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WHAT THE INDUSTRY READS FIRST

Round Two: House Presses FCC on Independence, Broadcasters, Wireless

While Wednesday's FCC oversight hearing with the **House Communications** subcommittee resembled the same line of questioning from **Senate Commerce**'s [meeting with the agency](#), it was a chance for lawmakers to press on certain issues that remain relevant. One topic, the FCC's status as an independent entity, was brought up more than once with Chairman *Brendan Carr*.

Recall during December's FCC oversight hearing when Carr stated that the Commission "is not formally an independent agency." Rep. *Frank Pallone* (D-NJ) said that stance contradicts what Carr testified "before this very subcommittee" back in 2022, claiming that Carr—then a commissioner—"made it clear that Congress made the decision that the FCC is truly independent." Carr's testimony for that hearing called the FCC "an independent, expert agency," though it was in the context of whether the FCC or Executive Branch should govern wireless spectrum.

Rep. *Rob Menendez* (D-NJ) revisited the topic and focused on the FCC's website changing its language on independence upon Carr's recent remarks. Menendez wanted to know about the timing, specifically if Carr's conclusion came before or during the Senate Commerce hearing. Carr didn't directly answer the question, but noted he was "pleased that the FCC website reflects my views."

"Independence is determined by a number of factors. It's multi-members, it's term of years, but the main key piece is

can a commissioner be removed by the president for no reason or any reason at all," Carr said. "Historically, the view had been that courts would read into the Communications Act for cause removal protection that wasn't in the statute." That's been reinterpreted with the Supreme Court set to potentially overturn the 90-year precedent known as [Humphrey's Executor](#).

Menendez and Carr then began speaking over one another, but Menendez's final point on the matter was that Carr could have misled the public since he had indicated the FCC's independence prior to December's hearing.

The topic subsequently switched to the FCC's enforcement of the public interest standard, with Menendez accusing Carr of only targeting outlets that criticize President *Trump*. Carr denied targeting Democrats or Republicans in particular, but Menendez wasn't the only one who thinks Carr and the FCC are overstepping First Amendment boundaries—despite Carr citing the Supreme Court to say broadcasters don't have a First Amendment right to a license.

Rep. *Darren Soto* (D-FL) called Carr's actions a "national censorship scandal," pointing to various run-ins with **CBS**, **ABC**'s *Jimmy Kimmel* and **NBC**'s *Seth Meyers*. Soto thinks the public's confidence in the FCC has been and continues to be damaged, which led to Commissioner *Anna Gomez* calling for Congress to implement guardrails to prevent the FCC from overstepping its authority.

"I think the FCC should stay out of content whether we like it or not," Gomez said. "And that is the problem: this administra-

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tion wants to retaliate against news organizations that have the temerity to report... about this administration."

Gomez was later asked by Rep. *Russell Fry* (R-SC) if that stance remains when it comes to a 2023 letter written by then-Senate Majority Leader *Chuck Schumer* (D-NY) and House Minority Leader *Hakeem Jeffries* (D-NY), which targeted **Fox News** and its coverage of the 2020 election. Gomez reiterated her position that the FCC should refrain from regulating content.

"I think that to the extent any actions to pressure news by the government has led to the abuses that you're seeing under this administration, we should reconsider it," Gomez added.

The public interest wasn't the only broadcast-related topic discussed during Wednesday's hearing. Reps. *Brett Guthrie* (R-KY) and *Richard Hudson* (R-NC) continued to advocate for the FCC to change media ownership rules—something **NAB** President/CEO *Curtis LeGeyt* was happy to hear. The FCC has multiple proceedings underway to look at changing the 39% ownership cap and how the agency could help balance the scales between local stations and national programmers. Gomez, however, remains worried that lifting the cap would enable consolidation and "water down" local news, but she still holds the belief that lifting the cap requires an act of Congress—particularly when it comes to the FCC's decision on **Nexstar** and **Tegna**'s merger.

Lawmakers were also curious about what the FCC is doing to ensure the U.S. remains a leader in wireless technology, given concerns about what China, Russia and other adversaries are doing in the space. While Carr has criticized the previous administration, he credited former FCC Chairwoman *Jessica Rosenworcel* for catalyzing the agency's Space Bureau, helping set the stage for approvals of more satellite constellations. In his view, wireless leadership is a crucial element of geopolitical authority.

