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WHAT THE INDUSTRY READS FIRST

Crystal Ball: What's to Come from the Biden FCC

The **FCC** is in a state of major flux with *Mike O'Rielly* and *Ajit Pai* on the way out, *Nathan Simington*'s confirmation and the upcoming inauguration of President-Elect Joe Biden. Blair Levin, former FCC chief of staff under chmn *Reed Hundt*, and *Bryan Tramont*, former FCC chief of staff under chmn *Michael Powell*, dove into the policy priorities and possibilities for the Biden FCC with its soon-to-be 2-2 split during a webinar hosted by **Georgetown University** Thursday.

Levin called himself a "hopeful pessimist" about the possibility of more bipartisan working relationships coming to fruition in a split Commission. "I fear that what's going to happen, particularly with the 2-2, is that you will take the disfunctionality of Congress and move it over to the FCC."

Tramont is more of an optimist, believing that trust and an overall better functioning Commission can be built slowly by the incoming chairman through actions like circulating items earlier and bringing staff together to find the best solutions on a set of facts. "The 2-2 may actually help because it is going to leave little choice but to work across party lines to get anything significant done," Tramont said.

That 2-2 split could also delay what Tramont called an "inevitable outcome" when it comes to the reclassification of ISPs to regulation under Title II. "The exact contours of that new regime and how closely it leans to what the Commission did before is a little bit TBD. The Biden platform suggests that

they would be a lot more aggressive, but I think a lot depends here... on what the makeup of the Commission is when the time comes," Tramont said.

Levin believes there should be a focus on next-generation mobile broadband, including issues regarding WiFi 6 and 5G, and on consumer protection regulations. "And of course, there's always contribution reform, which every Commission for the last, I don't know, five has managed to push it to the next one, but it may blow up."

Tramont thinks the FCC will continue work in the areas of robocalls and the more highly-contested issue of media ownership. "At this stage, although traditionally a highly partisanmotivated debate, I don't think any chair wants to spend more time on because it can be such a quagmire," Tramont said.

There are also a number of sleeper issues as well that could be brought to the Commission, and Levin believes various forces will lead to **DirecTV** and **DISH** again trying to merge in the upcoming year. "You have to address this question of what is the relevant product market. Once you do that in the context of the merger, it then sets in motion all kinds of things, including media ownership," Levin said. "That's a historic, very important issue for the FCC and you're going to have to address it in a variety of ways."

As for the future of Section 230, neither Levin nor Tramont believe it is an issue that will be wrapped up with a neat ribbon any time soon. "I think it moves to Congress where it belongs," Levin said. "The FCC in January before Ajit leaves



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may do something, but I just find it amusing that an FCC which interprets the law to say it doesn't have authority and jurisdiction over internet networks somehow has authority over internet applications."

SCTE MEMBERS APPROVE CABLELABS MERGER

It's official: **CableLabs** is officially adding **SCTE-ISBE** as a subsidiary of its organization. The agreement is a result of a unanimous vote of the CableLabs and SCTE board of directors and a Thursday vote of overwhelming support for the proposal by SCTE members. The combination will increase the alignment of investment, resources and innovations between the two organizations. "Streamlining vendor and international relationships creates efficiencies in connecting implementation, best practices, needs and allocation of resources across the industry," SCTE-ISBE pres/CEO *Mark Dzuban* said in a statement. "We're proud to join the CableLabs family." The transaction will go into effect Jan 1.

DISNEY DAY 2

What a whirlwind of an investor day for **Disney** on Thursday. In addition to unveiling its new DTC strategy and subscriber numbers, the company also shared updated guidance. Disney now expects its streaming services to hit 300-500mln subs by fiscal 2024, primarily driven by a significant increase in content output. **Disney+** also announced a price hike to \$7.99/year beginning March 26. The Disney+/**Hulu/ESPN+** bundle price will be raised to \$13.99/month. Disney Television Studios' series "The Mighty Ducks: Game Changers," "Big Shot," "The Mysterious Benedict Society" and "Turner & Hooch" are all in production. Additionally, other titles in development include "Beauty and the Beast" (wt), "Swiss Family Robinson" and "Percy Jackson and the Olympians." New "Star Wars" titles include films "Obi-Wan Kenobi" and two series set in the Mandalorian era: "Rangers of the New Republic" and "Ahsoka." The next feature film in the franchise will be "Rogue Squadron" in Dec 2023. Nat Geo revealed a slate of Disney+ titles, including "Limitless With Chris Hemsworth," "Welcome to Earth" (wt) featuring Will Smith, and a fourth season of anthology series "Genius." Over at Hulu, the streamer renewed "Handmaid's Tale" for a fifth season ahead of its Season 4 debut, and "Nine Perfect Strangers" will premiere next year. FX ordered four additional seasons of "It's Always Sunny in Philadelphia," setting the record for the longest live action sitcom in TV history. The net is also developing the first series adaptation of "Alien" and is in talks for a two-season order of "The Stones." Disney's stock continues to hit all-time highs after Thursday's announcement, jumping up nearly 14% to close at \$175.72.

