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WHAT THE INDUSTRY READS FIRST

New Rules: ACA Connects Plans for Fresh Congress, BEAD Changes

ACA Connects CEO *Grant Spellmeyer* was among those pleasantly surprised with how quickly many of the elections, including the presidential race, were called last month and is now working together with his members to plan out policy priorities for 2025.

Spellmeyer told **CFX** that many of the results fell in line with what the association was expecting with the House ultimately being slightly closer than he thought. But he and his team are excited to already have a clear game plan to work off of.

“My members are optimistic and excited about what I believe will be a more deregulatory, put-investment-first sort of outlook on what’s going on in Washington,” Spellmeyer said. “There’s some uncertainty as to what will happen to projects like BEAD... but I think either way, we’re kind of excited to spend some time trying to actually get some good policy done.”

The future of the BEAD program is ultimately in limbo. President-Elect *Donald Trump* has yet to nominate the next leader of **NTIA**, and once that’s complete, the nominee will have to be confirmed by the Senate before getting to work. Spellmeyer does expect whoever takes that slot to remove some of the strings that are currently attached to the funding, particularly around controversial issues like prevailing wage requirements and some more aggressive mandates around lower-income households. But how each state takes those changes and melds them with their existing BEAD plans is anyone’s guess, particularly in states with Democratic leadership.

Some big question marks are around if there will be an effort to recapture some of the BEAD funding and how much of it could be pulled. Spellmeyer, who has spoken with lawmakers that are actively considering those issues, said he believes the possibility of some funding being pulled out of the program is very real. We’ll have a better idea in time of how the **Department of Government Efficiency** views programs like BEAD and how quickly it will look to take action.

“If you’re going to cut \$2 trillion out of federal government spending, you’re going to have to go after programs like BEAD in order to get to that number,” Spellmeyer said. “Some of my members don’t care about BEAD very much at all or certainly they’re not planning to participate because they’ve figured out other, better strategies to do it.”

While it’s wait-and-see on the BEAD front, Spellmeyer is optimistic about the ability of ACA Connects to make a difference for its members when it comes to issues around rights of way.

“We need to speed up rural broadband deployment, and there’s been a lot of interest amongst Republicans in Congress over the last couple of years in doing that. [Rep. *Buddy Carter* (R-GA)] has had a piece of legislation that’s been given some serious consideration in the House, and I want to put a focus behind trying to pass something in that realm early next year,” he said. Carter has proposed streamlining the process for requesting approvals to deploy new broadband infrastructure and ensuring that environmental and historic preservation reviews for broadband deployments are proportional to the level of deployment taking place.



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He's also watching activity around USF reform with many across the industry showing concern about collection and distribution mechanisms, but he doesn't expect movement until 2026. That's because there will be a likely wait to see how the Supreme Court rules on an appeal of a Fifth Circuit ruling that determined the FCC's method of funding the USF was unconstitutional. Also on Spellmeyer's back burner for now are some issues around the regulation of broadcasters, including retransmission consent reform.

"I want to see the broadcast industry survive and thrive. I don't want to see it driven totally off of retransmission consent revenues because retransmission consent is not going to survive in the long run given the way [the video ecosystem] is playing out," he said. "That's what led a number of my members to de-emphasize... and go full speed into high-speed broadband as the primary focus."

Spellmeyer still believes retrans reform requires Congressional intervention, and with other action items likely to be prioritized, he's not of the opinion any significant movement will happen in 2025. What he has been hearing more are conversations around the reclamation of broadcast spectrum to be auctioned off to the wireless industry or satellite players with proceeds to be used to reduce the federal deficit.

"That's one spot where you might see that pop up at some point in the next Congress. We're watching it," he said. "I assume that you will see efforts at broadcast ownership deregulation, and I'm not spending a lot of time worrying about that."

While the planning for ACA Connects' 2025 [Summit](#) has been underway for months, the clarity that came with the election results has allowed the organization to begin finalizing the program for the March event. Relief also came this week with the release of the calendars for the House of Representatives and the Senate, which revealed both chambers will be in session for the organization's annual lobbying day.

"We are about to announce our first couple of speakers in the next week or so, and I hope to have a couple of good Hill speakers, FCC speakers and some industry folks and have a good opportunity to cover the issues at hand," he said. "I think you'll hear a lot about BEAD and you'll hear a lot about permitting reform."

CARR SAYS MUSK WAS WRONGED, BUT HE WON'T PLAY FAVORITES

There's been a lot made about *Brendan Carr's* friendliness with *Elon Musk*, but the incoming **FCC** chair told **CNBC** Friday that there's no preferential treatment there. "I've met with Musk a couple of times. But frankly, I've met far more often and far more frequently with the heads of many other regulated entities," he said. "Every single person in this country should get a fair shake. We're coming

