

QUOTABLE

“Businesses, recognizing the dangers of a purely partisan FCC as well as the uncertainty that the current situation creates, should take what steps they can to raise barriers to such partisan activity and create a more certain legal environment. In this case, the right step is to ensure that the Commission always has bipartisan membership, with the minority member providing advance warnings to businesses and the public, of problematic behavior.”
- New Street Research's Blair Levin in an [article](#) on the impact of the SCOTUS Slaughter decision on the FCC.

CABLE BRACES FOR C-BAND VOTE

With the **FCC** to vote Wednesday on C-band auction rules to clear 160 MHz of spectrum, everyone from cable programmers to pay TV operators to aviation stakeholders have been meeting with agency officials to outline concerns. For cable, the stakes are concrete: operators and programmers rely on C-band satellite links to distribute programming today, and they'll have to retrofit or replace that infrastructure as part of the transition.

NCTA has been extremely active, hosting meetings last week with FCC staffers and reps from **A+E Global Media Networks, C-SPAN, Fox, Paramount, NBCU, TelevisaUnivision, Versant, Charter, Cox** and **Comcast**. As with the 2020 C-band auction, next year's proposed auction requires satellite operators to clear the band before launching new satellites and retrofitting broadcast and cable headends. The FCC said under its proposed plan, the Upper C-Band can be lit up for most Americans by the end of 2030.

NCTA's main ask: confirmation that there will be no degradation to the adjacent CBRS band operating environment. It's hoping the draft order will be updated to contain a phrase similar to the 2020 order, which declared “that the video quality of the end-to-end programmer-to-viewer chain will continue to be at least as good as it is today.” The cable group has raised a few specific red flags, including over the draft order's provision increasing the Lower C-band mobile and portable device power limit from 1 Watt to 4 Watts. Rather than adopt that as a new rule, NCTA is asking the FCC to launch a Further Notice of Proposed Rulemaking on the change to examine whether it could negatively impact the adjacent CBRS band operating environment. Other tweaks it proposes include lengthening the period for incumbent earth station owners to make their lump sum election to 90 days instead of the proposed 45 days after the Cost Catalog is released.

Total incentives for this auction will be less than the first C-band auction, but roughly commensurate with the lower amount of spectrum being cleared, according to the FCC. Actual dollar amounts, including for rebates and incentives, won't be publicly released until after this week's vote.

ACA Connects has concerns over just who is considered an incumbent. During the 2020 C-band transition, some users moved to the upper band, but because of an FCC filing freeze they aren't registered and thus don't have incumbent status. “Though we recognize the Commission's interest in maintaining a stable spectrum landscape for potential bidders, a brief lifting of the application freeze to allow a modest number of bona fide, operational unregistered earth stations to seek inclusion on the list would not seriously jeopardize the Commission's goals,” the group said.

ACA Connects is also pushing for a seat on the committee responsible for selecting the Upper C-band Clearinghouse, arguing it provides the unique perspective of small

and midsize cable operators. The draft order has seven industry seats that are held by NCTA, **CTIA** (two seats), **CCA**, **NAB**, **SES** and **Eutelsat**. Two aviation orgs also will be part of that committee.

Optimum, which isn't a member of either association, made its own plea to the FCC. To complete the transition, operators and programmers will have to move from the C-band to the Ku-band. Optimum said the record shows the Ku-band is subject to a substantially larger risk of service interruption due to rain fade and it's concerned that the FCC order relies on SES' assessment that this solution will work even though it is in the "proof-of-concept stage." Optimum proposes that the FCC delegate to the Wireless Telecommunications Bureau the authority to seek comment on and adopt a contingency plan if SES's transition plan fails. "Optimum's proposal would not change any aspect of the draft order's current approach unless the Bureau determines that SES's plan fails. But given the novel nature of this plan, and the importance of maintaining reliable television distribution, developing a contingency plan is prudent," the operator said.

Anxious for 5G spectrum, CTIA is ready for the FCC to proceed. It's crying foul on some draft order change requests that have come in, including **SpaceX's** request to launch a Further Notice on adding satellite services in the auctioned portions of the band. "The statutory auction mandate did not include new satellite services, and opening a new rulemaking to consider satellite use of the spectrum to be auctioned creates unnecessary, unsound new uncertainties as the Commission should be locking down issues ahead of the auction. Further, as a technical matter, SpaceX has not presented any of the requisite technical work necessary to justify a Further Notice," CTIA said.

The wireless association is also not a fan of a Eutelsat request that would make it so Upper C-band terrestrial licensees may not commence operations until Fixed Satellite Service incumbents clear the spectrum or the lapse of the Final Transition Deadline, unless parties negotiated consent in advance. CTIA argues such a change undermines auction certainty.

