

Cablefax Daily

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WHAT THE INDUSTRY READS FIRST

Hope Springs: Former FCC Chairs

Talk Sohn Nom, BEAD Program

Time is running out for the nomination of *Gigi Sohn* to serve as the **FCC's** fifth commissioner to cross the finish line, but veterans of the agency believe there is still hope that the Senate will take up a vote.

During **MMTC**'s Former FCC Chairs' Symposium Wednesday, former FCC Chairs *Dick Wiley*, *Bill Kennard* and *Mignon Clyburn* said things could still swing either direction on the nomination, but it becomes more challenging to see it succeeding the deeper we get into 2022.

"Confirmation is still possible, but with the extended August recess that Congress is going to take and with the looming midterm elections, there are not a lot of legislative days left to get the job done. So I think we'll see," Wiley said.

The good news is that even with a 2-2 split, the FCC hasn't come to a standstill. The commissioners have still been able to come together and find common ground on issues that require more immediate action. "Historically, the Commission does most of its work with a unanimous or consensus approach to things. It's just on those really difficult, partisan, controversial issues that have to wait on and that's sort of where we are on ... net neutrality and some of the more hot button issues," Kennard said. "But they're managing to get a lot done and I give a lot of credit to this current commission for working together to do that."

The FCC has been laser-focused over the last year on cre-

ating programs that make a dent in the digital divide. Now, it has a part to play in the story of **NTIA**'s \$42 billion BEAD program, providing the broadband availability maps that will be used to determine the unserved and underserved areas of the U.S. Kennard hopes the Commission, NTIA and state officials stay focused on the goal of getting networks deployed ubiquitously across the country rather than getting distracted by other policy objectives.

"I worry a little bit, we have to resist the urge to make this legislation sort of a Christmas tree where you hang a lot of disparate policy initiatives on it because I've seen so many times when well-meaning initiatives fall on their own weight," he said. "My view is the most important thing is to focus on the data. We've been challenged in this field historically in trying to deploy networks to underserved communities when we don't have good quality data." Clyburn added that the FCC and NTIA will also need to recognize issues like supplier discrimination to craft a holistic view on the state of the industry.

On the issue of digital discrimination, Wiley said he believes the Commission has kicked off the discussion on the right foot by initiating an open-ended notice of inquiry that aims to define digital discrimination and poses a number of questions surrounding the topic. At the end of the day, he hopes the FCC considers factors that could limit deployment to low-income and historically disadvantaged communities. Those include high permitting fees, red tape and a lack of adoption or digital literacy within those communities.

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But what happens if a provider builds a network and the customers don't come? Speaking on the adoption issue, Clyburn highlighted that people within the community have to be able to trust those providers and their local representatives if work is going to be done to increase the amount of served households that are subscribing to high-speed service. In other words, officials or company executives working to grow broadband activity in those communities have to be culturally familiar with the people that live there in order to move the needle and make a difference in digital.

"It's not going to happen if the people that are introducing or 'holding hands' are not relatable, individuals are not comfortable with it. That's just the fact," Clyburn said. "We spend a lot of time on the rules and regs, and that's important... but this, the rest of it, that matters if it's truly going to be successful."

The former chairs also tackled the need for USF reform and the overall unsustainability of the current funding regime. In opening remarks, FCC Commissioner *Brendan Carr* highlighted his preference that large technology companies start contributing due to their heavy use of and profit off of communications networks. Clyburn has long been a supporter of proposals like these, often bringing them up in debates during her time at the agency. No matter how the Commission chooses to move forward, she is done watching the FCC take no action on the issue.

"We really need to stop acting like it's going to fix itself, meaning USF reform, and be bold and do it, and do it now and stop punting the ball," she said.

COX MOBILE COMING SOON

Cox's long-awaited mobile service is one step closer to launch, with www.Cox.com/Mobile going live this week. The "coming soon" website gives no launch date, but pilots are planned in Hampton Roads, Va., Las Vegas and Omaha for this fall, and the operator plans to premiere an ad campaign for Cox Mobile in early August. There's no word on who the network provider is, with Cox and **T-Mobile** still in litigation. "Contractual obligations limit the extent we can discuss our MNO partner. What we can say is that our customers will have access to reliable 4G LTE and 5G coverage," Cox said in a statement. Cox was close to launching the service in October 2021, through an MVNO agreement with **Verizon**. However, everything was put on hold after T-Mobile sued, claiming Cox is obligated to pursue an arrangement with "the Un-carrier" because of its history with **Sprint**. In March, the Delaware Supreme Court reversed and remanded the Delaware Court of Chancery's decision enjoining Cox from partnering with anyone other than T-Mobile to offer wireless service and remanded the case for determination of whether Cox negotiated a partnership with T-Mobile in good faith. Cox is pitching Cox Mobile as a service for qualifying

