

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Hope Springs: Diamond Says Comcast Negotiations Are Back On

There's still a chance **Diamond Sports** and **Comcast** could strike a revamped distribution deal for carriage of the former's RSNs, according to the company's most recent hearing in bankruptcy court.

At a hearing in the Southern Texas Bankruptcy Court Wednesday, counsel for Diamond reported that talks between the company and the operator had reopened and things are looking optimistic. "We believe that we have made substantial progress on resolving our issues with Comcast, and we have the intention of fully documenting and executing an agreement with Comcast to broadcast our RSNs in the very near term," **Paul Weiss** Partner *Brian Hermann* said.

Diamond Sports' previous distribution agreement with Comcast expired on April 30, and Diamond launched a [website](#) with claims the proposal put forward by the operator would immediately put **Bally Sports** on a higher tier. Diamond claimed it was asking Comcast to accept market terms similar to those it was able to agree to with **Charter**, **Cox** and **DirectTV** earlier this year.

During the hearing, Hermann also said Diamond was in very active dialogue and productive discussions with the **NBA** and the **NHL**. There are still no signed agreements to discuss with either of those leagues, but discussions continue to be ongoing and significant progress toward final agreements has been made.

"I want everyone to understand, including Your Honor, that the company recognizes that time is of the essence to get to deals

with these leagues to provide them certainty because their seasons are coming up and they'll be here before we know it," he said.

In order to hopefully wrap these deals up with a bow, Diamond requested to postpone hearings scheduled for next week that would have seen the group put forth its post-bankruptcy plan for approval by the court and stakeholders. It didn't ask for any new dates to be set on the court's calendar, but said it will be days, not weeks, before Diamond puts in place another confirmation schedule.

"Assuming we're successful with the discussions we're having with the counterparties identified, the plan will be to come forward with a confirmation schedule that is swift and can get the company out of bankruptcy well ahead of the start of the season for the NBA and the NHL," Hermann said. "I will also undertake on behalf of the company that if we conclude that we cannot reorganize the business, which is a possibility, we will similarly pivot quickly and go to the court to discuss the best way to proceed from there."

Diamond has also made progress in terms of rebranding its RSNs upon emergence from bankruptcy. Notably, representation for **MLB** was also present at the hearing, but there was no mention of any ongoing discussions between Diamond and that particular league during the proceedings.

ACAC HIGHLIGHTS BEAD PAINS THAT COULD IMPACT SUCCESS

ACA Connects has a BEAD in its bonnet, with the association raising louder alarm bells over rate regulations, labor requirements



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and project area requirements in the historic \$42 billion Broadband Equity, Access, and Deployment (BEAD) Program. ACAC teamed with **Cartesian** to release an updated BEAD [framework](#) that shows BEAD will reach fewer locations with fiber if **NTIA** and states require providers to meet unreasonable affordability mandates or incur high labor costs. In the range of scenarios modeled, decreased revenue expectations reduce fiber connections by as much as 19%; increased labor costs by as much as 29%; and the combination of both factors by as much 34% or 1.2 million locations. “While we recognize providers need to be accountable for using government funding, this does not mean that additional ‘policy driven’ measures are warranted without undertaking a benefit-cost analysis as to their effect on the overall benefits of the program. It appears from our assessment herein that, unfortunately, we may be reaching the tipping point where those costs outweigh the benefits,” ACAC President/CEO *Grant Spellmeyer* wrote in a letter outlining the findings in its fifth BEAD framework, which uses data from the latest National Broadband map. ACA Connects is advocating for ISPs to be able to define project areas, or at least aggregate project areas from their choice of census blocks. The data modeled shows larger boundary areas would tend to undermine business cases for fiber builds by grouping in much higher-cost locations that are uneconomic for the provider to serve. Cartesian found that grouping by census block vs census block group or census tract produced the best results in 25 cases.

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DISNEY+, HULU AND MAX BUNDLE READY TO ROLL

The streaming bundle of **Disney+**, **Hulu** and **Max** is now available in the U.S. via any of the three platform’s websites. It’s available for \$16.99/month with ads and \$29.99/month without ads. To commemorate the launch, a cross-platform national marketing campaign will begin, focusing on each streamer’s portfolio of content and the characters that come with it.

