







"It is amazing what you can accomplish if you do not care who gets the credit."

~ Harry S. Truman



~ OUR NETWORK IS THE DIRECT RESULT OF OUR PARTNERS' HARD WORK AND COMMITMENT! ~

-  Nearly 10,000 miles of fiber optic cabling deployed
-  Strategic partnership serves 28 counties
-  Custom fiber builds to your business locations
-  Scalable up to 100 Gbps
-  DDos Mitigation
-  Optical Wave Services

WWW.PENTELEDATA.NET
800.281.3564

 **PenTeleData®**
fiber networks

PUC

**Mandatory 10-Digit
Dialing in 814 Area
Code Begins Soon**

**Hometown Stations
Ohio Senate looking
to make broadband
more accessible**

**Roanoke (VA) Times
Virginia General
Assembly near to
passing major
consumer data
privacy legislation**

**New York Times
The State House
Versus Big Tech**

**LightReading
Dish uncovers a few
more 5G puzzle
pieces**

**Reuters
Big Tech's
Democratic critics
discuss ways to
strike back with
White House**

**Washington Post
Lonely, angry, eager
to make history:
Online mobs are
likely to remain a
dangerous reality**

**The Hill
Parler interim CEO:
Biden welcome on
the platform**

New Republican FCC commissioner Nathan Simington can clearly see the Title II-based net neutrality red handwriting on the wall, now that Democrats will control the FCC, but wants to make sure its proponents consider the potential message it will send to the financial markets and the possibility of an artificial broadband infrastructure crisis created by government.

That warning came in a thoughtful, and erudite, virtual speech to [the Free State Foundation](#). "Title II net neutrality can have a light or a heavy touch," he said. "As it is likely to be back on the agenda this year, I think we need to get serious about what different approaches may mean." He suggested that after Verizon's challenge of earlier some version of Title I-based net neutrality rules--something some Republicans and many ISPS have pushed for--"seems like a dead letter."

That leaves the 1) "monopoly" argument for Title II regs, he said, which is that there is not enough meaningful choice in ISPS; and the 2) "gatekeeper" argument, which is that ISP "Internet intermediaries" should not be able to leverage that position to block, throttle or favor content because companies who need to reach consumers must have access to all all the time, and vice versa. There is a third argument, he said, which he called the "minimum standards" argument, which is that commercial ISPS have to be accountable for baseline resiliency and reliability because consumers are so reliant on the internet they should be held the same reliability as utilities, which is more an argument for Title II than network neutrality he conceded.

Simington argues the monopoly argument is being mooted by growing competition from both new providers and new technologies. Of the gatekeeper argument, he says, the implications go far beyond ISPs, and would, or should, include "search engines, app stores, e-commerce sites, and social media accounts," which he said "are more fundamental components of our online activity than whichever ISP we may happen to subscribe to."

He suggested he was no fan of a Title II regime that would catch those up in its net. "I've had one particular e-commerce account since 1999, and I've used it for at least ten different addresses. And yet, it seems facially absurd to require that they abstain from restricting others' content. What's the point of building a commercial service if you have to open it to exploitation by non-contributors?"

It is hard to argue with minimum standards argument, he says, though adds that there could be "unacceptably high costs" or "lock-in" effects if it were under Title II. He skipped over that option to focus on the consequences of a heavier-handed return of Title II. Coming from the world of corporate and project finance--he is a former senior counsel to Brightstar who negotiated various business transactions--Simington suggested the consequence of "heavy touch" Title II would not be a death grip on ISPs, but "it will make their infrastructure return profiles worse than they would be otherwise," adding that this could not help but chill infrastructure investment."

