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What the Industry Reads First

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Familiar Ground: Net Neutrality Hearing Showcases Well-Known Divisions

Dems finally got their turn to hold a net neutrality hearing as the majority party, but other than who was wielding the gavel, little had changed. There's still staunch division over Title II, state authority and the narrowness of regulation. "How this is going to be settled, I don't know," Rep *Anna Eshoo* (D-CA) said at Thursday's **House Communications** subcommittee hearing. She complained that Title II had been "beaten to a pulp" and that firefighters in her district suffered **throttling** during the California wildfires. In continuing his plea for a congressional remedy, **NCTA** head *Michael Powell* warned that a bill that includes Title II "would rupture" any hope of bipartisan agreement. Others insisted no bill could pass without Title II. "Congress must act to fully protect net neutrality while preserving the power of the FCC as an expert agency to protect consumers, and the simplest way to do that is to reaffirm the classification of broadband as a 'Title II' telecommunications service," said **Public Knowledge** vp *Chris Lewis*. There's still some hope though. A glimmer came when Rep *Darren Soto* (D-FL) said it's time for Congress to act and to stop the flip-flopping at the **FCC**. "We need rules of the road not only for ISPs, but for content providers and others. There's a lot of folks who make up the internet," Soto said. The hearing serves as an unofficial kickoff for filing net neutrality bills, with Rep *Cathy McMorris Rogers* (R-WA) announcing she would introduce net neutrality legislation similar to what her home state approved last March. That bill has general bright lines rules and no general conduct standard (or Title II-like regs), similar to what NCTA has been suggesting. *Greg Walden* (R-OR) intends to introduce a bill similar to a previous proposal from Senators *John Thune* and *Fred Upton* that would have prevented blocking, throttling and paid prioritization without Title II. With a lot of familiar ground covered at the hearing, one of the more interesting dynamics was seeing former FCC chairmen *Michael Powell* and *Tom Wheeler* debating their positions. Seated next to each other, the former NCTA pres/CEO and current NCTA pres/CEO went toe to toe. In defending a common carrier approach to regulation, *Wheeler*, who also once served as head of **CTIA**, talked about how his wireless members wanted him to go to Congress and have it define them as common carriers because they needed uniformity of rules. "That was my a-ha moment as I was thinking what do we do on an open internet," he said. "The rules were modernized and we went through and did the same kind of forbearance [as the 2015 FCC order]... There were hundreds

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of millions of dollars spent after that on the basis of being a common carrier under Title II.” Powell responded that he agreed with a lot of what Wheeler had said with a few critical exceptions. Chiefly, that Congress changed how wireless was regulated, “not the FCC out of a patchwork of laws available to it.” He also noted that common carrier status applied only to wireless telephone service, not wireless broadband. “The thing that has driven the explosive growth of wireless in the last few years is smartphones, apps and broadband connectivity. Ask your kids how many telephone calls they make with their **Apple** iPhone and you’ll see the difference,” Powell said. Another gripping moment came during California Dem *Jerry McNerney’s* questioning of Powell over NCTA’s participation in the group **Broadband for America**. Asked if NCTA had engaged the group to file fake comments in the FCC’s net neutrality proceeding, Powell said “absolutely not.” McNerney followed with: “We’ll be looking into that.” Communications chmn *Mike Doyle* (D-PA), who led an unsuccessful effort in the House to repeal the Restoring Internet Freedom Order, indicated there will be more lots more work on net neutrality. “Until strong open internet protections are enacted, our only hope is the millions of Americans who are fed up and will hold Congress accountable for passing strong net neutrality laws,” he said.

No Skinny for T-Mobile: 2018 came and went without **T-Mobile’s** revamped home pay-TV offering, but the wait won’t be much longer. No exact date has been revealed, but the company announced during its 4Q18 earnings call that it now expects to release it within the first half of the year. T-Mobile pres/COO *Mike Sievert* explained that the delays were due to additional quality improvements, saying the company is “not data-driven when it comes to the home part of the strategy, we’re quality driven.” T-Mobile’s home broadband strategy also remains in development, but Sievert says the two offerings will act as complements to each other when they’re released. “Those two can operate independently of each other, but they really operate well in concert in our future plans and particularly in the context of the New T-Mobile where we have very ambitious home broadband plans,” Sievert said. He did make one other thing clear when it comes to T-Mobile’s video strategy: it has no plans to develop an undifferentiated skinny bundle. “There are plenty of those, but we think there’s a more nuanced role for us in helping you get access to the great media brands out there that you love, and to be able to put together your own media subscription in smaller pieces,” Sievert said. Pivoting to mobile, CEO *John Legere* announced the company saw its lowest ever postpaid phone churn in 4Q18 at 0.99%, dropping lower than **AT&T’s** for the first time ever, as well as 1mln postpaid phone additions. Legere said the company is hard at work building out its 600 MHz spectrum to launch “America’s first real nationwide 5G network” in 2019. As for the pending merger with **Sprint**, Legere still expects it to close within the

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first half of the year.

