

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Not So Fast: Senator to Hold FCC Nomination Over Section 230

It's far from clear if his nomination is going anywhere, but **Senate Commerce** held a hearing Tuesday afternoon on *Trump's* recommendation of *Nathan Simington* to the **FCC**. Sen *Richard Blumenthal* (D-CT) pledged to hold the Republican's nomination until he agreed to recuse himself from any action on the **NTIA** Section 230 petition pending at the FCC.

Simington declined to promise to recuse himself, saying it would be premature to make such a commitment. If confirmed, he said the first thing he would do is meet with the FCC Ethics office and abide by their recommendations. *Trump's* nominee, an NTIA adviser, said he played a "minor role" in drafting the NTIA's petition to the FCC on Section 230. "I helped with blocking and tackling. I helped with editing and site checking. I, of course, discussed with other members of the NTIA political staff the public relations and responses," said Simington, who also acknowledged he'd had conversations with the White House about 230. "Once it became clear I was to be considered for this position... I ceased any active work on the petition whatsoever."

Last month, FCC chmn *Ajit Pai* announced his intention to move forward with a rulemaking to clarify the meaning of Section 230 after receiving the greenlight from the Commission's general counsel. Section 230 grants sites like **Facebook** and **Twitter** immunity from liability for most content posted by users. *Trump* signed an executive order in May that called on

NTIA to petition the FCC to open a proceeding on Section 230. *Trump's* executive order was issued after *Twitter* fact-checked one of his tweets.

"I am deeply concerned that the president's executive order is an assault on the credibility and legitimacy of the FCC. The NTIA during your time there in effect acted as an arm of the president in supporting seeming retaliation against political rivals," Blumenthal said. "Consumers deserve an independent FCC, free from political interference and possible manipulation, whether it's on Section 230 or anything else."

Blumenthal also noted that Simington was tapped to replace Commissioner *Mike O'Rielly* after his re-nomination was pulled after he expressed some doubt about the executive order. Shortly before Tuesday's hearing, *Trump* sent out a tweet praising his nominee. "Republicans will hopefully confirm him to the FCC ASAP! We need action NOW on this very important nomination!" *Trump* wrote. Blumenthal said the tweet seems to make clear what *Trump* hopes and expects from Simington. "The FCC cannot be an instrument of political policy or bullying," the senator said.

Senate Commerce chmn *Roger Wicker* (R-MS) clarified that Simington's involvement in the NTIA petition was "sort of being called into the game after the decision was already made." Simington said he didn't draft any parts of the original participation, providing comments on finished versions. "I would estimate that the number of words actually written by me in the petition would be on the order of 5-7%," Simington said.



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In his prepared remarks, Simington touched on the importance of closing the digital divide and regulatory stability. “The Commission must always place the public interest first, and to do so, to improve consumer welfare, it must be careful not to chill development by going over the line with obtrusive, disruptive and burdensome regulation,” he said. During questioning, he said, not surprisingly, that he’s not in favor of re-regulating broadband under a Title II classification. Simington also highlighted universal connectivity, public safety/national security and public interest as priorities that would guide his tenure.

DEMOCRATS ASK FCC TO AVOID CONTROVERSY

House Dems *Frank Pallone* (D-NJ) and *Mike Doyle* (D-PA) asked the **FCC** to immediately stop work on all partisan, controversial items under consideration—a request that was quickly seconded by the agency’s Democratic commissioners. “As two of my Republican colleagues observed in 2016, it is long-standing Commission practice that, upon a presidential transition, the agency suspends its consideration of any partisan, controversial items until the transition period is complete. Our congressional leaders have called for Chairman Pai to respect this precedent, and I expect that he will abide by their request,” commish *Geoffrey Starks* said. Pallone and Doyle urged Pai to focus on consensus and administrative matters.

KIMMELMAN NAMED TO BIDEN REVIEW TEAM

Public Knowledge senior adviser and former **DOJ** antitrust division chief counsel *Gene Kimmelman* was named to the 29-member *Biden-Harris* agency review team for the **Department of Justice**. Kimmelman also served as vp, federal and international affairs at **Consumers Union** for several years

and was CEO of **Public Knowledge** at one point. The agency review teams are responsible for understanding the operations of each agency and ensuring a smooth transfer of power. **Communications Workers of America’s** *Jennifer Abruzzo* and **New America’s** *Viv Graubard* are among the members of the agency review team for the **Department of Labor**. **Amazon’s** *Tom Sullivan* is on the State Department review team, while *Austin Lin* of the **Chan Zuckerberg Initiative**, a charity established and owned by **Facebook** founder *Mark Zuckerberg* and his wife *Priscilla Chan*, is part of the Executive Office of the President, Management and Administration team.

