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April 8, 2021

**Hollywood Reporter**  
**Why Some on Wall**  
**Street Want AT&T**

Telecommunications company AT&T sued the city of Pittsburgh this week for allegedly failing to process the company's permit applications and asking for excessive fees for new cell structures. The suit, brought in federal court on

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*Philadelphia Inquirer*  
[Trump favorite Sean Parnell is '99% sure' he's running for U.S. Senate in Pennsylvania](#)

Tuesday, says the city asked for an annual fee of \$850 for each cell facility to be built by the company. AT&T claimed the Federal Communications Commission set a "reasonable annual feed" at \$270 for such structures.

The city's fee exceeds the FCC's fee by "nearly 215%, in violation of federal law," the lawsuit reads, and officials refused to reduce it before time ran out for the city to act on the applications. The facilities at issue are "small cells" that usually consist of antennas and related equipment on top of utility poles or other public structures, the lawsuit reads.

AT&T claims in the suit that the city failed to process the applications because the company wouldn't agree to the allegedly excessive fee. The company claims the city has made an unreasonable delay and effectively prohibited the company from building. AT&T is asking the court to mandate the city to issue the permits, order the city to stop its "excessive, unreasonable and illegal" fees and award AT&T money to pay the suit's costs. A city spokesman said the city does not comment on litigation.

"The city's lengthy permitting process and excessive fees are inconsistent with federal rules and are barriers for these projects," said Jim Kimberly, director of AT&T corporate communications. "We remain willing to work with the city, but we had to take this step to move these projects forward." – *Pittsburgh Post-Gazette*

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Rep. [Yvette Clarke](#) (D-N.Y.), the chair of a key cyber House panel, said Wednesday that she would push for inclusion of language on securing critical systems as part of negotiations around President's Biden's infrastructure proposal. "I believe the administration's infrastructure package, the American Jobs Plan, is an opportunity to ensure that security is integrated, or baked into, critical infrastructure projects at the beginning, and not tacked on at the end or patched up along the way," Clarke, the chair of the House Homeland Security Committee's cybersecurity subcommittee, said during a virtual event hosted by the Cybersecurity Coalition.

The proposed \$2.25 trillion infrastructure package, rolled out last week, did not include any language specifically around securing the electric grid or other critical infrastructure against increasing cyber threats, [raising concerns](#) among some experts. Clarke, who told The Hill [earlier this year](#) that bolstering critical systems in any infrastructure package would be a priority for her, said Wednesday that she was "committed to working with stakeholders to find opportunities to ensure that critical infrastructure is resilient to the cyber threats we face."

State and local governments have seen critical systems increasingly disrupted by cyberattacks during the COVID-19 pandemic, and often do not have the resources necessary to fully confront the threats. Clarke said she planned to reintroduce bipartisan legislation [passed](#) by the House during the last Congress that would provide \$500 million in grant funds to state and local government to help defend against malicious hackers. The bill did not get a vote in the Senate. "Improving the baseline of our cybersecurity posture across infrastructure sectors is crucial to ensuring the continuity of operations, of effective industry, and the freeing of cyber talent to defend against more sophisticated threats," Clarke said Wednesday. "Toward that end, in the coming weeks, I will introduce the State and Local Cybersecurity Improvement Act."

While the White House may not have included specific cybersecurity measures in the infrastructure proposal, there is a separate effort ongoing by the Biden administration to secure critical systems. A spokesperson for the National Security Council told The Hill last week that the administration "is committed to safeguarding the cybersecurity of U.S. critical infrastructure from persistent and sophisticated threats" and has "launched a 100 Day Control Systems cybersecurity initiative, working closely with the private sector that manages

much of this critical infrastructure like those for electricity and water, to improve cybersecurity."

