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What the Industry Reads First

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Election 2016: Internet Policy to Stay in Spotlight

While the economy, immigration and national security have drawn much of the attention this election year, Internet policy will remain a hot issue up to the polls and beyond. First up, municipal broadband. **The 6th Circuit** heard oral arguments Thurs on whether the **FCC** can lawfully preempt parts of NC and TN laws that regulate how municipal broadband networks may operate. The Commission voted 9 months ago to preempt laws in the states that discourage municipal broadband deployment. Both states appealed. Those appeals were consolidated for review by the 6th Circuit. During a briefing Thurs, **TechFreedom** pres *Berin Szoka*, who was at the argument, said the 3-judge panel asked questions including implications of the FCC's ruling on private companies and how states govern their subdivisions. The FCC, in its order, argued that section 706 of the Communications Act allows it to "preempt state laws that primarily serve to regulate competition in the broadband market." However, opponents of the order, including TechFreedom, said in an amicus brief that Congress never granted the FCC such sweeping power over the Internet, and Congress' history of legislation suggests that it didn't intend broad Internet regulation. As a result, Congress couldn't have intended Section 706 to give the FCC broad authority to govern the Internet, the brief said. A ruling in the FCC's favor might mean the states will take the case to the **U.S. Supreme Court**. Meanwhile, the future of FCC's enhanced Open Internet Order is pending in the DC Circuit. "I think we're going to find a decision coming out of a court in the next few weeks, and we're confident of our authority in this matter," FCC chmn *Tom Wheeler* said in an interview with **NPR** Wed. Another item on Wheeler's agenda is broadband privacy. He's expected to propose rules governing how ISPs collect and use consumer data during the agency's Open Meeting on March 31. As more states announced primary election results, the **Internet Innovation Alliance** wants to make sure the next US President will consider policies that maintain an open Internet, promote investment and innovation in broadband. In a 4-page letter to presidential candidates *Hillary Clinton, Ted Cruz, John Kasich, Bernie Sanders* and *Donald Trump*, IIA, backed by companies including **AT&T** and **Alcatel-Lucent** (now part of **Nokia**), said the courts may strike down the FCC's new net neutrality rules. "The FCC had it right the first time in 2010 when it published reasonable rules necessary to preserve the Open Internet and ensure non-discrimination among network providers and access to information. Encourage Congress to codify those

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rules in statute law,” IIA said. It’s also time to update the 1996 Telecom Act to ensure “government does not slow down the pace of innovation.” Among other things, IIA urged the next President to continue efforts to make more spectrum available for mobile broadband and encourage cross-platform competition. Finally, *President Obama’s* Supreme Court nominee *Merrick Garland*, currently the chief judge of **DC Circuit**, is no stranger to telecom/cable issues. DC Circuit has the primary jurisdiction over FCC-related cases. Garland has been with the DC Court for nearly two decades.

YES-Comcast-DISH: Ah, what a tangled web we weave when programming contracts take leave... Stuck in a months-long blackout with **Comcast**, **YES Network** has grabbed onto **DISH’s** dispute with Comcast-owned **NBCU** as it tries to pressure the MSO to return it to subs ahead of the Yankees’ opening day. “It’s troubling to see Comcast telling their customers in the Tri-State area to live without the Yankees, while simultaneously telling DISH subscribers nationwide that they should panic about the possible loss of access to Comcast’s own cable networks,” a spokesman for the RSN said. “With all due respect to the fine group of channels Comcast owns and distributes: in the New York DMA last season, the YES Network out-rated every single one of them, including Comcast’s NBC affiliate, on the nights YES televised Yankees games.” What helps Comcast leverage-wise is that it actually only has a small percent of the NY DMA, with **Cablevision** and **Time Warner Cable** accounting for much of the market. When Comcast dropped YES in Nov, it said well over 90% of its 900K+ subs who received the RSN didn’t watch the equivalent of one quarter of the 130 games aired on it during the season, even while the Yankees were in the hunt for a playoff berth. YES is fighting hard against that characterization, launching a multi-million campaign aimed at Comcast and proclaiming that it was the #1 cable net and the #2 net overall in the NY area on the nights the Yankees played. Meanwhile, the DISH-NBCU saga continues, with the satellite provider facing a potential loss of O&Os as well as NBCU cable nets, such as **USA** and **Bravo**. DISH filed a breach of contract lawsuit after NBCU went public with the dispute and said it expects to file for arbitration—which would prevent a blackout. Of course, arbitration carries its own risks as it may not go the satcaster’s way... It’s all a reminder how when contracts sour, everything is on the table for negotiations. That could include any Comcast-owned RSNs that end up in a contract dispute. And YES’ website already is touting several articles decrying Comcast customer service.

