

# Cablefax Daily™

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What the Industry Reads First

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## Robocall Cop: Pai Talks Tough Again on Combating Illegal Calls

FCC chmn *Ajit Pai* reiterated his call Thursday for carriers to meet a 2019 deadline for instituting a new caller ID authentication system to combat robocalls, which he described as the agency's "top consumer protection priority." "I will be closely monitoring the situation, and if necessary, the FCC will take action to ensure implementation," he said in a press conference after the agency's February open meeting. On Wednesday, the FCC released letters from carriers that outline their progress. It's a bigger issue for wireless, but cable companies, including **Comcast**, **Charter** and **Cox**, have had to provide status updates. Pai said most companies are on track to implement the platform this year. The FCC also released its first-ever report on robocalls Thursday, which found the agency has proposed or imposed monetary forfeitures of more than \$245mIn (most of those within the past two years). The FCC received 232K complaints about unwanted calls, including robocalls and telemarketing, last year, though the report noted that many illegal calls are likely to go unreported. Pressed by a reporter on whether consumers should have to pay for the blocking of such unwanted calls, Pai declined to "speculate on what steps the FCC would take in terms of further regulatory intervention," instead reiterating the importance of protecting consumers. Democrat *Jessica Rosenworcel* said the FCC needs to do more and urged the creation of a division within the Enforcement Bureau to tackle illegal calls, noting the agency recently creating a new division to look at fraud and waste in the Universal Service Fund. "Why don't we do the same thing with robocalls and show consumers we are really acting like the copy by structuring the agency to reflect on what irritates them the most," she said. All five commissioners voted during the meeting for proposed rules that would ban illegal spoofed text message and international calls, allowing the agency to address complaints about communications that originates overseas. Last year's Ray Baum Act extended consumer protections to international calls. In other meeting news, the FCC voted unanimously to eliminate rules requiring broadcasters to file midterm reports on EEO compliance, with the info available in the FCC's online public inspection file. Dems *Rosenworcel* and *Geoffrey Starks* concurred on the item, with the newest commissioner expressing disappointment that the agency didn't use it as an opportunity to lift the suspension of Form 395-B—an annual employment report collecting data on racial, ethnic, composition of a station's workforce. "Fifteen years ago, the Commission committed to collect EEO data from our broadcast licensees as part of the agency's statutory duty. But data collection

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has been stalled since then because the Commission has let unresolved a single narrow question about whether that data should be confidential or not,” Starks said. “Because we have failed to follow through on that commitment to collect workforce diversity data, our ability to better understand the landscape of our media workforce remains stunted.” Working with Rosenworcel, he was able to get a commitment in the item to issue a further notice of proposed rulemaking within 90 days to look at the agency’s track record on EEO rules.

**Nexstar-Tribune:** The **FCC** established Docket No. 19-30 to review Nexstar’s \$4.1bln proposed acquisition for **Tribune Media**. Petitions to deny the deal must be filed by March 18, with oppositions to petitions due April 2. The broadcasters have overlapping stations in 15 markets, with at least 13 expected to be spun off for regulatory approval.

**DISH Fallout:** **Univision’s** earnings numbers took an expected hit in 4Q18 courtesy of its ongoing carriage dispute with **DISH**. Total revenue dropped 8.9% to \$688.5mln while core revenue decreased 8.7% to \$659mln. The lack of carriage on DISH saw subscriber fee revenue drop 17.7% to \$219.2mln. Neither side has lost hope of a resolution, however, with Univision management echoing DISH leadership by saying they’re continuing to work on a fair deal. “We continue to have discussions with DISH,” Univision CEO *Vince Sadusky* said on the company’s earnings call Thursday. “It’s clear not doing a deal is harmful to both companies. It’s down to a matter of value.” Univision was removed from DISH at the end of June with **Univision Deportes** following in November. Sadusky succeeded *Randy Falco* back in June, something DISH chmn *Charlie Ergen* has said affected negotiations between the two companies.

**Up to the Plate:** It may be a late entrant to the battle for the **Fox** RSNs, but **Liberty Media** and chmn *John Malone* have the potential to turn the race on its head. It’s not a shock that Liberty would want to enter the race in some capacity, what with its ownership of the **Atlanta Braves**, and the company has floated the idea of starting a RSN in recent years. **Macquarie Research** said in a report that it believes the assets would complement Liberty’s ownership of the Braves (as well as **Formula 1**) and that the company has the money in the bank to finance the effort even if it doesn’t choose to partner with third parties like **Platinum Equity** using cash on hand, margin loans and exchangeables. There’s no clear prediction on what will happen with the 21 Fox RSNs that Disney must sell (the **Yankees** are expected to buy **YES**). **Fox Business** reported this week that L.A. Angels owner *Arte Moreno* is interested in as many as four nets. **Sinclair** and **MLB** are also reportedly in the running.

