

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## It Takes A Village: Broadband Mapping Timeline Remains Unclear

Lawmakers still have questions about why the **FCC's** efforts to create more accurate broadband maps have been delayed, and there are growing concerns that allocating more federal funding to closing the digital divide before their completion would be a waste.

The timing of when those maps may become available remains unclear. The FCC's Broadband Data Task Force said during the Commission's February open meeting that new maps would likely be available next year, but **Senate Commerce** chair *Maria Cantwell* (D-WA) said during a Wednesday hearing on recent federal actions to expand broadband that she had a meeting this week with FCC acting chair *Jessica Rosenworcel*. When the mapping efforts were discussed, Rosenworcel implied that the maps could be finished in approximately four months.

Rosenworcel was asked about the meeting during a Wednesday press conference. She called it a productive conversation, but did not say whether or not a four-month finish line was realistic. "We talked about how we are brainstorming with staff, reaching out to stakeholders because we want to make a meaningful difference in a matter of months when it comes to these maps and not just years," the acting chair said. "Ultimately, mapping is an iterative process and we want to build these new maps for short-term use and for the long haul so we can influence all kinds of policy before the FCC in the

months and years to come."

When asked at the hearing about what could be causing a delay in mapping efforts at the agency, former FCC commissioner *Michael O'Rielly* said resources were likely being diverted to the standing up of new programs like the Emergency Broadband Benefit. **University of Virginia** associate professor *Christopher Ali* also said that there is a need to bring in multiple stakeholders to ensure that the data is as accurate as possible, but gathering those inputs could slow down the creation process. A crowdsourcing option is also critical, he added.

"One thing that we're learning about with mapping is the crucial role that states are playing," Ali said. "I think we're seeing the development of some pretty important best practices that can hopefully be implemented and might be able to speed up the process." For example, the state of Georgia struck a partnership with a real estate data company that has allowed the state to get access to more granular, address-level data.

Broadband providers have also seen success working with state agencies and believe they could be incredibly helpful when it comes to guiding federal policy moving forward and the creation of the maps.

"We have an excellent GIS department and we stand ready to provide that data," **Midco** senior director, government relations *Justin Forde* said, adding that the company loves working with the state of Minnesota when targeting broadband deployments. "If there's ever a data discrepancy right down to the address level,

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they call us, we get that worked out and make sure we know the exact areas that lack access to broadband.” He applauded the state for pulling all RDOF areas from its latest grant round to prevent government-subsidized overbuilding and for offering a challenge process. “I think if we can implement some of those things on the federal level, that will help,” Forde said.

### RDOF, SPEED THRESHOLD CONCERNS CONTINUE

The ongoing debate about whether to increase the **FCC’s** speed threshold was revived during **Senate Commerce’s** Wednesday hearing. Former FCC commissioner *Michael O’Rielly* said moving the goalpost from 25Mbps downstream/3Mbps upstream to something like a symmetrical 100/100 would be disastrous. Additional deployments are still necessary to ensure folks have access to 25/3, with recent findings from the **Walker County Broadband Committee** in Texas reporting that only 82.5% of households had access to those speeds compared to 96.3% statewide. “The demand for the upload is far beyond where the current Commission standards are... a majority of the United States would be deemed unserved and therefore you would have to recalibrate all the programs. They’d pretty much be wiped out, all of those dollars would be gone,” O’Rielly said. Skepticism about the results of the RDOF auction was also a topic of conversation, particularly the nearly \$900 million in funding that was awarded to **Starlink** during the RDOF Phase I auction. **University of Virginia** associate professor *Christopher Ali* said that **SpaceX’s** Low Earth Orbit satellite broadband has a lot of hype, but it has yet to be proven in terms of speed and capacity. O’Rielly was more optimistic about the product and its ability to give an easy option to unserved consumers. “I’ve experienced Starlink. It took three minutes to set up on a rooftop in DC and the service was 150MHz instantly, so I was impressed by that,” he said. “We don’t know about the scalability. We also don’t know the business model... but in terms of filling a need for those that have absolutely nothing and they call it the best of what you can get. I think that’s very impressive and it will only increase over time.”

