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What the Industry Reads First

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FCC Privacy Plan: Level Playing Field Argument All Over Again

If you asked a cable operator about FCC chmn *Tom Wheeler's* just-released proposal for broadband privacy, you'd probably hear some grumbling and the word **Google** a few times. Still hot over a set-top NPRM that the industry fears treats the Googles of the world differently, cable faces potential regulations that treat ISPs differently than edge providers and websites when it comes to privacy regulations. Wheeler's broadband privacy NPRM is slated for a vote March 31 by the full Commission, and as per the new normal, Republican commissioners are already balking (*Michael O'Rielly* said the FCC is "doubling down on its misguided and broken net neutrality decision by imposing troubling and conflicting 'privacy' rules on Internet companies.") **NCTA** quickly voiced concerns about the plan. "We are disappointed by Chairman Wheeler's apparent decision to propose prescriptive rules on ISPs that are at odds with the requirements imposed on other large online entities," the trade group said. "As the full Commission considers further action, we hope that it will engage in a more sober assessment—one guided by facts and not demonstrably false claims and fears—to promote an approach that will ensure greater consistency in consumer privacy protection and fair competition among all Internet participants." Wheeler's proposal separates ISPs' use and sharing of information into 3 categories: **Consent inherent**—this would apply to data necessary to provide broadband. For example, a broadband provider can use that a consumer is consuming a lot of data to suggest upgrading to another tier of service. **Opt-out**—ISPs can use consumer data for marketing other communications related services unless the customer opt outs (ie, **Comcast** could market voice to broadband customers). **Opt-in**—Customers would need to express affirmative opt-in consent for all other uses and sharing of data. This could have huge ramifications for targeted advertising. It also creates sharing restrictions within a company. For example, **Verizon** couldn't share data from customers with its **AOL** subsidiary unless said customers had agreed to it (AOL, however, is not held to these same regs since it's not an ISP). "This proposal is not about prohibition, but about permission," an FCC official told reporters during a briefing of the plan. FCC officials said that ISPs can share aggregated data under the proposal, but there are some concerns about whether consumers can be re-identified through multiple pieces of information (particularly locations). Thus, the FCC is seeking comment on the issue of aggregate data in the NPRM. As this moves forward, look for a lot of debate about why the FCC is getting into this instead of the **FTC**. In an op/ed in the

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Huffington Post Thurs, Wheeler explained how privacy practices of websites aren't covered by this proposal. "Indeed, there are other federal and state agencies, namely the Federal Trade Commission—that do a great job dealing with such companies and their privacy practices." ISPs will ask why the FTC model can't continue to apply to them if it is so "great." FCC officials have said the agency views the type of data that ISPs have as especially vast, including websites visited and devices owned. Seems pretty clear that **Facebook** and Google have vast data too... but maybe the issue here is how the FCC would regulate them. In Nov, the FCC dismissed **Consumer Watchdog's** petition to require edge providers such as Google to honor Do Not Track requests from consumers, saying it has been "unequivocal in declaring that it has no intent to regulate edge providers." Title II regulation under the Open Internet order opened the door for Wheeler's privacy proposal, giving the agency new authority to set privacy rules. It's not clear what happens to this plan if a court throws out the FCC's reclassification of broadband.

Debate Rating: The **Univision** Democratic Primary Debate that was simulcast on **CNN** Wed night drew a combined 5.9mln total viewers, according to **Nielsen** Fast National data. It scored around 2.3mln 25-54s and 906K 18-34s. Separately, Univision averaged just over 2mln total viewers and CNN had 3.94mln. Among 25-54, Univision registered 966k and CNN had 1.34mln. CNN is set to host the GOP debate Thurs night. Univision made the debate available to **AT&T U-verse** subs and agreed to unblock the network for 24 hours (the Spanish-language net and several sister nets have been dark on AT&T since Fri because of a contract dispute). "Unfortunately, they have not unblocked all of their content as we requested. On behalf of all of our customers, we again request continuous access to not only the Univision stations, but all their networks, while a fair agreement is ironed out," AT&T said.

