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WHAT THE INDUSTRY READS FIRST

Fresh Look: Pai's Post-FCC Perspectives on Spectrum, Fixed Wireless

You can take a man away from the **FCC**, but you can't take away his love for all things telecom. Former FCC chair *Ajit Pai* is out of the public service eye, but is still passionate about many of the issues he touched while at the government agency. That includes freeing up spectrum. A top priority in 2022 for newly-confirmed Chair *Jessica Rosenworcel*, he believes, should be the creation and dissemination of a spectrum auction and allocation timeline.

"One of the things the chairwoman talked about a lot when she was a commissioner, which I agree with, is we need to have a spectrum calendar. We need to have a calendar of exactly what bands we're thinking about in what timeframes, and I think that's going to be critical in giving Congress and the industry some certainty about what the agency is planning to do and it might help us forestall some of these interagency conflicts we've seen in other bands," Pai said at an event Wednesday hosted by the Georgetown University Center for Business & Public Policy.

The latest of those interagency conflicts sees the **Federal Aviation Administration** attempting to prevent the deployment of C-band spectrum for commercial 5G. **NTIA** is meant to serve as a representative for the federal agencies in spectrum matters, but Pai said there have been breakdowns in that process for a number of years that were frustrating to him and former chairs. That shared irritation is what led six past

FCC chairs to file a letter with the agency this week urging the FCC, FAA and NTIA to sit down and resolve it once and for all.

"There's nothing there. Other countries use the C-band for wireless services and they have altimeters... we gave other federal agencies ample time to address any of these concerns they might have. We got communication maybe a few days before the auction saying maybe you should scratch the auction, and we weren't going to do that," he said. "I think it just speaks to the constant tension there is between the FCC on one hand, which of course represents commercial spectrum interests, and the federal agencies on the other hand, which for whatever reason have felt like they can and should litigate every single issue to death, even after the science doesn't show that it's warranted."

In his new roles as a Partner at **Searchlight Capital Partners** and Non-Resident Fellow at the **American Enterprise Institute**, Pai has kept a strong relationship with state policymakers and broadband officials making decisions about how to support broadband buildout within those borders. With the passing of the \$1 trillion infrastructure bill in November, which included \$65 billion to improve internet access and affordability, he's about to get a whole lot busier.

"It's an exciting time in a lot of these state capitals, on top of some of the funding that's already been allocated through the CARES Act and through the American Rescue Plan Act earlier this year. States now have the ability to really color in, so to speak, a lot of the picture that previously had been without

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any color at all in terms of broadband infrastructure,” Pai said. “One of the things I’ve been encouraging folks to think about is if you knew you had this amount of funding available two years ago, how would you structure the program?”

Fixed wireless providers are hoping to receive some of the funding up for grabs to strengthen their footprints as they attempt to compete with traditional cable providers and those deploying more fiber seemingly every day. Pai does believe there are areas where fixed wireless networks can do well, including hard-to-serve areas and even some urban areas. Ultimately, though, he sees the largest opportunity for those providers being in the enterprise sector.

“If you need relatively high bandwidth, but the distance propagation doesn’t really matter to you, that’s perhaps, from an enterprise perspective, something that you can use for indoor use. Maybe some sort of millimeter wave 5G fixed wireless supplemented by 60GHz WiFi,” he said.

Pai isn’t ready to shut the door on the possibility of returning to public service just yet, but he does intend to remain in the public sector for the time being. “We’re investing in companies and helping close the digital divide in places like rural Virginia. At AEI, we’re helping continue the conversation about how policy reforms can help spur innovation and investment and I’m really enjoying it quite a bit on each of those different fronts,” he said. “It’s just nice to be able to try ascending the learning curve while at the same time leveraging the expertise I’ve got.”

VERIZON COULD LOSE TEGNA STATIONS

Verizon has started warning some **Fios** customers that they could **TEGNA** stations at 5pm ET on Dec. 31 if the two can’t

agree to new retransmission consent terms. “TEGNA has proposed unreasonable price increases, starting with close to a 50% increase,” Verizon said. This potential spat primarily impacts the D.C. market, Verizon’s largest Fios market with TEGNA stations. “We are working hard to reach a fair, market-based agreement with Verizon based on the competitive terms we’ve used to reach deals with other major providers,” TEGNA said. TEGNA stations involved in the negotiation include CBS in Washington, DC; NBC in Buffalo, NY; FOX in Harrisburg, PA; and ABC in Norfolk, VA. TEGNA stations have been dark on **DISH** since Oct. 6, with both companies filing complaints at the **FCC** claiming the other isn’t negotiating in good faith. **Mediacom** lost **TEGNA** stations on Dec. 31 of last year and they remain off its lineup.

