

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## For the Network: DISH Wants More Time to Purchase T-Mobile Spectrum

**DISH** is asking for more time to exercise its option to purchase 800 MHz spectrum from **T-Mobile**, and it'll be up to the **DOJ** to make the call.

The option is tied to the merger of T-Mobile with **Sprint** and the DOJ's decision to, as part of that deal, require that T-Mobile divest certain assets to DISH to hopefully enable the creation of another nationwide competitor in the wireless ecosystem. As part of that, DISH was given the opportunity to exercise an option to purchase 800 MHz licenses for \$3.6 billion by June 30. DISH initially asked for an extension to August 30, which the DOJ granted. Now, DISH wants another 10 months to weigh its options with the new deadline to be set at June 30, 2024. The reason for the ask—a lack of funding to make such an expensive purchase.

During a call last week where DISH and **Echostar** discussed their merger, DISH Chair *Charlie Ergen* confirmed that negotiations were going at the highest levels of DISH and T-Mobile and neither company had reached a resolution just yet. It was also his belief that as long as the parties were interested in negotiating, the investor community shouldn't get too hung up on any hard deadlines.

"We wouldn't in any way leverage DISH's balance sheet for a transaction of that magnitude, but we do think that the spectrum is important. We don't think there's a hard date," Ergen said. "I think both sides are negotiating in good faith and we'll see

where that goes. But from an investor point of view, if we're able to, we'll construct the transaction to be positive and it won't affect DISH's balance sheet."

The plot became even thicker this week with DISH submitting applications and filings to the **FCC** asking the Commission to approve its purchase of 800 MHz spectrum from T-Mobile and the reassignment of the impacted licenses. *Light Reading* was the [first](#) to spot filings related to the transaction.

In those filings, DISH said there were no competitive or public interest concerns and that the licenses will help the operator move forward in its 5G deployment. For those reasons, it believes the FCC should swiftly move to approve the transfer.

"As the DOJ's Competitive Impact Statement recognized, these licenses will 'add to DISH's existing spectrum assets in order to ensure DISH has sufficient spectrum to meet its buildout and service requirements and provide mobile wireless service to customers,'" DISH said in its public interest statement and transaction description to the FCC. The price to be paid by DISH for those licenses was not described in the filings.

It's tough to make a call on how the DOJ's decision will fall, but **New Street Research** believes that the odds favor DOJ OK-ing the request. There's ultimately no harm in granting the ask, and the DOJ made a big bet on DISH when it relied on the operator to become a wireless competitor in the aftermath of the T-Mobile/Sprint merger.

"During the merger review process, some states argued, in opposition to the DOJ and later in federal court, that there was



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too much risk in pinning the hopes of a fourth competitor on a new entrant that would have to build a greenfield network. The DOJ disagreed,” the firm wrote. “That, however, puts the DOJ in a position where it might believe it needs to grant a request to vindicate its earlier judgment. But doing so is relatively costless to the DOJ.”

## DIRECTV-NEXSTAR UPDATE

It's been two and a half months since **DirecTV** lost **Nexstar** stations, and while there's no deal, the two sides are at least discussing an extension—even though they aren't on the same page. “While we negotiate, we continue to seek an extension through February 2024, which would allow DirecTV customers to continue to watch Nexstar-owned stations while guaranteeing Nexstar payment at the new higher contract rates upon a deal,” the MVPD said in a blog post Friday. “Unfortunately, Nexstar is fixated on an extension set to expire on Oct. 31, which risks another outage in the middle of the college and **NFL** football seasons, not to mention giving them maximum leverage to drive the highest renewal rates.” DirecTV's already warning that the dispute could impact the start of the upcoming football season and pushing them to over-the-antenna options and streamers such as **NBC** on **Peacock** and **CBS** on **Paramount+**.

## FCC MOVES TO SUPPORT HAWAII

Approximately 14,494 cable and wireline subscribers still lack service in the disaster area on Maui, according to the **FCC**'s Friday Communications Status Report. In an additional update, FCC Chair *Jessica Rosenworcel* said FCC staff has been deployed to Hawaii to determine the impact to public safety and emergency alerting communications capabilities. The agency is also allowing Maui County to use additional frequencies to support public safety communications and extended filing and regulatory deadlines for licensees and applicants in Hawaii, among other things.

## ADTRAN BOOSTS ALABAMA SITE

Fiber manufacturer **Adtran** is investing up to \$5 million in its Huntsville, Alabama, facility to meet the growing demand for U.S.-produced network electronics from the BEAD Program and Bipartisan Infrastructure Law. The investment will help increase the production capacity of advanced telecommunications equipment and create up to 300 jobs. Currently, Adtran is expanding its U.S. production of optical line termination equipment and getting ready to bring its manufacturing of optical network terminals back to the U.S.

## RATINGS

**AMC**'s drama “Dark Winds” is having a solid start to its second season. Viewership on **AMC+** has improved 146% through three episodes, and subscriber acquisition is also up from the previous season. Season 2's third episode on Sunday recorded 1.8 million total viewers on AMC according to **Nielsen** live+3 ratings—an increase compared to 1.3 million for the season premiere and 1.6 million for Episode 2. The third episode also notched 329,000 viewers A25-54 and 199,000 A18-49. – **TLC**'s “90 Day Fiancé: Before The 90 Days” reached a season high among 25-54s with a 1.23 L+3 rating on Sunday. It was the #1 cable program of the night with Adults 25-54 and Women 18-49/18-34.