WOMEN'S HISTORY AND TELEMUNDO

The National Women's History Museum and **Telemundo Enterprises** are launching a new virtual exhibit, "Representation with a Hyphen: Latinas in the Fight for Women's Suffrage." The exhibit is hosted on the museum's website and tells the story of the bicultural political engagement, experience and role of Latinas in the fight for women's right to vote.

DISTRIBUTION

fuboTV added premium net EPIX to its programming lineup

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NOTIFICATION REGARDING UPCOMING ISSUE DATES

Cablefax Daily will publish on Friday, December 18 and again on December 31. These will be the last two issues of 2020. Our first issue in 2021 will publish on January 4.

But don't worry. Our editorial team will keep you updated at Cablefax.com and through any necessary Breaking News Alerts.

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on Friday. The package is available for \$5.99/month, but for the first 30 days after launch subs will be offered a promo price of \$2.99/month for the first three months of EPIX. The package includes EPIX, EPIX 2 and EPIX Hits. -- fuboTV also struck a deal with **Nexstar** for carriage of its cable network WGN America, beginning in mid-January. This is the first carriage agreement between the two. Financial details were not disclosed.

PROGRAMMING

SCTE-ISBE

Game Show Network completed production on 260 new episodes, which will bring new game show content to viewers through spring. The episodes are split among four original shows: "Master Minds" (premiered this week), "Get a Clue" (Jan 4), "People Puzzler" (Jan 18) and "Chain Reaction" (Feb 22). -- Discovery Channel's new series "Mystery at Blind Frog Ranch" premieres Jan 1 at 10pm, and will launch Jan 4 on discovery+. Additionally, discovery+ will launch with cake competition series "Cakealikes," featuring three teams of cake artist to create realistic, life-sized cake replicas of celebrities. -- True Royalty **TV** acquired the exclusive US and UK rights to original documentary "Prince Philip: An Extraordinary Life," available Dec 28. -- Tubi will debut Mexican romantic film "Conscienca" exclusive on Dec 16 in Mexico, the US on Tubi en Español and Canada. -- ESPN's NBA preseason coverage begins Friday night with the Sacramento Kings vs. the Portland Trail Blazers at 10:30pm. The net will nationally televise five preseason games.





As Commissioner O'Rielly finishes his last FCC meeting, we should all thank him for his tremendous service on the Commission. From spectrum policy to modernizing our media rules and much more, he made a big difference and his work will have a positive impact for vears to come

Up Ahead

DEC 11: FINAL DEADLINE FOR CABLEFAX PROGRAM AWARDS

DEC 14-16: 2020 VIRTUAL FIBER CONNECT

JAN 11-14: VIRTUAL CES 2021

JAN 13: FCC OPEN COMMISSION MEETING

JAN 25-28: REALSCREEN SUMMIT 2021

Research

CABLEFAX DASHBOARD

Compared to July, consumers in November were significantly more likely to make changes to their TV service lineup in the fall.

1/3 signed up for a new TV service, up 6 points from the summer.

Another 1 in 4 cancelled a TV service, up 5 points from the summer.

Netflix and Disney+ were the most likely to see a net gain in November. Half of those who made changes to their services added Netflix while 1/3 added Disney+.

(Source: Hub's "Predicting the Pandemic" Research)

Quotable

"Having spent six years as chair of the Telecommunications Subcommittee, I'm proud of the bipartisan work we did to open up spectrum for advanced communications, enact First Net for our first responders, and expand access to high speed internet—although much work remains to fully connect Americans. With the RAY BAUM's Act we even reauthorized and modernized the FCC, which hadn't been done in decades... I'll miss this process, and I'll miss you, my colleagues. Always remember how important it is, the work you do here, and how much the fate of American way of life rests in your hands every time you put that voting card in one of these machines."

- Rep Greg Walden (R-OR) delivering his farew

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