

# Cablefax Daily™

Tuesday — November 3, 2015

What the Industry Reads First

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## Confidential Files: Back-and-Forth Continues over Handling Sensitive Info

Don't listen to **Comcast** and programmers on the handling of confidential matters. That's essentially the message behind **DISH**, **ACA** and **INCOMPAS'** (previously **COMPTEL**) filing with the **FCC** last week, urging the agency to deny a request from **Comcast Corp** and programmers to reconsider a Sept 11 order establishing rules for how sensitive info can be disclosed under a protective order. While it can get a bit in the weeds, it's important to keep an eye on the issue as it delayed the start of the FCC's **Charter-Time Warner Cable-Bright House** review and resulted in a court case that paused the **AT&T-DirecTV** and scuttled **Comcast-TWC** reviews. Comcast and several content companies, including **CBS** and **Disney**, have asked the Commission to reconsider the confidential information disclosure rules. "Petitioners now object to essentially any disclosure of confidential information by the Commission, no matter how limited or circumscribed," DISH, ACA and INCOMPAS said in their opposition to those petitions for reconsideration. They object to the idea that a notice and comment rulemaking is required for the new rules, which set off the start of the Charter-TWC-Bright House review. Like the FCC, they contend the order merely clarifies FCC policies. They also disagree with Comcast and the content owners' contention that the new rules could open up their private contracts for wide public inspection under Freedom of Information Act requests, noting that the standard for disclosure includes "a balancing of the public and private interests involved." In a rebuttal filed Fri, Comcast blasted the case-by-case balancing test, saying it goes against the DC Circuit Court's ruling on the matter earlier this year. "Here, the Commission has not just casually ignored, but instead attempted to deny, that there is a change in agency policies and standards," Comcast complained. The content owners piled on in their own reply to the oppositions against reconsideration. They note that DISH, ACA and INCOMPAS were the only parties to oppose reconsideration and that all 3 could benefit commercially under the order's relaxed standards for accessing info. And the programmers balk at the idea that everyone's being treated the same. The FCC provided no reason why "DISH should have access to competitively sensitive materials when its own sensitive information was shielded from review in a prior merger proceeding," they said. Mon marked Day 52 of the FCC's voluntary 180-day transaction time clock for reviewing the Charter deal. DISH, ACA and INCOMPAS all believe review of the documents is important because they claim new Charter will have an

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increased ability to strong arm 3rd party programmers to the disadvantage of OTT service and an increased ability to deny competing video distributor access to affiliated content, such as Discovery and **Starz**.

**Debate Speak:** **Univision News** and *The Washington Post* will host the final Democratic Primary Debate of the 6 sanctioned by the DNC for this election cycle. It will take place at Miami Dade College Mar 9. Meanwhile, following the criticism **CNBC** took from the RNC after last week's debate, *Glenn Beck's TheBlaze* has jumped in and formerly proposed that it be the official host of the Feb 26 GOP debate in Houston, TX. "Traditional mainstream media has treated the debates as comedies, as propaganda, and as ratings and revenue opportunities, even as they mock conservative candidates. It's an outrage, and we know you feel the same way," Beck wrote in a letter Mon to RNC chmn *Reince Priebus*. It seems doubtful the RNC would give the debate to TheBlaze because it doesn't have the distribution of a broadcast net or major cable news net, such as **Fox News**. The net is in over 12mln HHs and TheBlaze.com reaches 20mln conservatives a month, according to Beck. Beck also has a radio program that he said reaches 9mln listeners each week. In his proposal, Beck pledges to make the broadcast available as on-demand video content with full transcripts for everyone. Rather than moderators, Beck will host and invite "the greatest new conservative thinkers and media voices" to ask questions live and by video.

