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Ross School of Business Working Paper
Working Paper No. 1195
May 2013

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Barriers to Entry and Competitive Behavior: Evidence from Reforms of Cable Franchising Regulations*

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First draft: March 2011

This draft: May 2013

Abstract

Between 2005 and 2008, 19 of the 50 states of the U.S. reformed the franchising process for cable television, significantly easing entry into local markets. Using a difference-in-differences approach that exploits the staggered introduction of reforms, we find that prices for “Basic” service declined systematically by about 5.5 to 6.8 percent following the reforms, but we find no statistically significant effect on average price for the more popular “Expanded Basic” service. We also find that the reforms led to increased actual entry in reformed states, by about 11.6% relative to non-reformed states. Our analysis shows that the decline in price for “Basic” service holds for markets that did not experience actual entry, consistent with limit pricing by incumbents. To control for potential state-level shocks correlated with the reforms, we undertake a sample-split test examining changes in local markets which faced a greater threat of entry (because they were close to a prominent second entrant); we find larger declines in prices, for both “Basic” and “Expanded Basic” services in these markets. Our results are consistent with limit pricing models that predict incumbents respond to increased *threat* of entry, and suggest that the reforms facilitated entry and modestly benefitted consumers in reformed states.

Keywords: Price competition, Limit pricing, Signaling, Entry deterrence

JEL classification codes: L51 (Economics of Regulation); L43 (Legal Monopolies and Regulation or Deregulation); L82 (Industry Studies: Services-Entertainment; Media); L12 (Monopoly, Monopolization Strategies)

*We thank Ying Fan and Jeremy Fox for detailed comments on an earlier draft. We also thank (without implicating) seminar participants at the University of Michigan, the Annual International Industrial Organization Conference, 2012, and the Midwest Economic Association Annual Conference, 2011, for comments on an earlier version of the paper. All remaining errors are our own.

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1 Introduction

Watching TV is the predominant leisure activity in the U.S., accounting for about half of leisure time on average for American adults (BLS 2012). Cable television plays a very significant role in this activity, with a share of over 60% of U.S. households in 2010 (Nielsen 2011). For an industry with such a significant presence in households across the nation, cable television continues to see little competition in many local markets, despite federal reforms such as the Cable Act of 1992 and the Telecommunications Act of 1996 that aimed specifically to enhance competition. In particular, based on a 2009 survey, the FCC documented effective competition (from either satellite TV (DBS) or a second wireline operator) for only 31.65% of subscribers (FCC 2011, p. 18), implying that 68.35% of subscribers did not have competitive offerings to choose from.

Policy measures to boost competition in the cable industry continue to be debated at the state and federal levels. In this paper, we examine the impact of one such reform – the deregulation of the franchising process for cable television, which was adopted in nineteen states of the U.S. between 2005 and 2008. Prior to 2005, in all but four states, prospective entrants to any local market (termed as “community”) had to negotiate with local municipalities on a case-by-case basis. Because the local authorities often imposed significant restrictions on the new entrants, the need to negotiate individually with local municipalities posed a challenge to potential entrants, with the FCC concluding that “local franchising process in many jurisdictions constitute an unreasonable barrier to entry that impedes...cable competition” (FCC 2006).

Following deregulation, the reformed states have allowed for cable companies to receive a *single state-wide* franchise for providing service to communities anywhere within the state. By standardizing the terms and conditions that apply to both existing providers and new entrants into this industry, the reforms effectively liberalized entry by reducing the restrictions typically imposed on new entrants by local city councils (FCC 2006, FCC 2007, Bolema 2008). The significance of the reforms is reflected in the intense lobbying and legal efforts undertaken by incumbents to delay the reforms and by telecom companies (‘Telcos’) in support of the reforms.¹

While these reforms were the subject of strong debate and lobbying efforts, there has been surprisingly little systematic evaluation of the effect of the reforms,² and anecdotal evidence on the effect of the reforms is mixed.³ In addition to being of direct policy interest, studying these reforms provides a unique opportunity to examine the effects of a reduction in barriers to entry on incumbent behavior. As pointed out by Goolsbee

¹For anecdotal evidence on the lobbying efforts see news articles by e.g., Reardon 2005a, Haugsted 2006, Sura 2006, and Sher 2008.

²One exception is a study by Bohanon and Hicks (2010), who examine the effect of franchising reforms on number of broadband connections using FCC data; they find an increase in broadband subscriptions following the reforms.

³Articles about specific states suggesting consumers benefitted include Spiwak 2006 (Texas), Schneider 2007 (Wisconsin) and Rogers 2008 (Michigan), while Kreucher 2008 (Michigan), and Barrett 2008 (Wisconsin) argue otherwise.

and Syverson (2008), the effect of an increased *threat* of entry has been a topic of interest in the theoretical literature, but has been much less investigated empirically, as it is difficult to find empirical instances where the threat of entry went up without necessarily inducing entry itself. More broadly, the reforms provide a setting to study the effect of competition on firm behavior; changes in regulatory barriers to entry helps overcome the difficult challenge of finding exogenous sources of variation in the competitive environment (Holmes and Schmitz, 2010).

Because deregulation was introduced across the nineteen states in a staggered manner, we are able to adopt a standard difference-in-differences (DID) approach exploiting differences in timing to control for common shocks (e.g., as in Card 1992). Using a rich micro data set which includes data on prices of cable television in every local community across the United States over a seven-year period from 2004 to 2010, we examine whether the price of subscribing to the two primary service tiers – “Basic” and “Expanded Basic” – declined in response to these reforms.⁴ Complementing this dataset with hand collected data on entry by the two major Telcos, Verizon and AT&T, we also examine how entry by cable operators and Telcos was affected by the reforms.

We find that prices for “Basic” service are lower by about 5.5 to 6.8% in DID terms in states which have reformed their franchising process for cable television. We find no effect on prices of the more popular “Expanded Basic” service tier. We confirm that the DID effects were not impacted by pre-existing trends – the trends in prices for both “Basic” and “Expanded Basic” service in the reformed states were not different from that in the non-reformed states. We check and find these results robust to a range of robustness checks. In particular, we find the results robust to including additional controls for quality of channels offered (in addition to the control for number of channels), including amortized costs of installation in the price, examining long differences, restricting analysis to a balanced panel of communities, using alternative fixed effects, including only principal communities, and excluding some sub-sets of states. As a falsification test, we check and find no effects using residential, commercial and industrial electricity prices. Finally, we find that quantity (measured as number of subscribers) went up in response to the price decline, though the estimated effects are noisy.

We then examine entry, and find evidence for significant additional entry in reformed states, particularly by Telcos. While raw summary statistics suggest about 13.3% more communities in reformed states experienced entry, controlling for demographic and market characteristics in a linear propensity model, we find a DID excess entry rate between 7.95% and 13.8% in the reformed states.

Our findings carry implications for related theoretical literature. As we discuss in

⁴“Basic” cable service, also referred to as the basic service tier (“BST”), is the minimum level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. “Expanded Basic” cable service, offers additional video channels on one or more service tiers (FCC 2009, p. 12).

Section 3, the theoretical predictions about the effect of a reduction in costs of entry vary across models, as discussed in detail in Sutton (1991). E.g., in a model where potential entrants expect Bertrand competition in the second stage after entry, they would not enter and the incumbent would not change behavior, so long as sunk costs of entry are greater than zero (which is likely the case in our context, as entry requires considerable capital investment, even if the reforms reduce some costs associated with negotiating local franchises). In other models (e.g. a model where the post entry behavior is expected to be Cournot competition) there is indeed entry, and post-entry prices are lower than under monopoly. The baseline results on price, and more importantly on entry, suggest evidence against the Bertrand model and potentially in favor of the other models.

In this context, an interesting question is whether we should expect any price declines without actual entry occurring. The models in Sutton (1991), do not explicitly address this question, but do predict declines only post-entry. Milgrom and Roberts (1982a) show that in a world with perfect information, cutting prices prior to entry does not deter entry, and hence such “limit pricing” behavior would not be a rational equilibrium. However, in a world with asymmetric information (Milgrom and Roberts, 1982b) or with switching costs (Klemperer, 1987), incumbents may lower prices before entry to signal lower costs or to lock up consumers, and hence discourage entry.

We examine whether there is evidence for ex-ante price declines, by excluding communities which experienced actual entry from the sample. We find that indeed there is evidence for incumbents cutting price in response to just the enhanced *threat* of entry: communities without entry have a greater price decline of 6.57% for “Basic” service, in reformed states relative to non-reformed states.⁵

Building on this finding that it was the *threat* of entry that lead to price declines, we devise a sample-split (triple difference) test that controls for potential state-level correlated shocks. In particular, we examine communities in counties where a major overbuilder is present.⁶ Incumbents here are likely to face a greater threat of entry, as cable overbuilders are more inclined to enter into neighboring communities (RCN 2005 Annual Report, Seamans 2013). We find that there is indeed a greater DID decline in price in communities close to a major overbuilder; this decline is about 10.6% and statistically significant for “Basic” service, and equally large (10.2%) but statistically less significant for “Expanded Basic” service. Interestingly, we find very large and statistically significant increases in number of subscribers for both “Basic” and “Expanded

⁵Interestingly, comparing communities where there was actual entry, we see no significant differences between reformed and non-reformed states. This is unsurprising as we expect no differences between reformed and non-reformed states conditional on entry. In fact this result is reassuring, as it suggests omitted variables were not driving general price declines in reformed states.

⁶As discussed in FCC (2009, p. 15, footnote 97), the term “overbuild” describes the situation in which a second cable operator enters a local market in direct competition with an incumbent cable operator. In these markets, the second operator, or “overbuilder,” lays wires in the same area as the incumbent, “overbuilding” the incumbent’s plant, thereby giving consumers a choice between cable service providers.

Basic” services consistent with the observed price cuts, in communities close to the major overbuilder. To the extent that potential omitted shocks, due unobserved demand (e.g., due to differential entry by Satellite TV) or cost (e.g., due to local cost inflation not captured by local income or wages included in baseline controls) shifters do not vary across locations within a state, this sample-split result suggests that reforms did indeed cause changes in incumbent behavior, consistent with the models that predict ex-ante price responses (such as Milgrom and Roberts 1982b or Klemperer 1987).

Our study contributes to the small literature discussing the effect of cable franchising deregulation (Spiwak 2006, Schneider 2007, Bohanon and Hicks 2010). To the best of our knowledge, our study is the first to systematically examine the effects of cable franchise deregulation on prices and entry using comprehensive national microdata, and hence the first to document systematic declines in prices and increased entry in reformed states. The cable industry provides an interesting setting for empirical work because there are numerous geographically separated markets. Our work also relates to the broader literature in Industrial Organization that has exploited this setting to examine various aspects of the cable market including effect of vertical integration between programming and distribution (Chipty 2001), welfare effects of bundling (Crawford 2008 and Crawford and Yurukoglu 2012), and welfare effects of new products (Goolsbee and Petrin 2004). In a related policy evaluation paper, Crawford (2000) examined the effects of the 1992 Cable Act, which was aimed at protecting consumers from price increases. Crawford found that intended price declines failed to materialize and observed system responses yielded no change in consumer welfare. In contrast, our results suggest some welfare gains, albeit modest on average, for consumers of the “Basic” service tier.

Because we find ex-ante price responses by incumbents to the increased *threat* of entry, this study also relates to the empirical literature on ex-ante reductions or limit pricing. Although a number of studies have examined ex-post responses by incumbents to entry (Yamawaki 2002, Simon 2005, McCann and Vroom 2010), relatively few have examined ex-ante responses. In recent work, Goolsbee and Syverson (2008) find that incumbents respond to the threat of entry by a low-cost competitor (Southwest) by preemptively reducing prices. In work related to ours, Seamans (2013) examines limit pricing behavior in cable TV markets. Seamans notes that limit pricing in the Milgrom and Roberts (1982b) model hinges on the presence of asymmetric information; with perfect information, ex-ante price reductions are not optimal. Using a novel measure that captures variation in asymmetric information between incumbents and new entrants across markets, he finds that limit pricing behavior is indeed more strongly prevalent in markets with greater degree of asymmetric information. Our work differs in that we focus on inter-temporal variations in barriers to entry introduced by reform of local franchising regulations. In addition to testing for the presence of limit pricing, our objective is also to undertake an evaluation of this important policy reform.

The paper proceeds in eight sections. Section 2 provides background on the industry,

regulations, and the state-level reforms that are the focus of this study. Section 3 lays out the theoretical underpinnings for our empirical analysis, while Section 4 introduces the data. Section 5 presents our analysis of the effect of reforms on prices. Section 6 examines actual entry following the enactment of these reforms, and examines whether incumbents responded to increased threat of entry. Section 7 presents the sample-split test examining communities adjacent to major overbuilders. We discuss results and conclude in Section 8.

2 Industry Background, Regulatory Framework and Reforms

2.1 Industry background

For studying the effect of changes in entry barriers, an attractive feature of cable TV markets is their localized nature, which allows for considerable variation in the competitive settings across geographic markets. These local markets are defined by the “franchise” boundary of the incumbent system; typically the boundary is the geographical boundary of the city in which the incumbent system is based. This effectively segments the US into thousands of non-overlapping geographic markets.

Historically, a single incumbent cable TV system served each local market. In their 2009 annual report, the Federal Communications Commission notes that: “Relatively few consumers have a second wireline alternative, such as an overbuild cable system” (FCC 2009, p. 5). An earlier FCC Report on Cable Industry Prices (FCC 2005) found that cable television service was provided in 32,510 “non-competitive” communities while there were only approximately 400 communities with competitive wire line “overbuilds” (i.e., with more than one operator in the market) (Braunstein, 2006).

While in theory competition from Direct Broadcast Satellite (DBS) could have limited the amount of pricing power enjoyed by cable TV incumbents, this appears not to have been borne out in practice (for the period of our study). An assessment by the FCC in 2009 noted that “... in the large number of communities in which there has been a finding that the statutory test for effective competition has been met due to the presence of DBS service, competition does not appear to be restraining price as it does in the small number of communities with a second cable operator”.^{7,8}

Traditionally, one reason proposed for why most markets remain monopolies (in terms of wired cable service) is the potentially significant economies of scale in providing cable

⁷Source: http://www.fcc.gov/Daily_Releases/Daily_Business/2009/db0116/DA-09-53A1.txt. Accessed on 01/12/2012

⁸Because barriers to DBS entry were related to geographical factors (Goolsbee and Petrin 2004), we do not expect entry rates to be correlated with reforms in a way that would bias our results. Nevertheless in Section 7 below, we discuss a sample-split (triple difference) approach that could control for shocks correlated with the reforms such as higher DBS entry into reformed states.

service and the large investments required for laying coaxial cable to the homes of consumers. However, Owen and Greenhalgh (1986) argue that economies of scale are not so large as to rule out the possibility that competition, either direct or potential, can serve as a significant disciplinary force in the marketplace. More recently, Kelly and Ying find that “average cost savings with respect to a monopoly were fairly small, ranging from 1.37% with a 10% market overlap to 5.05% with a complete overbuild” (Kelly and Ying, 2003, p. 962). Another significant factor contributing to the persistence of local monopolies has been local “franchising” regulations (FCC 2006, FCC 2009), which have acted as a significant barrier to market entry. We discuss these local franchising regulations in the next section.

2.2 Franchising regulation of cable service providers

Cable companies have been traditionally regulated at the local level. To obtain permission from local government authorities to operate in a market, firms are required to agree to a number of terms as part of a “franchise” agreement. Local governments use these agreements to achieve multiple goals including raising revenue, providing access to cable TV equitably in the community, and minimizing disruptions from laying of cable. In particular, some of the key terms relate to:

- Franchise fees: Franchise fees to be paid annually typically amount to 5% of the revenue received by cable companies. These can be important sources of revenue for local governments.⁹
- Build-out provisions: The desire of local governments to provide access to consumers everywhere within their service jurisdiction generally leads them to prescribe build-out requirements where entrants are obligated under the franchise agreement to cover the entire service area within a prescribed span of time.
- Public, Education, and Government (PEG) channels to be carried on the service.
- Service networks to government and educational buildings (I-Net).
- Local agency control over public rights-of-way permits: These terms aim to minimize disruptions that would result from uncoordinated digging up of roads and walkways by cable companies.
- Consumer protection through customer service standards and enforcement.