The notion of wireless leadership was on display at the World Radiocommunications Conference in 2023, an event attended by Commissioner *Olivia Trusty*. At the time, the FCC lacked spectrum authority and didn't have a long-term spectrum pipeline. "We were sidelined from very important discussions, which meant that we couldn't emerge from that conference with wins," Trusty said.

Now that the FCC has auction authority and a long-term pipeline, it lays the foundation for a unified strategy that can focus on key U.S. interests, including working with allies ahead of WRC 2027, which is being held in China.

Verizon outage. Washington, DC, sent out an alert around 1pm ET warning residents that they may have problems connecting with 911 via Verizon. **Comcast**, **Charter** and **Cox** all use Verizon's network for their mobile service. We confirmed that at least some customers using cable MVNOs were impacted by the disruption, while others were fine. Comcast reminded any impacted customers that they can connect to the Xfinity WiFi network to make calls and stay connected. (Is now a good time for the industry to push again for more unlicensed spectrum for WiFi?) Verizon acknowledged the problem on social media around 1pm, saying it was working to identify the issue quickly. At 4pm ET, Verizon said it was still working on it. An FCC spokesperson said the agency is aware of the issue and monitoring the situation. Verizon didn't confirm how widespread the problems were, though we saw social media users reporting issues in Florida, New York and California. **AT&T** used the moment as a sales pitch. "Our network? Solid. If you're experiencing issues, it's not us... it's the other guys," it [posted](#) on **X**, touting a 30-day free trial of AT&T Wireless. **T-Mobile** was more subtle in [throwing shade](#), confirming its network is operating normally but adding that its customers may not be able to reach someone with Verizon because of the carrier's outage.

NETFLIX-WBD DEAL WATCH

Netflix is [reportedly](#) considering revising its offer to buy **Warner Bros. Discovery**'s streaming and studios businesses. The move could see the streamer turn its \$27.75 per share cash-and-stock bid into an all-cash deal to stave off **Paramount Skydance**'s aggressive pursuit of WBD. **PSKY** has argued for weeks that its own \$30 per share bid is superior, this week [filing a lawsuit](#) against WBD that could force the company to [show the math](#) behind its decision to go with Netflix's offer.

VERIZON-CMG STILL FIGHTING

Tomorrow marks one month of the **Verizon-Cox Media Group** blackout. Boston-based WFXT (**Fox**, **Charge**, **Laff**) and Pittsburgh-based WPXI (**NBC**, **MeTV**, **Laff** and **Pittsburgh Cable News Channel**) have been dark on the Fios lineup since Dec. 15 after the companies were unable to agree to a new retransmission consent deal. It was clear that the two were playing hardball when multiple **NFL** matchups were missed, including Jan. 4's Steelers-Ravens game on WPXI and the Patriots' victory over the Dolphins on WXFT. Now all eyes on the upcoming Winter Olympics and Super Bowl to see if they can move these two closer to a deal. Verizon told **CFX** it's continuing "to attempt to negotiate in good faith for fair terms." CMG didn't respond to a request for comment by our deadline.

VERIZON HIT WITH MAJOR OUTAGE

As an **FCC** Commissioner talked about the importance of network resiliency at a Wednesday Hill hearing, many Americans found themselves unable to call or text due to a widespread

NATS HAVE A NEW HOME

The Nationals found a new broadcast partner after ending their relationship with the Orioles-owned **MASN**. On Wednesday, the Nats became the seventh team to go with **MLB** for the local production and distribution of games. **Nationals.TV** will be introduced ahead of the 2026 season through the **MLB** app, with direct-to-consumer subscriptions becoming available in February for a price of \$19.99/month or \$99.99/year. Cable and satellite partners will be announced closer to the start of the season, but those fans will be able to authenticate into **Nationals.TV** if they'd like. In-market fans will enjoy the aspect of not having to deal with blackouts. However, out-of-market viewers will be subject to the opposing team's local blackout restrictions whenever applicable. Additional details, including broadcasters and specific production plans, will be revealed in the coming weeks.

