

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

EBB to ACP: Broadband Providers Gearing Up for New Subsidy Program

The **FCC** is working to enroll as many eligible families in the Emergency Broadband Benefit program before it transitions to the Affordable Connectivity Program, but time is running out. On Dec. 31, EBB will transition to ACP, the \$14.2 billion fund established by the Infrastructure Bill that was signed into law by President *Biden* on Nov. 15.

While EBB paid \$50/month toward broadband, ACP will pay \$30/month for non-Tribal households. Importantly, households that are enrolled with EBB on Dec. 31 will have a 60-day transition period that will keep the larger subsidy temporarily intact. Of course, whenever there's change, there's plenty of opportunity for confusion. Broadband providers have a host of ideas on making a smooth shift.

NCTA has raised serious concerns about an FCC proposal that would require existing EBB households to opt into the new ACP benefit. In a recent meeting with Commissioner *Geoffrey Starks*, *Michael Powell* and team rattled off a list of instances of consumers not responding to multiple reminders for similar opt-in requirements. "For example, only a de minimis percentage of customers in one provider's sponsored service program for K-12 students opted in when necessary to retain broadband service. Similarly, another provider has found that substantially less than half of customers opt-in to receive free equipment necessary to receive faster speeds after a network upgrade," NCTA said. "These examples are fully consistent with experi-

ence from a wide variety of other areas (including enrollment in 401K plans, voter registration and organ donation, among others demonstrating that an opt-out approach increases participation in important programs relative to opt-in."

Verizon officials met with FCC staffers this week to address their concerns that opt-in would result in many existing subscribers de-enrolled and forced to re-apply for the ACP benefit. "That would leave many vulnerable consumers without access to a benefit for some period of time, which Congress clearly did not intend," Verizon warned.

The argument for an opt-in regime is that it could prevent bill shock for a household that's discount drops from \$50/month to \$30. A group called the **Black Women's Roundtable** submitted comments to the FCC asking that broadband providers be required to give ample notice of the ACP transition and how it will impact copayments. "The Commission should also require providers to give consumers a choice of less expensive broadband service options and the ability to opt-in (not opt-out) to the ACP only when the EBB funds have been exhausted," the group said. **The Vermont Department of Public Service** isn't opposing an opt-in requirement, but suggested the FCC give those EBB-enrolled households an additional 30 days after the 60-day transition period to request enrollment in ACP.

ACA Connects supports an opt-out approach, but if the FCC determines that opt-ins are necessary, it argued that it should limit it to a narrow class of households. "For instance, the Commission should consider adopting an opt-out approval



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scheme for households that previously consented to receive service at an increased price at the conclusion of the EBB program,” the group said. “An opt-out process should also be considered for households that would see only a modest bill increase—for instance, if the customer’s bill would increase by less than 10% (if the customer was paying some out-of-pocket amount for its service) or less than 5 dollars.”

While cable operators serve roughly 90% of EBB customers who elect fixed broadband, the benefit is largely being used for mobile broadband. EBB has more than 8 million low-income households enrolled, with about 68% applying their subsidy to mobile broadband. During a recent ACA Connects webinar, **MoffettNathanson** analyst *Craig Moffett* warned that allowing the ACP subsidy to be used for wireless service could actually slow progress toward lawmakers’ larger goal of closing the digital divide that exists for students in low-income households.

Shentel EVP and COO *Ed McKay* said households eligible for the EBB in Shentel’s markets are disproportionately choosing to use the subsidy for wireless. “Of our broadband customers, only about 1% of those customers are taking advantage of the EBB program. We think that number is much higher when it comes to wireless carriers in our market,” he said. “I just think it’s unfortunate that the program makes those lower-income customers choose between mobile service and true broadband at home.”

COMCAST FREEZES NORTHEAST DATA CAP PLANS

Comcast has suspended plans to implement data caps in its Northeast markets in 2022. Massachusetts State Representative *Andy Vargas*, who has stood in opposition to the data caps since news first broke of Comcast’s plan, heard the news directly

from the provider last week. “Thrilled about this outcome— Thanks to all who wrote and advocated with us!” Vargas said in a Wednesday tweet. “Ensuring fair competition and consumer choice is next.” If the data cap had gone into effect, Comcast customers in those markets would have been charged \$10 for every additional 50GB of data used over the 1.2 terabyte mark with a maximum charge of \$100/month. That’s already the norm for the rest of Comcast’s footprint, and the original plan for the provider was to institute the data cap in 2021. State lawmakers immediately opposed the plan, criticizing Comcast for making a move in the middle of the pandemic.