Louisville Slugger: Google Fiber is leaving Louisville less than two years after launch. In a blog post, the company announced it would be turning off the network on April 15 and would pay for the next two months of its customers' service. Louisville was something of a testing ground for Google Fiber, being the first city where it trialed a construction method that saw fiber being placed in trenches that were more shallow than ever before. "Innovating means learning, and sometimes, unfortunately, you learn by failing," the Fiber team wrote in a blog post, saying that it has encountered challenges that have caused service issues for customers. "We're not living up to the high standards we set for ourselves, or the standards we've demonstrated in other Fiber cities." The team added that it would have to rebuild the entire network to provide service comparable to that offered in other Google Fiber cities. There are plenty of other providers left in the area, and even another fiber network, that are continuing to commit to the city. "Our 100% fiber network powered by AT&T Fiber is available at nearly 175K Louisville area homes and small business, and growing," an AT&T spokesperson said. "AT&T has been investing in Louisville for more than 140 years, including more than \$700m in our Kentucky networks in the last three years alone." Charter launched its Spectrum Internet Gig service to the entire Louisville footprint in October.

Spectrum at TCA?: What? Yes, you heard that right. Charter's Spectrum Originals highlighted its first original show at TCA with a set visit to "L.A.'s Finest," where stars and executive producers Jessica Alba and Gabrielle Union endured throngs of TV critics invading the set. The 13-episode series premieres on demand May 13 and follows cop Syd Burnett (Union), last seen in Miami taking down a drug cartel, who has seemingly left her complicated past behind to become an LAPD detective (Yes, this is in the same universe as the "Bad Boys" movie franchise). Alba plays Nancy McKenna, her new partner and working mom with an equally complex history. Interestingly, the NBC broadcast net had just passed on the series when Spectrum snapped it up as its first original. Alba told Cablefax that it would have been quite a different show on NBC. "It would have been more crime-of-the-week," she said. "It would have been more exposition. Very, very little character development, and everybody better be likeable... But here it's great. We get to just be women in the world." Katherine Pope, Spectrum's head of original content, told us more series announcements are coming soon. The first three eps in L.A.'s Finest will be exclusively available to Spectrum video subscribers for free without ads on May 13, after which new episodes will be released every Monday. Spectrum Originals previously announced additional projects including "Curfew," co-produced by Sky UK, and the Lionsgate series "Manhunt." If what we've seen of L.A.'s Finest is any indication—Charter has set its bar pretty high. Welcome to Hollywood, Mr. Rutledge.

Oh, Canada: Starz is launching a new channel and streaming service in Canada. Starting March 1, our neighbors to the north will see pay TV network Encore rebrand as Starz across two linear channels and on demand platforms via participating TV providers. The following week will see Starz becoming available directly to all Canadians as an add-on to premium service Crave for \$5.99/month. The Starz streaming service can be accessed via Crave's website, the Crave app on iOS and Android as well as Apple TV. Additional platforms will roll out in the coming months.

Sports Palace: Turner Sports and Caesars Entertainment teamed up to develop gaming-related content for sports fans around the world. The iconic Caesars Palace Las Vegas hotel will open a Bleacher Report branded studio from inside its sports book. The B/R studio will be the hub for a creation of gaming-related programming and editorial content that will be distributed through Bleacher Report and the B/R app. Caesars will also be a presenting sponsor of select programming across Turner's linear networks.

SCTE Standards: SCTE-ISBE announced the creation of a Microgrid Working Group within its standards program. The working group's charter is to define operational practices and standards for microgrids; to facilitate communication among service providers, industry partners and other standards organizations and to demonstrate that the technology is deployable and manageable for service providers. The working group will also create a library of microgrid use cases showing how their proper application can reduce operational costs and accelerate deployment. EMerge Alliance vp Tim Martinson will serve as chair of the working group while Comcast senior principal electrical engineer David Geary will act as vice chair.

