

CableFAX Daily™

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What the Industry Reads First

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No One's Happy: FCC Pushes Ahead as Title II Fears Mount

FCC chmn *Tom Wheeler* is getting it from all sides. Net neutrality advocates warn his open Internet proposal will result in the death of the Internet and want Title II regulation. They've been camping out at 12th St and plan a larger rally outside the agency and online Thurs when the Commission considers the NPRM. Then there are ISPs who fear Title II will be used to reclassify broadband, burdening them with new and cumbersome regulations. Add in fellow commissioners from both parties, who have complained that more time is needed on the issue—and it's a bit of a zoo at the FCC these days. A further blow came Tues morning when *Ajit Pai* complained that he and *Michael O'Rielly* hadn't seen the latest draft despite multiple press reports about revisions that raise the profile of Title II in the NPRM. "When it comes to the Chairman's latest net neutrality proposal, the Democratic Commissioners are in the fast lane and the Republican Commissioners apparently are being throttled. The Chairman's Office should end this discrimination and stop blocking the Republican Commissioners from seeing the Chairman's latest plan," Pai said. We hear Pai and O'Rielly did get the new draft by mid-afternoon. On Tues, the CEOs of **Comcast, AT&T, NCTA, Charter, Verizon** and several other ISPs banded together to ask that the FCC stop considering a Title II approach. "In recent days, we have witnessed a concerted publicity campaign by some advocacy groups seeking sweeping government regulation that conflates the need for an open Internet with the purported need to reclassify broadband Internet access services as Title II telecommunications services subject to common carrier regulation," the ISPs wrote in a letter. "As demonstrated repeatedly, the future of the open Internet has nothing to do with Title II regulation, and Title II has nothing to do with the open Internet. As it did in 2010, the Commission should categorically reject efforts to equate the two once and for all." **House Commerce** Republican raised their "grave concerns," declaring that simply raising the prospect of Title II harms broadband providers, the economy and consumers. "Actually doing so would be fatal to the Internet as we know it," the lawmakers wrote. In a **Twitter** chat Tues that attracted dozens of questions and comments, FCC special counsel *Gigi Sohn* said the draft proposal seeks comment as to whether Title II or 706 is the best route. "706 & Title II r main choices because of court decisions, but draft asks whether there are alternatives," she tweeted. She did say that the chmn believes Sec 706 can be an "effective path forward" given the court's road map when it threw out the previous rules following a

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challenge by Verizon. The NPRM proposal also asks if paid prioritization should be banned outright. If the proposal is adopted Thurs, the public will have 60 days to comment with another 60-day comment period for replies, putting this through Sept. The FCC hopes to have a decision by year-end.

ABC Programmatic Testing: ABC used its upfront Tues to announce a programmatic video sales trial that will take place throughout the summer, leveraging tools by ad monetization platform **FreeWheel**. ABC will be the first media company to offer premium video through FreeWheel's solution, called "FourFronts Programmatic," which was unveiled earlier in the day. ABC's trial will include digital video ad inventory across ABC Entertainment and News programming. **ABC Family** also will be participating, making video inventory available across its digital portfolio of shows. Neither network will include linear TV inventory in the trial at this time. FreeWheel's tool connects ad seller inventory systems with ad buyer demand-side platforms, creating safeguards for publishers to ensure that automated transactions are handled transparently.

Turner + Comcast: A day before its upfront presentation to advertisers, **Turner** announced it has reached a deal that will provide **Comcast** subs with complete current and previous seasons of programming from **TBS, TNT, Adult Swim** and the rest of its portfolio. Turner will insert dynamic ads into the programming across all devices, with the offerings made available as inventory in time for the '14-'15 upfront. Some of the full seasons that will be made available include TNT's "Falling Skies," **Cartoon**'s "Adventure Time" and **CNN**'s "Anthony Bourdain Parts Unknown."

Search & Discovery: **Charter** has deployed **DigitalSmiths'** recommendation platform to some 5mln customers. The tech, which is from a **TiVo** subsidiary, is available on the Charter TVE app. Additional platforms and devices will launch it in the coming months (presumably that includes set-tops).

