

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Butterfly Effect: Cable Wary of ATSC 3.0 Multicast Impacts

Cable groups have some concerns about an **FCC** proposal that the agency hopes would assist broadcasters looking to transition more stations to ATSC 3.0, but also protect current OTA viewers.

The Commission's FNPRM is in response to an **NAB** petition filed in December that asked for clarification around regulations surrounding multicast streams. Under FCC rules, broadcasters voluntarily deploying ATSC 3.0 service are required, with small exceptions, to continue airing at least their primary stream using ATSC 1.0 through local simulcasting. However, they're only encouraged to simulcast their 3.0 multicast streams in a 1.0 format.

Under the current proposal, the FCC would allow stations to license simulcast multicast streams on a host station regardless of whether it is the 3.0 broadcast or a 1.0 simulcast. ATSC 3.0 stations would also be permitted to license non-simulcast 1.0 multicast streams on a host station. **NCTA** said in comments submitted Friday that it generally doesn't oppose these types of arrangements, but it would be a mistake to ignore the potential impacts such deals could have on cable operators and other stakeholders.

"Cable system capacity is limited, and pressure to carry additional multicast streams under one broadcast license could produce further strain. Therefore, to protect ATSC 1.0 viewers and ensure that cable operators and others are not

unduly burdened, the Commission should adopt reasonable limits on the number and types of multicast streams a station may broadcast through a host station," the association said.

Narrowing it further, NCTA believes the Commission should generally require that originating broadcasters simulcast 1.0 multicast streams on their 3.0 capacity unless the originating station's 3.0 capacity is constrained because it is hosting partner stations' 3.0 streams. It also suggested the FCC adopt a proposal that would see all multicast streams treated as simulcasts of each other must be "substantially similar."

The **American Television Alliance** warned in its own comments that non-simulcast multicasting could create a loophole for broadcasters looking to "evade" the Commission's local ownership rules, regulations blocking a single company from owning, operating or controlling two top-four television stations in one market. "A top-four originating station with unlimited capacity to multicast on a limitless number of host stations would have unconstrained ability to aggregate top-four network programming," ATVA said. While the ability to aggregate that programming does exist today, stations are generally limited somewhat by the amount of spectrum granted to them. Through the non-simulcast multicasting discussed in the proposal, there's a possibility those stations would be able to aggregate a far larger amount of spectrum than they would typically have, ATVA argued.

NCTA supports a suggestion from NAB that would see the FCC adopt a limit on the total number of multicast streams

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Cablefax 2022 Award Submission Deadlines

The FAXIES Awards

Deadline: March 11
Final Deadline: March 18

Top Ops Nominations

Deadline: April 1

The Diversity List Nominations

Deadline: June 3
Final Deadline: June 10

Most Powerful Women Nominations

Deadline: August 12
Final Deadline: August 19

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an originating station is permitted to license on host stations. Without that limit, NCTA said there would be a risk that a broadcast station could use carriage of primary streams as leverage to demand carriage of multicast streams as well in retransmission consent discussions.

“Without meaningful and enforceable limits on the hosting of multicast streams through retransmission consent, an originating station could demand carriage of significantly more multicast streams through retransmission consent, raising costs to cable operators and their customers and restricting available cable bandwidth for other programming options and services,” the association said.

To create additional safeguards, NCTA wants the Commission to make it clear that the second stream being carried by a partner station would not be a second primary stream and not be covered under any must carry rules.

