall et al) *Progress on Point 1.9*, The Progress & Freedom Foundation, January 1996
- “How (Not) to Solve the Liability Crisis,” in P. McGuigan, ed., *Law, Economics & Civil Justice Reform: A Reform Agenda for the 1990's*, Free Congress Foundation, 1995
- “The Future of Progress,” *Future Insight 2.3*, The Progress & Freedom Foundation, May 1995
- “American Civilization and the Idea of Progress,” in D. Eberly, ed., *Building a Community of Citizens: Civil Society in the 21st Century*, University Press of America, 1994

- “Fighting Drugs in Four Countries: Lessons for America?” *Backgrounder* 790, The Heritage Foundation, Washington, DC, September 24, 1990
- “Drug Legalization: Myths vs. Reality,” *Heritage Backgrounder* 122, The Heritage Foundation, January 1990
- “How to Ensure A Drug-Free Congressional Office,” The Heritage Foundation, January 1990
- “A White House Strategy for Deregulation,” in *Mandate for Leadership III*, The Heritage Foundation, 1989
- “From George Bush, A Convincing Declaration of War on Drugs,” *Executive Memorandum* No. 250, The Heritage Foundation, September 14, 1989
- “Winning the Drug War: What the States Can Do,” *Heritage Backgrounder* 715/S, July 7, 1989
- “Why America is Losing the Drug War,” *Heritage Backgrounder* 656, June 9, 1988
- “Selectivity Bias and the Determinants of SAT Scores,” (with A. Behrendt and W. Johnson) *Economics of Education Review* 5:4, 1986
- “Review of Banking Deregulation and the New Competition in the Financial Services Industry,” *Southern Economic Journal* 52:3, January 1986
- “Warranties, Tie-ins, and Efficient Insurance Contracts: A Theory and Three Case Studies,” (with R. Higgins and W. Shughart II), *Research in Law and Economics* 6, 1984
- “Regulatory Relief under Ronald Reagan,” (with James C. Miller III), in Wayne Valis, ed., *The Future Under President Reagan*, Arlington House, 1981

Expert Reports, Filings and Testimony

- In the Matter of Amendment of the Commission’s Rules Related to Retransmission Consent*, Federal Communications Commission, MB Docket No. 10-71, Expert Reply Declaration (with Kevin W. Caves) on Behalf of the National Association of Broadcasters (June 27, 2011)
- In the Matter of an Application by Way of a Reference to the Federal Court of Appeal Pursuant to Sections 18.3(1) and 28(2) of the Federal Courts Act, R.S.C. 1985, C.F-7, Between: Cogeco Cable Inc. et al Applicants and Bell Canada et al Respondents, In the Supreme Court of Canada (on appeal from the Federal Court of Appeal)*, Affidavit and Expert Report on Behalf of Bell Media Inc. and V Interactions Inc. (May 27, 2011)
- In the Matter of Amendment of the Commission’s Rules Related to Retransmission Consent*, Federal Communications Commission, MB Docket No. 10-71, Expert Declaration (with Kevin W. Caves) on Behalf of the National Association of Broadcasters (May 27, 2011)
- In the Matter of Section 36 of the Public Utilities Commission Act, Proposal to Establish a New Interconnection Agreement Between Digicel and GT&T*, Expert Oral Testimony on Behalf of Guyana Telephone and Telegraph Company, Guyana Public Utilities Commission (July 13, 2010)
- In the Matter of International Comparison and Consumer Survey Requirements in the Broadband Data Improvement Act, Federal Communications Commission GN Docket No. 09-47*, Supplemental Declaration Regarding the Berkman Center Study (NBP Public Notice 13) (with R. Crandall, E. Ehrlich and A. Ingraham), on Behalf of Verizon Communications (May 10, 2010)
- Testimony on Deployment of Broadband Communications Networks*, Before the Subcommittee on Communications, Technology and the Internet, Committee on Energy and Commerce, United States House of Representatives (April 21, 2010)
- Net Neutrality: The Economic Evidence*, Expert Declaration in the Matters of Preserving the Open Internet and Broadband Industry Practices, GN Docket No. 09-191 and WC Docket No. 07-52 (with Brito et al) (April 12, 2010)
- In the Matter of the Constitution of the Co-Operative Republic of Guyana and In the Matter of the Application for Redress Under Article 153 for the Contravention of the Applicant’s Fundamental Rights Guaranteed by Articles 20, 146, and 149D of the Constitution of the Republic of Guyana and In the Matter of the Telecommunications Act No. 27 of 1990, U-Mobile (Cellular) Inc., v. The*

