

BALLER STOKES & LIDE

A PROFESSIONAL CORPORATION

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BALLER STOKES & LIDE, PC

STATEMENT OF QUALIFICATIONS



OVERVIEW

Baller Stokes & Lide, PC,¹ has a national law practice based in Washington, DC. Our clients include the American Public Power Association, the National Association of Telecommunications Officers and Advisors, numerous regional and state municipal associations, and individual public, cooperative, and private entities in more than 35 states. The Firm's work spans a wide range of regulatory, administrative, legislative, and judicial matters involving broadband, cable, telecommunications, and other communications and information services.

Working regularly with teams of engineering, financial, tax, marketing and other specialists, we also help our clients make and implement comprehensive telecommunications plans; develop advanced communications systems; comply with all pertinent federal, state and local legal requirements; identify and evaluate potential strategic partners and negotiate cooperative relationships with them; draft integrated right-of-way and zoning ordinances, franchises, licenses, permits, contracts, forms and other related documents; negotiate pole, duct, conduit, fiber, and tower agreements; obtain stimulus funding and implement award conditions; prepare technical, financial and performance audits and reviews; and administer and enforce cable and telecommunications franchises.

Baller Stokes & Lide is the only law firm in the United States to be named to the Broadband Communities Fiber-to-the-Home Top 100 each year from 2012 through 2016, <http://goo.gl/y7y8GU>. As Broadband Communities observed in 2016, "This telecom law firm has a long, consistent record of support for the development of fiber to the home through its representation of clients and through public policy advocacy. The Firm represents public and private entities on a broad range of communications matters, both nationally and in more than 35 states. It is best known for representing the rights of public entities to build and operate their own communications networks."

During the last 15 years, the Firm has been involved in most of the leading public broadband projects in the United States, including more than 50 fiber projects. Among the best known are Chattanooga, Tennessee (America's first gigabit service provider); Lafayette, Louisiana (admired throughout the international fiber community); OneCommunity, Ohio (a key driver of the revitalization of NE Ohio); and Riverside, California (named the world's Intelligent Community of the Year 2012). The Firm also served as a consultant to Google in its Fiber for Communities initiative and participated in several Gig-U projects. For other representative engagements, please *see* <http://www.baller.com>. Also, please see the Testimonials section below to see what our clients and colleagues say about us.

SPECIALIZED KNOWLEDGE AND EXPERIENCE IN BROADBAND PROJECTS

As we have learned over the years, broadband projects are highly complex. Each one involves dozens of significant organizational, technological, financial, marketing, legal, political, and other issues, all of which are constantly evolving and interacting in intricate ways. We have developed specialized legal skills to help clients cope with this challenging environment. Our knowledge and

¹ The firm was previously known as the Baller Herbst Law Group and Baller Herbst Stokes & Lide.

experience in the following areas give our clients a significant advantage in anticipating, identifying, and minimizing legal problems, thereby saving substantial time and money:

Federal Communications Laws. We have deep experience with the federal communications laws, particularly as they apply to broadband projects of various kinds. We have often represented clients before Congress, the Federal Communications Commission, the Federal Trade Commission, the National Telecommunications & Information Administration, the Rural Utilities Service, and various other federal agencies in matters involving state barriers to entry; poles, ducts, conduits, towers, and other critical infrastructure issues; cable franchising; right-of-way management issues; “level playing field” matters; access to customers and content; universal service funding obligations and E-Rate subsidies; broadband stimulus matters; public safety (including FirstNet); privacy; copyrights; assistance to law enforcement; and many other issues. As a result of these activities, we are sensitive to nuances of current and potential federal legislation, regulation, and litigation that could contribute to the success or failure of public communications projects.

Community Broadband Initiatives. We have unparalleled expertise in the legal and political issues surrounding the ability of public entities to provide or facilitate the provision of communications services. For the last two decades, we have participated in almost every federal and state legislative and judicial battle over the authority of public entities to participate in public communications projects. For example, we were recently counsel to the Electric Power Board of Chattanooga, TN, and the City of Wilson, NC, in the proceeding in which the Federal Communications Commission preempted Tennessee’s and North Carolina’s barriers to public broadband investment and competition. (A federal court of appeals subsequently reversed that action.)

