

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## CES 2023: Davidson Charts Other Paths Ahead for NTIA

NTIA Head *Alan Davidson* was on the floor of **CES** this weekend for the first time since ascending to his current role, and he had a lot to talk about besides the highly-anticipated \$42 billion BEAD program.

Returning to the massive conference reminded him of the days when he and his father would attend trade shows to sell business management software and pitch the need for PCs to those on the show floor. But it also offered a glimpse into the realities of the many supply chain, AI, spectrum and privacy issues Davidson and his agency have been tasked with examining.

During a panel introduction Saturday, he told the Las Vegas crowd that the United States is in desperate need of a federal privacy law and NTIA has some recommendations as for what should be included in such a framework.

“It is a problem that today far too many Americans lack baseline protections for their sensitive personal information, and a national standard is a much better way to operate than a patchwork of state laws,” Davidson said. “We have some ideas about what those protection might entail. High on our list... is thinking about how we can increase and enhance our vigilance at the intersection of privacy and civil rights.” The agency has already begun researching how privacy and security harms are felt by marginalized communities and will soon be kicking off a request for comment on related issues. The eventual goal is to release a report examining these problems

and offering recommendations on solutions.

It is also charting a path forward for the \$1.5 billion Wireless Innovation Fund, a grant program designed to drive wireless innovation, foster competition and strengthen U.S. supply chain resilience. Davidson said the plan now is to start awarding grants from the fund to help spur the growth of Open RAN networks in 2023 and the wheels are already in motion to make that happen. NTIA released a request for comment in December with asks like how NTIA can ensure the funding complements public and private sector initiatives and what are the chief challenges to the adoption and deployment of Open RAN networks. Those are due Jan. 27, and the agency has scheduled a listening session for Jan. 24 at 10am ET on the issue.

Over time, NTIA will release a series of funding notices looking at different areas of the wireless supply chain and ways to promote U.S. leadership and innovation in the space to give operators and providers more options for where to shop domestically when they need equipment.

“We want there to be people at CES in the future selling open interoperable wireless network equipment because we know that’s one of the strengths here in the United States and in other countries,” NTIA Senior Advisor *Philip Murphy* said. “If we can find ways to make spectrum more accessible, if we can find ways to make this equipment, these markets more competitive... I think we see a huge amount of potential, particularly here in the United States, to unlock all of the skills that we have.”

The conversation around strengthening the domestic supply



## Who Deserves to Rank Among Cablefax’s Annual Top Power Players?

The Cablefax 100 salutes the most influential executives whose leadership continues to take the industry to new heights. We will rank the top professionals in the media, cable & broadband industry and publish the list in the June edition of Cablefax: The Magazine.

**It’s free to enter — but you must submit your entries by Jan. 21!**



Nominate at [www.Cablefax100.com](http://www.Cablefax100.com) | Questions: Kate Schaeffer at [kschaeffer@accessintel.com](mailto:kschaeffer@accessintel.com)

chain isn't a new one, but has grown with the impacts of the pandemic and the introduction of programs like the FCC's rip and replace initiative, which is centered on removing equipment from untrusted providers from U.S. communications networks and subsidizing the replacement of it for network operators. The delay in a successful vote for a House Speaker disrupted the CES schedule, leading to the cancellation of a Saturday panel with Reps. Yvette Clarke (D-NY) and Jay Obernolte (R-FL) that would have given attendees a glimpse into legislative priorities for the 118th Congress. Had they been able to make it, they surely would have fielded questions about the rip and replace program's future. Congress has already appropriated \$1.9 billion to the Commission for the effort and the agency has begun awarding funds, but the applications submitted indicate a need of as much as \$5.6 billion in reimbursements.

While providers wait to see if the funds will come, they'll need to start looking ahead to the future of their WiFi networks. There's still runway with WiFi 6 (Netgear had three products—a router, access point and mesh system—on the show floor that won CES Innovation Awards), but it is officially the time to start talking about WiFi 7. TP-LINK was awarded two CES Innovation Awards for its WiFi 7 offerings, a gaming router and a whole home mesh system, and software companies are also gearing up for the next step forward in home networking.

Qualcomm Senior Director Leslie Barnes described WiFi 7 as faster and more adaptive than previous generations, setting itself further apart by permitting 320 MHz-wide channels. That allows for a much higher throughput and more efficient use of spectrum. Qualcomm's latest product is a WiFi 7 immersive

home platform, and it promises peak speeds of up to 20.7 Gbps as well as low latency.

"This will enable current and future use cases potentially in all different areas including real-time gaming, high resolution video, extended reality and the next generation of broadband access. This massive throughput is also going to support the proliferation of the Internet of Things," Barnes said.

SCOTUS SAYS NO TO MAINE CASE

The U.S. Supreme Court on Monday declined to review a Maine law that requires cable operators to pro rate cable bills if service is terminated three or more days prior to the end of the billing period. Charter filed the petition, arguing that the Cable Act prohibits state and local rate regulation of cable systems that are subject to effective competition. Maine Attorney General Aaron Frey's stance was that the law doesn't dictate the rates that cable companies may charge for service, but rather governs what must happen upon service cancellation, when those charges have ceased. The First Circuit Court of Appeals upheld the statute last year. SCOTUS included the case on its certiorari denied list Monday, which doesn't necessarily mean that it agrees with the lower court, just that fewer than four justices determined the ruling warranted review. Charter declined to comment on the decision.

