



## **SOUTH CAROLINA'S UNIVERSAL SERVICE FUND**

On February 8, 2013, the South Carolina Telephone Coalition (“Coalition”) filed a petition with the South Carolina Public Service Commission to establish new price rate caps for basic local residential service provided filed by several Coalition member companies. The Coalition asked the Commission to modify the rate cap from the statewide average rate to the applicable nationwide average rate as determined by the FCC when the federal benchmark for high cost funding was raised. The SC Cable Television Association (“SCCTA”) and others intervened in the docket. The SCCTA argued that the additional revenues generated by the increased rates should be offset by reductions in the SC Universal Service Fund (“SC USF”) subsidy received by the Coalition companies so that the fund was revenue neutral and in compliance with the SC USF Act. The increase in basic rates was approved by the Commission in June. Oral arguments on the SCCTA motion to reduce the SC USF subsidy were held last September.

On July 8, 2014, the Commission issued its Order denying the SCCTA motion. The Commission adopted the Coalition’s proposed order with very few minor changes. The Order acknowledged that increasing rates for basic local service moves those rates closer to cost. However, the Commission found that the revenue neutrality requirement does not require an adjustment to the increased price for basic local service. The Commission held that revenue neutrality relates to the removal of implicit support for rates other than basic local exchange service.

During the proceedings to establish the size of the SC USF, the SC Telephone Association (which includes Coalition companies) initially calculated that Carriers of Last Resort (“COLRs”) were receiving a total of \$340 million in implicit subsidies in rates to support universal service. As a result, the Commission set the initial size of the fund at \$340 million by approving calculations based on the maximum rates in effect for COLRs at that time. With this newest order, the Commission now characterizes the \$340 million calculation as the “theoretical” size of the fund. The SCCTA filed a petition for reconsideration of the order.

### **INSIDE THIS ISSUE:**

News from Executive Director	2
Member News	3
HTC v Georgetown	8
PSC Elections	9
SC Legislative Update	9
FCC Briefs	10
State Issued Certificates	11



### From the Executive Director...

The second session of the 120th General Assembly of South Carolina recently ended. While your SC Cable Television Association was monitoring over 200 bills filed in the Palmetto state, there were no bills of concern that remained in conference committee and remain active.

This session, the association supported the passage of Senate bill 1033, which protects businesses and individual employees who could be burdened by requirements for business and employee taxes as a result of state declared disasters. During times of storm, flood, fire, earthquake, hurricane or other disaster or emergency, many businesses bring in resources and personnel from other states throughout the U.S. on a temporary basis to expedite the often enormous and overwhelming task of cleaning up, restoring and repairing damaged buildings, equipment and property or even deploying or building new replacement facilities in the state. This may involve the need for out-of-state businesses, including out-of-state affiliates of businesses based in the state, to bring in resources, property and/or personnel that previously have had no connection to the state to perform activity in the state including but not limited to repairing, renovating, installing, building, rendering services or other business activities and for which personnel may be located in the state for extended periods of time to perform such activities. During such time of operating in the state on a temporary basis solely for purposes of helping the state recover from the disaster or emergency, these businesses and individual employees should not be burdened by any requirements for business and employee taxes as a result of such activities in the state for a temporary period. The state's nexus and residency thresholds are intended for businesses and individuals in the state as part of the conduct of regular business operations or who intend to reside in the state and should not be directed at businesses and individuals coming into the state on a temporary basis to provide help and assistance in response to a Declared State Disaster or Emergency. To ensure that businesses may focus on quick response to the needs of the state and its citizens during a Declared State Disaster or Emergency, the legislature decided that such activity for a reasonable period of time before, during and after the disaster or emergency for repairing and restoration of the often devastating damage to property and infrastructure in the state shall not establish presence, residency, nor doing business in the state, nor any other criteria for purposes of state and local taxes, licensing and regulatory requirements. The passage of S1033 does just that and was supported by many in our industry.

S.C. House and Senate lawmakers agreed in May on a no texting policy in the Palmetto State. On June 3<sup>rd</sup>, the final compromise was reached to ban texting while driving, making South Carolina the last state in the South to penalize the practice. This new no texting statewide measure would supersede local bans passed in 19 cities and 2 counties, including Columbia, Greenville and Charleston. Texting while driving is banned in 43 states. A dozen states prohibit use of phones anytime while behind the wheel. Under the S.C. measure, drivers could not read or write a text or email messages while on public roads even if they are idling at a traffic light or a stop sign. To text or e-mail, they would have to park or use a hands-free device. Exceptions would allow the use of a global-positioning system or messaging to get emergency help. This new ban signed by Governor Nikki Haley became effective on June 9<sup>th</sup> and allows S.C. police to issue warnings about texting and driving for 180 days. After that period, they could start issuing tickets. Fines will be \$25 for a violation and no more than \$50 for multiple violations. The SC Cable Television Association has closely followed this bill and similar bills to ensure the cable industry faces no liability or privacy issues and that telecommunication companies would not be responsible for funding educational programs for convicted texters that had been proposed in previous years.

