SQUIRE PATTON BOGGS

Eduardo R. Guzmán



Partner

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About Eduardo

Eduardo Guzmán's practice centers on the stakeholders, regulatory issues, telecommunications and broadband networks and infrastructure projects that support the digital economy's growth and development.

Eduardo regularly helps telecommunications and broadband providers navigate and adapt to a changing regulatory landscape. He advises providers on matters such as traditional common carrier regulation, the regulation of over-the-top (OTT) video offerings, VoIP and other IP-based services, the transition to IP-networks, interconnection, the regulation of broadband internet service, universal service, national security requirements and consumer privacy and cybersecurity issues. He has extensive experience negotiating complex agreements related to the interconnection of networks, the offering of regulated and non-regulated services, as well as wholesale transactions.

Eduardo also has decades of experience representing telecommunications and broadband service providers in administrative proceedings, litigation matters and arbitration proceedings. He has particular experience litigating intricate jurisdictional and regulatory issues in federal court and handling commercial disputes involving telecommunications providers in domestic and international arbitration proceedings before the American Arbitration Association (AAA), the International Centre for Dispute Resolution (ICDR) and the International Centre for the Settlement of Investment Disputes (ICSID).

In the realm of communications infrastructure, Eduardo works closely with investors, developers and operators aiming to build or expand broadband networks. He has extensive experience advising broadband providers on new fiber buildouts and transitions from legacy copper systems to fiber and fixed wireless technologies. Eduardo also assists developers and investors seeking to form partnerships with government entities for broadband infrastructure projects, including open access conduit networks, middle-mile networks and fiber-to-the-home systems. He provides hands-on guidance in evaluating and responding to requests for proposals (RFPs), identifying funding opportunities and negotiating and drafting project agreements that align private operators' interests with government stakeholders' objectives. Eduardo's expertise in navigating the complexities of multi-stakeholder negotiations, combined with his deep knowledge of telecommunications infrastructure and public-private partnerships, makes him a trusted legal advisor for clients seeking to implement broadband projects that help bridge the digital divide.

In addition, Eduardo has extensive experience helping companies across a range of industries develop internal programs and policies for compliance with federal and state laws regulating telemarketing and other communications with customers, including the Telephone Consumer Protection Act (TCPA), the Telemarketing Sales Rules (TSR) and the CAN-SPAM Act. He also regularly conducts compliance audits, reviews internal policies and practices, and makes practical recommendations to clients aimed at reducing exposure and potential liability under these statutes and regulations.

Eduardo has particular experience in the Caribbean and Latin America. He regularly represents the interests of private corporations and industry groups in matters before administrative agencies and other government entities in Puerto Rico, and advises on legal, business, regulatory and government affairs issues in connection with their plans to establish new operations in Puerto Rico and/or their existing operations in Puerto Rico.

Experience

- Acting as lead trial counsel in administrative proceedings before the Telecommunications Regulatory Board of Puerto Rico that led to concession of first franchise for the offering of IP-based video service in Puerto Rico.
- Representing a telecommunications service provider in a federal lawsuit against a municipality under Sections 253 and 332(c)(7) of the Communications Act seeking to preempt an order that prohibited the offering of wireless telecommunications services.
- Acting as counsel in defense of a complaint filed by incumbent cable television companies challenging concession of the first IPTV franchise in Puerto Rico. Obtained dismissal on jurisdictional and abstention grounds.
- Representing a telecommunications service provider in its participation in state-level broadband funding programs and the Broadband Equity Access and Deployment (BEAD) Program.
- Advise financial institutions and global service providers on regulatory implications of cloud-based PBX services and Contact Center as a Service (CCaaS).
- Representing a developer and network operator in negotiations with local government over partnership to build a middle-mile broadband network with a combination of state grants and private financing.
- Acting as lead counsel on behalf of an incumbent carrier in appeal of an interconnection arbitration decision. Obtained dismissal of competitive carrier's appeal and partial remand of the incumbent carrier's claims.
- Acting as lead trial counsel on behalf of incumbent local exchange carrier in the first interconnection arbitration proceeding before the Telecommunications Regulatory Board of Puerto Rico involving an incumbent cable television service provider.
- Acting as lead trial counsel for Puerto Rico telecommunications carrier in several commercial arbitration proceedings before the International Centre for Dispute Resolution.
- Serving as one of four attorneys who represented the Republic of El Salvador in an international arbitration proceeding before ICSID filed by a Spanish company. Obtained a dismissal of this case on jurisdictional grounds based because the investment had been procured through fraud.

Credentials

Education

- University of Pennsylvania Law School, J.D., 2002
- Georgetown University, B.S.F.S., 1999

Admissions

- New York, 2003
- Puerto Rico, 2003
- District of Columbia, 2004

Courts

- U.S. Court of Appeals for the 1st Circuit
- US District Court for the District of Puerto Rico
- U.S. Supreme Court

Recognitions

- Recognized by *The Best Lawyers in America* 2023-2025 for Communications Law.
- Recognized in 2016 as a *Law360* Rising Star in Telecommunications.
- Recognized as a Foreign Expert for Litigation in Puerto Rico by *Chambers Global* in 2014.

Expertise

Services

- Data Privacy, Cybersecurity & Digital Assets
- Communications

Interviews

- "Connected Cuba is a Pipedream for US Telecoms," Bloomberg BNA, July 13, 2016.
- TV Martí, San Juan, P.R., November 6, 2015.
- "Counterintuitive' FCC Ruling Poses Risk for Contact Centers," Nearshore America, July 21, 2015.
- "Declaratory Ruling on TCPA Leaves Key Issues Unclear, Open to Challenges," Outbound Dial Resource, July 15, 2015.

