

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Section 706: ISPs Once Again Battle Over Benchmarks

The **FCC** is once again looking to fulfill its Section 706 obligation through its annual Notice of Inquiry into the state of broadband deployment, and commenters chiming in earlier this week were at odds over whether to update the agency's broadband speed benchmark of 25/3 Mbps and more.

ACA Connects told the FCC to refrain from adopting any sort of long-term speed goal of 1Gbps download speed or any other arbitrarily chosen metric, warning that while it may on its face seem like a forward-looking sentiment, it could have disastrous consequences like misallocations of capital that leave consumers worse off.

"Rather than attempt to predict—or to skew—the evolution of the marketplace, the Commission should continue to keep a close eye on the evolving needs of broadband consumers and be prepared to re-assess its 100/20 Mbps benchmark if and when that becomes appropriate," ACA Connects said.

SpaceX also joined the fray of commenters, telling the FCC that more technology-neutral policies will do more to spread the availability of high-quality broadband and give consumers more options. It believes the FCC's long-term spectrum planning has previously centered on consumer demand and the applications they use, and it doesn't believe the Commission should change its approach to manage-

ment decisions now.

"Requiring operators to meet an unfounded symmetrical speed requirement when consumer applications continue to require and rely on significantly more downlink capacity may needlessly restrict innovation and stifle network investment and adoption of spectrally-efficient systems such as satellite and wireless technologies, especially where there is more spectrum available for downlink than for uplink," SpaceX said. "Because satellite and other spectrum has not been allocated symmetrically, a symmetrical speed requirement is necessarily not technology-neutral. For consumers, this translates into fewer and worse broadband options to choose from, only to meet an unproven and heretofore unnecessary symmetrical speed benchmark."

On the side of those championing a new benchmark was **INCOMPAS**, citing fundamental changes to the speeds being offered in the marketplace and the new reliance consumers have on broadband networks as a result of the COVID-19 pandemic. INCOMPAS has been calling for a benchmark shift since 2017 when it asked the Commission to set a standard for fixed broadband at 1 Gig for download speeds.

It does note that the FCC's most recent Broadband Deployment Report rejected arguments made by other arguments to increase the speed benchmark for several reasons, one of which was that Section 706's definition of advanced telecommunications capability does not suggest that "advanced" necessarily means the highest quality



Cablefax

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DECEMBER 6, 2023

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service possible.

“We agree with the Commission’s definition here; however, 1 Gig is not the highest quality service possible... multi-gig is in fact the highest quality service possible that is being offered to customers, and it is therefore reasonable for 1 Gig to qualify as ‘advanced telecommunications capability,” INCOMPAS said. “We have the ability and responsibility as Americans to go big and bold on broadband.”

The FCC has also proposed making this inquiry the first time that the Commission will use Broadband Data Collection data to evaluate broadband deployment and availability. That’s all fine and well, but **NCTA** stepped forward to condemn the NOI’s focus on pricing as inappropriate. The association agreed that adoption of broadband is a critical issue and affordability plays a role in adoption, but it doesn’t believe the language of Section 706 gives the FCC any sort of congressional directive to address the topic in an inquiry focused on broadband deployment.

“The suggestion in the NOI that service is not available in this context unless all potential customers purchase the service twists the meaning of the word ‘available’ beyond reason,” the group said. “While the Commission has reiterated that it has no interest in any kind of rate regulation, the proposal to make a traditional deployment analysis contingent on whether the Commission determines that broadband pricing is sufficiently affordable suggests that rate regulation in some form is potentially on the table.”

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DIRECTV SAYS TEGNA MILITARY PROPOSAL WAS SINCERE

While **TEGNA** dismissed **DirectTV’s** [proposal](#) to return stations for Saturday’s Army-Navy football game as a stunt, the MVPD said it was sincere. DirectTV provides programming to more than 500 facilities in the nation’s military bases, U.S. Capitol buildings, key government offices, and shore-to-ship transmissions to U.S. naval vessels. “We privately sought TEGNA’s permission to restore its signals exclusively to military and federal institutions while we continue to negotiate a new agreement, which would’ve allowed DirectTV to once again deliver the news, weather and sports, including Saturday afternoon’s annual Army-Navy game, from TEGNA’s stations. Unfortunately, TEGNA, a U.S. government-licensed broadcaster whose own mission statement is to ‘serve the greater good of our communities’, intentionally deprived our U.S. servicemen and women and other government workers by weaponizing this blackout to extract rate increases for programming that TEGNA itself promotes as available for free over-the-air or on direct to consumer services,” DirectTV said in a statement to

CFX. TEGNA said it’s concerned for all DirecTV viewers and has been trying to close a deal for months. “We are prepared to work around the clock to reach a deal and have shared an updated offer to DirecTV that can allow us to achieve that goal,” read a statement.