Attorney General of Guyana, "International Exclusivity and the Guyanese Telecommunications Market: A Further Response to DotEcon," Expert Report on Behalf of Guyana Telephone and Telegraph Company (March 9, 2010)

Universal Service Subsidies to Areas Served by Cable Telephony: Supplemental Report, Expert Report Submitted to the Federal Communications Commission, on Behalf of the National Cable and Telecommunications Association (January 2010)

Policy Proceeding on a Group-Based Approach to the Licensing of Television Services and on Certain Issues Relating to Conventional Television, Canadian Radio-Television and Telecommunications Commission, Broadcasting Notice of Consultation CRTC 2009-411, Oral Testimony on Behalf of CTVgm (November 16, 2009)

In the Matter of International Comparison and Consumer Survey Requirements in the Broadband Data Improvement Act, Federal Communications Commission GN Docket No. 09-47, Declaration Regarding the Berkman Center Study (NBP Public Notice 13) (with R. Crandall and E. Ehrlich) on behalf of the National Cable and Telecommunications Association and the United States Telecom Association (November 16, 2009)

Universal Service Subsidies to Areas Served by Cable Telephony, Expert Report Submitted to the Federal Communications Commission, on behalf of the National Cable and Telecommunications Association (November 2009)

Policy proceeding on a Group-based Approach to the Licensing of Television Services and on Certain Issues relating to Conventional Television, Canadian Radio-Television and Telecommunications Commission Broadcasting Notice of Consultation CRTC 2009-411, Expert Report on the Economics of Retransmission Consent Negotiations in the U.S. and Canada, (with S. Armstrong) on Behalf of CTVgm (September 19, 2009)

In the Matter of the Constitution of the Co-Operative Republic of Guyana and In the Matter of the application for redress under Article 153 for the contravention of the Applicant's fundamental rights guaranteed by Articles 20, 146, and 149D of the Constitution of the Republic of Guyana and In the Matter of the Telecommunications Act No. 27 of 1990, U-Mobile (Cellular) Inc., v. The Attorney General of Guyana, Expert Report on Behalf of Guyana Telephone and Telegraph Company (June 19, 2008)

Virginia State Corporation Commission, Second Order for Notice and Hearing In Re: Revisions of Rules for Local Exchange Telecommunications Company Service Quality Standards, Comments on Behalf of Verizon Virginia (March 13, 2009)

In the Matter of Review of the Commission's Program Access Rules and Examination of Programming Tying Arrangements, Federal Communications Commission Docket MB 07-198, Supplemental Report on Behalf of the Walt Disney Company (December 11, 2008)

In re: Investigation of Rates of Virgin Islands Telephone Corporation d/b/a Innovative Communications, PSC Docket 578, Rebuttal Testimony on Behalf of Virgin Islands Telephone Corporation (October 31, 2008)

Evidence Relating to the ACCC's Draft Decision Denying Telstra's Exemption Application for the Optus HFC Footprint, Australian Consumer and Competition Commission, Expert Report on Behalf of Telstra Corporation Ltd. (October 13, 2008)

In re: Investigation of Rates of Virgin Islands Telephone Corporation d/b/a Innovative Communications, PSC Docket 578, Direct Testimony on Behalf of Virgin Islands Telephone Corporation (September 26, 2008)

In the Matter of the Appropriate Forms of Regulating Telephone Companies, Maryland Public Service Commission, Case No. 9133, Rebuttal Testimony on Behalf of Verizon Maryland (September 24, 2008)

Virginia State Corporation Commission, Proposed Service Quality Rules for Traditional Landline Telecommunications, Comments on Behalf of Verizon Virginia (August 21, 2008)

