

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

United Front: Associations Take to Courts, FCC to Fight Title II Regime

The ISP community is not taking the FCC's latest Title II order lying down, taking action at the Commission and in the court system to block the net neutrality rules from taking effect.

The associations are stepping up in the legal battles with at least eight petitions for review of the order being filed in appeals courts since May 28. The groups behind the petitions include **ACA Connects**, **CTIA**, the **Florida Internet & Television Association**, the **Texas Cable Association**, the **Ohio Telecom Association**, the **Ohio Cable Telecommunications Association**, the **Missouri Internet & Television Association** and **WISPA**.

But court action takes time. **USTelecom** and **NCTA** joined together with those groups to file a joint petition for a stay of the order at the FCC to stop the Title II regulatory regime from going into effect before the courts are able to weigh in.

The groups argued that the order will begin harming their members as soon as it goes into effect on July 22 with those consequences including substantial new compliance and capital costs and a slowdown in overall investment. The groups also argued that the reclassification of broadband under Title II is absolutely a major question that should not be decided by the agency. They argued the FCC would have seemingly absolute authority over virtually all business decisions made by ISPs under a Title II regime, and the economic and political significance of that authority is staggering.

They also posited that Congress has never given the FCC clear authorization to reclassify broadband and the order will deal ir-

reparable harm to the industry and businesses large and small.

"If the Order takes effect, petitioners' members will immediately be required to re-evaluate, put on hold, and potentially scrap new offerings and business initiatives," the petition said. "Small ISPs will suffer especially acute harms, as they will have no choice but to shift their scarce resources away from expanding their services in rural and underserved communities in ensuring compliance with the Order."

The groups also used the petition to comment on the seemingly never-ending back-and-forth surrounding net neutrality regulatory actions at the federal level. Some things never change, and it has been understood as a given that with every administration change for the last few decades, a shift in the rules around net neutrality would come along with it. That has been nothing short of exhausting for ISPs.

"This destabilizing pattern is untenable for a critical American industry," the petition said. "A stay pending judicial review would allow the courts to resolve—perhaps, for everyone's sake, finally—whether Congress contemplated the application of Title II to broadband providers."

The petitioners have asked for the Commission to rule on the stay petition by Friday in order to give the filers time to seek a stay in the court of appeals, if necessary, and to give the court time to adjudicate the stay before the Title II regime returns. If the Commission does not make a ruling by Friday, the groups said they will conclude that the Commission denied the motion or failed to afford the requested relief.

DIVERSITY

& THE PRIDE LIST

+ WORKPLACE CULTURE IN 2024 & BEYOND

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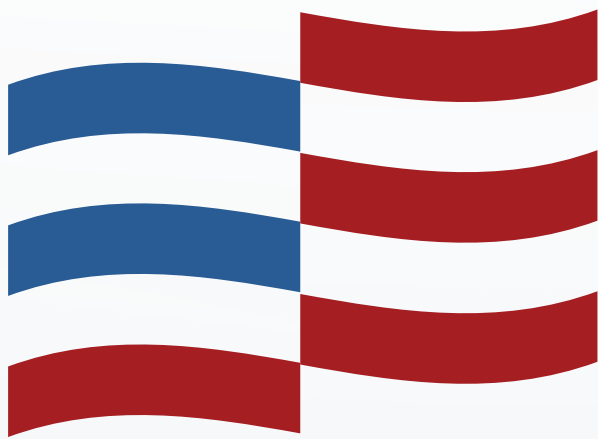


It's time to nominate for The Cablefax Diversity and Pride List! Cablefax annually recognizes influential multi-ethnic execs for their dedication to diversity in the industry. Our issue spotlights The Pride List, honoring impactful LGBTQ+ execs. Other categories include D&I Mentor of the Year and Thrivers Under 30.

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PARAMOUNT APPEARS READY TO BOOGIE WITH SKYDANCE

Paramount Global shares closed up about 7.5% Monday after reports from [The Wall Street Journal](#) and [CNBC](#) that a deal with **Skydance** could be imminent. The deal is reportedly valued at \$8 billion, up from an earlier \$5 billion offer, with Paramount controlling shareholder *Shari Redstone* to receive \$2 billion. **Bernstein Research** said a transaction with Skydance has a higher probability of regulatory approval compared to **Sony's** presumed offer for the entire entity, including broadcast networks. "If Skydance's offer is accepted and closed at some point, the more important question is what happens next. There are cost opportunities for sure (as in any transaction) but Skydance management and its backers must find ways to stabilize and grow the combined entity (which wouldn't be much bigger). For now, we wait on the sidelines," said the firm, which maintains an underperform rating and \$11 price target on Paramount.

