

Cablefax Daily™

Monday — January 13, 2020

What the Industry Reads First

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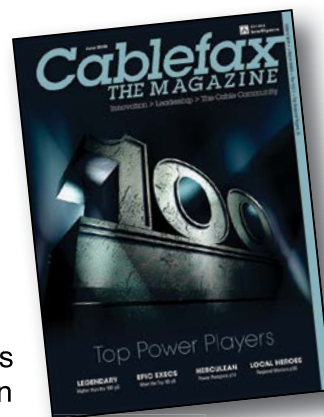
Retrans Roundup: More Warnings, More Squabbling

Another week, more retrans warnings for the satellite guys. **Apollo Global Media**-owned **Cox Media Group** started running messages warning that **DISH** could lose its 13 stations at 7pm ET on Tuesday. “We are continuing to negotiate with DISH, but DISH has refused to agree to reasonable terms for the valuable programming we provide,” said Cox Media Group. DISH said it’s still in negotiations and doesn’t know why the broadcaster has involved customers at this time. These are the former **Cox Enterprises’** stations, which Apollo took majority ownership of last month. Cox Enterprises maintains a minority stake in the new company. Cox Media’s **WXPI**, **WFXT** and **WSYT** were dark on **Verizon Fios** from Jan 1 until a new deal was reached Jan 4. And **Comcast** dropped the broadcaster’s **Pittsburgh Cable News Channel** on Jan 1. DISH was poised to enter its second NFL playoff weekend with a blackout, as **Mission Broadcasting** stations remained dark on its lineup Friday evening. The 18 stations were removed from DISH at 7pm on Jan 3. -- Meanwhile, **AT&T** continues to trade back and forth with the **Deerfield 9** and **Duane Lammers’** consultancy firm **Max Retrans**. On Thursday, AT&T filed its opposition to Max Retrans’ motion to dismiss its breach of contract suit in the Eastern Missouri Circuit. AT&T has accused Max Retrans of conducting negotiations in a way that violates a nondisclosure agreement prohibiting the unauthorized sharing of AT&T’s confidential information. Max Retrans has countered that AT&T is trying to stop legal joint negotiations among broadcasters. In November, the **FCC’s** Media Bureau found that nine independent broadcast groups represented by Max Retrans (**Deerfield Media**, **Howard Stirk Holdings**, **Waitt Broadcasting**, **GoCom Media**, **Mercury Broadcasting**, **MPS Media**, **Nashville License Holdings**, **Roberts Media**, **Second Generation of Iowa**—aka the Deerfield 9) violated rules requiring good faith retrans negotiating. The broadcasters have asked the FCC to reconsider that decision, [saying](#) that threatened forfeitures against them are “effectively a death sentence for these small businesses.” AT&T eventually reached renewals with all nine broadcasters, some even before the Media Bureau’s ruling. AT&T wants the Media Bureau’s decision to stand, saying it correctly found that defendants failed to negotiate and respond to proposals. “Defendants assert here, as before the Bureau, that they satisfied their individual obligations to negotiate because their common agent, Duane Lammers of Max Retrans, was negotiating an agreement for a different station group,” AT&T told the FCC in a recent filing, adding that the Deerfield 9



Who Deserves to Rank Among Cablefax’s Annual Top Power Players?

The Cablefax 100 salutes the most influential executives whose leadership continues to take the industry to new heights. We will rank the top professionals in the media, cable & broadband industry and publish the list in the June edition of Cablefax: The Magazine.



It’s free to enter - but you must submit your entries by February 7!

Enter at www.Cablefax100.com | Questions: Mary-Lou French at mfrench@accessintel.com

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Diversity Awards Dinner

MARCH 25TH 2020

Cipriani Wall Street, New York City

HONORING

Executive Leadership Award

AYO DAVIS

Executive Vice President,
Talent & Casting

ABC Entertainment & Disney+

Executive Champion Award

JONATHAN HARGIS

Executive Vice President &
Chief Marketing Officer

Charter Communications

Dinner Chair

KAREY BURKE

President
ABC Entertainment

Dinner Chair

TOM MONTEMAGNO

EVP, Programming Acquisition
Charter Communications

t-howard.org

For more information, email Maria Ducheine at
mducheine@projectsplusinc.com

6:00 p.m. Reception
7:15 p.m. Dinner & Program
9:00 p.m. Dessert Reception

BUSINESS ATTIRE

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failed to identify a single pre-blackout offer that they or their agent made, only proposals for that station group Lammers was representing. The name of that broadcaster has been redacted from public filings.

Black News Channel Delays Launch Again: **Black News Channel** has postponed its launch for a second time, saying it needs more time to build out distribution platforms, apps and other infrastructure. The channel was supposed to launch Monday, Jan 6, but on Dec 31 BNC announced it plans to roll out Feb 10. This is the second delay, with the channel originally scheduled to launch Nov 15. BNC has distribution deals in place with **Charter, Comcast** and **DISH**. “Black History Month is an appropriate time to launch the Black News Channel,” *Bob Brillante*, co-founder and CEO for BNC, said in a statement. “We are committed to make sure that when our viewers tune in they are witness to a quality viewing experience.” The Tallahassee-based network counts former congressman *J.C. Watts* as a cofounder.

