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What the Industry Reads First

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Buckle Up: A Primer before Thursday's FCC Title II Vote

Last month's **FCC** meeting—which came before *Ajit Pai* even released his plan to roll back Title II classification—featured net neutrality activists “Rickrolling” the FCC chairman by singing *Rick Astley's* “Never Gonna Give You Up.” Given that an actual proposal will be voted on at next Thursday's meeting, it's a safe bet things are about to get much louder than a 1980s pop earworm. *The Daily Caller* reports protesters plan on being outside Pai's house on Mother's Day. It's become par for the course, with former chmn *Tom Wheeler* also being treated to such tactics outside his home. When **Cablefax** spoke with the chairman just before he released his plan, he said he was ready for the onslaught, noting that the First Amendment is “what makes this country great.” Appropriately, much of the organizing is happening on the net. Ideas include flooding the FCC with physical mail, with a **Reddit** user suggesting that then the agency can't claim a DDoS attack prevented them from getting through (Then again, they might want to look at our 4/24 story on the Commission reversing an open video system order after it was inadvertently granted because of a 3-week delay in agency mail). For its part, the FCC released guidance on Thursday alongside its May 18 agenda explaining that under the agency's longstanding rules the public is prohibited from submitting comments through the agency's website addressing the merits of the proposed rulemaking (or any other item to be considered at the meeting) between March 12 and publication of the notice or its removal from the agenda. It seems unlikely that will be observed, particularly following **HBO** host *John Oliver's* recent call to action, so these comments and presentation will be marked “Sunshine” and will be associated with the proceeding, but not part of the record. Assuming the NPRM is adopted as expected, the public will be given a deadline to issue comments and replies as with any other proceeding (Dems are already asking for more time). Those in favor of nixing Title II status for broadband providers have been active as well. **A Morning Consult** study released by **NCTA** finds unsurprisingly that most Americans believe the Internet should be regulated lightly. Then there are allegations that a spambot is sending tens of thousands of identical comments urging the FCC to “repeal Obama's Title II power grab.” Pai's doing his part to showcase supporters, touting on Friday a letter from 19 government-owned ISPs (all **ACA** members) expressing support for his plan to end Title II classification. “These non-profit ISPs serve small towns across America, from Bagley, Minnesota to Tullahoma, Tennessee. They told us that the FCC's heavy-handed rules have led them to ‘often delay or hold off from rolling out a new feature or service,’” said the chairman's statement. While Thursday's approval is pretty much a given at the 2-1 Commission, it's only a proposal to change the rules. That means we have months of protests, vitriol and John Oliver ahead of us.

Rumor Mill: **Sprint** is again in talks to merge with **T-Mobile**, according to a *Bloomberg* report. The **FCC's** recent spectrum auction had put telecom merger talks on hold, and some analysts have predicted a wave of M&A activity now that it is over. T-Mobile parent company **Deutsche Telekom** and top Sprint stakeholder **Softbank** both



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expressed openness to merger talks in recent earnings reports. Softbank CEO *Masayoshi Son* reportedly pointed specifically to T-Mobile as the “most orthodox choice.”

Ratings: **NBC Sports** through two rounds of the Stanley Cup Playoffs averaged 767K viewers for the 54 games that aired on cable across **NBCSN, CNBC** and **USA**. That figure represents a 12% YOY increase from an average of 682K viewers through 58 cable games in 2016. Including games that aired on the broadcast net, NBC Sports is averaging 965K viewers (up 7% YOY) and a 0.58 HH rating (up 4% YOY). Wednesday night’s Game 7 between the Penguins and Capitals on NBCSN scored 2.48mln viewers and a 1.49 HH rating. The DC market recorded an 8.3 HH rating Wednesday night, its highest mark ever for an NBCSN game, while Pittsburgh delivered a 23.9. Through two rounds, Pittsburgh leads all markets in the ratings, followed by St. Louis and Nashville.

Cracking Down: The **FCC** on Friday proposed a \$144,344 fine—the maximum allowed under the Communications Act—against two men for operating an unlicensed low-power TV station in Morehead, KY. An investigation found that *Vearyl Pennington* and *Michael Williamson* continued to operate Channel 10 after their FCC license was cancelled for failure to file a renewal. The FCC canceled the station’s license in 2004 due to its failure to file a renewal request in 1998.

Programming: **Starz** has signed a two-year overall deal with *Gary Lennon*, exec producer of the net’s original series “Power.” He will develop new projects for the net and continue in his role on “Power.” -- **ESPN2** is debuting “The Fantasy Show,” a 30-minute show hosted by *Matthew Berry*, as part of its weekday lineup. It will premiere August 1 on WatchESPN before making the jump to the linear net on August 15 as part of **ESPN’s** second annual Fantasy Football Marathon. ESPN2 will also return “Fantasy Football Now” on Sunday mornings during the **NFL** season, beginning Sept 7 at 7:30pm ET. -- **Turner-owned truTV** revealed its 2017-18 programming slate, which includes new series, eight returning series and five projects in development. “Laff Mobb’s Laff Tracks,” a 12-ep series beginning this fall featuring up-and-coming comedians, joins previously announced new shows like “At Home With Amy Sedaris” and “I’m Sorry,” which stars *Andrea Savage* as a fictionalized version of herself. Orders for returning series include a seventh season of “Impractical Jokers” and a third season of the net’s first scripted series, “Those Who Can’t.” TruTV’s developmental pipeline is highlighted by two untitled scripted series—one from *Liza Treyger* and another from *Molly Austin* and *Shamikah Martinez*. -- **Bravo** greenlit five original short-form series for distribution on its digital platforms. The new shows include a travel advice program called “The Upgrade,” a dating show called “Personal Space” and “The Weekly Pre-Game,” which serves a primer for the week ahead in Bravo’s linear programming. Bravo Digital, which includes the net’s site and app, logged 32mln video streams last month.

People: **Frontier Communications** named **Google Fiber** head of network deployment and ops *Chris Levendos* its evp field operations. He will replace *John Lass*, who plans to retire. Levendos will report to pres/CEO *Dan McCarthy*. Prior to his stint at Google, Levendos spent 26 years at **Verizon**.

Giving Back: **Altice USA** has donated \$4K to the **Norwalk Youth Symphony** in an effort to support scholarships for underserved youth in the Connecticut community. The company’s donation will help fund the organization’s need-blind admissions policy, which allows the group to accept children from underprivileged backgrounds. More than 20 of the group’s 260 members will receive financial assistance.



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