

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## Bulky Decision: Nonprofit, ISPs Caution FCC on MTE Item

It's been a little over a month since FCC Chairwoman *Jessica Rosenworcel* announced that the Commission would vote on an item intended to address alleged harms of bulk billing—arrangements between ISPs and multiple-dwelling units for generally discounted rates for internet and/or video. With the item still on circulation, the details are murky. But it's clear some are sweating—and it's not just broadband providers sounding the alarm.

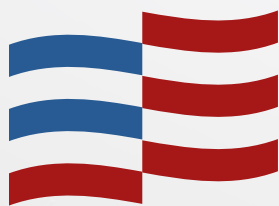
**EducationSuperhighway**, a national nonprofit aimed at closing the broadband affordability gap, joined **ACA Connects** for a press call Tuesday in which the two discussed their objections to the ban. Bulk contracts have historically enabled residents in low income and affordable housing properties to have access to internet at a significantly discounted rate, an EducationSuperhighway spokesperson said. The group points to Charlotte's "AccessCharlotte" program, which provides 2,000 N.C. households in affordable housing MDUs with free internet through a bulk billing arrangement with ISPs that uses funding from the CARES Act and American Rescue Plan Act. NYC Housing has a similar agreement in place as do other cities across America.

The nonprofit is concerned that not only will a ban jeopardize that access, but it will also inhibit other providers from bidding on future opportunities, including BEAD projects. "While we agree with the FCC's sentiment of encouraging

consumer choice and making sure that folks have access to affordable and reliable service, there are several unintended consequences based on what we know about the proposal," an Education SuperHighway rep told reporters.

Multiple dwelling units, also referred to as multiple tenant environments [MTEs], often conjure up images of apartment building and condos in urban settings or more densely populated areas. With many of its members in rural communities, bulk billing may not sound like an issue of high priority for ACA Connects. However, a spokesperson said there's a wide variety of living situations that could fall within the definition, including gated communities, low-income communities, student housing and even campgrounds. The association said it has heard from several dozen members who are concerned about the proposal.

One of those ACAC members is **Hotwire Communications**, which has filed five ex partes at the FCC since the March 5 announcement. Hotwire maintains that the FCC correctly found in 2010 that bulk billing arrangements for communications services in MTEs are pro-competitive. In Hotwire's most recent meeting with Wireline Competition Bureau staff, it fielded questions about Affordable Connectivity Program-eligible consumers facing difficulties in applying the discount to broadband offered via bulk billing at certain properties. Hotwire representatives said that the issue stemmed from flaws in the ACP rules, rather than an inherent flaw in bulk billing arrangements. Should the ACP continue or be re-instituted,



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they recommended the Commission address this concern in its rules to facilitate greater use of ACP discounts where bulk billing arrangements are present.

While Hotwire is urging the FCC not to adopt the rulemaking, if it does proceed, it wants the agency to consider the proposal in an open meeting. This would let the public review and provide input on the draft rulemaking for three weeks prior to the vote. It's also urging the FCC not to adopt tentative conclusions, calling for it to collect comments since it's proposing to reverse its 2010 decision that bulk billing benefits customers. Those comments should include differences in bulk billing practices among apartment owners, HOAs and others, as well as the benefits of such billing arrangements for seniors, those on a fixed income, students, low-income individuals, and others. Hotwire also said any rule adopted shouldn't apply to existing bulk agreements, noting that many parties have "made significant investment and deployment decisions in reliance on the 2010 decision."

Representatives from **NCTA, Comcast, Charter and Cox Enterprises** have also met with FCC staff to explain the benefits of bulk billing arrangements for consumers, warning that interfering with bulk billing will result in higher broadband and video prices for questionable and limited benefits. "We explained that nothing has changed since the Commission made [its] determination in 2010 that warrants a different conclusion now. As such, NCTA encouraged the Commission to adopt a neutral item that seeks to build a record on these issues, rather than reaching a tentative conclusion that prohibition or restriction of bulk billing is warranted," a NCTA ex parte said.