In re: Complaint and Request for Emergency Relief against Verizon Florida, LLC for Anticompetitive Behavior in Violation of Sections 364.01(4), 364.3381, and 364.10, F.S., and for Failure to Facilitate Transfer of Customers' Numbers to Bright House Networks Information Services (Florida), LLC, and its Affiliate, Bright House Networks, LLC, Florida Public Service Commission, Docket No. 070691-TP, Rebuttal Testimony on Behalf of Verizon Florida LLC (July 25, 2008)

In the Matter of the Appropriate Forms of Regulating Telephone Companies, Maryland Public Service Commission, Case No. 9133, Direct Testimony on Behalf of Verizon Maryland (July 8, 2008)

Comparative Analysis of Communications Markets as it Relates to the Economic Viability of Optus' HFC Network and Telstra's Proposed HFC Exemption, Australian Consumer and Competition Commission, Expert Report on Behalf of Telstra Corporation Ltd. (June 23, 2008)

In the Matter of Bright House Networks LLC et al v. Verizon California et al, Federal Communications Commission File No. EB-08-MD-002, Expert Declaration on Behalf of Verizon Communications (February 29, 2008)

In the Matter of Review of the Commission's Program Access Rules and Examination of Programming Tying Arrangements, Federal Communications Commission Docket MB 07-198, Reply Report on Behalf of the Walt Disney Company (February 12, 2008)

In the Matter of Verizon's 2007 Price Cap Plan for the Provision of Local Telecommunications Services in the District Of Columbia, District of Columbia Public Service Commission, Formal Case No. 1057, Rebuttal Testimony on Behalf of Verizon (January 31, 2008)

In the Matter of Review of the Commission's Program Access Rules and Examination of Programming Tying Arrangements, Federal Communications Commission Docket MB 07-198, Expert Report on Behalf of the Walt Disney Company (January 4, 2008)

In the Matter of Verizon's 2007 Price Cap Plan for the Provision of Local Telecommunications Services in the District Of Columbia, District of Columbia Public Service Commission, Formal Case No. 1057, Direct Testimony on Behalf of Verizon (December 7, 2007)

In the Matter of the Commission's Investigation Into Verizon Maryland, Inc.'s Affiliate Relationships, Maryland Public Service Commission, Case No. 9120, Rebuttal Testimony on Behalf of Verizon (November 19, 2007)

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit, Pacific Bell Telephone Company d/b/a AT&T California, et al., Petitioners, v. Linkline Communications, Inc., et al., Respondents, Brief of Amici Curiae Professors and Scholars in Law and Economics in Support of the Petitioners (with R. Bork, G. Sidak, et al) (November 16, 2007)

In the Matter of the Commission's Investigation Into Verizon Maryland, Inc.'s Affiliate Relationships, Maryland Public Service Commission, Case No. 9120, Direct Testimony on Behalf of Verizon (October 29, 2007)

Application of Verizon Virginia, Inc. and Verizon South for a Determination that Retail Services Are Competitive and Deregulating and Detariffing of the Same, State Corporation Commission of Virginia, Case No. PUC-2007-00008, Rebuttal Report on Behalf of Verizon (July 16, 2007)

Testimony on Single Firm Conduct, "Understanding Single-Firm Behavior: Conduct as Related to Competition," United States Department of Justice and United States Federal Trade Commission, Sherman Act Section 2 Joint Hearing (May 8, 2007)

Testimony on Communications, Broadband and U.S. Competitiveness, Before the Committee on Commerce, Science and Transportation, United State Senate (April 24, 2007)

Application of Verizon Virginia, Inc. and Verizon South for a Determination that Retail Services Are Competitive and Deregulating and Detariffing of the Same, State Corporation Commission of Virginia, Case No. PUC-2007-00008, Expert Testimony and Report on Behalf of Verizon (January 17, 2007)

In re: ACLU v. Gonzales, Civil Action No. 98-CV-5591, E.D. Pa., Rebuttal Report on Behalf of the U.S. Department of Justice (July 6, 2006)

In re: ACLU v. Gonzales, Civil Action No. 98-CV-5591, E.D. Pa., Expert Report on Behalf of the U.S. Department of Justice (May 8, 2006)

