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What the Industry Reads First

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Wheeler's Inquiry: Information on Companies' Data Policies Sought

FCC chmn *Tom Wheeler* sent letters to **Comcast**, **AT&T** and **T-Mobile** Wed "asking them to come in and have a discussion with us about some of the innovative things they are doing." Wheeler made the revelation during a press Q&A session Thurs after the agency's Open Commission Meeting, the last one of the year. He seeks info on **Comcast's** \$15 per month Stream TV service, **AT&T's** sponsored data offering and **T-Mobile's** Binge On service. It's been 6 months since the Open Internet Order went into effect with "a lot of innovations that undoubtedly are still under the hood or under the covers that people are thinking about," Wheeler said. "Let's just make sure we are informed as to what is going on in all these areas." Wheeler emphasized this is not an investigation or enforcement. "We want to welcome innovation and see how innovative ideas increase competition. But we also want to be aware of what's going on," he said, noting that there's no deadline to respond to the letters. In a statement, Comcast said "we look forward to participating in the FCC's fact gathering process relating to industry practices. Our Stream TV service does not go over the public Internet—it is a cable service that only works in the customer's home. It is not a so-called 'zero-rated' service. We are happy to cooperate with this request." Zero-rated service is a term used to describe offering free access to some online services that don't count against a customer's data cap, a la T-Mobile's Binge On. Comcast's Stream TV service allows subs to access **HBO** and live broadcast nets like **ABC**, **CBS**, **NBC** and **Fox** for \$15 a month. "We are reviewing the letter and will respond as appropriate. We remain committed to innovation without permission and hope the FCC is too," an **AT&T** spokeswoman said. In the last Open Meeting, Wheeler told reporters he's keeping an eye on T-Mobile's Binge On service, which exempts 24 streaming video services, including HBO Now, **Showtime** and **ESPN**, from the user's monthly data quota. The letters didn't sit well with the FCC's Republican pair. The move is indeed an investigation, *Ajit Pai* said in a separate press conference after the meeting. "This is not simply a benign informational inquiry... The FCC is obviously trying to gather facts and determine whether those services comport with the network neutrality regulations." Fellow Republican *Michael O'Rielly* said that, like Pai, he was "struck" by Wheeler's move as he didn't know about the letters until Thurs. The GOPers described it as another example of Wheeler's office leaving them out of the loop.

Cox Loses Piracy Case: A jury ruled **Cox Comm** must pay music publisher **BMG** \$25mln for Internet customers' il-



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legal downloads of music. "We are unhappy with the decision, will review the ruling in detail and are considering our options, including appeal," a Cox spokesman said. Last month, US District Judge *Liam O'Grady* ruled that copyright laws don't protect ISPs from liability for illegal music downloads if they fail to set up and enforce a repeat infringer policy. The jury found that Cox is liable for contributory infringement of BMG copyrighted work, but said it does not have vicarious liability for infringement. The case is being closely watched because of the implications it could have for how ISPs treat alleged copyright infringers.

More from Open Meeting: During the press Q&A session at Thurs' FCC open meeting, chmn *Tom Wheeler* said the Commission has put on hold its effort to redefine the definition of MVPD. The NPRM was a process designed to gather information, and it "gave us cause to hit pause," Wheeler said. "There are so many innovative things going on right now in the video space, and we want to let it continue to innovate." That said, he noted several video related issues, including retrans, will bring opportunities to look at other issues hanging around. However, he doesn't know if redefining MVPD will get "rolled up into that."

Charter's Low-Cost Broadband: Charter detailed its low-cost broadband service to be offered within 6 months of the close of its **Time Warner Cable** merger. The service will offer 30/4 Mbps speeds for \$14.99 a month. It's open to families with students participating in the National School Lunch Program and seniors who are 65 and older who receive Supplemental Security Income program benefits. In addition, current phone and video subs who meet one of the 2 criteria can enroll. Additional criteria: Enrollees can't have had a Charter/TWC/**Bright House** broadband subscription within 60 days of signing up. A credit check isn't required but participants must clear bad debt with Charter, TWC and Bright House. The offer will be implemented across Charter's footprint within 3 years of close.

FANS Act: Sens *Richard Blumenthal* (D-CT) and *John McCain* (R-AZ) have reintroduced the FANS Act, which would tie sports leagues' antitrust exemption to keeping games on TV during retrans disputes. The legislation also requires **MLB** games to be made available online where fans are unable to access games on broadcast or pay-TV.

