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TVs will never have another 'a-ha' moment, and that's OK

State Rep. Kristin Phillips-Hill (R-93) wrote a very thoughtful and well-researched column on the lack of Internet access in many rural, and even not-so-rural, households within her legislative district (Viewpoints, Dec. 18). She speculated that it's a problem throughout the commonwealth, as well. Her main focus was on how the lack of Internet access affects many students unable to complete school work at home, but of course it impacts the general public in those areas not served.

I'm in full agreement with her assessment that Internet access has evolved like other essential utilities — electric and water services are expected to be available and reliable universally — not just provided to highly profitable markets.

Rep. Hill provided detailed background on the issue. In 1993, an agreement was signed by Verizon (formerly Bell Atlantic/GTE) with the Pennsylvania Public Utilities Commission (PUC) to "deploy the technologies necessary to provide universal broadband availability in the year 2015." Rep. Hill then added, legislation was enacted through Act 183 of 2004 to mandate "telecommunication companies to offer broadband service to all customers by Dec.31, 2015." There was also a goal of 80 percent by 2010. Act 183 was intended to step up with the force of law from whatever was in the "agreement" signed. As far as targets go, not only were those deadlines missed, neither will be met any time soon.

So what can be done about this? What should be done about this? Looking at Act 183, I found some interesting points.

Act 183 amends Title 66 — Public Utilities. For the average citizen, that won't mean much. It's where all the boring details of rates and regulations are found for all utilities — electric, water, gas, railroads, telephones and now Internet access referred to as Broadband. There's even an appeal process outlined for lack of service. Ironically, you'll have to look elsewhere [Crimes Code §6905] to learn that it's a summary offense to place nails or staples on utility poles when you're having a yard sale or your puppy is lost.

In case you want to web search this, Act 183 is 98 pages long, although about half of that includes the portions that are no longer in effect by striking through the old language. That's just the way the Legislative Reference Bureau drafts bills for the General Assembly to act upon.

The language of providing Internet access is included early in the bill, but tends to slip away as the legalese drones on. Industry terms and definitions that would not be familiar to most citizens are a key factor as the bill dilutes the goals with options for providers.

Of the original 158 co-sponsors of the bill (HB 30 of 2003), about one-fourth are still in the General Assembly. The bill language says "Shall" provide 100 percent of "universal broadband availability — it doesn't say, "Well, do your best as long as you try." Notably, there's no penalty for not complying. Compare that to the "Alternative Energy Portfolio Standard" (Act 213 of 2004) that set goals for Pennsylvania electric utilities to meet. You can debate the merits of Act 213, but it did include a penalty timeline and finite damages for noncompliance.

Act 183 gave specific oversight to the PUC. Who dropped the ball at the PUC to monitor progress and report to the General Assembly? The Department of Community and Economic Development was also to play a significant role by reporting progress to the PUC and enabling programs to meet the goals, which included, "to ensure the quality of life" for commonwealth residents [§3011(6)]. Would someone remind me what DCED does?

Act 183 expected the Department of Education to deploy technology to schools through a fund created and collected in Act 183. Where's the PDE accountability for that?

Was it a coincidence that just days after Rep. Hill's column, the Associated Press released news that Verizon turned down \$23 million in federal funding for expanding high-speed Internet service to rural customers in Pennsylvania?

For me, it's like I've seen this movie before. Nearly 100 years ago, electric utilities refused to serve rural areas because it was less profitable than cities and high density markets. In 1936, the federal Rural Electrification Act created electric cooperatives that brought electric power to farms and outlying homes through a federal revolving loan program that never defaulted or cost the U.S. taxpayer anything.

Since Verizon has not lived up to its commitment to this commonwealth and seems to be reluctant to serve all the residents, maybe there's a simple alternative. Maybe Verizon, a \$131 billion revenue company (2015 figures) with current common stock selling in the range of \$45-\$55 per share with dividends needs some competition. Act 183 allows for that. Let's use it.

Most have forgotten the federal Telecommunications Act of 1996. In summary, it was the uber deregulation law of all time. It allowed telephone companies to sell electricity and electric companies to sell cable service — you name it. If you can create your own distribution market — go for it!

So going beyond just talking about the issue, I have some direct recommendations to resolve it.

Rep. Hill deserves credit for pointing out the need to serve the under-served, but she's going to need help. When she says, "I have been in constant contact with Verizon's government relations representative," that seems pretty passive. Who knows what industry double-speak she's been spoon-fed by the Verizon guy.

What Rep. Hill needs is a take-charge colleague or two. She can begin by requesting hearings held on the Verizon broadband noncompliance. Start with Transportation and Consumer Affairs committees. There's probably some other standing committee that would love to get in on the act (pun intended). Get the PUC to justify why it has not reported to the General Assembly on the noncompliance. Invite the 13 Pennsylvania Rural Electric Cooperatives to make a bid on supplying broadband to their members and others, even if it means crossing over into investor-owned utility areas (Met-Ed, PPL, Exelon, etc.) with pole attachments for broadband. Improving the Quality of Life in rural America is something the cooperatives historically accomplished. They can do it again if called upon. Currently there's a 1975 law that says utilities can't cross territorial lines, but that can be modified to meet this need. Oh, the possibilities are numerous.

Even state Sen. Scott Wagner can get in on this. Debate his motives if you will, but his issue with the Department of Labor & Industry over commitments to upgrade its computer system past a contract deadline (and well over budget) is very similar to what Rep. Hill is alerting us to with Verizon.

Instead of Verizon asking, "Can you hear me now," maybe our legislators can flip that to, "Hey Verizon, are you listening now?" — **York Daily Record**



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