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Friday — March 20, 2015

What the Industry Reads First

Volume 26 / No. 053

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## House Commerce: Wheeler Promises FCC Process Task Force

Thursday marked the 3rd day in a row that *Tom Wheeler* testified before Congress, and as in days past, the FCC chmn was under GOP fire over the Title II net neutrality decision. In particular, Republicans at Thurs' House Communications subcmte hearing questioned the way the order was delivered and whether there are continued efforts to delegate decision making authority to the bureaus, thus bypassing the commissioners. Republican commish *Ajit Pai* and *Michael O'Rielly* have been pushing Congress to refocus on FCC process reform. It seems Wheeler has heard the message, with him telling the committee that the agency will create a task force to look into process issues. The task force, a recommendation from O'Rielly, will include staff members from each of the 5 commissioners. "We should be constantly striving for improvement," Wheeler said. There has been an increased number of party-line votes, many of which on high-profile issues, Pai said, calling the level of "discord" at the agency unprecedented. "It has long been customary at the FCC for Bureaus planning to issue significant orders on delegated authority to provide those items to Commissioners 48 hours prior to their scheduled release. Then, if any one Commissioner asked for the order to be brought up to the Commission level for a vote, that request would be honored," Pai said. However, recently Wheeler's office has refused to let the Commission vote on items in which 2 commissioners have made such a request, he claimed. And on many occasions important issues haven't been provided to the Commission 48 hours prior to their release, Pai said. Wheeler's defense: The majority of FCC votes are unanimous, and 70% of Commission orders are made available after 24 hours. On the net neutrality order, one of the biggest concerns from GOP members remains the FCC's potential ability to regulate rates. *Adam Kinzinger* (IL) hinted at potential legislation that bans rate regulation. Other GOP members worried the order opens the door to FCC intervention on rate disputes and complaints. The FCC has similar authority over wireless carriers, and rate complaints haven't been raised in the last 20-plus years, Wheeler said. Even if there were rate complaints, "there will be a process that will look at that and develop a record that would make it very clear that the FCC is not in the consumer rate regulation business," he said, adding that the order also doesn't ban usage-based pricing. In addition, he argued the rules might result in lower cable rates with the expansion of OTT streaming video services. "That's why the Internet has to be open, so there are alternatives for people," Wheeler said.

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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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**Cybersecurity:** The FCC's Communications Security, Reliability and Interoperability Council (CSRIC) adopted its report on Cybersecurity Risk Management and Best Practices. With regard to cable, the 415-page guidance focuses on the core network where an attack would have the greatest national or regional impact on service availability and identifies the highest priority best practices and anticipated outcomes for the cable industry, NCTA said in a blog post. The working group was created to develop voluntary measures to ensure cybersecurity.

**IoT on the Hill:** The House Commerce, Manufacturing and Trade subcmte will host an Internet of Things showcase on the Hill Tues from 9-11am, preceding its hearing on IoT at 11am ET. The showcase will feature products ranging from household appliances to auto technologies from subcmte members' districts.

**FCC Changes:** The FCC is taking a step into the 21st Century and allowing folks to submit petitions for a rulemaking in non-docketed items electronically. Previously, petitions could only be submitted electronically in open dockets. Online petition filing is optional as paper filings will still be accepted.

**Don't Bounce Us:** Earlier this month, multicast net Bounce TV picked up expanded distribution rights with Univision, including on stations in NYC and L.A. Stations owned by 21st Century Fox previously carried Bounce in those 2 markets, as well as Dallas, Orlando and Phoenix. Here's the rub... Time Warner Cable doesn't carry those Univision multicast signals in L.A. and NY. Since it did carry the Fox signal, it means NYC subs lost Bounce. TWC's LA market never had Bounce. The situation prompted a letter Thurs from Bounce founder/board member Martin Luther King III to TWC group vp David Lange. "Time Warner Cable does carry Bounce TV in several markets and for that we are grateful," King wrote. "Yet, Time Warner Cable continues to disappoint African Americans in the two biggest cities in the United States." TWC said there have been discussions, but no deal yet.

