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New York Times
States Push Back After Net Neutrality Repeal

Investor's Business Daily
Ajit Pai's Personal Hell, Our National Media's Failure

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Editorial: W. Pa. lawmaker's hometown feud with his local electric company should stay that way

USA Today
I just bought a 4K TV. Don't tell me 8K is coming!

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At CES, Comcast opts to expand smart-home features, but there's a catch

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Pigs. Honey. Cow dung: Why and how the campaign trail runs through the Pa. Farm Show

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Judges rule Pennsylvania can retain

A resolution opposing a wireless broadband antenna system is expected to be approved this week by New Castle City Council. House Bill 120, currently under consideration in Harrisburg, would allow wireless contractors to place "mini cell towers" in the form of antenna on utility poles. If this goes through, city solicitor Jason Medure said, cable companies, which pay franchise fees to municipalities, will likely follow the lead and stop paying the fees. "Losing this fee would hurt us immensely," said councilman Tim Fulkerson.

Council members are also expected to take a stand to maintain net neutrality – preventing Internet service providers from favoring some websites and blocking, slowing down or charging extra for other websites and online content. – ***New Castle (Lawrence Co.) News***

The Boulder (CO) City Council decided in the middle of last year **to scuttle what had been tentative plans** to place a measure on the 2017 ballot related to a build-out of a broadband network in Boulder. City staff, along with some in the public, has since been operating under the assumption that such a measure would be placed on 2018's ballot.

But a council discussion Tuesday evening suggested that a broadband measure may not reach Boulder voters this year, or even, necessarily, the year after that. Council members had questions about the debt that Boulder would have to issue for the project; about the relationship between potential city utilities delivering electricity and internet; about potential private-sector partners; and about unknowns regarding just how effective a business a local broadband utility may or may not be.

No votes were taken Tuesday, but the council's direction to city staff was clear: Return with as much new information as possible ahead of the next council discussion on this topic — scheduled for March as of now — but don't assume 2018 is the year Boulderites vote on it. Yet the council's commentary on how broadband might be delivered across the city also seemed clearly **to lean in favor of a public option,** in which Boulder either builds out a fiber network without a private-sector partner, or does that while also becoming a city-run internet service provider — better known as an ISP.

[congressional map]

Harrisburg Patriot-News
[Pa. Senate leader Scarnati applauds ruling in federal redistricting case]

Philadelphia Daily News
[Wait. What? Pa. House to really shrink?]

Pittsburgh Post-Gazette
[VP Pence likely to campaign for Rick Saccone for Tim Murphy's former seat]

In large part, that leaning is informed by the fact that Boulder has already investigated potential public-private partnerships and determined that no ideal partner exists at the moment. That realization is what prompted the decision in 2017 not to pursue a ballot measure. Boulder is going to "re-engage" in coming months with private companies the city might partner with on this broadband project, Assistant City Manager Chris Meschuk said. "If we get crickets" from that renewed call, Councilman Bob Yates followed, the city may be able to rule out the public-private partnership option by the spring.

That would leave two options: Do nothing, or pursue a city build-out, possibly including the establishment of a city utility that operates the built-out network. Councilman Sam Weaver said he hopes the city can produce and then show to the public an analysis of what the city's business model would look like for a broadband utility. "It needs to be validated pretty thoroughly if we're going to move forward with this," he said.

There currently exists an online tool that allows members of the public to review and manipulate various business-model assumptions related to Boulder's theoretical **[municipal electric utility.]** Weaver said a similar tool for broadband would be useful. He and Yates both also asked the staff to provide some information about what benefits there might or might not be to the city if it were to wait on broadband until Boulder was further along with its separate push for an electric utility.

While distinct, the two pursuits are related in the sense that a city that owns its electric utility also owns rights-of-way, poles and other infrastructure that can be used for broadband utilities. It becomes much easier and cheaper then to add on local internet service. Just how much easier and cheaper it would be in Boulder's case is not known yet.

City staff has been clear that waiting on the electricity project to advance would not be prudent, because it could be five years or more before Boulder is actually operating a city-run electric utility. Meanwhile, a build-out of the fiber network — estimated to cost $100 million to $140 million — could be done in two to four years, according to Meschuk. In that time, the need for high-speed, relatively low-cost internet may be even higher than it is today, argued Julia Richman, Boulder's chief innovation officer and interim IT director.

