

Communications Daily

THE AUTHORITATIVE NEWS SERVICE OF ELECTRONIC COMMUNICATIONS

TUESDAY, SEPTEMBER 15, 2009

VOL. 29, NO. 177

TODAY'S NEWS

CELLPHONE-CANCER RESEARCH

needed, especially concerning children, say experts at Senate hearing. CTIA calls phones safe. (P. 1)

EQUAL-ACCESS SCRIPTING rule's end sought by ILECs, cable competitor. (P. 2)

T-MOBILE/SPRINT MARRIAGE rumors re-emerge. Regulatory hurdles uncertain. (P. 4)

TELECOM NOTES: Sprint affiliates seek to block Virgin Mobile acquisition ... Clearwire CEO meets with Genachowski ... Avaya high bidder for Nortel's enterprise business. (P. 6)

MEDIA NOTES: MAP wants FCC to collect more broadcast, cable data ... CBS, Chellomedia start U.K. venture ... ACA fears 'closed Internet' ... WKYT seeks DTV channel change. (P. 8)

More Study Needed of Handsets and Cancer, Experts Say at Hearing

Several medical experts said additional research is needed on whether cellphone use is connected with cancer, especially in children. Most said at a Senate hearing Monday that to minimize any risk it would be prudent to use a headset when making a mobile call. Linda Erdreich, the only scientist who disagreed and thinks there's no health risk, told the hearing said she appeared at the CTIA's request. The association has paid Erdreich for some of the work she has done on the subject, she told us after the hearing.

Sen. Tom Harkin, D-Iowa, the chairman of the Appropriations Health Subcommittee, told reporters after the hearing that he supports the call for more research. But he offered no specifics on how Congress could bring it about. "It is not the intention of this subcommittee to create undue alarm," Harkin had said at the start of the hearing, held at the request of Sen. Arlen Specter, D-Pa., a subcommittee member who has had Hodgkin's lymphoma, a cancer. Specter, who questioned the scientists at length, said he's intent on finding out the state of research and whether more needs to be done to learn whether there's a link between cancer and cellphones.

whether there's a link between cancer and cellphones.

"What comes through to me is that we just don't know what the answer is," Specter said. Phone companies should "study the testimony very carefully," he said. "More is to follow." Erdreich, a senior managing scientist with Exponent consulting's Health Sciences Center for Epidemiology, said most of the evidence doesn't indicate that wireless phones cause cancer or other harm to health. "Several scientific organizations have reviewed" the research on health effects, she said. "While the specific conclusions vary," the reports reach similar conclusions that there's no link, Erdreich said.

CTIA President Steve Largent said the industry is "deeply committed to safety and to providing timely, accurate information to consumers about wireless phones." Studies by "impartial groups" have concluded that the phones don't harm health, he said. "All wireless devices must adhere to strict emissions guidelines in the United States, which have been developed under a thorough and rigorous review process," Largent said. "All wireless base station antennas and phones must meet the science-based RF emission guidelines" of the FCC, "which has established very conservative limits to ensure that the health of all citizens is protected," he said.

“There potentially is a greater risk” for children that use cellphones, said John Bucher, associate director of the National Toxicology Program. But more data are needed to determine whether there are risks to humans from the radiation produced by cellphones, he said. The program is running a three-phase study with animals that’s expected to be finished in 2014, Bucher told the subcommittee. “Collectively, these rodent studies ... will provide critical information regarding the safety of exposure to radiofrequency radiation,” paving the way for determining potential health risks to humans, he said.

Specter pressed Bucher to make recommendations based on concerns raised by previous research. Bucher agreed with other panelists that use of earphones might be a good idea. Specter pushed Bucher to provide more “definitive” research, and he agreed to follow up with the subcommittee with a written response. But when Specter pressed Bucher on whether he thinks warnings should be issued to parents, as another panelist recommended, he said, “I don’t think we’re in a position yet to make that recommendation.”

Cellphones should come with labels warning that children’s brains need special protection, said Devra Davis, a professor of epidemiology at the University of Pittsburgh. The labels also should tell users not to keep phones on the bodies and to use earphones or speakerphones instead of holding the devices to the ear, she said. “Children should be encouraged to text and not use phones next to their heads,” Davis said. She recommended that the industry impose a \$1 user fee on every cellphone the next three years to pay for independent research. “We can and must do better” in determining whether the phones are safe, she said.