STREAMING THE SUPER BOWL

The pinnacle of football had plenty of drama on the field, but customers of streaming services had issues at home with buffering and crashes. A study by real-time streaming tech firm **Phenix** found users on all platforms were significantly delayed behind the real-time action for the Super Bowl. **Hulu** users saw the biggest lag at 60.4 seconds, with **DirecTV Stream** checking in at 59 and **YouTube TV** at 52.3 seconds. **FuboTV** and **NBC Sports** saw 55.1 and 55.6 seconds of lag, respectively. **Peacock**, **Yahoo Sports** and the **NFL** rounded out the list with 54, 52.4 and 50 seconds. **Verizon's** “5G SuperStadium,” which gave in-stadium users more access from their seats, had 0.9 seconds of lag. Phenix also measured audience drift and compared ranges of

lag for viewers on the same platform, concluding that viewers on all platforms outside of Verizon’s 5G SuperStadium were so out of sync that they couldn’t interact with each other or on social media without spoiling the game. NBC Sports saw the biggest range at 75.7 seconds for viewers on the same platform, with YahooSports following at 75.3. Hulu, Peacock and YouTube TV came in at 73.7, 73.1 and 71.3 seconds, respectively, while Fubo TV and DirecTV Stream saw 69.5 and 68.7 seconds of range. The NFL’s stream was found to be the lowest outside of Verizon with 65.4 seconds. There weren’t reports of widespread streaming outages, though we did spot a few individual problems on social media (like [this](#) and [that](#)). It’s worth noting that the streamers had staff at the ready to troubleshoot. As for ratings, the big question is did the big game break 100 million viewers after last year’s dip to 96.4 million. We’ll have to wait a bit to find out. **NBC Sports** said Monday afternoon that viewership data for the game was still being processed and finalized, with final metrics to be released Tuesday morning.

TEGNA, MEDIACOM FINALLY SETTLE RETRANS SPAT

The Super Bowl never fails to bring people together, at least in the world of cable and telecom. **TEGNA** and **Mediacom** announced Sunday afternoon the long-awaited renewal of a retransmission consent agreement covering 12 TEGNA-owned stations in Mediacom markets. At that time, work was being done to restore all TEGNA stations to impacted Mediacom subscribers as soon as possible. The spat has been ongoing since December 2020. TEGNA also recently settled its nearly three-month retrains [battle](#) with **DISH** with both sides withdrawing good faith complaints filed with the **FCC**.

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The advertisement includes a smaller image of the Cablefax Daily magazine cover, dated Monday, November 2, 2020. The cover features the headline 'Deal Talk: RCN/News/Grande CEO Discusses \$6.1bn Strategic Deal' and other industry news. It also includes a 'Most Powerful Women' award announcement for December 4th.

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ACP HITS 10 MILLION ENROLLMENT MILESTONE

More than 10 million households are enrolled in the Affordable Connectivity Program, the White House and the **FCC** announced Monday. The milestone was revealed during an event at the White House with Vice President *Kamala Harris*, FCC Chair *Jessica Rosenworcel* and *Mitch Landrieu*, a Senior Advisor to President *Biden* who is responsible for coordinating the implementation of the bipartisan infrastructure law. The program allows low-income households to receive a discount of up to \$30/month on broadband service. Households can receive up to \$75/month off if they reside on Tribal lands. Program participants can also receive a one-time discount of up to \$100 to use on a connected device. The FCC will continue the program's momentum next month by hosting ten local enrollment events across the country with the ACP's outreach partners. The events will train individuals on eligibility and the enrollment process while also building awareness around the ACP.

SENATORS PUSH NETWORK RESILIENCY EFFORTS

Senators *Ed Markey* (D-MA) and *Ron Wyden* (R-OH) are pushing the **FCC** to move forward with efforts to make communications networks more resilient during natural disasters and emergency events. In a letter sent Monday, the legislators supported an NPRM to improve the reliability of those networks and encouraged the agency to adopt rules in line with the Generating Resilient and Energy Efficient Communications Act they introduced last year. That would mean offering financial assistance to projects that would aim to fortify those networks, identify vulnerabilities, train employees on emergency response strategies and ensure service restoration occurs as quickly as possible in the event of an outage. "Recipients of this resiliency funding would be required to participate in the FCC's Disaster Information Reporting System (DIRS)... Recipients would also be required to submit new reports on the number and impact of network outages and develop a comprehensive resiliency plan to protect their overall communications infrastructure from severe weather, natural disasters, and climate change," the letter read. They also supported several changes to the Wireless Network Resiliency Cooperative Framework including the adoption of measures focused on backhaul outages and steps to address the impact of power outages affecting communications networks.

