

Cablefax Daily™

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What the Industry Reads First

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Legal Spat: DISH Files Sealed Lawsuit against Univision

DISH hasn't been afraid to go after programmers over the years. Now, it seems **Univision** is in the satellite provider's sights. This week, DISH filed a suit in NY's Southern District against **Univision Local Media**, **Univision Networks** and **Univision of Puerto Rico**. However, the content of the litigation is a mystery. The court granted DISH's request to file the complaint under seal. An initial pretrial conference has been set for Nov 17 before Judge *Alison Nathan*. Both companies declined to comment on the legal action. DISH and Univision signed a multi-platform deal at the start of 2012, making a huge announcement about it at CES. It included the addition of **Univision Deportes**, **Univision tlnovelas** and **Univision Noticias** to DISH's lineup as well as thousands of hours of Spanish content for streaming. In 2015, DISH's virtual MVPD offering **Sling TV** inked multi-stream rights for live and VOD content from Univision's portfolio. DISH is no stranger to the courthouse. Remember its years-long breach of contract dispute with **Disney**? Last year, it took legal action against **NBCU** during a retrans dust-up, claiming the programmer breached its contract by urging DISH customers to pressure the satellite provider. The two eventually settled the clash as part of a larger agreement over DISH's ad-skipping through AutoHop. Univision is currently involved in its own legal challenge, filing suit last summer against **Charter** over its attempts to use **Time Warner Cable's** rate card. Two other programmers, **Fox News** and **Showtime Networks**, filed similar litigation against Charter, but have since resolved their disputes.

Day of Action: Title II proponents' much-touted "Day of Action" came and went. Did you notice it? Social media is where most of the action took place, but some companies, like **Netflix** and **Etsy**, had small notes on their homepages encouraging visitors to "Protect Internet Freedom." **Reddit** had one of the more visible protests, with a pop-up that oh-so slowly typed letter-by-letter: "The internet's less fun when your favorite sites load slowly isn't it?" It goes on for a bit before directing visitors to battleforthenet.com. Gamer platform Twitch swapped out all of its global emotes to spinning loading wheels. Those who are happy about the **FCC's** move to dismantle the 2015 Open Internet rules and Title II classification had their own efforts. "You can have strong and enforceable Open Internet protections without relying on rigid, innovation-killing utility regulation that was



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developed in the 1930s (Title II),” **Comcast sr evp David Cohen** penned in a blog post that focused on Comcast’s support of net neutrality. **NCTA’s** tact was to tell folks not to believe the hype. “... the Day of Action isn’t designed to educate consumers about sensible policies, rather its goal is to scare them into thinking their internet experience will somehow suddenly be degraded if the FCC restores light touch regulation,” its blog proclaimed.

Video Described Programming: The **FCC** knocked an item off its agenda ahead of today’s (7/13) open meeting, voting to adopt new rules for more video-described programming (audio descriptions of video programming for the visually impaired). Beginning in July 2018, broadcasters and pay-TV providers carrying one of the top networks must provide 87.5 hours of described programming per calendar quarter, which averages out to roughly one hour per day of description on each included network. This is an increase of 75 percent over the 50 hours per quarter presently required. Currently, they must provide 50 hours during primetime or children’s programming. The additional 37.5 hours can be during any time of the day between 6am and midnight.

Where’s FCC Oversight Hearing?: Democrats on the **House Commerce** committee want to know why an **FCC** oversight hearing hasn’t been scheduled for July. “The leadership of this Committee has assured us in public and in private on numerous occasions that the FCC will testify during the month of July, but no hearings have been scheduled,” Reps **Frank Pallone** (D-NJ) and **Mike Doyle** (D-PA) wrote to leadership Wednesday, the same day protests were held over the FCC chairman’s efforts to overturn the 2015 net neutrality rules. “This Committee has an obligation to perform oversight on behalf of the American people and ensure that the American people understand the consequences of the FCC’s actions. The Committee should not be working to shield the FCC from having to explain its push to install such unpopular policies.”

Sling’s Friends and Family: Sling TV launched a new “Refer a Friend” program, giving subscribers and their friends a \$5 discount on their services for taking part in the promotion. Sling’s also adding two new channels, Weather Nation and Showtime Family Zone, offered at \$5 and \$10 per month, respectively, for Sling Orange or Blue.

