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Cablefax Daily™

Thursday — October 26, 2017

What the Industry Reads First

Volume 28 / No. 206

FCC Oversight: Rosenworcel Calls for Investigation in Wide-Ranging Hearing

It was a wide-ranging **FCC** Oversight hearing Wednesday, spanning more than three hours and covering everything from President *Trump*'s tweets to review of **Sinclair's** proposed \$3.9bln Tribune merger to privacy protections. Commish *Jessica Rosenworcel* said she believes FCC action "merits investigation," pointing to a series of media policy decisions that "all seem to serve Sinclair Broadcasting's business plans—from reinstating the UHF discount to changing the 39% [ownership] rule that was enacted by Congress to possibly foisting on all of our households a new broadcast standard for which they own many, many patents." That broadcast standard—ATSC 3.0—is expected to be put on the November Open Meeting's agenda. FCC chmn *Ajit Pai* also announced at the meeting that easing media ownership rules will be on next month's agenda, including the ban on the ownership of a newspaper and broadcast station in the same market. House Commerce Ranking member *Frank Pallone* (D-NJ) said he found it curious that the hearing is scheduled just one day before *Pai* is expected to make the proposal public, saying it "enriches a single company above others" and clears any last obstacles to Sinclair's Tribune purchase. Wednesday's House Communications subcmte meeting came after *Pallone* and subcmte ranking member *Mike Doyle* (D-PA) requested a hearing so that *Pai* and other commissioners could publicly disavow President *Trump*'s remarks over **NBC's** broadcast license. However, *Pai* said he was only going to speak to his own views and would not characterize anyone else's. Chmn *Marsha Blackburn* (R-TN) addressed the Democratic leadership's hearing request at the start, saying it came while the "routine" hearing was in its final planning stages. "I fully expect them to question the *Trump* tweets and chmn *Pai*, since we have a very full slate of issues, my hope is you will address that concern so we can focus on the work and responsibilities of the Commission," she said. *Pai* began his remarks by immediately addressing the First Amendment, saying his record that it must be at the heart of the agency's work is clear. Presidential attacks on the press are not new, he said. "President *Kennedy* targeted the *Washington Post* and **NBC**, directly telling one of my predecessors a particular story was outrageous and to 'do something about it,'" he said. "More recently, some have said the FCC should reject a transaction involving the transfer of FCC broadcast licenses because of editorial judgments. And six members of this very committee, including the ranking member and ranking subcmte member, once demanded that the FCC investigate a broadcaster based solely on the content of a documentary

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that they didn't like and that hadn't even aired. Let me be clear. I stand on the side of the First Amendment." The last was a reference to the Sinclair "Swift Boat" controversy from 2004. Rep *Anna Eshoo* (D-CA) responded: "To bring together President Kennedy with Donald Trump I don't think is palatable." Pallone questioned him further, with Pai stating he wouldn't revoke a broadcast license based on multiple newscasts or launch investigations into companies based on their reporting or have the Commission take acts of retribution based on the content of reporting.

Democrats on Univision-Verizon: With **Univision** dark on **Verizon** for more than a week now, a group of Senate Democrats have asked the **FCC** to take action to bring the parties together so "negotiations can be concluded in an equitable and expeditious manner." The letter, signed by *Ed Markey* (D-MA), *Elizabeth Warren* (D-MA), *Robert Menendez* (D-NJ) and four others, also called on the heads of both companies to engage in good faith negotiations. "As the situation in Puerto Rico changes, access to Spanish-language news programming is crucial," they wrote. "We believe the public interest would be best served if carriage is restored by the parties at the earliest possible time so consumers are no longer caught in the middle." Univision responded by saying it hopes Verizon returns to the table to negotiate in good faith. Verizon has said the programmer is seeking an "astronomical" rate increase, adding it would be willing to sign an extension of the expired 2012 agreement "for any number of years" with "reasonable" annual increases despite a decline in viewership.

