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WHAT THE INDUSTRY READS FIRST

Starks Situation: The FCC's New Makeup as Trusty Limbo Continues

And then there were three. *Geoffrey Starks* made it official, announcing that Thursday's open meeting would be his last as a Democratic **FCC** Commissioner. His departure leaves Chairman *Brendan Carr* with a three-member Commission that may not be fully staffed for some time with Sen. *Brian Schatz* (D-HI) placing a hold on *Trump* nominees in protest of some of the White House's moves. So, what does this new version of the FCC look like?

The FCC needs three commissioners to officially conduct business. "There are lots of kind of bipartisan items that the FCC could continue to act on—whether it's robocalls or subsea cables, national security items. Then Chairman Carr can use his bureaus acting on delegated authorities. He can use the bully pulpit. He can use the Enforcement Bureau for investigations. I think he has a lot of options to pursue his agenda," said **Cooley Partner Tamar Finn** during an **Incompas** webinar Thursday.

At the same time, Finn believes the necessity of a three-member quorum can give remaining Democratic Commissioner *Anna Gomez* more power if she wants to disrupt the business of the FCC. **Morgan Lewis' Patricia Cave** mused that Carr may face some roadblocks on his Delete, Delete, Delete proceeding regarding the extent to which things can be done on delegated authority.

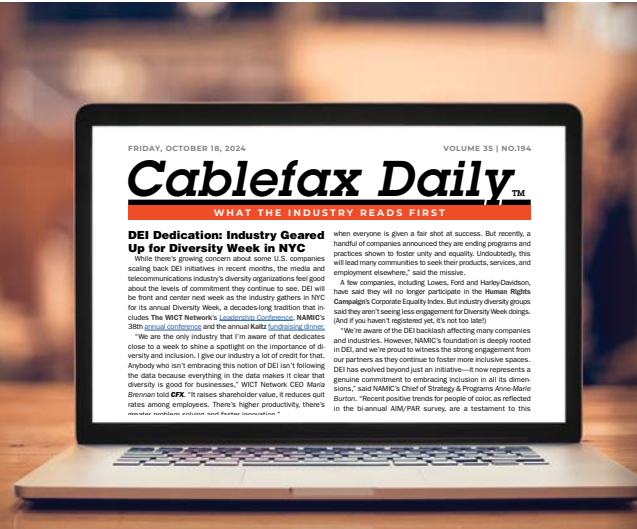
Gomez addressed the new dynamics at a presser after Thursday's meeting. "We are going to go into a point where we will have a majority for the Republicans and I will be in the minority. And it does change the dynamics. It's a lot easier for

the majority to get their policies put forward. But it's not going to stop me from speaking out," she said. "I will do my best to add value in everything that we are doing. We do have a very collegial relationship among all of the commissioners, and I do find that Chairman Carr is very thoughtful and will listen."

Carr was asked by a reporter if he would recommend firing Gomez if Trump asked for his opinion, given that the president has fired Democrats at other independent agencies. Carr gave a laugh and said there's a baseline of not answering speculative questions, but added, "At the end of the day, the FCC is somewhat differently situated than other agencies in the sense that the Communications Act, as set by Congress, does not include for-cause removal protections for FCC commissioners. That goes for everybody that serves on the agency."

On Thursday, the **Leadership Conference on Civil and Human Rights** and various groups, including **Public Knowledge**, **Communications Workers of America** and the **National Urban League**, wrote to Senate leadership to oppose the confirmation of Republican *Olivia Trusty* as an FCC commissioner until there is written assurance from the administration that the current FCC will remain fully staffed with five commissioners—including Gomez and a replacement for Starks—for the duration of the administration. Specifically, they are calling for Trusty to be paired with a Democratic nominee for Starks' seat.

