

Jon Lang Mediation

Telecoms and Satellite – mediation examples

a dispute between telecoms providers raising issues under the General Conditions of Entitlement (promulgated under the Communications Act 2003);

an AIT (Artificial Inflation of Traffic) dispute in the telecoms sector arising out of an allegation that a party sought to artificially inflate their revenue by generating call traffic in circumstances where no genuine telecommunications purpose existed, the mediation involving an analysis of procedures and accounting processes within the telecommunications chain when AIT is suspected;

a dispute in the telecoms sector arising out of an alleged fraud involving sham traffic/AIT and a series of carrier agreements, with various issues under discussion such as the sharing of loss, duties to detect and prevent fraudulent or unauthorised activity etc;

a dispute concerning the failed development of a new telecoms service;

a dispute concerning the assessment, provision and cost of additional bandwidth under a master services agreement and the representations and assumptions made around network sizing.

a dispute in relation to a dark fibre agreement and co-location agreement, and the proper 'rating' of the co-location site;

a telecoms dispute arising out of the acquisition of a third party telecoms company;

a telecoms dispute concerning the supply of a telecoms service to a business and the transition from copper wire to fibre;

a professional negligence action against a law firm relating to a property transaction and in particular the requirements under the Electronics Communications Code (set out in Schedule 3A Communications Act 2003) and its interaction with the Landlord & Tenant Act 1954 (and Digital Economy Act 2017) when seeking vacant possession from telecommunications operators;

a dispute between a provider of satellite services and a telecommunications service provider arising out of the removal from service of one of a number of satellites, the dispute concerning the extent to which similar coverage was provided by alternative satellites;

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