Per the FCC (FCC 2004 - 2005, FCC 2009), the local franchising process imposes significant barriers for potential wireline entrants. In his study, Hazlett (2007) concludes that the local permitting process delays competitive entry, and depending on the nature of the

⁹A government committee report (Joint Study Committee, 1998) in Georgia documented that for the 525 governmental units studied, cable franchise fees represented an average of 6.66% of total tax revenues. The most recent estimate for franchise fees paid by cable operators is \$3.2 billion per year, per the Cable & Telecommunications Association. (<http://www.ncta.com/Statistics.aspx> Accessed on 10/12/2012)

administrative process and the terms and conditions imposed on the potential entrant, franchising may deter entry altogether.

Federal policy makers sought to outlaw anti-competitive build-out requirements and prevent discriminatory pricing that limit competition, through the Telecommunications Act of 1996. However, because municipal franchising agents were granted immunity from damage awards, there is no effective remedy if regulators impose unreasonable build-out requirements, or fail to enforce uniform pricing rules. An FCC (2007) report found that the franchise process was being manipulated so that “new entrants eager to provide video service are often delayed, and in some cases derailed, by the unreasonable demands made by local franchising authorities.” This report reiterated the findings in an earlier FCC (2006) order, where the Commission concluded that: “the operation of the local franchising process in many jurisdictions constituted an unreasonable barrier to entry...” The FCC (2006) order discusses several ways by which local franchising authorities were unreasonably refusing to award competitive franchises. These include drawn-out local negotiations with no time limits; unreasonable build-out requirements; unreasonable requests for “in-kind” payments that attempt to subvert the five percent cap on franchise fees; and unreasonable demands with respect to public, educational and government access (or “PEG”) channels.

2.3 Reforms of cable franchising regulation

Given the reality of limited competition in the cable industry, there have been a number of attempts at both the state and federal level to enhance competition (Spurgin 2008).¹⁰ These have often taken the form of limiting local government’s ability to regulate competitive cable operators and allow for the possibility of issuing statewide or nationwide cable franchises to companies interested in providing cable service, whether they be cable companies or telephone companies.

Although no federal action for nationwide franchising has been taken to date, twenty three states have reformed their franchising process to allow for statewide franchises. Such laws pre-empt the need for new entrants to negotiate individual franchise agreements with local municipal authorities, and give them the authorization to launch services anywhere in the state following approval of the state-wide franchise application.

Table 1 shows the status of franchise reform in all 50 states, along with the year of passage for all states that have reformed their franchising process. Four states, Alaska, Hawaii, Rhode Island and Vermont, had state franchising laws in place prior to 2005; nineteen states passed similar laws between 2005 and 2008.

For the states that have passed state-wide cable television/video franchise laws, Spurgin (2008) provides a general comparison of key provisions (see Table A1 in Appendix) including variations in the franchise fees, requirements on provision of Public, Educa-

¹⁰This section draws from Spurgin (2008).

tional, and Government Access (PEG) channels, controls on Right of Way, and build-out requirements by state. We supplemented Spurgin (2008) by a review of the legislative bills; based on our review, we re-classified Virginia as “not reformed”, as the legislation for the state did not include a provision for a single state-wide franchise. Also, we confirmed passage of the law for Louisiana, where the legislation was pending per Spurgin (2008).

A number of states set up separate commissions specifically charged with overseeing the new state franchises. Franchise fees for new service providers with a state-issued franchise are set by most states to be equal to incumbent fees, with a maximum amount typically being five percent of gross revenues. Build-out requirements under state franchise laws are generally less stringent than under local franchise agreements. Very few bills to date have included build-out provisions, and those that do are heavily qualified.¹¹

Given that the critical provisions (relating to granting a state-wide franchise to the applicant, equating of franchisee fees between entrants and incumbents, and relaxation of build-out requirements) are similar across the different reformed states, in our analysis we treat the reforms as a dichotomous variable. As noted before (in footnote 1), incumbent cable companies lobbied strongly against franchising reforms, while telecom companies, specifically Verizon and AT&T, worked to support these legislations.

As discussed earlier, there is little work systematically examining the effect of the reforms on prices and entry across all reformed states. Bohanon and Hicks (2010) examine the effect of franchising reforms on number of broadband connections using FCC data, and they find an increase in broadband subscriptions following the reforms. Anecdotal evidence on the effect of reforms in particular states has been mixed with some reports of reduced prices after entry (e.g., Spiwak 2006 (Texas), Schneider 2007 (Wisconsin) and Rogers 2008 (Michigan)), and other reports of no decline in prices (e.g., Kreucher 2008 (Michigan) and Barrett 2008 (Wisconsin)).

3 Theoretical Background

We view the enactment of reform that allows for the award of a single state-wide franchise as reducing the barriers to entry in the market for cable TV services, by reducing the exogenous, sunk costs associated with entering each local market.

In a large class of models, reduced (sunk) entry costs could lead to more entry in equilibrium which then puts downward pressure due to post-entry competition (e.g., in the Cournot or Monopoly model in Chapter 2 of Sutton 1991). However, as Sutton (1991) discusses in Chapter 2, this result hinges on assumptions about the nature of price

¹¹Most state laws that provide for a state-wide franchising authority allow existing local franchise agreements to remain in effect until a new service provider with a state-issued franchise begins offering service in a community. Many states allowing existing franchises the *option* to terminate the local franchise and replace it with a state franchise; some restrict this option to when wireline competition is present.

competition in the post-entry stage. He shows for example that assuming homogenous products and Bertrand competition in the second stage, a reduction in entry costs does not necessarily attract new entry, as entrants anticipate price to equal marginal cost post-entry in the second stage, and this completely deters entry. In fact in the Bertrand model, changes in exogenous sunk entry costs have no effect on the pricing behavior of the incumbent, as they charge the monopoly price as long as entry costs are non-zero.¹²

In contrast to the models in Sutton (1991), in the presence of asymmetric information about incumbent’s costs (Milgrom and Roberts, 1982b) or switching costs (Klemperer 1987), the theoretical literature suggests incumbents may change pricing behavior in response to an increased *threat* of entry, even before actual entry occurs, as a means to try and deter entry.¹³ In Milgrom and Roberts (1982b), incumbents may lower prices to signal lower costs; because lowering prices is a costly signal, it constitutes a credible signal to potential entrants. It should be noted that, as Milgrom and Roberts (1982a) show, cutting prices prior to actual entry is *not* a rational strategy to deter entry (or drive out rivals) in a world of complete information (and no switching costs). Potential entrants would realize that prices are being held artificially low in order to ward off entry but then once entry does take place, it is sub-game perfect for the incumbent to accommodate rather than to predate. In other words, as long as the established firm’s pre-entry price does not affect post-entry demand or cost (and hence profit), limit pricing would not influence the potential entrant’s decision to compete in the market. Thus the asymmetric information assumption in Milgrom and Roberts (1982b) is crucial to get rational ex-ante price cuts to deter entry. Asymmetric information could be relevant in our context due to cross-industry differences between Telco entrants and cable incumbents, or participation in industry R&D consortia (as discussed in Seamans 2013).¹⁴

Klemperer (1987) provides another justification for ex-ante price cuts – in his model lower prices helps to “lock-in” more consumers, who are harder for the entrant to attract because of switching costs. In our context, there may be switching costs for a few reasons. One, it was not unusual for companies to offer one and even two-year contracts, with an early termination fee. Two, even without early termination, switching could involve upfront installation fees. Also, lack of experience with the new service provider may yield a psychic switching cost due to potential concerns about service quality and customer

¹²Also with product-differentiation, different models yield different predictions about the equilibrium number of firms in the market after reduction in entry costs. In the Hopenhayn (1992) class of industry equilibrium models, the effect of reduced sunk costs of entry on the mass of survivors is ambiguous (Balasubramanian and Sivadasan, 2009), but the cutoff productivity level increases and consequently, the equilibrium rate of entry (and exit) goes up.

¹³The idea of *ex-ante* limit pricing goes back to Bain (1949), who suggested that there may be a positive relationship between the initial price and the degree of entry - an incumbent firm may select lower than the profit maximizing price in order to deter entry by competitors.

¹⁴Seamans (2013) argues that variation in membership in CableLabs, an industry R&D consortia restricted to cable companies, is an important source of asymmetric information, and exploits that in his study. We checked and found that all three of the biggest overbuilders, and nine of the top 10 overbuilders in our data are *not* members of CableLabs. In fact, per its website, CableLabs has a fairly exclusive membership list of just 28 cable companies in the U.S., whereas our data includes about 1,200 cable operators.

support. In both Milgrom and Roberts (1982b) and Klemperer (1987), reducing prices is costly for the incumbent and so it follows that incumbents may be more likely to reduce prices the stronger the threat of entry.

To summarize, the effect of reduction in entry barriers on actual entry as well as pricing behavior of the incumbent is theoretically ambiguous with at least one model (Bertrand competition model in Sutton 1991) suggesting possibility of no effect on prices or actual entry. Other models suggest actual entry and consequent decline in prices (Cournot competition model in Sutton 1991) while others predict price declines without actual entry (Milgrom and Roberts 1982b, or Klemperer 1987). Given the varying predictions across different models, the cable reforms provide an interesting context to empirically investigate the effects of a reduction in entry barriers, specifically whether: (i) prices were affected, (ii) whether actual entry occurred, and (iii) whether there was evidence for ex-ante price reductions (as predicted by Milgrom and Roberts (1982b) or Klemperer (1987)).

4 Data and Summary Statistics

The data on cable television service offerings comes from seven years (2004 - 2010) of the Warren Publishing's Television and Cable Factbook. The Factbook data is the main source of cable TV system level characteristics used in most empirical studies of the industry (e.g. Rubinovitz 1993; Goolsbee and Petrin 2004; Della Vigna and Kaplan 2007; Seamans, 2013).¹⁵ This rich data set includes information on monthly prices and installation fees, the number of consumers subscribing to the various tiers of service and a listing of the specific channels that are available on each tier of service for each individual cable system. It also classifies each system as either "Operating" or "Overbuild" where the latter term refers to a competing cable operator building a cable network system in an area already serviced by an existing cable operator. Finally, it also provides us the names of the communities which are served by each cable system.¹⁶

In addition to data regarding the service offerings, we obtain controls for demographic variables that might affect either the demand for cable television service or the cost of providing cable television service or the likelihood of market entry by a competing service provider. We draw on Savage and Wirth (2005) to select relevant control variables; in particular, the demographic controls include per capita income (and its square), popula-

¹⁵It is also used extensively by the FCC. Justifying the use of data from this source, an FCC report says: "Warren collects its data directly from cable television operators or individual cable systems to create a large database of cable industry information. Warren states that it is the only research entity that directly surveys every cable system at least once every year, providing the most complete source of cable data. In fact, the cable systems represented in Warren's database serve 96% of all subscribers nationwide." (FCC 2009, p. 198).

¹⁶For example, the cable system in Kalamazoo, Michigan serves not just the city of Kalamazoo but also towns in the adjoining area such as Alamo Township, Pavilion Township and Comstock Township. The Warren's data includes the names of the principal community (in this case, Kalamazoo) as also the names of adjoining communities served by the cable system (in this case, Alamo Township, Pavilion Township, and Comstock Township).

tion density (and its square), local wage in the “Information” sector (NAICS code: 51)), age profile of the population, and growth in number of housing units. Data on these demographic variables is available at the county level. Additional information regarding data sources is provided in the Data Appendix.

Table 2 and Table 3 present summary statistics. Table 2 gives a snapshot of the number of communities served for each year splitting the sample into the three different categories based on whether the state enacted franchising reforms, and when those reforms were enacted. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. As Table 2 indicates, there are approximately 30,000 cable communities in the U.S. each year.¹⁷

Summary statistics at a similar level of disaggregation on price of “Basic” and “Expanded Basic” tiers of service is presented in Table 3. As the fourth row of Table 3 suggests, the average price for “Basic” and “Expanded Basic” services stand at \$18.98 and \$42.02/month for the entire sample period, when averaged across all states. Also, a simple difference in means shows that the increase in average price for “Basic” service was 8% lower in the states that reformed between 2005 and 2008; these states move from an average price 46 cents above, to an average price 26 cents below, that for the non-reformed states. The average price for “Expanded Basic” service moves in tandem in both the states that underwent reform between 2005 and 2008 and the non-reformed states. These aggregate differences in means presage the results we find with more careful regression estimates below.

To examine entry by Telcos, we also hand collected data on locations served by Verizon and AT&T; this data is described in more detail in Section 6 below.

5 Effect of Franchising Reforms on Prices

5.1 Empirical methodology

The staggered introduction of the reforms across different states allows us to adopt a difference-in-difference approach to estimating the effect of the franchising deregulation. As is standard, we compare the difference in outcomes after and before the intervention for communities affected by the deregulation (the “treated” group) to the same difference for unaffected communities (the “control” group) (Bertrand, Duflo, and Mullainathan, 2004). We look at the longest period possible from 2004 through 2010, based on availability of data. However, this period is also convenient for us since 2004 corresponds to a date when none of the states, barring four (Alaska, Hawaii, Rhode Island, and Vermont) had

¹⁷The number of communities in the Warren’s data change from year to year, with a broad trend of decline in the number of communities. Warren’s informed us that this was due to consolidation of communities. As part of our robustness checks (in section 5.4), we verify that baseline results hold for a balanced panel sub-sample of communities present throughout the seven year sample period.

passed such state-wide legislation and by end-2008, an additional nineteen states had reformed their franchising process giving us at least two years after the enactment of reform to study its effects.

In order for us to make an apples-to-apples comparison across different tiers of service (and as is standard, e.g. in FCC reports on the industry), we look at two tiers of service individually - the first tier, “Basic” and the second tier, “Expanded Basic” - prices for which are reported separately in the Warren’s data. Subscribers must purchase “Basic” service in order to subscribe to “Expanded Basic” service or to any other tier, or to buy premium programming such as HBO. To be clear, we define price of “Expanded Basic” as the total price charged to consumers who subscribe to “Expanded Basic” service, so this incorporates the price for the included “Basic” tier as well. In our data about 77 percent of cable subscribers take both “Basic” and “Expanded Basic” services; the remaining 23 percent take “Basic” service only. Because these two tiers of service make up well over two-thirds of the revenue derived from all tiers of TV programming (FCC 2006 p. 19, FCC 2009 p. 23), we focus on just these tiers for our analysis.

We use the following standard difference-in-differences specification (see e.g., Angrist and Pischke, 2009, Chapter 5), allowing for a different effect in the year of the reform:

$$p_{ijst} = \alpha + \beta_1.R_{st}^0 + \beta_2.R_{st} + \beta_3.X_{it} + \beta_4.Y_{jt} + f_s + f_t + \epsilon_{ist} \quad (1)$$

where p_{ijst} is the log of price for community i in state s at time t for the service offered by company j for a particular service tier. Price varies by service tier and is logged, following other research on pricing (e.g., Yamawaki, 2002; Seamans, 2013). R_{st}^0 is a dummy for year-of-reform which is set to 1 if state s introduced reforms in year t . R_{st} is a post-reform dummy which is set to 1 if state s had reformed in a year prior to year t . f_s and f_t are state and year fixed effects.¹⁸ The most parsimonious specification includes only these covariates in the analysis.

We then enrich our analysis by introducing more controls. We first introduce time-varying demographic controls for community i at time t in X_{it} . These include variables that can affect the prices of cable service either by altering the demand from consumers (such as per capita income) or the costs to provide cable service (such as population density) or by altering the likelihood of market entry by competitors in that community (such as the growth rate of households) and local wage (for employees in the “Information” industry (NAICS code: 51)) which controls for shifts in cost due to wage inflation (Savage and Wirth, 2005). Thereafter, in Y_{jt} , we also introduce variables corresponding to the characteristics of the cable company providing service in that community, viz. the number of subscribers it has at the national level, the share of subscribers it has at the state level and, its vertical affiliation with a content service provider. These variables are

¹⁸State level fixed effects generally yielded more conservative estimates and we use this as the baseline specification. Results using alternative levels of fixed effects, such as county fixed effects, or community fixed effects are presented in the robustness checks (See Section 5.4).

aimed at controlling for economies of scale, market power, and economies of scope in the provision of cable TV service.