Windowing Deal: Big deal in the world of windows and binge watching... **ABC** may offer all eps, rather than just the current practice of trailing 5 in-season eps, of any **Warner Bros** series launched in 2016-17 and 2017-18 seasons on a variety of VOD platforms. This will give viewers the ability to have full season catch-up virtually any time. ABC hasn’t picked up shows for next season, but has a few pilots with Warner Bros.

Synacor 4Q: **Synacor** authenticates more than 75mln pay-TV HHs in the US now, CEO *Himesh Bhise* said during the company’s earnings conference call Wed. On the last earnings call, the exec announced a regional communications provider selected Synacor’s video offering. “I am pleased to announce today that we’ve won and contracted with another broadband communications provider to launch an in-home and out of home advanced video service,” he said Wed. For 4Q, Synacor averaged 21mln multiplatform unique visitors per month, compared with 21.6mln in the year-ago quarter. Financially, total revenue was \$32.4mln, up 5% YOY. Search and advertising revenue was \$19.3mln, a decrease of 22% compared with \$24.9mln in 4Q, 2014.

Nielsen’s Election Central: **Nielsen** launched Election Central, an interactive microsite to provide political insights about the candidates, campaigns and even voters themselves. The offering, based on data from Nielsen Political Solutions, will have updated data through Election Day.

Charter Salaries: **Charter** CEO *Tom Rutledge* saw his total compensation for 2015 rise slightly to \$16.4mln from \$16.1mln in 2014, according to an **SEC** filing Thurs. The boost came from an increase in non-equity incentive plan compensation. His package for 2016, a year that will likely include the addition of **Time Warner Cable** and **Bright House** to **Charter**, has a target bonus of 300% of his \$2mln base salary. Base salaries stayed the same for Rutledge as well as COO *John Bickham* and commercial services president *Donald Detampel*. CFO *Chris Winfrey’s* base salary climbed to \$652K from \$567K in 2014, while CMO *Jonathan Hargis’* salary rose from \$552K to \$565K.

Viacom Doings: **Viacom** extended the employment agreement of sevp and COO *Thomas Dooley* through Dec 31, 2018. His previous contract ran through Dec 31, 2016. Dooley, named COO in 2010, has been on the board since 2006.

Programming: **A&E** is developing a sketch comedy, music and showcase series created by and starring *Curtis* “50

BUSINESS & FINANCE

Cent" Jackson. The rapper/actor says he grew up with variety shows and is excited to put his own spin on the genre. -- **Investigation Discovery** is bringing back "Disappeared" for a 7th season after a more than 3 year hiatus. The net said it's reacting to a call to action from viewers pressing for more eps. The series returns Apr 11, 10pm. -- **TLC** launches "Two in a Million," which brings together people who share the same rare medical conditions, Apr 6.

X1 for March Madness: Comcast launched basketball "Extras" in the X1 Sports App, offering more interactive, real-time experiences to March Madness fans. With the upgrade, users can view things like the full tournament bracket directly on TV, access post-game recap and real-time stats.

WICT at INTX: Don't forget about **WICT's** Signature Luncheon honoring PAR Best Companies for Women in Cable during Boston's **INTX**. Harvard prof *Iris Bohnet*, author of "What Works: Gender Equality by Design," is set to keynote the May 16 event.

People: Comcast named *Sridhar Solur* as svp, product development for Xfinity Home and Internet of Things for Comcast Cable. He will report to *Chris Satchell*, evp and chief product officer, and partner closely with *Daniel Herscovici*, svp and gm of Xfinity Home, as well as *Fraser Stirling*, svp, product and hardware management. Solur joined Comcast from **HP**.