POLE ATTACHMENT BATTLE CONTINUES AT FCC

The **Edison Electric Institute** is pushing back against an **NCTA** petition tied to the allocation of costs for pole replacements and pole access disputes in unserved areas. In an ex parte filed with the **FCC** Thursday, the institute also challenged letters from **Charter** filed in November where the provider expressed difficulties it was having to secure agreements with pole owners. Charter said there are some pole owners that it is concerned could be incentivized to delay broadband deployment by attaching entities because they have ties to other broadband providers who would serve as competition to the new attaching entities. EEI said investor-owned electric companies are generally not affiliated with those entities, and argued that making changes to pole attachment rules like those sought by NCTA would be outside of the Commission’s abilities. “EEI also reminds the Commission that it lacks authority to adopt the changes to its pole attachment rules sought in the NCTA petition, which would upend long-

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settled law. The Commission should not shift the cost of pole replacements caused solely by attachers to pole owners,” it said in the ex parte. “Shifting the cost of pole replacements by administrative fiat, even if adopted through a rulemaking process, would not reduce barriers to broadband deployment and would be detrimental to promoting the necessary collaboration between pole owners and attaching entities that is needed for effective broadband deployment.”

CURIOSITY CONTINUES GLOBAL EXPANSION

Curiosity signed a number of partnerships to bring its programming to additional regions. The media company signed a distribution agreement with **Viaplay** to bring its films, shows and series to Viaplay subscribers in the Nordic and Baltic regions. It also shook hands on global agreements with **El Espectador** in Colombia, **Telekom Slovenije** in Central Eastern Europe and **Shanghai Media Group** and **CCTV** in China. Curiosity content will now be offered in 11 languages.

DISH DIVES INTO CBRS HOTSPOT NETWORK PILOT

DISH and open 5G networking company **FreedomFi** are collaborating on a pilot program that hopes to offer DISH's current and future wireless customers access to a community-driven, neutral host CBRS hotspot network. The collaboration builds on DISH's embrace of cloud-native open source platforms for its own wireless network. “DISH is working with us to enable the use of GAA CBRS spectrum to pioneer an entirely new way to connect people and things,” FreedomFi CTO/Co-Founder *Joey Padden* said in a statement. “The CBRS-based 5G hotspots will be deployed by individuals, creating opportunities for users, partners and the entire ecosystem.” DISH and FreedomFi will also actively work on a bilateral roaming agreement.

AMG'S LATEST ALABAMA STATION PURCHASE

Allen Media Group signed a purchase agreement Wednesday for its acquisition of **WCOV-TV**, a broadcast television station in Montgomery, Alabama. AMG is buying the station from **Woods Communications Corporation** for \$28.5 million in cash. The deal, which will bring AMG's number of owned or operated broadcast television stations to 36 across 21 U.S. markets, is expected to close in 2022.

CARRIAGE

The Africa Channel, a minority-owned media company focused on pan-African content, is continuing to grow its footprint through a partnership with **Cox**. The channel is now available in all of Cox's markets in addition to its existing distribution deals with **Comcast** and **Charter**. The deal is the latest in a string of agreements that have expanded The Africa Channel's availability. In 2021, the network launched in 103 new markets. – **Sling TV** expanded its South Asian content offerings by adding **Eros Now** to its lineup. Sling subscribers now have access to Eros Now's more than 1,500 titles. It will be available as part of the Desi Binge package as well as the Hindi Pack and the Hindi Mega Pack at no additional cost to customers. Eros Now will also be available to purchase as a standalone service or as an add-on to another Sling TV service for \$5/month.

– **discovery+** is now available on **VIZIO** SmartCast's smart TV platform. VIZIO users will be able to access the streamer on their smart TV's home screen. The service is available for \$4.99/month for the ad-supported plan or \$6.99/month for the commercial-free subscription after a seven-day free trial.

LAWMAKERS PUSH CYBERSECURITY STANDARDS

Reps *Anna Eshoo* (D-CA) and *Jacky Rosen* (D-NV) sent a letter to the co-chairs of Congress's Infrastructure Implementation Task Force urging them to ensure cybersecurity is a priority in the projects that receive funding from the infrastructure bill passed in November. Among other things, they asked the task force to establish centralized guidelines for agencies distributing funding that set cybersecurity standards for all grant recipients. “Ransomware attacks alone cost state and local governments over \$18 billion last year in recovery costs and downtime, according to **Comparitech**,” the lawmakers said. “It should not be the case that the federal government funds the development of cybersecurity infrastructure without centralized standards that grant recipients can look to for guidance.”

RATINGS

Univision TUDN's coverage of the UEFA Champions League set a new milestone, delivering the top-rated Group Stage round of all-time. This year's UEFA Champions League Group Stage averaged 429,000 total viewers P2+ across Univision and Unimas, a 23% increase over 2020.

PROGRAMMING

HBO Max greenlit a second season of “Music Box,” a collection of documentaries exploring iconic moments in music for artists or the industry as a whole. – A new season of “Marriage Boot Camp: Hip Hop Edition” will premiere on **WE tv** in March. – **Showtime** renewed “Yellowjackets” for a second season. The finale of Season One will air on Jan. 16 at 10pm. – The final season of “Killing Eve” will debut with back-to-back episodes on Feb. 27 at 8pm on **BBC America**. – **HBO** renewed unscripted series “We're Here” for a third season. The series follows drag queens Bob the Drag Queen, Eureka O'Hara and Shangela as they hold one-night-only shows in small towns across America. – **TBS** renewed “American Dad!” for Seasons 18 and 19. The animated show's 17th season premieres on Jan. 24 at 10pm ET. – “Crikey! It's the Irwins” will return for a fourth season on Jan. 1 at 8pm on **Animal Planet** and **discovery+**.

