

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## ACP DOA?: Affordability Path Unclear This Congress

While there's still hope that the Affordable Connectivity Program could be refunded this Congress through various legislation, it's quickly dissipating.

"There might be 56 votes in the Senate for this, but there's not 60 votes in the Senate to do it this year. And I don't think the Speaker of the House would put it on the floor this year. I think those two things are fatal," **ACA Connects** CEO *Grant Spellmeyer* said during **CFX's** inaugural **American Broadband Congress** on Thursday.

Former **FCC** Commissioner *Mike O'Rielly* agreed that it's a really tough scenario for something to work its way through the legislative process in the next couple months. "I've seen stranger things happen. It will be a reform program if it does happen. Having served in Senate leadership, there's still a chance," he said. Assuming it doesn't happen, he does believe affordability will be addressed by Congress and then the FCC at some point in the near future. "I don't know if it's part of USF reform or something else, but I do think affordability does get done, but it's done through committee and not by members... and it happens in a sustainable way. It's probably a much smaller program that serves fewer people, but it's something that Congress can get behind at some point," he said, though he warned several times USF reform is complicated.

Longtime public interest advocate and **American Association for Public Broadband** Executive Director *Gigi Sohn* believes

USF reform could be the way forward, pointing to ongoing work by a bipartisan Universal Service working group in the Senate that she thinks could mandate the FCC step in with contribution reform that would have broadband providers contribute and possibly some "big data users," she said.

Though USF reform was touched on during the 45-minute session, the overall lament was that ACP has been allowed to expire. Sohn noted that she supported the broadband provision of the Infrastructure Act because it gave authority to the states—including for how BEAD winners would meet the broadband affordability requirement. "If I have a complaint at all—and you know I love my friends at **NTIA**—but I think they're being a little too heavy handed. The states have to know what's going on on the ground much better than the federal government."

Earlier in the day, Virginia State Broadband Director *Tamarah Holmes* didn't directly address the state's ongoing Volume II debate with NTIA, presumably due to a disagreement on the state's approach to the low-cost plan requirement. But she touched briefly on how the proposal was created through the relationships Virginia has brokered over the past seven years with private entities and local government. "I think that led us to what is the romance novel of our Volume II, because I feel like providers have given us feedback on what we've posted and I feel like we landed in a good place. There are some things that we agree on in Virginia, both ourselves and our providers, that maybe NTIA does not necessarily agree with,

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## How I got **HERE**

**JOE Leonard**  
SVP, MARKETING & CREATIVE STRATEGY  
CHARTER



After graduating from Fairfield University with a degree in marketing, Joe Leonard's nearly four-decade professional journey began as an auditor for a bank on Wall Street. He knew it wasn't what he wanted to do long term. So, he quit two years later, but didn't have anything else lined up—except the answer to “What do you want to do?”

“Well, I want to do marketing for an entertainment company,” Leonard recalled to **CFX**. “It's almost when those words came out of my mouth that the universe started to turn.”

The universe did indeed turn, creating what blossomed into a 36-year career in media and entertainment that'll come to a close when Leonard retires at the end of this month. Ironically, his first job after that was at Disney Channel's New York offices as a regional auditor, but he stepped into a sales position 1.5 years later before becoming one of the original seven employees of History Channel when he was hired by A&E. After stops at Cablevision and MuchMusic USA, he became VP, Affiliate Marketing for AMC Networks. He was then hired by John Hargis to return to Cablevision in 2001 to join its corporate ranks. Hargis, who had left Cablevision to take the same CMO role at Charter, once again hired Leonard to come to Charter in 2013, which would ultimately be the final stop in Leonard's career.

“In this job, I've never been bored. There's always something new to learn. It never seems to be the same thing year after year,” Leonard said. “There's always somebody or something pushing the envelope. There's a lot of competition.”

Passion is what brought Leonard into the industry, and it's what he thinks is the key to staying ahead of the game when mass changes occur. “When I got started in the business, it was really about programming and about television, and that was important to people,” Leonard said. “But now, the internet, making phone calls and mobile service—these are probably the most important things to people.”