TORNADO UPDATE

Mediacom is donating \$10,000 to **Feeding Kentucky** to assist with relief efforts from this weekend’s devastating tornadoes. Mediacom had facilities in the towns of Benton, Cadiz and Gilbertsville and surrounding communities that were directly impacted by the storms. On Tuesday, the **FCC** activated the Disaster Information Reporting System in response to the Kentucky tornadoes. The voluntary, web-based system allows wireless, wireline, broadcast, cable and VOIP providers and satellite providers to report communications infrastructure status. According to data submitted as of 11am ET Wednesday, cable and wireline companies reported 24,817 subscribers out of service in the disaster area. This may include the loss of telephone, television, and/or internet services. The report said 0.8% of cell sites in the affected area are out of service.



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2021 RATINGS CROWN

The year's not quite over, but **Fox News** is poised to claim first place for all of basic cable in total viewers for total day and primetime for 2021. It marks the sixth consecutive year Fox News has won the year, with Nielsen data putting it at an average 2.37 million viewers in prime and 1.33 million in total day. **ESPN** is set to take second place in prime, according to **Nielsen** data through Dec. 13, with 1.66 million viewers. It's followed by **MSNBC** (1.55mln), **CNN** (1.1mln) and **HGTV** (1.09). Runner-up for total day goes to MSNBC (915K), with CNN (783K), ESPN (645K) and HGTV (612K) rounding out the top five. ESPN was the #1 basic cable net in prime among 18-49s (627K) and 25-54s (701K). "Tucker Carlson Tonight" was 2021's highest-rated cable news program, averaging 3.22 million viewers. "As we embark on our 20th year as the leader in cable news, the last six of which as number one in all of cable, I am incredibly proud of the unrivaled success we've had at FOX News Channel," said Fox News Media CEO *Suzanne Scott*. "Not only were we the only network to grow our audience share, but we did so while changing our lineup and transforming the entire late-night television landscape in the process, ensuring our continued momentum for many years to come."

ROGERS TAPS HARMONIC FOR CABLEOS

Rogers Communications is partnering with **Harmonic** and will utilize the latter's CableOS cloud-native converged core platform to power its multi-gigabit broadband services. Rogers is deploying the platform in a distributed access architecture with virtualized CMTS software and the Ripple Remote-PHY node. It should converge the company's data, voice and video services in the IP domain, powering faster speeds for customers and a reduction in space, power and cooling costs for the provider.

LIFT ZONES AHEAD OF SCHEDULE

Comcast just installed its 1,000th Lift Zone, putting the program offering free community center WiFi a full two years ahead of schedule. The company is expanding the initiative to connect an additional 250 Lift Zones by the end of 2022. Lift Zone #1000 was installed at The Sanneh Foundation's Seton Center in St. Paul, Minnesota. Comcast is marking the occasion with a \$50,000 grant to help support the organization as it rebuilds after arson. It's fitting the 1,000th Lift Zone was in St. Paul as Comcast's very first Lift Zone was lit up in the Twin Cities at The Sanneh Foundation's Conway Center in September 2020. The center was damaged by arson in early 2021, with the foundation shifting operations to the Seton Center as it rebuilt.

25G PON AHEAD

The 25G trail is heating up. Last week, **Hotwire** announced it is the first company in the U.S. to deploy 25G PON equipment in the field using **Nokia's** 25G PON technology. This week, **Frontier** touted that it completed the first U.S. trial of the tech in the lab and is planning on commercial deployment in the

second half of 2022. Frontier said it's not just about speed, 25G PON will increase the cost efficiency of deploying high-capacity networks to business and consumers and enable the company to sell capacity to 5G mobile operators.

HALLMARK SPARKING THE HOLIDAY SPIRIT

Hallmark Channel's Countdown to Christmas holiday event continues to bring the cheer. The net's latest original movies premieres—"A Dickens of a Holiday!", "A Royal Queens Christmas" and "Sister Swap: Christmas in the City"—drew enough eyes to solidify it as the most-watched cable entertainment network of the week among households, W18+, W25-54, P25-54 and total viewers. A Royal Queens Christmas, for example, averaged 3.2 million total viewers during its Dec. 11 premiere, including 397,000 W25-54. Since the franchise's launch, it has reached 41 million unduplicated total viewers.

CARRIAGE

U.S. Hispanic AVOD **Canela. TV** is joining **XUMO's** roster of 200 channels. XUMO is a free, ad-supported service owned by **Comcast** that brings together digital streaming content across 12 genres, including Sports, News, Kids and Family Entertainment, Live Events and Movies.

