

"It is amazing what you can accomplish if you do not care who gets the credit."

~ Harry S. Truman



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Recently, the company Lancaster hired more than five years ago to build a fiber-optic network for city services — and provide an affordable residential broadband option — announced it settled a lawsuit that sidelined the project. Naturally, the Watchdog wondered, what's the settlement about and what's next? And how soon can the Watchdog get superfast internet?

In February 2015, the city said it had hired Reading-based MAW Communications for about \$500,000 to install a communications infrastructure to upgrade city services. MAW would install a fiber-optic network enabling the city to remotely read customer water meters. The city would get internet access, and the network would allow for remote traffic signal control to deal with traffic congestion and pedestrian movement, among other benefits.

City officials had anticipated annual savings of at least \$300,000. In part because of the suit and other increased costs of the system, those savings haven't been realized, but the city couldn't say how much it is saving. The Lancaster Safety Coalition, which operates a network of security cameras, had planned to tie into the system, enabling it to upgrade. Some of those upgrades have occurred, but others were sidelined by the lawsuit.

While efficiencies to city services were the focus, the promise of affordable residential and business high-speed internet service was icing on the cake. LanCity Connect promised speeds faster and cheaper than Comcast and Verizon, the area's main internet service providers. Infrastructure work began, followed by residential customer sign-ups, a residential rollout plan and the start of customer hookups. But in late 2017, the project stalled when PPL workers saw MAW contractors installing equipment on PPL utility poles.

That December, PPL sued MAW in Lehigh County court, claiming MAW had made unauthorized and unsafe attachments to its poles. MAW countered it had access to the poles based on a 2003 agreement it had with PPL. According to a copy of the settlement, dated June 18, MAW must pay PPL \$370,000 in fees and penalties by the end of 2020. MAW agreed to follow PPL's procedures for attaching its equipment to PPL utility poles, and it has 15 months from the date of the settlement to bring its existing use of PPL poles into compliance with the company's specifications.

PPL agreed to promptly process MAW's applications to use its poles. "MAW is incredibly happy to have this legal matter behind us and to rebuild our relationship with PPL," MAW said in a statement. "MAW and PPL are amicably working together to complete the rebuild of the city's traffic network and the (safety coalition's) camera network ... We look forward to continuing to work closely with PPL to complete this project."

In a statement, PPL said the settlement "... ensures MAW's remaining attachments will be brought into compliance with PPL standards to ensure safety ... Safety and adherence to established standards for pole attachments was always the goal." A [state Public Utility Commission administrative judge has recommended the commission approve the settlement](#), noting it's in the public interest. The city is not part of the agreement, but in a statement provided by city business administrator Patrick Hopkins and Jess King, chief of staff to Mayor Danene Sorace, it said: "The city has always taken the view that MAW first needed to come to an agreement with PPL, and we are pleased that it has occurred," adding it's now looking into what it means for the city.

The city and MAW are engaged in a separate dispute related to money the city loaned MAW for capital costs. MAW was to make interest payments until things were up and running. It made payments through last September. MAW said it's been offsetting those payments with credits it believes the city owes for internet services. The city declined to comment.

MAW said as it brings its existing equipment into compliance with PPL's standards, it has been unable to address routine network maintenance because it couldn't access its network because of the suit. It said until these

two things are addressed, it cannot add new customers. While it said it couldn't provide a timeline, it plans to keep the community updated. MAW has just under 200 LanCity Connect customers and more than 4,000 on the waiting list.
– **Lancaster Intelligencer**

One placeholder in the Carbon COVID-19 Relief Block Grant is worth \$500,000 and aims to help those who don't have sufficient internet. On Thursday, Commissioner Chris Lukasevich said that the board of commissioners will be sending out requests after next week's meeting asking for proposals to enhance broadband in Carbon County for the underserved and not served at all areas.

Carbon County has received a total of \$5.79 million through the CARES Act to use strictly on COVID-19 related activities to offset the cost of direct county COVID-19 response; assist businesses and municipalities; provide behavioral health and substance use disorder treatment services; fund nonprofit assistance programs; and deploy broadband to unserved or underserved areas.

