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What the Industry Reads First

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ATSC Showdown: Cable Objects to Next Gen Broadcast Standard

NCTA and the American TV Alliance (ATVA) have filed separate petitions for reconsideration of the FCC's recent order permitting broadcasters to voluntarily transmit in the ATSC 3.0 format. This is the so-called "Next Generation" standard that could allow broadcasters to provide advanced emergency alerts, VOD content and other interactive services. Cable says the standard is incompatible with today's consumer equipment and cable systems, while broadcast argues the industry is trying to stymie a competitor. The FCC's November ATSC 3.0 order downplays "broadcasters' incentives to shift the costs and burdens of this new standard onto cable operators and the viewing public by threatening to withhold or condition the availability of the ATSC 1.0 programming that is the only format compatible with current equipment," NCTA told the FCC this week. ATVA, a vehicle created to fight for retrans reform whose membership roster includes **DISH, Mediacom, Charter** and others, is concerned that broadcasters will tie ATSC 3.0 signals to existing 1.0 signals. "The cable industry is trotting out the same arguments the FCC already rejected," *Dennis Wharton*, **NAB's** communications evp, told **Cablefax**. "It's no secret broadcast industry innovation is great for consumers, but bad for cable. So it's no surprise they continue to oppose a competing industry's willingness to invest in its product." Cable's stance is that it's good with the standard, but believes there should be safeguards to ensure the status quo during the transition. ATVA's petition actually acknowledges that these arguments were previously brought up, but argues that the FCC confirmed last spring that it may grant a petition if there's a demonstration of material error or omission in the original order or there are additional facts not previously known. It argues that both apply in this case. "We know for a fact that, already, some MVPDs have been forced to grant 'ATSC 3.0 MFNs' for a technology that is not yet commercially available. We remain quite certain that additional 'concrete examples' of broadcaster misbehavior will emerge and we intend to supplement the record as appropriate," ATVA said. Both ATVA and NCTA are concerned about degradation of ATSC 1.0 simulcasts. NCTA applauded language that says ATSC 1.0 simulcasts must be "substantially similar" to the primary stream on ATSC 3.0, but is upset the FCC provided for sunset of the "substantially similar" requirement five years after the Report and Order goes into effect. There's no evidence consumers will be ready to purchase 3.0-ready equipment in 2023 or that cable operators will be in the position to transmit 3.0 signals, cable's largest lobbying group said. And then there's the issue of ATSC 3.0 still being a long way off with no

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TV sets with 3.0 tuners in the US marketplace now. NCTA wants the FCC to establish a sunset date for the substantially similar requirement in the same proceeding it's agreed to launch on ending the simulcast requirement. Both groups want the FCC to reconsider requiring broadcasters that currently provide their primary video stream in HD to transmit an HD 1.0 simulcast and to reconsider the declaration that it's "premature" to address any retrans issues with regards to the standard. "It is precisely at the earliest stages of the deployment of ATSC 3.0—when the future of the new standard remains uncertain and the risk of prematurely investing in and deploying technology to receive and retransmit ATSC 3.0 signals is highest – that forced carriage of the new signal is most harmful and costly to MVPDs," NCTA said.

Sinclair Dealings: Sinclair told the FCC that it has executed agreements to sell **WPIX** in NY and **WGN** in Chicago to stay below the media ownership cap under its proposed \$3.9bn **Tribune** deal. *Bloomberg* reports that WGN would be sold for \$60mln to a Maryland executive whose car dealership is controlled by Sinclair exec chmn *David Smith*, while WPIX would go for \$15mln to a company controlled by the estate of Smith's mother. Sales agreements would have Sinclair operate each station, drawing criticism. *B&C* reports that Sinclair will now sell one of two stations in the Harrisburg-Lancaster-Lebanon-York (PA) DMA. Sinclair didn't respond to requests for comment.

Keeping It Private: Peter Lori was named CFO of **Univision**, effective immediately. Lori succeeds *Frank Lopez-Balboa*, who is leaving the company to pursue other opportunities. Lori previously served as evp, finance, chief accounting officer and deputy chief financial officer. Univision also revealed it has withdrawn its Form S-1 with the SEC for a proposed IPO of shares of its Class A common stock due to "prevailing market conditions." The Registration Statement was not declared effective by the SEC, and no securities were sold pursuant to the statement. The Registration Statement was initially filed in 2015, but an actual IPO has been delayed. Univision went private in 2007 after having previously been a publicly traded company.