If that happens, he said, the result would be "an entirely avoidable and artificial broadband infrastructure crisis" of the government's own making. "[I]f we experience a chill to construction incentives at the very moment that demand is dramatically escalating, I worry that free market solutions will seem impossible -- not because the corporate sector is incapable or greedy, but because they've been put in a regulatory bind," he warned. "This will generate calls for a government-led solution, because the problem of capacity will be a genuine problem, even if it is rooted in regulatory choices. Indeed, a government-led solution may even be the best solution once we find ourselves at the point. I'd prefer to avoid a government-led solution by not precipitating the problem in the first place." Simington said was not opposed to government activity on general principle, but that he did not want the government to become the "infrastructure financier of first resort." He said if there is no way for broadband to be viable without government subsidies, government will definitely get involved.

But if heavy-handed Title II puts ISPs in a regulatory, and investment, bind, and there is no other economically viable way to build broadband infrastructure absent state involvement, the state will definitely get involved, at which point "we have permanently politicized broadband infrastructure as an economic sector, adding: "Frankly, if we're going to have an industrial policy, I could think of sectors that need it more." He did not elucidate.

He said he hoped the Title II fans now in the political ascendance would work with those who have concerns like those he has raised and said he will talk with anyone willing to "bring a respectful, open, mind to the conversation." That probably sounds like wishful thinking to those who have been targeted with the angry rhetoric that has characterized this issue, with former FCC chairman Ajit Pai something of reluctant expert on the topic.

Elsewhere in the speech, Simington clearly established his deregulatory bona fides (He had laid out his basic regulatory philosophy [in his inaugural interview with Multichannel News](#).) Marking the 25th anniversary of the Telecommunications Act of 1996, Simington said that instead of regressing to an incumbent-driven, "restrictive regulatory environment of the postwar era," the country had instead chosen the free market and light regulatory touch. "[A] quarter century of transformative innovation speaks to the wisdom of this choice," he said. "Your phone might well be a wireless device connected to home WiFi through which you access fiber internet and on which you watch television and read the news," he said, but cautioned that such "mundane" activity was "is a smooth surface over a convoluted legal infrastructure."

That is because "[r]eading the news at the breakfast table is an act that combines licensed and unlicensed regimes--Titles I, II, and III of the Communications Act--content that may be international or multinational; and that's all before you've had your morning coffee." He did not blame the act for that "curiously converged" landscape, saying that trying too much on anticipate future markets can result in regulatory overreach.

Simington had a hand in the National Telecommunications & Information Administration (NTIA) petition to the FCC last year to regulate social media, though he has said it was mostly a footnote checking role. That role, whatever it was, is credited with his being tapped to replace Republican commissioner Michael O'Rielly, who raised issues about the petition and the FCC's role in regulating the edge. Simington raised the issue of online speech, saying it was a complicated issue made more complicated by the simplicity of the consumer-facing technology, but also suggested it was likely more the purview of Congress than the FCC to resolve it. "A public raised on certain standards of public speech and platform access feels betrayed and bewildered by the new role of online companies in the dissemination of speech," he said, "even as such companies try hard to be responsible to both the free speech and speech accountability constituencies – and even as they are burdened by unclear or contradictory legal and regulatory guidance. Today, there's a debate

about fact-checking on voice-chat applications. But we'd hardly be happy if people proposed to fact-check our phone calls! Convergence has left everyone in a state of uncertainty – what is permissible, what will be recorded, who decides, and where to turn. And it's tough to tell the public that the transmission medium is the basis for what they can say, even if that's the legally correct answer." Broadcasters know all about that, since they have been subject to indecency rules that apply to no other medium, though the government has never been shy about explaining that to them. – **Next TV**

The [Republican push to censure Sen. Pat Toomey](#) symbolizes a broader question facing the GOP nationally and in Pennsylvania: Where does it go after Donald Trump?

The rush to punish Toomey, one of just seven Republicans who [voted Saturday to convict Trump in his impeachment trial](#), reflects the hold that the former president and his devoted voters retain within the party. Toomey's

defenders, meanwhile, have so far come largely from a more traditional GOP power base: Republicans in the moderate suburbs or the business community, elements that historically drove the party's candidates, including Toomey, to statewide victories.

