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What the Industry Reads First

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Measuring Broadband: Cable Shines in FCC Report

The FCC's 6th "Measuring Broadband America" report, which contains the most recent data regarding consumers' fixed broadband service, found improvements in speeds and other performance matrix, particularly among cable ISPs. The report is part of FCC's Measuring Broadband America program, an ongoing nationwide study of consumer broadband performance. In its January 2015 report, the Commission adopted 25 Mbps downstream and 3 Mbps upstream as the new benchmarks for fixed broadband service. This year's report found that the maximum advertised download speeds amongst the most popular service tiers offered by ISPs have increased from 12-30 Mbps in March 2011 (when the program first launched) to 100-300 Mbps in September 2015. The increases are not uniform across access technologies and have been driven primarily by the cable industry, with smaller increases in fiber based systems. This year, cable technology median download speeds have increased significantly and the median download speed for cable technology is very close to that for fiber, 49 Mbps vs 52 Mbps, according to the report. It noted most recently the speeds of satellite services have declined as capacity limits are being approached. The report found that the annual average increase in download speeds by technology has been 47% for cable, 14% for fiber, 21% for DSL, and -9% for satellite. The corresponding change in upload speeds by technology has been 43% for cable, 25% for fiber, 11% for DSL, and -14% for satellite. "Cable companies, in general, show a high consistency of service," the report said. Meanwhile, fiber technology is gaining traction, especially in the very high speed service tiers. The FCC found that with the launch of very high speed service tiers, those above 100 Mbps, service consistency seems to be at a lower level. Fiber-based systems, in general, "have a fairly high level of service consistency." As some cable ops ready DOCSIS 3.1 technology to enable gigabit speeds, others, such as **Altice USA** and smaller player **Wave Broadband**, are looking to skip the latest DOCSIS offering and upgrade their networks to an all fiber infrastructure. While all ISPs advertise speeds that are close to the actual speeds experienced by their subs, fixed cable and fiber broadband customers experienced speeds that were 100% or better than advertised, according to the FCC. However, the actual speeds experienced by subs of some ISPs satellite technologies were lower on average than the advertised "up-to" speeds for their respective providers. This is likely the result of increased subscribership and consumer usage of these services, according to the agency. While no single technology was



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deemed the fastest across regions, for cable- and fiber-based broadband, both the average advertised download speed and the average median download speed among the most popular service tiers exceeded 25 Mbps in each region. In particular, when DSL is used to provide broadband service, the maximum advertised upload speeds among the most popular service tiers has remained generally unchanged since 2011. In contrast, among cable-based broadband providers, the maximum advertised upload speeds among the most popular service tiers increased from 1-5 Mbps in March 2011 to 10-35 Mbps in September 2015. In terms of latency, the time it takes for a data packet to travel from one point to another in a network, the Commission found consumers generally experienced low latency on cable, fiber and DSL systems. Consumers also generally experienced low packet loss—the percentage of packets that are sent by the source but not received by the destination—on cable, satellite and fiber systems.

One World's Path: A report emerged earlier this week from *Awful Announcing* that **One World Sports** had furloughed most of its employees (that's about two dozen staffers) and is on the edge of filing for bankruptcy if a new owner isn't found pronto. Sources confirmed that One World furloughed everyone but a few senior executives after an anticipated investor backed out. CEO *Sandy Brown*, CFO *Ricardo Venegas*, programming evp *Joel Feld* and distribution evp *Randy Brown* are among those still working, while pursuing a potential sale. "We are under NDA with more than a half dozen companies and working through diligence as they evaluate the opportunity," Randy Brown said, describing interest as "significant." In the meantime, he said affiliates have been made aware of the situation. Brown described them as "highly supportive and cheering us on." One World lost carriage on **DISH** at the end of Aug, but gained distribution in Sept with **DirecTV** and **AT&T U-verse**. If One World can't pull this off, 2016 will have racked up a trifecta of cable network deaths. In April, **Al Jazeera** shuttered its **Al Jazeera America** network. In Oct, **Participant Media** pulled the plug on **Pivot**. "We are determined to not be another tombstone in the growing graveyard of independent networks, and we are working hard to do right by our employees, distributors, vendors and, ultimately, our many viewers and fans," Brown told us.

