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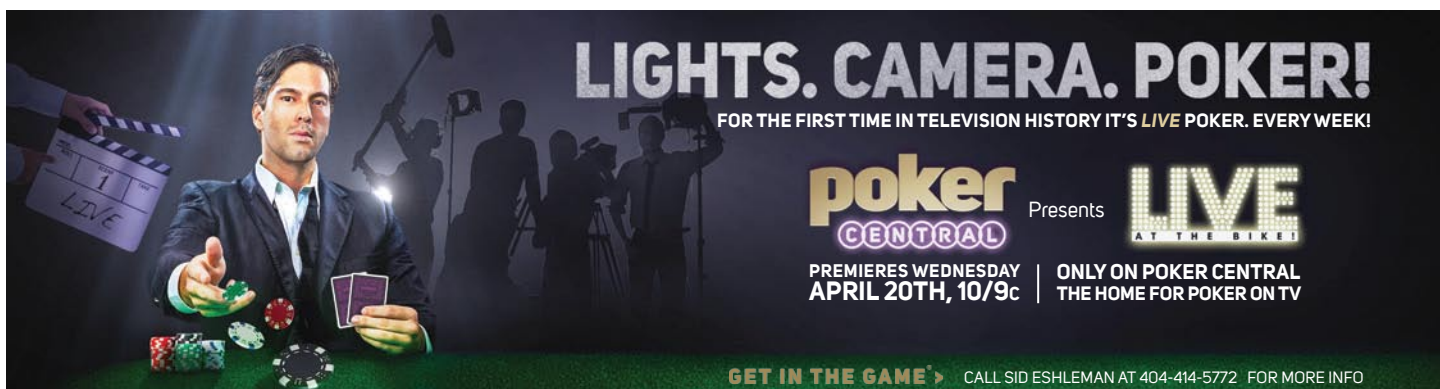
Thursday — March 31, 2016

What the Industry Reads First

Volume 27 / No. 061

Indie Scene: FCC Gets Earful on Programming Inquiry

Comments trickled into the FCC Wed at the deadline for the agency's Notice of Inquiry on independent programming. At press time, most comments came from members of the public telling the Commission that they enjoy watching indie net **RFD-TV**, but a handful of programmers had also joined the docket (expect more to come). **RIDE TV** CEO *Michael Fletcher*, who has been invited to speak at the FCC's video workshop next month, said that unless the FCC and/or Congress intercede more indie channels will shutter their operations, and new channels will never launch. Among RIDE's complaints: unfair advantages for MVPD-affiliated networks, fear of retaliation from MVPDs (Fletcher's letter says network execs were "yelled at and berated for 'daring' to challenge the practices" of one MVPD), channel bundling and broad most-favored nation provisions. RIDE also said it's forced into low rates and low-penetrated tiers and that some MVPDs ask indies for "drop rights without cause." Already **Public Knowledge** has announced a press briefing for Thurs to highlight an alleged imbalance between indies and large cable companies. And in comments, **Common Cause** complained that MVPD consolidation has given distributors enormous leverage, particularly when coupled with in-house content. **Comcast** painted a different. "For producers and consumers of video programming, it is the best of times. Any claims that it is also somehow the worst of times should be viewed with great skepticism," said comments from Comcast Corp and **NBCU**. Comcast argued that there is a vast amount of high-quality content from numerous sources (the majority of which are independent) and consumers are able to access content in more ways than ever before, including new ways that bypass MVPDs and traditional programming networks. Comcast went on to cite how the number of national cable nets affiliated with a cable operator has plummeted to about 11% today (98 out of 900) from about 57% (39 out of 68) in 1992. Other stats it threw out: Comcast carries 160+ indie nets, has added 20 indie nets since the NBCU transaction closed in Jan 2011, expanded carriage of more than 141 indie nets by 217Mn subs since 2011 and is reviewing proposals for 2 substantially Hispanic-American owned, indie English language nets that will launch in select Comcast markets by Jan 28 (that's part of its public interest commitment for the NBCU deal; it also must launch 2 African American owned nets within the next 4 years). NBCU's stat sheet includes more than 30 outside production companies producing original series slated to air across the cable portfolio throughout the year. Other commenters include **NAB**, who defended the practice of bundling. "Without the ability to negotiate for program bundles and tier placement, many content providers would face increased challenges in expanding their offerings for consumers, leading to a reduction in high-quality and diverse content including programming targeted to minority or niche audiences," NAB said. PEG channels are also weighing in on this matter. **TV Santa Barbara** complained that its program information isn't uploaded into the IPG system in a timely manner and that its local cable operator has refused to provide carriage of PEG channels in HD. **Danvers (MA) Community Access TV** said MVPDs are slow to respond to tickets for poor signals, poor audio and other problems, while **Cape Ann TV** joined the chorus complaining that it can't get HD capacity.



