

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## Emergency Connectivity: Is There a Need for Speed for Remote Learning?

As the **FCC** rushes to establish the Emergency Connectivity Fund to reimburse schools and libraries for internet access and connected devices, broadband providers are enthusiastic about participating in the effort to eliminate the homework gap.

The \$7.2 billion fund was established by the American Rescue Plan. Importantly, it provides funding for services and devices for students, teachers and library patrons to use outside of schools and libraries. With the FCC required to issue regulations on implementing the fund by early May, a flurry of suggestions came into the Commission this week.

In its public notice, the FCC asked whether applying its current minimum broadband speed threshold of 25/3Mbps is appropriate for the fund. However, the **Fiber Broadband Association** is making the case for a minimum standard service speed of 100 Mbps downstream/100 Mbps upstream for ECF supported services. This would, naturally, be beneficial to its fiber provider members. Cable, on the other hand, has shied away from symmetrical offerings, arguing that customers don't need that much upload speed. It believes such a focus can detract from the build-out of multi-gigabit networks.

FBA argues that households with multiple students especially need high speeds, pointing to a 2020 **Common Sense Media** report that found homes with multiple students need 200Mbps to ensure a robust and uninterrupted learning experience.

The association noted its member **EPB of Chattanooga**

teamed with Hamilton County Schools in Tennessee in June to establish the HCS EdConnect program, which provides 100Mbps symmetrical broadband with no data caps to more than 28,000 unserved or underserved lower income families. The program is slated to be completely free of charge for the next 10 years. "HCS EdConnect not only serves as a model for the Commission as it works to establish the ECF, it justifies the use of a 100 Mbps symmetrical MSS for ensuring that students are receiving the speeds necessary to fully participate in remote learning," FBA said.

Forget 100Mbps; Alaskan provider **GCI** is concerned about a 25/3Mbps requirement. Not only will many remote locations in Alaska not have 25/3Mbps in time for the Emergency Connectivity Fund, but GCI said the FCC's most recent Broadband Deployment Report shows persistent gaps in broadband access outside of the country's urban areas. "As of the data available at the time of the Report, in rural areas, 22.3% of people lack access to broadband at 25/3 Mbps, while in Tribal areas that number shoots up to 27.7%. 15 The divide is even starker in Alaska – 33.5% of the residents of the Tribal villages cannot access broadband service at that speed," GCI said.

GCI argues that remote learning, including video conferencing services, don't require 25/3Mbps. It said Zoom recommends 1/.6Mbps for group video calling, Skype's at 2 Mbps/128kbps and Microsoft Teams is 1/2Mbps.

Other comments focused on the provider selection method. **ACA Connects** isn't a fan of E-Rate's traditional competitive



## Who Deserves to Rank Among Cablefax's Annual Top Power Players?

The Cablefax 100 salutes the most influential executives whose leadership continues to take the industry to new heights. We will rank the top professionals in the media, cable & broadband industry and publish the list in the June edition of Cablefax:The Magazine.

**It's free to enter - but you must submit your entries by April 9!**



Enter at [www.Cablefax100.com](http://www.Cablefax100.com) | Questions: Mary-Lou French at [mfrench@accessintel.com](mailto:mfrench@accessintel.com)

bidding process, which focuses on choosing a single vendor to serve a select group of locations. It proposes requiring schools and libraries to enter into agreements with all interested existing providers offering qualifying broadband service. Those providers would then identify locations they could serve, and facilities would choose among them to serve each location, taking into account the ability to reliably provide the minimum performance requirements, to quickly install service, and the student's (or patron's) preferences. As an alternative approach, a school or library would give students and patrons the opportunity to choose the provider from a list of qualifying providers.

### CHARTER SANCTIONED \$19 MILLION

A New York judge awarded **Windstream Holdings** more than \$19 million in sanctions against **Charter** Thursday, ruling that a false advertising campaign run by the latter caused harm to Windstream as it began bankruptcy proceedings. This all dates back to April 2019 when Windstream filed a complaint against Charter as part of its proceedings in US Bankruptcy Court in NY's Southern District. It claimed the operator had begun an advertising campaign that included mailers to Windstream customers with contents implying that due to its bankruptcy, the company would no longer be able to provide service. A judge ordered Charter to end the campaign less than two weeks after the filing of the initial complaint, and now another has sided with Windstream in the battle. "No reasonable person would believe that Defendants' advertising campaign, designed to use false and knowingly misleading information to cause the Debtors' customers to terminate their contracts and switch to Charter, protected a legitimate interest of Charter's and did not harm property interests of the Debtors," Judge *Robert*

*Drain* said in the Thursday decision. He added that Windstream had provided evidence to support four different types of damages from the advertisements, including the cost of corrective advertising to maintain customers and lost profits from customers who switched to Charter as a result of the campaign. Windstream applauded the decision, saying it will always defend itself and its customers. "We are gratified that Judge Drain's ruling means Charter will have to pay a significant price for its egregious false advertising," Windstream evp/general counsel *Kristi Moody* said in a statement. "Charter knew full well what it was doing when it embarked on a dishonest scare-tactic campaign to lure away our customers." Charter declined comment on the judgment.

