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Hoa rules and regulations template

The Family and Medical Leave Act, a federal law that allows employees to take time off work for medical conditions and specific family concerns, includes rules and regulations for covered employers. To follow these federal quidelines, small-business owners need to familiarize themselves with the basic duties of an employer as they pertain to FMLA benefits. Small businesses that employee 50 or more employees may be subject to FMLA regulations. FMLA rules specifically state the 50 or more employees must work within 75 miles of one another for the business to be required to abide by FMLA. For a business to be required to abide by FMLA. business operates at two locations that are 100 miles apart. One location has 20 workers; the other has 35. Although the company employers may be required to complete paperwork for employee benefits and deal with health-care providers to confirm certification. Employees to return to work following an FMLA leave. After returning to work, an employee may be limited in the number of hours she can work in a scheduled period. If a medical condition prevents her from working overtime hours the business requires, an eligible employee can take FMLA leave and cannot force an employee to work the extended hours if her medical condition is covered. During an FMLA leave of absence, the employee has been off work for more days than was originally certification at six-month intervals. The employee must take an extended leave, the employee to use accrued paid leave, such as sick days and vacation time, while he's off work. Nonprofit organizations, including those with a religious affiliation, can be required to abide by FMLA guidelines if they engage in activity that affects commerce, according to the U.S. Department of Labor Employee Standards Administration. Previous court rulings have stated that religious organizations with more than 15 employees would be likely to affect commerce in some form. Thus, those that have 50 or more workers for FMLA purposes generally must follow FMLA regulations. Exemptions have only been granted to organizations through the courts. Some form of child protective services exists in every state in the United States, and encountering CPS can be an upsetting and scary experience for both children and adults. It's important for all adults, not just parents and educators, to know the basic CPS laws of their state. Texas has some specific laws related to CPS that differ from those of the rest of the country. The Texas Department of Family and Protective Services (DFPS) is the body that oversees child abuse and child restigations and cases as well as elder abuse and other family issues. Within that department, Child Protective Services becomes involved with children and families when they are referred by the DFPS investigations division. This division investigates allegations of child abuse and neglect before referring them to CPS. The responsibilities of CPS in Texas include: Providing family-based safety services to children and families in their own homes. These services can help prevent the need to remove children from their families or facilitate the return of a child to the family. Placing children in foster care and helping youth currently in foster care adopted obtain records and information. This means that if DFPS gets a report of child abuse or neglect and the investigation shows that the child might be in danger, CPS is empowered to remove the perpetrator or work with the family in their home. In Texas, unlike in many other jurisdictions, everyone has a legal duty to report suspected child abuse or neglect, not just the usual mandatory reporters such as teachers or health care professionals. This even applies to individuals whose communications would otherwise be regarded as privileged, including lawyers, therapists, clergy and medical professionals. Failing to report suspected neglect is a class A misdemeanor. This may result in as much as a year in jail and a fine of up to \$4,000. Because every adult to understand what constitutes abuse and neglect, it's important for every adult to understand what constitutes abuse and neglect in the state. There are both civil and criminal penalties in Texas for child abuse and neglect. By law, a parent or guardian must provide or arrange for someone else to provide certain necessities to any children under their care. These include safe and adequate food, clothing, shelter, medical care, supervision and protection. Neglect is defined as failure to provide a child with the food, clothing and shelter necessary to maintain a healthy life. Medical neglect is the failure to seek, obtain or administer medical care and treatment when substantial harm could have resulted. Neglectful supervision is the failure to properly supervise a child or see to the supervision of the child when substantial harm could have resulted. Abandonment and refusal to accept parental responsibility means a parent or caregiver left a child in a potentially harmful situation and did not plan to return for the child. The refusal to accept parental responsibility specifically refers to when a child has been out of the home for any reason and the parent/caregiver refuses to allow the child to return