This year, we had a record number of applicants vying to become a 2014 recipient of the SC Cable Scholarship initiative. I thank our selection committee, Mike Mitchell, Dan Jones & Brad Phillips, for taking the time away from their busy schedules to review the plethora of paperwork submitted by these fine applicants. I congratulate the 2014 recipients listed in this newsletter.

I thank each of you for your contributions regarding the successful association and foundation board meetings held at our now annual SCCTA Board Retreat. Mark your 2015 calendars next year as we return to Wild Dune from July 22 – 26 to celebrate our great team and take care of the business of your SCCTA. Congratulations to the newly elected 2015 SCCTA Board of Director officers: Tim Gage –Chairman, Dan Jones –Vice Chairman, Brian Gregory – Secretary & Ben Breazeale – Treasurer. I sincerely appreciate each of you for your input at these meeting as we prepare for another rewarding year as we promote and protect the SC Cable industry.

*Ray Sharpe*

## Member News...



### Comcast to Distribute SEC Network to Xfinity TV Customers

**PHILADELPHIA, PA and BRISTOL, CT — JULY 18, 2014** — ESPN and Comcast Cable have reached an agreement for carriage of the SEC Network, which will begin rolling out to fans and followers of the Southeastern Conference across Comcast markets at the start of the SEC college football season. [Comcast](#) subscribers will also have authenticated access to additional live events scheduled for the SEC Network's and Comcast's digital platforms – including the Xfinity TV Go app and website, WatchESPN and [SECNetwork.com](#) – with the ability to watch SEC Network live and on-demand content anytime, anywhere on their television, computer, tablet or mobile device. With the addition of Comcast, the SEC Network will be available to 46 million households nationwide.

"We are extremely pleased to have reached this agreement with ESPN to deliver the SEC Network to Xfinity TV customers on multiple platforms," said Matt Strauss, Senior Vice President and General Manager, Video Services, Comcast Cable. "Whether in the home or on the go, Xfinity TV customers will be able to watch their favorite Southeastern Conference teams in more ways than ever before." Added Sean Breen, Disney and ESPN Media Networks senior vice president, affiliate sales, "We are pleased to announce Comcast as our latest distributor for the SEC Network, which continues to attract great demand from consumers across the country and adds significant value for our affiliates leading up to the national network's launch next month."

The SEC Network and its accompanying digital offering will air more than 1,000 live events in its first year, including at least 45 exclusive SEC football games, more than 100 men's basketball games, 60 women's basketball games, 75 baseball games, 50 softball games and events across all of the SEC's 21 sports. The network will be an all-access pass to nationally competitive events, news and information, expert analysis, classic games and in-depth features on the most storied conference in college athletics. SEC Commissioner Mike Slive said, "With more than three weeks still to go before launch, we are pleased to add Comcast, the largest cable television distributor in the country, to the growing list of providers that will bring the SEC Network to millions of fans nationwide."

"We're thrilled to have Comcast on board as a distributor for the launch of the SEC Network on August 14," added [Justin Connolly](#), ESPN senior vice president, college networks. "Across the country, Comcast's Xfinity customers will have access to all of the great content and coverage from the SEC Network. We continue to gain momentum for a successful launch across a wide range of affiliated providers." Xfinity TV customers can find the SEC Network on their channel lineup upon its launch by visiting [www.XfinityTV.com](#).



### All-Digital Network Brings Faster Internet Speeds, More HD Channels for Charter Customers in North and South Carolina

**SIMPSONVILLE, S.C.** – Following up its recent move to an all-digital network, Charter Communications is doubling Internet speeds, boosting its high-definition (HD) channel lineup and rolling out a new top tier of services for customers in Asheville, North Carolina and Greenville/Simpsonville, South Carolina. The new suite of digital services, titled Charter Spectrum, includes a jump in Internet speeds from 30 Mbps to 60 Mbps for most customers at no additional cost. Customers are also gaining access to more than 200 HD video channels and advanced voice service that includes unlimited nationwide calling.

The company's flagship Internet speeds are now 20 times faster than standard DSL, and the HD channel lineup is the largest available from any video services provider in the market. "Charter is committed to improving the customer experience," said Charter President & CEO Tom Rutledge. "That starts by providing the best voice, TV and Internet services possible at the greatest value to our customers. Charter Spectrum represents the best of the best in our industry." Charter began its local move to an all-digital network earlier this month as part of \$169 million in recent capital and broadband (*continued p. 4....*)

## More Member News...



### Charter Spectrum (*continued from p. 3*)

infrastructure investment to its North and South Carolina operations. In all, the company is investing more than \$2 billion in its national network and is committed to moving to an all-digital platform across its entire 29-state footprint by the end of 2014.

