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WHAT THE INDUSTRY READS FIRST

Power Off: DirecTV Asks FCC to Keep 12 GHz 5G-Free

The FCC's inquiry into whether 5G mobile operations could be introduced into the 12 GHz band without disrupting incumbent licensees has quickly turned into a battlefield between **DISH** and **Starlink** over whether those 5G operations would disrupt the latter's satellite internet service. But a new challenger has approached, and **DirecTV** is now asking the Commission to close the 12 GHz proceeding altogether.

DirecTV uses 12 GHz spectrum to power its Direct Broadcast Satellite (DBS) systems that power its video offering across the U.S. It had its own doubts about whether additional mobile operations could actually live in the band without disrupting its service, and found strikingly little conversation about the potential impact on DBS services in the record.

"To date, the only DBS interference analyses submitted in the record are outdated or irrelevant, and thus do not accurately reflect the characteristics of either a ubiquitous, modern, high-power terrestrial mobile service or DirecTV's DBS service," DirecTV said in a letter to the Commission submitted Monday. "Neither the Commission nor mobile proponents have proposed any rules for the service they envision, making evaluation of potential interference from such a service problematic at best."

DirecTV commissioned a study from satellite and space systems consulting firm **SAVID LLC** that modeled a modern mobile system to conduct an analysis of the interference those operations could cause to consumers receiving its

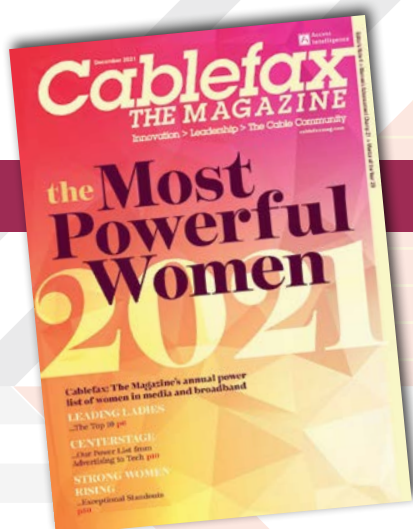
video service. The study ignored overlapping interference from adjacent base stations or other sectors of the same base station as well as that from mobile handsets. It also took into account the most lenient interference standard established in the Commission's rules for protection of DBS systems in the 12 GHz band.

"Yet even with all of these assumptions in favor of the terrestrial mobile system, the analysis concludes that mobile operations in the band would cause extensive harmful interference to DirecTV receivers, exceeding the limits currently in place to protect DBS customers by a factor of 100 to 100,000 over areas extending well beyond the intended coverage area of the mobile base stations," DirecTV said.

SAVID found that in the Macro-Urban environment, the likelihood of harmful interference into DirecTV receivers within a single base station sector was 70% or greater. It fell to 50% or greater in the Macro-Suburban environment within the base station sector, but skyrocketed to a nearly 100% likelihood of harmful interference out to the base station coverage range of 3km in the Macro-Rural environment.

DirecTV argued that even the slightest amount of interference can be devastating to a DBS provider as it is a one-way service that cannot afford to lose packets, something that results in frozen video screens and typically canceled subscriptions. It differs in that way from broadband systems, which DirecTV said can replace lost packets through two-way communications.

"Accordingly, the Commission should conclude that there is



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no way to ‘add a new or expanded terrestrial Mobile allocation in the 12 GHz band without causing harmful interference to incumbent licensees,’ and therefore terminate this proceeding so that satellite operators can get back to the business of providing high quality service to consumers without worrying about the overhang of massive interference,” it said.