We have also been a leading voice in refuting misinformation about community broadband initiatives disseminated by established communications service providers and their supporters. *See* <http://goo.gl/cwmX5b>. For example, Jim Baller is the co-founder and president of the Coalition for Local Internet Choice, <http://www.localnetchoice.org>, a consortium of more than 400 public and private organizations that is dedicated to preserving and protecting local decision-making on critical broadband infrastructure issues.

Economic Development. In our long experience with community broadband initiatives, local officials have almost always cited economic development as their main goal. To help our clients and others achieve this goal, we have sought to provide as much useful information as possible about the relationship between broadband, economic development, and job creation. For example, for the last several years, Jim Baller has organized and chaired *Broadband Communities Magazine*’s regional conferences and national conference tracks that drill deeply into this topic from many angles. *See, e.g.,* <http://goo.gl/9QX7XV>. We also maintain an extensive Economic Development page on our website and have co-authored a lengthy white paper, entitled “Economic Development: The Killer App for Local Fiber Networks,” <http://goo.gl/OqrWTu>, that summarizes the relevant research and provides numerous representative case histories. (We are currently updating the paper.)

Involvement Models. We have dealt with a broad range of business models and organizational structures through which entities can organize and operate their projects. These include municipal ownership, public-private and public-public partnerships of all kinds, cooperatives, non-profits, multi-party consortia, and many others. For example, we are currently lead outside counsel to the Commonwealth of Kentucky in its negotiation of a public-private partnership for a statewide fiber optic network.

Public Private Partnerships. Baller Stokes & Lide has provided legal advice and participated in the negotiations of many kinds of public-private broadband partnerships. Three recent examples are the partnerships between Urbana-Champaign Big Broadband Not For Profit and iTV3; between the City of Westminster, MD, and Ting Fiber; and between the Commonwealth of Kentucky and Macquarie Capital. (Bond Buyer named the latter its Bond Buyer's Deal of the Year for 2015, <http://goo.gl/jZZ5k1>). We have also co-authored a major paper, published in February 2016, entitled "The Emerging World of Broadband Public-Private Partnerships: A Business Strategy and Legal Guide." <http://goo.gl/8jlV9y>.

Anchor Tenancy. We have frequently assisted our clients in evaluating and using their purchasing power as a means of lowering their costs and maximizing benefits for their communities. Conversely, we have also assisted project developers in identifying and forming relationships with anchor tenants.

Infrastructure Issues. We are widely known for our expertise in developing and negotiating ordinances, agreements, and other documents involving access to poles, ducts, conduits, fiber, towers, easements, and rights-of-way. Our model pole attachment agreements are widely used in many states, and we authored and recently updated an extensive guidebook on pole attachments for the American Public Power Association and the approximately 2,000 public power utilities that it represents. We have also represented several municipal utilities in complex negotiations with Google Fiber and other attaching entities.

Contracts. We have developed and negotiated hundreds of individual contracts involving pole, duct, and conduit attachments; tower siting; rights-of-way; interconnection and collocation agreements; dark and lit fiber leases and IRUs; network operator/management agreements; maintenance agreements; customer sales agreements; and many other forms of agreements.

Regulatory Compliance. Among our core competencies is helping our clients identify and comply with applicable federal and state regulatory requirements, from start-up to ongoing operation.

Broadband Funding Opportunities. An article on the federal Broadband Stimulus program called us the "nation's foremost expert" on stimulus matters. <http://bit.ly/1AUS0Un>. We lobbied for the enactment of several of the key provisions of the American Recovery and Reinvestment Act of 2009 and participated actively in the rulemaking proceedings before the National Telecommunications and Information Administration and the Rural Utilities Service on the implementation the Act. We then helped numerous entities obtain broadband stimulus funds and develop their projects in compliance with all applicable legal requirements. Jim Baller also helped NTIA organize a mid-course workshop for nearly 500 BTOP awardees and made the keynote presentation at the conference. We also provide advice and support to entities seeking to qualify for E-Rate and other broadband grant, loan, and other incentive programs.

Access to Content. Broadband systems that provide video programming and other content must make arrangements to acquire the content from programming creators, programming distributors, national and local broadcasters, syndicators and other entities. This requires knowledge and experience with the Federal Communications Commission's programming access, must carry/retransmission consent, network non-duplication, syndicated program exclusivity, and other rules, as well as the current practices of industry participants nationwide. We have deep experience in such matters.

