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Regulatory Review

The Miller Isar, Inc. Regulatory Review is a monthly report designed to provide clients with information regarding regulatory and policy matters that may impact their business operations. The Regulatory Review is provided for informational purposes only and does not constitute legal opinion or legal counsel.

FEDERAL NEWS



4Q USF SUPPORT MECHANISM CONTRIBUTION BASE FILED – CONTRIBUTION FACTOR SET

On September 1, 2017, the Universal Service Administrative Company (USAC) submitted the [Federal Universal Service Support Mechanism Quarterly Contribution Base](#) for Fourth Quarter 2017. USAC projected the Fourth Quarter 2017 collected interstate and international end-user revenue base at \$13,025,590,609. This is a reduction from \$13,110,461,173 in the Third Quarter. The Contribution base was used in determining the contribution factor for the federal Universal Support Mechanisms. On September 12, 2017, the Commission [announced](#) that the proposed Fourth Quarter Universal Service Fund Contribution factor will be 18.8 percent. (DA No. 17-884) (Docket No 96-45)

COMMISSION SEEKS INTERCARRIER COMPENSATION REFORM UPDATE

On September 8, 2017, the Commission issued a [Public Notice](#) inviting comments to update the record on issues raised by in the Commission's 2011 Intercarrier Compensation Transformation [Report and Order and Further Notice of Proposed Rulemaking](#). Specifically, the Commission has requested comment regarding what constitutes the network edge for traffic that interconnects with the public switched network, as well as comments regarding tandem switching and transport, and transit traffic - non-access functional equivalent of tandem switching and transport. The Commission also invited comments to update the record on intercarrier compensation generally. On September 26, 2017, the Commission released a second [Public Notice](#) announcing the following publication of the Public Notice in the *Federal Register* comments are due October 26, 2017 and reply comments are due November 13, 2017.

PAPERWORK REDUCTION ACT COMMENTS ON BUSINESS DATA SERVICES INFORMATION COLLECTION DUE OCTOBER 16

On September 14, 2017, the Commission published a [Notice](#) in the *Federal Register*, requesting Paperwork Reduction Act comments on a revised information collection associated with the Commission's Business Data Services [Order](#). The information collection reforms the business data services/special access regulations for incumbent and competitive LECs. Comments are due October 16, 2017.

FORMAL COMPLAINT STREAMLINING PROCESS NPRM RELEASED

On September 18, 2017 the Commission released a [Notice of Proposed Rulemaking](#), to request comment regarding creation of a uniform set of procedural rules for certain formal complaint proceedings. Under the proposed amendments, complaints currently subject to Market Disputes Resolution Division and Telecommunications Consumers Division review would be delegated to the Enforcement Bureau. According to the Commission, three separate sets of procedural rules currently govern such proceedings. According to the Commission, the rules are incongruent and lead to confusion. The NPRM proposes to consolidate and streamline the procedural rules governing formal complaints filed under section 208, pole attachment complaints filed under section 224, and formal advanced communications services and equipment complaints filed under

sections 255, 716 and 718. The NPRM was [published](#) in the Federal Register on September 26, 2017. Comments are due October 26, 2017; replies are due November 13, 2017.

LEVEL 3 FILES FORMAL COMPLAINT AGAINST AT&T OVER TANDEM SWITCHED TRANSPORT CHARGES

On September 13, 2017 the Enforcement Bureau issued a [Notice of Formal Complaint](#) to AT&T notifying the Company of a Level 3 [Complaint](#) filed on September 12, 2017. In its Complaint, Level 3 alleges that AT&T is not complying with section 51.907(g)(2) of the Commission's intercarrier compensation rules because AT&T is only applying the rule if a call traverses a tandem switch owned by a price cap carrier and the price cap carrier is also the terminating carrier. Section 51.907(g)(2) requires price cap carriers to transition to bill-and-keep for tandem-switched transport access services for calls that traverse a tandem switch that is owned by the terminating carrier or its affiliates. According to Level 3, AT&T includes traffic that traverses a tandem switch owned by an AT&T price cap carrier and terminates with an AT&T affiliate, whether it is an AT&T ILEC, CLEC, VoIP provider or wireless carrier. Level 3 maintains that the tariff revisions AT&T filed to comply with this year's terminating access charge rate reductions are unlawful, contravene the Commission's policy objectives, and harm Level 3 and other competitive providers to the detriment of customers.

