

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Hear Ye: NTIA Flooded with Comments on Spectrum, BEAD NOFO

NTIA asked the industry to chime in on what it would want to see for a national spectrum strategy, and it showed up. NTIA is hoping to identify at least 1500 MHz of spectrum to study for potential repurposing in order to meet the future requirements of federal and non-federal users. This week, lobbyists, companies and advocacy groups submitted comments to the organization, and many from the cable world asked the agency to embrace models that support shared spectrum sharing. **Comcast, Charter, Cox, NCTA, Public Knowledge** and others joined together to submit a filing that highlighted the opportunities sharing spectrum continues to offer as the amount of greenfield spectrum available in the U.S. dwindles.

“While exclusive-licensing plays a role in a balanced spectrum policy, an over-reliance on it serves the deployment decisions and business models of a small group of large, nationwide carriers,” the group said. “The innovation our country needs to make the most of spectrum moving forward will also require shared licensing and unlicensed spectrum.”

The cable representatives didn't note a preference for licensed or unlicensed when talking about spectrum sharing, saying both have unique qualities that support different use cases. Shared licenses support competitive wireless networks and open up the door for innovation while unlicensed spectrum still has a low bar for new entrants and is the backbone for

those ever-important WiFi connections.

“WiFi is a true American success story: it was developed in the United States, and U.S. companies continue to lead the charge for new and better WiFi applications and access,” they said. “New applications on the horizon, like AR and VR, will need multiple wide channels to deliver on their promise. And more spectrum available for unlicensed use will continue America's leadership in promoting laboratories of innovation where anyone can experiment and create the next new application that benefits us all.”

At the same time, NTIA is juggling ongoing criticisms of and notes on how it is running the \$42 billion BEAD program for broadband. On Thursday, Senators *John Thune* (R-SD), *Ted Cruz* (R-TX) and nine of their colleagues sent a letter to NTIA Assistant Secretary *Alan Davidson* with their concerns about the program's Notice of Funding Opportunity. Specifically, the Republican lawmakers highlighted concerns with the support given to municipal broadband networks, the threat of government-imposed rate regulation and a preference that was given to fiber-based projects.

“States, working with the broadband providers that serve their communities, should not be precluded from awarding sub-grants to alternative technologies, if doing so is the right solution for their communities,” the letter read. “In the absence of such flexibility, NTIA will fail in its mission to efficiently connect all Americans.” Their hope is that NTIA revises the NOFO or issues a completely new one to address those issues and

IT'S THAT TIME OF YEAR! NOMINATE FOR THE DIVERSITY LIST.

Help Cablefax recognize the top multi-ethnic executives based on their influence and power within the industry. Plus, nominate for Cablefax's Pride List, honoring top LGBTQ+ execs who are making their mark on the industry.

Other nominations include D&I Mentor of the Year, Public Affairs Campaign and Thrivers Under 30, the industry's rising stars under 30.

Deadline: Friday, May 12 to submit two entries for free.

www.CablefaxDiversity.com



ones related to ongoing supply chain concerns and climate change-related mandates.

The **Fiber Broadband Association** shares the group's concerns when it comes to the rate regulation issue, but it, unsurprisingly, stood up for NTIA when it came to the fiber preference. In a statement, FBA President/CEO *Gary Bolton* said a decision to deploy a "good enough" technology is a decision to leave a community behind.

"Fiber broadband has proven, in cities and towns across America to deliver unmatched economic and societal benefits, delivering a multi-generational impact that will be felt for decades to come. Every American deserves the best technology, especially when it is being paid for by their own tax dollars," he said. "We will not close the digital divide once and for all, unless we bring fiber to all the unserved and underserved locations in America."

D.C. CIRCUIT SAYS NO TO STANDARD GENERAL APPEAL

The **D.C. Circuit Court** has denied an appeal from **Standard General** that would force the **FCC** to make a decision on the company's pending merger with **TEGNA** before a financing deadline of May 22. "Petitioners have not demonstrated that respondent has unreasonably delayed in acting on their applications... Nor have they shown that respondent has a 'crystal clear' duty to rule on their applications without resort to a hearing," the court said in its order. Now it's back to a waiting game for Standard General as it waits for the purchase to be reviewed by the agency's administrative law judge. It's likely bad news for the transaction, however, as most on-lookers agree that review won't be completed before those financing the deal begin pulling back the dollars they initially committed. "While there may be various appeals and while the Administrative Law Judge proceeding is moving forward, we view the matter as largely closed, as none of those routes are likely to result in the transaction being approved before the May 22nd deadline for the financing commitments," **New Street Research's Blair Levin** said in a brief note.

DIAMOND SPORTS TO PAY TEAMS HALF OF OVERDUE PAYMENTS

Diamond Sports will pay 50% of the rights payments due to four **MLB** teams to which it owes money, the **Southern Texas Bankruptcy Court** ruled Wednesday. That ruling came after Diamond Sports was unable to reach an agreement on payments with the Office of the MLB Commissioner and

four teams during a recess in the middle of a status hearing Wednesday. What MLB and the teams—the Arizona Diamondbacks, the Cleveland Guardians, the Minnesota Twins and the Texas Rangers—wanted has been kept under wraps, but Diamond Sports said its original offer was 50%.