By removing older analog signals from its network, Charter is freeing a significant amount of bandwidth that is being used to provide more digital HD channels, faster data speeds and enhanced voice capabilities. “This is Charter making good on our promises,” said Mark Spilman, vice president and general manager of operations in NC, SC and Virginia. “When we asked customers to make this all-digital journey with us, we said there were great things on the horizon. Now, the Internet is faster, the selection in programming is greater and the value we are able to provide to customers is so much better.”

Charter Spectrum Internet™ plans now start at 60 Mbps, enabling customers to simultaneously stream videos, download music and more without sacrificing Internet performance. Internet modems are provided free of charge. In addition to more than 200 HD channels, Charter Spectrum TV™ features instant access to more than 10,000 On Demand choices, including 2,000 HD offerings and 3D movies. The downloadable Charter App enables customers to watch more than 100 live channels on their mobile devices anywhere in their home. Charter customers can also take more than 40 networks on-the-go with their computers and mobile devices. Charter Spectrum Voice™ provides unlimited local and long distance calling in the United States, Canada, Puerto Rico, Guam and the Virgin Islands along with free 411 calls. The service includes voicemail and 13 popular calling features such as call waiting and call forwarding – all without the added fees charged by the phone company. Charter service requires no long-term contracts and is backed by a 30-day money back guarantee.

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## Charter Announces Launch of Charter TV App

**SIMPSONVILLE, S.C.** – Charter Communications, Inc. has announced the Charter TV App is available to download for free on the Apple iTunes App Store, Amazon Appstore and Android Apps on Google Play. Charter TV customers can now watch more than 130 live TV Channels anywhere inside their home on their mobile devices such as tablets or smartphones. With the Charter TV App, customers have even more choice in where and how they watch their favorite programming at no extra charge. Charter TV customers can watch over 130 live TV channels, browse thousands of On Demand titles and TV listings, schedule DVR recordings, view recommendations and more. Charter’s unique “Kid Zone” feature enables easy access to pre-approved kid-friendly content, creating a safe viewing experience for children. For sports fans, the Charter TV App “Sport Zone” feature gives fans instant access to scores and sports content. (“Sport Zone” is currently available on iOS, Android is forthcoming). Customers can even use their device as a remote to change channels on their TV. With the Charter TV App customers have full control of their TV experience in the palm of their hands.

“We are excited to bring our customers the Charter TV App delivering greater choice and flexibility in how they watch their favorite content in their homes,” said Rich DiGeronimo, Charter’s senior vice president, product and strategy. “Our new Charter TV App provides a fully-interactive and user-friendly viewing experience, allowing customers to watch live TV, customize DVR recordings, and browse thousands of On Demand titles efficiently and intuitively.”



## More Member News...

### **ESPN, Time Warner Cable and Bright House Networks Reach Agreement to Carry SEC Network for August 14, 2014 Debut**

**July 24, 2014**—ESPN, Time Warner Cable and Bright House Networks have reached an agreement for carriage of the SEC Network when the channel launches on August 14, 2014. The network will be available to fans and followers of the Southeastern Conference in all Time Warner Cable and Bright House Networks markets ahead of the first SEC 2014-15 college football season game, Texas A&M vs. South Carolina, on August 28 at 6 p.m. ET. With the addition of Time Warner Cable and Bright House Networks, the SEC Network will be available to approximately 60 million households nationwide.

"We know we have customers who want the SEC-ESPN Network, and are pleased to bring it to them," said Andrew Rosenberg, Senior Vice President of Content Acquisition for Time Warner Cable. "This deal will help ensure that fans and alumni of SEC universities won't miss any important games."

Added [Sean Breen](#), Disney and ESPN Media Networks senior vice president, affiliate sales, "By delivering the SEC Network across Time Warner Cable and Bright House Networks' nationwide footprint, including key markets within SEC territory, we are meeting the demands of fans while also adding value to customers' video subscriptions in advance of the network's launch next month."

The SEC Network will air more than 1,000 live events in its first year, including at least 45 exclusive SEC football games, more than 100 men's basketball games, 60 women's basketball games, 75 baseball games, 50 softball games and events across all of the SEC's 21 sports. The network will be an all-access pass to nationally competitive events, news and information, expert analysis, classic games and in-depth features on the most storied conference in college athletics.

"It is great to have Time Warner Cable as a distribution partner for the SEC Network," said Mike Slive, Commissioner of the Southeastern Conference. "Time Warner Cable customers, particularly those in South Carolina and Texas, will have the opportunity to enjoy our football season opener exclusively on the SEC Network when Texas A&M visits South Carolina on August 28."

"Time Warner Cable and Bright House Networks customers reside in some of the most intense fan areas of the Southeastern Conference," added [Justin Connolly](#), ESPN senior vice president, college networks. "We look forward to providing an array of outstanding SEC programming to Time Warner Cable customers across the country when the SEC Network debuts on August 14."

Time Warner Cable TV customers can find the SEC Network on their channel lineup upon its launch by visiting [www.twc.com](http://www.twc.com); Bright House Networks customers can go to [www.brighthouse.com](http://www.brighthouse.com).