She told the council that by 2021, monthly internet usage per capita will be nearly triple what it was in 2016 — 35 gigabytes, up from 13. She also shared a projection that shows 13 internet-connected devices per person by 2021, up from eight in 2016. "It's an insanely fast growth in the use of the internet," Richman said. "There's going to be an incredible demand for internet services in a way that is rapidly accelerating, and being prepared for that is really important."

Richman and others spoke Tuesday about how internet service has, in the view of many, effectively become a basic human right. Mayor Pro Tem Aaron Brockett commented on the urgency he perceives. "We do not have a caliber of broadband that compares with the caliber of the tech community and artistic community (in Boulder)," he said. "There are all these people, young people, professionals, who would benefit from faster broadband, and they're champing at the bit. "I think there is a timeliness to this in terms of providing services to our residents that they're very, very interested in."

His council did not seem to disagree with that sentiment, but a majority did express interest in gathering more information, particularly on potential electric-broadband synergies, before moving ahead and asking voters to approved funding for what promises to be a pricey endeavor. The city's already committed $234,000 to a broadband consultant, and the build could run another $100 million or more. "I don't think we need to rush to get something on the 2018 ballot," Councilwoman Mary Young said. "I think we need to make sure we've dotted our i's and crossed our t's and have all the right information." Added Councilwoman Lisa Morzel: "It doesn't seem to me like this project is ready for prime time." – ***Boulder (CO) Daily Camera***

Add one more front in California's war with the Trump administration: net neutrality.

State lawmakers returned to Sacramento this week to consider, among other things, a work-around in response to the Federal Communication Commission's disgraceful decision to allow internet service providers to play favorites. Acting on a party-line vote, the FCC, now led by a former Verizon lawyer, freed ISPs to speed up, slow down or block content when it suits their purposes. The rules adopted Dec. 14 also allow ISPs to charge online companies extra for faster speeds — costs that will be passed on to broadband consumers and could hinder startups, nonprofits and small companies that can't afford to pay premium prices.

Think of it as extending the cable TV model to the internet: high cost for basic service, a lot more for anything else. But in an increasingly wired world, where work, study and personal finances often require online access (and streaming video is an attractive alternative to cable), it's much easier to cut the cord on TV than it is to do without broadband internet.

This is a national concern, and the best solution would be a federal law restoring net neutrality. Unfortunately, Congress appears to be headed in the opposite direction. That's why California and several other states are looking to implement their own net-neutrality rules. In Sacramento, a bill introduced by state Senate President Kevin de León would: make it unlawful for broadband internet providers to block or limit services, interfere with customers' access or engage in deceptive marketing practices; allow the California attorney general or any district attorney or city attorney to enforce the rules under the state's unfair business practices law; direct the California Public Utilities Commission to establish rules to enforce the state's net neutrality requirements.

Congress ought to be discussing similar mechanisms to maintain a level playing field on the web, and Democrats gathered enough signatures to force a Senate vote. However, there's no indication that vote will come anytime soon, that the House will vote at all or that the president, who appointed the FCC chairman, would sign a law re-establishing net neutrality.

Meanwhile, a House bill introduced by Republican Marsha Blackburn of Tennessee, the top congressional recipient of campaign contributions from the telecommunications industry, would codify most of the worst parts of the FCC's new rules into federal law. For many years, states' rights were a cornerstone of the Republican platform. That appeared to be forgotten as soon as the GOP took the reins of power in Washington. Blackburn's bill is no exception. It would specifically bar states from adopting "any law, rule, regulation, duty, requirement, standard or other provision" related to net neutrality.

Some of the biggest names in tech — Facebook, Google and Uber among them — tried to persuade the FCC to leave net neutrality in place. They failed. Maybe they will have better luck in Congress, where saving the status quo might allow states to step in until a more consumer-friendly Congress is elected. – ***Santa Rosa (CA) Press Democrat* editorial**

AT&T Inc., a company that had virtually nothing to do with show business three years ago, now faces a court battle that's all about it.

