

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Devilish Details: FCC Splits on All-in Pricing, Speed Benchmark

The FCC voted along party lines Thursday to approve a report and order requiring cable and DBS television providers to specify the all-in pricing of video programming on subscriber bills and in promotional materials that include pricing information.

We'll have to wait for the Commission to release the final version of the rules to get a good look at any changes, but **Media Bureau** officials noted the implementation deadline for small cable operators has been changed to 12 months. Other changes included clarifications of promotional requirements, roll off notification requirements and elements tied to franchise fees and PEG channels.

Commissioner *Brendan Carr* said he thinks there's a really good argument that the FCC has statutory authority over cable billing, but he's not so sure when it comes to applying regulations to DBS billing or advertising for cable or DBS services. "In fact, as I look at the TVPA, my read of that is that Congress considered whether to give us that authority to go into advertising and ultimately did not," he said. "I appreciate a lot of the policy cuts that my colleagues make here. I can't head down that path just given my different read on the statute issue here."

Commissioner *Nathan Simington* said he had asked for a targeted edit that he believed would have led to a unanimous approval and would have paved the way for all-in pricing for cable, but leadership rejected it. He conceded that he believes some aspects of all-in pricing are great in some respects, and could allow consumers to more easily comparison shop against streaming products.

However, he did voice some concern over how older consumers on legacy plans would adjust to a revised billing system when they may have received their bills in the same format for the last decade.

"Now it looks like I'm being charged more... and not good at all, of course, is that we are yet again adding additional regulatory burden and complexity on an industry that is presently shedding customers by the millions. Traditional linear video is on the way out," he said. "But we don't have to shoo them away like the last guest who hasn't gotten the hint that the party's over."

The action on all-in pricing drew the attention of the White House, with President *Biden* taking to X to post about the adoption of a rule he said would allow folks to get the best deal. "All told, my Administration will save families more than \$20 billion per year by taking on junk fees. And we're not stopping there," his post continued.

The Commission also voted 3-2 to adopt its annual Section 706 report on whether broadband is being deployed in a reasonable and timely fashion, and this year's report raises the agency's benchmark for high-speed fixed broadband to download speeds of 100 Mbps and upload speeds of 20 Mbps.

Carr said he had no objection to the FCC setting a goal of 100/20 Mbps for its programs. His issues with the item lay with its disregard of high-speed broadband delivered by LEO satellites, its use of broadband deployment statistics that are 15 months old and that the FCC has taken an all-or-nothing approach to its inquiry into broadband deployments rather than simply measuring the incremental progress of broadband availability.

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ADVANCING DIVERSITY

Simington praised the report for considering latency as a part of the connectivity picture, but he also took issue with the exclusion of satellite-based internet service. He also stood against the implementation of an “unnecessary” long-term speed target of 1000/500 Mbps, arguing the FCC needs to be able to articulate the use cases for such high speeds that justify making the taxpayer subsidize deployment of that service to the entire country.

“This report doesn’t get there and I fear that instead it sets the stage for a generation of wasteful spending,” he said.

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HT WANTS FCC TO TAKE A LOOK AT NEXSTAR RETRANS COMPLAINT

Nexstar’s not the only one appealing the FCC Media Bureau’s decision regarding Hawaiian Telcom’s retransmission complaint. HT has asked the full Commission to review the decision, taking issue with the finding that Nexstar didn’t violate rules to negotiate in good faith by failing to extend the parties’ 2020 agreement until they reached a new deal or an impasse. “One cannot ignore that Nexstar’s refusal to adequately extend the existing retransmission consent agreement to allow intense negotiations to reach their conclusion requires Commission scrutiny,” HT said in a filing last week. “The fact that Nexstar and other broadcasters effectively weaponize blackout deadlines falls squarely within not only the Commission’s authority to review, but is necessary to fulfill the Congressional mandate to establish and enforce good faith negotiation requirements.” Hawaiian Telcom maintains that neither party believed negotiations were at an impasse so the contract’s terms should have remained in effect. It noted that 13 minutes after the first contract extension’s expiration, Nexstar offered a second “one-hour” extension that was too late. The Bureau did find that Nexstar violated the good faith negotiation requirement by proposing renewal terms that would have blocked Hawaiian Telcom from filing complaints with the FCC relating to the parties’ negotiation and final renewal. It proposed a forfeiture of \$720,000, which the [broadcaster is challenging](#). Nexstar claims the Bureau erred in its finding and that the proposed forfeiture exceeds its authority.

