Before the
Federal Communications Commission
Washington, DC 20554

Sports Broadcasting Practices and Marketplace Developments	MB Docket No. 26-45

Comments of the
<u>Computer & Communications Industry Association (CCIA)</u>

The Computer & Communications Industry Association (CCIA)[1] provides these comments in response to the Public Notice released February 25, 2026 (Notice) on sports programming practices and marketplace developments. American consumers are enjoying, through a variety of technologies and platforms, unprecedented access to live and on-demand sports programming. The Commission should decline to intervene in this vibrantly competitive landscape. Government intervention into this marketplace risks exceeding Commission jurisdiction through abrogation of contracts between non-FCC regulated entities, contrary to longstanding FCC precedent, creating market distortions and investment disincentives, and chilling a growing ecosystem that allows for more access to sports programming—including for niche sports—at a variety of price points.

I. AMERICAN CONSUMERS ARE ENJOYING THE MANY BENEFITS OF UNPRECEDENTED VIEWING ACCESS TO LIVE PROFESSIONAL AND AMATEUR SPORTING EVENTS.

As the Notice explains, the sports programming marketplace is more competitive than ever, with more options available to consumers on a variety of platforms.[2] Americans can see

[1] For more than fifty years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than $100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. The list of CCIA members is available at https://ccianet.org/about/members/.
[2] "Live sports are no longer broadcast on TV alone." Notice at 3.

their favorite teams, athletes, and leagues on over-the-air television, cable, satellite-based services, and now via streaming services and applications. Sports that once had limited carriage from traditional television broadcasters, like Premier League Football, Unrivaled Basketball, and the UFC, have found in streaming services reliable platforms and new audiences for their content. The Notice itself acknowledges that "streamers have helped expand access to professional and collegiate sports."[3] Added to those benefits, several outlets have established dedicated, parallel Spanish (and other) language transmissions to serve even more customers.[4]

With streaming services, sports broadcasts that had been confined to one geographic market can become available to a broader national audience. Whether it is high school football, college hockey, minor league baseball, or out-of-market professional teams, a wide variety of sports programming is now being made available to every viewer in the country, not only to those in local broadcast coverage areas. In many cases, this may be the best opportunity for these sports to find new audiences and grow their fan base.

Online streaming platforms can also improve the viewer's experience. Many streaming platforms offer features to customize game choices and viewing at the user's discretion, "helping them discover new sports and events."[5] These platforms also allow viewers to select streaming subscriptions based on the sports they want to watch, often with greater flexibility to cancel subscriptions as needed—which may make it more affordable for Americans to access their favorite sports programming.

The addition of streaming also has helped established, national sports leagues, including

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[3] *Id*. at 4.

[4] NBC, Fox, and CBS offer Spanish simulcasts for over-the-air TV. ESPN Deportes is a cable TV channel. ESPN+, Peacock, and Hulu+ are a few streaming options for Spanish language simulcasts.

[5] Stephen Graveman, Mountain Research, *Why More Viewers Are Streaming Sports, Including March Madness*, https://research.mountain.com/insights/streaming-sports/ ("Streaming services offer personalized recommendations and content based on a user's viewing history, preferences, and behavior, helping them discover new sports and events.") (last visited Mar. 27, 2026).

the NFL, reach continuously growing audiences. The Nielsen Company observed in 2022 that the addition of a live streaming option for Thursday Night Football games resulted in up to 13 million more viewers than when those games were distributed only on NFL Network, which is carried on traditional as well as virtual Multichannel Video Programming Distributors (MVPDs).[6] NFL Commissioner Roger Goodell explained the league's strategy: "It's intentional with our partners to use technology, to use different platforms, to be able to reach a broader audience, whether you want to watch through streaming or you want to watch it on pay television or broadcast. We want our fans to be able to reach the NFL any way they can."[7] MLB has seen a similar jump in viewership.[8] Fans are eager for the opportunity to see more games, as "sports have become the biggest drivers of new subscriptions, and a key piece of their retention strategies."[9]

This evidence shows that American sports fans are the beneficiaries of the tremendous growth of and evolution in event coverage. "[V]iewers' ability to watch nationally televised live sports," which is the central focus of the Notice,[10] has expanded in ways that were unfathomable 25 years ago. Over-the-air networks, cable networks, satellite services, and streaming services all compete for the rights to display sports ranging from racing to wrestling to basketball, covering leagues at the professional, college, and even high school levels. Now that so many outlets and technologies are equipped to carry games, "sports are safe, reliable drivers of viewership at an