WOW! News: **WOW!** is delaying release of its 4Q and full year 2017 earnings, previously scheduled for Thursday. The additional time is to allow independent auditors to complete their review of the valuation of certain assets. This week, **WOW!** said it has made 1 Gig services available to more than 95% of its customers and network footprint, a feat that it says makes it one of the first ISPs to offer gigabit services to such a large portion of customers. **WOW!** already had launched the service in Cleveland, OH, Charleston, SC; and Pinellas, FL. Now it's also available in Columbus, GA, and large portions of Huntsville and Montgomery, AL.

Radio Access: The **NPR One** app is set to launch in the coming weeks on **Xfinity X1**, giving customers access to NPR's library of news, talk and music programs on their TVs. NPR content tailored to customer preferences will be

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integrated into Xfinity on Demand menus alongside related content. Customers can also access the programming by saying “NPR” into the X1 Voice Remote.

Atlantic Speed: Comcast is increasing the speeds on its most popular **Xfinity Internet** service tiers in the Northeast Division, including 14 states from Maine to Virginia. Affecting Blast, Performance Pro, Performance and Performance Starter customers, the increases come at no additional cost. New and existing customers can expect to see faster speeds this month with the vast majority seeing an increase of 50 Mbps.

Smart Discovery: Sharp and TiVo signed an expanded multi-year license to TiVo's patent portfolios, allowing Sharp to build content discovery services into devices. Sharp will bring TiVo's G-Guide HTML to 4K smart TVs and Ultra HD Blu-ray recorders in Japan as well as TiVo's G-Guide xD app and remote schedule recording service for its Blu-ray recorders.

Sports Stream: Sports provider **Eleven Sports** announced the launch of **Twitch**-based sports channel **Eleven Prime**. Operating 24/7, Eleven Prime will offer live sports including basketball, baseball, football and hockey. Smaller, niche sports such as darts and drone racing will also have a presence on the channel. All content will be available to US audiences with some events becoming available to Twitch's global audience. Those that subscribe will have an enhanced experience with an ad-free display.

WICT Honorees: **WICT Rocky Mountain** revealed the ten cable leaders to be honored at its 19th annual Walk of Fame event on May 10. **Cable Center** pres/CEO *Jana Henthorn* will be celebrated as Woman of the Year, while **Charter's** director of advanced engineering/platform QA & operations *Laura Moche* is the Woman in Technology honoree. The Mentor of the Year award will go to **Comcast** distinguished engineer *David Eng*. Boutique consulting firm **Sand Cherry Associates** won out as Industry Partner of the Year. The Women to Watch include Charter's *Holly Hinze*, *Kelley Rapoza* and *Marjorie Truitt*; Comcast's *Jennifer Kramer* and *Christina Stephens*; and **CableLabs'** *Lisa Schwab*. *Sravani Katamaneni* of STEM School Highlands Ranch, is this year's Young Woman to Watch.

New Features for Fubo: The **Roku** app on **FuboTV** has been updated with new features, granting users the ability to continue watching VOD content from where they've left off. The upgrades include revamped network pages along with quality of life and functionality fixes. A “What's New” card will give users tutorials of new features when the app receives future updates. -- FuboTV has come to agreements with **MAVTV**; **Outdoor Channel**, **Sportsman Channel**, **World Fishing Network** and **Outside TV**. The channels will be available as part of its Adventure Plus package, a \$4.99/month add-on to the Fubo Premier base package.

Ratings: The premiere of **FX's** “Atlanta Robbin' Season” earned 1.3mln adults 18-49, the highest for a basic cable prime-time scripted comedy telecast since January 2017. In A18-49 L+3, the telecast was up 7% over the Season 1 premiere of “Atlanta” and 9% over the Season 1 average. Overall, 2.7mln total viewers L+3 tuned in to the premiere telecast, two encore airings and digital streams. -- **The NY Yankees** Saturday showdown at the **Boston Red Sox** was the most-watched spring training telecast ever on **MLB Network**, earning an average of 322K viewers. The telecast beats the previous record set last Sunday afternoon when the Yankees faced off at the Philadelphia Phillies. -- **History's** “The Curse of Civil War Gold” premiered Tuesday to 2.3mln total viewers, marking it as the net's best series launch since 2014.