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SENATE REPUBLICANS ACT AGAINST DIGITAL DISCRIMINATION ORDER

Senate Republicans are taking a stronger stance against the FCC’s digital discrimination order. A group of 19 senators, including Ted Cruz (TX) and Mike Lee (UT), introduced a Congressional Review Act joint resolution of disapproval Thursday to nullify the Commission’s November order. The group argues that the digital discrimination order gives the federal government control over nearly every aspect of the broadband industry and exposes companies to crippling liability under the disparate impact standard. This isn’t the first

time Senate Republicans have vocalized their opposition to the order. In November, prior to the order’s adoption, a group of 28 senators sent a letter to FCC Chair Jessica Rosenworcel to rescind the then-draft order over concerns that it was unlawful and would subject a broad array of broadband business decisions to intrusive regulation. When asked about the joint resolution of disapproval at a press conference following the Commission’s open meeting Thursday, Rosenworcel said she has confidence in the work of the FCC in the matter and that it is consistent with the IJIA.

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BREEZELINE LAUNCHING MOBILE THROUGH NCTC MVNO

Breezeline is the next operator to launch mobile services through NCTC’s MVNO agreement with Reach Mobile. It is going to make service available this spring to Breezeline internet customers across its 13-state footprint, and unlimited nationwide talk and text will be available across By-The-Gig and unlimited data plans. Reach will support customized billing, account management and provisioning through its mobile service solution and cloud platform. TVS Cable is the [first](#) to launch mobile through the NCTC MNVO.

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DISH MEETS FCC REQUIREMENTS

EchoStar submitted a letter to the FCC certifying that its 5G network provides download speeds of 35 Mbps or greater to more than 70% of the U.S. population. It drafted the letter after the successful completion of a nationwide drive test, and this means DISH has fulfilled the FCC deployment commitments it made to show that it could become a fourth nationwide mobile competitor following the merger of T-Mobile and Sprint. “It’s a major achievement for our team who built our Open RAN network in record time,” EchoStar COO/President, Technology John Swieringa said in a statement.

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CARRIAGE

Allen Media Group struck a multi-year renewal with Charter. The deal includes continued carriage of The Weather Channel, TheGrio, Justice Central.TV, Pets.TV, Recipe.TV and Cars.TV in addition to the renewal of AMG TV stations on Spectrum platforms. Authenticated Spectrum video subscribers will get The Weather Channel TV app—which comes with The Weather Channel, The Weather Channel en Español, Pattn and VOD content—at no additional cost, but Charter will be able to offer the service to broadband subscribers for \$2.99/month or \$29.99/year.

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NTIA TAKES STEP TO ADDRESS PERMITTING ROADBLOCKS

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NTIA Administrator *Alan Davidson* and the **Advisory Council on Historic Preservation** announced streamlined rules that will expedite the review of broadband deployments. Federal land and property management agencies will be provided with a uniform Section 106 review standard tailored to broadband buildouts. What that means for all projects funded by BEAD and other Internet for All projects is that they may not require standard Section 106 review if a proposed project area has been previously surveyed and contains no historic properties, has been previously disturbed to the point where the probability of finding intact historic properties is low, is not considered by qualified professionals to have a high probability of historic properties or if it meets other existing conditional exemptions. Proposed projects that would impact national monuments and other historical sites, national historic landmarks and Tribal lands are still subject to standard Section 106 review unless relevant authorities have been consulted and okay the streamlined review.

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HAPPY 20TH, PAR!

