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The California Legislature wants to give telecom companies a nice big gift: at least \$30 million a year, and perhaps billions of dollars in savings at the direct expense of cities that both rely on the money and use their current leverage to negotiate improved coverage for poor neighborhoods.

Gov. Jerry Brown — or, perhaps more to the point, former Oakland Mayor Jerry Brown — has to stop it. He should veto SB 649, which gives telecoms carte blanche to put their "small cell" antennas on any public property — street lights, public buildings — with a token fee, instead of negotiating with cities for the use of taxpayer-owned facilities.

It's an outrageous giveaway to companies whose profits are in the tens of billions. And it's a slap in the face to California residents and taxpayers, who shouldn't be forced to allow access to public property without just compensation. It will raise serious liability issues, but lawmakers left that up to cities to resolve, even though they took away cities' bargaining power.

The idea is that this break will enable telecoms to fast-track communication improvements and reach more people. But telecoms, unlike nearly all California cities, are rolling in money. This is why lawmakers, looking to their own political futures, favor them. In cities like San Jose, removing cities' right to negotiate placement and compensation will skewer current programs to expand and improve broadband access in poor neighborhoods where telecoms have little interest in investing. Companies can make more money beefing up service in the Almaden Valley than in Alum Rock, or in Lamorinda rather than the flatlands of Oakland.

As the Greenlining Institute, which works for racial and economic justice, says: "SB 649 will not close the digital divide. Instead, it will allow phone and broadband providers to override community decisions about how those communities use public space." No wonder 300 cities and 47 counties opposed the bill. So did several labor organizations and, by the way, the California Department of Finance: "Finance opposes this bill," says its report. "While statewide uniform rules can help the expansion of new technologies, this bill goes too far by usurping city and county zoning authority for infrastructure development, and it potentially imposes reimbursable, state-mandated costs on cities and counties."

By all but giving away public property to for-profit companies, the bill will limit cities' and counties' ability to locate their own communication equipment, including police and fire systems, and equipment from corporate partners helping to equalize Internet access. So it's up to the governor. The former mayor. Brown understands the struggle of poor communities and the importance of local control over public property. Get out the veto pen, Governor. We're counting on you. — *San Jose Mercury News editorial*

For typical cable broadband subscribers, it takes a ton of Internet surfing to exceed their monthly data allowance -- something akin to streaming high-definition video for 21 hours per day. But as cable companies have offered faster Internet speeds, a few of their customers are bumping up against monthly data caps. And now some cable firms are beginning to charge for going over.

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Cox Communications plans to notify San Diego customers this week that it will implement an average charge for those who exceed their monthly allowance of one terabyte of data use. In the past, Cox and other cable providers would throttle speeds but not charge for exceeding data limits. "Operators have tried a lot of different ways of going about this, and in almost all cases, it has been sort of a light touch because they recognize this is an important area for them and they don't really benefit from alienating higher end customers," said Ian Olgeirson, senior analyst with industry research firm SNL Kagan.

Cox, San Diego County's largest cable provider, plans to tack on \$10 for each additional 50 gigabytes of data used beyond a terabyte beginning in December. Cox isn't alone. Comcast and a few other Internet providers nationwide also have begun charging for exceeding data caps. For most cable Internet users, data allowances are so large that subscribers don't come close to going over. But with the emergence of

Netflix and other video streaming services, exceeding the cap is no longer a virtual impossibility.

Just under 2 percent of Cox Communications' subscribers in San Diego blow past their one-terabyte data cap each month, said Spokeswoman Ceanne Guerra. A terabyte is more than 1 million megabytes. To gobble up that much data, subscribers have to watch 140 high definition movies, 100 half-hour TV shows and 1,500 three-minute videos -- as well as listen to 500 hours of streaming music and surf the web for 2,000 hours -- each month.

Cox doesn't monitor how customers use the Internet, so it doesn't know exactly why certain subscribers are surpassing the data cap. Some may be running in-home businesses. Others may see a spike during holidays when relatives and friends tap into their home Wi-Fi router to avoid burning their cellular data plans. "Some people are just heavy users for whatever reason," said Guerra. "But there are some customers, we think, who have in-home Wi-Fi and maybe they have not secured it with a password. So it may be open and other people might be tapping into it."

Today, the average home has about eight devices connected to the Internet. By the year 2021, American households are expected to have more than 13 devices connected to the Internet, according to network equipment maker Cisco. Cisco also estimates that per capita Internet data use in the United States was just under 100 gigabits a month last year. It's expected to rise to nearly 240 gigabits per person each month by 2021. "That's not just home use, it is mobile as well, but for a three or four

person family, you can see how it can amount to a fairly significant amount of data usage,” said Olgeirson, the SNL Kagan analyst.