CenturyLink Paying Up For Overcharging Minnesota Subs: Minnesota AG *Keith Ellison* and **CenturyLink** have agreed to a settlement that requires the telecom company to pay \$8.9mln for overbilling Minnesota customers. The deal puts an end to a consumer protection lawsuit the AG’s office filed in July 2017 that claimed CenturyLink had defrauded over 12K customers in the state. As the case moved through the court, CenturyLink ultimately produced information that showed it potentially overbilled more than 300K Minnesota customers. “There’s no amount of money that can fully reimburse every Minnesotan that CenturyLink defrauded for all the money they were overcharged and all the time they lost in trying to get CenturyLink to do the right think in the first place. Even so, this settlement will put money back into the pockets of thousands of Minnesotans,” Ellison said in a statement. As part of the settlement, CenturyLink must reform its billing practices by disclosing its true prices, honoring all prices and discounts promised to consumers and banning certain internet fees. It will also submit audits to the AG’s office for the next three years to prove it is complying with the settlement terms. Minnesota customers who believe they have been overcharged from any point since 2011 have been encouraged to complete a contact form on the AG’s website.

Atlantic Broadband Buying Connecticut ISP: **Atlantic Broadband** is spreading its New England footprint with the acquisition of **Thames Valley Communications**, a broadband services company serving southeastern Connecticut. Atlantic will add 10K customers to its operations within the state. “Going forward, Atlantic Broadband’s strong management and larger scale will provide our residential and business customers with access to leading-edge, high quality technology and services,” Thames Valley Communications CEO *Bill Pearson* said in a statement. The deal is expected to close within three months.

The logo for Cablefax Daily, featuring the text "Cablefax Daily" in a white, italicized serif font against a dark blue background with glowing light streaks.

**Don't miss this opportunity
to get in front of small
and mid-sized operators!**

Cablefax editors will be covering the show with print editions onsite.

Find out the myriad of ways Cablefax can help you maximize exposure before, during and after WEC 2020 in Las Vegas, Feb. 16-18. Contact Olivia Murray at 301-354-2010 or omurray@accessintel.com

Golden Age of TV Losing its Shine?:

Media exec *Barry Diller* has a prediction about this Age of Peak TV: it can't last. With so much content out there, there will have to be a reduction in quality, the **IAC** chmn told **CNBC's** "Closing Bell" this week. "We are going to have to start to expect less. That doesn't mean you're not going to have a great program every once and awhile. But there is so much pressure on what is relatively small, creative community..." he said. "We've had kind of a peak of, people have said at different times, 'golden television. We've had a peak of that. I think it's going to go down from here.'"

FCC Comment Period for 30 Day Notifications:

Comments are due Feb 6 in the **FCC's** NPRM to update rules so that cable operators would need to provide notice "as soon as possible" when service changes occur due to retransmission consent or program carriage negotiations that fail within the last 30 days of a contract. Cable has complained that the current 30-day notice requirement can unduly worry customers. Reply comments are due Feb 21.

Distribution: **ESPN+** is now the home of the Copa Del Rey soccer competition as part of a multi-year agreement with the Royal Spanish Football Federation. The streamer will feature up to 65 matches per season, including the Copa del Rey final. Many will be available with both English and Spanish language commentary options. The tournament's second round begins Saturday.

Cablefax Dashboard

Tweet Tweet



Up Ahead

- Jan 7-19: [Winter 2020 TCA Press Tour](#)
- Jan 16: [NBCU Peacock Investor Day](#)
- Jan 21-25: [NATPE Miami](#)
- Jan 27-30: [Realscreen Summit](#); New Orleans
- Feb 7: [Cablefax 100 Nomination Deadline](#)
- Feb 16-18: [NCTC Winter Educational Conference](#); Las Vegas

Research

- > Over 1/3 of media and entertainment executives say that without reinvention, their company will no longer exist in five years. 28% admit that they don't know what actions to prioritize in the transformation of their business.
- > The three areas of focus highlighted by the M&E executives were pursuing operational excellence and agility; rebooting innovation strategies; and accelerating talent and skills development.
- > Of all media subsectors, advertising and marketing services respondents were most focused (70%) on transforming the operating model through internal consolidation.

(Source: [EY](#))

Quotable

"Statistically, you will spend more waking hours at your job than anywhere else. If you're not comfortable and happy in your job, you're not going to be a happy person in life. Please be happy in your job. And if you're not happy in your job, don't be afraid to change and try to find some place where you're happy."

-- **Comcast senior evp and known workaholic David Cohen** offering up advice in the "Growing Greater" podcast

Cablefax: February What's happening...

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Black History Month. Cablefax's special report will look at how programmers and operators celebrate Black History Month, as well as how they keep the celebration going all year long.

NCTC Winter Educational Conference. We'll preview the annual gathering of forward-thinking technology and bring you all the news from the conference.

Political Ad Spending. A look at the trends, ad spending and hot races as we draw closer to election day.

Awards

Cablefax 100
Nomination Deadline:
February 7
www.cablefax100.com