Lukasevich said the county sent requests out to the area school districts asking for data to help identify areas of notable need. He thanked Weatherly Area School District, which provided approximately 120 specific addresses based on surveys their families completed ahead of this school year that will be able to be used by GIS Mapping to pinpoint specific areas of need. "That will help feed into the process and assessment of any proposals that might be brought forth in enhancing broadband through projects or product," he said.
– **Lehighon Times-News**

A lawsuit by President Donald Trump's campaign seeking to block Pennsylvania counties from using drop boxes to collect mail-in ballots was put on hold Sunday by a federal judge who said state courts should have a chance to decide the matter first.

U.S. District Judge J. Nicholas Ranjan in Pittsburgh granted a request from the American Civil Liberties Union and other organizations to abstain from ruling on the matter, at least for now, while several related cases play out in state court. Ranjan said the Trump campaign could ask to revive the case if the state court matters take too long. "After carefully considering the arguments raised by the parties, the Court finds that the appropriate course is abstention, at least for the time being," Ranjan said. "The Court will apply the brakes to this lawsuit, and allow the Pennsylvania state courts to weigh in and interpret the state statutes that undergird Plaintiffs' federal constitutional claims."

Ranjan had previously ordered the Trump campaign to hand over evidence backing its claim that the planned shift to mail-in voting in Pennsylvania as a result of the coronavirus pandemic would lead to massive fraud. On Friday, the campaign submitted almost 300 documents to the ACLU purporting to back up the claim, though the ACLU says none of them related to election fraud involving drop boxes or mail-in voting. "The Trump campaign's claims are based on speculation," ACLU attorney Sarah Brannon said in an interview.

Marc Elias, an election lawyer representing Democratic-linked parties in the case, said in a statement that Trump and the Republicans had hoped to avoid the Pennsylvania Supreme Court, which is 5-2 Democratic. About 1.9 million Pennsylvanians have already requested mail ballots this year, compared with 107,000 in 2016, he said.

The campaign's lawsuit aimed to block the state's plan for drop boxes as well as prohibit the counting of ballots that lack a security envelope. The suit also aims to allow so-called poll watchers to observe in-person voting places even if they don't reside in the county, as is required under state law. Separately, a Trump tweet Sunday about ballot drop boxes received a "public interest" notice

from Twitter, which said engagements with the tweet would be limited. Twitter said Trump's tweet, which said mail drop boxes "are not Covid sanitized," made "misleading health claims that could potentially dissuade people from participation in voting." – *Philadelphia Inquirer*

The furor over the U.S. Postal Service imperils a vital lifeline for the Republican rural base and threatens to damage GOP lawmakers' reelection bids, potentially even President Donald Trump's campaign in critical battle grounds. Rural residents are especially dependent on the mail for medication and retail purchases, with private carriers like UPS and FedEx most likely to contract out the last leg of delivery to the post office in sparsely populated areas. More rural residents also are elderly or lack broadband service, making it harder for them to handle bills electronically. The letter carriers traversing country roads often have a personal connection with their customers.

That resonance may be one reason Postmaster General Louis DeJoy backpedaled in the face of an exploding outcry on changes he ordered. DeJoy has suspended removals of mail-sorting machines and blue collection boxes until after the election. Democrats had argued the cuts were designed to hinder mail-in voting, but he defended them as overdue cost-cutting measures.

At a hearing Friday of the Senate Homeland Security Committee, DeJoy acknowledged complaints from Republican as well as Democratic lawmakers about mail delays. But, he said, given the losses piling up the Postal Service will have to make cuts and find more revenue. "One thing that is not in the plan, is not doing anything after the election," said DeJoy, who is set to face questions from the House Oversight Committee on Monday. "It's a really big issue," said Betsy Huber, president of the 150,000-member National Grange, the nation's oldest agricultural and rural public-interest organization. "Our members are very concerned. They're contacting us: What are you doing to save the post office?"