home. Texas recognizes several factors as signs of child neglect, including: Dirty and torn clothes Needing frequent medical or dental care Frequent absences from school Long periods where a child is alone Malnourishment Poor personal hygiene Not all instances of neglect qualify as child abuse. Texas recognizes several types of child abuse: Physical abuse is identified by "emotional or mental injury caused by the parent or caregiver that results in an observable effect on the child." Concerns about the psychological state of the child or her mental stability as demonstrated by behavior, mood or thoughts is also reported as such. Sexual abuse includes sexual indecency, sexual assault, using a child in making obscene or pornographic materials and "failing to make a reasonable effort to prevent sexual conduct to a child." Trafficking includes both labor trafficking and sex trafficking. In labor trafficking, a parent or caregiver forces a child to perform labor or services that are harmful or unhealthy for the child. In sex trafficking, a parent or caregiver receives compensation for forcing a child to engage in sex acts. Texas law also distinguishes between current abuse or neglect and past abuse or neglect. A case only qualifies as past abuse or neglect if all three of the following conditions are met: The abuse or neglect in the foreseeable future. Such an incident may have met the legal definition of abuse or neglect at the time it occurred, but there is no current danger to the child at the time of the report. Past abuse or neglect at the time it occurred, but there is no current danger to the child at the time of the report. Past abuse or neglect at the time of the report. Past abuse or neglect at the time of the report. exist on a sliding scale based on the seriousness of the charge. For example, simple abandonment is punishable by a fine and six months to two years in a state jail. However, if the abandonment placed a child in imminent danger of bodily injury, physical or mental impairment or death, it is a second-degree felony that can result in two to 20 years in prison along with a fine. The identity of a person who reports abuse or neglect to DFPS is confidential. If someone provides contact information for herself as a witness in the documents and records released to entitled parties. However, any information identifying the witness as the initial reporter will be removed. DFPS can only reveal the identity of an initial reporter to a judge or to law enforcement personnel under certain circumstances. CPS will then investigate the report. If it believes the child to be in danger, it can remove the child from the unsafe environment. In certain situations, CPS may instead remove the perpetrator, provided that the remaining parent(s) or caregiver(s) can guarantee that they will not allow the perpetrator to return. This is sometimes done in the interest of disrupting the child's life as little as possible. If a child is removed, CPS rules in Texas stipulate that it will notify the parents in writing and provide any papers filed with the court, and there will be a court hearing within 14 days. The judge does not decide to return the child should remain in foster care under CPS custody. If the judge does not decide to return the child should remain in foster care under CPS custody. If the judge does not decide to return the child should remain in foster care under CPS custody. If the judge does not decide to return the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. If the judge does not decide if the child should remain in foster care under CPS custody. 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If the child was not initially removed and no court case was filed, CPS may still create a safety plan that, if not met, will result in a court case against a parent or parents, the parent or parents have 12 months to show the court that the child can be safely returned to them — this is how long the case stays open. The CPS investigation itself must be completed within 30 days, though the deadline can be extended. Of the two types of SNTs, the more common is the third-party SNT. Parents, grandparents, siblings or guardians of loved ones with special needs are typically the grantors who form third-party SNTs. Some beneficiaries receive the funds in these trusts when the grantor of the SNT passes away, while others receive disability benefits. Multiple donors can fund the SNT. An SNT beneficiary cannot exercise control over the trust if they don't want their disability benefits to be impacted. Instead, the grantor or trustee allows them to amend the SNT if the beneficiary's circumstances change or the law changes. This is important to ensure the beneficiary's government beneficiary's needs, record-keeping and paying taxes. The trustee has complete control over the SNT, including spending the money in the trust, which should always and only be done in the trustee has complete control over the SNT, including spending the should always and only be done in the trustee has complete control over the should always and only be done in the trustee. beneficiary's best interest. When the beneficiary of a third-party trust passes away, remaining funds in the trust aren't used to reimburse the state for any disability beneficiary received. Instead, the