

# Cablefax Daily™

Wednesday — February 17, 2016

What the Industry Reads First

Volume 27 / No. 030

## Set-top Proposal: Fight Heating up before Vote

It might be a calm, warmer Tues in DC, but cable's war against the **FCC** over chmn *Tom Wheeler's* set-top proposal has intensified before the agency's scheduled vote on Thurs. Adding to the drama is Wheeler's plan to require 3rd parties to agree to similar privacy rules covering access to set-top data. The goal is to ensure that the privacy protections that exist today will also apply when alternative navigation devices and apps are used, an FCC official told us. Wheeler's proposal is expected to seek comment on how baseline privacy protections should continue to apply to 3rd party hardware and software, he said. Device manufacturers and software developers are already required to comply with applicable state and federal laws regarding consumer privacy and information security, he noted. Under current privacy rules, cable companies are prevented from collecting personally identifiable consumer information without consent. They are also prohibited from sharing consumer data with 3rd parties without consent. The cable-backed **Future of TV Coalition**, which has been leading the fight on Wheeler's proposal, highlighted potential privacy concerns as it continued to slam Wheeler's plan. Calling the proposal "an assault on consumer privacy," the group wrote in a blog post Tues that Congress imposed certain privacy rules on video providers and that it isn't clear the FCC can require any of the other companies to follow those rules. "In fact, the FCC recently declared unequivocally that it will not regulate the privacy practices of the so-called edge providers," the group said, referring to a Nov FCC Order that dismissed **Consumer Watchdog's** request that the Commission start a rulemaking process requiring edge providers like **Google**, **Netflix** and **Facebook** to honor "Do Not Track" requests from consumers. Meanwhile, the coalition's co-chairs, **NCTA** head *Michael Powell* and **TV One** CEO *Alfred Liggins* held a press briefing Tues to slam Wheeler's approach and push for the app-based approach. The FCC proposal "would require an enormous amount of time, effort, re-engineering and cost... It would take four, five, six, seven years to fully implement, even by their own admission, and by that time, who knows what the video marketplace will look like, or whether this is a solution in search of a problem," Powell said. Citing Netflix, **Amazon Prime** and **Hulu**, Powell said more companies are moving to a set-top-less model. Backing Wheeler is a group of Democratic lawmakers led by Rep *Anna Eshoo* (CA). The FCC should "ensure that the agency maintains its statutory obligation to give consumers an alternative to having to rent a set-top box from their pay-TV provider every month," the lawmakers said in a joint letter to Wheeler Tues. While the apps

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# Cablefax Multiscreen Summit

Tuesday, March 8, 2016 | 10:00am - 5:00pm | New York City

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## KEYNOTE SPEAKERS:



**Laura Martin**

Managing Director;  
Sr. Equity Analyst:  
Entertainment  
& Internet  
**Needham & Co LLC**



**Dan Ciccone**

Managing Director  
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## SIMPLIFY YOUR STRATEGY. GET BETTER RESULTS!

The **Cablefax Multiscreen Summit** will bring top minds together for an information-packed program designed to share best practices, navigate the multiscreen chaos and understand how new product innovation intersects with overall business and marketing strategy.

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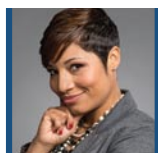
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Head,  
Programmatic TV  
**AOL**



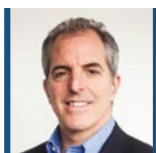
**Alix Cottrell**

Group VP,  
Video Product  
**Time Warner  
Cable**



**Lori Hall**

SVP, Marketing  
**TV One**



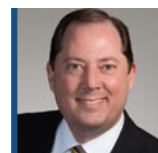
**Mark Lieberman**

CEO  
**Viamedia**



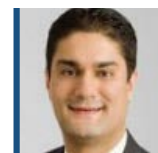
**Adam Naide**

Social Media  
Leader & Digital  
Marketing Executive  
**Cox  
Communications**



**Brett Sappington**

Director  
**ResearchParks  
Associates**



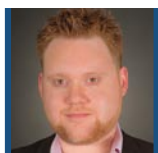
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Senior Counsel  
**Proskauer**



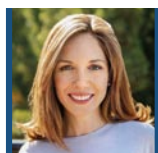
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EVP, Production  
& Chief Content  
Officer  
**Turner Sports**



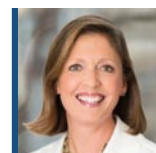
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CCO  
**Clever Fox**