Programming: truTV greenlit four unscripted projects. "Around the World in 80 Games" (wt), "Blackspiral with James Davis" (wt) and "The Untitled Maz Jobrani Project" (wt) join the development roster. The net also entered a development deal with comedian Yamaneika Saunders and is prepping an unscripted comedic game format "Can You Beat Yamaneika?" (wt). -- Smithsonian Channel will premiere "My Journey With a Polar Bear" on March 6 at 8pm.

PROGRAMMER'S PAGE

Monday, Funday...

It's a cliché, but comedy is hard. Very hard. And content creators more than often screw it up. That's why when it works, it's worth mentioning. And "Black Monday" (premiered Jan. 20) on **Showtime** works on every level that counts, combining sharp social commentary with patently offensive characters who do horrible things to each other and themselves—all set against the backdrop of 1980s Wall Street excess. Creators *Jordan Cahan* and *David Caspe* aren't sure how they made these miserable human beings likeable, but somehow you watch satisfied in knowing that they're all going to go down in flames eventually. "The actors do a lot of the work in that," Caspe told **Cablefax**. "The actors can find the humanity in even a villain. Yes, we try to put in the heart moments, but it's largely how the actors find the humanity in the character. People root for people." Cahan noted that one character—Tiff Georgina, played by the hilarious *Casey Wilson*—comes off in the first few episodes as "everything the show rails against"—but the writer's room made sure to build in an "internal life" for her in later episodes. Still, we know that all these characters and their varying degrees of dysfunction are all marching toward oblivion, which is part of the fun. Black Monday—the day (Oct. 19, 1987) of the stock market's biggest crash in history—is the ticking time bomb as our money-grubbing anti-heros jostle, plot, scheme and backstab their way to riches. At the center is *Don Cheadle's* character Maurice Monroe, who is working a grand scheme that seems from the outset to be destined for failure. "It's crazy," Cheadle told critics at TCA. "It's trying to make a magic trick on top of a roller coaster. So that's kind of how he operates." In fact, that's pretty much how this show operates. And it's a wild ride. — *Michael Grebb*

Reviews: "The Many Lives of Nick Buoniconti," premiere, 10pm, Tuesday, **HBO**. Narrator *Liev Schreiber* describes the scene perfectly. He says there's "a certain shock" to know *Nick Buoniconti* today can no longer "rely on himself." Indeed it's a shock to see the condition of the former football player in the opening moments of this terrifically emotional doc. That Buoniconti, 77, narrates his story is impressive. It's a great touch from director *Bentley Weiner* to let him do so. Buoniconti's story is remarkable, and will appeal to more than just those old enough to recall the season of 1972. That's when he anchored the **Miami Dolphins'** defense to a 17-0 record and a Super Bowl win. But, as Buoniconti says in the doc, he's prouder of his off-the-field work. His foundation has raised \$500 million for paralysis and spinal cord injuries. Despite the physical price he's now paying for playing football, he wouldn't have it any other way. — "Autopsy: The Last Hours of... Christopher Reeve," premiere, 8pm ET, Sunday, **Reelz**. Nick Buoniconti's life was changed when one of his sons, *Marc*, was paralyzed playing football in 1985. A decade later actor *Christopher Reeve* shared the same fate owing to an accident. This interesting ep details what might have caused Reeve to die at 52. -- *Seth Arenstein*

Basic Cable P2+ Prime Rankings* (01/28/19-02/03/19)		
Mon-Sun	MC US	MC US AA AA% (000)
FNC	0.696	2,125
MSNBC	0.593	1,810
HGTV	0.414	1,266
HIST	0.378	1,154
A&E	0.369	1,126
HALL	0.367	1,122
USA	0.358	1,094
CNN	0.347	1,059
TLC	0.338	1,033
ID	0.331	1,010
TBSC	0.329	1,005
TNT	0.326	997
DISC	0.317	969
FOOD	0.299	914
ESPN	0.287	877
NICK	0.271	826
TVLAND	0.227	693
BRAVO	0.209	639
ADSM	0.206	629
FX	0.204	622
LIFE	0.194	593
NAN	0.190	580
INSP	0.188	575
HMM	0.163	497
DSNY	0.156	476
WETV	0.149	455
DSJR	0.149	454
MTV	0.147	450
APL	0.146	446
VH1	0.145	443
GSN	0.142	434
NATGEO	0.137	417
TRAVEL	0.133	406
AMC	0.133	405
NKJR	0.130	397
BET	0.125	383
FRFM	0.125	383
OWN	0.126	383
PARA	0.126	383
HBO	0.124	378
COM	0.115	351

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

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