Anticompetitive Practices. We often combat anticompetitive practices by incumbents, including predatory pricing, targeted rate discrimination, denial of access to content or potential customers, threatening contractors, and "dirty tricks" of various kinds. For example, as lead trial and appellate counsel, we helped one of our clients win a large federal jury verdict against Comcast for violating Florida's deceptive and unfair trade practices laws in attempting to thwart our client from competing successfully for customers in multiple-tenant buildings. *Marco Island Cable v. Comcast of the South, Inc.*, 312 Fed.Appx. 211, 2009 WL 349288 (C.A.11 (Fla.)). We also wrote an extensive report for the Senate Commerce Committee documenting dozens of examples of anticompetitive practices by incumbent cable companies. <http://goo.gl/0WeJiU>.

Public Safety. As legal counsel to the District of Columbia's Office of Chief Technology Officer, the state coordinator for public safety and FirstNet matters, we are actively involved in a variety of public safety issues.

Privacy, Intellectual Property, and Law Enforcement. We wrote a comprehensive guidebook on federal privacy law for the American Public Power Association and its members, and we have advised numerous entities on how to comply with the Digital Millennium Copyright Act, the Communications Assistance to Law Enforcement Act, and other similar laws.

Municipal Tax and Finance. We do not claim to have expertise in tax or municipal finance, but we regularly work with tax and municipal finance counsel involved in public broadband projects. As a result, we can help our clients ensure that they are addressing key tax and finance issues.

Public Health. For many years, we represented scientists studying the health effects of wireless technologies in a class action challenging their research methodology. As a result, we has substantial knowledge of the legal, factual, and political issues surrounding the health risks associated with wireless technologies.

Bankruptcy. We represented the National Association of Telecommunications Officers and Advisors, several state organizations, and numerous local governments in the Adelphia bankruptcy proceeding.

Current Developments. We post a near-daily list of hyperlinks to communications items of interest to our clients and colleagues. <http://list.baller.com>. Our list is read by thousands of individuals in the communications field, many of whom are frequent contributors of important information that is not available as quickly or at all through ordinary media channels. As a result, we have become a clearinghouse of valuable information for our readers.

In addition, Jim Baller is co-host of the broadband television policy series "BroadbandUS.TV." The program explores the key policy issues in the communications field by stimulating lively debates among prominent leaders on all sides of these issues. In the three years that the program has been running, its live video webcasts and archives have attracted more than 400,000 viewers.

KEY PERSONNEL

Jim Baller, the firm's founder and president, is based in Washington, D.C. His clients include the American Public Power Association, the National Association of Telecommunications Officers and Advisors, and dozens of local governments, public power utilities, and other entities in a wide range of communications matters. He was the founder and president of the US Broadband Coalition, a consortium of more than 160 prominent organizations of all kinds that promoted the development of a national broadband strategy for the United States and recommended the framework that the Federal Communications Commission used in its National Broadband Plan. He served as a consultant to Google in its Fiber for Communities initiative and participated in several Gig.U fiber projects. He is also co-founder and president of the Coalition for Local Internet Choice, <http://www.localnetchoice.org>, whose more than 350 member organizations and individuals seek to remove barriers to the ability of communities to play a major role in the broadband infrastructure decisions that critically affect their futures.

The Fiber to the Home Council has recognized Jim as "the nation's most experienced and knowledgeable attorney on public broadband matters." In 2001, the National Association of Telecommunications Officers and Advisors named him its Member of the Year. In 2006, MuniWireless presented him its first Esme Award, for "working tirelessly to protect the interests of municipalities, many times in the face of huge opposition." In 2007, NATOA made him its first "Community Broadband Visionary of the Year," for "almost single-handedly putting the need for a national broadband strategy to the forefront of public consciousness." In 2007, *Washingtonian Magazine* listed Jim as one of "Washington's Best Lawyers" (defined as the top one percent). In 2009, *Ars Technica* included Jim on its list of the 25 "Top Names in Tech Policy" and *FiberToday* honored him as its "Person of the Year." In 2012, the Fiber to the Home Council presented him its prestigious Chairman's Award, "for his relentless promotion and pursuit of community broadband and of faster networks for everyone. His efforts have paved the way for the deployment of all-fiber networks across the country." In 2014, SEATOA presented Jim its Community Broadband Advocacy Award for "beating back (two years in a row) anti-municipal broadband legislation in Georgia." He was named to the Washington DC Super Lawyers List in 2016 and 2017, and American Registry recognized him in 2016 as one of "America's Most Honored Professionals (Top 1%)." Jim also holds Martindale-Hubbell's highest peer rating, "AV Preeminent."

