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WHAT THE INDUSTRY READS FIRST

Strike Back: Paramount, Skydance Dispute Merits of Petitions to Deny Deal

Paramount Global and Skydance are fighting back against those opposing their transaction, asking the FCC to dismiss petitions to deny the merger and promptly approve the deal without conditions.

Last month, LiveVideo.AI Corp and the Center for American Rights both submitted petitions to block the deal. LiveVideo.AI Corp argued it wasn't given a fair chance to participate in the sales process for Paramount Global, something Paramount vehemently disagrees with. In a consolidated opposition to the petitions and response to comments, Paramount and Skydance said LVA's grievances as an unsuccessful bidder would not be redressed by denial of the Applications given the FCC cannot order Paramount to transact with LVA instead of Skydance.

When it comes to the Center for American Rights, the primary focus of its petition to deny revolved around allegations that CBS has shown ideological bias and manipulation of the news. It asked the FCC to push New Paramount to commit to viewpoint diversity with concrete benchmarks.

Paramount and Skydance called the Center's demands wholly inappropriate and claimed they would pose a grave threat to First Amendment freedoms. Beyond that, its concerns cannot be tied to any realistic harms that could be caused by the merger in question. "The Center complains about a purported lack of diversity across ABC, CBS, and NBC (and the media industry more generally), and to the extent it focuses specifi-

cally on CBS, the Center makes no effort to show that any alleged harms will be caused by the Skydance Consortium's acquisition of Paramount. To the contrary, the Center's allegations are based entirely on its objection to CBS's historical conduct," Paramount and Skydance said.

Paramount and Skydance also took a moment to address informal comments from Fuse alleging anticompetitive practices it has witnessed from Paramount-owned Pluto TV, which the merging companies argue are not relevant to the review of the deal. Even if the complaints were relevant, Paramount and Skydance argue Fuse's hypothesized harms are purely speculative and unpersuasive.

As to Fuse's claims that Paramount having access to Oracle's AI capabilities because of Skydance CEO David Ellison's connection to the technology company could pose various risks to competition in the streaming marketplace, the merging companies argued the comments fail to put forth any credible evidence. Additionally, Paramount and Skydance noted the FCC has traditionally failed to credit conjecture when reviewing transactions and requested it do the same in this case.

"Thus, even if the conduct hypothesized in the Fuse Comments had some factual basis—and it does not—Fuse cannot credibly demonstrate that it would cause harm to competition in the streaming marketplace—as distinct from harm to a particular content provider, which is not cognizable," Paramount and Skydance argued. "To the contrary, as explained at length in the Applications, insofar as the Proposed Transaction will

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facilitate Paramount's, and therefore Pluto TV's, technological advancement, such improvements will redound to the benefit of competition and consumers."

NTIA RECOMMITTS TO FIBER FOCUS IN BEAD PROGRAM

NTIA is standing by its decision to prioritize fiber buildouts through the BEAD program. The agency released its final guidance clarifying how states can use BEAD funding to deploy technologies like LEO satellite and unlicensed fixed wireless. The guidance works to significantly reduce barriers to participation for those satellite providers, allowing states to reimburse those providers based upon either subscriber milestones or the number of locations in a project area. It also addresses areas like letter of credit obligations, federal interest requirements and consumer premises equipment concerns in an effort to make the program more attractive to LEO providers. The agency received 138 comments on its draft guidance, and NTIA said many of those that submitted urged it to continue focusing on fiber deployments first when it comes to the BEAD program. While there's plenty of speculation around how the program will change following the inauguration of *Trump*, for now, NTIA is continuing to push states to fund as many fiber projects as possible before considering the utilization of other technologies. The **Fiber Broadband Association** appreciated NTIA's decision, saying it is the technology best suited to serve consumers in unserved and underserved areas. "We look forward to working with the new Congress and Administration to expand fiber broadband access and are confident the states will select technologies for projects that provide maximum value to their residents," President/CEO *Gary Bolton* said in a statement.

2024 RATINGS WINNER IS...

The final 2024 cable network ratings crowned **Fox News** as the highest-rated network for a ninth consecutive year. In a year that included a contentious election season, the news net posted a primetime average of 2.38 million viewers P2+, followed by **ESPN** with 1.73 million and **MSNBC** with 1.22 million. **Warner Bros. Discovery** had two networks crack the top five: **TNT** and **TBS** with 791,000 and 718,000, respectively. We'll see how the impact of the loss of **NBA** rights shakes out once the 2024-25 season concludes. It was the news nets' time to shine in total day. Fox News led with 1.46 million followed by MSNBC (791,000) and ESPN (672,000). That's good for MSNBC's most-watched year since 2021, and it was the only top-20 cable network with two straight years of audience gains. **CNN** recorded 481,000, and **Hallmark Channel** had the holiday cheer all year with 395,000.

Among the business networks, **Fox Business** defeated **CNBC** in total day viewers for the first time in network history. FBN closed the year with 129,000 viewers in total day, beating out CNBC by 5%. FBN also had an average of 193,000 business day viewers (weekdays 9:30am-5pm). For **Spectrum News**, it finished 2024 as the most-watched news network among Spectrum customers after averaging 1.76 million daily viewing households across linear and digital platforms. That beat out the broadcast nets, CNN, Fox News and MSNBC in markets where Spectrum News has distribution.