Android TV Beat: Just days after an Android TV panel was scuttled from **SCTE-ISBE's Cable-Tec Expo's** sponsored Innovation Theater, word comes that **AT&T** is readying an Android TV-based set-top. SCTE did not respond to requests for comment, but **nScreen Media's Colin Dixon**, who was supposed to moderate, writes about it [here](#). The panel was moved to **Amino's** booth, which also featured demos of scalable Android TV solutions for cable operators. DirecTV plans to introduce an Android TV-based set-top box, according to an **FCC** filing first discovered by *Variety*. The proposed user manual describes the C71KW-400 as "the new AT&T/DIRECTV Wireless 4K OTT Client." The box, which it appears would be known to consumers as "Osprey," is set to be accompanied by a VRC81 voice-controlled remote. The rendering of the box includes an Ethernet connector, HDMI connector, USB 2.0 port and S/PDIF optical audio connector. There's no sign of an antenna, seemingly indicating the device would be exclusively internet-based. The manual also notes that the new box cannot be used with DirecTV's existing Genie servers. It's unclear what the potential introduction of an OTT set-top box means for the company's traditional satellite business, which has bled subscribers in recent quarters.

Ad Picture: Cable advertising revenue was down 2% in September relative to the same month in 2016, according to new research from **Standard Media Index**. That result lines up with a 2% decrease for cable through the entirety of 3Q17. The research firm attributed the dip to entertainment and news programming. Bucking a recent trend, cable

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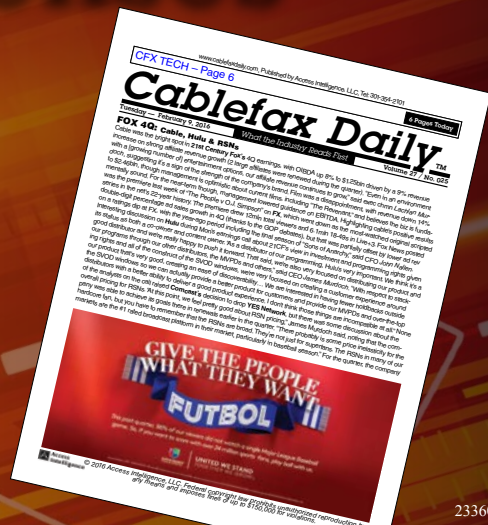
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news ad dollars took a YOY hit for the first month since the 2016 election. That decrease was predictable given the election-driven boost this time last year, but the net-by-net breakdown is noteworthy. **Fox News** took the biggest bath, with ad spend down 17% in September 2017 compared to 2016. While Fox News still has the highest unit costs on cable news, they “pale in comparison to the \$31,300 average spot cost it brought in around the September 2016 presidential debate.” **CNN** saw a 1% YOY decrease, while **MSNBC** continued to see growth with a 2% boost. Thanks to viewership increases this year, MSNBC is seeing increased unit costs for its primetime shows. Unlike news, sports saw an 8% YOY increase in ad revenue, driven in part by the **NFL Network's** 96% jump due to an additional game. **FS1** saw ad revenue increase 33% YOY, while **ESPN** saw a 2% increase. National TV as a whole (cable and broadcast) was down 3% YOY in September, but 11% on the quarter, due in part to comparisons with the 2016 Olympics. The US ad market as a whole was up 1% in September and 0.6% in 3Q.

Texas Tie-Up: **Sling TV** is working with the **Competitive Carriers Association** to bundle the virtual MVPD service with CCA members' wireless plans for new and existing customers. A Sling spokesperson said there aren't any specific carriers on board yet, but that CCA members will learn more about the deal at the group's annual convention, which kicked off Wednesday in Fort Worth. CCA's members are rural, regional and nationwide carriers, whose combined service area covers 95% of the US.

Goal Kick: **Univision Deportes** acquired Spanish-language rights to **Liga MX** soccer club Lobos BUAP, meaning the net has secured broadcast rights to all 18 teams in the Mexican soccer league through the 2017-18 season. **Fox Sports Deportes** announced Tuesday that it has acquired rights to Liga MX club Xolos beginning in 2018 and Santos Laguna beginning in 2019. Univision's streaming of Liga MX matches in English on **Facebook** is currently the subject of a lawsuit against the net by **DISH**. Univision has asked the court to dismiss DISH's case, claiming the satellite provider's agreement only covers linear rights and the English-language Liga MX matches are an entirely different product. Wednesday's announcement, however, did not include any reference to Facebook streaming, and Univision did not respond to a request for comment on whether it plans to continue the initiative.

