

# Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

## Switcheroo: House Commerce Markup Cancelled Over Privacy Bill Fight

A highly-anticipated **House Commerce** markup of the American Privacy Rights Act of 2024 and ten other bills was canceled Thursday at the last minute. The agenda also included the Telehealth Modernization Act, the Kids Online Safety Act and the AM Radio for Every Vehicle Act.

The shocker drew the ire of committee members on both sides of the aisle with House Commerce Democrats and Republicans sharing excitement over finally taking some degree of action toward developing a federal privacy framework. But Republican leadership stepped in at the last second to shut down the procedure, reportedly saying behind closed doors APRA wouldn't have a chance of coming up for a vote on the House floor even if it passed through committee.

"We cannot continue down this path. The American people are asking Congress to step up and pass a privacy bill," House Commerce Chair *Cathy McMorris Rodgers* (R-WA) said. "It is foundational to our future and the next generation."

Ranking Member *Frank Pallone* (D-NJ) has placed his support behind the bill, and he condemned Republican leadership for interfering with House Commerce's bipartisan regular order process.

"I commend Chair Rodgers for her dedication to giving Americans back control of their data. This is a dire problem that Congress needs to solve. It is too important to the American people to not get this done," he said in a statement. "This

Committee has a history of taking on the hard problems. If this was easy somebody else would have done it already."

But for many, news of the cancellation was something of a relief. The **ACLU**, **NAACP**, **Common Cause** and more consumer advocacy groups joined together on a letter earlier this week to Rodgers and Pallone urging them to postpone the markup and reinstate civil rights provisions that had been removed from APRA in its latest draft. The groups allege the provisions were removed without stakeholder consultation and without studies on the impact their removal would have on the bill's ability to address data-driven discrimination across economic sectors.

"For example, companies have used AI to discriminate based on these characteristics against job applicants, deny equal access to credit, impair access to healthcare and unfairly prejudice students' academic prospects," the letter said. "A privacy bill that does not include civil rights protections will not meaningfully protect us from the most serious abuses of our data. The markup should be delayed so that greater stakeholder consultation can occur. If the civil rights provisions are not restored, the bill should not advance."

**Public Knowledge** agreed the removal of the civil rights protections was an unacceptable development, but also took issue with the elimination of the **FCC's** role in protecting consumer privacy and cybersecurity. Director of Government Affairs *Sara Collins* offered her appreciation to Pallone and Rodgers for their effort, but said the group can't get behind a bill that does not protect civil rights and privacy promised

THE **KAITZ DINNER**

DO GOOD. BE BETTER. IMPACT TOMORROW.

OCTOBER 23, 2024

NEW YORK MARRIOTT MARQUIS

over the nation's communications systems.

"For 90 years, the FCC has protected the privacy of communications, and has technical expertise and experience that would complement the **FTC**," she said in a statement. "APRA would remove an important protector of personal privacy and security without any concurrent consumer benefits."

\*\*\*\*\*

## NFL ORDERED TO PAY \$4.7 BILLION TO SUNDAY TICKET FANS

A Los Angeles jury in the **U.S. District Court for the Central District of California** ruled against the **NFL** in an antitrust battle between the league and Sunday Ticket subscribers of all types over everything from its packages to the pricing of the bundle. The suit began back in 2015 when a sports bar in San Francisco claimed the league's bundling of all out-of-market games violated antitrust law. It escalated to become a class action suit including subscribers from June 17, 2011, through February 7, 2023. The league has been ordered to pay \$96 million to businesses and \$4.7 billion to fans who purchased the streaming package. The NFL, which plans to appeal the decision, stood by its media distribution strategy in a statement as one that is fan-friendly.

\*\*\*\*\*

## BIG EAST'S BIG NEW DEAL

The ink is dry on the **Big East's** new six-year media rights deal. **Fox Sports** will remain as the lead network with **NBC Sports** and **TNT Sports** joining forces with the conference for the first time. Starting in 2025-26, Fox Sports will have at least 80 Big East men's and women's basketball games across the regular season and postseason. **Fox** will continue to air the Big East Men's Basketball Tournament final. **Peacock** will get involved in the action a year early, exclusively streaming 30 men's basketball games during the 2024-25 season. Those will be split between 25 regular-season games and five early-round and quarterfinal conference tournament games. In the following year, Peacock and NBC Sports will have over 60 men's and women's games. TNT Sports' coverage will begin in 2025-26 and span **TNT**, **TBS**, **truTV** and **Max**, with more than 65 regular-season games being split among those nets (TNT as the primary network). In total, over 150 regular-season contests will be distributed across networks and their platforms as well as Big East tournament games. The Big East is also tripling its current women's basketball distribution with an increase to up to 65 regular-season games and all tournament games. Olympic sports team championship events will be carried annually, including men's and women's soccer, men's and women's lacrosse, volleyball, baseball and softball. Something to note

for TNT Sports is **Comcast** and **Warner Bros. Discovery** are likely to have carriage negotiations coming up next year, and multiple Big East schools reside in Comcast's footprint.