Main St WiFi: Forget the candy, water and magazines. **Comcast Business** says a survey it commissioned found WiFi keeps customers in waiting rooms happier than those other conveniences. Sure, it's self-serving, but makes sense in this day and age. Why read a three-month-old issue of *Cat Fancy* when the Internet is at your fingertips? Of those Main Street businesses that currently don't offer Wi-Fi to patrons, the survey found 61% plan to offer it soon or would consider providing it. Other findings: nearly 8 in 10 businesses offering Wi-Fi (79%) say it helps keep customers happy while they wait; 65% report it has encouraged repeat business; and 55% say it has brought in new customers.

Ratings: Thurs' coverage of the **NFL** Draft on **ESPN** knocked **HBO**'s "Game of Thrones" out of the most-watched cable program spot last week. Thurs' draft drew 9.9mln viewers vs 6.4mln for Game of Thrones. **TNT** was the big winner in prime though, thanks to its continued coverage of the **NBA** playoffs. It averaged 3.2mln viewers for the week, well ahead of ESPN's 2nd place 2.6mln. -- Mon's Mets-Yankees game on **YES** was the most-viewed telecast this season, and highest-rated and most-viewed Subway Series telecast on a NY RSN since July '11. It averaged 494K total viewers.

Upfronts: Move over, Menudo. *Simon Cowell* made an appearance at **Univision**'s upfront Tues to announce his new show "La Banda," which attempts to put together the ultimate Latino boy band. It'll debut on the flagship net next year. The net pushed the impact of Univision's brand, which includes 15 broadcast, cable and digital nets, along with 130 TV and radio stations across the country. "Univision is the one company that can offer advertisers the transmedia solutions to engage deeply with Hispanic consumers and build the lasting relationships that will move the needle for their brands," said pres/CEO *Randy Falco*. Among the cable nets, **Univision Deportes** will have the exclusive Spanish-language rights for the next 8 years to every US National Men's Soccer Team match in this country; the Spanish-language rights to MLS for the next 8 years; and the exclusive rights to the first-ever, special edition Copa America Centenario, which will be played in the summer of 2016 and feature the best teams from CONCACAF and CONMEBOL. -- A few tidbits from **ESPN**'s upfront Tues: The new "SportsCenter" set will debut in June, with the studio set to transition to 1080p when the industry can accommodate it. *Tony Kornheiser* and *Michael Wilbon* will keep interrupting, signing multi-year extensions that keep them co-hosting "Pardon the Interruption." **SEC Net** is still set to launch Aug 14 with more than 1K events in its first year, including 45 SEC football games. ESPN also outlined a new research initiative to measure ad effectiveness across TV, digital print and radio. Its "Convergence Effective Modeling" follows 24 brands including both ESPN and non-ESPN advertisers on a continuous basis, combining 1st- and 3rd-party data with a survey component that gathers information from 2,500 respondents a month. -- With a newly expanded primetime lineup, **Adult Swim** has plenty of

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new series to show off at its upfront on Wed, including a sitcom featuring *Jack McBrayer* as a former child star of a Lassie-type series that starred Triumph the Insult Comic Dog. Later this year, viewers can check out new animated comedy “*Mike Tyson Mysteries*,” in which the boxer solves mysteries along with his adopted Korean daughter and a pigeon who was once a man.

Social Circle: Everyone’s getting a little more millennial friendly. **E!** has debuted an **Instagram** Wall on “E! News” and Eonline that tracks the top celebrity Instagram accounts. **FYI**, formerly **BIO**, has teamed with **Pinterest** for new series “We’re Moving In,” (wt) which integrates Pinterest ideas into the home decorating show.

People: **NBCU** tapped *Luis Silberwasser*, most recently evp, chief content officer at **Discovery Nets Intl**, as **Telemundo’s** pres, starting in Aug. The post has been vacant since *Emilio Romano* left the company in Oct after 2 years in the role.

