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FCC Chairman Ajit Pai took aim at Sinclair and Verizon, but mostly at himself, at the Federal Communications Bar Association Dinner in Washington, an annual self-roast of sorts in front of a crowd of lawyers, lobbyists and journalists at the Hilton Hotel.

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Pai, who already injects more humor into monthly meetings than any chairman in the last three decades at least, was in his element cracking wise about the big issues of the day,

though the speech was relatively light on the cultural or song references. Not so entertained were the three dozen or so pro-net neutrality protestors bundled up outside the hotel, holding signs, chanting--Call: "tell me what democracy looks like!" "Response: This is what democracy looks like!"--and projecting messages on the building across from the Hotel, including: "No slow lanes. Open and Equal Access for All." There were also three lonely protestors down the street from the net neutrality group, holding up signs opposing the Sinclair-Tribune merger.

Both issues got airtime during Pai's stand-up. But there were no protests inside, as the audience dined on shrimp and bacon chowder, tenderloin and crab cake and a chocolate espresso souffle, then settled in for the evening's entertainment.

Pai opened with a phrase in Russian on the order of "this is going to be a big night," apparently a reference to the election meddling, or congressional collusion investigation (see below), or both. He

**Washington Post**

[Meet the judge overseeing the trial to block AT&T's merger with Time Warner](#)

**New York Times**

[Inside the Opposition to a Net Neutrality Repeal](#)

**Philadelphia Inquirer**

[Inside the gerrymandering data top Pa. Republicans fought to keep private](#)

segued into net neutrality, joking that there were only seven more days to use the Internet. The FCC circulated the agenda Thursday for the Dec. 14 public meeting confirming that the chairman's order reclassifying ISPs as information services not subject to Title II regs, and rolling back rules against blocking, throttling and paid prioritization, was indeed on the agenda. Its critics--who held a nationwide day of protest Thursday--say it will kill the Internet. "You think I'm joking," he added. "It's true.... I read it on the Internet."

Pai said that in deference to the dinner's main sponsor, Sinclair, there was some must-run content, a reference to the conservative opinion pieces Sinclair stations run. He then played clips from a couple of Behind the Headlines op ed segments by Mark Hyman, the "[Listen Up Snowflake](#)" and "[Cultural Appropriation](#)" segments, mocking them as the audience laughed along.

Pai suggested he had decided to seek input on his jokes and had received 22 million responses--a nod to the voluminous net neutrality record--but that 7.5 million were automatically generated knock-knock jokes. He said edge provider-backed New America had submitted jokes, but they had to be approved by Google (groan). Pai has been hammering Twitter for censoring conservative content. He said that Twitter had been a great source of suggestions about "what I could do with myself."

Pai is a former lawyer for Verizon and has been accused of trying to help Sinclair, including by restoring the UHF discount, adopting an ATSC rollout framework, and even by eliminating the main studio rule. He said that the worst-case scenario would be a retrans dispute between Verizon and Sinclair: "How do you choose between a longtime love and a newfound crush," he said.

He used the Sinclair/Tribune merger to both 1) suggest that it would hardly be the news monopoly some were accusing it of and 2) take a shot at MSNBC. He said if the merger were approved, the combined broadcast stations' news audience would be 2.2 million...or one sixth of one percent of the country....MSNBC says: What is their secret."

Pai has promised to take a weed whacker to some old FCC rules. He offered up some that may have gone under the radar. Under FCC Chairman Kevin Martin, there was the "cable industry can kiss our ass rule," he said. Then under Chairman Tom Wheeler, it was the "broadcast industry must kiss our ass rule." Talking up the ATSC 3.0 transition, he said it would provide what everyone as looking for--the ability to enjoy [NAB President] Gordon Smith in ultra HD. There was even a repack joke aimed at one of the power players in the auction run-up, former Fox and Disney exec [Preston Padden](#), who advocated on behalf of auction interested stations. Pai said some of the repack expenses broadcasters had submitted were a little sketchy, including \$84 million for the "Preston Padden retirement fund."

He even took a gentle-ish swipe at President Trump, whose Justice Department is suing to block the AT&T/Time Warner deal. Pai said that Trump's threat to pull NBC's licenses was a nonstarter with the FCC: "Who do you think we are, the antitrust division. "In collusion, er conclusion" he said, then aired a video that showed Pai and another Verizon executive plotting 14 years ago to plant a Verizon puppet at the FCC--that would be Pai in the view of net neutrality critics--who was young and ambitious and smart, but sufficiently dorky to pass under the radar, then get a Republican to name him chairman. "And that's how I got here," joked the chairman, before ending--per custom--with a serious shout out to staffers. – **Broadcasting and Cable**

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The judge presiding over the Justice Department's antitrust challenge to AT&T Inc.'s proposed acquisition of Time Warner Inc. has set March 19 as the trial's start date, warning the companies he cannot reach a decision by the time their merger agreement expires on April 22. "It's just not realistic to be done on the 22nd," U.S. District Judge Richard Leon said Thursday during a first preliminary court hearing.

The judge aims to reach a decision in the case by late April or May, he said, and he advised lawyers for the companies to talk to their clients about extending the merger agreement. "That would be in everyone's interests," he said. For a decision of this complexity and magnitude, the judge said, he will need a significant amount of time after the trial concludes to formulate his decision.

At one point in the hearing, Judge Leon suggested the companies consider extending their merger agreement by 60 or 90 days. The judge estimated the trial would take three weeks. The companies had proposed starting the trial on Feb. 20, while the Justice Department sought a start date of May 7. Judge Leon said he had two other trials on his calendar during that period and he would fit the AT&T-Time Warner matter between those cases.

The [case is likely to be one of the most high-profile antitrust cases in years](#). After the agreement's expiration date, either company could unilaterally terminate the deal, and Time Warner would be in

line for a \$500 million breakup fee from AT&T. AT&T said it would talk to Time Warner about extending the deal's deadline to accommodate the court. "We understand and appreciate how busy the court is, and we will promptly discuss the court's post-trial schedule with Time Warner," AT&T General Counsel David McAtee said in a written statement. "We are committed to this transaction and look forward to presenting our case in March." Judge Leon set the next pretrial status hearing in the case for Dec. 21.

AT&T and Time Warner in court papers before the hearing said the government already had a head start in the case because it has been reviewing the deal for a year, and they argued the Justice Department ought to be able to present its case by late February. The Justice Department's proposed May schedule would have allowed the government to "run out the clock on this merger without ever having to prove its case," the companies said in a court filing.

The department in turn said the [deal raised complex antitrust issues](#), and it argued that AT&T and Time Warner were trying to rush a trial so that the government will have less time to develop a full legal record to present to the judge. The government also said there was nothing magical about the April 22 merger-expiration date. The companies "can change it with the stroke of a pen. Or they can simply leave the merger agreement unaltered pending the Court's decision," the Justice Department said in court papers.

AT&T and Time Warner's proposed timeline would have allowed for 92 days from the filing of the lawsuit to the start of a trial. The companies said that gives the government more time than antitrust officials had in some recent merger cases brought by the Federal Trade Commission. The Justice Department argued the FTC's cases were significantly different from the AT&T-Time Warner matter. It said that courts in other recent antitrust cases brought by the Justice Department, including two last year challenging [major health-insurance mergers](#), have allowed the government a more extended schedule. – *Wall Street Journal*