Aviation also has a stake in this auction, with spectrum adjacent to the band used by aircraft radar altimeters. Aviation groups are pushing back on CTIA's proposed limits on the altimeter rebate program, including over whether spare altimeters and operators subject to a second FAA retrofit deadline should qualify for reimbursement. All this goes to say even if the FCC approves its C-band order on Wednesday as expected, there is a lot of fine print to work through before the auction gavel.

JUDGE PUTS PSKY-WBD MERGER ON PAUSE

The legal fight over the proposed \$110 billion **Paramount Skydance/Warner Bros. Discovery** merger escalated Monday when U.S. District Judge *Araceli Martínez-Olguín* granted a temporary restraining order pausing the transaction for 14 days. In the TRO, Martínez-Olguín wrote that the 12 state attorneys general proved the four benchmarks of preliminary injunctive relief, including their case being likely to succeed on the merits and a likelihood of irreparable harm to the plaintiffs. WBD shares closed down 3.76% on Monday, while PSKY shed 2%. The states argued that a combined PSKY-WBD would hold substantial

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market share in the wide-release theatrical distribution market and thus fall in violation of antitrust laws. Despite the court's anticipated 27% market share not quite reaching the 30% antitrust benchmark, "Plaintiffs present compelling evidence that the combined firm... will possess substantial market share." Meanwhile, Martínez-Olguín pushed back on PSKY's argument that a merger would lead to streaming efficiencies. "Courts have expressly and repeatedly rejected the defense that a challenged merger will result in economic efficiencies ancillary to competition in the relevant market," the TRO noted, adding that the balance of equities and public interest concerns lean in favor of granting the motion. It also doesn't help that PSKY conceded that it won't start to incur carrying costs upon a delayed merger until the end of September. "Paramount and Warner Bros. will continue to operate as separate, viable companies competing in the marketplace while they wait for the court to adjudicate this case. The balance of equities, combined with the public's vital interest in antitrust enforcement, therefore tips sharply in favor of the requested injunctive relief," the TRO read. What's the schedule ahead? The 12 state AGs' motion for preliminary injunction is due Thursday. PSKY-WBD's opposition brief is due next Monday, which the plaintiffs will have until July 30 to respond. The preliminary injunction hearing is set for Aug. 3 at 3pm in Oakland.

DEMS FLAG ANTITRUST CAUTION FOR FOX-ROKU

A handful of Democratic legislators are asking the **Department of Justice** to take an "impartial" look at the proposed \$22 billion merger between **Fox Corp.** and **Roku**. Led by Sen. *Elizabeth Warren* (D-MA) and signed by Reps. *Becca Balint* (D-VT), *Jerry Nadler* (D-NY), *Jesús García* (D-IL), *Maxwell Frost* (D-FL), *Summer Lee* (D-PA), *Patrick Ryan* (D-NY) and *Pramila Jayapal* (D-WA), [the letter](#) pointed to the DOJ's "recent rubber-stamping of deals that may violate antitrust law" and requested that Fox-Roku receive appropriate scrutiny under an antitrust lens. The letter called out *Stanley Woodward*, Associate Attorney General for the DOJ's Antitrust Division and whom the letter was addressed, for an "apparent role interfering in nonpartisan antitrust enforcement," adding continued doubts that Fox-Roku gets a proper evaluation. Fox-Roku was [first announced in mid-June](#) and targeted to close in 1H27. "Reporting has recently suggested that you told the attorneys in charge of enforcing federal antitrust laws that you prefer they not take cases to trial, and instead resolve issues through settlements. We are concerned that settlements invite opportunities for more backroom deals like the ones we have seen during this administration, and will weaken enforcers' ability to go after antitrust violations in order to lower prices for American families," the letter stated. Not only are the lawmakers concerned with the vertical integration prospects of Fox-Roku and the sea of consumer data the company would own, but they see horizontal issues with combining **Tubi** and **The Roku Channel**, two of the largest FAST/AVOD services in the U.S. Although both platforms produce their own content, they also own large libraries of TV and movie programming, and a combined entity could result in "reverting to its original business model and producing less original programming overall." Warren and Co. request that Woodward commit to a transparent Fox-Roku investigation and respond to a list of questions, including whether he's discussed previous DOJ matters with the White House or non-agency lawyers, lobbyists or consultants. The letter requested a response by July 30.

