

# Cablefax Daily™

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What the Industry Reads First

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## On Circulation: FCC Chmn Moves to Define OVDs as MVPDs

FCC chmn *Tom Wheeler* circulated a proposal to commissioners Tues that would update the definition of MVPD so that online video distributors that offer linear channels would have access to the same programming owned by cable operators and the same ability to negotiate to carry broadcast TV stations. He wants his fellow commissioners to vote to start a rule-making that would make the definition of MVPD “technology neutral,” though he didn’t detail what sort of MVPD obligations OVDs would have. In a blog post, Wheeler likened it to 1992 when Congress mandated that the then-nascent DBS industry should have access to cable operator-owned channels. He also seemed to suggest there could be some sort of unbundling. “Consumers have long complained about how their cable service forces them to buy channels they never watch. The move of video onto the Internet can do something about that frustration—but first Internet video services need access to the programs,” he wrote, adding that OVDs could offer multichannel packages designed for different tastes or that give customers “more alternatives from which to choose so they can buy the programs they want.” Wheeler pointed to online services that are planned from **DISH, Sony, Verizon** and **DirecTV**, as well as **HBO** and **CBS’s** standalone streaming services. “So-called linear channels, which offer the viewer a prescheduled lineup of programs, have been the largely exclusive purview of over-the-air broadcasting, cable, and satellite TV. But these kinds of packages of programming are coming to the Web as well,” he wrote. **ACA** said Tues that it’s hopeful Wheeler also will direct the Media Bureau to reform its program access rules so that **NCTC** receives the same program access protections as MVPDs and potentially OVDs. “Hundreds of small MVPDs that are also broadband Internet service providers—including dozens of new competitive entrants in the market that joined NCTC in the last few years—would benefit from reform of the FCC’s program access rules and, as a result, would be better positioned to continue their broadband deployment efforts,” said ACA CEO *Matt Polka*. **NCTA** has spoken out at the Commission against expanding the definition of MVPDs, warning that if the FCC goes this route, it will have to seek comment on a full range of issues—such as whether programming would have to be available 24/7. The trade group also has argued that simply defining an OVD as an MVPD isn’t enough as the **Copyright Office** has not expanded the cable statutory license to cover Internet retrans of broadcast stations by OVDs (**CFX, 10/27**). **NAB**, whose successful challenge of **Aereo** helped bring on this discussion, said it welcomes distribution platforms that “legally

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deliver local TV content to consumers when and where they want it. We look forward to engaging with the FCC to ensure that this new competition enhances rather than undermines localism.”

**Rich Ross to Discovery:** Discovery Comm is bringing former **Disney** exec **Rich Ross** on board to lead **Discovery Channel** as pres. Ross, currently CEO of **Shine America**, starts the post in Jan, reporting to CEO **David Zaslav**. He'll be based in LA. “Rich is one of the most creative storytellers, ratings drivers, brand builders and TV executives in the industry today,” said Zaslav. “On top of being just a great guy, Rich also is mission driven, with a commitment to quality, blue-chip programming and is a terrific fit with Discovery.” The opening atop Discovery's flagship channel came when the company announced in Aug that **Eileen O'Neill** would become global group pres of **Discovery Studios** next year. **Marjorie Kaplan**, group pres of **TLC** and **Animal Planet**, has been heading Discovery Channel on an interim basis. As head of **Disney Channels Worldwide** from '04-'09, Ross was the star responsible for a string of mega hits, such as “Hannah Montana,” “Phineas and Ferb” and the net's original movie franchise (including “High School Musical”). With so many accomplishments on the TV side, Disney chief **Bob Iger** plucked him to head **Disney Studios**. Things didn't go as well there (two words: “John Carter”), with Ross resigning in Apr '12. At Shine, Ross continued his successful TV track record, overseeing a production company whose slate of shows include “MasterChef,” “The Bridge” and new **Fox** series “Gracepoint.” Given his reputation, it will be interesting to see what he brings to the nearly 30-year-old network, whose biggest series today are “Fast N' Loud” and “Gold Rush.” “I am so excited to join David and the great team at Discovery,” said Ross. “This network is the gold standard of programmers and to be able to add to its depth of great content with new stories and new characters is simply thrilling.”