MORE RDOF DOLLARS

The **FCC** is continuing to review winning Rural Digital Opportunity Fund bids, authorizing support this week for an additional 2,008 winning bids. This is the agency's fourth public notice of authorizations. This latest round included several authorizations for **Cox** as well as **Conexon's** rural electric cooperative consortium.

MARKETING

Sirius XM and **Discovery** are teaming up to bring **discovery+** to more consumers. Eligible new and existing subscribers to SiriusXM's Platinum VIP plan will be able to activate a complimentary 12-month subscription to discovery+. Existing subscribers should gain access to the deal on Thursday. SiriusXM will also be offering promotions that give eligible new subscribers to its Platinum, Music and Entertainment and Streaming Platinum packages and those that upgrade to one of those packages a complimentary three-month subscription to the streamer.

PROGRAMMING

NBC Sports will present the **USFL's** regular and postseason games starting in April, thanks to a new multi-year deal. NBC Sports joins **Fox Sports** as the league's official broadcast partners set to carry all 43 of its games. NBC Sports will present 21 games in 2022 across **NBC** (8), **USA** (9) and **Peacock** (4). Fox Sports will present the remaining 22 across **Fox** (12) and **FS1** (10). — *Richard Grenell*, the former Acting Director of National Intelligence, has joined **Newsmax** as a VP, International Development and a national security contributor. He'll be tasked with expanding the Newsmax brand internationally. — *Eva Longoria* is collaborating with **CNN+** on a new iteration of the CNN original "Stanley Tucci: Searching for Italy." The new six-part series, called "Eva Longoria: Searching for Mexico," will debut exclusively on CNN+ in 1Q22 and see the actress traverse Mexico to explore the culture through its cuisine.

Think about that for a minute...

New Eyes

Commentary by Steve Effros

In a lot of different ways, the debate over whether it's a good idea to get "new eyes" on a problem has confounded us. In the realm of telecommunications regulation, we're about to get a very expensive real-time experiment on whether it's a good idea or not.

From a broad policy perspective, the easiest example of what I'm getting at is the debate over term limits for elected and appointed officials. Is it a good idea to allow a Member of Congress or State Legislature, a Governor, President or Judge to stay at their post as long as they can? There are easy arguments in both directions. Certainly, experience has great value. Knowing how to "get things done" or "make the system work" is important. But you could also use phrases like "play the game" or "work the system" to describe those things, and it would have a very different meaning.

I find myself on both sides of this issue. In our business, there are a lot of complicated, interrelated things going on. To constantly say that those, like FCC Commissioners or top staff, should be "timed out," and "new eyes" always be put on issues means there is a major loss in historical knowledge, experience, and expertise. Is that a good thing? Well, sometimes yes, sometimes no.

I've watched various policy debates go through an almost predictable cycle whenever "new eyes" are introduced at the top of the decision-making process. Regardless of whether someone came to the issues with preconceived ideas or not, once in a position to actually have to be responsible for making and executing policy, there is a new perspective that enters the equation. At least in most cases one would hope there is.

Losing the "experienced" folks, or in politics some might be characterized as the "old warhorses," means there will be a delay as the new team learns the issues and the necessary skills to get things done. At the same time, the "new eyes" may, indeed, see the issues differently and bring new insight and possibly new solutions to old problems. Both ways have their advantages.

Right now, we're going to watch this play out in real time. Massive amounts of money are being allocated to promote, support and finance the construction of broadband infrastructure throughout the country. The premise is that there are far too many places where the competitive marketplace has failed to adequately supply that infrastructure. Of course, there's a good reason for that; it's totally uneconomic, in many of those areas to build it. But there's been a fundamental failure to secure the data to know exactly where those areas really are.

The FCC is still mired in its effort to create accurate maps of where there is a need for government intervention to build needed broadband. The "why" of that issue is for another column. Suffice it to say it's not as easy as you might think to define and know where "adequate" broadband infrastructure is being provided or not. But now there's a new wrinkle; instead of having the FCC continue to work through the problem of allocating money for the "fix," a totally new group, the NTIA, is being assigned the job of doling out the money. New eyes.

To be sure, putting a new agency, a new administrator in charge of such a massive program can have its benefits. Maybe preconceived notions can be implemented with more speed because they are not burdened with all the old knowledge which might or might not be accurate in today's world. But then again, as should be obvious, those new eyes and new perspectives may just miss the needed sophistication that older eyes have attained. It's going to be a very expensive and fascinating process to watch.



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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