

QUOTABLE

“We took this right to the end. It was our intended goal, it was my intended goal, to try to figure out a way to keep Victory+ financially solvent and in this space. But at the end of the day, the financial mismanagement and damage that had been done to APMC and Victory was too much to overcome. We couldn’t do it.” - *Dallas Stars President/CEO Brad Alberts on Victory+ shutting down*

POLE ATTACHMENT TURF WAR

Another day, another pole attachment complaint. This time Washington-based ISP **Wired or Wireless, Inc. (WOW)** and energy company **Avista Corp.** are at war, not just over the attachment conditions, but on whether the **FCC** has any jurisdiction in their dispute.

Late last week, WOW challenged Avista’s rates and how it counts attachments in northern Idaho, along with its sign-off requirements before WOW can lash new cables onto existing lines. It also pointed to a history of ordering WOW to stop fieldwork outright when invoices are in dispute. The FCC Enforcement Bureau issued a notice on Tuesday setting scheduling procedures for the complaint, with Avista ordered to file an answer to the complaint by Sept. 30.

The energy company is trying to stop the proceeding, filing a motion made public Thursday that calls for the Bureau to suspend current complaint deadlines. It claims the FCC lacks jurisdiction of the rates, terms and conditions or access to poles, ducts, conduits and rights-of-way for pole attachments in any case where such matters are regulated by a state. In other words, it believes this is a matter for the **Idaho Public Utilities Commission**.

“WOW appears to argue that the Idaho PUC does not ‘really’ regulate pole attachments because the Idaho PUC dismissed its 2025 complaint against Avista, which was premised on many of the same allegations included in WOW’s instant complaint,” Avista said in its motion.

Jurisdiction is tackled in WOW’s complaint, with the provider invoking an FCC rule that returns jurisdiction to the FCC if a state doesn’t act within 180 days. That’s something Avista intends to dispute, arguing that the rule allows a state to render a decision beyond that timeframe if the prescribed period does not extend beyond 360 days after the complaint’s filing. It gets a little complicated because WOW already took this fight to the Idaho PUC, which dismissed it—194 days after filing—for lack of jurisdiction. The catch: Idaho had amended its law effective July 1, 2025, to cover telecom and broadband pole disputes, but the PUC ruled that change didn’t reach back to cover conduct that predated it. Avista counters that WOW isn’t just fighting old battles: its complaint also targets Avista’s current rates and policies, which fall under Idaho’s present-day jurisdiction

It’s the latest example of ongoing friction between broadband providers and utilities over poles, with BEAD construction deadlines and other buildout requirements only exacerbating the conflict. **Comcast** and **Appalachian Power Company** have been in a protracted battle, with the cable operator filing a complaint in July, claiming APCo isn’t complying with a Feb. 5 Commission order that found that when a utility-owned pole has pre-existing safety violations or repair requirements, it can’t charge a broadband provider the full cost of replacement.

The FCC Enforcement Bureau is also currently considering a pole attachment complaint CoxCom has filed against **Oklahoma Gas & Electric Company**. While Charter acquired CoxCom's parent Cox Communications on Aug. 19, Cox has said the merger doesn't change anything for the pending complaint: CoxCom remains a distinct entity and keeps all its existing contracts and legal obligations intact. The fight is currently bogged down in a discovery dispute. Cox is claiming OG&E's poles are taller than the average—which matters when it comes to applying the pole attachment rate formula. It's asking the FCC to force the utility to share pole-height and cost data, claiming its own field data shows that of the nearly 2,900 poles it applied to attach to in 2025, 238 existing OG&E poles had to be replaced and those replacements averaged more than three feet taller than the poles they replaced.

While the particulars of the disputes are all different, a pattern is emerging: attachers are increasingly turning to the FCC to referee pole fights, with some—like WOW and Comcast—routing through the agency's Rapid Broadband Assessment Team, created to resolve these disputes fast. With BEAD deadlines looming, expect these FCC referees to only grow busier.

MORE BEAD BIDDING TO COME

NTIA announced Thursday that states and territories can use a portion of their BEAD savings toward unserved locations that were identified after their final proposals were submitted. Everyone has been [waiting](#) for the agency to issue guidance for the estimated \$21 billion in BEAD non-deployment funds up for grabs after reforms to the program. The announcement for how the first portion of that savings can be used came while NTIA Administrator *Arielle Roth* was visiting broadband providers and lawmakers in Alaska Thursday. The 49th State has 5,000+ locations that could now be eligible for funding under BEAD, according to NTIA. "Thanks to [Commerce] Secretary [Howard] *Lutnick's* Benefit of the Bargain reforms, NTIA achieved \$21 billion in savings, which we can now use to address newly identified locations that may lack service. Through this targeted use of funding, we are ensuring that we close the digital divide once and for all while also protecting taxpayer dollars," Roth said. The money from BEAD savings can go toward providing service to locations that were not previously included in the **FCC's** broadband map or other areas that became eligible as a result of defaults or changes in previous federal and state broadband programs. The **Fiber Broadband Association** voiced support for a clean-up round, adding—not surprisingly—that fiber should be prioritized. "We also look forward to reviewing the additional components of NTIA's approach as they are announced and ensuring every available dollar delivers meaningful and lasting connectivity," FBA added.