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YOUTUBE TV REDUCING BROADCAST DELAY

The main gripe for sports fans on vMVPDs is the broadcast delay compared to those watching on cable. Now, **YouTube TV** is trying to shrink the gap by giving users the option to reduce broadcast delay. The option is under the three-dot “More” menu on the YouTube TV interface, where users can select “Broadcast Delay” and choose between “Decrease for 48 hours” or make it the default setting. It’s not without a tradeoff though. The lower the broadcast delay, the less buffer the video will have, which means it’s more likely to lead to playback interruption. YouTube TV recommends default for minimizing playback interruptions, but decreasing for 48 hours is the best fit for minimizing live spoilers or if you want low broadcast delay with minimal interruptions.

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BAKING THINGS FAST

A baking-focused network is entering the FAST space. **Bold Baking Network**, led by popular baker *Gemma Stafford*, will arrive on platforms in 1Q24 with a 24-hour programming slate. No word on distribution deals yet, but the content lineup will feature over 800 recipes in addition to how-to shows and content from accomplished bakers. **Taste Buds Entertainment** will supply original programming for the network as well, ranging from instructional videos for beginners, master classes and out-of-the-kitchen shows.

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TNA+ READY TO RUMBLE

TNA+ is launching come January 5 thanks to a partnership between **TNA Wrestling** (formerly IMPACT Wrestling) and **Endeavor Streaming**. It’s a multi-year deal that’ll have TNA+ offer a weekly TV show as well as pay-per-view events, TNA’s full archive, original content and wrestler-curated series. TNA+ will be available online, on iOS and tvOS and platforms including **Android TV, Fire TV and Roku**.

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DOING GOOD

Verizon is donating \$100,000 to the Greater Cincinnati and Northern Kentucky African American Chamber of Commerce for

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its Digital Horizons: Bridging Ohio Communities initiative. The award will be used by the AACCC to provide exposure, access and training on technologies to underserved communities across Akron, Cincinnati, Cleveland, Columbus, Dayton and Toledo. – **Comcast** and the Mt. Hood Cable Regulatory Commission are investing \$2 million in Free Geek, a non-profit that advances economic equity through training and career building. The investment will go toward underserved communities in Multnomah County, Oregon, and connect residents with resources, devices and technological education to help with digital skills pertaining to education and work.

PROGRAMMING

Brittney Griner is partnering with **ESPN** and **Disney Entertainment Television** to tell the story of her time being detained in Russia for nearly a year. ESPN Films is creating a documentary about the controversy, while scripted series development with **ABC Signature** is also in the works. Griner will have an exclusive interview with **ABC News’ Robin Roberts**. Premiere dates and other details on the projects and interview are still to be determined. – **CNN** is hosting two Republican presidential primary debates next month in Iowa and New Hampshire. The first debate will be held Jan. 10 at Drake University in Des Moines, Iowa, with the second arriving on Jan. 21 at St. Anselm College in Goffstown, New Hampshire. To qualify for participation, candidates must receive at least 10% in three separate national and/or state polls of Republican primary voters that meet CNN’s standards for reporting. Both debates will air live on CNN networks and on **CNN Max**.

PEOPLE

Verizon is making **Leslie Berland** its new EVP/CMO effective Jan. 9. She’ll guide Verizon’s global marketing strategy and oversee all aspects including marketing activation and creative, marketing effectiveness, consumer insights, media and strategic partnerships. Berland was most recently CMO at **Peloton** and was CMO at **Twitter** (now **X**) prior to that. She’ll report to Chairman/CEO **Hans Vestberg**.

CABLEFAX DASHBOARD

Social Media Hits



Research

(Source: Parrot Analytics)

- > U.S. demand for adult animation, defined as animated programming catered towards adults and adolescents (not anime), increased 151.6% between Jan. 2020 and Oct. 2023.
- > That beats other genres. U.S. demand for crime series was up 47.5% while documentaries saw a 98% increase over the same time period.
- > Legacy titles such as “South Park” and “Rick and Morty” are consistently among the top 0.2% of series across all platforms in the U.S. and worldwide.
- > Max has the highest total demand for adult animation compared to any of the other major platforms.

Up Ahead

- JAN. 9-12:** [CES 2024](#); Las Vegas
- JAN. 16-18:** [NATPE Global](#); Miami
- FEB. 8:** [Regional Fiber Connect](#); Richmond, VA
- FEB. 25-27:** [NCTC Winter Educational Conference](#); Las Vegas

Quotable

“Kuiper, there are 400 to 500 million households across the world that have no broadband connectivity. That means they can’t do education online, they can’t do business online, they can’t shop, they can’t do entertainment. You know, enterprises have no network around them. Governments have no visibility, and so the low earth orbit satellite that we’re building with Kuiper is going to change the connectivity for all those households that just haven’t had it. It just completely changes what’s possible for them... it’s capital intensive up front, but it has a lot of the same characteristics of AWS, where if you’re willing to invest the capital up front, there’s a large market segment there that you can actually provide something that they couldn’t otherwise have. I think we can charge a low price and still make good margins where it’s a good business for us. So I am actually very bullish about that business.”

– **Amazon CEO/President Andy Jassy** talking about Project Kuiper on **CNBC’s “Mad Money”**