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What the Industry Reads First

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Auction Ahead: FCC Gets Earful Ahead of Friday's C-band Vote

With the **FCC** days away from voting on chmn *Ajit Pai's* C-band proposal, the agency's getting plenty of last-minute advice on what the final order should look like. The wish list of adjustments to the draft proposal run the gamut. **NCTA** is asking the agency to take additional steps to ensure there's no disruption of video services for content companies and MVPDs during the transition of the 3.7-3.98GHz band to terrestrial wireless use. The cable association recommended that a framework be created that would address the need for occasional use earth stations to continue to function as key links in the video distribution chain and that reasonable accommodations are made to enable continued delivery of video from international feeds, including news, sports, and other programming that today utilize the entire C-band. Content companies have visited FCC HQ on 12th Street in recent days to make similar pleas. "Occasional use operations are critical to coverage of major sporting events, breaking news, and other 'on-the-spot' events, and programmers rely on occasional use in both uplinking and downlinking content in real time," **Disney/ESPN** said in an *ex parte* published Monday. The programmer suggested the FCC create a process for registering venues where occasional use is especially likely to be needed, such as sporting venues and convention centers. Recognizing that it would be infeasible to register all sites where secondary use may be deployed, Disney/ESPN suggested the FCC allow occasional use services to operate on a secondary, non-protected basis in the 3.7-4 GHz band—with those services having to accept any interference from flexible use licenses in the lower 300MHz. Another area interested parties are honing in on is adjacent 3.5 GHz Citizens Broadband Radio Service (CBRS) operations. They want assurance in the C-band order that CBRS operations are entitled to protection from interference. In a meeting Friday, **Charter** execs suggested the FCC require CBRS operators and C-band licensees to coordinate and to synchronize time division duplexing operations above and below the 3.7 GHz band edge. With CBRS now commercially viable for wireless, its proponents argue there's no time to waste. "By the time C-band equipment and services are available, large CBRS innovations and deployments will already be in use," Charter said. **NAB** and other content companies want to make sure that the HEVC compression standard is acknowledged in the order as appropriate choice for some programmers and that no one is forced to implement AVC compression. That means

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ensuring that reimbursement isn't tied to adoption of only certain compression standards. With the proposal establishing a Dec 8 start date for C-band auction, look for things to move swiftly after Friday's vote.

Coronavirus Topples Stocks: The Dow, S&P 500 and Nasdaq Composite all closed down more than 3% Monday amid coronavirus concerns. Among major US operators, **DISH** saw the biggest one-day decline (-5.8%), followed by **Altice USA** (-3%), **Comcast** (-2.66%), **Charter** (-1.24%) and **AT&T** (1.3%). Among programmers, **ViacomCBS** slid 4.79% with *The Wrap* reporting that **Paramount Pictures** production "Mission Impossible VII" has suspended filming in Venice following more than 150 confirmed cases of coronavirus in the country. **Disney** shares were down 4.29%, followed by **Fox** (-3.6%), **Discovery** (-3%) and **AMC Networks** (-2.25%). Tech firms weren't immune either, with **CommScope** down 6.34%, **Cisco** shedding 4.96% and **TiVo** falling 3.85%.

Revisiting Brand X: Supreme Court Justice *Clarence Thomas* on Monday had some harsh words for the 2005 Brand X decision—which he authored. "Brand X appears to be inconsistent with the Constitution, the Administrative Procedure Act (APA), and traditional tools of statutory interpretation," he wrote in a dissent, arguing the Supreme Court should have agreed to review tax case *Baldwin v US*. **NCTA v Brand X** is a well-known case in cable circles, with the high court in a 6-3 ruling upholding the FCC's determination that cable broadband is an information service, not a telecommunications service. Thomas' call to revisit a decision he wrote surprised but it's worth noting he didn't call into question the information service classification. Instead, his dissent focused on the question of deference to the Chevron doctrine, which compels federal courts to defer to a federal agency's interpretation of an ambiguous statute. Thomas' Brand X criticism might be new, but his criticism of the Chevron doctrine is not.

RCN, Grande, Wave Add EnTouch: **RCN**, **Grande** and **Wave** acquired Houston-based **EnTouch Systems**. The transaction is expected to close later this year, subject to regulatory approvals. Upon closing, this will add approx 22K customers to its operations in Texas, as well as expanding its fiber network by 1.4K miles. EnTouch provides high-speed internet, video, voice and home security services to the Houston area, and will join the existing Grande Communications footprint in Texas. The addition of Houston solidified the company's presence in 8 of the top 10 designated market areas in the US.

Ratings: Week 3 of the **XFL** on **ABC** and **ESPN** averaged 1.704mln viewers, down from its average of 2.9mln Week 1. The matchup between Houston and Tampa Bay on ABC Saturday pulled in 1.914mln average viewers, peaking between 4:45-5pm with 2.571mln viewers. Sunday's game between New York and St. Louis on ESPN averaged 1.473mln, also peaking between 4:45-5pm with 1.64mln viewers. -- **Fox News** was the most-watched cable news net for Saturday Nevada Caucus coverage from 4-6pm ET, averaging 1.3mln viewers. **MSNBC** followed with 1.1mln, with **CNN** averaging about 800K total viewers. However, CNN led the nets in the 25-54 news demo, averaging 243K compared to 208K for Fox and 164K for MSNBC.

