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Federal Communications Commission Tom Wheeler may be Public Enemy #1 in the cable industry, but he's quite happy with his Comcast service.

"I am a happy Comcast subscriber in Washington, DC," Wheeler said today at the National Cable & Telecommunications Association's (NCTA) annual conference in Boston. Wheeler said he also a "happy Atlantic Broadband subscriber in Oxford, Maryland," where he and his wife have another house. Wheeler made the comments on stage in a Q&A with C-SPAN Senior Executive Producer Peter Slen, who asked about Wheeler's TV service.

NCTA CEO Michael Powell blasted Wheeler's FCC in a [speech](#) at the conference Monday, saying the agency has unleashed a "relentless regulatory assault" on the cable industry without provocation and "without any compelling evidence of harm to consumers or competitors." Powell and Wheeler used to have each other's jobs. Wheeler led the NCTA from 1979 to 1984 while Powell was FCC chairman from 2001 to 2005. Wheeler was also a wireless industry lobbyist from 1992 to 2004, and he noted today that he lobbied Powell when he was in that role.

"If anybody understands the reality of a job like Michael's, I do," Wheeler said. When you're a lobbyist, you make the case that regulators are going too far and "we're being persecuted, and then you talk about what I call imaginary harms, the awful, conceptual things that could happen if they [regulators] do this or do that.... I'm now on the other side, I'm receiving this," he said.

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Powell had criticized a [Wheeler proposal](#) designed to make it easier for consumers to watch cable TV channels without renting set-top boxes from cable providers.

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The FCC proposal would force pay-TV providers to create a software-based replacement for CableCard, letting makers of third-party applications and devices display the TV channels customers are subscribed to.

Powell said that "our property [is] being confiscated and passed off to new competitors." When asked about these comment

s, Wheeler said the industry should focus on "finding solutions, not just slogans." The FCC's initial proposal is not a "finished product," but "there is going to be a finished product," Wheeler said. That means he expects the FCC will approve the plan—but potentially with modifications. Instead of opposing it outright, cable lobbyists should "focus on the realities and challenges and work together [with the FCC] for the benefit of consumers," Wheeler said.

When Wheeler was a cable lobbyist, he said, the industry was in a [much more tenuous position](#), fighting for its survival against broadcasters who wanted to put cable companies out of business. But now cable companies are the incumbents, Wheeler has said on several occasions. "Those who did not want things to change used government to maintain the status quo to the detriment of

consumers, and so the philosophy that I developed coming out of [the NCTA] is that the job of government is to promote competition and to let consumers enjoy the benefits of that—with the full understanding that those who are the incumbents never like change," Wheeler said today.

Wheeler pointed out that he isn't always trying to impose more regulations on cable companies. Last year, Wheeler's FCC **declared** that cable TV faces "effective competition" nationwide, a finding that helps cable companies avoid rate regulation on basic cable TV service in cities and towns. "The thing that's interesting is that was a 3-2 vote with me voting with the two Republicans, because I believe there is competition in the delivery of video services that no longer warranted the kind of regulation that had historically been imposed on cable companies," Wheeler said. "And we're now defending that position in court because cities took us to court."

Whether Wheeler is regulating or deregulating, he said he uses the same thought process: "It should be all about government promoting competition and stepping out of the way when there is competition." – *Ars Technica*

Charter Communications Inc. on Wednesday said it completed its roughly \$60 billion acquisition of Time Warner Cable Inc., solidifying the formation of a telecommunications behemoth that faced regulatory hurdles and criticism from consumer groups.

The new Charter Communications is the second-biggest broadband provider in the country, after Comcast Corp., and the third-largest pay-TV company, serving more than 17 million video customers, trailing AT&T Inc. and Comcast. As part of the transaction, Charter also agreed to acquire smaller operator Bright House Networks. That deal also was completed, Charter said Wednesday. Stockholders of Time Warner, other than Liberty Broadband Corp. and Liberty Interactive Corp., will receive \$100 in cash and shares of the new public parent company, equivalent to 0.5409 shares of legacy Charter, for each share of Time Warner. When the deal was announced last year, the transaction was valued at approximately \$55 billion. Subsequent stock gains have raised the total value to about \$60 billion.

