

Cablefax Daily™

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What the Industry Reads First

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He Said/She Said: Lots of Complaining Over Complaints at FCC Meeting

When it comes to the FCC's new complaint process, the lone Democratic commissioner is complaining. Things got heated at Thursday's FCC meeting, with *Jessica Rosenworcel* complaining that a draft of what was voted on wasn't presented until an hour after the meeting started. The order, approved 3-1, stems from a September notice about streamlining pole attachment complaints and complaints about telecom accessibility. It requires defendants to answer a complaint filed against them within 30 days and complainants to file a reply within 10 days thereafter. **NCTA** had sought a 20-day reply period for pole attachment complaints, claiming they were fact-intensive. But the order found them to be neither more or less fact-intensive than other complaints—plus parties can file motions to lengthen the answer and reply periods if necessary. The rules also adopt a uniform approach to discovery in all formal complaint matters and commits to the goal of meeting a 270-day shot clock for resolution of formal complaints (except for those complaints already subject to a shorter deadline). "This decision should facilitate pole attachment negotiations and attachments. **ACA** looks forward to the FCC acting shortly on other pole attachment reforms. In the end, all these actions by the FCC will expedite and lower the cost of broadband deployments," ACA pres/CEO *Matt Polka* said. As for Rosenworcel's beef with the order, she claims that there was a deal Wednesday night that would get rid of language that she believes makes it look like consumers will have to pay to get resolution for some informal complaints—but that amended language wasn't in the final item. "The agency gets between 25K-30K consumer complaints filed informally every month. Lots of people who find they've got charges on their bills that they don't believe they should be paying," she said. "For decades, under all kinds of leadership it has been the practice of this agency to take those informal complaints and reach out to the provider and help them with the consumer—going back and forth to try and see if they can reach resolution." She said the new language would direct an unsatisfied consumer to file an informal complaint, which costs \$225. "That is bonkers," Rosenworcel said. After her objections, FCC chmn *Ajit Pai* asked the Enforcement Bureau a list of questions, with the Bureau contradicting Rosenworcel by saying the changes will have no impact on how the FCC deals with informal complaints and Americans won't have to file a \$225 fee to file a complaint. As for Rosenworcel's complaint that the item voted on wasn't shared until 11:26am Thursday, Pai said "there was no change so it was simply



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a matter of sharing the original text” that was released to the public three weeks ago. Staffers said that the agency will continue to do informal complaint mediation between a consumer and provider, just as it did before the rule change. “This is the way we’ve been handling this since 1986,” said **Enforcement Bureau** chief *Rosemary Harold*.

DOJ Still Trying: The **US Department of Justice** filed notice Thursday that it’s appealing Judge *Richard Leon’s* decision to let **AT&T** and **Time Warner** combine. The deal closed days after his ruling, with Leon warning DOJ against seeking a stay to postpone the deal. If the appeal is successful, Leon said the courts would break up the company. AT&T said it’s ready to defend the merger. “The Court’s decision could hardly have been more thorough, fact-based, and well-reasoned. While the losing party in litigation always has the right to appeal if it wishes, we are surprised that the DOJ has chosen to do so under these circumstances,” AT&T said. **Fox Business’ Charlie Gasparino** reported Wednesday that DOJ was seeking to appeal, but facing resistance from the **Solicitor General** office.

More FCC Moves: Not every vote at Thursday’s FCC meeting was contentious, with the four commissioners unanimously approving an order and NPRM that seeks to open up the C-Band for new opportunities. The order will require Fixed Satellite Service earth stations operating in the 3.7-4.2 GHz band to certify the accuracy of existing registration and license information and will collect additional information from space station licensees on their operations in the band to assist the Commission and commenters in developing a clearer understanding of how the band is currently being used. The NPRM proposes adding mobile allocation to all 500 megahertz in the band and seeks comment on proposals for transitioning part (or all) of the band for flexible use. **ACA** was pleased the item adopted didn’t include a new information collection requirement for registered C-band receive-only earth stations. A draft contained that requirement, with ACA reps as well ACA members **Shentel** and **LHTC Broadband** meeting with FCC officials to explain the burden for small ops. – Rosenworcel objected to the FCC’s proposal to modernize the children’s programming rules for local broadcasters. It’s seeking comment on whether the three-hours per week of such programming for local stations should be tweaked as well as whether that programming must be at least 30 minutes in length. It also proposes a framework under which broadcasters could satisfy children’s programming obligations by relying in part on special sponsorship efforts and/or special non-broadcast efforts. Republican members argue that the market has changed. Rosenworcel had tried to get the Commission to launch a Notice of Inquiry vs a Notice of Proposed Rulemaking.