Early signs suggest **the legal fight** over AT&T's $85 billion Time Warner Inc. takeover will focus heavily on the small screen, drawing much of its evidence from the companies' video rivals. Those competitors argue the telecom company will use Time Warner's entertainment assets against them, according to documents reviewed by The Wall Street Journal. Dish Network Corp., Showtime owner CBS Corp., 21st Century Fox Inc., Netflix Inc. and Starz Inc. are among the companies that have provided information that the U.S. Department of Justice could use to bolster its case that the megadeal would hinder competition in the market for pay-TV content, according to people familiar with the matter.

Government lawyers have subpoenaed roughly 30 third parties for information in the case, Justice Department attorney Craig Conrath told federal judge Richard Leon at a pretrial hearing last Friday. Such requests are typical in high-profile antitrust cases. AT&T is also gearing up for the legal fight. The company has drawn up a wish list of 22 potential witnesses, while the government has requested up to 35, **AT&T's lead attorney Daniel Petrocelli** said. "We have agreed to bring them from all over the country to Washington, D.C., to make it easier on the process," said Mr. Petrocelli.

The Justice Department surprised many observers **in November when it sued to block the combination**, arguing that melding the country's largest pay-TV distributor with one of its biggest media companies would put too much power in the hands of a single entity. AT&T Chief Executive Randall Stephenson said the government's case "defies logic" and vowed to fight the case in court. The trial is scheduled to start March 19, and people familiar with the matter say it appears unlikely the two sides will find a way to settle their differences and avoid the court battle.

As the government's investigation has progressed, rivals of both AT&T and Time Warner have shared information with the Justice Department, much of it confidential, that offers a window into how entertainment companies and distributors play hardball during negotiations. Starz, which competes with Time Warner's HBO, told the Justice Department in May that AT&T already wielded its hefty subscriber base against it, according to a person familiar with the talks. AT&T unveiled its deal in October 2016 and has been fighting for government approvals ever since.

A Starz document reviewed by the Journal accused AT&T management of telling DirecTV call-center workers to stop pitching Starz channels as add-ons to TV bundles during a contract dispute. The move caused Starz monthly sign-ups through DirecTV to drop from the hundreds of thousands to fewer than 100, according to the document. Starz also told the Justice Department the company can't go around

AT&T by selling its service directly to consumers because online distributors aren't mature enough to reach them all. Several startups and incumbents have launched such services, including Dish's SlingTV, Alphabet Inc.'s YouTube TV and Sony Corp.'s PlayStation Vue. Starz also said it can't gain subscribers to its direct-to-consumer app fast enough because its contract with AT&T keeps it from charging a cheaper price, according to the document.

Perhaps most central to the case is how the AT&T-Time Warner deal would affect rival video distributors. AT&T, which would own Warner Bros. as well as cable channels like TNT and CNN, has said that the television ecosystem is awash in content and that its deal won't deter the industry transformation that is taking place. AT&T has argued that the emergence of newer platforms like Netflix and the entry of tech giants like Amazon Inc. into video content means that new consumers will still be able to choose among traditional TV services and online services regardless of what the telecom company does with Time Warner.

The Justice Department sees things differently, arguing that a postmerger AT&T could force rival TV providers to pay more for Time Warner content like Cartoon Network and TNT, which broadcasts many NBA games. It also argues that AT&T's control of Time Warner could hinder innovation in online TV packages that have drawn growing interest from consumers looking to drop traditional cable or satellite service.

The department continues to examine whether the deal might harm the development of emerging alternatives to cable and satellite TV, a key prong of its lawsuit. It has issued subpoenas to online distributors asking how changes in Time Warner carriage fees would affect their business, according to a person familiar with the request.

AT&T late last year said it would offer all TV distributors terms that would allow them to submit disputes with Time Warner's Turner unit to arbitration, a move designed to undercut the government's argument that the telecom company would use Turner's TV shows to squeeze the competition. The government will likely poll rival TV distributors in search of signs that AT&T's proposed fix isn't airtight, according to Kevin Arquit, a partner at Weil, Gotshal & Manges LLP. The solution has to cover all the government's allegations to work in court, Mr. Arquit said, though he added the government still faces the bigger challenge of meeting its burden of proof in the case. – ***Wall Street Journal***

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Broadband
Cable Association
of Pennsylvania

127 State Street Harrisburg, PA 17101
717-214-2000 (f) 717-214-2020
bcapa.com

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