

CableFAX Daily™

Wednesday — July 16, 2014

What the Industry Reads First

Volume 25 / No. 136

Slow Lane: FCC's Filing System Lags, Open Internet Comments Pour In

Those who waited until Tues' deadline to file comments in the FCC's Open Internet proceeding may have encountered a slow electronic filing system reminiscent of waiting on dial-up Internet to connect. The system, which was stymied last month from heavy traffic, hit more roadblocks Tues, prompting the agency to extend the deadline to file until Friday at midnight. "Not surprisingly, we have seen an overwhelming surge in traffic on our website that is making it difficult for many people to file comments through our Electronic Comment Filing System (ECFS)," the FCC said, adding that comments can also be emailed to openinternet@fcc.gov and placed in the public record. On **Twitter**, FCC CIO *David Bray* said the solution probably is a cloud-based ECFS to replace what he said was a 17-year-old system. "Here's hoping we get funding in FY15 to do so," he wrote. The **House** is considering an appropriations bill this week that would actually trim the Commission's budget by about \$17mln from its FY14 allocation and is significantly less than what the administration sought for the agency. The glitch served as a rallying cry for those seeking stiff net neutrality regs. "This is the greatest public response to any rulemaking in the FCC's history. More than 1 million people have petitioned the agency for strong Net Neutrality protections within weeks of a January 2014 court decision that overturned the FCC's 2010 Open Internet Order," declared a **Free Press** news release. The group said net neutrality advocates were planning to head to the Commission Tues afternoon to hand-deliver "hundreds of thousands" of public comments (giving reporters the time of delivery for a photo opp, natch). Not everyone was shut out by the ECFS, with **Comcast** filing its comments Tues through ECFS. **NCTA** also reported no problems filing electronically. Not surprisingly, the 2 argued for the FCC using Section 706 of the Telecom Act instead of Title II as some net neutrality advocates want. While a federal court threw out the FCC's 2010 Open Internet order earlier this year, Comcast is bound by it until 2018 as a condition of its acquisition of NBCU. "The Commission should reaffirm the importance of its transparency framework, reinstate a 'no blocking' rule with a revised legal rationale, and establish a 'commercial reasonableness' standard to govern direct commercial relationships between broadband providers and edge providers relating to the transmission of Internet traffic over broadband Internet access service," Comcast said. Sens *Ed Markey* (D-MA), *Richard Blumenthal* (D-CT) and 11 of their Democratic colleagues asked the FCC to reclassify ISPs as common carriers—a notion that chmn *Tom Wheeler* has said is on the table. "The

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Commission should take this opportunity to put truly effective open Internet rules on the books, and do so using whatever authority best stops these discriminatory practices,” they wrote. “We believe that authority already resides in Title II. By reclassifying the transmission component of broadband Internet access as a telecommunications service, with appropriate forbearance, the FCC could prevent online discrimination.” Even without the deadline extension for comments, this is far from over. Reply comments in the proceeding are due Sept 10 (any bets on how well ECFS will work then?). Panelists participating in a **Digital Policy Institute** discussion on net neutrality Tues offered rather pessimistic speculations on when the final decision might come down. The multitude of possible outcomes makes the end of the net neutrality debate unpredictable. “There are two paths and one path resolves this thing quickly [Chairman Wheeler’s light touch approach]... If they take the other path we could be talking about net neutrality and subsequent wars for the next decade to come,” said *Hal Singer*, principal at **Economists Inc** and senior fellow at the **Progressive Policy Institute**.

Customer Service Call Heard 'Round the World: Comcast may have had a rough day Tues, with major media outlets jumping on a customer service call in which a CSR just wouldn’t take no for an answer. But what about the company the caller, former *Engadget* editor *Ryan Block*, said he was switching to if he could ever get the rep to cancel his Comcast service? It is **Astound Broadband**, a sister company of **Wave Broadband** and an **ACA** member. In 2012, Wave Broadband/Astound was named **Cablefax: The Magazine’s** Top Independent Operator of the year, in part for its customer service. No promises he won’t get another pushy CSR, but Block might take some comfort in the company’s call center philosophy and high customers satisfaction scores. Expansive glass windows blanket the top floor of Wave and Astound’s Kirkland, WA, headquarters, offering breathtaking views of beautiful Lake Washington and the Seattle skyline. It’s the kind of view you’d expect for the C-suite, but at Wave /Astound it’s reserved for customer service and support staff. “The best view is the call center,” Wave Broadband CEO *Steve Weed* has told us. “That’s kind of symbolic of what we did when we started the company. We wanted to have happy, knowledgeable support employees talking to our customers.” And with packages of up to 110mbps, Weed disputes the rep’s claim (which he made repeatedly) that Comcast’s 105mbps Internet service is faster. “Sometimes when you hear about a service problem that gets a lot of notoriety, you kind of cringe and go, ‘Gosh, that could have happened under my company.’ But in this case, there’s no way that would ever happen here because it’s the opposite of our culture,” Weed said. Hope that’s true, because Block has a tape recorder and isn’t afraid to use it! Missed Block’s call trying to get Comcast to disconnect his service? Check it out [here](#).