The **WICT Network** is celebrating the 20th anniversary of the PAR Initiative at the 2024 Signature Luncheon in New York. It'll take place April 19, a day after **The Cable Center's** Hall of Fame Celebration. The association will be marking the two-decade milestone of PAR—which is based on the criteria of pay equity, advancement opportunities and resources for work/life balance—with special recognition of companies that have consistently ranked as a top company for women to work for over the initiative's lifespan. Platinum PAR Operators include **Comcast, Cox** and **Midco**, and the Platinum PAR Programmers are **NBCUniversal, Disney** and **Warner Bros. Discovery**. The latest AIM/PAR Workplace Diversity Survey is currently deployed and results will be revealed during this year's Diversity Week.

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OBITUARY

Gerald Levin, the former CEO of **Time Warner** and Chairman at **HBO**, died Wednesday at the age of 84. No details of his death were shared, but he has been battling Parkinson's disease since being diagnosed in 2006. Levin first joined **Time** in 1972. He rose to President/CEO of HBO the next year, in which he'd come up with the idea to transmit HBO via satellite to the entire country. It was that moment when HBO became the first national cable network and stands strong to this day. Levin would go on to be named a VP of Time and join its board in 1988, shortly before its merger with **Warner Communications** in 1989. Levin became co-CEO of Time Warner in 1992 before assuming the sole role following the death of *Steven Ross*. He'd become an even more well-known name for his role in the Time Warner-**AOL** merger at the height of the dot-com bubble in 2000, which was the largest business merger in U.S. history at the time. The deal itself famously didn't succeed. Levin stepped down as CEO in 2002 and later opened The Levin Center For Parkinson's Transformational Health.

What We're Listening to

"[Thirty Minute Mentors](#)" is a podcast that's new to me, but has been around for more than 200 episodes. There are plenty of interesting and accomplished individuals who have sat down to be interviewed by leadership guru Adam Mendler, including Cox Enterprises CEO Alex Taylor, AOL co-founder Steve Case and Monumental Sport founder/CEO Ted Leonsis.



Catching up on the series, I listened to an episode from earlier this year with Olympic Gold medalist and former CEO of The WICT Network, Benita Fitzgerald Mosley. Mosley, who last year was named CEO of Multiplying Good, talks about her time in the nonprofit world, but she also touches on how her coaches and even her earliest days in sports shaped who she is today.

She's in the process of writing a book that she described as "the antidote to imposter syndrome," something she thinks tends to kick in for women some time after middle school. "I went from being a director of training centers to being the CEO of WICT, this big organization in the cable industry. I could've shirked from that and said, 'I don't want to do that,' and it was because of all the practice I got as a young person and on the track of challenging myself to doing new things and taking new risks that I have been able to translate that," said Mosley.

She's calling her book "Why Not Me?" a reference to her own epiphany during training at the University of Tennessee before the '84 Olympics. "I sat on that track on a hot summer day in Knoxville and was like, 'Why not me? Why am I always thinking about someone else winning or being on the podium?'" Mosley recalled, describing the book of the story of the things she put in place that allow her to take on challenges she otherwise might dodge. Mosley, for the record, became the first Black woman to win gold in the 100-meter hurdles at the 1984 Olympics.

"Really, it was all mindset. If I had gone into that race with the same mindset I had the year before of hoping to make the final and hoping to run a personal best, it just wouldn't have been the same as going in there with an expectation that the gold medal was mine," she said.

An interesting aside not covered in the podcast is that Mosley spent three years serving on the Congressional Commission of the State of U.S. Olympics & Paralympics, whose [report](#) to Congress just dropped this month. It's especially timely as we gear up for the Summer Games and next month's Adaptive Spirit fundraiser, an industry event that is the top fundraiser for the U.S. Paralympic Ski and Snowboard teams. Among the report's recommendations are sweeping changes to SafeSport, which is tasked with investigating allegations of abuse in Olympic and Paralympic sports. It also recommended that Congress should move responsibility for coordinating and developing youth and grassroots sports to a dedicated Office of Sports and Fitness under the U.S. Department of Health and Human Services and that funds USOPC raises using Paralympic trademarks are earmarked exclusively to support athletes in para sports.

