Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Annual Assessment of the Status of	)	
Competition in Markets for the	)	**CS Docket No. 99-230**
Delivery of Video Programming	)	

To the Commission:

COMMENTS OF
HIAWATHA BROADBAND COMMUNICATIONS, INC

I. Introduction

Hiawatha Broadband Communications, Inc. (Hiawatha) hereby respectfully submits the following comments in response to the Commission's *Notice of Inquiry* (*NOI*) on the assessment of competition in markets for the delivery of video programming. Hiawatha's comments will focus on the need for the FCC to take decisive action to eliminate discriminatory and anticompetitive activities surrounding program access. Specifically, Hiawatha urges the Commission to prohibit anticompetitive exclusivity agreements for regional sports programming, as well as other program pricing and bundling practices that impede competition.

Hiawatha is a locally-owned business and education venture, located in Winona, Minnesota, a City of about 25,000 located on the Mississippi River in Southeast Minnesota. Hiawatha is building a fiber-optic and coaxial-cable (HFC) communications system which, when completed, will pass about 12,000 homes and businesses in the Winona area. Hiawatha currently provides cable television and internet access to its subscribers, and intends to add telephone services for voice, video and data communications. Hiawatha's mission is to expand educational and communications capabilities, within its community through head-to-head facilities-based competition in the local marketplace for multichannel video programming, and data and telecommunications service, in precisely the manner envisioned by Congress in its enactment of the Telecommunications Act of 1996.

Hiawatha was incorporated in 1997 by a group of local investors. About 40% of the capital stock is owned by local schools and education foundations, as a result of donations by the company's founders. The total investment in the system is expected to be close to $20 million. Construction of the system began in 1998, and is scheduled for completion in early 2000. Facilities in place include business offices, towers for receiving off-air television signals, headend equipment, program production equipment and a substantial part of the cable distribution network. The system employs state-of-the-art equipment and has a 750-MgHz capacity. It employs interdiction technology capable of supporting a la carte channel selection and immediate activation. Hiawatha offers 78 channels, including five devoted to public access, education and government. A variety of programs will be originated locally and distributed over the cable network, including education, health care, news, public affairs, and entertainment.

Hiawatha competes with an incumbent cable system, owned by Bresnan Communications, Inc. (Bresnan). Bresnan acquired the system in 1998 from TCI, and has announced a pending sale of the system to Charter Communications, Inc. TCI's successor by merger, AT&T, retains a 50% interest in Bresnan. AT&T is the largest cable provider in the United States, currently passing 40% of all serviceable homes. Charter is the country's 4th largest cable provider.

II. The FCC Must Be An Advocate On The Side Of Competition

Section 628(g) of the Communications Act of 1934, as amended, directs the FCC to provide an annual report to Congress on the status of competition in markets for the delivery of programming. The Commission has issued the present *NOI* to assist it in gathering information and data for the development of the 1999 Report to Congress. The FCC has requested information on the status of competition and the prospects for increased competition.

At the outset, Hiawatha urges the FCC to view the annual report as more than a mere passive compilation of data, but instead to use it as a foundation for the adoption of more pro-competitive rules and as an opportunity to advocate statutory changes that will better ensure the development of viable competition in the multichannel video programming distribution (MVPD) marketplace. Hiawatha is therefore heartened by the fact that the as part of the *Inquiry* the FCC has requested comments on barriers that impede competition, and that the FCC has sought the identification of specific rules, policies or regulations that ought to be re-examined in light of current MVPD markets. The FCC should actively utilize such information to eliminate all barriers to competition.

In the *NOI* the Commission characterizes the market share of incumbent cable systems as declining. While perhaps statistically accurate, the FCC should not be lulled in a false sense of security. As the Commission's own numbers demonstrate, incumbent cable operators continue to exercise pervasive dominance over the video marketplace.[1] The Commission's *Fifth Annual Report* found that while competitive alternatives and consumer choices are beginning to develop, cable television continues to be the primary delivery technology for the distribution of multichannel video programming, with 85% of all MVPD subscribers still receiving video service from the incumbent operator. Summarizing this information FCC Chairman Kennard stated: "Our annual report shows that, although competition is increasing, the level of competition that consumers are seeking has not yet arrived."[2]

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1 *In the Matter of Annual Assessment of the Status of Competition in Markets for the Delivery of Video Programming, Fifth Annual Competition Report,* CS Docket No. 98-102, adopted December 17, 1998.