Ousting Harvey Weinstein: **Ovation's** board has “begun the process of removing *Harvey Weinstein* from its ranks,” according to *Variety*. The board voted to eliminate Weinstein's seat and notified him, which is the first in a series of steps for official removal. **The Weinstein Co** owns a small stake in the cable net. The *Variety* report cited sources as saying that Weinstein was not an active participant on Ovation's board and rarely attended meetings.

X Marks the Spot: **Comcast's** recently formed wireless business, **Xfinity Mobile**, will offer the highly anticipated iPhone X to subscribers. It'll be available for preorder beginning this Friday and in stores at 8am local time on Nov 3.

Going, Going, Gian: **ComScore** co-founder and CEO *Gian Fulgoni* plans to retire at the end of January 2018. He will adopt the role of chmn emeritus and provide advisory services through January 2019. The company's board formed a search committee for Fulgoni's successor and will also retain an exec search firm to assist in the process.

Stay Basic: Some 19% of potential cord-cutters rank **BBC America** and **FXM** as among their five favorite digital basic networks, according to a new **Beta Research** survey. Also scoring high marks were **NFL Net**, **Cooking Channel** and **ID**, with 18% mentioning them as faves. NFL Network topped the list among total network viewers, with 72% deeming it must-have. Beta surveyed 1.5K cable subscribers over the age of 18 and asked them to rate networks on a scale of 1-5, “5” meaning it is a must-have.

Univision Shakeup: **Univision** announced a number of shifts to its executive leadership. *Ronald Estrada* has been elevated to svp, corporate social responsibility & community empowerment, and *Stephen Kellel* will rise to vp, social impact and GM of **Rise Up**, effective immediately. Estrada will lead the execution of Univision Contigo, the company's new empowerment platform. Kellel will be the driving force behind the Rise Up platform, leading positive change for Univision and **Fusion Media Group** audiences. *Jennifer Rogers* will take on the duties of svp, creative services, Univision's internal advertising and media agency, managing all cross-channel promotions and advertising inventory across the Univision brand. Other promotions include *Claudia Prado* becoming director of community empowerment, *Claudia Bojorquez* to director of social impact and *Emilce Elgarrest* to senior director of content & production.

Hop On: **DISH** is bringing extending support of **Amazon** Alexa voice control to Joey set-top box customers for use throughout the whole home. DISH was the first pay-TV provider to natively integrate Alexa voice control in April 2017, making it compatible with its Hopper DVR and Wally HD receiver. DISH's line of Alexa-compatible products now includes all generations of Hopper and its Joey, Wireless Joey, 4K Joey and super Joey clients, along with DISH's Wally single-tuner HD receiver.

Think about that for a minute...

The Competitive Freeze

Commentary by Steve Effros

If you've been around the "telecommunications business" like I have for quite a few years, an inevitable byproduct is that your friends and neighbors will seek you out for advice and help when it comes to their choices on televisions, stereos, smartphones, computers and all sorts of other consumer electronics. I'm more than happy to help, when I can, but I have to admit that it's getting much harder these days.

Look, I love this stuff. I like testing out the gear, but the pace of change and the addition of all sorts of new capabilities is now resulting in an excellent case study in "The Paradox of Choice," which is something I have written about several times. The short explanation is that when choices increase exponentially, as they are doing now in the consumer electronics sphere, folks tend to stop making choices... they "freeze," rather than buy. I can certainly understand why.

Televisions and all the devices now being sold to connect to them are an excellent case in point. Granted, part of the confusion now being sown is caused by the manufacturers themselves using inconsistent language and incompatible offerings. It's gotten to the point where an "average" consumer is right in just stepping back and deciding that now is simply not the time to make any major purchase.

A few examples should suffice. We know, now, about "HD" and the size of sets. Televisions have gotten much larger and they sometimes hang on the wall. But is "4K" significantly better than "HD"? Can you really see the difference? Are there enough 4K offerings to even justify buying a new set? What ever happened to "3D"? Should we care?

Well, as many of you know from reading this column



for a long time, I have continually pointed out that HDR (High Dynamic Range / Extended Color Gamut) is far more important than the number of pixels (4K). Indeed, an HD set with HDR in most cases looks better than a 4K set without. But there are two major HDR standards! One, Dolby's, the other, an "open" standard labeled HDR-10. Can the average person see the difference? Probably not, but some televisions come with one, some with the other, and some with both! And, of course, the programming offered is linked to one or the other! Total confusion.

