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An attempt by traditional phone companies to shed some of their government oversight has run into a formidable opponent: Minnesota seniors determined to hang on to their land lines.

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Facing competition from cable and wireless carriers, CenturyLink and other phone companies have asked the Legislature for more leeway in raising rates and responding to outages. The effort received little public attention until Thursday, when Minnesota Attorney General Lori Swanson called a news conference to urge lawmakers to dump the ideas. She was flanked by more than a dozen AARP members. "Let's just get this one off the table," 72-year-old Judy Schaffhausen told reporters.

The Rosemount woman described how she hooks a Medtronic cable into her phone line to transmit live data from her pacemaker every three months to her doctor in Minneapolis. Sandi Hagglund said cellphone reception is so spotty where she lives in South Haven

that she has to drive up a hill to make wireless calls. If she had been forced to do that the night she called 911 for her ill husband, he would have died, she said. Swanson said there is a real threat phone companies would raise prices and

phase out land lines if their efforts aren't stopped. "We're very concerned they will just drop people who are too expensive to service," Swanson said.

The Minnesota Telecom Alliance and at least one lawmaker say the fears aren't justified. Sen. Dan Sparks, DFL-Austin, said he's been working with consumer groups such as Legal Aid and AARP on legislation, and Swanson's news conference caught him by surprise. "Telling Minnesotans that they will lose their land lines is false and just scare tactic politics," said Sparks. "No carrier will be able to unilaterally discontinue service to a customer under this legislation."

Brent Christensen, head of the Minnesota Telecom Alliance, called Swanson's concerns "way out of line." The telecom alliance is behind both bills, which Christensen said would help level the playing field for traditional phone companies, which he said are subject to greater restrictions than wireless and cable carriers. About 90 such phone companies operate in Minnesota. CenturyLink is the largest, but the group also includes Frontier Communications, Windstream, Arvig, TDS, Enventis and NuTelecom.

According to Christensen, the bills would allow companies to simply file rate hikes with the Public Utilities Commission (PUC) without requiring approval for them; allow companies to offer special bundled service packages without requiring direct approval; and change the service quality rules so that companies don't have to address telephone problems before broadband problems. — *Minneapolis Star Tribune*

The details of the Federal Communications Commission's new net-neutrality rules make clear the regulator is struggling with how to handle some of the hot-button issues that helped put the topic back on the agenda in the first place.

The uncertainty in some of the rules, released in full for the first time Thursday, reflects in part the fast-changing nature of the Internet and the agency's lack of experience in areas that it now has the power to oversee. A highly public dispute over network pricing last year helped nudge into the mainstream the debate over net neutrality—the principle that all Internet traffic should be treated equally. But the FCC says in the rules that it won't be jumping in right away, because it lacks experience in evaluating such deals. "We find that the best approach is to watch, learn, and act as required, but not intervene now, especially not with prescriptive rules," the commission wrote in the rules.

The rules, for example, give the FCC new powers to oversee "interconnection" deals between companies like Netflix Inc. and Internet service providers like Verizon Communications Inc., common arrangements that let companies share network traffic. An FCC official said the agency will review disputed arrangements, which can involve complaints about money as well as issues like capacity.

The regulator is taking a similarly uncertain stance on sponsored data programs—ones where content companies like Google Inc. could pay the cost of data so their services could be delivered to mobile users free. Critics say such plans give an advantage to deep-pocketed companies that can afford the cost at the expense of startups or other weaker rivals. "Given the unresolved debate concerning the benefits and drawbacks of data allowances and usage-based pricing plans, we decline to make blanket findings about these practices," the commission said. Instead, the agency plans to address complaints about those plans on a case-by-case basis.

In the rules, the FCC says it will review the arrangements on a case-by-case basis. It also said it would take a case-by-case approach to limits and caps on data use, saying it found pros and cons of such practices. Pricing based on use can save subscribers money, but critics warn that carriers can use the limits to stifle

online competition.

The FCC summarized the rules when it passed them in a 3-2 party-line vote two weeks ago. On Thursday, it detailed them in a 400-page document that also addresses criticism of the rules, provides legal justification for the move and airs objections from dissenting Republican commissioners, who warned the commission's framework would lead to government overreach and criticized the way the rules were developed.

The commission set some clear limits, banning broadband providers from blocking Web content or letting services pay for priority access. Otherwise, however, it generally avoided limits in favor of setting itself up to punish bad behavior if it occurs.

The commission was careful to write its rules so that they wouldn't quickly become outdated as technologies evolve, said Kevin Werbach, a professor of legal studies at the University of Pennsylvania's Wharton School who has advised the FCC on open Internet policies. "It's a reasonable and logical approach given the degree of uncertainty about what is going to happen in the marketplace," Mr. Werbach said. "Networks evolve." – *Wall Street Journal*; more in [New York Times](#) and [Los Angeles Times](#)

The National Cable & Telecommunications Association has met the enemy, and it is Title II.

Following the Federal Communications Commission's release of the 400-page (with addenda and statements) Open Internet order, which was voted Feb. 26 along straight party lines, the NCTA in a statement likened it to "regulatory regime change" for the Internet, with "serious collateral consequences for consumers."

The trade group said the FCC move will slow broadband deployment and adoption, which is the opposite of the current regulatory action plan goal under chairman Tom Wheeler. NCTA president Michael Powell was FCC chairman when the agency ruled that Internet service providers were not subject to Title II open-access mandates, a decision upheld by the Supreme Court.

After the FCC release on Thursday (March 12), the NCTA echoed calls by other Title II critics for Congress to step in. "As we have stated repeatedly, our companies are committed to offering consumers an open Internet experience, and we fully support the creation of enforceable open Internet rules," the NCTA said. "But we do not advance our nation's ambitions by regulating the Internet with monopoly-era tools. We remain hopeful that Congress will seize this important opportunity to enact smart legislation that codifies the FCC's authority to protect an open Internet while avoiding the collateral harms that Title II will unleash." – *Multichannel News*



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