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WHAT THE INDUSTRY READS FIRST

Make Ready: Industry Weighs In On FCC Pole Attachment Fixes

The FCC is investigating ways to improve pole attachment issues for operators, and associations and other stakeholders told the agency earlier this week that new rules will be imperative to ensuring the success of NTIA's BEAD program and other efforts to close the digital divide.

"NCTA greatly appreciates all that the Commission has done to facilitate the ability of broadband providers to gain expedient and affordable access to utility poles. However, utility delays and refusals to cooperate in broadband deployment by agreeing to meet reasonable timelines themselves or through the help of attacher supervised qualified contractors threaten to undermine this once-in-a-lifetime opportunity to significantly advance broadband connectivity," NCTA said in its comments.

It has asked the Commission to require utilities to state whether they will be able to meet applicable timelines at the time they determine an application to be complete and before timelines expire, allowing attachers to plan and execute on critical funded broadband deployments.

ACA Connects also spoke to problems of transparency and accountability in its comments, arguing that under existing rules, attachment applicants are often left in the dark about the status of their applications. At the same time, the Commission doesn't have reliable access to "on the ground" information that could be helpful in finding solutions to holdups. To address that, ACA Connects recommended that the FCC adopt requirements that utilities

communicate with attacher applicants at regular intervals during the attachment process. It would also like to see the agency push further on compliance measures, including through the adoption of measures to ensure its rules are working as designed.

When it comes to large orders, the FCC has tentatively concluded that it should adopt a defined make-ready timeline for orders exceeding 3,000 poles or 5% of the utility's poles in a state in order to move along the processing of pole attachment applications submitted in large numbers. Its existing rules require make-ready to be completed within 30 days after the utility notifies all existing pole attachers. That is extended 45 extra days for requests up to the lesser of 3,000 poles or 5% of the utility's poles in a state, and the Commission has tentatively concluded that utilities should have an additional 90 days for make-ready for those requests exceeding the 3,000 poles or 5% figures.

INCOMPAS supported the proposal, saying members across the country have repeatedly run into challenges with utilities when negotiating deployments over 3,000 poles. Impacted providers have spoken up about delayed response times in having their applications processed, and at times they have waited up to 18 months or more for pole owners to finally approve or deny their projects.

"With new federal infrastructure funding soon to be allocated to the states, there are simply no more excuses for these excessive delays and missed deadlines," it said in its comments. "The Commission must act to improve the process for large pole orders by holding utility companies and pole owners more accountable to ensure future projects are awarded on time, and most importantly,



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carried out as efficiently as possible so taxpayer funds are connecting those parts of the country that need it the most.”

NCTA is unsure, suggesting that the FCC adding 90 days to the larger order timeline would be too long to meaningfully advance funded deployments. It does believe that an adoption of an additional 45-day timeline for performance of make-ready on pole attachment orders exceeding the lesser of 3,000 poles or 5% of poles in a state, up to the lesser of 6,000 poles to 10% of the utility's pole in the state, would be consistent with the Commission's proposed rule and do some good.

STARKS SPEAKS ON KANSAS CITY SHOOTING

The FCC's February open meeting Thursday took a somber turn when Commissioner *Geoffrey Starks* took time to discuss the shooting that took place in Kansas City Wednesday following a parade celebrating the Kansas City Chiefs' Super Bowl win. The tragedy left 22 individuals with gunshot wounds and one person succumbed to their injuries. Starks grew up in the Kansas City area. “What was a day of celebration became a day of mourning. What was triumph turned tragedy,” he said. Starks wore a red tie out of solidarity for the victims, and he said he has heard from a number of individuals who were there. He has been in touch with Kansas City Mayor *Quinton Lucas* to offer support and assistance, and Lucas shared this message: “This is a tragedy, the likes of which we would never have expected in Kansas City, the likes of which we will remember for some time.”