FRONTIER REVEALS \$750 MILLION BOND OFFERING

Frontier announced it intends to issue approximately \$750 million aggregate principal amount of secured fiber network revenue term notes. Subject to market conditions and other factors, the notes will have an anticipated repayment date in May 2031 and will be secured by certain of Frontier's fiber assets and associated customer contracts in North Texas. The notes will also qualify as an offering of green bonds. "[Frontier doesn't] technically need to raise debt until mid-2025 at the earliest; however, management has said they want to be in the market every 12-18 months, so this deal is not surprising (last deal was 10 months ago)," **New Street Research** said in a note. "A successful ABS transaction will be a modest positive because it cements the Company's access to capital in the ABS market, while lowering their cost of capital. Frontier remains our top pick, and the only way to invest in the broadband space in the near-term." Frontier said it plans to use the net proceeds to repay certain existing debts and its non-securitization subsidiaries, which includes a portion of the outstanding principal amount of the company's term loan facility, in addition to general corporate purposes.

PAC-12 SETTLES WITH FORMER NETWORK PRES, CFO

The Pac-12 reached a settlement in principle with former **Pac-12 Networks** President *Mark Shuken* and CFO *Brent Willman*

who brought a wrongful termination suit against the conference after they were dismissed last year for failing to properly report millions in [overpayments](#) by **Comcast** to the Pac-12 Networks over a decade. The two countered that they warned Pac-12 Commissioner *Larry Scott* multiple times about a 2017 audit that showed Comcast was overpaying \$5 million annually. Terms of the settlement are not outlined in court filings with a case management conference scheduled for June 26. The Pac-12 Networks televised its last live broadcast on May 25 after almost 12 years on the air, with the channel set to shutter at the end of the month.

US SIGNAL ACQUIRES DATA CENTER FIRM ONENECK FROM TDS

Digital infrastructure provider **US Signal** entered into a definitive agreement Monday with **TDS** to purchase its subsidiaries **OneNeck IT Solutions** and **OneNeck Data Center Holdings**. US Signal will acquire all of the OneNeck operations, including its data centers and cloud hosting as well as the solutions provider operations. For US Signal, that will mean its footprint will extend to the West coast with data centers in Phoenix, Denver and Bend, and its fiber network will extend to Madison, Wisconsin; Minneapolis, Minnesota; and Des Moines, Iowa. Proceeds from the sale will be used by TDS for general corporate purposes, including the advancement of TDS' fiber program. The deal is expected to close in 3Q24, and no terms were disclosed.

ALTICE USA REBRANDS A4 TO OPTIMUM MEDIA

Altice USA's advanced advertising and data business **a4 Media** is being rebranded to **Optimum Media** to further unify the company's Optimum connectivity branding. Optimum Media offers data-driven multiscreen advertising solutions that reach every DMA in the U.S. and specializes in audience reach.

DZS BUYS NETCOMM WIRELESS

DZS completed its purchase of **NetComm Wireless**. The transaction combines DZS' broadband networking and cloud software portfolio with NetComm's fiber extension, connected home, FWA and IoT products. The newly grown company will have an expanded footprint across the Americas, Europe, Middle East, Africa and Australia/New Zealand. In conjunction with the acquisition, the global investment firm EdgeCo has increased its financial support of DZS aligned with management and their go-to-market strategy.

CARRIAGE

The **Cowboy Way Channel** is now available to LG Smart TV owners through **LG Channels**. Cowboy Way features both reality and scripted series as well as films like “Blue Ridge,” “The Legend of 5 Mile Cave” and “Far Haven.” – **Fubo** is implementing **Willow** into its lineup to offer live and on-demand cricket content for viewers. Willow, which reached a multiyear agreement with the vMVPD, will offer more than 220 live cricket matches per year. It’s available to subscribers of Fubo’s International Sports Plus channel add-on package.

FIBER FRENZY

Hiawatha Broadband Communications revealed plans to invest over \$1.4 million over the next few months to expand its fiber network to an additional 3,100 homes and businesses in Winona, Minnesota. Engineering and construction work is slated to begin in mid-June. With the project, HBC has now pledged more than \$4 million to bring its service to 5,000+ locations in the Winona area. – Construction is a go for **GCI’s** Aleutians Fiber Project in Larsen Bay, Alaska. The next few months will see GCI crews deploy fiber conduit that’ll house and protect the local fiber network, which will offer 2.5 gig speeds to customers.