**FCC Fines:** The **FCC's** Enforcement Bureau proposed a \$25K fine against **Hilton Worldwide** for its "apparent obstruction" of an investigation into whether the hotel chain engaged in WiFi blocking activities. The Bureau asked Hilton to provide information immediately regarding its WiFi management practices and warned that the company may face a much higher fine for any continued obstruction or delay. According to the Bureau, it received complaints from consumers alleging Hilton blocked visitors' WiFi hotspots unless they paid to access Hilton's WiFi. "Hotel guests deserve to have their WiFi blocking complaints investigated by the Commission... To permit any company to unilaterally redefine the scope of our investigation would undermine the independent search for the truth and the due administration of the law," said enforcement bureau chief *Travis LeBlanc* in a statement. Last year, the agency fined **Marriott** for similar WiFi blocking practices. The agency is asking hotels, convention centers and other commercial places to review their practices to ensure there's no unlawful blocking of WiFi. The FCC also announced a proposed fine of \$718K Mon for electrical contracting company **M.C. Dean**. The agency said it blocked consumers' WiFi connections at the Baltimore Convention Center.

**Verizon Lawsuit:** EU tech firm **The Kudelski Group** said its **OpenTV** (a digital TV software platform) and **Nagra France SAS** subsidiaries filed a patent infringement lawsuit against **Verizon** and its **AOL** unit in the US District Court for the Eastern District of TX. The lawsuit alleged that Verizon and AOL infringe 7 US patents owned by OpenTV and Nagra France, including Verizon's FiOS TV services, FiOS TV Everywhere services, Verizon's Redbox Instant and Go90 video services and AOL's Spot On advertising and streaming video services. Verizon doesn't comment on pending litigations, a spokesman said.

**Rumor Mill: Discovery Comm** is reportedly considering a bid for UK broadcaster **Channel 4**. The UK government is looking at a potential sale of the Public Service Broadcaster, reportedly worth around \$1.5bln. Discovery scored EU TV rights to the 2018-2024 Olympic Games in June. Part of the deal includes making some of the content available free-to-air.

**Starz:** CEO *Chris Albrecht* blamed **Starz's** weak 3Q results on distractions created by MVPD mergers. The company reported \$404mln in revenue in the quarter. It earned 56 cents a share during the period, falling short of the 59 cents that analysts had expected. On the company's earnings call Thurs, the exec said "we've been told this is not a Starz-specific issue and has affected other premium channels as well." Like several other programmers, Starz is looking at alternative distribution models "while still continuing to solidify and hopefully grow our business with the MVPDs, as they continue or as they refocus as these mergers are settled down," Albrecht said. And he hinted Starz seeks to work with its distributors on its potential streaming service. "The nice thing about the digital distribution arena is that it can be accessed through our current MVPD distributors..." he said. When appropriately priced, digital distribution can co-exist with MVPD distribution, he added. -- **Starz'** multiplatform, nationwide sampling of its limited series "Flesh and Bone" started Mon, nearly 1 week before Sun's season premiere at 9pm. All 8 eps of the series will be available for subs on Starz Play and Starz On Demand starting Sun.

# BUSINESS & FINANCE

**Crown Numbers:** Hallmark Channel and Hallmark Movies & Mysteries are at their highest distribution level since Aug 2010 thanks to July's relaunch of the networks on **AT&T U-verse**. Parent **Crown Media Family Nets** reported 3Q results Mon, with quarterly revenue up 14% to \$106.2mln. Net income fell to \$8.7mln from \$14.9mln, due to increased programming costs (+18% Q over Q) and other service costs.

**Technicolor/DirecTV Deal:** French company **Technicolor**, which proposed a \$600mln acquisition of **Cisco's** set-top unit in July, said it has manufactured 20mln set-tops for **DirecTV** PanAmericana since it became the MSO's vendor 22 years ago. Technicolor scored its 1st contract with DirecTV in 1993 to design and manufacture set-tops.

**Programming:** **TBS** gave a green-light to "Search Party," a dark comedy about a group of four self-absorbed 20-somethings who come together when a former college acquaintance mysteriously disappears. -- **TMZ** is no stranger to the sports world, having broken stories on people like *Donald Sterling* and *Ray Rice*. The franchise is now expanding its brand with the debut of **TMZ Sports on Fox Sports 1**. Premiering Nov 9 at 12am EST, the 30-min program looks at the athlete lifestyle and "newsmakers who make the games we love possible," according to FS1.