**FCC Seeks Comments on ACA Petition:** The FCC Media Bureau is seeking comment on ACA's petition that it waive rules requiring cable systems to pass through emergency info on a secondary audio stream for certain analog-only and hybrid digital/analog systems. Comments are due Apr 2, with replies due Apr 9. It's on a rushed schedule as FCC rules require distributors to do meet that secondary audio obligation by May 26. ACA wants waivers for hybrid/digital analog systems that lack necessary equipment, allowing them to meet the requirement through the provision of free set-tops for up to 3 analog sets per HH of each eligible customer until the system obtains the necessary equipment or ceases broadcasting stations in analog. It also wants a wavier until at least June 12, 2018, for analog-only systems that lack the equipment for passing through secondary audio.

**Programming:** Hulu snatched up the exclusive SVOD rights to "Empire," making it the home to all past and future eps of the series. New eps will be available on the premium subscription service the day after their initial broadcast on Fox. -- Mr T is back. This time, he's demo-ing houses in new DIY series "I Pity the Tool" (premieres this year) "Before I worked in show business, I worked in the demolition business," said Mr T. "And even after I made it in Hollywood, I kept on building things." He joins other DIY celebs turned renovators, including Vanilla Ice, Daryl Hall, William Shatner and Rev Run from Run DMC. -- NBCSN and Universal Sports will combine to present 9 USA Wrestling telecasts from 5 events, including 5 live telecasts.

**March Madness:** ESPN.com set another record for brackets submitted for its NCAA Men's Tournament challenge. This year's 11.57mln surpassed last year's record 11.01mln. At the peak period of entries, fans registered 7,791 brackets per minute (129 brackets per second). More people picked Kentucky, Wisconsin, Duke and Virginia to reach the Final Four than any other teams.

**ID's Podcast:** With the success of "Serial," you had to see something like this coming. Investigation Discovery launched its 1st-ever podcast, a companion to its popular "The Mind of a Murderer" series. The 6-ep podcast, available for download on iTunes, expands on criminal psychologist Michelle Ward's one-on-one interviews with convicted killers.

**Weather Heads to DC:** The Weather Channel's morning show "America's Morning Headquarters" is headed to DC for the 5th annual White House Science Fair. Hosts Sam Champion and Anaridis Rodriguez will report live from

# BUSINESS & FINANCE

the White House East Gardens and interview *President Obama's* science advisor Dr *John Holdren*, on Obama's Educate to Innovate campaign, which focuses on getting more kids to be interested in STEM.

**Adaptive Spirit:** First it was **Ski-TAM**, now it's **Adaptive Spirit**. But either way, the networking and Paralympic ski team fundraiser is celebrating 20 years Apr 9-12, Vail, CO. **Cablefax's** own *Michael Grebb* will moderate a panel on digital marketing success that features **RocketFuel's** *Robert Jones*, **Adometry's** *Paul Pellman*, **TWC Media's** *Joan Gillman* and **Cox's** *Chris Shaffer*. There will also be a "Brain Trust Breakfast" hosted by **Charter** CEO *Tom Rutledge*, **Vubiquity** CEO *Darcy Antonellis*, **Comcast** evp, CTO *Tony Werner* and others.

**Cable Europe Awards: ActiveVideo**, which helped **UPC Hungary** to launch a cloud-based platform that enables the MSO to offer various apps including **YouTube**, shared the Cable Europe Innovation Award with the MSO. UPC Hungary launched the platform to 520K set-tops, according to the awards entry. Meanwhile, **Liberty Cable's** communications architect *Stephen Kelly* won the Cable Europe Fellow Award for his work on the launch of the **Virgin Media** London underground Wi-Fi network, deployed before the 2012 London Olympics. He has also worked on WiFi standard developments with **CableLabs**.