ABC Family Restructuring Continues: As part of the previously announced **ABC Family** restructuring, *Salaam Coleman Smith* was named evp, strategy and programming, reporting to *Tom Ascheim*, pres. The restructuring already saw the departure of chief creative officer/original content evp *Kate Juergens*, as well as the elimination of the position of svp *Lynn Stepanian*. Smith will manage long-term growth opportunities and partner with the **Disney-ABC Television Group** leadership team formulate new initiatives for the net. Coleman Smith was previously head of **Style Media** and most recently pres, strategic initiatives for **NBCU’s** cable entertainment group. She joined **Comcast** in 2003 as svp, programming for **E!**

On the Hill: The **House** passed the Permanent Internet Tax Freedom Act Tues, which would permanently prevent state and local govts from levying Internet connection taxes. For it to become law, the **Senate** would have to pass the companion bill, backed by several major ISPs, before the Act expires in Nov. Failure to extend the act before Congress recesses in Sept will “risk driving up the cost of Internet connectivity for tens of millions of American consumers and businesses,” **NCTA** CEO *Michael Powell* said in a statement. **Comcast** shared the sentiment. “We applaud this positive step taken by the House today and urge the Senate to act before the November 1st expiration of the current moratorium,” said *Sena Fitzmaurice*, vp of govt comm. The bill was introduced by Rep *Bob Goodlatte* (R-VA) and *Anna Eshoo* (D-CA). The Senate version of the bill was introduced by *Ron Wyden* (D-OR) and *John Thune* (R-SD).

Emmy Noms: With 15 nominations, **HBO** topped all cable nets in the News and Documentary category of Emmy Awards. **CNN** followed with 11 total noms (2 for **CNN en Español**). **Discovery** grabbed 7 in total, with 4 for **Discovery Channel** and 3 for **Discovery en Español**. **Nat Geo Channel** and **NatGeo Wild** each scored 3. **Al Jazeera America**, **Animal Planet** and **History** each bagged 2. Including broadcast, pay-TV and Internet broadcast nominees, **PBS** led the way with 43 noms with **CBS News** following close behind (42 noms). **ABC News** picked up 19.

SEC Readies Digital Platform: As the Aug 14 debut for **SEC Net** nears, **ESPN** and **SEC** are working to roll out the new net’s digital platform dubbed SEC Network+, which will be launched on the same day. The digital net, available through

SECNetwork.com and via WatchESPN, will feature live and on-demand content of more than 550 digital-exclusive sporting events in the 1st year. The digital net will offer additional events produced by the schools and SECNetwork.com will provide original short clips, video from studio programs and original digital video projects.

Nielsen Measures Mobile: Mobile measurement, as part of the **Nielsen** Online campaign ratings program, is commercially available now. The service counts media sellers like **Adap.tv, Defy Media, Freewheel, YuMe and Videology** as customers. It's expected to provide demographic info on a campaign running across platforms, as well as information regarding total and device-specific reach (e.g. how many consumers saw an ad only on a PC, only on mobile and on both).

On the Circuit: **FCC** commish **Mignon Clyburn** and **BET Nets** will be honored at the 31st Annual **Walter Kaitz Foundation** Fundraising dinner on Sept 17 in NYC. Clyburn will receive the Diversity Advocate award while BET will get the 2014 Diversity Champion Award. -- *Rob Lloyd*, pres of development and sales for **Cisco**, and *Mike Fries*, pres/CEO of **Liberty Global**, are among the **SCTE** Cable-Tec Expo speakers.

Programming: **Spike TV** is developing an event series, "The Crusaders," based on the 3rd Crusade. Teaming with companies including *Pierce Brosnan's Irish DreamTime*, the net will debut the scripted series in 7 years. -- A new season of **A&E's** "Wahlburgers" returns with 9 new eps on Aug 13.