So far, the docket is largely in favor of bulk billing, with **GiG-stream, OpticalTel** and a coalition of independent ISPs that includes **Mereo Networks**, voicing concerns. Also weighing in are the **National Multifamily Housing Council** and the **National Apartment Association**, which argue that regulation of bulk billing agreements between property owners and broadband providers is not only unnecessary, but would raise broadband prices for consumers who belong to the nation's most vulnerable populations.

## WBB TAKES MARCH MADNESS CROWN

The NCAA Women's Basketball Tournament propelled **ESPN** to the top of the weekly primetime ratings among cable networks. South Carolina's triumph over Iowa had 18.9 million viewers across ESPN platforms, according to final **Nielsen** numbers, which initially beats the ratings from Monday's men's title game for the first time ever. Late Tuesday, Sports TV Ratings [tweeted](#) that the Purdue/UConn Men's championship netted 14.823 million across **TBS, TNT** and **truTV**. The final ratings numbers solidified the game not only as

the most-viewed women's college basketball game ever, but as the most-viewed men's or women's college basketball game on record on ESPN platforms. It also became the second most-watched non-Olympic women's sporting event ever on U.S. television, only behind the 2015 FIFA Women's World Cup final between the U.S. and Japan. The game peaked at 24.1 million viewers in the final 15 minutes of the contest. For the weekly ratings race, the *Caitlin Clark* hysteria lifted ESPN to average 3.74 million viewers P2+, nearly doubling **Fox News'** second-place mark of 1.91 million. TNT and TBS took Nos. 3 and 4 in the primetime weekly ratings race, thanks to the men's tournament, averaging 1.42 million and 1.38 million, respectively. MSNBC rounded things out with 1.07 million. Fox News remained at the top of the total-day ratings, though, after posting 1.25 million. That edged out ESPN with 1.06 million, while MSNBC (777,000), TBS (521,000) and TNT (446,000) completed the total-day top five.

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## SINCLAIR DIVING INTO AI

**Sinclair** is set to begin utilizing generative artificial intelligence within original content for language translation purposes in the coming weeks. It's working with generative AI company HeyGen for voice translation and lip-sync services, and the first program to use the technology will be **Tennis Channel's** "Petko Unfiltered" series featuring analyst *Andrea Petkovic*. The show is recorded and aired in English in several European countries on Tennis Channel and on **T2** in the U.S. Later this month it'll be translated to Spanish and broadcast on Tennis Channel in Spain. Sinclair will include a disclosure slate explaining its usage of AI along with a QR code linking to a [webpage](#) showing a comparison of episode language versions.

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## SIX KEYS FOR STREAMING GROWTH

The streaming space is one of the more competitive arenas out there, and **VAB** and **Hub Entertainment Research** teamed up to identify six important areas for streamers to focus on to help find success. Beginning with streaming high-quality content, VAB and Hub's report found consumers equate "TV" to high-quality content that includes compelling storylines and characters played by professionals. The second key, engaging viewers through "viewer-first" experiences, focuses on the fact certain age groups set aside time to watch their favorite content. Persons 55-74 came out with 56% of respondents saying they have scheduled time to watch content, with P35-54 checking in at 43%, P25-34 at 34% and P13-24 at 37%. Third is streamers offering diversified content offerings, especially when it comes at no cost. Approximately 40% of respondents listed the ability to access free content they want to view in

exchange for watching ads as a reason to sign up for a FAST service, but when it comes to other services, content like live sports is becoming a differentiating factor. More than half of all viewers have streamed live sports in the past 12 months, with 42% of females 16 and older streaming sports over the last year. Customer loyalty and retention is another key as customers look for value, such as benefits like free **Amazon Prime** with **Prime Video** or bundles such as **Paramount+** and **Walmart+**. Fifth is cross-platform delivery across social media and TV platforms, and last is having innovative ad experiences instead of traditional “pause” ads.

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## CBS NEWS REVAMPS NAT'L STREAM

**CBS News'** national stream is getting a new name along with enhancements. CBS News Streaming Network will officially become **CBS News 24/7** on April 22. It'll feature double the number of live hours of news coverage from CBS News and Stations. CBS News 24/7 will also introduce a new live whip-around newscast of the same name. Other programming highlights to come with the stream's new look include an expanded “America Decides,” a new name for CBS News chief political analyst and senior national correspondent *John Dickerson* “The Daily Report with John Dickerson” and a new late-night show coming later this spring “CBS News Roundup.”