What about OLED, QLED, FHD and all that other stuff we now hear and see in the ads? What's the difference between "Ultra HD" and "Full HD" or LCD backlighting and LED? And I'm just talking about the screen so far, not the navigation, which is even more complicated. "SmartTV"? Does that incorporate a Roku box or is it the exclusive company-specific "operating system" built into the set, all, of course, linked with WiFi. Will that work with an "outboard" cable box, or an Apple, Roku, Chrome or FireTV attachment? And if so, which navigation screen will come up first? Can I use my Alexa/Echo/FireTV voice commands with a Comcast X1 system? The questions go on and on.

I don't have the answers. I'm going to try to get some of them for you, but I certainly understand why a lot of consumers are now totally confused as to whether now is the right time to do anything. I'm sure with the holiday season upon us it's going to get even louder and more confusing. We have arrived at the point where competitive offerings are going to have to promote simplification or they will freeze the marketplace.

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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CTHRA's Excellence in HR Awards

CTHRA Winners

Join us in saluting this year's **Cable and Telecommunications Human Resources Association (CTHRA)** Excellence in HR winners. This is the 10th year the association has celebrated outstanding achievements in the industry, with this year's honorees doing their part to address issues such as mental health and HR training.

Aspiring Leader



Michelle Martin
VP, Employee
Engagement, CBS

Known affectionately as the "Angel of HR," **CBS' Michelle Martin** is the perfect balance of a strong businesswoman and the employee advocate. Using her technical expertise in areas including managing complex benefit plans, Martin is able to bridge the gap

between the company's various business needs and those of the employee.

She takes a particular focus on areas that are underserved, specifically mental health and caregiving. Her award-winning education campaign "I'm Fine" had brochures mailed to 14,000 employee homes following the release of a series of webcasts on everything from substance abuse to suicide. Her legacy includes backing policy changes that allow employees the ability to use sick time to care for family members, and supporting the implementation of MSK Direct, a program to support eldercare and those fighting cancer. One of her most innovative ideas was "Health Fair in a Bag," providing about 5,000 employees at smaller locations who don't have access to an onsite health fair with information they'd receive at such an event.

Always looking for holes in the resources provided by her department, Martin remains driven to making CBS the best place to work for its employees. "Often I will run into someone at an event or in the elevator and they will ask if CBS has anything to help with a specific issue," Martin said. "If I don't have a good answer or way to help, I ask myself—why aren't we helping with that? No is never my first answer."

Team Innovator of the Year

NBCUniversal's HR for HR Team

There's no better embodiment of quality over quantity than **NBCUniversal's HR for HR Team**, a six-person group working to support NBCU's global HR community. Based on the East and West Coasts, *Carrie Maltese, Elizabeth Michel, Analisa Cortez, Anna Arefian, Ryan*

Scott and Jenny Park launched two initiatives over the past year that are not only innovative, but have been particularly impactful to company culture.

With goals to build on the legacy and values of NBCU, the team developed tHRive University, a skills-based program that provides professional development for the HR community, and HR for Good, which sends NBCU's HR staff to provide training in vital skills to teams at non-profit organizations.

A quote from NBC founder *David Sarnoff* is featured in a book of inspirational phrases given to HR for GOOD participants, and could be a tagline for this team: "Work and live to serve others, to leave the world a little better than you found it and garner for yourself as much peace of mind as you can. This is happiness."

NBCU's first tHRive course launched in April to positive feedback. Topics covered include an introductory course for new hires, an immigration overview and an interactive look at internal investigations. The HR for Good initiative, launched in partnership with the Taproot Foundation, has engaged at least 41 leaders from 27-plus nonprofits. The nonprofit leaders rotated through three 50-minute consultative sessions targeting critical needs including team building and employee relations, performance management, and recruiting, vetting and hiring new staff.

"For both initiatives, launching them was just the beginning—now we need to keep them relevant and keep the excitement going," said vp Maltese. "It is their passion and our desire to make an impact that keeps us motivated."

[Read extended profiles of this year's winners at Cablefax.com]