2 *Statement of Chairman William Kennard, Fifth Annual Report.*

Moreover, the massive industry consolidation that has taken place during the intervening year has effectively concentrated this market power at an unprecedented level into a handful of multiple system operators (MSOs). As a result, the largest incumbent operators have an even greater ability to engage in anticompetitive activities, often at the expense of consumers who desire more choice, better service and lower rates. Given the concentrated nature of the MPVD environment and the elimination of rate regulation for most cable services, it is vitally important that the FCC take every opportunity to act aggressively to foster competition in the video services market by removing unfair, monopoly-derived advantages, wherever and whenever possible.

Similarly, the FCC should not place undue reliance on the ability of direct broadcast satellite (DBS) alone to bring about competition in the MVPD marketplace. DBS cannot currently provide many of the local programming options that consumers desire,[3] let alone the integrated bundle of voice, video and data services that the large incumbent operators are beginning to deploy. Accordingly, the FCC must necessarily focus more attention on the needs of competitive cable overbuilders. As the FCC's previous reports have consistently demonstrated, the existence of competitive overbuilders results in greater consumer choice, better service and lower rates.[4]

Hiawatha's own entry into cable service bears out the FCC's earlier findings, as the community of Winona, Minnesota has already experienced the benefits of competition among cable providers first hand. For several years, TCI/Bresnan and its predecessors increased prices regularly and resisted local requests for improved and expanded service. When Hiawatha launched its cable service, offering more channels than the incumbent at lower prices, TCI/Bresnan countered by

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3 Even if DBS is granted legislative relief to carry local broadcast signals, it is not expect to carry local channels for most smaller communities for many years.

4 E.g., See, *In the Matter of Annual Assessment of the Status of Competition in Markets for the Delivery of Video Programming, Fifth Annual Competition Report,* CS Docket No. 98-102, adopted December 17, 1998. This is particularly important given the sunset of cable rate regulation on March 31, 1999.

adding channels, lowering prices, eliminating charges for installation and converter rentals, and offering free service for up to three months to customers who agreed to remain with or return to them. Similar price reductions have been announced by Bresnan in St. Cloud, Minnesota, where it faces similar competition from another cable provider, while price increases have been announced recently in other cities where it remains the only provider of cable services.

III. The Commission Must Eliminate Anticompetitive Practices With Respect To Program Access

A. Exclusive Programming Is Inherently Anticompetitive

While competitive cable overbuilders, such as Hiawatha, have established "beachheads" of competitive choice in a growing number of communities, abusive and discriminatory practices by incumbent operators and cable program providers threaten to erode these gains. Hiawatha did not enter into the multichannel video services marketplace under the illusion that the incumbent provider would lay down in the face of competition. To the contrary, Hiawatha anticipated vigorous competition for subscribers. It did, however, expect to compete fairly for such subscribers.

Unfortunately, Hiawatha, has encountered barriers to fair competition, in the form of exclusive dealing agreements between a number of important content providers and the incumbent cable system. Hiawatha has been unable to obtain consent to carry at least four program channels, because their providers have agreements with the incumbent that grant it the exclusive right to carry the programming by cable in all communities the incumbent serves. The channels include Midwest Sports Channel (MSC), a regional sports channel, MS-NBC and FoxNews, both national news networks, and Game Show Network, a popular entertainment channel. All are popular channels among potential subscribers. MSC is considered an essential channel by many potential subscribers, because it holds exclusive broadcast rights for certain games of the Minnesota Twins, the Minnesota Timberwolves, the University of Minnesota, the Big 10 and the Western Collegiate Hockey

Association, and broadcasts other regional and national sports programming. MS-NBC and FoxNews are the preferred news networks for many, because of their perceived political leanings.

The FCC has recognized that access to programming is essential to fair competition between incumbent cable operators and new entrants to the market. In its *Fifth Annual Competition Report*, the Commission stated:

> MVPDs that provide competitive pressure on incumbent cable operators and provide consumers with real choice still find regulatory and other barriers to entry into markets for the delivery of video programming. MVPDs with the potential to compete with incumbent cable operators continue to experience some difficulties in obtaining programming, both from vertically integrated satellite cable programmers and from unaffiliated program vendors who continue to make exclusive agreements with cable operators.