## Cablefax Daily Stockwatch

Company	11/02 Close	1-Day Ch	Company	11/02 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DISH:	63.92	0.95	CONVERGYS:	25.69	0.02
ENTRAVISION:	8.84	0.08	CSG SYSTEMS:	33.75	0.23
GRAY TELEVISION:	16.05	0.16	ECHOSTAR:	45.57	0.74
MEDIA GENERAL:	15.00	0.14	GOOGLE:	720.36	9.55
NEXSTAR:	53.89	0.66	HARMONIC:	5.80	0.04
SINCLAIR:	31.29	1.28	INTEL:	34.06	0.20
TEGNA:	27.66	0.62	INTERACTIVE CORP:	66.45	(0.56)
<b>MSOS</b>					
CABLE ONE:	444.62	11.18	LEVEL 3:	52.09	1.14
CABLEVISION:	32.52	(0.08)	MICROSOFT:	53.10	0.46
CHARTER:	187.03	(3.91)	NETFLIX:	107.61	(0.77)
COMCAST:	62.71	0.09	NIELSEN:	47.67	0.16
COMCAST SPCL:	62.81	0.10	RENTRAK:	54.78	(0.4)
GCI:	21.22	0.85	SEACHANGE:	6.57	0.10
LIBERTY BROADBAND:	55.05	0.49	SONY:	28.87	0.47
LIBERTY GLOBAL:	45.65	1.13	SPRINT NEXTEL:	4.86	0.13
SHAW COMM:	20.73	(0.03)	TIVO:	9.21	0.13
SHENTEL:	48.22	1.43	UNIVERSAL ELEC:	48.48	0.91
TIME WARNER CABLE:	187.24	(2.16)	VONAGE:	6.08	0.01
<b>PROGRAMMING</b>					
21ST CENTURY FOX:	30.90	0.21	YAHOO:	35.22	(0.4)
AMC NETWORKS:	75.78	1.89	<b>TELCOS</b>		
CBS:	47.85	1.33	AT&T:	33.59	0.08
CROWN:	5.73	(0.06)	CENTURYLINK:	28.39	0.18
DISCOVERY:	30.01	0.57	FRONTIER :	5.14	UNCH
DISNEY:	115.07	1.33	TDS:	30.54	1.90
GRUPO TELEVISA:	29.70	0.56	VERIZON:	46.76	(0.12)
HSN:	61.70	(0.15)	<b>MARKET INDICES</b>		
LIONSGATE:	39.13	0.16	DOW:	17828.76	165.22
MSG NETWORKS:	21.53	1.01	NASDAQ:	5127.15	73.40
SCRIPPS INT:	59.82	(0.26)	S&P 500:	2104.05	24.69
STARZ:	34.69	1.18			
TIME WARNER:	76.52	1.18			
VIACOM:	52.25	0.92			
WWE:	17.11	(0.72)			
<b>TECHNOLOGY</b>					
ADVANTAGE:	2.31	0.00			
AMDOCS:	59.84	0.27			
AMPHENOL:	55.00	0.78			
APPLE:	121.03	1.53			
ARRIS GROUP:	28.58	0.32			
AVID TECH:	8.91	0.46			
BLNDER TONGUE:	0.51	0.03			
BROADCOM:	51.94	0.54			
CISCO:	28.73	(0.12)			
COMMSCOPE:	32.77	0.34			
CONCURRENT:	5.01	0.04			

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What the Industry Reads First

# CTHRA's Excellence in HR Awards

## Kudos to HR's Best...

The **Cable and Telecommunications Human Resources Association (CTHRA)** is set to honor outstanding HR professionals from **A+E Networks, Comcast Cable** and **Bright House Networks** today in Philadelphia. Since 2007, CTHRA has hosted this awards program acknowledging the innovative ideas of the people in charge of hiring, benefits and much more. Slowly but surely, their initiatives will shape the industry and challenge the HR status quo. Check out our full Q&As at [Cablefax.com](http://Cablefax.com)