Oops: It’s worse than we thought. **CEG Tek** found that 3.7mln unique users illegally shared 175 shows in one DAY, not one week.

Editor’s Note: **DirectTV’s** *Tim Gibson*, **Univision’s** *Tonia O’Connor* and **Time Warner Cable’s** *George Sarosi* are among the speakers at our May 21 Digital and Tech Summit. Join us to learn about how the latest in tech will affect you. More info [here](#).

CableFAX Daily Stockwatch

Company	05/13 Close	1-Day Ch	Company	05/13 Close	1-Day Ch
BROADCASTERS/DBS/MMDs					
DIRECTV:	86.08	(1.08)	CONCURRENT:	8.11	(0.03)
DISH:	61.05	0.08	CONVERGYS:	22.60	0.60
ENTRAVISION:	5.32	(0.45)	CSG SYSTEMS:	25.99	(0.84)
GRAY TELEVISION:	10.54	(0.41)	ECHOSTAR:	50.05	(0.04)
MEDIA GENERAL:	16.70	(0.21)	GOOGLE:	533.09	3.17
NEXSTAR:	41.35	(1.06)	HARMONIC:	7.22	(0.08)
SINCLAIR:	28.21	(0.29)	INTEL:	26.45	0.08
MSOS					
CABLEVISION:	17.36	0.05	INTERACTIVE CORP:	64.60	(0.45)
CHARTER:	136.62	(0.45)	JDSU:	10.96	(0.1)
COMCAST:	50.11	(0.54)	LEVEL 3:	44.04	0.12
COMCAST SPCL:	49.56	(0.48)	MICROSOFT:	40.42	0.45
GCI:	11.29	(0.03)	NIELSEN:	47.36	0.14
GRAHAM HOLDING:	673.38	(4.13)	RENTRAK:	57.85	(1.41)
LIBERTY GLOBAL:	43.96	0.61	SEACHANGE:	9.23	(0.07)
LIBERTY INT:	28.63	(0.16)	SONY:	17.64	0.19
SHAW COMM:	24.81	(0.14)	SPRINT NEXTEL:	9.03	0.06
TIME WARNER CABLE:	135.97	(2.17)	TIVO:	11.96	(0.13)
PROGRAMMING					
21ST CENTURY FOX:	34.90	(0.29)	UNIVERSAL ELEC:	40.69	(0.45)
AMC NETWORKS:	59.23	0.55	VONAGE:	3.85	(0.04)
CBS:	57.00	(0.4)	YAHOO:	34.40	(0.05)
CROWN:	3.45	(0.19)	TELCOS		
DISCOVERY:	72.80	(0.63)	AT&T:	36.20	(0.37)
DISNEY:	82.08	(0.34)	CENTURYLINK:	36.97	0.23
GRUPO TELEVISA:	33.87	0.26	TDS:	27.34	(0.07)
HSN:	55.34	(0.55)	VERIZON:	47.85	(0.31)
LIONSGATE:	25.99	(0.41)	MARKET INDICES		
MADISON SQUARE GARDEN:	49.82	(0.18)	DOW:	16715.44	19.97
SCRIPPS INT:	75.16	(0.39)	NASDAQ:	4130.16	(13.69)
STARZ:	29.89	(0.16)	S&P 500:	1897.45	0.80
TIME WARNER:	69.17	(0.27)			
VALUEVISION:	4.98	(0.07)			
VIACOM:	83.78	(0.84)			
WWE:	18.40	0.18			
TECHNOLOGY					
ADVANTAGE:	2.76	0.05			
ALCATEL LUCENT:	4.09	0.03			
AMDOCS:	47.22	(0.13)			
AMPHENOL:	96.12	(0.51)			
AOL:	36.81	(1.16)			
APPLE:	593.76	0.93			
ARRIS GROUP:	29.31	0.07			
AVID TECH:	7.35	0.05			
BLNDER TONGUE:	0.91	0.03			
BROADCOM:	29.90	(0.04)			
CISCO:	22.86	(0.33)			

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