## More Member News...



### ATLANTIC BROADBAND TO EXPAND SERVICES IN SOUTH CAROLINA TO WAGENER AND SURROUNDING COMMUNITIES IN SUMMER 2014

**Wagener, S.C., May 20, 2014** – [Atlantic Broadband](#), the nation's 13<sup>th</sup> largest cable operator, today announced that it will expand its footprint this summer in South Carolina to Wagener and surrounding communities including Salley, Perry and Springfield. Through this expansion, Atlantic Broadband will provide residents and businesses with cable TV, phone and the area's fastest Internet service, as part of its value-packed bundles, or as standalone offerings. Through Atlantic Broadband's expansion, residents will soon have access to communication and entertainment services through one local and trusted provider where customers can choose from TV, Internet and phone bundle prices starting as low as \$89.99 per month, and select from the area's fastest Internet speeds ranging from 12 Mbps/2 Mbps to 120 Mbps/10 Mbps. For businesses, basic bundle pricing starts as low as \$79.99, with Internet speeds ranging from 25 Mbps/2 Mbps to 120Mbps/10Mbps.

"Expanding to Wagener and surrounding areas, allows us to provide residents and businesses with a one-stop shop for their communication and entertainment needs, something previously unavailable," said Atlantic Broadband's Vice President and General Manager, Sam McGill. "In addition to the availability of fast Internet, cable TV and phone, residential customers will also have access to the TiVo service from Atlantic Broadband, which provides game-changing entertainment as part of our bundle offerings."

"The Wagener-Perry-Salley area has long been underserved by cable and broadband services," said State Representative, Bill Taylor. "In today's economy expanded broadband services are essential to residents and businesses for the opportunity to prosper. I am delighted to see a company with local roots deliver Wagener and surrounding communities with fast Internet, phone and TV services."

### ***Atlantic Broadband announced as presenting sponsor of milestone Lobster Race***



In a milestone year for the Lobster Race, Atlantic Broadband was the presenting sponsor of the unique upbeat festival, held on May 2 to celebrate its 30<sup>th</sup> anniversary in downtown Aiken. In a city that has produced Belmont winner Palace Malice and Preakness winner Summer Squall, the Lobster Race was founded in 1985 as an alternative to the Kentucky Derby and a homage to the town's association with Thoroughbred racing. An area at the heart of downtown Aiken, covering Newberry Street and The Alley, transforms to a fun-packed festival site featuring children's rides, a community stage for dance and performances, live music on each street and the unique lobster races themselves. The community event has grown to be a giant reunion for the people of Aiken, drawing crowds of up to 10,000 and held on the day before the Kentucky Derby on the first Friday in May.

"When we started this, we never imagined it becoming an Aiken 'institution' – or lasting 30 years," said Todd Stilp, co-founder and director of the event. "But the town has embraced the spirit of the Lobster Race and people look forward each year to reuniting with old friends in a fun and friendly street party that entertains the entire family."

"It's an honor for Atlantic Broadband to sponsor this year's milestone Lobster Race," said Atlantic Broadband's Vice President and General Manager, Sam McGill. "We have always been a part of this wonderful tradition but this year we wanted to do even more."

## More Member News...

### DESTINATION AMERICA, PART OF THE DISCOVERY CHANNEL FAMILY OF NETWORKS, AND ATLANTIC BROADBAND BRING FOURTH OF JULY CELEBRATION TO AIKEN

As winner of Destination America, USA Weekend and Atlantic Broadband's **RED, WHITE AND YOU** contest, the city of Aiken and Aiken County will receive an unforgettable Fourth of July celebration this year. The festivities, provided by [Destination America](#), part of the Discovery Channel family of networks, and the only television network that celebrates the people, places, and stories of the U.S., and local cable provider Atlantic Broadband, will feature a spectacular fireworks display, carnival rides and games all to be held at Aiken Fairgrounds on June 28. Launched in March, the **RED, WHITE AND YOU** contest asked people nationwide to share moving stories of why their community deserved an all-American, spectacular Independence Day celebration. Aiken resident Debra Oehlberg's entry touting the community's beauty and spirit won the contest.

"We are honored to celebrate our nation's birthday with this community," said Marc Etkind, general manager for Destination America. "Fourth of July is a balance of remembrance with celebration and we hope to encourage the spirit and tradition of the holiday in Aiken." In addition to fireworks, the Independence Day celebration will bring family friendly rides, games and a wide variety of food concessions to the Aiken Fairgrounds for a full afternoon and evening of activities.

"We are very excited to be working with Destination America to bring the RED, WHITE AND YOU 4<sup>th</sup> of July celebration to the Aiken community," said Atlantic Broadband's Vice President and General Manager Sam McGill. "We also want to thank our customer, Debra Oehlberg for participating in the contest that won the town and county of Aiken a fireworks display on June 28. We're sure it will be a spectacular event and we look forward to seeing friends and family celebrate this joyous occasion."