### *Team Innovators of the Year*

#### **A+E Networks, Compensation and Benefits Team**



2015 was a year of change for HR at A+E Networks, with the HR team working to recast its Total Rewards Program. The team's 18-month effort was formidable: They amended contracts to reflect the new fiscal year, launched new benefits, rebranded the open enrollment process, created a merit-based payroll process, and honed the company's long-term

incentive plan. Asked what advice she'd offer a company looking to overhaul its benefits and compensation program, Global HR and Facilities evp Stacy Green told us the best programs reflect what employees' value, what the business is trying to achieve and the realities of the industry. "Know your people. Know your business. Know your market," she said. Through it all, A+E Networks stresses the importance of effective communication and transparency from HR, in an effort to minimize confusion among employees. Green says the biggest change she's seen in HR in the industry over the past 5 years is that employees are demanding more from their jobs than ever before. "It is no longer enough to have great compensation and benefits and a holistic performance management system. Today employees are looking for visionary leadership, transparency, inclusion, flexibility, lifestyle perks, learning, meaning and so much more," Green said.

#### **Comcast Cable, Leave of Absence Team**



Comcast Cable wants engaged and dedicated workers. That's why the company's Leave of Absence Team is dedicated to reducing the use of leave of absence (LOA) days. "Comcast recognizes how important it is for employees to feel engaged in purposeful work, be part of a supportive team, and be able to provide for their families. Too often these objectives were being diminished by poorly managed leaves of absence,"

said Rob Delmarco, vp of HR finance and analytics for Comcast Cable. The team implemented a strategy to use statistical analysis in order to understand the motivations behind prolonged leaves of absence. To mitigate the number of employees who exit the company after an LOA, Comcast Cable has taken steps to increase communication during leave and work collaboratively with individuals to carve an inspiring, desirable career path. After two years, Comcast has seen results. The number of LOA days has dropped, and productivity has increased. "When employees feel engaged, they're more likely to want to return to work as quickly as possible. When we can get employees back to work quickly, it helps the employee and his/her family and ensures we have the talent we need to run the business—whether it be creating innovative products or delivering great service for our customers," Delmarco said.

### *Aspiring Leader*

#### **Jennifer Tracy - Director of Talent Acquisition & Diversity, Bright House Networks**



Jennifer Tracy is a force to be reckoned with. As senior director of talent acquisition and diversity at Bright House Networks, she's managed to recharge the cable op's HR. A natural leader and collaborator, Tracy implemented new training for hiring managers and sharpened the focus of the entire HR team. She also took advantage of the Applicant Tracking System by implementing a new addition (SmashFly), which allowed her to obtain more detailed information on where applicants were coming from. This smart step has allowed Bright House Networks to spend recruitment dollars in an educated, informed way. Tracy also recommended the appointment of a manager of diversity; as a result of this new position, Bright House will launch an entire initiative dedicated to inclusion and diversity. Her advice for others looking to launch a diversity initiative: "Educate and develop your leaders in order to ensure they are engaged early in the process. Take your time. First build a solid foundation, then start expanding your communication and strategy." With Bright House in the process of being acquired by Charter, one of her jobs is keeping employees and potential hires engaged and informed. "One of our core strengths at Bright House Networks is employee recognition, and the key to engagement is continuing to highlight our awesome employees," Tracy told us. "We believe there will be great opportunities available, and our goal is to stay focused on continuing to do what we do and do it well."

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*Holiday Special Report*

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## HALLMARK'S HOLIDAY SEASON IS BIGGER THAN EVER!

*For Five Consecutive Years, Viewers Have Relied on Hallmark Channel and Hallmark Movies & Mysteries for Their Holiday Programming. In 2016, the Tradition Continues.*

*Countdown to Christmas*



**Hallmark**  
CHANNEL  
The Heart of TV  
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### CrownMedia

FAMILY NETWORKS

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## Home for the Holidays? Turn on the TV...