BEFORE CONGRESS

DEMOCRATS INTRODUCE \$40B BROADBAND INFRASTRUCTURE PROPOSAL

House and Senate Democrats have [announced](#) a [proposal](#) to provide \$40B in federal investment in broadband infrastructure to bring broadband access to 98% of Americans. Sponsors said they plan to include the proposal in any infrastructure or appropriations bill introduced in 2017 or 2018. Their "A Better Deal: Universal High-Speed Internet" proposal includes direct federal support for a universal Internet grant program to close the last mile gaps, to be distributed on a technology- and provider-neutral basis. The proposal would also include grants for upgrading critical public safety infrastructure and implementing next-generation 911 services. The plan was unveiled at a Capitol Hill press event by Debbie Stabenow (D. MI), Jon Tester (D. MT), Joe Manchin (D. WV), and Edward J. Markey (D., MA) and Representatives Cheri Bustos (D. IL), Terri Sewell (D. AL), Rick Nolan (D. MN), and Ann Kuster (D. NH). In May House Energy and Commerce Committee Democrats introduced the "Leading Infrastructure For Tomorrow's America Act (HR 2479), which would provide expanded funding for essential infrastructure improvements, including \$40 billion for broadband networks. In January, Senate Democrats had proposed a "blueprint" calling for allotting \$1 trillion in federal funding over 10 years to various types of critical infrastructure projects, including \$20 billion to expand rural broadband facilities.

IN THE COURTS

BROADBAND PROVIDERS-GROUPS PETITION SUPREME COURT FOR OPEN INTERNET ORDER REVIEW

Separate petitions for review of the Commission's 2015 Open Internet Order have been filed with the U.S. Supreme Court by [American Cable Association](#) (ACA), AT&T, Inc., CTIA, [NCTA](#), the [U.S. Telecom Association](#), and VCVX founder [Daniel Berninger](#). ACA argued that the U.S. Court of Appeals, which [upheld](#) the Commission's decision to reclassified broadband Internet access service, including mobile broadband, as a telecommunications service subject to common carrier regulation under Title II of the 1934 Communications Act, as amended, and adopted rules against blocking, throttling, and paid prioritization, had misread the U.S. Supreme Court's "Brand X" decision. According to ACA, "This Court held that the FCC could treat that wire-transport component as part of the 'information service' (as part of Internet access) rather than separately regulating it as a basic telecommunications service. But the Court nowhere held that the portion of Internet access that is unambiguously an 'information service' - the processing at the provider's premises that affords customers the capability of 'generating, acquiring, storing, * * * or making available information via telecommunications,' 47 U.S.C. §153(24)-could be re-categorized into something other than an information service." AT&T also argued that the D.C. Circuit based its decision on "a fundamental misreading of Brand X," arguing that the 2004 "Brand X" decision "affirmed the FCC's discretion only to decide whether a broadband Internet Service Provider can be said to offer consumers (1) only an information service (Internet access bundled with broadband transmission) or (2) both an information service (Internet access) and a separate telecommunications service connecting the end user to the ISP facilities (broadband transmission)." In its petition CTIA stated that it "agrees with other petitioners that this Court should review whether the FCC unlawfully reclassified broadband Internet access service as a 'telecommunications service,' but it also argued that the classification of mobile broadband Internet access as a telecommunications service was unlawful. NCTA maintained that, "Congress never entrusted the Commission with the extraordinary authority to subject broadband providers



to Title II of the Communications Act of 1934.” USTelecom, joined by CenturyLink, Inc., stated that a central and recurring issue was “the D.C. Circuit’s decision to defer to an FCC ruling arrogating to itself vast regulatory power over a large and growing sector of the U.S. economy, without any indication, much less the clear indication required by this Court’s cases, that Congress intended to empower the Commission to make such a change.” USTelecom, and CenturyLink, Inc. maintained that “the Court should grant review and hold that deference is inappropriate in such circumstances, so that, in the future, the federal courts ensure that Congress, and not a group of unaccountable bureaucrats, makes such fundamental policy determinations.” Mr. Berninger argued that, “Review by this Court is appropriate when a federal agency claims new authority to regulate such an important tool for Freedom of Speech.” The Commission’s proceeding to overturn the Open Internet Order remains pending, though when asked about the proceeding, Chairman Pai declined to provide a timeline for conclusion of the proceeding.

