

Cablefax Daily™

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What the Industry Reads First

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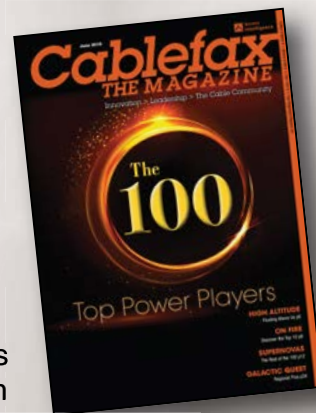
New Rules: Net Neutrality Hits DC Circuit

Snowy conditions kept some from trekking to the **DC Circuit** Friday for opening arguments in the case challenging the **FCC's** repeal of Title II net neutrality regulations. Still, talk within the courtroom was heated as Judges *Patricia Millett*, *Robert Wilkins* and *Stephen Williams* grilled both sides to determine whether the FCC was within its authority in overturning the agency's 2015 Open Internet Order. They also sought to sniff out the potential impact of the new regulations during the marathon session, with court-set time limits for arguments brushed aside. "We are creating rules that are built to last," FCC general counsel *Tom Johnson* told the court, arguing that while innovation occurred under the 2015 rules, the 2017 Restoring Internet Freedom Order would be a longer term solution to regulation. *Pantelis Michalopoulos*, representing the petitioners, called the Restoring Internet Freedom Order a stab in the heart of the Communications Act. Millett had plenty of questions for Johnson on how the FCC determined it needed to regulate the internet in a different manner than it does telephone calls even though they both result in the transfer of information. While they didn't nail down a precise answer, Johnson said he believed "it's a difference in kind as well as degree" of information being transferred. Petitioners, which include **Mozilla**, weren't excluded from the judges' microscope, with Michalopoulos facing questions about the real-life potential of blocking and throttling under the revamped rules as well as queries into whether states could create stricter net neutrality rules without violating federal law. Paid prioritization and the agency's new transparency rule were also hot topics. The transparency rule requires that an ISP fully disclose any paid prioritization deals on its website or on the FCC's website. *Kevin Russell*, a lawyer for the intervenors, said this kind of transparency rule could also allow ISPs to block content from their audiences as long as they disclosed it. Petitioners opposing the FCC's new regulations have questioned how they could affect public safety should paid prioritization begin occurring. Certain information could "jump the line" and delay the delivery of pertinent information related to emergencies. While the FCC's reclassification prohibits it from establishing any common carrier regulations, the judges questioned why the FCC couldn't put into place a rule that would prohibit paid prioritization from blocking or slowing any emergency info. Johnson said that the FCC could not preempt all harms in the order, especially since paid prioritization has not caused a problem since the new regula-



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9:00 PM DESSERT RECEPTION

BUSINESS ATTIRE

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tions have gone into effect. He argued that should an issue occur, it would be on the plaintiff to trace it back to the Restoring Internet Freedom Order. “The burden is on them to point to concrete harms,” Johnson said. FCC commish *Jessica Rosenworcel* was in attendance for the arguments, tweeting during a 15-minute recess that “the court now has a chance to right what the @FCC got wrong when it made the misguided decision to roll back #NetNeutrality.” Sen *Ed Markey* (D-MA) was also present for the entirety of the five-hour ordeal to support the petitioners. Markey said he would soon be introducing a bill that would reinstate net neutrality regulations. “Nothing less than the fate of the internet is being argued in this court case, and we must do everything we can in this historic fight,” Markey said in a statement. “We will soon lay down a legislative market in the Senate in support of net neutrality to show the American people that we are on their side in overwhelmingly supporting a free and open internet.”

Albrecht Leaving: Starz CEO *Chris Albrecht* has decided to step down from the premium net next month as the integration of **Lionsgate** and Starz continues. Starz will move forward under COO *Jeffrey Hirsch* and the current leadership team, working closely with Lionsgate CEO *Jon Feltheimer*. “Chris’s renowned programming expertise and entrepreneurial abilities have helped build Starz into a premium global brand distinguished by its great shows, fast-growing direct to consumer initiatives, and expanding international footprint,” Feltheimer said in a statement. “As we complete the first phase of our evolution into a unified company and accelerate our focus on Starz’s international expansion, Chris has decided to step down to pursue other opportunities.”

Closer to CommScope: Arris stockholders voted Friday to approve the company’s acquisition by **CommScope**. Investors representing 99% of shares voted at the general shareholder meeting in London. The \$7.4bln deal is expected to close in the first half of this year, following regulatory approvals. “This approval marks another important milestone in accelerating our strategy. Together, we believe Arris and CommScope have an unprecedented opportunity to help shape future communication networks and to look to deliver additional value to our shareholders, customers, partners and employees,” said Arris CEO *Bruce McClelland* said.