CNBC+ LAUNCHES

NBCUniversal is offering up **CNBC+** for \$14.99/month for the business channel's global livestream and on-demand content. There's a limited-time offer for \$99.99 for a one-year subscription. **CNBC** is also offering up enhanced offerings, such as a \$299.99/year Pro plan that includes expert insights and stock picks. The \$599.99 annual All Access plan includes *Jim Cramer's Daily* and *Monthly meetings* as well as his research and portfolio.

NETFLIX'S HOLIDAY RATINGS

The waning moments of 2024 were certainly memorable for **Netflix**. Its two Christmas Day NFL games combined to average 26.5 million U.S. viewers, according to **Nielsen Big Data + Panel**. *Chiefs vs Steelers* came in at an average minute audience of 30 million globally, while the *Ravens vs Texans* contest reeled in a 31.3 million global AMA. Compare that to **ESPN's** most-watched NBA Christmas in five years. The network's five-game slate averaged 5.33 million viewers—up 87% YOY—and the audience for "NBA Countdown" was also up 22% vs last season. Netflix also released Season 2 of "Squid Game" on Dec. 26, bringing in 68 million views in its debut and ranking No. 1 in 92 countries. That set the record for most views for a show in its premiere week while also entering the streamer's Most Popular List in record time.

FIBER FRENZY

Red River Communications is set to receive a \$5,166,742 investment from the **USDA's** Rural Development Program. The money will be used to support the deployment of an FTTP network in Clay County, Minnesota, expanding to 482 residents (163 households), 17 businesses, 55 farms and one educational facility across an 82.3-square-mile area. Construction is expected to begin in the spring of 2026. – Residents in **Bennet, Nebraska**, can now sign up to get internet from **ALLO Communications**. The company partnered with Lancaster County to lease its 175-mile conduit network in addition to using grants from the Nebraska Public Service Commission.

APPLE TV+'S NEW YEAR DEAL

It's a new year and a new deal for **Apple TV+**, which is allowing folks to try out the streamer for free this weekend (today through Sunday). Apple TV+ will be free on any device where it's available, with users only needing an Apple ID to watch shows such as "Silo," "Ted Lasso," "Severance," "Presumed Innocent" and more. Subscriptions for Apple TV+ run at \$9.99/month.

DOING GOOD

Cable One awarded over \$125,000 in grants to 24 nonprofits via the company's Charitable Giving Fund. This round of grants was centered on veteran outreach, elder care, afterschool programs, community safety, animal advocacy and more. That includes the Eastern New Mexico University – Roswell's Cosmo's Cupboard Food Pantry, which will use the funding to address food insecurity among students, and Fairview Elementary School, which will integrate robotics technology into educational offer-

ings. Nonprofits can apply for a grant during open application periods each spring and fall, with the upcoming window set for April 1-30. – **All West Communications** donated \$4,000 to local food banks in service areas across Utah and Wyoming. The donation was presented to the Tooele Community Resource Center, which provides food and housing assistance as well as a thrift store and assigned case managers.

PEOPLE

Canela Media hired *Phillipe Guelton* as its Global President. He'll report to Canela Media's CEO/co-founder *Isabel Rafferty Zavala*. Guelton was most recently President of **Crackle** and CRO of **Chicken Soup for the Soul Entertainment**, where he oversaw the Crackle streaming platform and its advertising sales division Crackle CONNEX. Guelton was also previously the CEO of *SheKnows Media* (now **She Media**), in which he oversaw its sale to Penske Media Corp. in 2018.

CABLEFAX DASHBOARD

Social Media Hits

National Content & Technology Cooperative
@NCTCtweets

Our member @ArvigHQ recently celebrated the team working behind the scenes to serve their communities! Recently, the company held a special appreciation breakfast for their construction team, which installed more than 1,000 miles of new fiber in 2024!
okt.to/N7Yq54



Shirley Bloomfield
@sbloomfield15

A fond farewell to @AndyBerke, RUS administrator and a thanks for his common sense approach getting #broadband funding out the @usdaRD door. 405 awards for \$4.5B will see nearly 290K households and 30K farms newly connected, many by @NTCAconnect providers.



Bob Thompson
@rltsports

Congrats to Main Street Sports! Say what you want about the RSNs they are still the best option for almost every team out there. I'm not saying it'll be that way forever but bundled linear combined with DTC is the best and likely most profitable option right now.

Daniel Kaplan @KaplanSportsBiz · Jan 2

It's official, Diamond Sports Group, parent of FanDuel regional sports network, announced today that it has completed its financial restructuring and has emerged from Chapter 11 as Main Street Sports Group

 **Up Ahead**

- JAN 7-10: CES 2025; Las Vegas**
- FEB. 3-7: NATPE Global and Realscreen Summit; Miami**
- FEB. 23-25: NCTC Winter Educational Conference; Atlanta**
- FEB. 23-26: NTCA's RTIME; San Antonio**
- MARCH 4-6: ACA Connects Summit; DC**