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MAD SUBMITS PETITION WITH 25K SIGNATURES IN FOX FIGHT

The Media and Democracy Project (MAD) isn’t giving up on its push to get the **FCC** to hold a hearing on the broadcast license renewal of **Fox Corp’s** Philadelphia station WTXF. On Wednesday, it submitted a 611-page filing that includes more than 25,000 signatures from individuals asking the Commission to hold a hearing to examine whether Fox and its leadership violated FCC rules on the character required for licensees through actions around the 2020 election. “The petitioners have each volunteered their names in support of this effort because they believe that owning a broadcast station is more than a business—it is a public trust.

Now, these petitioners are asking the Commission to move swiftly to investigate and designate for hearing Fox 29’s application for license renewal,” reads the filing. It’s been one year since MAD filed its petition to deny the license renewal. Supporters of WTXF include the Montgomery County (PA) Board of Commissioners as well as the **76ers** and **Phillies**, who all commended the station on informing the community about local news.

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FCC’S AI POLITICAL AD ITEM DIVIDES COMMISSIONERS

The **FCC** voted along party lines to move forward with a proposal to require disclosure of the use of AI-generated content in political ads. GOP commissioner *Brendan Carr* complained in his dissent that the item is a misguided attempt to fundamentally alter political speech just ahead of a national election, adding that the push comes on the heels of press reports that Democrats are concerned about not keeping up with Republicans in embracing AI in the election cycle. His colleague *Nathan Simington* noted the regulations apply to broadcasters and MVPDs, not online. “What these requirements do is provide yet another small reason to shift programming to online and streaming platforms and away from the regulated space of broadcast. That secular trend is happening anyway, and I don’t think the occasion warrants additional burden. Atlantis, to my knowledge, remains beneath the waves,” he wrote in his dissent. Both also note that the **Federal Elections Commission** is engaged in its own rulemaking contemplating the regulation of artificial intelligence in political communications. “Why risk stepping in front of an ongoing rule-making of a sister agency, addressing squarely the same question, over that agency’s objection, relying on uncertain authority? I worry that the answer must be political,” said Simington. In her own comments, FCC Chairwoman *Jessica Rosenworcel* said she welcomed the FEC action, but said both agencies need to act. “With our complementary authorities, the FEC can regulate AI use in online advertisements for federal candidates while the FCC can focus on the areas where the FEC is powerless to act. The FEC does not oversee television and radio stations,” she said. “Moreover under the law FEC authority over campaigns is limited to federal political candidates and does not extend to independent issue campaigns or State and local elections. These gaping loopholes can be addressed by the FCC.”

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MASSACHUSETTS GETS BEAD OK

Next up on **NTIA’s** BEAD approval list is Massachusetts. The association approved its initial proposals for BEAD, which allows the state to access the more than \$147 million that was allocated to it.

Cablefax Daily (ISSN 1069-6644) is published daily by Access Intelligence, LLC | www.cablefax.com | 301.354.2101 | Editorial Director: Amy Maclean, 301.354.1760, amaclean@accessintel.com | VP/Group Publisher, Cablefax and Cynopsis: Robbie Caploe, 917.974.0640, rcaploe@accessintel.com | Managing Editor: Sara Winegardner, 301.354.1701, swinegardner@accessintel.com | Associate Editor: Noah Ziegler, 301.354.1704, nziegler@accessintel.com | Director of Business Development, Cablefax: Ellen Kamhi, 917.626.5574, ekamhi@accessintel.com | Production Manager: Joann Fato, jfato@accessintel.com | Kerry Smith, Divisional President, Marketing & Media Group, ksmith@accessintel.com | Group Subs/Subscription Questions, Client Services: 301.354.2101, clientservices@accessintel.com | Annual subscription price: \$1,999.00/year | Access Intelligence, LLC, 9211 Corporate Blvd., 4th Floor, Rockville, MD 20850

PREPPING FOR WORLD CUP, OLYMPICS IN THE U.S.

While all eyes turn to Paris for the Summer Games, members of Congress are looking ahead to 2028 when L.A. hosts the Summer Olympics as well as the 2026 FIFA Men's World Cup (11 U.S. host cities) and the 2034 Winter Olympics (Salt Lake City). Senators *Maria Cantwell* (D-WA) and *Jerry Moran* (R-KS) introduced the Transportation Assistance for Olympic and World Cup Cities Act to provide federal funding for local communities to prepare for unprecedented transportation demands. The legislation would create a grant program administered by the U.S. Department of Transportation (\$50 million each fiscal year) to provide states, cities and tribes with funding for projects that improve transportation in the region during World Cup or Olympic games. Grants would support permanent transportation projects, such as building new roads, expanding light rail, purchasing new buses, creating bike lanes, improving existing roads or highways or making airport terminal improvements.

