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WHAT THE INDUSTRY READS FIRST

Promises, Promises: Starlink Faces Criticism from DISH, Viasat

Starlink has been making a lot of noise at the **FCC** in regards to its operations in the 12GHz band and ability to effectively serve wide swaths of unserved areas, but its opponents are stepping up and fighting back against its claims.

In an ex parte filed Thursday, **DISH** described meetings its executives had with FCC Chair *Jessica Rosenworcel*, Commissioners *Brendan Carr*, *Geoffrey Starks* and *Nathan Simington* as well as their staffs. DISH Chairman *Charlie Ergen*; EVP, Corporate Development *Tom Cullen*; EVP, External & Legislative Affairs *Jeff Blum* and others provided status updates on the company's wireless network deployment as well as the Commission's ongoing discussions on opening the 12GHz band for 5G wireless services.

DISH again fought back against Starlink's assertions that its customers would see their service interrupted if 5G service was initiated within the band, calling those claims part of an ongoing misinformation campaign initiated by the **SpaceX** subsidiary. Starlink has been stirring up its user base and asking it to submit comments to the FCC and letters to Congress describing how 5G service would disrupt their broadband service. Since then, more than 90,000 comments have been submitted in the 12GHz docket asking the Commission to block 5G wireless operations within the band.

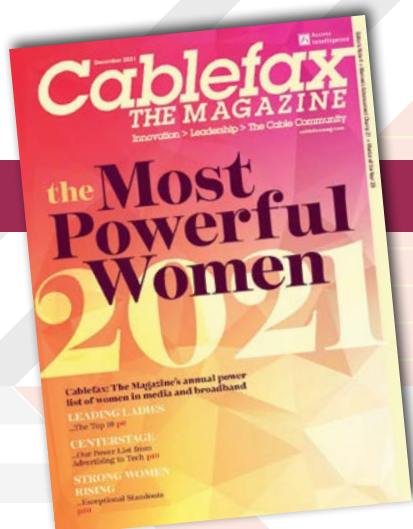
DISH doesn't quite understand why Starlink is kicking up such a fuss, especially when the FCC conditioned Starlink's use of the 12GHz spectrum when it granted the company

its license to operate within the band. "Indeed, the FCC has expressly warned Starlink that if it deploys using the 12GHz band it 'proceeds at its own risk' and that 'any investments made toward operations... assume the risk that operations may be subject to additional conditions or requirements as a result of any future Commission actions,'" DISH said.

DISH has been the primary user of the 12GHz band since 1996, using the spectrum to offer service to its satellite TV customers. But for Starlink, it is a small part of a much larger spectrum portfolio granted to it by the Commission. "It bears repeating that the FCC has authorized 15,000 MHz of other spectrum for Starlink service—spectrum, by the way, Starlink did not pay a penny for," DISH said. "The 12 GHz band represents just 3 percent of Starlink's total spectrum authorization."

Viasat chimed in with separate criticisms of Starlink tied to its participation in the FCC's RDOF program. In a letter sent to the Commission on Wednesday, the satellite company expressed its ongoing concerns with Starlink's ability to satisfy its RDOF commitments. Starlink won \$885.5 million in subsidies from the Commission's RDOF Phase I reverse auction with its awards stretching across nearly 643,000 locations in 35 states. Viasat pointed out third-party reports that claim Starlink still does not support the 100/20 Mbps speeds it was obligated to provide households covered by its RDOF bids and that it cannot do so due to its system design limitations.

"The Commission should be deeply concerned about third-party reports of Starlink's declining performance, as well as



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SpaceX's own admission that the Starlink system is unlikely to meet RDOF requirements when it is congested," Viasat said. "Starlink's inability to satisfy its RDOF commitments will only be exacerbated by SpaceX's efforts to divert its limited capacity to uses other than residential broadband service."