Leonard will miss the industry events and interaction with colleagues. He said he's never had an extended amount of time off since he graduated college, and he doesn't have a set plan for what he'll do next. Leonard does know, however, that he'll continue playing guitar in a band and get more involved in philanthropic work. He wants to help create more opportunities for those on the autism spectrum entering young adulthood by finding opportunities in the workforce and providing social activities.

“I have to think a lot and think long and hard about what my next act is going to be,” he said.

I won't speak publicly about that... But I think some of the things that are important is that you listen to your providers and figure out how to how to work together,” she said.

*Shirley Bloomfield*, CEO of **NTCA-The Rural Broadband Association**, predicted that when members of Congress return home for the August recess they'll get an earful from constituents who lost internet because of ACP's lack of funding. “I think that when you look at all of the congressional districts and how many constituents are served by this program today, I think there will be a renewed push in 2025,” she said.

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## NTIA HANDS OUT THREE MORE BEAD APPROVALS

**NTIA** approved the BEAD Volume II proposals for Illinois, Oregon and Puerto Rico on Thursday. The three can now request to access funding, with Illinois being able to use more than \$1 billion, Oregon having access to over \$688 million and Puerto Rico getting more than \$334 million. After deployment goals are met by the states, remaining funding can be used on high-speed internet adoption, training, workforce development initiatives and other eligible uses.

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## FCC CLOSES LIBERTY LATIN AMERICA INVESTIGATION

The **FCC's** Enforcement Bureau reached a settlement with **Liberty Latin America** as a result of an investigation into whether Liberty failed to report a data breach in the time-frame required by the FCC and the conditions of Liberty's license under a national security agreement. Liberty will pay a \$100,000 civil penalty to resolve the investigation. The data breach stems from its subsidiaries **Liberty Mobile Puerto Rico** and **Liberty Mobile USVI**. Liberty acquired the telecommunications operations from **AT&T** in 2020, and in 2023, Liberty was notified by AT&T that customer data predating the transaction had been breached. “Liberty was required to file a breach report pursuant to the Commission's rules and to notify the Department of Justice of the breach pursuant to a national security mitigation agreement. Liberty did not timely report the breach and instead spent weeks negotiating with its predecessor over which of the companies was responsible for notifying the government about this breach,” the Commission said. Moving forward, Liberty entered a letter of agreement that included a 72-hour breach notification requirement and other terms pertaining to national security risks and law enforcement interests.

## INDYCAR RACES WITH FOX

**Fox Sports** is the new home of the **NTT IndyCar Series** starting in 2025. Every race in the 2025 campaign will air on **Fox** and stream on the Fox Sports app, while **Fox Deportes** will have the Spanish-language TV rights. Fox will also carry the Indy 500 qualifications on both Saturday and Sunday, which makes the total number of broadcast windows to an NTT IndyCar Series record of 19. For **Fox Sports 1** and **Fox Sports 2**, they'll get all other practice and qualifying sessions, and FS1 will get the majority of INDY NXT races. FS2 will provide supplemental coverage of select races.

## PEACOCK SIGNS RIGHTS DEAL WITH USL SUPER LEAGUE

A new professional women's soccer league in the U.S. is kicking off this summer, and the action will be available on **Peacock**. The USL Super League signed a multi-year deal with the streamer to have every regular-season and playoff match—115 in total—aired on Peacock. The league's opening weekend will begin Aug. 17. The agreement is an expansion of the USL's partnership with **NBCUniversal** that was first signed in 2021 and saw the league use NBC Sports Next to launch a digital network for the USL and its clubs.

## FOX ADDS DYNAMIC AD INSERTION TO COLLEGE FOOTBALL

**Fox Corp.** is expanding its growing partnership with **FreeWheel** to introduce dynamic ad insertion capabilities and new co-developed targeting technology to programming including college football. Fox will now use FreeWheel's technology to enable dynamic ad insertion and allow advertisers to buy more premium live sports inventory while also utilizing features to optimize viewing experiences. FreeWheel and Fox's AdRise also teamed up to create technology that introduces contextual signals like specific players, team information or the score happening in a live game. FreeWheel will become Fox's primary ad serving partner across the One Fox portfolio.