Independent Issues: **One World Sports'** woes come as the **FCC** has launched a Notice of Proposed Rulemaking that would prohibit the inclusion of "unconditional" most favored nation (MFN) provisions and unreasonable alternative distribution method (ADM) provisions in program carriage agreements between MVPDs and independent video programming vendors. It's an attempt to foster competition and diversity of independent voices, and an effort One World and several other indies have supported. Comments aren't due until Dec 27, but one company has already weighed in on the issue. Last month, **GSN** pres/CEO *David Goldhill* discussed the proposal with **FCC** commissioner *Mignon Clyburn's* chief of staff *David Grossman*. GSN was just victorious in a program carriage complaint against **Cablevision** (*Cablefax.com*, 11/24), which new owner **Altice USA** plans to appeal. GSN used the meeting to push the FCC to take even greater steps to ensure indie nets don't face retaliatory behavior for invoking the Commission's program complaint process. GSN encouraged the Commission to resurrect the standstill rule, which was vacated by a federal court in 2013 for failure to comply with notice-and-comment requirements. There's a door open for the agency to resurrect the rule, but it doesn't seem likely that the new GOP regime will be interested in new regulations. The standstill rule allowed the FCC to consider requests for a temporary standstill to price, terms and other conditions of an existing programming contract. When it comes to carriage complaints, GSN also wants the FCC to clarify the burden of proof questions, impose stricter time limits on each part of the case, reduce the length of discovery and increase the power of the Media Bureau to resolve questions of fact.

Altice Launches Economy Internet: As part of merger conditions imposed by the **NY PSC** when **Altice** acquired **Cablevision**, **Altice USA** has launched "Economy Internet," a low-cost home broadband service from Optimum offering access for eligible families and seniors in the tri-state area. The \$14.99 per month service features broadband speeds of up to 30 Mbps downstream, WiFi in the home via a free smart router, and wireless connectivity on-the-go through access to the Optimum WiFi network (more than 1.5 million hotspots across the tri-state area). Altice USA is partnering with various community organizations such as **BronxWorks** to promote the new offer to qualified HHs to encourage adoption. The company is also working to offer free broadband modems in computer labs and other public spaces.

CBS-NFL Deal: **CBS** inked a deal with **NFL** to bring the league's content to its \$5.99-per-month OTT offering CBS All Access starting Sun. NFL regular season, preseason and post season games will be available to stream for subs.

Retrans Reprieve: An 11th hour agreement prevented a blackout involving 11 broadcast station owners on **DirecTV**

BUSINESS & FINANCE

that would have cut across several markets (CFX, 12/1). Some AT&T Universe markets also would have been impacted. Broadcast owners involved included **Deerfield** and **Cunningham Broadcasting**, with primarily **CW** and **My Network** stations involved.

Virgin Media's New Box: **Virgin Media** launched a new 4K-ready V6 set-top box powered by **TiVo** and a new HD TellyTablet designed as a personal smart TV Wed. The service provider also upgraded its Virgin TV Anywhere app, launched a new ad-free kids app and the Virgin Media Store. The box lets users record 6 programs while watching a 7th recording or stream from services such as **Netflix**. The new set-top box is compatible with Virgin Media's original TiVo box, meaning that existing Virgin Media customers can keep recordings and transfer settings. It also supports 4K/HDR.

People: **SeaChange** tapped 30-year industry vet **Mark Tubinis** as svp of engineering & global services. Prior to SeaChange, he was svp of strategic solutions for home automation service provider **Savant Systems**. Previously, he was CTO and svp of engineering for Cedar Point Communications. -- **Scripps Networks Interactive** announced **Philip Kent** will be nominated for election to the board at its annual shareholder meeting in 2017. He served as CEO of **Turner** from 2003 to 2013. Kent will succeed director **David Galloway**, who will be retiring after 9 years on the board.

