

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## Numbers Game: DISH Claims Issues with DirecTV 12 GHz Study

**DISH** is fighting back against **DirecTV's** claims that 5G mobile services in the 12 GHz band would interfere with its ability to serve its satellite video customers.

DirecTV submitted a study to the **FCC** last month illustrating the interference it expected would occur in urban, suburban and rural environments should the Commission repurpose the band for 5G. DISH called the description of the study an oxymoron. While DirecTV claimed to use conservative assumptions in its study, DISH said it used them to reach an "extremely unconservative conclusion" that the likelihood of harmful interference was close to 100%.

"In reality, a small percentage of DBS dishes will be within the range of a macro-cell station, and on average that station will transmit at a power level at one tenth of the power assumed by DirecTV," DISH argued in an FCC filing Monday. "Put simply, assuming a DBS dish every 2 meters in the range of a macro cell station, and coming up with a percentage of dishes inside the circle that would be faced with potential interference, creates an interference utopia. Of course, concluding that, say, 50% of dishes in the range of a macro-cell tower will be faced with potential interference is much less sensationalist than DirecTV would make it appear if there are only two dishes in that range."

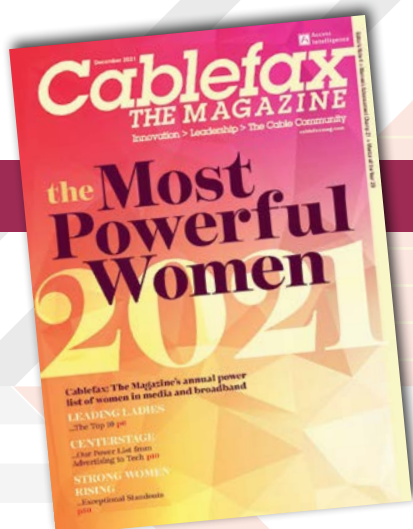
DISH also spent time in its filing addressing the significant decline of satellite video customers at both DirecTV and DISH

as well as the other spectrum assets DirecTV uses to deliver content to subscribers. DirecTV uses the Ka-band and the Reverse Band Working Broadcasting-Satellite Service payloads on its satellites as well as the 12 GHz band. According to a review conducted by DISH, DirecTV has more bandwidth outside of the 12 GHz band than DISH has in the 12 GHz band. In its filing, DirecTV said that while it does use other bands to provide service, the only spectrum used to deliver programming to every one of its subscribers is the 12 GHz band.

"This statement is carefully phrased, as it does not speak to whether the programming nominally delivered to every subscriber is in fact consumed by every subscriber," DISH said. "DISH believes that the programming transmitted by DirecTV in the 12 GHz band largely consists of standard definition channels that are simulcast by DirecTV in other bands in high-definition format."

DISH believes these simulcasts are only being watched by a small percentage of DBS subscribers, particularly those with outdated set-top boxes only capable of receiving standard definition channels. Even if there was a small threat of interference, DirecTV would have the ability to quickly and easily update the equipment used by that sect of subscribers, DISH said, meaning its reliance on the 12 GHz band is limited. "While it may be technically feasible for DirecTV to transmit in the 12 GHz band on the T16 satellite, it does not appear that DirecTV is doing so or that it plans to do so in the future," DISH said.

If DirecTV wants to find somebody to feud with on this issue,



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DISH suggested it take a look at **SpaceX** and its satellite broadband service **Starlink**. DISH and Starlink have been feuding over the 12 GHz band for some time over whether the FCC can repurpose the band for 5G mobile operations without disrupting satellite operations. DISH continues to claim that Starlink's system dwarfs the risk of interference into DBS from any higher-power, two-way terrestrial systems.

"Base stations can be sited to protect DBS dishes, and correspondingly DBS dishes can be sheltered from the known location of base stations. But neither is possible when the transmission is from one of thousands of constantly orbiting NGSO satellites," DISH said.