“I am getting some curious information today that there are some studies” indicating that some people who have been exposed do have higher levels of brain or other cancers, Harkin said. “I will still use my cellphone after the hearing ends, and I suspect that everyone else here will as well,” he said. To be determined is whether additional appropriations should be made to study the issue, Harkin said. -- *Anne Veigle*

‘Useless’

Carriers Condemn Equal-Access Scripting Rule

Competition has removed need for a rule requiring incumbents to tell consumers that they have a choice of long-distance providers, incumbent local exchange carriers and one competitor said in comments last week on a USTelecom petition. The equal-access scripting rule, which also requires ILECs to read potential customers a randomized list of stand-alone wireline providers on request, applies only to small and midsized companies.

Carriers called the rule pointless and burdensome. The requirement doesn’t apply to wireless, cable or VoIP carriers, and in 2007 the FCC granted Qwest, Verizon and AT&T forbearance relief in an order easing structural rules for the companies. The commission didn’t extend relief to small and midsized ILECs, pointing to “the potential for significant differences in competitive circumstances and the lack of record with regard to non-BOC-affiliate, independent incumbent LECs.”

The scripting rule is a relic of the 1980s, designed after the Bell breakup “to introduce long distance competition to consumers,” the National Exchange Carrier Association and three other groups of small rural carriers said in joint comments. Now competitors have huge ad budgets, they said. “It is difficult to imagine at this point that consumers in any area need to be told by their local telephone company that they have ‘choices’ in long distance service providers.”



More and more, the quality of life depends on your connections.

Access to the Internet is no longer a luxury. It's how we access education, find jobs, and connect with family and friends. It drives innovation, creates investment, and builds a stronger community.

With 47% of English speaking Hispanics (compared to 32% of all adults) accessing the Internet on a mobile device,* America's Hispanic community is redefining what it means to be connected.

As part of this effort, AT&T is proud to be a leader in providing wireless voice and data services. Bringing the power of the Internet to everyone — no matter where they live or where they go.

Expanding our high-speed wireless network is just one of the ways AT&T is working to bring the benefits of the Internet to more of America.

Read our 100 Percent Broadband by 2014
Proposal at att.com/public-policy.



*Source: "Wireless Internet Use," Pew Internet & American Life Project, July 2009.
© 2009 AT&T Intellectual Property. All rights reserved. AT&T and the AT&T logo are trademarks of AT&T Intellectual Property.

Today's long-distance market is teeming with competitive LECs, wireless carriers, cable and VoIP companies, said the Independent Telephone & Telecommunications Alliance. The group represents mid-sized ILECs. "Not only is the market for long distance competitive, but it has arguably been eclipsed by a market for distanceless services, in which toll boundaries are invisible to consumers who purchase service bundles that include local and long distance services (often of unlimited volumes) at a flat monthly rate," the Alliance said.

The rule is particularly burdensome to small carriers, which don't have many employees, the rural associations said. The scripting rule "creates unnecessary costs for carriers: compilation of lists; rotation of lists; training of personnel; and, opportunity costs of time and expense devoted to this requirement," the Alliance said. "Although these requirements may have been useful in developing the current competitive market, that goal has been achieved and these burdensome preparatory steps, now useless, should be discarded."

Even competitor Time Warner Cable called for the rule's end. The cable company also asked the FCC to affirm that the rule doesn't apply to competitive providers. "Market forces already have produced the results that the equal access obligations sought to achieve -- namely, lowering prices and improving service quality for competitive long distance services." -- Adam Bender

Network Difference Cited

Many Hurdles Seen in Potential T-Mobile Purchase of Sprint

T-Mobile USA's parent company, Deutsche Telekom, is reportedly preparing a bid for Sprint Nextel. Sprint would presumably be folded into T-Mobile USA. London's *Sunday Telegraph* reported that Deutsche Telekom has hired Deutsche Bank to explore a bid for Sprint. A deal would face tough scrutiny and network

Communications Daily

(ISSN 0277-0679)

PUBLISHED BY WARREN COMMUNICATIONS NEWS, INC.

