ACA Connects Applauds FCC For Reaffirming Pole Attachment Rights Of Communications Providers

ACA Connects President and CEO Matthew M. Polka issued the following statement on July 29, 2020:

“ACA Connects welcomes the FCC Wireline Competition Bureau’s declaratory ruling reaffirming that utility pole owners subject to FCC jurisdiction may not impose blanket bans on pole access or use their leverage to demand that attachers agree to deviations from the FCC’s pole attachment rules that benefit only the utility.

“The clarity that this ruling provides will help ensure that the legal rights of providers seeking pole access to build out and upgrade their networks cannot be denied by pole owners. The ruling will be particularly beneficial for smaller providers, such as ACA Connects members, who lack bargaining power in their negotiations with large investor-owned utilities for pole access. We applaud the FCC and the Bureau for this action.”

ACA Connects Rejects FCC’s C-Band Lump Sum “Non-Option”

ACA Connects President and CEO Matthew M. Polka issued the following statement on July 30 regarding the Public Notice released this morning by the Federal Communications Commission’s Wireless Telecommunications Bureau, which announced the lump sum amounts that would be available to MVPD earth station operators who are required to clear out of the lower portion of the C-band:  

“Instead of following the clear instructions of the FCC’s February Order to announce a lump sum amount for earth station operators who want to relocate out of the lower portion of C-band on their own, the Wireless Telecommunications Bureau chose to eviscerate the lump sum concept as part of today’s Public Notice. As a result, hundreds of MVPDs who were relying on the text of the FCC’s Order will now be forced to abandon their shovel-ready plans to deploy and use fiber as a satellite replacement. For most, if not all, ACA Connects members, the Bureau’s meager lump sum payment has turned the Order’s option of transitioning to fiber into a non-option.”
“It didn’t have to be this way. The lump sum option included in the FCC’s February Order was the product of reasoned decision making that occurred over a very lengthy period of time. Against the backdrop of the over 2-1/2 years it took for the FCC to get to an order in this proceeding, the Bureau could have taken another couple of months to get the lump sum amount right without compromising the C-band auction schedule or the accelerated transition deadlines. However, in its own rush to get things done, the Bureau has wholly discarded the directions of the Commission, and in turn small cable operators—who never asked for this transition, have nothing to gain from it, and only ask to be made whole—are denied the promises the Commission made to them in the C-band Order.”

ACA CONNECTS: NEWS

ACA Connects Announces 2020-22 Leadership Team: Patricia Jo Boyers, President of BOYCOM Vision, and Mike Bowker, COO of Cable ONE, Elected Chairman and Vice Chairman, Respectively, For Next Two Years

ACA Connects on July 30 announced its leadership team to guide the national communications organization over the next year two years, following balloting by hundreds of ACA Connects members, who have a mostly rural and suburban presence in all 50 states. The trade group also announced the board officials who were elected to serve three-year terms.

Balloting results finalized July 27 showed that Patricia Jo Boyers, President of BOYCOM Vision, was re-elected Chairman and Mike Bowker, COO of Cable ONE, was re-elected Vice Chairman, each to two-year terms.

“We at ACA Connects are enormously proud of our groundbreaking work to deliver the broadband networks to the millions who live in America’s small cities and towns. During this pandemic environment, our members serve as broadband leaders who work closely to meet the communications needs of school districts, small businesses, area health care centers, among others,” Boyers said.

Bowker, who became ACA Connects Vice Chairman in 2019, is responsible for overseeing the daily operations, technology and residential and business channels of Cable One. Cable One, based in Phoenix, Az., is a leading broadband communications provider serving more than 900,000 residential and business customers in 21 states through its Sparklight, NewWave, Clearwave, and Fidelity brands.

“It’s a great honor for me to continue to serve in my leadership position at ACA Connects and highlight all the wonderful things our members are doing to advance the deployment of broadband in rural America. It’s critically important to tell our story and note the progress we have achieved for consumers in a light-touch, investment-friendly regulatory environment that I firmly believe should remain government policy,” Bowker said. Read more.

WOW! NAMED TOP MSO OF THE YEAR BY CABLEFAX
Earlier this month, Cablefax The Magazine paid tribute to many ACA Connects member companies and their leaders, praising the skill with which they handled the COVID-19 crisis and reminding us once again, as editor Amy MacLean put it, “how integral broadband providers are.”

**The 2020 MSO Of The Year** award went to WOW! Internet Cable & Phone: “WOW! was one of the first to offer 1 Gig services in over 95% of its footprint, surpassing the milestone in March 2018. Just a few months later in July, WOW made its whole home Wi-Fi solution available across its entire footprint. The customizable mesh network solution allows customers to stream, work or browse the Internet from any corner of their home,” Cablefax editors wrote. “The operator is now rolling out WOW! tv+, an Android TV-based service in select markets, including Cleveland and Columbus, Ohio.”