ON THE HILL

With 15 times the charm, the U.S. House has a Speaker. Now what? Hopefully, C-SPAN will continue to benefit from all the love notes. But there's also concerns over what concessions Kevin McCarthy made to get the seat and whether they could lead to a GOP debt ceiling standoff. New Street Research analysts believe the most likely outcome is a compromise in which prior

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spending commitments are reversed, but they believe broadband funds are probably OK. “Most of the funds will be spent on deployment in rural, heavily Republican areas. It has been a long time since a critical mass of Republicans cite the need to be fiscally conservative to oppose funding in such areas,” they wrote in a note to clients. “The funds for affordability, both in terms of the Affordable Connectivity Program and the digital inclusion efforts, also serve rural areas and are likely to be too small to be on the chopping block.” Meanwhile, the firm predicts **FCC** nominee *Gigi Sohn* is likely to have a **Senate Commerce** committee hearing in January, with a Senate vote shortly thereafter. “It will be close, but we think the odds today favor confirmation,” the analysts said, projecting a vote in February or March. Approval of a fifth commissioner would allow the FCC to move forward on a return to Title II regulation for broadband.

### S&P SAYS CABLE SHOULD BE OK IN RECESSION

While ratings trends across the U.S. telecom/cable sector will likely skew negative this year, **S&P** believes actions will be concentrated among lower-rated issuers with limited scale and pricing power where weaker macroeconomic conditions and rising interest rates will have the greatest impact. “We believe the industry is well-positioned to withstand current inflationary pressures and a shallow recession in 2023 since consumers will continue to prioritize connectivity and issuers have been able to pass on higher costs to customers,” credit analyst *Allyn Arden* said in a statement. S&P said in a new report that even though fiber broadband is growing revenue, higher interest costs, elevated capex, supply chain constraints and execution risk will likely result in higher leverage while capital market constraints could make it difficult to access funding.

### FUBOTV RAISING PRICES FOR ALL PLANS, RSNS

**FuboTV** notified customers that it is raising the prices of all plans and increasing its RSN fee as it prepares to make **Bally Sports** channels available as part of its lineup. Those subscribing to the Pro and Elite plans will see prices increase \$5/month to \$74.99/month and \$84.99/month, respectively. The local RSN fee differs based on the customer location and the number of RSNS they receive. Customers in areas receiving one RSN will pay an additional \$10.99/month while those with access to two or more will be subject to a fee of \$13.99/month. Additionally, Fubo’s Ultimate base plan is being discontinued for new, existing and returning subscribers. The price increase will go into effect on Feb.6 for existing subscribers, but the vMVPD has not yet given a date for when the Bally Sports RSNS will be added to its channel lineups.

### RETRANS ROLL CALL

**DISH** has something new in common with rival **DirectTV**. Both have lost broadcast stations owned by **Mission Broadcasting** and **White Knight**. While DirectTV has been without the local stations since October, DISH lost the stations in 28 markets Friday evening. Both stations groups are operated by Nexstar. DISH is also without **Cox Media** stations, which it lost Nov. 28 after the two couldn’t agree to new retransmission consent terms.

### PROGRAMMERS SET FOCUS ON CURRENCY

As companies search for streamlined measurement solutions amid **Nielsen scrutiny**, the advanced advertising ratings company **OpenAP** is joining forces with the programmers **Fox, NBCUniversal, Paramount, TelevisaUnivision** and **Warner Bros. Discovery**, as well as the **VAB**, to establish the Joint Industry Committee (JIC). Officially unveiled Monday, the committee’s goal is to enable multiple currencies and create a measurement certification process in order to ensure the sustainability of new cross-platform measurement solutions ahead of the 2024 upfront season. The group will fund key data initiatives that’ll help create a programmer data set for third-party vendors with OpenAP infrastructure, use a third-party audit firm to verify streaming viewership and work with the VAB and the **Association of National Advertisers** to accelerate progress. The JIC has already started to create standards for measurement certification, which will be finalized and announced March 1, and it’ll also host an event to highlight the progress being made toward a multi-currency future and the upfront readiness of measurement partners on April 25.

### CARRIAGE

**Great American Family** and **Great American Living** are seeing benefits after being upped by **Mediacom** to the provider’s Variety TV Pack. That helps Great American Family currently reach 48.88 million subscribers, according to **Nielsen**, and also boosted the network achieve 9% subscriber growth from December to January, the largest month-over-month growth among cable nets.

### VERIZON OFFERS PELOTON DEAL

**Verizon** is allowing customers who are new Peloton members to sign up and receive four months of the Peloton app if they join through the beta of Verizon’s new subscription hub **+play**. Customers who sign up will have access to live and on-demand fitness classes that don’t require Peloton equipment. The deal will be available through Jan. 30.

### PROGRAMMING

“Seeking Brother Husband” is set to arrive on **TLC** this March. The show will follow four polyandrous relationships and the dynamic of adding an additional husband to a family. – *Greg Berlanti* signed a new overall deal with **Warner Bros. Television Group** on Monday, keeping Berlanti’s production company Berlanti Productions with Warner Bros. until 2027. Berlanti will continue to help develop new programming for all platforms including **HBO Max** and other external streaming services.

### PEOPLE

**Netflix** named *Jeffrey Karbowski* VP, Chief Accounting Officer, effective Feb. 13. Karbowski served in various roles at **PayPal** since May 2013, most recently as VP, Chief Accounting Officer. Per an **SEC** filing, he will receive an annual base salary of \$2,000,000, a one-time signing bonus of \$400,000 and a \$1,000,000 annual stock option allowance pursuant to the Company’s stock option program. – The crime network **Law&Crime** appointed *Eileen Holliday* as VP of Social and Digital Content and *Matt Zarrell* as Executive Editor of [LawAndCrime.com](http://LawAndCrime.com). Holliday was previously at *The New York Post*, while Zarrell spent time at **ABC News**’ digital desk.