Internet for All: To further help low-income residents access the Internet, the *Obama* Administration launched its ConnectALL initiative. As part of the effort, the **National Telecom and Information Administration** filed comments with the **FCC**, supporting the agency's move to revamp the Lifeline program to support broadband. The new subsidy for broadband should be flexible enough to let low-income Americans choose the service plans that best fit their needs, said a release from the **White House** late Wed. The Administration also recommended increasing access to affordable devices. In addition, NTIA will launch the Community Connectivity Initiative, which will create an online assessment tool to help communities identify broadband needs and connect them with resources to tackle the challenges to expand deployment and adoption. **Cox** was mentioned in the release as the Administration urged collaboration with the private sector. The MSO will host more than 200 events across the country for low-income K-12 families, automatically qualifying attendees for their subsidized broadband option. Later this year, Cox will partner with **Univision** to promote Internet adoption through live programming, PSAs and community events in places such as Phoenix, Las Vegas and San Diego.

Turner/Snapchat: **Turner Sports** inked a multi-year deal with **Snapchat** to offer new viewing experiences with the Live Story product. As part of the deal, which will debut during the NCAA March Madness tournament, users can access various official brand marks, imagery and behind-the-scenes content. The Live Story platform curates submitted Snaps into a video that can be broadcast internationally from mobile devices.

YES vs Comcast: **YES Network** has launched a campaign against Comcast urging fans to switch to another pay-TV provider. **Comcast** dropped the net from systems in NJ, CT and PA in Nov due to failure to renew their contracts. In addition to ads in the *New York Times* and other media outlets, the RSN launched KeepYESNetwork.com to ask fans to drop Comcast, which has balked at YES' carriage fee.

Research: **Parks Associates** found 65% of US broadband HHs engage in at least one 2nd-screen activity on at least a monthly basis. According to the study, "360 View Update: Second-Screen Usage Patterns," 19% of pay-TV subs reported that they have a mobile app from their service provider in 2015, up from 16% in 2014. The highest adoption is among **AT&T U-verse** and **Verizon FiOS** subs at roughly 30%. Between 18% and 25% of cable subs reported having an app from their provider. -- The 13 largest pay-TV providers in the US, representing 95% of the market, lost 385K net video subs in 2015, compared to a loss of 150K subs in 2014, according to **Leichtman Research**. The top 9 cable companies lost about 345K video customers in 2015, compared to a loss of about 1.22mln subscribers in 2014. The losses were the fewest in any year since 2006. Satellite TV

BUSINESS & FINANCE

providers added 86K subs in 2015, compared to a gain of 20K in 2014. The top telephone providers lost 125K video subs in 2015, compared to a gain of about 1.05mln net additions in 2014.

Public Affairs: Time Warner Cable Sports announced its Championship Drive program, which recognizes high school student-athletes in their senior year who demonstrate excellence in academics, athletics, community involvement and character. For each high school sports season, one senior male and one senior female student-athlete will be named TWC Sports Championship Drive Scholar Athletes and will receive an invitation to the TWC Sports' Championship Drive celebration at the end of this year's program in June where each will receive a \$2,500 scholarship to be used towards an accredited college or university. In addition, Time Warner Cable Sports will produce a TV special as well as vignettes showcasing all of the Scholar Athlete winners.

Programming: Travel Channel booked a 4th season of 26 half-hour eps of "Bizarre Foods: Delicious Destinations." Hosted by *Andrew Zimmern*, the series is an extension of the "Bizarre Foods" franchise.
 -- **WE tv** premieres reality dating series "Driven To Love" on April 1.
 -- **RLTV's** "Grannies on Safari" will premiere Tues.