\*\*\*\*\*

## TDS GETS ON THE MOBILE TRAIN

**TDS** is the latest organization to launch a mobile product through **NCTC's** MVNO agreement after the provider struck a deal with **Reach**. TDS Mobile will initially be exclusive to internet customers in certain service areas before becoming more widely available. TDS will notify eligible customers about the new offering soon.

\*\*\*\*\*

## PUBLIC INTEREST GROUPS WANT IN ON TITLE II SUIT

**Free Press**, **New America's Open Technology Institute** and **Public Knowledge** are looking to get involved in a serious way in the **Sixth Circuit** challenge of the **FCC's** Title II order. The public interest groups filed a joint motion to intervene in support of the respondents, the FCC, Wednesday, noting the regulatory landscape has the potential to shift dramatically over the next several months. "With an upcoming election and possible administration change, it is possible that the Commission may not take the same position it currently does now by the time this case is argued on the merits—and in that case, the lacuna between the agency's interests and the movants' would only widen," the groups said. Should they be allowed to be named intervenors, the groups will be allowed to act as a third party that has a personal stake in the outcome of a suit.

\*\*\*\*\*

## CAFFEINE.TV SHUTS DOWN

**Caffeine.TV**, a live sports, gaming and video platform that partnered with LIV Golf in late February, is closing its doors. The company wrote on its website "We're at the point where we are still not quite profitable, so we've made the decision to end the service as of June 26th as we figure out our next steps," under a headline that reads "All good things come to an end." Caffeine's platform had grown to 61 million monthly users and 4 million per day while having 200 sports partners. Among those backing Caffeine included **Disney**, **Fox** and **Cox**.

\*\*\*\*\*

## FCC TO HOLD E-RATE VOTE AT JULY MEETING

**FCC** Chair **Jessica Rosenworcel** revealed the agenda for the agency's July open meeting, and it includes a vote on new rules that would open the door for new uses of E-Rate resources. If the proposal is approved, E-Rate resources could be used to loan out WiFi hotspots to students and library patrons. "The

pandemic proved that we all benefit from access to high-speed internet service, no matter who we are or where we live. So whether it is trying to revive the just-lapsed ACP or modernizing E-Rate, we need to pursue every avenue to ensure connectivity and opportunity for all,” Rosenworcel and Sen. Ed Markey (D-MA) said in an [op-ed](#) in US News & World Report. Other items on the agenda include rules to make display settings for closed captioning more readily accessible to improve the use of captioning and a proposal to update handset unlocking requirements and expand them to establish broadly applicable requirements for all service providers.

.....

## CARRIAGE

The **Fubo** app is now available to Comcast customers with an Xfinity Flex, **Xumo** Stream Box or **Xumo TV** platform today. The vMVPD joins other subscription services available to users including **YouTube TV**, **Hulu + Live TV** and **Sling TV**, as well as free streamers **Tubi** and **Pluto TV**.

.....

## FIBER FRENZY

**C Spire** is expanding in DeSoto County, Mississippi. The company's project was helped by grants awarded through the DeSoto County Broadband Connectivity Program and the American Rescue Plan Act. Construction has begun in Lewisburg and Bankston, with C Spire saying things are ahead of schedule. The project is expected to be completed by October. C Spire first launched in Mississippi in 2014 and has since invested more than \$55 million. – **AcenTek** broke ground in Dakota, Minnesota, to replace internet lines with fiber, according to the Wisconsin station WKBT. The project will bring fiber internet to 623 locations in the Dakota area and cost around \$8 million. It's scheduled to wrap up in fall 2025.

.....

## RATINGS

Monday's dramatic Game 7 of the Stanley Cup Finals became the most-watched NHL game ever on **ESPN+**. The Panthers' 2-1 win over the Oilers averaged 7.7 million viewers and 3.1 million P18-49 across **ABC**, **ESPN+** and **ESPN Deportes**. That's up 182% and 170%, respectively, compared to last year's Game 5 clinching game and up 32% and 39% compared to the final Game 6 in 2022. This year's Stanley Cup averaged 4.2 million viewers. Overall, the playoffs across **ESPN**, **ESPN2** and **ABC** averaged 1.8 million viewers—a 60% improvement vs last year's playoffs.

.....

