

Cablefax Daily™

Monday — December 17, 2018

What the Industry Reads First

Volume 29 / No. 240

New Fight: beIN Refiles FCC Carriage Complaint Against Comcast

beIN Sports added new life to its ongoing dispute with **Comcast** by refileing its carriage complaint. “We have spent many months tirelessly trying to negotiate reasonable terms with Comcast, but Comcast has now, point-blank, refused to negotiate with us,” beIN Sports’ deputy managing director for the US and Canada *Antonio Briceño* said in a statement. beIN first filed a carriage complaint against Comcast in March, alleging that the latter discriminated against beIN programming in favor of that provided by **NBC Sports** and **NBC Universo**. The **FCC** dismissed the claim in August, just after beIN content went dark on Comcast and **Verizon**, saying beIN had failed to provide evidence sufficient enough to prove that beIN and **beIN en Español** were similarly situated to NBCSN and Universo. beIN claims to have gathered additional evidence since March, noting its belief that the FCC only dismissed the case because of the lack of evidence at the time. Briceño said beIN wants a deal to reinstate beIN Sports at the same level of distribution as Comcast’s own sports networks. Comcast seems unphased by the revival of the FCC dispute. “Our practices and decisions with respect to beIN’s programming are justified by clear data and marketplace facts,” Comcast told **CFX** in a statement. “We will once again demonstrate this in our response to the FCC and are confident beIN’s recycled complaint will fare no better a second time around since we are fully compliant with the FCC’s rules. This is just another attempt by beIN to use the regulatory process improperly to try to extract non-market carriage terms from Comcast.”

Not On My Watch: *Sen Joe Manchin* (D-WV) put a hold on the re-nomination of **FCC** commish *Brendan Carr* Thursday, citing his discontent with the pause of the release of \$4.5bln through Mobility Fund Phase II. “Last week the FCC finally recognized that their broadband maps were inaccurate. That’s something that I have been saying since day one. But the answer is not to put the Mobility Fund on an indefinite hold that prevents states like West Virginia from receiving the funding they desperately need to deploy mobile broadband,” Manchin said in a statement. Manchin said he will maintain the hold until FCC chmn *Ajit Pai* offers a solution for states like West Virginia for funding to close the digital divide. “I was one of the more than 100 challengers who invested time and energy trying to make the Mobility Fund process work. If the Chairman feels he needs to put the brakes on this program at this stage of the game, I need to put the brakes on the confirmation of his next Commissioner until he can show me where we’re supposed to go from here,” Manchin said. Manchin

CFX WHERE WE’LL BE IN 2019

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WHERE WE’LL BE

1/8/19 CES in Vegas (Jan. 8 - 11)
1/22/19 NAPTE in Miami (Jan. 22 - 24)
1/28/19 ReelScreen Summit in New Orleans (Jan. 28 - 31)
1/29/19 TCA in Los Angeles (Jan. 29 - Feb. 13)
2/25/19 NCTC Winter Conference in Atlanta (Feb. 25 - 26)
3/8/19 SXSW Interactive in Austin (March 8-12)
3/19/19 CFX Roundtable at ACA
3/19/19 ACA Summit in DC (March 19-21)

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was the only member of Congress to submit a formal challenge to the Mobility Fund Phase II initial eligible areas map.

Third Leg: WarnerMedia continues to prep for the launch of its upcoming DTC streaming platform. It named *Kevin Reilly*, pres of **TBS** and **TNT** and chief creative officer for **Turner Entertainment**, as the head of content strategy for the service. His new title is pres TBS, TNT and Chief Creative Officer Turner and Direct-to-Consumer. In his dual role he will continue to report to Turner pres *David Levy*, and will now also report to WarnerMedia CEO *John Stankey*. In a memo to staff announcing the promotion, Stankey said Reilly “has a reputation as a forward thinker when it comes to programming formats and cross-platform opportunities.” The company previously stated it would offer three tiers for customer experience. In a similar vein, Stankey wrote: “A winning customer experience made possible by the technology platform that enables form and function; a compelling marketing strategy that highlights the product’s attributes, brand promise and value proposition; and, of course, a content-curation vision that is tightly coordinated with the other two. Today, I’d like to share our plans for defining and directing the third and final leg of our direct-to-consumer efforts and its executive leadership.”