CELEBRATING PRIDE MONTH

June is here which means Pride Month has begun. **Max** will update its LGBTQ+ Voices page with new curations, fan activations and other features to celebrate globally. Those curations include “Presenting with Pride,” “Pride in Every Story” and “Beyond the Binary.” Max’s “Human By Orientation” platform will host a viewing party called “House of Drag,” which will take place on the Season 2 premiere night of “House of the Dragon” on June 16. Max also partnered with NewFest during its annual Pride Festival this weekend to roll out virtual and in-person community screenings of select LGBTQ+ titles. **Charter** and **Spectrum** put together an On Demand collection of LGBTQ-related programs that’ll be available for rent and to watch for free throughout June. Spectrum TV customers can access the pay movies in the On Demand portal under the “Pride Month” category. It’ll have titles such as “Boys Don’t Cry,” “Moonlight” and “Call Me By Your Name.” Additionally, depending on a customer’s Spectrum TV plan, customers will be able to watch select shows at no additional cost under the “LGBTQ” category in the On Demand portal such as “I am Jazz,” “Family Karma” and “RuPaul’s Drag Race.” **Fox** is teaming up with *JoJo Siwa* to celebrate Pride Month. Siwa recounted her coming out story in a [minute-long video](#) that’s part of Fox’s “Spotlight: My Story” series.

PLUTO TV’S SUMMER OF CINEMA

The Free Movie Weekend program is making a triumphant return to **Pluto TV** this summer. The free streamer is bringing the program back as part of its Summer of Cinema campaign, which is a collaboration with independent theaters in the U.S.

that offers complimentary movie tickets during select weekends. This year’s event will include 14 theaters, spanning the Water Gardens Cinema 6 in Pleasant Grove, Utah; the Next Act Cinema in Pikesville, Maryland, and the Music Box Theatre in Chicago.

HONORING D-DAY

Fox News and **Nexstar** are getting ready to honor the 80th anniversary of D-Day on Thursday. *Martha MacCallum* will host her 3pm news program “The Story” from Normandy, France, from Tuesday-Thursday. MacCallum will speak with World War II veterans and a bipartisan delegation of U.S. Senators as they commemorate the 80th anniversary of D-Day. Nexstar will air “D-Day: The Greatest Victory” this week across 117 markets in the U.S. The program features *Marielena Balouris*, an anchor at Nexstar’s Norfolk, Virginia, station WAVY-TV, as she recounts the stories of soldiers lost in the invasion and the women who made a difference in the war. **NewsNation** will broadcast the program Sunday at 10pm ET.

DOING GOOD

Sinclair is collaborating with Feeding America to create an awareness and fundraising campaign with the goal of providing 1 million meals to children and families across the U.S. this summer. Viewers can contribute to “Sinclair Cares: Summer Hunger Relief” with financial donations that’ll go directly to their local Feeding America food bank based on the zip code of the donor’s credit card. Sinclair will pitch in a \$25,000 donation and will air public service campaigns across its stations, **Tennis Channel** and multicast networks **Comet**, **CHARGE!**, **TBD** and **The Nest**. Additionally, Sinclair will produce a 30-minute special highlighting ways to assist children in staying nourished. The campaign will run throughout June and July.

PROGRAMMING

Paramount+ unveiled plans for a new docuseries giving a behind-the-scenes look at U.S. soccer star *Christian Pulisic*. “Pulisic” will begin filming this summer and premiere in the fall during the 2024-25 soccer season, following Pulisic’s journey and looking back at how he’s risen to stardom. – **Netflix’s** boxing match between *Mike Tyson* and *Jake Paul* will have to wait beyond its initial July 20 date. The bout was postponed after Tyson had an ulcer flare up recently. The new date—which will still be in 2024—will be announced Friday.

PEOPLE

Karen Milne is re-joining **Wilkinson Barker Knauer** as a Partner in its D.C. office. Milne was most recently **TelevisaUnivision’s** SVP, U.S. Regulatory, having joined the programmer in September 2022. Prior to TU, Milne worked in private practice in communications and information technology and has experience representing clients before the **FCC** on issues such as M&A, licensing and compliance, foreign ownership and rulemaking proceedings.