Those additional offerings Viasat is referring to include Starlink Business, which purports to offer higher speeds than those granted to residential users. It also recently launched Starlink RV and Starlink Maritime, offerings that allow RV owners to receive internet service when parked and for boat owners to connect their watercraft. Viasat claims those services will only exacerbate the existing capacity constraints of Starlink's networks, further tanking all hope that it could one day satisfy its RDOF conditions.

"SpaceX cannot rely on unproven or 'experimental' technologies to overcome the shortcomings of the Starlink service—particularly where those technologies would create additional issues," it said. "Nor can SpaceX rely on the possibility that the Commission will grant additional authority that somehow makes Starlink viable—as SpaceX itself has recognized."

FCC CHAIR WANTS 100MBPS BROADBAND STANDARD

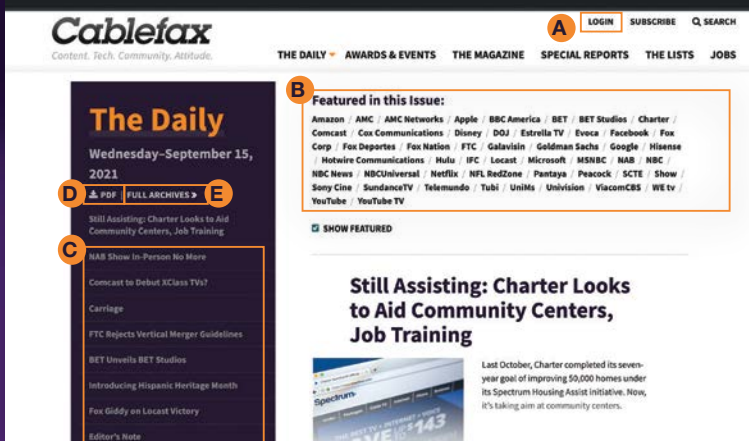
It's time to raise the national standard for minimum broadband speeds from 25 Mbps downstream/3 Mbps upstream, according to **FCC Chair Jessica Rosenworcel**. She has circulated a Notice of Inquiry that proposes increasing the minimum standard to 100 Mbps/20 Mbps. The FCC previously set the broadband standard at 25/3 Mbps in 2015 and has not updated it since, though it does evaluate the metric annually. "The 25/3 metric isn't just behind the times, it's a harmful one because it masks the extent to which low-income neighborhoods and rural communities are

being left behind and left offline," Rosenworcel said, adding that "we need to set big goals if we want everyone everywhere to have a fair shot at 21st Century success." The proposal also sets a separate national goal of 1 Gbps/500 Mbps for the future. Last year, the GAO issued a report suggesting the 25/3 standard is likely too slow to meet many small businesses' needs. Rosenworcel has long supported raising the download standard to 100Mbps, complaining last year after then-FCC chair **Ajit Pai** kept the standard in place in his last annual broadband deployment report before leaving the agency. For the 2021 report, **NCTA** and **ACA Connects** both said a 25/3 connection still satisfies the statutory definition of advanced telecommunications capability. For BEAD funding, Congress defined unserved areas as those without service or with speeds below 25/3 Mbps, with underserved areas classified with service under 100/20 Mbps.

POLE OWNERS WANT MORE INFO FROM CHARTER

Utilities are asking the **FCC** for more time to respond to comments about pole attachment reform, with the **American Public Power Association, National Rural Electric Cooperative Association** and others requesting an additional 60 days to file reply comments. That would move the deadline to Sept. 26. If the FCC doesn't grant the request, comments will be due July 27. The pole owners said the extra time would allow them to address a broad range of new issues raised by commenters that impact every aspect of joint use relationships. They also specifically want more time to deal with **Charter's** comments in the docket, complaining that the cable operator submitted an economist white paper that only the FCC has seen and redacted a significant amount of other information from the public. "It is hard to believe that the information that has been

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redacted could be considered confidential because the redactions apparently provide information, such as reports of the number of poles that have required replacement on average in Charter's recent experience with pole owners, as well as the average cost that pole replacements account towards the total cost of aerial construction," the joint petition complains. Charter has been a vocal proponent of pole attachment reform, saying current policies are a barrier to the government's goal to deploy broadband to all. It wants the FCC to require pole owners to share in the costs of new poles they purchase and install to accommodate attachments and, among other things, make its Accelerated Docket available to disputes about pole access that arise in unserved and broadband grant areas.

