

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Label With Care: Zeroing in on What Broadband Shoppers Need to Know

When Congress passed the Infrastructure Investment and Jobs Act late last year, a clock began ticking on a mandate that broadband providers create uniform labels to describe their internet offerings and prices within one year. The **FCC** is currently crafting a blueprint for the labels, with a first round of public comments on the initiative coming in this week.

The agency isn't starting from scratch, having created voluntary consumer broadband labels in 2016 for fixed and mobile broadband. The consensus from commenters is that those initial labels are a good starting place. "Adopting the same labels here, with only minor adjustments, would be consistent with the statutory directive... and provide consumers with the information they need to comparison shop, without overwhelming consumers with too much information," **NCTA** said in comments filed with the agency late Wednesday.

While most consumer groups and state regulators believe the 2016 labels are a good foundation, they think there could be some modifications. **New America's Open Technology Institute** proposed clearly identifying the total monthly cost since the existing voluntary label doesn't aggregate prices into one all-in total. It also recommended using median speeds and latency instead of "typical" download and upload speeds and suggested the FCC consider whether it can add privacy elements to the new label, such as disclosures about user data collection, retention and

tracking. OTI, **AARP** and others suggested ISPs post more details in network management practices, including policies around throttling, blocking and paid prioritization.

One of the biggest debates is over when consumers should be exposed to these broadband labels as they switch from being voluntary to mandatory. **Consumer Reports** said it should be in every monthly bill and updated as necessary to reflect any service changes. "The broadband label will only be successful if millions of consumers are actually exposed to it on a regular, recurring basis," CR said. "Adopting this requirement will not only improve the ubiquity of the broadband label, it will also allow consumers to become more familiar with it, and assist them to clearly track changes in their broadband expenses—and, where possible, call to negotiate rates or switch services over time."

However, **ACA Connects** said requiring the labels beyond the point of sale for new customers would create chaos. "Displaying a label for a legacy plan would more likely confuse than inform consumers by creating the false impression that the plan is available to new subscribers. Moreover, some providers may have dozens—or even hundreds—of legacy plans; developing and posting a label for every such plan would be tremendously burdensome for the provider, and would also undermine the informational value of the labels by requiring consumers to sift through reams of disclosures for unavailable plans when shopping for new ones," ACAC said.

NCTA agreed that the labels should only be required for

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plans available to new customers, noting that providers already have existing communications in place to convey info, including billing changes. “Because government mandated speech necessarily has First Amendment implications, the Commission should tailor its rules to the situation addressed by Congress,” the association warned.

ISPs themselves also weighed in, with **AT&T** and **Verizon** both making a case for including clickable links in the labels that can offer more granular information. “With respect to pricing information, the Commission should recognize that a simple **FDA**-style ‘nutrition label’ cannot adequately capture all of the plans that broadband providers offer,” AT&T said.

Satellite broadband venture **SpaceX** encouraged the Commission to align the definitions of speed and latency for purposes of the label with the definitions of speed and latency used in the FCC’s high-cost funding programs. Otherwise, it argued that providers can game the system by employing varying definitions of speed and latency that overstate network performance.

Meanwhile, the **New York Public Service Commission** suggested doing away with different labels for fixed and mobile broadband, saying the distinction between the two isn’t so significant as to require two distinct formats.

USTelecom, whose members include **Lumen**, **Frontier** and **Verizon**, asked the FCC to clarify that the labels are for ISPs that sell mass-market services to residential and small business customers—not providers or resellers whose customers are larger businesses or governments. “Large business and government customers typically negotiate the terms of their service contracts. As a result, requiring

providers to include a label for every service negotiated would be costly, time-consuming, and would not achieve the purpose intended by Congress and the FCC of helping consumers understand and compare their options,” the association said, adding that E-rate and Rural Healthcare providers should also be excluded because it would be redundant to the competitive bidding process.

The FCC’s initial broadband label proposal suggested granting smaller providers a “different implementation timeline or temporary exemption.” ACA Connects supports that carveout 100%, adding that the agency should also look for other ways to minimize implementation burdens, such as broadband label templates in the form of a “fillable pdf” and forgiveness for a provider that is operating in good faith to meet obligations but has an isolated misstep.