USA at TCA: Turmoil in the Middle East may force producers of **USA's** "Dig," a DaVinci Code-esque thriller set in Jerusalem, to rethink how it shoots the rest of the 6-part series and perhaps whether it will even premiere in the fall as originally planned. "We are assessing, and the studio and the network are looking at all options," said exec producer *Gideon Raff*. "And, hopefully, everything will calm down and we'll go back to what we planned. And if not, we'll sort it out." The series, starring *Anne Heche* and *Jason Isaacs*, centers on a murder and specific location each season. -- Quite an entertaining panel with the "Chrisley Knows Best" (premieres fall) crew, with lots of banter between patriarch *Todd Chrisley* and his son *Chase*. Critics pressed producers on whether the crazy situations on the show are real, but "things happen all the time in this family that I could not predict nor ever come up with," said exec producer *Stephanie Bloch Chambers*.

Bravo and Oxygen at TCA: **Bravo's** 1st scripted show "Girlfriends' Guide to Divorce" (premieres Dec 2) seems like a wild ride as it takes a look at a disintegrating marriage, with ex-"Mad Men" writer *Marti Noxon* helming the 1-hour dramedy. "We like to start every show with a rule, like the first rule was never lie to the kids," she said. "But you find out where she learned that from, by totally lying to her kids. Every rule is 'I learned this the hard way,' so we try to play the opposite game." Originally developed for **Showtime** as a half-hour show, Noxon said the switch to an hour made the series "richer." **Bravo** also rolled out the often obnoxious but effective Type-A real estate agents from its popular "Million Dollar Listing" series. Why are they so... caffeinated? "We're passionate about what we do," said agent *Josh Altman*. "You know, some people think we're super aggressive, but that's because of our love for real estate." -- After treating critics to a *Hermosa Beach Gospel Choir* performance featuring *Destiny Child's Michelle Williams* of "Fix My Choir" (premieres Nov), **Oxygen** brought out several preachers from its "Preachers of L.A." series. One interesting factor: the growing importance of social media both for churches spreading their messages to younger audiences but also in promoting the series itself. "Social media is a really big, really big part of the show," said exec producer *Lemuel Plummer*. "And we love the feedback."

Esquire at TCA: Since its rebranding from women-focused **Style** to male-focused **Esquire**, this net has had its work cut out for it in terms of explaining itself to TV writers. At **TCA**, it rolled out perhaps one of the more original shows on cable with "My Friends Call Me Johnny" (premieres Sept 3) about uber-connected *Jean Pigozzi*, who seems to know just about every famous celeb, entrepreneur and power broker on the planet—and uses those relationships to gain access. "I have conversations with people, not interviews," he said. "About .00001 percent of the people in the world have this incredible flame under their little ass that makes them wake up in the morning, and they want to create, write a new song, make a new building, make a new dress, make something. Those are the people I'm interested in, and you see those in the show."

SyFy at TCA: Producers were quick to point out that new series "12 Monkeys" (premieres Jan) isn't a remake of the 1995 movie by *Terry Gilliam*. One change: No ambiguity over whether the protagonist Cole is actually imagining his experiences. "We felt for the drive of really making this a thriller that the audience would identify more with Cole if we knew it was real," said writer *Terry Matalas*. Added exec producer *Richard Suckle*: "We're doing something very different here." -- Perhaps even more different is "Ascension" (premieres Nov), a 6-ep series that imagines President *Kennedy* launched a spaceship in 1963 with colonists tasked to carry on humanity in case the Cuban Missile Crisis ended in Armageddon. Just go with it. Of course, interesting is how the ship's culture would develop differently than that of Earth over the last 50 years. "You definitely see that they've got their own hierarchies, their own traditions, their own legends," said exec producer *Phil Levens*. "Everything is the same but different."

BUSINESS & FINANCE

DirecTV at TCA: DirecTV kicked off the TCA day Saturday devoted to programming on alternate platforms, literally, with mixed martial arts (MMA) drama “Kingdom” (Oct 8 premiere, Audience Network). The 10-ep series’ creator *Byron Balasco* insists even non-MMA fans will show up. “It’s a drama about a family,” he said. Singer *Nick Jonas* is among the cast, which also includes *Matt Lauria* of “Friday Night Lights,” a series that DirecTV’s Audience Network channel has carried to its 20mln premium subs.

