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WHAT THE INDUSTRY READS FIRST

## Net Neutrality: FCC Inundated With Opinions on Title II Movement

With so much regulatory noise in and around Washington, don't forget the **FCC** is still charging forward with a proposal to reclassify broadband as a Title II service. The docket was buzzing last week with groups from every corner asking the Commission to carefully consider how it approaches the issue.

A new group making an appearance in the docket is the **Affordable Broadband Campaign**, a 501(c)(4) organization aimed at finding long-term solutions to affordable broadband for low-income households. Attendees to the group's meetings include **Vernonburg Group** Chief Policy Officer *Greg Guice*, who serves as the group's chair; **NTCA-The Rural Broadband Association** EVP *Michael Romano*; **Public Knowledge** SVP *Harold Feld*; and *Andrew Jay Schwartzman* from the **Benton Institute**.

The majority of its ex parte filing was dedicated to discussing the universal service fund, and the group's biggest message is that the FCC needs to consider how those impacted by the Title II reclassification could begin contributing to the USF. It does not want the Commission to forbear from Section 254(d), which would require every telecommunications carrier that provides interstate telecommunications service to contribute to the mechanism designed by the FCC to preserve and advance universal service.

Should the Commission move forward with reclassification, the Affordable Broadband Campaign believes the second step is to design a mechanism for the new contribution base to

participate in USF. Among the options moving forward would be for the FCC to release an FNPRM or public notice on how to create an obligation for all those under Title II to contribute to the USF, or for the agency to issue an FNPRM to seek comment and build a specific record on how best to proceed when it comes to contributions.

"It would avoid the difficulties of forbearing on this issue in this docket in the short term, when it is possible the Commission may find, in the future, that contributions to USF from broadband internet access services are warranted," the group said.

**NCTA** also submitted an ex parte detailing meetings it held with representatives of its members and advisors to Chair *Jessica Rosenworcel*. The cable association asked the FCC to hold back from prejudging the merits of usage-based pricing options when it comes to the broadband marketplace. Should the Commission move forward with Title II, it asked the FCC to evaluate usage-based pricing options on a case-by-case basis.

"The record demonstrates that usage-based pricing—which is a well-accepted model used in a wide variety of industries—equitably ensures that consumers who use goods or services the most pay more, without having to raise prices for all consumers across the board," NCTA said. "Additionally, economic studies submitted in this proceeding show that calls by some parties for greater restrictions on usage-based pricing rest on incorrect factual assumptions and faulty analysis."

**NTIA** chimed in to support the FCC reclassifying broadband under Title II, and it took time to argue that Title II is about far



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more than net neutrality. It sees Title II as giving the FCC the authority it needs to act in appropriate situations to protect national security. It claimed that the Commission has run into hurdles when trying to fully protect the public from national security threats, including when addressing certain foreign-owned network service providers providing service in the U.S.

NTIA claims the FCC has limited ability to address concerns it has that **China Telecom Americas** could route domestic traffic through “unexpected paths.”

“Because Section 214’s reach is limited to Title II telecommunications services, the Commission could halt the providers’ provision of those services (e.g., traditional telephony), but it had no authority to stop adversarial networks from providing BIAS or other Internet-based services,” NTIA said. “To protect our networks from malicious actors—as the Act requires it to do—the Commission should leverage the appropriate tools at its disposal, including the relevant Title II provisions.”

## ESPN DIRECTING RSN TRAFFIC

With many teams’ RSNs in flux, **ESPN** is stepping in with a solution to streamline where to find games. The network is implementing links to video feeds of RSN broadcasts into its app and website. *Deadline* was the first to [report](#). The video feeds will still be housed on the respective RSN’s platform and not on ESPN, and will only appear for subscribers within the network’s footprint. The offering will be introduced this week with New England’s **NESN**, which holds the rights to the Red Sox and Bruins. D.C.’s **Monumental Sports Network**—which has the rights to the Wizards, Capitals and Mystics—will join in May and **SportsNet Pittsburgh** (Pirates and Penguins) will come afterward. “ESPN has built the leading global sports platform that many of our fans check regularly to keep up with our teams, and those fans will soon be able to access our live game telecasts with one click,” Monumental Sports & Entertainment President, Media & New Enterprises *Zach Leonsis* said in a statement. “When we purchased our network, we pledged to make our games more easily accessible for fans, and this partnership is a big step in that direction.”