trust ecan decide how to use the remaining assets upon the beneficiary's death. Setting up a first-party SNT is less common, but it is an option. Before the 2016 Special Needs Trust Fairness Act became law, the only people who could create a first-party SNT were the beneficiary's parents, grandparents or legal guardians. Courts also had the power to create this type of trust. Since then, however, an SNT beneficiary who's deemed legally and mentally competent can establish their own SNT. It's important to note that a first-party SNT can only contain property that the beneficiary legally owns. Additionally, the beneficiary must be under 65 years of age when this type of SNT is established. A first-party SNT is most commonly created when a person with a disability inherits money or assets or they collect a court settlement. First-party SNT is most commonly created when a person with a disability inherits money or assets or they collect a court settlement. First-party SNT is most commonly created when a person with a disability inherits money or assets or they collect a court settlement. party SNTs can be practical when a non-disabled person who owns assets becomes disabled. In that case, establishing a first-party SNT allows them to receive disability benefits without the value of their assets restricting their eligibility. Once the beneficiary of a first-party SNT dies, remaining assets are used to reimburse the disability programs, such as Medicaid, that provided benefits to the beneficiary during their lifetime. Other beneficiaries named in the trust account. Recent ArticlesJust in time for Thanksgiving, Federal Communications Commission (FCC) chairman Julius Genachowski has declared the proposed AT&T/T-Mobile merger a turkey. The full FCC must still vote, but Genachowski said that after reviewing 200,000 pages of documents and holding more than 100 stakeholder meetings, he has concluded the deal is not in the public interest. The FCC also reviewed 50 petitions to reject the deal from companies including Cablevision, C Spire, DISH, EarthLink, and Sprint. Technically, the FCC cannot block the deal and it's likely the affair will wind up in court, but Genachowski's finding pretty effectively sticks a fork in it and finds it over-cooked. The FCC has the power to approve the deal but if it finds it unacceptable, it can only refer it to an administrative law judge, who is obligated to consider all of the evidence gathered during the FCC's review. And the conclusion of the FCC's review. And the conclusion of the FCC's review. The to an administrative law judge, who is obligated to consider all of the evidence gathered during the FCC's review. The to an administrative law judge, who is obligated to consider all of the evidence gathered during the FCC's review. The to an administrative law judge, who is obligated to consider all of the evidence gathered during the FCC's review. The to an administrative law judge, who is obligated to consider all of the evidence gathered during the FCC's review. The to an administrative law judge, who is obligated to consider all of the evidence gathered during the FCC's review. The total consider all of the evidence gathered during the FCC's review. The total consider all of the evidence gathered during the FCC's review. The total consider all of the evidence gathered during the FCC's review. The total consider all of the evidence gathered during the FCC's review. The total consider all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the FCC's review. The total consideration all of the evidence gathered during the evidence gathered during the evidence gathered during the evidence gathered during the evidence gathered gathered during the evidence gather AT&T's claim that it would save jobs and speed the deployment of high-speed broadband to rural and underserved areas. DOJ SuitThe U.S. Justice Department has reached similar conclusions and has already sued to block the merger. That case is expected to go to trial in February, and the FCC is likely to hold off until the outcome of that case is clear. If the DOJ prevails, no further FCC action would be needed. Just a few weeks ago, Attorney General Eric Holder made it known the Justice Department's opposition is not a token gesture. He said litigators are "ready and eager" to go to trial.AT&T issued a statement calling the FCC's move disappointing. "It is yet another example of a government agency acting to prevent billions in new investment and the creation of many thousands of new jobs at a time when the US economy desperately needs both," Larry Solomon, senior vice president of corporate communications for AT&T, said. "At this time, we are reviewing all options." Just in time for Thanksgiving, Federal Communications Commission (FCC) chairman Julius Genachowski has declared the proposed AT&T/T-Mobile merger ...Read lessRead moreReport: FCC Failing To Resolve Consumer Complaints...House Committee To Probe FCC...Despite staunch opposition from Congress and media watchdog groups, the FCC voted 3-2 to relax its rules against businesses consolidating ownership of media outlets in a given region. Under the new rules, broadcasters in the nation's 20 largest media markets can now also purchase newspapers for their business, not that there has been any great rush to snap up moribund print properties, with the obvious exceptions of Dow Jones and the Tribune Company. The 3-2 vote was strictly along party lines, with FCC Chair Kevin Martin and commissioners Robert McDowell and Deborah Tate, all Republicans, supporting the rule change. Commissioners Jonathan Adelstein and Michael Copps, both Democrats, opposed it. Critics of the vote say it will open the door to more corporate buyouts of local media and decrease quality local journalism. The Free Press media coalition blasted the decision, with executive director Josh Silver saying that FCC chair Kevin Martin was "ignoring the public will and defying the U.S. Senate.""