FOX LOOKS TO CAPITALIZE ON RATINGS

Fox News has such a ratings lead over its cable news rivals, that it doesn’t really see them as competitors, **Fox Corp.** CEO *Lachlan Murdoch* said at an investor conference Thursday. “Competition makes you better, but we’re not competing any more with other news channels. We’re really competing with the broadcast networks,” he said. Fox News’ ratings strength, coupled with Fox’s live sports portfolio makes the programmer an essential part of the cable video bundle, Murdoch said. “When we look at the pricing and distribution, we’re competing now in ratings with the broadcast networks. We don’t compare ourselves in pricing to other cable channels. It’s almost a broadcast retransmission pricing.” Keep that in mind as Fox has almost 70% of its MVPD renewals coming up over the next two years. Murdoch was clear that the

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company would be looking to translate its audience share into a higher rate card. Fox Corp. continues to lean in to live sports and is eagerly awaiting the April 16 start of the **United States Football League**. It has partial broadcast rights with **NBC** for the new league. Murdoch said there's a gap in the market for spring football, something the **NFL** also sees. With sports broadcasting rights continuing to go up and no end in sight, Fox chose to relinquish Thursday Night Football—which didn't move the needle for the network—for it to remain a strong presence on Sundays. "We look at all the rights that come up, and we look at what's really going to add value from a distribution perspective almost before an advertising perspective," Murdoch said.

NBA COMING TO HBO MAX?

Add another horse to the race. **WarnerMedia** could be in the hunt for the rights to stream **NBA** games on **HBO Max**, according to a *SportTechie* report. At SportsPro OTT Summit USA, WarnerMedia VP, Emerging Media and Innovation *Peter Scott* said there's no question that such a milestone is on the company's radar. He said so long as a deal can be negotiated where the cable operators would allow it, WarnerMedia would absolutely examine putting games on its streaming platform. The programmer has already begun gathering sports rights for HBO Max with **Turner Sports** recently signing a deal with U.S. Soccer that will allow HBO Max to broadcast more than 20 matches each year. That agreement begins in 2023.

FCC RELEASES MORE RDOF FUNDS, DEFAULTED BIDS

The **FCC** authorized more than \$640 million in additional subsidies through the Rural Digital Opportunity Fund for broadband deployments. The funding will be directed toward projects in 26 states delivering service to nearly 250,000 locations. To date, the program has offered \$4.7 billion to approximately 300 carriers for buildouts in 47 states to 2.7 million locations. The agency released a report on defaulted RDOF bids Thursday as well with **Bright House Networks**, **Charter Fiberlink**, **Gtek Computers & Wireless** and **Time Warner Cable Information Services** making appearances on the list. While Charter does appear on the default list, it has many more winning bids it's pursuing in multiple states. The census blocks defaulted on lie in Alabama, California, Florida, Georgia, Indiana, Kentucky, Michigan, New Hampshire, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Vermont and Wisconsin. Those census blocks will potentially be eligible for other funding programs.

WINDSTREAM WRAPS FIRST RDOF BUILD

Windstream completed the first phase of its fiber deployment in Kentucky's Green County as part of the **FCC's** RDOF Phase I program. Its Kinetic division built fiber access to 109 locations in Greensburg, and the next phase of work in the area will add 409 homes by the end of 2022. Over the next six years, Kinetic will bring FTTH to more than 15,700 locations in Kentucky. It was awarded \$1.5 million for the buildouts in Green County and is investing an additional \$2.3 million in private capital to complete the job.

DISNEY PULLING MORE CONTENT FROM RUSSIA

Disney is doubling down on its denunciation of Russia's invasion of Ukraine. The company paused the release of its theatrical films

in Russia last week, and it will now put a stop to other avenues of business as soon as possible. "Given the unrelenting assault on Ukraine and the escalating humanitarian crisis, we are taking steps to pause all other businesses in Russia. This includes content and product licensing, Disney Cruise Line activities, **National Geographic** magazine and tours, local content productions and linear channels," a Disney spokesperson said. Some of the activity will pause immediately while others, including linear channels and some licensing, will take more time due to contractual issues.

AT&T FIBER EXPANDS MULTI-GIG

AT&T Fiber now offers its multi-gig speeds to more than 7 million customer locations across its footprint. The service is coming to seven more metro areas in Texas, Oklahoma and Ohio before the end of 2022. AT&T Fiber hopes to cover 30 million customer locations by the end of 2025.

NESN PARTNERS WITH LUMEN FOR BACKHAUL

NESN picked **Lumen Technologies** to support its broadcasts with content backhaul delivery services. Lumen will offer video delivery services for all Boston Bruins and Boston Red Sox away game, and its Cloud Connect platform will be available for use in the case of disaster recovery. In total, Lumen will provide signal acquisition, packaging services and more for approximately 150 Red Sox games and 70 Boston Bruins games.

USFL LAUNCHES NFT PROJECT

The **United States Football League** partnered with **FOX Entertainment's Blockchain Creative Labs** (BCL) to launch an NFT marketplace. The BCL will mint and sell digital tokens for the league, teams, players and coaches. Full details will be disclosed at the start of training camp this month, but the majority of revenue from the NFTs will go to players through digital wallets. This marks the first professional league to have its players and coaches receive revenue at the time of sale.