Finally, in our strictest specification, to control for changes in composition or quality of service we introduce the log of number of channels offered on that tier of service as an additional control variable. In particular, this control ensures that any observed change in prices are not offset by changes in the number of channels included in the service.¹⁹ ϵ_{ist} is the residual error term which accounts for all unobserved cost/demand shifters affecting prices. The identification assumption in the DID approach is that shifts in the unobserved variables is similar across states (so picked up by year effects) or fixed within states (so picked up by state fixed effects). We explore robustness to introducing more detailed fixed effects in Section 5.4 below.

Because the reforms are introduced at the state level, we cluster standard errors at the state level to account for inter-temporal correlation in the error terms (Bertrand, Duflo, and Mullainathan, 2004).²⁰

5.2 Baseline Price Effects

Raw average price trends by reform status Figures 2a and 2b present the annual average by reform status for the prices of “Basic” and “Expanded Basic” services over the period 2004 - 2010 respectively. Figure 2a shows that “Basic” prices in states that reformed between 2005 and 2008 shows a significantly flatter trend relative to the states that did not reform, so that the relative price levels change from a premium in reformed states (prior to the reform) to a discount (after the reform) relative to the non-reformed states, consistent with the mean price changes documented in Table 3. Also consistent with Table 3, Figure 2b shows no change in relative prices for “Expanded Basic” service from 2004 to 2010 between reformed and non-reformed states.²¹ The results from the regression analysis discussed below allows us to control for a number of factors that could impact the simple means plotted in Figures 2a and 2b.

Regression results Panel A of Table 4 presents the results from the regression runs quantifying the effect of reform on the monthly price of “Basic Service” and Panel B of Table 4 presents the same for “Expanded Basic”. In column (1), there are no controls other than state and year fixed effects. Column (2) adds in the demographic controls, namely personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18 (as a control for the age structure of the population) and the local wage for NAICS code, 51

¹⁹We explore robustness to additional controls for quality of service in Section 5.4 below.

²⁰We also clustered in both the state and time dimensions for our preferred specifications, following Petersen (2009). We found standard errors are *smaller* than what we obtain by clustering only at the state level. Given that, to be conservative, we report results clustering on just the cross-sectional (state) dimension.

²¹There is a somewhat surprising increase in prices in reformed states for one year in 2008, but this reverses in 2009, so by 2010 the prices are back at same levels.

(Information). All of these controls are available at the county level and are introduced in log form. In addition, we also include two additional controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the Designated Market Area (DMA) rank. DMA rank measures the strength of the local television market and affects demand by proxying for alternative sources of entertainment in the local system area (Crawford, 2000). Column (3) adds controls for the market structure, viz. the total number of subscribers the company has nationally, the share of state subscribers for the company providing service in that community and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Finally column (4) adds controls for the quality of service, measured in terms of the log of number of channels. For brevity, Table 4 (and all subsequent tables) include only the coefficients of interest corresponding to price effects in the year of reform and in the years following the enactment of reform for the states that reformed between 2005 and 2008. Full results with coefficients on the control variables are available on request from the authors. The specifications used in Table 4 are used through the rest of the paper for all regressions which involve prices of either “Basic” or “Expanded Basic” service.

Depending on which specification is used, we see that the monthly price of “Basic” service is lower by 5.5 to 6.8% in states which have reformed their franchising process as compared to states which have not. Given that the average price of “Basic” service in 2010 is about \$20/ month (see Table 3), the percentage decline translates to a drop of \$1.10 to \$1.36 per month per subscriber or \$13.20 to \$16.32 per year per subscriber for “Basic” service.

In contrast to the robust evidence for decline in price for “Basic” service, we do not observe any statistically significant change in the price of “Expanded Basic” service in any specification in Panel B of Table 4. In columns (1) and (2), the coefficient on the post reform dummy is close to zero; in columns (3) and (4) after addition of demographic controls and log number of channels, the estimated coefficient turns positive but is not significant in any of the specifications.²²

In the sections below, we check robustness of the finding of a post-reform decline in price of “Basic” service to a number of different concerns.

²²It could be noted in Table 4 that the number of observations for “Expanded Basic” prices is lower, reflecting availability of data in the Warren’s database. We checked to see if sample differences were salient in explaining different results for “Expanded Basic”, by estimating results for “Basic” service on the “Expanded Basic” sample. We found the results qualitatively similar, with coefficient magnitudes only slightly lower - a 4.8% decline in the column (4) specification compared to a 5.8% decline in the full sample. Thus differences in the sample do not appear to explain the differences in results for “Expanded Basic”. Also, we checked and verified that the proportion of observations for “Expanded Basic” was very similar (66% and 63% respectively) for states that reformed between 2005 and 2008, and non-reformed states.

5.3 Checking for pre-existing trends

A fundamental concern in any DID analysis is the possibility that the observed mean effects are driven by differences in pre-existing trends. In particular, a declining trend in prices for “Basic” service in those states that reformed their franchising process between 2005 and 2008 could lead to the observed mean decline documented in Table 4. We address this concern in two ways.

First, in Table 5, we specifically examine the trend in price prior to the reforms. The regressions include only observations prior to the reforms, and we include dummies for two years and one year before the reform – all other pre-reform years are absorbed into the constant. The results reveal that, once we add in demographic controls (column (2)), there is no significant declining trend (as the coefficients on Reform year -1 and Reform year -2 are both relatively small and statistically insignificant). Once we add in additional controls for market structure and number of channels (column (4)), the magnitude of the coefficients Reform Year -2 and Reform year -1 are both very small and statistically insignificant. Thus relative to the period prior to two years before the reform, the price in the two years just before the reforms is within 0.2% in Reform year -2 and within 0.7% in reform year -1, which suggests no prior declining trend in prices of “Basic” service.

We expand on this to estimate and plot coefficients on an index relative to year of reform, as suggested in Angrist and Pischke (2009, Chapter 5). In particular, we estimate the following regression:

$$p_{ijst} = \alpha + \sum_{k=-4}^5 \lambda^k \cdot R_{st}^k + \beta_3 \cdot \mathbf{X}_{it} + \beta_4 \cdot \mathbf{Y}_{jt} + f_s + f_t + \epsilon_{ist} \quad (2)$$

where all the variables are as defined in (1), and index R_{st}^k equals one if state s in year t is k years from the reform for states that reformed between 2005 and 2008; for example, for California which reformed in 2007, R_{st}^{-2} is equal to one for year 2005 and zero otherwise.²³

In Figure 3, we plot the coefficients λ^k for $k = -3$ to $k = +4$, to observe trends before and after the year of reform, conditioning on demographic controls, market structure variables, and the number of channels. As the figure suggests, there were no marked pre-existing trends prior to the enactment of these reforms; in fact the trend over the period -3 to -1 remains remarkably flat. Figure 3 also shows there is beginning of a decline in prices in the year of the reform, and then within 3 years of the passage of these reforms, the price of “Basic” service is significantly less than their levels prior to the enactment of the reforms and it continues to be lower subsequently.

To see if prior trends could explain the lack of results for “Expanded Basic” service tier, we undertook the same test as in Table 5 for this tier. The results, presented in

²³For the states that reformed prior to 2005 we set the index to 20 so that they are effectively excluded from the range of indices plotted in the figure.

Appendix Table A4, show that there were no differential trends in “Expanded Basic” price in the pre-reform period in reformed states relative to non-reformed state. In fact, the differential effects are very small, less than 1.6% across all the different specifications.

5.4 Decline in prices for “Basic” service: Robustness checks

In this section, we check robustness of the finding that prices declined for “Basic” service to a number of alternative tests. Results for tests RC1 to RC7 are summarized in Table 6; results for the remaining tests are presented in Appendix tables.

RC1: Alternative controls for service quality The observed reduction in price is economically meaningful only if it was not offset by reduction in the quality of the service offering. In column (4) of Table 4, our specification includes the log of number of channels, which controls for adjustments in terms of addition or deletion of channels. However, cable operators could respond by dropping more popular channels and adding less popular ones, so that the quality of offering declines while the total number of channels stays the same (e.g., Crawford (2000) finds that cable operators changed composition of offerings in response to the 1992 Cable Act). To address this concern, in rows 2, 3 and 4 of Table 6, we include alternative measures to control for changes in composition of “Basic” service. In row 2, we include log of the number of channels that are distributed nationally to systems via satellite (also known as satellite channels), in row 3 we include log of the number of channels that are within the top 10 most popular channels, and finally in row 4 we include log of the number of channels that are within the top 20 most popular channels.²⁴ We find the baseline results to be robust; in fact in row 3 and 4, including controls for the top 10 and top 20 channels yields stronger results, suggesting that the composition changes in programming quality in reformed states may have reinforced, rather than offset, the decline in prices.

RC2: Including Installation Charges The economic significance of the observed decline in prices, particularly for new consumers switching into cable, could be affected by concurrent changes to installation fees. To check whether changes to installation fee offset the decline in monthly price, we look at the *net price* of receiving “Basic” service in which we amortize the installation fees over a 12-month period and add that to the monthly price. Results for net price of receiving service are presented in row 5 of Table 6. While the price drop reduces slightly, it remains statistically significant and ranges from 4.6 to 5.6%. It appears that installation fees increased slightly in reformed states,

²⁴Satellite channels include some of the most easily recognizable names in cable, such as MTV, CNN, and ESPN. The list of most popular channels is drawn from Crawford and Yurukoglu (2009) which in turn, is based on ratings from Nielsen Media. For Nielsen Media, the ranking of channels is based on the national average cumulative rating for that channel during the fourth quarter of 2006; given that we have data from 2004 to 2010, this corresponds to roughly the mid-point of our sample period.

but note that because the average cable consumer is likely to have her installation for a period that is longer than 12 months, amortizing installation fees over a 12-month period is likely to understate the decline in prices brought about by the reforms in these specifications.

RC3: Long Differences If there is some lag in the response to the reforms, or if incumbents changed behavior prior to the reforms once passage of the law became more certain, then the DID regressions could give smaller estimates than the true long-run effects of the reforms. To get at the more long-run effects, we use a long difference approach (similar to Donohue and Levitt, 2001). In particular, we rerun baseline regressions including only data for the starting and ending years of the sample, i.e. for 2004 and 2010. As expected (and consistent with the pattern in Figure 3), the estimates in row 6 of Table 6 are uniformly larger, ranging between 7.5 - 9.8% suggesting that the longer run impact of these reforms may be larger than the about 6% estimate we find in our baseline analysis.

RC4: Balanced panel The results thus far have been estimated on all available data. Because of consolidation of cable systems over the years, there are fewer cable systems in the later years of the sample, so that the panel in the baseline analysis is unbalanced. To ensure results are not driven by compositional effects, we examine robustness to using a balanced panel of communities that were present in all seven years of the data. The estimates (in row 7 of Table 6) yield somewhat stronger results (a decline of about 7% in column (4)) relative to the baseline.

RC5: Alternative fixed effects The baseline regression include state fixed effects in every regression, as the effects of state-level reforms are identified off cross-state and time variations, and hence the main omitted variables that concern us are state-level variables. Nevertheless, we explore alternative specifications in which we introduce county fixed effects (in row 8) or cable system fixed effects (identical to principal community fixed effects, in row 9) or community level fixed effects (in row 10 of Table 6). Across all these alternative specifications, we continue to see a drop in the price of “Basic” service by approximately 6%.

RC6: Principal communities only The Warren’s data includes information on all communities served by a cable head-end, with the location of the cable head-end designated as the principal community. Because in non-reformed states and in reformed states prior to the reform the local franchising regulations operate at the community level, our baseline analysis uses observations on all communities. In this robustness check, we exclude all these communities that are served by the same cable system and limit our analysis only to the principal communities where the cable head-ends are located. Even

though this causes our sample size to drop to about 20% of the original sample size, our results hold with somewhat smaller magnitudes with this sub-sample as well (in row 11 of Table 6).

RC7: Alternative control groups In the baseline analysis, we have included the four states which reformed prior to 2005 (Alaska, Hawaii, Rhode Island, and Vermont). Although we allow the effects for these states to be different in the post reform period in the baseline analysis, we explore the robustness of our results to excluding these four states altogether (in row 12 of Table 6), and find the estimates similar to the baseline.

Further, in the baseline, the control group of non-reformed states includes the states of Alabama, Utah, and Virginia which have laws on their books prohibiting municipal electric utilities (MEUs) from cross-subsidizing their entry into the cable TV business. As Seamans (2012) shows, incumbent cable systems located in such states are less likely to upgrade equipment even though they may face entry from a municipal entrant because the latter are legally prevented from cross-subsidizing entry into the cable TV business. In order to preclude the results from being affected by these states, we exclude these three states from the analysis (in row 13 of Table 6), and find that the results are largely unchanged.

Finally, the control group of non-reformed states includes the states of Alabama, Kentucky, Minnesota, New Hampshire, and Oklahoma which have “level playing field” laws on their books. As Hazlett(2007) argues, these level playing field laws impose far harsher costs on competitors than the incumbent and have the effect of forestalling competitive entry into the local cable market. Because we expect the existence of such laws on the books to impact the price of cable service in such states, we examine the robustness of the results to the exclusion of these states from the control group (in row 14 of Table 6) and find the results to be similar to baseline.

RC8: Falsification test using Electricity prices It could be the case that the price declines for “Basic” service is driven by relatively larger price declines in these states due to other reasons, or because of increases in prices in the non-reformed states (driven by say increases in income or changes in business climate in ways not captured by our demographic controls). To address this concern, we conduct a falsification test in which we consider the change in the average electricity prices paid by residential, commercial, and industrial consumers over the same period of time from 2004 to 2010 across all 50 states. If other shocks were negatively impacting prices in reformed states, or positively impacting prices in non-reformed states, then that should also be reflected in the electricity prices paid by residential, commercial, and industrial consumers. As the results in Appendix Table A2 show, we find no evidence for a relative decline for either residential, commercial or industrial electricity prices. In fact, the coefficient on the Post Reform dummy is *positive*, very small (less than 1%) and statistically indistinguishable

from zero in all the four specifications of this table.

RC9: Effect on number of subscribers In Appendix Table A3, we check if observed price declines led to increases in the number of subscribers for “Basic” service. The results suggest an increase in the number of consumers who subscribe to just the “Basic” tier which is consistent with the observed price decline. However, the effect is not statistically significant. There appears to be a greater magnitude of increase (7.4%) in column (3), but this appears to be explained partially by changes to number of channels, as the magnitude declines to 2.8% in column (4). Also, it appears that during the same time, despite no evidence of a decline in price, there is a statistically insignificant increase in subscribers to “Expanded Basic” service as well.

Robustness checks for price of “Expanded Basic” service To see if the finding of a null effect on the price of “Expanded Basic” was robust, we also undertake all of the checks RC1 to RC7 for “Expanded Basic”. Results are presented in Appendix Table A5; we find the null effect result for “Expanded Basic” remarkably robust across all the different checks.

6 Role of Entry

The stated objective of the reforms allowing for franchising at the state level was to increase the incidence of competition in the localized cable television markets and bring lower prices to consumers.²⁵ However, as discussed in section 3, the theoretical effect of lowering of entry barriers in this context is ambiguous, given that entry still required significant upfront (sunk) investments, especially for the “last-mile” connections to residences (e.g., see Wagter (2010)). In particular, in a model with Bertrand price competition in the second stage (Sutton, 1991, Chapter 2), rational firms would not enter as long as upfront costs are greater than zero, as they anticipate zero profits in the post-entry stage. Thus, whether actual entry occurred is an interesting empirical question.

In this section we examine two questions. First, in Section 6.1, we examine whether the reforms spurred greater entry, especially by Telcos, who lobbied for the passage of the reforms in many states. (e.g., see news articles by Sher (2008) and Haugsted (2006)). Second, in section 6.2, we examine whether observed baseline price results were driven by post-entry price declines, or whether there is evidence for ex-ante price declines even without entry (as predicted by Milgrom and Roberts (1982b) or Klemperer (1987)).