## DISNEY ROLLS OUT INTERACTIVE AD FORMATS

**Disney** continued the advertising frenzy Thursday by adding two new interactive "advergaming" formats. The first will launch on **Hulu** and **ESPN** and will be powered by BrightLine, a streaming TV technology company that offers remote control engagement with ads. The formats for Hulu and ESPN will include quiz shows; multi-question, multi-answer trivia games and beat the clock. Disney has also released CTV shoppable formats across properties including **Disney+** and programmatic, which include QR codes, custom graphics and product carousels.

## NBCU BOLSTERS FIRST-PARTY AUDIENCE FEATURES

**NBCUniversal** is gearing up for the upcoming Cannes Lions International Festival of Creativity, and it's getting the celebration started by introducing accelerated first-party audience capabilities with its live event programming. NBCU is doing that by offering insights into interest and intent signals across different categories that give marketers a better understanding of who exactly is tuning in. Advertisers can get curated audience insights within days of a program, such as the type of car the audience is in the market for or when they've most recently visited a dealership. NBCU will also have live audience segments that allow marketers to re-engage with customers through other NBCU properties.

## NETFLIX FEELING HUNGRY

**Netflix** has made some moves with its sports strategy recently, but the latest addition to its portfolio doesn't involve a ball or puck. It'll stream a live hot dog eating contest between 16-time hot dog-eating champion *Joey Chestnut* and six-time winner *Takeru Kobayashi* on Sept. 2. "Chestnut vs. Kobayashi: Unfinished Beef" will seek to "settle the beef" between the two rivals who have faced off in the annual Nathan's Famous Fourth of July Hot Dog-Eating Contest. Exact time of the stream is to be determined.

## PROGRAMMING

Excited for the "House of the Dragon" Season 2 premiere Sunday? **HBO** delivered an early present to fans, renewing the show for a third season. – **Discovery Channel's** annual Shark Week will kick off July 7 at 8pm. Host *John Cena* will be on hand to take viewers through the 21 hours of Shark Week-related programming, which starts with "Belly of the Beast: Bigger and Bloodier." Each night's festivities will begin at 8pm. – **Prime Video** and the **NHL** unveiled a new weekly whip-around show that'll air on Thursday nights in Canada. "NHL Coast to Coast" will have look-ins, highlights and analysis of each NHL game happening.

## PEOPLE

**Comcast's** ad buying platform AudienceXpress named *Scott Collins* its Head of U.S. Commercial Sales and Operations. He'll manage the company's U.S. business, which includes management of ad sales and revenue, business operations and inventory optimization. Collins, who's made previous stops at **AMC Networks**, **NBCUniversal**, **A&E** and **Nielsen**, will report to **FreeWheel** CRO *Katy Loria*.

## EDITOR'S NOTE

As we wrap up the first **Cablefax American Broadband Congress**, the next issue of the Cablefax Daily will arrive in your inbox Monday, June 17. Stay tuned to [Cablefax.com](http://Cablefax.com) for any breaking news in the meantime.

# PROGRAMMER'S PAGE

## ESPN Chronicles an Infamous 'False Positive'

*Butch Reynolds* had dedicated his life to becoming a track and field star. From his younger days at Ohio State to competing at the Olympics, he was well on his way to being familiar with the pinnacle of the sport. That came crumbling down in August 1990 after being accused of illegal drug use following a positive test, but Reynolds has maintained his innocence since and continues to do so in **ESPN's** "30 for 30: False Positive" which premiered Tuesday and streams on **ESPN+**. Yes, there was a positive drug test, but flaws in the testing procedure were revealed that disputed whether Reynolds' results were correctly assigned to him. "It was so much of a sham," Reynolds said in the doc. His family, legal team and fans helped him through his two-year suspension handed to him by the International Association of Athletics Federations. The film details each step of before and after the alleged failed drug test, telling both sides of the story while highlighting the mistakes that happened along the way. *Ismail Al-Amin*, the film's director who's an Akron, Ohio, native like Reynolds, said that his own research led him to believe Reynolds was innocent. "However, once we started the production of the film, I was open to any new information and or insights that may come out," he said in the film. The doc showcases those insights by unraveling the accounts of Reynolds and those close to him like his former coaches and lawyer. What enhances the intimacy of viewing is how prominent interview subjects are framed by the camera. For folks, including Reynolds himself, it's a very close shot of their face with a darker backdrop. It's as if it's a conversation to learn about how mishaps devastated a rising star, something not always felt in sports docs. – *Noah Ziegler*