National weekly magazine, USA Weekend, partnered with Destination America to bring the contest to viewers nationwide. Destination America is the only network to celebrate the people, places, and stories of the United States. The inclusive network targeting Adults 25-54 is available in nearly 60 million homes, emblazoning television screens with the grit and tenacity, honesty and work ethic, humor and adventurousness that characterize our nation. Destination America features travel, food, adventure, home, and natural history, with original series like *BBQ Pitmasters*; *A Haunting*; *Mountain Monsters*; *Buying Alaska*; *Buying the Bayou*; and *Railroad Alaska*. For more information, please visit [DestinationAmerica.com](http://DestinationAmerica.com), [facebook.com/DestinationAmerica](https://facebook.com/DestinationAmerica), or [twitter.com/](https://twitter.com/)



[DestAmerica](#). Destination America is part of Discovery Communications, the world's #1 nonfiction media company reaching more than 2 billion cumulative subscribers in 220 countries and territories.

### ATLANTIC BROADBAND TO OFFER FREE WI-FI TO DOWNTOWN AIKEN THIS SUMMER

As part of Atlantic Broadband's \$4.5 million "FastForward Aiken" initiative, which has already delivered Internet speeds up to 120 Mbps, [Atlantic Broadband](#) announced on June 10<sup>th</sup> it will also be providing public access to free Wi-Fi service in and around the downtown area of Aiken in July. Atlantic Broadband's free Wi-Fi service is currently expected to cover the area bounded by Barnwell Street, Greenville Street, Park Avenue and York Street. Nearly 200 businesses will be able to offer Wi-Fi Internet speeds up to 5 Mbps to patrons within this perimeter.

"As a long-standing member of the Aiken community, we're very excited to partner with the City of Aiken and local businesses to further support the economic growth of downtown Aiken," said Atlantic Broadband's Vice President and General Manager, Sam McGill. "Consumers today have come to depend on Wi-Fi access both in their homes and when they're on-the-go. Whether it's posting on social media platforms, shopping online, or checking emails when they are out-and-about, we know that having 24/7 access to Wi-Fi is more important than ever before. Delivering free Wi-Fi is one more way we are leveraging the power of our fiber-rich broadband network to deliver what Aiken citizens want."

"By providing free Wi-Fi to our city and the downtown area, Atlantic Broadband is answering a need that residents have brought to our attention and we thank them for that," said Mayor of Aiken, Fred Cavanaugh. "Bringing fast Wi-Fi Internet access free of charge to our community is a huge benefit for residents, visitors and businesses. In a time when being connected is an integral part of communication and economic success, we're thrilled by Atlantic Broadband's commitment to ensuring the vitality of Aiken, and its support of the city's continued move toward innovation and progress."

"The ability to deliver customers with Internet access is a huge benefit to the success of Aiken's downtown business community," said Aiken Brew Pub owner, Rob Pruitt. "The free Wi-Fi service from Atlantic Broadband will not only keep customers connected while in and around town, but also while they are sitting inside, spending time with their friends and family, and knowing they aren't missing out on emails, the latest news, sports scores, or social media updates."

## SC Supreme Court Affirms Denial of Franchise in Georgetown

When the City of Georgetown refused to consent to Horry Telephone Cooperative's ("HTC") request for a state-issued certificate of franchise authority under the Competitive Cable Services Act, HTC sued the City of Georgetown, the Secretary of State and Southern Coastal Cable in 2008 in U.S. District Court. HTC alleged that the City and Southern Coastal Cable conspired to unlawfully stifle competition in the Georgetown cable market. After Southern Coastal Cable was removed as a party, HTC, Georgetown and the Secretary of State filed a stipulation of dismissal of the federal and constitutional claims.

HTC continued to pursue its complaint against the City and the Secretary of State in state court. After a non-jury trial in Georgetown, the Court held that the Competitive Cable Services Act does not create a cause of action against the City. The Order indicated that the denied applicant may sue only if the denial results from an action that is otherwise actionable outside the Act. The Court noted that HTC was requesting that the Court analyze each of the individual council members' reasoning and motivation for their votes to deny the application and held that judicial inquiry into their legislative motivation is to be avoided pursuant to the separation of powers doctrine.

HTC appealed and the Supreme Court issued its decision on June 4, 2014. *Horry Telephone Cooperative v. City of Georgetown and Secretary of State*, S.C. Supreme Court Opinion No. 27394. The Supreme Court held that the City's denial of multiple franchise applications did not violate the Act. The Supreme Court overruled the lower court's decision and held that the Act does create a private cause of action. However, the Supreme Court found that the record supported the lower court's denial of HTC's requested relief. The Court indicated that testimony of individual city council members concerning their motivations for denying HTC's request was improperly admitted. In reviewing decisions of municipalities, properly authenticated municipal records are the only competent evidence of the proceedings of governing bodies. The Court held that asking the Court to inquire into individual council members' motives behind their legislative acts was a fundamentally inappropriate inquiry. The court noted that there were myriad reasons in the record for why the City denied consent beyond those complained of by HTC including: the overbuilding of infrastructure, concerns over drainage if existing cable infrastructure was to be expanded, as well as lack of tax revenue provided by HTC.