One hurdle to studying entry is that data for Telcos offering TV services is not included in the Warren’s database. Therefore, data on these companies had to be hand-collected

²⁵E.g., Governor Jon Corzine, the then Governor of New Jersey’s statement when signing the relevant bill stated: “The power of competition can improve quality and lower prices. Under the legislation signed today authorizing new cable franchises, New Jersey cable television customers will soon see the benefits of competition.” (U.S. Fed News, August 2006)

separately. We focused on the two major players – AT&T and Verizon – as these two together accounted for over 90% of the marketshare of Telcos in the Cable TV market 2010 according to the Frost & Sullivan online database.²⁶ There are two limitations of this data. First, we are able to reliably assess the presence of AT&T and Verizon only at the county level and not at the individual community level. Thus, to the extent that some communities within a given county were not served by these Telcos, our data overstates entry at the community level. However, because this measurement error is unlikely to be correlated with reform status, we do not expect this to bias our estimates of the effect of reforms on entry. Second, we were only able to obtain data on presence of AT&T and Verizon in 2010. Because we know that TV service was launched by Verizon in late 2005 (Reardon 2005b), and AT&T in early 2006 (Reardon 2006), we can bound the entry dates as being between 2005 and 2010. In our analyses, we check robustness to assuming alternative entry dates for these Telcos.

6.1 Reforms’ effect on entry

To find out whether the reforms lead to greater entry by cable companies or Telcos, in Table 7a we examine the fraction of communities with either form of entry in 2004 and 2010. As the last column indicates, there was significantly more entry in the states that reformed between 2005 and 2008 (39.1%) relative to the non-reformed states (25.8%). Columns (7) and (8) show that bulk of the entry, as well as the source of the difference between reformed and non-reformed states come from Telcos. Per column (7), there was only modest new entry by cable operators (2.3% overall) between 2004 and 2010, and the difference between recently reformed states and non-reformed states while positive was only modest (2.4% versus 2.1%). Thus, consistent with the anecdotal evidence on lobbying behavior of Telcos (e.g., Reardon 2005a, Haugsted 2006, Sura 2006, Sher 2008), the reforms appear to have facilitated greater entry by Telcos in reformed states.

While these summary differences are strongly suggestive, differential entry rates could be due to differences in trends for demographic or market structure characteristics. To control for these factors, in Table 7b we examine a linear propensity model of entry by either a cable overbuilder or by a Telco. As noted above, we do not have data on precisely when either AT&T or Verizon entered a given market. In the absence of such information, we assume in the baseline case that all of the Telco presence in 2010 occurred in 2008. Subsequently, we also consider alternative scenarios assuming all entry occurred in 2006 (Alternative 1), 2007 (Alternative 2) or 2009 (Alternative 3). Across all scenarios, we find significantly higher difference-in-differences entry rate in reformed states relative to non-reformed states. The magnitude of the effect ranges from 7.95% (under alternative 3) to 13.8%(in alternative 2).

²⁶Specifically, at the end of 2010 Verizon FiOS had 3.203 million customers, AT&T U-verse had 2.504 million customers and all other Telcos combined had 0.611 million customers. That gives Verizon and AT&T a combined market share in 2010 among Telcos of 90.3%.

Thus, based on the evidence in Tables 7a and 7b, we conclude that there was indeed more entry in reformed states following the reforms.

6.2 Were “Basic” service price declines due to *actual* or *increased threat* of entry?

The results in Section 6.1 confirm that the reforms resulted in significantly greater amount of entry in reformed states, with about 40% of communities experiencing entry by 2010 compared to 26.5% for the non-reformed states (Column (6) of Table 7a).

As discussed in Section 3, price declines following reductions in entry barriers could arise in theory for two reasons. One, in the monopoly or Cournot models discussed in Sutton (1991, Ch. 2), there would be price declines due to increased competition in the post-entry stage. On the other hand, in models by Milgrom and Roberts (1982b) or Klemperer (1987), the reduction in entry barriers could lead to ex-ante price cuts by incumbents, as a means to deter entry (by signaling lower costs in the former model and by locking in potential customers in the presence of switching costs in the latter).

As has been well documented, prices are indeed lower by 17% in communities which have a competitive wireline overbuild (FCC 2009, p. 22), consistent with greater price competition post-entry. In this context, it is interesting to examine whether our baseline results of price decline for “Basic” service are driven by larger average prices declines in reformed states caused by greater entry, or because of ex-ante price reductions by incumbents in response to a greater threat of entry.

We address this question in Table 8. In columns (1) and (2), we drop all observations on cable overbuilds; thus if these new entrants were particularly aggressive in terms of price cuts, the exclusion of this sub-sample helps isolate the behavior of incumbent cable operators.²⁷ We find the results in columns (1) and (2) similar to the baseline results. While this is not surprising given that cable overbuilds constitute only 3.5% of the sample in 2010 (see Column (4) in Table 7a), nevertheless it suggests that *incumbent* pricing behavior was indeed affected by the reforms.

We examine the more interesting question of whether there was price reduction by incumbents prior to/without actual entry in Columns (3), (4), (5) and (6). In columns (3) and (4), we exclude all communities that had more than one cable (i.e., wireline) service provider. In columns (5) and (6) we exclude communities with more than one service provider, whether those were cable (i.e., wireline) companies or either of the two major Telcos.²⁸ We find that effects are in fact stronger when we focus only on communities without entry; the coefficient estimate suggests a decline of 6.57% in column (6) relative to the baseline effect of 5.78% (in column (4) of Table 4). Note that we exclude communities with entry from both reformed and non-reformed states; thus the results in columns (3)

²⁷Note that our data do not include price observations for Telco entrants.

²⁸We exclude from the analysis all communities where there was a Telco entry by 2010.

to (6) suggest that incumbents in reformed states reduced prices more than incumbents in non-reformed states following a decline in barriers to entry.

Finally in columns (7) and (8) we restrict the sample to communities that experienced actual entry; the results here suggest greater price declines in reformed states, but the magnitudes are smaller and statistically insignificant. This is as could be expected – there is no reason to expect that the effect of actual entry would be different in the two regimes. In fact, this result is reassuring, in the sense that if omitted shocks were causing the strong declines in reformed states, we could have expected to see equal sized effects even conditional on entry.

Overall, the evidence in Table 8 suggests strong ex-ante responses by incumbents for “Basic” service, consistent with the models of Milgrom and Roberts (1982b) and Klemperer (1987), and contradicting the perfect information model of Milgrom and Roberts (1982a).

7 Controlling for Correlated Shocks: A Sample-Split (Triple-Difference) Test

While the standard DID approach we use controls for state-level fixed omitted variables, and while our tests in Section 5.3 suggest no bias from pre-existing trends, the DID results could still be affected by unobserved *time varying* state level shocks correlated with reform status. For example, if some unobserved demographic or market trend impacted cable pricing and was different between the reformed and non-reformed states, this could potentially bias our analysis.

One potential source of bias is entry by Direct Broadcast Service (“DBS”) providers. While we do not have direct information on DBS providers (they are not covered in the Warren’s data), other secondary sources suggest no differential trend in DBS entry across states. As Crawford (2006) notes, by 2003, before the start of our sample in 2004, DBS availability was pervasive and prices were generally similar across markets. The Annual Reports of DISH Network Corporation and the DIRECTV Group confirms their availability across the entire continental U.S. For example, the Annual Report for 2000 for DISH Network states that: “As of December 31, 2000, approximately 5.26 million households subscribed to DISH Network programming services. We now have six DBS satellites in orbit which enable us to offer over 500 video and audio channels, together with data services and high definition and interactive TV services, to consumers across the continental United States through the use of a small satellite dish.” (p. 1) Likewise the 2001 Annual Report for DISH Network states that: “DIRECTV has launched six high powered DBS satellites and has 46 DBS frequencies that are capable of full coverage of the continental United States.” (p. 14) Given the pervasive availability of DBS over our sample period, 2004 - 2010, we expect included time dummies to control for potential effects of increased DBS penetration in our analysis, as we do not expect systematic

differences in the spread of DBS between reformed and non-reformed states.

Nevertheless, we cannot completely rule out incidental differences in trends of DBS penetration across states, or differential trends in other relevant variables unobserved by us. To try to address this concern, we consider exploiting within-state differences in the strength of entry threats.²⁹ The Milgrom-Roberts/Klemperer models would suggest that costly entry deterrence strategies are more valuable in locations where the threat of entry is the strongest, so that incumbent cable companies are more likely to respond by cutting prices in such communities.

Specifically, we examine responses for incumbents operating in a county where one of the largest overbuilders is already in operation. We expect the largest price drops to occur in those communities that are geographically “close” to a community already served by one of the top overbuilders. This approach rests on the intuitive assumption that it is easiest for cable overbuilders to expand into geographically proximate locations (Seamans 2013). Building off of an existing footprint allows the overbuilder to spread the fixed costs of building a video delivery platform and take advantage of economies of scale in customer service, maintenance, and repair. There is also anecdotal evidence supporting this assumption. For example, in its 2005 Annual Report, RCN, one of the top three overbuilders in the country, describes its strategy as: “RCN will continue to seek opportunities to increase its network footprint within and adjacent to its existing market clusters.” We can thus say that communities located near an aggressive overbuilder are more likely to experience entry, and cable franchising deregulations that allow for a state-wide franchise make such entry even more likely to occur.

To operationalize this idea of largest or aggressive overbuilders, we look at the top 10 companies with the highest number of subscribers belonging to overbuilt communities. In classifying companies as overbuilders or not, we set a threshold that at least 30% of a company’s subscribers must reside in overbuilt communities. The threshold is chosen in order to exclude large incumbent service providers such as Comcast Communications Inc. and Time Warner Cable for whom less than 3% of their subscribers reside in overbuilt communities. The final list of companies including the top 10 overbuilders is comprised of the following companies: WideOpenWest (WOW) LLC, RCN Corp., Knology Inc., Block Communications Inc., Armstrong Group of Companies, WaveDivision Holdings LLC, Tacoma Public Utilities, Millennium Digital Media LLC, Broadstripe, and Qwest. Of these, the first three and Armstrong Group of Companies belong to the list of top 25 cable companies in the U.S.. Cumulatively these top ten overbuilders account for 44% of all subscribers who reside in overbuilt communities in our data.

We label any county where one of the top 10 overbuilders is in operation as “County has a top 10 overbuilder”. Note that not all of the cable systems operated by these so-called overbuilders are overbuilds; indeed in many cases, the cable systems run by these

²⁹We note that our approach, though developed independently, is similar to that used in contemporaneous work by Seamans(2013).

companies are the only cable system in operation in a given community. However because at least 30% of their subscribers reside in overbuilt communities, these companies are likely to have a reputation within the industry as overbuilders whether or not a particular cable system is an overbuild.

A pictorial representation of our approach towards analyzing heterogeneity of impact across communities is provided in Appendix Figure A1. Our approach examines the sample of communities Y_1 and Y_2 in the reformed and non-reformed states before and after reform, which yields a difference-in-differences (DID) estimate for communities neighboring a top 10 overbuilder (communities in counties of type A). If incumbents are indeed responding to the greater threat of entry, we expect the DID estimate for this sample to be greater than the DID effect for the sample of communities in counties of type B where the threat of entry is lower.

The sample-split regression results for “Basic” service are presented in columns (1) through (3) of Table 9 and those for “Expanded Basic” service are presented in columns (4) through (6). To conserve space, the regression results for only the most complete specification that includes controls for demographics, market structure, and the number of channels are reported.

Comparing results in columns (1) and (2), we find that the magnitude of the price decline is larger by about 11.85% in counties where a top 10 overbuilder is present. To focus exclusively on incumbent responses to a *threat* of entry (rather than actual entry), in Column (3) we exclude communities where there is an actual overbuild. This yields lower estimates, but the decline is still about *twice* as large as for communities in counties where a top 10 overbuilder is absent.

We repeat the analysis for “Expanded Basic” service in Columns (4) to (6). These results also consistent with what we find for “Basic” service, again reaffirming the importance of a higher threat of entry to the reaction by incumbents. While individual estimates are not statistically significant, we find that there is a notable difference in the magnitude and signs of the coefficients. In particular, there is a 9.2% decline in price (in Column (5)) for high threat counties, while there is a 3.6% increase (in Column (4)) for counties in which top 10 overbuilders are absent. Excluding those communities which have actually experienced entry does not change the results significantly, as we find a 10.2% decline in this sample as well.

To the extent that within state shocks correlated with reforms do not vary across counties with and without a top 10 overbuilder, these results confirm that there was indeed a significant effect of the reform on incumbent pricing behavior. In particular, because DBS entry is only limited by geographic factors such as terrain and elevation (Goolsbee and Petrin 2004) that is unlikely to vary systematically between top 10 overbuilder counties and other counties, the results here suggest that incumbents responded specifically to the greater threat of entry in reformed states.

As a check on the economic meaningfulness of these differential declines in price

for communities with specifically higher threat of entry, we also undertook a similar sample-split test for number of consumers subscribing to the two tiers of service. Results presented in Appendix Table A6 show substantial responses to the higher price declines in high-threat counties. For “Basic” service, quantity responded by about 101 log points (in column (3) of Table A6) to the 10.6% decline in prices (in Column (3) of Table 9). Number of consumers subscribing to “Expanded Basic” also increased by 77 log points (in column (6) of Table A6) to a 10.2% decline in prices (in Column (6) of Table 9).

Taken together, the results from Table 9 and Table A6 suggest that incumbents cut prices significantly (and signed up more consumers) in counties where the threat of entry was relatively higher, consistent with the reforms increasing the threat of entry, and consistent with ex-ante price cutting predicted by models of the type in Milgrom and Roberts (1982b) and Klemperer (1987).

8 Discussion of results and conclusion

We investigate the effect of state-level cable franchising reforms. We find difference-in-differences decline in the price of “Basic” service of approximately 5.5 to 6.8% following the reforms. We also find evidence for significantly more entry, particularly by telecom companies, following the reforms. We find that DID price declines occurred even in counties which did not experience entry. Further, we find that the magnitude of decline in prices was highest in counties with a greater threat of entry (identified using presence of a top 10 overbuilder in the county). The price reduction could be thought of as a direct 5.5% to 6.8% gain in consumer surplus relative to expenditure for “Basic” only customers; a simple back of the envelope estimation yields implied aggregate dollar gains in consumer welfare for “Basic” only consumers of about \$5.72 million per month.³⁰

While the magnitude of the average effect of the reforms is modest, our findings are noteworthy for a number of reasons. One, our robust finding of decline in price for “Basic” service contrasts to the results in Crawford (2000), who finds no effect on price (or consumer welfare through improved quality) of the federal Cable Act of 1992 (which had the stated objective of controlling cable price increases). Thus, these state-level reforms intended to reduce entry barriers appear to have been more effective in controlling prices than the direct price regulation of the Cable Act of 1992. Two, the decline in price is notably larger in communities facing a higher threat of entry (where the upfront sunk costs for potential entrants is lower). This suggests that the impact of the reforms, which reduced the hassle and costs associated with negotiating local franchises, may have been moderated by the need for significant upfront sunk costs for entrants. Finally, we provide

³⁰ Average monthly price for “Basic” service across all states for 2010 is \$19.95 (from the summary statistics in Table 3). The number of consumers who subscribe only to “Basic” service in 2010 in the nineteen states that have reformed is 4,959,681. Therefore, neglecting any change in the number of subscribers following the enactment of reform and using the 5.78% price decline in column (4) of Table 4, the approximate aggregate welfare gain = $\Delta P * Q = (0.0578 * \$19.95) * 4,959,681 = \$5.72$ million/ month.

evidence for the effect of a *threat* of entry on incumbent behavior, which as Goolsbee and Syverson (2008) note has received much less attention in the empirical literature, relative to theoretical and policy debate on the topic. Specifically, our findings are consistent with models of limit pricing by incumbents (e.g., Milgrom and Roberts (1982b) and Klemperer (1987)), and contrary to models that predict no change in incumbent behavior absent actual entry (e.g., Milgrom and Roberts 1982a, or the Bertrand Competition model in Sutton, 1991).