It's beginning to look a lot like Christmas. At least if you're a cable network that spends much of the year planning for a holiday programming extravaganza. While it's long been the standard that November and December are tent poles for holiday fare, Thanksgiving appears to be getting more attention than years past.

**Hallmark Channel**, whose Countdown to Christmas is in its fifth year, will for the first time premiere five original movies over Thanksgiving weekend. "It kind of occurred to us that just the way football is such a tradition over Thanksgiving and that weekend" so is family viewing of "heartwarming, emotional content," **Crown Media Family Networks** president/CEO *Bill Abbott* said. "While we are a tradition for people, we haven't necessarily been providing as much original content as we should [that weekend]."

With people staying home and cooking on Thanksgiving eve, it makes sense to have an original premiere they can watch between stirring, chopping and baking. Thanksgiving night has long been a favorite time to gather around the TV together. Then it just made sense to go into the rest of the weekend, Abbott said. The 5-day Thanksgiving lineup includes "Once Upon a Holiday," starring *Briana Evigan* as a royal princess who falls



Hallmark Channel's *Northpole* franchise returns with 'Northpole: Open for Christmas' (Nov 21, 8pm). Hallmark Card stores will feature an entire line of products tied to the movie.

**Countdown to Christmas**

17 All New Original Movie Premieres!  
Every Saturday & Sunday 8/7  
PLUS a Special 5-Night Thanksgiving Weekend Event.  
*This Year is Bigger Than Ever!*

**Hallmark CHANNEL**  
The Heart of TV

for a good Samaritan (Nov 25, 8pm) and “The 12 Gifts of Christmas,” another holiday-themed love story this time featuring *Katrina Law* and *Aaron O’Connell* (Nov 26, 8pm).

Another Thanksgiving tradition for many is the Macy’s Thanksgiving Day Parade, and Hallmark Channel will be a part of that as well. For the first time ever, the network will have a float in the parade. Dubbed “Heartwarming Holiday Countdown,” the 36-foot long, 30-foot tall float will feature a special live performance from a “very big musical guest,” we’re told. “I do think we are making some big statements around Countdown to Christmas and the success this franchise has had,” said *Susanne McAvoy*, Crown Media evp, marketing, creative and communications.

**UP TV** is targeting Sundays and Thanksgiving weekend for its biggest premieres, according to evp, gm *Amy Winter*. The day after Turkey Day features “The Holder-ness Family Christmas Jammy Jam” special (Nov 27, 9pm)—known by many as the **YouTube** family that is famous for their Christmas video letter in their holiday PJs. It follows up that Sunday with original film “My One Christmas Wish,” which tells the real-life story of *Jackie Turner* who decided to place an ad on **Craigslist** for a



**Lifetime’s ‘Jim Henson’s Turkey Hollow’ kicks off its holiday slate, Nov 21, 8pm.**

family for Christmas instead of spending another holiday alone. “Jackie Turner is a real inspiration in what she’s been able to do in her life. She’s really dedicated herself to helping others,” which fits in with UP’s “Uplift Someone” initiative, Winter said.

**Lifetime** is also cooking up something special for Thanksgiving with “*Jim Henson’s Turkey Hollow*,” a live-action, family-friendly film based on original characters and story written in 1968 by Jim Henson and writing partner *Jerry Juhl* (Nov 21, 8pm). The film actually revolves around Thanksgiving, but it’s a lead-into “Lifetime’s Very Merry Christmas.” “Having a Thanksgiving movie around Thanksgiving time doesn’t happen that often,” said *Karen Griffenhagen*, senior creative director on air promotions for Lifetime. She thinks it will help set the network apart before it jumps into Christmas movies thereafter.