Jim is a frequent keynoter on broadband matters, and he regularly organizes and chairs Broadband Communities Magazine's regional and national conference programs featuring the relationship between broadband, economic development, and job creation.

Jim is a graduate of Dartmouth College and Cornell Law School.

Sean Stokes became a principal in the Firm in 1998. Since then, he has worked on most of the Firm's public broadband matters, and he is also the Firm's primary expert on pole attachment and wireless matters. Before joining the Firm, he was Associate General Counsel for the Utilities Telecommunications Council, where he directed the legislative and regulatory strategy of the nation's electric, gas and water utilities, and natural gas pipelines, regarding the adoption and implementation of the Telecommunications Act of 1996. He is a graduate of Denison University and the National Law Center at George Washington University, holds Martindale-Hubbell highest peer-reviewed AV-rating, and is a member of numerous bars and bar associations.

Casey Lide joined the Firm in 2002. During that time, he has worked on numerous public broadband projects and stimulus matters. He has particular expertise assisting public- and private-sector clients on contract drafting and negotiation matters, having successfully executed dozens of fiber optic IRUs and leases, easements, franchises, attachment agreements, ISP service agreements, interconnection and collocation agreements, strategic Memoranda of Understanding, and others. He also is a widely-respected expert on informational privacy. He has co-authored an extensive guidebook on federal privacy law, analyzed the privacy, freedom of information, and open records laws of more than 25 states, and provided counsel on privacy, surveillance, and related issues to numerous public and private clients. He is also a frequent author, speaker, and instructor on these topics.

He is also the firm's primary expert on privacy, CALEA, copyright, and social media matters. Prior to joining the Firm, Casey served as Director of Policy and Networking Programs for EDUCAUSE, a national information technology association that represents the interests of the Nation's colleges, universities and other institutions of higher education. In this capacity, he was responsible for identifying and implementing association policy and representing the association on a variety of legislative and Federal Communications Commission initiatives in the telecommunications area. He also directed working groups and provided policy advice to the association on such topics as advanced networking and the Next Generation Internet, wireless communications, Internet security, the digital divide, domain name policy, privacy, the Health Insurance Portability and Accountability Act, federal investment in information technology research, and distance education. He is a graduate of the E.W. Scripps School of Journalism at Ohio University and The Ohio State University Moritz College of Law.

Ashley Stelfox is an associate in the Washington, DC office. She works closely with Jim Baller and other partners on community broadband and other communications matters. In particular, Ashley has worked with numerous entities pursuing broadband initiatives or broadband public-private partnerships. In each of these projects, she has worked with engineering and business consultants through all stages of the project from planning and design to negotiation and implementation. Throughout the process, she advises clients on issues relating to asset management, risk allocation, contract drafting, legal and regulatory compliance, organizational structuring, and federal and state funding opportunities.

Ashley also serves as General Counsel of the Coalition for Local Internet Choice, an alliance of more than 400 organizations and individuals that works to preserve and protect local decision-making in critical broadband infrastructure matters. She is a frequent speaker on communications matters and is the co-author of "Economic Development: The Killer App for Local Fiber Networks," *Broadband Communities Magazine* (Nov-Dec 2014) and "The Emerging World of Broadband Public-Private Partnerships: A Business Strategy and Legal Guide." Ashley is a member of the bar of the State of Maryland and has worked on projects in approximately twenty states.

TESTIMONIALS

"Jim Baller and his firm have been at the forefront of every major battle over how we accelerate the deployment of next generation networks and provide our economy a strategic bandwidth advantage, from laying the groundwork for the National Broadband Plan to battles in state legislatures over municipal options to control their own bandwidth destinies. He provides the rare kind of advocacy that combines both the vision of where our broadband policies need to take us and the detailed understanding of the legal and political land mines that clients need to navigate around to succeed."

--Blair Levin, Former Director of the FCC's National Broadband Plan Task Force and Head of the Gig.U Initiative

"For many years now Jim has been a true pioneer in the community broadband space. He is not only a terrific lawyer and advisor, but an effective advocate for the rights of localities and their citizens to benefit from the deployment of next-generation broadband networks. He also played a central role in the development and implementation of America's first National Broadband Plan. His unique combination of strategic vision and tactical savvy is unmatched in our nation's capital."

