

# FCC chairman sets out to scrap open internet access rules

By RYAN NAKASHIMA and MICHAEL LIEDTKE  
Associated Press



AP Photo/Pablo Martinez Monsivais  
Federal Communication Commission Commissioner Ajit Pai speaks during a February 2015 open hearing and vote on "Net Neutrality" in Washington.

MENLO PARK, Calif. — The chairman of the Federal Communications Commission set out Tuesday to scrap rules around open internet access, a move that would allow giant cable and telecom companies to throttle broadband speeds and favor their own services if they wish.

Ajit Pai followed through on a pledge to try to repeal "net neutrality" regulations enacted under the Obama administration. The current rules treat internet service providers such as Comcast, AT&T and Verizon as if they were utility companies that provide essential services, like electricity. The rules mandate that they give equal access to all online content and apps.

Pai said those rules discourage investments that could provide even better and faster online access. Instead, he said new rules would force ISPs to be transparent about their services and management policies, and then would let the market decide.

"Under my proposal, the federal government will stop micromanaging the internet," Pai said in a statement.

Pai distributed his alternative plan to other FCC commissioners Tuesday in preparation for a Dec. 14 vote.

Pai promised to release his entire proposal Wednesday. Although the FCC's two Democrats said they will oppose the proposal, the repeal is likely to prevail as Republicans dominate 3-2. The vote for net neutrality in 2015 was also along party lines, but Democrats dominated then.

Equal treatment for all web traffic has been a fundamental principle of the internet since its creation but companies have increasingly put their thumb on the scales of access. AT&T, for example, doesn't count use of its streaming service DirecTV Now against wireless data caps, potentially making it seem cheaper to its cellphone customers than rival TV services. Rivals would have to pay AT&T for

that privilege.

Regulators, consumer advocates and some tech companies are concerned that repealing net neutrality will give ISPs even more power to block or slow down rival offerings.

A repeal also opens the ability for ISPs to charge a company like Netflix for a faster path to its customers. Allowing this paid-priority market to exist could skew prices and create winners and losers among fledgling companies that require a high-speed connection to end users.

Pai, who was appointed by President Donald Trump, said in an interview on Fox News Radio that Trump did not have any input on his proposal. Asked whether deregulation would result in higher prices

and put speedy internet access out of the reach of blue-collar Americans, Pai said "it's going to mean exactly the opposite."

"These heavy-handed regulations have made it harder for the private sector to build out the networks especially in rural America," Pai said.

In a Wall Street Journal editorial published Tuesday, Pai cited a report by a non-profit think tank, the Information Technology & Innovation Foundation, that said investment by the dozen largest ISPs fell about 2 percent from 2015 to 2016, to \$61 billion. The group didn't link the drop solely to the stiffer rules introduced in 2015.

The attempt to repeal net neutrality has triggered protests from consumer groups and internet companies. A data firm called Emprata that was backed by a telecom industry group found in August that after filtering out form letters, the overwhelming majority of comments to the FCC — about 1.8 million — favored net neutrality, compared with just 24,000 who supported its repeal.

Carmen Scurato, director of policy and legal affairs for the National Hispanic Media Coalition, said ISPs' ability to impose monthly caps on data use already act to raise prices and limit access. Repealing net neutrality, she said, "is just erecting more barriers."

# Salmon: 'I think there's a lot of good news here'

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The question of what it all means for Southern Resident killer whales whose population numbers remain low is another gap, said Michael Ford, director of NOAA's Conservation Biology Division and a co-author of the study. Are they being out-competed? What other stressors are at play?

But, he said, "I think there's a lot of good news here."

The recovery of marine mammal populations points toward the success of the Marine Mammal Protection Act, he said. The fact that these ani-

mals are eating so many salmon shows fishery managers have been successful at keeping Pacific salmon available — to some extent — to feed a growing number of predators.

Ford and others are in the middle of another study that would actually count how many salmon killer whales are eating over a certain period of time, moving beyond the theories proposed in the recent predation study. They hope to be able to make more direct comparisons between the healthy northern killer whale groups and the less-healthy southern killer whales.

# Port: Trial between Port of Astoria and Smithart scheduled for January

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A week after the verdict, McIntosh gave Param the choice between taking either the monetary damages or the lease it had sought on the hotel.

Param's attorney, Colin Hunter, said the company plans to take over the hotel lease in November 2018, after the term of current operator Astoria Hos-

pitality Ventures ends. The takeover would also involve Sonpatki fulfilling his promise to pay off Smithart's debts.

The Port has also sued Smithart for back-due rent and revenue sharing. The case was put on hold until after Param's lawsuit was resolved. A trial between the Port and Smithart is scheduled for January.

# AT&T suit may herald a new antitrust era

By TALI ARBELAP  
Associated Press

NEW YORK — The Trump administration's decision to oppose the \$85 billion AT&T-Time Warner merger may be clouded by suspicions of political influence. But considered on its merits, it could mark a significant departure in antitrust policy, one that might block or modify a broader set of mergers found to harm consumers.

The move disconcerted both Wall Street and the telecom and media industries, none of which expected it. Consumer groups are applauding, saying it's a good step by the Justice Department to protect people from higher cable bills and ensure that web-based alternatives to TV aren't stifled. (Many of the same

groups, however, are also protesting the government's plan, announced Tuesday, to roll back "net neutrality" rules intended to equalize access to the internet.)

Matters, of course, are complicated by President Donald Trump's long-running feud with CNN, a Time Warner company, which Trump regularly denigrates as "fake news" and "failing." On Tuesday, Trump called the deal "not good for the country" and said he thought it would cause prices to go up. A White House spokeswoman said Monday she wasn't aware of any efforts to influence the case.