Our finding that there was no DID decline in the price of “Expanded Basic” service on average is somewhat puzzling, especially given that subscription levels for this tier is significantly higher than “Basic”.³¹ We offer two speculative explanations based on alternative theories of ex-ante price reductions. One, as in the Milgrom and Roberts (1982b) model, price reductions serve as signals of underlying marginal costs. It could be the case that “Basic” cable prices provided a sufficiently credible signal of true costs for incumbents, and so they only responded to the increased threat of entry following reforms by cutting prices for the “Basic” tier. Two, it is possible that the goal of cutting prices was to lock-in consumers as in Klemperer (1987). As discussed earlier, it is plausible that the price declines were accompanied by fixed-term contracts with early termination penalties discouraging customers from switching. Because customers of the cheaper “Basic” service tier may be more likely to be price sensitive, they may also be the ones more likely to switch if new entrants were to offer lower prices. Thus, it could be rational for incumbent cable companies to offer lower prices for the product segment with more price sensitive customers.³² Data limitations prevent us from further analysis that could have shed more light on this finding. For example, information on contract terms could have allowed us to explore whether incumbents tried to lock-in consumers using longer contract periods and/or larger early termination fees.

Cable systems are among one of relatively few services where U.S. consumers have very limited choices. Our finding that there is significantly more entry in the reformed states suggests that local franchising process which vests authority in the local franchising authorities does indeed play a role in limiting competition. Our results suggest that adoption of the franchising deregulation could boost entry and improve welfare in the remaining 27 states that are yet to adopt these reforms.

³¹On average across communities, “Basic” only consumers constitute about 23% of the subscriber base in our data.

³²Comparing results for “Basic” and “Expanded Basic” prices and quantities in Table 9 and Table A6 does provide suggestive evidence that “Basic” service has more elastic demand. In particular, in column (3) of Table 9 a 10.6% decline in price yields a quantity response of 101 log points (in column (3) of Table A6), while for “Expanded Basic” in column (6) of Table 9, a similar price decline of 10.2% yields a lower 77 log points increase in quantity (in column (6) of Table A6).

References

- [1] Angrist, Joshua D, and Jorn-Steffen Pischke, 2009. *Mostly Harmless Econometrics*, Princeton University Press, Princeton.
- [2] Bain, J., 1956. *Barriers to New Competition*, Harvard University Press, Cambridge.
- [3] Balasubramanian, Natarajan and Jagadeesh Sivadasan, 2009. "Capital Resalability, Productivity Dispersion, and Market Structure," *The Review of Economics and Statistics*, 91(3), 547-557.
- [4] Barrett, Rick, 2008. "Video Franchise Law no Boon to Consumer," *Milwaukee Journal Sentinel*, <http://www.jsonline.com/business/34126204.html>
- [5] Bertrand, M., E. Duflo and Mullainathan S., 2004. "How Much Should We Trust Differences-in-Differences Estimates?" *The Quarterly Journal of Economics*, 119(1), 249-275.
- [6] Braunstein, Yale M., 2008. "Expected Consumer Benefits from Wired Video Competition in the City of San Francisco," Working Paper.
- [7] Bolema, Theodore, 2008. "Local, State and Federal Cable Franchise Regulation," Mackinac Center for Public Policy.
- [8] Bohanon, Cecil and Michael J. Hicks, 2010. "Statewide Cable Franchising and Broadband Connections," Ball State Department of Economics Working Paper.
- [9] Card, David, 1992. "Using Regional Variation to Measure the Effect of the Federal Minimum Wage," *Industrial and Labor Relations Review*. 46(1), 22-37.
- [10] Cable TV Factbook, 2004 - 2010. Warren Communications. Washington, DC.
- [11] Chipty, Tasneem, 2001. "Vertical Integration, Market Foreclosure, and Consumer Welfare in the Cable Television Industry," *The American Economic Review* 91(3), 428-453.
- [12] Crawford, Gregory S., 2000, "The Impact of the 1992 Cable Act on Household Demand and Welfare," *The RAND Journal of Economics*, 31(3), 422-450.
- [13] Crawford, Gregory S., 2008. "The discriminatory incentives to bundle in the cable television industry," *Quantitative Marketing and Economics*, 6(1), 41-78.
- [14] Crawford, Gregory S. and Ali Yurukoglu, 2012. "The Welfare Effects of Bundling in Multichannel Television Markets," *The American Economic Review*, 102(2), 643-685.
- [15] Donohue, John J. III and Steven D. Levitt, 2001. "The Impact of Legalized Abortion on Crime," *The Quarterly Journal of Economics* 116(2), 379-420.
- [16] Della Vigna, Stefano and Ethan Kaplan, 2007. "The Fox News Effect: Media Bias and Voting," *The Quarterly Journal of Economics*, 122 (3), 1187-1234.

- [17] FCC, 2005. “ Report on Cable Industry Prices .” FCC 05-12, Adopted January 14, 2005, Released February 4, 2005. Federal Communications Commission, Washington, DC.
- [18] FCC, 2006. *Report and Order and Further Notice of Proposed Rulemaking*, FCC 06-180, Adopted December 20, 2006, Released March 5, 2007, Federal Communications Commission, Washington, DC.
- [19] FCC, 2007, *Second Report and Order 3, Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984*, MB Docket 05-311, Released November 6, 2007, Federal Communications Commission, Washington, DC.
- [20] FCC, 2009. *Thirteenth Annual Report*, FCC 07-206, Adopted November 27, 2007, Released January 16, 2009, Federal Communications Commission, Washington, DC.
- [21] FCC, 2011. *Report on Cable Industry Prices*, DA 11-284, Adopted February 14, 2011, Released February 14, 2011, Federal Communications Commission, Washington, DC.
- [22] Goolsbee, Austin and Petrin, Amil, 2004. “The Consumer Gains from Direct Broadcast Satellites and the Competition with Cable TV,” *Econometrica*, 72(2), 351-381.
- [23] Goolsbee, Austin and Syverson, Chad, 2008. “How Do Incumbents Respond To The Threat Of Entry? Evidence From The Major Airlines,” *The Quarterly Journal of Economics*, 123(4), 1611-1633.
- [24] Haugsted, Linda, 2006. “State Groups Confront Heavy Lobbying; One Lobbyist Per Legislator in Texas,” 3 April 2006, Multichannel News, MULTN, 27(14), 36-38.
- [25] Hazlett, Thomas. 2007. “Cable TV Franchises as Barriers to Video Competition,” *Virginia Journal of Law & Technology*, 12(2),1-82.
- [26] Holmes, Thomas and James Schmitz, 2010. “Competition and productivity: a review of evidence,” *Annual Review of Economics*, 2, 619-642.
- [27] Hopenhayn, H. A., 1992. “Entry, Exit, and Firm Dynamics in Long-run Equilibrium,” *Econometrica*, 60(5), 1127-1150.
- [28] Joint Study Committee, 1998. “Report on Franchise Fees and Conditions, Rights of Way & Tax Implications of Competitive Markets,” Accessed at <http://www.senate.ga.gov/sro/Documents/StudyCommRpts/98JtFranchiseFeesRpt.pdf> on 10/12/2012
- [29] Kelly, Mary T. and Ying, John S., 2003. “On Measuring Competitive Viability and Monopoly Power in Cable: An Empirical Cost Approach,” *The Review of Economics and Statistics*, 85(4), 962-970.
- [30] Paul Klemperer, 1987. “Entry Deterrence in Markets with Consumer Switching Costs,” *The Economic Journal*, (conference 1987), 99-117.

- [31] Kreucher, Jon D., 2008. "Still Broken: Michigan's Video Franchising Law 18 Months Later," *Michigan Township News*, July 2008, 18-24.
- [32] McCann, Brian and Vroom, Govert, 2010. "Pricing Response to Entry and Agglomeration Effects," *Strategic Management Journal*, 31 (3), 284-305.
- [33] Milgrom, Paul and Roberts, John. 1982a. "Predation, reputation, and entry deterrence," *Journal of Economic Theory*, 27(2), 280-312.
- [34] Milgrom, Paul and Roberts, John, 1982b. "Limit Pricing and Entry under Incomplete Information: An Equilibrium Analysis," *Econometrica*, 50 (2), 443-459.
- [35] Owen, Bruce M. and Greenhalgh, Peter R., 1986. "Competitive Considerations In Cable Television Franchising," *Contemporary Economic Policy*, 4(2), 69-79.
- [36] Petersen, Mitchell A., 2009. "Estimating Standard Errors in Finance Panel Data Sets: Comparing Approaches," *Review of Financial Studies*, 22(1), 435-480.
- [37] Reardon, Marguerite, 2005a. "Telcos, Cable Companies Face Off Over TV Franchises," May 27, 2005, CNET News. http://news.cnet.com/Telcos%2C-cable-companies-face-off-over-TV-franchises/2100-1034_3-5723368.html
- [38] Reardon, Marguerite, 2005b. "Verizon Switches on TV Service," May 27, 2005, CNET News. http://news.cnet.com/Verizon-switches-on-TV-service/2100-1034_3-5876947.html
- [39] Reardon, Marguerite, 2006. "AT&T Enters TV Market," January 5, 2006, CNET News. http://news.cnet.com/AT38T-enters-TV-market/2100-1033_3-6020423.html
- [40] Rogers, Christina, 2008. "Cable Giant's Competition Benefits Users," *Detroit News*, July 7, 2008.
- [41] Rubinovitz, Robert N., 1993. "Market Power and Price Increases for Basic Cable Service since Deregulation," *The RAND Journal of Economics*, 24(1), 1-18.
- [42] Savage, Scott James and Wirth, Michael, 2005. "Price, Programming and Potential Competition in US Cable Television Markets," *Journal of Regulatory Economics*, 27(1), 25-46.
- [43] Schneider, Christian, 2007. "The Benefits of Cable Competition in Wisconsin," Wisconsin Policy Research Institute Report.
- [44] Seamans, Robert P., 2012. "Fighting City Hall: Entry Deterrence and Technology Deployment in the Cable TV Industry", *Management Science*, 58(3), 461-475.
- [45] Seamans, Robert P., 2013. "Threat of Entry, Asymmetric Information and Pricing," *Strategic Management Journal* 34(4):, 426-444.
- [46] Sher, Andy, 2008. "Spending in AT&T, cable fight approaches \$18 million," *Chattanooga Times/Free Press, Tenn. McClatchy-Tribune Regional News*, 30 May 2008.
- [47] Simon, Daniel, 2005. "Incumbent Pricing Responses to Entry," *Strategic Management Journal*, 26(13), 1229-1248.

- [48] Spiwak, Lawrence J., 2006. "Competition's Calling," *Legal Times*, 29(11).
- [49] Spurgin, Jay T., 2008. "State Video Franchise Law: State of Art or State of War?" American Public Works Association handout.
- [50] Sura, Arpan, 2006. "Telecom Competition Comes to Indiana," *Heartland Magazine*. <http://news.heartland.org/newspaper-article/2006/06/01/telecom-competition-comes-ind>
- [51] Sutton, John, 1991. *Sunk Costs and Market Structure*, The MIT Press, Cambridge.
- [52] Wagter, Herman, 2010. "Fiber-to-the-X: The Economics of Last-Mile Fiber", *Ars Technica*, March 31, 2010: <http://arstechnica.com/tech-policy/2010/03/fiber-its-not-all-created-equal/>
- [53] Yamawaki, Hideki, 2002. "Price Reactions to New Competition: A Study of US Luxury Car Market, 1986-1997," *International Journal of Industrial Organization*, 20 (1), 19-39.

A Data Appendix

The variables that we introduce in the various specifications along with the respective sources are given below.

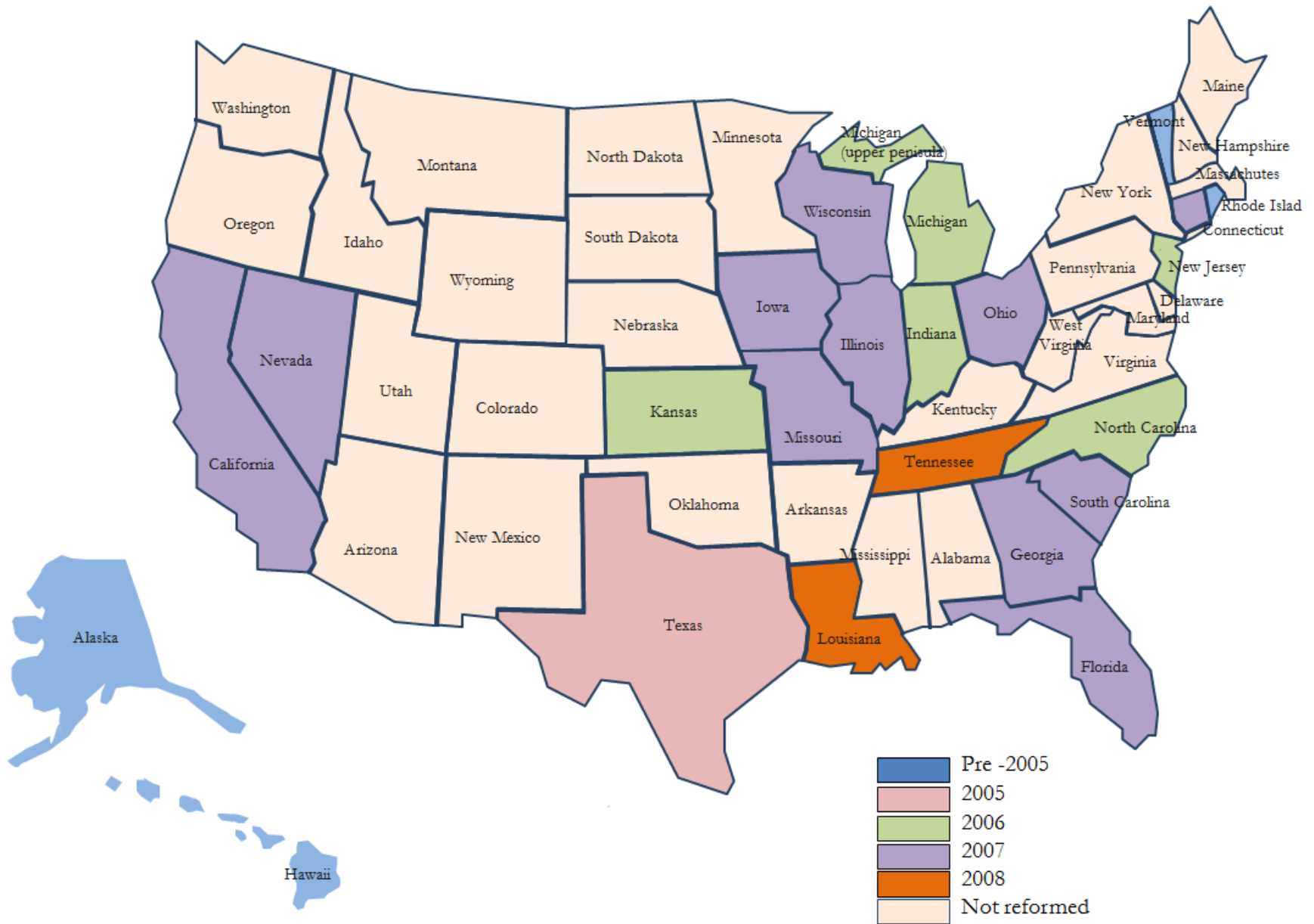
- (i). Population density and population growth: Data on population density is available only in the censal years. For the intervening years, population density estimates can be obtained using the estimates of population that are available. The data set is constructed using the following links:
<http://www.census.gov/popest/counties/CO-EST2009-03.html> and
<http://www.census.gov/popest/archives/2000s/>
- (ii). The growth in the number of housing units comes from
<http://www.census.gov/popest/housing/HU-EST2008-CO.html>
- (iii). Population profile comes from: <http://www.census.gov/popest/counties/asrh/CC-EST2008-agesex.html> Following Crawford (2000), we look at the fraction of the population that is aged between 5 and 18.
- (iv). Per capita income comes from
<http://www.bea.gov/regional/reis/default.cfm?selTable=Single>
- (v). Wages and salaries are drawn from the BLS website. We look at the wages for NAICS code, 51 (Information) since data is generally missing when we explore a finer level of disaggregation and look at either NAICS 515 Broadcasting, (except Internet) or at NAICS 5152 Cable and other subscription programming.