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AT&T/Fullscreen: Fullscreen will launch an ad-free SVOD service on April 26, featuring content including feature films, scripted and unscripted acquisitions, and originals, as well as exclusive content from social influencers. Targeting Fullscreen's 13 to 30-year-old audience, the \$4.99 a month subscription service will have more than 800 hours of content accessible across iPhones, iPads, select Android Phones and Chromecast platforms. The company, which is majority owned by **Otter Media** (a partnership between **AT&T** and **The Chernin Group**), will add additional platforms later this year. To encourage sampling, Fullscreen will offer a 30-day free trial. AT&T will market and promote the service with special offers for its video, mobile and broadband subs. The telco will also co-produce premium content that will air both on Fullscreen SVOD and on a programming block on AT&T's **Audience Network**, available to **DirectTV** and U-verse TV subs. The initial scripted lineup includes "Electra Woman & Dyna Girl," a comedic Sid and Marty Krofft reboot starring *Grace Helbig* and *Hannah Hart*; "Filthy Preppy Teen\$," from *Paul Scheer*, **Abominable Pictures** and *Jonathan Stern*, a satire of contemporary teenage dramas; and "Jack & Dean of All Trades," a workplace comedy starring and created by *Jack Howard* and *Dean Dobbs*. Unscripted series include "My Selfie Life," created and executive produced by *John Farrar* and *Pete Cooksley*, and personality-driven programming including "Shane & Friends," "Zall Good with *Alexis G. Zall*" and "Kingdom Geek." Additional original scripted and unscripted programming will be announced in upcoming weeks. AT&T announced its joint venture with The Chernin Group in 2014 to invest in and launch OTT video services. The companies said at the time that they have committed more than \$400mln in funding to the venture.

NBCU Upfront: NBCU is changing things up by holding 1 ad upfront presentation for its portfolio on May 16. In previous years, the programmer held 3 presentations—1 each for NBC Broadcast Entertainment, **Telemundo** and its Cable Entertainment portfolio. "Our event will reflect the way we go to market as a unified portfolio which makes it easier for our clients to do business with us all together," said *Linda Yaccarino*, chmn, ad sales and client partnerships, NBCU.

CNN Town Hall Rating: The GOP Town Hall on **CNN** Tues night was the most-watched on record in cable news in total viewers and adults 25-54. It averaged 3.26mln total viewers, followed by **Fox News** with some 2mln viewers and **MSNBC** with 1.16mln viewers, according to **Nielsen** Fast National data.

Cablevision/FourthWall: To expand the reach of its advanced data and analytics services beyond the NY DMA, **Cablevision Media Sales** is teaming with **FourthWall Media** to use the TV data and tech service provider's census-level viewership data and data collection tools to help clients better target audiences.

Vision Awards: **HBO** leads the **NAMIC** Vision Award nominations with 9, followed by **BET** and **OWN** (each received 8 nods) and **ESPN** (7). Overall, 29 nets/distributors generated 83 nominations. The awards, presented in partnership with NAMIC – Southern CA, honor original and digital programming that depicts people of color and best reflects ethnic and cultural diversity. For a complete list of nominees, check out **Cablefax.com**.