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## HOW TO FREE UP SPECTRUM WITHOUT FCC AUCTION AUTHORITY

The **FCC** is trying to find ways to make its spectrum inventory available without its auction authority, and stakeholders have plenty of ideas on how it could act quickly to put that spectrum to work. **NCTA** asked the FCC to adopt coexistence frameworks as quickly as possible in the lower 3 GHz, 7 GHz, lower 37 GHz and 12.7 GHz bands in its comments, arguing that doing so would quickly facilitate spectrum availability for a wider variety of users and use cases. **NCTA** highlighted the lower 3 GHz in particular as being of critical importance to cable operators providing wireless broadband services and for the expansion of low-power targeted deployments across the U.S. At the same time, it isn't fungible with other spectrum because of its proximity to the CBRS band, where cable operators have already been experimenting and investing. “The CBRS band's coexistence approach can form the basis for the spectrum access approach in the lower 3 GHz band. And the Commission could authorize a licensed-shared approach akin to General Authorized Access until auction authority is renewed, at which time the Commission could establish an auction for licenses similar to PALs in the CBRS band,” **NCTA** said. Overall, **AT&T** still believes that auctions are the ideal and correct model for assigning exclusive-use, licensed mobile spectrum in general. But if that is not in play, the company supported, in its comments, the use of Special Temporary Authority to allow for the use of the FCC's unassigned spectrum inventory until the agency is able to auction the spectrum at a later date. “There will be no

need for the Commission to develop new application forms, filing processes, or technical rules,” **AT&T** said. “And further, the STA mechanism will enable a seamless transition from temporary to permanent licenses when the time comes.” Because an STA typically lasts for 180 days and there is no sense right now of when the FCC may be given back its auction authority, **AT&T** also proposed some guardrails. Among them were conditions that any STA user of inventory spectrum must prove that it has met applicable performance requirements for licenses should it want to be allowed to utilize that spectrum for an additional 180 day period. It also posited that any STA should come to a close after the announcement of winning bidders in whichever auction results in the successful relicensing of the applicable inventory spectrum.

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## MYBUNDLE TARGETS CHURN

**MyBundle** is finding good results so far when offering the option to bundle streaming credits with internet service. It studied the streaming service purchase data from 300 subscribers to Wisconsin-based provider **Norvado's** 1 Gig fiber PickME Plan, which comes with \$20 in monthly streaming credits through MyBundle's Streaming Choice program. The monthly churn rate of SVODs was approximately 4.3% after 12 months. That's a reduction of up to 50% compared to the industry average monthly rate of 8.6%, according to **Antenna**. MyBundle used the same methodology as Antenna's “State of Subscriptions—Premium SVOD” study from February. So far, 21 of MyBundle's clients offer Streaming Choice, which was first introduced in 2022.

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## SPECTRUM INTRODUCES PAIR OF DEVICE ENHANCEMENT OFFERS

**Spectrum Mobile** customers are getting more options in their plans. The provider is offering a new “Anytime Upgrade” feature that allows new and existing customers with the Spectrum Mobile Unlimited Plus plan to upgrade their phones whenever they want, as many times as they want, at no additional cost. That includes those who switch to Spectrum Mobile with a device they already own, with the only conditions being that it powers on and is free of liquid damage (or a \$99 “Beyond Economic Repair” fee is applied). Additionally, Spectrum Mobile unveiled a Repair and Replacement plan that gives customers coverage for broken screens loss and theft for \$5/month per device. It's now available to all customers within 30 days of purchase.

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## PEOPLE

**Viamedia** made a pair of executive promotions. *Sherri Bradshaw* was upped to SVP, Finance, and *Anita James* will step into SVP, Financial Planning and Analysis. Bradshaw will manage financial operations for Viamedia. She joined the company in 2020. James, who has been with Viamedia since 2006, will oversee financial planning, budgeting and analysis to drive the company's financial strategy. Both will report to President/CEO *David Solomon*.