The Justice Department has suggested that AT&T could resolve the case by selling off DirecTV or a Time Warner business that includes

CNN, according to a person familiar with the situation who couldn't go on the record. AT&T has rejected any option that would cause it to lose control of CNN.

In 2011, Obama-era antitrust regulators waved through Comcast's acquisition of NBC Universal — a deal that, like the current one, brought together a major provider of television and internet service and an entertainment conglomerate. (AT&T offers wireless, home internet and TV services; Time Warner owns the Warner Bros. studio and networks including HBO, CNN and TBS.)

To prevent Comcast from abusing its greater leverage, regulators imposed a host of conditions on the company. For example, Comcast had to offer its TV and movies

to online video competitors at the same rates as it did to cable and satellite rivals. But this approach isn't universally acclaimed.

For one thing, conditions are typically temporary; the ones for Comcast expire next year. They also don't fundamentally change behavioral incentives for the company, and they require ongoing enforcement. Complaints in the past have dragged on for years. Among critics of such "behavioral commitments" is Makan Delrahim, now the Justice Department's new antitrust chief.

"The DOJ in this instance is learning from those past mistakes," said Lina Khan, the legal policy director at the Open Markets Institute, a think tank that opposes excessive corporate power.

# Cannon Beach: 'This is not a static, one-time decision'

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options like bonds and grants, committee member Douglas Craner said.

"We want to encourage the city to look at other solutions," Craner said. "We're not wanting things to fall apart, we just don't want it all to fall on ratepayers."

The committee also is recommending the City Council phase in rate increases over five years, which would mean residents would see a 35 percent and 5 percent rate increase for water and wastewater respectively in the first year, and single-digit rate increases for the following four years. After five years, rates would only be adjusted for inflation.

"There are things that need

to get done, and I think we can do that with a lower funding level," said Rich Bertellotti, the public works committee chairman. "We all recognize issues with how it was prepared, but this is an outline — not a plan to be followed like a blueprint."

## Lingering issues

While the committee voted to recommend approving the water and wastewater master plan and rate increases, they did so with reservations.

Les Wierson, the one committee member who voted against the recommendation, said there are still too many issues with the plan itself for him to support rate increases associated with it.

Wierson took issue with a plan that appeared to be trying

to replace an entire water system, which he deems as excessive, he said.

"The proposed 20-year plan is very large, especially for a small city staff available to guide, inspect and approve the new construction," Wierson said.

Craner expressed concerns that the plan lacks "schedule and implementation ability."

The committee chose to retain the current rate structure, which includes an allowance of 400 cubic feet of water usage, after deciding the alternative rate options provided by the consulting firm Civil West Engineering Services would disproportionately impact homeowners in comparison with large commercial outfits. The committee, however, is still recommending to the city

to continue exploring more equitable rate structures that would encourage more conservation, committee member Carolyn Propst said.

"I think we should work forward with what we have, get an increase to pay for some of these projects and then take a deeper dive into structures," Propst said. "This is not a static, one-time decision."

Arndt will provide a recommendation that "follows the need of the system," which could differ from the conclusion of the public works committee, he said.

"We aren't trying to rebuild a whole system in 20 years. It's good practice to replace them every 80, and to do that you have keep up the progress, little by little, so the system lasts in perpetuity," Arndt said.

# Gov. Brown: OHA struggling to get books in order

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The CHIP program pays 97 percent of the total costs of health care for the 121,000 Oregon kids covered under the program.

Those children can be covered by Medicaid, but will be covered at a reduced match rate of 64 percent, which would cost the state more money, according to Allen's memo.

If CHIP expires, federal funds can still pay for emer-

gency services for pregnant women, such as labor and delivery, according to Oregon's interim Medicaid director, David Simnitt. But the state would have to pay for other services for pregnant women covered by the program, such as prenatal check-ups.

The 121,000 kids covered by CHIP in Oregon live in homes where incomes are between 100 and 300 percent of the federal poverty level. Oregon must cover about a third

of those kids — those earning between 100 and 138 percent of the poverty level — under the Affordable Care Act, according to OHA.

CHIP covers children whose parents make too much to qualify for Medicaid but still may struggle to afford coverage. Kids in households making less than 100 percent of the federal poverty level are eligible for Medicaid.

Brown's directive comes as OHA struggles to get its books

in order, shore up its eligibility and payment systems and bounce back from a pummeling of negative publicity.

The state overpaid Medicaid providers by up to \$74 million between 2014 and 2016, about \$10 million of which it has already recouped. Allen, who took the reins Sept. 1 in the wake of a publicity scandal, identified a host of other issues with payment and allocation of funds — to the tune of about \$112.4 million.

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**Q: What is the best way to keep my equipment virus free?**

- A:**
1. Keep your operating system up to date.
  2. Keep your apps up to date.
  3. Avoid music and video sharing sites that use "torrent" sharing programs. A sharing computer that has a virus, can spread to you. Use Spotify or Pandora to listen to your favorite music.
  4. Educate your family or employees to not click on email links from unusual sources.
  5. Download programs from the Apple, Microsoft or Google Play stores.
  6. Download programs from the Recommended Software page on our web site, AstoriasBest.com.



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**Q: What causes a dry mouth?**

**A:** Many possibilities exist here which need to begin with effective oral hygiene. People who are heavy tobacco smokers or heavy consumers of alcohol also show signs of dry mouth. Many prescription medications also play a role in creating a dry-mouth syndrome. Patients with this condition have an increased risk to dental disease, decay and infection and should have this evaluated.