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5 Pages Today

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RealScreen Summit: Can Unscripted TV Be as Innovative as 'Serial'?

When respected television producer *Jane Root* said **WBEZ/This American Life**'s "Serial" podcast was the most innovative media experience she's had in the past few months, it caused a bit of a ruckus among her fellow panelists at the RealScreen Summit on Wed. After all, this is a conference dedicated to unscripted entertainment video, not radio. The consensus was that Serial definitely had something—but whether it translates to TV is debatable. "Everyone says let's try to duplicate [Serial] in our work when there is no commonality," said **Creative Differences** pres *Erik Nelson*. **History** vp, scripted & non-fiction dev/programming *Julian Hobbs* does think Serial, the most popular podcast in the world, will spark new shows. He pointed particularly to the return of serials, reminding the audience that *Truman Capote*'s "In Cold Blood" was 1st serialized in the *New Yorker*. "I think there are genres that are around waiting to be rediscovered and crafted in a new way," Hobbs said. One of the things that really set Serial apart was that "it didn't feel contrived like docu-soaps… people are being lied to and sense it. The country is vomiting that up in some way," Nelson said. Added **Original Productions** CEO *Philip Segal*: "It's the voice. It's the authenticity of that voice. It's that storytelling we should perhaps start thinking about." Beyond that, the content world needs to take a close look at the evolving platforms. "Distribution systems are changing faster than we can make TV shows," said Segal, who is exec producer for **A&E**'s "Appalachian Outlaws" and "Storage Wars" among other shows. "The question is what platform are we putting this content on, and what is the price point." It's even more important to get the distribution system figured out when there are young people who have this notion that 'if something is important to me, it will find its way to me,' Segal said. One of the reasons Serial succeeded was that it was a risk—an innovation in storytelling. Wed's panel debated whether big media-controlled networks are really willing to take chances. With television ratings generally down across the board, it could end up helping push innovation, said Root, the former **Discovery Nets** pres who is now CEO of indie production company **Nutopia**. "That's when you find networks and production aligned," she said. Hobbs said this year's RealScreen felt quieter than year's past, but "I think it's a more innovative year. I think everyone is realizing there was a bit of a copycat bubble." That said, there's still room for a bucket of similar shows. "The sheer number of Alaska shows is one example. And for the most part, they've worked," said **M&C Media** CEO former **Nat Geo** programming exec *Michael Cascio*. There's a place for both, Nelson said. "There's always room

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for derivative," he said. "At the same time, like little green shoots coming up through the concrete, innovative ideas just kind of pop through. I think people are more inclined to take chances because surefire things aren't [working any more]."

FCC Denies Tennis Petition: The **FCC** denied **Tennis Channel**'s petition to reopen its complaint alleging that **Comcast** discriminated against it by placing it on a sports tier. A lower court reversed the FCC's original decision that Comcast discriminated against it. After the US Supreme Court declined last Feb to hear Tennis Channel's appeal of the DC Circuit decision, the channel petitioned the FCC to initiate further proceedings using new tests from the court's ruling. The FCC doesn't think the DC Circuit created new standards for program carriage complaints. "Contrary to Tennis Channel's assertion, the court did not alter the evidentiary standards by which a complainant shows a violation of Section 616, but simply provided examples of the types of evidence that might have been adequate to prove that broader carriage would have yielded net benefits to Comcast," the FCC said. In a statement, Tennis implied that it will fight on. "We respectfully disagree with the FCC's decision today. Two-and-half years ago the FCC found that Comcast had blatantly violated Section 616 of the Communications Act in its carriage of our network vis-à-vis its own competing **Golf Channel** and **NBC Sports Network**. Just as Comcast explored all options following its disagreement with that Order, we fully intend to do the same now."

Merger Talks: When it comes to MVPD mergers and their potential impact on indie programmers, "you need to look at their [the merging companies] record" of relationships with indie programmers, *Jonathan Adelstein*, former Democrat **FCC** commish said during a panel hosted by the **Georgetown University** Wed. In the case of the proposed **AT&T-DirecTV** merger, if AT&T U-Verse has had a better relationship with indie programmers than DirecTV, then the merger could potentially be positive, he suggested. That said, many things could change post-merger, including key personnel, company culture and corporate structure, so looking at past history wouldn't justify the merits of a merger, said **NuvoTV** CEO *Michael Schwimmer*. Regarding merger conditions, he said no conditions "cure all evils," especially when they aren't designed to change the relationship between MVPDs and programmers. In addition, some merger conditions can be very difficult to enforce, Adelstein said. "Sometimes you are better just making it up or down [approve or reject the merger]." Regarding the pending mergers' potential impact on OTT services, *Andrew Schwartzman*, Benton sr counselor with Georgetown University Law Center's Institute for Public Representation, noted that OTT terms increasingly factor into cable ops' carriage agreements and that consolidating the means of distributing content on OTT platforms (as a result of mergers) could cause serious problems. Main challenges for indie programmers like **beIN Sports** include discriminatory treatment based on whether a channel is delivered in SD or HD and/or whether there is authentication for streaming content, said *Roy Myeringh*, sr dir of business development and strategy at the net. In other cases, cable ops have little incentive to take on indie nets and/or nets with a smaller sub base. And without distribution, it's hard for these nets to survive even if they have quality content, said Schwimmer. "It's the carriage that creates the programming… It's the platform… It's not the other way around."