**TEGNA GETS MERGER SUPPORT**

The **FCC** is still reviewing comments on **Standard General's** proposed buy of **TEGNA**, and while there has been plenty of opposition to the merger, there are supporters that are making their voice heard. The **National Association of Hispanic Publications** submitted a filing to the FCC Friday advocating for Standard General, saying it believed the transaction would encourage diversity of viewpoints, programming and ownership that the agency tries to encourage through its media ownership rules. "As the most influential Hispanic Print & Digital Media Organization in the country, NAHP believes that the transaction falls in line with our organization's mission: to better serve and empower Hispanic communities through demonstrated commitment to diversity and inclusion," NAHP said. "Standard General has a proven track record of promoting diversity and inclusion through its investments in broadcast news, and we fully support efforts that will better serve minority communities in media."

The transaction is still expected to close in the second half of 2022. TEGNA did not hold an earnings call Monday in light of the pending transaction, but it did still release its 2Q22 results. Total company revenue was \$785 million, up 7% YOY. Subscription revenue came in at \$389 million, up 4% YOY, driven by rate increases that were partially offset by subscriber declines. Political revenue was also a high point, rising to \$51 million. It was a 53% increase from 2018 on a pro forma basis. Advertising and marketing services was \$335 million, down less than 2% YOY because of softness in categories like auto that continue to be impacted by supply chain disruptions.

**COX ENTERPRISES ACQUIRES AXIOS**

Digital media company **Axios** agreed to sell itself to **Cox Enterprises** in a deal that values the outlet at \$525 million. Axios co-founders **Jim VandeHei**, **Mike Allen** and **Roy Schwartz** will continue to lead the editorial and day-to-day business decisions and keep substantial stakes in the company. Cox's other media companies like the **Atlanta Journal-Constitution** and **Dayton Daily News** won't be impacted. According to Axios, the deal includes a \$25 million investment to help expand local, national and subscription news products. Axios Local plans to expand coverage to 30 cities by the end of this year. Additionally, Axios' communication software business Axios HQ will become an independent company majority-owned by the founders and with Cox as the sole minority investor. "We have found our kindred spirit for creating a great, trusted, consequential media company that can outlast us all," VandeHei said in a release. "Our shared ambitions should be clear: to spread clinical, nonpartisan, trusted journalism to as many cit-

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ies and as many topics as fast as possible.” Cox Enterprises Chairman/CEO *Alex Taylor* will also join *Axios*’ board.

#### NTIA AWARDS FUNDS FOR ALASKAN PROJECTS

**NTIA** has awarded \$51 million in grants to projects in Alaska as part of the agency’s Tribal Broadband Connectivity Program. The two grants, awarded to *Doyon, Limited* and *Ahtna Intertribal Resource Commission*, will fund high-speed connections to 581 unserved Alaska Native households in the *Doyon* region of Alaska and build broadband adoption in eight Tribal governments of the *Ahtna* region. **NTIA** has now made 46 awards through the Tribal Broadband Connectivity Program, which makes available \$980 million in grants for eligible Native American, Alaska Native and Native Hawaiian entities for broadband deployment, digital inclusion, distance learning and more.

#### MAXIMUM EFFORT BUYS STAKE IN FUBOTV

**FuboTV** has a new partner, issuing \$30 million in stock to **Maximum Effort Productions** and signing a multi-year, first-look deal for unscripted content. The company co-founded by *Ryan Reynolds* and *George Dewey* will also have a blind scripted deal with the streamer and launch a linear channel called **Maximum Effort Network**. **Maximum Effort** will receive full creative control over the channel’s content, and all of the channel ad sales will be managed by *Fubo*. **Maximum Effort**’s current first-look development deal with **Paramount** will remain. That agreement expires in 2024.

#### NAB LAUNCHES ELECTION TOOLKIT

The **NAB** released the [2022 Election Toolkit](#), an online resource that provides local TV stations and radio broadcasters with materials regarding coverage of the upcoming elections. The toolkit is broken up into five sections that cover issues such as fact checking, candidate profiles, voting resources, broadcast-ready PSAs and what other outlets are doing for coverage.