- Amy Maclean

PROGRAMMER'S PAGE

'Teen Mom: Family Reunion' Goes International

The "Teen Mom" franchise took TV screens by storm when it was introduced in 2009, but as the show's 15th anniversary nears, it's time for another family reunion. The third season of "Teen Mom: Family Reunion" premiered Wednesday night on **MTV**, continuing to answer the question of "What are they up to nowadays?" Season 3 is the first time the Family Reunion series went international as the couples traveled to Cartagena, Colombia. They're joined by relationship coaches *Dr. Mike Dow* and *Michaiah Dominguez*, who add another aspect of energy and empathy to an already drama-packed area considering all couples stay in the same house (a first for the show). The point of the season isn't to get the most emotion out of the couples. *Melissa Tallerine*, one of the show's Executive Producers, told **CFX** the goal was to explore the relationship dynamics within the Teen Mom couples. There's *Catelynn* and *Tyler Baltierra*, who have been together since they were teens, and *Jada Cline* and *Sean Austin*, who at the time of filming were weeks away from their wedding. The range of these couples and their relationships allows them to interact and learn from each other. "The fans will get to see the moms cutting loose but still being their authentic and vulnerable selves," Tallerine said. "The series has always tried to root itself in shared themes and experiences of this uniquely connected cast and over the years all the moms have lived through so much in the public eye and now have developed true friendships." Not only do the lessons learned throughout the season resonate with the couples—it settles with the viewers who have been paying attention throughout the years while dealing with relationships of their own. "The audience grew up with this cast and can now watch with their own children," Tallerine said. "We have moms parenting toddlers and teens, so we are capturing a wide swath of parenthood all at once. The series is always adapting with the growth of the moms, the children and the landscape at large." – *Noah Ziegler*

REVIEWS

"Apples Never Fall" series premiere (7 eps), Thursday, streaming on **Peacock**. – Yes, yes, we know. Based on the series' title **Apple TV+** should have claimed this Florida-based mystery series. And viewers will quickly see the red fruit's prominence in the plot's opening. Indeed, it would have worked there, too. Failure is difficult with a cast that includes *Annette Bening*, *Sam Neill* and *Alison Brie*. And the story is good, too, from Aussie Liane ("Big Little Lies") Moriarty's novel of the same name. Bening and Neil are just-retired owners of a tennis academy and anchors of the West Palm community. Not long after the couple's retirement, their four children, Brie, among them, realize they've not heard from mother in a few days. As is the case with many dramas centering on well-off families, money and several other factors (and a person or two) are part of the slightly formulaic mystery. A very good feature of the series is that each of its 7 eps focuses on one character. So, in the end, these apples make for a good retelling of an excellent novel. – "Palm Royale," premieres Wed (3 eps), streaming on Apple TV+. What are the odds of another large-cast series based, like "Apples Never Fall" above, in Florida's Palms premiering within days of each other? We'll offer thoughts next week about this drama. – *Seth Arenstein*

BASIC CABLE		
P2+ PRIME RANKINGS*		
(03/04/24-03/10/24)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
FNC	0.813	2562
MSNBC	0.515	1624
ESPN	0.364	1148
HGTV	0.252	796
HIST	0.239	754
CNN	0.238	751
TBSC	0.200	629
HALL	0.197	621
INSP	0.177	558
FOOD	0.176	554
USA	0.167	526
TNT	0.165	519
DISC	0.160	503
TLC	0.148	467
TVLAND	0.125	393
GSN	0.122	384
BRAVO	0.120	379
ID	0.115	362
A&E	0.112	354
REELZ	0.111	349
NWSMX	0.111	349
HMM	0.105	332
WETV	0.100	316
OXY	0.097	305
AMC	0.091	287
BET	0.090	285
FX	0.089	282
FS1	0.086	272
LIFE	0.085	268
NATGEO	0.082	258
SYFY	0.081	255
PRMNT	0.077	241
COM	0.075	236
ADSM	0.075	236
TRAVEL	0.069	219

*P2+ L+SD rankers are based on national Nielsen numbers, not coverage.

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