Inside: FCC Commissioners Talk Policy -

**INTX DAY 3** 

Talk Policy
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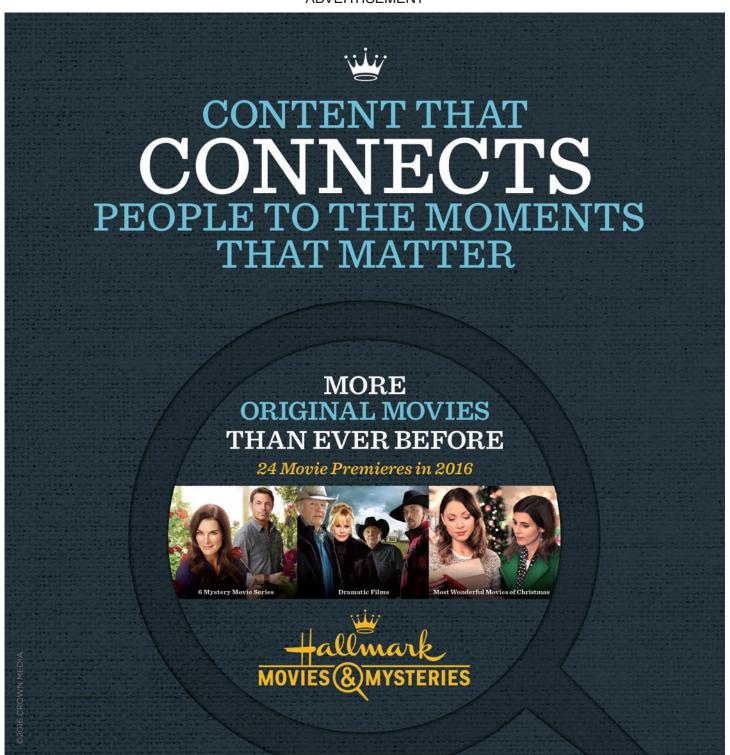
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Wednesday — May 18, 2016

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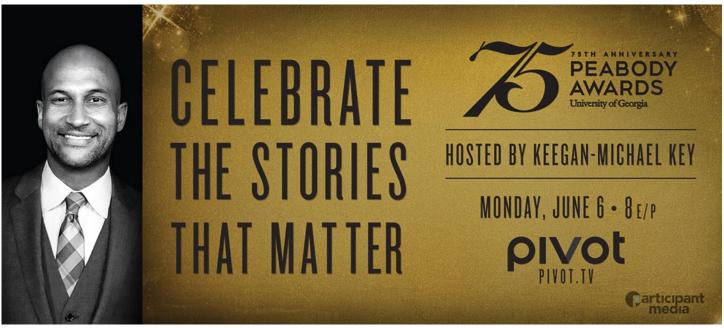
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#### The Disruptors: NCTA Pitches Wide Tent for Tues General Session

When **NCTA** rebranded its convention as INTX, the idea was to bring disruption and new entrants into the conversation. And that was on full display at Tues' general session—whether it was FanDuel CEO and co-founder Nigel Eccles boldly declaring that his company wants to be a media platform that streams actual sports games in its app or AT&T Ent Group CEO John Stankey's mantra that mobile is key to the future. "We think the customer is going to want to do more things on the go," Stankey said. "Our desire is to take the premium entertainment experience and what people have emotional connections with and bring that into our" mobility experience. AT&T is going a different route than Verizon with its go90 service, which is "coming from the bottom up" with less established content offerings, he said. AT&T is experimenting in that space also though with Otter Media, the online video-focused jv with the Chernin Group. "Both are necessary. You've got to work from the top down and [with premium content], but you also have to have a foot in the bottom up. Segments of the population will be better suited to that," Stankey said. "Mobile for distribution allows you to try a lot of different things." Stankey spoke shortly before **Periscope**'s CEO took the stage, prompting a question about what live video streaming means for AT&T. His take: the fact people want to engage in content and use more devices is good for business. "From the dawn of time, what we have made our money on and what we're good at is moving the bit around," he said. Mashable CEO/founder Pete Cashmore talked about how his company is working with traditional media companies such as Turner and NBCU, with its patented algorithm Velocity crunching data to predict what viewers want to see. "We're developing shows together using our data platform. It makes it a much safer bet," he said, noting that **Bravo** recently signed a 4-series deal to for digital programming. "The fastest growing part of our business is branded content," Cashmore said, adding that Mashable is looking to bring that content all the way to linear. Is there a worry about consumers resisting branded content? "Viewers are aware that is how their media is paid for and as long as the disclosure is clear they are OK with that," he said. Next up on the INTX disruptor stage was FanDuel's Eccles, whose company blanketed media with heavy advertising last year. That wasn't all good, with Eccles admitting "we overexposed it." And some of that exposure likely brought about the legal scrutiny of fantasy sports, he acknowledged: "I think the issues we're going through now we're going to happen anyway, but I don't think they were going to happen as quickly." Right now, FanDuel is working with states