Programming: Outdoor Channel acquired cable syndication rights to the first 6 seasons of "Duck Dynasty." Original eps will continue to debut on **A&E**. Outdoor will begin airing the series Jan 18 at 9pm ET. The deal makes sense considering that the family got its start on the network with "Duck Commander," and *Willie Robertson* currently stars on its "Buck Commander Protected by Under Armour." -- **Bright House** launched **Discovery's** new Discovery GO service, featuring live and on demand content from 9 channels in the Discovery portfolio.

Ratings: Season 4 of "Tamar & Vince" notched 1mln viewers in L+3 ratings on **WE tv**, including 681K adults 25-54 and 562K women 25-54.

Lustgarten Benefit: The **Lustgarten Foundation's** 15th annual Holiday Rock & Roll Bash raised more than \$2mln for the 2nd consecutive year, with every dollar to go directly to pancreatic cancer research. Wed night's event was hosted by **Cablevision, The Madison Square Garden Company** and **AMC Nets**. More than 1K guests turned out for the bash, which included special appearances by *DJ Questlove* and the Rockettes. Named for former Cablevision and MSG executive *Marc Lustgarten*, The Lustgarten Foundation is the nation's largest private nonprofit funder of pancreatic cancer research.

WICT's PAR: WICT released the 2015 PAR Initiative Executive Report. The good news? The survey recorded a 4-percentage point increase in women's representation at exec and senior levels of management over 2013 results. Women's 32% representation in those roles is higher than 4 national benchmarks for that echelon that range from 20%-29%. The bad? Consultant **Mercer**, which gathered and analyzed the PAR data, expects a decline in representation of women at mgmt levels over the next 5 years, absent workforce correction. In all, 27 companies participated in PAR, which measures Pay equity, advancement opportunities and resources for work/life integration with the goal of maximizing opportunities for women.

Vanguard Submissions: **NCTA** is accepting nominations for its annual Vanguard Awards, which recognize leaders from mgmt, tech, programming, ops and marketing. The recipients will be feted at a special event during **INTX** on May 18 in Boston. You can submit nominations [here](#) through Feb 19.

CTHRA Board: Charter svp, HR *Abby Pfeiffer* will become the new president of **CTHRA** come Jan 1. She has served on

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the HR association's board for 4 years. Pfeiffer's joined on the exec committee by **Discovery** evp HR mgmt *Eric Hawkins* (vp), **Time Warner Cable** chief learning officer *Seth Feit* (sec) and **A+E Nets** HR vp *Tom Tooker* (treasurer). **Bright House Nets'** *Pam Hagan* and **Starz's** *Sheryl Anderson* will serve as at-large members. CTHRA also announced the addition of **Cox** vp, talent mgmt *Michele Parks* to its board.

People: *Jim Hoffman*, most recently evp, sales and marketing for **NBC Ent**, is joining **A+E Nets** as evp, program partnerships & strategic initiatives. -- **Scripps Nets Interactive** promoted 2 of its veteran programmers. *John Feld* was named svp, programming and production for **HGTV**, **DIY** and **GAC**. *Steven Lerner* was upped to svp, programming and production for **Scripps Nets**, an enterprise-wide role. -- *Carolyn Bernstein* joins **National Geographic Global Networks** as evp, head of global scripted development and production. She will be based in L.A. and begins Jan 4. *Bernstein* joins from **Endemol Shine Studios**.

Editor's Note: We hope you enjoy today's Programmer's Page (page 4). The feature will be on hiatus until Jan 8, when we'll return with reviews of 2016 premieres. -- Time is running out to enter the **Cablefax** Digital Awards, which recognize outstanding digital initiatives, websites and more. Click [here](#) to register by Friday.