**Gigabit Race:** The race to gigabit speeds is on. **Cox**, which launched its residential gigabit broadband service in parts of the Phoenix metro area earlier this month, is bringing the service to VA. The service will be first available in parts of Chesapeake and will expand to new developments across the state and in Cox locations across the country. The plan is to have gigabit speeds in all Cox markets by the end of 2016. -- **Frontier** is making its gigabit move in parts of OR, a potential **Google** Fiber territory. Services with speeds up to 1 Gbps are now available to the company's residential customers in select neighborhoods of Beaverton. As for future service areas, Frontier only said “more areas will be announced as work continues into next year.” Google Fiber is targeting Portland as a potential “Fiberhood.”

**Viacom Extends Hulu Deal:** **Viacom** is expanding the amount of programming it provides on **Hulu** under a rights contact extension with the streaming service provider. Under the terms, Viacom will “hugely” expand its offering of **Nick** titles, including Spanish-language kids programming, and add more library eps of popular shows from channels including **Comedy Central**, **MTV**, **VH1**, **BET**, **Logo**, **Spike** and **TV Land**.

**HBO Layoffs:** 2014 has been a rough year for layoffs in the industry. As part of **Time Warner's** plan to cut around 2,600 jobs at units including **Turner**, the company will eliminate about 150 positions at **HBO**, we were told. The job cuts are across the board. **Scripps Nets Interactive** recently offered voluntary buyouts to employees in the US 55 years and older who have been with the company for at least 10 years.

**TWC Phone Goes Mobile:** **Time Warner Cable** is taking its home phone service to the next level by launching the Phone 2 Go app, allowing texting, voice calling and video calling over WiFi on smartphones and tablets. The **Skype**-like service allows customers to receive calls forwarded from their home phone service anywhere they have access to a WiFi or cellular data connection. Subs have the option to make calls from their mobile devices using their home phone service for free via WiFi. The app is compatible with operating systems including iOS 6.0 and higher and Android 4.1 and higher. Services with speeds up to 1 Gbps are now available to the ISP's residential subs in select neighborhoods of Beaverton.

**FYI Lands on Apple:** **A+E Nets** is making **FYI** content available on **Apple TV** in the US for free, even for non-subs. That includes full eps and clips of FYI programming such as “Married at First Sight,” “Tiny House Nation” and “Born to Style.” And upon authentication, subs can access additional content. The move follows the launch of **A&E**, **History** and **Lifetime** on Apple TV this past April. The nets' TVE content is also available on iOS and other platforms.

**History Offers Courses:** **History** is partnering with the **University of OK** to offer History-branded online courses for transferable college credit or for the lifelong learner. The course, dubbed “United States, 1865 to the Present,” went live Tues at History.com/courses and will be taught by OU professor and historian **Steve Gillon**. The 16-week course will be

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offered during the spring semester, which starts on Jan 12.

**Programming:** ESPN will televise portions of sports-related Friars Club Roasts, with the 1st slated for Jan 29 in Phoenix, AZ (subject to be announced). Taped excerpts will air on **ESPN2** in an hour-long special before the Super Bowl on Jan 30. -- Cable MSOs around the country will offer an 8-day free preview of **NBA League Pass**, the NBA's subscription package of out-of-market games starting Oct 28, **In Demand**, the package distributor said. The offer applies to online and mobile viewers. -- **GSN** ordered a 65-ep 2nd season of original series "Idiotest."