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one-by-one on legislation clarifying that fantasy sports is a game of skill and adding consumer protections. Ad spending for FanDuel will be down significantly this year, with more of those ads appearing in digital. The tone will focus more on the fun of fantasy sports. "We probably didn't sell all the benefits of the product," he said. Last up on stage was Periscope CEO/co-founder *Kayvon Beykpour*. He didn't really want to talk about **Facebook** Live as a competitor. "Our reaction is to double down on what we're doing," Beykpour said. "Ultimately, other people in the live streaming space is a good thing. When we first entered the space, the narrative was very different— it was 'this isn't interesting, people don't want to spend their time live streaming' and a bunch of other pessimistic views... I'm excited that conversation has actually evolved to where no one questions the legitimacy or efficacy of the space."

No Sunshine: Nevermind Donald vs. Hillary. The partisan atmosphere that increasingly hangs over the FCC was on full display at INTX, with Democratic and Republican commissioners clashing on issues ranging from set-top reform to the role of regulation of new cable businesses. The panel, which doubled as a special incarnation of C-SPAN's Communicators series, featured Republican commissioners Michael O'Rielly and Ajit Pai, and Democrats Mignon Clyburn and Jessica Rosenworcel. Chairman Tom Wheeler is scheduled to speak at INTX today. Regarding Wheeler's set-top box proposal, which would require operators to open their content and data streams for re-aggregation in other devices, the Republican commissioners were vocal that the current NPRM process is unnecessary as it's likely to be voted on in the same form in which it exists today. "What is happening in FCC, not just in terms of the set-top box issue, is not a conversation, it's a dictation. The association has chosen an ideological position on these issues. It goes through the procedures but the decision has already been made," said Pai, likening the scenario to an Alice in Wonderland-esque absurdity. "It's not an open and fair debate." Democrats begged to differ. "My mind is open, and I don't want my colleague to suggest it is not," said Rosenworcel. "We need to make sure we understand the consequences of our proposal... there are issues of copyright protection, diversity, competition—and they all need to be addressed." Said Clyburn: "While I know there's a lot of emotion when it comes to this issue, the fact that we are having this conversation and not immediately passing down any edicts really speaks well to this interactive process." The commissioners also largely disagreed on the role of regulation in new service offerings, and the potential that some providers might leverage their ISP status over their content offerings to gain a foothold in select markets. "My view is FCC should take a more restrained approach, let this experimentation happen and not rule out any approach based on ideological predisposition," said Pai. "Consumers will benefit so long as the FCC sticks to the letter of the law." Clyburn countered, "The letter is evolving, Sometimes it's a capital, and sometimes it's a small letter. Competition is part of our middle name, but it's also important that consumers know we are there for them if things are less than perfect." Said O'Rielly: "We shouldn't start with idea the market is less than perfect, we don't want to predetermine

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what may be beneficial for consumers." Then there was the regulatory climate surrounding the Internet of Things. Pai noted, "To the maximum extent possible we should harmonize our policies with those of the Federal Trade Commission. The worst thing the government could do is have one set of regulations for one group and another set of regulations for another group." One thing O'Rielly, Pai and Rosenworcel did agree on... the need for the Commission to take more time to review its broadband privacy regulations. "Why won't [the chairman] listen to the three of us and agree we should have more time on such a complicated subject?," asked O'Rielly. - Cathy Applefeld Olson

**Business Speak:** MSOs' business services divisions are thriving and expanding, according to execs at an INTX session. **Cox**, which entered the market in 1998, has escalated from \$100mln to \$1bln in 2010 to a projected \$2bln at the end of this year, said **Cox Business** svp *Steve Rowley.* **Comcast** has focused on the large enterprise space. The larger the clients, the greater the chance a client will have locations outside an operator's footprint. For these expanding deals, operators would prefer to work with their own than what a few panelists called "the bad guys," i.e., the telcos. "Today I act as an integrator for Cox, I talk to **Starbucks** and say, 'I can solve your problems for all 8,000 of your locations, not just the 4,000 in my area. We go through how we're going to service and support them, roll trucks," said *Terry Connell*, svp, sales & sales operations at **Comcast Business Services.** "It's very easy for us to work with other cable companies because we know how to operate, the platforms they use, DOCSIS technology. That doesn't mean we won't provide a T1 connection if we need to, but it's my belief that cable is the best for end user." **Mediacom Business** svp *Dan Templin*, who works primarily rural markets, reminded everyone that the challenge isn't always in the hardware integration. "It's easier to put the networks together, frankly than integrate everything from the order process to the customer experience. When you try to put together a number of providers, it's a challenge, there are some work flow issues." — *Cathy Applefeld Olson* 

<u>Univision/Netflix</u>: Univision's new development and production arm Univision Story House is teaming with Netflix to co-produce drama series "El Chapo," based on the life story of one of the world's most notorious criminals. The series will be available to Netflix subs in the US following its TV debut on UniMás in 2017. The announcement is part of a promotional and co-production agreement between the companies. Under the agreement, Univision Network and UniMás will be the 1st US nets to air full seasons of Netflix's original series "Narcos" and Spanish-language "Club de Cuervos" respectively.