[Martin's] decision to gut longstanding ownership rules shows once again how the largest media companies with their campaign contributions and high-powered lobbyists are corrupting the policymaking process at the expense of local news coverage and independent voices," said Silver.Martin to demand he slow down the vote and give the public more time to comment on the issue, as is customary with most proposed government regulations. The letter, signed by Commerce Committee chairman Daniel Inouye and all four Senate Democrats running for President -- as well as Republicans Ted Stevens and Olympia Snowe, said that Martin "shortchanged the comment process...you have not completed a full review of localism prior to forcing a vote on a rule change dealing with media ownership limits.""When you proposed a new rule on the effects of communications towers on migratory birds, you allowed for a 90 day comment period," the Senators wrote. "How could you decide to allow 90 days for a migratory bird rule and then shortchange the public on the media ownership rule?"Sen. Maria Cantwell (D-WA), who signed the letter, said prior to the vote that Martin's decision would have "consequences." Congress is certainly not afraid to take action against the FCC, said Cantwell. "In the Senate, were going to make sure that if we have to pass legislation stopping the FCC, we will. Friends in high placesMartin, however, has the backing of the White House to pursue the media consolidation changes. Commerce Secretary Carlos Gutierrez wrote Senate Majority Leader Harry Reid prior to the vote, warning him that the Bush administration would fight any "attempt to delay or overturn these revised rules by legislative means. "Martin, a former Bush campaign operative whose wife Cathie has worked for both Bush and Vice-President Dick Cheney, has aggressively pursued a conservative, free-market agenda since succeeding Michael Powell to become FCC chair in 2005. Martin oversaw the mega-merger of BellSouth and AT&T, creating -once again -- the world's largest telecommunications company. Martin has also opposed legislation protecting the right of "net neutrality," enabling small Internet publishers equal access to the network. Martin has been a friend indeed to the telecommunications industry, supporting video franchising rules that enable Verizon and AT&T to roll out high-speed service to communities without complying with local or state franchising regulations -- regulation state franchising regulations that cable companies and diversification of cable subscriptions in given areas, as well offering of "a la carte" move as a back-door attempt to starve out cable channels that present adult-oriented content. Martin recently introduced a proposal to reinstate a cap on cable companies owning more than 30 percent of the national market, a move that was supported by consumer groups and bitterly opposed by the cable industry -- and expected to be voted on at today's meeting. Change in the weather Martin's rush to push the media consolidation relaxation waiver may be due to several large media deals that would run into problems without it, such as Rupert Murdoch's buyout of the Dow Jones corporation and Sam Zell's desire to purchase the Tribune publishing company, though Martin has granted both deals waivers to continue. The rush may also be attributed to Martin's tenure as FCC chair coming to an end. With a presidential election looming and the possibility of a Democrat taking the White House and the Democrats strengthening control of Congress, industry insiders speculate that Martin may be ensuring both the goals of the Bush administration and his own future political or lobbying ambitions. Former FCC commissioners usually wind up practicing communications law on Washington's K St., offering the Bush administration and his own future political or lobbying ambitions. Former FCC commissioners usually wind up practicing communications law on Washington's K St., offering the Bush administration and his own future political or lobbying ambitions. advice and counsel to the media conglomerates they tenderly regulated during their time in office. Thus, one's actions today can lay up rewards in the next life, i.e., the private sector.FCC Votes To Relax Media Ownership Rules...Read lessRead moreAn especially vigorous House panel grilled the Federal Communications Commission (FCC) today, with Commerce Committee Chair John Dingell (D-MI) asserting that the FCC's recent order to states and municipalities. Referring to the FCC's recent order to states to streamline the approval of new video franchises, Dingell said that "[i]f reform of that regulatory structure is necessary, then it is Congress' prerogative to take such action as we have done before. "The FCC's rules make it easier for Verizon, At&T and other would-be competitors to get local cable TV franchises. At the same time, they limit the authority of states and municipalities to oversee the new entrants and protect consumers. Under the new rules, local communities would have a time limit of six months to approve new entrants into a market for video, and 90 days for companies that already provide other services to an entire community, meaning that new entrants could choose to serve only the more affluent sections of a city or region.Critics of the rules say they were designed solely to benefit AT&T; and Verizon, with little regard for consumers or other players in the marketplace."