Cablefax Daily Stockwatch

Company	12/1 Close	1-Day Ch	Company	12/1 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DISH:	56.22	(1.23)	INTEL:	33.76	(0.94)
ENTRAVISION:	6.65	0.05	INTERACTIVE CORP:	65.22	(2.14)
GRAY TELEVISION:	10.20	0.10	LEVEL 3:	55.19	0.12
MEDIA GENERAL:	18.47	0.10	MICROSOFT:	59.20	(1.07)
NEXSTAR:	59.48	(0.18)	NETFLIX:	117.22	0.22
SINCLAIR:	32.50	(0.05)	NIELSEN:	42.11	(0.99)
TEGNA:	22.39	(0.04)	SEACHANGE:	2.58	(0.03)
MSOS					
CABLE ONE:	612.04	20.98	SONY:	28.22	(0.85)
CHARTER:	272.55	(2.76)	SPRINT NEXTEL:	7.94	0.10
COMCAST:	69.86	0.35	SYNACOR:	3.00	(0.05)
GCI:	17.14	0.28	UNIVERSAL ELEC:	65.40	(1.95)
LIBERTY BROADBAND:	68.67	(0.86)	VONAGE:	6.66	0.07
LIBERTY GLOBAL:	30.07	(1.25)	YAHOO:	39.63	(1.39)
SHAW COMM:	19.67	0.10	TELCOS		
SHENTEL:	27.10	(0.95)	AT&T:	38.88	0.25
PROGRAMMING					
21ST CENTURY FOX:	28.20	0.09	CENTURYLINK:	23.74	0.22
AMC NETWORKS:	55.25	UNCH	FRONTIER :	3.51	(0.14)
CBS:	60.57	(0.15)	TDS:	26.82	(0.11)
DISCOVERY:	27.15	0.06	VERIZON:	49.87	(0.03)
DISNEY:	98.94	(0.18)	MARKET INDICES		
GRUPO TELEVISIA:	20.25	(0.52)	DOW:	19191.93	68.35
HSN:	37.50	(0.6)	NASDAQ:	5251.11	(72.57)
LIONSGATE:	22.70	(0.7)	S&P 500:	2191.08	(7.73)
MSG NETWORKS:	20.55	0.10			
SCRIPPS INT:	69.69	0.43			
STARZ:	33.40	(0.46)			
TIME WARNER:	94.14	2.32			
VIACOM:	41.35	(0.23)			
WWE:	18.45	(0.33)			
TECHNOLOGY					
ADVANTAGE:	1.76	0.03			
AMDOCS:	58.17	(0.8)			
AMPHENOL:	66.74	(1.52)			
APPLE:	109.47	(1.06)			
ARRIS GROUP:	27.91	(0.78)			
AVID TECH:	4.17	(0.04)			
BLNDER TONGUE:	0.51	UNCH			
CISCO:	29.46	(0.37)			
COMMSCOPE:	35.50	(0.49)			
CONCURRENT:	5.63	0.05			
CONVERGYS:	24.58	(1.29)			
CSG SYSTEMS:	44.60	0.10			
ECHOSTAR:	51.81	0.81			
GOOGLE:	747.92	(10.12)			
HARMONIC:	4.95	0.30			