TDS BACKS OUT OF ARRAY ACQUISITION

A deal that would've seen **TDS** snatch up all of **Array Digital Infrastructure's** outstanding common shares has fallen through. This week, TDS announced it's no longer pursuing the deal and withdrew the proposal it first unveiled in early May. "While we remain confident that the combination presents substantial benefits, we no longer believe that now is the right time to complete such a transaction," said TDS President/CEO *Walter Carlson*, who added that the two companies failed to agree on the form of consideration and value. TDS will maintain its 82% ownership stake in Array, which owns and operates shared wireless communications infrastructure throughout the U.S. and holds more than 4,400 cell towers. Both companies said they'll go back to

CFX Daily (ISSN 1069-6644)
is published daily by Access
Intelligence, LLC.
cablefax.com

EDITORIAL

Editor

Noah Ziegler, 301.354.1704,
nziegler@accessintel.com

Senior Editor

John Saavedra, 908.477.1758
jsaavedra@accessintel.com

Editorial Director

Amy Maclean, 301.354.1760,
amaclean@accessintel.com

Editorial Director, Ad Tech & Convergent Media

Sarah Sluis, 212.621.4706,
ssluis@accessintel.com

ADVERTISING/BUSINESS

Chief Revenue Officer

Dave Colford,
dcolford@accessintel.com

VP Ad Tech/Convergent Media

Gordon Plutsky,
gplutsky@accessintel.com

Advertising and Sponsorship

Vernesa Merdanovic,
vmerdanovic@accessintel.com

MARKETING

Senior Marketing Director

Jessica Dombrowski,
jdombrowski@accessintel.com

PRODUCTION/CLIENT SERVICES

Sr Production Manager:

Joann Fato,
jfato@accessintel.com

Group Subs: Vernesa Merdanovic,
vmerdanovic@accessintel.com

Subscription Questions:

Client Services: 301.354.2101,
clientservices@accessintel.com |
Annual subscription price:
\$1,999.00/yr

Access Intelligence, LLC,

9211 Corporate Blvd., 4th Floor,
Rockville, MD 20850

normal operations, but TDS reiterated its support for Array's intention to monetize its remaining wireless spectrum assets. TDS also anticipates restarting repurchases of TDS common shares under previously announced share repurchase programs, including a \$500 million authorization made last November.

WOW! TRANSITIONS VIDEO CUSTOMERS TO YOUTUBE TV

WOW! TV service will be discontinued in Florida on or after Nov. 13. The operator is transitioning residential cable customers in the Sunshine State to **YouTube TV** this fall, with other markets following suit throughout 2027. Current TV customers with internet service who make the switch will receive a \$15/month discount for one year. Business and MDU customers with group rate agreements will not be impacted by this change. **WOW!** has been offering new customers the **Google**-owned vMVPD as its live TV offering since 2023 and transitioned customers who were on its tv+ streaming platform earlier this year. The operator sees the move as part of its broadband-first strategy and a way to free up spectrum on its networks for faster download and upload speeds, while also addressing the costs of TV content and evolving viewer behavior. **WOW!** isn't the only ISP bundling vMVPD service for video customers—**Cogeco's Breezline** [recently](#) cut a deal to offer **DirectTV** packages as an alternative to its own Stream TV product.

DAZN'S LATEST MAGIC TRICK

We can't go a day without **DAZN** being named a professional franchise's new DTC home. Thursday's winner is the **NBA's** Orlando Magic, who will use DAZN to house all non-nationally televised games and other team-related programming. A monthly subscription will be available for \$19.99 or fans could get a season pass for \$119.99, following a free seven-day trial. However, folks can also subscribe to monthly or season-long "Ultimate" options for \$24.99/month and \$139.99/season, respectively, where they'll receive a one-time 20% discount to the Magic's online team shop. Ultimate users will be able to use more concurrent streams per account, as well as access to alternate feeds, camera angles and multiview capabilities. The Magic already ironed out an OTA deal with **Cox Media Group** [earlier this month](#).

LEADERSHIP DEVELOPMENT WEEK SET FOR OCTOBER

This year's **Leadership Development Week** kicks off at the New York Hilton Midtown with the 2026 **NAMIC** Next Leadership & Impact Experience on Oct. 5. The NAMIC Next gathering will bring together execs, rising leaders and changemakers across media, entertainment, technology and sports to build relationships and discuss this moment of rapid change in the industry. The opening keynote will be delivered by musician and author *Freddie Ravel*. Also speaking are *Albert Cheng*, Head of AI Studios at **Amazon MGM Studios**, and *Rita Ferro*, President of Global Advertising at **Disney**. It's also when NAMIC will host its awards luncheon. Then **The WICT Network** takes the stage on Oct. 6-7 for its annual Leadership Conference, the first led by the association's new President/CEO *Tracy Pitcher*, who will sit down for a candid conversation about her months at the helm and what she sees ahead for the organization. The two-day conference also includes the annual Touchstone Awards luncheon, featuring speakers from **Comcast**, **Warner Bros. Discovery**, **Versant** and **Amazon Web Services**. Capping the week will be the **NCTA Education Foundation's** annual Kaitz Event fundraiser at Gustavino's NYC on Oct. 7 at 6pm.