[Franchise reform] is not the role of the FCC. The Commission chose to ignore the well-settled divisions of responsibilities, that is unwise," Dingell said.At another point, FCC chairman Kevin Martin was asked by Telecommunications Subcommittee chairman Ed Markey (D-MA) why the commission did not investigate reports that the National Security Agency (NSA) had illegally acquired the phone records of Americans. Markey said that Martin should expect to be a "frequent visitor" before the committee, and Dingell agreed, suggesting that the committee should hold oversight hearings of the FCC on a monthly basis. Dingell's comments were typical of the increased scrutiny the Republican-led FCC is facing in a Democratic Congress, at a time when the FCC is involved in numerous issues ranging from public-interest rights for digital television to the possible reinstatement of caps on subscribers to cable companies cannot serve more than 30 percent of potential subscribers in the United States. The order stems from a 1992 ruling to prevent mass consolidation of the cable industry and reduce subscriber choices. Cable companies such as Comcast and their lobbyists have challenged the 30-percent cap in recent months as unnecessary, given the proliferation of alternative entertainment services that provide video. Cable companies also objected to the franchising decision, saying it represented a giveaway to their competitors in the telecom industry, and that they would negotiate for the streamlined rights as well. Martin's friendliness towards telecom companies was demonstrated by his heavy push for the merger of AT&T; and BellSouth to form the country's largest telecom company. The merger was stalled over objections from Democratic Commissioners Jonathan Adelstein and Michael Copps, but was passed after AT&T; agreed to support "net neutrality" for its basic Internet services -- a concession Martin opposed and intimated he would not enforce. That stance drew criticism from Commistee member Anna Eshoo (D-CA) during the hearing. Rep. Eshoo said it was "rather extraordinary" that Martin would state his intent to not enforce the net neutrality provision of the agreement. Martin insisted that he would do so. Eshoo was particularly critical of Martin's "heavy-handed manner." I continue to hear complaints that the commission is unresponsive, insular and even capricious at times," she said. The FCC has also been criticized for burying or suppressing reports that would contradict their political objectives. During a push by Martin to enable greater consolidation and cross-ownership of local television stations, an FCC report surfaced that claimed local news stations benefited from local ownership. The report, commissioned by Martin's predecessor, Michael Powell, was ordered destroyed. Martin claimed he had never seen the report. The FCC recently terminated another study that found wireless emergency 911 services did not work effectively for cellphones when called from inside buildings. The report's author, Dale Hatfield, presented his findings to the FCC, but was told the study was being discontinued. That didn't satisfy Rep. Mike Doyle (D-PA), another Telecommunications Subcommittee member. Doyle said that Martin was "strangely silent" on the matter, which he found "puzzling," and promised to pursue it further. FCC Chair Grilled By Congress Over Favorable Treatment of AT&T, Verizon...Read lessRead moreAT&T; has offered concessions to the FCC to sweeten the pot for approval of its mega-merger with BellSouth, but some tricky legal language may end up costing consumers more in the end. The 20-page list of offers was delivered to the FCC late yesterday (Dec. 28) in the hope that the commission would vote on the merger before the end of the year. The merger talks have been stonewalled between the 2 Republican and 2 Democratic members of the commission who can vote. Robert McDowell, the fifth FCC commissioner, formally recused himself on the grounds that he once represented competitors of AT&T; as a lobbyist. Chief among the concessions was a promise to maintain standards of "net neutrality" on AT&T; s broadband services for 30 months from the date of the merger approval. Net neutrality, the principle of maintaining free and equal access to all Internet content, was staunchly opposed by AT&T;, which wants to offer high-speed premium services and prioritize delivery of that content at the expense of its existing service."