LAYOFFS SWEEP WARNERMEDIA

Previously-rumored layoffs at **WarnerMedia** began on Tuesday. CEO *Jason Kilar* emailed employees Tuesday morning, describing the process as “painful” and “resulting in a smaller WarnerMedia team.” In August, Kilar had announced the company would be changing the organizational structure to elevate **HBO Max** and consolidate commercial activities into one organization. Kilar said that beginning Tuesday affected employees would be informed, but did not share how many staffers would be impacted. “Nothing about this is easy. But please know, these reductions are not in any way a reflection of the quality of the team members impacted, nor their work. It is simply a function of the changes I believe we must make in order to best serve customers,” he wrote.

SCTE-ISBE SET TO MOVE UNDER CABLELABS

It looks like **SCTE-ISBE** could soon be a subsidiary of **CableLabs**. Members of the organization will be voting via a Zoom meeting on Dec 10 to combine forces with CableLabs at the start of



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2021. “With the commitment to 10G in mind, the transaction will represent the industry’s ongoing efforts to deliver to consumers new innovations and services which will meet changing consumer needs and support the future expansion of broadband deployment,” SCTE-ISBE said. There are no plans for reducing staff within either organization, decreasing budgets or eliminating services, programs or chapters. *Mark Dzuban* will continue to lead SCTE as pres/CEO. He will report to CableLabs pres/CEO *Phil McKinney*. Cable-Tec Expo will continue on, with SCTE-ISBE planning to hold an in-person event in Atlanta Oct 11-14. SCTE members who aren’t CableLabs members will continue to access the same SCTE services at the same fees, but will not have access to CableLabs benefits unless they choose (and are qualified) to join CableLabs. SCTE-ISBE launched a [website](#) on the proposal that says the combination would expand the availability of training, learning, development, and certification programs to members of both groups, while ensuring that specifications, standards, training, etc are more closely aligned between the two. **The SCTE Foundation** will continue, and SCTE staff will continue to occupy its Exton, PA-based HQ. For the combination to move forward, SCTE-ISBE must receive “yes” votes from two-thirds of the 5% of total number of SCTE members.

NIELSEN ADDS ADDRESSABLE ADS

Nielsen is doubling down to measure advanced TV audiences, now integrating addressable data for the first time. The company will be adding set-top box data from **DirectTV** and **DISH** and data from **VIZIO** smart-TVs. This adds approximately 55mln devices to its national TV measurement. It plans to begin sharing preview data in the first half of 2021.

DISH SHUTTING DOWN SLINGBOX

Sling Media, a subsidiary of **DISH**, is discontinuing all Slingbox products and is shutting down the Slingbox services on or around Nov 9, 2022. Until then, most Slingbox models will continue to work normally, but the number of supported devices for viewing will steadily decrease as versions of the SlingPlayer apps become outdated. “We’ve had to make room for new innovative products so that we can continue to serve our customers in the best way possible,” Sling Media said on the Slingbox website. The SlingPlayer apps on Android tablets and smartphones as well as those for **Roku** and Windows Phone are already discontinued.

FUBO SEES STRONGEST Q IN COMPANY HISTORY

fuboTV delivered the strongest quarter in its history, and beat guidance with growth in revenue, subscription and viewership. The sports-first streaming service saw \$61.2mln a 47% YOY gain. It ended 3Q with 455,555 paid subs, a 58% YOY gain, and monthly active users watched 121 hours per month of content on average, a 20% YOY jump. Ad revenue also jumped 153% YOY. The company also announced new content agreements with **EPIX** and **Starz**, with the premium channels to launch before the end of the year. And if you fly **JetBlue**, you’ll soon be able to stream fubo Sports Network in-flight for free.

COMCAST LAUNCHES HOME MONITORING SOLUTION

Comcast is expanding its Xfinity Home portfolio with a service

for customers in need of a home monitoring system. Called Self Protection, the service includes 24/7 continuous video recording for seven days. It is available to all Xfinity internet customers with an xFi Gateway for \$10/month and no term contract is required. Xfinity is also launching its own home security camera that is built for both indoor and outdoor use. Customers can onboard up to four Xfinity Home cams, and they can be purchased outright for \$120 each or via a payment plan at \$5/month for 24 months.

WEEKLY NEWS RATINGS

In a busy news week, it’s no surprise all eyes were on the cable nets. For the week of Nov 2-Nov 8, **CNN** topped in both prime and total day. In prime, CNN pulled in 6.124mln viewers, followed by **Fox News** with 5.943mln and **MSNBC** with 4.757mln. In total day, CNN saw 3.586mln, Fox News 3.16mln and MSNBC 2.664mln. On election night Nov 3, Fox News had the highest-rated telecast of the week, averaging 14.1mln total viewers, the most-watched election night coverage in cable news history.