In particular, the Commission recognized the importance of regional sports programming to competitive offerings:

> Sports programming in the market for the delivery of video programming increasingly warrants special attention because of its widespread appeal and strategic significance for MVPDs.[5]

Further, the FCC observed that "[l]ocal sports also holds value for operators because local sporting events often generate higher ratings than other cable and broadcast programming."[6]

The Commission's current program access rules prohibit exclusive agreements between vertically integrated content providers and cable operators, but thus far the FCC has declined to interpret its rules or existing legislation to prohibit other exclusive content agreements. TCI has seized upon this loophole in the FCC's administration of the program access rules, and utilized its market power as an MSO to extract exclusive program access agreements from non-vertically integrated programmers in a manner that violates the spirit, if not the specific letter of the law.

In the current *NOI* the Commission has requested information on the adequacy of the coverage of the program access rules and specifically seeks information on cases of *MVPDS* "being

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5 *Fifth Annual Competition Report*, ¶ 171.

denied programming by non-vertically integrated programmers."[7] It has been Hiawatha's experience that exclusive agreements between unaffiliated program vendors and incumbent cable operators remain a significant barrier to fair competition, especially when an incumbent operator who controls a large percentage of the regional or national market obtains exclusive agreements and uses them against a competitor in a single market.

In a submission to the FCC related to their then-pending merger, AT&T and TCI represented that:

> TCI has been entirely reasonable with its competitors in voluntarily relinquishing exclusivity in certain cases, even though it was under no obligation to do so under the program access rules. For example, TCI voluntarily waived its exclusive rights to the Chicago Cubs baseball games carried on CLTV, a local service in the Chicago area, which was a matter of particular interest to Ameritech. AT&T/TCI will continue to review requests to relinquish exclusivity for services not covered by the program access rules on a case-by-case base and to act reasonably and responsibly in this area.[8]

In actual practice, however, Bresnan/TCI responded to Hiawatha's request to open its exclusive agreements for MSC and other channels in the following manner:

> Bresnan will not discuss opening any exclusive programming agreements that it or TCI holds. Bresnan strives to make its programming and services distinctive.[9]

Bresnan's advertising in Winona has emphasized its exclusive access to certain channels, including MSC. Hiawatha has encountered specific resistance by a large number of potential subscribers to changing from Bresnan to Hiawatha, based solely on the availability of one or more of the channels covered by exclusive contracts.[10]

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6 *Fifth Annual Competition Report*, ¶ 175.

7 *NOI*, ¶ 28.

8 Reply Comments of AT&T/TCI in CS Docket No. 98-178

9 Letter from Robert V. Bresnan to Gary Evans, dated April 29, 1999, appended hereto.

10 Further adding insult to injury, Hiawatha is often required to carry advertisements on its existing channels for program channels that it is unable to carry as a result of exclusive contracts. For example, NBC's programming of popular events will often advise viewers to tune in to MSNBC for further coverage of the event.

Hiawatha believes that relief from exclusive content agreements is needed, for the benefit of Hiawatha and other cable operators seeking to compete with incumbents. That relief should be in the form of Commission action or legislation. A recent report by the Government Accounting Office (GAO) reinforces the need for such action, indicating that some of the experts it interviewed expressed concerns that "dominant cable operators are winning price concessions and may have significant bargaining power vis-à-vis subscription networks even when there is no ownership link." According to the GAO report,

> [M]ost of our expert panel members stated that program suppliers that are not vertically integrated such as MTV, A&E Network and the Weather Channel) may be very dependent on large cable companies. Some of the expert panel members stated that programming of suppliers that are not vertically integrated should generally be required to be made available to all competitors, as is currently the case for programming owned by vertically integrated suppliers.[11]

Contrary to the arguments of incumbent cable operators, program exclusivity agreements distort competition and are not necessarily protected under the Telecommunications Act. The program access rules contained in Section 628 of the Cable Act establish the minimum activities that are prohibited, and provide the Commission with sufficient flexibility to prohibit additional types of conduct. Indeed, the legislative history of Section 628 indicates that Congress intended to allow exclusive contracts between non-vertically integrated entities in situations where there is effective competition but it did not intend that they be utilized in the absence of effective competition:

> Where there is no effective competition, however, exclusive arrangements may tend to establish a barrier to entry and inhibit the development of competition in the market. Thus, the dominance in the market of the distributor obtaining the exclusivity should be considered in determining whether an exclusive arrangement amounts to an unreasonable refusal to deal.[12]

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11 *GAO Report to the Subcommittee on Antitrust, Business Rights, and Competition, Committee on the Judiciary, U.S. Senate: Telecommunications, The Changing Status of Competition to Cable Television*, July 1999, p. 22.

