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WHAT THE INDUSTRY READS FIRST

Laundry List: FCC Meets While Government Shutdown Continues

The government may still be closed, but that didn't stop the **FCC** from conducting its October open meeting. Nine items decorated the agency's agenda Tuesday, and while 2/3 of the proceedings received unanimous approval from Chairman *Brendan Carr* and Commissioners *Anna Gomez* and *Olivia Trusty*, there was push-back—and ultimately approvals—pertaining to broadband labels, rate caps on Incarcerated People's Communications Services and the ongoing "Delete, Delete, Delete" initiative.

The 2.5-hour assembly got off to a harmonious start, but when it came time to discuss the "Empowering Broadband Consumers Through Transparency" item, Gomez flipped a switch and staunchly opposed the notion. The proposal offers to strike certain broadband label requirements that providers are tasked with, including the need to read the label to consumers over the phone, itemize state and local passthrough fees that vary by location, provide information about the now-defunct Affordable Connectivity Program, display labels in customer account portals, make labels available in machine readable format and archive labels for at least two years after a service is no longer offered to new customers.

Gomez said she normally leans toward approving Notices of Proposed Rulemaking because it opens the floor for "asking balanced questions" while bringing in the public's input. This time, however, was different as the FCC's lone Democratic commish dissented in a 2-1 vote.

"The questions posed in this NPRM are so anti-consumer that

I could not bring myself to even agree to them," Gomez said. "In 2022, the FCC unanimously adopted an order establishing the broadband labels... Congress instructed us to establish a requirement for broadband service providers to display these easy-to-understand labels. This was a unanimous yes vote. There were no dissents or even concurrences on the record, and now, during the government shutdown, we propose to reverse course."

Gomez added that it added "insult to injury" when the Commission neglected to explain why it thought the proposal was necessary. Trusty, who joined Carr in approving, said it was the responsibility of agencies to assess whether their rules are working as intended, adding the desire to "ensure that our rules do not impose unwarranted costs that could hinder broadband deployment or innovation."

In Carr's eyes, the FCC's current requirements entail information unrelated to a consumer's purchasing decision. "We're seeking comment on how we can refocus these labels on transparently providing the information that consumers actually need," he said. "We're moving these regulations towards the nutrition label model that inspired this effort in the first place."

On the notion of scaling back, Gomez once again criticized how the FCC is going about its Delete, Delete, Delete campaign. In another 2-1 approval, the FCC reversed 396 rule provisions and rule parts, totaling an estimated 137 pages in the Code of Federal Regulations. Gomez's latest concerns focus on the amount of time the public has to review the changes (20 days). Her request to extend that window to 45 days was denied, with

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DEI Dedication: Industry Geared Up for Diversity Week in NYC

While there's growing concern about some U.S. companies scaling back DEI initiatives in recent months, the media and telecommunications industry's diversity organizations feel good about the levels of commitment they continue to see. DEI will be front and center next week as the industry gathers in NYC for its annual Diversity Week, a decades-long tradition that includes The WNCN Network's *Leadership Conference*, NAMIC's 38th *Annual Conference* and the annual *Kaltura Leadership Alliance*.

"We are the only industry that I'm aware of that dedicates close to a week to shine a spotlight on the importance of diversity and inclusion. I give our industry a lot of credit for that. Nobody who isn't embracing this notion of DEI isn't following the data because everything in the data makes it clear that diversity is good for businesses," WNCN Network CEO Marie Brennan told *CNN*. "It raises shareholder value, it reduces quiet rates among employees. There's higher productivity, there's greater workforce talent and faster innovation."

when everyone is given a fair shot at success. But recently, a handful of companies announced they are ending programs and practices shown to foster unity and equality. Undoubtedly, this will lead many communities to seek their products, services, and employment elsewhere," said the misstep.

A few companies, including *Lowes*, *Post* and *Harley Davidson*, have said they will no longer participate in the Human Rights Campaign's Corporate Equality Index. But industry diversity groups said they aren't seeing less engagement for Diversity Week doing. (And if you haven't registered yet, it's not too late!)

"We're aware of the DEI backlash affecting many companies and industries. However, NAMIC's foundation is deeply rooted in DEI, and we're proud to witness the strong engagement from our partners as they continue to foster more inclusive spaces. DEI has evolved beyond just an initiative—it now represents a genuine commitment to embracing inclusion in all its dimensions," said NAMIC's Chief of Strategy & Programs Anne-Marie Burton. "Recent positive trends for people of color, as reflected in the bi-annual AIM/PAR survey, are a testament to this

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Gomez claiming there was no full explanation as to why.

Another caveat she revealed was two errors “reported by well-resourced industry associations.” Joel Taubenblatt, head of the FCC’s Wireless Telecommunications Bureau, clarified that the errors involved a couple of ex parte filings that related to broadcast auxiliary service and a spectrum leasing rule. Both were removed from the direct final rule “out of an abundance of caution.”