PROGRAMMING

MSNBC is adding more specials and docs to a hub on **Peacock**. This spring, the hub will feature episodes of "Morning Joe," "The Beat with Ari Melber," "All In with Chris Hayes" and more the day after they air on linear. Specials featuring hosts like *Rachel Maddow* and *Nicole Wallace* will premiere later this year and stream exclusively on the service. – **EPIX** renewed historical drama "Domina" for an eight-episode second season. It is scheduled to premiere on EPIX and on Sky in Europe in 2023. – **Fuse** is adding "Buffy the Vampire Slayer" to its lineup, with all seasons available as part of a licensing deal with **Disney Media & Entertainment Distribution**.

PEOPLE

Allen Media Group upped *Darren Galatt* to CRO. He's served as President, Advertising Sales for Global Syndication since 2016, and first joined AMG in 2003. Before that, Galatt spent more than a decade in national broadcast buying at agencies like **McCann Erickson** and **Carat**.

DON'T FORGET THE FAXIES

Friday is the first deadline for **Cablefax's** FAXIES Awards, which celebrates PR Team of the Year, Best Content Marketing Campaign and much more. Enter at www.theFAXIES.com.

PROGRAMMER'S PAGE

'The Chelsea Detective' Grounds British Crime

Excitement and mystery make up **Acorn TV's** "The Chelsea Detective," with detectives Max (*Adrian Scarborough*) and Priya (*Sonita Henry*) solving cases in one of London's richest areas that also possesses a darker side. The duo doesn't exactly fit the luxurious image found in the district in which they work, tackling problems familiar to many families in their off-time. The opening scene shows Max riding his bike to work instead of a high-end car, while Priya comes back to work shortly after giving birth, drawing questions from her colleagues on why her return was much sooner than expected. The two use their job to escape life's issues, something show creator *Peter Fincham* believes viewers can relate to. "From the very beginning, we wanted to make these characters three dimensional," Fincham told **CFX**. The relationship people build with characters will keep viewers coming back, with the crime-solving spectacle an added ingredient. Max's marital problems were inspired by Fincham's consultations with detectives regarding the realities of the job. The occupation has a high divorce rate because of how attached detectives can become to their work. While Max doesn't fit the mold of a detective, his sharp mind that clears even the most confusing questions shows his skillset. With episodes lasting nearly 90 minutes, there's time for Max and Priya's lives to be properly intertwined into the show, while their chemistry at work keeps cases interesting. Fincham and the show's writers find a balance of comedy and humanity within the seriousness of a crime show, but also add a realistic aspect to cases Max and Priya take on. "You're not going to find any serial killers in The Chelsea Detective," Fincham said. "Our killers will be people who will only have done this once, and they'll have done it for some extreme reason that led them believably to it." Chelsea detective began streaming on the SVOD on March 7. — *Noah Ziegler*

REVIEWS

"Little Boy Blue," streaming on **BritBox**. This small gem from 2017 is based on a true story that gripped Liverpool in 2007. The re-telling of it deftly mixes police procedural with the personal lives of the victims and the police investigating the crime. As usual, *Stephen Graham* (*Al Capone* in **HBO's** "Boardwalk Empire") is spot on as the lead police investigator. — "Frontline: Putin's Way," 10pm, Tuesday, **PBS**. It's understandable if your viewing is an attempt to escape from the day's news. On the other hand, should you want to dive deeper into the man at the center of world news, PBS has you covered Tuesday. "Follow the money" is an axiom for journalists working in capitalist countries. Indeed, it does well in communist states also. This doc, from 2015, proves that point. In short, it's a tremendously interesting and detailed look at how *Vladimir Putin's* career is lined with lined pockets. While corruption is part of politics nearly everywhere, this doc argues Putin has raised it to high art as he's gone from unemployed former spy to Russia's leader. — Not Reviewed But Worth a Look: "Frontline: Putin's Road to War," 9pm, Tuesday, **PBS**. The ability of "Frontline" to assemble footage and tell a story that's happening in real-time remains impressive. This film attempts to answer why Putin gambled on attacking Ukraine. — *Seth Arenstein*

BASIC CABLE		
P2+ PRIME RANKINGS*		
(02/28/22-03/06/22)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
FNC	1.126	3507
CNN	0.581	1808
MSNBC	0.541	1685
HGTV	0.351	1093
ESPN	0.340	1058
FOOD	0.265	827
TLC	0.262	816
DISC	0.252	786
HIST	0.252	783
HALL	0.249	774
INSP	0.238	743
TNT	0.203	631
TBSC	0.194	606
TVLAND	0.177	552
LIFE	0.170	528
ID	0.168	524
A&E	0.154	479
AMC	0.141	439
HMM	0.139	433
BRAVO	0.129	403
WETV	0.128	399
SYFY	0.128	399
USA	0.126	394
GSN	0.123	384
NATGEO	0.120	373
FS1	0.115	359
OXYGEN	0.114	354
NAN	0.105	326
BET	0.103	320
FX	0.098	306
TRAVEL	0.091	284
ESPN2	0.090	282
COM	0.089	278
NICK	0.087	271

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





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