(Not) The Super Bowl: Sunday night the **Rams** and the **Patriots** will battle it out in Atlanta, but the big game might not be everyone’s cup of tea. Fortunately, there’s plenty of alternative offerings across multiple nets and platforms. **Animal Planet’s** 15th annual Puppy Bowl features 93 puppies making up Team Ruff and Team Fluff battling it out for the Lombardy trophy. The animals come from 53 different shelters across the US, Costa Rica and Puerto Rico, and the Puppy Bowl typically has a 100% adoption rate. The pre-taped show airs at 3pm. More of a cat person? **Hallmark Channel** has you covered with the Kitten Bowl (Sunday, 3pm) and Cat Bowl at 10pm Saturday. Check out “Forever Friends” below for more on Hallmark’s adoption initiative. In a completely different genre, “The Walking Dead” is walking a little faster on Super Bowl Sunday. Season 9’s mid-season premiere will be available on **AMC Premiere** Sunday afternoon, a full week before it premieres on the net. If other sports are more up your alley, **WWE** is bringing back “WWE Halftime Heat” for the first time in 20 years and will be streaming it live for the first time ever across all WWE digital platforms. It will take place during halftime of the **NFL** matchup, and will feature a six-man tag team match. The event coincides with the 20-year anniversary of WWE’s inaugural Halftime Heat, which aired Jan 31, 1999. Over on **BET**, the 20th annual Super Bowl Gospel Celebration will be hosted by radio and TV personality *Rickey Smiley* on Saturday at 8pm. The NFL-sanctioned event features multiple performances, including the **Super Bowl Gospel NFL Players Choir**. For truly alternative Super Bowl programming, “popaholics” can get their fix on **TLC**. The net is set to air a *Dr. Pimple Popper* marathon “Dr. Pimple Popper: The Poppy Bowl” on Feb 3 from 5-11pm, featuring six episodes.

Forever Friends: **Hallmark Channel** is hopping into the animal arena with its pet adoption initiative “Adoption Ever After.” The net is teaming up with distribution partners **Altice USA**, **Cable ONE** and **Buckeye** to stage special adoption events nationwide this month. “We know what an important part of the family pets are,” *Lisa Barroso*, svp of distribution for **Crown Media**, told **Cablefax**. “Our initiative is really aimed at to help dismantle misconceptions around shelter animals. We want to empty shelters and shine a light on the joy shelter pets can bring into our lives. With Adoption Ever After, we’re educating the public on the importance of adoption through our programming and our PSAs.” Programming includes the first annual Cat Bowl Saturday at 10pm, and the sixth annual Kitten Bowl on Sunday at 3pm. Later in the month, the net is premiering the second annual American Rescue Dog Show (Feb 17-18) and in October there is the ninth annual Hero

Dog Awards. The net and MVPDs will be making donations to local shelters, as well as hosting giveaways and raffles. “We have a long history of working very closely with our partners in their local markets to support these initiatives. They understand how important it is to raise awareness about homeless pets. This is just one of many partnerships we have to offer our MVPDs, but we work very closely at a grassroots level to support any community initiatives,” Barroso said. Cable ONE is hosting four events in its service areas, and kicking off a social media initiative for customers to submit pictures of their own rescue animals. The winner will get to decide what shelter will receive the donation. Altice is hosting its adoption event at the Altice Experience Store in NJ with the **North Shore Animal League**, and sponsoring adoption fees. “There are an overwhelming number of homeless pets around the country in need of loving homes and families,” said Cable ONE pres/CEO *Julie Laulis*. “We appreciate the opportunity to partner with Hallmark Channel and local and national animal rescue organizations for the Adoption Ever After Initiative so that we can support our communities and help these pets find forever homes.”

On the Circuit: The Expo 2019 Call for Papers is seeking proposals in 11 categories, including 10G service, ahead of the annual Fall Technical Forum at **SCTE-ISBE Cable-Tec Expo 2019**. Proposals are due by March 22.

Cablefax Dashboard

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 **Craig Aaron** @nctaaroncraig Following

Much quieter scene outside the [#NetNeutrality](#) courtroom than 3.5 years ago. Praise the court for banning line-standers and allowing electronic devices (at least in the hall)

8:07 AM · 1 Feb 2019

 **Robert Iger** @RoberIger Following

Many have contacted us about accepting the 4% challenge, but I'm proud to say 40% of @DisneyStudios' upcoming movie slate is being directed by women and we are striving for more!

10:56 PM · 30 Jan 2019

Research

- > Just 15% of families say technology has made them less engaged with each other when they're together, and 9% say it negatively affects their family's social skills.
- > Nearly 65% of modern families believe technology has given them more, not less, leisure time.
- > In family households with smart speakers, 44% of owners say having the device has helped them spend more time with other people.

(Source: Trusted Media Brands)

Up Ahead

- Feb 25-26:** [NCTC WEC](#), Atlanta
- Feb 25-28:** [MWC19](#), Barcelona
- March 6:** [MMTC Broadband & Social Justice Summit](#), DC
- March 8-17:** [SXSW 2019](#), Austin, TX
- March 20:** [NAMIC VA Level Up](#), Virginia Beach
- March 19-21:** [ACA Summit](#), DC
- March 27:** [T. Howard Foundation Diversity Awards Dinner](#), NYC

Quotable

“I'm really proud of this about our company, and we're not alone. We do not manage via headlines. We manage our brand, our company and our reaction in moments like that [Trump-Jemele Hill controversy] based upon our set of corporate values and what we think is the right thing to do... We've become very used to difficult headlines. There are no valentines any more, and that's OK. We've worked hard to get there. These are the spoils that come with [being a market leader].”

- Chris LaPlaca, ESPN's corporate communications svp, in the most recent ep of [CTAM podcast](#) "Thinking Out Loud!"



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