**Alison Hoffman**

EVP, Marketing  
**Starz**



**Ann Lundberg**

SVP, Digital  
Ad Sales  
**Scripps  
Networks  
Interactive**



**Peter Nush**

VP, Product  
Management  
**Comcast X1  
Entertainment  
Operating System**



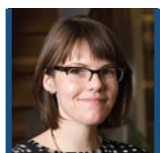
**Brent Smith**

President, CEO  
**Evolution Digital**



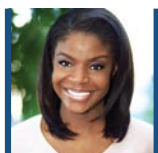
**Matt Van Houten**

Director TV, Online  
and Mobile  
**AT&T AdWorks**



**Jen Corbett**

VP, Audience  
Development  
& Marketing  
**Discovery Digital  
Networks**



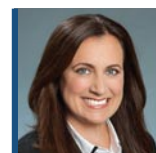
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Programming  
**DISH**



**Eric Kuhn**

CMO  
**Layer3**



**Angela Megrey**

VP, Social Media  
Communications  
& Policy  
**Crown Media  
Family Networks**



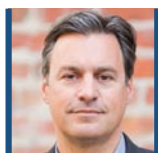
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Head of Business  
Development,  
Sales & Marketing  
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**Kent Steffen**

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**Zane Vella**

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approach offers consumers another option for accessing video programming, “they may not necessarily provide the same features and functionality that are available through a pay-TV provider’s leased set-top box,” they said. Meanwhile, the FCC’s scheduled **Twitter** Town Hall Tues featuring *Gigi Sohn*, counselor to Wheeler, was canceled a few minutes before its 3pm start time due to sunshine rules. That didn’t stop Wheeler from using the town hall hashtag #unlockthebox to get a few tweets out: “Big week as the Commission votes on my proposal to create more competition in the set-top box and app market... Congress mandated that consumers should have options. But for 20 yrs since that mandate, they haven’t. I want to fix that... What happens after that? That’s for the market and good old, all-American competition to decide.”

**More from Future of TV Press Call:** *Alfred Liggins*, head of **TV One**, said *Tom Wheeler’s* set-top proposal will allow companies offering alternative set-top devices to monetize content without compensation, which will harm the business of minority-run programmers including **El Rey**, **TV One**, **Aspire** and **Revolt**. And moving content to alternative devices, in general, is expected to devalue programmers’ offerings, **NCTA’s Michael Powell** said. The biggest threat to the cable business model from the FCC’s set-top proposal is the cost and time to build, manufacture and distribute boxes when the industry is moving away from them, Powell said.

**Arris at Daytona:** **Arris** is joining the NASCAR race by offering carrier-grade WiFi at Daytona International Speedway’s new motorsports stadium. As part of a multi-track agreement with International Speedway Corporation, **Arris Global Services** will bring high-speed WiFi services to fans on race day throughout the concourses, hospitality areas, suites and neighborhoods along the nearly mile-long front-stretch. The WiFi service features security services to ensure data is encrypted and protected, Arris said.

**Cablevision/CBS Deal:** **Cablevision** became the 1st op to provide access to live authenticated streaming on CBS.com and the **CBS App** as part of the companies’ rights deal. Optimum TV customers can now view a live stream of CBS while within every market served by a CBS owned and operated station, which includes NYC, LA, Chicago, Philadelphia, Dallas, San Francisco, Boston, Detroit, Minneapolis, Miami, Denver, Sacramento, Pittsburgh and Baltimore. The live feed, which includes daytime, primetime and late night CBS shows, special events, local news and sports, is available on desktop devices via CBS.com, on iOS and Android mobile devices and tablets through the CBS App, and through Chromecast by casting from their desktop, iOS or Android device.

**Fox’s TVE Promotion:** To educate and drive awareness of **Fox Networks’ TVE** services, the programmer launched its “Stream It and Dream It” sweepstakes, with nearly all the major pay-TV ops participating. Viewers accessing all 5 Fox Networks apps through authentication will be given a promotion code that can be entered at StreamItandDreamIt.com for a chance to win \$25K. Non-subs can also access Fox programming using a limited temporary pass.

**Discovery Everywhere on TWC:** **Discovery Comm** nets’ live and on demand programming can be accessed by **Time Warner Cable** subs in and out of the home, across platforms on TWC TV app. In addition to the On Demand via the set-top, subs can access the programming through authentication via the Discovery Go apps.

**In Our Thoughts:** We were shocked and saddened to hear about the sudden passing of former **NCTA** counsel *Daniel Brenner*, who was struck by a car while crossing the street in L.A. late Monday. He had been serving as a judge on the L.A. County Superior Court since his appointment in 2012. Brenner, who served as the NCTA’s svp, law & regulatory policy from 1992 to 2009 and then as a partner at **Hogan Lovells**, was as quick to offer up crisp legal analysis as he was to entertain us with his dry wit. “The people of Los Angeles have lost a great judge, and the public policy community has lost a great friend and colleague,” said NCTA in a statement. “Dan’s insightful knowledge of telecommunications law made him a formidable force in public policy during his years leading the Legal Department at NCTA. A prominent and distinguished member of the Federal Communications Bar, Dan was a key staffer and advisor to two **FCC** chairmen during a time of immense change. He was also a prized teacher and mentor for hundreds of law students at USC, UCLA, and Georgetown University, as well as a gifted advocate and volunteer for many community-based and public service groups, including public broadcasting. None of us ever will forget Dan’s keen sense of humor and perspective, which helped guide his approach to his career and his friendships. We will sorely miss him.” Said **ACA**: “The American Cable Association is very saddened to hear the news of Dan Brenner’s passing. Dan’s decency, intellectual drive and sense of humor made him stand out in ways that those who knew him

# BUSINESS & FINANCE

will always remember. ACA extends its condolences to Dan's family and friends at this very difficult hour."