## ON THE CIRCUIT

**SCTE** unveiled the headliner speakers for TechExpo24, taking over Atlanta from Sept. 24-26. SCTE President/CEO **Maria Popo** will kick the event off with a speech about the

organization's strategy and vision. Headliners featured on Day 1 include **CableLabs** President/CEO **Phil McKinney** as well as **Cox Communications** President **Mark Greatrex** and **Liberty Latin America** President/CEO **Balan Nair**, who are the co-chairs of this year's TechExpo. Following them will be a **Cable One** duo of Board Chair/President/CEO **Julie Laulis** and COO **Ken Johnson**. **Deloitte** Global Future of Work Leader **Nicole Scoble-Williams** will round out Day 1. The second day will feature **Charter** EVP, Connectivity Technology **Justin Colwell**; Cox EVP/CTO **Len Barlik** and **Comcast Cable** President, Technology, Product and Experience **Charlie Herrin**. Additionally, the TechExpo will have a Chief Strategy Officer panel, and more headliners are still to be announced.

.....

## PROGRAMMING

Wimbledon is coming up, and over 240 hours of live coverage will air across **ESPN**, **ESPN2**, **ESPN Deportes** and **ABC** from July 1-14. Every match will stream live on **ESPN+** and TVE platforms. ABC will carry select matches during the middle Saturday and Sunday. The ladies' championship and gentlemen's doubles championship will take place July 13 on ESPN at 9am and 11:30am, respectively. The gentlemen's championship (9am) and ladies' doubles championship (noon) will also take place on ESPN the following day. ESPN Deportes will have over 95 hours of live action in Spanish. – The Tour de France begins Saturday on **Peacock**. Stage 1 will start things off at 5:30am. Coverage will be available on the streamer throughout July 21, with **NBC** airing taking Stages 8 on July 6 and 14 on July 13—both at 8am. – **HBO** and **BBC** are teaming up to co-produce a six-episode drama series “Lions.” HBO is also premiering its documentaries “Quad Gods” on July 10 at 9pm and “Faye” on July 13 at 8pm. Both will be available to stream on **Max**. – **Ina Garten** signed a new exclusive multi-year deal with **Food Network**. The agreement includes new episodes of Garten's “Be My Guest” program that has featured guests such as **Emily Blunt**, **Jennifer Garner** and **Stanley Tucci**. The next season will air in the fall. – **Apple TV+** is coming out with a six-part docuseries “Vietnam: The War That Changed America.” No premiere date has been set, but the series will feature first-person testimony and archival footage to tell the stories of the Vietnam War.

.....

## PEOPLE

**TVU Networks**, a technology company that helps evolve broadcasters' operations to an IP-based infrastructure, made multiple appointments: **Socrates Lozano** as VP, Solutions for the Americas and Global Head of Partnerships and **Laura Pursley** as Global Director of Marketing. Lozano previously spent time at **Scripps** and assisted in OTT content operational overhauls while Pursley arrives after stints with **Adobe**, **Frame.io** and **Sony**.



# PROGRAMMER'S PAGE

## Sharkfest Ready to Take the Summer by Storm

TV watchers have become accustomed to shark-related programming taking the airwaves over in the summer, and **National Geographic** will begin that wave with its annual Sharkfest event that returns Sunday at 9pm. It's the culmination of a 365-day endeavor that sees the team poring over research and the latest innovations involving shark behavior, according to Nat Geo's SVP, Development and Production *Janet Han Vissering*. That mix of research and compelling stories is also how the Nat Geo team keeps Sharkfest's content from becoming repetitive. "With cutting-edge equipment and year-round studies happening all over the world, there's always something new to discover about these fascinating creatures. We work with a great global team of experts who are always on the lookout for unique science-based stories with often first-ever discoveries," Han Vissering said. Sharkfest will have a total of 26 hours of content debut across Nat Geo, **Nat Geo Wild**, **Nat Geo Mundo** and **ESPN2** during the event's four-week run. All Sharkfest shows will also become available to stream July 1 on Disney+ and Hulu. It'll begin with "Shark Beach with Anthony Mackie: Gulf Coast," which is filmed in Mackie's hometown of New Orleans and highlights how sharks have changed the way of life of locals in the area. include "Shark vs. Ross Edgley" (June 30 at 10pm), "Sharks Gone Viral" (July 1 at 9pm), "Baby Sharks in the City" (July 2 at 8pm) and "Attack of the Red Sea Sharks" (July 7 at 10pm). "We want viewers to walk away with a newfound admiration and curiosity for sharks. Sharkfest is all about mixing fun and facts to help people see sharks in a whole new light," Han Vissering said. "After all, sharks are more than just ocean predators—they're essential to the health of our seas." – *Noah Ziegler*

