

# Cablefax Daily™

Tuesday — December 2, 2014

What the Industry Reads First

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## Cox Connection: MSO's Words Cited During Verizon's Brawl with Broadcaster

December has a reputation for retrans battles, and given the attention **Verizon FiOS'** loss of **Cox Media's** Dedham, MA-based Fox affil is getting, it could be a noisy close to 2014. "For many Massachusetts consumers, Black Friday was preceded by blackout Thursday and could be followed by further programming blackouts until Cox Media Group and Verizon come to agreement," Sen *Ed Markey* (D-MA) grouched Mon, urging both sides to work to resolve the dispute. It's that classic catch-22 for MVPDs... They hate the blackouts but love the political attention as they seek changes to the retrans regime. Pay TV stands to lose one of its largest MSO retrans reform flag wavers if the **Comcast-Time Warner Cable** merger is approved in 2015. On the other hand, it has some nice momentum going into the new year with incoming Sen Commerce chmn *John Thune* (R-SD) a co-sponsor of the Local Choice Act, which would have consumers pay broadcasters directly for their signals. As for this latest dispute, FiOS subs in Massachusetts and Rhode Island lost **WFXT** at 3am ET Thurs. In a blog post, Verizon noted that sister company **Cox Comm** dug in its heels when it was in a similar spot, losing **Raycom** programming in VA, FL, OH and other states at the end of 2012. The **American Television Alliance**, backed mainly by MVPDs, including Verizon, also jumped on the Cox Comm and Cox Media connection—both are owned by **Cox Enterprises**. ATVA pointed to Cox Comm's website *CoxCommitment.com* (without explaining that Cox Media is a different division). "The proof of Cox's duplicitous dealings is right there on Cox's own website," ATVA spokesman *Brian Frederick* said. "For instance, Cox has previously called for 'every channel' to 'remain available during the time necessary to complete private business matters.' So why is it blacking out Verizon customers in this case? For Cox, always must mean whenever it suits them." Cox Media had a very brief retrans scuffle with **Charter** at the beginning of this year (Charter lost Cox stations including Atlanta's **WSB** at midnight on Jan 1, but the stations were back on by 2pm). In Jan, Cox Comm reached out to the **FCC** to urge it immediately adopt proposals submitted by Cox Ent to devise a "fair path" to the reasonable resolution of retrans disputes, with the MSO citing increases of over 550% in some instances. Cox Ent has called for a voluntary, non-binding mediation framework that would allow the companies to make their cases before an impartial mediator.

**CSN-DISH Deadline:** With **DISH** set to lose **Comcast SportsNet** RSNs as of 12:01 am today (Tues) if a new deal isn't reached, the **NBCU** marketing machine was in overdrive. In potentially impacted markets, such as DC (**CSN Mid-Atlantic**), the long Thanksgiving weekend featured plenty of radio and TV spots warning viewers that they could soon miss out on the Wizards, Capitals and more. The ads played across all distributors, which could be a bit confusing given that the RSNs include Comcast in their names. This editor had more than 1 Comcast customer ask if they were about to lose the channel. After the Comcast-NBCU deal, the RSNs became part of the NBCU Sports portfolio—something NBCU stressed after **DISH** questioned Comcast's "heavy-handed tactic" in light of its proposed merger with **Time Warner Cable** (*CFX, 11/24*). No word of a deal at our deadline, with NBCU claiming that its tracked hundreds of thousands calls, emails, tweets and website visits in support of CSN programming. "Until an agreement is reached, we expect DISH customers who are grow-

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**Questions:** Contact Mary-Lou French at [mfrench@accessintel.com](mailto:mfrench@accessintel.com) or 301-354-1851.

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ing tired of showdowns and blackouts to continue to voice their displeasure and consider other providers,” NBCU said.

**McCaskill's Pay TV Day:** Rumbblings are that Sen *Claire McCaskill* (D-MO) will hold a hearing this month on pay TV, possibly Dec 10. Don't look for cable operators to jump for a seat at the witness table. In June, the senator, who chairs the consumer protection panel, asked consumers to detail any experiences they've had with deceptive or confusing billing practices by cable, satellite or pay TV companies. She posted a “Submit Your Scam” section on her website for the public.