--Rick Whitt, Corporate Director for Strategic Initiatives, Google

"Jim Baller and the associates at The Baller Herbst Law Group were instrumental in the business planning, launch, and the continuing growth of EPB's Smart Grid and Communications network. Their guidance through a number of legal and policy related issues were a vital component of bringing Gigabit Internet to Chattanooga. Their relentless work to safeguard a level playing field for municipal service providers ensures other communities access to this critical infrastructure."

--Katherine Espeseth, Vice President, Chattanooga Electric Power Board

"The City of Westminster, MD is very grateful to Jim Baller and Casey Lide for the invaluable guidance and assistance negotiating our pioneering Public Private Partnership with Ting Fiber to light the Westminster Fiber Network. Jim and Casey's exhaustive knowledge of telecom law, and their steadying presence during a complex and fast-paced negotiation produced an innovative and mutually satisfactory agreement between the City of Westminster and Ting that sets a new standard in how municipal broadband can be delivered to entities of all sizes. In addition, their associate, Ashley Stelfox provides ongoing advice to the Westminster community through her role as an Advisor to the Mid-Atlantic Gigabit Innovation Collaboratory (MAGIC), the new technology incubator in Westminster leveraging the gigabit services on the Westminster Fiber Network."

--Robert Wack, President, Westminster City Council

“Jim Baller is an acknowledged and wise advisor on the broad and politically-interesting subject of municipal fiber. He's been in the field since it was a field, and his advice is thoughtful, deliberate, and always well-informed.”

--Susan Crawford, professor, Harvard Law School

“When it comes to being ahead of the broadband curve, nobody is in front of Jim Baller. He's a pioneer and a visionary both, and his advice has always been spot-on. I benefited from that advice as an FCC Commissioner working to craft broadband strategy, and I continue to benefit from it today.”

--Michael Copps, Former FCC Commissioner

“Widely regarded as the nation's most experienced and knowledgeable attorney on public broadband matters, Jim Baller has been involved in most of the leading municipal FTTH projects in America and has challenged several state barriers to municipal entry into telecommunications.”

--Fiber to the Home Council

“Jim Baller has a deep and profound personal conviction that America's prospects for future greatness are intimately and inextricably connected to the accelerated deployment of robust, highly available, low latency, next generation digital infrastructure. Jim's commitment and clarion call for urgent action inform both his professional contribution and his public advocacy. America needs more citizens like Jim Baller. We are very lucky to have at least one.”

--Lev Gonick, CEO, OneCommunity

“No law firm has played as central a role in our nation's move toward the broadband future as has the Baller-Herbst Law Group. Not only has the firm served as the indispensable counsel to countless municipal broadband projects, but Jim Baller himself played a singular role in opening Washington's eyes to the need for a national broadband strategy and to educating us all that broadband requires planning at the national level as well as at the local and state levels. Jim and his partners deserve great credit for being part of creating the local, state, and national environments that have enabled acceleration of fiber deployment -- as well as recognition by both the public and elected leaders of what the new networks can mean for the futures of our communities.”

--Joanne Hovis, President and CEO, CTC Technology & Energy, Immediate Past President, National Association of Telecommunications Officers and Advisors

“Sean Stokes and the team at Baller Herbst have delivered excellence in every engagement with our municipal electric company. We engaged the firm to help navigate us through the development of a new infrastructure use agreement (IUA) and also the evaluation of a new small cell contract for our power system. With Sean assisting our staff in the effort, our company revamped our existing attachment rate structure. This effort resulted in a greater yield for our ratepayers while being mindful of relationships with our existing attachers. Because of these positive experiences, we naturally turned to Sean and the firm to help us successfully negotiate a historically significant and highly unusual IUA for our company. During this process, the firm was dedicated to handling our concerns and extremely responsive to the many issues that arose during the negotiation

process. From our various experiences with this firm, we were extremely satisfied with the technical expertise, caliber of service, and client focused attitude of the team and would highly recommend them to any client looking for some of the best professionals in the industry.”

Laura Smith Tidwell, VP-General Counsel, Nashville Electric Service

“Jim Baller is my go-to guy for legal and regulatory questions about municipal networks. Not only is he an expert, but he is generous with his knowledge and time. He has a big heart that's in the right place. If you're in a battle that pits your public network against big money or incumbent power, I can't think of anybody you could have at your side who's better than Jim.”