But they appear outnumbered as the GOP center of gravity has increasingly moved to the rural and postindustrial areas that provided Trump his largest margins. His supporters there aren't driven by [the wonky, conservative economic policies Toomey championed](#), but by cultural clashes, white, working-class populism, and fury at Democrats. Many county parties in those areas have already censured or are working to censure Toomey. Some party activists are pushing for a statewide condemnation, and state GOP Chairman Lawrence Tabas has announced a meeting where that issue is expected to be discussed. "Trump has changed the face of the Republican Party," said Jeff Piccola, the Republican chairman in York County, near Harrisburg, whose [county committee sharply rebuked Toomey](#). "We have left the country club and we are now the party of the working men and women of the country."

Even in some of the places where the GOP has struggled under Trump, party leaders are lining up behind his brand of politics. Republicans in Chester County had planned to vote Tuesday on a censure resolution against Toomey, even though [his approach had far more electoral success there than Trump's](#). That vote was delayed Tuesday afternoon. In Lehigh County, once represented in the House by Toomey and then centrist Republican Charlie Dent, the local GOP is planning [an event later this month featuring Tabas and U.S. Rep. Lauren Boebert \(R., Colo.\)](#), who [has ties to the baseless QAnon conspiracy theory](#).

Some Pennsylvania Republicans are pushing back against the censures, arguing that they need people like Toomey to advance conservative policy and win in the kinds of [vote-rich suburbs that have shifted sharply against the GOP](#), costing Trump reelection. "Our focus needs to be on reaching the people who may only agree with us 70 or 80% of the time, but still lean Republican, and tell them, 'Hey, we're a big-tent party,'" said Sam DeMarco, the GOP chairman in Allegheny County, which includes Pittsburgh and its suburbs. "If I can get those people into our tent and to the polls we can win. And only if I win can I govern."

DeMarco disagreed with Toomey's impeachment vote but also opposed censuring him, even as some of his committee members are pushing for it. He said the party needs to focus on winning in this year's elections, and that punishing Toomey reeked of the "cancel culture" he associates with Democrats. The question of the party's path forward is critical with [Senate and gubernatorial races looming in 2022](#). The choice of nominees will shape the tone and style of the Republican campaigns, their avenues to victory, and the policies they pledge to pursue. The Senate race will help determine who controls the chamber after the midterm elections. John McBlain, a state committee member from Delaware County, argued against the censure push, writing to Tabas that it "seems like the Purge Horn calling for bloodlust." "The problem with purges is that they never work out how you want," McBlain added. The state party didn't respond to requests for comment Monday and Tuesday.

McBlain, a former Delaware County council chair, pointed to Toomey's record of [voting with Trump roughly 85% of the time](#) and [writing much of Trump's signature tax bill](#). "If somebody forced me to choose Sen. Toomey or Donald Trump, it's a pretty clear choice to me," McBlain said in an interview. David Taylor calls Toomey a longtime friend who has supported the state's business community, and said he trusts the senator's judgment. Censure is "shortsighted and it fails to appreciate Sen. Toomey and his really excellent service to the commonwealth and the country," said Taylor, president and CEO of the powerful Pennsylvania Manufacturers Association.

Yet, while some Republicans are coming to Toomey's defense, there doesn't appear to be a coordinated effort, and party insiders say the momentum for

now is against him. [Toomey had already announced he won't seek reelection next year](#). Polls suggest that the majority of Republican voters stand with those looking to punish him — though not a majority of voters overall. A [Morning Consult survey released Tuesday](#) found that while 64% of all voters blame Trump for the Capitol attack, only 27% of Republicans do. Far more Republicans blame President Joe Biden or congressional Democrats.

The censure push in Pennsylvania is part of a wider fight illustrated Tuesday when [Trump blasted Kentucky Sen. Mitch McConnell](#), now the top Republican in Washington, as a “dour, sullen, and unsmiling political hack” who would lead the party to defeat — a response to McConnell’s blistering criticism of Trump’s conduct after he voted to acquit. Toomey’s critics argue that the impeachment trial was unconstitutional and that Trump was the victim of Democratic partisanship. “We did not send him there to vote his conscience. We did not send him there to do the right thing, whatever he said he was doing,” Washington County Republican chair Dave Ball told Pittsburgh television station KDKA [in widely circulated comments](#) Monday. “We sent him there to represent us, and we feel very strongly that he did not represent us.”

