

Cablefax Daily™

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What the Industry Reads First

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Thumbs Up: FCC Moving Forward with C-Band Auction

The FCC voted Friday along party lines on an order setting the rules and procedures for an auction of up to 300MHz of C-band spectrum for 5G use. The auction is slated to begin in December. Commish *Michael O’Rielly*, who has long advocated for the freeing up of more midband spectrum, said it was truly a “fantastic day.” “I feel a sense of accomplishment and relief at the same time. Not everything in the document is perfect and the process probably could have been handled differently, but it worked out in the end,” O’Rielly said. The Democrats both dissented from the C-band decision, expressing concerns with the mandatory clearing payments the Commission would force successful bidders to pay to satellite providers to clear the spectrum. They also took issue with the up to \$9.7bln in accelerated relocation payments satellite providers would receive if they meet certain deadlines set by the FCC. “You will not find a rational basis for the \$9.7bln we are set to give away. It is not data-driven decision making. It is back of envelope math,” commish *Jessica Rosenworcel* said. “It looks like an effort to justify backroom deals and promised payoff. That is not the kind of decision a federal agency should make.” Commish *Geoffrey Starks* is concerned about the lawfulness of the mandatory payments, and said he would have favored the Commission asking for voluntary payments as has been its past precedent. As for the incentive payments, he believes that decision should have been left up to the legislative branch. “Congress obviously can figure out how much money should be a part of the incentive payment package. Under our current precedent, having mandatory accelerated relocation payments that are not tied to that actual cost is unlawful,” Starks said. Chmn *Ajit Pai* took issue with the Democrats’ dissenting votes and O’Rielly said not including the incentive payments would have meant the auction wouldn’t have happened. “It has become a tired refrain. Demand action on midband spectrum... but vote against every one of the wireless infrastructure reforms needed to enable that spectrum to be used for 5G,” Pai said. The final order won’t be released early next week, but it could show changes in how the dollars are divvied up between the satellite operators after members of the **C-Band Alliance** began arguing in filings over how much they deserve to receive. In a Feb 19 letter to the Commission, **Intelsat** said the FCC’s final order “should reflect that there will be no C-Band Alliance” going forward. “Where the draft order treats the C-Band Alliance as a single entity, it should instead treat Intelsat, **SES** and **Telesat** as individual companies,” Intelsat said.

Cablefax: March What’s happening...

EDITORIAL: Amy Maclean • amaclean@accessintel.com
Sara Winegardner • swinegardner@accessintel.com
Mollie Cahillane • mcahillane@accessintel.com

ADVERTISING: Olivia Murray • omurray@accessintel.com

AWARDS: Mary-Lou French • mfrench@accessintel.com

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What's Up with UPTv?: With Amy Winter now at **Lifetime**, what happens to her gm role at **UPTv**? It's been phased out with her duties being handled by respective department heads. And it sounds like the channel is moving away from non-scripted programming. "UPTv is committed to becoming a leading channel of premiere exclusive movies for our viewer base. With this commitment we will continue to produce our hit reality series 'Bringing UP Bates,' but will now focus new productions on scripted movies and series," UPTv founder/CEO *Charley Humbard* told **CFX**. "The EVP and GM role will not be filled. Amy's duties are being fulfilled by department heads that now report to me. We are happy for Amy in her new position and wish her the best."

More From the Commission: The **FCC** also took Friday to propose more than \$200mln in fines against the four largest US wireless carriers for selling access to customers' location information without taking measures to protect unauthorized access to that data. The breakdown would see **T-Mobile** facing a more than \$91mln fine, **AT&T** one of more than \$57mln, **Verizon** one of more than \$48mln and **Sprint** one of more than \$12mln. The size of the proposed fines differs based on the length of time each carrier apparently continued to sell access to the location without reasonable safeguards and the number of entities to which each carrier sold the access. Although the proposal was approved, neither the Democrats nor Republicans seemed entirely satisfied with the action. Commissioner *Michael O'Rielly* said he had "deep concerns" about the investigation and what has been explored in terms of the FCC's authority, while Democratic commish *Geoffrey Starks* said he thought the FCC should have pursued the case as a consumer harm issue. "This was an individualized harm where people had their personal location and privacy misused and abused, and so we should have had a consumer-based remedy here," Starks said. "We should have issued subpoenas to parties that would have helped us get to how many consumers had their location information harmed and that should have driven and generated our liability and forfeiture number." -- The FCC also adopted an NPRM seeking comment on whether to eliminate or modify its rules requiring cable operators to maintain records in their online public inspection files regarding interests in video programming services and their carriage of those services on their systems. The recordkeeping rules were originally adopted to ensure compliance with FCC cable channel occupancy limits, which were remanded by the DC Circuit in 2001.

Do You Need More Time for Billing Transparency?: The TV Viewer Protection Act passed late last year has several billing transparency requirements for MVPDs that become effective June 20. However, the **FCC** has the ability to extend the deadline for "good cause," so it has launched a proceeding seeking input on whether it should issue a blanket extension until Dec 20. The bill requires MVPDs to give consumers a breakdown of all charges related to video before they enter into a contract and gives consume 24 hours to cancel service without penalty. It also prohibits MVPDs and providers of fixed

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broadband Internet access service from charging consumers for equipment they do not provide. The FCC Media Bureau is seeking input on issues such as whether the time would help to update billing systems, provide employee training, etc. Comments will be due 21 days after the notice is published in the Federal Register/replies 28 days after Register publication.

Layoffs at Pop: The Hollywood trades report multiple **Pop** employees are receiving pink slips as **Viacom** and **CBS** continue to integrate. **Brad Schwartz** will continue to run Pop, which was recently put in **Chris McCarthy's** Entertainment & Youth Brands Group.

Ratings: **Hallmark Channel's** "When Calls the Heart" returned Sunday night and scored its highest-rated season premiere since the show debuted in 2014, scoring 2.9mIn total viewers and 427K women 25-54 (L+3). Spinoff "When Hope Calls" followed, with 2mIn viewers for its debut.

People: **Discovery** named **Lisa Holme** group vp, content and commercial strategy, direct-to-consumer. She's responsible for setting the content strategy for Discovery's DTC products in the US. She joins from **Hulu**. -- **Spectrum Networks** tapped **Sam Singal** as vp, content and editorial. The former **NBC News** executive producer will oversee content creation, editorial development and launch of a mobile news app for Spectrum subs in 2Q. He comes over to the newly created role from **Verizon Media**.

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Remembering @RobertIger, a thread ✨
I know y'all are fake Iger fans because none of y'all have mentioned his robotic ice bucket challenge video!



0:12 257K views

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Quotable

"I've worked in consumer businesses my entire career, and it's not ironic that our strategy for the media business now is a direct-to-consumer business, where we have the one-on-one relationship with the customer without having a lot of middlemen in between. That's my sweet spot and I think that's something I can leverage now throughout all my experiences, not even Disney but even before Disney, in terms of figuring out how we take the data, the information, the technology and, once again, our storytelling right direct to the consumer so that we can take the great equities that we have and continue to build those for our shareholders."

-- **New Disney CEO Bob Chapek in an interview with CNBC's Julia Boorstin**

Up Ahead

March 5-6: MFM CFO Summit, Ft Lauderdale

March 6: Rocky Mountain Cable Association Cable Apprentice 2020; Greenwood Village, CO

March 10: FSF 12th Annual Telecom Policy Conference; DC

March 17-19: ACA Connects Summit; DC

April 2-5: Adaptive Spirit; Vail, CO



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