12 Senate Committee Report, Rpt. 102-92, to the Cable Act of 1992.

Moreover, in implementing Section 628(b) the Commission specifically indicated that its authority extended beyond vertically integrated programmers and cable operators stating:

> This provision is a clear repository of Commission jurisdiction to adopt additional rules or to take additional actions to accomplish the statutory objectives should additional types of conduct emerge as barriers to competition and obstacles to the broader distribution of satellite cable and broadcast video programming. In this regard it is worth emphasizing that the language of 628(b) applies on its face to all cable operators.[13]

As noted above, in its *Fifth Annual Competition Report* the Commission recognized the strategic importance of regional sports programming and the potential negative effects of exclusive agreements on such programming. In summarizing its findings in the *Report,* the Commission indicated that *the* "distribution of programming, including in particular regional sports programming, could eventually have a substantial impact on the ability of alternative MVPDs to compete in the video marketplace" and indicated that it would "continue to monitor this issue and the impact on the competitive marketplace."[14] Hiawatha respectfully submits that it is now one year later and such practices have intensified rather than abated, and therefore the time for monitoring this issue has passed and it is time for the Commission to take affirmative steps to eliminate anticompetitive exclusivity agreements for regional sports programming, as well as other programming.

Further, if the FCC concludes that it lacks the authority under the program access rules as currently written to prohibit exclusivity agreements between non-vertically integrated programmers

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13 *In the Matter of Implementation of Sections 12 and 19 of the Cable Television Consumer Protection and Competition Act of 1992, Development of Competition and Diversity in Video Programming Distribution and Carriage*, 8 FCC Rcd. 3359 (April 1, 1993)(FCC 93-178).

14 *Fifth Annual Report,* ¶ 12.

and MVPDs, the Commission should use its 1999 Competition Report to urge Congress to redress this anticompetitive shortcoming in the Act.[15]

B. The Commission Should Eliminate Anticompetitive Pricing and Bundling Requirements

A second major area of concern to Hiawatha, is the increasing practice of program suppliers attaching pricing conditions and bundling requirements that effectively impede customer choice. In the *NOI* the FCC expressed a preference for additional customer choice in the form of "a la carte" programming options, and inquired as to the "economic, legal or other impediments to offering programming services in this manner."

Hiawatha has invested in interdiction technology with the intent of providing its customers programming choices on an a la carte basis in precisely the manner suggested by the Commission. Unfortunately, the pricing practices and other requirements of some cable programmers prevent Hiawatha from offering flexible service options. Examples of these abusive practices that Hiawatha has experienced include the following:

- Requiring that a channel be carried on basic or expanded basic service.
- Requiring that a channel be carried with other specified channels.
- Requiring that a channel be provided to a specified percentage (as high as 85%) of system subscribers.
- Pricing at rates per subscriber based upon penetration percentage – in some cases, the rate per subscriber at lower penetration percentages is three times higher than the rate at higher penetration percentages.
- Pricing that requires payment for a specified percentage of system subscribers (as high as 85%) whether or not they subscribe to the channel.

15 In past competition reports the FCC has not hesitated to seek legislative changes in order to foster competition.

These practices force smaller cable operators, such as Hiawatha, to include channels in bundled packages, and limit subscribers' choices.

Hiawatha believes that the cable and telecommunications industries are entering a new era of competition. New technology and the removal of regulatory barriers permit competitive entry into businesses that were once considered inherently monopolistic. Communications can now be delivered by cable, wire, satellite transmission and other means, and a single entity can provide entertainment, and voice, video and data communications. The barriers to entry are no longer related to capital investment, technology or regulation. They are the anti-competitive agreements and practices that were allowed to develop and exist in industries that were essentially monopolistic. They must be identified and removed if competition is to flourish in these industries.