### REVIEWS

**FX's** "The Bear," season III, streaming on **Hulu**. A biproduct of reviewing is that people often ask you, "So, what should I be watching?" When seasons-old series are the recommendation, inquirers often remark, "Oh, I'll have to start it from the beginning." That's not necessary with many series. It is with FX's "The Bear," whose entire third season dropped on Hulu Wednesday night (much more on this below). The series about a high-strung, celebrated chef who comes home to run his family's Chicago sandwich shop, which he eventually transforms into an haute cuisine destination, has a loyal following. Its much-improved season II, which successfully delved into secondary characters, grabbed a slew of Emmys and pushed leads *Jeremy Allen White* and *Ayo Edebiri* into celebrity's ranks. As a result, season III likely will attract viewers who've not seen seasons I and II. Unfortunately, creators *Christopher Storer* and *Joanna Calo* begin the season with an ep that's as hard on newcomers as Chef Berzatto (White) is on his staff and himself. The 37-minute opener is nearly devoid of dialogue and plot. Instead, this beautifully shot and edited journey inside a genius chef's jumbled, troubled mind will leave Bear neophytes lost and veteran viewers longing for seasons 1-2. Sadly, season III largely is a collection of great moments (ep. 6 is strong) seeking a story. – *Seth Arenstein*

### BASIC CABLE

#### P2+ PRIME RANKINGS\*

(06/17/24-06/23/24)

| MON-SUN        | MC<br>US<br>AA% | MC<br>US AA<br>(000) |
|----------------|-----------------|----------------------|
| <b>FNC</b>     | <b>0.630</b>    | <b>1986</b>          |
| <b>MSNBC</b>   | <b>0.304</b>    | <b>958</b>           |
| <b>HGTV</b>    | <b>0.235</b>    | <b>741</b>           |
| <b>HALL</b>    | <b>0.222</b>    | <b>701</b>           |
| <b>INSP</b>    | <b>0.190</b>    | <b>599</b>           |
| <b>ESPN</b>    | <b>0.182</b>    | <b>575</b>           |
| <b>TBSC</b>    | <b>0.181</b>    | <b>570</b>           |
| <b>USA</b>     | <b>0.170</b>    | <b>536</b>           |
| <b>HIST</b>    | <b>0.162</b>    | <b>512</b>           |
| <b>DISC</b>    | <b>0.159</b>    | <b>500</b>           |
| <b>CNN</b>     | <b>0.145</b>    | <b>456</b>           |
| <b>FOOD</b>    | <b>0.136</b>    | <b>427</b>           |
| <b>TVLAND</b>  | <b>0.133</b>    | <b>420</b>           |
| <b>GSN</b>     | <b>0.125</b>    | <b>393</b>           |
| <b>ID</b>      | <b>0.121</b>    | <b>380</b>           |
| <b>TLC</b>     | <b>0.118</b>    | <b>371</b>           |
| <b>HALLMYS</b> | <b>0.110</b>    | <b>347</b>           |
| <b>LIFE</b>    | <b>0.104</b>    | <b>327</b>           |
| <b>WETV</b>    | <b>0.103</b>    | <b>326</b>           |
| <b>FX</b>      | <b>0.098</b>    | <b>309</b>           |
| <b>OXY</b>     | <b>0.092</b>    | <b>290</b>           |
| <b>A&amp;E</b> | <b>0.090</b>    | <b>283</b>           |
| <b>REELZ</b>   | <b>0.089</b>    | <b>279</b>           |
| <b>BET</b>     | <b>0.086</b>    | <b>270</b>           |
| <b>TNT</b>     | <b>0.083</b>    | <b>261</b>           |
| <b>BRAVO</b>   | <b>0.079</b>    | <b>248</b>           |
| <b>NWSMX</b>   | <b>0.079</b>    | <b>248</b>           |
| <b>AMC</b>     | <b>0.078</b>    | <b>246</b>           |
| <b>ADSM</b>    | <b>0.070</b>    | <b>219</b>           |
| <b>FS1</b>     | <b>0.068</b>    | <b>215</b>           |
| <b>COM</b>     | <b>0.066</b>    | <b>209</b>           |
| <b>NATGEO</b>  | <b>0.065</b>    | <b>206</b>           |
| <b>NAN</b>     | <b>0.063</b>    | <b>199</b>           |
| <b>FETV</b>    | <b>0.063</b>    | <b>198</b>           |
| <b>PRMNT</b>   | <b>0.061</b>    | <b>192</b>           |

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

## DIVERSITY & THE PRIDE LIST

+WORKPLACE CULTURE IN 2024 & BEYOND

PRESENTED BY CABLEFAX

**NOMINATE NOW**

Entries Close: July 19th, 2024

Nominate now for The annual Cablefax Diversity and Pride List! Celebrating influential multi-ethnic and LGBTQ+ execs, plus additional categories including D&I Mentor of the Year and Thrivers Under 30.

**NEW: A Celebration of Work Culture in 2024**—honor innovative employers shaping inclusive work culture in 2024.

