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WHAT THE INDUSTRY READS FIRST

Plan B? FCC Gears Up to Release ACP Wind Down Guidance

The warning cries about the Affordable Connectivity Program are getting louder, with the **FCC** acknowledging Monday that it will have to begin to prepare for the program's potential expiration. With earnings calls coming later this month, expect broadband providers to be asked about what sort of impact the loss of the program could mean to their broadband subscriber counts and bottom lines.

While the *Biden* administration has requested Congress commit an additional \$6 billion to keep the program going, there's no immediate sign of such funding. The FCC announced late Monday that it expects to begin taking steps to start winding down the program this week to give providers, households and other stakeholders sufficient time to prepare. At the same time, the FCC and others will continue to push for additional funding.

"Millions of Americans could be at risk of losing access to affordable internet—jeopardizing their employment, ability to pursue educational opportunities, access to health care services and so much more. We cannot and will not let that happen," Sen. *Richard Blumenthal* (D-CT) wrote in a Sunday op/ed for the [Hartford Courant](#). He noted ACP currently helps 180,728 low-income families in Connecticut alone, providing a monthly discount of \$30 off their internet bills and a one-time \$100 voucher for a laptop, desktop or tablet.

The FCC expects funding to last through April, running out completely in May. Some 1,700 ISPs would be impacted by the termination of the program. The FCC said ACP's elimina-

Just The FAX

- ✓ The Affordable Connectivity Program (ACP) is the successor of the Emergency Broadband Benefit program, an emergency pandemic relief effort signed into law under President Trump. ACP launched on Dec. 31, 2021.
- ✓ The Bipartisan Infrastructure Act allocated \$14 billion to ACP to provide qualified low-income households with a discount of up to \$30 per month toward internet service for eligible households and up to \$75 per month for households on qualifying Tribal lands.
- ✓ Mobile broadband accounts for approximately 54% of ACP enrollments (12.1 million), while fixed broadband represents almost 45% (9.91 million). Fixed wireless or satellite accounts for 181,071 (0.9%) of current enrollments, according to USAC data.

tion could also undermine the \$42.5 billion BEAD program.

The FCC didn't provide particulars, but said it will offer ACP providers guidance on the timing and requirements for notifying participating households about the projected end. To avoid consumer confusion and minimize the risk of consumer bill shock, providers must give consumers specific, frequent notice about the projected end of the program and their ACP discount, and how that will impact their internet bill," the Commission said.



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The agency also will announce a date for stopping enrollment of new households as well as a projected end date for the program.

On Monday, the **National Digital Inclusion Alliance**, which works with over 1,5000 affiliates in the U.S., made a plea for the FCC to address a potential winddown of the subsidy program that would include requiring ISPs to inform participants of the program's end 90, 60 and 30 days prior to its end. It joined the **ACLU** in calling for the FCC to promptly issue guidance to ISPs about how to handle the program's expiration.

Many watchers feel pessimistic about ACP's chances of getting more money from this divided Congress. Adding to those concerns is the fact GOP leaders are questioning how the FCC has managed the program and citing "wasteful discrepancies" given that most of the homes signed up under ACP had broadband prior to enrolling. Sens. *John Thune* (R-SD) and *Ted Cruz* (R-TX) as well as Rep *Cathy McMorris Rodgers* (R-WA) and *Bob Latta* (R-OH) requested that FCC Chairwoman *Jessica Rosenworcel* respond by Jan. 5 to various questions, including a list of efforts by the FCC to target ACP funds to households that previously lacked broadband subscriptions.

New Street Research believes the odds favor Congress doing nothing and funds running out in 2Q24. "Investors should expect that there will soon be FCC guidance to ISPs on how to inform customers of coming price increases (due to the loss of the subsidy). Bipartisan legislation will likely be introduced to keep the program funded, but if not, there will be pressure for ISPs to foot the bill. We will be watching reactions to see if we should revise our current assessment," said a Monday research note. Given the narrowness of the Republican margin in the House, New Street notes that an ACP bill with any GOP support would likely pass—but it doesn't think current House leadership will allow a standalone ACP bill to reach the floor for a vote.

