

Cablefax Daily™

Wednesday — October 8, 2014

What the Industry Reads First

Volume 24 / No. 195

Net Neutrality: FCC Forum Weighs Pros/Cons of Title II vs Section 706

Tues marked the last and perhaps most important of 6 roundtables the **FCC** held on net neutrality, following the several million comments it received on the proceeding. While previous events in recent weeks touched on enforcement and technological aspects of the coming new rules, speakers at the latest forum debated the laws behind potential new approaches on Open Internet, particularly the hybrid Title II/Section 706 model. Title II backers, including **Columbia University** law professor *Tim Wu*, who created the term “net neutrality” in 2003, believe using the authority, which would reclassify ISPs as common carriers, is the Commission’s safest bet, partly because Internet has already become an essential service. There could be other ways to combine regulatory authority, but there’s always the risk of the rules getting struck down by the court, according to *Wu*, who ran for the Democratic nomination for Lieutenant Governor of NY this year (he lost in primary). *Tom Navin*, partner at **Wiley Rein** and former wireline bureau chief under then chmn *Kevin Martin*, disagreed. The agency would face “an extraordinarily high hurdle to not only the legal obstacles, but the necessary economic analysis” if it were to go the Title II route. The FCC has wide authority under Section 706, he said. “If you want an example for how difficult it is for the Commission to engage in classification determinations in the first instance, what I would point out to you is the fact that 18 years after the 1996 Telecommunications Act, the Commission has not classified interconnected VoIP services. That’s how difficult classification and reclassification decisions are.” The roundtable’s co-moderator FCC general counsel *Jonathan Sallet*’s interpretation of DC Circuit’s decision that struck down key parts of the original Open Internet rules is that the FCC was granted “substantive power” under Section 706 to ensure edge providers are protected. That said, he noted Section 706 might not be sufficient to make sure all ISPs play by the rules. The court’s decision means, there is Title II, and then there’s everything else, when it comes to network neutrality, according to *Marvin Ammori*, a fellow at the **New America Foundation**. Unless regulators rely on Title II, it can’t prevent things like fast lanes and slow lanes and discriminatory exemptions to bandwidth caps, he said. Whatever legal approach the FCC adopts, it should provide incentive for ISPs to come up with plans that provide consumer benefits, said *Julia Johnson*, chair of the **Minority Media & Telecom Council**: “Don’t blanket ban all prioritization.” And any legal framework should be flexible. Though utility-type regulation such as Title II offers certainty, it lacks

Free Webinar

Cutting Through the Clutter:

Using Contextual Intelligence to Improve Entertainment Discovery

Thursday, October 16

10 a.m. PT / 1 p.m. ET

Enter to win an Xbox One!

Register Now

Cablefax

IDC
Analyze the Future

powered by rovi

Cablefax: The Magazine The Most Powerful Women in Cable Issue

Advertise today! Promote your brand and honor your female colleagues in our print and digital issue of **Cablefax: The Magazine**.

**Publication Date:
November 6, 2014**

- Reach more than 30,000 media and entertainment executives
- Print distribution at the 2014 Most Powerful Women in Cable Breakfast
- Reach 65,000 cable leaders via Cablefax.com
- Print distribution at the 2014 Betsy Magness Graduate Institute
- Distribution at 2015 key industry events
- Social media promotion on Twitter, Facebook, LinkedIn and Google+

PUBLICATION DATE: NOVEMBER 6, 2014

SPACE DEADLINE: OCTOBER 16, 2014

ARTWORK DUE: OCTOBER 24, 2014



SAVE THE DATE: NOVEMBER 20

Cablefax's Most Powerful Women in Cable will be honored on November 20 at the Grand Hyatt, NYC. To purchase tickets visit: <http://bit.ly/Yool0W>. Sponsorships are limited for the Most Powerful Women in Cable Breakfast, so secure your spot soon.

Advertising & Sponsorship Opportunities:

Diane Schwartz, SVP & Group Publisher
dschwartz@accessintel.com or 212-621-4964

Association Partner: 
Women in Cable
Telecommunications™

For more information, visit www.cablefax.com/topwomen

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 ● Associate Publisher: 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 ● Jr. Acct. Exec: Olivia Murray, 301.354.2010, omurray@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, dschwartz@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

flexibility, she said. “A low income person may not mind sponsored access to get low cost broadband access,” she said. Johnson believes a case-by-case approach allows more innovation to benefit consumers. Cable, as expected, strongly opposes the Title II approach. So far, there’s no indication that chmn *Tom Wheeler* has taken Title II off the table.

Xfinity Home Hits TV: Comcast’s Xfinity Home app, previously only available on iOS and Android, is now available on the TV through the X1 platform. Now in beta, it lets customers manage their home security/automation systems right from their TVs. If the doorbell rings, for example, a customer can pull up a video camera showing who is at the door without ever leaving the couch. All the app’s features, including arming security system and adjusting thermostat are available via the remote on the X1 system.