Michael Feazel Managing Editor
 Howard Buskirk Associate Managing Editor
 Anne Veigle Associate Managing Editor

Warren Communications News, Inc. is publisher of Communications Daily, Warren's Washington Internet Daily, Consumer Electronics Daily, Green Electronics Daily, Washington Telecom Newswire, Telecom A.M., Television & Cable Factbook, Cable & Station Coverage Atlas, Public Broadcasting Report, Satellite Week and other special publications.

Send news materials to: newsroom@warren-news.com

Copyright © 2009 by Warren Communications News, Inc.
 Reproduction in any form, without written permission, is prohibited.

EDITORIAL & BUSINESS HEADQUARTERS
 2115 Ward Court, N.W., Washington, DC 20037
 Phone: 202-872-9200 Fax: 202-318-8984
www.warren-news.com
 E-mail: info@warren-news.com

WASHINGTON HEADQUARTERS

Albert Warren
 Editor & Publisher 1961-2006

Paul Warren Chairman and Publisher
 Daniel Warren President and Editor
 Michael Feazel Executive Editor
 Howard Buskirk Senior Editor
 Anne Veigle Senior Editor
 Dinesh Kumar Senior Editor
 Jonathan Make Senior Editor
 Greg Piper Associate Editor
 Josh Wein Associate Editor
 Adam Bender Assistant Editor
 Yu-Ting Wang Assistant Editor
 Leslie Cantu Assistant Editor
 Tim Warren Assistant Editor

Dawson B Nail Exec. Editor *Emeritus*
 Louis Trager Consulting News Editor
 Dugie Standeford European Correspondent
 Scott Billquist Geneva Correspondent

Television and Cable Factbook

Michael Taliaferro Managing Editor & Asst. Pub.
 Gaye Nail Assoc. Managing Editor
 Susan C. Seiler Asst. Managing Editor
 Kari Danner Sr. Editor & Editorial Supervisor
 Colleen Crosby Sr. Editor & Editorial Supervisor
 Bob Dwyer Sr. Research Editor
 Marla Shepard Senior Editor

Business

Brig Easley Exec. VP-Controller
 Deborah Jacobs Information Systems Manager
 Gregory Jones Database/Network Manager
 Gina Storr Director of Sales & Marketing Support
 Katrina McCray Sr. Sales & Mktg. Support Specialist
 Greg Robinson Sales & Marketing Support Assistant
 Loraine Taylor Sales & Marketing Support Assistant

Sales

William R. Benton Sales Director
 Agnes Mannarelli National Accounts Manager
 Jim Sharp Account Manager
 Brooke Mowry Account Manager
 Norlie Lin Account Manager

NEW YORK BUREAU

276 Fifth Ave., Suite 1002, N.Y., N.Y. 10001
 Phone: 212-686-5410
 Fax: 212-889-5097

Paul Gluckman Bureau Chief
 Stephen A. Booth Senior Editor
 Mark Seavy Senior Editor
 Jeff Berman Senior Editor
 Razia Mahadeo Editorial Asst.
 Barry Fox Contributing Editor
 Laura Heller Contributing Editor

Dir. of Advertising: Richard Nordin
 Phone: 703-819-7976
 Fax: 202-478-5135

E-mail recipients: By using our e-mail delivery service, you understand and agree that we may use tracking software to ensure accurate electronic delivery and copyright compliance. This software forwards to us certain technical data and newsletter usage information from any computer that opens this e-mail. We do not share this information with anyone outside the company, nor do we use it for any commercial purpose. For more information about our data collection practices, please see our Privacy Policy at www.warren-news.com/privacypolicy.htm.

and financial challenges, experts said. The deal would be the first major wireless merger to go to the FCC under Chairman Julius Genachowski.

A wireless-industry attorney said T-Mobile's taking over Sprint has been the subject of a recurring rumor. "If it does get announced, it will be interesting to see whether the FCC under Genachowski will take a tougher line on mergers and what kind of conditions will be imposed," the attorney said. The commission is considering the much smaller AT&T acquisition of Centennial (CD Jan 21 p 4).

Federal regulators probably would be "very, very diligent" in reviewing a Sprint takeover, said John Mayo, a Georgetown University economics professor. The new leaders of the Department of Justice and the FCC have clearly indicated that the agencies are on heightened alert concerning consolidation, he said. "We have two very conscientious and very deliberate regulatory agencies" that would scrutinize a merger very carefully, he said.

