

CENTER FOR  
DIGITAL  
DEMOCRACY

October 7, 2024

Ashkan Soltani  
Executive Director  
California Privacy Protection Agency  
2101 Arena Blvd  
Sacramento, CA 95834  
Via email

Dear Mr. Soltani,

We respectfully urge CPPA to launch an investigation into the connected television (CTV) industry operating in California, including the network of video providers, data companies, ad-tech operators, and device makers based in our state. As background for this request, we refer you to the Center for Digital Democracy's new report, *How TV Watches Us: Commercial Surveillance in the Streaming Era*, documenting a series of data collection and marketing practices that require a comprehensive consumer protection response. We attach a legal memo commissioned from a leading privacy attorney analyzing how CTV industry practices are likely not in compliance with the California Consumer Privacy Act. The Center for Digital Democracy (CDD) is based in both Washington, D.C. and Ventura, California.

As you know, CTV has become a major focal point for the commercial surveillance marketing system. So-called "first-party" data is gathered from California consumers through an opaque array of tactics operating within and behind TV screens and digital devices. Consumer CTV data flows into an array of state-of-the-art advertising technology systems operated by many of the leading digital media, TV manufacturer and entertainment companies. Through elaborate partnerships with data brokers, consumer "identity" specialists, ad agencies, retailers, supermarkets, data "clean rooms," and platforms, CTV data is further enhanced to deliver personalized targeting to individuals and families across online and offline environments. So-called "programmatic" data-driven personalized targeting, including through auctions and direct placement, dominates CTV, as it does elsewhere online. AI, as well as generative AI, play a growing and consequential role in the creation and delivery of marketing, including efforts to foster increased data collection. Among the well-known companies operating in the state, and which should be examined by your office, are The Trade Desk, the Walt Disney Company, Comcast/NBCUniversal, Roku, Amazon and LiveRamp.

We also urge you to examine the report's discussion of how consumer health data is currently being harvested and utilized by CTV, as well as the complex of data-driven programming services aimed at both communities of color and young people. The numerous and growing

interactive ad formats on CTV require scrutiny, such as those undertaken by Amazon, Comcast/NBCU and Disney to expand the ways the medium delivers real-time product sales.

Here is the [link](#) to our report.

We look forward to any questions you and your colleagues may have about this request to investigate CTV.

Sincerely,

Jeffrey Chester  
Executive Director