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What the Industry Reads First

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Broadband Privacy: FTC Model Gaining Traction

When the **FCC** first dropped its broadband privacy NPRM, the ISPs had some serious concerns, saying such a move threatens the consistency of privacy rules. Up until now, privacy has been under the FTC's jurisdiction. However, the agency appears to have revised that original approach as it considers recommendations provided by the **FTC**. In a Senate hearing last month, chmn *Tom Wheeler* vowed to finalize broadband privacy rules by the end of the year. The Commission could describe its updated plan as early as Thurs when it circulates its agenda for its Oct 27 meeting. The broadband industry is expected to welcome the potential new direction. Former House Commerce head *Henry Waxman* (D-CA), currently chmn of **Waxman Strategies**, which represents broadband providers, said the FCC's embrace of the FTC framework is encouraging. In a blog post Tues, Waxman said that by "synchronizing its final regulations with the FTC's successful privacy framework—including vital details like what information the FTC counts as sensitive and what kinds of data uses will still require opt-in consent—the FCC can protect consumers' privacy online in a lasting, durable and consistent way." The ISP-backed **21st Century Privacy Coalition** is scheduled to hold a teleconference Wed with Waxman, *Jon Leibowitz*, former FTC chmn, and other privacy experts to discuss the FCC's potential new approach. **Google** weighed in Tues, backing the FTC approach. The FTC privacy approach has "worked well in establishing this framework and we urge the Federal Communications Commission to use it as a basis for whatever privacy rules it adopts for Internet service providers," the company said in a letter to the agency. Meanwhile, calls by some parties in this proceeding to extend an opt-in consent requirement to all web browsing information are unjustified, according to Google. It noted the FTC's framework recognizes that while consumers consider healthcare or financial transactions, for example, to be sensitive information that should receive special protection, they do not have the same expectations when they shop or get a weather forecasts online. Thus, although Google and other companies take strong measures to avoid using sensitive data for purposes like targeting ads, consumers benefit from responsible online advertising, individualized content, and product improvements based on browsing information. "The FCC's framework should allow such differentiation based on the nature of web browsing information, regardless of the company collecting the data," Google said. The Commission previously pushed for service-specific privacy rules, which were opposed by cable ISPs. In a filing last week, **Charter**

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urged the agency to consider rules based on the sensitivity of the data rather than the type of data collected, similar to the approach that is used by the FTC. Under this approach, only the use or sharing of sensitive information would require opt-in consent for marketing purposes. Charter also urged the Commission to allow for the use and disclosure of de-identified information using the FTC's 3-part test. Consumer groups, including **Public Knowledge**, continued to call for strong rules to protect consumer privacy. They also want the Commission to prohibit enforcement of mandatory arbitration clauses.

AT&T Fiber: AT&T announced 11 new metro areas that it will roll its 1-gig offering out to—all part of its planned expansion that its putting under the newly created "AT&T Fiber" umbrella brand. This increases its commitment to bring service to 67 metro areas, with 45 to launch by year-end (29 already have the ultra-fast Internet service). The 11 new markets are: Gainesville & Panama City, FL; Columbus, GA; Central KY; Lafayette, LA; Biloxi-Gulfport and Northeast, MS; Wilmington, NC; Southeastern TN and Knoxville; and Corpus Christi, TX. The new AT&T Fiber brand includes the former AT&T GigaPower network, but it's not limited to it. More news and product launches under the Fiber brand are coming. Instead of GigaPower, AT&T is calling its fastest speed AT&T Internet 1000.

Buccieri Gets Tapped: The other shoe dropped at **A+E Nets** Tues, with *Paul Buccieri* promoted to the role of pres, **A+E Studios & A+E Networks Portfolio Group**. The news came a day after it was announced that *Bob DeBitteto* is leaving to pursue some unnamed opportunities. In the new role, Buccieri will be responsible for the studios and leveraging synergies across the A+E Nets, including **A&E, History, Lifetime, FYI** and **LMN**. Before joining A+E, he was chmn of **ITV Studios U.S. Group & ITV Studios Global Entertainment** for the UK media company. It was there that he helped build one of the largest independent content producers in the US. He also led ITV's international television distribution and consumer products business. "The growth of A+E Studios is a major priority for us as content ownership and capabilities are vital for our future growth," A+E Nets chief **Nancy Dubuc** said in the announcement. "With his wealth of experience successfully running ITV and the extraordinary business acumen he has displayed during his tenure at A+E, I am confident Paul will lead the team to new heights and drive strong results."

Legal Maneuvers: Charter may be the new kid in Louisville, as the latest owner of the legacy **Insight** systems, but it believes the newer kids are getting the advantage. The company filed a federal lawsuit this week, claiming that the Louisville govt gives favorable treatment to **Google Fiber** and **AT&T**. This all comes down to franchise agreements. Charter has a "burdensome" franchise scheme, while AT&T wasn't required to obtain a franchise when it brought its video service to the city in 2009. And when Google Fiber negotiated with the city this year, it was spared "almost all" the regulatory hoops Insight has operated under for years—without Insight being offered the same benefit. In other words, we're back to the level playing field argument from the days of telco video launches. But this argument goes further, with Louisville passing (at Google's pushing) an ordinance that lets new competitors take possession of existing cables and wires on utility poles and move them elsewhere on the poles. Charter argues that this can result in damage to its property, which could hurt its reputation and even its pocketbook if there's no way to recoup damages. AT&T has also filed over that pole attachment ordinance.