The size of the merger is an issue. Justice Department data on similar industries show that most deals this size have been rejected, said analyst Craig Moffett of Bernstein Research. And Justice and the FCC are already investigating possible anti-competitive behavior in the wireless industry, he noted. On the other hand, a stronger "third place" carrier would gain strong support as a check on "duopolization" of the market by AT&T and Verizon, he said.

Sprint's contracts with federal government would make foreign ownership a sensitive issue, since the German government owns about one-third of Deutsche Telekom, said J.P. Morgan analyst Haines Witting. "As such, conditions could be imposed which would diminish potential synergies."

Another complication is that Sprint runs a CDMA network, with idea holdings left over from Nextel. T-Mobile is a G.M. carrier. Combining the networks could be more complicated than in any of the wireless mergers that have been completed, sources said. The companies would have to build a single platform to create savings, and they could lose some market share to rivals as they focus on the complicated integration, said Piper Affray analyst Chris Larsen. Further, T-Mobile USA, like its parent, is moving to LTE for its 4G network. Sprint is committed to WiMax.

John Hodulik of UBS said a deal is unlikely considering the "significant negative impact it would probably have on Deutsche Telekom's financials." But Daiwa Securities analyst Michael Kovacocoy said a deal would make sense for Deutsche Telekom because it faces an "impending significant deterioration" in its U.S. operations from the dollar's weakness and T-Mobile USA's relatively small size. The revival of the long-standing rumor shouldn't be dismissed quickly, he said. -- *Yu-Ting Wang, Howard Buskirk*

Comm Daily® Notebook

The House Judiciary Committee began circulating updated draft satellite reauthorization legislation Monday in advance of a planned markup Wednesday. Broadcasters and the DBS industry came to agreements on several contentious issues, several sources familiar with the situation told us. The broadcasters have agreed to allow the legislation to lift Dish Network's "death penalty," a court ruling that left the company unable to transmit distant-signal programming, in exchange for local-to-local coverage in all 210 designated market areas, a source said. The two sides also agreed that after three years, satellite TV companies will not be able to treat markets as unserved if there's a multicast signal, a source said. Once Judiciary votes on its version of the bill, it would go to the Commerce Committee and the full House before it could move to the Senate. Judiciary and Commerce Republican staff met to discuss the legislation Monday, several sources said. In addition,

Chairman John Kerry, D-Mass., is said to be considering a hearing on the legislation Oct. 8 in the Communications Subcommittee, several sources said. -- *TW*

Federal CTO Aneesh Chopra headlines an FCC broadband workshop Tuesday on health care. The workshop is schedule for 1:30 p.m. at FCC headquarters.

Broadband Stimulus Notes

Anticipation is high for the NTIA and the RUS to reveal first cuts in round one of the broadband-stimulus awards. The notice of funding availability required agency to announce initial eliminations “no sooner than September 14, 2009.” Spokesmen for the agencies said Monday they had nothing to announce. -- *AB*

More workshops and outreach are on the horizon as the NTIA and the RUS prepare another notice of funds availability for the next round of grants in November, RUS Administrator Jonathan Adelstein said Monday at a National Telecommunications Cooperative Association conference in New York City. Workshops will allow the agencies to gather information and “make sure we do this right,” Adelstein said. The agencies “want to obligate funds and get them out the door by the end of the year,” he said. The administration wants to hear from NTCA members and others, so it can get an accurate picture of unserved and underserved areas, he said. Adelstein said he plans to see broadband projects around the country, so “I may be coming to a town near you soon.” Without broadband, rural Americans are falling behind, the former FCC commissioner said. “Broadband is today’s rural platform by which we can raise the standard of living for every American, just as electricity was a century ago.”

Wireline

Policymakers should set up a new Universal Service Fund program to provide broadband to low-income consumers, said the Organization for the Promotion & Advancement of Small Telecommunications Companies. In a statement Monday about state regulators’ Lifeline Awareness Week (CD Sept 11 p15), OPASTCO President John Rose said poverty is a major reason that some Americans lack broadband. “A successful national broadband policy must recognize the need to connect low-income consumers and provide a mandate to ensure that everyone everywhere receives broadband services and the benefits these services provide.”

The FCC Enforcement Bureau dismissed a complaint by payphone agent APCC against Pulsar Communications for apparent lack of interest on both sides. APCC had alleged that Pulsar failed to pay dial-around compensation owed to certain pay providers. Pulsar failed to respond to FCC letters about the complaint, and APCC never filed a motion for default judgement or withdrawal, the bureau said: “The facts here demonstrate that APCC has abandoned its complaint against Pulsar.”