ESPN+ RATE HIKE

Further proof sports programming is expensive A year after **ESPN+** raised its rates, the SVOD is gearing up to do it again. Word leaked Friday that monthly rates are set to jump from \$6.99/month to \$9.99/month, with annual rates jumping to \$99.99 from \$69.99, beginning Aug. 23. The 43% rate hike is significantly higher than 2021's 16% increase. The Disney bundle with ESPN+ won't see a price change.

RATINGS

Sunday's episode of "Dark Winds" on **AMC** reeled in 2 million total viewers, according to Nielsen's live+3 ratings. It achieved season-high viewership in A25-54 and A18-49, and through five episodes the program is a top-three new cable drama in total viewers and A25-54.

PROGRAMMING

A new season of "My Big Fat Fabulous Life" premieres August 9 at 10pm on **TLC**. – **AMC** is making all seven seasons of "Mad Men" available commercial-free on **AMC+** ahead of the show's 15th anniversary Tuesday. – Season 2 of "Marvel's Spidey and his Amazing Friends" premieres Aug.19 on **Disney Channel** and **Disney Junior** at 8:30am. An initial group of episodes will be made available on **Disney+** and on-demand platforms in the fall. Additionally, 10 animated shorts introducing three young superheroes will launch Monday on Disney Channel and Disney Junior.

CABLEFAX DASHBOARD

Twitter Hits

Todd Smith @toddr
Excited today to finally unbox my limited edition former Cox Communications CEO Pat Esser bobble head I purchased at a Boys and Girls fundraiser. Great likeness. And value goes up with every post retirement award he wins, right?



Umair Javed @UmairJavedTMT
Full house at the @FCC's July Open Meeting. It's a great thing to see



Charter Policy @CharterGov
Charter is continuously working to reflect the vibrant communities we serve while enhancing diversity & inclusion within our business. As part of this commitment, we recently hosted a 50th anniversary celebration of Title IX alongside @espn in Tampa.



Research

(Source: S&P Global Market Intelligence's Kagan)

- > Two billion-dollar deals in June pushed the year's total gross transaction value for announced M&A in the video game space to \$102.21 billion.
- > June is the second-largest month for M&A so far in 2022 (\$3.4 billion in total), but it still pales in comparison to the deals announced in January that totaled \$97.2 billion.
- > The rush is indicative of both increased revenues in the space as well as emerging growth opportunities. Cloud gaming has the potential to increase user bases while also playing a role in metaverse development

Up Ahead

- JULY 21-24:** [San Diego Comic-Con](#)
- JULY 24-27:** [NCTC and ACA Connects' Independent Show](#); Orlando
- AUGUST 9-11:** [C2HR CON 2022](#), Virtual
- AUGUST 23:** [Fiber Broadband Association Copper Mountain Regional Fiber Connect](#); Frisco, Colorado
- SEPTEMBER 19-22:** [SCTE Cable-Tec Expo 2022](#); Philadelphia

Quotable

"This is a massive win for Microsoft and their recently purchased Xandr unit from AT&T. I would expect that there is still an ad serving platform partner to be named. Historically, Microsoft has used FreeWheel for video ad serving in Xbox, for example. Microsoft is set to be the global marketplace, but what isn't clear is if this will only be for non-direct sold impressions. Overall, the lesson here is to underestimate Microsoft's ability to win the big deal under [Microsoft CEO Satya Nadella]. ...I would estimate that the goal would be to start with the least interruptive ad unit types: Pre and Post roll, or branded windows viewers see when transitioning to the next episode and a short and perhaps customized ad unit."

– **LiveRamp TV Chief Strategy Officer Jay Prasad on Netflix and Microsoft partnering on the streaming service's upcoming ad-supported tier**