- (vi). All of these data mentioned above in (i) through (v) are available at the county level. In addition, to control for whether local cable companies enjoy economies of scale and scope, we look at the three variables which quantify the market structure. National subscribers is simply the sum of all subscribers for a given cable company, across all communities. The share of state subscribers is the fraction of subscribers within a particular state that belong to the company operating the cable system in question. Lastly, we also examine whether these companies are affiliated with providers of content programming. Data on vertical affiliation between local cable companies and content providers comes from Appendix C of FCC's 13th Annual Report to Congress on "The Status of Competition in the Market for the Delivery of Video Programming."
- (vii). Data for the falsification test using electricity prices is drawn from: http://www.eia.gov/electricity/sales_revenue_price/. We look at the prices for the three categories of consumers: Residential, Commercial, and Industrial.

Further notes on methodology used for the demographic variables:

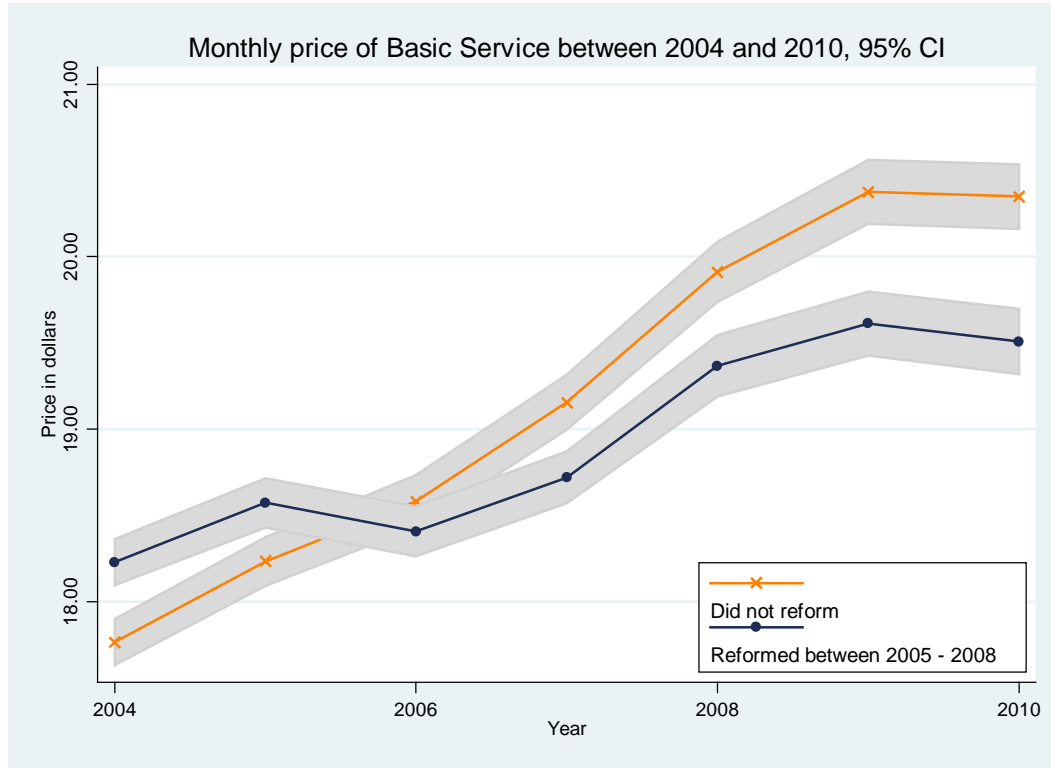
- (i). Population density: Obtaining population density for counties in the inter-censal years: Population density in year x in county y = Population density in year 2000 in county y (from the Census) * Population estimate in year x in county y (from the BEA series) / Population estimate in year 2000 in county y (from the BEA series) This technique works fine up to 2008. The BEA series runs out in 2008, hence for the 2009 numbers, we have to go back to using the Census data. It should be realized that by use of this approximation, we are implicitly using the land area that is used in the 2000 estimates of population density all throughout the intervening years as well. The only exception to this is Boulder County, CO and Broomfield County, CO.
- (ii). Per capita income: Numbers are obtained directly from the BEA figures without any adjustments in general. However as for population, here too, two of the counties - Maui + Kalawao are grouped together with their own FIPS code - 15901 which is different from the FIPS codes of either Maui (15009) or Kalawao (15005). Hence we have to impute the per capita income for Maui + Kalawao to both Maui and Kalawao separately. Likewise for all jurisdictions in Virginia which are also combined similarly. E.g. Albemarle + Charlottesville, VA (FIPS: 51901) which includes two jurisdictions - Albemarle (FIPS: 51003) and Charlottesville (FIPS: 51540).

Figure 1: Progression of reforms across the 50 states



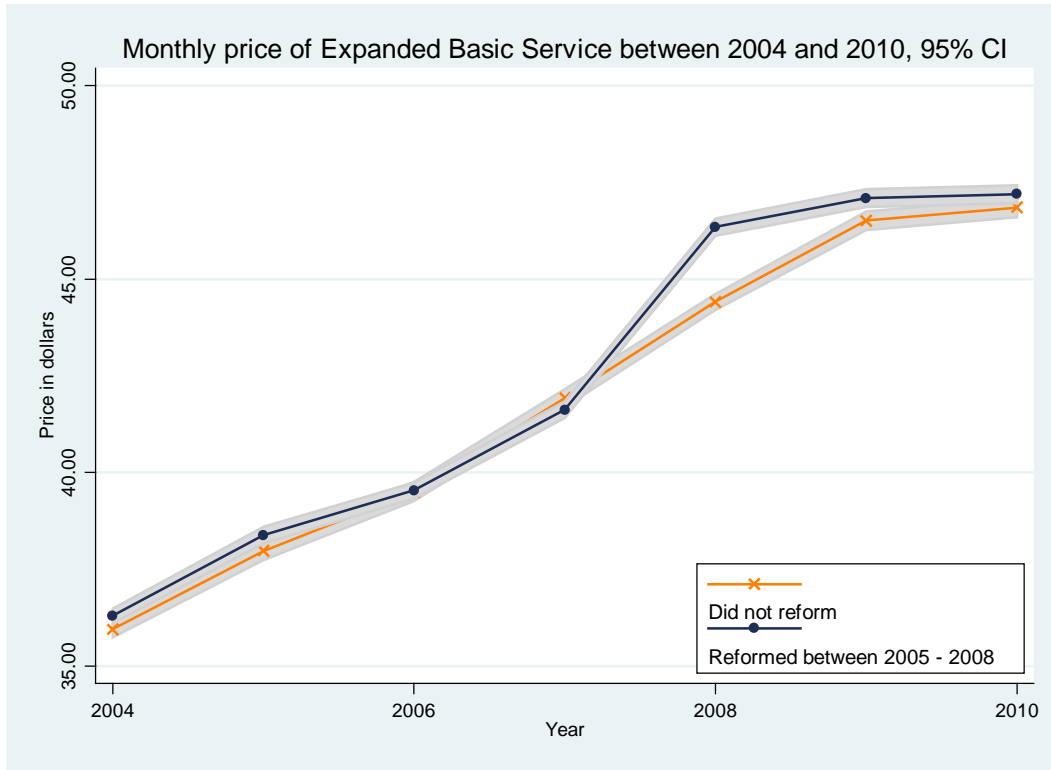
Notes: Based on Spurgin (2008). We recoded Virginia (which had been listed in the report as reformed) as not reformed because our research shows that the state did not pass legislation allowing for a state-wide franchise. Also, we confirmed passage of the law for Louisiana, where the legislation was pending per Spurgin (2008).

Figure 2a: Trend in price of “Basic” service



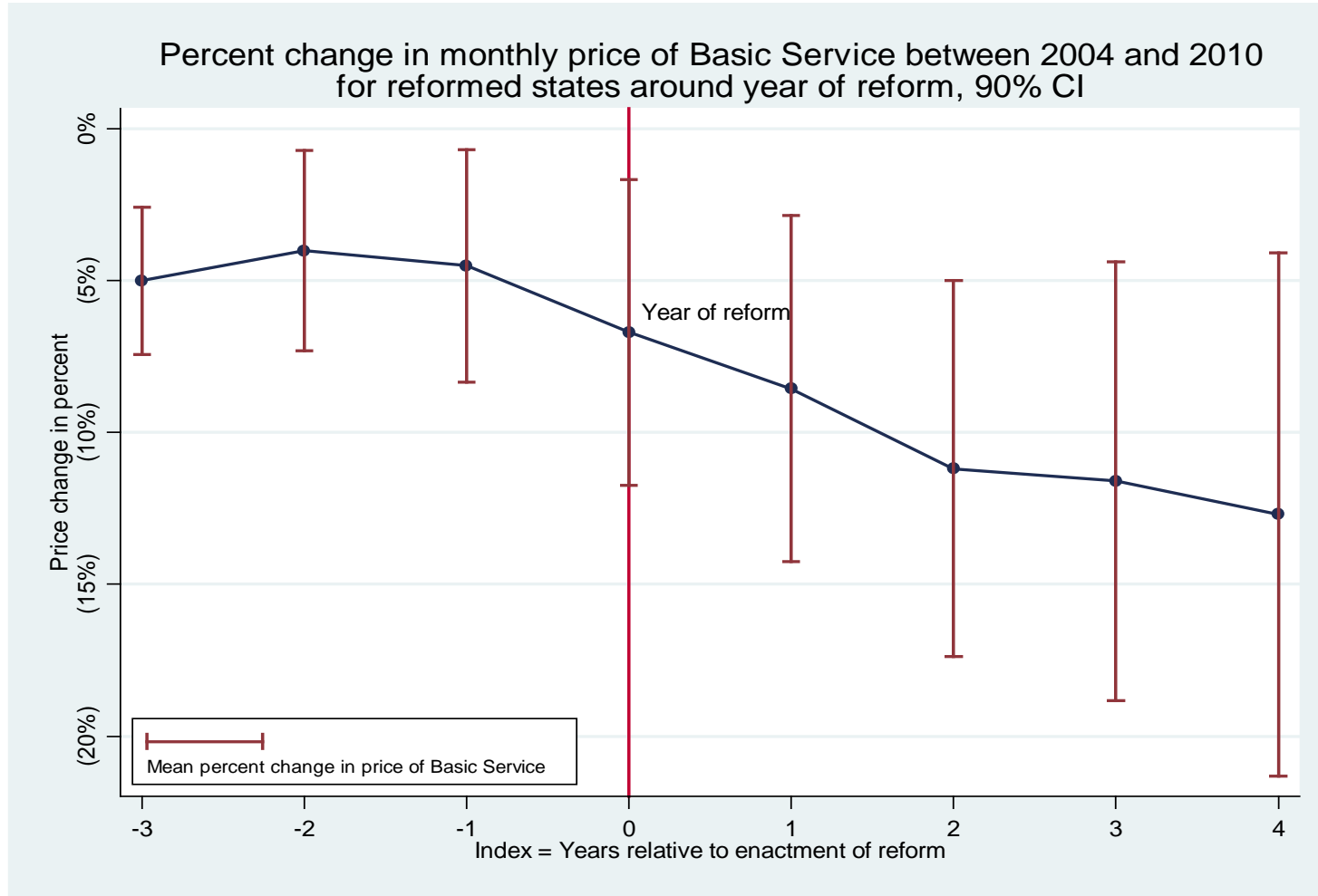
Notes: Data on cable prices is taken from successive issues of Warren’s TV Factbook (2004 – 2010). Price data is available at the level of each individual community. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. There are approximately 30,000 cable communities in the U.S. The monthly price data used in this graph pertains to that of “Basic” service. This price excludes all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. “Basic” service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. The list of states which reformed their franchising process between 2005 and 2008 along with the list of states which did not reform is provided in Table 1, and shown graphically in Figure 1.

Figure 2b: Trend in price of “Expanded Basic” service



Notes: Data on cable prices is taken from successive issues of Warren’s TV Factbook (2004 – 2010). Price data is available at the level of each individual community. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. There are approximately 30,000 cable communities in the U.S. The monthly price data used in this graph pertains to that of “Expanded Basic” service. This price excludes all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. “Expanded Basic” service offers additional video channels on one or more service tiers and includes most of the better-known national cable television networks. The list of states which reformed their franchising process between 2005 and 2008 along with the list of states which did not reform is provided in Table 1, and shown graphically in Figure 1.

Figure 3: Trend in price of “Basic” service in reformed states, around reform year



Notes: The percent numbers on the vertical axis are log points relative to prices for the year - 4 (i.e., four years prior to reform). The underlying regression includes all controls included in column (4) of Table 4 including state and year fixed effects, controls for market structure, demographic controls and control for number of channels. See notes to Table 4 for details on individual control variables. Data on cable prices is taken from successive issues of Warren’s TV Factbook (2004 – 2010). Data plotted are for 3 years prior to the enactment of reform and for 4 years after the enactment of reform. This graph is based on all communities, including states which reformed between 2005 and 2008, states which did not reform, and states which reformed prior to 2005.

Table 1: Status of cable franchise reform legislation in all fifty states

4 States with laws prior to 2005:

Alaska, Hawaii, Rhode Island, and Vermont

19 States that enacted laws in 2005, 2006, 2007, or 2008:

2005: Texas

2006: Indiana, Kansas, Michigan, New Jersey, and North Carolina

2007: California, Connecticut, Florida, Georgia, Illinois, Iowa, Missouri,
Nevada, Ohio, South Carolina, and Wisconsin

2008: Louisiana and Tennessee

27 States that have not enacted laws (as of May 2013)

Alabama, Arizona, Arkansas, Colorado, Delaware, Idaho, Kentucky, Maine, Maryland,
Massachusetts, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, New
Mexico, New York, North Dakota, Oklahoma, Oregon, Pennsylvania, South Dakota,
Utah, Virginia, Washington, West Virginia, and Wyoming

Source: "State Video Franchise Law: State of Art or State of War?" by Jay T. Spurgin (2008) supplemented by authors' research.

Table 2: Summary statistics -- Number of communities

Reform Status	2004	2005	2006	2007	2008	2009	2010	Total
No reform	16,320	16,191	15,622	15,077	14,172	14,221	14,012	105,615
Reform before 2005	512	489	487	470	464	463	466	3,351
Reform between 2005 - 2008	18,805	18,391	17,818	17,379	15,981	16,018	15,723	120,115
Total	35,637	35,071	33,927	32,926	30,617	30,702	30,201	229,081

Notes: The lowest level of disaggregation at which data is available from the Warren's TV Factbook (2004 - 2010) is the individual community. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. The status of reforms by state is summarized in Table 1.

Table 3: Summary statistics on monthly price of "Basic" and "Expanded Basic" service

Reform Status	"Basic" service				"Expanded Basic" service			
	2004	2010	Average across the sample	% change between 2004 -2010	2004	2010	Average across the sample	% change between 2004 -2010
No Reform	\$17.77	\$20.35	\$19.11	15%	\$35.96	\$46.85	\$41.75	30%
Reform before 2005	\$17.05	\$22.94	\$19.39	35%	\$39.80	\$52.79	\$46.21	33%
Reform between 2005 -2008	\$18.23	\$19.51	\$18.85	7%	\$36.31	\$47.20	\$42.11	30%
Overall	\$18.00	\$19.95	\$18.98	-	\$36.23	\$47.11	\$42.02	-
Change in reformed states relative to non-reformed states				= 7% - 15% = - 8%				= 30%-30% = 0%

Notes: Data on cable prices is taken from successive issues of Warren's TV Factbook (2004 - 2010). Price data is available at the level of each individual community. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. There are approximately 30,000 cable communities in the U.S. "Basic" service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. "Expanded Basic" service offers additional video channels on one or more service tiers and includes most of the better-known national cable television networks. The price data provided in this table exclude all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. The status of reforms by state is summarized in Table 1.