Wireless

Three Sprint Nextel affiliates owned by iPCS went to court to stop Sprint's proposed purchase of Virgin Mobile. The companies had filed similar lawsuits seeking to block the Sprint Nextel merger and the carrier's WiMAX partnership with Clearwire. The Virgin Mobile acquisition would "breach the iPCS Affiliates' Management Agreements with Sprint, under which Sprint or its Related Parties cannot compete against iPCS Affiliates in their exclusive service areas," iPCS said in an announcement Monday of the complaint, filed in

Cook County Superior Court in Illinois. "Upon completion of Sprint's acquisition of Virgin Mobile, Sprint will be selling its own services to the public directly in competition with the iPCS Affiliates, thus violating those very same Agreements." The cases were filed by Horizon Personal Communications, Bright Personal Communications Services and iPCS Wireless.

Clearwire said in an ex parte filing that CEO Bill Morrow and others from the company met with FCC Chairman Julius Genachowski and some of his senior advisers. "During the meeting, the participants generally discussed Clearwire's recent rollout of its 4G WiMAX network in Portland, Ore., Las Vegas, New York and Atlanta and its publicly announced plans for deploying service in additional markets," the company said. Clearwire said it also discussed "its commitment to operating a network based upon an open platform that permits consumers to bring their choice of applications and devices to the network."

The Los Angeles County Sheriff's Department dropped a 2007 request for an FCC waiver for a "garage door overmaster" that police could use to enter barricaded homes.

An Internet company hopes to make Apple reconsider its ban on porn-related applications for the iPhone. Investment firm AdultVest's iPorn will dispatch its "open-minded iPorn girls" to Cupertino, Calif., in the next few weeks "with hopes of negotiating a mutually beneficial partnership," the company said in an announcement full of double entendres. The iPorn girls, driven by a horse and carriage, also crashed Apple's developer conference in June. As with most Web sites that aren't running Flash or other incompatible software, iPorn.com is viewable on the iPhone through its browser, but iPorn called that "too much of a hassle" for users. The company suggested it will offer some sort of age verification system to restrict access to the proposed iPorn app, but we couldn't reach iPorn to clarify what it meant by "an app that is accessible only to adults." Conceivably, it could be a paid download that requires a credit-card transaction, a mechanism that has been struck down in court as interfering with adults' rights.

Clearwire and WiMAX operators UQ Communications of Japan and Yota of Russia signed a memorandum of understanding as a foundation for roaming agreements among them, the companies said. They plan to work with Global Alliance Partner Program members and other WiMAX service providers to increase the number of countries that support international WiMAX roaming. The companies also agreed to support the WiMAX Forum's roaming guidelines.

Canadian carrier Rogers Wireless said it's offering High Speed Packet Access Plus (HSPA+) service in Vancouver, Calgary, Toronto, Ottawa and Montreal, clocking in at maximum speeds of 21 Mbps. Rogers said it plans to extend HSPA+ over the coming months to additional cities across the country.

State Telecom Activities

The California Supreme Court agreed to review an appeals court ruling that a taxpayer challenging a Los Angeles tax on phone users could sue on his own behalf but not bring a class action. Estuardo Ardon had argued that the tax is unconstitutional because it wasn't approved by two-thirds of voters, as required by the state constitution, and that he and others "similarly situated" are due a refund. The city said class actions can't be brought against local taxes. Ardon's supporters include the Tax Foundation, which said allowing him file a class action would save time and money. "Unless class actions are permitted in refund cases, the hurdles of legal process may deter taxpayers from pursuing refund claims, permitting governments to keep the proceeds of illegally collected taxes and providing an incentive to levy them," the foundation said. The high court's de-

cision Wednesday rebuffed the League of California Cities and California Special Districts Association. They said in an August brief that the 2nd District Court of Appeal had correctly found in *Ardon v. Los Angeles* that "class claims" for local tax refunds aren't allowed without a law to the contrary. By overruling a lower court's decision allowing such claims, the appeals court "restored uniformity" consistent with the state constitution and code and with a 1992 state Supreme Court ruling in *Woosley v. California*, the municipal groups said. Local government relies on phone and other tax revenue to do its job, and "unauthorized 'class' tax refund claims are a serious threat to all governmental entities' ability to fulfill these responsibilities," the amicus brief said. A Supreme Court representative said the case may not go on the calendar for months.