out of an administration where, again, from my perspective, I think Elon Musk was given the short end of the stick from a regulatory perspective for political reasons, not policy reasons. If he's right, I'm going to agree with him. If he's wrong, I'm not. But I'm not going to try to sort of strike some balance of, you know, percentage of wins and losses for him. Because, frankly, I think that in and of itself would be corruption." Carr is a fan of low-Earth orbit satellites for broadband, saying he talks a lot about Musk's **Starlink** because it's a brand name people know—"sort of like Kleenex," but he wants **Amazon's Project Kuiper** and others to succeed as well. "It's for national security purposes, too. Look, China is putting up their own version of Starlink and Kuiper right now," Carr said. During the interview, he hit on his other usual talking points, Section 230/censorship, freeing up more spectrum and broadcaster's public interest obligations. "Broadcast licenses are not sacred cows," he said in response to a question about whether they could lose their licenses if they have perceived liberal bias. This seems to be about giving the broadcast station group owners more of a voice when it comes to their relationships with the big networks—**ABC, CBS, FOX** and **NBC**. "We need to look at empowering those local broadcasters to serve their local communities, even if that's in conflict with the interests of those national networks. I mean, at the end of the day, you've got all this content from Hollywood and New York that's being distributed down through these local broadcasters. Let's make sure they feel empowered to do the right thing by their local community," he said. Carr added that he doesn't want to be "the speech police," but the FCC should look at what it means to operate in the public interest.

EIGHTH CIRCUIT GETS CLICK-TO-CANCEL CHALLENGE

The various challenges against **FTC's** click-to-cancel rule will be heard by the Eighth Circuit Court of Appeals. The petitioners, which include **NCTA**, the **Interactive Advertising Bureau**, the **Michigan Press Association**, the **U.S. Chamber of Commerce** and others, asked the appeals court this week to stay the rule pending judicial rule. Otherwise, it would begin to take effect on Jan. 14 with it completely in effect May 14. The groups argue the FTC exceeded statutory limits by instituting a rule that applies to "a billion subscription plans" that include everything from newspapers and internet service to lawn care and home security. NCTA, IAB and others filed their initial challenge in the [Fifth Circuit](#). Last month, the Fifth Circuit granted petitioners' mandamus petition, expediting the lottery process for the cases to be consolidated before a single court of appeals, with the Eighth Circuit selected. The FTC issued its final rule in October. It requires the cancellation process to be at least as simple as it was to sign up, easy to find and to not require interaction with a live or virtual representative if that wasn't

needed for sign up. “The Commission calls these subscriptions ‘negative option’ contracts and deems them categorically ‘unfair or deceptive’ unless sellers meet a new set of complex requirements,” the petitioner told the court. “Absent a stay, Petitioners will need to redesign sales materials, websites, apps, customer intake and cancellation procedures, and more, losing customer goodwill in the process. The Rule will also burden Petitioners’ First Amendment rights by restricting whether and how companies can communicate with their customers—a per se irreparable harm.”

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COURT UPHOLDS TIKTOK BAN

The D.C. Circuit upheld a law forcing the sale or ban of TikTok in the U.S. unless it divests from Chinese ownership. The appeals court agreed with the DOJ that the government has the right to ban the app based on its potential to be a national security risk. TikTok, facing a Jan. 19 sales deadline, is expected to ask the U.S. Supreme Court to review the decision. “Today’s decision

by the D.C. Circuit Court is a major win for the rule of law. From the beginning, Congress gave TikTok a very clear choice: Divest from your parent company—which is beholden to the Chinese Communist Party—and remain operational in the U.S. or side with the CCP and face the consequences,” House Commerce Chair Cathy McMorris Rodgers (R-WA) and Communications Subcommittee Chair Bob Latta (R-OH) said in a statement.

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PROGRAMMING

Warner Bros. Discovery is expanding the TCM hub on Max with more classic movies throughout 2025. TCM titles are now available to stream with hundreds of new titles and monthly stunts rolling out beginning this December. The films will also be available on the TCM linear network. – WWE and A&E are expanding their partnership with new competition series WWE LFG (Legends & Future Greats). It features matches along with rising talent being mentored by WWE legends such as the Undertaker and Booker T.

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Social Media Hits

 **Ross Lieberman** ✓
@RossLieb


Congratulations to @BrendanCarrFCC on being designated as the next FCC Chair! With his extensive knowledge and experience, he is well-equipped to lead the agency in fulfilling its responsibilities and advancing the nation's communication goals.

 **Brendan Carr** ✓ @BrendanCarrFCC · Nov 17

Thank you, President Trump!

I am humbled and honored to serve as Chairman of the FCC.

Now we get to work. 🇺🇸

 **Mike Sievert** ✓
@MikeSievert

I am deeply saddened by the tragic loss of Brian Thompson, CEO of UnitedHealthcare. Brian and his team have been great partners to T-Mobile. He was a leader dedicated to improving healthcare for millions and my thoughts are with his family, friends, and colleagues during this incredibly difficult time.

 **AI Competition Center**
@AICompCenter

This week, the @AICompCenter launched the first phase of a national #AI policy framework. The launch also included remarks from @SenatorWicker, @SenMarkey, @INCOMPAS CEO @ChipPickering, former FCC Commissioner @MignonClyburn, and @ColinCrowell of the @BlueOwlGroup.



 **Up Ahead**

DEC. 9-10: [UBS Global Media & Communications Conference](#)

DEC. 11: [FCC Open Meeting; D.C.](#)

JAN. 7-10: [CES 2025; Las Vegas](#)

FEB. 23-25: [NCTC Winter Educational Conference; Atlanta](#)

MARCH 4-6: [ACA Connects Summit; D.C.](#)