Faster Internet speeds also enable subscribers to consume more data. “As the operators have moved from 25 megabits per second to 100 megabits per second, 500 megabits or even gigabit speeds, they’ve opened themselves up to these high-end users who will absorb whatever capacity there is with peering services or filing sharing services -- things like that,” said Olgeirson.

Cox offers tools to help customers track and manage Internet use, including a data meter at Cox.com and on the Cox Connect mobile app. The company plans to send email alerts to customers who have used 85 percent or more of their monthly data allowance. The company won’t charge for exceeding data cap until December, said Guerra, to give customer time to figure out how much data they’re using. “We want to let everybody know that they do have this data usage meter available,” she said. “They can check it every day. So they have some time to determine their usage and make changes over the next 60 days.” – *San Diego Union-Tribune*

DirecTV is letting at least some customers cancel subscriptions to its Sunday Ticket package of NFL games and obtain refunds if they cite players’ national anthem protests as the reason, customer service representatives said Tuesday.

Sunday Ticket’s regular policy doesn’t allow refunds once the season is under way. But the representatives said they are making exceptions this season—which began in September—in response to **the protests**, in which players kneel or link arms during the national anthem. Spokesmen for DirecTV-parent AT&T Inc. and the National Football League declined to comment.

The shift is the latest twist in a controversy that has divided the nation after President Donald Trump blasted players who took a knee during the anthem and said they should be fired. He has called on people to walk out of stadiums when players are kneeling. “For people to disrespect that by kneeling during the playing of our national anthem, I think is disgraceful,” Mr. Trump said on Tuesday.

Several teams have issued statements defending the rights of their players to express their opinion. The NFL also has shown solidarity with the players. What began as calls to attention to social injustice for black Americans transformed into something more over the weekend, when more players took a knee in what amounted to a league-wide rebuke of Mr. Trump’s comments.

It isn’t just the political stakes that are high. Football draws the biggest TV audiences of American sports and is a vital income source for a host of major media companies. Sunday Ticket is a major customer draw for DirecTV and one of the NFL’s premier franchises, earning it \$1.5 billion a year in licensing revenue.

A substantial number of cancellations risks further damage as the league tries to rebound in ratings. Viewership fell last year and continues to do so this year. Network executives and league officials attributed last year’s declines in part to viewing competition from the presidential election, consumer distaste with the pace and quality of games, and the anthem protests.

DirecTV service representatives contacted by The Wall Street Journal had different understandings of the policy. One said refunds to those concerned about the anthem protests were only offered to subscribers with certain offers or plans. One representative said full refunds were available for those who complained about anthem protests. Another said such people could only get prorated refunds for the remainder of the season. Yet other representatives said the policy hadn’t changed and that no refunds were allowed for any reason.

However, DirecTV subscribers contacted by The Wall Street Journal showed the satellite broadcaster was offering at least some refunds. Marc Hoffman, a longtime subscriber to Sunday Ticket, which gives sports fans the ability to watch every Sunday game, said in an interview he was able to cancel his subscription and receive a refund on Monday. The package costs around \$280 per season. “I honestly didn’t think I’d get a refund,” Mr. Hoffman said. “I know their guidelines, I just wanted to make a point.”

Chris Baker, who lives in Indiana, reluctantly canceled his Sunday Ticket subscription, but not precisely as a response to the protests. “I explained to them I was tired of politics in sports, and it’s not how I want to spend my Sunday, watching all that transpire,” he said he told a DirecTV representative. He said the representative “insinuated there was a high volume of calls calling into cancel.”

The protests, which started last season when quarterback Colin Kaepernick refused to stand for the national anthem to protest treatment of minorities by police, were a focal point of this past weekend’s games. Mr. Kaepernick, formerly a member of the San Francisco 49ers, remains unsigned, which **many players have attributed to owners blackballing him** in response to his decision to kneel a year

ago. Aside from DirecTV, the NFL-owned channel RedZone, which provides live action and scoring from every game on Sundays, is also experiencing some cancellations due to the protests.

Chuck Plavk, a veteran who resides in Wisconsin, canceled his subscription to the channel from Charter Communications' Spectrum Cable. He said when he called, the customer service representative said, "everybody's calling about that today." Unlike Sunday Ticket, which is only available through DirecTV, RedZone is available through a number of cable providers and streaming outlets. A Charter spokeswoman declined to comment.

AT&T, owner of DirecTV, is trying to push toward completion of its pending \$85 billion merger with Time Warner Inc., currently under review by the government. During this past Sunday, CBS ratings were up slightly compared with the same with a year ago while NBC and Fox were down. ESPN's "Monday Night Football," which featured the popular Dallas Cowboys, was up substantially over last year, when a presidential debate ate into the football audience. – *Wall Street Journal*