"Firing commissioners based on their political affiliation directly contradicts established federal law and Supreme Court precedent, and it removes all countervailing voices from the



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agency. We are concerned that FCC Commissioner Gomez will face similar threats upon Ms. Trusty's confirmation as the third Republican FCC commissioner because the FCC will have a quorum with three Republican members," the groups wrote, citing the removal of the **FTC's** commissioners, which is being challenged in the courts. "We are particularly concerned because Acting Solicitor General Harris, in arguing *Federal Communications Commission v. Consumers' Research*, told the Supreme Court that the FCC is not an independent agency because the FCC statute lacks for-cause removal protections."

Nelson Mullins Partner *John Heitmann* thinks the pending lawsuit over the **FTC** firings will take a while to play out, particularly given that the U.S. Supreme Court typically goes on recess in late June through October. "It may be that Sen. [John] Thune (R-SD) has to cut a deal and there has to be an understanding at some point if they want to get some of the nominations through, but for now, I think things are probably stalled," he said during *Incompas'* webinar.

Adding to the drama, unless re-confirmed, Republican FCC Commissioner *Nathan Simington* has to exit the agency at the end of the year since his term expired in June 2024. "He has to leave the building before the next session of this Congress, and so that may force hands in order to get people confirmed in a deal, in order get people in place," Heitmann said. "I imagine that's a post-summer conversation, but maybe we'll be surprised."

Meanwhile, Gomez isn't backing down from claims that the FCC is being weaponized, citing **CBS News** President *Wendy McMahon's* resignation and the approval of **Verizon's Frontier** transaction after it agreed to remove certain DEI initiatives. On Verizon, she was unhappy the deal wasn't brought before the full Commission for a vote and accused Verizon of capitulation regarding its DEI moves. "These companies must realize that by giving in today they will endanger themselves and others to further demands from this administration to censor and control their speech and actions tomorrow. Because these are not good faith regulatory efforts, these are intimidation tactics meant to censor speech and control content," she told reporters Thursday.

Starks' official departure announcement was met with a standing ovation at Thursday's meeting, with Carr thanking him for his service. "I very much look forward to continuing to draw on your wisdom in the future, wherever you end up," said Carr.

COX'S KRUECK STAYING CALM AHEAD OF CHARTER MERGER

Although **Cox Communications** SVP, Mobile & Product *Tony Krueck* focused on leadership and workplace excellence during a fireside chat with **NAMIC**, he addressed the **Charter-sized elephant in**

the room when the discussion turned to navigating changes. "I can tell you that there's a lot of questions that haven't been answered, and I think those questions are probably existing on both the Cox side of the house and the Charter side of the house," Krueck said during a Wednesday afternoon webinar. "All I can say is, until a lot of those questions get answered, there's not a lot to toil over." Krueck elaborated that his priority is being supportive of his team as the merger unfolds. Until then, "it isn't getting all worked up over the fear and uncertainty that comes with these types of situations," he said. That's not to say there isn't excitement about the deal. For Krueck, who spearheaded **Cox Mobile's** entrance into the market, he's optimistic about the convergence-related opportunities Charter brings. But the ultimate goal is moving the industry forward, and sometimes that requires teamwork—or a \$34.5 billion merger. "We all know that scale is incredibly important, especially when you're dealing with companies that are hitting mature phases of their life cycle, and broadband is a very mature product line at this point. I think having scale is incredibly important, because you got to bring cost structure down," he said. "The more scale you have, the more cost efficiency you're going to get. And with that, a merger between Cox and Charter just creates incredibly more scale so that you can drive those cost structures down and ultimately produce a better future collectively for both groups of people."

