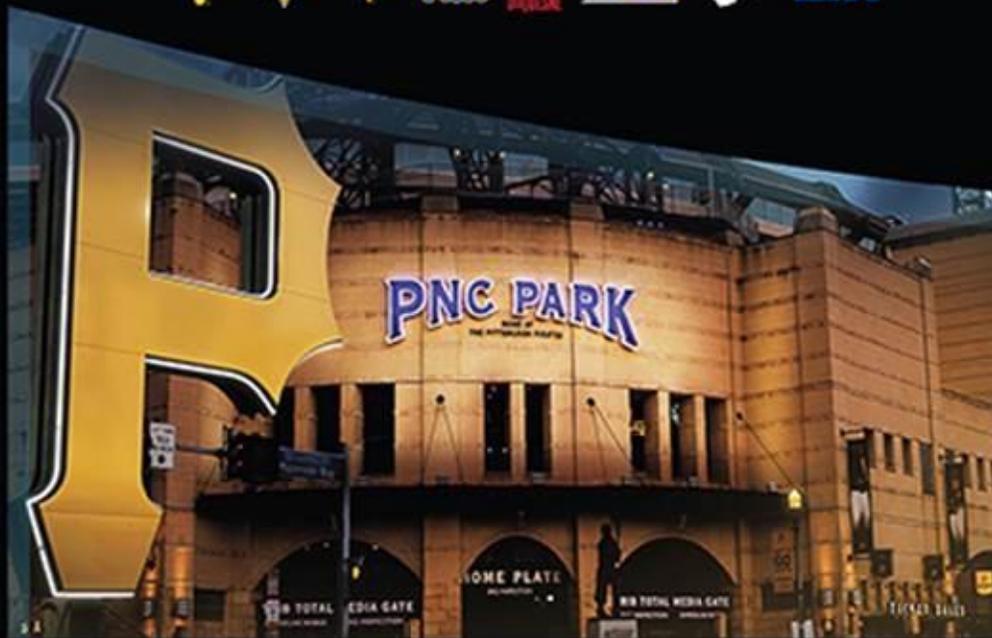




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**[Harrisburg Patriot-News U.S. Rep. Scott Perry, Auditor General Eugene DePasquale meet in fiery second debate in Pennsylvania's 10th Congressional race](#)**

**[Pittsburgh Post-Gazette All eyes are on Erie County, once reliable blue: Trump visits region today](#)**

Rep. Mike Doyle, D-Forest Hills, suggested on Monday that the Trump administration's push to reform the foundational 24-year-old internet speech law was a "reckless and politically-motivated stunt" that seeks to influence social media companies' behavior ahead of Election Day. Mr. Doyle, who heads the House Energy and Commerce Committee's panel overseeing telecom issues, has long sought to reform the law himself as a way to stem the spread of fake news and hate speech. But he has [disagreed with the administration's motivations](#) — namely, that conservative viewpoints are being censored online.

On Monday, Mr. Doyle doubled down on those complaints in a scathing statement with Rep. Frank Pallone, D-N.J., chair of the House committee. The lawmakers responded to the Federal Communications Commission's announcement last Friday that it would open the rule-making process on the law, Section 230 of the Communications Decency Act of 1996. The 26-word statute, known simply as Section 230, provides broad legal immunity to publishers of user-generated content while also encouraging those publishers to moderate discussions and develop systems to flag inappropriate or illegal activity.

Practically, it has allowed social media giants to flourish by granting them a liability shield for user-generated content. Such companies were conduits, like newsstands or libraries, that could not be sued for illegal content. By contrast, publishers like newspapers, which exercise editorial control, are subject to lawsuits for their content.

In a statement, FCC Chair Ajit Pai said the law was in serious need of an update. He pointed to the bipartisan consensus on Capitol Hill and cited a statement last week from U.S. Supreme Court Justice Clarence Thomas that criticized courts for granting "sweeping protections to internet platforms" that appear to go far beyond the actual text of the provision. "What does Section 230 currently mean?" Mr. Pai wrote. "Many advance an overly broad interpretation that in some cases shields social media companies from consumer protection laws in a way that has no basis in the text of Section 230." "Social media companies have a First Amendment right to free speech," Mr. Pai wrote. "But they do not have a First Amendment right to a special immunity denied to other media outlets, such as newspapers and broadcasters."

The FCC's rule-making comes after debate over Section 230 has been simmering in Washington for several months. Democrats have targeted the law for protecting social media companies that allow the spread of disinformation, hate speech and cyberbullying. In October 2019, Mr. Doyle [convened a hearing](#) in which he invoked the one-year anniversary of the [Tree of Life massacre](#), a shooting perpetrated by a person who shared his motivations — and sought validation — on an online platform. In June, he held another hearing — titled "A Country in Crisis: How Disinformation Online Is Dividing the Nation" — that promised to address the proliferation of algorithms that reward companies with profits while promoting incendiary content. "We said: 'Either police yourself, or you're going to bring regulation upon yourself from us, and you're not going to like it,'" Mr. Doyle said in an interview in July.