**Piracy Lawsuit:** Music publishers **BMG Rights Management** and **Round Hill Music** have sued **Cox Comm**, claiming the ISP doesn't do enough to punish those who illegally download music. The MSO said it doesn't comment on pending litigation. Should be interesting to see if a court is willing to hold an ISP liable for the actions of their customers. The most recent mass effort to reign in P2P piracy was the launch of the Copyright Alert System in Feb 2013. Under the voluntary program, a 3rd party company flags suspected copyright violators who ISPs then contact with alerts meant to educate them on legal alternatives. Cox is not a participant in the Copyright Alert System.

**A Techie Black Friday:** Fewer folks may have hit Black Friday sales compared to last year, but **CEA's** survey found that spending on tech increased on the popular shopping day. “We saw more shoppers putting tech in their baskets this holiday weekend—45%—than in any of the last 3 years. Only clothing, at 69%, was more popular; and toys were again 3rd, at 43%,” said CEA chief economist *Shawn DuBravac*. While previous studies predicted tablets would be the most popular tech (**CFX**, 11/26), TVs edged them out in CEA's survey, with 37% of shoppers buying sets, compared to 35% who bought tablets. CEA's holiday outlook forecasts tech spending will increase 2.5% this shopping season to a record \$33.76bln.

**Sony Teams with DirecTV:** Cine **Sony Television**, Sony's Spanish-language cable net specializing in blockbuster Hollywood movies, scored a long-term distribution deal with **DirecTV** to include CST programming in its Más packages.

**Ratings:** **AMC's** “The Walking Dead” ended the 1st half of Season 5 Sun night with 14.8mln viewers and 9.6mln 18-49, up 23% and 24%, respectively, over last season's corresponding ep. The 1st 8 eps to date are up an average of 12% among all viewers and 13% among 18-49 versus the previous season.

**Rentrak Completes Kantar Deal:** Rentrak completed its purchase the US TV measurement business of **WPP's Kantar Media** for approx \$128mln. The transaction includes Kantar's related customer contracts and customer relationships.

**Layer3 to Use SeaChange:** **Layer3TV** said it will use **SeaChange's** open Nucleus video gateway software as it launches its in-home platform next year. **Broadbus** founder *Jeff Binder* and former **Comcast** CTO *Dave Fellows* are launching Layer3 as the “next generation cable provider,” with ex-**Fox** affil sales chief *Lindsay Gardner* as content advisory board chair.

**Hill Eyeing Sports:** Washington continues to keep an eye on professional sports with **Sen Commerce** set to hold a hearing Tues to address domestic violence in professional sports. Witnesses include reps from the **NFL, MLB, NBA** and **NHL**. The cmte noted that the **NFL Players' Assn** “refused to send a representative.”

**Philanthropy:** **ION TV** is teaming with the **Coalition for the Homeless** for the “Get a Wrapped Up in the Holidays!” initiative to help New Yorkers in need. As part of the initiative, the net will donate 1,500 gourmet sandwich wraps to help feed needy New Yorkers this holiday season. *Dean Cain*, who starred in the net's original holiday film “Merry Ex-Mas” (premiering Dec 7) will be on hand on Wed at St. Bartholomew's Church in NYC to distribute sandwiches.

THE OVER-UNDER LIST

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## December 4 Breakfast | 48 Lounge

Join Cablefax at the 48 Lounge the day after Lustgarten Foundation's Holiday Rock & Roll Bash, Dec. 4, for a fun morning full of networking and celebratory toasts as we honor The Over-Under List, cable's young superstars.

**Register at** [www.cablefax.com/events](http://www.cablefax.com/events)

Sponsorship Opportunities: Diane Schwartz at dschwartz@accessintel.com | Questions: Diana Rojas at drojas@accessintel.com

# BUSINESS & FINANCE

**Research:** Digital media players may actually provide a net gain for traditional TV viewing, according to a report by research firm **GfK**. Overall, up to 50% of owners of digital media players say they use the devices in addition to their regular TV viewing, larger than the proportions (up to 42%) that use them to substitute for traditional TV. Some 19% of TV viewers now own at least 1 of the 3 major digital media players including Chromecast, **Apple TV** and **Roku**. That's a 10-fold increase over the 2010 ownership level (2%). The not-so-good news, however, is that 1/3 of digital media player users say they have reduced or eliminated their pay-TV service due to their usage of the device. Roku owners are most likely to report "cord slicing" or "cord cutting," with Chromecast and Apple TV at essentially the same levels. In addition, 21% to 36% of digital media player owners say they now watch some networks, services or programs because of their availability on the devices, with Roku users reporting the highest levels of this "new" viewing. That said, a positive note for linear nets is "digital media player users don't perceive their use as cannibalizing their regular TV viewing," said GfK svp *David Tice*.