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PROGRAMMER'S PAGE

Psychic Visions

After watching **Hulu's** newest show "Shut Eye" (available Dec 7), don't be surprised if you start seeing tarot reading parlors everywhere. Creator *Les Bohem* wanted to bring the phony and dangerous world of psychic shops to viewers after he started noticing just how many he drove past. "We have more parlors in L.A. than we have **Starbucks**," Bohem said. For main character Charlie (played by *Jeffrey Donovan*), the life of a mid-level con artist is hard when you are an outsider stuck under the control of a dangerous Romani boss. Bohem discovered numerous cases where people were conned out of all of their money by these "psychics." "I came across the story of a very successful romance novelist who lost \$16 million over the course of 10 years," he said. While Charlie is used to conning his clients out of money with lies and persuasion, he doesn't know what to do when he starts getting real visions. Bohem was inspired by a conversation with a psychic who described how she uses her intuition to help clients. She said, "I'm driving to work one day and a man who is crossing the street shatters a glass bottle of cough syrup." Later, when she talks with a client whose daughter is not getting better on her current medication, she knows what to say. "The medicine you are giving her is bad. Go get another prescription from another doctor." Whether you believe in psychics or not, Shut Eye makes for an exciting look into tarot card parlors and those who run them. Bringing the show to Hulu was a pleasure for Bohem, who likes the growth of outlets for content creators. He describes Hulu and other OTT services as "more encouraging and artistically supporting" than cable networks, which may have more creative restrictions. — *Hayley Spillane*

Reviews: "Pearl Harbor: The Truth," Sun, 10pm, **History**. The rumors have circulated for 75 years: D.C. knew Pearl Harbor was going to be attacked on 12/7/41 and did nothing to stop it. This fine special dives into those rumors, providing clarity via recently unveiled documents and apposite interviews. In the end, blunders and decisions combined to keep vital intelligence from reaching U.S. Pacific commander *H.E. Kimmel*. To this day Kimmel's family is attempting to clear his name. -- "Conan Without Borders: Berlin," Wed, 10pm, **TNT**. *Conan's* trip to Berlin is a delight from start to finish. It's unclear how much was set up, but some must have been as the locations for several segments just happen to be in comedic heaven—Conan at a sausage factory, Conan meets a dominatrix, Conan on a nude beach. Still, it's clear O'Brien possesses a blazing-fast comedic gift, able to create laughter and smiles while highlighting German culture. A good move: Conan gets serious for a few minutes to discuss the refugee situation in Germany and then schmoozes with them. -- "Ocean Warriors," Sun, series premiere, 9pm, **Animal Planet**. From *Paul Allen* and *Robert Redford*, this gorgeously shot 6-part series features people attempting to thwart ocean-based criminals. The payoff is worth it, although bouncing between 3 stories sometimes is as choppy as a storm at sea. — *Seth Arenstein*

Basic Cable Rankings (11/21/16-11/27/16)			
Mon-Sun Prime			
1	ESPN	1.3	3012
1	HALL	1.3	2973
3	FOXN	0.9	1965
4	TBSC	0.7	1624
4	USA	0.7	1611
6	AMC	0.6	1406
7	DISC	0.5	1221
7	HGTV	0.5	1204
7	HIST	0.5	1129
7	ID	0.5	987
11	DSNY	0.4	1053
11	FX	0.4	948
11	FOOD	0.4	893
11	NAN	0.4	846
11	ADSM	0.4	838
11	FRFM	0.4	814
11	HMM	0.4	763
11	NKJR	0.4	675
11	DSE	0.4	84
20	TLC	0.3	772
20	TNT	0.3	768
20	BRAV	0.3	724
20	CNN	0.3	704
20	TVLD	0.3	684
20	MSNB	0.3	675
20	BET	0.3	658
20	LIFE	0.3	639
20	SYFY	0.3	624
20	SPK	0.3	568
20	DSJR	0.3	561
20	UDN	0.3	417
32	CMDY	0.2	533
32	VH1	0.2	532
32	FXX	0.2	524
32	A&E	0.2	519
32	OWN	0.2	469
32	MTV	0.2	455
32	APL	0.2	451
32	WETV	0.2	450
32	ESP2	0.2	447
32	LMN	0.2	440
32	TRAV	0.2	416
32	NGC	0.2	394
32	INSP	0.2	387

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

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