Respectfully submitted,

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Counsel for Hiawatha Broadband
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August 6, 1999

CERTIFICATE OF SERVICE

I, Sean Stokes, hereby certify that on this 6th day of August, 1999, a copy of the foregoing Comments of Hiawatha Broadband Communications, Inc. was served on the following parties listed below via messenger:

Magalie Roman Salas
Secretary
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Washington, D.C. 20554

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Sean Stokes

ATTACHMENT A

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White Plains, NY 10604-3023
914 993 6600
914 993 6601 fax

BRESNAN

April 29, 1999

Gary W. Evans
President & CEO
Hiawatha Broadband Communications, Inc.
P.O. Box 676
58 Johnson Street
Winona, Minnesota 55987

Dear Mr. Evans:

It is my understanding that you have requested a written response to the questions raised in your memorandum of January 14, 1999.

Bresnan Communications needs to insure the quality of its service and the integrity of its system. In order to do so, it is essential that Bresnan maintain exclusive control of every element of its system from the headend to the subscriber's home. Therefore, any shared facilities arrangement would be impractical and unacceptable.

The following are Bresnan's responses to your specific questions:

1. "HBCI will install new drop wires to the homes of all of its customers and, should any customer convert, Bresnan Communications was invited to use the drop if the firm chooses. Will they use our drops?"

   For the above mentioned reasons, Bresnan will use its own drops

2. "HBCI will properly terminate any Bresnan drops to prevent signal leakage at the time of a customer conversion. Should the terminated drops be left off the ground, if aerial, or rolled up and placed back at the pole or pedestal?"

   There is no reason for HBCI to ever have to touch a Bresnan drop. Bresnan requests that HBCI leave Bresnan drops in place.

3. "HBCI will utilize a disconnect letter that customers who are converting to its service from Bresnan will sign. Those letters will be delivered to Bresnan's Winona office by HBCI personnel, along with any converter boxes these customers possess. John and Sandy indicated this is acceptable, but I believe it should be covered in the written response."

    This procedure is acceptable for the time being

4. "HBCI proposed a neutral box plan for multiple dwelling units, a plan that will bring both providers' signals to a common/neutral location, from which each firm's signal path could emanate. Again, the indication was favorable, but it should be covered in the response."

    For the above-mentioned reasons, Bresnan cannot agree to a neutral box plan.

5. "I asked for a written response on how they propose to handle MDU internal wiring matters. Many MDU operators do not know who wired their buildings . . . and when they have questioned TCI, that firm didn't know either."

    This question is unclear. However, Bresnan will not agree to shared usage of any internal wiring that was installed by Bresnan, TCI or its predecessors.

6. "Mutual use of certain outside plant components was explored, with a specific reference to The Kensington. John and Sandy were told that when HBCI installs conduit to a new location, it will provide sufficient space to accommodate a Bresnan drop. Will Bresnan afford HBCI the same accommodation?"

    This issue would be best handled on a case by case basis as situations arise.

7. "Will these issues be covered by a written "gentlemen's agreement" or will a more formal legal document be required?"

    Bresnan does not see the need for a written agreement. However, if HBCI feels one is necessary, we would be happy to review it.

8. "With regard to exclusive agreements that TCI holds with MSC, MS-NBC and Fox News, will Bresnan discuss opening those agreements to allow HBCI to carry those channels?"

   Bresnan will not discuss opening any exclusive programming agreements that it or TCI holds. Bresnan strives to make its programming and service distinctive.

While we appreciate and share HBCI's desire to coordinate the activities of our companies as much as possible, I hope that HBCI can appreciate Bresnan's need to control the components of its system for both customer service and legal liability reasons.

Sincerely,

Robert V. Bresnan
Vice President and General Counsel

RVB:rie

CABLE TV FACTS

IT'S A FACT:

BRESNAN COMMUNICATIONS

manages and operates to meet your cable TV & High Speed Internet needs in the community.

TCI Cable Company NO LONGER EXISTS.

(Some people are still calling the cable system TCI and there is a big difference!)

Service provided by employees that live and work in the Winona area.

Changes Bresnan Communications has brought to the community:

IT'S A FACT:

- Lower rates
- More programming -- total of 142 channels available (Basic, Expanded Basic & Digital)
- Digital programming package offering 107 additional digital programs at a reduced rate -- selections offered only by us
- Exclusive programming - Midwest Sports Channel and Game Show
- Premium programming promotional offers
- High Speed Internet Service - up to 100 times faster, on all of the time, and no additional telephone line required
- 24 hour customer service
- On time guarantee
- Asking customers what they want for cable service

452-6040 **BRESNAN**
Basically Better

9018970711DN

WDN 7-11-99

... solo home run

...ther also homered for the ... won the three-game series ...92. The Blue Jays are 7-3 ...ros since the start of inter-...997.