Table 4: DID effect of reform on price of “Basic” and “Expanded Basic” tiers of service

	(1)	(2)	(3)	(4)
Panel A: “Basic” service				
Year of reform	-0.0229** (-2.06)	-0.0237* (-1.95)	-0.0264+ (-1.48)	-0.0241 (-1.39)
Post-reform	-0.0553*** (-2.95)	-0.0603*** (-2.85)	-0.0684*** (-2.94)	-0.0578** (-2.26)
Number of observations	211,500	183,253	181,704	181,637
R-squared	0.12	0.14	0.27	0.44
Panel B: “Expanded Basic” service				
Year of reform	-0.00435 (-0.21)	-0.00776 (-0.35)	-0.00236 (-0.10)	0.00144 (0.066)
Post-reform	0.00134 (0.042)	0.00358 (0.11)	0.0171 (0.50)	0.0212 (0.63)
Number of observations	137,180	121,369	120,653	120,637
R-squared	0.18	0.20	0.23	0.27
Demographic controls	N	Y	Y	Y
Controls related to market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y

Notes: Data on cable prices is taken from successive issues of Warren’s TV Factbook (2004 – 2010). Price data is available at the level of each individual community. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. There are approximately 30,000 cable communities in the U.S. All regressions include state and year fixed effects. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national subscribers, the share of state subscribers for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels provided on that tier of service. “Year of reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. Thus, for example, for California which reformed in 2007, this dummy variable assumes the value 1 for that year and that year alone. “Post-reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. Thus, for example, for California, this variable assumes the value 1 for years 2008 through 2010. “Basic” service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. “Expanded Basic” service offers additional video channels on one or more service tiers and includes most of the better-known national cable television networks. The price data provided in this table exclude all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

Table 5: DID effect of reform on price of “Basic” service - Test for prior trends

	(1)	(2)	(3)	(4)
Reform year - 2	-0.0102 (-0.84)	-0.00106 (-0.086)	-0.00633 (-0.47)	-0.00186 (-0.15)
Reform year -1	-0.0299* (-1.72)	-0.0186 (-1.00)	-0.0197 (-0.82)	-0.00661 (-0.30)
Demographic controls	N	Y	Y	Y
Controls related to market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y
Number of observations	144,790	128,402	127,522	127,478
R-squared	0.14	0.16	0.28	0.45

Notes: The dependent variable is the monthly price data for accessing “Basic” service. This price excludes all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. All regressions include state and year fixed effects. All years on or after the actual enactment of reforms are dropped. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national subscribers, the share of state subscribers for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels provided on that tier of service. Year of reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. Post-reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

Table 6: Robustness checks of effect of reform on price of “Basic” service

	(1)	(2)	(3)	(4)
Base Specification	-0.0553*** (-2.95)	-0.0603*** (-2.85)	-0.0684*** (-2.94)	-0.0578** (-2.26)
Introducing alternative controls for quality of service (RC1)				
• Log of number of satellite channels	-0.0444** (-2.17)	-0.0461* (-1.99)	-0.0558** (-2.20)	-0.0572** (-2.19)
• Log of number of channels included in the top 10	-0.0673*** (-3.20)	-0.0685*** (-3.13)	-0.0856*** (-3.75)	-0.0865*** (-3.52)
• Log of number of channels included in the top 20	-0.0690*** (-3.22)	-0.0713*** (-3.11)	-0.0865*** (-3.57)	-0.0843*** (-3.25)
Net price of service with the installation charges included (RC2)	-0.0479*** (-2.68)	-0.0498** (-2.66)	-0.0562*** (-2.80)	-0.0463** (-2.08)
Long difference estimate using data only from 2004 and 2010 (RC3)	-0.0790*** (-3.12)	-0.0982*** (-3.14)	-0.0936*** (-2.92)	-0.0747** (-2.05)
Balanced panel (No. of years for each cable system = 7) (RC4)	-0.0806*** (-4.11)	-0.0789*** (-3.71)	-0.0738*** (-3.00)	-0.0705*** (-2.84)
Alternative Fixed Effects (RC5) at the				
• County level	-0.0617*** (-3.51)	-0.0465** (-2.43)	-0.0643*** (-2.97)	-0.0621*** (-2.85)
• Cable system level	-0.0618*** (-3.14)	-0.0625*** (-3.20)	-0.0651*** (-3.21)	-0.0635*** (-3.32)
• Community level	-0.0581*** (-2.78)	-0.0515** (-2.59)	-0.0534** (-2.61)	-0.0533*** (-2.89)
Including only principal communities (RC6)	-0.0422** (-2.11)	-0.0392+ (-1.60)	-0.0477** (-2.23)	-0.0371* (-2.01)
Varying the states included in the control group (RC7)				
• Excluding states which reformed prior to 2005	-0.0490*** (-2.75)	-0.0544** (-2.68)	-0.0605** (-2.68)	-0.0515** (-2.03)
• Excluding non-reformed states which prohibit MEUs from cross-subsidizing entry into cable TV	-0.0568*** (-3.04)	-0.0643*** (-3.03)	-0.0735*** (-3.12)	-0.0612** (-2.31)
• Excluding non-reformed states with level playing field laws	-0.0493** (-2.44)	-0.0551** (-2.42)	-0.0734*** (-2.95)	-0.0668** (-2.50)
Demographic controls	N	Y	Y	Y
Controls related to market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y

Notes: Coefficients presented in columns (1) through (4) correspond to various combinations of control variables. The dependent variable is the monthly price data for accessing “Basic” service unless otherwise specified. This price excludes all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. However, the regression results reported for net price of service include monthly subscription charges and installation charges, amortized over 12 months. All regressions include year fixed effects and state fixed effects unless mentioned to the contrary. Demographic and market structure controls are as in Table 4. Reported estimates are coefficients on the Post-reform dummy, which is a variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform (see Table 1 for a full list). States which reformed prior to 2005 are Alaska, Hawaii, Rhode Island, and Vermont. States which prohibit municipal electric utilities (MEUs) from cross-subsidizing their entry into the cable TV business include Alabama, Utah, and Virginia. States which have level playing field laws on their books are Alabama, Kentucky, Minnesota, New Hampshire, and Oklahoma. The ranking of channels used to define top 10 and top 20 is based on the national average cumulative rating for that channel during the fourth quarter of 2006 (roughly midpoint of our sample period). Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

Table 7a: Reforms' effect on entry - Summary statistics

Reform Status	2004			2010			Change (entry) between 2004 and 2010		
	Fraction overbuilds	Fraction Telcos	Fraction overbuilds or Telcos	Fraction overbuilds	Fraction Telcos	Fraction overbuilds or Telcos	Fraction of overbuilds	Fraction of Telcos	Fraction of overbuilds or Telcos
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
No Reform	0.70%	0.00%	0.70%	2.80%	24.60%	26.50%	2.10%	24.60%	25.80%
Reform before 2005	0.00%	0.00%	0.00%	7.90%	11.20%	11.20%	7.90%	11.20%	11.20%
Reform between 2005–2008	1.60%	0.00%	1.60%	4.00%	39.60%	40.70%	2.40%	39.60%	39.10%
Overall	1.20%	0.00%	1.20%	3.50%	32.90%	33.70%	2.30%	32.90%	32.50%

Notes: Table presents statistics on fraction of communities that had entry by one or more cable operators (“overbuilds”) or Telcos (either AT&T or Verizon). Because the Telco data was collected at the county level, penetration rate reported here are likely to be upward biased, but this measurement error is likely to impact reformed and non-reformed states in a similar manner. The status of reforms by state is summarized in Table 1.

Table 7b: Reforms' effect on entry - Linear propensity model

	(1)	(2)	(3)
Baseline: Assuming 2008 year of entry for Telcos			
Year of reform	0.0202 (1.21)	0.0247+ (1.48)	0.0277+ (1.67)
Post-reform	0.0824* (1.77)	0.112** (2.37)	0.116** (2.48)
Alternative 1: Assuming 2006 year of entry for Telcos			
Year of reform	0.0531+ (1.61)	0.0678** (2.09)	0.0703** (2.17)
Post-reform	0.0767** (2.29)	0.123*** (3.57)	0.125*** (3.66)
Alternative 2: Assuming 2007 year of entry for Telcos			
Year of reform	0.0540 (1.16)	0.0628 (1.37)	0.0665 (1.45)
Post-reform	0.0938* (1.95)	0.134*** (2.72)	0.138*** (2.81)
Alternative 3: Assuming 2009 year of entry for Telcos			
Year of reform	0.00991 (1.01)	0.0135 (1.43)	0.0167* (1.82)
Post-reform	0.0560* (1.71)	0.0761** (2.34)	0.0795** (2.53)
Demographic controls	N	Y	Y
Controls for market structure	N	N	Y
Number of observations	48,280	39,067	37,745
R-squared	0.17	0.27	0.27

Notes: The dependent variable in this analysis is a dummy variable set to 1 if there is an overbuild in that community or if either AT&T or Verizon provides cable service to any community within that county. In the absence of precise information regarding the year of entry by AT&T or Verizon in these communities, we assume that all entry by Telcos occurred in 2008 for the baseline. The results if we assume that all entry took place either in 2006 or in 2007 or in 2009 is presented as alternatives 1, 2, and 3 respectively. The regressions are estimated on cable head-ends, as entry is observed at that level. There are approximately 6,000 cable head-ends in the U.S. All regressions include state and year fixed effects. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. The list of demographic controls also includes controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national subscribers, the share of state subscribers for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

Table 8: Monthly price of “Basic” service: Isolating effect of increased *threat* of entry (i.e., excluding effect of actual entry)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Excluding all observations on cable overbuilds		Excluding all communities with entry by cable overbuilders		Excluding all communities with entry by cable overbuilders or Telcos		Including only communities with actual entry by overbuilders or Telcos	
Year of Reform	-0.0209 (-1.26)	-0.0220 (-1.26)	-0.0306* (-1.71)	-0.0263+ (-1.49)	-0.0338* (-1.69)	-0.0274 (-1.39)	-0.00394 (-0.14)	-0.0226 (-0.81)
Post Reform	-0.0605** (-2.31)	-0.0525* (-1.81)	-0.0799*** (-3.28)	-0.0676** (-2.58)	-0.0758** (-2.41)	-0.0657** (-2.04)	-0.0172 (-0.31)	-0.0271 (-0.47)
Demographic controls & controls related to market structure	Y	Y	Y	Y	Y	Y	Y	Y
Control for number of channels	N	Y	N	Y	N	Y	N	Y
Number of observations	177,292	177,225	172,385	172,318	148,282	148,215	33,422	33,422
R-squared	0.28	0.44	0.27	0.44	0.27	0.44	0.25	0.40

Notes: “Overbuilder(s)” refer to second or subsequent cable entrants and are so called because these networks are built in the same area as that already serviced by the incumbent. Columns (1) and (2) exclude all price observations relating to cable overbuilds (but include observations by incumbents in communities where the overbuilder is present), from both reformed and non-reformed states. Columns (3) and (4) exclude all communities which have experienced entry by an overbuilder (from the cable industry), from both reformed and non-reformed states. Columns (5) and (6) exclude all communities which have experienced entry, whether from an overbuilder (from the cable industry) or from the two main Telecom firms AT&T or Verizon, from both reformed and non-reformed states. Columns (7) and (8) include only those communities which have experienced entry, either from an overbuilder (from the cable industry) or from either AT&T or from Verizon, for both reformed and non-reformed states. The dependent variable in all cases is the Monthly price of “Basic” service, which excludes installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. All regressions include state and year fixed effects. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national systems, the share of state systems for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels provided on that tier of service. Year of reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. Post-reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. “Basic” service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

Table 9: Price effect of threat of entry – Communities neighboring a “top 10 overbuilder”

	“Basic” service”			“Expanded Basic” service”		
	Top 10 overbuilder absent from county	Top 10 overbuilder present in county	Same as Col (2) but excluding actual overbuild	Top 10 overbuilder absent from county	Top 10 overbuilder present in county	Same as Col (5) but excluding actual overbuild
	(1)	(2)	(3)	(4)	(5)	(6)
Year of reform	-0.0201 (-1.05)	-0.0574 (-1.41)	-0.0606* (-1.96)	0.00288 (0.14)	0.00300 (0.048)	-0.0221 (-0.32)
Post-reform	-0.0535* (-1.70)	-0.172** (-2.60)	-0.106** (-2.25)	0.0360 (1.13)	-0.0923 (-1.31)	-0.102 (-1.35)
Number of observations	166,841	14,796	12,410	109,955	10,682	9,654
R-squared	0.43	0.62	0.63	0.27	0.36	0.44
Demographic controls	Y	Y	Y	Y	Y	Y
Controls related to market structure	Y	Y	Y	Y	Y	Y
Control for number of channels	Y	Y	Y	Y	Y	Y

Notes: “Overbuilder(s)” refer to second or subsequent cable entrants and are so called because these networks are built in the same area as that already serviced by the incumbent. Top 10 overbuilders are defined as the largest 10 companies with at least 30% of subscribers residing in overbuilt communities. Columns (1) and (4) include only counties where no top 10 overbuilder was present during the year. Columns (2) and (5) include only counties where a top 10 overbuilder was present during the year. Columns (3) and (6) are same as Columns (2) and (5) respectively, but exclude overbuild observations with the actual overbuilder so only communities which have don’t have an overbuild but have a top 10 overbuilder located in that county are included. Data on cable prices is taken from successive issues of Warren’s TV Factbook (2004 – 2010). Price data is available at the level of each individual community. Generally the boundaries of a cable community correspond to that of a municipality, though there may be multiple cable communities within a single municipality and vice versa. There are approximately 30,000 cable communities in the U.S. All regressions include state and year fixed effects. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national subscribers, the share of state subscribers for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels provided on that tier of service. “Year of reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. “Post-reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. “Basic” service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. “Expanded Basic” service offers additional video channels on one or more service tiers and includes most of the better-known national cable television networks. The price data provided in this table exclude all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. Robust t statistics, clustered by state, in parentheses + p < 0.15, * p < 0.10, ** p < 0.05, *** p < 0.01.