Ending ACP enrollments will also mean that the more than 240 outreach grant awardees across the country will need to wind down their grant-funded ACP outreach. NDIA, which has a series of YouTube [videos](#) showcasing the impact of ACP, has suggested the FCC instruct outreach grantees to transition their ACP outreach to guiding community members' transition to an affordable broadband plan. In March, the FCC selected 197 applicants to receive money from its \$66 million ACP grant program for driving awareness and enrollment in the initiative. Recipients include various cities, universities and organizations such as United Way of Greater Cincinnati and UnidosUS.

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TCA RIDES AGAIN

We had to wonder if last year's Hollywood strikes would prevent **CTAM** from hosting sessions during the **Television Critics Association's** Winter Tour, but word came Monday that the cable/

streaming press days are on for Feb 5-7 at the Langham Hotel in Pasadena, CA. Of course, schedules can change, but it looks like **Apple TV+** will be up first. Other programmers currently slated to participate include **AMC Networks**, **BET+**, **Hallmark Media** and **Lifetime**. Unfamiliar with the TCA tour? More than 200 professional journalists who cover television for publications across the United States and Canada are part of the association. Twice a year, usually in January/February and again in July/August, programmers send talent and execs to Pasadena (or Beverly Hills) for nonstop media madness to promote upcoming premieres. The tour generates roughly 40,000 stories during each two-week span, with approximate 45,000 more stories from the tour banked and released in the subsequent months, according to TCA. Broadcasters (and their associate cable nets and streamers) present later on the tour. Disney's expected to take three days, beginning with **Nat Geo** on Feb. 8, followed by **FX** and **ABC**. Writers will get a reprieve on Feb 11 because of the Super Bowl. The tour picks back up with **PBS**, **Warner Bros. Discovery**, **NBCU/Peacock** and **The CW** Feb 12-15.

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LIGHTSHED: CABLE PROVIDERS FACE TURBULENT 2024

This will be the first year the cable industry's consumer broadband base contracts, according to **LightShed Partners'** 2024 predictions. The firm is basing that prediction on macroeconomic trends that would indicate the broadband market is maturing and that many households that were on DSL have already made the switch over to cable's newer, and more profitable, products. With fiber and fixed wireless competitors also applying pressure, LightShed isn't sure that cable can find a way to grow. "We believe **Charter** can muster some broadband subscriber growth in 2024. But we do not expect it to top 100K, half the consensus estimate," it said in a note to clients. "That amount of 'growth' will not be enough to offset our expectation of subscriber losses at both **Comcast** and **Altice**." LightShed did recommend keeping a close eye on **AT&T** as it ramps up its fixed wireless offering over the next 12 months. On the programming side of the business, LightShed believes that this will be the year that **Paramount** determines that its own venture into streaming has not been worth the trouble. The firm believes **Paramount+** hurts both the company's balance sheet and its relationships with MVPD partners. "We suspect upcoming renewals with Charter and **DISH** in 2024 will make it clear to Paramount that they will not be able to offer a wide array of content that was previously exclusive to the multichannel bundle as part of Paramount+," Lightshed said. "Paramount will be faced with two choices: (1) one or more major carriage drops or (2) having to include Paramount+ at no extra cost to MVPDs/vMVPDs."

TIVO UNVEILS PRODUCT FOR BROADBAND-ONLY SUBS

TiVo is launching a streaming solution specifically built for service providers to offer to their broadband-only customers. Dubbed TiVo Broadband, the product allows end-users to access a wide portfolio of streaming platforms as well as **TiVo+**, which includes content from more than 800 FAST channels. TiVo Broadband will be available across a range of devices, but service providers wanting to offer it in a managed environment should look to Evolution Digital's EVO FORCE 1 and FUSE 4K stick.

LUMEN TAKES HUGE LEAP FORWARD WITH WIFI 7

Lumen has officially received WiFi 7 certifications for two wireless devices, making it the first in the industry to achieve the certification with its custom-developed solution. The W1700K is a desk- or wall-mountable device that covers 90% of homes with higher data capacity than WiFi 6 or 6E, and the W1701K is a fully compliant wall plug-in device that extends WiFi 7 coverage throughout larger areas of homes and businesses. Lumen installed its first customer WiFi 7 device in its Quantum Fiber network in December, and WiFi 7 will become available to new Quantum Fiber customers later this month. The Wi-Fi Alliance awarded the certifications to Lumen's devices.

