

CableFAX Daily™

Monday — August 25, 2014

What the Industry Reads First

Volume 24 / No. 164

Merger Watch: FCC's Qs for Comcast-TWC; INSP, Broadbus & Layer3's Take

At our deadline, comments and petitions to deny **Comcast** and **Time Warner Cable's** planned merger are still due to the **FCC** today. The city of L.A. had asked for an extension until at least Sept 8, but the 2 MSOs and **Charter** oppose the request and the FCC has taken no action. On Thurs, the Media Bureau sent Comcast, TWC and Charter requests for more information—asking for details on everything from the number of customers currently using each company's TV Everywhere service to any instances in which an MVPD discussed raising a program access complaint. The lengthy list of requests also includes a list of all program carriage requests made to Comcast since Jan 2011 and a map of where all 3 have systems. The Bureau had some questions specific to each operator, such as its request for all documents from TWC that relate to analysis of the impact of the 2013 **CBS** dispute. Comments on the proposed transaction are already trickling in ahead of Mon's deadline. On Thurs, **INSP** chmn/CEO *David Cerullo* gave his blessing to a deal that some have argued will hurt independent programmers. "Although we are now viewed in a universe of more than 80 million homes, as an independent network INSP has faced an uphill battle in gaining distribution," Cerullo wrote in his letter. "However, one significant reason for our substantial growth has been the consistent support we have received from Comcast." During Hill testimony, some other independent nets told different tales, with **RFD-TV** founder *Patrick Gottsch* warning that consolidation threatens choice in rural independent programming. On the technology side, **Broadcom**, which collaborated with Comcast on X1, praised the deal and the MSO's track record for driving innovation and promoting competition. Not surprisingly, vocal opponents **Consumers Union** and **Common Cause** have filed a petition to deny the merger. "This merger would harm competition, impede innovation by online video distributors, threaten innovation in equipment and platforms, and reduce the diversity of information sources and services to the public, all to the detriment of consumers and contrary to the public interest," the groups said. Also weighing in to the docket is **Layer3 TV**, which bills itself as a next-generation cable TV service. Led by former **Broadbus** founder *Jeff Binder*, the company says it will offer a package of live and on-demand programming directly to consumers. Layer3 wants the FCC to consider conditions that would protect competitors when it comes to programming access, peering

THE OVER-
UNDER LIST

OVERACHIEVERS UNDER 30

Call for
Entries!



Who are cable's rising stars?
Enter Today!

Entry Deadline: August 27 | Final Deadline: September 3

It's your turn to decide—enter your favorite young cable professionals for consideration in Cablefax's new Over-Under List: Overachievers Under 30. This program honors budding young cable leaders from all walks of business.

Enter at www.cablefax.com/awards

24400

Sponsorship Opportunities: Amy Abbey at aabbey@accessintel.com | Questions: Mary-Lou French at mfrench@accessintel.com

Cablefax TV Innovation Summit

Network. Strategize. Brainstorm

Thursday,
Sept. 18, 2014
8:00 am - 4:40 pm
Grand Hyatt,
NYC

These industry peers are attending. Are you?

ABC Family, Manager, Social Media
A+E, Senior Director Social Media & Fan Engagement
A+E Networks
A+E Networks, VP, Distribution
A+E Networks, SVP, Digital Media
BET Networks, Director of Creative and Marketing Operations
Bloomberg TV, Head of Distribution
Bloomberg TV
Bravo/Oxygen, VP, Bravo and Oxygen Media Ad Sales Research
Bright House Networks, VP, New Product Development
Cable Public Affairs Channel, Director, Network and Programming Operations
Cablevision Media Sales, SVP-Product, Data & Analytics
Cablevision Media Sales, Vice President, Product Management
Cablevision Media Sales Corp., Director, Audience Measurement
Cablevision Media Sales Corp., Vice President
Canoe Ventures, Head of Product, Sales & Marketing
Carlsen Resources, Founder & CEO
Comcast, VP, Advanced Advertising
Cox Media, Senior Director, Media Business Operations
CSG International, Director of Products Strategy
Davis Communications Group, President and CEO
Discovery Communications, SVP, Digital Distribution & Partnership
Disney & ESPN Media Networks, Vice President - Digital Video Distribution
Disney & ESPN Media Networks, Sr. Director - Digital Video Distribution
Electronic Arts, SVP, Global Publishing and Marketing
Ember Media, Executive Producer
eMediaTRADE, Chief Revenue Officer