In re: Emerging Communications Shareholder Litigation, “The Valuation of Emerging Communications: An Independent Assessment” (with J. Mrozek and L. Robinson), Court of Chancery for the State of Delaware (August 2, 2004)

In the Matter of Review of the Commission’s Rules Regarding the Pricing of Unbundled Network Elements and the Resale of Service by Incumbent Local Exchange Carriers, WC Docket No. 03-173, Declaration of Jeffrey A. Eisenach and Janusz R. Mrozek, Federal Communications Commission (December 2003)

In the Matter of Disposition of Down Payments and Pending Applications Won During Auction No. 35 for Spectrum Formerly Licensed to NextWave Personal Communications, Inc., NextWave Power Partners, Inc. and Urban Comm – North Carolina, Inc., Federal Communications Commission, (October 11, 2002)

In the Matter of Echostar Communications Corporation, General Motors Corporation, and Hughes Electronics Corporation, Federal Communications Commission (February 4, 2002)

In the Matter of United States v. Microsoft Corp. and New York State v. Microsoft Corp., Proposed Final Judgment and Competitive Impact Statement (with T. Lenard), U.S. Department of Justice, Civil Action No. 98-1232 and 98-1233 (January 28, 2002)

In the Matter of Implementation of Section 11 of the Cable Television Consumer Protection and Competition Act of 1992 (with R. May), Federal Communications Commission (January 4, 2002)

In the Matter of Request for Comments on Deployment of Broadband Networks and Advanced Telecommunications (with R. May), National Telecommunications and Information Administration (December 19, 2001)

In the Matter of Implementation of the Telecommunications Act of 1996, Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Consumer Information; Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, As Amended (with T. Lenard and J. Harper), Federal Communications Commission (November 16, 2001)

In the Matter of Flexibility for Delivery of Communications by Mobile Satellite Service Providers (with W. Adkinson), Federal Communications Commission (October 22, 2001)

In the Matter of Deployment of Advanced Telecommunications Capability (with R. May), Federal Communications Commission (October 5, 2001)

In the Matter of Deployment of Advanced Telecommunications Capability (with R. May), Federal Communications Commission (September 24, 2001)

In the Matter of Nondiscrimination in Distribution of Interactive Television Services Over Cable (with R. May), Federal Communications Commission (March 19, 2001)

In the Matter of High-Speed Access to the Internet Over Cable and Other Facilities, Reply Comments (with R. May), Federal Communications Commission (December 1, 2000)

Testimony on Federal Communications Commission Reform, Before the Committee on Government Reform, Subcommittee on Government Management, Information and Technology, United States House of Representatives (October 6, 2000)

In the Matter of Public Interest Obligations of TV Broadcast Licensees (with R. May), Federal Communications Commission (March 27, 2000)

Testimony on Truth in Billing Legislation, Before the Subcommittee on Telecommunications, Trade and Consumer Protection, Committee on Commerce, United States House of Representatives (March 9, 2000)

In the Matter of GTE Corporation, Transferor and Bell Atlantic, Transferee for Consent to Transfer of Control, (with R. May), Federal Communications Commission (February 15, 2000)

Testimony on Reforming Telecommunications Taxes in Virginia, Governor's Commission on Information Technology (October 26, 1999)

Testimony on Telecommunications Taxes, Advisory Commission on Electronic Commerce (September 14, 1999)

In the Matter of GTE Corporation, Transferor and Bell Atlantic, Transferee for Consent to Transfer of Control, Federal Communications Commission (December 23, 1998)

In the Matter of Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996 (with C. Eldering), Federal Communications Commission (September 14, 1998)

Testimony on Section 706 of the Telecommunications Act of 1996 and Related Bandwidth Issues, Before the Subcommittee on Communications Committee on Commerce, Science, and Transportation, United States Senate (April 22, 1998)

Testimony on the Impact of the Information Revolution on the Legislative Process and the Structure of Congress, Before the Subcommittee on Rules and Organization of the House of the Committee on Rules, United States House of Representatives (May 24, 1996)