DOING GOOD

Comcast released its annual Impact Report showing how it's giving back to the communities it serves across the country. Over the last five years, the operator invested over \$200 billion to expand broadband, support U.S. jobs and innovation, including through Project UP, a \$1 billion initiative to connect people to the internet and create digital opportunity. In 2025, Project UP invested \$440 million in communities and Comcast also awarded \$2.5 million to two nonprofits working to expand digital access in rural areas. Its America 250 fundraising campaigns provided over \$15 million to orgs commemorating the milestone. Orgs supporting the military and veteran communities have also received \$41 million in donations from the operator since 2023. Over 27,000 Comcast employees have participated in volunteerism, adding up to 253,000+ total service hours. The operator also noted that it's made significant progress in reducing its environmental footprint, including a 55% reduction in the electricity consumed per terabyte of data delivered across its network.

EDITOR'S NOTE

Team **CFX** is getting a head start on Labor Day weekend. Your next issue of **CFX Daily** will arrive Tuesday, Sept. 8.

PROGRAMMER'S PAGE

HGTV TRAVELS BACK TO THE '90S

HGTV's new home renovation competition show "Totally '90s House" delivers on its title. Airing now on the cable net and streaming on **HBO Max**, it takes viewers back to a time of honey oak cabinets, sponge-painted walls, curved staircases and mirrored closets, as two teams of '90s TV stars compete to modernize houses (delightfully) stuck in the past.

"The '90s are having such an incredible cultural resurgence right now—in fashion, music, television and even design—so there was something immediately fun and timely about looking at that decade through an HGTV lens," *Howard Lee*, CCO, U.S. Networks at **Warner Bros. Discovery**, told **CFX**. "Totally '90s House gives us an opportunity to tap into that nostalgia while still delivering what our audience comes to HGTV for: great homes, big transformations, and inspiring design."

The show, hosted by *Jaleel White* ("Family Matters") features *Brian Austin Green* ("Beverly Hills, 90210"), *Beverley Mitchell* ("7th Heaven"), *Jodie Sweetin* ("Full House"), *Melissa Joan Hart* ("Sabrina the Teenage Witch"), *Keshia Knight Pulliam* ("The Cosby Show") *Matthew Lawrence* ("Boy Meets World") and his brother *Joey* ("Blossom"), with the winners earning \$25,000 for their chosen charity. But the stars are there not only here to get their hands dirty but also to "celebrate the decade," according to Lee. "There's an authenticity to that that you just can't manufacture. And at the heart of it all, we're still telling great home and design stories—just with a very fun, nostalgic twist."

You would think *Totally '90s House* is meant to specifically appeal to the Millennials in the room who were there for the wood panelling, heavy beige carpets, bulky entertainment centers and tacky wallpaper, but Gen Zers are totally into the '90s too, even if they don't know their fashion, music taste and love of analog gadgets hail from the older generation. "One of the things we love most about this series is that the nostalgia really does cross generations," Lee said. "Someone may initially come to the show because they love *Jaleel White* or *Melissa Joan Hart*, because they're fascinated by '90s style, or simply because they love seeing an incredible before-and-after transformation. Once they're there, they get all of those things together."

While the '90s may be the focus right now, HGTV is open to exploring other decades in the future. "Every decade has its own design language — some elements we still love and others we're probably happy to leave behind!" Lee said. "What's interesting creatively is figuring out what deserves another look. Great design is often cyclical, and we continually see colors, materials, furniture and architectural details from earlier eras being rediscovered and reinterpreted for today...If viewers have as much fun watching [*Totally '90s House*] as we had making it, there are plenty of places we could potentially go from here." — *John Saavedra*

REVIEWS

"The Bombing of Pan Am 103," **Netflix**. You'd have a plausible argument if you stipulated there's little need for another TV series examining the downing of Pan Am 103, the international flight that began in Munich, stopped in London and was en route to New York when it suddenly went down over the Scottish town of Lockerbie, on Dec. 21, 1988, killing all 270 passengers and crew aboard the Boeing 747. There've been several excellent TV films, documentaries and series on one of the deadliest terrorist attacks in European history. Still, this miniseries is an excellent way to introduce or remind viewers of the story. Several caveats: this is a procedural and focuses on the investigation of the disaster. As such, it attempts to portray the drudgery of investigating: the phone calls, the leads, the hours spent categorizing myriad pieces of debris. Still, it's a very watchable look at how investigators from various countries collaborated, sometimes reluctantly, to determine the cause of the crash, how it happened and who did it. Though the international cast is strong, two of its finest and most recognizable, *Eddie Marsan* and *Merritt Wever*, seem badly miscast. — "Reacher," Season 4, **Prime Video**. No great acting here, though "Reacher" fans come mostly for the fights and *Allan Ritchson* (Reacher). They won't be disappointed. — *Seth Arenstein*