

**Fierce Cable
Comcast's
Smit:
'Customer
service will be
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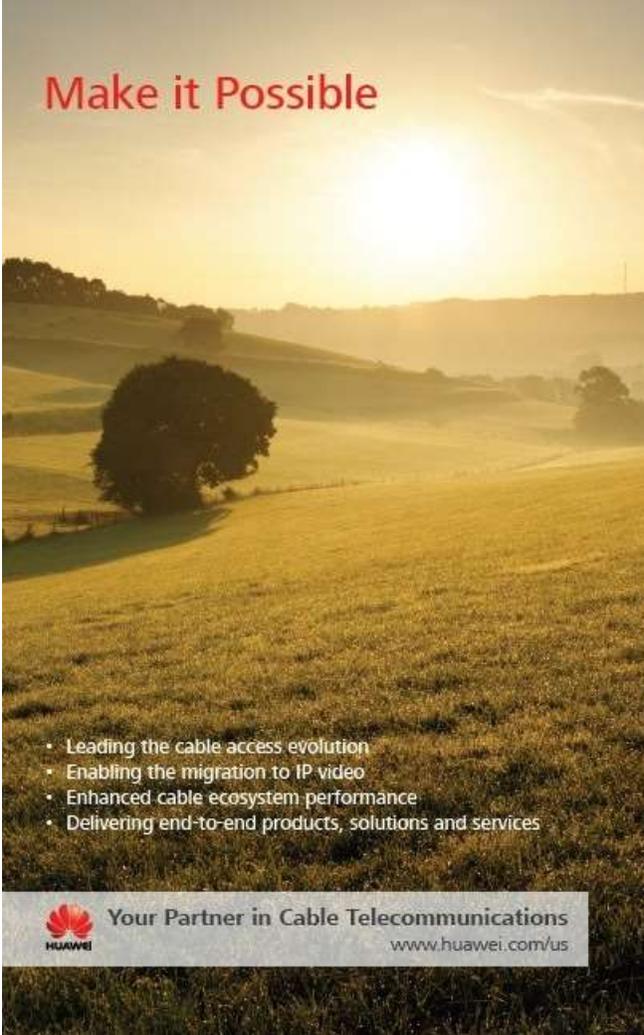
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The U.S. Federal Communication Commission is signaling that it intends to adopt President Barack Obama's proposal to keep the Internet open when the independent agency votes on rules next month. FCC officials working on the issue under Chairman Tom Wheeler are asking questions they would only ask if they were taking the direction Obama is seeking, such as how to regulate wireless service, said one person involved in discussions with the agency.



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Obama in November called for “the strongest possible rules” to regulate Internet service, including a ban on so-called fast lanes. In doing so, he joined the ranks of Internet startups, public interest groups and more than 105,000 people who signed a petition to the White House calling for an open-Internet policy. The rules would ensure service providers treat Web traffic equally -- a concept known as net neutrality. The president's intervention appears to be driving policy deliberations on net neutrality, Comcast Corp. said in documents filed in recent weeks with the FCC. The cable-television company, which opposes the proposal and is one of the nation's largest high-speed Internet providers, suggested steps to soften the blow. Such an acknowledgment “gives you strong reason to believe it's headed that way,” said Gene Kimmelman, president of the Washington-based policy group Public Knowledge, who supports Obama's utility-style rules. “I'm optimistic.”

The FCC deliberations follow a year of debate since a court rejected the agency's rules to guarantee Web traffic is treated fairly by Internet service providers led by Comcast, AT&T Inc. and Verizon Communications Inc. In May, Wheeler proposed allowing the fast lanes Obama opposes, and he has backed using less-sweeping authority than the president called for. Wheeler was noncommittal after Obama issued his statement favoring net-neutrality, saying the independent agency would incorporate the president's view into the record. The FCC is to vote Feb. 26 on rules Wheeler, a Democrat, will propose to fellow commissioners. He needs three votes from the five-member commission, where Democrats hold the majority. “The conventional wisdom appears to be that the president had some influence, for better or worse, depending on your

**Pittsburgh
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Editorial: [Back
to work – The
Legislature and
Tom Wolf have
much to do](#)**

perspective,” said Fred Campbell, a former Republican FCC official who opposes Obama’s plan as a damper to investment.