WICT Rising Leaders: **WICT** announced the 180 designees of its 2016 Rising Leaders Program, which is comprised of cable professionals at the manager and director level. A grant from the **Walter Kaitz Foundation** will support 8 scholarships in this year's program for designees from smaller companies and industry nonprofits.

Programming: **Discovery Channel** booked "Sacred Steel" to air as part of its Motor Mondays lineup. -- **ID** is partnering with **People** magazine to debut a 1-hour weekly series featuring the country's most infamous characters and iconic

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BUSINESS & FINANCE

stories of crime. "People Magazine Investigates," a 10-part series, is set to premiere this fall. -- Shark Week goes on our calendar every summer along with Elvis Week. But unlike that August week honoring the King, **Discovery Channel's** shark tribute moves around. This year it's slated for June 26-July 3. We're promised "shark n' awe" as sharks face off with dolphins, seals, crocs and even humans. -- **E!** will debut "Famously Single," in which celebs (mostly of reality TV fame) go through relationship rehab, June 14. The cast includes *Pauly D* of **MTV** "Jersey Shore" fame and former "Real Housewife" *Brandi Glanville*. -- **Spike** greenlit a 9th season of "Ink Master" for next year. -- **FS1** mourns the passing of actor *Ken Howard* with a 15-ep marathon of "The White Shadow," in which Howard played high school basketball coach *Ken Reeves*. The entire first season begins airing Thurs at 6am ET.

People: Disney|ABC Television Group named current **ABC Research** exec *Elizabeth Sloan* and *Jane Gould*, a **Viacom** vet, to the newly created positions of svp, consumer insights, for the group's broadcast/studio and cable teams, respectively. -- **MTV** named *Laurel Weir* as svp, strategic insights and research. She comes from the **Viacom Kids and Family Group**, where she was svp, strategic insights and research, overseeing research for **TV Land**, **CMT**, and **Nick At Nite**.

Cablefax Daily Stockwatch

Company	03/30 Close	1-Day Ch	Company	03/30 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DISH:	47.37	(0.06)	ECHOSTAR:	44.43	0.28
ENTRAVISION:	7.53	0.01	GOOGLE:	750.53	5.76
GRAY TELEVISION:	11.96	0.08	HARMONIC:	3.31	0.01
MEDIA GENERAL:	16.40	(0.15)	INTEL:	32.71	0.33
NEXSTAR:	43.73	(1.26)	INTERACTIVE CORP:	46.17	0.32
SINCLAIR:	31.03	(0.6)	LEVEL 3:	52.84	0.40
TEGNA:	23.70	(0.28)	MICROSOFT:	55.05	0.34
MSOS					
CABLE ONE:	439.51	3.48	NETFLIX:	102.19	(1.94)
CABLEVISION:	33.00	0.02	NIELSEN:	52.80	0.42
CHARTER:	203.52	0.49	SEACHANGE:	5.53	0.01
COMCAST:	60.80	0.05	SONY:	25.79	(0.37)
GCI:	18.39	UNCH	SPRINT NEXTEL:	3.45	0.03
LIBERTY BROADBAND:	58.61	0.11	SYNACOR:	1.45	0.01
LIBERTY GLOBAL:	38.69	0.17	TIVO:	9.55	(0.15)
SHAW COMM:	19.48	0.34	UNIVERSAL ELEC:	62.44	(1.14)
SHENTEL:	27.06	0.10	VONAGE:	4.55	0.10
TIME WARNER CABLE:	205.79	1.26	YAHOO:	36.56	0.24
PROGRAMMING					
21ST CENTURY FOX:	27.91	0.08	TELCOS		
AMC NETWORKS:	65.13	(0.27)	AT&T:	39.37	(0.08)
CBS:	54.61	(0.29)	CENTURYLINK:	31.87	0.28
CROWN:	5.09	(0.02)	FRONTIER:	5.63	0.16
DISCOVERY:	28.09	(0.15)	TDS:	29.94	0.20
DISNEY:	98.91	0.75	VERIZON:	54.04	(0.01)
GRUPO TELEVISA:	28.09	(0.06)	MARKET INDICES		
HSN:	53.34	(0.96)	DOW:	17716.66	83.55
LIONSGATE:	21.66	UNCH	NASDAQ:	4869.29	22.67
MSG NETWORKS:	17.11	(0.12)	S&P 500:	2063.95	8.94
SCRIPPS INT:	64.83	0.04			
STARZ:	26.74	(0.15)			
TIME WARNER:	72.16	(0.05)			
VIACOM:	44.24	(0.17)			
WWE:	17.79	(0.55)			
TECHNOLOGY					
ADVANTAGE:	1.89	(0.01)			
AMDOCS:	60.07	0.14			
AMPHENOL:	57.71	(0.08)			
APPLE:	109.56	1.88			
ARRIS GROUP:	23.04	(0.12)			
AVID TECH:	6.50	UNCH			
BLNDER TONGUE:	0.35	(0.07)			
CISCO:	28.46	0.36			
COMMSCOPE:	27.32	0.48			
CONCURRENT:	5.97	(0.09)			
CONVERGYS:	27.50	(0.19)			
CSG SYSTEMS:	44.97	0.66			