### SPECTRUM, SPECTRUM, SPECTRUM AT FCC MEETING

The **FCC** sailed through its action items at Wednesday’s open meeting, passing them all unanimously—though the two Republican members approved and concurred on some. Among the items adopted were an order reallocating 100Mhz of spectrum in the 3.45 GHz band for flexible use wireless services and a notice seeking comment on procedures for that auction of mid-band spectrum. Bidding is expected to begin in early October. Commish *Brendan Carr* was pleased the plan would have the FCC license spectrum over geographic areas that line up with the agency’s approach in C-band. He said there was a lot the FCC got right, but would have preferred the order did not include an upfront spectrum

aggregation limit of 40Mhz for how much a bidder can acquire in one area. The FCC also voted to solicit input on open radio access networks, including their current status and how the agency may support new entrant access to this emerging market. Open RAN promotes the use of open interface standards in the portion of the telecom network that connects wireless devices—like mobile phones—to the core of the network. Other items include seeking info on the feasibility of sending emergency alerts over the internet, including streaming services. The agency also wants to know if it’s feasible for EAS participants to use the internet to offer some advanced alerting capabilities.

### OVATION CALLS FOR SECRETARY OF ARTS

Arts-focused network **Ovation TV** wants the new administration to establish a cabinet-level position to establish a national plan for the arts and entertainment sector to recover from the pandemic. Ovation CEO *Charles Segars* called the \$135 million in arts fund-

## Cablefax Executive Round Up

### What’s most important when launching a rebrand?



#### Jonathan Killian

VP, Creative Marketing and Brand Communications

#### NewsNation

*“The most important thing to consider is your audience, your target audience, and trying to make sure that viewers know who you are and how to find you and to offer something that is unique and that they want. We believe*

*that we’re building something that is going to be a unique promise, that much of the country is very hungry for, and that is a news network that talks to the wide slot of middle America.”*



#### Marco Liceaga

Senior Vice President, Marketing and Business Development

#### Univision

*“We knew we had only one shot to get it right, so for us we had two main priorities: First, to ensure that the new brand built upon the legacy we had established with Univision*

*Deportes in the US and Televisa Deportes in Mexico, while simultaneously positioning us for the future in both territories. It was then essential to effectively articulate what the new brand [TUDN] represents and deliver on that promise for consumers and partners.”*



#### Allison Page

President

#### Magnolia Network

*“We believe it’s important for a rebrand to honor the existing audience while inviting new viewers to the table. Leading up to our rebrand, we are strategically introducing new titles to bridge new content while carefully avoiding a ‘light switch effect’ on air. We look for commonalities in both brands to serve as a starting point, but we will widen the aperture over time to include an increasingly broad scope of content.”*

ing in the American Rescue Plan a good first step, but “a mere fraction of the value the arts sector drove to the national economy every year pre-pandemic. The arts were an \$877 billion dollar industry in America, and need massive investment if the sector is to fully recover and thrive in the long-term.” More than 130 organizations have joined Ovation’s advocacy platform Stand for the Arts, with the network putting \$1 million in efforts, including PSAs and lobbying, to assist these organizations.

### LOCAST TAKES PORTLAND

Broadcast streaming service **Locast** has expanded into the Portland, OR, area. The service, now available in 31 markets, delivers 39 local TV channels in the Portland area. The launch comes in time for March Madness, with some NCAA games available through Locast starting March 19.

### MSG GETS IN THE GAME

**MSG Networks** launched a free-to-play prediction gaming app in partnership with **Boom Sports**. MSG Networks “Pick ‘Em” will feature **NBA** and **NHL** contests, giving fans a chance to win cash prizes. The app, available on iOS and Android, kicks off with Thursday’s Knicks-Magic game. The contestants that correctly answer all questions in the Knicks contest will win or split the grand prize of \$10,000. NHL contests will begin in April have a \$1,000 progressive jackpot.