STATE REGULATORY NEWS



CALIFORNIA – Communications Interruption, Ex Parte, and Commission Reform Bills Pass

AB 1034, a measure that prohibits any government entity or service provider acting at the request of a government entity, from interrupting a communication service either to prevent the communications service from being used for an illegal purpose or to protect public health, safety, or welfare, has passed the General Assembly. Under the measure, a court order would be required before interrupting communications. The court would have to grant a service interruption order if specific conditions were met, including, among other things, that “there is probable cause that the communication is being or will be used for an unlawful purpose and that absent immediate and summary action to interrupt the communication service, serious, direct, and immediate danger to public health, safety, or welfare will result.” A governmental agency seeking to interrupting a communications service due to an extreme emergency situation would be required to apply for a court order without delay and, if possible, to file the application within six hours after commencement of interruption. The bill repeals current laws that allow law enforcement officials to interrupt, cut, or otherwise divert telephone service in order to protect public safety.

Also passing the General Assembly was SB 385, regarding *ex parte* communications with the California Public Utilities Commission. SB 385 establishes that a decision-maker participating in *ex parte* communication must file a notice including the date, time, and location of the communication; whether the communication was oral, written or both; the communication medium; identity of the interested person and individual initiating the communication, and the identities of any other persons present; the topic of the communication including applicable proceeding numbers; and a brief description of the communication. The bill further gives the Commission discretion to conduct meetings in affected geographic areas to inform the public of proposed area code changes and relief options.

A third bill, SB 19, also passed. SB 19 prohibits a public utility executive from serving as a commissioner for two years after leaving the employment of the utility. The bill would require the commission to maintain an updated conflict-of-interest code and statement of incompatible activities and would establish an ethics officer within the legal division of the commission. It also would require the Commission to appoint a chief administrative law judge and a chief internal auditor to oversee implementation. Under the bill, the Commission is also authorized to conduct financial and performance audits of any entity or program created by any order, decision, motion, settlement, or other action. Additionally, a public advisor is to be appointed to receive public complaints and comments regarding the manner in which the Commission performs its function and recommend resolution options. Governor Jerry Brown (D) has until October 15 to sign the measures.

DISTRICT OF COLUMBIA – New Telecommunications Outage Reporting Rules Proposed

The District of Columbia Public Service Commission has released a notice of second proposed rulemaking governing amended outage reporting procedures. The proposed rules would require telecommunications service providers to identify the “most specific location of the service outage and the geographic area affected by the service outage” available when an initial outage report is filed, and the actual location of the outage and the geographic area affected in a final report. Written reports would be filed with the Office of the People’s Counsel within five days following the end of an outage. The requirement was originally contained in an initial rulemaking proceeding earlier this year. Verizon opposed the proposed rules arguing that most cases, providing street names and block numbers for affected customers would be impossible and even if possible to provide, would reveal “proprietary information that could cause security concerns about the telecommunications infrastructure in the nation’s capital.” The Office of the People’s Counsel supported the Commission’s proposed detailed reporting rules noting that “As the FCC acknowledged in a 2016 order updating its service outage

reporting rules, communications service outage data help improve network reliability and public safety and provide benefits to communications services' stakeholders, including regulatory agencies, public safety, and emergency services personnel and providers." Comments on the proposed rule are due October 16, 2017 and reply comments are due October 30, 2017. (RM27-2017-01)

FLORIDA – Governor Appoints Commissioners

Governor Rick Scott (R) has announced appointment of David Workman and Gary Clark to the Public Service Commission and reappointment of Commissioner Art Graham. Mr. Workman is director of business development at Keiser University. He previously served in the Florida House of Representatives. Mr. Workman succeeds Commissioner Ronald Brisé effective January 2, 2018. Mr. Clark, previously served as the Deputy Secretary of Land and Recreation of the Florida Department of Environmental Protection. He fills a vacant seat for a term that began September 15, and ends January 1, 2019. Mr. Graham's term begins January 2, 2018 and ends January 1, 2022. The appointments are subject to confirmation by the Florida Senate.