Kid of the Year: **Nickelodeon** teamed up with *TIME* and *TIME for Kids* for the first-ever "Kid of the Year" honor, a multiplatform year-long initiative including a TV special simulcast on Nick and **CBS**, hosted by *Trevor Noah*. The December hour-long special will recognize five young leaders making a positive impact in their communi-

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ties, and name TIME Kid of the Year.

Turner Taps Parrot: Turner Mexico and Turner Colombia have tapped **Parrot Analytics** to identify content and consumer behavior trends throughout Latin America after a recent meeting of the Latin American Media Advertising Council. Additionally, Turner Mexico and Turner Colombia have become customers of Parrot's proprietary global TV demand measurement system.

BET Remembers Kobe Bryant: **BET Networks** honored *Kobe Bryant* on Monday with content specials across linear, digital and streaming platforms, including live uninterrupted coverage of Bryant's public memorial service. Other programming includes "BET & Entertainment Tonight Present: Kobe: Father, Husband, Legend," a look at Bryant's life off the court featuring footage and reflections from friends and former teammates, including *Rihanna*, *L.L. Cool J*, *Chris Paul*, *Shaquille O'Neal*, *Matt Barnes* and *Alex Rodriguez* at 6pm. The special will be released on **BET+** on March 12. BET also aired the doc "Kobe Bryant's Muse" looking at the mentorships, friendships and competitors that helped shape his 18-year career in the NBA at 4pm. Several nets, including **ESPN** and **NBA TV**, carried Bryant's memorial live Monday.

Classic Crime Shows Comes to SVOD: **A+E Networks** is upping its SVOD game with **A&E Crime Central**, a \$4.99/month commercial-free offering featuring hundreds of episodes from its library of crime series and special. The content spans **A&E**, **History**, **Lifetime** and **LMN**, and includes titles such as "Dog the Bounty Hunter" and the first four seasons of "60 Days In." A&E Crime Central is available via Amazon Prime Video Channels, the Apple TV app, Cox Contour TV and Contour Stream Player and premium subscriptions on The Roku Channel. It joins A+E's fellow SVOD offerings History Vault and Lifetime Movie Club.

Programming: **Netflix** renewed "Atypical" for a fourth and final season. The 10-episode last chapter will premiere in 2021. -- **Nickelodeon** ordered Season 3 of preschool series "Ryan's Mystery Playdate," with 20 new episodes to begin airing this spring. The net also greenlit live-action series "Side Hustle," featuring social media stars *Annie LeBlanc* and *Jayden Bartels*. -- **Discovery Channel** is bringing back "Monster Garage" starring *Jesse James*, 14 years after the show originally aired. The series will premiere later this year. -- **Smithsonian Channel** is celebrating Women's History Month with two new projects. The second annual "Women in History" social video initiative kicks off March 1, rolling out a new series of videos throughout the month, spotlighting a different woman who has made a profound impact under the hashtag #BecauseofHerStory. The net will premiere of "Viking Women: The Real Valkyries" on March 2 at 8pm, diving into new research that proves the skeleton in a 1K-year-old Viking grave was actually a woman. -- **Disney Channel** picked up camp comedy series "Bunk'd" for Season 5. The show is the net's No 1 series for Kids and Girls 6-11.

People: *Dee Dee Myers* is exiting her role as evp, worldwide corporate communications and public affairs for **Warner Bros**. She will leave the studio after five years on the job on April 1. Her successor has not yet been named. She first joined before **Time Warner** was sold to **AT&T**, and previously served as the White House press secretary to *Bill Clinton*. -- **ACA Connects** added veteran communications attorney *Mike Jacobs* to the org as vp, regulatory affairs, beginning Monday. He comes over from **ITTA**, where he served as vp of regulatory affairs since 2016. Broadband provider association ITTA shut its doors on Jan 31. -- **Newsy** tapped *Steve Turnham* as managing editor, overseeing the net's reporting teams. He has a 25-year career in TV news and documentaries, with stints at **CNN**, **ABC News**, **TBS/TNT** and the *Washington Post*. -- **C2HR** made some additions to its board, naming *Kara Anderson*, vp of compensation, HRIS & HR for **ESPN**, and *Jennifer Dunn*, svp of people & culture for **AMC Networks**. -- Former **NTIA** acting administrator *Diane Rinaldo* has joined bipartisan strategic advisory firm **Beacon Global Strategies** as svp.

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The banner features a dark blue background with silhouettes of palm trees and a city skyline. A red carpet leads towards the right, where a clapperboard and a camera are visible. The text is in white and yellow, with 'LIGHTS, CAMERA, ACTION' in large, dotted letters.