EXAMINING AT&T-LUMEN

Analysts have spent the last 24 hours digesting **AT&T's** \$5.75 billion **agreement** to snatch up **Lumen's** Mass Markets fiber segment. Lumen's stock spiked by as high as 14% between post-market Wednesday and market-open Thursday, while AT&T's didn't see any notable movement. Early signs from research firms signal their belief that AT&T got a good deal. **New Street Research** credited the operator for the price tag it's paying Lumen, especially with AT&T's vision for fiber growth. **Evercore ISI** echoed the sentiment that a deal with Lumen fits well with AT&T's focus on scaling connectivity services. Evercore doesn't think the deal will be material to financial results in the 1-2 years following the deal's closing; however, AT&T expects it to be accretive over a long-term period. Evercore is particularly intrigued by the "NetworkCo" aspect of the deal, where AT&T said it plans to hold the acquired Lumen assets in a fully owned subsidiary. "What's notable to us is AT&T's plan to sell partial ownership of the assets it is acquiring to an equity partner, deconsolidate 'NetworkCo' and operate it as a wholesale commercial open access platform with AT&T as the anchor tenant," Evercore wrote. "The benefits are clear in that it would be a capital-efficient way to expand outside of AT&T's traditional footprint with effectively

no direct capex burden on AT&T's balance sheet ... a pursuit of an equity partner this early on begs the question of where else would AT&T be looking to deploy capital?" As AT&T beefs up with Lumen and **Verizon** looks to nab **Frontier Communications**, Evercore thinks it puts more pressure on **T-Mobile's** "comparatively modest fiber ambitions."

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DOES NBCU WANT TO PLAY BALL?

NBCUniversal has been flaunting its sports portfolio lately as it gears up to handle Super Bowl LX, the Milan Cortina Winter Olympics and its return to **NBA** broadcasting duties. However, that still might not be enough to satisfy the company's appetite for live sports rights, and it may look to capitalize on **MLB's imminent split** with **ESPN**. The *Wall Street Journal* [reports](#) NBCU submitted an offer to inherit ESPN's package of regular-season and playoff games, citing people familiar with the matter. ESPN and MLB signed a deal worth \$550 million per season back in 2021, but what was a seven-year agreement will now cease at the conclusion of the 2025 MLB campaign. The crux of ESPN and MLB's dispute is a common issue: money. The former believed it was paying too much considering the value of packages MLB has with other partners, but the latter claimed ESPN scaled back its coverage and investments for baseball. WSJ writes that NBCU's bid is "much less" than what ESPN currently pays, partially because it's not bidding for the rights to highlight clips as well as the international and radio rights that ESPN licenses. For reference, ESPN offered to reduce its rights payment to \$200 million per year when it chose to opt out, but the league rejected it. Talks between MLB and NBCU had been underway for several weeks before the official offer was made earlier this month. MLB Commissioner **Rob Manfred** and Comcast Chairman/CEO **Brian Roberts** were cited as having discussions over a possible deal. If successful, NBCU would get the Sunday Night Baseball slot and potentially first-round playoff games and the Home Run Derby.

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FIBER FRENZY

Comcast is further expanding its footprint in Virginia, announcing that construction has begun to connect over 4,500 homes and businesses in the town of Bedford. **Xfinity** and **Comcast Business** services will go online for some areas as soon as this summer. This project follows Comcast's recent investments in other parts of the state, including Lynchburg, Radburg and Strasburg. – **Metronet's** fiber-optic internet is coming to Prescott Valley, Arizona, the provider's third deployment project in the state. Residential homes will be able to access up to 5 Gbps internet speeds, while businesses can get up to 10 Gbps. Construction is scheduled to begin this summer, with the first homes and businesses going online this fall. – **Bluepeak** is heading for the Yukon, though this one is a tad warmer. The company revealed a multimillion-dollar project to expand across Yukon, Oklahoma. Engineering and pre-construction processes have already been completed, with construction expected to get underway before the

end of this month. Residential speed options range from 1 Gig to 5 Gig, while businesses can get 10 Gigs and beyond. – **RightFiber**, a **Ritter Communications** brand, began construction for its \$4.2 million expansion effort in Dyersburg, Tennessee. The provider anticipates wrapping things up by the summer.