The WHO and the WHY

CFX's spotlight on recent new hires & promotions



MICHAEL
Romano
EVP
NTCA

3 THINGS TO KNOW

- Michael was promoted from SVP, Industry Affairs and Business Development at NTCA-The Rural Broadband Association. In this new role, he'll keep his duties of overseeing policy, government affairs and the Foundation for Rural Service, but add member engagement, HR and information technology operations to his responsibilities. Michael will also continue focusing on advocacy work and ensure the association staff and external affairs are aligned.
- He's been at NTCA for almost 12 years. Before that, he was with Morgan Lewis (formerly known as Bingham McCutchen) where he advised telecommunications carriers on federal broadband funding opportunities. Michael was also a founding VP and General Counsel of GTT Communications, Counsel for AOL and Director at Level 3 Communications.
- He received his law degree from Georgetown University, but studied American history at Middlebury College in Vermont.

current internet customers, promising a flexible data plan with data usage billed in 1GB units at \$15 each. Like other cable operators that have entered the wireless business, Cox is playing up the ability to use internet to save on data charges and promoting its 4 million WiFi hotspots around the country.

HOUSE COMMERCE GETS PRIVACY DONE

Sometimes lawmakers from both sides of the aisle can work together. On Wednesday, **House Commerce** members came together to pass the American Data Privacy and Protection Act on a 53-2 vote. The consensus from the hours-long markup was that even though there were things both parties would like to change, the consumer protections provided by the bill are too important to delay. Assuming it makes it out of the House, it faces a long road ahead in the Senate, with Sen. Commerce Chair *Maria Cantwell* (D-WA) not on board, expressing concern over state pre-emption and forced arbitration provisions. Still, it's the first time such a comprehensive privacy bill has made it out of committee. The legislation creates a national standard to minimize the amount of info companies are allowed to collect on Americans and provide enhanced data protections for children. Despite the near unanimous passage, there were some concerns in the committee—particularly from California lawmakers worried the bill actually undercuts the state's pri-

vacy bill. "I recognize that this law would be an improvement for much of the country, but I can't say the same for my constituents and all Californians," said Rep Anna Eshoo (D-CA).

FCC CHAIR WANTS DATA PRIVACY INFO

FCC Chairwoman Jessica Rosenworcel is seeking information from the top 15 mobile providers regarding their data retention and data privacy policies and general practices. In the letters of inquiry, Rosenworcel asked for details about the providers' policies on geolocation data and their processes for sharing such data with law enforcement and other parties. The letter also seeks information on how consumers are notified when their geolocation information is shared. The carriers—which include **AT&T**, **Charter**, **Comcast**, **DISH** and **Verizon**—have until Aug. 3 to respond.

INDUSTRY RECOGNIZED FOR DISABILITY INCLUSION

Several industry companies received recognition by the Disability Equality Index in this year's Best Places to Work for Disability Inclusion list. DEI benchmarks companies on a 0-100 scale and helps them work toward disability inclusion. This year, 335 companies received scores of 80% or higher. **Amazon**, **AT&T**, **Cox**, **Comcast NBCUniversal**, **Google**, **Microsoft**, **T-Mobile** and **Twitter** each scored 100%, while **Altice USA**, **Fox**, **Sony** and **TDS Telecom** obtained a score of 90%. The full list of companies can be seen [here](#).

FUSE MOVES WITH HUSSLUP

Fuse Media partnered with a new mobile app for talent discovery in the media and entertainment industries called Husslup. The app is in beta phase, but the partnership will see Husslup powering a search for films to premiere in 2024 on **Fuse+**. Filmmakers will submit their work through the app for a chance to be part of the Fuse+ Filmmakers to Watch. Details for that will be announced in the coming months.

CALIFORNIA DREAMING

T-Mobile extended its 5G home internet across 32 cities in California, making its service available to over 6 million homes in the state. Cities include Bakersfield, Fresno, Los Angeles-Anaheim, San Diego, San Francisco, San Jose and Oakland. Plans start at \$30/month for families with the Magenta Max phone plan, or \$50/month with autopay.

TUBI TEAMS UP WITH CANADIAN PROVIDER

Tubi has partnered with Canadian internet provider **Shaw Communications** to bring the streamer to Shaw TV customers. The **Fox** AVOD service's live and on-demand content is now available through Shaw subscribers' set-top boxes, and customers can use their voice-powered remote to navigate Tubi's content.

EVOLUTION, NCTC CONTINUE PARTNERSHIP

NCTC agreed to a new multi-year deal with **Evolution Digital** to continue making the manufacturer's portfolio of broadband and Android TV products available to U.S. service providers. The agreement includes access to Evolution's OpenSync devices that enable service providers to deploy new bundles of cloud-powered smart home devices.

RATINGS

FETV had its best monthly ratings ever in June, according to **Nielsen**. It had its highest monthly averages ever in total day and prime with A25-54 and A36-64 demos, which helped mark three straight months of record-setting prime ratings in A25-54. The network also reached 52 consecutive weeks of YOY growth in total day and total audience.