COWBOY WAY WESTERN BOUND

Imagicom Entertainment, owned by **INSP**, is set to rebrand its **Cowboy Way** FAST channel as **Western Bound** on Sept. 3. "The new name and branding provide a much easier and ironically 'faster' search and discovery functionality for those looking for Western content. Western Bound will continue to air the most beloved Western classics, as well as iconic and compelling original series and movies," *Mark Kang*, SVP of Worldwide Distribution for Imagicom Entertainment, said in a statement.

NEWS & DOC EMMY NOMS OUT

The nominations have been revealed for the 45th Annual **News & Documentary Emmy Awards**, which is set to take place Sept. 25 at 7:30pm for the news categories and on Sept. 26 at 7:30pm for the documentary categories. **CNN** led the way with 39 total nominations, including "Anderson Cooper 360" for Outstanding Live News Program, coverage of the Israel-Hamas War for Outstanding Breaking News Coverage and *Fareed Zakaria's* interview with Iranian President *Ebrahim Raisi* for Outstanding Edited Interview. An additional four noms came for CNN Films and **Max** as well. **National Geographic** and **PBS** have 34 nominations apiece, while **ABC** recorded 31. **CBS** had 17 thanks to "60 Minutes" grabbing nine.

BRIGHTSPEED ADDS MYBUNDLE

Brightspeed is making the **MyBundle** platform available to customers. Brightspeed rolled out the personalized streaming and entertainment recommendation tool Find My Bundle as well as MyBundle's portfolio of marketing tools and educational resources pertaining to the streaming marketplace. MyBundle now has partnerships with 250 broadband providers that cover over 13 million households in the U.S.

FIBER FRENZY

Frontier is claiming to be the first company in North America to successfully test broadband speeds of 100G, 50G, 25G and 10G passive optical networks technologies simultaneously. The trial results indicate Frontier has the ability to upgrade its network and use existing fiber to deliver increased speeds to customers. Frontier worked with **Nokia** for the trial and performed it on its existing network. – **Fybe** connected its first customer in Elizabeth City, NC, in an expansion project that'll bring internet to more than 14,620 homes and businesses in the area. Fybe offers speeds of up to 1 Gbps alongside home phone service and DirecTV Stream.

RATINGS

President *Joe Biden* held his first public address since ending his re-election campaign Wednesday, and **Fox News** led all of cable in viewers with 5.37 million P2+ from 8-8:15pm, according to **Nielsen**. **MSNBC** had 3.53 million viewers followed by **CNN** with 2.53 million. Fox News also beat out the broadcast nets sans **ABC**, which recorded 6.82 million viewers. – **Newsmax** said it had its biggest ratings week in the network's history during the Republican National Convention, garnering over 10 million viewers across its networks during the event and averaging more than 3 million viewers on the flagship network for each night's coverage. An estimated 3.6 million viewed its sister streaming channel **Newsmax2**, which is available on platforms like **Roku**, **Samsung** and **YouTube**. Other milestones Newsmax hit during the RNC include its No. 1 primetime ratings week in network history and having 2.6 million viewers in the A35-64 demo.

PROGRAMMING

USA greenlit the comedy-horror series "Scare Tactics." It's a reimagined version of the hidden-camera prank series and will premiere later this fall. – The six-episode series "City of God: The Fight Rages On" will debut Aug. 25 at 8pm on **HBO Latino** in the U.S. and will stream on **Max**. The series is set two decades after the original 2002 film. – **Apple TV+**'s first German series "Where's Wanda?" will make its global debut Oct. 2.

PEOPLE

Katherine Moran Meeks is the new General Counsel at **Fox News Media**, replacing *Bernard Gugar*, who stepped down from his role as General Counsel and EVP, Corporate Development. Meeks was most recently a partner at the D.C. firm **Gibson, Dunn & Crutcher**, where she practiced in its litigation department as well as the appellate and constitutional law and labor and employment groups. She has experience representing journalists and media companies in libel and other speech-based cases. Meeks will report to CEO *Suzanne Scott* in addition to **Fox Corp.**'s Chief Legal and Policy Officer *Adam Ciongoli*.

