

# **OUTDOOR SPORTSMAN**

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## **G R O U P.**



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**BCAP offices will be closed Wednesday, January 1**

Lehigh Valley customers of Service Electric Cable TV & Communications could lose Sean Hannity, Lou Dobbs and other Fox programs if negotiations don't produce a new contract with the network. That's according to Fox Corp., which took out a full-page advertisement in Friday's Morning Call addressing an impasse between Fox and Bethlehem's Service Electric that could lead to a cutoff of programming by Wednesday. "We regret to inform you that Service Electric ... may lose Fox 5, Fox 29, Fox News Channel ... and other Fox networks," according to the ad.

But Jack Capparell, Service Electric's general manager, said Monday that NFL fans will be able to catch Sunday's 1 p.m. Fox wild-card broadcast of the Minnesota Vikings at New Orleans Saints. Capparell said officials with Fox and a trade group, the National Cable Television Cooperative Inc., have reached a settlement that keeps the Fox network's over-the-air channels, including Philadelphia's Fox 29 and the Big Ten Network. **He also said both sides are "very close" to reaching an agreement on the Fox cable channels**, such as Fox Business and two Fox sports channels. "I was just on with the NCTC this morning; it's moving in the right direction," Capparell said, adding he hoped a full settlement is done by Tuesday.

Officials with Fox and the cable cooperative, which Capparell said represents about 3 million cable subscribers nationwide, did not return messages seeking comment. Capparell said Fox is seeking double-digit increases, anywhere between 20% and 40%. "We are trying to do our best to represent our customers to keep the rates down," he said.

Area cable companies including Service Electric and RCN, the Valley's other major cable TV provider, recently advised their customers of rate hikes related to cost increases in programming and other portions on their bills. Service Electric, for example, is planning to raise rates by \$2 beginning Wednesday for most of its cable package offerings. For the cable, phone and internet bundle, the rate will be going from \$144.49 to \$146.49 a month, according to a letter sent to customers.

In an earlier statement, Fox Corp. accused the NCTC of fabricating a crisis. Fox says the cooperative, which represents hundreds of cable distributors across the country, leverages deals with companies like Fox to generate fees to pay for its own overhead. "Unfortunately, the NCTC appears to be putting its own business objectives ahead of the needs of its members and our viewers," Fox said. "NCTC has repeatedly rejected our fair offers for terms that are in-line with what other cooperatives and distribution partners have agreed to pay, and it's demanding terms that are more favorable than their own members have with Fox." The Fox ad advises customers to contact Service Electric and that customers have options. "Remember all other major TV providers carry these Fox networks," Fox says.

Fox says the dispute could also affect Blue Ridge cable subscribers in parts of the Lehigh Valley and Carbon County. Blue Ridge spokesman Joe Lorah said Fox is seeking a rate hike more than 10 times the rate of inflation; he said since 2004, Fox has increased its fees for Fox News Channel by almost 800%. "It is not fair that our customers continue to absorb these kinds of rate increases while multibillion-dollar companies make record profits," he said.

The news does not affect RCN customers; an RCN representative did not return a message seeking comment, but Capparell said RCN earlier negotiated a deal with Fox. "When we started negotiating with Fox, we felt we could do better by negotiating as a group," Capparell said. — *Allentown Morning Call*

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A whole slew of cable companies are notching up a victory in a lawsuit against the state of Maine that seeks to block a recent law that would require à la carte cable offerings. Comcast spearheaded the coalition of companies, which [filed the suit](#) in September. The Maine [law](#), the first of its kind in the nation, was invalid for two reasons, the suit argued: first, because it pre-empts federal communications law, and second, because it violates companies' First Amendment rights. Comcast was joined by more than a dozen other plaintiffs, including its own NBCUniversal subsidiary, CBS, Viacom (which had not yet completed its merger with CBS), Disney, Fox, A&A, Discovery, and Hearst.

As is common in such suits, the plaintiffs first sought an injunction that would block the state from enforcing the law while the rest of the legal process gets sorted out. District Judge Nancy Torresen granted the injunction in a ruling ([PDF](#)) issued just before Christmas. The injunction would only be granted if the plaintiffs had a chance at winning on the merits of an argument, Torresen explained in her ruling. Two of the main arguments Comcast, et al put forth were unlikely to prevail, she found, but the third just might.

The pre-emption argument was likely a bust, Torresen ruled, because the Maine law as written is content-neutral. "LD832 requires cable operators to offer access to cable channels and programs individually," she noted, but "it does not require or prohibit cable operators from carrying any particular channel or program."

The First Amendment argument, meanwhile, was broken down into two overall buckets. The companies first argued that they have an innate right to bundle, as bundling cable channels together is, from their point of view, "editorial discretion" of the same sort a newspaper editor shows in bundling sections together. This argument doesn't fly, Torresen found, in part because the plaintiffs "do not explain why cable operators' editorial discretion to choose what channels or programs to offer, which is protected by the First Amendment, should extend to cable operators discretion in *how* to sell that programming." Nor does the Maine bill prohibit bundling, she pointed out; it only mandates that unbundled options also be made available.