NEW BILL WOULD ADDRESS RIP AND REPLACE SHORTFALL

Senators *John Hickenlooper* (D-CO) and *Deb Fischer* (R-NE) introduced legislation that would directly address the funding shortfall in the **FCC's Rip and Replace** program. The **Defend Our Networks Act** would reallocate 3% of unobligated emergency COVID relief funds to the Commission's Reimbursement Program. Congress originally allocated more than \$1.9 billion to the program, which aims to subsidize the removal and replacement of equipment in carriers' networks from vendors that pose a national security threat. A total of 181 applications were submitted for the program with cost estimates reaching \$5.6 billion in gross program support.

COGECO, BREEZELINE'S ECO STEPS

Breezeline and its parent company **Cogeco Communications** published their annual ESG and Sustainability Report, detailing efforts to reduce the carbon footprint and operate in a sustainable fashion. According to the report, 25% of energy consumed by Cogeco companies is from renewable sources—a 51% increase compared to 2019. Cogeco hopes to achieve net zero emissions by 2050 and set a target to reduce emissions from employees commuting by 30% by 2030 (from 2019 levels). The report also covers topics such as Breezeline's reduction of its fleet of vehicles, its use of electric and hybrid vehicles, investments in renewable energy and transition to more energy-efficient products such as the cloud-based Stream TV. The full report can be viewed [here](#).

RATINGS

Wednesday's friendly match between the U.S. and Mexican men's soccer teams averaged a total audience delivery of 1.75 million viewers across **Telemundo**, **Universo**, **Peacock**, **TelemundoDeportes.com** and the **Telemundo** app. **Telemundo** and **Universo** averaged 1.52 million between the two and 795,000 A18-49 during the match window. The broadcast had an average minute audience of 171,000 on **Peacock** and **Telemundo's** digital platforms, helping it become the No. 1 sporting event in Spanish-language TV since the 2022 FIFA Men's World Cup.

AWARDS

The 180 participants of The WICT Network's 2023 Rising Leaders Program were revealed. The program will have three sessions: May 1-5 in Ft. Lauderdale, Florida, June 12-16 in Philadelphia and November 13-17 in San Diego. Participants will learn take part in leadership analysis and case studies, while also learning how to build and develop high-performing teams, assess diverse leadership styles and more. Companies represented in this year's program include **CommScope**, **GCI**, **Midco**, **A+E Networks** and **TV One**.

DOING GOOD

Cable One named the 12 schools and organizations that will receive financial awards as part of its "Dream Bigger" social media campaign. The company awarded \$2,500 to schools and organizations from Cable One's 24-state footprint that provide STEM education to K-12 students, totaling \$30,000 for this year's contributions. This year, Cable One received entries from more than 130 schools and organizations. It's given nearly \$120,000 since the initiative began in 2019.

PROGRAMMING

The next chapter of **ESPN's** "30 for 30" series will come as a two-part film May 30 at 8:30pm and May 31 at 9pm. "The American Gladiators Documentary" will discuss the prominent reality show and its eventual harmful impacts on the gladiators' lives. – "Reality," a film based on true events that sees an American intelligence specialist questioned for her role in mishandling classified information, debuts on **HBO** on May 29 at 10pm. It will also be available to stream on **Max**.

EDITOR'S NOTE

Cablefax is soliciting nominations for its Top Ops and Regional Rainmakers awards. It's free to enter, but you must nominate by April 28 at CablefaxTopOps.com. Categories include MSO and Independent Operator of the Year, ESG MVP, Regional or State Association of the Year and Community Builder. Honorees will be profiled in **Cablefax: The Magazine's** July issue.

CABLEFAX DASHBOARD

Twitter Hits



Research

(Source: [Nielsen's March "The Gauge" TV and Streaming Snapshot](#))

- > Total TV usage fell 4.6% YOY in March 2023. Cable was the only category in the month to gain in viewership (+0.6%) and share (+0.8%).
- > However, compared to March 2022, cable viewing was down 13.7% and the category lost 5.9 share points.
- > Across streaming platforms, Pluto TV saw the largest increase in usage at 4.6%, pushing its share to 0.8% of TV.
- > Peacock usage rose 3.1% to achieve a platform-high 1.1% of total TV usage.

Up Ahead

APRIL 26-27: [Pennsylvania Broadband Summit](#); Lancaster

APRIL 27: [Cable Hall of Fame](#); NYC

MAY 1-4: [Broadband Communities 2023 Summit](#); Houston, TX

MAY 2: [WICT Network Signature Luncheon](#); L.A.

MAY 17: [T. Howard Foundation Diversity Awards Dinner](#); NYC

Quotable

"ATSC 3.0 doesn't have a future. The broadcasting sector doesn't have a future. The Commission should redirect scarce resources toward higher value regulatory activity, and permit this legacy industry to languish beneath the weight of the regulatory load we've put on it until, at length, it expires, and we can direct the use of whatever remaining regulatory fees we may have collected toward burying it in the grave next to local newspapers. Whoops, sorry! I was reading from the draft of the public notice that the Media Bureau is about to put out regarding the ATSC 3.0 Task Force... Hey, listen, I didn't get to do a TikTok dance at the FCBA dinner like Commissioner Carr, so I'm going to have a little fun with this one, folks. You've all heard my spiel before, so I might get a little loose here. Just a little ribbing. I promise we're just joking."

– FCC Commissioner Nathan Simington jokes around while opening his speech on ATSC 3.0 at the 2023 NAB Show