Figure A1: Schematic of sample split test – Comparing communities neighboring a top 10 overbuilder

X: Cable system operated by a top 10 overbuilder

Y_i : Cable system operated by a non-top 10 overbuilder/ non-overbuilder

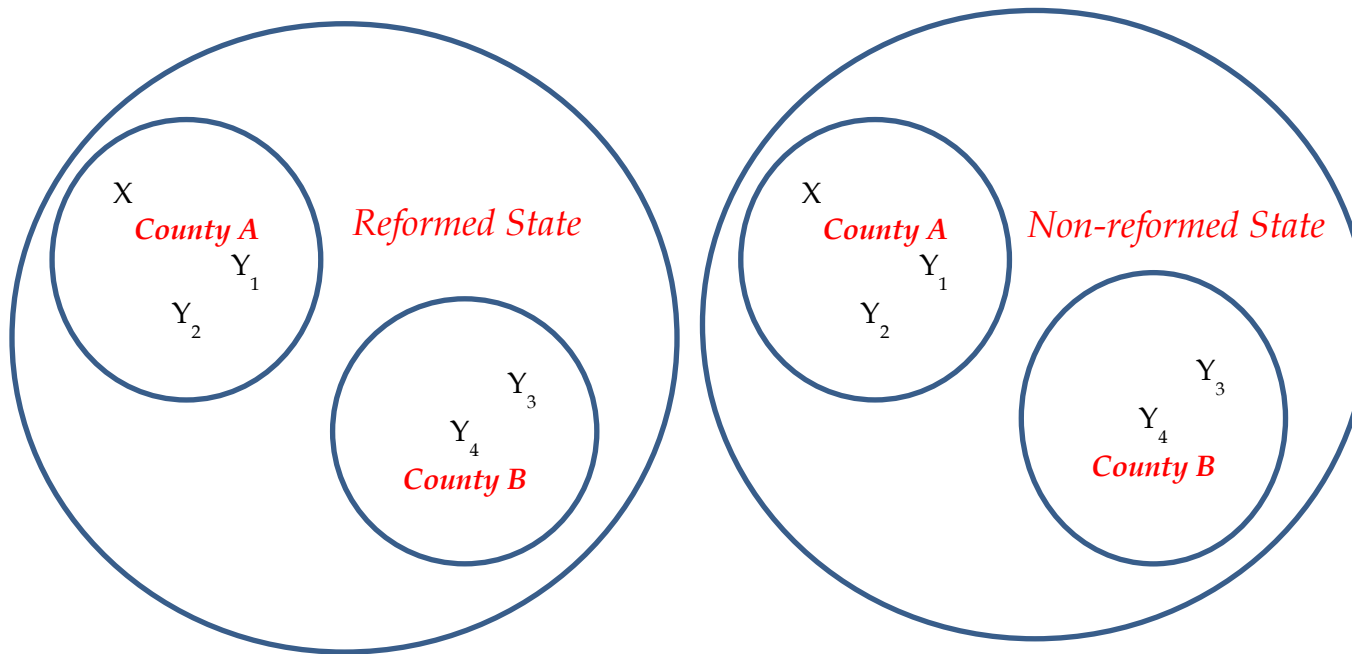


Table A1: State cable/video franchise law summary

State	Bill Number	Date	Franchise Fees	PEG Channels	I-Net Service	Right of Way Control	Customer Service	Build-out requirements
California	AB 1715 AB 2987	7/20/07 9/29/06	Match incumbent; 5% maximum	Match incumbent; 3 minimum	Not required	Local encroachment permit required	State sets stds.; local enforcement	Phasing allowed
Connecticut	HB 7182	6/28/07	State distributes tax revenue per # of subscribers	Match incumbent	Required for libraries, schools	Not addressed	Not addressed	No specific requirements
Florida	HB 529	7/1/07	Local franchise fee replaced w/ Community Services Tax	Match incumbent; 2 minimum	Not required	Local control maintained; permit fees limited	FCC stds.; state enforces	Cannot deny service based on income level
Georgia	HB 227	7/1/07	Match incumbent; 5% maximum	Match incumbent; 3 for population >50k, 2 for population <50k	1 connection required	Local control maintained; permit fees limited	Not addressed	Cannot deny service based on income level
Illinois	SB 678 HB 1500	6/30/07	Match incumbent; 5% maximum	Match incumbent	Not addressed	Local control maintained	FCC stds. defined	Phasing allowed
Indiana	HR 1279	3/9/06	Match incumbent; 5% maximum	Utility commission provides guidance	A fee applies after 2009	Local control maintained	Not addressed	Not addressed
Iowa	SF 554	5/29/07	Match incumbent; 5% maximum	3 for population >50k, 2 for population <50k	Not required after initial agreement	Local control maintained	Not addressed	Not required
Kansas	SB 449	7/1/06	Set by cities; 5% maximum	2 channels maximum	Not addressed	Local control maintained; R/W defined	Implement system to handle inquiries	Cannot deny service based on income level
Louisiana	SB 807	6/12/08	5% maximum	3 for population > 50k, 2 for population < 50k	Not addressed	Local control maintained	FCC Stds.	Not required; Cannot deny service based on race or income level
Michigan	HB 6456	12/12/06	Match incumbent; 5% maximum	Match incumbent	Not required	Local control maintained	State enforces stds.	Phasing allowed
Missouri	SB 284	8/28/07	Match incumbent; 5%	3 for population >50k, 2	Not required	Local control maintained	1-800 customer service number	Phasing allowed

Appendix Figures & Tables

State	Bill Number	Date	Franchise Fees	PEG Channels	I-Net Service	Right of Way Control	Customer Service	Build-out requirements
			maximum	for population <50k			must be in place	
Nevada	AB 518 AB 526	5/31/07 6/4/07	Match incumbent; 5% maximum	Match incumbent	Not addressed	Local control maintained	State sets stds.	Not required
New Jersey	ACS 804	6/20/06	3.5% (1.5% previously)	2 minimum	Required for government buildings	Permit fees set by state	State sets & enforces stds.	Within 3 years
North Carolina	HB 2047	7/20/06	7% sales tax collected by state, remitted to cities	3 for population >50k, 2 for population <50k	Request of service required	Local control maintained	Monitored by state AG	Cannot deny service based on income level
Ohio	SB 117	7/17/07	Match incumbent; 5% maximum	Match incumbent; 2 minimum	Not required	Local control maintained	FCC stds.; local enforcement	Phasing allowed
South Carolina	HB 3396 H 4428	3/30/07 5/23/06	Match incumbent; 5% maximum	Match incumbent; 3 minimum	Not addressed	Local control maintained	Not addressed	Cannot deny service based on income level
Tennessee	HB 1421		Match incumbent; 5% maximum	Match incumbent; 3 for population >50k, 2 for population <50k	Not addressed	Local control maintained; bond required	FCC stds.; mediation to resolve issues	Cannot deny service based on income level
Texas	SB 5	8/9/05	Up to 5% based on # of subscribers	3 for population >50k, 2 for population <50k	Match incumbent	Local control maintained	Not addressed	Cannot deny service based on income level
Wisconsin	AB 207	4/1/07	Match incumbent; 5% maximum	Match incumbent; 3 for population >50k, 2 for population <50k	Not required	Permit fees not allowed	FCC stds.	Phasing allowed

Notes: Based on Spurgin (2008). We recoded Virginia (which had been listed in the report as reformed) as not reformed because our research shows that the state did not pass legislation allowing for a state-wide franchise. Also, we confirmed passage of the law for Louisiana, where the legislation was pending per Spurgin (2008). Details for Louisiana's cable franchise reform was sourced from: http://www.legis.la.gov/legis/Laws_Toc.aspx?folder=75&level=Parent. The details are available under RS 45:1363-1378.

Table A2: Log of average electricity prices paid by different categories of consumers, residential, commercial, and industrial between 2004 and 2010

	(1)	(2)	(3)	(4)
Year of reform	0.0133 (0.77)	0.101 (1.14)	0.0447 (0.41)	0.0530 (1.02)
Post-reform	0.00185 (0.13)	0.000851 (0.012)	0.0181 (0.20)	0.00693 (0.16)
Type of consumer	Residential	Commercial	Industrial	All
Number of observations	350	350	350	1050
R-squared	0.97	0.16	0.13	0.36

Notes: Data on electricity prices is drawn from: http://www.eia.gov/electricity/sales_revenue_price/. We look at average prices paid for electricity by Residential, Commercial, and Industrial categories of consumers over the period 2004–2010. Columns (1) through (3) are estimated separately for each category of consumers, and column (4) pools the data on all categories of consumers, but includes dummies for the industrial and residential sectors. All regressions include state and year fixed effects. “Year of reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. “Post-reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. Robust t statistics, in parentheses + p < 0.15, * p < 0.10, ** p < 0.05, *** p < 0.01

Table A3: DID effect of reform on number of subscribers of “Basic” and “Expanded Basic” services

	(1)	(2)	(3)	(4)
Panel A: “Basic” service				
Year of reform	-0.0697 (-0.92)	-0.0338 (-0.61)	-0.0374 (-0.59)	-0.0612 (-1.03)
Post-reform	-0.0324 (-0.25)	0.0323 (0.39)	0.0739 (0.84)	0.0280 (0.30)
Number of observations	10,283	10,207	10,207	10,203
R-squared	0.12	0.31	0.34	0.36
Demographic controls	N	Y	Y	Y
Controls for market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y
Panel B: “Expanded Basic” service				
Year of reform	-0.0521 (-0.90)	0.0195 (0.54)	0.0172 (0.42)	0.0687* (1.68)
Post-reform	-0.159+ (-1.66)	-0.00721 (-0.12)	0.0381 (0.59)	0.0983 (1.44)
Number of observations	11,498	11,418	11,418	11,414
R-squared	0.12	0.40	0.45	0.56
Demographic controls	N	Y	Y	Y
Controls for market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y

Notes: The dependent variable is the log number of subscribers for “Basic” (Panel A) and “Expanded Basic” (Panel B). Data on number of subscribers is taken from successive issues of Warren’s TV Factbook (2004 – 2010). The regressions are estimated only on the cable head-ends as data on the number of subscribers is not available at the community level. There are approximately 6,000 cable head-ends in the U.S. All regressions include state and year fixed effects. Demographic controls: Personal per capita income (and its square), population density (and its square), and the fraction of the population aged between 5 and 18. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national systems, the share of state systems for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels on that tier of service. Year of reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. Post-reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. “Basic” service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. “Expanded Basic” service offers additional video channels on one or more service tiers and includes most of the better-known national cable television networks. The price data provided in this table exclude all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

Table A4: DID effect of reform on price of “Expanded Basic” service – Test for prior trends

	(1)	(2)	(3)	(4)
Reform year - 2	-0.0153 (-0.96)	-0.00887 (-0.58)	-0.00428 (-0.26)	0.00400 (0.23)
Reform year -1	-0.0115 (-0.47)	-0.00664 (-0.28)	0.000661 (0.027)	0.0109 (0.43)
Demographic controls	N	Y	Y	Y
Controls related to market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y
Number of observations	90,683	82,189	81,933	81,923
R-squared	0.18	0.21	0.24	0.30

Notes: The dependent variable is the monthly price data for accessing “Expanded Basic” service. This price excludes all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. All regressions include state and year fixed effects. All years on or after the actual enactment of reforms are dropped. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national subscribers, the share of state subscribers for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels provided on that tier of service. Year of reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. Post-reform: This is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. Robust t statistics, clustered by state, in parentheses + $p < 0.15$, * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

Table A5: Robustness checks of effect of reform on price of “Expanded Basic” service

	(1)	(2)	(3)	(4)
Base Specification	0.00134 (0.042)	0.00358 (0.11)	0.0171 (0.50)	0.0212 (0.63)
Introducing alternative controls for quality of service (RC1)				
• Log of number of satellite channels	0.00875 (0.28)	0.00828 (0.25)	0.0204 (0.60)	0.0211 (0.62)
• Log of number of channels included in the top 10	0.00572 (0.18)	0.00647 (0.20)	0.0183 (0.54)	0.0203 (0.60)
• Log of number of channels included in the top 20	0.00642 (0.20)	0.00671 (0.20)	0.0185 (0.55)	0.0204 (0.60)
Net price of service with the installation charges included (RC2)	0.00411 (0.13)	0.00728 (0.22)	0.0167 (0.49)	0.0194 (0.57)
Long difference estimate using data only from 2004 and 2010 (RC3)	-0.0134 (-0.33)	-0.00320 (-0.076)	0.0114 (0.26)	0.0134 (0.30)
Balanced panel (No. of years for each cable system = 7) (RC4)	0.000997 (0.027)	0.00536 (0.16)	0.0110 (0.32)	0.0117 (0.34)
Alternative Fixed Effects (RC5) at the				
• County level	0.00132 (0.041)	-0.00100 (-0.032)	0.00921 (0.28)	0.00860 (0.28)
• Cable system level	-0.00149 (-0.045)	0.000352 (0.013)	-0.000153 (-0.0055)	-0.000792 (-0.029)
• Community level	0.00280 (0.078)	0.00678 (0.21)	0.00650 (0.20)	0.00409 (0.13)
Including only principal communities (RC6)	0.00104 (0.042)	0.00638 (0.27)	0.0232 (0.91)	0.0334 (1.40)
Varying the states included in the control group (RC7)				
• Excluding states which reformed prior to 2005	0.00155 (0.047)	0.00320 (0.095)	0.0154 (0.44)	0.0200 (0.58)
• Excluding non-reformed states which prohibit MEUs from cross-subsidizing entry into cable TV	-0.000391 (-0.012)	0.000946 (0.028)	0.0138 (0.40)	0.0180 (0.53)
• Excluding non-reformed states with level playing field laws	0.00257 (0.072)	0.00520 (0.15)	0.0185 (0.51)	0.0213 (0.60)
Demographic controls	N	Y	Y	Y
Controls related to market structure	N	N	Y	Y
Control for number of channels	N	N	N	Y

Notes: Coefficients presented in columns (1) through (4) correspond to various combinations of control variables. The dependent variable is the monthly price data for accessing “Expanded Basic” service unless otherwise specified. This price excludes all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. However, the regression results reported for net price of service include monthly subscription charges and installation charges, amortized over 12 months. All regressions include year fixed effects and state fixed effects unless mentioned to the contrary. Demographic and market structure controls are as in Table 4. Reported estimates are coefficients on the Post-reform dummy, which is a variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform (see Table 1 for a full list). States which reformed prior to 2005 are Alaska, Hawaii, Rhode Island, and Vermont. States which prohibit municipal electric utilities (MEUs) from cross-subsidizing their entry into the cable TV business include Alabama, Utah, and Virginia. States which have level playing field laws on their books are Alabama, Kentucky, Minnesota, New Hampshire, and Oklahoma. The ranking of channels used to define top 10 and top 20 is based on the national average cumulative rating for that channel during the fourth quarter of 2006 (roughly midpoint of our sample period). Robust t statistics, clustered by state, in parentheses + p < 0.15, * p < 0.10, ** p < 0.05, *** p < 0.01.

Table A6: Quantity effect of threat of entry -- Communities neighboring a “top 10 overbuilder”

	“Basic” service			“Expanded Basic” service		
	Top 10 overbuilder absent from county	Top 10 overbuilder present in county	Top 10 overbuilder present in county but excluding actual overbuild	Top 10 overbuilder absent from county	Top 10 overbuilder present in county	Top 10 overbuilder present in county but excluding actual overbuild
	(1)	(2)	(3)	(4)	(5)	(6)
Year of reform	-0.0837 (-1.30)	0.442 (0.96)	0.312 (0.63)	0.0612 (1.44)	0.546*** (3.32)	0.516** (2.29)
Post-reform	-0.0110 (-0.11)	1.084** (2.51)	1.019** (2.48)	0.0748 (1.03)	0.818*** (3.40)	0.777** (2.38)
Number of observations	8,622	399	376	9,623	452	428
R-squared	0.39	0.51	0.50	0.58	0.64	0.64
Demographic controls	Y	Y	Y	Y	Y	Y
Controls related to market structure	Y	Y	Y	Y	Y	Y
Control for number of channels	Y	Y	Y	Y	Y	Y

Notes: The dependent variable is the log number of subscribers for “Basic” (Columns (1) to (3)) and “Expanded Basic” (Columns (4) to (6)). “Overbuilder(s)” refer to second or subsequent cable entrants and are so called because these networks are built in the same area as that already serviced by the incumbent. Top 10 overbuilders are defined as the largest 10 companies with at least 30% of subscribers residing in overbuilt communities. Columns (1) and (4) include only counties where no top 10 overbuilder was present during the year. Columns (2) and (5) include only counties where a top 10 overbuilder was present during the year. Columns (3) and (6) are same as Columns (2) and (5) respectively, but exclude overbuild observations with the actual overbuilder so only communities which have don’t have an overbuild but have a top 10 overbuilder located in that county are included. Data on cable prices is taken from successive issues of Warren’s TV Factbook (2004 - 2010). The regressions are estimated only on the cable head-ends as data on the number of subscribers is available only at this level of disaggregation. There are approximately 6,000 cable head-ends in the U.S.. All regressions include state and year fixed effects. Demographic controls: Personal per capita income (and its square), population density (and its square), the rate of household growth, the fraction of the population aged between 5 and 18, and the local wage. All of these controls are available at the county level and are introduced in log form. They also include controls for the size of the average cable system (measured in terms of number of subscribers per cable system in the state) and the DMA rank. Controls related to market structure: Number of national subscribers, the share of state subscribers for the company providing service in that community, and a dummy that is set to 1 whenever the local company is vertically affiliated with a content service provider. Control for number of channels include log of number of channels provided on that tier of service. “Year of reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in their year of reform. “Post-reform” is a dummy variable that equals 1 for states which reformed between 2005 and 2008 in the years following the reform. “Basic” service is the level of cable television service that must be taken by all cable television subscribers. The content of basic cable service varies among cable systems but, pursuant to the Communications Act, must include all local television signals and public, educational, and governmental access channels and, at the discretion of the cable operator, may include other video services. “Expanded Basic” service offers additional video channels on one or more service tiers and includes most of the better-known national cable television networks. The price data provided in this table exclude all installation charges and any charges associated with equipment rental and reflect the monthly subscription charges for an individual consumer. Robust t statistics, clustered by state, in parentheses + p < 0.15, * p < 0.10, ** p < 0.05, *** p < 0.01.