BCAP NewsClips **December 14, 2015**

Scranton Times-Tribune
Comcast fires up Wi-Fi hotspots in Lackawanna County

Washington Post
Congress is about to ban taxes on your Internet service, once and for all

Christian Science Monitor
Would Verizon’s 'sponsored data' plans violate net neutrality?

New York Times
NBCUniversal to Partner With Data Trackers to Study Olympics Viewing

Associated Press
House signals start of another showdown in Pa. budget stalemate

Philadelphia Inquirer
Pa. primary may matter more than usual

Philadelphia Daily News

The Wayne County Commissioners have approved an agreement between the county and Mission Critical Partners to find affordable business class Broadband. Mission Critical Partners offers technical, operational, and strategic planning consulting services. “As part of Wayne Tomorrow...one of the highlighted items was a business class Broadband affordable,” said Chief Clerk Vicky Botjer. “While we do have access for many of our businesses, they are having difficulty getting the speeds and pricing that are necessary for economic development and continued growth.”

She added the county has been working with WEDCO, the technology committee and other partners to try to find a solution. “We are to the point and have evaluated a few proposals for a professional services contract to take us to the point where we can solicit Broadband companies to come in and build this network for us,” Botjer explained. “We have also been in touch with several other rural counties, Venango and Mercer most recently, who have done a similar project. We are proceeding in that similar fashion.”

Botjer said the county received the professional services contract that has been reviewed by the technology committee. She said it's a three phase contract. They include:
• Reviewing existing data and identifying any additional resources the county needs, such as mapping, towers and businesses.
• Identifying the need of existing public and private broadband users to evaluate need and create a business purpose.
• Solicit and form proposals from local or regional Broadband service providers.

“This is a not to exceed project of $27,500,” Botjer said. “An affordable business class Internet connection is desperately in the County of Wayne,” said Commissioner Jonathan Fritz. “I'm happy to make a motion to enter into a professional services contract with Mission Critical Partners.” Commissioner Wendell Kay added this is great way to “move the ball down the field” and make some progress with the initiative. “Moving the ball down the field is exactly what we're trying to do,” said Commissioner Brian Smith. “We've had a lot of conversations, we've sat around a lot of tables and we've talked this to death. – ***Wayne Independent (Honesdale, Wayne Co.)***

[Oddities of Pa. Society weekend]

Allentown Morning Call
[Joe Sestak slams lawmakers for leaving budgets unfinished]

Television broadcasters are on the cusp this coming week of turning back one of the toughest pieces of regulation to hit them in decades. The rule, put in place last year by the Federal Communications Commission, cracks down on sharing agreements between local TV stations, arrangements that have helped broadcasters grow without violating federal ownership limits.

Station owners have fiercely resisted the move, and their efforts are gaining momentum. The omnibus spending bill that Congress is expected to consider in the hopes of avoiding a government shutdown is likely to include a rider dramatically weakening the FCC rule, according to people familiar with the matter. The provision would grandfather in sharing agreements between local television stations that were struck before the agency's crackdown.

The change would be the latest demonstration of the influence broadcasters wield in Washington. The industry greeted the new regulation with a lawsuit and a full lobbying assault. The National Association of Broadcasters, the industry's trade group, declined to comment. Grandfathering in existing sharing arrangements would be a rebuke of FCC Chairman Tom Wheeler, undermining one of his accomplishments. The FCC declined to comment. The sharing agreements, called "joint sales agreements," allow one station to operate significant portions of another station in its same market that it doesn't own.

Critics argue that these agreements have been abused by station owners looking to skirt the FCC's ownership rules—which limit the number of stations a company can own in a market—and have contributed to a lack of competition, localism and diversity in local television. They complain the arrangements often involve the use of shell companies owned by a relative or business associate of the dominant broadcaster.

