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September 26, 2016

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**Politico**  
[Trump joins Cruz in attacking Obama's internet plan](#)

**Washington Post**  
[How Donald Trump's Internet policy could benefit Russia](#)

**USA Today**  
[How to get the Internet performance you're paying for](#)

**Philadelphia Inquirer**

When the Federal Communications Commission announced a plan this year that would free people from having to rent cable set-top boxes, the cable and television industries balked and [lobbied hard to forestall](#) the proposal. But it turns out the biggest threat to the plan, which the F.C.C. is expected to vote on Thursday, is a low-profile Democratic commissioner within the agency itself.

Jessica Rosenworcel, a career telecom wonk whom President Obama appointed to the F.C.C. in 2012, has become the crucial swing vote on the cable box [proposal](#). She is one of three Democrats of the agency's five rule-making members, which would normally be enough to carry a vote since commissioners typically act in line with their parties. But Ms. Rosenworcel has not fully embraced the cable box proposal like her two Democratic colleagues and instead has indicated her unease with the plan. "I'm going to be very candid here that I have some problems," Ms. Rosenworcel said in a Senate hearing this month when asked for her opinion on the cable box proposal.

Her remarks immediately reverberated across the communications and tech industries, which both have huge stakes in the outcome of the vote, as a sign the plan could be in trouble. The proposal needs a majority vote to pass before going into effect in two years. "This was a very significant moment, and she is in a very important position because so much is at stake," said Chip Pickering, president of Incompas, a lobbying group that represents Google and Amazon and supports the plan.

The cable box proposal, introduced in January by the F.C.C.'s chairman, Tom Wheeler, a Democrat, would open up the set-top box market by forcing cable and satellite companies to put their television programming on third-party devices instead of on cable boxes. That would let people more easily combine streaming services and cable channels on one device, like a Roku or Apple TV, or on no device at all through internet-enabled television sets. Cable customers would still be able to rent a box from their provider, if they prefer.

The proposal could save consumers nearly \$20 billion a year by liberating them from cable set-top box fees, which average about \$230 annually per account, according to supporters of the plan. President Obama, in a rare show of support for an F.C.C. issue, [publicly backed the idea in April](#), saying it would promote more competition in a powerful industry.

The plan has many detractors. The Copyright Office and even several Democratic lawmakers say the new rules are too complicated and will interfere with private agreements between cable companies and television programmers. And cable and satellite companies do not want to lose their lock on the lucrative cable box business. At the same time, tech companies like Google and Amazon, among others,

McGinty and Toomey follow different paths on high-power support

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stand to gain if the plan is passed because they want a stronger foothold in living room technology.



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All of this puts Ms. Rosenworcel on the hot seat. "All eyes will focus on Commissioner Rosenworcel, whose views will likely decide the fate of the proposal," Jonathan Chaplin, an analyst at New Street Research, wrote in a recent report about the set-top box plan. "This is the first time in her career she will be seen as the deciding vote in an issue of this visibility."

Ms. Rosenworcel, a native of Hartford, Conn., and a graduate of Wesleyan University and the New York University School of Law, spent a dozen years on telecom issues as an aide to two Democratic senators and as a staff member for a Democratic commissioner at the F.C.C. before being appointed to the agency in 2012. Ms. Rosenworcel, 45, is viewed as an official with a keen sense of the pulse of Silicon Valley.

At the F.C.C., Ms. Rosenworcel's

signature issue has been the difficulties that children without broadband at home face in doing homework. She is also known for her expertise and advocacy for more robust mobile networks and first-responder communications systems. "She has a tremendous record of public service and has focused attention to the needs of consumers and vulnerable populations," said Gene Kimmelman, president of Public Knowledge, a nonprofit public interest group that supports the cable box proposal.

When it comes to voting on F.C.C. issues, Ms. Rosenworcel has nearly always stuck with her Democratic colleagues, including on net neutrality in 2015 and on a subsidy to provide broadband to low-income households this year. But she has dissented on some issues and questioned orders brought by Mr. Wheeler, including in 2014, when the F.C.C. chairman proposed allowing cellphones in planes. Ms. Rosenworcel said the idea would be a burden for passengers.