Cablefax Daily Stockwatch

Company	12/17 Close	1-Day Ch	Company	12/17 Close	1-Day Ch
BROADCASTERS/DBS/MMDs					
DISH:	58.14	(1.03)	CSG SYSTEMS:	34.40	(0.99)
ENTRAVISION:	7.78	(0.02)	ECHOSTAR:	36.88	(0.77)
GRAY TELEVISION:	15.57	(0.26)	GOOGLE:	750.12	(7.97)
MEDIA GENERAL:	15.26	(0.11)	HARMONIC:	4.21	(0.09)
NEXSTAR:	57.34	(0.34)	INTEL:	34.91	(0.39)
SINCLAIR:	32.20	(0.73)	INTERACTIVE CORP:	61.52	(0.92)
TEGNA:	26.00	(0.58)	LEVEL 3:	52.11	(0.56)
MSOS					
CABLE ONE:	448.99	13.60	MICROSOFT:	55.70	(0.43)
CABLEVISION:	31.28	0.06	NETFLIX:	122.51	(0.13)
CHARTER:	183.11	(0.2)	NIELSEN:	46.25	(0.73)
COMCAST:	57.41	(1.3)	RENTRAK:	44.83	(0.01)
GCI:	19.25	0.05	SEACHANGE:	6.90	(0.03)
LIBERTY BROADBAND:	51.46	(0.06)	SONY:	25.13	(0.11)
LIBERTY GLOBAL:	40.05	(1.11)	SPRINT NEXTEL:	3.60	(0.09)
SHAW COMM:	17.84	(1.74)	TIVO:	8.72	(0.11)
SHENTEL:	44.14	(0.43)	UNIVERSAL ELEC:	49.77	(1.11)
TIME WARNER CABLE:	184.51	(0.55)	VONAGE:	5.86	0.01
PROGRAMMING					
21ST CENTURY FOX:	27.49	(0.41)	YAHOO:	33.23	(0.55)
AMC NETWORKS:	77.89	0.02	TELCOS		
CBS:	46.52	(0.98)	AT&T:	34.03	(0.37)
CROWN:	5.14	(0.11)	CENTURYLINK:	25.40	(0.72)
DISCOVERY:	26.48	(0.7)	FRONTIER:	4.80	0.06
DISNEY:	112.01	(1.78)	TDS:	26.10	(0.67)
GRUPO TELEVISIA:	27.97	(0.23)	VERIZON:	46.10	(0.41)
HSN:	50.50	(1.19)	MARKET INDICES		
LIONSGATE:	33.05	(1.26)	DOW:	17495.84	(253.25)
MSG NETWORKS:	20.67	(0.06)	NASDAQ:	5002.55	(68.58)
SCRIPPS INT:	54.28	(0.75)	S&P 500:	2041.89	(31.18)
STARZ:	33.28	(0.84)			
TIME WARNER:	64.86	(1.04)			
VIACOM:	41.90	(1.71)			
WWE:	17.45	(0.02)			
TECHNOLOGY					
ADVANTAGE:	1.82	(0.04)			
AMDOCS:	54.86	(1.08)			
AMPHENOL:	52.73	(0.14)			
APPLE:	108.98	(2.36)			
ARRIS GROUP:	29.86	(0.34)			
AVID TECH:	6.09	(0.22)			
BLNDER TONGUE:	0.44	0.06			
BROADCOM:	56.48	(0.66)			
CISCO:	26.72	(0.52)			
COMMSCOPE:	25.84	0.48			
CONCURRENT:	5.03	0.03			
CONVERGYS:	25.69	(0.71)			

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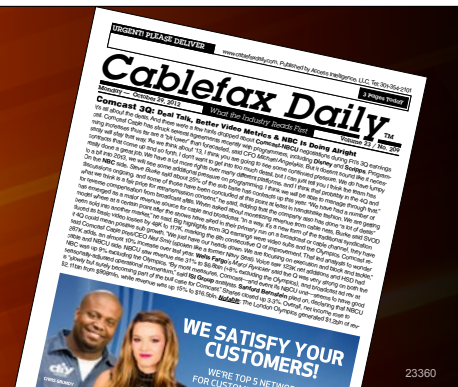
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PROGRAMMER'S PAGE

