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March 18, 2016

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Philadelphia

Wilkins Township (Allegheny Co.) is considering amending its zoning ordinance to include language on wireless communication facilities, or the antennas that make a cell phone's voice and data reception possible. Dan Cohen of the Cohen Law Group spoke on the matter before the board of commissioners at Monday's meeting.

Mr. Cohen said that the popularity of smartphones has "led to an increased demand for wireless broadband," and traditional cell phone towers no longer can meet that need. "Cell towers provide coverage for a phone call, but not for broadband," Mr. Cohen

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said. Broadband requires a different antenna for phones to more easily connect to an LTE network. He said the antennas can be cylindrical and about five inches tall or they can be flat-screen types of antennas.

Mr. Cohen said broadband providers are looking to place these antenna on either existing utility poles or possibly constructing new poles in public right-of-ways. "We recommend you beef up your old cell tower ordinance to address wireless facilities in rights-of-ways," Mr. Cohen said, adding that Wilkins' current ordinance could be deemed prohibitive to companies wanting to locate

an antenna in the township.

Although commissioners did not approve a new ordinance at the meeting, the streets along which broadband antennas could be permitted include township roads like Dunbar Avenue, Elizabeth Drive, Kingston Drive and Penn Center Boulevard and PennDOT/Allegheny County Roads including Brown Avenue, Larimer Avenue and Rodi Road. Commissioner Michael Boyd asked for further information on the matter and added that there were "too many neighborhood roads" on the list. — **Pittsburgh Post-Gazette**

Inquirer
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endorse
McGinty in
Senate
primary

T-Mobile US Inc. has added YouTube, the Web's most-used video provider, to its free video-streaming service, ending a four-month impasse between the two companies. The service, called Binge On, waives data fees for video from more than 50 video services including Netflix and HBO, in exchange for delivering the content at lower quality. YouTube, which is owned by Google parent Alphabet Inc., wasn't part of the service and had openly complained that the carrier's program reduces the quality of all video.

On Thursday, T-Mobile said YouTube has agreed to include its video stream, but that it will manage the resolution of its own video stream instead of relying on T-Mobile to do so. "Demand for mobile video is skyrocketing," T-Mobile Chief Executive John Legere said in a statement. The company said since launching the program its customers are watching twice as many hours a day of streaming video.

T-Mobile also said it added its first adult content provider to Binge On. MiKandi, which describes itself as an app store for adult content and runs on the Android mobile operating software, has been blocked by the app stores of Apple Inc. and Google. A T-Mobile spokesman said Binge On is "open and free to any legal video provider that meets the tech requirements."

In a blog post, YouTube said it raised several complaints related to the service with T-Mobile over issues for both customers and video providers that T-Mobile has addressed. It said it was concerned over consumer's ability to turn on and off the service, as well as the ability for video providers to opt out of the program if they wish. At launch, T-Mobile had said that some services, such as Verizon Communications Inc.'s go90, were being included without the permission of the provider.

YouTube said it believes the changes "can help ensure that the program works well for all users and the entire video ecosystem." T-Mobile had said it couldn't include YouTube because of technical issues and required "a small amount of collaboration" from the video provider to solve.

Some critics of the Binge On service have suggested that it could be in violation of net neutrality rules that generally require that all Internet data be treated equally. T-Mobile has argued that the service complies with regulations because consumers can opt out and it is open to all video providers that meet its basic technical requirements. In a video posted on Twitter, Mr. Legere implied that bigger rivals AT&T Inc. and Verizon were throttling, or degrading, Netflix videos streamed over their mobile networks by delivering the content at a resolution lower than Binge On. Spokespeople for both AT&T and Verizon disputed the claim. "We do not reduce the resolution of any video on our network," AT&T spokesman Fletcher Cook said.

Verizon spokesman Jeffrey Nelson said T-Mobile was making "a dopey claim" and that video quality depends on the original resolution of the content, along with network speeds and conditions. "We don't throttle speeds or quality on Netflix or any other app," Mr. Nelson said, noting that such a move "would be a violation of U.S. regulations." When asked about the allegation against AT&T and Verizon, a Netflix spokeswoman said the company sees "no evidence they're manipulating our streams." T-Mobile stood by the assertion, citing its "internal testing" for the finding. – ***Wall Street Journal***

A federal appeals court will decide whether to overturn a Federal Communications Commission ruling allowing city-owned broadband services to expand into areas overlooked by commercial providers. Tennessee and North Carolina both previously passed laws preventing the expansion of super-fast Internet service in their respective cities of Chattanooga and Wilson to surrounding areas.

The FCC last year voted 3-2 to override those laws. FCC Chairman Tom Wheeler, who voted with the majority, said at the time that some states have created "thickets of red

tape designed to limit competition." Chattanooga markets itself as the "Gig City" for the widespread availability of gigabit-speed Internet service. Such service is about 50 times the national broadband average — or enough bandwidth to download an entire movie in about two minutes. At an appeal of the FCC ruling Thursday before the 6th U.S. Circuit Court of Appeals, FCC attorney Matt Dunne called the areas around Chattanooga "digital deserts that are imploring Chattanooga to come to them," according to arguments posted on the court's website.

State lawmakers have argued that private broadband providers will have difficulty competing with service subsidized by local governments. But at Thursday's hearing, attorneys for Tennessee and North Carolina argued the issue is one of state sovereignty. They said the FCC is unlawfully inserting itself between the states and their subdivisions.

Judge Helene White said Congress has stated clearly that it wants the FCC to remove barriers preventing access to broadband because access affects education and other core government interests. Referring to the FCC's ruling, she asked the attorneys for the states, "Why isn't that exactly what they're doing?" Joshua Turner, a private attorney representing Tennessee, argued that Congress hasn't given the FCC any special authority to promulgate broadband. — **Associated Press**

Facebook Inc and Twitter Inc are vying to buy rights to stream conventional TV programming, the **New York Post reported on Thursday**. Both companies have approached programmers about a deal, the Post said, citing several sources familiar with the situation. Facebook, which is already in talks with the National Football League for digital rights to Thursday Night Football, has met with a wide range of TV executives over the past few weeks, sources told the Post. However, it was not known how Facebook would deliver the shows, sources who heard the pitch told the newspaper. Facebook and Twitter could not be immediately reached for comment. — **Reuters**