PEOPLE

Tom Keaveney joined **605** to serve as the firm's President. Keaveney, who comes from Dublin-based ad tech firm **AdScribe**, will report directly to 605 Founder/CEO *Kristin Dolan*. – **MSG Entertainment** tapped *Deirdre Latour* to serve as EVP/Chief Communications Officer, effective Jan. 3. She succeeds *Kimberly Kerns*, who plans to leave the company on Dec. 31. Latour spent the last 14 years at **GE**, most recently serving as VP/Senior Advisor/Chief Communications Officer.

EDITOR'S NOTE

Cablefax Daily will not publish on Friday, Dec. 17. The Daily will return on Monday, Dec. 20.

PROGRAMMER'S PAGE

Toss a Coin to Your Witcher

It's been nearly two years since **Netflix** audiences were introduced to "The Witcher" protagonist Geralt of Rivia, and they won't have to wait much longer to experience his adventures again. The show's eight-episode second season finally hits the streamer Friday, promising all the magic and character arcs that made its debut season a hit. The show was only about three weeks into its Season 2 production cycle when the COVID-19 pandemic forced it to shut down, right when the creative team was really starting to hit its stride. But the break did allow the team a chance to step back and review what they wanted the audience to get out of The Witcher this time around. "For us, what we really wanted to refine was the relationships between Yennefer, Ciri and Geralt, and to make sure that the stories weren't becoming too plotty and too much just about the action," Showrunner/Executive Producer *Lauren Schmidt Hissrich* said during a **TCA** panel. "The promise of the show is this family coming together, these three people who find each other in this world, and we wanted to make sure that we had enough moments that really showed their emotional connections." Those conversations were somewhat inspired by fans of the show's first season, who took to social media platforms to ask for more interactions between their favorite characters. Not all of the feedback was positive, and fans were particularly divided over a decision to tell Season 1's story out of chronological order. Responding to that criticism is always a balancing act, but she hopes some of those frustrations will be remedied by the adjustments. "The timelines were one of my favorite things about Season One," Schmidt Hissrich said. "There were people who hated the timelines and hated having moments where they didn't understand what happened. What I did from that is I thought, well okay, we're not going to play with time as much in Season Two, but how can we still play with storytelling?" – *Sara Winegardner*

REVIEWS

"With Love," streaming from Dec. 17, **Amazon Prime**. We've mentioned often how television can help us escape the pandemic, albeit briefly. This new, 5-part rom-com from Amazon Prime is about as warm an embrace from television as you'll find during the second pandemic holiday season. Moreover, "With Love" offers a diverse perspective, behind and in front of the camera. Its protagonists are members of the Diaz clan, an extended Latino family in Oregon. To say it's about time for television to all us to watch a story that centers on a diverse family is an understatement. On a basic level, showrunner *Gloria Calderón Kellett's* point is that all families, regardless of their ethnicity and class, face similar issues, especially during holiday gatherings. Ah, the holidays. Despite their drawbacks, holidays can put TV viewers in an upbeat mood. After all, they experience numerous on-screen activities, such as parties, vicariously. As such, Calderón Kellett cleverly employs 5 holidays as tentpoles for the series' plotlines: Christmas Eve/Nochebuena, New Year's, Valentine's Day, July 4 and Dia de los Muertos. Note, however, what might seem family viewing gets more complicated than your typical syrupy holiday romp. For example, storylines include queer, bisexual and transgender characters. Also note "Love" is far from high drama and is a bit formulaic. Still, it's a pleasant escape. – *Seth Arenstein*

BASIC CABLE P2+ PRIME RANKINGS* (12/06/21-12/12/21)		
MON-SUN	MC US AA%	MC US AA (000)
ESPN	0.857	2669
FNC	0.739	2302
HALL	0.471	1466
MSNBC	0.358	1115
HGTV	0.283	881
FRFM	0.263	819
TLC	0.246	767
FOOD	0.241	752
TBSC	0.238	741
INSP	0.232	722
HIST	0.227	706
TNT	0.220	685
DISC	0.210	654
PARA	0.204	636
USA	0.203	631
HMM	0.184	573
ESPN2	0.184	572
CNN	0.180	561
ID	0.178	555
LIFE	0.173	539
AMC	0.167	519
TVLAND	0.159	496
NFL	0.151	471
BRAVO	0.148	461
A&E	0.146	455
FX	0.142	444
WETV	0.136	422
SYFY	0.116	360
GSN	0.114	355
BET	0.109	340
NATGEO	0.108	336
OXYGEN	0.104	324
APL	0.098	306
NAN	0.093	289

*P2+ L+SD rankers are based on national Nielsen numbers, not coverage.



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