VIX ALLEVIATES AD PAINS FOR TELEVISION

TelevisaUnivision ended 2023 with DTC revenue surpassing \$700 million as **VIX** reached the 7-million subscriber mark in its first full year of operation. The company now expects ViX to become profitable later this year, and CEO *Wade Davis* is deadset on reaching the KPIs it has laid out in order to achieve that goal. “I feel really good about the trajectory we're on and our ability to hit these profitability goals,” Davis said. “In terms of these drivers, we are maniacally focused on a portfolio of KPIs across both the ad and premium tiers of the service. We look at the threshold across this portfolio of KPIs that are going to drive us to sustainable profitability ... In a number of cases, we're in the high 90th percentile of where we need to be to cross those thresholds, and therefore pacing significantly above the trajectory we've mapped out that would have us there in early 3Q24.” There's still work to be done and initiatives in place that have yet to show results such as the introduction of an ad-supported tier and a carriage [deal with Charter](#) to renew 11 networks and roll out ViX to some Spectrum video

customers. TelevisaUnivision finished 2023 up 7% YOY in total revenue with \$4.93 billion. Total advertising revenue increased by 8% to \$2.98 billion, but in the U.S. it fell 1%. For 4Q23, U.S. ad revenue fell 5% to \$467.2 million, which Davis attributes to the falloff of 2022 political revenue and the absence of the FIFA World Cup that occurred in December 2022.

QOE BECOMING A HIGHER PRIORITY FOR BROADBAND SUBS

There are plenty of takeaways from **OpenVault's** 4Q23 Broadband Insights report, but one of the [primary talking points](#) is the growing desire for a better quality of experience (QoE) rather than faster speeds. That doesn't necessarily mean folks are sacrificing faster speeds, but with 74% of subscribers having speeds of 200 Mbps or more (and 33% on 1 Gbps or more), they're starting to crave a balanced, reliable experience. “QoE is becoming very important to a lot of subscribers as we look at gaming, backhauling, 5G over networks, and we're looking at new technologies that are coming out like **Apple** goggles,” OpenVault Chief Product Officer *Brady Volpe* said during a webinar Thursday. “When we look at what that is going to bring us as an evolutionary thing for VR and AR, those technologies are going to require really, really tight capabilities for things like low latency on the network, and when congestion comes into the network that just blows latency out.” What also caught OpenVault's eyes were the trends in median usage and average usage. Founder/CEO *Mark Trudeau* said they traditionally see median usage grow at a faster rate than the average, which is indicative of the customer base as a whole using more instead of a few “power users,” or those who consume 1 TB or more per month. “In this case, this is the first time we've really seen average usage growing at a faster rate than median usage. So the reverse indicates that we do have, in fact, super power users dragging up the average,” Trudeau said. He added that OpenVault saw a fairly strong correlation between super power users—those who consume 2 TB or more per month—and gaming.

AT THE COMMISSION

The FCC adopted an NPRM at its open meeting Thursday that seeks comment on proposals to expand the capabilities of multilingual emergency alerts. The proposals include the creation of template alert scripts in the 13 most commonly spoken non-English languages in the U.S. as well as a question on the feasibility of developing and implementing American Sign Language versions of those alerts. Later in the day, the Commission launched the Enhanced Competition Incentive Program to incentivize wireless licensees to make underutilized spectrum available to small carriers, Tribal Nations and entities that serve rural areas. The FCC's

Wireless Telecommunications Bureau is accepting applications from parties seeking approval for wireless transactions and leases. – During the press conference after the meeting, FCC Chair *Jessica Rosenworcel* was asked for her view on what needs to be done to reform the revenue base and how much the FCC can do before Congress will need to step in. “The universal service contribution system was developed in 1996 when dial-up internet was a thing and an AOL address was stylish. That was a long time ago,” Rosenworcel said. “It is fair to say now that we are trying to modernize the system. But for the long term, that is going to be a discussion we need to have with Congress and will have to find ways.”

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FIBER FRENZY

Another strategic investor is getting in on **Blue Stream Fiber**. The investment firm **Sixth Street** penned a deal to join **GI Partners** as Blue Stream investors, providing it with more resources to expand fiber services to its residential and commercial customers. Sixth Street’s investment will fuel growth in Blue Fiber’s existing markets, expansion to new areas and customer service. GI will remain a majority stakeholder in Blue Stream. – **Sparklight** rolled out multi-gig internet speeds to residents in Sioux City, Iowa, and in nearby communities. – **Lumos** received a boost from South Carolina’s American Rescue Plan Act Capital Project Fund Grant Program, getting \$1.2 million to help fund the expansion of fiber optic technology to areas in Spartanburg. Lumos will provide a private investment of more than \$800,000 to bring the project’s total to \$2 million. The project will reach nearly 700 unserved and underserved homes and businesses. Construction will begin this year.