Virginia's Corporation Commission said it updated its local phone service rules. The changes, which take effect Nov. 1, cover out-of-service reports and service installation orders. They say most customers should expect to have service restored within 48 hours. The limit is 96 hours. A customer who mentions a medical need should expect to have service back within 24 hours, the commission said. Providers have 24 hours to restore service after a complaint is filed about a failure. Most orders should be completed within five business days, and customers should expect installation commitments to be met, the commission said. A provider has five business days after a complaint to complete an installation order. Local exchange carriers periodically must include on their bills information that customers need to file service complaints with the commission. "The commission expects local phone companies to perform at these levels as a floor, and hopes that as a matter of competitiveness they'll try to do better than that," a spokesman told us. "If a company consistently doesn't meet these standards, and complaints result, there will be a whole process with evidentiary hearings and testimony from the commission's staff and a rebuttal by the company, out of which will come a decision."

California's Public Utilities Commission said it's offering a free DVD on its programs, how to file complaints and how to participate in commission proceedings. The commission's purpose and the ways to file standard and expedited complaints and protests are covered, along with alternative dispute resolution. The DVD, which includes forms and other materials, is subtitled in English, Chinese and Spanish. The content appears online, without subtitles, at www.cpuc.ca.gov/PUC/news. "The DVD will help consumers learn more about the CPUC and the programs and services we offer," commission President Michael Peevey said Thursday. "I hope it will also encourage consumers to participate in our proceedings and lend their voices to our decision-making."

Telecom Notes

Avaya won an auction for Nortel's Enterprise Solutions division with a \$915 million bid, Nortel said. The seller said it will receive \$900 million in cash plus \$15 million for an employee-retention program. The sale requires court approvals in the U.S., Canada, France and Israel and regulatory approvals and must meet other standard closing conditions. The company expects to close the sale this year, Nortel Enterprise Solutions President Joel Hackney said on a conference call Monday. The time that passed before the auction reflected the complexity of the business, he said. -- YW

Broadcast

Gray Television has asked the FCC for permission to change the DTV channel of another station from VHF to UHF. A Media Bureau rulemaking notice Monday sought comment on the request to move WKYT-TV Lexington, Ky., to 36 from 13. It's the market's only station in VHF. The notice said WKYT told the commission that

since ending analog service April 16 the station has received “an outpouring of calls and e-mails from viewers having difficulty getting the station’s over-the-air signal,” even some from neighborhoods which had been expected to get “robust” DTV reception. Gray’s request had been expected (CD Aug 19 p3).

CBS Studios International and Chellomedia agreed to start a U.K. joint venture to create CBS-branded channels from six Chello Zone networks, they said Monday without releasing the other terms. The Chello Zone channels reach 13 million homes. Chellomedia will continue running them, but CBS representatives will join members from the programmer on a new board.

Cable

The American Cable Association discussed with FCC officials concerns about the “closed Internet” business models of services including Disney’s ESPN360. The group met last week with Media Bureau Chief Bill Lake and aides to FCC Commissioner Meredith Baker, said ex parte filings. President Matt Polka and association colleagues also brought up with Lake “issues relating to the bundling of video programming by programmers” (CD Aug 27 p7), a filing said.

Cox Communication’s Travel Channel agreed to use thePlatform to manage and publish broadband video on the Internet and on mobile devices, they said on Monday without releasing details of the deal. The cable channel will use the vendor’s media publishing system to help distribute short-form programming and for syndication to third-party Web and mobile sites.

A group representing small cable operators stressed to FCC Media Bureau officials the importance of waivers that allow companies like theirs to more quickly move their systems to all-digital by using inexpensive set-top boxes (CD Aug 26 p6). American Cable Association executives met last week with Bureau Chief Bill Lake and a deputy, Bill Ratcliffe, an ex parte filing said. “Such waivers will enable small cable operators to offer the services that their consumers want, including more high-definition channels and faster broadband speeds.”

Comcast has started carrying Outdoor Channel HD in some Oregon and Washington cable systems including in Portland, the companies said on Monday. The carriage began Sept. 1, and the same day the Outdoor Channel expanded its distribution on the systems. The rest of the deal’s terms weren’t released.