#### HBO MAX ROLLS OUT NEW LOOK

**HBO Max** fully released its new-look app for desktop, tablet and mobile devices across the globe. The redesigned app brings the “shuffle button” to mobile devices, as well as a dedicated page for downloaded content and split-screen navigation with other apps. Subscribers of the ad-free plan in the U.S. can now use the *SharePlay* feature on iPhones and iPads to watch programs while on a *Facetime* call.

#### CARRIAGE

“*Outlander*,” “*Spider-Man: No Way Home*,” “*Ghostbusters: Afterlife*” and other films and content are now available on **Vizio** Smart TVs through the **Starz** app. **Vizio** users can access available subscriptions from the home screen, with plans starting at \$8.99/month or a limited offer for \$23.99/three months. – **discovery+** launched on **Sling TV** today and will be available to **DISH TV** customers starting Aug. 25. Both *Sling Free* and *Sling Orange/Blue* subscribers can access *discovery+*, which is available for \$4.99/month or commercial-free for \$6.99/month.

#### WNBA LEAGUE PASS ON ROKU

**Roku** customers can access **WNBA League Pass** through the **WNBA** app on devices. The *League Pass* lets fans stream

out-of-market regular-season games live and every game on-demand. New customers can purchase the pass for \$15/month for a limited time, with the normal cost being \$25/month.

#### ADVERTISERS INVESTING IN MEASUREMENT

A **VAB** Measurement Innovation Task Force survey found 85% of respondents increased their use or investment in the number of measurement providers used during the 2022-2023 upfronts. The survey’s findings represent 90% of the TV ad revenue in the market and include major TV publishers and networks. Over a quarter of respondents said 25-49% of their upfront advertisers will use or test a measurement option other than **Nielsen**. The top categories seeking new solutions include automotive, consumer packaged goods, telecommunications and quick-service restaurants. New solutions were most frequently applied to linear TV, streaming, CTV and OTT formats.

#### DOING GOOD

**Sinclair** and **Feeding America**’s summertime fundraising campaign provided 1.78 million meals to children and families. The “*Sinclair Cares: Summer Hunger Relief*” initiative ran through June and July with *Sinclair*’s 185 stations, **Bally Sports** RSNs, **Tennis Channel** and **Marquee** running PSAs. *Sinclair* donated \$25,000 and *Sandy Sansing Dealerships* donated \$100,000 through *Pensacola, Florida*, station **WEAR**.

#### AT THE COMMISSION

The **FCC**’s **Wireline Competition Bureau** is seeking comment on two aspects of the *TRACED Act* relating to the Commission’s caller ID authentication rules. First, the Bureau has asked for comments on its annual reevaluation of the *STIR/SHAKEN* implementation extensions granted by the Commission. It is also looking for input on the implementation extensions applicable to facilities-based small providers and voice service providers that cannot obtain the *Service Provider Code* that is necessary to participate in *STIR/SHAKEN*. Finally, the Bureau is seeking comment for its first triennial assessment of the efficacy of *STIR/SHAKEN* in fighting illegal robocalls.

#### PROGRAMMING

Season 2 of **AXS TV**’s “*Music’s Greatest Mysteries*” will premiere Aug. 24 at 8pm. – **Roku** original series “*Murder House Flip*” returns for a second season starting Friday. Season 1 is available on **The Roku Channel**. – “*The L Word: Generation Q*” will debut its third season Nov. 18 for streaming and on-demand on **Showtime**. Guest stars for the season include *Margaret Cho*, *Joanna Cassidy* and *Kehlani*. – **beIN Sports**, **beIN Sports Xtra** and **beIN Sports en Español** will air the *Argentina Premier Padel P1* from Aug. 9-14. The first round will begin on *beIN Sports Connect* at 8:55am. – **CNBC**’s “*Jay Leno’s Garage*” returns for its seventh season Sept. 7 at 10pm. The eight-episode season will see *Leno* discussing the future technology of cars and alternative fuel sources with an array of guests that include *Tim Allen*, *Danica Patrick* and *Kelly Clarkson*.