Internet service providers and Republican allies in Congress say the Web has thrived with light regulation, and that Obama’s proposed utility-style rules aren’t needed and may lead to price regulation. Web companies including startups and video provider Netflix Inc. say rules are needed to make sure traffic isn’t blocked or slowed on its way to consumers. They’re backed by congressional Democrats. Comcast, the largest U.S. cable provider, which has proposed buying No. 2 Time Warner Cable Inc., said in the Dec. 24 filing that it opposes Obama’s plan to subject Internet service to a part of the communications law known as Title II, written last century to regulate phone service over copper wires. “The president’s endorsement of Title II appears to be driving the commission’s interest,” Comcast said in the filing. Neil Grace, an FCC spokesman, declined to comment. Wheeler is scheduled to appear today at the Consumer Electronics Show in Las Vegas.

Even if the FCC declares Internet service to be subject to Title II, it should pledge to use a less-intrusive set of regulations, Comcast said. The approach aims to give the FCC the firm legal foundation the court said it lacks. “Whenever I see Comcast and other opponents of Title II arguing in the alternative -- how to do Title II -- it warms my heart,” Kimmelman said. “The letter speaks for itself showing all the issues a Title II regime would require,” Sena Fitzmaurice, a Washington-based spokeswoman for Comcast, said in an e-mail.

The National Cable & Telecommunications Association, the largest U.S. cable trade group, which counts Comcast as a member, in a Dec. 23 filing also said the FCC should avoid regulations that could lead to price control even if it chooses Obama’s path. CTIA-The Wireless Association, a Washington-based trade group with members including the top four U.S. wireless carriers -- AT&T, Verizon, Sprint Corp. and T-Mobile US Inc. -- in a blog post yesterday said the law doesn’t allow mobile broadband to be regulated by the rules Obama advocated. Wheeler in September said the agency was considering whether mobile Web service deserves lighter regulation than broadband sent over wires.

The FCC vote may provoke a fight with congressional Republicans, who control the House and Senate following last fall’s election. Republican Senator John Thune, the incoming chairman of the Commerce, Science and Transportation Committee, said regulating broadband providers as utilities under the 1934 Communication Act’s Title II “will create a lot of problems.” Such an approach is “not the direction” the new Republican majority in Congress wants the FCC to take for regulating Web traffic, said Thune, of South Dakota. “We are not going to support that.”

At a Nov. 14 policy forum in Washington, Representative Bob Latta, an Ohio Republican on the House Energy and Commerce Committee that oversees the FCC, said Obama’s proposal “threatens our thriving Internet economy.” Congress doesn’t control the FCC. Lawmakers on a majority vote of both houses could nullify a regulation, and Obama in turn may veto the nullification -- an outcome that would leave the rule standing. Opponents also may ask a U.S. court to void the FCC’s rule. – **Bloomberg**; more from [Reuters](#), [Washington Post](#), [Politico](#)

As the new congressional session gets underway, government reform proposals are getting early interest from Pennsylvania legislators. Republican Sen. Pat Toomey said Wednesday that he’s co-sponsoring a constitutional amendment from Louisiana Sen. David Vitter to establish term limits for Congress. Under the proposal, those in the U.S. House could serve three terms and senators would be limited to two terms.

Currently, Pennsylvania lawmakers in both Harrisburg and in Washington do not have limits on how long they can serve in office. When Toomey previously was in the U.S.

House, he said he would serve for no more than three terms. He unsuccessfully challenged Sen. Arlen Specter in 2004 instead of seeking a fourth term in the House.

In a statement, Toomey said setting term limits would encourage more people – with more diverse experiences – to run for public positions. “Congress should not be a body of career politicians who have forgotten why they were sent to Washington,” Toomey said. On the other side of the Capitol, Rep. Mike Fitzpatrick, R-Bucks County, **introduced a package of reform bills** shortly after Congress gavelled into session Tuesday. His legislation also would set term limits for federal lawmakers, as well as freeze congressional pay, end pensions, and extend the period during which former legislators cannot lobby Congress after they leave office. – *Allentown Morning Call*



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