Meanwhile, President Donald Trump ordered a review of the law this spring after Twitter began flagging some of his tweets as harmful content that violated community standards. Twitter attached the label of "glorifying violence" to the president's message that "when the looting starts, the shooting starts," directed to the protests that erupted after the police killing of George Floyd in Minneapolis.

Rep. Guy Reschenthaler, R-Peters, has called for companies to be open to lawsuits for flagging content from conservatives. Last week, he told Sean Spicer, the former White House press secretary turned NewsMax host, he was blocked from sharing a story about Hunter Biden "by the social media oligarchs and big tech tyrants." Mr. Reschenthaler speculated that Twitter and Facebook

had limited his reach in other ways, too. “My own social media team thinks that I’ve been throttled back, meaning my tweets, my Facebook posts are not having the reach they used to have,” he told Mr. Spicer, then posted a video of the interview to YouTube with the title “Big Tech Is Meddling In Our Election.”

Mr. Doyle has rejected that social media companies are targeting conservative viewpoints for political reasons. He has supported Twitter’s actions to flag the president’s tweets, which he said fan the flames of disinformation. “Republicans have used the Section 230 debate to threaten social media companies when they remove or flag disinformation and extremism on their platforms — all because of some baseless fantasy grievance that the internet is biased against conservative views,” Mr. Doyle and Mr. Pallone stated on Monday. “Section 230 reform that creates a structure for healthier online ecosystems is needed, and we are committed to seeing it done,” the lawmakers added. “But the FCC’s rush to push President Trump’s agenda weeks before Election Day should be seen for the reckless and politically-motivated stunt that it is.” -- *Pittsburgh Post-Gazette*

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HBO Max is attracting more viewers but is up against big tech companies with outsize market power, the chief of the streaming video service’s parent said Monday. AT&T Inc. Chief Executive John Stankey said the coronavirus pandemic showed that internet providers no longer act as gatekeepers for online content, with most cable and fiber networks performing well under the crush of Americans working and studying remotely this year.

But the CEO said tech giants like Amazon.com Inc. and Apple Inc. should be scrutinized for their power to restrict the kinds of apps and services allowed on their platforms. “Where the bottlenecks are sometimes occurring are in these commercial agreements,” Mr. Stankey said during The Wall Street Journal’s annual Tech Live event Monday, which the pandemic forced online this year. “We should ask ourselves, is that friction somebody really feeling their oats and maybe having market power above and beyond what’s reasonable for innovation?”

HBO Max has been [hemmed in for the past few months by disagreements](#) with Amazon and Roku Inc., which so far have refused to open their app stores to the new streaming service. AT&T is working to grow the premium channel’s subscriber base while convincing existing viewers to switch to the Max app, which offers more to watch and provides AT&T with better profits than the slimmer HBO lineup offered through cable partners like Comcast Corp.

HBO Max [joined a crowded arena of new video apps](#) from Amazon, Apple and Walt Disney Co. vying for viewers’ attention when it launched in late May. It is a supersize version of the premium cable channel AT&T acquired through its 2018 purchase of Time Warner, and mixes licensed series like “Friends” and “The Big Bang Theory” with HBO’s library of original TV series. About [4.1 million customers had activated HBO Max](#) at the end of June, a sliver of the roughly 36 million subscribers paying for any form of HBO. Asked Monday about how the streaming service has performed, Mr. Stankey said the app was “well beyond our objective of having over an hour of engagement,” adding that “we still have work to do to get the scaling done.”

The pandemic has altered more than just AT&T’s bid for binge watchers. It has also hammered revenue from advertising and theatrical releases. Mr. Stankey said that has given the media unit an opportunity to hasten some long-planned overhauls, including the integration of the fenced-in HBO, Turner and Warner Bros. units it inherited in the acquisition. “We wanted that company to truly operate as one,” Mr. Stankey said.

The AT&T chief declined to detail the status of various divestitures the company is weighing but said such activity is something any good management team should consider. The Journal reported earlier this year that the company was [exploring the sale of its DirecTV satellite business](#) as well

as [some advertising assets that once made up its Xandr unit](#). “In terms of us acquiring something, that’s not what our focus is right now,” he said. -- **Wall Street Journal**

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The U.S. Supreme Court on Monday allowed Pennsylvania’s 3-day extension for accepting mail-in ballots, with justices narrowly denying a request by state Republicans to intervene on the grounds that the state’s highest court had overstepped its authority. Under state law, counties can accept mail-in ballots that arrive by 8 p.m. on Election Day. But in September, anticipating unprecedented voting by mail and U.S. Postal Service delays, the state Supreme Court ruled officials could accept ballots until 5 p.m. on Nov. 6.