## Cablefax Daily Stockwatch

Company	03/19 Close	1-Day Ch	Company	03/19 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	86.05	(0.31)	COMMSCOPE:	26.56	0.08
DISH:	74.38	(0.42)	CONCURRENT:	7.00	0.30
ENTRAVISION:	6.69	(0.05)	CONVERGYS:	22.63	(0.17)
GRAY TELEVISION:	14.46	0.08	CSG SYSTEMS:	30.00	0.33
MEDIA GENERAL:	16.80	0.18	ECHOSTAR:	51.01	(0.01)
NEXSTAR:	57.32	(0.32)	GOOGLE:	557.99	(1.51)
SINCLAIR:	30.40	1.29	HARMONIC:	7.54	(0.01)
<b>MSOS</b>					
CABLEVISION:	18.09	(0.13)	INTEL:	30.74	(0.15)
CHARTER:	188.18	(1.14)	INTERACTIVE CORP:	68.33	(0.81)
COMCAST:	58.74	(0.24)	JDSU:	13.83	(0.05)
COMCAST SPCL:	58.50	(0.2)	LEVEL 3:	54.67	(0.64)
GCI:	15.07	(0.02)	MICROSOFT:	42.28	(0.21)
GRAHAM HOLDING:	1078.69	(3.9)	NETFLIX:	425.21	2.09
LIBERTY BROADBAND:	54.26	(0.3)	NIELSEN:	43.40	(0.24)
LIBERTY GLOBAL:	52.55	(0.49)	RENTRAK:	57.49	0.13
SHAW COMM:	22.48	(0.38)	SEACHANGE:	7.85	UNCH
SHENTEL:	32.93	1.29	SONY:	27.85	(0.26)
SHENTEL:	32.93	1.29	SPRINT NEXTEL:	4.99	(0.09)
TIME WARNER CABLE:	155.61	(1.31)	TIVO:	10.59	(0.16)
<b>PROGRAMMING</b>					
21ST CENTURY FOX:	34.46	(0.46)	UNIVERSAL ELEC:	55.88	0.41
AMC NETWORKS:	74.95	0.29	VONAGE:	4.79	UNCH
CBS:	62.63	(0.48)	YAHOO:	44.98	0.31
CROWN:	3.90	UNCH	<b>TELCOS</b>		
DISCOVERY:	31.82	0.17	AT&T:	33.20	(0.39)
DISNEY:	107.37	(0.6)	CENTURYLINK:	34.86	(0.26)
GRUPO TELEVISIA:	33.94	0.10	TDS:	26.11	(0.02)
HSN:	68.30	0.45	VERIZON:	49.30	(0.24)
LIONSGATE:	34.13	(0.04)	<b>MARKET INDICES</b>		
MSG:	79.33	(0.19)	DOW:	17959.03	(117.16)
SCRIPPS INT:	70.31	(0.51)	NASDAQ:	4992.38	9.55
STARZ:	33.82	(0.33)	S&P 500:	2089.27	(10.23)
TIME WARNER:	86.83	(0.37)			
VIACOM:	69.22	0.10			
WWE:	16.32	0.47			
<b>TECHNOLOGY</b>					
ADVANTAGE:	2.33	0.01			
AMDOCS:	53.55	0.34			
AMPHENOL:	59.97	(0.23)			
AOL:	41.15	0.02			
APPLE:	127.50	(0.97)			
ARRIS GROUP:	31.15	0.12			
AVID TECH:	14.27	(0.19)			
BLNDER TONGUE:	1.64	0.00			
BROADCOM:	44.88	(0.24)			
CISCO:	28.26	0.11			

