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WHAT THE INDUSTRY READS FIRST

Crime Alert: Cable, Wireless Groups Fight Against Rise in Copper Theft

There's been a significant rise in the vandalism of communications networks and theft of copper wire, and associations representing cable operators, wireless providers and more are speaking out to encourage greater collaboration with law enforcement to curb the problem.

During an opening session at the inaugural Summit on Protecting Critical Communications Infrastructure at **Verizon's** regional office in Irving, Texas, **NCTA** VP, Cybersecurity and Broadband Technology **Robert Cantu** said there were nearly 4,000 vandalism incidents over the summer, or approximately 44 incidents each day.

"This rise in criminal acts creates immense financial strain, costing millions in repair and restoration costs and causing cascading impacts on critical sectors we all depend on. Law enforcement's role is pivotal in mitigating this threat," Cantu said. "Together, we can reduce service disruptions, protect our communities and help ensure accountability for these acts."

As to why it matters, **CTIA** Assistant VP, State Legislative Affairs **Jeremy Crandall** took the stage to speak to the interconnectedness of networks and critical services, including healthcare. But he also laid out the why behind the increase in crime. The price of copper has risen 63% over the last four years, he said, and the **U.S. Department of Energy** expects that growth to continue for the foreseeable future. The crimes at times are widespread, with small cells across Denver, Colorado, from a

variety of providers being targeted throughout 2022 by a band of copper thieves. Beyond causing interruptions in connectivity, it resulted in \$800,000 in damages and threats to overall network security. While much of the discussion surrounded copper, Crandall also highlighted a rise in theft of overall engineering equipment related to cell towers and sites.

The industry hasn't just been sitting back and letting these crimes happen. **USTelecom** VP, Strategic Initiatives & Partnerships **Lynn Follansbee** spoke of proactive measures the association's member companies have already been enacting including enhanced security and surveillance systems and the hiring of security personnel. There have also been changes to infrastructure including the use of metal pipes or casings that make it harder for individuals to make fiber cuts. In some cases, there have also been process improvements made so folks can better identify infrastructure that is damaged or sold.

NCTA Senior Director, State and External Affairs **Kuper Jones** laid out the policy landscape as it relates to the problem, which ultimately is a patchwork of state legislation. Some states have laws related to trespassing and damage to critical infrastructure, but those don't always cover communications. In some states where there are critical infrastructure laws, they may only apply to fenced-in or enclosed areas that don't always include important parts of the networks like aerial wires or wireless antennas.

There are states with criminal statutes for damaging or tampering with telephone or cable lines, but even those have plenty of room for improvement. "Unfortunately, a lot of those laws are

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Contact Ellen Kamhi at
917.626.5574 or
ekamhi@accessintel.com



very outdated and only apply to telephones and, believe it or not, telegraphs,” Jones said. “These laws need to be updated to cover broadband infrastructure as well as wireless infrastructure.”

He also pushed for strengthening the penalties for vandalizing critical infrastructure and improving regulations around scrap metal to give law enforcement more tools to trace where stolen materials are coming from.

COURT DATE SET FOR DIRECTV-NEXSTAR BATTLE

DirectTV will get its day in court on Dec. 9, when the **Second Circuit Court of Appeals** is slated to hear oral arguments in its appeal of a lower court decision granting **Nexstar's** motion to dismiss the provider's antitrust lawsuit. In March, the **U.S. District Court for the Southern District of New York** dismissed DirectTV's antitrust claims for lack of antitrust standing. DirectTV's lawsuit claimed that Nexstar is violating federal antitrust law by engaging in an illegal conspiracy with **Mission Broadcasting** and **White Knight** to manipulate, raise and fix prices of retransmission consent fees for broadcast TV stations. Each side will get 10 minutes for arguments beginning at 10am. The **Department of Justice** filed a request on Friday to get three minutes of argument time. There's been no ruling on the motion yet. In July, DOJ filed an amicus brief urging the appeals court to correct the district court's holding in its antitrust-standing analysis that the sole type of injury for which a private consumer plaintiff can recover in a price-fixing case is the payment of supracompetitive prices. It did not take a position on the ultimate merits of DirectTV's claim.