Late-arriving ballots must be postmarked by Nov. 3, though those without a postmark will be counted unless there is a “preponderance of evidence” they were mailed after Election Day. State Republican leaders appealed that decision to the U.S. Supreme Court, saying the legislature, not the courts, should determine when and how an election takes place. The U.S. Supreme Court deadlocked 4-4 on how to handle the request, which resulted in a denial. “Pennsylvania voters deserve clarity and confidence in our election process — and tonight’s ruling from the United States Supreme Court makes clear our law will stand despite repeated attacks,” state Attorney General Josh Shapiro said in a statement.

Four conservative justices — Clarence Thomas, Samuel Alito, Neil Gorsuch, and Brett Kavanaugh — sought to grant the state GOP’s request, which means Chief Justice John Roberts sided with the three remaining liberal members of the court. The decision to reject the case, issued Monday evening, was not accompanied by any written explanation, so it’s impossible to know why the justices voted as they did. The election on Nov. 3 will be the first general election held under Pennsylvania’s new mail-in voting system, and county officials expect the high interest in the presidential contest plus fears of the coronavirus to lead to enormous numbers of votes cast this way.

As of Monday, voters had [requested](#) 2.8 million mail-in and absentee ballots — 1.79 million by Democrats and nearly 694,000 by Republicans, according to Pennsylvania Department of State data. Already, nearly 900,000 had been returned. It’s impossible to determine how many ballots would have been rejected had the high court sided with Republicans. But given early indications that far more Democrats plan to vote by mail than Republicans, a GOP victory would probably have benefitted President Donald Trump.

Elections officials sought the extension for several reasons. Not only were there concerns about [mail delays](#) and a record number of mail-in ballot applications, but also the tight, seven-day turnaround between the last day voters can request a mail-in ballot and Election Day. The state Supreme Court weighed two options to remedy that: move back the deadline to request a mail ballot, or extend the deadline for counties to receive a mail ballot. By a 4-3 vote, justices chose the [latter](#).

Either option the court chose would have sparked a question of whether federal law was violated, because the U.S. Constitution says the legislature determines the time and manner of an election, not the courts, said Bruce Ledewitz, a constitutional law professor at Duquesne University. Still, Ledewitz said it was unlikely the country’s high court would intervene. “The U.S. Supreme Court has been ducking a lot of these kinds of cases lately,” he said. “This is certainly not the one to take.”

Richardson Dilworth, a politics professor at Drexel University, said that in his experience, Democrats assume that higher turnout is going to help them, and lower turnout is going to help Republicans. So it’s conceivable that part of the GOP’s strategy in the battleground state was to block more Democratic votes, and if that’s at the expense of a few Republican votes, so be it. “If we nullify those three days’ worth of ballots and we assume that those three days of

ballots are the same as the overall ratio of mail-in ballot requests, that sounds like a great Republican strategy because sure, you're nullifying GOP votes, but for every GOP vote nullified, there's two Democrat votes nullified," he said before Monday's ruling.

House Speaker Bryan Cutler, one of the Republicans who [filed a brief supporting](#) the Senate GOP's appeal to the U.S. Supreme Court, said a ballot shouldn't be counted if it wasn't received by 8 p.m. on Election Day, per state law, regardless of any delays. "The reality is, there's going to potentially always be someone who falls on the other side of the deadline," he said in an interview before the U.S. Supreme Court issued its ruling. "The big issue, I think, is consistency across all modalities of voting as well as the application of the law, and in this case, that's not happening."

Tens of thousands of mail-in and absentee ballots arrived in the week after Pennsylvania's June 2 primary. Most were counted only because Democratic Gov. Tom Wolf [issued an executive order](#) extending the deadline by which they could be received in Philadelphia and five other counties as part of the emergency disaster declaration he issued in response to civil unrest.

But those ballots still had to be postmarked by 8 p.m. on election night. For the general election, the state Supreme Court said as long as there's no evidence to the contrary, ballots that are missing a postmark can still be counted, as long as they're in by 5 p.m. Nov. 6. "You want to be as accommodating as you can, but within reason, and counting ballots days after an election with no postmark on them is not reasonable to me," said Al Schmidt, a Republican commissioner in Philadelphia. "There has to be some burden, some evidence that a vote is cast on or before Election Day."

Dale Schmeer, who was working on a house under construction in Phoenixville last week, said he supports the absentee ballots that overseas military personnel like his son use and trusts those votes will be counted. But he opposes the legislature's decision to extend mail-in voting to all Pennsylvanians, saying more voting options makes things more complex. A Republican, 61-year-old Schmeer said he's planning to vote in person on Election Day, and thinks allowing ballots to be counted past Nov. 3 is "asinine." "It's Election Day, not Election Week or Election month," he said.

Schmeer said he's planning to vote for Trump, who [appears to be trailing](#) his Democrat opponent, former Vice President Joe Biden, in the latest polls. For that reason, Schmeer wasn't sure late ballots shouldn't be counted, because "we might need all the votes we can get." – **Spotlight PA**