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PEOPLE

Fox News Media revealed its new advertising sales leadership team. *Trey Gargano* will step into the role of EVP, Ad Sales, which *Jeff Collins* previously held before he was promoted to President, Advertising Sales, Marketing and Brand Partnerships for **Fox Corp.** Gargano will guide all Fox News Media platforms including **Fox News Channel, Fox Business Network, Fox Weather, Fox Nation** and more. Gargano previously spent 20 years at **Turner Broadcasting**. *Ryan Roelle* was promoted to SVP, National Sales. She’ll primarily focus on endemic and national advertising on top of overseeing linear and digital sales across the U.S. as well as the sales teams in L.A., Chicago, Detroit and Atlanta. – **The WICT Network** unveiled its Global Board of Directors for 2024. *Leigh Woisard* will remain as Board Chair for a second and final term, with **TV One** and **Cleo TV** President *Michelle Rice* being Vice Chair before elevating to Chair in 2025. **Paramount** EVP, Corporate Social Responsibility and ESG Strategy *Crystal Barnes* joins the Executive Committee as Development Committee Chair. Other executive members include **Charter** EVP, Government Affairs *Catherine Bohigian* as Treasurer; **Comcast** EVP, Administration *Karen Buchholz* as Industry Relations Committee Chair; **Disney** President, Disney Platform Distribution *Justin Connolly*

as Chapter Development Committee Chair; Charter Chief Diversity Officer *Rhonda Crichlow* as Strategic Planning Chair; **Warner Bros. Discovery** SVP, HR–U.S. Networks *Alaka Williams* as Governance Committee Chair and The WICT Network President/CEO *Maria Brennan*. Three new at-large directors were appointed as well: **CSG** Executive Director of Sustainability & ESG *Cindy Parsons*, WBD Chief Global DE&I Officer *Asif Sadiq* and **Afiniti** SVP, Commercial Operations *Nathan Watt*. **Liberty Global** VP, Public Affairs *Eke Vermeer* will serve a one-year term as Chapter Leader Designee.



This Week in History

With all the M&A rumblings going around these days, it’s worth remembering that not every big merger play comes to fruition. On Feb. 11, 2004, Comcast announced a surprise proposal to merge with The Walt Disney Company in a tax-free transaction valued at \$66 billion. Of course, it didn’t happen and a trip to Orlando still requires separate tickets to Walt Disney World and Universal Studios theme parks. Shucks. It’s still fun reminiscing about the ‘Comcat’ and Mouse game, however.

CFX Editorial Director Amy Maclean remembers the drama well. She was covering a Comcast employee event at the University of Maryland that CEO Brian Roberts was speaking at as word leaked that the operator was considering the stunning move. “D’Arcy Rudnay, Corporate Communications VP at the time, whisked Roberts away from me as fast as she could when I asked about the deal. I think I might’ve got a throwaway quote suggesting the company is always open to opportunities, but I’ll never forget the look in her eyes,” she recalls. “Remember, this was years before Comcast acquired NBCUniversal. This truly came out of left field, but it opened the door for the marriage of content and distribution.”

Disney balked at the hostile bid, which was made up of \$54.1 billion in stock and \$11.9 billion in Disney debt assumption, with then-President/COO Bob Iger suggesting at an investor conference that Comcast would be back with a higher offer. It wasn’t, much to Wall Street’s relief, and by the end of April the bid had been withdrawn.

There’s something about this particular week of February that’s especially unlucky for Comcast when it comes to M&A. It was on Feb. 13, 2014 that Comcast announced its intent to acquire Time Warner Cable in a deal estimated to be worth about \$45.2 billion. The transaction was abandoned in April 2015 when word came that the DOJ was preparing an antitrust suit to halt the merger. A month later, Charter Communications announced its purchase of Time Warner Cable, the deal, valued at \$56.7 billion, closed in May 2016.

For what it’s worth, Comcast appears pretty happy where it is today. During last month’s 4Q23 earning call, Roberts [downplayed](#) chatter that it might be interested in Paramount or other entities: “While there may be speculation on what we could do next, I’d like you to hear it directly from me: I love the company we have, so the bar continues to be even higher for us to do anything other than the plan you heard today.”