Vendor Notes: CommScope plans to acquire privately held fiber optic and copper cable maker **Cable Exchange**. The acquisition increases CommScope’s capabilities in supporting high capacity, multi-tenant data centers as well as hyperscale data centers. The leadership team and employees of Cable Exchange will join CommScope upon completion of the transaction. Cable Exchange will operate as a stand-alone business within CommScope’s Connectivity Solutions segment. **D.A. Davidson** served as adviser to Cable Exchange in the sale. -- **Arris** launched its first broadband gateway with McAfee’s Secure Home Internet. The SURFboard SBG7580-AC is available exclusively at **Best Buy**. It’s a combination gigabit cable modem, WiFi router, Ethernet hub and home Internet security center.

Programming: A&E ordered 100 additional episodes of its police peek-in show, “Live PD,” extending the series run into 2018. New episodes will air every Friday and Saturday at 9pm through the summer. -- **Pop and CollegeHumor** are partnering for the production of “Hot Date,” a relationship comedy featuring popular Internet duo **Emily Axford** and **Brian K. Murphy**. Produced by and guest starring **Will Arnett**, a 10-episode run will premiere on Pop this fall. -- Season 16 of **Lifetime’s** “Project Runway” will incorporate size-inclusive models for the first time in the series history. Designers will work with models ranging from size 0 to 22 to create for all body types. The season kicks off on Aug 17 at 8 pm. -- **Netflix** has ordered a second season of “Castlevania,” an animated series based on the popular video game series. Netflix just rolled out the first season on Friday, and the eight-ep order for Season 2 is two times the size of the initial slate.

Sugar Rush: Bounce TV has made its SVOD service, **Brown Sugar**, available on **Amazon Fire TV**. The service, which features a collection of movies appealing to African Americans, is also available for iOS and Android devices and online at BrownSugar.com. The service costs \$3.99 per month after a seven-day free trial.

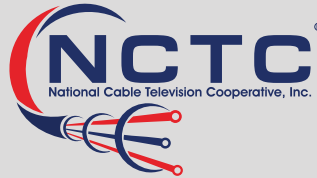
Editor’s Note: Cablefax is looking for the best promos and sizzle reels across TV, movies, video games, web content and consumer brands for our Trailer Awards. Enter by July 21 at Cablefax.com.



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Think about that for a minute...

Geek Glue

Commentary by Steve Effros

I have a very solid marriage. We've stuck together through thick and thin for over 37 years. My wife, Lucia, will tell you that part of the reason is that if we ever broke up she wouldn't know how to turn on the lights, or the TV, or what code word to use to get the WiFi to work or figure out what imminent danger she was in from some device beeping a warning: is it the refrigerator door that's ajar, or a timer for something, or maybe one of the "uninterruptible" power supplies that is about to die? I have to admit, she has a point.

Things around the house have gotten a tad complicated. Yes, I'm fascinated with new technology and I like to test a lot of it out to see where I think it is going to go and then let you know in these columns. Why? Well, sure, I love this stuff and it's fun, but also because we as an industry are the ones that deliver a lot of the input that then gets integrated into a new "smart home" or is used on a "smart TV." We should take advantage of that.

I can start by saying, as Lucia will attest, none of it is "smart." There are lots of pieces all being put together that allow us to interconnect different things in our homes. I've written at length about being impressed with Amazon's Echo, for instance, or Google's Home device. They try to use voice commands (and now that's integrated with a screen in the case of Amazon) to help hide the complexity of what is really going on; individual devices, from thermostats to refrigerators are being linked to the Internet, thus the moniker "Internet of things" and the data derived from those links, all of it usually interconnected via a home WiFi setup, then gets manipulated in some way, whether by computer, smartphone app or voice command through Alexa, Home, or now even the X1 system.



And yes, of course, your television is part of this, too. Changing channels or searching for a program can be done by voice command. All of that data gets shot around the Internet to various servers, the commands are interpreted and then responses are sent back to those devices in your home. So while "set the air conditioning at 75 degrees" may be simple to say, there's a lot going on in the background to get that voice command in and out of your house and then back to your "smart" thermostat" which then can report what it is set at to your phone!

Therein lies the rub. How do you get all this set up and working for folks who simply don't know and certainly don't care about those details? I suggested long ago that our industry should get out front of this wave and teach our technicians how to be the "go to" person for keeping the "smart home" smart. We have an obvious "first responder" position by being the one delivering the data and usually installing the WiFi. Best Buy did a good job with its "Geek Squad" and now Amazon has announced that it is expanding its home "experts" to be the ones to call when you need something "smart" working at home. You can bet they will steer folks to Alexa. I'll say it again; we're crazy if we don't exploit the "geek glue" we have of being the core deliverer of "smarts" into the home.

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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