### BIPARTISAN SECTION 230 BILL IS BACK

Sens *Brian Schatz* (D-HI) and *John Thune* (R-SD) reintroduced their Section 230 bill, which seeks to hold internet platforms accountable for content that violates their own policies or is illegal. Under the PACT Act, large online platforms would be required to remove content within four days if a court determines it to be illegal. It also has enhanced transparency obligations for content moderation. The bill’s reintroduction comes a week before the heads of **Twitter**, **Facebook** and **Google** are slated to testify at a hearing on misinformation online. With Section 230 reform a hot topic, **Public Knowledge** has launched a scorecard on the various bills out there, which also include Rep *Yvette Clarke*’s (D-NY) Civil Rights Modernization Act and the SAFE Tech Act. The organization scored the Thune-Schatz bill the highest based on its criteria.

### FCC COVID EFFORTS

The **FCC** is considering an order to establish Round 2 of the COVID-19 Telehealth program, a \$249.95 million dollar federal initiative. The FCC already committed another \$200 million to telehealth that was part of the CARES Act, issuing awards to 539 applicants. The proposed order for Round 2 establishes a rating system for applicants that factors in the hardest hit and lowest-income areas and ensures equitable nationwide distribution of funding. – The FCC’s Emergency Broadband Benefits program is rolling along. At her last check, acting chair *Jessica Rosenworcel* counted about 100 non-Eligible Telecommunications Carriers that have already indicated interest in taking part in the program and 65 ETCs. “Those numbers are changing fast, and I hope in the not-to-distant future we’ll be able to have a public listing of who those are and we’ll get this program started by the end of April,” she told reporters

Wednesday. – Comments are due to the FCC by April 5 on what sort of rules should be laid out for the \$7 billion Emergency Connectivity Fund enacted by the American Rescue Plan. The FCC is seeking comment on issues such as whether there should be minimum service standards and data thresholds and whether specific broadband adoption goals should be put in place. Reply comments are due April 23.

### ROBOCALLS STILL A PROBLEM

The **FCC** issued its largest fine ever—\$225 million—to Texas-based telemarketers for transmitting approximately 1 billion robocalls, many illegally spoofed. The calls falsely claimed to offer health insurance plans from well-known health insurance companies such as Blue Cross Blue Shield and Cigna. *John C. Spiller* and *Jakob A. Mears*, who used business names including Rising Eagle and JSquared Telecom, transmitted the spoofed robocalls across the country during the first four-and-a-half months of 2019, according to the FCC. Whether government will actually be able to collect that money is another matter. “Robocall fines are a function of precedent... They do not always reflect the assets of those we are enforcing against,” FCC acting chair *Jessica Rosenworcel* acknowledged in a call with reporters Wednesday. She’s sending letter to the **DOJ**, which is responsible for collecting these fines, **FTC** and state attorneys in the hopes of expanding efforts to crackdown on bad actors. She also announced the creation of a “Robocall Response Team” at the FCC comprised of over 50 engineers and analysts from several bureaus. Its first item of business will be closing any gaps in foreign policies and laws.

### PROGRAMMING

**Discovery** partnered with *Ellen DeGeneres* in an exclusive multi-year deal to produce natural history content across all of its platforms. The first program, a documentary called “Endangered,” will be narrated by DeGeneres and streams April 22 on **discovery+**. – **Tennis Channel** will be the exclusive home of the 2021 Miami Open from first ball on March 23 at 11am ET to the championship at 1pm ET on April 4. – **HGTV**’s “Bargain Block” premieres April 14 at 9pm. – “The Man Who Fell to Earth,” a drama series based on the *Walter Tevis* novel of the same name, will premiere exclusively on **Showtime** in 2022. – **OWN**’s “Iyanla: Fix My Life” will conclude with its eighth season, premiering on April 10 at 9pm. A two-hour farewell special will air May 22 at 9pm. – The seventh and final season of “Younger” will premiere April 15 on **Paramount+**. The first four episodes will be available to stream at premiere, and the remaining eight episodes will drop weekly on Thursdays. The full season will air on **TV Land** later this year.

