

It is with much sadness that we note the passing last Thursday of Harry Hain, industry pioneer, founder of Nittany Media and the father of our colleague and BCAP Board member Michael Hain.

Harry was a very close friend and supporter of BCAP, and has joined us at Association activities on numerous occasions – frequently to receive some much-deserved honors, including a BCAP “Founder Award” in 2005 and our 2009 Cable Operator of the Year Award. He was a true gentleman, consummate professional and respected by all who knew and worked with him. He helped build this great industry from the ground up, and his legacy is visible before Nittany Media’s many loyal customers in central Pennsylvania. Our condolences go to his partner in life, Anna, his children Michael, Wendy and Jonathan, and the entire Hain family. As detailed in [this obituary](#), funeral services will be Wednesday, November 26 at 11:00 a.m. at the Barr Funeral Home, 120 Logan Street in Lewistown, Mifflin County. A viewing will be held Tuesday, November 25 at the Barr Funeral Home from 6:00 p.m. to 8:00 p.m. and Wednesday, November 26 from 10:00 a.m. until the service.

We will miss you Harry. God bless you.

Dan Tunnell



Harry and Anna Hain receive BCAP 2005 Founder Award



November 24, 2014

**Politico**  
**FCC**  
**chairman: We**  
**will get sued**  
**on net**  
**neutrality**

**boston.com**  
**Aereo's end:**  
**A major**  
**setback for**  
**innovators, or**  
**correct**  
**outcome for a**  
**flawed idea?**

**Wall Street**  
**Journal**  
**Viacom Draws**  
**Lawmaker's**  
**Rebuke for**  
**Blocking TV**  
**Streaming**

**Philadelphia**  
**Inquirer**  
**Court: FCC**  
**can't have**  
**contracts**  
**between**  
**content-**  
**providers and**  
**pay-TV**  
**companies**

**Pittsburgh**  
**Tribune-**  
**Review**  
**Pennsylvania**  
**legislative**  
**leader Costa**  
**blasts**  
**suggestion of**  
**session**  
**before Wolf**  
**sworn in as**  
**governor**

**Philadelphia**  
**Daily News**  
**A.G. Kathleen**  
**Kane's saga of**  
**porn, politics,**  
**vengeance**

**Pittsburgh**  
**Tribune-**  
**Review**  
**Feeling above**  
**the law in the**  
**Pa. AG porn**  
**cases?**

The Verizon FiOS fiber optic system of bringing television signals into homes is available in some but not all Mon-Yough communities.

Last week a Verizon spokesman acknowledged that it may be some time before all municipalities, and all neighborhoods in those municipalities, get that alternative form of cable TV. "The company is taking a measured approach to ensure that the business is successful in the communities where the fiber network already is installed," spokesman Lee Gierczynski said. One municipality where FiOS TV isn't available is West Mifflin. At last week's borough council meeting, resident Dan Flaherty asked officials what was holding it up. He quoted Verizon officials as blaming the borough.

"We would love to have it," council president Michael Moses said. Mayor Chris Kelly expressed his frustration as well, noting that he lives near the Munhall border and that borough has FiOS TV. "Verizon has not run those lines through the borough," Moses said. "We'd welcome them with open arms." But borough officials told Flaherty that they were told by Pittsburgh area Verizon vice president Bill Carnahan that installation has been held up because Verizon still is behind in restoring service after Superstorm Sandy struck the Eastern Seaboard in 2012. "He's never told officials that," Gierczynski said. "That has no impact on Western Pennsylvania. It makes no sense to me."

Still, while West Mifflin is surrounded by FiOS communities such as Munhall, Baldwin, Pleasant Hills and Jefferson Hills, Verizon's business model will preclude expansion for now into West Mifflin. "Verizon has no plan to expand its fiber network," Gierczynski said. "The focus is on the current communities where we have it." That includes much of but not all of North Versailles Township. Gierczynski said some areas there will not get FiOS service until 2016.