FIBER FRENZY

Shentel's Glo Fiber launched 8 Gig fiber internet service for residential customers across Virginia, West Virginia, Maryland, Pennsylvania, Delaware and Ohio, with more than 400,000 homes and businesses getting access to these speeds. – **Iowa operator ImOn Communications** will upgrade its Cedar Rapids-area network to 100% FTTH internet, replacing its remaining HFC infrastructure. The upgrade unlocks speeds up to 5 Gigs in the community for the first time. Construction began in June 2025 and will continue through 2026. – **Ziply Fiber** is connecting Cottage Grove, Oregon to its network. More than 2,100 addresses now have access, with construction to the remaining homes and businesses to continue over the next few weeks. Speeds range from 100 Mbps to 50 Gigs.

RATINGS

Move over, **Netflix**. **Prime Video** said it set an **NFL** streaming record with Saturday's Packers-Bears playoff game, recording 31.61 million viewers, according to **Nielsen's** Big Data + Panel measurement. That's over 4 million more than the 27.5 million who tuned into the Lions-Vikings Christmas Day game on **Netflix**, which briefly set the NFL streaming record just a few weeks ago. It's also a 43% improvement compared to Prime Video's 2025 Wild Card game, where the Steelers-Ravens averaged 22.07 million viewers. Saturday's game, which saw the Bears win 31-27, peaked at 34.16 million viewers between 9:15-9:29pm. Additionally, according to **Amazon** first-party data, the stream garnered the most concurrent viewers and highest single-day global viewership in Prime Video's history. – Miami's CFP semifinal win over Ole Miss might've been a classic, but that wasn't reflected in the ratings department. Thursday's game had 15.8 million viewers on **ESPN**, the second-lowest CFP semifinal game and only beating Clemson-Oklahoma (15.7 million in 2015). Meanwhile, Indiana's dominant win over Oregon on Friday had 18 million viewers. This year's CFP

is averaging 14.9 million viewers so far, on par with last year's mark. Indiana and Miami will battle for the national championship Monday at 7:30pm on ESPN networks. – The first week of *Tony Rokoupil's* run as "CBS Evening News" anchor averaged 4.17 million viewers P2+. How does that stack up against previous anchors? *John Dickerson* and *Maurice DuBois* averaged 4.82 million viewers in their debut week in 2025, *Norah O'Donnell* had 5.24 million in 2019 and *Jeff Glor* had 7.07 million in 2017. *Scott Pelley's* first week garnered 5.73 million in 2011, while *Katie Couric* came in at 10.15 million in 2006.

PROGRAMMING

The fourth and final season of "Euphoria" has set an April 12 premiere date, airing on **HBO** and **HBO Max** at 9pm. – **Netflix** spent the last few months securing popular video podcasts for the streamer in a new push to compete with **YouTube**, which has long been the home of the format. Now, the streaming giant is also launching its first original podcast, hosted by comedian *Pete Davidson*. Launching on Jan. 30, "The Pete Davidson Show" will be filmed from the *SNL* alum's garage and won't appear on any other podcast platforms. – **OWN** will launch a new season of "Belle Collective" on Feb. 13 at 8pm. The network is also launching the spinoff "Belle Collective: Birmingham," featuring entrepreneur and beauty mogul *Stormi Steele*, later this year.

PEOPLE

Former **FCC** Commissioner *Nathan Simington*, who stepped down from the agency last year, has been appointed Director of Policy & Strategy at defense connectivity tech firm **Ericsson Federal**, which the company says will strengthen its position in the U.S. Government and Department of War telecommunications and technology sectors. Simington will lead strategic initiatives to integrate 5G and emerging 6G tech into the national security frameworks of the USG. – **Comcast's FreeWheel** named *Don Amboyer* the General Manager of Strata, the adtech company's media management software. Amboyer, who previously served as Comcast Advertising SVP Media, Transformation and Experience, will head Strata's operations, revenue, strategy and product roadmap. – **Fox News Media** promoted *Douglas Rohrbeck* to EVP, Washington News & Politics; *Jessica Loker* to SVP, Politics; *Tommy Firth* to EVP of Fox News Digital's editorial team; *Beth Saunders* to SVP, Digital News; *Stefanie Wheeler* to SVP, Digital Editorial and Video; and *Brett Zoeller* to VP, Primetime Programming. – **Madhavi Tadikonda** is moving over to the network side, joining **Scripps** as senior director of network sales, effective immediately. She was most recently executive director and head of investment at **EssenceMediacom** and has held senior roles at **Havas Media Group** and **Canvas Worldwide**. Tadikonda will spearhead ad sales for Scripps' portfolio of networks across all platforms and brands, reporting to *Tony Song*, head of network and advanced media sales.