**People:** Nigel Cox-Hagan joined **ABC Family** as svp, marketing, creative and branding. Most recently, Cox-Hagan served as evp, creative and consumer for **VH1 Nets**. -- To better align **Fox Networks Group's** ad sales teams, **Fox Broadcasting** pres of sales **Toby Bryne** was upped to pres, ad sales for **FNG**. He will report to **Randy Freer**, pres and COO of FNG. The company hopes the combined group more effectively collaborates with advertising partners and drives revenue "with a focus on relationships, people and innovative advertising products." Bryne will lead revenue growth across all FNG assets in his new role. Fox's cable sales chief **Lou LaTorre** will report to Bryne, who's been with Fox for nearly 2 decades.

## CableFAX Daily Stockwatch

Company	10/28 Close	1-Day Ch	Company	10/28 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	84.02	0.03	CONVERGYS:	19.54	0.56
DISH:	61.43	0.08	CSG SYSTEMS:	26.12	0.81
ENTRAVISION:	5.12	0.30	ECHOSTAR:	46.67	0.34
GRAY TELEVISION:	8.86	0.30	GOOGLE:	548.90	8.13
MEDIA GENERAL:	14.42	0.19	HARMONIC:	6.37	0.23
NEXSTAR:	43.73	1.57	INTEL:	33.74	0.54
SINCLAIR:	28.71	0.68	INTERACTIVE CORP:	65.16	2.18
<b>MSOS</b>					
CABLEVISION:	18.81	0.37	JDSU:	12.46	0.28
CHARTER:	157.40	1.04	LEVEL 3:	45.01	1.55
COMCAST:	54.73	0.68	MICROSOFT:	46.49	0.58
COMCAST SPCL:	54.59	0.69	NETFLIX:	386.22	6.82
GCI:	11.55	0.55	NIELSEN:	42.05	(0.13)
GRAHAM HOLDING:	764.00	11.00	RENTRAK:	78.40	2.54
LIBERTY GLOBAL:	45.78	1.05	SEACHANGE:	6.61	0.13
SHAW COMM:	25.83	0.57	SONY:	17.72	0.24
TIME WARNER CABLE:	142.59	1.99	SPRINT NEXTEL:	6.04	UNCH
<b>PROGRAMMING</b>					
21ST CENTURY FOX:	34.31	0.54	TIVO:	13.05	0.40
AMC NETWORKS:	59.97	0.83	UNIVERSAL ELEC:	54.60	1.04
CBS:	54.07	0.55	VONAGE:	3.45	0.09
CROWN:	3.44	0.10	YAHOO:	45.87	1.17
DISCOVERY:	37.24	0.72	<b>TELCOS</b>		
DISNEY:	89.93	1.48	AT&T:	34.33	0.22
GRUPO TELEVISA:	34.73	0.93	CENTURYLINK:	41.03	0.63
HSN:	68.56	2.56	TDS:	25.12	0.23
LIONSGATE:	32.99	(0.12)	VERIZON:	49.96	0.54
MSG:	72.99	7.21	<b>MARKET INDICES</b>		
SCRIPPS INT:	76.40	0.69	DOW:	17005.75	187.81
STARZ:	30.89	0.40	NASDAQ:	4564.29	78.36
TIME WARNER:	79.60	0.33	S&P 500:	1985.05	23.42
VALUEVISION:	5.45	0.22			
VIACOM:	73.23	1.17			
WWE:	13.74	0.24			
<b>TECHNOLOGY</b>					
ADVANTAGE:	2.41	(0.01)			
AMDOCS:	46.87	0.27			
AMPHENOL:	49.23	0.86			
AOL:	42.11	0.66			
APPLE:	106.74	1.63			
ARRIS GROUP:	27.95	0.34			
AVID TECH:	10.05	0.05			
BLNDER TONGUE:	1.13	(0.01)			
BROADCOM:	40.41	0.56			
CISCO:	24.07	0.30			
COMMSCOPE:	25.07	UNCH			
CONCURRENT:	7.65	0.06			

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