KENTUCKY – USF-TRS Surcharges Reduced

The Kentucky Public Service Commission has order a reduction in the State's universal service fund surcharge to \$0.09 from \$0.14 per month upon finding that the Fund "has now reached sufficient levels." In March 2016, the Commission had ordered that the surcharge increase to \$0.14 per month to stabilize the Fund, which at the time was approaching a deficit. (Case 2016-00059)

Separately, the Commission reduced the Kentucky Telecommunications Relay Service surcharge from \$0.02 to \$0.01 per month. The commission found that the combined Telecommunications Access Program (TAP) surcharge would remain at \$0.02 per month, resulting in a combined \$0.03 per month surcharge, effective Jan. 1, 2018. Carriers with a tariff on file are to file a revision to reflect the change in surcharge no later than December 1, 2017. A proceeding is being initiated to determine how often the Commission should adjust the TRS surcharge. The TRS surcharge is adjusted as needed by the Commission. Comments regarding the frequency of TRS surcharge amendments have been requested and are due within 45 days of the Commission's September 14, 2017 order. (Case 2017-00358)

NEW MEXICO – Commission Initiates ILEC Regulation Rulemaking

The New Mexico Public Regulation Commission has initiated a rulemaking proceeding to consider whether CenturyLink should be regulated consistent with legislation enacted in June governing regulation of carriers serving more than 50,000 access lines in the state. Under the legislation, Senate Bill 53, the commission has limited jurisdiction to regulate incumbents serving more than 50,000 or more access lines in the state including limited oversight of wholesale rates, access charges and interconnection agreements, and of a company's participation in low-income telephone service assistance programs. On July 25, CenturyLink petitioned the Commission to initiate a rulemaking to adopt rules to regulate carriers that serve more than 50,000 access lines and to apply interim Procedures for Incumbent Rural Telecommunications Carriers. In response, Commission staff agreed that reforms enacted by the legislation were effective but disagreed with CenturyLink that the law superseded current rules. On September 14, staff informed the Commission that CenturyLink had stated its intent to raise certain retail telecommunications rates, effective December 1. Staff proposed that the Commission should not act on CenturyLink's petition. Further staff requested that the Commission issue a cease and desist order to prevent CenturyLink from "unilaterally and prematurely, proceeding forward with rate changes and giving inadequate, unclear and misleading notice to increased parties and customers." In response, the Commission found that neither CenturyLink's petition nor staff's recommendations helped resolve issues regarding Commission jurisdiction raised by the legislation. The Commission partially granted CenturyLink's petition while initiating the rulemaking proceeding without addressing any emergency or interim rules. A public workshop is being held at the Commission's offices at 1 pm on October 4. (Case No. 17-00186-UT)

NEW YORK – Ten Digit Dialing Begins in 518 Area Code

The New York Public Service Commission has announced that mandatory ten-digit dialing in the 518 area code began on September 19, as part of the new 838 area code implementation plan. An area code overlay plan had been adopted in September 2016 in anticipation of 518 area code number exhaustion. The 518 area code covers 17 counties located in eastern

New York including Albany, Clinton, Columbia, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saint Lawrence, Saratoga, Schenectady, Schoharie, Warren, and Washington counties. (Docket 16-C-0297)

TEXAS – Former Advisor Appointed as Commission Chair

Governor Greg Abbott (R) has appointed DeAnn Walker to the Public Utility Commission as Chair through September 1, 2021. Ms. Walker currently serves as a senior policy advisor on regulated industries to the Governor. She formerly served as the director of regulatory affairs and as an associate general counsel for CenterPoint Energy.

COMPLIANCE REPORTING OCTOBER

The following report listing has been compiled from past reporting requirements and is provided exclusively for informational purposes. Reporting requirements are subject to change and should be verified by filers.

FEDERAL REPORTS DUE IN OCTOBER

FCC Form 499-Q due November 1.

REPORTS DUE IN OCTOBER

Due Date	Jurisdiction	Report Name
October	Alaska	Access Minutes Report
October	Alaska	Carrier and Area Specific Bulk Billed Report
October	Missouri	Relay Missouri Statement
October	Rhode Island	Telecommunication Education Access Fund
October	Rhode Island	Telecommunications Relay Service Report
October 1	Idaho	ID Universal Service Fund Form
October 10	Alaska	Alaska Telecommunications Relay Services Fund - Remittance of Surcharges Collected
October 10	Arkansas	State of Arkansas Universal Service Fund
October 10	California	Combined California PUC Telephone Surcharge Transmittal
October 10	California	Employee Compensation, Dues, and Subscriptions
October 10	Georgia	Local Service Indicators Data Requests
October 10	New York	Service Quality Performance
October 15	Alabama	Revised Survey of Competitive Local Exchange Carriers
October 15	California	Quarterly Fee Statement for CPUC Utilities Reimbursement Account
October 15	Florida	Florida Telecommunications Relay, Inc. (FTRI) Monthly Surcharge Collection Report
October 15	Georgia	Georgia Telecommunications Relay Service (TRS) Monthly Surcharge Collection Report