JENNINGS HEADING COMCAST WEST

Comcast promoted *Rich Jennings* to president of Comcast Cable’s West Division. Jennings is now responsible for all cable operations in Arizona, California, Colorado, Kansas, Missouri, Minnesota, New Mexico, Oregon, Washington, Utah, Texas, Idaho and Wisconsin. He succeeds *Steve White*, who has stepped down to become pres/special counsel to **Comcast Cable** pres/CEO *Dave Watson*. White will work on a number of initiatives including DE&I and leadership programming and development.

RATINGS

Hallmark Channel’s “Countdown to Christmas” continues to deliver strong ratings. The Saturday night premiere of “Never Kiss a Man in a Christmas Sweater” and Sunday night debut of “Christmas with the Darlings” launched the net to the No 1 entertainment cable net for the week in total day and primetime among households, W25-54, W18+ and total viewers. The Saturday night film pulled in 2.9mln total viewers, and the Sunday premiere saw 2.8mln.

PROGRAMMING

Lifetime has added four new holiday movies to the “It’s a Wonderful Lifetime” slate. With the additions of “Too Close for Christmas,” “The Christmas High Note,” “Christmas at the Castle” and “My Sweet Holiday,” the slate now includes a total of 34 movies. – **ESPN** and **ESPN+** extended their relationship with the Southern Conference in a new six-year media rights extension. The deal features more conference games across ESPN Networks and an increased presence on ESPN Digital platforms.

ON THE CIRCUIT

Seven MBA teams are competing in this week’s **Interactive Case Competition**, a regular recruitment initiative founded by cable and broadband expert *Craig Leddy*. You can [watch](#) the fun Thursday from 7-8:30pm ET and vote for the Audience Choice Winner. The event features a case study on pay TV and streaming models with **Advance**’s *Nomi Bergman*, **Comcast**’s *Rebecca Heap*, **Charter**’s *Paul Marchand* and **NCTA**’s *Dane Snowden* serving as judges.

C2HR AWARDS

Content & Connectivity Human Resources (C2HR) is once again recognizing some of the best and brightest in the world of HR. Read on to learn about the 2020 Aspiring Leader Award winner and this year's Social Impact Award honorees.

ASPIRING LEADER AWARD

C2HR is honoring *Christine Calandros*, the senior director of sales and marketing recruitment for **Charter**, with its Aspiring Leader HR award. Calandros and her team designed the national recruiting event Spectrum Hiring Day across Charter's 41-state footprint, resulting in more than 500 hires. Thanks to her team of 80 recruiters, Charter had over 15K hires in 2019. She also led multiple pilots such as Text Recruit, Indeed Hiring events and HireVue Assessments that have now been scaled for use by the rest of the organization. Calandros was already an innovative leader, but that's only been exemplified during the pandemic. Thanks to her efforts back in 2019 designing a Virtual Job Fair platform, Charter was already set to virtually recruit across all departments.

On Friday at 1pm, Calandros and **Mediacom's** *Jennifer Znaniecki*, the 2019 Aspiring Leader honoree, will take part in a fireside chat during the C2HR CONFERENCE.



Christine Calandros

SOCIAL IMPACT AWARD

In a year like no other, the C2HR Social Impact Award may hold more meaning than ever. The award recognizes outstanding corporate social responsibility initiatives, and this year **A+E Networks**, **Comcast NBCUniversal** and **ESPN** were recognized during the kickoff of the C2HR CONFERENCE on Tuesday.

Just in time for Veteran's Day, A+E Networks' "Mission to Honor" outreach initiative is simple: support and honor those who have served. Hundreds of A+E employees organized and attended events with elected officials, community leaders and veterans throughout the country. A+E also developed over 70 pieces of content about veterans and military families. The Take a Veteran to School Day saw veterans heading to schools across the country so students could learn about service. In all, A+E organized over 2.5K events in schools nationwide. A+E also worked to create opportunities for veterans transitioning from the military to civilian workforce.

Comcast NBCUnites first launched in 2019, and in its first year more than 14K employees contributed more than 37K hours of service, touching the lives of more than 140K individuals around the globe. Throughout the year, employees worked on programs such as preparing meals and supply kits, mentoring young people through Big Brothers and Sisters and more. Through three tentpole initiatives, volunteering and social impact occurred year round to support communities where employees live and work.

To celebrate the company's 40th anniversary, the ESPN "40,000 Acts of Service" initiative encouraged employees to "be of service" to each other. An internal website helped employees log their acts and track collective progress and volunteer programs, such as writing cards to military members and collecting sports equipment. One employee even read to local students during his honeymoon in Jamaica. In the program's first two months, ESPN employees hit the company's goal of performing 40K acts, eventually reaching over 80K.



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