A&E Reshuffling: Vet ad sales exec *Mel Berning* was upped to **A+E Networks’** pres/chief revenue officer, overseeing ad sales, digital and research, as well as distribution and marketing innovation. He will report to *Nancy Dubuc*, pres/CEO. Meanwhile, the company restructured its ad sales teams to align along key selling demos of men/adults and women. Under the new structure, *Peter Olsen* was promoted to evp, ad sales, reporting to Berning. He’s previously evp, ad sales, **History/H2**. *Amy Baker*, most recently evp, ad sales for **Lifetime/LMN**, takes on the role of evp, ad sales, Lifetime, LMN and **FYI**. *Brian Joyce*, previously vp, East Coast sales of A&E, becomes svp, ad sales, A&E, History and H2. Baker and Joyce will report to Olsen. *Michael Peretz* continues as evp of ad sales revenue management and operations, reporting to Berning. “Structuring the sales team by these genres will allow A+E Networks to maximize our position in the marketplace and leverage more opportunities for cross-platform selling, marketing partnerships and efficiencies,” said Dubuc in a statement.

DISH Inks Deal with Frontier: DISH and Frontier agreed to a multi-year contract renewal bundling DISH’s programming service with Frontier’s voice and Internet services. DISH’s offer includes the Hopper with Sling Whole-Home HD DVR.

TVE: Arris scored a contract with **Cincinnati Bell** to support the telco’s new Fioptics TV Everywhere app using its Whole Home Solution Mobile and SecureMedia tech. The app allows streaming throughout the home and across platforms.

DirectTV Above: It’s a bird. It’s a plane. It’s the **DirectTV** Blimp. The massive airship and its 2100-sq-ft HD Lightsign is making its 1st appearance on the West Coast, flying over the **MLB** playoff, **NFL** and **NCAA** football games. It’ll even fly over select local Southern CA Fri night high school football games. Just like on the East Coast, DirectTV will team with local children’s charities to give severely ill kids the chance to fly in the 178-ft-long blimp. It will stay on the West Coast until March.

Ratings: ESPN’s “MNF” coverage of Seattle’s 27-17 victory over Washington ranked as the top telecast of the night across cable and broadcast among the key male demos, as well as adults 18-34s and 18-49s. It averaged an 8.2 household US rating, 9.5mln households and 13.1mln viewers (P2+). -- **MLB Net’s** telecast of Game 3 between the Washington Nationals and San Fran Giants Mon was the highest-rated program in network history with a 2.0 coverage rating and 1.8mln viewers. -- **Food’s** Sun night ranked #4 among ad-supported cable nets with an average 0.9 rating and averaging 830K impressions among 25-54 from 8pm-11pm.

Programming: **AMC** renewed “The Walking Dead” for a 6th season, a few days before Sun’s Season 5 premiere. -- **FX** ordered 10 eps of “American Crime Story: The People v. O.J. Simpson,” which looks at the *O.J. Simpson* trial told from the perspective of the lawyers. -- History’s Pawn Stars are back for another round with new game show “Pawnography” debuting Nov 6. -- **TNT** scored exclusive off-net cable rights of series “Grimm” from **NBCU**. The net plans to air eps from the first 3 seasons in early 2015, with Season 4 eps available in the fall. -- **Esquire Network** booked 3rd seasons of 2 original series, “Knife Fight” and “Brew Dogs,” which are expected to premiere in 2015. -- **TVGN** is gearing up for its rebrand as **POP** early next year, announcing a slate of originals, including “Sing It On,” (wt) following the collegiate a cappella circuit and “Queens of Drama,” where former soap stars attempt to produce a new serial drama in which they’ll star. -- **IFC** renewed “The Increasingly Poor Decisions of Todd Margaret” for a 3rd season. -- **A&E** will become the exclusive home to the 2015 and 2016 “The Critics’ Choice Movie Awards” and “The Critics’ Choice Television Awards.” -- **USA** ordered 4 additional eps of “Dig,” bringing the series total to 10 (premieres March 5). -- **Hasbro’s** latest “Transformers” franchise “Robots in Disguise” will debut on **Cartoon** in 1Q. It was previously slated for the **Hub**, which becomes **Discovery Family** on Mon. “Transformers: Rescue Bots” will continue to air on Discovery Family.

Globetrotting: **Travel Channel** announced at a press breakfast in NYC Tues it has greenlit 4 original series, 2 one-hour specials and a pair of pilots. “Travel is one of the most underserved categories in TV. And what [viewers are] looking for

BUSINESS & FINANCE

is new and innovative ways to deliver travel programming,” Travel Channel pres *Shannon O’Neill* said. For instance, viewers can’t get enough of Alaska programming, he said, but Travel’s take is different: “It’s not about finding gold or oil and trying to make a quick buck—it’s about the experience and the people and the culture of living in Alaska.” On talent, he said Travel looks at all platforms for the right people. “We’re always looking competitively at other networks who may have someone we think is interesting. ‘Travel Channel Star’ is an opportunity to find a lot of fresh faces that we wouldn’t have otherwise found. But we’re constantly looking at **YouTube**, travel bloggers and people who are truly authentic in the space and we think might be great on TV.” Upcoming new series include: “Bizarre Foods: Delicious Destinations” (premieres Jan 26, 9pm), with host *Andrew Zimmern* featuring exotic foods that define a location and “Guiding Alaska,” which gives viewers a behind-the-scenes look at a remote wilderness resort in Alaska.