**People:** **Nick** named **VH1** exec *Tony Maxwell* svp, promotional creative and strategy.

## CableFAX Daily Stockwatch

Company	12/02 Close	1-Day Ch	Company	12/02 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDs</b>					
DIRECTV:	87.73	0.02	CONVERGYS:	20.82	(0.03)
DISH:	77.14	(2.27)	CSG SYSTEMS:	25.28	0.16
ENTRAVISION:	6.44	(0.02)	ECHOSTAR:	53.27	(0.61)
GRAY TELEVISION:	10.16	(0.23)	GOOGLE:	533.80	(8.03)
MEDIA GENERAL:	14.90	(0.41)	HARMONIC:	6.93	(0.07)
NEXSTAR:	50.40	(0.91)	INTEL:	37.17	(0.08)
SINCLAIR:	28.52	(0.64)	INTERACTIVE CORP:	64.30	(0.98)
<b>MSOS</b>					
CABLEVISION:	20.02	(0.3)	JDSU:	13.06	(0.28)
CHARTER:	168.49	(1.21)	LEVEL 3:	48.73	(1.27)
COMCAST:	56.60	(0.44)	MICROSOFT:	48.62	0.81
COMCAST SPCL:	56.45	(0.36)	NETFLIX:	341.81	(4.78)
GCI:	12.18	0.03	NIELSEN:	42.26	0.49
GRAHAM HOLDING:	885.62	(1.87)	RENTRAK:	83.05	(1.05)
LIBERTY BROADBAND:	54.02	(0.82)	SEACHANGE:	6.73	0.02
LIBERTY GLOBAL:	50.54	(1.45)	SONY:	22.15	0.16
SHAW COMM:	27.18	0.10	SPRINT NEXTEL:	4.87	(0.25)
TIME WARNER CABLE:	148.22	(1.06)	TIVO:	12.05	(0.13)
<b>PROGRAMMING</b>					
21ST CENTURY FOX:	37.28	0.48	UNIVERSAL ELEC:	58.50	(2.01)
AMC NETWORKS:	63.99	(0.87)	VONAGE:	3.39	(0.02)
CBS:	54.47	(0.41)	YAHOO:	50.10	(1.64)
CROWN:	3.41	0.03	<b>TELCOS</b>		
DISCOVERY:	34.69	(0.21)	AT&T:	35.06	(0.32)
DISNEY:	92.70	0.19	CENTURYLINK:	41.10	0.33
GRUPO TELEVISIA:	36.61	(0.74)	TDS:	25.13	(0.43)
HSN:	71.78	(1.15)	VERIZON:	50.03	(0.56)
LIONSGATE:	34.90	1.00	<b>MARKET INDICES</b>		
MSG:	72.23	(0.81)	DOW:	17776.80	(51.44)
SCRIPPS INT:	77.91	(0.26)	NASDAQ:	4727.35	(64.28)
STARZ:	32.33	(0.66)	S&P 500:	2053.44	(14.12)
TIME WARNER:	83.96	(1.16)			
VIACOM:	74.42	(1.21)			
WWE:	11.12	(0.39)			
<b>TECHNOLOGY</b>					
ADVANTAGE:	2.41	(0.25)			
AMDOCS:	48.13	(0.61)			
AMPHENOL:	52.94	(0.69)			
AOL:	45.47	(0.69)			
APPLE:	115.07	(3.86)			
ARRIS GROUP:	29.32	(0.45)			
AVID TECH:	12.05	0.20			
BLNDER TONGUE:	2.19	(0.47)			
BROADCOM:	42.80	(0.33)			
CISCO:	27.59	(0.05)			
COMMSCOPE:	25.64	(0.14)			
CONCURRENT:	6.86	(0.25)			

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Wednesday, March 25, 2015

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