**INTX Notebook:** Starz launched its Starz App on Android TV devices. Launched last month, the app is already available on devices such as Chromecast, **Apple** TV (4th generation and newer), iPhones and iPads running iOS or higher, **Google** Nexus Player, **Sony** Android TV and most Android phones and tablets. The subscription streaming service costs \$8.99 a month. -- **BitTorrent** launched BitTorrent Live Tues, a multichannel, live and linear video streaming platform covering news, sports, music, tech and youth culture. The service was launched as a multichannel app with a free tier offering of programming, followed by premium tiers that include PPV, subscription-based and ad-supported models. Based on BitTorrent's peer-to-peer live streaming technology, BitTorrent Live seeks to allow large audiences to view live video with sub 10-sec latency and without the need for pre-provisioning.

Cable Hall of Fame: Touching moment at Mon night's Cable Center Cable Hall of Fame dinner came when a lone

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bagpiper led the crowd to the after party—a tribute to the *Glenn Jones* who passed away in July and was fond of having pipers and other musicians play his company events. Bresnan Ethics Award winner *Amos Hostetter* made the crowd laugh as he described that his days at Continental Cablevision were so long ago "that I think Tom Wheeler was actually a supporter." (Wheeler was president of the **NCTA** in 1979). Several touching speeches from the night's Cable Hall of Fame inductees (all profiled in the Cablefax Preshow). **Cox Comm** pres *Pat Esser* encouraged attendees to thank the people who contribute to their success often. **TiVo** chairman *Tom Rogers* got some laughs and groans for his *Donald Trump* story. About 5 years ago, he called up complaining his TiVo box was horrible. Turned out it was a **Time Warner Cable** DVR, according to Rogers. "It's OK to laugh. They're not going to buy tables at dinners anymore," Rogers said. **Arris** CEO *Bob Stanzione* said he'd daydreamed before about being inducted into the Hall of Fame, but figured it was for media moguls, not vendors. "We're like a plumbing supplier," he joked.

<u>AT&T GigaPower Expansion</u>: AT&T has expanded its GigaPower service to parts of San Francisco, San Jose, Dublin, Mountain View, Santa Clara and San Ramon. The service, offering speeds up to 1 Gbps, starts at \$70 a month.

<u>Viacom/American Express Deal</u>: Viacom is partnering with American Express on targeted television. The partnership aims to combine American Express' data capabilities with Viacom Vantage, Viacom's ad-targeting platform. The new service, Vantage Intent, supported by American Express, is expected to provide insights to marketers about "consumer purchase intent while scaling across television, digital, and social."

<u>ESPN on Android TV</u>: As part of an agreement with **Google**, **Disney and ESPN Media Nets** launched WatchESPN on Android TV, allowing subs to stream live events through the multiplatform app. In addition to live streaming access to ESPN networks, the app will also include short-form video clips and ESPN Classic on-demand content.

<u>Mediacom's New Channels</u>: Mediacom will add various foreign language programming to channel lineups across its markets, featuring Filipino, French, German, Italian, Korean, Russian, South-Asian and Vietnamese programming. The new content will be available in a few weeks. Each channel can be purchased à la carte by subs.

All Things Tech: What's hot this year, technically speaking? Tony Werner, EVP/CTO of Comcast, Mark Dzuban, SCTE president and Andy Lippman, senior scientist and associate director of MIT Media Lab, stopped by INTX's Imagine Park to share their insights. Werner is not surprisingly jazzed about the implications of DOCSIS 3.1. He's also keen on cognitive artificial intelligence machine learning, "where machines can learn on their own and provide a better network experience and better customer experience," he said. Noting AI has come out of "a long period of not a lot of investment... everyone here recognizes just how fast AI is moving." Lippman detailed MIT's Ultimate Media project, which launched 3 years ago. "Of all the worlds of media, the one that exists most silo'ed, in a box, is television. Everything else is released, it's not scheduled. And the problem with that is my kids don't even know what television is," he said. The initiative is analyzing programming, social and data around 19 channels, 24 hours a day, with a focus on news because "as media evolves and television changes, and most importantly scheduled broadcast and the impact it has on people diminishes—I think that's inevitable—you don't want news to fall through the cracks." - Cathy Applefeld Olson

**Programming: GSN** will debut its new game show series, "Winsanity," on June 9. The game play offers the opportunity for prizes to be won not only by the contestants but also by the studio audience. -- **ESPN3** will present 18 WNBA regular season games live, with the ESPN family of nets showcasing a total of 32 regular season games this year. For the first time, ESPN nets will combined to televise the entire postseason, including the WNBA Finals. -- **Viceland** renewed 5 shows for a 2nd season, including "Gaycation" with Ellen Page and "Balls Deep." Among its 5 new series premiering this summer are "Abandoned," in which pro skater *Rick McCrank* explores abandoned landmarks that people once held dear.