## CONGRATULATIONS

### 2014 SC Cable Scholars Recipients



*Sam Breazeale,  
Bruening  
Chandler Bruening  
Kathleen Kennedy*

*Bailey L. Lowery  
Jonathan McKeown  
Alex McMeekin*



## PUBLIC SERVICE COMMISSION ELECTIONS

The General Assembly elected the new Commissioners for the Public Service Commission in a joint session on May 28, 2014. Elliott F. Elam, Jr. of Lexington replaces Governor Haley's appointee Brent L. McGee to represent the second district. Incumbents Elizabeth "Lib" B. Fleming of Spartanburg was reelected for the fourth district and Nikiya "Niki" M. Hall of Columbia for the sixth district. Mr. Elam served as Deputy Consumer Advocate/Consumer Advocate with the Department of Consumer Affairs since 2002. Chairman-Elect Nikki Hall and Vice Chairman-Elect Swain Whitfield were sworn in on July 9, 2014.

## SOUTH CAROLINA LEGISLATIVE UPDATE

The following bills of interest became law since the First Quarter Newsletter. All legislation being followed that did not pass will have to be re-filed in the next session in 2015.

### **ACT 145 / Senate Bill 148 – Identity Theft Protection / Security Freeze**

Provides measures to safeguard protected consumers from identity theft. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/148.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/148.htm)

### **ACT 190 / Senate Bill 561 – Secondary Metals Recyclers**

Restricts a secondary metals recycler from purchasing manhole covers, grates or coils except under certain circumstances and prohibits cash transactions for copper, catalytic converters or kegs which total \$25+. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/561.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/561.htm)

### **ACT 214 / Senate Bill 446 – Ratifies Constitutional Amendment Governor / Lt. Governor**

Ratifies constitutional amendment allowing a joint election for Governor and Lt. Governor. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/446.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/446.htm)

### **ACT 220 / Senate Bill 1033 – Out-of-State Business**

Out-of-state business performing disaster or emergency-related work exempted from certain licensing and taxing requirements. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/1033.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/1033.htm)

### **ACT 229 / Senate Bill 1085 – Transportation Infrastructures**

Allows use of local sales and use tax or toll revenues to finance transportation infrastructure. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/1085.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/1085.htm)

### **ACT 256 / House Bill 4732 – Primaries**

Clarifies the authority of a political party to conduct an advisory primary at party expense and allows the party to set the date of a presidential primary conducted by the State Election Commission. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/4732.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/4732.htm)

### **ACT 270 / Senate Bill 459 – Texting**

Illegal to compose, send or read a text while driving. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/459.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/459.htm)

### **ACT 286 / House Bill 4701 – Appropriations Bill**

Appropriations bill for 2014-2015 fiscal year. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/4701.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/4701.htm)

### **ACT 292/ House Bill 3149 – Precious Metals**

Amends identification requirements for sellers of precious metals, increases mandatory period for holding precious metals and increases penalties for purchase by dealer with revoked license. [http://www.scstatehouse.gov/sess120\\_2013-2014/bills/3149.htm](http://www.scstatehouse.gov/sess120_2013-2014/bills/3149.htm)



## FCC BRIEFS

The following documents can be downloaded from the FCC's website at <http://www.fcc.gov>

On July 1, 2014, the FCC released a report showing state-by-state impacts of an e-rate proposal to modernize the federal E-Rate program to meet a pressing demand by schools and libraries for connectivity to wireless high-speed Internet or Wi-Fi. The report is available at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2014/db0701/DOC-327993A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2014/db0701/DOC-327993A1.pdf)

On June 30, 2014, the FCC released its Report to Congress on *Video Description: Implementation of the 21<sup>st</sup> Century Communications and Video Accessibility Act of 2010*. The industry appears to have largely complied with their responsibilities under the Commission's 2011 rules. However, consumers report the need for increased availability of and easier access to video-described programming on television and online. DA 14-945.

On June 25, 2014, the FCC released new data in two reports: *Internet Access Services* and *Local Telephone Competition*. The number of connections with downstream speeds of at least 10 bps increased by 118% over June 2012 including 58 million fixed connections and 45 million mobile connections. In voice services, there were 90 million end-user switched access lines in service, 45 million interconnected VoIP subscriptions, and 306 million mobile voice subscriptions as of June 30<sup>th</sup>. The reports can be downloaded at <http://transition.fcc.gov/scb/iatd/stats.html>.

On May 15, 2014, the FCC launched a rulemaking seeking public comment on how to best protect and promote an open Internet. The FCC proposes to rely on the legal blueprint set out for the D.C. Cir. Court of Appeals decision in *Verizon v FCC*. FCC 14-61.