**Truth in Billing:** A bill introduced last fall by Rep *Anna Eshoo* (D-CA) that would require cable, phone and ISPs to include all charges in the prices they advertise is back. Eshoo introduced the legislation in the House, while Sen *Ed*

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*Markey* introduced a companion bill in the Senate. The bill would cover things such as a broadcast surcharge and would allow customers to end their contracts without early termination fees if their provider increases prices. It also prevents hikes on equipment fees unless providers improve equipment and prohibits forced arbitration clauses for wrongful billing errors. While groups such as **Public Knowledge** and **Consumer Reports** applauded the bill, **NCTA** said that transparency is already there. "Through their websites and monthly statements, cable service providers are transparent about pricing and deliver itemized bills to customers which offer specific information about monthly services and charges," a spokesperson said.

**Deal Alert:** **Brightcove** is buying competitor **Ooyala's** online video platform business for \$15mln in cash and stock. The acquisition includes video content management and publishing platform Backlot, Analytics, Live, and its underlying IP and associated patents. The deal is expected to close in the first half of 2019.

**Indefinitely Postponed:** **House Judiciary** indefinitely postponed a hearing on the proposed **T-Mobile/Sprint** merger that was supposed to take place on Thursday. It would have been the second hearing this week, following Wednesday's **House Commerce** hearing. The two hearings were originally scheduled to be a joint hearing, but were then separated due to "scheduling issues." The Judiciary hearing was originally scheduled for 10am Thursday, rescheduled to 2pm, and then postponed.

**Net Value:** Sports continue to be highly valued by cable operators, with **ESPN** coming in as the top-ranked basic network in value in fall 2018, according to a report from **Beta Research**. **Fox News** came in second, followed by **ESPN2** and **NFL Network**. In terms of percent of large system operators rating nets very helpful to their efforts in selling TV Everywhere, HDTV and/or VOD, **Disney** and **ESPN Media Networks** topped the chart with 73%, followed by **NBCU Cable** with 62% and **Fox Networks Group** with 60%. Disney/ESPN also had the highest percent of operators visiting their affiliate websites with 81%, then **Discovery Networks** at 79% and **NBCU** at 76%.

**Commercial Break:** US digital advertising revenues rose to \$26.2bln in Q318, up 22% YOY according to **IAB**. This makes 2018 the highest-spending first three quarters on record, with marketers spending \$75.8bln.

**Stadium Views:** **Stadium** is launching its 24/7 network on **Sling TV**, available to subscribers on both Sling Orange and Sling Blue services ahead of the end of college basketball season. Stadium Plus, the net's premium service, will remain in Sling's Sports Extra add-on service.

**The Big Stage:** The BOK Center in Tulsa, OK, announced a multi-year partnership with **Cox Business** that will see the latter become the official technology communications provider of the arena. Cox will install nearly 300 access points throughout the venue. Cox also extended its status as a founding partner of BOK Center for another five years.

**Programming:** In a slate of new content, **Nickelodeon** is developing "Ryan's Mystery Playdate" starring the seven-year-old **YouTube**r from "Ryan ToysReview." The 20-ep series will premiere later this year and follow Ryan, his parents and animated friends. The net also announced it is bringing back family game show "Are You Smarter Than a 5th Grader," hosted this time by *John Cena*. It is slated to premiere later this year. The iconic "All That" sketch-comedy series will return with a new cast of kids alongside original cast members. *Kenan Thompson* is set to ep. Nick is also developing spin-off projects for "SpongeBob SquarePants" for the first time-ever, and *Simon Fuller* and *OneRepublic's Ryan Tedder* are producing a music-based series. -- "Bridezillas" is making its Season 12 return to **WE tv** on March 15 at 10pm.

**People:** **Fox News** tapped *Michael Tammero* as svp, event marketing and host of on-air entertainment programming. He previously led day-to-day marketing for the net. -- **CNBC** named *Dan Colarusso* svp, business news following *Nikhil Deogun's* exit in September. Colarusso comes from **Reuters**, where he served as executive editor of digital.

**AFM Board:** The **Alliance for Women in Media** announced its 2019 national board. Joining the board are **Half Yard Productions** co-founder/co-owner *Abby Greensfelder*, **Matrix Solutions** CRO *Brenda Hetrick* and **CBC** head of public relations *Katherine Wolfgang*. **Inner City Broadcasting's** *Keisha Sutton James* will serve as incoming chair, while **The Weiss Agency** evp *Heather Cohen* will act as treasurer. **CBS** evp, chief diversity and inclusion officer *Josie Thomas* will serve as treasurer-elect as **FreeWheel** svp *Sarah Foss* will take the seat of immediate past chair. Serving as directors at large: **Beasley Broadcast's** *Joyce Fitch*; **vCreative** pres *Jinny Laderer*; **Litton Entertainment's** *Meg LaVigne*; **SiriusXM's** *Kelly DeLace Perdomo* and **Access Intelligence's** *Diane Schwartz*. **CTAM's** *Anne Cowan*; **The Punch Point Group's** *Annie Howell*; **Radiolnk**, **RBR** and **TVBR** publisher *Deborah Parenti*; **NCTA's** *Rob Stoddard*; and **Illustrative Mathematics'** *Kristen Welch* will serve as directors at large of the Alliance for Women in Media Foundation. The group also said it has received a record number of entries for the 2019 Gracie Awards, which will be held on May 21 at the Beverly Wilshire The Gracie Awards Luncheon will take place on June 26 at Cipriani 42nd Street in NYC.