Supporters say the sharing deals help financially struggling TV stations stay on the air. Passage of the measure would be a boon to big station owners like Sinclair Broadcast Group and Nexstar Broadcasting that have grown rapidly in recent years, in part through the use of such sharing agreements. Nexstar declined to comment. Sinclair didn't respond to a request for comment.

In March of 2014, the FCC voted to effectively ban these arrangements by ruling that any station handling more than 15% of ad sales for another station would be considered the owner of both going forward. The agency gave stations two years to unwind the agreements or secure a waiver from the FCC. At the time, Mr. Wheeler, the FCC chairman, said the agreements "have been used, skirting the existing rules, to create market power that stacks the deck against small companies seeking to enter the broadcast business."

Broadcasters' legal challenge to the FCC rule is winding its way through the courts. A law passed last year extended the time stations had to unwind their agreements until this month. By this past summer, legislation that would grandfather the existing sharing agreements gathered bipartisan support in Congress. Republicans such as Sens. Roy Blunt of Missouri were joined by several prominent Democrats in pushing grandfathering bills—among them, Sens. Barbara Mikulski of Maryland, the ranking minority member of the Senate Appropriations Committee and Chuck Schumer of New York. That legislation is what would be incorporated into the spending bill as a rider, people familiar with the matter say.

Opponents of the measure note that Maryland is home to the headquarters of Sinclair; New York is home to all the major media companies as well as several Nexstar station upstate; and Missouri is home to several Sinclair and Nexstar stations. A spokesman for Sen. Blunt declined to comment. "It's critical that we allow TV stations to combine certain administrative operations so that they can stay afloat in small, local markets, in the midst of a rapidly changing media landscape," Sen. Schumer said in an emailed statement about the proposed rider.

Sen. Mikulski supports grandfathering the agreements because she wants to prevent the rules of the industry from being changed midstream, according to a person familiar with the matter. She has been pushing for a sensible regulation that would crack down on bad actors who exploit loopholes to skirt ownership limits, while fostering advertising sharing agreements when they serve the public interest, the person said. Rep. Anna Eshoo, a California Democrat, spoke out last week at a congressional hearing against efforts to curtail the FCC's rule. "The more consolidation you have, the essentially less democratic we are," she said in an interview. – ***Wall Street Journal***

T-Mobile customers who want to watch the hot new Netflix show "Master of None" or the old HBO favorite "Game of Thrones" can do so without counting it against their data caps, if they use the wireless carrier's popular new Binge On service. Good news for consumers, maybe, but it is worrying some consumer advocates, who say the service could be the beginning of attempts to circumvent the government's net-neutrality rules before they have even taken root.

Those rules, adopted in February by the Federal Communications Commission, are aimed at ensuring online fairness by forbidding Internet-access providers from boosting favored content and discriminating against others, for example by blocking certain shows. But with maneuvers such as exempting specific services from their data caps, cable and phone companies can arguably find ways to favor certain content anyway. That raises questions about how strictly Internet equality can be enforced, even if the net-neutrality rules survive their current tough court challenge.

Many of the practices are "subject to abuse and…a way to favor your own content and disfavor that of rivals," said Harold Feld, senior vice president at Public Knowledge, a group that promotes open-Internet policies. The FCC's net-neutrality rules don't prohibit providers from waiving customers' data caps for specific content, even though that gives customers a powerful incentive to choose that content. Instead, the FCC says it will examine such practices on a case-by-case basis.

Binge On is exempted from the monthly data caps that T-Mobile imposes on many customers, a practice known as zero rating. It allows certain users to stream video from Netflix, HBO and other sources free. T-Mobile US Inc. insists it isn't favoring Netflix or anyone else, because it lets any video provider meeting its technical standards participate in Binge On. T-Mobile Chief Executive John Legere said in a recent blog post that his company views Binge On as a way to "level the playing field" by including "every legit streaming video provider who wants to participate."