truTV Gets Giggly

Since its refresh in 2014, truTV continues to bolster its programming. The latest example is "Almost Genius," a comedy series with clips of ordinary people who almost complete outrageous stunts (premieres Dec 29, 10pm ET). Think of it as a blooper reel highlighting crotch hits and daredevil misfires, but with the real humor coming from the interjection of hosts and comedians *April Richardson* and *Chris Fairbanks*. The half-hour show stresses that it doesn't mock because "as everyone knows, 'almost' is awesome and genius." Although Richardson and Fairbanks aren't putting themselves in danger, they claim that a pre-existing friendship helped them feel at ease on set. "I love that I'm not embarrassed or nervous. If I do something bad, I trust [my co-host] to be like, 'say it this way—say it like you talk in real life,'" said Richardson. Almost Genius actually puts the hosts in the middle of the action. Sort of. In the studio, the pair did a lot of green screen work, introducing funny clips and in some cases acting for scenes that they'd be superimposed into. "As the show turns into what it is, we're figuring out the format of it in the first episode. One of the more exciting things is that we're being composited into the videos—not just our heads, but it stylistically looks like we're put into the video," Fairbanks explained. In a trailer, a digitally inserted Fairbanks shouts at a bicyclist "I don't have much tape in the camera, so please make this interesting." That's a safe bet given that the series celebrates viral goodies. With both hosts having appeared on NBC's "Last Comic Standing," the two are in agreement that truTV has afforded them more creative freedom than broadcast. "With Last Comic Standing, they wanted everything you would possibly say written out verbatim. And a lot of my act is improvised," said Fairbanks. — *Zoe Silverman*

Reviews: "Back to the Bar," Sun, 10pm, **Spike**. We understand if you're holiday-ed out already. Our prescription includes this "Bar Rescue" special revisiting past rescues to see how they're doing. Host *Jon Taffer* also 'treats' us to his list of favorite bar critters and an encounter with short-tempered AZ bar owner *Howard Hughes*. It's an eclectic pastiche Bar Rescue fans will love. -- "Paris Terror Attack," Mon, Jan 4, 8pm, **Smithsonian**. A riveting, hour-by-hour re-telling of the Charlie Hebdo attacks last January. The footage is incredible and chilling at the same time, especially at the start, at Hebdo, and the finish, in a kosher grocery in eastern Paris. -- **Notable:** "John Lennon 75th Birthday Concert," Saturday, 9pm, **AMC**. The guest list is not quite what you'd expect, as the concert has a decidedly country-folk tone to it with *Willie Nelson*, *Chris Stapleton*, *Sheryl Crow*, *John Fogerty* and *Kris Kristofferson* on hand, among others. -- One way for golf fans to avoid holiday themed programs is to catch the excellent fare **Golf Channel** is running through Jan 1, including numerous specials, re-runs of "Shell's Wonderful World of Golf" and re-plays of final rounds of '15 tournaments. -- Or stay tuned to **Starz** from Wed, when it marathons its series ("Outlander," December 26, noon) and has the "Die Hard" films on Xmas eve. — *Seth Arenstein*

Basic Cable Rankings (12/07/15-12/13/15)			
Mon-Sun Prime			
1	ESPN	1.2	2850
2	FAM	0.9	2234
2	FOXN	0.9	2033
4	DISC	0.8	1954
4	HALL	0.8	1941
6	USA	0.7	1730
6	NFLN	0.7	1243
8	TBSC	0.6	1441
8	HGTV	0.6	1327
8	DSE	0.6	129
11	DSNY	0.5	1271
11	HIST	0.5	1166
11	TNT	0.5	1082
14	FX	0.4	1002
14	FOOD	0.4	961
14	SYFY	0.4	954
14	ADSM	0.4	933
14	LIFE	0.4	907
14	ID	0.4	874
20	AMC	0.3	840
20	TLC	0.3	772
20	BRAV	0.3	725
20	SPK	0.3	698
20	A&E	0.3	696
20	NAN	0.3	674
20	MSNB	0.3	673
20	DSJR	0.3	558
20	NKJR	0.3	530
20	HMM	0.3	513
30	CMDY	0.2	583
30	CNN	0.2	563
30	WETV	0.2	540
30	VH1	0.2	540
30	TVLD	0.2	502
30	NGC	0.2	475
30	APL	0.2	470
30	BET	0.2	463
30	ESP2	0.2	442
30	EN	0.2	441
30	TRAV	0.2	435
30	FS1	0.2	412
30	GSN	0.2	391
30	CNBC	0.2	387
30	H2	0.2	386

*Nielsen data, supplied by ABC/Disney, is based on coverage area of individual networks



Cablefax's Digital Awards is the industry's top honor in the digital space, recognizing outstanding websites, digital initiatives, and people among programmers, operators, and industry professionals.

New Categories Include:

- Digital Team of the Year
- Digital Executive of the Year
- Digital Rookie of the Year
- Social Media Marketer of the Year
- Data Scientist/Researcher of the Year

Call for Entries
Final Deadline:
December 18

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