Jeff Greene, the director of the National Cybersecurity Centre for Excellence at the Commerce Department who was recently detailed to the National Security Council, said during the same event Wednesday that more was to come on protecting critical infrastructure. "We are working on a plan for cybersecurity in the critical infrastructure sector that is, pieces of it are hopefully going to be rolled out relatively soon," Greene said. "Just because you aren't seeing that necessarily mentioned in Column A doesn't mean we aren't working on it pretty aggressively in Column B." "Again, it's not fully out there yet, but we are actively working on that issue with the program that we hope to roll out pretty soon to try to hit the things we can think can make the biggest impact the quickest," he added. – *The Hill*

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Last month, The Atlantic featured [a big spread on Democratic Lt. Gov. John Fetterman's effort](#) to win a U.S. Senate seat in 2022. Last week, [NBC News](#) called the race for that seat "a test of progressive firepower" in a swing state in the wake of Donald Trump. This past Monday, a fourth Democrat joined the race. On Tuesday, a fourth Republican announced. It's expected there will be larger candidate fields in primaries more than a year from now.

Campaigns start too early, last too long. But growing attention to this one's understandable. It's different. Huge for the state, and maybe the nation. First, it could decide Senate control. Right now, the Senate is 50-50, but operationally Democratic since Vice President Kamala Harris' role as Senate president includes the clout of a tie-breaking vote.

Second, it's an open-seat race, rare in Pennsylvania. We've had only three in the last half-century: 1976, after Republican Hugh Scott decided to retire; 1980, after Republican Richard Schweiker announced he wouldn't seek reelection; and 1991, a special election following the death of Republican John Heinz. (Purists argue 2010 was an open-seat because incumbent Republican Arlen Specter switched parties and then lost in the Democratic primary. I don't see it that way. Discuss among yourselves.)

Ours, as of now, is one of five open-seat Senate races nationally. All five are held by Republicans: Alabama, Missouri, North Carolina, Ohio and here. All but one is seen as likely, leaning or safe for the GOP. That one is Pennsylvania. Our seat is rated [a "toss up"](#) by University of Virginia national prognosticator Larry Sabato. And pegged by CNN as [most likely to flip in 2022](#).

That doesn't mean Sen. Pat Toomey's leaving is an outright gift to Democrats. It means a bruising battle with both sides backed by mountains of money, during, as usual in mid-term elections, a referendum on the president and his party. "There will be a tremendous amount of money raised and spent," says Berwood Yost, director of Franklin & Marshall College's Center for Opinion Research. "The money spent will be focused on the candidates and perceptions of the president's performance. I'm willing to bet we hear as much about Joe Biden as we hear about whoever is running."

J.J. Balaban, a Philly-based Democratic ad-maker, has worked on campaigns across the country. He says an open-seat race is "absolutely" different than a race with an incumbent. "Typically, it's harder to defeat an incumbent than win an open seat," he says, adding, "There's a very long tradition of incumbents using their positions to get known ... in a mega-state like Pennsylvania it's very hard to get known." This presents enormous challenges to almost everyone announced to date.

[Fetterman is better known than others](#). He's run statewide before: Senate in 2016, lieutenant governor in 2018. And he raised \$4 million so far this year. (For perspective, [Toomey raised and spent \\$30 million to win in 2016](#).) Still, an F&M poll last month shows 44% of state voters don't know

enough about Fetterman to have an opinion and just 29% view him strongly or somewhat favorably.

Other announced Democrats include Philly state Rep. [Malcolm Kenyatta](#), businessman and former Norristown Council President John McGuigan, and [physician and Montgomery County Commissioner Valerie Arkoosh, who formally jumped in last Monday](#). More are expected. Republicans include Montgomery County developer and [2018 Lt. Gov. candidate Jeff Bartos](#), Chester County businessman [Everett Stern](#), Montgomery County attorney Sean Gale and Montgomery County conservative commentator and [2020 congressional candidate Kathy Barnette](#), who announced this past Tuesday. More are expected.

In fact, as other possible candidates – current and former members of Congress and those who've run statewide in the past – decide if they're in or out, the race and its runners will get notice over and over again. Plus, both parties, their voters and candidates will make news answering (or wrestling with) questions about how far right or how far left nominees should be.

Democrats hope Biden administration steps to beat back the pandemic and pump up the economy nullify normal mid-term backlash against the party in power. Republicans hope to sell a message that political balance in governing is better than a Democratic monopoly. Predicting how it turns out is like seeking to stop telemarketers with a government no-call list – useless. Buying into early projections of a Pennsylvania race certain to be nationalized, without knowing the state of the nation a year from now, is risky. But one thing's for sure. The race will draw tons of attention. And that's good for democracy.

– **John Baer's column in *Harrisburg Patriot-News***