Cablefax Daily Stockwatch

Company	03/17 Close	1-Day Ch	Company	03/17 Close	1-Day Ch
BROADCASTERS/DBS/MMDs					
DISH:	49.27	0.30	ECHOSTAR:	45.00	0.58
ENTRAVISION:	7.67	0.04	GOOGLE:	737.65	1.56
GRAY TELEVISION:	12.20	0.03	HARMONIC:	3.15	0.12
MEDIA GENERAL:	17.00	0.19	INTEL:	31.98	0.29
NEXSTAR:	47.74	0.68	INTERACTIVE CORP:	47.43	0.36
SINCLAIR:	32.62	0.20	LEVEL 3:	52.53	0.39
TEGNA:	24.01	0.18	MICROSOFT:	54.66	0.31
MSOS					
CABLE ONE:	438.56	(0.37)	NETFLIX:	99.72	0.37
CABLEVISION:	33.00	(0.05)	NIELSEN:	52.84	1.05
CHARTER:	201.02	2.86	SEACHANGE:	5.26	(0.12)
COMCAST:	60.75	0.84	SONY:	26.09	0.59
GCI:	18.03	0.29	SPRINT NEXTEL:	3.40	(0.17)
LIBERTY BROADBAND:	57.11	0.56	SYNACOR:	1.70	(0.16)
LIBERTY GLOBAL:	37.93	0.34	TIVO:	7.92	0.09
SHAW COMM:	19.18	0.44	UNIVERSAL ELEC:	63.43	0.60
SHENTEL:	26.07	0.55	VONAGE:	4.37	(0.22)
TIME WARNER CABLE:	203.31	1.12	YAHOO:	34.28	0.27
PROGRAMMING					
21ST CENTURY FOX:	28.18	0.06	TELCOS		
AMC NETWORKS:	65.24	(0.5)	AT&T:	39.12	0.35
CBS:	54.25	(0.19)	CENTURYLINK:	31.30	(0.87)
CROWN:	5.08	(0.01)	FRONTIER:	5.29	(0.05)
DISCOVERY:	29.10	0.55	TDS:	28.54	0.65
DISNEY:	99.60	1.16	VERIZON:	53.63	0.42
GRUPO TELEVISA:	28.28	1.53	MARKET INDICES		
HSN:	53.42	(0.06)	DOW:	17481.49	155.73
LIONSGATE:	22.98	0.65	NASDAQ:	4774.99	11.02
MSG NETWORKS:	17.73	0.46	S&P 500:	2040.59	13.37
SCRIPPS INT:	65.30	(0.24)			
STARZ:	28.39	0.21			
TIME WARNER:	72.31	0.81			
VIACOM:	45.64	1.06			
WWE:	18.74	0.87			
TECHNOLOGY					
ADVANTAGE:	1.98	0.03			
AMDOCS:	59.59	0.70			
AMPHENOL:	57.11	0.70			
APPLE:	105.80	(0.17)			
ARRIS GROUP:	22.42	0.12			
AVID TECH:	7.19	0.20			
BLNDER TONGUE:	0.40	UNCH			
CISCO:	28.19	0.31			
COMMSCOPE:	27.57	0.46			
CONCURRENT:	6.36	(0.02)			
CONVERGYS:	26.70	0.47			
CSG SYSTEMS:	42.29	1.87			

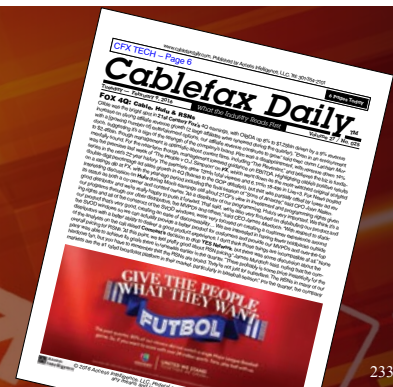
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PROGRAMMER'S PAGE

