



OF COUNSEL

## Cheryl Leanza

✉ cheryl.leanza@bbklaw.com

☎ (202) 370-5316

📍 Washington, D.C.

Cheryl A. Leanza has been practicing communications law for more than 25 years with a wide scope of practice including Internet access, broadcast and cable regulation, social media corporate accountability and affordability in communications. Cheryl is skilled in appellate litigation and representing clients before the Federal Communications Commission and Congress. Cheryl plays a key role at the intersection of civil rights and communications policy and is a nationally recognized authority in equity in access to communications. Cheryl is particularly adept at finding agreements and policy solutions that are strategic, politically viable and legally airtight.

### Litigation

Cheryl has successfully litigated on behalf of her clients challenging FCC decisions in federal court, including *Prometheus Radio Project v. Federal Communications Commission* before the U.S. Third Circuit Court of Appeals and the U.S. Supreme Court. She plays a critical role in Best Best & Krieger LLP's Telecommunications litigation team, taking lead roles in defending local government interests in cable franchising matters in the U.S. Sixth Circuit Court of Appeals and appealing the FCC's small cell decision to the U.S. Supreme Court. Cheryl is admitted to the U.S. Supreme Court and the U.S. Court of Appeals for the District of Columbia, Third, Fourth, Sixth and Ninth circuits.

### FCC & Congress

Cheryl has counseled dozens of clients through FCC rulemaking proceedings as well as clients seeking licenses and renewals before the FCC, including a municipally owned utility and non-commercial radio stations and their trade associations. Cheryl has wide-ranging contacts throughout the FCC and on Capitol Hill, enabling her to quickly make contact with key players and obtain results. Cheryl was instrumental passing the Martha Wright-Reed Just and Reasonable Communications Act of 2022, which empowered the FCC to protect incarcerated people and their families against predatory communications cost. She also was a key player in developing and passing Congress' Emergency Broadband Benefit at the end of 2020 and the Local Community Radio Act of 2010. Cheryl previously served as principal legislative counsel for telecommunications at the National League of Cities, where she was lead lobbyist for local elected officials.

### Policy

Cheryl provides clients with white papers, strategic advice and overviews of the communications policy space in

## CORE PRACTICES

- Government Affairs
- Public Agency Litigation
- Municipal Law
- Telecommunications

## EDUCATION & ADMISSIONS

### Education

- University of Michigan Law School, J.D., cum laude
- University of Michigan Ford School of Public Policy, M.P.P., cum laude
- Boston University, B.A., summa cum laude

### Bar Admissions

- District of Columbia
- New York

Washington, D.C., orienting clients to the multiple levers available to obtain desired policy outcomes and successfully pursuing long-term and short-term goals.

## Notable Experience

- Lead counsel on brief and oral argument representing a coalition of public interest organizations challenging the FCC's adoption of rules permitting consolidation of broadcast media in *Prometheus Radio Project v. Federal Communications Commission*; co-counsel in merits briefing before the U.S. Supreme Court.
- Co-counsel on two petitions for certiorari in the U.S. Supreme Court on behalf of local governments clients. One seeking review of the Ninth Circuit's decision in *City of Portland, Oregon, et al., Petitioners v. Federal Communications Commission, et al.*, which received recognition by SCOTUSBlog as a "petition of the week," and the second seeking review of Sixth Circuit's decision in *City of Eugene v. Federal Communications Commission, et al.*
- Lead counsel on briefing and oral argument, representing coalition of local governments in *City of Eugene et al. v. Federal Communications Commission* in the U.S. Sixth Circuit Court of Appeals, successfully challenging the FCC's findings that would deprive local government of substantial cable franchise revenue and authority to meet local needs; co-counsel in Supreme Court petition for certiorari.
- Lead counsel on briefing and oral argument, representing a coalition of local governments in *League of California Cities v. Federal Communications Commission*, challenging the FCC's declaratory ruling undermining local authority with respect to Section 6409 eligible modifications to wireless facilities.
- Counseled state university-owned noncommercial radio station in FM license renewal.
- Represented communications labor union before the Federal Communications Commission in net neutrality and reclassification proceeding.
- Represented coalitions of local government associations before the Federal Communications Commission with respect to proposals for pro-consumer regulation of cable and satellite television.
- Represented local franchise authorities in negotiating cable franchise agreements.

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## Accolades

- South Trailblazer, *The American Lawyer*, 2022
- D.C. Impact Outstanding Advocate Award, National Hispanic Media Coalition, 2018
- Top 25 Leadership Award, Rainbow/PUSH Media & Telecommunications, 2013

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## Professional & Community Involvement

- Federal Communications Bar Association; former member of Executive Committee; former trustee of the FCBA Foundation
- American Constitution Society

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## Thought Leadership

### Publications

- Quoted, "Cities Score Wins Over FCC Even In 9th Circ. Permitting Loss," *Law360*, Sept. 20, 2024
- Quoted, "Media Ownership Needs More Oversight, 8th Circ. Told," *Law360*, Sept. 20, 2024

- Quoted in “9th Circuit Rejects Parts of FCC’s 2020 Wireless Siting Ruling,” *Communications Daily*, Sept. 16, 2024
- “Calls From Prison Are About to Get Cheaper,” *Wall Street Journal*, July 19, 2024
- “Local Governments Urge FCC to Implement Franchise Fee Ruling” *Telecommunications Report Daily*, Oct. 13, 2023
- Quoted in "Growing Number of States Exempt Streamers From Paying Franchise Fees," *Communications Daily*, May 15, 2023
- “Big Data Policy and Practice in Local Government,” *The Public Law Journal*, spring 2016
- “Theory Applied: Walking the Halls of Power and the Streets in the Successful Campaign to End Predatory Long-Distance Prison Phone Rates,” 28 J. Civil Rts & Econ. Dev. 185 (2015)
- “Trying to Silence Others’ Speech: Hecklers’ Veto Case Law as a Resource for Democratic Discourse,” 35 Hofstra L. Rev. 1305 (2007)
- “Monolith or Mosaic: Can the Federal Communications Commission Legitimately Pursue a Repetition of Local Content at the Expense of Local Diversity?” 53 Am. U. L. Rev. 597 (2004)

## Presentations

- "Cities and Taxes on Video and Broadband," Broadband Breakfast, Oct. 16, 2024
- "The Federal Landscape," National Association of Telecommunications Officers and Advisors Annual Conference, Aug. 26, 2024
- "Developments in Media, Video, and Cable," Broadband and Cable Industry Law 2024, Practising Law Institute Webcast, May 14, 2024
- "The Courts, The Hill and The FCC – A Year in Review and Setting the Stage for 2024," eNATOA Webinar, Dec. 11, 2023
- "Will Congress Confront the ACP Connectivity Cliff?" Schools, Health & Libraries Broadband Coalition Annual SHLB Conference, Oct. 11, 2023
- "The Court, The FCC, And Congress: Will They Finally Catch Up With The Real World Of Communications?" Alliance for Community Media West Conference and Trade Show, March 31, 2022
- "Telecommunications Update: Answering the Call," International Municipal Lawyers Association’s Annual Conference, Oct. 2, 2021
- "Out With the Old and In With the New: How President Biden's Election Will Change Federal Communications Policy Affecting Local Government Authority and Funding Opportunities," International Municipal Lawyers Association's Mid-Year Seminar, Apr. 22, 2021
- “Human Rights Advocates Call for More Federal Tech Oversight,” *Government Technology*, Feb. 29, 2021