Due Date	Jurisdiction	Report Name
October 15	Georgia	Revised Universal Access Fund Quarterly Deposit Report
October 15	Kansas	Kansas Universal Service Fund 2004/2005 Wireless and Wireline Carrier Remittance Worksheet
October 15	Kentucky	Commonwealth of Kentucky Telecommunications Relay Service Fund Telecommunications Devices for the Deaf Distribution Fund
October 15	Kentucky	Commonwealth of Kentucky Universal Service Fund
October 15	Nebraska	Nebraska USF & E911 Remittance Worksheet
October 15	Nevada	Nevada Universal Service Fund Carrier Remittance Worksheet
October 15	North Carolina	North Carolina Access Line Report - Rule 17-2(K)
October 15	North Carolina	Questions for Competing Carriers Report
October 15	Oklahoma	State of Oklahoma Universal Service Fund Carrier Remittance Worksheet
October 15	Pennsylvania	Pennsylvania Universal Service Fund, FY2004 Carrier Remittance Monthly Worksheet
October 15	Puerto Rico	Puerto Rico Universal Service Fund July 2004 - December 2004 Carrier Remittance Worksheet
October 15	Rhode Island	E911
October 15	South Carolina	The Public Service Commission of South Carolina SC Dual Party Relay System Invoice
October 15	Vermont	Vermont Universal Service Fund Carrier Remittance Worksheet
October 15	Virginia	Telecommunications Relay Service Monthly Report
October 20	Alaska	State of Alaska Universal Service Fund Monthly Carrier Remittance Worksheet
October 20	Arizona	Arizona Universal Service Fund Carrier Remittance Worksheet
October 20	Colorado	CO Telecommunications Relay Service Surcharge
October 20	Idaho	Idaho Telecommunications Service Assistance Plan (ITSAP)
October 20	New Hampshire	Telecommunications Relay Service Remittance

<u>Due Date</u>	<u>Jurisdiction</u>	<u>Report Name</u>
October 20	North Carolina	Service Quality Objectives Report
October 20	Pennsylvania	Remittance Form for Monthly Telecommunications Relay Service (TRS) Surcharge Collections
October 20	Utah	Utah Universal Service Fund Surcharge Remittal Statement
October 20	Washington	Telecommunications Relay Service, Washington Telecommunications Assistance Program, and E911
October 21	New York	TAF Adjustment Input Form
October 21	New York	Targeted Accessibility Fund Monthly Online Reporting Form
October 21	Oregon	Residential Services Protection Fund Surcharge Remittance Form
October 22	Arkansas	Arkansas Intrastate Carrier Common Line Pool Report
October 25	Minnesota	Minnesota Annual 911/TAM/TAP Fees Report Form
October 25	Texas	Texas Universal Service Fund Worksheet
October 30	Alaska	Regulatory Cost Charge Quarterly Return
October 30	Colorado	Low Income Telephone Assistance Program
October 30	Georgia	Quarterly Report of Georgia Operations (no formal name)
October 30	Illinois	Section 757, Exhibit A LEC Quarterly Report to Commission
October 30	Mississippi	Mississippi Dual Party Fund Statement of Revenues
October 30	Nebraska	State of Nebraska Dual Party Relay Surcharge Form
October 30	Nevada	TDD Surcharge for Assistance to Persons With Impaired Speech or Hearing Report Form
October 30	Puerto Rico	Income Statement of Telecommunications Companies
October 30	Puerto Rico	Informe de Revendedores de Servicio (Reseller List)
October 30	South Carolina	SCPSC CLEC Quarterly Service Quality Report
October 30	Tennessee	Wireline Activity Tennessee-CCN Authority
October 30	Vermont	Monthly Disconnect Report
October 30	Vermont	Vermont Service Quality Performance Index Report
October 30	Virginia	Service Quality Report
October 30	Wyoming	Telecommunication Companies Revenue & Assessment Report (Wyoming Universal Service Fund)
October 31	District of Columbia	District of Columbia Universal Service Trust Fund (DC USF)
October 31	Oregon	Oregon Telephone Assistance Program Reimbursement Form