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CHARTER CLAIMS WIFI 7 TITLE

Charter said it tripled deployment of its WiFi 7-enabled routers in 1Q25 and, based on analysis of **Ookla** speed test data, it's the nation's fastest-growing WiFi 7 provider. In November 2024, Charter became the first major broadband provider to launch the technology, with its Advanced WiFi 7 router currently available across its entire 41-state service area. "Spectrum customers with WiFi 7 are experiencing speeds 86% faster than WiFi 6 (826 vs. 443 Mbps). Furthermore, our rapid deployment means more Spectrum customers are experiencing the lower latency and greater capacity that comes with the latest generation of WiFi technology," Charter EVP, Product **Danny Bowman** wrote in a blog post this week.

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ZEAM HELPING STREAMERS ADD MORE LOCAL CONTENT

Zeam Media, the parent company of the hyperlocal streaming service **Zeam**, is helping others add locally focused content to their lineups. Zeam introduced ZeamCast, a new marketplace that connects streamers of any size to local broadcast stations looking to grow their digital audience. Zeam will handle the technology and advertising infrastructure for ZeamCast, which removes the burden for smaller folks with less access to resources, content and monetization opportunities. Additionally, ZeamCast can be used to build an assortment of FAST channels to be distributed among streaming services. Zeam Media currently operates live local broadcasts on **Paramount+**, **Apple TV**, **Roku** and more.

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TV STILL RULES CONVOS IN U.S.

The **Television Bureau of Advertising (TVB)** released a study that found that television remains the most dominant medium in terms of influencing conversations in America, beating out ad-supported streaming, radio, social media, podcasts, newspapers and direct mail. For example, of the 4,000 respondents surveyed by **GfK/NIQ**, eight out of 10 said that they talk daily about topics covered on local broadcast TV news, with respondents also naming it the most trustworthy news source (unsurprisingly, respondents trust social media the least). According to the study, television was found to be the medium that most strongly influences and sparks convos about the news, politics, weather, traffic and sports. (On the latter topic, respondents also said they prefer watching pro and college sports on linear TV over streaming.) The TVB says that those surveyed also "reported feeling a strong sense of closeness and familiarity with local TV news," which the association points to as proof that television remains an effective way to influence what people talk about and how they behave.

ESPN ON TOUR

"SportsCenter" is going on its nationwide tour "50 States in 50 Days" starting on June 27. ESPN's sports program will be live on-site from a different state each day for 50 straight days and feature storytelling segments that highlight local rivalries, communities and traditions. Featuring sports venues, events and popular locals across the country, the tour will explore what it means to be a sports fan in every part of America. This is the first time in 20 years that ESPN has gone on a tour of all 50 states, with the last being 2005's "SportsCenter Across America." The revival comes as part of a continued effort by ESPN to reach fans directly, just as its DTC product is set to launch this fall. A goal of the tour, according to the network, is to build anticipation for the new streaming service. Additional details, including tour locations and fan events, will be unveiled by ESPN at a later date.

DIRECTV IS ALL ABOUT TRIBECA

DirecTV, which is sponsoring this year's **Tribeca Festival**, is launching new streaming and satellite offerings spotlighting content from the yearly cultural event. The new **Tribeca Festival Hub**, featuring a curated VOD collection of independent films and Tribeca Talks conversations, will be available on all DirecTV platforms, including MyFree DirecTV, which is also getting a new FAST channel called **Tribeca+**. Viewers will also have access to original content, including studio and red-carpet interviews, from this year's festival, which runs from June 5 to 15 in New York City.

FCC ACCESSIBILITY AWARDS

The FCC is seeking nominations for individuals who have made lasting and impactful contributions to the advancement of accessible communications technologies and services in the fields of policy, advocacy, research and design. This is the 15th year of the FCC Chair's Awards for Advancement in Accessibility. In previous years, the awards honored emerging and innovative technologies, but this year in recognition of the 35th anniversary of the Americans with Disabilities Act, they will recognize "the contributions made by those committed to making rapid, efficient nationwide communication service available to all individuals." [Entries](#), which include categories such as Consumer Advocate and Educator/Researcher, open Thursday and continue through June 13. Winners will be recognized at a ceremony to be held in July.

