



AC ACTION BRIEF

YOUR CONNECTION TO NEWS AND INITIATIVES

AMERICA'S COMMUNICATIONS ASSOCIATION

July 24, 2019 - Public Issue

Thank you to our #Summit26 Platinum Sponsors!



ACA CONNECTS: KEY DEVELOPMENTS

ACA Connects Applauds FCC Actions To Modernize KidVid Rules, Streamline Delivery Of Broadcast and Cable Notices, and Advance Connected Care

ACA Connects President and CEO Matthew M. Polka issued the following statements on July 10 regarding actions taken by the Federal Communications Commission at today's Open Commission Meeting:

Modernizing the Children's Television Rules:

"ACA Connects applauds the FCC for voting today to streamline the reporting process under its children's television programming rules. Today, cable operators are required four times a year to collect "KidVid" certifications from every programmer they carry and to post these documents, which can number over 100 in total, to their public file. The FCC's decision to move from quarterly to annual postings will substantially reduce burdens for cable operators without compromising the rules' underlying protections for child viewers."



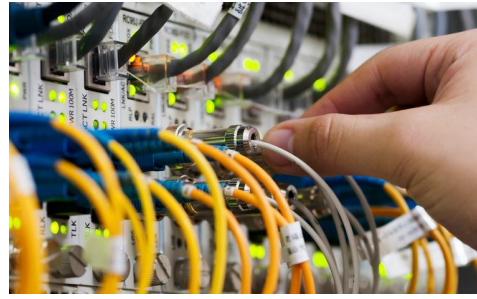
Electronic Delivery of Carriage Election Notices; Electronic Delivery of Notices to Broadcast Television Stations:

"The FCC took welcome steps today to make it easier for cable operators and broadcasters to exchange required notices. ACA Connects supports today's decision to allow broadcast carriage election notices to occur by email. We are also pleased that the FCC has proposed extending similar treatment to cable operators, allowing them to deliver required notices to broadcasters by email rather than certified mail. We thank the FCC for developing a proposal that takes into account many of our suggestions, and we encourage the FCC to move forward promptly with its adoption." [Read more](#)

ACA Connects Calls On FCC To Reduce Further The Burdens Of Cable

Leased Access Rules

ACA Connects is calling on the Federal Communications Commission to further reduce the burdens associated with “leased access” capacity that cable operators must make available to programmers. ACA Connects urged this approach in further comments filed on July 22.



“We appreciate the efforts the FCC has already made to reduce burdens associated with leased access,” ACA Connects President and CEO Matthew M. Polka said. “The FCC should further reduce those burdens by permitting cable operators to use a single set of data for a set period of time in responding to leased access requests, rather than having to compile data anew for every request.”

Polka continued, “The FCC should also either set a minimum rate for leased access or otherwise adjust the formula so that the cable operators with the least profitable video services do not have to give away capacity for next to nothing that could otherwise be used for broadband.”

ACA CONNECTS FILING (7/22): [FCC Comments re Leased Commercial Access and Modernization of Media Regulation Initiative](#)

OTHER ACA CONNECTS FILINGS

ACA Connects has been actively representing independent cable in many other ways and on many issues in Washington, D.C. Those efforts are described in the filings, letters, and testimonies linked below for your review:

(7/22): [FCC Comments re C Spire’s Petition for Declaratory Ruling re Commission’s Rules Related to Retransmission Consent and Market Modification](#)

7/18: [FCC Ex Parte \(w/ CCA and Charter\) re Expanding Flexible Use of the 3.7 to 4.2 GHz Band w/ Office of Cmmsr Carr](#)

7/18: [FCC Reply Comments re Expanding Flexible Use of the 3.7 to 4.2 GHz Band, Petition for Rulemaking to Amend and Modernize Parts 25 and 101 of the Commission’s Rules to Authorize and Facilitate the Deployment of Licensed Point-to-Multipoint Fixed Wireless Broadband Service in the 3.7-4.2 GHz Band, and Fixed Wireless Communications Coalition, Inc., Request for Modified Coordination Procedures in Band Shared Between the Fixed Service and the Fixed Satellite Service” is locked FCC Comments re Expanding Flexible Use of the 3.7 to 4.2 GHz Band, Petition for Rulemaking to Amend and Modernize Parts 25 and 101 of the Commission’s Rules to Authorize and Facilitate the Deployment of Licensed Point-to-Multipoint Fixed Wireless Broadband Service in the 3.7-4.2 GHz Band, and Fixed Wireless Communications Coalition, Inc., Request for Modified Coordination Procedures in Band Shared Between the Fixed Service and the Fixed Satellite Service](#)