People: **GSN** named *Chris Moseley* as evp and chief marketing officer, effective Wed. Moseley, previously an exec at **History**, **Discovery** and **Hallmark**, will report to GSN CEO *David Goldhill*. -- Former **Aspen Institute** fellow and ex-**FCC** broadband czar *Blair Levin* has joined the **Brookings Institute** as a nonresident senior fellow.

CableFAX Daily Stockwatch

Company	10/07 Close	1-Day Ch	Company	10/07 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	87.36	(0.53)	CONVERGYS:	17.45	(0.33)
DISH:	63.71	(0.94)	CSG SYSTEMS:	26.00	(0.3)
ENTRAVISION:	4.37	(0.03)	ECHOSTAR:	45.78	(1.02)
GRAY TELEVISION:	7.71	(0.26)	GOOGLE:	563.74	(13.61)
MEDIA GENERAL:	13.60	(0.5)	HARMONIC:	6.08	(0.14)
NEXSTAR:	39.39	(1.03)	INTEL:	33.47	(0.64)
SINCLAIR:	25.16	(0.36)	INTERACTIVE CORP:	61.70	(1.27)
MSOS					
CABLEVISION:	17.31	(0.14)	JDSU:	12.63	(0.35)
CHARTER:	151.66	(1.87)	LEVEL 3:	43.37	(0.51)
COMCAST:	53.22	(0.17)	MICROSOFT:	45.53	(0.56)
COMCAST SPCL:	53.01	(0.17)	NIELSEN:	41.75	(1.17)
GCI:	10.89	(0.03)	RENTRAK:	63.89	(2.86)
GRAHAM HOLDING:	700.69	0.20	SEACHANGE:	6.97	(0.03)
LIBERTY GLOBAL:	42.43	(0.39)	SONY:	17.37	(0.39)
SHAW COMM:	24.65	(0.05)	SPRINT NEXTEL:	6.04	0.04
TIME WARNER CABLE:	142.76	(0.86)	TIVO:	12.58	(0.15)
PROGRAMMING					
21ST CENTURY FOX:	33.65	(0.46)	UNIVERSAL ELEC:	47.73	(0.95)
AMC NETWORKS:	55.91	(0.8)	VONAGE:	3.22	UNCH
CBS:	52.16	(0.61)	YAHOO:	40.93	(0.59)
CROWN:	3.15	0.05	TELCOS		
DISCOVERY:	36.20	(0.65)	AT&T:	35.33	(0.16)
DISNEY:	87.11	(1.45)	CENTURYLINK:	40.08	(0.6)
GRUPO TELEVISA:	34.12	(0.3)	TDS:	23.50	(0.05)
HSN:	61.25	(1.38)	VERIZON:	49.68	(0.4)
LIONSGATE:	31.92	(0.58)	MARKET INDICES		
MSG:	63.88	0.34	DOW:	16719.39	(272.52)
SCRIPPS INT:	76.61	(1.63)	NASDAQ:	4385.20	(69.6)
STARZ:	32.34	(0.22)	S&P 500:	1935.10	(29.72)
TIME WARNER:	73.37	(0.45)	TECHNOLOGY		
VALUEVISION:	4.86	(0.17)	ADVANTAGE:	2.35	0.04
VIACOM:	73.92	(0.84)	AMDOCS:	45.35	(0.52)
WWE:	13.91	0.08	AMPHENOL:	97.74	(1.26)
MARKET INDICES					
DOW:	16719.39	(272.52)	AOL:	43.34	(0.7)
NASDAQ:	4385.20	(69.6)	APPLE:	98.75	(0.87)
S&P 500:	1935.10	(29.72)	ARRIS GROUP:	26.64	(0.93)
TECHNOLOGY					
ADVANTAGE:	2.35	0.04	AVID TECH:	9.85	(0.11)
AMDOCS:	45.35	(0.52)	BLNDER TONGUE:	1.21	(0.01)
AMPHENOL:	97.74	(1.26)	BROADCOM:	38.34	(0.6)
AOL:	43.34	(0.7)	CISCO:	24.64	(0.38)
APPLE:	98.75	(0.87)	COMMSCOPE:	24.72	(0.01)
ARRIS GROUP:	26.64	(0.93)	CONCURRENT:	7.27	(0.29)
AVID TECH:	9.85	(0.11)			
BLNDER TONGUE:	1.21	(0.01)			
BROADCOM:	38.34	(0.6)			
CISCO:	24.64	(0.38)			
COMMSCOPE:	24.72	(0.01)			
CONCURRENT:	7.27	(0.29)			



& Top Ops AWARDS BREAKFAST

Honoring those who create amazing content and the experts who deliver it to viewers.

October 14 | 8:30 to 10:30 a.m. | Loews Hollywood

Register at www.cablefaxprogramawards.com