Testimony on Efforts to Restructure the Federal Government, Before the Committee on Governmental Affairs, United States Senate (May 18, 1995)

Testimony on the Role of the Department of Housing and Urban Development and the Crisis in America's Cities, Before the Committee on Banking and Financial Services, United States House of Representatives (April 6, 1995)

Books and Monographs

The Impact of State Employment Policies on Job Growth: A 50-State Review (with David S. Baffa, et al), U.S. Chamber of Commerce, March 2011

The Digital Economy Fact Book 2002, (with W. Adkinson Jr. and T. Lenard) The Progress & Freedom Foundation, August 2002

Privacy Online: A Report on the Information Practices and Policies of Commercial Web Sites, (with W. Adkinson, Jr., T. Lenard) The Progress & Freedom Foundation, March 2002

The Digital Economy Fact Book 2001, (with T. Lenard, S. McGonegal) The Progress & Freedom Foundation, August 2001

Communications Deregulation and FCC Reform: What Comes Next? (ed., with R. May) Kluwer Academic Publishers, 2001

The Digital Economy Fact Book 2000, (with T. Lenard, S. McGonegal) The Progress & Freedom Foundation, August 2000

Digital New Hampshire: An Economic Factbook, (with R. Frommer, T. Lenard) The Progress & Freedom Foundation, December 1999

The Digital Economy Fact Book, (with A. Carmel and T. Lenard), The Progress & Freedom Foundation, August 1999

Competition, Innovation and the Microsoft Monopoly: Antitrust in the Digital Marketplace, (ed., with T. Lenard), Kluwer Academic Publishers, 1999

The People's Budget, (with E. Dale, et al), Regnery Publishing, 1995

The Telecom Revolution: An American Opportunity, (with G. Keyworth, et al) The Progress & Freedom Foundation, 1995

Readings in Renewing American Civilization, (ed. with S. Hanser) McGraw-Hill, Inc, 1993

America's Fiscal Future 1991: The Federal Budget's Brave New World, Hudson Institute, 1991

Winning the Drug War: New Challenges for the 1990's, (ed.) The Heritage Foundation, Washington, DC, 1991
Drug-Free Workplace Policies for Congressional Offices, (ed.) The Heritage Foundation, Washington, DC, 1991
America's Fiscal Future: Controlling the Federal Deficit in the 1990's, Hudson Institute, 1990
The Role of Collective Pricing in Auto Insurance, Federal Trade Commission, Bureau of Economics Staff Study, 1985
The Five-Year Budget Outlook, Hudson Institute, 1988

Short Articles and Op-Eds

"Follow Obama's Lead on Wireless," *The Australian*, February 7, 2011
"The Radicalism of Net Neutrality," *The Hill*, September 2, 2010
"Net Neutrality Rules Threaten Telecom Détente," *Law360.com*, August 10, 2010
"Don't Drag Broadband Into the Net Neutrality Morass," *The Daily Caller*, July 13, 2010
"Coase vs. the Neo-Progressives," (with A. Thierer), *The American: The Journal of the American Enterprise Institute* (October 28, 2009)
"The U.S. Abandons the Internet," (with J. Rabkin), *The Wall Street Journal*, October 3, 2009
"A La Carte Regulation of Pay TV: Good Intentions vs. Bad Economics," (with A. Thierer) *Engage*, June 2008
"A New Takings Challenge to Access Regulation," American Bar Association, Section on Antitrust Law, *Communications Industry Committee Newsletter*, Spring 2007
"Reagan's Economic Policy Legacy," (with J.C. Miller III), *The Washington Times*, August 8, 2004
"Do Right by Minority Farmers," *The Washington Times*, July 17, 2003
"Pruning the Telecom Deadwood," *The Washington Times*, November 1, 2002
"The Real Telecom Scandal," *The Wall Street Journal*, September 30, 2002
"Ensuring Privacy's Post-Attack Survival," (with Peter P. Swire) *CNET News.com*, September 11, 2002
"One Step Closer to 3G Nirvana," *CNET News.com*, August 6, 2002
"Reviving the Tech Sector," *The Washington Times*, July 10, 2002
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