NET NEUTRALITY LEGISLATION COMING SOON

Democrats are preparing to take their latest stab at codifying net neutrality in legislation. According to reports, Senators *Ed Markey* (D-MA) and *Ron Wyden* (D-OR) will soon introduce the Net Neutrality and Broadband Justice Act, a bill that would reclassify broadband as a telecommunications service under Title II. Rep. *Doris Matsui* (D-CA) will introduce a House counterpart. Both bills will face heavy resistance from Republican lawmakers that have long held that regulating broadband under Title II would discourage private investment from ISPs. According to **USTelecom**’s 2021 Broadband Capex Report released Monday, broadband providers invested at least \$86 billion in 2021. That’s up 8.3% from 2020, and private U.S. communications providers have invested approximately \$2 trillion since 1996 building out their network infrastructure.

DISNEY SECURES \$9B IN UPFRONTS

Disney should have some good advertising talking points for its 3Q earnings report in a couple weeks. On Monday, the company said it set a record of \$9 billion in commitments across its portfolio of linear, broadcast and streaming. The House of Mouse was helped to its strongest upfront commitments ever by the upcoming introduction of an ad-supported tier of Disney+, with 40% of commitments tagged to streaming and digital. Live sports also were important, with Disney reporting double-digit

increases in sports volume and pricing for the second year in a row. Of note, Disney said it secured substantial DE&I commitments from every major holding company, in addition to financial services, pharmaceutical, retail, tech and telecommunications brands. Advertising is looking pretty strong across the board. **NBCUniversal** also has said it wrapped its largest upfront ever this year, with more than \$7 billion in commitments.

WHERE TECH POLICY STANDS AFTER MUSK-TWITTER

The legal battle between *Elon Musk* and **Twitter** over his now-rescinded \$44 billion offer to buy the social media platform could kick off as soon as this fall, but the policy implications of it could strike even sooner. Republicans generally responded positively to the news of Musk’s acquisition, believing he could take steps towards eliminating bias and implementing content moderation policies that were in line with what they were asking for on the Hill. With the deal a no-go, those lawmakers will once again turn to major legislation to establish new rules for Big Tech. “The collapse of the deal returns these dynamics to the status quo, where some Republicans may see government intervention as a welcome option for addressing their concerns about censorship on social media platforms,” **New Street Research** said in a note. “The timing of the collapse may create more pressure, with midterms looming and with an active debate in the Senate about an antitrust bill that some Republicans believe will address their bias concerns.” It would be surprising if movement on significant tech policy reform came before the midterms, but NSR believes the collapse of Musk’s Twitter buy does slightly improve the odds.

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BIG OPPORTUNITIES AT THE WORLD CUP

Broadcasters and advertisers will feel the benefits of the 2022 FIFA World Cup in Qatar despite its shifted timeframe from the summer to November-December. Nielsen's "What Fans Want: The 2022 World Football Report" found 10 of the 13 countries surveyed—which includes the U.S., U.K., Australia, Brazil, Japan and other Asian and European countries—have soccer as a top-three most popular sport. Among soccer fans who view sports, 81% watch via free-to-air TV, followed by 72% using social media, 68% through OTT streaming services and 62% pay to watch. The World Cup has the highest awareness out of any sporting event and 51% of fans are willing to pay for live or on-demand coverage. On the sponsorship side, the study noted 67% of soccer fans think brands are more appealing when they engage in sports sponsorships, and 56% of fans are likely to learn about brands that sponsor such events. When comparing those numbers to the general population, the marks are 52% and 39%, respectively. Over half of fans would pick a product seen in a sporting event over its competitor even if quality and price were the same. According to Nielsen's Sponsorglobe, non-alcoholic beverage companies have spent 15.8% of total sponsor expenditure for the 2022 World Cup with tourism (13%) and athletic apparel and equipment (11.8%) following behind. Additionally, 42% of fans are likely to place bets on the match they're watching. The 2022 World Cup kicks off November 21.