TEXAS EARNS FINAL BEAD OK

There's another BEAD milestone to celebrate this week with **NTIA** approving Texas' Volume II proposal Tuesday. Texas was the final eligible entity awaiting the green light from the agency, and it now can request access to the more than \$3.3 billion it was allocated for broadband deployments and accessibility. In a blog post, NTIA celebrated the win and unveiled an updated BEAD progress dashboard. This edition tracks progress from submitting challenge process results to completing the selection of which ISPs that will build BEAD-funded networks. “Several states have already made strides in enacting their plans. Sixteen states and territories have finalized the homes and businesses that will be connected via BEAD-supported projects,” NTIA said in the post. “Eight have begun the process of selecting the internet service providers who will build the networks. And yesterday, Louisiana became the first state to release its Final Proposal for public comment.” The Final Proposals, which are due from each state and territory within 365 days after the approval of their

Volume II plans, will detail the outcome of the provider selection process and how the eligible entities will ensure universal broadband coverage within their borders.

CARR'S LIST OF FCC PRIORITIES

President-elect *Trump's* [pick](#) to chair the **FCC** jumped on **Fox News'** “America's Newsroom” Tuesday morning to talk about his list of priorities as well as other areas he thinks should be targeted in the new administration. First on *Brendan Carr's* list of concerns is tech censorship, and second is how he wants to change the general public's stance on legacy media, citing a *Jeff Bezos* [op-ed](#) that discusses Americans' level of trust in news outlets. How can the FCC help improve trust in legacy media? “[Broadcasters] get free access to a valuable public resource, the airwaves. And they're licensed by the FCC. And the exchange for that is they have sort of the public interest. I think it's important that we take another look at that and we reinvigorate it,” he said. Third on Carr's list is job creation and expanding broadband access to all corners of the country, saying more spectrum needs to be freed up and the permitting process should be reformed. He also targeted the Commission's DEI practices. “The idea that the Federal Communications Commission lists as its second highest strategic priority promoting DEI, there's no place for that. And when the transition is complete, when we come in, the FCC is going to end its promotion of DEI. And we're going to focus on our core mission, rural broadband, accelerating our permitting for the satellite industry,” Carr said.

CARR, PADDEN GO HEAD-TO-HEAD ON BROADCAST COMPLAINTS

During *Brendan Carr's* **Fox News** interview Tuesday he brought up a pending complaint by the Center for American Rights over **CBS'** editing a *Kamala Harris* interview on “60 Minutes,” suggesting it's likely to play a role as the agency reviews CBS-parent **Paramount Global's** proposed merger with **Skydance**. “There's also a news distortion complaint at the FCC still having to do with CBS. And CBS has a transaction before the FCC. And I'm pretty confident that that news distortion complaint over that CBS ‘60 Minutes’ transcript is something that's likely to arise in the context of the FCC's review of that transaction.” Those comments drew a response from former Fox/**Disney** lobbyist *Preston Padden*, who's been at the forefront of a **Media and Democracy Project** petition for the FCC to deny Fox Philadelphia affiliate WTXF's license renewal over Fox's 2020 election coverage. That petition has been pending for more than a year. “It is the height of irony that Commissioner Carr makes this threat on Fox News, which was found by a court of law, based on extensive evidence including a trove

of internal emails, to have willfully and repeatedly presented false news. The Murdochs control Fox News and are the applicants for renewal of station WTXF, Philadelphia,” Padden said in informal comments filed with the FCC. “It is imperative that the Commission act on the Petition of the Media and Democracy Project and establish a Brightline test for invoking the character provision of the Communications Act only when there first has been a judicial finding. It is imperative that the Commission act quickly because Trump, Fox News and the FCC are about to become one.”

NEW TIMELINE SET FOR PARAMOUNT-SKYDANCE REVIEW

The **FCC Media Bureau** set revised deadlines for stakeholders to submit petitions to deny the **Paramount Global-Skydance** transaction. Those must be in by Dec. 16. Oppositions to petitions to deny should be filed by no later than Jan. 2, and replies must be filed no later than Jan. 13.