--David Isenberg, Isen.com, Freedom-to-Connect

“The Baller Herbst Law Group has an incredible amount of knowledge and experience in providing advice and legal assistance to communities in all matters telecommunications. But more importantly, Jim Baller has been a key national leader in the field, working diligently to ensure all Americans have great access to the Internet.”

--Christopher Mitchell, Director, Telecommunications as Commons Initiative, Institute for Local Self-Reliance

Jim Baller envisioned and led the U.S. Broadband Coalition in 2007-2008, long before there was a National Broadband Plan. His firm identified and documented One Community in Northeast Ohio as an early leader in broadband for economic and community development before it won major federal grants from the FCC and NTIA, let alone their being host to the first national meeting of BTOP grantees. For decades Jim has been in the forefront of the struggle for municipal broadband as a legitimate, even necessary option toward the national goal of universal broadband. He is pro-competition, like the new FCC Chairman, and he's usually ahead of the curve. Jim's a great listener, skilled negotiator, pragmatic idealist, uniter, and a leader for his friends, adversaries, and for doing what is right. What's not to love about Jim?

--Charles Benton, Chairman, Benton Foundation

“Jim Baller and his partners at the Baller Herbst Law Group will give you a thorough analysis the relevant legal issues and public policy options, then develop the most intelligent framework for you to achieve your goals, whether you are a public, private-sector, or philanthropic client. Your case or consultation will always be managed in an ethical manner, and you will enjoy working with them.”

--Jane Smith Patterson, President, The View Forward -Go Forward, and former Executive Director of the e-NC Authority

“An expert veteran of broadband policy issues,” a “vigilant, careful and discerning tactician in federal, state and local communications policy-making.” These are just a few of the ways I would describe Jim Baller, who, in my opinion is one of the most balanced and insightful broadband legal professionals I have known in my 25 year career in the field. Jim’s composed, insightful and steady leadership over more than 4 years of community broadband legislative conflicts in the southeast, catalyzed and energized our belief in our own ability to push back against deeply entrenched incumbent efforts, and win against innumerable odds. He energizes the room with his positive confidence, and rest assured that if Jim is involved in your project, there will be no stone left unturned, no creative angle overlooked.

--Catharine Rice, former President, SEATOA

“Jim Baller has been a trusted friend and advisor for the past twenty years. During this time his expert counsel on cable franchising and municipal broadband issues has been of enormous benefit to the City of Seattle and NATOA. I am indebted to Jim for developing my understanding of the strategic importance of next-generation broadband to local governments and to our nation.”

--Tony Perez, former President, National Association of Telecommunications Officers and Advisors; Director, Seattle Office of Cable Communications

“Jim Baller has taken the time to do the research. His comprehensive understanding of the public need, the political history, and the legal underpinnings of that most successful and enduring element of FDR’s New Deal – public power – makes him a national resource for those who want to replicate the public power model with public broadband. In my thirty years of working in the public power/public broadband field, I have met no one who has a comparable body of work in trying to make the world safe for communities that want to make the lives of their citizens better through public ownership of broadband networks.”

--Billy Ray, Director, Glasgow Electric Plant Board

"Lafayette, LA, has helped lead the way in helping America realize the importance of high speed broadband by allowing municipalities to have the ability to deploy it if the people want it. Our citizen owned utility department is now delivering free peer to peer gigabit to our city. We would have never accomplished our win in the state legislature, or in our court battles without Jim Baller and the Baller Herbst Law Group. They were instrumental in getting us to a point where locals could decide on their future by taking control of their own destiny."

--Joey Durel, former Mayor, Lafayette, LA

"We have been engaged with Jim Baller and his team ever since we initially announced our fiber to the premise initiative over 10 years ago. Our decision to hire them was, indeed, a wise one as we have benefitted substantially from their advice and expertise, especially in helping us surgically navigate the treacherous waters of threats and lawsuits launched against us by our competitors and their allies. The Baller-Herbst Group is a big reason why we have become a successful telecommunications provider."

--Terry Huval, Director of Utilities and LUS Fiber, Lafayette, LA

“Jim Baller is a large part of the reason America has hundreds of municipal and community owned broadband networks. Since the deregulation of the telecom industry in 1996, his firm has been on the front lines of the difficult battle against well-funded incumbents who seek to deny new competition. It’s been a classic David & Goliath storyline, and because of Jim, David keeps winning.”