PRIME VIDEO GETS MAKEOVER

Amazon is giving Prime Video a new look over the next few weeks for connected TVs and streaming devices. The platform did away with the text tab navigation, opting for six icons on the side of the screen that bring users to pages titled Search, Home, Store, Live TV, Free with ads and My Stuff. In the home section, four categories All, Movies, TV Shows and Sports make it easier for viewers to find specific content. Sports is a new tab on the platform and comes with live games, replays and highlights, as well as shows and documentaries. The home page includes a new top-10 chart for the viewer's region and Prime Movie suggestions. While searching for content available in 4K or category filters were already available online, those features are being brought to TVs. Amazon also switched its Live TV design with a channel-guide interface that show a customer's subscribed channel list.

RIP AND REPLACE APPLICATIONS APPROVED

The FCC revealed Monday the approved Priority I applications for reimbursement for its Rip and Replace program, granting more than \$4.64 billion in reasonable and supported costs. A total of 181 applications were submitted with cost estimates reaching \$5.6 billion in gross program support. Among those receiving reimbursement dollars in this round are Hotwire Communications (\$55.45 million), Mediacom (\$34 million) and Windstream (\$46.76 million). As of now, Congress has only allocated \$1.9 billion to the Commission for the Rip and Replace program, meaning the FCC has to allocate funding to these Priority I applicants on a prorated and equal basis. Proposals on how to grant the FCC additional funding for the program are moving through Congress, with the most promising currently residing in House Commerce. The

Spectrum Innovation Act of 2022 would renew the FCC's spectrum auction authority for 18 months and establish that future auction proceeds not already accounted for would be used to fund the Rip and Replace program and the transition to next-gen 9-1-1 networks.

BIDEN FACES PRESSURE TO PICK FCC IG

Reps. Cathy McMorris Rodgers (R-WA), Bob Latta (R-OH) and Bill Johnson (R-OH) are asking President Biden to finally appoint someone to serve as the Inspector General for the FCC. In a letter sent Monday, the House Republicans urged him to act quickly to place someone in the position so an extra set of eyes will be watching the distribution of broadband funding from the Infrastructure Investment and Jobs Act. The Ray Baum's Act requires the President to appoint a candidate to serve as Inspector General, but the law also provides that the existing Inspector General can continue to perform those functions until the Senate confirms another nominee. "Under your leadership, the FCC's IG issued an advisory about fraud and abuse in an FCC program. Given the unprecedented funding made available to the FCC in the Infrastructure Investment and Jobs Act and the increased potential for waste, fraud, and abuse, we ask that you expedite the nomination of a candidate to serve as the FCC's IG," the letter said.

SPECTRUM, FREQUENCY CREATE AD PLATFORM

Charter's ad sales entity Spectrum Reach and Frequency launched Unified Proposal, a platform that builds real-time multiscreen media plans for advertisers. Using Frequency's end-to-end workflow and management software, Unified Proposal integrates linear, streaming and digital tools using Spectrum Reach's linear forecasting and scheduling ability.

LEVEL UP

Mobile game developer 37 Games and AMC's "The Walking Dead" are collaborating to bring characters and elements from the series to the game "Puzzles & Survival." Beginning Aug. 2, players will see an interactive and original storyline with TWD characters and events that tie into the show. Puzzles & Survival has been downloaded over 45 million times and is available on Android and Apple.

RATINGS

Season 2 of HGTV's "Battle on the Beach" averaged a .61 live plus three-day rating in P25-54 and .76 live plus three-day among W25-54, both 33% increases YOY. Excluding news and sports, the show, which premiered June 5, checked in as a top-three cable program among P25-54 in the 9pm-10pm slot.

PEOPLE

HBO and HBO Max Chief Content Officer Casey Bloys will remain with the company for five years after agreeing to a new deal. His previous contract was set to expire in late 2023 or early 2024, but the new deal will begin immediately. Bloys, who reports to Warner Bros. Discovery CEO David Zaslav, has ushered in shows like "Succession" and "Euphoria," which culminated in 140 Emmy nominations for HBO and HBO Max this year. – NTCA-The Rural Broadband Association promoted Michael Romano to EVP, where he'll continue to manage policy, government affairs and the Foundation for Rural Service. His new role will also have him oversee member engagement, HR and information technology operations.