Juno Ratings: Winter snowstorm Juno brought more than two feet of snow accumulations in parts of the northeast region, as well as solid ratings on the **Weather Channel.** On Mon, the net reached nearly 21mln P2+ viewers. Digitally, visitors of the **Weather Channel Digital** watched more than 32mln video streams during the 2 days leading up to the storm. During Sun and Mon, digital properties reached an average of 29.8mln unique visitors daily.

Cox WiFi: **Cox** has opened up more than 1,200 hotspots to the public for free during the Super Bowl (to be held at the University of Phoenix stadium Sun) week and is adding more temporary hotspots to high traffic areas. The new hotspots have been installed at downtown Phoenix's Super Bowl Central and Fan Fest Scottsdale.

AT&T 4Q: **AT&T** posted 73K U-verse TV subs in 4Q, a major decline from the 194K subs it added a year ago. "Net adds were impacted by a strategic move to improve the profitability of our wireline consumer business," CFO *John Stephens* said during the company's earnings conference call late Tues. "With our high content costs we targeted profitable, long-term value subscribers with lower churn rates while still taking market share." The telco added 405K U-verse broadband subs, vs 630K in the year-ago period. It ended 2014 with 12.2mln U-verse broadband subs. Some 97% of the telco's video customers subscribe to a bundle, with nearly 2/3 of U-verse TV subs taking 3 or 4 services. U-verse TV penetration was 22%, while U-verse broadband penetration was 21%. Chmn/CEO *Randall Stephenson* still expects the proposed merger with **DirecTV** to close in the 1st half despite regulatory uncertainty. He also provided some color on AT&T's OTT programming joint venture with the **Chernin Group**. "It's going to be a multifaceted approach in terms of how we bring

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video to our customers, but we're looking at multiple channels and channel lineups that we will be able to offer to our customers. Stay tuned, there will be more to come. This is a high priority for us to deliver video to tablets and mobile handsets."

Ellen on HGTV: The premiere ep of *Ellen DeGeneres*' 1st cable show "Ellen's Design Challenge" on **HGTV** scored a .72 rating among 25-54, a 50% improvement versus the prior 13 week time period average. It drew more than 3.9mln total viewers, making the net a top 10 rated cable net on Mon night.

Amazon Gets White Queen: As part of a content licensing agreement with **Starz Digital Media**, **Amazon** Prime Instant Video will feature original Starz miniseries "The White Queen."

FiOS App Adds Viacom: **Verizon** added more than 20 **Viacom** channels to its out-of-home FiOS mobile app programming lineup, including **Nick, Comedy Central, MTV** and **Spike**. The app now has 88 live channels.

People: **Nick** named *Amy Hyland* evp, ad sales-NY, and *Justin Nesci* svp, ad sales strategy and tech sales. Both will continue to report to *Jim Perry*, head of sales, Nick Group. -- **The Alliance for Women in Media** 2015 Board elected *Kristen Welch*, svp, global content operations at **Discovery Comm**, as national chair.

Cablefax Daily Stockwatch

Company	01/28 Close	1-Day Ch
BROADCASTERS/DBS/MMDS		
DIRECTV:	84.57	(0.21)
DISH:	71.53	(1.58)
ENTRAVISION:	6.31	(0.31)
GRAY TELEVISION:	9.78	(0.49)
MEDIA GENERAL:	14.49	(0.35)
NEXSTAR:	50.97	(2.02)
SINCLAIR:	25.01	(1.19)
MSOS		
CABLEVISION:	18.84	(0.63)
CHARTER:	150.60	(5.83)
COMCAST:	54.59	(1.76)
COMCAST SPCL:	54.30	(1.77)
GCI:	15.21	(0.06)
GRAHAM HOLDING:	939.87	7.29
LIBERTY BROADBAND:	45.61	(1.5)
LIBERTY GLOBAL:	46.48	(0.19)
SHAW COMM:	23.48	(0.48)
TIME WARNER CABLE:	139.10	(5.27)
PROGRAMMING		
21ST CENTURY FOX:	33.56	(0.6)
AMC NETWORKS:	66.92	(1.08)
CBS:	56.29	(0.79)
CROWN:	3.25	(0.05)
DISCOVERY:	29.77	(0.28)
DISNEY:	92.67	(1.3)
GRUPO TELEVISA:	33.28	(0.64)
HSN:	75.00	0.06
LIONSGATE:	28.75	(0.57)
MSG:	75.16	(0.06)
SCRIPPS INT:	71.76	(1.26)
STARZ:	28.59	(0.52)
TIME WARNER:	78.89	(1.75)
VIACOM:	66.83	(0.77)
WWE:	12.09	(0.41)
TECHNOLOGY		
ADDVANTAGE:	2.35	UNCH
AMDOCS:	48.24	0.70
AMPHENOL:	53.97	(0.35)
AOL:	43.84	(4.21)
APPLE:	115.31	6.17
ARRIS GROUP:	26.38	(0.68)
AVID TECH:	12.94	(0.35)
BLNDER TONGUE:	1.75	(0.21)
BROADCOM:	40.98	(0.36)
CISCO:	26.80	(0.1)
COMMSCOPE:	26.30	0.07
CONCURRENT:	6.25	(0.57)