Huber's organization sent out a call to action Tuesday, urging members to contact their congressional representatives and senators. Within the first 24 hours, 600 members responded to say they had been in touch with lawmakers, Huber said. Trump's overwhelming backing in rural communities was critical to his 2016 election, especially in providing the razor-thin margins that allowed him to prevail in Wisconsin, Michigan and Pennsylvania and gain an Electoral College majority.

But Democrat Joe Biden has a lead over Trump in recent polls of those states and other battle grounds. Any weakening of Trump's rural support could be devastating to his reelection, especially since Democrats have made inroads in suburban areas. His standing in rural areas has already diminished as COVID-19 spreads beyond metropolitan areas, the economy weakens and China falls short on promised farm purchases. The president's job approval among rural residents dropped to 53% in a Gallup poll taken July 30-Aug. 12 from 61% in a June 8-30 poll. His rural job approval had averaged 63% this year.

One dramatic way the postal slowdown has hit farmers is a breakdown in a century-old link in the supply chain for smaller poultry producers. Thousands of baby chicks shipped to New England farmers have arrived dead in recent months, a problem Democratic Representative Chellie Pingree has highlighted after many complaints from constituents in her rural Maine district. Newborn chicks can survive 72 hours without food or water and have been shipped by mail since 1918. "In agricultural operations, it's not at all uncommon to receive chicks through the mail, honeybees through the mail and even beneficial insects like ladybugs at organic farms," said Pingree, who owns a small organic farm. "It's also how you might get the part for your tractor when it breaks down and you need it the next day. I guarantee you it's not a FedEx truck that's pulling up at the farm at the end of a dirt road: It's the mail truck."

Democratic challengers have seized on postal problems to attack incumbent Republican senators in close races in heavily rural states where partisan control of the Senate will be determined this year, among them Alaska, Colorado, Montana and Maine. A Democratic political action committee is running an ad blaming Republican Senator Susan Collins for mail delays in her home state of Maine. Post office service delays emerged as a big issue in Montana, where Republican Sen. Steve Daines is facing a strong challenge from the state's Democratic governor, Steve Bullock. "Ballots, medicine, unemployment checks, paychecks – Montanans rely on USPS for all of these critical items," Bullock said amid reports that blue postal collection boxes had already disappeared from the streets of Bozeman and Lewiston.

Democratic challenger John Hickenlooper slammed Colorado Republican Senator Cory Gardner on Twitter and Facebook for failing to "stand up to Trump" for his "horrid" attacks on the postal service and the delayed shipments to veterans. Gardner earlier publicized his role in helping address problems at a local post office but has said little about the current controversy. His office declined to comment. Collins, Daines, Gardner and Republican Sen. Dan Sullivan of Alaska all have joined in backing legislation to give the postal service the full \$25 billion its board of governors has requested. But the Senate is in recess and Majority Leader Mitch McConnell has not scheduled a vote on the bill.

Medication delivery is especially important to many people, particularly older people, who live in remote areas, because, Huber said, they often live far from a pharmacy. She added that even before the pandemic, rural residents also ordered many other goods delivered for the same reason. Nationally, almost 1 in 5 Americans said they were expecting a mail delivery of medication during the last week. One quarter of them experienced a delay or no delivery, according to an Axios-Ipsos poll completed Aug. 17.

Likewise, while high-speed internet is now ubiquitous in metropolitan areas, 22% of rural residents still don't have access to broadband over lines, according to a Federal Communications Commission report earlier this year. "The post office is a high-ranking infrastructure concern of rural voters," said former Democratic Senator Heidi Heitkamp of North Dakota. "I spent a lot of time working on postal issues because it is so important."

Most rural lawmakers have long known that any effort to curtail postal services will turn their constituents "really grouchy" and often have involved themselves in campaigns to save a local facility, said Ross Baker, a political scientist at Rutgers University who studies Congress. "Post offices are almost as important as City Hall," Baker said. "They kind of represent the most benign aspect of government. It's a service that does things for people and asks for very little in return. It's not like the military or the Internal Revenue Service."

– **Bloomberg**