In all, 341 Pennsylvania municipalities have FiOS, including 90 in Western Pennsylvania. In addition to the aforementioned communities, Gierczynski said FiOS TV service has been extended into East McKeesport, White Oak, Wall, Wilmerding and Elizabeth Township. Some municipalities got FiOS installed because of deals such as those Verizon struck with the South Hills Area and Turtle Creek Valley councils of governments. White Oak and Elizabeth Township have been part of a South Hills Area COG cable television rate review program. West Mifflin joined the South Hills Area COG after FiOS struck its deal with communities in that council. – ***Pittsburgh Tribune-Review***

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Like Theodore Roosevelt, Barack Obama knows that the presidency makes an effective bully pulpit - even when you have historically low approval ratings.

He showed that earlier this month when - in an unusually deep wade into the decision-making process at the supposedly independent Federal Communications Commission - the president came out four-square in favor of imposing "common carrier," or public utility, regulation on America's Internet service providers. He also voiced support for an outright ban on what is called "paid prioritization," under which providers of Internet content could pay for premium service in the delivery of their material to consumers.

If the goal was publicity, the statement was a success. It put the FCC's efforts to regulate Internet access on the front pages, and depicted the president as standing firm (albeit against his own FCC chairman, who has been exploring more nuanced regulations). In spite of its style points, the president's policy fails on substance. Simply put, regulating the 21st century Internet under common carrier rules designed for railroads in the 19th century simply makes no sense.

With a stroke of a pen, the networks connecting millions of Americans to the World-Wide Web would be subject to thousands of regulations, requiring them to obtain FCC permission for the most basic of decisions. The nimble Internet we know would be slowed to the speed of government, and innovation level of a local water company.

The president's call for an outright ban on paid prioritization, often referred to as Internet

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[could be risky,](#)  
[but it could be](#)  
[beneficial too](#)

"fast lanes," is also troubling, if not surprising. In comments last month, he criticized "the notion that some folks can pay a little more and get better service." But premium pricing is a profoundly routine practice in most markets. From airline travel to theater tickets to package delivery, premium service offerings are an established, and essential, part of the business. Worse, rather than protect innovation, the government rules pushed by Obama would chill it. New and innovative business practices, pricing systems, and potentially even changes in service or technologies, would be subject to government approval or be banned entirely. The innovative Internet would be stymied - by government regulation, not the lack of it.

Nor would Obama's regulations do much better at enhancing competition in the broadband marketplace. No barriers to entry are lowered, no costs reduced, no resources made more available. To the contrary, potential new competitors would find it tougher to get a foothold, as the rules would complicate efforts to differentiate their product from what is offered by the big guys.

For instance, a plan recently floated by Sprint for a low-cost, Facebook-only service was condemned as a "neutrality" violation, as was a plan by wireless provider MetroPCS to provide unlimited YouTube viewing on their wireless networks. Despite potential consumer benefits and pro-competitive effects, strategies such as these would likely be foreclosed under the president's neutrality regime. Of course, no one really knows what the full effect of the president's plan for the Internet will involve. The designation of broadband firms as public utilities alone involves thousands of additional regulatory requirements. One of these is increased taxation, since broadband access would be subject to federal "universal service" fees, to pay for a variety of subsidies.

The economy is already hurting from the mere prospect of regulation. Just days after Obama's statement, AT&T - which made more capital investments in the U.S. economy last year than any other non-financial firm - announced that due to the increased risks of regulation, it would have to "pause" its spending on fiber optic lines around the country. That means thousands of lost jobs, and delayed high-speed service for American consumers.

The president's extreme position on Internet regulation seemed to have taken even the agency's chairman, Tom Wheeler, by surprise. In recent months, Wheeler has been riding a tiger, trying to reconcile demands by pro-regulation extremists and those advocating regulating under the current framework, and between those calling for a "fast lane" ban and those who would have the FCC review practices on a case-by-case basis. By stepping in, Obama has reduced the chances that Wheeler will be able to negotiate compromises to bridge the chasm among supporters of regulation. That leaves the possibility that the FCC won't be able to act at all to impose new regulation. That might be the best outcome of all. – *St. Louis Post-Dispatch*



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