Cablefax Daily Stockwatch

Company	03/10 Close	1-Day Ch	Company	03/10 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DISH:	48.71	(0.24)	ECHOSTAR:	45.35	0.27
ENTRAVISION:	7.70	(0.02)	GOOGLE:	712.82	7.58
GRAY TELEVISION:	12.04	(0.22)	HARMONIC:	3.15	(0.13)
MEDIA GENERAL:	16.85	(0.15)	INTEL:	31.25	0.39
NEXSTAR:	47.36	(0.36)	INTERACTIVE CORP:	45.56	(0.5)
SINCLAIR:	32.21	(0.78)	LEVEL 3:	50.94	0.03
TEGNA:	24.58	0.01	MICROSOFT:	52.05	(0.79)
MSOS					
CABLE ONE:	442.13	(0.1)	NETFLIX:	97.36	(0.64)
CABLEVISION:	33.04	(0.24)	NIELSEN:	50.39	(0.25)
CHARTER:	185.01	(1.54)	SEACHANGE:	5.49	(0.1)
COMCAST:	58.37	(0.41)	SONY:	23.66	0.38
GCI:	18.28	0.13	SPRINT NEXTEL:	3.73	(0.23)
LIBERTY BROADBAND:	52.41	(0.64)	SYNACOR:	1.72	(0.02)
LIBERTY GLOBAL:	35.17	(0.74)	TIVO:	7.77	(0.25)
SHAW COMM:	17.99	(0.05)	UNIVERSAL ELEC:	64.25	6.42
SHENTEL:	24.58	(0.34)	VONAGE:	4.85	(0.11)
TIME WARNER CABLE:	194.47	(1.01)	YAHOO:	32.82	(0.69)
PROGRAMMING					
21ST CENTURY FOX:	27.45	(0.25)	TELCOS		
AMC NETWORKS:	64.64	(1.33)	AT&T:	38.31	0.33
CBS:	51.78	(0.32)	CENTURYLINK:	31.71	0.18
CROWN:	5.06	(0.04)	FRONTIER:	5.32	0.15
DISCOVERY:	27.64	(0.03)	TDS:	27.20	(0.01)
DISNEY:	97.04	(0.62)	VERIZON:	52.32	(0.02)
GRUPO TELEVISA:	26.80	(0.12)	MARKET INDICES		
HSN:	52.83	(0.48)	DOW:	16995.13	(5.23)
LIONSGATE:	24.12	0.66	NASDAQ:	4662.16	(12.22)
MSG NETWORKS:	17.39	(0.71)	S&P 500:	1989.57	0.31
SCRIPPS INT:	63.34	(0.78)			
STARZ:	27.99	0.01			
TIME WARNER:	68.79	0.14			
VIACOM:	42.74	(0.83)			
WWE:	17.48	(0.37)			
TECHNOLOGY					
ADVANTAGE:	1.84	0.09			
AMDOCS:	57.30	0.59			
AMPHENOL:	55.42	(0.36)			
APPLE:	101.17	0.05			
ARRIS GROUP:	23.20	(0.28)			
AVID TECH:	6.92	(0.13)			
BLNDER TONGUE:	0.45	UNCH			
CISCO:	27.38	(0.23)			
COMMSCOPE:	26.21	0.01			
CONCURRENT:	6.09	0.05			
CONVERGYS:	26.13	(0.24)			
CSG SYSTEMS:	36.50	(4.4)			