Ensequence
EPIX, Digital Manager
EPIX, Product Manager
ESPN, EVP, ESPN Multimedia Sales
ESPN, SVP, Digital Video Distribution, Disney and ESPN Media Networks
Former NBC Universal President, Distribution Consultant
Fox Networks Group, SVP, Finance & Operations
FOX News Channel, SVP Creative Director
Frontier Communications, VP-Video Strategy & Product Development
Greenberg Taurig, Shareholder, Greenberg Taurig
Horizonte, Digital Strategy and Intelligence Coordinator
HSN, Director, Advanced Services
HSN, Vice President, Advanced Services
IBB Consulting, Partner
INVIDI Technologies, SVP, Technical Business Development
Jewelry Television, Chief Strategy Officer
Jewelry Television, Director Strategic Initiatives
Jewelry Television, CFO
Leap Media Investments, CEO/Co-Founder
Leflein Associates, Social Media Manager
Leflein Associates, President/Founder
Management Science Associates, Sr. Manager
Management Science Associates, VP
Media Storm, Head of Digital
Mediacom Communications, SVP, Marketing and Sales
National Geographic Channels, SVP, Programming Planning and Research
National Hockey League, Vice President, Affiliate Sales & Marketing
NBCUniversal, EVP, Digital Distribution

Outdoor Channel, Vice President, Distribution & Affiliate Marketing
Outdoor Channel, Executive Vice President, Distribution & Affiliate Marketing
Outdoor Channel, Vice President Distribution, Affiliate Sales & Emerging Media
Pac-12 Networks, Director, Research
Parks Associates, Research Analyst
Purdue University, Professor/Founding Head
Remarkable Content Group, Principal
Rentrak, Corporate President
Rovi Corporation, VP, Sales
Scripps Networks Interactive, Director, New Media Distribution
Scripps Networks Interactive, Manager, IT Service Delivery
Scripps Networks Interactive - Food Network SVP, Marketing, Creative Services and PR
Scripps Networks Interactive - Food Network VP, On Air/Off Air Media Strategy
SES, Senior Sales Director
SES, Senior Sales Director
SJI Associates, President
SJI Associates, Vice President/Partner
Starz, Chief Revenue Officer
Studio 3 Partners, Chief Digital Officer
Sundance TV, VP, Consumer Marketing
Telecine Programacao de Filmes Ltda, CEO
Time Warner Cable
TiVo Research, VP, Network Audience and Purchaser Insights
Viamedia, Senior Vice President Marketing & Research
Viamedia, President/CEO
Viamedia Inc., Chief Operating Officer
WE tv, SVP, Digital Media & Business Development
zaci inc, CEO

The advanced registration rate ends August 31.

Don't get left behind and register your team today at www.cablefaxtvsummit.com.

Sponsored By:



Questions: Contact Diana Rojas at drojas@accessintel.com

CABLEFAX DAILY (ISSN 1069-6644) is published daily by Access Intelligence, LLC • www.cablefax.com • 301.354.2101 • Editor-in-Chief: Amy Maclean, 301.354.1760, amaclean@accessintel.com • Exec Editor: Michael Grebb, 323.380.6263, mgrebb@accessintel.com • Editor: Joyce Wang, 301.354.1828, jwang@accessintel.com • Sr Community Editor: Kaylee Hultgren, 212.621.4200, khultgren@accessintel.com • Advisor: Seth Arenstein • Assoc Publisher: Amy Abbey, 301.354.1629, aabbey@accessintel.com • Dir of Market Dev: Laurie Hofmann, 301.354.1796, lhofmann@accessintel.com • Prod: Joann Fato, jfato@accessintel.com • Diane Schwartz, SVP Media Comms Group • Scott Gentry, Dir of Business Development, sgentry@accessintel.com • Group Subs: Laurie Hofmann, 301.354.1796, lhofmann@accessintel.com • Sub Questions, Client Services: 301.354.2101, clientservices@accessintel.com • Annual subscription price: \$1,599/year • Access Intelligence, LLC, 4 Choke Cherry Road, 2nd Floor, Rockville, MD 20850