## PROGRAMMER'S PAGE

### Bind. Torture. Kill. ID's Look Into Famed Killer

*Charles Manson. Jack the Ripper. Ted Bundy. The Zodiac Killer.* And, of course, the *BTK Strangler*. There's been a lot of hype around serial killers recently, especially with the release of **Netflix's** "The Ted Bundy Tapes" and the upcoming *Zac Efron* film. **Investigation Discovery's** "BTK: A Killer Among Us," premiering Sunday at 10pm, outshines them all. The two-hour special dives into the double-life of *Dennis Rader*, the serial killer from Wichita, Kansas, who over the course of three decades killed ten people before ultimately letting his ego destroy him. "This is not some show where we're going to glorify Dennis Rader," *Kate Harrison*, ep on the series and pres of **Cream Productions**, told **CFX**. "You'll notice in the show we spend a lot of effort not depicting him clearly, but really making this about the impact this had on the community and the people he left behind. ... It really has an effect when you start talking to people who went through something like that." The special includes interviews with children of victims who witnessed their parents' horrific murders, law enforcement who caught Rader and have never before spoken together as a group, and most importantly, Rader's daughter, *Kerri Rawson*. "I think listening to her, where she says out loud 'My father is the BTK serial killer'" is the most powerful moment in the two-hour doc, Harrison said. "Kerri will always be the key to this show, and listening to the strength she has." The production team traveled to Wichita more than a year ago, at first without any cameras, to research and get to know the community. "We got access to a lot of archive that had never been available, but those moments where you're driving around the town and it looks like this safe, small town," Harrison explained. "Being able to be on the ground there, listening to the children of these victims talk, the interviews are just heartbreaking." – *Mollie Cahillane*

**Reviews:** "Flack," series premiere, 10pm ET, Thursday, **Pop TV**. The opening moments of this limited, 6-part series set the bar extremely high. In "Flack," the wonderful *Anna Paquin* plays Robyn, a publicist for high-profile clients in London. Think a female version of **Showtime's** Ray Donovan, but without a gun, whiskers and a wicked right hook. Before the many fine cable publicists who read this column flock to their TV to watch *Flack*, know well that the story is mostly about Robyn's complicated life, and less about a faithful portrayal of PR. On the other hand, *Flack* features some terrific acting and writing, and Paquin leads a top-notch cast. Particularly good is *Lydia Wilson* as Robyn's tough-as-nails colleague. It's also important to see empowered female roles on TV, even if they're not exactly role models. *Flack* has plenty to offer, if you have the stomach for it. – "Miracle Workers," Tuesdays, 10:30pm, **TBS**. Your reviewer loved **HBO's** "Boardwalk Empire," though we weren't always comfortable with Steve Buscemi in a lead role. A great character actor, Buscemi just seemed wrong as a leading man. Eventually we accepted him in the role. Now, in this new series Buscemi plays God. Fortunately, this is not the God of Leonardo's Sistene Chapel. It's a quirky, sloppy deity. Buscemi is perfect and the series isn't bad. – *Seth Arenstein*

#### Basic Cable P2+ Prime Rankings\*

(02/04/19-02/10/19)

Mon-Sun	MC	
	US	US AA
	AA% (000)	
FNC	1.027	3,136
MSNBC	0.662	2,021
HGTV	0.445	1,359
HIST	0.406	1,241
CNN	0.384	1,173
HALL	0.374	1,144
ID	0.364	1,111
USA	0.350	1,070
A&E	0.333	1,017
TLC	0.327	999
TBSC	0.323	987
TNT	0.323	986
ESPN	0.315	963
FOOD	0.312	952
DISC	0.307	938
AMC	0.297	906
INSP	0.234	715
NICK	0.231	706
TVLAND	0.221	676
BRAVO	0.204	622
NAN	0.197	601
LIFE	0.196	599
HMM	0.196	598
ADSM	0.192	588
CRN	0.171	523
FX	0.170	519
DSNY	0.170	518
APL	0.162	494
DSJR	0.155	474
TRAVEL	0.154	470
MTV	0.154	469
GSN	0.143	436
NATGEO	0.143	435
WETV	0.142	435
VH1	0.142	433
NKJR	0.139	423
SYFY	0.137	417
FRFM	0.135	412
BET	0.121	369
COM	0.116	356
WGNA	0.116	355

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

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