On April 23, 2014, the FCC took significant steps toward implementing the next phase of the Connect America Fund. Phase I invested \$438 million to deploy broadband service to 1.6 million previously unserved Americans and invested \$300 million to expand advanced mobile wireless service. Phase II will result in a nearly 70% increase in annual support for broadband and voice services in areas served by the nation's largest traditional local providers. Over 5 years, Phase II will provide nearly \$9 billion to expand broadband in rural areas.

On April 18, 2014, the Wireline Competition Bureau announced the posting of fixed voice services data collection in the urban rate survey and explanatory notes regarding the data on the FCC's website at <http://fcc.gov/encyclo0edia/urban-rate-survey-data>

On April 15, 2014, the FCC released its further notice of proposed rulemaking and report and order in its review of broadcast ownership rules. FCC 14-28.

On April 14, 2014, the FCC issued its Order setting forth the Tariff Review Plans available for all ILECs to use to support the annual revisions to the rates in their interstate access service tariffs. DA 14-494.

The FCC announced that the National Lifeline Accountability Database is up and running and has identified \$169 million in annualized savings by flagging existing Lifeline duplicates for elimination while preventing enrollment of new duplicates on April 3, 2014. The FCC also released guidelines governing a new regimen of independent audits that Lifeline providers receiving \$5 million or more a year from the program must conduct every 2 years.



## STATE-ISSUED CERTIFICATES OF FRANCHISE AUTHORITY

As of July 7, 2014 the South Carolina Secretary of State has issued the following certificates of franchise authority. Changes from the last newsletter are highlighted in **red**:

ATLANTIC BROADBAND.....	Aiken, Aiken County, Allendale, Allendale County, Bamberg, Bamberg County, Barnwell, Barnwell County, Blackville, Burnetttown, Denmark, Elko, Fairfax, Jackson, New Ellenton, Snelling, Williston
BALDWIN COUNTY INTERNET/ DSSI SERVICE, LLC	Beaufort County, Charleston County, Greenville, Greenville County
BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T SOUTH CAROLINA	...Aiken, Anderson, Anderson County, Arcadia Lakes, Bamberg County, Belton, Berkeley County, Blythewood, Burnetttown Calhoun County, Camden, Cayce, Central, Chapin, Charleston, Charleston County, Cheraw, Cherokee County, Chesterfield County, Clemson, Clover, Colleton County, Columbia, Cordova, Dorchester County, Duncan, Easley, Edgefield County, Edisto Beach, Elgin, Fairfield County, Folly Beach, Forest Acres, Fountain Inn, Gaffney, Gaston, Goose Creek, Greenville, Greenville County, Greer, Hanahan, Hollywood, Irmo, Isle of Palms, James Island, Kiawah Island, Kershaw County, Laurens County, Lexington County, Liberty, Lincolnville, Little Mountain, Lyman, Mauldin, McConnells, Mount Pleasant, Newberry County, North Augusta, North Charleston, Oconee County, Orangeburg, Orangeburg County, Pelzer, Pickens, Pickens County, Pine Ridge, Ravenel, Reidville, Richland County, Rockville, Seabrook Island, Seneca, Six Mile, South Congaree, Spartanburg, Spartanburg County, Springdale, Sullivan's Island, Summerville, Travelers Rest, Union, Union County, Walhalla, West Columbia, West Pelzer, Westminster, Williamston, York, York County
BERKELEY CABLE TV, INC.....	Berkeley County, Bonneau, Charleston, Goose Creek, Harleyville, Jamestown, Moncks Corner, North Charleston, St. Stephens, Summerville
BROADBAND EXPERIENCE d/b/a FAMILY VIEW CABLEVISION ...	Central, Clemson, Pickens County
<b>CAMDEN CORPORATE INVESTMENTS LLC, d/b/a TRUVISTA.....</b>	<b>City of Camden</b>
CAROLINA TELECOM SERVICES.....	Hickory Grove, Sharon
CATAWBA SERVICES, LLC .....	Rock Hill
CHARTER COMMUNICATIONS, LLC.....	Abbeville, Anderson County, Belton, Campobello, Central Pacolet, Cherokee County, Chesnee, Clinton, Cowpens, Duncan, Easley, Greer, Greenville, Greenville County, Honea Path, Inman, Iva, Jonesville, Landrum, Laurens, <b>Laurens County</b> , Mauldin, Newberry County, Oconee County, Pelzer, Pickens County, Reidville, Salem, Simpsonville, Six Mile, Spartanburg, Spartanburg County, Starr, Travelers Rest, Union, Union County, Wellford, West Pelzer, Whitmire, Williamston, Woodruff
CHESNEE COMMUNICATIONS.....	Cherokee County, Chesnee, Spartanburg County
CHESTER COMMUNICATIONS, LLC d/b/a TRUVISTA.....	Chester, Richburg
COMCAST OF CAROLINA.....	Berkeley County, Charleston, Dorchester County, Edisto Beach, Goose Creek, Hampton County, Hanahan, Isle of Palms, James Island, Mount Pleasant, Sullivan's Island, Summerville
COMCAST OF GEORGIA/SC II.....	Beaufort County, Charleston, Edisto Beach, Hampton County, Hollywood, Meggett, Mount Pleasant, Town of Seabrook Island
COMCAST OF GEORGIA/SC INC.....	Aiken County, Burnetttown, Hampton County, North Augusta
COMCAST OF THE SOUTH.....	Calhoun Falls, Prosperity
ELK COMMUNICATIONS, LLC.....	Gaston, Lexington County, Swansea
FAIRVIEW COMMUNICATIONS d/b/a TRUVISTA.....	Blythewood, Richland County, Ridgeway
FARMERS TELEPHONE COOPERATIVE	Andrews, Clarendon County, Coward, Florence County, Georgetown County, Greeleyville, Lane, Lee County, Lynchburg, Mayesville, Paxville, Pinewood, Scranton, Sumter, Sumter County, Turbeville, Williamsburg County