Mass Media Notes

Media Access Project officials last week discussed the FCC’s policies on collecting broadcast and cable ownership data with Office of Strategic Planning Chief Paul de Sa. They asked the commission to “reconsider its practice of reliance on data supplied by third-party data aggregators and reporting agencies,” an ex parte filing said. There are “problematic aspects of reliance on unverified and industry-supplied data” in broadcast and cable ownership and other matters, it said.

Block Communications’ below-investment grade credit rating of Ba3 was affirmed based on the company’s “strong cable operations” and “diversified” media assets, Moody’s said. “Ongoing changes in media consumption habits also continue to pressure newspaper revenue and cash flow, and the advertising-reliant publishing and broadcast segments continue to expose the company to economic cycles.”

Satellite

The House Judiciary Committee began circulating updated draft satellite reauthorization legislation Monday in advance of a planned markup Wednesday. Broadcasters and the DBS industry came to agreements on several contentious issues, several sources familiar with the situation told us. The broadcasters have agreed to allow the legislation to lift Dish Network's "death penalty," a court ruling that left the company unable to transmit distant-signal programming, in exchange for local-to-local coverage in all 210 designated market areas, a source said. The two sides also agreed that after three years, satellite TV companies will not be able to treat markets as unserved if there's a multicast signal, a source said. Once Judiciary votes on its version of the bill, it would go to the Commerce Committee and the full House before it could move to the Senate. Judiciary and Commerce Republican staff met to discuss the legislation Monday, several sources said. In addition, Chairman John Kerry, D-Mass., is said to be considering a hearing on the legislation Oct. 8 in the Communications Subcommittee, several sources said. -- *TW*

Bolivian President Evo Morales Ayma pressed for approval of a satellite orbital slot at a meeting Sunday with ITU Secretary-General Hamadoun Touré, the ITU said. A satellite would allow for increased telecommunications and Internet access, which would help reduce poverty in Bolivia, the president said. The orbital position is extremely popular and "complex coordination" is required to avoid interference, the ITU said, and the organization, the Bolivian government and industry representatives will meet to find the best technical solutions. The Bolivian president probably will announce the launch date by October 2010, the ITU said. The Bolivian regulator once licensed broadband wireless access above 3.7 GHz, but it interfered with fixed satellite, said a source involved in regulatory matters who isn't authorized to talk with reporters. The operation was since moved below 3.7 GHz without further reports of interference, he said. The fixed-satellite industry "may want to use this to show how critical it is for them to have access to the entire 'C' band," he said.

Astra Broadband Services, Pirelli Broadband Solutions and Nokia Siemens Network finished testing home 3G and data services using the Astra2Connect satellite broadband platform, the SES Astra subsidiary said. The system uses Pirelli's 3G femtocell gateway attached to an Astra2Connect satellite modem, and it works well in places without terrestrial broadband, it said.

Galaxy Backbone will use two SES World Skies transponders for communication technology services in Nigeria, SES said. The multiyear deal will help Galaxy Backbone provide broadband and videoconferencing in many places without connections. The transponders are on SES's Astra 2B satellite.

Dutch satellite TV company Canal Digitaal extended its contract with SES Astra for the use of a transponder, SES said Monday. Canal uses six of SES's transponders for its more than 900,000 subscribers. The financial terms weren't released.

Communications Personals

New at LTE startup AirHop Communications: **Garrett Choi**, ex-Continuous Computing, as chief operating officer; **Jerry Hall**, ex-PriveSec, as vice president-marketing; **Anand Parikh**, ex-Cartiza Networks, vice president-business development ... Additions to Wiley Rein communications practice: Former associate **William Consovoy** returns as partner after clerking for Supreme Court Justice Clarence Thomas; **Claire Evans**, ex-clerk to Justice Thomas, associate; **Brendan Carr**, ex-clerk to 4th U.S. Circuit Court of Appeals Judge Dennis Shedd, associate; and **Michael Connolly** ex-clerk to 10th U.S. Circuit Court of Appeals Judge Jerome Holmes, associate ... Ikanos names **Debajyoti Pal**, ex-Tallwood Venture Capital, chief technology officer ... **Matthew Wood**, ex-Hogan & Hartson, joins Media Access Project as associate director.