HONORS

Savoy Magazine unveiled its 2022 Most Influential Black Executives in Corporate America list, and several industry execs made the cut. Of those include **Nielsen** Chief Growth Officer Sean Cohan, **Cox** SVP and CIO Richard Cox, **Disney Media & Entertainment Distribution** Chair Kareem Daniel, **AT&T** Senior SVP and CFO Pascal Desroches, **ESPN** SVP of College Networks Rosalyn Durant, **Disney** EVP of Programming & Development Jamila Hunter and **Crown Media President** and CEO Wonya Lucas. The full list of recipients can be found [here](#).

PROGRAMMING

The 12-episode Season 2 of "César Millán: Better Human Better Dog" will premiere Friday at 9pm on **National Geographic**. All new episodes will air back-to-back on Fridays. -- Following its series premiere Monday on **VH1**, "Caught in the Act: Unfaithful" has been renewed for 20 additional episodes.

PEOPLE

Crown Media promoted Daryl Evans to Senior Director of Diversity, Equity and Inclusion, reporting to CPO Pamela Wolfe. Evans will develop and implement DE&I initiatives and work with company leaders to establish DE&I across the company. He originally joined Crown Media in 2012. – **Surf Internet** appointed Ryan Delack as CFO, where he'll lead Surf's finance and accounting, HR and legal teams, as well as oversee financial planning, investor relations and internal audit. Delack holds over 18 years of financial leadership experience. – Trevor Lawler was appointed to Executive Director, Strategic Content and Programming at **Tennis Channel**. He'll work with multiple departments on the reach of network programming across all platforms.

MEMO: BENEFITS

If your company only gave you July 4 off to celebrate Independence Day, you might want to discretely leave this item in front of your head of HR. **A+E Networks** told employees around the world to take the entire week off, saying it allowed coworkers to recharge and relax all at the same time. Just think... an entire week off without dozens of emails from coworkers that start off, "When you're back in the office..." How refreshing!

EDITOR'S NOTE

Cablefax: The Magazine is accepting nominations for its annual Most Powerful Women issue. In addition to recognizing the top women across advertising, sales, content, distribution, finance and other departments, the issue celebrates a Mentor of the Year and a crop of up and comers in The Rising Tide. Nominations are due Aug. 12 at [CablefaxWomen.com](#).

Think about that for a minute...

Lemming Journalism

Commentary by Steve Effros

Longtime readers of this column know that my early experience as a staffer, writer and editor at ABC and NBC Network News and The New York Times results in my periodically going on a rant about current journalism. This is one.

To me, writing and editing news not only includes the well established responsibility to answer “who, what, where, when,” but also why, and some context to what is being reported. Sure, that results in some perceived bias, which we all have, but the solution isn’t making believe the reporter is “neutral,” that’s just not realistic, but allowing the recipient of the report to know what those inherent proclivities are.

I worked on staff at NBC Nightly News here in Washington during the Vietnam War. One of their top reporters at the time acknowledged to me that in his effort to be “neutral” he repeated DOD briefings in Saigon which he knew were simply not true. But he was so aware that he opposed what was going on, he over-corrected in the other direction to try to be “neutral.” That’s a recipe for failure, which, of course, is exactly what happened back then when the public didn’t really know until it came as a rude shock. It took Walter Cronkite’s public correction of the reporting to finally wake everyone up.

I mention all this because I think a similar, very dangerous thing is happening now with reporting, but on a far more fundamental basis to our continuing as a successful democracy. The best example is what’s being reported right now about the Administration’s efforts to get major legislation on climate change, tax policy and a lot of other things through Congress.

Listening to the media, be it left or right, Fox or NPR or MSNBC, The Wall Street Journal or the New York Times, one would have to conclude that “President Manchin” is the one and only reason major legislation is not moving. Senator Manchin is totally in control and deciding what can and cannot happen, and Senator Manchin is the only one we need to focus on with regard to the failure of legislation that some of us may think is critical to our kids’ future.

You literally cannot pick up or listen to any report that isn’t totally focused on the irrevocable power of Senator Joe Manchin! This is nonsense. To be sure, he could “break a tie” that is hamstringing Congress, and isn’t doing it. But so could 50 other Senators who may have decided, so far, that voting in a block to retain or improve their power is more important than dealing with the issues attached to all those pieces of legislation.

Have you heard anything about those 50 Republican Senators? Any one or two of whom could have the same power as “President Manchin” if they chose to exercise it? Nope. They’re considered an unthinking block, unable to do anything other than what “the group” wants. Virtually every report is focused on one person, one storyline and provides almost no context to how legislation and Congress usually work! That’s what I call “lemming journalism.” Apologies to the lemmings, who don’t really irrationally commit suicide. But we seem to be heading in that direction if no one stands up and provides more substantive context.

Do we really think that Senators are totally unresponsive to their constituents whose houses are burning down in wildfires, whose power grid is failing in the heat or cold, whose medical bills are bankrupting them? But those substantive discussions, and political pressure, are not taking place because the laser focus (I would call it lazy focus) of current “lemming journalism” has

chosen to fixate on one, isolated Senator instead of providing legislative context. The only way that’s going to change is if readers and listeners demand it.



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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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