

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Step Forward: FCC Progress on Digital Discrimination, Mapping

The **FCC** took the next step toward addressing digital discrimination Wednesday, approving a Notice of Proposed Rulemaking seeking comment on the issue.

Now, the Commission is seeking comment on a proposed definition of “digital discrimination of access” as well as proposed revisions to the FCC’s informal consumer complaint process to accept complaints of digital discrimination. Commenters will also be able to voice their opinions on whether states and localities should adopt model policies and best practices to combat digital discrimination based on recommendations from the Commission’s Communications Equity and Diversity Council.

Some stakeholders are already quite vocal about what they hope to see in the final rules. “In order to fulfill its congressional intent to end the disproportionate impact of the digital divide on low-income and marginalized communities, we hope that the Commission’s forthcoming rules will hold broadband providers liable for acts that lead to a discriminatory impact,” **Public Knowledge** Senior Policy Counsel *Jenna Leventoff* said in a statement. “Moreover, we urge the Commission to take a holistic view of comparable service that reflects all components of the customer experience and to interpret its mandate to ‘take into account issues of technological and economic feasibility’ narrowly by adopting a rebuttable presumption that service

is technically and economically feasible.”

During the press conference following the meeting, commissioners were questioned about the recently-released broadband availability maps and their confidence that states, localities, Tribes and consumers will be able to submit their challenges by a January 13 deadline established by **NTIA** that will give stakeholders the best chance of having their challenges reflected in the version of the map used to distribute funding through the BEAD program.

Some state officials have tossed around the idea of pushing NTIA’s proposed timeline back by 60 days. Commissioner *Brendan Carr* said the FCC needs to continue to work with NTIA and state officials to ensure everyone understands the process and the funding eventually gets to the right places to close the digital divide once and for all. “The actions that we take in response to all those requests have to be guided by what do we need to do to get this right,” he said.

Chairwoman *Jessica Rosenworcel* made it clear that the January 13 deadline doesn’t have an impact on the ongoing work the FCC is engaging in to ensure the maps are as accurate as possible for years to come.

“That’s not a date that’s in our rules in any way, shape and form. It’s just a target that was set by my colleagues at NTIA to try to ensure that as many challenges get resolved as possible before our production of the next map,” she said. “But I have also been on the phone with a lot



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of state broadband offices during the last week and we will make sure to work with them, try to understand what their ground truth suggests and incorporate the facts in our national map.”

Also approved at the meeting were the launch of a proceeding to streamline the agency’s review processes for satellite applications and the proposal of rules to more precisely route wireless 911 calls and texts to 911 call centers. An enforcement action proposing a nearly \$300 million fine against **Cox/Jones Enterprise** for an auto warranty scam robocall campaign, the largest robocall operation the Commission has ever investigated, also received unanimous approval.

GOOGLE NEW SUNDAY TICKET FRONTRUNNER

In July, **NFL** Commissioner *Roger Goodell* [said that he believed](#) the rights to the league’s Sunday Ticket offering will land on a streaming service. The *Wall Street Journal* seemingly confirmed that belief Tuesday, reporting that the league and **Google** are close to a deal that would bring Sunday Ticket to **YouTube**. The agreement needs to be approved by owners, but if given the green light, it’d end **DirecTV’s** 28-year run as the rights holder to the service that allows fans to watch out-of-market regular-season games. Google would reportedly [pay](#) \$2.5 billion/year as well as payments based on the number of added YouTube subscribers—a sizable increase from DirecTV’s current payment of \$1.5 billion/year. The package will be available through YouTube TV, but a price for customers is unknown. It was previously reported that **Apple** was the

frontrunner in the race for Sunday Ticket’s rights, but those negotiations reportedly broke down after the NFL made a number of demands.

BALLY SPORTS RSNs COME TO FUBO

Bally Sports’ 19 RSNs are coming to **FuboTV** thanks to a carriage agreement with **Sinclair**. The expanded agreement means Fubo will have more than 35 RSNs in its lineup on top of Sinclair’s owned local broadcast stations, **Marquee Sports Network** and **Tennis Channel**. It’s a huge win for the networks, which have had a hard time winning carriage on MVPD and vMVPD packages. They’re currently available on DirecTV Stream as well as via Bally Sports+, Sinclair’s direct-to-consumer offering.