'SUCCESION' LEADS PROGRAMS AT GOLDEN GLOBES

It wasn't the smoothest show and some of the jokes are still waiting to land, but the **Golden Globe Awards** went on Sunday evening. It was the year of "Oppenheimer" and "Barbie," which won five and two categories, respectively, but **HBO/Max's** "Succession" led programs with four wins. That was good for HBO/Max to finish second among networks or platforms, trailing only **Netflix's** five thanks to three awards from "Beef" and one each from "The Crown" and "Ricky Gervais: Armageddon." **FX's** "The Bear" took home three awards across Best Performance by a Female Actor in a Television Series—Musical or Comedy (*Ayo Edebiri*), Best Performance by a Male Actor in a Television Series—Musical or Comedy (*Jeremy White*) and Best Television Series—Musical or Comedy.

NBCU UPGRADES ONE PLATFORM

NBCUniversal announced a full-scale launch of the One Platform Total Audience, AI-powered planning and activation technology that provides brands with unduplicated reach via a single media buy across linear and streaming. The technology uses NBCU's first-party data along with advertisers' data sets to provide better transparency in delivery. The One Platform Total Audience has already sold out across all major categories for 1Q24, leading NBCU to expand access in 2Q24. NBCU will also transact 50% of its business on strategic audiences in 2024.

INSCAPE UPS LOCAL DATA GAME

Inscape, a provider of currency-grade smart TV data for **VIZIO** TVs, unveiled new tuner technology that'll expand coverage of local stations by utilizing the tuners built into smart TVs in every local market in the U.S. The technology will give local TV stations a data source for OTA viewership in a similar fashion as national stations. Inscape will allow for additional data points to be collected directly from built-in tuners to add to exposure signals for smaller markets. That'll help with optimizing local ad spend, enhancing first-party data to help with content strategy and analyzing audiences. The tuner data will be made available to clients starting this month.

RATINGS

It was a year of new beginnings for **Warner Bros. Discovery's** cable portfolio, having notched 20 of the 25 highest-rated freshman series and recording over 40 nights of a 40% share of primetime cable viewing among adults. **TNT** saw 14% YOY growth for the A25-54 category to help it maintain its spot as the top entertainment cable network in prime across A25-54, A18-49 and A18-34. As for its **NBA** coverage, viewership is up 13% among A25-54 so far this season, and its **NHL** coverage is up 54% in that same category. **TLC** made it two years in a row as the top ad-supported primetime cable network without sports among A25-54. The network was the top primetime cable network among W25-54, W18-49 and W18-34. **TBS** checked in as the No. 2 entertainment network in prime among A25-54, A18-49 and A18-34, while **Discovery Channel** was the top non-news/sports cable network in M25-54 and M18-49. Other highlights include **Food Network** clinching a spot as a top-10 cable network in A25-54 every night of the week, **HGTV** ranking as a top-10 non-news/sports network for A25-54 and W25-54 every night of the week in prime and **Adult Swim** finishing 2023 as a top-5 network among A18-34 and A18-49.

PEOPLE

Ritter Communications is upping *Heath Simpson* to CEO, effective Jan. 31. He came to the provider in March 2020 to serve as CFO after more than 20 years in financial and operational roles at companies including **AT&T** and **Frontier**. He was elevated to President/COO in late 2022 to extend his oversight to IT, project management, customer experience, field operations and HR. He'll succeed *Alan Morse*, who will remain with the company as Executive Chairman, retaining his seat on the board and serving in an advisory capacity. – **Comcast** named *Chris Winton* SVP, HR of its Central Division. He comes to the MSO after a 25-year career at **FedEx** that culminated in him serving as Chief People Officer. – **Sinclair** is bringing on *Patrick McFadden* as its SVP, Global Public Policy and Communications. He'll head the broadcaster's development and implementation of a legislative and regulatory strategy. He joins after 10 years at **NAB** where he most recently served as SVP/Deputy General Counsel.