...lays batter had at least one

... Tigers 4

... The St. Louis Cardinals ...ttack at Tiger Stadium.

...e, Willie McGee and Joe ...ibuted at the plate and the ... Detroit Tigers, taking two ...rleague series.

... two hits, including a go-...e seventh inning. McGee ...nd drove in two runs and ... squeeze bunt and a sin-...

...lee and McGwire were ...s in the Cardinals lineup.

...lies 7

... Mike Lieberthal hit two ...bles, and drove in four ...phia Phillies feasted on ... bullpen.

...d 5-1 before rallying to ...r two innings against ...s, Mike Fetters and ...

...d a six-run sixth with a ...etters and Lieberthal ...' lead in the seventh ... against Bones (0-2). ...lo homer in the ninth

... in 1995.

Mariners 4, Padres 1

SAN DIEGO — More than two months into the season, the defending NL champion San Diego Padres still haven't been able to win three straight games.

Tom Lampkin, who was with the Padres for parts of three seasons in the early 1990s, homered and hit an RBI double, and Edgar Martinez hit his 10th homer as the Seattle Mariners avoided a sweep by beating San Diego 4-1 Sunday.

And thanks to interleague play, Mariners rookie Freddy Garcia (7-2) got his first hit and RBI, as well as the win in a pitching duel with Andy Ashby. Garcia was one of three prospects obtained from Houston in the Randy Johnson trade July 31.

Athletics 7, Giants 6

SAN FRANCISCO — Matt Stairs hit a tiebreaking home run in the ninth inning and the Oakland Athletics overcame the San Francisco Giants to avoid a three-game sweep in their interleague series.

A crowd of 40,154 saw the A's end their eight-game road losing streak. Oakland had dropped three straight overall.

Stairs, who earlier hit a bases-loaded double, hit a solo homer barely over the left-field wall. He connected off John Johnstone (4-3) for his 13th home run of the season.

Angels 7, Dodgers 5

LOS ANGELES — Ken Hill overcame a shaky start to pitch six strong innings, and Troy Glaus hit a three-run homer as the Anaheim Angels beat the Los Angeles Dodgers.

The Angels, who blew leads of 3-0 and 4-0 before losing the first two games of the set, fell behind 2-0 before winning Sunday in front of a sellout crowd of 53,778 at Dodger Stadium.

Associated Press

...ndians' rookie Chris Turner (9) steals second base as Chicago Cubs Shorstop Jose Hernandez (18) takes the throw Sunday.

Home runs rock Brewers

Associated Press

National League

DENVER — The Colorado Rockies hit a team-record four home runs in an eight-run seventh inning Sunday as they rallied for a 10-5 victory over the Milwaukee Brewers.

Henry Blanco's two-run homer off Scott Karl (5-5) tied the game at 4. Neifi Perez, Dante Bichette and Angel Echevarria hit homers against reliever David Weathers.

In the Rockies eighth, Larry Walker was hit in the right shoulder by a pitch from Cal Eldred. Walker looked at the Milwaukee dugout and held up three fingers — it was the third time he was hit in the three-game series — and flung his bat toward the Colorado dugout before going to first base.

With one out in the ninth, Rockies reliever Dave Veres threw a pitch behind Jeromy Burnitz. Veres was ejected by plate umpire Bob Davidson, and Rockies manager Jim Leyland came out to argue.

Pitcher Scott Karl, Marquis Grissom, Ron Belliard and Bobby Hughes homered for Milwaukee. The Brewers, swept despite scoring 24 runs in the series, scored all of their runs Sunday on homers.

Pedro Astacio (5-5) won despite giving up four Milwaukee homers. He threw 153 pitches and struck out 10 in 7 2-3 innings to help the Rockies put together their first four-game winning streak of the season.

After Blanco's homer tied the game, Astacio followed with a double to chase Karl. He would have had a triple but stumbled rounding second base. It didn't matter has he scored on Todd Helton's pinch-hit single off Weathers.

Things deteriorated from there as Perez homered, Walker walked and Bichette homered before Weathers finally retired Vinny Castilla for the first out of the inning.