Suddenlink's Operation GigaSpeed: The cities of Clovis and Texico, NM, along with Farwell, TX, now have access to **Suddenlink's** 1 Gig Internet offering. New owner **Altice USA** is continuing ahead with Suddenlink's Operation GigaSpeed plan announced in 2014. In addition, Suddenlink raised the speeds of existing Internet packages. Residential high-speed Internet customers with current download speeds up to 75 and 100 Mbps have been moved to services with download speeds up to 100 and 200 Mbps, respectively, at no added charge. The standard Suddenlink residential internet download speeds in Clovis, Texico and Farwell are now up to 50, 100, and 200 Mbps, along with the new up to 1 Gig service.

DirecTV Now: Add **Viacom** to the lengthy list of programmers brokering pacts with **AT&T** for upcoming OTT service **DirecTV Now**. **Nick, Comedy Central, MTV, VH1, Spike, BET, CMT, TV Land, Nick at Nite, Nick Jr** and **Logo** will all be available through the service launching in 4Q. Several other content owners, including **A+E Nets** and **Scripps Nets**, have also struck deals.

Programming: **FX** renewed "American Horror Story" for a 7th season. The franchise has won 15 Emmys, with the premiere of the 6th installment ranking as the 3rd most-watched telecast in FX Nets history in adults 18-34 (behind only 2 previous AHS seasons). The premiere of "AHS: Roanoke" has delivered a combined 13min total viewers (linear and non-

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linear). -- Ever been to the Polar Bear Capital of the World? **Smithsonian Channel's** new series "Polar Bear Town" will take you to Churchill, Manitoba, where more than 1K bears pass through as they wait for the Hudson Bay ice to return (premieres Nov 16). -- **ESPN's** "30 for 30" series continues this fall with 3 new docs—"Phi Slama Jama" (Oct 18); "Hit it Hard" (Nov 1) and "Catholics vs Convicts" (Dec 10).

AT&T Hearts T Swift: AT&T signed a multi-year deal with pop artist *Taylor Swift* that includes her headlining the AT&T DirecTV Super Saturday Night concert in Houston ahead of the Super Bowl. Pay TV providers just seem to have a thing for the singer, with **Comcast** signing on as the lead sponsor in 2015 for her "1989" tour. Exclusive content and portions of the concert will be made available to U-verse and DirecTV subs. More details on the multi-faceted deal to come.

People: A technology leader from the *Clinton* administration was selected as the new pres/CEO of **USTelecom**. *Jonathan Spalter*, who served as associate dir of the US information Agency and was on the staff of the **Natl Security Council** in the Clinton White House, will take over the job Jan 1. Current USTelecom chief *Walter McCormick* announced earlier this year that he will retire after 16 years with the trade group. -- **Nick** named *Jennifer Tracy* as svp, franchise and partner marketing.

Cablefax Daily Stockwatch

Company	10/04 Close	1-Day Ch	Company	10/04 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DISH:	55.90	0.25	INTEL:	37.54	(0.12)
ENTRAVISION:	7.60	0.03	INTERACTIVE CORP:	62.32	(0.48)
GRAY TELEVISION:	10.71	0.01	LEVEL 3:	45.62	(0.39)
MEDIA GENERAL:	18.45	(0.04)	MICROSOFT:	57.24	(0.18)
NEXSTAR:	58.08	(0.42)	NETFLIX:	102.34	(0.29)
SINCLAIR:	28.43	(0.25)	NIELSEN:	53.46	(0.19)
TEGNA:	21.88	(0.23)	SEACHANGE:	2.89	(0.05)
MSOS					
CABLE ONE:	576.74	(2.01)	SONY:	32.74	(0.36)
CHARTER:	267.41	(0.75)	SPRINT NEXTEL:	6.70	0.13
COMCAST:	65.83	(0.36)	SYNACOR:	2.85	(0.06)
GCI:	14.36	0.23	UNIVERSAL ELEC:	73.34	(0.6)
LIBERTY BROADBAND:	69.86	0.10	VONAGE:	6.56	(0.08)
LIBERTY GLOBAL:	33.89	(0.14)	YAHOO:	43.18	0.05
SHAW COMM:	20.28	(0.18)	TELCOS		
SHENTEL:	26.20	(0.43)	AT&T:	39.90	(0.87)
PROGRAMMING					
21ST CENTURY FOX:	24.74	0.01	CENTURYLINK:	27.08	(0.44)
AMC NETWORKS:	52.38	0.11	FRONTIER:	4.10	(0.04)
CBS:	55.55	0.62	TDS:	27.34	0.14
DISCOVERY:	27.40	0.01	VERIZON:	51.26	(0.62)
DISNEY:	92.59	0.10	MARKET INDICES		
GRUPO TELEVISIA:	25.97	(0.2)	DOW:	18168.45	(85.4)
HSN:	39.78	0.41	NASDAQ:	5289.66	(11.22)
LIONSGATE:	20.84	0.55	S&P 500:	2150.49	(10.71)
MSG NETWORKS:	18.78	(0.03)			
SCRIPPS INT:	63.60	(0.52)			
STARZ:	31.85	0.38			
TIME WARNER:	79.18	(0.14)			
VIACOM:	42.49	(0.01)			
WWE:	20.86	(0.19)			
TECHNOLOGY					
ADDVANTAGE:	1.72	(0.04)			
AMDOCS:	58.45	0.61			
AMPHENOL:	64.30	(0.1)			
APPLE:	113.00	0.48			
ARRIS GROUP:	27.84	(0.06)			
AVID TECH:	7.56	(0.11)			
BLNDER TONGUE:	0.56	(0.02)			
CISCO:	31.35	(0.15)			
COMMSCOPE:	30.19	(0.04)			
CONCURRENT:	5.43	(0.04)			
CONVERGYS:	29.60	(0.49)			
CSG SYSTEMS:	40.96	(0.54)			
ECHOSTAR:	43.83	0.23			
GOOGLE:	776.43	3.87			
HARMONIC:	5.84	0.08			

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