Cinemax at TCA: It’s rare to see **Cinemax** at TCA, but “The Knick” (Aug 8 premiere) certainly has the pedigree to present, with *Steven Soderbergh* directing all 10 episodes of the 1st season and *Clive Owen* onboard starring as a hard-charging doctor at a NYC hospital in 1900. Co-creators *Jack Amiel* and *Michael Begler* spent 5 months researching the period before writing the scripts about a fictional doctor, John Thackery, who wants to push the ceiling of medicine, but also has an opium addiction.

ReelzChannel at TCA: ReelzChannel showcased 6-ep series “Living with the Jacksons” (premieres Nov 18), featuring the sons and daughters of both *Jermaine and Randy Jackson*. The twist: They all share the same mom, *Alejandra Jackson*. The kids said they’re only now learning to live an unsheltered life. “We were in the bubble,” said *Genevieve Jackson*. “We call it the Jackson bubble.”

CableFAX Daily Stockwatch

Company	07/15 Close	1-Day Ch	Company	07/15 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	86.49	0.29	CONCURRENT:	7.32	(0.05)
DISH:	65.33	(0.91)	CONVERGYS:	20.77	(0.01)
ENTRAVISION:	5.92	(0.09)	CSG SYSTEMS:	26.87	0.02
GRAY TELEVISION:	12.73	(0.36)	ECHOSTAR:	51.77	(0.3)
MEDIA GENERAL:	22.60	0.40	GOOGLE:	584.86	(0.01)
NEXSTAR:	48.88	(0.7)	HARMONIC:	5.98	(0.17)
SINCLAIR:	33.10	(0.17)	INTEL:	31.71	0.22
MSOS					
CABLEVISION:	18.20	(0.15)	INTERACTIVE CORP:	66.49	(0.12)
CHARTER:	163.14	(0.56)	JDSU:	12.03	(0.17)
COMCAST:	54.89	(0.16)	LEVEL 3:	45.32	(0.35)
COMCAST SPCL:	54.56	(0.06)	MICROSOFT:	42.45	0.31
GCI:	10.96	(0.08)	NIELSEN:	48.53	(0.14)
GRAHAM HOLDING:	699.25	(30.73)	RENTRAK:	53.51	(0.7)
LIBERTY GLOBAL:	44.41	(0.45)	SEACHANGE:	7.99	0.05
LIBERTY INT:	28.62	UNCH	SONY:	16.53	(0.14)
SHAW COMM:	25.66	(0.12)	SPRINT NEXTEL:	8.11	(0.33)
TIME WARNER CABLE:	149.31	(0.78)	TIVO:	13.26	(0.09)
PROGRAMMING					
21ST CENTURY FOX:	35.19	(0.35)	UNIVERSAL ELEC:	50.48	1.14
AMC NETWORKS:	60.88	(0.29)	VONAGE:	3.53	(0.11)
CBS:	59.50	(1.18)	YAHOO:	35.60	(0.1)
CROWN:	3.52	(0.07)	TELCOS		
DISCOVERY:	78.54	0.32	AT&T:	36.24	0.38
DISNEY:	86.15	(0.61)	CENTURYLINK:	36.99	0.10
GRUPO TELEVISIA:	34.92	(0.06)	TDS:	25.27	(0.21)
HSN:	55.99	(0.59)	VERIZON:	50.71	0.18
LIONSGATE:	29.67	0.94	MARKET INDICES		
MADISON SQUARE GARDEN:	60.76	0.27	DOW:	17060.68	5.26
SCRIPPS INT:	80.89	(0.04)	NASDAQ:	4416.39	(24.03)
STARZ:	28.49	(0.33)	S&P 500:	1973.28	(3.82)
TIME WARNER:	71.01	(0.67)			
VALUEVISION:	4.61	(0.08)			
VIACOM:	84.67	(0.36)			
WWE:	11.93	(0.15)			
TECHNOLOGY					
ADVANTAGE:	2.55	(0.02)			
ALCATEL LUCENT:	3.50	(0.02)			
AMDOCS:	48.01	0.27			
AMPHENOL:	96.50	(0.46)			
AOL:	40.67	(0.43)			
APPLE:	95.32	(1.13)			
ARRIS GROUP:	31.75	(0.07)			
AVID TECH:	7.60	(0.07)			
BLNDER TONGUE:	0.93	(0.03)			
BROADCOM:	37.75	(0.17)			
CISCO:	25.67	0.23			

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