SCRIPPS GETS FCC OK ON KY STATION

The **FCC** Media Bureau granted **Scripps'** application for the license of WTVQ, the **ABC** affiliate in Lexington, Kentucky, from **Morris Network**. It denied a petition from **DirecTV** hoping to stop the deal, which will create a duopoly in Lexington with Scripps' existing **NBC** affiliate, WLEX. Scripps is paying Morris \$15.8 million for the station. The combo was made possible by the Eighth Circuit's 2025 *Zimmer Radio* decision, which vacated the FCC's long-standing prohibition on combining two top-four-ranked stations in the same market. The FCC has rejected substantially similar arguments raised by DirecTV in other broadcast transactions (see **Sinclair-Cunningham-Roberts** and [Heritage Broadcasting](#)). DirecTV's petition focused primarily on potential retransmission consent harms from the deal. Monday's order noted that the FCC has found on multiple occasions that broad issues, such as the effect of ownership of two top-four stations on retrans, are best handled in an industry-wide rulemaking. "We emphasize again that we will not consider such issues in an adjudication involving rule-compliant broadcast television duopolies," the Bureau order read.

TELEMUNDO SCORES RIGHTS TO UEFA MEN'S CLUB COMPETITIONS

The **World Cup** wasn't enough soccer for **Telemundo**. Only hours after Spain was crowned the champion of this summer's tournament, the network announced it struck a deal to acquire the exclusive Spanish-language U.S. media rights for all **UEFA** men's club competitions, including the Champions League, Europa League, Conference League, Super Cup and Youth League. Telemundo will carry live coverage of every UCL match across linear and **Peacock**, as well as **Universo** and the FAST channel **Telemundo Deportes Ahora**. It'll also have studio programming and original content to coincide with matches. More details will be announced closer to the start of the 2027-28 campaign.

STARLINK ADDS ANOTHER AIRLINE PARTNERSHIP

More planes are set to boost in-flight connectivity in the near future. Indigo Partners, which owns Frontier Airlines, Volaris (Mexico) and a few other international airlines, became the latest to partner with **SpaceX's Starlink** to equip aircrafts with high-speed internet starting early next year. In addition to enabling high-speed, low-latency WiFi for flights, Starlink will provide gate-to-gate connectivity for pilots, flight attendants, maintenance teams and ground operations. Starlink already provides in-flight connectivity for American, United and Southwest Airlines.

GCI GROWS 5G FOOTPRINT

GCI rolled out more upgrades to its 5G mobile service throughout Alaska in an effort to improve reliability, coverage and performance. The operator has completed 5G enhancements in more than 100 Alaskan communities so far this year, transitioning legacy 2G, 3G and LTE technologies to a modern infrastructure. GCI first launched 5G service five years ago in Anchorage, having since grown the offering to 83% of the state's population and spanning over 125 communities. More upgrades are on the way.

NETFLIX'S HALFTIME UPDATE

Netflix is getting closer to reaching 100 billion hours streamed within the first six months of the year. The streamer released its 1H26 engagement report last week, revealing that viewers watched over 97 billion hours of Netflix from January-June. "War Machine" topped movies with 147 million views, followed by "The Rip" (136 million), "Swapped" (131 million), "KPop Demon Hunters" (130 million) and "Apex" (129 million). Five of the top 10 most-watched shows had their premiere during 1H26. Among the top shows, "His & Hers" barely beat Season 4 of "Bridgerton" with 104 million and 100 million views, respectively. "I Will Find You" had 64 million views, while "Stranger Things 5" came in at 56 million and "Run Away" at 50 million. Other tidbits from Netflix's update include more than half of its subscribers now having watched at least one anime title, "Ms. Rachel" being the most-watched kids title with 69 million views across two seasons and live events performing well, including "The Roast of Kevin Hart" getting 21 million views—the same as "BTS The Comeback Live | Arirang"—and *Alex Honnold's* skyscraper climb reaching 13 million.

OBITUARY

Sylvia Bugg, **PBS'** Chief Programming Executive and GM for general audience programming, passed away suddenly this weekend. Before joining public broadcasting, Bugg spent 12 years in programming, production and operations at **Discovery Communications**.

PROGRAMMING

The best-selling comic book series "Afterlife with Archie" is set for a TV adaptation on **Disney+**. It'll arrive ahead of Halloween 2027. Per the logline, the series will be about the town of Riverdale defending itself from a zombie apocalypse brought on by a backfired supernatural spell. -- The 10th anniversary of **ESPN: The Ocho** is coming up next month. The network is celebrating with 74.5 hours of content across ESPN, **ESPN2**, **ESPNU** and the ESPN app, beginning Aug. 6 with the Red Bull Spin Off in D.C. and Corgi Races at Emerald Downs in Washington. This year's edition of The Ocho will include 23 new competitions such as ultimate frisbee, cornhole and slippery stairs. Ten live competitions will be held at the Walt Disney World Resort in Florida starting Aug. 7. Additionally, the Savannah Bananas will play a two-game series Aug. 7-8. And if you want to go back to where The Ocho was born, two screenings of "Dodgeball: A True Underdog Story" will air on ESPN2 come Aug. 7 at 9pm and Aug. 9 at 4pm.