Sky High: The UK Secretary of State for Digital, Culture, Media and Sport approved **21st Century Fox’s** proposed acquisition for the share of Sky it doesn’t own. This comes a day after **Comcast** topped Fox’s bid, raising its offer to \$34bln. The UK approval was the last regulatory hurdle for 21CF. Comcast already received relevant regulatory

Cablefax:

What’s Happening in July

EDITORIAL: Amy Maclean • amaclean@accessintel.com
Sara Winegardner • swinegardner@accessintel.com
ADVERTISING: Olivia Murray • omurray@accessintel.com
AWARDS: Mary-Lou French • mfrench@accessintel.com

»» Top Operators Magazine

Cablefax’s annual Top Operators Magazine, salutes the operators who are at the forefront of innovation and creativity in the cable industry.

Special Feature: ACA’s 25th Anniversary

»» Independent Voices in Media

Cablefax will analyze the state of independent content as the bundle unravels, OTT flourishes and direct-to-consumer content options across multiple devices proliferate. How will the indie nets and niche players fare in this Brave New World? We’ll take a comprehensive and honest look at how the customer experience is shaking out.

»» The Independent Show

As independent operators return to Anaheim, CA for their annual gathering, Cablefax will preview and cover the regulatory, technology and business strategy debates that always make this NCTC-ACA event a must-attend for anyone with skin in the game.

»» Summer TCA

Summer TCA tends to be a hotbed of news about upcoming fall premieres and other programming — not to mention executive sessions that will address everything from the changing TV business, to ratings and measurement, to the marketing challenges in an increasingly competitive environment.

Awards

Most Influential Minorities

Deadline:
July 13

Most Powerful Women

Deadline:
July 20

approvals in the EU, Austria, Germany, Italy, and Jersey. **Moody's** views Comcast's increased bid as credit negative "as Comcast's new all-cash (debt financed) bid represents an approximate 18% increase in the value of Sky's equity over Comcast's previous GBP 12.50 offer, and 5.4% increase over Fox's July 11, 2018 GBP 14.00 offer." Moody's believes that if Comcast decides not to top **Disney's** bid for Fox's assets and focuses only on Sky, "there will be less downward pressure" on its rating.

And the Nominees Are...: **Netflix** scored a major win by snapping **HBO's** 17-year leading streak as the player with the most **Emmy** nominations Thursday. The OTT service landed 112 nominations to HBO's 108. The premium channel's "Game of Thrones" had the most nominations of any series with 22 nods. Runners-up were HBO's "Westworld" and "Saturday Night Live," each with 21 noms. "The Handmaid's Tale" earned a series-high 20 of **Hulu's** record 27 nominations. Handmaid's won outstanding drama series in 2017, but this year must battle against GoT, which was not eligible for the Emmys last year. **FX** collected 50 nominations, the most of any basic cable network and behind only Netflix, HBO and **NBC** (78). Other's racking up double-digit nominations include **Amazon** (22) and **Showtime** (21— including the network's first outstanding limited series nod for "Patrick Melrose, The Fourth Estate") **Nat Geo** (17) and **VH1** (12). The 70th annual Emmy Awards are set to air on Sept 17 on **NBC** for the for the first time since 2014.

Full Speed Ahead: House Commerce advanced more than a dozen bills to the full House Thursday. Included in those is the Access Broadband Act from Rep *Paul Tonko (D-NY)*, which establishes a single point of contact office to streamline management of federal broadband resources across multiple agencies. "Current public investments in broadband access have little accountability or oversight and often produce inefficient or incomplete results," Tonko said. "My bill seeks to change all that."

World Cup Loss: While news of an outage during **YouTube TV's** World Cup coverage Wednesday spread across social media, customers began to question whether they could rely on steady coverage from anyone. "YouTube TV tweeted out that it was working on the issue, noting "the timing is horrible but we're working to be up and running again ASAP!" Other providers took advantage of the opportunity, using it as a way to tout their own carriage success. **FuboTV** reported that its coverage has been nothing but steady, saying zero outages have occurred. "Another option is getting an inexpensive antenna and watching the highest-rated TV programming on broadcast for free," **NAB** spokesman *Dennis Wharton* tweeted.

Boosting the Business: RCN Business deployed Wavelength Division Multiplexing to all of its serviceable markets, including Boston, Chicago, Philadelphia (Delaware County), Pennsylvania's Lehigh Valley, Washington, DC and NYC. The technology allows for the simultaneous transmitting of multiple signals into a single fiber using different wavelengths. RCN's WDM provides end-to-end connectivity with up to 100 gigabits between locations and data centers.

Home Run: Fox Sports is bringing out all the stops for its 20th presentation of the **MLB** All-Star Game. While fans will be able to watch the actual showdown between the American and National Leagues on Tuesday, a far more complete view of the in-stadium experience will come with "100,000 Cameras: MLB All-Star Game." Premiering July 28 at 7pm on **FS1** following the **Chicago Cubs** at **St Louis Cardinals**, the special will incorporate fan-generated video from MLB All-Star Week to tell a more complete story of the midsummer competition. It will also feature extra Fox Sports camera angles not seen during the live broadcast. Fans can contribute to the story by uploading the videos to social accounts using #100KCams during the week and immediately following the game.