Even in some places where the GOP has collapsed under Trump, county officials are sticking with him. Chester County was long a stronghold of moderate but fiscally conservative Republicans. After delaying Tuesday’s vote, the local GOP committee still plans to consider a censure next week, despite the fact that [Toomey’s style of politics has proven far more popular there](#). When he and Trump were both on the ballot in 2016, the senator narrowly won Chester County. Trump lost it by nearly 10 percentage points that year and by 17 in 2020.

Over the course of Trump’s presidency, [Democrats in Chester County swept the GOP out of office](#) in municipal, county, state, and federal elections. Yet, the draft censure resolution blamed Toomey’s vote Saturday for weakening the party, saying it has led to “numerous” Republicans in Chester County and across Pennsylvania indicating they will “no longer actively participate in the Republican Party.”

As of Tuesday, no other county party in the Philadelphia suburbs had publicly discussed censuring Toomey. Delaware County GOP leaders are “not actively considering” it but are asking party activists for “their views on the matter,” said Pete Peterson, a spokesperson for the county party. Republican leaders in suburban Bucks and Montgomery Counties did not respond to questions Tuesday.

Some Republicans argue that it’s too early to judge the future of the party based on this fight alone. While the impeachment trial is fresh now, several predicted the focus will soon turn to fighting policies pushed by Biden or Gov. Tom Wolf, and making the case that Republicans could do better. “This is the tempest du jour,” said Taylor, of the manufacturing association. “It will pass as they all do.” Trump, however, has shown few signs of fading away.

— *Philadelphia Inquirer*

Lt. Gov. John Fetterman fashions himself as a tough guy, a bare-knuckled fighter for the causes he supports, a straight-talker, a contrarian among politicians who prefer measured approaches to controversial issues. But Pennsylvania’s second-in-command — the politician who days ago declared his run for U.S. senator — is displaying a 6-foot-8-inch profile in sheepishness that belies his rugged stature, both physical and stylistic.

Mr. Fetterman, who hasn’t been shy about speaking his mind and who has been uncommonly accessible to the media for years, is evidencing a clear reluctance to engage publicly about a scandal from his past. Some eight years ago, when he was serving as mayor of Braddock, he chased down a Black man and held the man at gunpoint because he had heard shots fired in proximity to Mr. Fetterman’s home and he had seen a man running. So, the

mayor pursued the man in his pickup truck, using a shotgun to detain him until police arrived.

As it turns out, the Black man was an unarmed jogger. Mr. Fetterman has said he had no idea the man was Black. The 2013 incident has been raised now, at a moment in history when society is reckoning with longtime patterns of unfair and unwarranted police action against Black people. Mr. Fetterman's incident from his past, when juxtaposed with his vocal cries for better police training, strikes an appearance of hypocrisy. It's an appearance, even if unwarranted, that his political enemies are licking their chops over.

And now, in this current context of racial reckoning and his run for higher office, he is all but silent. He has brushed off one-on-one interviews with state and national media outlets, opting instead to post a statement online. In response to an interview request from The New York Times last week, his election committee released a written and videoed statement. But a journalist can't question a video. Why the dodge?

It would seem contraindicated, given Mr. Fetterman's longtime full-throated commitment to good community policing and his seemingly genuine care for underrepresented people. He wears on his arm — not his sleeve, mind you — tattoos of the dates that nine people were murdered in Braddock. There's no doubt Mr. Fetterman's opponents in his nascent Senate campaign are trying to stir trouble by recirculating this 2013 incident. It's not the first time Mr. Fetterman's rivals have used this ploy. But, as the lieutenant governor's already big profile continues to grow, he must realize that he undercuts his stature when he tries to duck the press. — **Pittsburgh Post-Gazette editorial**