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**HOTWIRE COMMUNICATIONS NAMED INDEPENDENT OPERATOR OF THE YEAR BY CABLEFAX**

Cablefax gave its **2020 Independent Operator Of The Year** award to Hotwire Communications: “For years, Hotwire Communications was one of the best kept secrets in broadband. It quietly built out fiber, struck new partnerships and ratcheted up speed. But the cat is now out of the bag, with a company consistently ranking Number 1 on Netflix’s speed index,” Cablefax editors said.
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:

7/29: **FCC Ex Parte re Expanding Flexible Use of the 3.7 to 4.2 GHz Band w/ Office of Chairman and Offices of Carr, Rosenworcel and Starks**

7/27: **FCC Ex Parte re Expanding Flexible Use of the 3.7 to 4.2 GHz Band w/ Office of Commissioner Starks**

7/21: **FCC Ex Parte re Expanding Flexible Use of the 3.7 to 4.2 GHz Band w/ Wireless Telecommunications Bureau**

7/17: **FCC Ex Parte re Expanding Flexible Use of the 3.7 to 4.2 GHz Band w/ Office of General Counsel**

7/13: **FCC Comments re Eligible Satellite Operator Transition Plans for the 3.7-4.2 GHz Band**

ACA CONNECTS: NEWS HEADLINES

**Pandemic Pressures Comcast Q2** (MCN, 7/30)
Comcast said it lost 477,000 video customers in the second quarter, more than double the 224,000 it lost in the prior year. At the same time, broadband had its best second quarter in 13 years, with subscribers rising by 323,000 in the period, compared to an increase of 209,000 in the same period last year. Comcast said the broadband growth did not include more than 600,000 additional high-risk or free Internet Essentials customers that receive service but were not included in reported results.

**Cox Media Stations Go Dark To Dish Subscribers** (Next TV, 7/22)
Dish subscribers have been blacked out from watching Apollo-controlled Cox Media Group stations in 10 markets in a retransmission-consent dispute. The stations had been enjoined from interfering with Dish’s ability to retransmit the signals under an agreement reached before Apollo Global Management acquired majority control of the group last year.

**Sparklight Invests $75 Million In Boise, Western Idaho** (Release, 7/20)
Boise, Id. – Sparklight is connecting customers to what matters most with investments of $75.6 million in Western Idaho over the past five years in order to bring the fastest and most reliable Internet to Idaho residents and businesses. “Connectivity is the core of everything our customers and communities need to be successful today and in the future,” said Julie Laulis, President & CEO.

**Comcast, Sinclair Play Ball** (Deadline, 7/24)
Just in time for Chicago Cubs season opener, Comcast and Sinclair Broadcast Group have renewed their carriage agreement, which includes the Cubs’ new TV home, Marquee Sports Network. The multi-year deal covers retransmission consent of 78 Sinclair TV stations in 51 markets across Comcast’s cable footprint.

**Comcast Acquires Southern Vermont Cable** (Brattleboro Reformer, 7/22)
Brattleboro, Vt. -- Comcast has acquired Southern Vermont Cable Company, setting off a transition process for local residents and businesses that is expected to continue through the fall. Southern Vermont Cable offered Internet and cable service locally for more than 30 years. The company was said to have about 2,450 customers when the deal was first proposed.

**AT&T Lost 954,000 DirecTV, AT&T TV Now Subs In Q2** (Fierce Video, 7/23)
AT&T lost another 954,000 premium and streaming TV subscribers in the second quarter but credited its new AT&T TV service with helping to offset the continued losses. AT&T posted a net loss of 886,000 premium TV (DirecTV, U-verse) subscribers.

**O’Rielly Nomination Advanced To Full Senate** (MCN, 7/22)
The nomination of Republican FCC commissioner Michael O’Rielly for a new, five-year, term on the FCC has been favorably reported out of the Senate Commerce Committee and now moves to the full Senate for a vote. That came by voice vote Wednesday, July 22.

**Altice Sells Lightpath Stake To Morgan Stanley For $2.3B** (Bloomberg, 7/28)
Altice USA agreed to sell nearly half its Lightpath fiber business to Morgan Stanley Infrastructure Partners for about $2.3 billion. Altice expects to receive about $1.1 billion in net cash after taxes and debt repayment from the deal, which values the operation at $3.2 billion.

**Utilities Sue FCC Over 6 GHz Order** (MCN, 7/28)
The Utilities Technology Council has joined broadcasters in suing the FCC over its decision to allow unlicensed use in the entire 6 GHz band. “The FCC acted unlawfully and against the public interest when it permitted a host of new users into a vital spectrum band that will likely cause communications challenges for public safety and critical-infrastructure industries,” the council told the court in its petition.

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**ACA CONNECTS: ACTION BRIEF TOP THREE**

**Most-Clicked Links From July 17 ACAAction Brief:**
1. **Cable ONE To Take Minority Interest In Hargray** (Light Reading, 7/8)
2. **ISPs Lose Facial Challenge To Maine Privacy Law** (MCN, 7/7)
3. **Roku Has Upended The Cable TV Power Dynamic** (Motley Fool, 7/10)

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**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](http://www.acaconnects.org), or contact: