

Cablefax Daily™

Monday — June 15, 2015

What the Industry Reads First

Volume 26 / No. 113

Retrans Showdown: Northwest Broadcasting Goes After DirecTV

First came rumblings that **CBS** is worried there could be problems getting a new carriage deal signed with **AT&T**. Now **Northwest Broadcasting** and some of its cohorts have filed an emergency petition at the FCC claiming the object of AT&T's acquisition plan isn't playing nice. Northwest and 6 commonly controlled stations say they've reached an impasse in retrans negotiations with **DirecTV**, which have been underway since last fall. Northwest & Co claim DirecTV has violated the FCC's requirement to negotiate in good faith by insisting on terms that are inconsistent with the marketplace and unreasonably delaying negotiations. DirecTV said it "continues to work in good faith" with Northwest Broadcasting and "looks forward to reaching an agreement." These 2 have a history of bad blood. In 2011, DirecTV lost 5 Northwest stations in 4 states during a retrans feud. Northwest eventually agreed to allow DirecTV air its **Fox** stations for the Super Bowl, but it took several more months for an agreement to be reached. That deal actually expired in Feb and, according to Northwest, is "on life support through multiple extensions." The crux of Northwest's argument is that DirecTV says the rate it's seeking isn't market appropriate, and it isn't providing the broadcaster with details of its other deals so that it can compare rates. Northwest said it provided data from more than 15 retrans deals from different MVPDs, from large to small, to back up its price request (the data was generalized to avoid confidentiality restrictions). Northwest argued that this is a good time for the FCC to weigh in on the definition of good faith bargaining, something it's currently reviewing under a Congressional order. It wants the FCC to rule that when 1 party insists on contract terms that differ sharply from market terms provided by the other party, the Commission will use FCC-Controlled Discovery to settle the matter. The petition was filed by Northwest, **Stainless Broadcasting, Eagle Creek, Bristlecone, Blackhawk, Broadcasting Licenses** and **Mountain Licenses**.

Net Neutrality: Following the DC Circuit's decision to deny ISPs' petition to stay the **FCC's** Title II net neutrality order, the rules went into effect Fri, the same day that the agency's Consumer Advisory Committee held its 1st meeting. Among the things on the agenda was Section 222 of the Title II order, governing data known as Customer Proprietary Network Information (CPNI). The Commission's order suggests there will be further proceedings to

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- Best Program
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By Genre: Best Show or Series In The Following Genre:

- Animals/Nature
- Animated
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- Documentary
- Drama
- Education/Instructional
- Faith Based/Religious
- Family Friendly
- Food
- Music
- News
- Public Affairs
- Reality
- Reality Competition/Game Show
- Regional Program
- Sci Fi
- Sports
- Talk Shows
- Other: enter your best in a genre (not mentioned above)

By Genre: Best Actor/Actress/Host In The Following Genres:

- Comedy
- Drama
- Family Friendly
- Food
- Music
- News/Public Affairs
- Reality Competition/Game Show
- Regional Program
- Sports
- Talk Shows
- Other: enter your best in a genre (not mentioned above)

Special Categories

- Best Opening Sequence
- Best Mini-Series
- Best Online/Mobile Extras for a Linear Show
- Best Online-Only/ Mobile-Only Show
- Best Video on Demand Program/Special

The winners and honorable mentions will be honored October 1, 2015 in New York City.

**Enter by
June 22!**

Questions: Contact Mary-Lou French at mfrench@accessintel.com or (301) 354-1851.
Enter online at www.cablefaxprogramawards.com

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determine what future rules on CPNI look like, *Parul Desai*, assistant bureau chief and dir of consumer engagement at the **Consumer & Governmental Affairs Bureau** said at the meeting. Commission staff is still studying the issue and talking to stakeholders. There's no timeline on when a decision might come, Desai said. CPNI applies to telecom providers and because broadband is currently reclassified as telecom carriers, ISPs could potentially be subject to the rules. The Commission issued an enforcement advisory in May, saying that ISPs will have to comply with "the statutory provisions of Section 222" once the net neutrality order takes effect. Currently, the rules don't specify whether the CPNI provision would be extended to broadband in their entirety, or whether the agency will tailor the rules. The full CPNI rules, if enforced, will impose regulations on ISPs including adopting specific consumer privacy protection plans, notifying law enforcement and customers when privacy breaches occur and reporting to the FCC on various privacy complaints. They will also allow consumers to file complaints with the FCC or the courts if ISPs violate the rules. For now, consumers can file complaints through the online consumer help center, the FCC's consumer complaint system, Desai noted. There were plenty of mentions of CPNI in **ACA** and **NCTA's** petition to stay the net neutrality order. They cited "extensive burdens" that their members will face to comply with the CPNI rules. And small cable companies said they will face CPNI rules for the 1st time, since they don't offer phone service.