[I]n the interest of facilitating the speediest possible approval of the merger by the Commission, Applicants agree to the attached merger commitments, which are significantly more extensive than those submitted on October 13," AT&T; said in its statement. Other concessions included a promise to reestablish 3,000 jobs in America that had been outsourced to other countries, and an offer of stand-alone DSL for \$19.95 a month in BellSouth's territories. Consumer groups hailed the agreement as a victory that enables low-income neighborhoods to breach the digital divide, as well as for supporters of net neutrality overall. "This merger endangers long-term competition," said Consumers Union vice president Gene Kimmelman. "But by making AT&T;'s high-speed Internet service available to consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a month, the FCC could open the door for consumers for less than \$20 a mon lower prices for all telecom services. "Ben Scott, policy director of media watchdog Free Press, agreed." Making Net Neutrality a condition of the largest merger in telecommunications history would set an important precedent," he said. "For free speech, democratic participation and economic innovation to thrive online, Net Neutrality must be the law. "Bait And Switch? However, AT&T; may have pulled a fast one. In enumerating its net neutrality concession, AT&T; said that, "This commitment also does not apply to AT&T; by left a fast one. In enumerating its net neutrality concession, AT&T; said that, "This commitment also does not apply to AT&T; by left a fast one. In enumerating its net neutrality concession, AT&T; by left and the agreement may allow its UVerse rollout to sidestep its own net neutrality on a network they never intended to use that way, and carves out permission to use it on their new network, where they had planned all along to set up additional tollbooths. "The AT&T; promises not to violate network they never intended to use that way, and carves out permission to use it on their new network, where they had planned all along to set up additional tollbooths." peace offering comes on the heels of the FCC's decision to ease rules for telecom companies to offer video franchising in communities. The new rules eliminate requirements for companies to "build out" service to all parts of a town or region, and streamlines the approval process. Critics charged the new rules will empower telecoms like AT&T; to "cherry pick" by selling high-speed broadband and TV services only in the most affluent neighborhoods.AT&T; reiterated its committed to providing, and has expended substantial resources to provide, a broad array of advanced video programming services in the AT&T: in-region territory. the company said. It remains to be seen if the concessions are enough to push the FCC to vote on the merger. AT&T Offers Net Neutrality Concessions To Win Merger Approval... Read less Read more As 2006 ticked to a close, the Federal Communications Commission voted unanimously to deliver a Friday afternoon gift to mighty AT&T;, approving its \$85 billion takeover of BellSouth, over the objections of consumer groups who said the merger delivered no benefits to consumers. Story continues below videoIt's a fondly-treasured Washington tradition to take actions likely to be unpopular with large segments of the electorate on a Friday afternoon, when they're least likely to be noticed. A Friday before a holiday weekend is even better. The commission's action followed last-minute concessions by AT&T; intended, although critics said some tricky legal language may end up costing consumers more in the end. It's the largest deal ever in U.S. telecommunications history. The new AT&T; will have a market capitalization of over \$220 billion -- more than double that of Verizon. It will serve more than 70 million broadband users. Among other things, the merger gives AT&T: full control of Cingular Wireless, which it had operated as a joint venture with BellSouth. The company has said it will phase out the Cingular brand name, replacing it with the AT&T; brand.AT&T; also says it will aggressively roll out its new Internet video service in what was previously BellSouth territory. It plans to reach 19 million homes in its own 13-state region by the end of 2008. The 20-page list of concessions was delivered to the FCC late yesterday (Dec. 28) in the hope that the commission would vote on the merger before the end of the year. The merger talks had been stonewalled between the 2 Republican and 2 Democratic members of the commission who can vote. Robert McDowell, the fifth FCC commissioner, formally recused himself on the grounds that he once represented competitors of AT&T; as a lobbyist. 