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PROGRAMMER'S PAGE

An American Story

Spike's docu-series "Life or Debt" (premieres Sun, 9pm) follows 11 American families whose lives are being torn apart by financial strain. It's a familiar story, yet not one we've seen on TV—and exec prod *Tim Duffy* thought it was important to tell. The series developed from the idea that in post-recession America, "the American family wasn't really coming back alive in full force the way big business was," Duffy said. "We teach families that are struggling financially to run themselves like a business." That boils down to cutting costs, streamlining operations and increasing revenue. "You can do those 3 things with a family as well." Duffy co-founded the production company **Ugly Brother Studios** 3 years ago with twin brother *Mike*, but he spent 10 years in development at Spike working under original series evp *Sharon Levy*. He sees the series as representative of Spike's recent interest in authentic storytelling about a diverse array of people—not just a network for men. On the surface it may look like a show about numbers, but it's actually about relationships, he stressed. So in order to determine what the key issues were in the households, the team went in ahead of time with host *Victor Antonio*, a Fortune 500 strategist and former CEO, for pre-interviews and research into the families' books, who's bringing in what in revenue, who's taking care of the kids, etc. "We spend a week with them and unpack the details of their daily lives." But it's not an overnight fix. "The key here is if it took years to get into these holes, it's not going to take a week to get them out. That's where the TV cameras and the reality became really, really important to us." Indeed, with "Life of Debt," Duffy is looking to transform what we've come to accept as reality television. "I think we should lose the term 'reality TV.' When it truly helps people and instructing the audiences, it becomes something entirely different." — *Kaylee Hultgren*

Reviews: "Alaska Aircrash Investigations," premiere, Sun, 9pm, **Smithsonian**. One service that reality television can provide is to expose viewers to niches that normally are unseen. The hope, of course, is that a gaggle of viewers will find the niche entertaining enough to tune in weekly. That's the idea behind this new Smithsonian 6-part docu-series that follows the **National Transportation Safety Board's** (NTSB) Alaska Go Team as it, as the title says, investigates air crashes. Dependent on air travel, the country's largest state averages 1 air crash/week in the summer. The series marks the first time NTSB has allowed cameras to follow its Alaska investigators. The result is a sobering look at a serious job. Aviation fans likely will consider it important viewing. -- "Colony," Season 1 finale, Thurs, 10pm, **USA**. Spoiler Alert (sort of): The series' season finale resolves almost nothing. Fortunately USA last month renewed this well-done alien-invaders series that pits a husband who works for the human collaborators (*Josh Holloway*) against his resistance-supporting wife (*Sarah Wayne Callies*). It makes for some juicy plot lines. -- "The Americans," Season 4 premiere, Wed, 10pm, **FX**. Even fans of "The Americans" will admit too many things go right in this Cold War espionage series for it to be believable. Not this season. While ep 1 drags a bit, eps 2-4 sizzle. — *Seth Arenstein*

Basic Cable Rankings (2/29/16-3/06/16) Mon-Sun Prime			
1	FOXN	1.8	4265
2	CNN	0.9	2110
3	HGTV	0.7	1632
3	AMC	0.7	1603
5	TBSC	0.6	1550
5	USA	0.6	1521
5	DSNY	0.6	1434
5	TNT	0.6	1415
5	DISC	0.6	1391
5	DSE	0.6	125
11	ESPN	0.5	1212
11	HIST	0.5	1199
11	MSNB	0.5	1144
14	ADSM	0.4	1054
14	FX	0.4	1046
14	ID	0.4	948
14	FOOD	0.4	901
14	LIFE	0.4	885
14	TLC	0.4	879
14	NAN	0.4	875
21	A&E	0.3	808
21	FRFM	0.3	787
21	BRAV	0.3	728
21	HALL	0.3	668
21	TVLD	0.3	657
21	SYFY	0.3	642
21	SPK	0.3	634
21	DSJR	0.3	605
21	NKJR	0.3	544
21	DFAM	0.3	53
31	VH1	0.2	572
31	APL	0.2	548
31	MTV	0.2	529
31	CMDY	0.2	476
31	INSP	0.2	467
31	OWN	0.2	452
31	EN	0.2	447
31	GSN	0.2	440
31	BET	0.2	440
31	LMN	0.2	435
31	WETV	0.2	435
31	TRAV	0.2	422
31	TRU	0.2	420
31	SCI	0.2	413

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

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