Gigabit Party: Wave Broadband launched its gigabit broadband service in the San Francisco Bay Area, serving a 750-unit property in the city's Mid-Market neighborhood. The company plans to expand the service to other apartments and condos in the coming months. It's offering a promotional rate of \$80 a month. -- Add **Consolidated Communications**, which provides services in 11 states, to the list of residential gigabit service providers in the Houston area. **Comcast** and **AT&T** are among the ISPs that have announced plans to roll out gigabit services in the area. Consolidated's 1 gigabit broadband service is available immediately for \$69.95 a month with no construction or installation fees. The company's 1st gigabit service was launched in Kansas City late last year.

Unlicensed LTE: Cable is raising red flags about wireless carriers' plan to use unlicensed LTE (LAA and LTE-U) spectrum to launch new services due to its potential interference with WiFi. LAA and LTE-U will cause "debilitating interference to other unlicensed services unless they incorporate effective sharing mechanisms," **NCTA** said in a filing with the **FCC**. LTE-U and LAA proponents are "threatening the Commission's ability to rely on self-governance of unlicensed bands by doing an end-run around IEEE's open standards-setting process, refusing to adopt industry-standard sharing mechanisms, and intentionally designing their protocols so that they are available only to licensed mobile carriers," the group said, noting its concerns are shared by **IEEE**, the **WiFi Alliance**, the **EU Telecom Standards Institute** and other unlicensed vendors and service providers.

Broadcasters Lose Auction Challenge: The **DC Circuit** denied **NAB's** challenge of the **FCC's** broadcast incentive auction. NAB's concern centered on the Commission's proposal to predict TV station coverage areas, which they worry could result in viewership loss. The 3-judge panel said the FCC is within its right to use TVStudy software and current data when determining a broadcast licensee's coverage area. "We're disappointed with today's ruling, which we believe fails to hold the FCC to the letter of the law passed by Congress. Nonetheless, we remain committed to working with policymakers to ensure a successful auction that protects the interests of broadcasters, whether they participate or not, and does not disenfranchise our tens of millions of viewers," NAB said. The court also denied a related challenge by **Sinclair**.

Women in Tech: The 2015 Women in Technology Award is accepting nominations. The award is presented jointly by **WICT**, **SCTE** and **Cablefax**, with **Bright House** as sponsor. Deadline for nomination is July 10 and the award will be presented during the annual awards luncheon at the SCTE Cable-Tec Expo on Oct 14. Visit WICT.org to download the nomination form.

Programming: Following strong ratings for the Season 2 premiere of "Power," **Starz** signed series creator and showrunner *Courtney Kemp Agboh* to an exclusive overall deal. -- **OWN** launched "Man School," a new primetime show from actor and recording artist *Tyrese Gibson* and hip-hop icon/reality star *Rev Run*. The 8-ep weekly series will debut in early 2016. -- **NatGeo** tapped *Morgan Freeman* as one of the exec producers of a new global series dubbed "The Story of God." Slated to air on NatGeo and **NatGeo Mundo** in 2016 in the US and globally in 171 countries, each ep of the series will focus on one question about the divine.

Cablefax Week in Review

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
BROADCASTERS/DBS/MMDS				
DIRECTV:	DTV	92.09	0.45%	6.22%
DISH:	DISH	72.62	(3.83%)	(0.37%)
ENTRAVISION:	EVC	7.50	6.23%	15.74%
GRAY TELEVISION:	GTN	15.30	(3.04%)	36.61%
MEDIA GENERAL:	MEG	16.50	(2.77%)	(1.37%)
NEXSTAR:	NXST	56.76	(1.61%)	9.60%
SINCLAIR:	SBGI	29.35	(3.42%)	7.27%

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
MSOS				
CABLEVISION:	CVC	23.94	(0.5%)	15.99%
CHARTER:	CHTR	172.26	(0.98%)	3.38%
COMCAST:	CMCSA	58.26	(0.73%)	0.43%
COMCAST SPCL:	CMCSK	57.82	(0.93%)	0.43%
GCI:	GNCMA	16.47	1.23%	19.78%
GRAHAM HOLDING:	GHC	1068.70	(0.03%)	23.73%
LIBERTY BROADBAND:	LBRDA	52.47	(0.4%)	4.75%
LIBERTY GLOBAL:	LBTYA	56.03	1.43%	11.59%
SHAW COMM:	SJR	21.85	(0.23%)	(19.04%)
SHENTEL:	SHEN	32.51	1.06%	4.03%
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TIME WARNER CABLE:	TWC	178.74	0.38%	17.55%