Public Affairs: Weather Channel and the **National Highway Traffic Safety Administration (NHTSA)** announced a partnership aiming to increase awareness and prevent hot car deaths. They will host a **Facebook Live** event "Look Before You Lock Live" on Tuesday at 2:30pm. Weather hopes to further increase the visibility of its Scorching Car Scale, a forecasting tool that demonstrates how temperatures in the interior of a car can drastically increase on hot days.

Programming: The sixth biennial **Stand Up To Cancer** telecast will air Sept 7 at 8pm. This marks the 10th year since the first star-studded telecast aired. **Academy Award**-nominated actor *Bradley Cooper* will return as exec co-producer. The telecast will broadcast on **ABC, CBS, FOX,** and **NBC,** along with **AT&T Audience Network, Bloomberg TV, Bravo, Discovery Life, E! Entertainment, Epix, Escape, ESPNEWS, FM, Freeform, FS2, FXM, FYI, HBO, HBO Latino, ION, Laff, Logo, MLB, MTV2, Nat Geo WILD, Showtime, Smithsonian Channel, Starz, Starz Encore, Starz Encore Español, TNT,** and **WGN America.** It will also stream live and on-demand on **Hulu.**

PROGRAMMER'S PAGE

Weird Science with 'Mister Tachyon'

What if the universal truths we all believe in aren't as concrete as they seem? What if humans aren't reaching their full potential? These are the questions **Viceland's** "Mister Tachyon" is asking on the network's latest series (airing Wednesdays at 10pm). The series is a total change of direction for *Director X*, the mind behind Mister Tachyon and the creative behind many of hip-hop's top music videos. The show begins with the backstory of the title character (for Tachyon can be described as nothing less than a character), who says that a mysterious science experiment gone wrong led to his father becoming invisible. That trait was passed down to Tachyon, who wears a leather jacket and motorcycle helmet throughout the series. Tachyon, calls it his "life's mission to investigate concepts on the fringe of science," conducting experiments to test those claims. Don't let the odd introduction scare you away from giving the series a view. Anyone with a curious nature would be cheating themselves out of an intriguing half-hour of programming. The opening episode explores the existence of a potential sixth sense within humans, looking through human history at those that were shed through the evolutionary process. Phenomenon examined include remote viewing, the idea that humans can view a far-off item or destination by cluing in to the mind of another, as well as the idea that some people can communicate with the dead. While many series examine these oddities and strange happenings, where Mister Tachyon differs is in it putting these claims to the test. Later episodes promise to examine orgone energy, something scientist *Wilhelm Reich* called life energy and spent the '50s and '60s attempting to capture, as well as telekinese and telepathy.

— Sara Winegardner

Reviews: "Robin Williams: Come Inside My Mind," premiere, 8pm, Monday, **HBO**. Director *Marina Zenovich* makes a great choice in the opening of her two-hour root through the late *Robin Williams'* life and mind. The clip she uses has host *James Lipton* on **Bravo's** "Inside The Actors Studio" (June 2001) asking Williams, appropriate to the doc's title, about his mind. "How do you do it? ...Do you just think faster than the rest of us? ...What the hell is going on?" That suggestion is all the master needs. Williams is off, riffing for minutes at breakneck speed, about his brain. The audience and Lipton can only applaud. Zenovich's next choice also is excellent: she offers nearly a five-minute cold open of clips, some seen, some not, of Williams. Overall the doc is a nearly perfect retrospective of a comic supernova; although how that mind worked we'll never know. -- "Shark vs Tuna," 6pm, Monday, **Nat Geo Wild**. It's the start of Wild's Shark Fest, so the shark beats the tuna, right? Not so fast, especially when you're talking giant yellow fin tuna of the 800-pound variety near Ascension Island. Actually fast is a large part of the story—the yellow fin can swim nearly 50 mph—and it's told tremendously well, with terrific footage and x-ray-like descriptions of the species involved. — *Seth Arenstein*

Basic Cable P2+ Prime Rankings* (7/2/18-7/8/18)		
Mon-Sun	MC US	MC US AA
	AA%	(000)
FNC	0.645	1964
HGTV	0.453	1379
USA	0.451	1372
MSNBC	0.430	1309
HIST	0.402	1225
ID	0.330	1004
TBSC	0.322	979
TNT	0.310	943
FOOD	0.281	855
NICK	0.281	854
DISC	0.259	788
ADSM	0.250	763
FX	0.249	758
TLC	0.245	745
HMM	0.242	736
NAN	0.237	722
DSNY	0.227	692
HALL	0.223	679
CNN	0.219	666
ESPN	0.216	658
A&E	0.214	651
DSJR	0.191	583
INSP	0.185	565
HBO	0.181	552
TVLAND	0.179	544
LIFE	0.169	515
AMC	0.165	503
NATGEO	0.165	502
VH1	0.163	497
APL	0.156	474
NGW	0.155	472
COM	0.150	458
SYFY	0.150	458
TRAVEL	0.139	424
PARA	0.139	424
GSN	0.138	421
FRFM	0.136	413
MTV	0.132	402
CRN	0.129	394
BET	0.129	393
WETV	0.128	389

*P2+ L+SD rankers are based on national Nielsen numbers, not coverage.

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