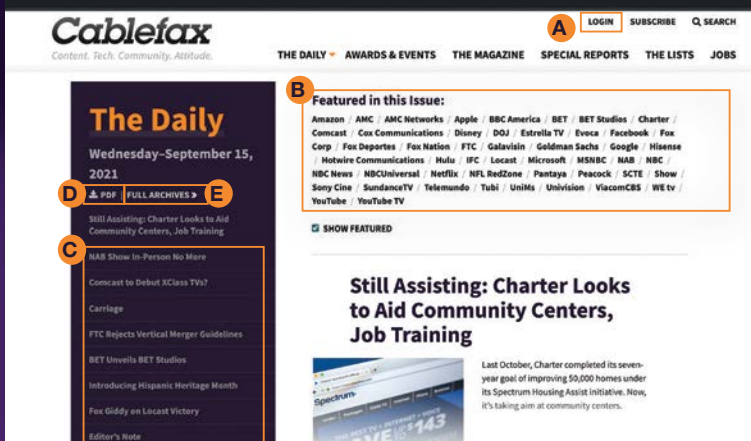
GET MOVING WITH NETFLIX

Netflix is expanding into fitness content just before the new year, announcing Nike Training Club sessions will be available to members on Dec. 30. The fitness classes will launch in two batches with the second to launch in 2023. Each Nike Training Club program will have multiple episodes and be available in multiple languages across all Netflix plans.

PROGRAMMING

A15-hour marathon of **ESPN’s** 30 for 30 documentaries and other special programs will run on **ESPN2** on Saturday. “The Band is on the Field” will begin at 1pm before “*Jeanette Lee Vs.*” follows at 2pm. Other films include “Dream On: EP 3” at 4pm, “Remember the Blue and Yellow” at 9:30pm and “The Great Imposter and Me” which wraps up the marathon Sunday at 2:30am. – The world premiere of

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AMC Networks' "Anne Rice's Mayfair Witches" is set for Jan. 8 at 9pm. It'll be on all five of AMCN's linear networks (**AMC, BBC America, IFC, SundanceTV** and **WEtv**) as well as **AMC+**. Additionally, a companion special for the show "All of Them Witches" will release Wednesday on AMC+ and Jan. 2 on AMC. -- Two additions to **Travel Channel's** "Shock Docs" franchise are being made in late Jan. and early Feb. "Michigan Hell House," which looks at the paranormal activity in a farmhouse in a small town, will debut Jan. 29 at 9pm before "The Devil's Academy" releases Feb. 5 at 9pm. The Devil's Academy will travel back to 1979 to investigate when chaos took over the Miami Aerospace Academy student body. Both shows will be available to stream on **discovery+**. -- The sixth and final season of "Snowfall" will begin Feb. 22 at 10pm on **FX**, streaming the next day on **Hulu**. Additionally, the show will be available on **Disney+** under the Star banner internationally. -- Bravo's "The Real Housewives of New Jersey" returns with its thirteenth season on Feb. 7 at 9pm. Episodes will stream the next day on **Peacock**.

PEOPLE

Ritter Communications made a pair of promotions Tuesday: *Heath Simpson* from CFO to President/COO and *Lexanne Horton* from VP/Controller to CFO. Simpson has been with Ritter since 2020 and will now oversee the company's activities in finance, IT, project management, customer experience, field operations, facilities and HR. Horton will direct all accounting, financial planning and analysis, billing, risk management, supply chain management and purchasing.

EDITOR'S NOTE

The **Cablefax** team is taking a break for the holiday season. The next edition of **Cablefax Daily** will arrive in your inbox on Tuesday, Jan. 3. But don't worry—we'll still be covering any updates in retrans negotiations, CEO swaps and the like on Cablefax.com through the end of the year. Cheers to you and yours!

CABLEFAX DASHBOARD

Twitter Hits

The WICT Network: Rocky Mountain @WICTRM
 Wishing you a happy holiday season from all of us at The WICT Network: Rocky Mountain!

We had such a wonderful time at our #WICTRM Holiday Party in support of @SHHDenver and are looking forward to all that's to come in 2023. #happyholidays #wictrockymountain #networking

AT&T @ATT
 Pro: cell phone
 Con: didn't fit in back pocket

Brendan Carr @BrendanCarrFCC
 Since we're in the midst of holiday card season, I wanted to send out a quick PSA: if someone sends you a card with glitter all over it (predictably coating your floor with the intractable substance) they are not your friend; they're an enemy.