Gomez’s third dissent came with the FCC’s order to reevaluate its Incarcerated People’s Communications Services (IPCS) framework established last year. The order means the FCC will use only billed minutes to determine rate caps, while also implementing safety and security measure expenses that IPCS providers reported incurring and forming another rate cap tier for smaller jail facilities. Additionally, a uniform \$.02 per minute interim rate additive separate from the revised caps will be introduced.

Of the orders that received a 3-0 OK was the decision to tentatively eliminate the ATSC 1.0 simulcast requirement for broadcast stations transitioning to ATSC 3.0, or NextGen TV. The order also opens the floor for comments on how to lower costs and impacts from the 3.0 transition, as well as an ATSC 3.0 tuner requirement, encryption of broadcast signals and MVPD carriage of 3.0 signals.

Also getting three thumbs up were items on speeding up the transition away from copper lines, mitigating illegal robocalls and closing loopholes to defend against devices that have been deemed a national security risk. In honor of the agency’s Space Month, it also voted to overhaul satellite and Earth-station licensing processes in addition to proposing siting reforms for Earth stations in the Upper Microwave Spectrum Bands.

SEE YOU NEXT MONTH?

Nine items may be the most that Carr, Trusty and Gomez have and will vote on at an open meeting. However, Gomez voiced her displeasure with the loaded agenda and the fact most of her staff is furloughed. “My decades of experience in telecom policy helped me to keep up with the wide array of substantive subjects we covered at this month’s meeting, but not having a full staff was like playing volleyball [with] one hand tied behind my back. You have to be really good at spiking,” she said.

As for whether the FCC will meet again in November, Carr said the intention is to hold meetings as long as it can. November’s edition is set for Nov. 20, and it doesn’t sound like it’ll be as active as October’s.

“We’re roughly 20% staffing at this point,” Carr said. “Obviously, [with the] December and January meetings, you have teams that aren’t able to work on those items, so we’ll see if we can mitigate some of the harms that come from that... I think you’re going to start to see a bit more difficulty going forward.”

MORE FCC MEETING TIDBITS

There’s still plenty of time, but **FCC** Chairman *Brendan Carr* said the agency has yet to receive a transaction application regarding the proposed **Nexstar-Tegna** merger. [The deal](#) was announced in August and is expected to close by 2H26. However, since the combination will shatter the 39% audience reach limit and create a company that covers 80% of U.S. TV households, the two companies might be waiting to submit their application until the FCC decides to change those rules—a separate proceeding from the agency’s [quadrennial review](#) of broadcast ownership regulations. Speaking of M&A, there’s been a lot of chatter about the future of **Warner Bros. Discovery** after it [opened the door for offers](#). Carr was asked about a potential deal between WBD and **Paramount**, a company that the FCC devoted quite some time to scrutinizing regarding its merger with **Skydance**. In this case, though, Carr said he’d be “very surprised” if the FCC had a role in a WBD-Paramount transaction. When asked for his personal and official take on WBD-Paramount, he said, “No feelings to share, at least.” Commissioner *Anna Gomez* echoed the belief that the FCC likely wouldn’t have a role in a WBD-Paramount merger process, but it’s too early to say anything, given “it’s not even clear who the buyer is at this point.” “In any event, if there’s no licenses to transfer, then there’s no authorization to transfer those licenses. Because, as I would remind you, that is the basis for us reviewing these types of transactions,” Gomez said, likely referring to the roles the FCC and Carr played in Paramount-Skydance.

VIAMEDIA-COMCAST SUIT GETS TRIAL DATE NEXT YEAR

Could **Viamedia**’s long-standing feud with **Comcast** be nearing an end? Maybe. On Tuesday, the U.S. District Court for the Northern District of Illinois set a trial date of Oct. 5, 2026, for Viamedia’s antitrust case against Comcast. The lawsuit alleges Comcast controls and excludes third-party sales reps from interconnects in some of the most populous DMAs. Earlier this month, U.S. District Court Judge *Sharon Johnson Coleman* denied Comcast’s motion for summary judgment. This case has been lingering for a long time, with Viamedia filing suit against Comcast in 2016 alleging unlawful monopolization and attempted monopolization of the market for spot cable ad representation as well as violation of state antitrust laws in Illinois, Michigan and Connecticut. A district court granted Comcast’s motion to dismiss the case, but the Seventh Circuit reinstated Viamedia’s suit in 2020. Comcast asked the U.S. Supreme Court to intervene in 2021, but it denied its petition.