ISPS MAKE CA NET NEUTRALITY ARGUMENTS

As promised, **ACA Connects**, **NCTA** and **USTelecom** filed their joint request for an en banc rehearing of a **9th Circuit** panel decision reaffirming a lower court's decision to deny a preliminary injunction for California's net neutrality law. "The panel decision undoes that uniformity, allowing California to proceed with its unprecedented regulation of the internet. As other states do the same, the resulting patchwork of conflicting laws will harm broadband deployment and cause customer confusion. At worst, it will allow the most restrictive state to dictate national Internet policy," the three groups wrote in an appeal filed late Friday. They argued that the 9th Circuit's decision conflicts with multiple rulings, including the **D.C. Circuit's** 2019 *Mozilla vs. FCC* net neutrality ruling. While the

D.C. Circuit decision vacated the portion of the FCC's Restoring Internet Freedom Order that expressly pre-empted state and local broadband regulations, the groups argued the court clearly opened the door for conflict pre-emption on a case-by-case basis. "It was only because 'no particular state law; was before the D.C. Circuit, that the court found it 'wholly premature' to rule on conflict pre-emption," they wrote in the appeal.

TCA NOTEBOOK

The **TNets** got their turn at **TCA's** Winter Tour Monday, with **TBS** announcing it has renewed "The Cube" for a second season. The competition series hosted by former **NBA** star *Dwyane Wade* features contestants who must complete various tasks while inside a confined cube, with \$250,000 as the grand prize. – **truTV** greenlit "101 Places To Party Before You Die" featuring hosts *Adam Pally* and *Jon Gabrus*. Based on the book "101 Places to Get F*cked Up Before You Die," Pally and Gabrus travel across the U.S. to experience the food, drinks and environment that many places have to offer. The series is currently in production and slated for a summer premiere. – **TBS**, **TNT** and **truTV** will simulcast a supersized episode of "Impractical Jokers" on April 2 directly following the NCAA Men's Final Four. The special will feature the show's usual hosts and guest *Eric André*.

BREEZELINE'S VALENTINE'S DAY SPEED SURPRISE

Breezeline (nee **Atlantic Broadband**) is spreading the love, upgrading residential internet speeds of more than 125,000 customers at no additional cost. Subscribers to the provider's 50Mbps internet plan are now receiving 100Mbps, 100Mbps speeds are upped to 200Mbps and 400Mbps plans have increased to 500Mbps. The increased speeds will also be available to new customers.

ON THE CIRCUIT

Media entrepreneur *Byron Allen* will join former **NAB** chief *Gordon Smith* in a conversation about their careers in the broadcast industry during a fireside chat at the **NAB Show** on April 27 in Las Vegas. The two will discuss steps that helped them succeed and the importance of local television in a market that's constantly evolving. Allen, who's the founder, chairman and CEO of **Allen Media Group/Entertainment Studios**, is preparing a bid to buy the Denver Broncos. Should it be successful, he'd become the first Black majority owner in the league's history.

PEOPLE

BBC Studios promoted *Rebecca Glashow* to CEO, Global Distribution, making her the first American to hold the position. She moves into the newly created role on March 1 as longtime President of Global Distribution *Paul Dempsey* shifts to Director of Performance for BBC Studios. Having led international distribution operations for 10 years, Dempsey said he wanted to move into a role specializing in individual and team performance. Glashow will lead the global distribution strategy, which involves content sales, direct to consumer services, international channels, co-productions and licensing. She joined the content company in June 2020, having previously served as Co-Head of **Viacom's** Awesomeness.