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# PROGRAMMER'S PAGE

## A Man of His Time

Nat Geo's third scripted film in the "Killing" series is "Killing Jesus" (premieres Mar 29, 8pm), adapted from the book by *Bill O'Reilly* and *Martin Dugard* of the same name. Like the films about *Abraham Lincoln* and *John F. Kennedy* before it, this story has been told countless times by others. So what's different about this particular telling? It's about a man, not a myth. Previous iterations have been told from the point of view of Jesus, screenwriter *Walon Green* said at the **Television Critics Association** press tour last Jan. This tale, on the other hand, is "placing a man in his times... You realize that a critical stage is coming in this person's life, that he cannot do what he is doing without political and other religious forces coalescing against him," he explained. Since the film humanizes the story of Christ, according to *Kelsey Grammar*, who plays Herod, he believes Christian audiences will appreciate the modern take. "I think it will win praise from every part of the Christian world basically because I think they find that increased modern relevance is desirable," he said. For Green, it was important to portray Jesus as a real person: "somebody who, while we now come to accept him or don't accept him as a messianic figure, he, himself, was a person who was a human being confronted by what that meant," he said. "It wasn't a welcomed choice necessarily. It often was a choice that frightened him and disturbed him, but there wasn't something he could do about it." The humanist bent on the story informed casting as well—most notably in the case of Jesus. Executive producer *David Zucker* said they chose actor *Haaz Sleiman* for the "soulfulness" he portrayed from the very first distorted transmission from his native country of Lebanon. "There was incredible soulfulness and an incredible truth to his reading, and I think, as Walon spoke of, the humanity that he sought to find in that part we felt just exuded out of Haaz... and that's sort of the magic." — *Kaylee Hultgren*

**Reviews:** "Impress Me," Wed, 10:30p, **Pop.** Actor *Rainn Wilson* is exec prod of this clever take on the struggling actor theme. Here it's struggling impressionists *Ross Marquand* and *Jim Meskimen* who want to exit humor and become serious thespians. Tonight's amusing ep has the boys trying a 12-step method to kick the impression habit. Things are going well until they're tempted... by an impression. -- "Noah's Ark," premiere, Sun, 7p ET, **UP.** It's slightly different in the bible—the emphasis is on faith—but this **BBC** co-prod is well told and looks impressive, except for Noah (*David Threlfall*), whose disheveled appearance seems out of place. -- "America's Most Badass," premiere, Tues, 10, **AHC.** With tongue mostly in cheek, this entertaining 6-parter pits American history's toughest against each other to find the nastiest. Ep 1's competitors attracted us and the competition is tight. We knew *Al Capone* was trouble, especially with gun in hand. As was thrill-seeking *Ernest Hemingway*, who survived plane crashes, wars and was the first American to use the word *cojones*. But who knew *Abe Lincoln* was in the Wrestling Hall of Fame? Or *Ben Franklin* threw fate to the wind, literally, as he chased storms? -- **Notable:** **C-SPAN3**, Sat, 9a-4:30p, has live coverage of a day-long forum on the life of noted badass Abraham Lincoln, from Ford's Theater. - *Seth Arenstein*

Basic Cable Rankings (3/08/15-3/15/15)			
Mon-Sun Prime			
1	FOXN	0.8	1858
2	DSNY	0.7	1782
2	AMC	0.7	1781
2	ESPN	0.7	1736
2	TBSC	0.7	1620
6	USA	0.6	1583
6	HGTV	0.6	1419
6	HIST	0.6	1413
6	DSE	0.6	142
10	DISC	0.5	1256
10	TNT	0.5	1196
10	FX	0.5	1117
13	ADSM	0.4	1018
13	FOOD	0.4	965
13	A&E	0.4	876
13	TLC	0.4	875
13	NAN	0.4	866
13	SYFY	0.4	858
13	ID	0.4	815
20	BRAV	0.3	783
20	LIFE	0.3	755
20	FAM	0.3	749
20	SPK	0.3	749
20	TVLD	0.3	709
20	HALL	0.3	654
20	CMDY	0.3	613
20	APL	0.3	612
20	DSJR	0.3	593
20	DFAM	0.3	65
30	MSNB	0.2	568
30	VH1	0.2	565
30	NGC	0.2	543
30	ESP2	0.2	533
30	EN	0.2	532
30	WETV	0.2	531
30	OWN	0.2	513
30	MTV	0.2	502
30	GSN	0.2	487
30	CNN	0.2	476
30	LMN	0.2	475
30	BET	0.2	459
30	TRU	0.2	432
30	DXD	0.2	420
30	TRAV	0.2	395
30	INSP	0.2	384
30	NKJR	0.2	369

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