PROGRAMMING

Shark aficionados, get ready for the most wonderful time of the year. **Discovery** confirmed "Shark Week" returns to our shores starting July 20 at 8pm. The 37th year of the aquatic event will feature a special called "Dancing with Sharks," an underwater dance competition that partners professional divers with, you guessed it, sharks! – **Fox News Sunday** anchor *Shannon Bream* will moderate a debate between Pennsylvania Senators *John Fetterman* (D) and *David McCormick* (R) at the Edward M. Kennedy Institute in Boston. Streaming on **Fox Nation** on June 2 at 9am, this will be the sixth installment in "The Senate Project" series organized by the Kennedy Institute and the Hatch Foundation. – *Scott Hanson* is locked in for **NBCU's** coverage of the Milan Cortina Winter Olympics. Hanson will return as the host of "Gold Zone," the Olympics whip-around show that mirrors the RedZone format. Gold Zone will stream live daily on **Peacock** throughout the 2026 Games. – "Noah's Arc: The Movie," which celebrates the 20th anniversary of the series and features members of the show's original cast, will release on June 20 on **Paramount+ with Showtime**. – **Lifetime** is bringing back the *Chrisley* family later this year in a new docuseries, "The Untitled Chrisleys Project," a follow-up to the **USA** reality series "Chrisley Knows Best," which concluded in 2023 after 10 seasons. The new show follows the Chrisley family as they face the chaos that erupts after parents Todd and Julie are imprisoned for bank fraud and tax evasion.

PEOPLE

Four former **Warner Bros. Discovery** advertising sales executives have joined **Allen Media Group**. *Robert Latorre*, *Stephanie Jackson*, *Tina Messina* and *Larry Alecia* will lead teams servicing AMG's broadcast stations, 24-hour networks and streaming platforms.

EDITORS' NOTE

Cablefax Daily will not be publishing tomorrow, May 23, and Monday, May 26, in recognition of Memorial Day. Your next issue will arrive Tuesday, May 27, but in the meantime, keep an eye out on Cablefax.com for any breaking news updates. Don't forget to get [nominations started](#) for our newly debuted **Voices of Impact & Workplace Culture Awards** during the long weekend as well. Early bird pricing expires June 13.

BASIC CABLE P2+ PRIME RANKINGS* (05/12/25-05/18/25)			
MON-SUN	MC US AA%	MC US AA (000)	
ESPN	0.866	2747	
FNC	0.773	2453	
TNT	0.486	1542	
MSNBC	0.250	792	
HGTV	0.177	560	
TBSC	0.152	483	
HIST	0.128	406	
CNN	0.128	405	
FOOD	0.128	404	
INSP	0.126	400	
TLC	0.126	399	
USA	0.120	382	
HALL	0.117	369	
DISC	0.102	323	
ID	0.096	304	
GSN	0.094	298	
TVLAND	0.092	291	
TRUTV	0.087	277	
FS1	0.085	270	
HALLMYS	0.083	262	
AMC	0.071	227	
WETV	0.071	225	
BRAVO	0.071	224	
NWSMX	0.070	223	
A&E	0.069	219	
LIFE	0.069	219	
FX	0.062	197	
ADSM	0.062	196	
REELZ	0.062	196	
ESPN2	0.060	189	
NAN	0.054	172	
OXY	0.052	166	
NATGEO	0.052	164	
PRMNT	0.051	163	
SYFY	0.050	160	
BET	0.050	158	
MLB	0.050	158	
FRFM	0.045	144	
MTV	0.045	143	
TRAVEL	0.045	143	
COM	0.043	137	
TUDN	0.043	137	
FETV	0.042	133	
HLN	0.040	126	
FXX	0.036	114	
IFC TV	0.035	111	
SNDNCE	0.035	110	

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