PAC-12 PICKS OCTAGON TO HELP WITH MEDIA RIGHTS

As the revived **Pac-12** looks to get back on track with a TV deal, it's tapping **Octagon** as the conference's exclusive media rights advisor. Octagon will guide the Pac-12 throughout the overarching media rights packaging, search for strategic partners, negotiation, growth options and distribution opportunities. It'll work with conference Commissioner *Teresa Gould* to analyze the college sports landscape, identify potential media partners and provide research and analysis. The conference is currently working through a makeshift year with Oregon State and Washington State as its only members and its football media deals being a one-year stint with **CW Network** and **Fox**. Starting in 2026-27, six schools—Boise State, Colorado State, Fresno State, Gonzaga, San Diego State and Utah State—will join.

DIAMOND STRIKES TIGERS DEAL

Diamond Sports Group reached another agreement in its post-bankruptcy dealings, signing a new linear and digital rights pact with the **MLB's** Detroit Tigers. The team will remain on **FanDuel Sports Network Detroit** for all games that aren't televised nationally as well as original and studio programming. Fans can also use the FanDuel Sports Network app via pay TV authentication or purchase the network's DTC subscription. Financial terms of the deal weren't disclosed.

WOMEN'S TECHCONNECT CLASS

The **SCTE** Foundation and **The WICT Network** unveiled the 2024-25 Women's TechConnect cohort class. The initiative, which started in 2011, has assisted in providing mentoring relationships between senior-level employees and rising professionals to help educate and retain women in the technology fields of

the cable industry. This year's class includes 20 mentees from companies including **Cox**, **GCI** and **INSP**. Mentors include **Advance Newhouse** President *Nomi Bergman*, **ATX Networks** and **SQUAN** Board member *Sandy Howe* and **CableLabs** SVP/Chief People Officer *Lori Spencer*. A graduation session will conclude the program at next year's SCTE TechExpo the week of Sept. 29.

CARRIAGE

The **BET+** Essential plan is now available on **The Roku Channel**. Users can subscribe to get the entire BET+ content library with ads for \$5.99 per month, or they can get the ad-free plan at \$10.99 per month. – The minority-owned Hispanic media company **Adsmovil** introduced two FAST channels available in Spanish on **Roku**, **Fire TV**, Android, iOS and **Apple TV**. **Romance** will include a collection of films and TV series based around love and relationships, while **Suspense** will have thrillers and action programming. – **Philo** added 14 new channels to its lineup, including 11 from **Warner Bros. Discovery**. The streamer added **T2**, **PBTV** (Pickleball) and **World Poker Tour** in addition to WBD's **Crime Scenes**, **Motor Trend FAST TV**, **Paws & Claws** and others.

FIBER FRENZY

TDS introduced 8 Gig symmetrical internet speeds for Dane County, Wisconsin. TDS offered a maximum speed of 1 Gbps prior to the project. The company also donated \$1,000 to the Stoughton Firefighters Association to help support equipment and training for its Swift Water Rescue effort.

WEEKLY RATINGS

It's another week in which **Fox News** swept the primetime and total-day ratings among cable networks. Fox News led in prime with 2.97 million viewers P2+. **ESPN** followed in second with 2.52 million and **Hallmark Channel** third with 841,000 as the holidays draw near. **Paramount**, which had the return of “Yellowstone,” crept into the top five with 728,000. **MSNBC** rounded things out with 684,000. Fox News' total-day ratings came in at 1.86 million viewers while ESPN and Hallmark posted 837,000 and 503,000, respectively. News nets MSNBC (487,000) and **CNN** (337,000) took No. 4 and 5 for the week.

PROGRAMMING

Sean Duffy departed his role as co-host of **Fox Business'** “The Bottom Line” after being tapped to serve as the next secretary of the Department of Transportation. Duffy's last day was Monday, and the show will welcome a rotating panel of co-hosts to join *Dagen McDowell* for the time being. – **Apple TV+** greenlit a new series that'll be executive produced by *Martin Scorsese* and *Steven Spielberg*. “Cape Fear” will span 10 episodes and serve as an examination of the popularity of true crime in the 21st century.