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[6] *Live sports are headed to streaming services, and audiences are ready*, Nielsen (Oct. 2022), https://www.nielsen.com/insights/2022/live-sports-are-headed-to-streaming-services-and-audiences-are-ready/ (last visited Mar. 27, 2026).
[7] Alex Weprin, The Hollywood Reporter, *As Pay TV Collapses, Sports Streaming Wars Kick Off* (Dec. 6, 2025), https://www.hollywoodreporter.com/business/business-news/sports-streaming-wars-1236440665/ (last visited Mar. 27, 2026).
[8] Emil Steiner, Forbes.com, "How Streaming Impacted the Way People Watch the NFL, MLB and More" (Oct. 7, 2024), https://www.forbes.com/sites/emilsteiner/2024/10/07/the-future-of-streaming-sports--ux/ (last visited Mar. 27, 2026).
[9] *See supra* n.7.
[10] Notice at 4.

otherwise challenging time for media buyers."[11] Competition and innovation have established a lasting and stable connection between sports and their fans, making sports — a $1.06 Trillion industry[12] — a substantial contributor to the United States economy.

II. THE COMMISSION SHOULD DECLINE TO INTERVENE IN THE SPORTS PROGRAMMING ECOSYSTEM.

The marketplace for sports broadcasting is more robust and diverse than ever before. More consumers can find a wider variety of games and sports-related content in more outlets than was true even 10 years ago. The Commission can be confident that competition, spurred by technological innovation, has created a dynamic and evolving marketplace for consumers throughout the country. The Commission should not intervene in this developing ecosystem, which is based on private contractual arrangements. Doing so could cause unfortunate and unintended consequences for both sports leagues and consumers.

It bears emphasis that, as the Notice recognizes, sports programming is typically made possible by teams and leagues granting the rights to show their programming to one or a variety of platforms.[13] These rights are a form of intellectual property conveyed in private contracts, neither of which are within the Commission's jurisdiction to regulate. Leaving aside the question of Commission authority over the various media and technologies that deliver sports programming, it is unclear how regulatory intervention by this agency could introduce further competition in the market for sports broadcasting rights.

In addition, technological neutrality is a core tenet of Commission policy.[14] Wading into

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[11] *See supra* n.7.
[12] Global Institute of Sport, The Size of U.S. Sport: A $1+ Trillion Industry (Oct. 21, 2025), https://gis.sport/news/the-size-of-us-sport-a-1-trillion-industry/ (last visited Mar. 27, 2026).
[13] Notice at 4.
[14] *E.g.*, FCC, Office of International Affairs, Best Practices for National Spectrum Management (Dec. 2015), https://www.fcc.gov/general/best-practices-national-spectrum-management ("Adopting decisions that are technologically neutral and which allow for evolution to new radio applications."); MB Docket No. 14-261, *Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services*,

the sports broadcasting marketplace necessarily would violate that policy, particularly because the Commission lacks authority to regulate on a uniform basis each of the technologies that participate in this ecosystem. Live streaming via IP-based transmission is a Title I information service, which falls outside the Commission's purview.[15] The Commission's authority over cable programming services is less extensive than for over-the-air TV.[16] To introduce new sports programming regulation would immediately skew a changing and nascent sports programming ecosystem that is constantly innovating to compete and better meet consumer demand. There is no need for regulatory intervention into the positive innovation cycle of sports programming, especially in the absence of any evidence of market failure.

CONCLUSION

Americans enjoy an unprecedented level of choice, flexibility, and quality of sports programming content in a vibrantly competitive marketplace. Any Commission action to interfere with this ecosystem would be unwarranted and introduce adverse consequences that could be detrimental to consumers.

Dated: March 27, 2026

Respectfully submitted,

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Notice of Proposed Rulemaking, FCC 14-210 ¶ 3 (rel. Dec. 19, 2014) ("The Commission has recognized that innovation must be encouraged, but not at the expense of technology-neutral public policies.").

[15] *E.g.*, *Comcast Corp. v. FCC*, 600 F.3d 642 (D.C. Cir. 2010) (vacating order on Comcast network management practices); *Am. Library Ass'n v. FCC*, 403 F.3d 689, 692 (D.C. Cir. 2005) (vacating "broadcast flag" rule).

[16] *E.g.*, *Home Box Office, Inc. v. FCC*, 567 F.2d 9, 44-45 (D.C. Cir. 1977) (vacating programming restrictions on cable, affirming as to broadcast television).