## PARAMOUNT+ READY TO KICK OFF

**Paramount+** rolled out its first-ever sports advertisement ahead of the 2023 **NFL** season, and it's offering a \$2.50/month subscription deal for 12 months to run alongside it. The spot features current Buffalo Bills star *Josh Allen* and **CBS** analyst *Tony Romo*, pinning Romo as an English Literature professor telling his class about CBS' NFL content on Paramount+. CBS will have local games each week, Thanksgiving and Christmas Day games and this year's Super Bowl.

## DIRECT DIGITAL, BEESWAX COMBINE FOR CTV AD BUYING

The advertising and marketing technology platform **Direct Digital Holdings** is partnering with **FreeWheel**'s programmatic buying platform **Beeswax** to expand access for buying multicultural CTV ad inventory. The two will team up for integrations on both the buy and sell sides of CTV ad buying. Direct Digital will have two of its digital marketing companies—**Orange142** and **Huddled Masses**—collaborate with Beeswax to serve CTV ad placements for marketers. On the sell side, Direct Digital's supply-side platform **Colossus SSP** will work with multicultural and general market publishers to add a more diverse catalog of CTV ad inventory. Marketers and agencies that use Beeswax will be able to purchase those ads.

## FIBER FRENZY

**TDS** has begun installing up to 8 Gig internet, TV and phone service to customers in Altoona, Wisconsin. The company first expanded into the Chippewa Valley last year and has since launched fiber services to over 10,000 addresses in Eau Claire, Chippewa Falls and Altoona to date. For Altoona, TDS plans to



reach over 4,000 addresses. – **GCI** is embarking on a subsea fiber project to bring 2.5 Gbps speeds to residents in Deering and Kivalina, Alaska, in the coming years. The provider will begin deploying approximately 170 miles of fiber later this month to connect the two communities to existing fiber-optic infrastructure in Kotzebue. Once that phase is done, GCI will begin building out fiber to homes and businesses in Deering and Kivalina.

### DOING GOOD

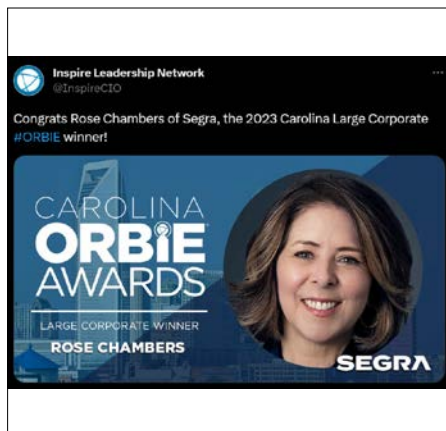
The **Alliance for Women in Media Foundation** and **NCTA** awarded a scholarship to **Zuri Wilson**, a student at UC Santa Barbara who's studying Film, Media and Black studies. The scholarship recognizes a female communications/media undergraduate student and gives them the chance to create an original piece that'll feature in NCTA and AWMF media distribution channels. The recipient also receives a \$10,000 scholarship and a ticket to the Gracies Leadership Awards, which this year's event will take place Nov. 13 at Tribeca 360 in New York.

### PROGRAMMING

The four days of men's and women's U.S. Open qualifying will air on **ESPNEWS** and stream on **ESPN+**. Starting Tuesday, ESPNEWS will televise matches from 11am-5pm but ESPN+ will have every match from 11am-10pm. – **Disney Junior** made an array of programming announcements at its "Disney Junior & Friends Playdate" event. It's bringing back "Mickey Mouse Clubhouse" come 2025, also unveiling a "Mickey and Friends Trick or Treats" Halloween special Oct. 1 at 7pm on Disney Junior, **Disney** and **DisneyXD**. "Doc McStuffins: The Doc & Bella are In!" will debut Sept. 6 on Disney and Disney Junior at 9:25am, before "Star Wars: Young Jedi Adventures" has new episodes coming Nov. 8 on Disney Junior and **Disney+**. "Firebuds" will have its second season begin in November on Disney Junior and Disney+ as well. – "Tiny Toons Looniversity" will premiere Sept. 9 at 9am on **Cartoon Network**. Viewers can stream all 10 episodes of Season 1 on **Max** starting Sept. 8.

## CABLEFAX DASHBOARD

### Social Media Hits



### Research

(Source: [Hub Research's "Evolution of the TV Set 2023" Study](#))

- 3/4 of smart TV owners have made use of one of seven specific non-TV features.
- The most popular non-TV feature is using a smart TV to listen to streaming music or audio service. That was followed by mirroring or casting another device's screen to the smart TV.
- Other non-TV uses include using a web browser, checking the news via a non-video app, looking at social media or digital photos and using it as a computer monitor.

### Up Ahead

**AUGUST 20-23:** [Fiber Connect 2023](#); Orlando

**SEPT. 8:** [2023 Cablefax Most Powerful Women Nomination Deadline](#)

**SEPT 18-19:** [The WICT Network Leadership Conference](#); NYC

**SEPT 19-20:** [NAMIC 37th Annual Conference](#); NYC

**SEPT 20:** [The Walter Kaitz Dinner](#); NYC

### Quotable

"US advertisers that are getting exactly what they need from Adalytics' first two reports on alleged Google ad fraud, over 300 pages to help (finally) cement their demands with Google that an opaque and elusive YouTube isn't going to cut it anymore, the path back to "trust" is real transparency. The worst thing an advertiser could do now is join the unconvincing and weak chorus of Google excusers, those wanting to marginalize, rationalize and distance themselves from what are likely major advertiser betrayals. What is at stake is your recourse as an ad spender, a recourse that will die at Google unless they are made to pivot to real transparency-like full granular disclosure on the lifecycle of every YouTube ad and ad impression, for starters."

– **VAB President/CEO Sean Cunningham on an Adalytics report on Google/YouTube Kids Ad Fraud and Data Violations**