### PEOPLE

**Charter** upped *Alison Hellman* to svp, content, strategy and marketing for **Spectrum Networks**. Before joining the company in 2016, Hellman spent seven years at the **Madison Square Garden Company** and nearly three years at **Rainbow Media** (now **AMC Networks**) in various marketing and digital roles. – **ScrIPps** named *Kate O’Brian* as head of news for its national television networks business, effective April 12. O’Brian has most recently consulted with media organizations. She previously spent 30 years working at **ABC News** before becoming president at **Al Jazeera America**.

Think about that for a minute...

# Chocolate

Commentary by Steve Effros

I'm often asked where I get the ideas for my columns, or when I'm speaking to a group. The answer is always the same: all I have to do is scan the morning papers and I invariably see something that will trigger the process. These days, it's easy.

There've been loads of articles lately about criticism or support for the folks the new Biden administration is nominating or naming. That's normal. Unfortunately, what's also normal is the tendency of those who criticize to engage in what I would broadly characterize as "guilt by association." We can see it in action in just about any nomination relating to telecommunications. Whether it's to folks at the Justice Department, or potential nominees to the FTC or FCC, the criticism immediately comes if they are or have been in any way associated with the "tech" industry.

And by "associated" I mean in just about any way you can imagine. Criticism has arisen, for example, to lawyers (after all, it's a pretty good idea to have a legal background if you're being asked to head up a division of the Justice Department) who have at any time either worked for, or the law firm they were part of represented a big "tech" firm. That's true even if they had absolutely no connection to many of the clients that firm had been hired to represent. Yet they seem to be immediately assumed to be guilty by association if nominated!

The situation is even worse when someone has actually been involved in the business. They are immediately suspect. OK, I understand that careful scrutiny has to be given to make sure that someone is being proposed because of their expertise, not their allegiance. That's fair. But to assume that those who have worked in the industry should be considered persona non grata for positions in areas where it really, really would help if you had expertise in the given field makes no sense. Indeed, it's counterproductive.

The same is true in the other direction. We're seeing a lot of "advocates" be nominated for high level positions. They are, in my view, neither more, nor less "biased" than those

coming out of industry. Just because someone gains expertise by "studying" an industry and writing treatises, books, and columns proclaiming their opinion of what should be done regarding the industry doesn't make them immune from that same necessity of scrutiny to see if they are conflicted by their own prejudgement. After all, in the case of a judge, if that judge wrote articles announcing their "position" on an issue before it came before them, they should recuse themselves from then being the impartial decision maker. Why doesn't that test apply here?

This all relates, in a way, to the current arguments about the "revolving door" of government. Either it's officials going out into industry and then coming back into government or it's "advocates" doing the same thing. In either case the question has to be not only their expertise, but their allegiance to impartiality that counts, not simply prior associations.

It reminds me of the study that once was done about whether chocolate was bad for children's teeth. The study concluded that, in fact, it was not. Jellybeans, yes... they were bad. But chocolate? Nope, it was OK. The study was done by university researchers, and they disclosed that it had been funded by a major chocolate company! That, in the eyes of some, totally disqualified the study. But it turns out it was accurate when, appropriately, it was examined by others. And think about it for a minute, who else would finance a study about chocolate?


The oil industry? As the old saying goes; trust, but verify.



*Steve*

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(Steve Effros was President of CATA for 23 years and is now an advisor and consultant to the cable industry. His views do not necessarily reflect the views of Cablefax.)




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