The company will be led by Tom Rutledge, chief executive of the legacy company. He will serve as president, CEO and chairman of the board, which will have 13 directors. The board will include seven independent directors, two designated by Advance/Newhouse—the former parent of Bright House—and three designated by Liberty Broadband. Last week, Charter got its final regulatory approval needed for the transaction from the California Public Utilities Commission.

Earlier this month, the Federal Communications Commission said it had formally voted to approve the acquisition while imposing tough operating restrictions on it. The conditions placed on the merger will help mitigate threats to online video competition that could be exacerbated by cable-industry concentration, officials said. Specific conditions will require some degree of "overbuilding" of cable within other cable companies' territories, something the industry traditionally hasn't been required to do.

The deal also compels the merged company not to impose data-usage caps on customers for a number of years, and prohibits use of pay-TV contract language that critics believe has made it harder for media companies to offer content online. Some consumer groups criticized the deal, but it drew less concern than a similar proposed merger of Comcast and Time Warner Cable last year. That deal fell apart amid regulators' opposition. "Current Bright House Networks and Time Warner Cable customers won't see many changes right away, though in the coming months they will begin to hear more from us about the Spectrum brand, and the product improvements and consumer-friendly policies that come with it,"

Mr. Rutledge said Wednesday. – *Wall Street Journal*; [more from Christian Science Monitor](#)

Frontier Communications blamed its takeover of another company for widespread phone, internet and television service outages in California, Texas and Florida at a legislative hearing Wednesday, saying Frontier inherited corrupt data in its \$10.5 billion acquisition of certain Verizon businesses last month. Frontier West Region President Melinda White told California lawmakers that the data issue caused outages during the transition and an outpouring of complaints that its technicians weren't yet trained to handle. Verizon spokesman Ray McConville and several other representatives did not immediately return calls or emails seeking comment Wednesday.

California lawmakers on the Assembly Utilities and Commerce Committee questioned Frontier after thousands of customers in three states complained to state and federal regulators about spotty service since the April 1 takeover. Some customers, including at least one California police department, say the inconsistent service has affected their businesses and emergency services. "The complaints that I have heard are not just an inconvenience, they're a matter of life and death," said Jamie Beutler, who represents rural communities within the California Democratic Party. More than 850 customers have lodged complaints with the California Public Utilities Commission.

The committee chairman, Assemblyman Mike Gatto, D-Los Angeles, and vice chairman, Assemblyman Jim Patterson, R-Fresno, said the PUC should shoulder as much blame as Frontier for the outages because the agency approved the takeover and has been slow to address service issues. Executive Director Tim Sullivan said the utilities commission will investigate the complaints and decide whether to seek court action against Frontier. It could also reconsider its approval of the buyout. Texas regulators also approved the takeover.

Frontier acquired 3.3 million landlines, 2.1 million broadband connections and 1.2 million fiber-optic customers in the three states, according to a news release. Lawmakers estimated the outages to have affected tens of thousands of California customers alone. White said Frontier expects to resolve existing issues related to the changeover by May 29, but customers continue to report problems in all three states.

In Texas, the public utility commission has received 568 complaints about Frontier services since April, spokesman Terry Hadley said. Complaints have fallen in the last few days, but Hadley said it's too soon to determine a trend. Florida Attorney General Pam Bondi has received 1,362 complaints regarding Frontier services since the takeover, spokeswoman Kylie Mason said. Another 433 complaints were filed with the Florida Department of Agriculture and Consumer Services. – *Associated Press*

Netflix Inc said on Wednesday that it had launched a website to check the speed of a mobile or broadband internet connection. The service, called [fast.com](#), works like other internet connection measurement tools such as [speedtest.net](#), Netflix said [in a blog post](#). "We all want a faster, better internet, yet internet speeds vary greatly and can be affected by other users on your network or congestion with your Internet service provider," David Fullagar, vice president of content delivery architecture, said in the post.

Fast.com performs a series of downloads from Netflix servers to make its internet speed estimate, and also links users to speedtest.net to compare the results. "Right now it's a standalone website, though we will look to evolve it down

the road," Netflix spokeswoman Anne Marie Squeo said in an email to Reuters.

The video streaming company separately also has a monthly ISP Speed Index, which updates subscribers on which Internet Service Providers (ISPs) provide the best Netflix streaming experience during prime-time hours. Earlier in May, the company introduced a tool to help its subscribers control how much data they used when streaming on cellular networks. – **Reuters**



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