Brenner is survived by his partner, *Robert Kunst*, and by his brothers, *Dr. James Brenner*, a physician in San Francisco, and *Robert Brenner*, a lawyer in Pittsburgh. -- We were also sad to hear that former L.A. City Council member and Adelphia Southern CA exec *Bill Rosendahl* is receiving hospice care. *Mike Bonin*, his successor on the Council, posted on **Facebook** that both Rosendahl's medical team and family feel he is in his twilight days. "If you are close to Bill and have not visited him yet and wish to do so, his family welcomes you to do so. He has always drawn great strength from the spirit of others," Bonin wrote. He also encouraged friends to post a message on Facebook, saying he would read them to him.

## History Goes Social: History

launched its 1st social media series "History Now," which will feature evolving stories throughout the year. To start, the series will feature 4 digital stories covering topics such as ISIS, immigration, space and inner city crime. The web series, consisting of 2-4 min eps, will include new content every week for each story.

**People:** *Angela Santone* was promoted to evp and global chief HR officer for **Turner**. She was named svp and chief HR officer in June 2013. Santone will report to *John Martin*, chmn/CEO.

## Cablefax Daily Stockwatch

Company	02/16 Close	1-Day Ch	Company	02/16 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DISH:	44.15	0.84	ECHOSTAR:	36.07	1.29
ENTRAVISION:	7.19	0.14	GOOGLE:	691.00	8.60
GRAY TELEVISION:	11.02	0.62	HARMONIC:	3.32	0.13
MEDIA GENERAL:	15.45	0.28	INTEL:	28.78	0.14
NEXSTAR:	37.43	1.45	INTERACTIVE CORP:	43.15	1.66
SINCLAIR:	28.61	1.42	LEVEL 3:	47.97	1.31
TEGNA:	23.21	1.04	MICROSOFT:	51.09	0.59
<b>MSOS</b>			NETFLIX:	89.03	1.63
CABLE ONE:	404.60	0.29	NIELSEN:	47.99	0.70
CABLEVISION:	32.69	0.26	SEACHANGE:	5.50	(0.11)
CHARTER:	168.93	1.18	SONY:	21.57	0.75
COMCAST:	57.48	0.70	SPRINT NEXTEL:	2.79	0.13
GCI:	17.96	(0.2)	TIVO:	7.76	0.07
LIBERTY BROADBAND:	45.93	0.38	UNIVERSAL ELEC:	49.87	1.95
LIBERTY GLOBAL:	35.28	2.45	VONAGE:	4.90	0.20
SHAW COMM:	16.85	0.48	YAHOO:	29.27	2.23
SHENTEL:	21.70	(0.2)	<b>TELCOS</b>		
TIME WARNER CABLE:	186.09	1.10	AT&T:	36.65	0.18
<b>PROGRAMMING</b>			CENTURYLINK:	28.92	0.31
21ST CENTURY FOX:	25.61	1.06	FRONTIER :	4.25	0.01
AMC NETWORKS:	63.54	1.98	TDS:	23.46	0.10
CBS:	44.92	1.74	VERIZON:	50.24	0.13
CROWN:	4.43	0.22	<b>MARKET INDICES</b>		
DISCOVERY:	25.56	0.56	DOW:	16196.41	222.57
DISNEY:	92.91	1.76	NASDAQ:	4435.96	98.44
GRUPO TELEVISA:	24.16	0.57	S&P 500:	1895.58	30.80
HSN:	44.86	1.11			
LIONSGATE:	20.17	1.55			
MSG NETWORKS:	15.75	0.14			
SCRIPPS INT:	53.81	0.09			
STARZ:	21.87	0.36			
TIME WARNER:	63.33	1.07			
VIACOM:	38.25	1.62			
WWE:	15.36	0.71			
<b>TECHNOLOGY</b>					
ADDVANTAGE:	1.68	0.04			
AMDOCS:	57.42	2.47			
AMPHENOL:	50.73	1.19			
APPLE:	96.56	2.57			
ARRIS GROUP:	23.74	0.68			
AVID TECH:	7.18	0.45			
BLNDER TONGUE:	0.44	UNCH			
CISCO:	25.84	0.73			
COMMSCOPE:	22.18	1.64			
CONCURRENT:	5.24	0.01			
CONVERGYS:	24.89	0.43			
CSG SYSTEMS:	37.63	0.19			

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