The Absurdity of 'Cookie' Notifications

Research suggests that Americans who celebrated the recently completed holiday season likely purchased a significant portion of their gifts and supplies online. In a majority of instances when consumers ventured onto the internet to buy, explore, read or browse—just as during the rest of the year—they were greeted with a notification informing them that the site uses “cookies” and requiring a choice to accept, manage or reject them. By most accounts, however, consumers do not find this flood of notifications helpful. Indeed, these notices often delay or even prevent consumers from reaching their intended destination. Ironically, we have a massively popular commerce and research platform that routinely disrupts efficient outcomes in order to deliver gazillions of questionable cookie warnings. Can’t something be done to stop this silliness?

For those unfamiliar, most internet cookies are small bits of data transferred from websites to a user’s browser. Functionally, they operate like a personal shopper in a high-end brick-and-mortar store—greeting a customer at the door and helping improve the overall experience (others liken them to a coat check).

Website owners use cookies for a variety of legitimate reasons. For example, cookies preserve login information, remember shopping cart contents and identify which parts of a website are ignored, malfunctioning or unhelpful, allowing operators to improve performance and design. At the same time, data breaches can expose cookie data or enable malicious code injections, leaving consumers vulnerable to harm. Some also worry that cookies allow companies to build extensive privacy profiles based on individuals’ online behavior across multiple sites.

Over the years, certain governments and their regulators have latched onto fears of potentially abusive cookie use and sought to placate the most privacy-conscious constituencies. The European Union in Brussels and officials in California have led the regulatory charge, effectively dictating cookie resistance for U.S.-based websites. Recognizing that an outright ban would be impractical and damaging, policymakers instead required that consumers be given the option to reject cookies without being denied service, along with additional mandates such as “do not sell or share” opt-outs. The result is today’s ever-present cookie notice.

Unsurprisingly, consumer perceptions of these notices range from confusion to outright fatigue. Studies suggest that between 25% and 40% of U.S. consumers always select “accept all,” a figure approaching 50 percent among younger users; roughly 20% consistently reject all cookies. Meanwhile, more than half of consumers report that they do not understand the purpose of cookies or the consequences of their selections. Estimates also indicate that the average consumer encounters more than 1,000 cookie notices each year. Faced with such volume, many users have simply become indifferent, clicking through prompts to access content as quickly as possible.

If this were a private-sector experiment, cookie notices

would have gone the way of floppy disks and Friendster. Instead, persistent government mandates ensure that companies continue to deploy them, lest they face substantial enforcement penalties or worse. The applicability of these rules means that most companies—large and small alike—bear the burden, leaving little competitive incentive to object. In some cases, complying with one set of questionable requirements may even slow or prevent the introduction of still more ill-conceived ideas.

More troubling, however, is the persistent belief that cookie notices meaningfully improve the amorphous vision of “consumer privacy.” In reality, legitimate companies will continue to comply with regulatory demands—even at higher cost and greater legal exposure—because compliance is necessary for business sustainability. Bad actors, by contrast, will either ignore the rules entirely or exploit them to pursue ill-gotten gains.

From a broader perspective, cookie regulation exemplifies the privacy paradox: officials assume that trust and privacy awareness can be manufactured through mandatory compliance regimes, only to burden reputable firms while empowering bottom feeders. European policymakers, in particular, thrive on creating privacy burdens under the guise of consumer protection, while simultaneously penalizing the fast-growing U.S. technology sector. Lacking a globally competitive tech industry of its own, as I’ve noted previously, the EU appears to take particular satisfaction in crafting technology policy platitudes and lecturing the rest of the world.

In response, some technological solutions may offer certain relief. Browsers can be configured to block cookie notice pop-ups, and privacy-centric websites exist for those who truly prioritize such concerns. Thankfully, proposals to broadly block third-party cookies have faded. Still, these approaches can be overbearing for the benefits offered compared to the existing illogical notice regime. Shouldn’t ditching these notices be a leading option?

A popular political idiom applies here: if you find yourself in a hole, stop digging. Cookie notices, imposed universally, are largely useless. Instead of enhancing privacy, they have become a persistent nuisance—adding friction, frustration and inefficiency to e-commerce and online engagement.

(Michael O’Rielly is a former FCC Commissioner and congressional staffer who serves as President at MPO’Rielly Consulting. His views do not necessarily reflect the views of Cablefax.)