7/15: [FCC Ex Parte Letter re Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band](#)

7/15: [FCC Ex Parte \(w/ CCA and Charter\) re Expanding Flexible Use of the 3.7 to 4.2 GHz Band w/ Office of Chairman and Offices of Cmmsrs O’Rielly, Rosenworcel, and Starks](#)

7/9: [FCC Ex Parte re Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band](#)

7/3: [FCC Comments re Expanding Flexible Use of the 3.7 to 4.2 GHz Band.](#)

CINNAMON MUELLER ALERT

Public Safety and Homeland Security Bureau Reminds Video Providers of Requirement to Issue Accessible EAS Alerts

August 7, 2019 EAS National Test Date Approaching

Last week, the FCC's Public Safety and Homeland Security Bureau released [Public Notice](#) reminding video providers – including multichannel video programming distributors (“MVPDs”) of their requirement to provide accessible EAS alerts. This is especially important as FEMA, in collaboration with the FCC, **will conduct an Emergency Alert System (“EAS”) test on August 7, 2019 at 2:20 pm EDT** with a backup date of August 21, 2019. EAS Participants, which include MVPDs, must participate in the test.



Unlike in recent years, the 2019 nationwide test will only be disseminated using a hierarchical, broadcast-based distribution system, otherwise known as the “daisy chain” and not over the Internet using the Integrated Public Alert and Warning System (“IPAWS”). Because the test will be disseminated in this manner, FEMA has indicated that “full message text and multilingual messaging will not be available.” Nonetheless, the Public Notice reminds EAS Participants to take necessary steps to ensure that the alerts comply with the FCC's accessibility requirements and are accessible to individuals who are deaf or hard of hearing and individuals who are blind or visually impaired.

In conjunction with the National Test, EAS Participants were required to renew their identifying information in ETRS Form One by July 3, 2019 and must also file “day of test” information sought by ETRS Form Two on the EAS test date, August 7, 2019 and ETRS Form Three on or before September 23, 2019.

Cinnamon Mueller attorneys are experienced with the FCC's EAS rules and can assist you if you have questions about EAS or about preparing your cable system for the upcoming nationwide EAS test. Scott Friedman can be reached at (314) 462-9000 or sfriedman@cinnamonmueller.com and Bruce Beard can be reached at (314) 394-1535 or bbeard@cinnamonmueller.com.

YOUR 2019 PROGRAM CHAIRS:

**THOMAS E. ADAMS**, EVP, Field Operations, Charter Communications**BILL WARGA**, VP, Technology, Liberty Globalexpo.scte.org

ACA CONNECTS: NEWS HEADLINES

[CBS Goes Dark For 6.5M AT&T Customers](#) (Fox News, 7/21)

Amid tense contract negotiations between CBS and AT&T, the network went dark for 6.5 million DirecTV, U-verse and DirecTV Now customers across the country on July 20. Some customers also lost access to CBS Sports Network and the Smithsonian Channel. AT&T said CBS is a "repeat blackout offender" after weeks of negotiations over pricing and streaming rights broke down. In a statement, CBS said, "...The blackout could last a "long time."

[Disney, Charter Talking About Carriage Fees](#) (CNBC, 7/12)

Disney is set to renew its multiyear carriage agreement with Charter at the beginning of August. So far, there are no signs the two sides will have a testy public renegotiation. That is par for the course for Disney, which usually hammers out a deal without fanfare. After all, pay-TV providers have never had the stomach to black out ESPN, Disney's most valuable cable channel and by far the most expensive network in the pay-TV bundle.

[Meredith Blacks Out Dish Network](#) (TV NewsCheck, 7/16)

Sixteen Meredith-owned stations were dropped from the Dish Network lineup after the two sides failed to reach a new retransmission consent contract. Meredith's stations will still be available over-the-air and from all other cable, satellite, and OTT providers serving their respective markets. "Meredith has been trying for months to get Dish Network to negotiate seriously and reaching a deal is our top priority," said Patrick McCreery, president, Meredith Local Media Group.