Research

(Source: Hub's "TV Advertising: Fact vs. Fiction" Study)

- > 34% of current FAST users and 19% of non-users say they have heard of original shows or movies that were produced specifically for a free service.
- > The most recalled FAST original titles were Roku Channel's "Weird: The Al Yankovic Story" and Freevee's "Leverage: Redemption."
- > 47% of current FAST users and 30% of non-users say they'd be more likely to use a FAST service if they heard it was producing original, exclusive content.
- > The study was conducted among 3,001 U.S. consumers aged 14-74 watching at least one hour of TV per week.

Up Ahead

JANUARY 5-8: [CES 2023](#), Las Vegas

JANUARY 24-26: [Content Americas](#), Miami

FEBRUARY 7: [Regional Fiber Connect](#); Raleigh, NC

FEBRUARY 28-MARCH 3: [ACA Connects Summit](#); DC

Quotable

"The winner of this war isn't going to be the one that spends the most money. It's going to be the one who makes the biggest mass commercial hits... Consumers are always about following the biggest hits and going with the most buzz. Regardless of where the environment is in the economy, content is key to consumers and big hits break out from the pack... Our business has always been rooted in the mass commercial business, whether that's in cable or broadcast with CBS. Across the last 20 years, no one has been No. 1 in more demos and more genres than CBS or MTV Entertainment Studios. That's why we're having that big success in the streaming world."

– **Paramount Media Networks/MTV Entertainment Studios President/CEO Chris McCarthy** on **CNBC's "Squawk Box"** talking about the ongoing streaming wars

Think about that for a minute...

Beautiful Blue Marble

Commentary by Steve Effros

This is the last column for this year, so pardon me for asking that we all step back for just a moment and consider the potential of the telecommunications business which is its focus. You could not have had a better tutorial on that potential than last Sunday's World Cup Soccer final. It's estimated that well over a Billion people, worldwide, watched the same event at the same time. That's "billion," with a "B." My guess is that when all the counting is done that number will be closer to two billion.

It's hard to overstate the significance of that. Usually viewership is attracted, unfortunately, by mayhem. Wars, buildings collapsing, sex scandals, and yes, an occasional "Royal" marriage or an inauguration. But to have so many people in the world focus on an event that turned out to be a classic, with very classy lead players (who are teammates the rest of the year) competing and ending in honor for both is a thing to behold.

That's the power of our medium if we choose to use it. Imagine the possibilities if we could expose folks all over the world to thoughts and images that showed the hopefulness of unity and peaceful strength rather than mayhem and discord. For me, one image comes to mind that was discussed recently by some American astronauts. The so-called "Blue Marble." The first picture of the entire earth taken by them in December 1972 as they headed toward the Moon.

They have commented since then that most astronauts wind up having a new appreciation of our planet when it can be seen from that perspective. There are no lines separating nations. There are no competing citadels and ideologies, religious or otherwise, dominating the landscape. It even appears somewhat pristine floating in an unimaginably large universe.

We know, of course, that it's not pristine. We know now that what we have been doing over the centuries has put the health of that beautiful blue marble at risk. So how do we get folks, as we enter yet another new year, to actually focus on both the beauty and the challenges that face us? How do we

all take just a moment, as with the billions who watched the World Cup Final, to experience something together and possibly gain a new perspective?

A crazy suggestion that actually would be relatively easy to do, at least on a technical level; along with all the video showing the fireworks and celebrations as the clock hits midnight country by country around the world, what if we also simply showed a picture of that "Beautiful Blue Marble" for just a minute. What if that image was exposed to billions of people to allow them all to contemplate what we have and what our responsibility is to preserve it?

Yes, there would be some nations with television and streaming executives or national leaders who would not consider such a thing. But It wouldn't be impossible to get a whole lot of others to potentially see the benefit of recognizing the quintessential power of the medium we are the stewards of. It would be apolitical. Just as with the World Cup, by the end of that game many were rooting for both teams! Both deserved the accolades they received. It was a very good feeling, and it seems to me we should find more ways to convey that sentiment around the world.

Crazy? Sure, maybe. Sixty seconds, just after midnight, let everyone just gaze and contemplate the "Blue Marble," and marvel not only at its beauty, but at its potential to unify. As the title of this column has long suggested, "think about that for a minute." Have a wonderful and peaceful New Year.



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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