But net-neutrality advocates worry that T-Mobile could spark a trend that will see other Internet providers follow suit with streaming services of their own that aren't so democratic. Already, a few other big Internet-access providers have started offering their own streaming video products that appear to avoid net-neutrality restrictions. Comcast Corp. says its new Stream video offering isn't covered by any data caps and doesn't fall under net-neutrality regulations in any case.

That's because Stream is a cable service delivered over the cable portion of Comcast's network—not the Internet—although the service is marketed to Internet users and delivered over the same kind of gateway device customers typically use to access the Internet. Most Comcast Internet customers don't currently have data caps, but the company has been trying them out in some markets. Several other cable firms are trying out similar "skinny bundle" products, which experts say are aimed in part at hanging on to customers who are cutting the cable cord.

AT&T Inc. has been offering a "sponsored data" program for a while that lets other companies pay for customers' exemptions from their data caps. That's another variation that has raised some concerns among consumer advocates. Verizon Communications Inc. is expected to start testing sponsored-data options soon. At a recent industry roast, FCC Chairman Tom Wheeler poked fun at Comcast's use of data caps on its network.

Pointing to the Comcast table, he said, “Waiters, pay attention. If they want more wine, it’s $35 a bottle.”

But so far, at least, the FCC hasn’t taken much public action over any of the new services. The FCC staff “is working to make sure it understands the new offerings,” a spokeswoman said. Still, the nascent trend toward uncapped video-streaming products is worrying net-neutrality proponents, who fear these exceptions eventually could swallow the rules. “If this isn’t addressed…it will send the signal that this kind of behavior is OK, and I think that will encourage other [Internet-access providers] to start zero rating their own television offerings,” said Barbara van Schewick, a Stanford Law School professor.

For their part, the companies insist—with some justification— that they are doing nothing improper under the complex net-neutrality rules. FCC Chairman Wheeler already has said that Binge On doesn’t seem to fall afoul of the standards, though he stopped short of outright approval, saying the agency would continue to monitor it. The FCC hasn’t yet weighed in on Comcast’s Stream. Its net-neutrality rules appear to provide an exception for cable that is delivered through Internet protocols. But the FCC warned in its rules that such services “could be provided in a manner that undermines the purpose of the open Internet rules and that will not be permitted.”

For its part, Comcast says Stream is delivered over a closed path controlled by the cable company and that customers can’t view it anywhere except in their homes—two hallmarks of cable service. “Stream TV is an in-home [Internet Protocol]-cable service delivered over Comcast’s cable network, not over the public Internet,” the company said in a written statement. AT&T’s sponsored-data program also hasn’t yet drawn much official scrutiny. – ***Wall Street Journal***

Just when the Kathleen Kane saga could not get any weirder or longer, here comes the movie version. This week, Sam Katz, a former Republican candidate for Philadelphia mayor, announced his film company, History Making Productions, would make a documentary about Kane’s political rise and fall (for now). The name of the film, you guessed it: “The Kane Mutiny.”

According to the news release, the film will explore the state of American politics and the role of media in shaping it or not questioning it properly. It asks: How did Kane, a person with little experience rise from obscurity to become attorney general and possible candidate for U.S. Senate before her career imploded with many self-inflicted problems? “This is as much a story about an elected official who soared and quickly began to implode as it is about the media and an electorate which, without knowing much about her, gave her critical endorsements and an overwhelming electoral mandate.”

Katz, executive producer, said in a statement. “Had we decided to produce a feature film based on this story and present it as fiction, audiences well may have viewed it as too far-out and outrageous to be credible. But as a film documenting an in-progress narrative and still to-be-determined outcome, ‘The Kane Mutiny’ will fascinate and entertain audiences while providing an eye opening lens into the current state of American politics.” Not sure what the film will be rated — if Katz opts to include the porn Kane found on office computers. – ***Allentown Morning Call;*** **and in the *Philadelphia Daily News* – Oddities of Pennsylvania Society Weekend**

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