[ATVA: Nexstar Blackout Argues For STELAR Renewal](#) (B&C, 7/12)

The American Television Alliance (ATVA) is using the Nexstar/DirecTV retrans impasse to pitch Congress on renewing STELAR. That is the satellite license law that also includes requiring the FCC to enforce good faith negotiations in retrans disputes. "This major blackout brings this year's surging total to 201 overall – a 22% leap over the entire 2018 count – and there's still more than five months and the typical New Year's Eve salvo still to go," said ATVA, whose members include smaller cable and satellite operators.

[Netflix Loses \\$17 Billion In Value In One Day](#) (H'wood Reporter, 7/18)

Netflix shed \$17 billion in value on July 18 as Wall Street punished the leader in streaming media for announcing a day prior that it added only 2.7 million subscribers in the most recent quarter, far shy of the 5 million it had previously forecast. In trading volume more than five times its daily average, the stock sunk 10 percent Thursday as analysts digested the news, which included the fact that Netflix lost U.S. subscribers for the first time since launching its streaming product, meaning that the entirety of its gain came from international territories.

[Cable Claiming 'Outsized Share' Of Satellite-TV Ditchers](#) (Multichannel News, 7/17)

Dish Network and DirecTV continue to bleed massive amounts of satellite TV customers, 809,000 in the first quarter alone, and a whopping 2.3 million in 2018. And an "outsized share" of them are either keeping their cable broadband subscriptions intact, so as to better cut the cord with OTT services, or adding new cable TV service, according to equity research company Cowen.

Legal Sports Betting Begins In Upstate New York (AP 7/16)

New York joined the growing list of states allowing wagering on sports after an upstate casino cut the ribbon on a new betting lounge and took its first bet — \$20 on the Seattle Mariners. Gambling officials and casino executives in New York are eager to catch up to New Jersey, where gamblers have placed more than \$3 billion worth of sports bets in the first full year since wagering became legal in that state. “Right now Jersey is cleaning our clock when it comes to sports betting,” said state Assemblyman Gary Pretlow, D-Westchester County, who placed the inaugural bet.

MLB All-Star Game Rating Sets Record Low (AP, 7/11)

The American League’s 4-3 victory over the National League on July 9 in Cleveland had a 5.0 rating and 11 share on Fox, according to Nielsen. The game was seen by an average of 5.93 million households and 8.14 million viewers. That’s down from the previous record low rating of 5.2 and 8.69 million viewers for the AL’s 8-6, 10-inning victory last year.

ACA CONNECTS: ACTION BRIEF TOP THREE

Most-Clicked Links From July 10 ACA Connects Action Brief

[Sparklight Delivers Broadband To Rural Arizona](#)

[Atlantic Broadband Connects Florida Retirement Community](#)

[Hotwire To Offer Income-Based Internet Service In N.C.](#)

ABOUT ACA CONNECTS

Across this vast country, small and rural markets participate in the digital revolution by receiving video, broadband, and phone services from more than 700 small and medium-sized independent operators represented by ACA Connects - America’s Communications Association.

ACA Connects’ members -- cable, phone, and fiber-to-the-home operators and municipalities -- deliver affordable basic and advanced services to nearly 8 million households and businesses. ACA Connects members operate in every state, offering high-definition television, next generation Internet access, and digital phone service.

Access to advanced communications is not a luxury but a critical necessity for consumers and companies, schools and hospitals. America’s economic prosperity in smaller markets and rural areas depends on the growth and success of ACA Connects members, who believe a connected nation, is a united nation.

ACA Connects asks lawmakers and regulators to ensure fair treatment so that small and medium-sized independent operators may continue to supply affordable video, broadband, and phone services to Main Street America. Through active participation in the policymaking process, ACA Connects members and leaders advocate for the interests of their customers, their companies, and their communities to help ensure the continued viability of their way of life in hometown America.

For more information, visit www.acaconnects.org, or contact:

Ross Lieberman, SVP Government Affairs
202-494-5661 | rlieberman@acaconnects.org



Ted Hearn, VP Communications
202-713-0826 | thearn@acaconnects.org

ACA Connects applauds these vendors and service providers for supporting out independent ACA Connects members:

By clicking unsubscribe, your email address will be taken off all email distribution lists of ACA Connects - America's Communications Association. If you have clicked unsubscribe by accident and wish to re-subscribe, please call 412.922.8300.



AMERICA'S COMMUNICATIONS ASSOCIATION