The companies did succeed, though, with their other First Amendment-based argument. In short, they made the case that the Maine law violated their rights because it applied narrowly, to traditional cable carriers (MVPDs) but not to alternative, Internet-based platforms—such as Dish Sling, Sony Vue, or YouTube TV—that also provide bundled content. Torresen granted the preliminary injunction on those First Amendment grounds. "Although I had anticipated consolidating the preliminary injunction hearing with the trial on the merits," she concluded, "the evidentiary record is not sufficiently developed to allow me to make a final determination," and so there will be further hearings in early 2020. — *Ars Technica*

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When 5G services launched here in April, Jang Dong-gil was among the first wave of South Koreans to sign up. Now eight months in, Mr. Jang, a 30-year-old tech company worker, has a chilling review for the next-generation technology: 5G hasn't lived up to the hype. "I don't feel the difference," said Mr. Jang, who uses a 5G-enabled Samsung Electronics Co. handset. On many days, he said, he switches off his 5G service altogether because his connection often drops as his phone pingpongs between 5G and the existing 4G LTE network.

For most of 2019, South Korea was home to the vast majority of the world's 5G users, offering the broadest lessons in what the next-generation network has to offer. Though it is still early in the global rollout, 5G service in South Korea has proved more of a future promise than a technological breakthrough. 5G launched during the past year promising to help power a future of autonomous cars, virtual reality and telesurgery—boasting speeds potentially up to 100 times faster than today's 4G networks. The next-generation network's potential has set off a race between Beijing and Washington, which has pressured allies to avoid adopting equipment made by China's Huawei Technologies Co. **over national-security and other concerns.**

Many countries are scrambling to deploy the superfast network, hoping homegrown companies can enjoy an early advantage providing new, popular services like those from Uber Technologies Inc., Instagram and Netflix Inc. that flourished during the 4G era. Currently, few, if any, 5G apps have emerged that would justify an upgrade by consumers. Larger countries are just beginning the transition. In the U.S., 5G services have been rolled out in select cities—though adoption remains modest, requiring consumers to buy a new phone and, in some cases, subscribe to a top-tier, unlimited data plan.

In China, the government has prioritized expanding access to 5G since its launch in November. By the end of 2020, China's 5G subscribers are estimated to hit 120 million, said Chris Lane, an analyst at Bernstein Research. But initial 5G showcases have been limited to tests such as remote telesurgery procedures or streaming a dance performance in a remote village. South Korea, by contrast, is much further along and is expected to end 2019 with more than 4.5 million subscribers among its population of 51 million, according to telecom analysts.

In April, the country's top three carriers – KT Corp., SK Telecom Co. and LG Uplus Corp. – **launched 5G service** on the same day Verizon Communications Inc. debuted in two U.S. cities. From the start, about half of South Korea's population could have access to 5G service after buying a network-enabled device. On their 5G phones, South Korean users can live-stream sports with a 360-degree view of the action, watching from any angle and in slow motion. Visitors to a Seoul park can summon a giant cat on their phone's screen as they take in the scenery using augmented reality. Another app lets people gather in virtual-reality rooms to watch baseball games or concerts together.

But such 5G flourishes have yet to draw a large audience, industry analysts say. "There's no killer 5G app," said Woody Oh, a Seoul-



based analyst at Strategy Analytics. "As far as adoption goes, we're still at the very start," said Julian Gorman, head of Asia-Pacific for GSMA, a trade association for mobile carriers. "We're eight months into a cycle that's going to be many years in length," he said.

The 3G network, which enabled data transfers among device users and launched in 2001, didn't fully kick off until Apple Inc.'s first iPhone came out in 2007. It took years for its successor, 4G, to bring in ride-sharing platforms like Uber and Grab Holdings Inc. since it launched in 2011. For now, 5G's main visible benefit lies in transferring large amounts of data quickly, such as downloading movies faster and streaming high-resolution content seamlessly. Today, some 70% of data traffic carried from mobile devices to an operator comes from video content, compared with less than 25% five years ago, said Mr. Gorman. That figure is expected to rise further with 5G.

But telecom experts say 5G's advantages are hard for consumers to experience with smartphones. The bigger leap will be felt with self-driving cars or smart cities, they say. For current users, though, a key challenge is simply staying connected to 5G. Yun Seung-yeol, a 27-year-old architectural designer in South Korea, was given a big enticement to sign up for the new service: He got subsidies from his telecom provider to shave about two-thirds off the roughly \$1,000 price tag for a 5G-enabled Galaxy Note 10 device.

He said he notices a difference on the superfast network only when downloading files or images on his phone. Mr. Yun, who has an hour-long commute to his Seoul office, said he has turned off the 5G feature on his device for the past month because he kept losing connection when he left Seoul for his home in a neighboring city. He is considering switching back to a 4G data plan if the situation doesn't improve. "For now, I'm not recommending anyone to use 5G," Mr. Yun said. — *Wall Street Journal*