**LIGHT READING FROM
CORPORATE COUNSEL DAILY UPDATE**

Business Execs Not Prepared for Regulation and Compliance Risks, Study Shows A new Ropes & Gray report shows that regulation and compliance risks are still getting execs nervous. [READ MORE »](#)

KEY LABOR CASE AT THE US SUPREME COURT COULD AFFECT MILLIONS OF WORKERS

A report released Wednesday shows that more than 60 million workers in the United States are subject to mandatory arbitration... [READ MORE »](#)

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[AT&T Accused of Redlining in Cleveland](#) By Andrew Regitsky, Sep 1, 2017 10:00:00 AM In an extremely important test for the FCC, three African-American low-income residents of Cleveland, Ohio have filed a complaint with the FCC alleging that AT&T is discriminating against low-income Cleveland neighborhoods by offering them lower quality high-speed broadband services than are offered to "higher-earning" neighborhoods. They assert this is in violation of the Communications Act's prohibition against unreasonable discrimination. [Read more »](#)

[Fall Season Looks Especially Explosive for FCC](#) By Andrew Regitsky, Sep 8, 2017 10:00:00 AM It was a lazy summer for the FCC. The two new commissioners acclimated themselves to their new compadres, speeches were given and vacations were enjoyed. There were few meaningful decisions. That will change this Autumn, as a decision on net neutrality is expected in November or December while a proposal to change the definition of broadband has the potential to attract broad public attention (and vehement disagreement). Here is what we know to date about these issues. First up is net neutrality: There have been about 25 million comments filed by the general public. While many of the comments are form letters, it appears that most of the unique comments favor continuing the current net neutrality regime. That includes the continued classification of broadband Internet access service (BIAS) as a Title II telecommunications service. Many write about this issue, although it would be shock if more than one commenter per 100 actually knows the difference between Title I and Title II regulation. [Read more »](#)

[Finally, FCC Moves Forward on Inter-Carrier Compensation Reform](#) By Andrew Regitsky, Sep 15, 2017 10:00:00 AM In 2011 the FCC took the first steps to fixing the muddled inter-carrier compensation (ICC) system when it began a transition to bill-and-keep for many terminating access charges and for reciprocal compensation for local calls. This was only a start, however, since originating access charges remain untouched and there continue to be many unresolved issues including, defining the network edge for traffic interconnecting with the Public Switched Telephone Network (PSTN), tandem switching and transport, and transit service. [Read more »](#)

[Ninth Circuit Case Could Determine How \(and If\) Internet Companies Are Regulated](#) By Andrew Regitsky, Sep 22, 2017 10:00:00 AM As a new net neutrality decision nears, there is an extremely important ongoing case at the Ninth Circuit Court of Appeals in San Francisco that is not getting the attention it warrants. The case is AT&T v. the Federal Trade Commission (FTC) and it arose from a 2014 FTC complaint charging AT&T with failing to adequately warn unlimited-data customers that their data speeds would be reduced, or throttled, if they used too much data in a given billing cycle. [Read more »](#)

[Politically Divided FCC finds Wireless Market Competitive](#) By Andrew Regitsky, Sep 29, 2017 10:00:00 AM I can't be the only one to miss the days when one had confidence that a key FCC decision would be based on facts and analysis rather than political payback and subterfuge, can I? Because these constantly flawed 3-2 FCC decisions are getting old and extremely annoying.

This week in its latest partisan decision the Commission approved its 20th Annual Mobile Wireless Competition Report by concluding that the wireless market is competitive. This decision bothered me in several ways. First, it is clear that in reaching its conclusion, the current FCC was paying back the previous FCC for refusing to make such a finding. Second, by refusing to define "effective competition," and failing to conduct an extensive analysis of the market it is obvious that the outcome of this "investigation" was pre-ordained. Third, and most significantly, by concluding that the wireless market is working so well that it does not need onerous regulation, this Report could pave the way for the FCC supporting the rumored merger between Sprint and T-Mobile. [Read more »](#)

[Judge rules against change to overtime threshold](#) A federal judge has struck down an Obama administration rule change that would have nearly doubled the salary threshold for exempting employees from overtime pay. "This significant increase would essentially make an employee's duties, functions or tasks irrelevant if the employee's salary falls below the new minimum salary level," US District Judge Amos Mazzant noted. [USA Today](#) (8/31)