Publications

- Author, "The Future of Telecommunications Services in Latin America," *Latin America Legal* (Blog), August 8, 2018.
- Author, "Neutralidad de la Red en EE.UU: Implicaciones para America Latina," *LexLatin*, April 10, 2018.
- Author, "TCPA Rules for VoIP Demand the Impossible from Companies"TCPA Rules for VoIP Demand the Impossible from Companies, *Law360*, March 6, 2018.
- Author, "Compelling and Staying Arbitration in Puerto Rico," *Practical Law*, November, 2017
- Author, "Strategic Perspectives - Eleventh Circuit offers clarification of partial revocation of consent under TCPA," *Wolters Kluwer*, September 29, 2017
- Author, "Strategic Perspectives — Victory for the TCPA defense bar limits right to revoke consent," *Wolters Kluwer*, July 21, 2017
- Author, "US-Cuba Telecommunications: Turning the Corner," *The National Review*, March 16, 2016.
- Author, "Duties of Telecommunications Carriers," *Telecommunications Law Answer Book 2016*, ed., Practicing Law Institute, 2015.
- Author, "Telecommunications in Cuba and the U.S. Embargo: History, Opportunities, and Challenges," *World Communications Regulation Report 10*, no. 5, Bloomberg BNA, May 2015.
- Co-author, "TCPA and VoIP: Revisiting the 4th Circ.'s Ruling in Monarch," *Law360*, February 29, 2016.
- Co-author, "What You Need to Know About the FCC's July 10th Declaratory Ruling on the Telephone Consumer Protection Act (TCPA)," *The National Law Review*, July 13, 2015.

Speaking Engagements

- Panelist, Municipal Broadband P3: How Can Federal Policy Enable Greater Usage of P3 to Achieve Connectivity Goals?," P3 Government Conference, Alexandria, VA, December 2023
- Panelist, "Broadband: Build Global Connections Through P3," PR Now Summit, San Juan, PR, June 2022.
- Panelist, "Digital Transformation in the LATAM and Caribbean Regions—What are the missing pieces of the jigsaw," Latin America & Caribbean Telecommunications & Media Forum, International Institute of Communications, Miami, FL, May 2022.
- Panelist, "Need for Speed: What's Next for Broadband | P3 Conference," Public-Private Partnership Conference & Expo, Dallas, TX, March 2022.
- Moderator, "Puerto Rico: Program, Partnership and Pipeline," Public-Private Partnership Conference & Expo, Dallas, TX, September 2021.
- Panelist, "The Road to 5G," Telecommunications & Media Forum, International Institute of Communications, Miami, FL, May 2019.
- Speaker, "Redefining Puerto Rico's Telecommunications Market: Identifying Regulatory Trends and Their Impact on Investment," Capacity Caribbean 2019, San Juan, PR, February 2019.
- Panelist, "Technology-The Distruptor and Enabler," CANTO 34th Annual Conference, Panama City, Panama, July 2018.
- Panelist, "Digital Infrastructure and National/International Connectivity-Policy Choices for Sustained Investment and Innovation," Telecommunications & Media Forum, Miami, FL, May 2018.
- Panelist, "Promoting the Digital Economy: How Can the Latin American Telecoms Industry Grow and Transform in the Era of Digital Disruption," Capacity LATAM 2018, Rio de Janeiro, Brazil, March 2018.
- Panelist, "Building a Regulatory Framework that Enables Innovation and Transformation Across the Caribbean," Capacity Caribbean 2018, San Juan, PR, February 2018.
- Presenter, "Spotlight on Providing Telecommunications Services in Cuba," American Conference Institute's FCC Boot Camp, San Francisco, CA, June 28, 2016.
- Panelist, "Cuba Case Study: Policy and Business Implications for U.S. Industry," PCIA's Wireless Infrastructure Show 2016, Dallas, TX, May 25, 2016.
- Panelist, "Telecommunications Developments," Cuba Investment Forum 2016, Industry Exchange, Fort Lauderdale, FL, May 12, 2016.
- Panelist, "What to Expect from the D.C. Circuit Appeal of the Federal Communications Commission's 2015 TCPA Ruling," InsideARM Larger Market Participant Summit, Washington DC, April 22, 2016.
- Panelist, "The Opening of U.S. Relations with Cuba and Its Impact on the Telecommunications Market," Federal Communications Bar Association, Washington DC, April 7, 2016
- Panelist, "Connecting Islands: Ensuring Access to Mobile Broadband in the Caribbean Telecommunications Market," Capacity Caribbean 2016, San Juan, P.R., February 17, 2016.
- Presenter, "What You Need to Know About the Telephone Consumer Protection Act: Compliance and Regulatory Developments Since 2015," Microjuris, January 5, 2016 (Spanish).
- Presenter and panelist, "Telecommunications in Cuba and the U.S. Embargo," Cuba: Investment, Trade, and Financial Guarantees (hosted by Microjuris and the Inter-American Federation of Lawyers), San Juan, P.R., November 5, 2015.
- Panelist, "Business Opportunities in Cuba," Junta Ampliada del Consejo Empresarial de América Latina, San Juan, P.R., August14, 2015.

- Witness, "Overview of Cuban Imports of Goods and Services and Effects of U.S. Restrictions," United States International Trade Commission, June 2, 2015.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.