Proceed with Caution: ACA urged the **FCC** to be careful as it moves forward with proposals presented by the **C-Band Alliance** and the **Broadband Access Coalition** on how to best serve new C-band users. Concerns stem from how the proposals could disrupt current C-band users, including cable operators. “The FCC should take cautious actions that take into account C-band users’ and the public’s rights, consistent with ACA’s comments and these reply comments. The risk of harm to consumers is far from academic,” ACA pres/CEO *Matt Polka* said in a statement. ACA recommended that the FCC attempt to clear no more than 50 MHz of spectrum for 5G uses, which would most likely be offset by a commitment from satellite companies to launch a few additional satellites. ACA also offered its thoughts on the C-Band Alliance’s proposal that satellite operators should be compensated for giving up spectrum, saying cable operators should also receive something in return. “The FCC should fully take into account the rights not only of satellite operators but also of C-Band users, including cable operators,” ACA told the FCC. “The FCC could achieve this goal by using an auction or other mechanism that compensates not only satellite operators but also users as well as the public.”

Happy Anniversary: FCC chmn *Ajit Pai* touched on Friday’s one-year anniversary of the FCC’s repeal of the internet’s Title II regulations Friday in an interview for **C-SPAN’s** “The Communicators” series. The deregulation officially hit in June, and while many were afraid of drastic changes to the web upon it taking effect, Pai remains confident in the move as the internet continues to operate smoothly. “The internet remains free and open and consumers continue to be protected,” he said. “Going forward, we are very excited about the fact that broadband infrastructure

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is up, millions more Americans are getting on the right side of the digital divide and that is the kind of trend we expect in 2019 and beyond. The internet economy that America has had is going to continue to be the envy of the world and the American consumer is going to continue to be protected and we are going to see an increase in internet access and competition.” Efforts to reverse the FCC’s actions are on pause, as the CRA to repeal the Restoring Internet Freedom Order failed to obtain the required number of signatures for a House vote by its Dec 10 deadline.

Speed Boost: As 2018 comes to a close, fixed broadband speeds only continue to increase. The 2018 Speedtest US Fixed Broadband Performance Report found that over the last year, mean download speed has increased by 35.8% and a 22% increase in upload speed, ranking the US as 7th in the world for download speed during Q2-Q3 2018. The average download speed was 95.25 Mbps and average upload speed was 32.88 Mbps. The report ranked providers by Speed Score, essentially a measurement of what percent of each carrier’s test samples deliver optimal download speeds (equaling or exceeding 25 Mbps) for streaming 4K video. It ranked **Comcast** as the fastest provider in the US receiving a score of 104.67, followed by **Verizon** at 102.57, **Cox** at 101.84, **Spectrum** with a score of 87.56 and **AT&T Internet** at 76.

Cablefax Dashboard

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Research

- > 92% of adults listen to radio during the average week, more than any platform.
- > 24% of households own a smart speaker.
- > 19% of US adults listen to podcasts each week.
- > TV and TV-connected device usage peaks during the 9pm hour.
- > 73% of media time spent at 11pm is consumed through the TV glass.

(Source: Nielsen Q2 2018 Total Audience Report)

Up Ahead

- Dec 14:** Late Deadline for [Cablefax Digital & Tech Awards](#)
- Jan 7-11:** [CES 2019](#); Las Vegas, NV
- Jan 22-24:** [NATPE Miami](#)
- Jan 28-31:** [Realscreen Summit](#); New Orleans, LA
- February 25-26:** [NCTC Winter Educational Conference](#); Atlanta, GA
- March 8-17:** [SXSW 2019](#); Austin, TX

Quotable

“As the leader in investigation and coverage of true crime stories, ID Network is very proud of our growth and success, especially, in our coverage of all aspects of our justice system, including the most interesting aspects of courtroom trials. That said, because of the importance of the subject matter, we welcome news organizations and networks that add to the greater understanding of legal issues in our society, today.”

– *Former Court TV chmn/CEO Henry Schleiff on the upcoming relaunch of the network*

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