### REVIEWS

"Presumed Innocent," streaming, **Apple TV+**. In life as in art timing is critical, though it's often beyond our control. Certainly Apple TV+ could anticipate that high-profile legal cases might create buzz for a miniseries updating *Scott Turow's* 1987 book "Presumed Innocent." Still, even Apple TV+ couldn't have anticipated one of those trials would produce a news byte from Manhattan District Attorney *Alvin Bragg*—"I did my job"—that *Jake Gyllenhaal's* character, attorney *Rusty Sabich*, utters in an early scene of this very watchable mini loaded with A-list actors. Besides Gyllenhaal, there are Oscar nominees *Ruth Negga* and O-T Fagbenle ("The Handmaid's Tale") and Emmy nominees *Bill Camp* and *Peter Sarsgaard*. Ironically, it's 11-time Emmy winner *David E. Kelley* whose script falls short of injecting enough important new material to justify updating Turow's legal thriller in 8 eps as opposed to the 2-hour *Alan Pakula* film (1990), starring *Harrison Ford*, *Raul Julia*, *Paul Winfield* and *Brian Dennehy*. The story of Sabich's former office prosecuting him for murder remains riveting. And ex-lawyer Kelley writes great courtroom dialogue and deviates from Pakula, eliminating Julia's crafty Sandy Stern. Instead, Kelley inserts another defense lawyer for Sabich. However, Sabich misled his defender for years, withholding a key fact about the murder victim. It's said attorneys don't need to know if their client is guilty. We'll see. – *Seth Arenstein*

BASIC CABLE		
P2+ PRIME RANKINGS*		
(06/03/24-06/09/24)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
<b>FNC</b>	<b>0.667</b>	<b>2102</b>
<b>MSNBC</b>	<b>0.367</b>	<b>1159</b>
<b>ESPN</b>	<b>0.366</b>	<b>1153</b>
<b>HALL</b>	<b>0.245</b>	<b>774</b>
<b>HGTV</b>	<b>0.245</b>	<b>772</b>
<b>INSP</b>	<b>0.189</b>	<b>597</b>
<b>HIST</b>	<b>0.183</b>	<b>577</b>
<b>TBSC</b>	<b>0.179</b>	<b>563</b>
<b>USA</b>	<b>0.172</b>	<b>542</b>
<b>CNN</b>	<b>0.152</b>	<b>480</b>
<b>FOOD</b>	<b>0.143</b>	<b>451</b>
<b>DISC</b>	<b>0.128</b>	<b>403</b>
<b>TLC</b>	<b>0.125</b>	<b>395</b>
<b>HALLMYS</b>	<b>0.121</b>	<b>383</b>
<b>TVLAND</b>	<b>0.118</b>	<b>371</b>
<b>ID</b>	<b>0.112</b>	<b>353</b>
<b>GSN</b>	<b>0.112</b>	<b>353</b>
<b>LIFE</b>	<b>0.109</b>	<b>343</b>
<b>REELZ</b>	<b>0.101</b>	<b>319</b>
<b>ESPN2</b>	<b>0.097</b>	<b>305</b>
<b>A&amp;E</b>	<b>0.095</b>	<b>298</b>
<b>WETV</b>	<b>0.091</b>	<b>286</b>
<b>BET</b>	<b>0.090</b>	<b>285</b>
<b>AMC</b>	<b>0.090</b>	<b>284</b>
<b>BRAVO</b>	<b>0.088</b>	<b>279</b>
<b>OXY</b>	<b>0.086</b>	<b>273</b>
<b>NWSMX</b>	<b>0.078</b>	<b>247</b>
<b>TNT</b>	<b>0.076</b>	<b>239</b>
<b>ADSM</b>	<b>0.076</b>	<b>238</b>
<b>SYFY</b>	<b>0.072</b>	<b>226</b>
<b>PRMNT</b>	<b>0.068</b>	<b>215</b>
<b>FX</b>	<b>0.068</b>	<b>214</b>
<b>NATGEO</b>	<b>0.064</b>	<b>201</b>
<b>NAN</b>	<b>0.063</b>	<b>198</b>
<b>FS1</b>	<b>0.061</b>	<b>192</b>

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

## DIVERSITY & THE PRIDE LIST

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