and IP distribution (no specific conditions were discussed).

#CommActUpdate: As we wait for Congress to return from recess, **House Commerce** leadership served up some light reading on updating the Communications Act. Reps *Fred Upton* (R-MI) and *Greg Walden* (R-OR) released a white paper focused on USF Fri. It seeks comment on the structure and effectiveness of the fund.

JSA Defense: FCC chmn *Tom Wheeler* said the agency's action in March on broadcast JSAs shouldn't have been a surprise to the industry. "Stations have been on notice of potential regulatory action on JSAs since 2004 when the Commission first started a proceeding proposing to attribute JSAs where 1 station sells 15% or more of the weekly advertising time on behalf of another station in the same market," Wheeler wrote in a letter to Sen *Mary Landrieu* (D-LA) last month and that was released Fri. The senator had written expressing concern that the FCC's decision to count JSAs between TV stations as ownership interest will force many existing agreements to be unwound. Wheeler noted the 2-year compliance period and a waiver process. **NAB** has challenged the FCC's vote to restrict joint sales agreements and its new processing guidelines for local TV applications proposing sharing arrangements in the DC Circuit.

Programming: **Sony Movie Channel** will celebrate *Godzilla* every Mon in Sept with a block of the King of All Monsters movies. It begins Sept 1 at 10pm. -- **BBC America** and **BBC One** are co-producing ghost hunter drama "The Living and the Dead," which is from the creators of "Life on Mars." -- **Discovery** premieres new series "Highway to Sell"—which makes owners of neglected classic cars decide whether to make money off the autos or pay to have them fixed up—on Sept 1, 10pm. -- **AMC** announced that Oscar-winner *Stephen Gaghan* will direct the pilot for "White City," a drama focused on Western diplomats and journalists living in Afghanistan.

That's COLD: Who wants to see some cable industry folk get doused in freezing cold water in the name of the Ice Bucket Challenge for ALS? We do! Check out a few of our favorites on **Cablefax.com**.

People: **DISH** evp, CFO *Robert Olson* will retire Oct 15, with svp, programming *Steve Swain* to succeed as CFO. Prior to leading the programming group, Swain served as vp, corporate financial planning and analysis. -- **Scripps Nets Interactive** upped *John Ajamie* to svp, US ops and *Mike Donovan* to svp, into ops and distribution technology.

Program Awards Finalists Announced: Congrats to all the finalists of our 2014 Program Awards, which are all listed right [here](#) at cablefax.com! Don't forget to [register](#) for our Program Awards and Top Ops breakfast on Oct 14 in L.A.!

Editor's Note: Technical difficulties prevent us from including the Week in Review stock chart in this issue. We apologize.

Cablefax's

CABLE BUSINESS BOOT CAMP

**Who in your company could
benefit from increasing their
knowledge of the cable industry?**

The Cable Business Boot Camp is for everyone who wants to stay current and understand all the latest angles of the industry. Our expert trainers are prepared to divulge the ins and outs of cable—everything from the basic ecosystem to the power dynamics to the business and technology arrangements that make cable's world go 'round.

Attendees Include:

- New Employees
- Distribution Teams
- Finance & Accounting Teams
- Legal Teams
- Ad Agencies
- Executive Assistants
- Industry Analysts
- Marketing & Sales Teams

THE EARLY BIRD RATE ENDS SEPT. 5!

October 13 • Loews Hollywood • Los Angeles

Register at: www.cablefax.com/events