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
PROGRAMMING				
21ST CENTURY FOX:	FOXA	32.70	(1.82%)	(14.88%)
AMC NETWORKS:	AMCX	78.19	(2.18%)	22.60%
CBS:	CBS	58.49	(4.63%)	5.69%
CROWN:	CRWN	4.37	1.16%	23.45%
DISCOVERY:	DISCA	32.51	(4.23%)	(5.65%)
DISNEY:	DIS	109.95	(0.38%)	16.73%
GRUPO TELEVISIA:	TV	38.65	4.29%	13.48%
HSN:	HSNI	68.75	(0.82%)	(9.54%)
LIONSGATE:	LGF	36.92	4.29%	15.30%
MSG:	MSG	85.22	(1.37%)	13.23%
SCRIPPS INT:	SNL	66.68	(2.98%)	(11.41%)
STARZ:	STRZA	41.45	(0.53%)	39.56%
TIME WARNER:	TWX	86.01	1.31%	0.69%
VIACOM:	VIA	66.62	(2.59%)	(11.76%)
WWE:	WWE	15.56	4.57%	26.09%

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
TECHNOLOGY				
ADVANTAGE:	AEY	2.35	(2.49%)	(3.69%)
AMDOCS:	DOX	56.42	0.27%	20.92%
AMPHENOL:	APH	57.69	0.96%	7.21%
AOL:	AOL	49.99	(0.2%)	8.27%
APPLE:	AAPL	127.17	(1.15%)	15.21%
ARRIS GROUP:	ARRS	32.32	(4.66%)	7.06%
AVID TECH:	AVID	15.65	(12.32%)	10.13%
BLNDER TONGUE:	BDR	0.86	28.36%	(68.03%)
BROADCOM:	BRCM	54.02	(0.61%)	24.67%
CISCO:	CSCO	28.54	(0.14%)	2.59%
COMMSCOPE:	CTV	25.89	(1.37%)	0.98%
CONCURRENT:	CCUR	6.42	4.39%	(9.45%)
CONVERGYS:	CVG	25.39	1.07%	24.64%
CSG SYSTEMS:	CSGS	31.99	(1.78%)	27.60%
ECHOSTAR:	SATS	51.18	2.16%	(2.51%)
GOOGLE:	GOOG	532.33	(0.19%)	1.13%
HARMONIC:	HLIT	7.18	1.84%	2.43%

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
INTEL:	INTC	31.32	(1.63%)	(13.7%)
INTERACTIVE CORP:	IACI	75.93	(0.86%)	24.91%
JDSU:	JDSU	12.78	(0.31%)	(6.85%)
LEVEL 3:	LVT	54.75	(0.05%)	10.87%
MICROSOFT:	MSFT	45.97	(0.37%)	(1.03%)
NETFLIX:	NFLX	660.93	4.38%	93.48%
NIELSEN:	NLSN	44.94	0.40%	0.47%
RENTRAK:	RENT	66.84	(3.09%)	(8.21%)
SEACHANGE:	SEAC	7.65	0.92%	19.91%
SONY:	SNE	30.44	1.30%	48.71%
SPRINT NEXTEL:	S	4.63	4.75%	11.57%
TIVO:	TIVO	10.71	1.66%	(9.59%)
UNIVERSAL ELEC:	UEIC	53.64	1.00%	(17.51%)
VONAGE:	VG	4.89	(0.81%)	28.35%
YAHOO:	YHOO	40.53	(5.34%)	(19.77%)

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
TELCOS				
AT&T:	T	34.65	0.23%	3.16%
CENTURYLINK:	CTL	32.56	1.18%	(17.74%)
TDS:	TDS	30.19	0.97%	19.56%
VERIZON:	VZ	47.25	0.04%	1.00%

Company	Ticker	6/12 Close	1-Week % Chg	YTD %Chg
MARKET INDICES				
DOW:	DJI	17898.84	0.28%	0.43%
NASDAQ:	IXIC	5051.10	(0.34%)	6.65%
S&P 500:	GSPC	2094.11	0.06%	1.71%

WINNERS & LOSERS

THIS WEEK'S STOCK PRICE WINNERS				
COMPANY	CLOSE	1-WK CH		
1. BLNDER TONGUE:	0.86	28.36%		
2. ENTRAVISION:	7.50	6.23%		
3. SPRINT NEXTEL:	4.63	4.75%		
4. WWE:	15.56	4.57%		
5. CONCURRENT:	6.42	4.39%		

THIS WEEK'S STOCK PRICE LOSERS				
COMPANY	CLOSE	1-WK CH		
1. AVID TECH:	15.65	(12.32%)		
2. YAHOO:	40.53	(5.34%)		
3. ARRIS GROUP:	32.32	(4.66%)		
4. CBS:	58.49	(4.63%)		
5. DISCOVERY:	32.51	(4.23%)		

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