For the Children: **Entertainment Studios** founder *Byron Allen* wasn't kidding last year when he vowed that his inaugural Oscar Gala that raised \$1mln-plus for **Children's Hospital Los Angeles** was only the beginning. This year's gala on Sunday night in LA touted attendance three times as big, raised a whopping \$1.5 million and featured a little-known pop artist known as *Katy Perry*, who performed her biggest hits in an intimate venue that was a rare departure from her sold-out arena tours. But of course, this sophomore year of the Gala was also Entertainment Studios' 25th anniversary, so Allen even got his pal *Jamie Foxx* on stage to rev up the crowd with some DJ-fueled dancing. Other celebs stopped by as they worked the circuit on Oscar night, including *Aaron Paul*, *Quincy Jones* and *Paris Hilton*, among others. As Allen noted during his remarks, he started ES from his kitchen table. That table may be a distant memory—but Allen hasn't forgotten his roots. Or how to give back.

People: *Nancy Harmeyer* was upped to vp, domestic bureaus for **Fox News**, reporting to news coverage vp *Mike Shapiro*. She'll continue to act as the LA bureau chief while heading all of the network's domestic bureaus including Dallas, Atlanta, Miami, Chicago, Denver, Seattle and San Fran. She previously served as Fox News' Miami bureau chief, a White House producer and an associate producer in her time at the network. -- **Epix** named **Turner** veteran *Rachel Brill* as svp, head of unscripted programming. Effective immediately, Brill will take charge of the development and production of all documentaries and unscripted series from the Epix L.A. office. Brill has held posts at **Turner**, **ZOO Productions** and *Lloyd Braun's Whalerock Industries*.

Think about that for a minute...

Sunshine

Commentary by Steve Effros

I never thought I'd be writing columns about responses to mass shootings, but here we are. I doubt anyone, including me, will be totally happy with all parts of what I say next. However it's impossible to ignore the fact that the technology we have created, nurtured and now are the dominant deliverer of today is in some ways always going to be involved in the most contentious issues of the day from now on. We can't avoid that, and we're going to have to respond and, above all, think very carefully about what we should and shouldn't do.

The latest school shooting, I think, is a watershed event. The youth of our country have realized that they can't simply rely on "the adults" to act appropriately. There is change in the air, even though that seems to have been the case several times before, and the oxygen has dissipated each time. Will it this time? I hope not.

I'm all for, at the very least, limiting access both by age and licensure, to high-velocity weaponry. We already make it illegal to own or manufacture weapons of mass destruction, and it seems to me those fit the definition perfectly. Read the article in the Feb. 22 issue of The Atlantic by a radiologist who treated some of those shot at the Florida high school to get the full picture of the difference between a high-velocity gunshot wound and any other bullet. Why are they allowed on our streets? Or, at least, why don't we make it a whole heck of a lot harder to secure one of these weapons than a regular one? You might have a driver's license, but you still can't legally drive an 18-wheeler before you get extensive vetting, training and a special license. Why not the same for an AR-15?

Before you say it's all because of NRA members, I



would argue that may not be true. Apparently a whole lot of NRA members, maybe even a majority, are supportive of reasonable regulations on guns. The absolutists have taken control of the organization just as others have on both political poles in this country. The answer, in each case, it seems to me, is to battle to take that control back, not try to demonize the so-far much too silent majority!

This gets to the other side of the equation; calls for broadband video providers to censor "NRATV." That's a mistake, a very dangerous one. As HBO's John Oliver demonstrated on his show last Sunday, the NRA TV channel, when exposed to disinfecting sunlight, is almost cartoonishly absurd with either dystopian views of our country which can only be cleansed by an AR-15, or programs like "Love at First Shot" where women are making "paintings" for their pregnant friend's nursery by shooting at bottles of paint! (I didn't make that up.) The whole channel is an infomercial for gun manufacturers.

It's never a good idea to support banning speech. That, too, is extreme, and should be very rare; i.e., yelling "fire" in a crowded theatre. It's a "slippery slope" you don't want to be on. Unintended consequences are almost guaranteed. Roku, Google and Apple are right in refusing, so far, to be censors, just as Delta, Dick's and the others have the absolute right to exercise their own decisions. Broadband OTT is in a different position, however; committed to transparently deliver video data and communications... the real "net neutrality" if you will. The solution isn't censorship. It's a lot more sunshine.

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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