Legally Bound

Crime pays. At least when it comes to TV, with networks pulling in viewers for shows such as **FX's** "The People v O.J. Simpson" and **Netflix's** "Making of a Murderer." Given the hot trend right now, **WE tv** found a way to take reality series "Sisters in Law," initially focused more on the personal lives of a group of African American female lawyers, and broaden the spotlight to their criminal and civil legal cases. The March 24 premiere (10pm) features a murder case, with a woman facing a murder charge before a grand jury in the death of her common-law husband. "It feels like a potentially new way of storytelling," WE tv's evp, of development and original programming *Lauren Gellert* said at **NATPE** in Jan. Sisters in Law began as a straight docusoap about female lawyers in Houston, but evolved into giving viewers a procedural inside the show, she said. Yes, there is "Real Housewives"-worthy cattiness at times, but these women have jobs that take them beyond parties and fundraisers. They can't just walk away. In the premiere, viewers are taken to the scene of the fatal shooting as attorney *Jolanda Jones* retraces the night with the accused, who claims it was self defense. What helps the show is that the cast isn't being forced into situations that create drama, but are already a community facing high stakes daily. These women "have formulated this bond between themselves. They call themselves sisters in law. We did not call them that," WE tv's head of marketing/digital *Rosie Pisani* told us. "In the overall legal industry, it's a male dominated industry. You get to Houston and it's just a white male dominated industry, with I believe 3% of the attorneys in that area being African American women. So they formed this bond to act as a support system for one another." – *Amy Maclean*

Reviews: "Everything is Copy," premiere, Mon, 9pm, **HBO**. This fine documentary won't be to everyone's liking. We suspect its subject, journalist, essayist, novelist and screenwriter *Nora Ephron*, wouldn't have minded. "Writers are cannibals," she tells *Charlie Rose* during the doc. She should know—Ephron and her parents wrote and led difficult lives. *Jacob Bernstein*, offspring of Ephron and *Carl Bernstein* of Watergate fame, is the filmmaker, so it's understandable when, at times, the doc seems like an indulgent home movie. Still, it's quite a story of a resilient person, charming, caustic, talented and ambitious, told with fabulous talking heads (*Streeep, Mike Nichols, Barry Diller*), apt footage and cameos from well-known actors reading Ephron's work. In many ways it's also a period piece, complete with a *Dick Cavett* opening. -- "Major League Legends: Ted Williams," Mon, 8pm, **Smithsonian**. The final ep in this slightly uneven but ultimately enjoyable look at 4 great hitters (*Aaron, Ruth, Gehrig* and *Williams*) concludes, casting *Ted Williams* as Narcissus, whose pursuit of baseball-hitting perfection resulted in a solipsistic life, punctuated by nastiness. The ending, at the 2009 All-Star Game, is wonderful, as are words from *Ben Bradlee Jr* and *Leigh Montville*. -- "The Americans," Wed, 10pm, **FX**. What? You want to watch it from Season 1? C'mon, get on board, now. Eps 2-5 are marvelously complicated. – *Seth Arenstein*

Basic Cable Rankings (3/07/16-3/14/16)			
Mon-Sun Prime			
1	CNN	1.3	3062
2	FOXN	1.0	2436
3	HGTV	0.7	1753
3	AMC	0.7	1688
3	USA	0.7	1661
3	TBSC	0.7	1632
7	DSNY	0.6	1405
7	DSE	0.6	122
9	ESPN	0.5	1264
9	TNT	0.5	1257
9	HIST	0.5	1229
9	DISC	0.5	1229
13	ADSM	0.4	1081
13	ID	0.4	963
13	MSNB	0.4	941
13	FX	0.4	919
13	FOOD	0.4	918
13	TLC	0.4	887
13	NAN	0.4	872
13	LIFE	0.4	859
21	A&E	0.3	809
21	BRAV	0.3	726
21	FRFM	0.3	703
21	SPK	0.3	677
21	HALL	0.3	654
21	DSJR	0.3	645
21	SYFY	0.3	620
21	NKJR	0.3	577
21	HMM	0.3	419
21	DFAM	0.3	53
31	VH1	0.2	573
31	TVLD	0.2	571
31	APL	0.2	569
31	ESP2	0.2	529
31	CMDY	0.2	514
31	LMN	0.2	495
31	TRAV	0.2	480
31	BET	0.2	461
31	GSN	0.2	447
31	OWN	0.2	445
31	MTV	0.2	445
31	INSP	0.2	428
31	WETV	0.2	424
31	EN	0.2	402

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

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