--James Salter, President, Atlantic Engineering Group

“Baller Herbst Law Group, PC helped the City of Riverside negotiate a city wide wireless broadband initiative with AT&T which was a critical project that lead to the City of Riverside being chosen as a Top 7 City by the Intelligent Community Forum for two years in a row and as the most intelligent community in the world for 2012.”

--Steve Reneker, CIO, Riverside County, California

“For more than 8 years, the Baller Herbst Law Group, PC has been a great resource and trusted counsel. The Baller Herbst Law Group has vast knowledge and experience that is both deep and wide. They have been at the center of the most important decisions that the firms with which I have been associated had to make. These decisions often involved investments in the tens of millions of dollars and were extremely complex. This is one of their greatest strengths: the Baller Herbst Law Group has the ability to take on very complex scenarios and craft comprehensive, creative, easy-to-understand, straightforward plans of action that help reduce risk and increase the opportunity for success. The Baller Herbst Law Group’s attorneys are industry leaders and are always abreast of the latest developments and indeed many times are the catalyst for dynamic changes within the industry. Their integrity and willingness to understand their client’s needs and points of view are the benchmark of the industry.”

--Kyle Hollifield, Senior VP, Magellan Advisors

“I am privileged to call the Baller Herbst Law Group my friends and to have had them serve as UC2B’s legal counsel. They are leaders in the fight to allow local communities to determine their own Broadband futures. I learn something new every day from their email list of Broadband and telecommunications news and they are quick to respond to an email or a phone call when we need their help.”

--Michael K. Smeltzer, Retired Director of Networking at the University of Illinois, Principal Instigator of Urbana-Champaign Big Broadband (UC2B)

“We have utilized the Baller Herbst Law Group on numerous matters associated with telecommunications and joint pole attachments. Their service and counsel have always been top shelf. The knowledge and expertise that the Baller Herbst team brings to the table is indispensable.”

--Ron Harris, Manager of Engineering and Power Supply, Rappahannock Electric Cooperative, Fredericksburg, Virginia

“Jim Baller and his partners at the Baller Herbst Law Group have been thoughtful, thorough, and valued advocates for our public telecommunication endeavors. In articulating complex legal issues in clear and understandable language or in thinking through various strategic choices, they have been invaluable advisors. The “can do” attitude of the firm and its willingness to take on what might otherwise drive others off have been of tremendous value to us over time. Their responsiveness, vision, and guidance have allowed us to explore opportunities that were otherwise untenable.”

--Kevin Kryzda, CIO, Martin County, Florida

“Like a number of other municipal utilities, we have come to rely on the expertise of the Baller Herbst Law Group. Telecom law is an area that is forever changing, and knowing that it is relatively easy to get a simple answer and still be confident if an issue required full engagement, the Baller Herbst Group has always been available. The uniqueness of the Baller Herbst Group is they are nationally recognized as the pinnacle in the industry, while delivering hometown service as we would expect in our community.

--Rich Cody, Manager, Parallax Systems Division of Richmond Power & Light

“The Baller Herbst Law Group has provided timely and effective assistance to NoaNet over the years, based upon its specialized telecommunications experience and its location in Washington DC. The excellent reputation of Baller Herbst—and Jim Baller in particular—has and continues to enhance NoaNet’s efforts to bring high speed communications to unserved and underserved areas of the Pacific Northwest.”

--Greg Marney, Executive Director, NoaNet

“Jim Baller has the ability to transcend current events and bring clarity to his advice to clients. He provides clients a course of action in which they can achieve success and then successfully defends their rights. Baller Herbst Law Group is a top shelf firm with a tremendous track record of success in the practice of law in the telecommunication field.”

--Jimmy Sandlin, Director, Scottsboro EPB

“The folks at Baller-Herbst have always been super-responsive to our needs. Calls are returned quickly and we are secure in the knowledge that everyone on staff is an expert in whatever we may be asking about. After our many years in the broadband business (and hundreds more providing electrical service to the town of Braintree), it’s comforting knowing exactly where to go when we need a helping hand on a complex legal issue.”

-- JoAnn Stak-Bregnard, Director, Marketing and Programming, Braintree Electric Light Department

REFERENCES

Listed below are ten individuals who can provide extensive insights into our work. In addition, if you would like to contact any other current or former clients, please let us know, and we will gladly provide you the contact information.

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