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What the Industry Reads First

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Market Mod: FCC Grants Entravision Request Despite Comcast Objection

Despite protests by **Comcast**, the **FCC** has granted **Entravision's** request to modify the TV market of **WJAL** after it received \$25.5m in the incentive auction to vacate its original channel allocation. Following the incentive auction, the broadcaster entered into a channel sharing arrangement with **CBS** affil **WUSA**, moving its community license from Hagerstown, MD, more than 60 miles away to the DC suburb of Silver Spring, MD. Entravision filed for a market modification for WJAL with **Cox** and Comcast to have them carry the station throughout the DC DMA, something **DISH** already does. While Cox didn't object, Comcast argued granting the modification would encourage broadcasters to manipulate channel sharing in order to expand must-carry rights. **NCTA** filed comments in support of Comcast's position, suggesting that allowing broadcasters to abandon service to over-the-air viewers in outlying areas of a DMA to seek greater must-carry rights in the core DMA would "turn the rationale for must-carry on its head." The FCC ended up dismissing NCTA's comments, saying they were filed more than a week after the deadline and were outside the scope of the proceeding. In granting Entravision's request, the FCC Media Bureau said that the decision was based solely on the specific facts in this proceeding. "It should not be interpreted as prejudging future market modifications filed by relocated channel sharing stations or affected cable systems," the order read. The Media Bureau concluded that since Comcast and Cox carry WUSA, along with every other full-power television station in the area, WJAL would be at a competitive disadvantage if these cable operators did not also carry it in the communities. The Bureau agreed with Comcast's argument that WJAL does resemble a new station in many respects, but said it wasn't necessary to grant it new station status to properly analyze the market mod petition. Although WJAL's programming wasn't found to be targeted to the communities in question, the Bureau's order said there was "ample evidence" that its signal coverage, geographic proximity and shopping/labor patterns overcomes that absence of local programming. WJAL broadcasts **LATV** network programming, a mix of original and imported content aimed at Hispanic viewers 18-34.

Countdown to DOJ-AT&T: With the government's case against **AT&T's Time Warner** acquisition headed to trial next week, could it open the door to extending **Comcast-NBCU** merger conditions? That question was raised this



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week in a research note from **New Street Research**, which includes former **FCC** National Broadband Plan author *Blair Levin* as an adviser. The government has asserted that the deal could allow AT&T and Comcast to coordinate in ways that would diminish competition. The DOJ's pretrial briefs say that evidence will show MVPDs are concerned about anticompetitive behavior following the expiration of the NBCU conditions in January. "If the government believes that evidence—and it would be odd to put on evidence it did not believe was true—it certainly opens the door to private parties petitioning the DOJ and the courts to extend the conditions," New Street said. There's been plenty of talk about the idea, with FCC commish *Mignon Clyburn* and Sen *Richard Blumenthal* (D-CT) writing a joint Bloomberg op-ed last month urging the Commission to extend the nearly seven-year-old consent decree. New Street's other issues to watch in the trial include: does internet (or wireless) delivered video matter; will consumer prices rise; how important is **Turner** programming to competitors; and does AT&T's offer of baseball arbitration remove the threat of harm.

VICE Welcomes Dubuc: Part two of *Nancy Dubuc* news dropped Tuesday with **VICE Media** announcing that she will indeed join as CEO. Company founder *Shane Smith* moves to exec chmn, where he says he will focus on content and deals. "As we go forward VICE needs a best-in-class management team to harness all of this growth and control our own destiny, whether it be staying independent, strategically partnering with someone or going public," Smith said in the announcement. The news came one day after **A+E Networks** announced Dubuc would be stepping down, with former CEO *Abbe Raven* stepping in as interim chair. Smith and Dubuc are no strangers, with Dubuc overseeing A+E's investment in VICE and the launch of linear network **Viceland** in 2016.

Emergency Info Waiver: The **FCC** Media Bureau is seeking comment on **ACA's** petition requesting a waiver to rules requiring video programming distributors to pass through audible emergency info on a secondary audio stream for analog-only cable systems. Those rules, which are meant to help consumers who are blind or visually impaired, had a compliance deadline of May 26, 2015. But some analog-only systems were given until June 12 of this year to meet the obligations. ACA is now seeking a permanent waiver of the pass-through requirement for those systems—or at least an additional five years to meet compliance. Comments are due April 2, with replies due April 12.