PROGRAMMER'S PAGE

It's (Olympic) Game Time

Can you feel the Olympics hype? **NBCUniversal** certainly can. **NBC, Peacock** and **Telemundo** will have live coverage of Friday's Opening Ceremony. NBC and Peacock will go live at noon, while Telemundo's Spanish-language coverage kicks off at 1pm. The day will wrap up with primetime coverage on NBC and Peacock at 7:30pm. NBCU has approximately 400 cameras, including Olympic Broadcast Services and cameras deployed on drones, to cover the ceremony. *Kelly Clarkson, Peyton Manning* and *Mike Tirico* will host NBCU's Opening Games Ceremony, and stay tuned to watch *Snoop Dogg* carry the Olympic torch as it heads toward the Olympic cauldron. What will be a treat for viewers is the fact NBC and Peacock's coverage will include a commercial-free hour starting at 1:30pm ET Friday, which NBCU says is the first time in Olympics history that the Opening Ceremony will be sans ads. Brand logos for sponsors—Coca-Cola, Delta, Lilly, Toyota, Visa and Xfinity—will rotate throughout the hour in 10-minute increments. – **Comcast** is launching "Passport to Paris" for Xfinity customers. It's a "watch to unlock" experience for Xfinity Rewards members who watch select live events. Customers will be able to unlock bigger rewards the more they watch and interact with the experience, which also offers interactive quizzes and polls. The first 20,000 participants will unlock a limited-edition Olympic Games Paris 2024 pin. Passport to Paris is available through The Olympics hub on X1. – NBC Sports will use Comcast Technology Solutions to bring multiscreen video management and delivery for its production. NBCU's coverage will span NBC, Peacock, **USA, E!, CNBC, Golf Channel, Telemundo, Universo** as well as **NBCOlympics.com** and the NBC Sports app. NBCU will use CTS' implementation of VideoAI for automated metadata tagging and its syndication platform to publish VOD assets and metadata management across certain devices, sites and apps. – *Noah Ziegler*

REVIEWS

"Those About to Die," **Peacock**. Come for *Sir Anthony Hopkins* as an aging emperor and stay for ... well, chariot races, gladiators and first century Rome's sometimes raunchy underbelly. Speaking of horse races, "Those About to Die" has a lot in common with them in that despite what the oddsmakers say, there's no such thing as a sure bet. Similarly, this sandals-and-swords series about ancient Rome has its entertaining moments, usually a chase, a fight or a chariot race. On the other hand, the CGI in many of those crucial moments is horrible. We can live with model-like renderings of the Roman city, but the animation in certain parts of the chariot races is so bad it's almost comical. Staying with the mixed bag theme is that the moments of poor CGI are CGI, About to Die's costumes, makeup, hair and sets, which are quite good. And a clever bit of costuming: Rome's four factions, the wealthy families that own chariot-racing teams, each has its color, making it easier for viewers to distinguish who's who in an overflowing orgy of characters. Unfortunately, the talented ensemble is given wooden characters. Not even *Sir Anthony* can elevate this uneven series to very good status. – *Seth Arenstein*



Cablefax's Programmer's Page will move to a monthly column beginning in August so that we can bring you new features. The ratings chart will continue to appear every Thursday, with Programmer's Page running on the first Thursday of each month.

BASIC CABLE		
P2+ PRIME RANKINGS*		
(07/15/24-07/21/24)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
FNC	1.648	5194
ESPN	0.391	1234
MSNBC	0.383	1208
CNN	0.324	1022
HALL	0.259	818
HGTV	0.230	725
NWSMX	0.187	589
INSP	0.183	578
TBSC	0.179	564
USA	0.162	512
HIST	0.159	501
DISC	0.151	477
FOOD	0.139	439
ID	0.124	392
TLC	0.117	368
TVLAND	0.114	358
GSN	0.110	348
REELZ	0.100	316
LIFE	0.098	309
TNT	0.096	303
WETV	0.094	296
FBN	0.093	294
HALLMYS	0.092	290
A&E	0.087	275
FX	0.086	271
BRAVO	0.082	259
OXY	0.078	247
AMC	0.077	244
ADSM	0.076	240
BET	0.073	230
SYFY	0.072	227
TRAVEL	0.063	199
NAN	0.062	194
FETV	0.059	186
SNDNCE	0.059	185

*P2+ L+SD rankers are based on national Nielsen numbers, not coverage.



December 4, 2024 | City Winery, NYC

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