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Consumer groups hailed the agreement as a victory that enables low-income neighborhoods to breach the digital divide, as well as for supporters of net neutrality overall."This merger endangers long-term competition," said Consumers for less than \$20 a month, the FCC could open the door for consumers to connect low-cost Internet telephone service to broadband and thereby pressure the market to keep delivering lower prices for all telecom services. "Ben Scott, policy director of media watchdog Free Press, agreed. "Making Net Neutrality a condition of the largest merger in telecommunications history would set an important precedent," he said. "For free speech, democratic participation and economic innovation to thrive online, Net Neutrality must be the law. "Bait And Switch? However, AT&T; may have pulled a fast one. In enumerating its net neutrality concession, AT&T; said that, "This commitment also does not apply to AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service." AT&T; bellSouth's Internet Protocol television (IPTV) service. "AT&T; bellSouth's Internet Protocol television (IPTV) service. agreement may allow its UVerse rollout to sidestep its own net neutrality on a network neutrality on a tollbooths. "The AT&T; peace offering comes on the heels of the FCC's decision to ease rules for telecom companies to "build out" service to all parts of a town or region, and streamlines the approval process. Critics charged the new rules will empower telecoms like AT&T; to "cherry pick" by selling high-speed broadband and TV services only in the most affluent neighborhoods.AT&T; reiterated its committed to providing, and has expended substantial resources to provide, a broad array of advanced video programming services in the AT&T; in-region territory," the company said.FCC Approves AT&T-BellSouth Merger...Read lessRead moreTelecom giant BellSouth Merger. policies. BellSouth had been following fellow Verizon's lead by planning to impose a "regulatory cost recovery fee" on its high-speed Internet customers. The new fee was \$2.97, exactly the same amount as the old Universal Service Fund (USF) fee which BellSouth had recently won the right to stop paying into. Whereas the old USF fee was ostensibly designed to fund development of low-cost telecommunications services in rural areas, the new fee was designed specifically to "recover the costs of regulatory compliance." However, the FCC, the chief telecommunications regulatory agency, was skeptical about the new fee. The agency said it had sent an eight-page "letter of inquiry" to both BellSouth and Verizon asking whether the new fees complied with the FCC's "Truth-In-Billing" requirements for clearly explained and understandable customer charged. The credit would take one to six weeks to appear on customer bills, the company said. The FCC is generally regarded as giving the big telephone companies a wide berth but this escapade went a bit too far. Several FCC commission takes its obligation to protect consumers very seriously," said FCC spokesman David Fiske. "Consumers must be provided with clear and nonmisleading information so they may accurately access the services for which they are being charged and the costs associated with those services. "Last year, the FCC eliminated the Universal Service Fund payments for DSL subscribers' monthly Internet bills by a dollar or two. Verizon said that it had provided reasons for its own fare hike on its Web site. Verizon blamed its new fee on the "increased costs" of providing service to customers who only buy high-speed Internet, without buying basic telephone service. Bell South is currently in the process of being acquired by AT&T;, and requires FCC approval to complete the merger. AT&T; itself had not instituted any new fees on customer services after receiving relief from the USF, and was not, at last word, a target of the FCC inquiry."We want to do what's in the best interest of our customers," said Herschel Abbott, BellSouth's vice president of governmental affairs, attempting to explain the company's about-face. Observers and tech analysts were skeptical that the FCC would pursue any serious action against the telcos, given FCC chairman Kevin Martin's generally business-friendly approach to the agency's agenda. A commenter at tech news blog TechDirt remarked that "[A] couple more donations in the right places and the FCC will find that these are legitimate charges and maybe even suggest the telcos overlooked a few more that could also be tacked on. "Critics said the latest "bait and switch" sleight of hand regarding the old and new fees were evidence that "net neutrality" legislation is essential. After years of touting their dedication to building nationwide broadband access and elbowing out would-be competitors through regulatory machinations and ferocious lobbying, the major telecom companies are showing their true colors as they ramp up their campaign for "tiered service," where the clients paying the most will have access to the fastest and highest-quality Internet service. Proponents of net neutrality believe that if telecom and cable companies start instituting tiered pricing, it will leave lower-income customers -- Internet users and content providers alike -- in the Internet "slow lane," unable to access the best circuits and forced to put up with slower, glitch-prone access."The telephone companies are still in mourning for the good old days when there was something called long-distance service, with rates based on both mileage and time," said one longtime Washington public affairs executive. "The whole concept of the Internet -- unmetered access to the whole wide world -- makes them cry.""This change amounts to a price increase, nothing more and nothing less," said Samuel A. Simon, chairman of TRAC, a Washington consumers group. FCC Nudges BellSouth Into Giving Up New Fees... Read less Read more

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