With the cable box plan, Ms. Rosenworcel's concerns hinge on what she views as what may be too much meddling by the F.C.C. in the private agreements between cable providers and device makers. However, consumer groups say the F.C.C. needs to play an oversight role in those licensing deals to ensure fairness. In an emailed statement last week, she said she believed that the market for costly set-top boxes required reform. But she said the cable box proposal needed to be revised to comply with copyright and licensing laws that would not give the F.C.C. outsize power. "I just don't think we have the authority" to get so involved in the licensing agreements, Ms. Rosenworcel said at the Senate hearing this month.

Ms. Rosenworcel is separately in the spotlight for her renomination to the F.C.C. Because of partisan squabbling in Congress, her reconfirmation has been delayed for 15 months. In the last days before the vote, members of Ms. Rosenworcel's and Mr. Wheeler's offices have been meeting to negotiate revisions to the portions of the plan that she opposes. Mr. Wheeler has already made some changes to the proposal to pacify cable and satellite companies over their control of programming. Mr. Wheeler's office declined to comment ahead of the vote this week.

Ms. Rosenworcel, when asked how she will vote on Thursday, has demurred. "It's time to move beyond clunky and costly set-top boxes," she wrote in an email last week. "That's why I fully support the objective here. Now we need to find a way to make this work under the law we have." – *New York Times*

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Republican Pat Toomey got some company on the campaign trail on Friday, when Arizona Sen. John McCain joined him for an event at Delaware County VFW hall. McCain described Toomey to the crowd as "a work horse" in U.S. Senate, praising the Lehigh County legislator for taking a tough stand on fiscal issues and for his work on bills affecting veterans and children. McCain also emphasized the race's significance by noting that he's on the ballot too. "As you know, I'm running for re-election," McCain said. "And I'm here for Pat Toomey because I believe Pat Toomey is critical for me to do my job."

Following Toomey's event with McCain, spokesman for Toomey's Democratic challenger, Katie McGinty, responded that Toomey "should be embarrassed to even talk, much less lecture, about national security" due to his position on his party's presidential nominee. Toomey has not endorsed Donald Trump but has not ruled out voting for him as some Republicans have. With just 45 days to go until polls open on Nov. 8, Toomey and McGinty remain separated in public polls [by a few percentage points](#).

McGinty already has received some help from national surrogates: Massachusetts Sen. Elizabeth Warren campaigned with her in Philadelphia, and Vermont Sen. Bernie Sanders rallied a crowd at Pittsburgh's Carnegie Mellon University. The Delaware County appearance came as a super PAC supporting Toomey launched its first television ad, which [Roll Call reported](#) will run in the Philadelphia media market and online.

It's one of a slew of new ads announced last week from both campaigns and from a number of outside groups: the Senate Republicans' campaign arm, the conservative Club for Growth, the Koch Brothers-backed Freedom Partners and Senate Majority PAC, run by former aides to Minority Leader Harry Reid, D-Nev. Toomey's latest ad features his endorsement by former Congresswoman Gabby Giffords' gun-control group, Americans for Responsible Solutions, but [The Philadelphia Inquirer reported](#) the group asked him to pull or revise the ad, which was critical of McGinty. Giffords' group endorsed Toomey [but also praised McGinty in that announcement last month](#). – *Allentown Morning Call*

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The U.S. Federal Communications Commission said Friday that AT&T Inc. has agreed to pay a \$450,000 fine for unauthorized operations of fixed wireless stations and will not engage in repeat behavior, resolving a lengthy government investigation. Over a four-year-period, AT&T operated many point-to-point microwave stations throughout the United

States at variance with its licenses, the FCC said. Wireless stations are used by phone companies to connect calls and television signals directly between towers in areas that cannot be connected using standard wireline or fiber optic cable because of cost or terrain. – **Reuters**



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