## MEDIACOM LAUNCHES XUMO TO XSTREAM CUSTOMERS

**Mediacom** has made the **Xumo** Stream Box available to its Xstream internet customers at no additional monthly cost. It’s the first company outside the **Comcast-Charter** jv to make the device available. Mediacom’s approach to offering Xumo is most like the path taken by Comcast, which is also offering it to its Xfinity internet customers. Charter is offering a Xumo

stream box to all new video customers for free for the first year. The jv has said it’s continuing to speak with other operators about potentially launching the device.

## AUDIENCEXPRESS, ISPOT TEAM UP

The TV measurement company **iSpot** is joining forces with **Comcast Advertising’s AudienceXpress** to embark on a series of new data collaborations. The two companies will seek to find new ways to bring new data sets to TV ad measurement as well as enhance performance TV marketing solutions and provide attribution reporting in a fragmented media environment. Specifically, they’ll strategize how to best incorporate iSpot’s syndicated national TV ratings into AudienceXpress’ platform. AudienceXpress will continue to collaborate with **DRMetrix** and **605**—both of which iSpot recently acquired—to create improved industry reporting and attribution solutions. AudienceXpress will have access to DRMetrix’s direct response marketing tools, resources and insights as part of the agreement.

## MARCH MADNESS RATINGS

Millions tuned in to see buzzer beaters, brackets being busted and Cinderella stories as the first weekend of the NCAA Men’s Basketball Tournament wrapped up. **TNT Sports** and **CBS Sports** broke their record for viewership through the first round under the traditional tournament format, averaging 8.3 million viewers across **TBS**, **TNT**, **truTV** and **CBS**, according to **Nielsen Live+SD** national and fast national with out of home data. The successful first round (Thursday and Friday) fueled a Saturday second-round slate of games to average 10.8 million viewers across those same networks. That’s good for the most-watched first day of the second round ever, and lifted the tournament viewership to an average of 9 million viewers through Saturday—also a record.

## T-MOBILE ON DECK

The clock is ticking for Opening Day, and not only is **T-Mobile** bringing back its offer of free **MLB.TV** for customers, it’s introducing a “Secret Baseball Button.” The MLB.TV offer is available starting Tuesday through Monday. T-Mobile users streamed 52 million hours of MLB.TV last season. As for the new secret button, it’s a small, circular Bluetooth device that allows fans to watch games and discreetly switch back and forth between a telecast and work. One click of the button will bring up MLB.TV, and another click opens a new tab with a fake video call to give the appearance of “working hard.” T-Mobile is offering a [sweepstakes](#) for customers and non-customers to win a free button. It’ll be available through Sunday.

## FRONTIER TAKES HOME BIG BUCKS FROM CONNECT ILLINOIS

**Frontier Communications** is expanding its footprint in rural Illinois thanks to grant funding wins. The operator was awarded \$24.7 million by Connect Illinois with the assistance of the Greene County Economic Development Group, and the funding will be used for a fiber deployment in the county.

## RATINGS

Early numbers are in for a pair of premiere episodes. “Palm Royale” on **Apple TV+** hit 382,000 U.S. households watched during the L+4D window, according to **Samba TV**. Older millennial households, or A35-44, over-indexed by 8%. **Netflix**’s “3 Body Problem” garnered 961,000 households watched during the L+3D frame. Asian households over-indexed by 14% while Black households over-indexed by 12%.