### NCTC LOOKING TO HELP MOBITV

With bids due next month for **MobiTV**, one of its biggest supporters is rallying support. **NCTC** is encouraging its members to financially assist MobiTV. Options on the table include co-op members kicking in a \$1mln or more to partner with a potential MobiTV buyer. *Light Reading* first [reported](#) the news Friday. MobiTV filed for voluntary Chapter 11 protection on March 1. May 7 is currently the deadline for potential bidders for MobiTV to submit a qualified bid. If there are multiple qualified bids, then an auction would be held on May 12. NCTC signed a deal in 2017 for MobiTV to serve as a partner to provide IP-based video to its members. Several NCTC members including **Vast Broadband**, **MCTV** and **EPB of Chattanooga** are MobiTV customers.

### STARZ #TAKESTHELEAD

**Starz** may lead the industry in female and POC representation in a lot of measurements, but it's not satisfied. "Our director statistics, while I think, lead the industry, I think they should be

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twice as high as they are today,” Starz CEO and president *Jeffrey Hirsch* said Friday at the programmer’s inaugural “Transparency Talks” event, a series of discussions with thought leaders from around the industry. In that vein, Starz announced a new partnership with the **Alliance of Women Directors** to increase representation of female directors through the #TakeTheLead Directors Program. AWD members can apply from May 1 to May 15 on the AWD website. Candidates will meet with Starz original programming executives and showrunners to determine participants, and programs will be individually tailored to participants’ areas of development. The finalists will receive a staff episodic directing assignment at Starz. The initiative comes less than two months after a report on diversity identified Starz as a leader in the industry with 54.6% female showrunners. Among those participating in Friday’s virtual event was former **FCC** commissioner *Mignon Clyburn*. She said surrounding ourselves with diverse groups of people and placing ourselves in environments that celebrate inclusivity can lead to personal growth. “What we also need to do, however, is challenge ourselves to grow, to be inspired and the only way that I know to do that quickly is to surround yourselves with people who don’t look like you, don’t think like you, who don’t come from the same background...,” she said. “And so it’s really important for us to be intentional about putting our thumb on the scale of ensuring a more inclusive workplace, ensuring a more personal workplace, because those are the ways we will perpetuate the type of change needed.”

**PROGRAMMING**

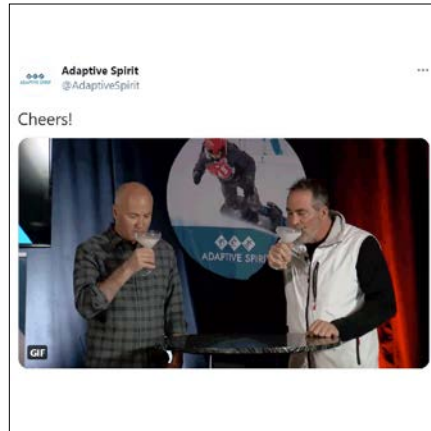
Big goal for **fuboTV**, with the vMVPD acquiring the exclusive streaming rights to the remaining 70 qualifying matches to the Qatar World Cup 2022. Match windows will begin in June and run through 2021 into early 2022. The streamer also has re-air and highlight rights and match coverage featuring both English and Spanish commentary.

**PEOPLE**

**Apple** snatched up *Jessie Henderson* as a feature executive to work on its original films team. She left her post as evp, original feature films for **HBO Max** late last year.

**CABLEFAX DASHBOARD**

**Tweet Tweet**



**Research**

- > 63% of small employers intend to encourage their employees to get vaccinated.
- > Nearly half (45%) of small employers plan to give workers paid time off to get vaccinated.
- > More than 80% of small employers reported having conversations with employees about vaccines and 55% said they would use free or low-cost resources to provide guidance and information about COVID-19 vaccines.
- > Confidence in the COVID-19 vaccines are relatively high, with 75% of small employers saying they are either somewhat confident or very confident in them.

(Source: [Reimagine MainStreet](#))

**Up Ahead**

**APRIL 9:** CABLEFAX 100 NOMINATION DEADLINE

**APRIL 12-23:** NAB AMPLIFY

**APRIL 20-22:** COLLISION CONFERENCE 2021

**APRIL 29:** INTERACTIVE CASE COMPETITION FINALS

**MAY 13:** WICT ROCKY MOUNTAIN VIRTUAL WALK OF FAME

**Quotable**

*“There’s bipartisan agreement that our infrastructure must be a priority for America to win the future. Unfortunately, this is not an infrastructure package... On broadband, President Biden is poised to waste billions of dollars and hurt private investment in our networks without actually closing the digital divide. Rather than promoting competition, President Biden’s plan will set rural America back even further and force higher costs for families. Instead, we should be turbocharging our public and private investments and encouraging competition by streamlining permitting processes.”*

– House Commerce Republican leader **Cathy McMorris Rodgers (R-WA)** statement responding to President Biden’s infrastructure plan