**State-Issued Certificates of Franchise Authority *continued...***

FTC DIVERSIFIED SERVICES, LLC.....	Bishopville, Clarendon County, Florence County, Georgetown County, Hemingway, Kingstree, Lake City, Lee County, Manning, Olanta, Summerton, Sumter, Sumter County, Williamsburg County
GREAT FALLS CABLEVISION, INC.....	Town of Great Falls d/b/a TRUVISTA
HARGRAY CATV CO., INC.....	Bluffton, Estill, Hampton, Hardeeville, Hilton Head Island, Jasper County, Ridgeland
HARGRAY, INC.....	Beaufort, Beaufort County, Port Royal
HORRY TELEPHONE COOPERATIVE...	Conway, Horry County, Georgetown County, Surfside Beach
HPI ACQUISITION CO., LLC.....	Anderson, Anderson County, <b>Donalds</b> , Due West
KNOLOGY OF CHARLESTON, INC.....	City of Charleston, Charleston County, Dorchester County, Hanahan, James Island, Lincolnville, Mount Pleasant, North Charleston, Summerville
MANAGED SERVICES INC.....	Berkeley County, Horry County, Jasper County, Richland County
METROCAST COMMUNICATIONS.....	Marlboro County, McColl OF MISSISSIPPI, LLC
NORTHLAND CABLE TELEVISION.....	Abbeville County, Clemson, Edgefield, Johnston, Laurens County, <b>Norris</b> , Oconee County, Pendleton, Pickens County, Saluda, Saluda County, Seneca, Six Mile, Walhalla, West Union, Westminster
PALMETTO CABLE TV, LLC.....	Fort Mill, Lancaster County, Tega Cay
PALMETTO RURAL TELEPHONE.....	Bamberg County, Colleton County, Cottageville, Lodge, Smoaks, Walterboro, COOPERATIVE, INC. Williams
PASSPORT COMMUNICATIONS.....	Fort Mill
PINE TREE CABLEVISION.....	Aiken County, Bamberg County, Barnwell County, Bethune, Cottageville, Gaston, Jefferson, Kershaw County, Lamar, McBee, Orangeburg County, Perry, Salley, Wagener
PBT COMMUNICATIONS.....	Gilbert, Lexington, Lexington County, Monetta, Pelion, Ridge Springs, Saluda County, Summit, Wagener
RST COMMUNICATIONS, INC.....	Gaffney
SANDHILL TELEPHONE COOPERATIVE..	Bethune, Chesterfield County, Jefferson, Kershaw County, McBee, Mount Croghan, Pageland, Patrick
SOUTHERN CABLE COMMUNICATIONS...	Georgetown County
TECHCORE CONSULTANTS II.....	Bowman, Dorchester County, Earhardt, Eutawville, Holly Hill, Orangeburg County
TIME WARNER CABLE, .....	Andrews, Batesburg-Leesville, Beaufort County, Bishopville, Bluffton, Calhoun SOUTHEAST, LLC County, Cayce, Charleston County, Cheraw Clover, Chesterfield County, Columbia, Conway, Cordova, Darlington County, Dillon, Dillon County, Florence, Florence County, Forest Acres, Fort Mill, Georgetown, Georgetown County, Goose Creek, Hardeeville, Hemingway, Hilton Head, Horry County, Irmo, Jasper County, <b>Kingstree</b> , Lakeview, Lane, Latta, Lee County, Lexington, Lexington County, Manning, Marion County, McBee, Moncks Corner, Myrtle Beach, Nichols, Orangeburg, Orangeburg County, Pamplico, <b>Pawleys Island</b> , Pine Ridge, Quinby, Richland County, Saluda County, South Congaree, Springdale, St. Matthews, Surfside Beach, Summerville, Sumter, Sumter County, West Columbia, Williamsburg County, York County
VIDEO VISION, INC.....	Fort Lawn, Heath Springs, Kershaw, Lancaster, Lancaster County
YRT2, INC.....	Berkeley County, Columbia, Dorchester County, Greenville, Greenville County, Horry County, Myrtle Beach, Summerville