## CARRIAGE

**TCL** and the **NFL** are expanding their partnership, adding the NFL FAST channel and AVOD programs to **TCLtv+**. The NFL Channel brings more than 500 hours of original and live programming including “NFL Report” and “NFL GameDay Preview” in addition to game highlights, full-game replays and coverage of the upcoming NFL Draft in April. TCLtv+’s lineup now includes over 300 FAST channels.

## PASSWORD SHARING DATA

It’d be hard to find a household without a streaming subscription, considering 88% of U.S. households have at least one top SVOD or DTC service, according to research from **Leichtman Research Group**. However, with 53% of households having four or more DTC streaming video services, the password sharing problem for streaming companies remains. LRG’s study found that 73% of all DTC services are fully paid for and not shared outside of a household, but 23% of all DTC products are used in more than one household. Among that 23%, 11% are used and paid for by those that share them with someone outside of the household, 10% are used in one household but are borrowed from another that’s paying and 2% are used by multiple households that split the bill. When breaking it down by age groups, 17% of DTC services used by those aged 18-34 are borrowed from someone else. That’s 10% more than the 7% for folks 35 and up. For **Netflix**, which was the first to crack down on password sharing, 10% of those with the SVOD borrowed it from someone else. That’s down from 15% in 2022, 14% in 2020 and 16% in 2018. LRG based these findings on an online survey of 2,546 households in the U.S.

## FIBER FRENZY

**Comcast**’s fiber network is now live in parts of Houston County, Alabama. The \$4.5 million project is set to add thousands of homes and businesses in the areas of Ashford, Cottonwood, Cowarts, Kinsey and Webb. Residential customers can get speeds of up to 1.2 Gbps, while businesses can get up to 100 Gbps.

## PROGRAMMING

As the **United Football League** gets set for kickoff, **ESPN** is introducing a new digital show called “UFL Today.” It’ll highlight the top moments from each weekend and have analysis from players and coaches from the UFL. *Daniel Dopp* and *Skubie Mageza* will host. The show will premiere Sunday at 6:30pm and stream across **ESPN**’s **YouTube**, **Facebook** and in the **ESPN** app. – **Fox Nation** will release a new special about *Wall Street Journal* reporter *Evan Gershkovich* and his arrest and detainment in Russia last March. “Prisoner of Putin” will debut Thursday and look at Gershkovich’s life and career so far, including what has transpired over the past year. – “Supermarket Stakeout” is returning for a new 14-episode season May 1 at 9pm on **Food Network**. This season will include a four-episode Judges’ Tournament for a chance to win \$25,000 cash and \$25,000 to be donated to No Kid Hungry. – **Prime Video**’s British high school romantic comedy film “How To Date Billy Walsh” will premiere April 5. – The next season of **TLC**’s “90 Day Fiancé: Love in Paradise” will begin April 22 at 8pm. Locations for this season include Brazil, Italy, Malta and Colombia

## PEOPLE

**Cisco** is elevating *Eyal Dagan* to EVP, Strategic Projects, and it is hiring *Martin Lund* to take over his previous role as EVP, Common Hardware Group. Lund last served as Corporate Vice President of **Microsoft**’s Azure for Operators and spent time as CEO of cloud native communications software company **Metaswitch Networks**. – *Michaune Tillman* joined **Corning** as SVP/General Counsel. She’ll lead the company’s law department, but will also serve as an advisor to Corning’s board and its senior leadership team on legal matters tied to its operations and strategic initiatives. Before coming to Corning, Tillman served as Corporate Secretary/General Counsel at **Worthington Steel**. – *Tim Ware* is getting a promotion at Crackle Connex, the ad sales division of **Chicken Soup for the Soul Entertainment**. He’ll move from SVP, Programmatic Sales and Partnerships to EVP, Advertising Sales. Ware will manage all direct and programmatic sales for CSSE-owned CTV platforms and third-party suppliers. He’ll report to CSSE CRO *Philippe Guelton*. In the past, Ware has worked with major brands and organizations including **Sony Pictures**, **NFL**, **ESPN**, *Wall Street Journal* and **WWE**.