PROGRAMMER'S PAGE

“Shogun” Wows With Epic Visuals, Storytelling

Read early reviews for FX's gorgeous adaption of **James Clavell's** novel “Shogun” (debuts Feb. 27 on **Hulu**) and you'll see comparisons to HBO's “Game of Thrones,” both for its epic storytelling and handling of political struggles. But another **HBO** series was being talked about in Shogun's writers' room. “We were all super into ‘Succession’ at the time we were putting together this show. This idea of parlor drama and intrigue and the betrayals—just how people are kind of working to maneuver against each other. It felt like there was lot of that in Shogun,” Co-Creator/Showrunner/EP/Writer **Justin Marks** told **CFX**. “It takes from that pulp 70s, very populist, epic storytelling, similar to like *Mario Puzo* [‘The Godfather’], so we were chasing a lot of that. I don't think anyone could ever reach what [*David*] **Benioff** and [*D.B.*] **Weiss** were able to do with a show like Game of Thrones. Rather than trying to carve out another form of it, we're hoping to just carve out some new territory.” **Rachel Kondo**, Co-Creator/EP/Writer, said the GOT comparisons are flattering, but “rather than dragons streaking across the sky, we kind of just look to the dragon within.” This adaptation is not your 1980s Shogun miniseries with *Richard Chamberlain*. There's a concerted effort to move beyond the Western outsider's perspective, clearly evident by the use of subtitles. But it goes much deeper. An early suggested cost-cutting effort was to not hire an expert to tie obi, traditional decorative belts worn in Japan. “Three days later, we had an obi tyer on a plane coming to British Columbia because you have 200 extras you've got to bring out on a given day. Good luck trying to understand how to do this at the speed for production and to get it right quickly so we have the time we need to shoot the day,” Marks said. Producer **Eriko Miyagawa** said FX and Marks were very open to notes, “from scripts to allowing us to bring in Japanese crew who are experienced with these kind of samurai periods to being able to oversee every single element in post production.” **Michaela Clavell**, EP and daughter of James Clavell, said she thought her father would be blown away. “The cultural differences are huge between Western and Japanese cultures. I think he'd be very appreciative of the level of detail and time taken to portray those accurately,” she said. “It was really very true to the book.” – **Amy Maclean**

REVIEWS

“The New Look,” **Apple TV+**. We'll say it upfront, this new series about WWII Nazi-occupied Paris and how Coco Chanel and Christian Dior fared gets a mixed review. On the positive side is the story, with moral choices dominating. Do you collaborate with the authoritarian power and ignore its horrors? Do you take it down a notch, obeying publicly and fighting privately against the occupier? Perhaps you largely ignore the occupation and your life is business as usual? This story and its choices remain relevant, though the script doesn't always convey them well. The slow pacing of the series' early eps is another issue, though the second group of eps is markedly better. On the other hand, the all-star case is a positive throughout, with **Ben Mendelsohn** an understated, appropriately frightened Dior and **Juliette Binoche** a bit over the top as Chanel. **Maisie Williams**, who played Arya Stark in HBO's “Game of Thrones,” is the stand-out as Catherine, Dior's resistance-fighter younger sister, despite the presence of smaller roles for **Glenn Close** and **John Malkovich**. The final positive is obvious immediately – the costumes, sets and on-site filming are first rate. – **Seth Arenstein**

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P2+ PRIME RANKINGS*		
(02/05/24-02/11/24)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
FNC	0.626	1975
MSNBC	0.400	1261
HGTV	0.231	730
HIST	0.217	686
INSP	0.193	608
ESPN	0.183	577
HALL	0.178	563
TBSC	0.174	550
TNT	0.161	507
FOOD	0.159	503
DISC	0.158	497
USA	0.155	488
CNN	0.153	483
NAN	0.140	443
TVLAND	0.135	427
TLC	0.124	390
REELZ	0.119	376
GSN	0.116	365
ID	0.111	351
HMM	0.106	333
BRAVO	0.103	324
A&E	0.100	315
LIFE	0.093	292
FX	0.091	288
WETV	0.089	279
OXY	0.087	276
BET	0.087	275
NWSMX	0.076	239
AMC	0.075	235
ADSM	0.072	227
SYFY	0.068	214
APL	0.068	214
FETV	0.064	203
MTV	0.064	202
COM	0.063	199

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