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### **BUSINESS & FINANCE**

Also on tap is "Vice Does America." in which 3 Vice staffers set off on a road trip to meet different kinds of Americans. -- INSP ordered a 2nd season of 13 eps of "Handcrafted America," which will premiere in Oct.

Viacom's Datafront: Viacom will host what it called the industry's first Datafront on Tues in NY, exploring changes in the media industry and the impact "an increasingly convergent ecosystem has on consumers and marketers."

Growing VAB: The Cinema Advertising Council is the latest to join the Video Advertising Bureau (formerly the Cable Advertising Bureau). The Council is a national trade group serving cinema advertising networks and the theatrical exhibition community. A year after VAB formed to unify the multiscreen TV business, it now represents a combined \$55bln in programming investment and \$67bln in advertising revenue.

**UPtv Rebrands: UPtv** announced its new branding and programming strategy to reflect its family focus. Effective Mon, the "We Get Family" tagline and mantra reflects new programming featuring "entertaining and authentic stories that bring adult viewers all of the fun, dysfunction and love that defines the modern American family," the net said. And family will be the theme of UP's more than 440 hours of original series, specials, movies and network acquisitions in 2016.

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### **GUEST COLUMNIST**

#### **Diversity & Inclusion:** The Future is Now

By Eglon E. Simons

Throughout modern history, the communications industry has played an important role in shaping our cultural norms, values and behaviors. Through our use of radio, motion pictures, broadcast television, cable and over-thetop technology, we are at once moved and inspired by the transmission of content and messaging. The images and voices that we see and hear serve as personal markers of our life experiences. They help shape our childhood memories, propel us to dream as young adults and serve as a reflective mirror Eglon Simons during our latter years.

America is more ethnically and racially diverse; a trend that will continue in coming years, according to a recent Pew Research Center report. African-American, Asian American and Hispanic consumers account for more than 120 million people combined (38% of the total population). These groups are projected to increase by 2.3 million each year before becoming a majority of the population by 2044, according to the U.S. Census. With extensive purchasing power and distinctive consumption behaviors, multicultural consumers continue to be an emerging economic force. Yet advancing diversity and inclusion within the communications industry remains a challenge.

The 2016 diversity report issued by UCLA's Bunche Center suggests that although minorities have made encouraging gains, they continue to be underrepresented in the workforce and on and off screen. This is of significance as findings within the report suggest that increasingly diverse audiences prefer diverse film and television content. The implication is that industry leadership is tasked with building a workforce capable of responding to evolving consumer preferences. An investment in human capital that offers a sustainable competitive advantage and evolving practices in recruiting and retaining the industry's diverse talent will

be equally important.

Ongoing professional development for those who currently work within the industry is vital if we are to collectively respond to this call to action and nurture a sustainable pipeline. To this end, NAMIC continues to offer flagship professional development initiatives such as the Executive

> Leadership Development Program (ELDP) and with the University of Virginia's Darden School of Business, the ELDP has graduated close to 700 professionals of color since its inception. The NAMIC Leadership Seminar is a three-day, transpipeline... regardless of race or ethnicity.

the Leadership Seminar. Presented in partnership formational education program that targets eligible professionals within the communications industry's

Access to vertical mentoring at the national level remains a key driver in supporting an active pipeline as well. Through NAMIC's L. Patrick Mellon Mentorship Program, top level industry executives are recruited to serve as mentors. In this one-on-one relationship, mentees receive guidance and career advice from veteran leadership. Amongst NAMIC's sixteen chapters, opportunities for horizontal mentoring are also provided through leadership development initiatives facilitated at the regional level.

Lastly, in order to bring increased awareness to the diverse pool of professionals, NAMIC is in the process of exploring the development of an interactive information platform. Conceptually, the platform will serve as a resource for companies to connect with talent within the pipeline.

The result of an accelerated and sustained investment in diversity initiatives is a talent pool that can meet the demands of its evolving consumer base. Such action will further promote the development of diverse content and support continued technological innovation, which is critical to the industry's growth within the domestic and global marketplace.

Eglon Simons is president/CEO of the National Association for Multi-Ethnicity in Communications.

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