Company	01/28 Close	1-Day Ch
CONVERGYS:	19.60	(0.06)
CSG SYSTEMS:	25.07	(0.26)
ECHOSTAR:	52.28	(0.22)
GOOGLE:	510.00	(8.63)
HARMONIC:	7.04	(0.04)
INTEL:	33.77	(0.41)
INTERACTIVE CORP:	61.65	(1.41)
JDSU:	13.59	(0.18)
LEVEL 3:	49.77	(0.41)
MICROSOFT:	41.19	(1.47)
NETFLIX:	442.46	(11.71)
NIELSEN:	43.80	(0.37)
RENTRAK:	76.75	(0.21)
SEACHANGE:	7.04	(0.07)
SONY:	23.46	0.40
SPRINT NEXTEL:	4.36	(0.02)
TIVO:	10.53	(0.18)
UNIVERSAL ELEC:	64.01	(1.76)
VONAGE:	4.37	(0.08)
YAHOO:	46.46	(1.53)
TELCOS		
AT&T:	32.68	(0.13)
CENTURYLINK:	38.35	(0.44)
TDS:	23.96	(0.05)
VERIZON:	46.05	(0.3)
MARKET INDICES		
DOW:	17191.37	(195.84)
NASDAQ:	4637.99	(43.5)
S&P 500:	2002.16	(27.39)

Think about that for a minute...

Based on Results

Commentary by Steve Effros

I'm sure the howling will get louder in the next few weeks no matter what the FCC plans for next month's meeting. I'm out of the country when you read this, so I won't have to do any "instant analysis" one way or another. Not to worry. No matter what, the question of how broadband gets regulated in the future will not be decided, and it won't be for months if not years to come. So what I thought I'd do here is suggest some "reality checks" on the premises behind recent proposals to "accelerate" competition in broadband delivery and the likelihood that it will work well.

I do this not because I disagree that competition helps the consumer. It does. It keeps us all honest. Sort of. The question is what type of competition, where it's coming from, who's paying for it, and whether they even know they're paying for it, and what happens when they find out!

Which, of course, leads to a discussion of municipal broadband and "public/private partnerships." Rather than argue over whether it makes sense or is even legal for the federal government to try to preempt state governments and in essence require them to accept expenditures for broadband construction decided on by their own subdivisions (I've made it clear in the past that I don't think that will legally fly...), let's look at the record of municipal and state infrastructure programs and see what we could reasonably expect should "the government," at any level, get into the broadband infrastructure business.

The stories of municipal failures and bankruptcy while trying to build cable and broadband are already well known. Google got an entire system for $1 when the multi-million dollar expenditure in Provo, UT, turned out to be too much for the city to handle. That's quite a "public/private partnership!" $39 million from the folks in Provo, $1 from Google. But we need not look at cable and broadband at all.

How about the government record on road maintenance, bridge repairs, public transport, snow removal, school construction, and I'm sure you all have additions to this list. This is not an attack on federal, state or local government. It's just a "based on results" look at the realities of governments trying to effectively build and maintain highly expensive, complex systems (the "maintain" part is very important in this case) while at the same time containing costs and not putting themselves in a political position of having to raise prices or taxes to pay for all these infrastructures and also having to run for office! Based on results, it doesn't work terribly well if you look at our roads, bridges, schools, etc., and there's no reason to think it will work better with broadband. You can't just build it and leave it. High technology moves so fast you constantly have to rebuild it. Are governments willing to continually foot that bill? Based on results, the answer is no. Hiding the costs in things like property tax increases works only so long. As for "service," need I say more than suggest visiting your local DMV office?

One last thought: what happens after the muni builds, when the feds finally free up spectrum and wireless broadband becomes a major competitor? Will the local governments try to block it on the basis that it would be "unfair competition?" I don't think folks have even begun to look realistically at the prospects for government businesses competing with each other. Based on results, they'd better.

Steve

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(Steve Effros was President of CATA for 23 years and is now an advisor and consultant to the cable industry)

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