Jim Henson programming is also a part of **ABC Family**’s “25 Days of Christmas,” with the net returning specials “The Bells of Fraggle Rock” and “Emmet Otter’s Jug-Band Christmas” to television after several years. As for the question on everyone’s minds—yes, the network will continue to feature its 25 Days programming even after it rebrands from ABC Family to **Freeform** in January. “It’s one of the biggest questions because it’s such a huge part of the ABC Family brand and people know



**UP presents the real-life story of Jackie Turner (Amber Riley), who offered to pay \$8 an hour for a family at Christmas in ‘My One Christmas Wish,’ Nov 29, 7&9pm ET.**

*Most Wonderful*  
**MOVIES**  
*of Christmas*

**NON-STOP HOLIDAY MOVIES  
NOW ‘TIL CHRISTMAS  
FEATURING NEW CLASSIC FAVORITES  
PLUS 4 ALL NEW ORIGINAL MOVIE PREMIERES**

in December you come to the network for your favorite holiday classics,” said ABC Family director of acquisitions *Megan Slaughter*. “25 Days will definitely be part of Freeform. It’s holiday classics that we love, and our fans look forward to every year.”

It’s not just about providing warm fuzzies to viewers. There are big ratings to be had. Last year’s “Christmas Under Wraps” starring *Candace Cameron Bure* on Hallmark Channel was the net’s most-watched telecast ever, with 5.8mln viewers. Hallmark’s hoping Bure can do it again with this year’s “A Christmas Detour,” which premieres Nov 28. It’s tapped the actress to light the trees for a tree maze in New York City’s Herald Square that will attempt to break the Guinness World Record—yet another part of Hallmark’s mission to make a statement this year with Countdown. ABC Family scored big with last year’s 25 Days promotion helping it win the calendar year among women 18-34. The December-long promotion was the No. 1-rated month in network history last year among adults 18-49 (1.2mln viewers).

With those types of successes, everyone’s upping the Christmas spirit. Hallmark will debut 18 original movies this year, 50% more than last year. Sister net **Hallmark Movies & Mysteries** will premiere four original holiday movies, up from two in 2014. Lifetime’s holiday fare grows to seven movies from five last year. It also marks the first time Lifetime has used the “Lifetime’s Very Merry Christmas” theme, previously opting to promote individual movies instead of itself as a holiday destination. UP will have its biggest year yet with 50 days and 500 hours of holiday programming under the “Everything You Love About Christmas” umbrella. ABC Family’s 25 Days jumps from 338 hours of programming last year to 434.

With more programmers getting into the holiday game, “it’s competitive to get the content,” said ABC Family’s Slaughter. “It becomes more challenging every year... It’s a very busy season for everyone.”

But the payoff can be huge. “I think it’s a different kind of year for viewing patterns, which plays to our advantage,” Hallmark’s Abbott said of the season. “Taking ownership of that is something that has been very exciting.”

*Holiday Highlights*

So many specials and original movies are planned this holiday season. Here are a few that will help you get into the holiday spirit:



“Murder She Baked: A Plum Pudding Mystery,” Hallmark Movies & Mysteries, Nov 22 (9pm ET): Alison Sweeney stars in this take on the Joanne Fluke book series featuring a baker-turned-sleuth.

“Becoming Santa,” Lifetime, Dec 12 (8pm): This holiday flick reunites “Family Ties” Michael Gross and Meredith Baxter as Mr and Mrs Claus.

“Toy Story” marathon, ABC Family, Dec 13 (starts at 4:30pm): ABC Family will present a back-to-back marathon, featuring all 3 Pixar movies as well as half-hour animated special “Toy Story that Time Forgot.”

“A Baby for Christmas,” UP, Dec 13 ( 7 & 9pm ET): The third installment of UP’s Chandler family Christmas movies features Marci (Malinda Williams) and Blair (Karon Riley) expecting a baby right before Christmas.

“A Christmas Melody,” Hallmark Channel, Dec 19 (8pm): Mariah Carey stars as a music teacher who helps a young girl write a song for the town’s Christmas variety show. It’s a pretty safe bet we’ll hear the superstar belt out a few songs herself.



Plans for Hallmark Channel’s first-ever float in the Macy’s Thanksgiving Day Parade.