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Dan Brenner – A Remembrance

Commentary by Steve Effros

Dan Brenner, longtime SVP of Law and Regulatory Policy at the NCTA died in a tragic pedestrian accident in L.A. last month. Dan had a lot of admirers.

A significant group got together last week in Washington to celebrate his life. It was a poignant, sad and fun affair. Yes, fun, because Dan was often outrageously fun to be around. He had a lightning wit, did stand-up comedy, and wrote many memorable one-liners as well as being a “lawyer’s lawyer.”

Dan was crossing a street in L.A. where he had moved in 2012 to become a judge in the Superior Court there following a stint in a DC law firm when he was hit. Prior to that he had spent nearly 20 years at the NCTA, and I had spent all that time sparring with him as another of the group of lawyers in Washington trying our best to represent the cable industry. Dan and I had a good and long working relationship, but usually saw things from very different perspectives. He was extremely smart, extremely knowledgeable about the law (he taught law at three different prestigious law schools during his “spare” time) and was never shy about letting us all know his position. Of course, neither was I. While we usually agreed on the objective and the law, our preferred tactics were often quite different. Dan, for instance, believed in extensive legal briefs with lots of footnotes. Not my style. I leaned toward short and simple.

But Dan was the expert at writing briefs, law review articles and the like, and there were few folks better at it, especially in the telecommunications bar. He also had firm views on lots of other things, and we particularly had a longstanding and very visible sartorial disagreement. Dan kept most of the high-end haberdashers in Washington in business. He also tended to notice, and



comment on, what others were wearing. I, on the other hand, long ago abandoned ties (why drip the salad dressing on an expensive piece of silk?) and could never understand why lawyers and lobbyists thought it proved something about their intelligence to wear a jacket in warm weather. He never missed the opportunity to razz me about my sartorial shortcomings.

Hence it should have come as no surprise that at the celebration of his life the other night there were hordes of DC lawyers and regulators (at least three FCC Chairmen showed up) in dark suits and ties in every row. I showed up in shirtsleeves. I could just hear him saying “...made you do it!” and uproariously laugh had I done anything else. We all wanted to honor Dan in our own ways.

The fact that all those Commissioners showed up as well as many other well-known DC types, with even Brian Roberts and some of the senior staff from Comcast coming down from Philadelphia, said a lot about how much Dan was respected. His wit was legendary as was his sharp tongue and sharper legal mind. It’s truly tragic that he was struck down just as he was being successful climbing the Judicial ladder. There’s no question he would have achieved increasing heights.

But that was not to be. I think, however, he would have appreciated the coming together of politicians and professionals from all parts of the political and legal spectrum in a show that, despite all the current rancor and dysfunction, there are still those who can bring us together. Dan was one. We’ll miss him.

Steve

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(Steve Effros was President of CATA for 23 years and is now an advisor and consultant to the cable industry. His views do not necessarily reflect the views of Cablefax.)

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