CIRCLE CITY TO UP PORTFOLIO THROUGH SCRIPPS DEAL

Indiana-based **Circle City Broadcasting** has agreed to purchase **Scripps' ABC-affiliated station** in Indianapolis, **WRTV**, for \$83 million. Circle City was formed in 2019 by veteran broadcaster *DuJuan McCoy* to buy **WISH-TV** and **WNDY-TV** in Indianapolis from **Nexstar** for \$42.5 million. In 2020, Circle City filed separate racial discrimination lawsuits against **DirecTV** and **Dish**, claiming they offered the majority Black-owned media company retransmission consent fees believed to be only a tiny fraction of what the providers paid to Nexstar. Last year, the U.S. Appeals Court for the Seventh District [affirmed](#) a lower court ruling that found Dish and DirecTV presented race-neutral reasons for not striking a retrans deal with Circle City Broadcasting. Neither provider offers WISH or WNDY today—but that could change assuming the Scripps deal closes. WISH is a **CW** affiliate and WNDY is a **MyNetwork TV** affiliate, with WRTV giving Circle City the leverage that comes with a Big Four affiliate. Interestingly, Nexstar owns the **Fox** and **CBS** affiliates in Indianapolis. The **NBC** station is owned by **Tegna**, which Nexstar has proposed buying for \$6.2 billion. “Circle City Broadcasting has an established presence in Indianapolis, led by media veterans who understand both the local community and the broadcast industry,” *Adam Symson*, Scripps President and CEO, said in a statement. “This strategic transaction allows Circle City Broadcasting to expand its service to Indiana communities while enabling Scripps to reduce debt and improve the durability of its local station portfolio over the long term.” Scripps has been working to reduce its debt load, announcing a series of transactions earlier this year to refinance its term loans. In September, Scripps said it would sell **WFTX** in Fort Myers to **Sun Broadcasting** in a deal expected to close in 4Q. In July, it announced a [station swap agreement](#) with **Gray Media** that's pending with regulators as it requires relief from ownership rules.

AMERICAN TOWER SUES DISH

American Tower (AMT) has filed a lawsuit against **Dish Wireless**, claiming the company is trying to evade making payments for the use of cell tower facilities that it leases to operate its **Boost Mobile** wireless communications business. The lawsuit was filed earlier this month in the U.S. District Court for the District of Colorado. In August and September, Dish parent **EchoStar** entered into [transactions](#) to sell spectrum licenses used to support Boost to **AT&T** and **SpaceX**, for \$23 billion and \$19 billion, respectively. After the deals were announced, the **FCC** ended its investigation into EchoStar's spectrum licenses and compliance with 5G buildout obligations. Shortly after the transactions were announced, AMT said Dish delivered a notice claiming that the FCC inquiry and the transactions that followed were “‘unforeseeable events’ that somehow ‘frustrated the purpose’ and ‘destroyed the value’ of its agreement to lease tower space from American Tower.” AMT is seeking a declaratory judgment that Dish has not been excused from performing

its obligations under their agreement.

FRONTIER 3Q NUMBERS

A day before **Verizon** reports earnings, its bride-to-be **Frontier** added a record 133,000 fiber net adds in 3Q25. Overall, Frontier posted revenue of \$1.55 billion, an increase of 4.1% YOY with growth in fiber products partly offset by declines in copper-based products. Operating income grew to \$117 million compared to \$86 million a year ago, while the net loss improved to \$76 million vs. \$82 million in 3Q24. Consumer fiber broadband revenue of \$521 million increased 25.8% YOY driven by growth in both fiber broadband customers and ARPU. Verizon's acquisition of Frontier is expected to close in 1Q26.

RATINGS

Telemundo's broadcast last Thursday of the Billboard Latin Music Awards delivered 617,000 adults 18-49, making it the #1 entertainment show in prime among the demo, regardless of language. The show notched 1.7 million total viewers, making it the highest-rated Billboard Latin Music Awards among total viewers since 2019. Across linear and digital (**Telemundo App** and **Peacock**), the 2025 awards show delivered 321 million cross-platform viewing minutes during the three-hour broadcast.

CABLELABS JOINS CONNECTIVITY STANDARDS BOARD

CableLabs is adding another leadership role to its resume. The organization was added to the board of directors for the **Connectivity Standards Alliance**, which boasts over 860 members and dedicates itself to simplify and unite the IoT space through global standards. The Alliance said CableLabs' addition gives them an independent perspective on issues, particularly when it comes to equipping smart homes across the globe. Representing CableLabs will be CISO *Brian Scriber* as the primary delegate, while Principal Architect *Jason Page* will be the alternate.

FIBER FRENZY

FiberLight announced a \$150 million investment to support its expansion across West Texas. It's adding about 1,000 new route miles and overbuilding key infrastructure to meet rising demand from data centers, AI workloads and carrier networks.

PROGRAMMING

Sir David Attenborough is back to narrate six-part natural history series “Kingdom,” which debuts on **BBC America** and **AMC+** on Jan. 24. The production from BBC Studios Natural History Unit was filmed across five years in a single location to chronicle the real-life sagas of four African animal families—leopards, hyenas, wild dogs and lions.