Comcast-NBCU Olympics Symphony: Score one for combining content and distribution. **Comcast** reports that ratings in Xfinity X1 households for **NBC** and **NBC Sports Network's** primetime Winter Games programming was 26% higher than the national average. Other Olympic-sized stats: X1 customers used their voice remotes more than 14mln times to navigate the Games; the X1 Sports App was launched more than 35mln times during 18 days of competition; Xfinity TV customers had nearly 60mln unique views across platforms, including live streaming coverage and highlights and full event replays on demand—a 210% increase over the 2014 Sochi Olympics.

Gains, Gains, Gains: The fourteen largest cable and telephone providers in the US gained 2.1mln high-speed internet subscribers in 2017. Broadband providers now tout close to 95.1mln subs, according to **Leichtman Research**, with top cable companies claiming 61.2mln subs. Telephone companies followed with 33.9mln subs. **Comcast** and **Charter** have both seen significant gains, with Comcast adding 1mln subs since 2010 and Charter garnering the same number since 2014.

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Ratings: It's **Fox News** again at the top of the P2+ pyramid, topping all other cable nets in prime last week (2.29mln) and total day (1.36mln). **MSNBC** took second place in prime (1.85mln) and total day (999K), showing the staying power of the news nets. It's the ninth consecutive week that Fox News was the top cable network in total day with total viewers. **CNN** finished 11th in prime (1.04mln) and 7th in total day (706K). Rounding out the top five nets in prime are **ESPN** (1.67mln), **HGTV** (1.46mln) and **History** (1.3mln). -- **WE tv's** "Mama June: From Not to Hot" ended its second season on a high note, reaching 1.46mln total viewers in L+3 for a new season high. That represents a 9% boost over the previous episode.

Going Courtside: **Turner Sports** created the **NCAA** March Madness Live VR app to give fans an immersive virtual experience for 21 games. Two ticket options will be available for a virtual courtside seat, with a single game starting at \$2.99 and a tournament pass coming in at \$19.99. The app will give access to an interactive bracket that updates throughout the tournament, full length game replays, highlights from the games, and VOD content including interviews with coaches and players.

Shentel Speeds: **Shentel** expanded its internet offerings to add 150Mbps speeds for high-speed customers in Virginia, West Virginia and Maryland. Other tiers have also been enhanced, with 15 Mbps rising to 25Mbps, 25 Mbps hitting 50Mbps and 101 rising to the 150Mbps.

Business Services: Hate punching in all those numbers to join a conference call? **Comcast Business** rolled out a new feature that lets users simply click a "join conference" link, which also eliminates the need for individuals to identify themselves. It's the latest enhancement to Comcast Business VoiceEdge.

Programming: "Power" picked up an early Season 6 renewal from **Starz**, which is set to debut the fifth season on July 1. -- **FX** placed a pilot order for "Devs," a drama series in which a young computer engineer investigates her employer, which she believes to be behind her boyfriend's disappearance. It was developed under the overall TV production deal that *Alex Garland* signed with **FX Productions** in July. -- **Smithsonian Channel** is spinning off "Aerial America" into six-parter "Aerial Cities," which looks at the day and night life of famed metropolises, such as Vegas and Miami (premiere April 8, 8pm). The net rolls out another spinoff, "Aerial Africa," that same night at 9pm. -- **ESPN** provides exclusive coverage of the **NCAA** Div I Women's Championship beginning Friday. All 63 games will be on ESPN or **ESPN2** and available to stream via the ESPN App.

People: *Ryan Flynn* was promoted to svp, current production at **Bravo Media**. Since joining Bravo in 2010, he's worked on a wide range of series, including "The People's Couch," "Vanderpump Rules" and "A Night with My Ex." In his new role, Ryan will continue his purview over many West Coast based series, including "Top Chef," as well as several soon to be announced series. -- *Russell Cooper* is back at **INSP** in the new role of vp, affiliate sales and distribution. He most recently was director, distribution and affiliate marketing at **Kroenke Sports and Entertainment**. Before that, he spent 9 years at INSP, most recently at regional vp, affiliate sales. -- **Amagi**, which provides cloud-managed broadcast services and targeted advertising for TV and OTT to **VICE**, **Scripps**, **Turner** and others, tapped *Deepakjit Singh* as its new CEO. He previously was CIO at **Encompass Digital Media**. -- A restructuring of **Crown Media Family Networks'** programming department sees the addition of *James Holcomb* for the newly created post of vp, physical production. *Angela Polk* was upped to vp, original development, specials. Holcomb joins Crown Media from **The Documentary Channel** where he served as COO. Other changes see *Heather Overton* and *Jennifer Phillips* upped to directors of development, scripted programming, while *Jennifer Kramer* becomes director of development, unscripted programming. All five report to *Randy Pope*, svp, program planning & acquisitions.

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