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Cablefax Daily™

Thursday — April 30, 2020

What the Industry Reads First

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Open Door: C-SPAN, News Nets Offer Front Row Seat to SCOTUS

Viewers are about to get a much clearer look into the **Supreme Court's** chamber for the first time thanks to the Justices and counsel agreeing to livestream audio from its remote session of oral arguments. News nets are gearing up to offer full coverage of the historic moment beginning Monday. Three organizations will receive a direct feed from inside the chamber: the network pool, the **Associated Press** and **C-SPAN**. "We were happy to tell the Court that not only would we take it and use it, but we committed to covering all these arguments on a live basis," C-SPAN corporate vp/general counsel *Bruce Collins* told **CFX**. And because the House of Representatives won't be in session next week, C-SPAN is able to make the oral arguments available live on its main network as well as on the C-SPAN Radio app, its radio station and on its website. Collins and others at C-SPAN have been fighting for greater transparency in the Supreme Court for more than 30 years. "We've always said that it would take a new generation of justices before TV was in there," Collins said. "One of our arguments has always been that the Supreme Court would probably gain a few steps of prestige and respect when people see how carefully they conduct their business and how fair it is. You get that when you listen to and see the back-and-forth amongst the justices." But he warned that this experience will be different from what one would expect from attending a session in person. There are still plenty of questions as to how procedures will be adjusted to better fit a teleconference format and on what technology the justices will use to hold the meeting. Even so, this is seemingly the perfect test case for the high court in its decision to keep the chamber closed off from live audio and video feeds. That doesn't necessarily mean that this will become the new normal following the end of the COVID-19 pandemic, even if all goes swimmingly. "The court could easily revert to its past practice of releasing the audio on Friday during the term and they could have a rationale for it," Collins said. "We're not absolutely declaring any victory or anything like that because the court is an authority unto itself." Other nets are also finalizing their plans on how to cover the historic moment. Beginning at 9am ET on the days the court is holding teleconference sessions, **Fox News Channel** correspondent *David Spunt* will be watching and covering the oral arguments. "Fox News @ Night" anchor/chief legal correspondent *Shannon Bream* will also be contributing to reports throughout the day and on her show at 11pm ET. **Court TV** is expected to announce that it will air live audio of the complete cases starting on Monday

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at 10am ET. Morning anchor *Ted Rowlands* will host the coverage which will include additional reporting and commentary from fellow anchors *Vinnie Politan*, *Julie Grant*, *Chanley Painter* and *Julia Jenae*.

NY AG Weighs in on Sports Playbook: NY Attorney General *Letitia James* sent a [letter](#) to MVPDs this week requesting they prepare and provide a plan for financial relief for customers paying for non-existent sports programming. The missive left some operators scratching their heads since it doesn't mention sports leagues or sports networks, including NY RSNs **YES Network** and **SNY**. The AG's office instead is going to cable and satellite providers since that is who consumers pay. Of course, the MVPDs are paying networks that aren't refunding them (at this point), and then there are the networks that are paying leagues for TV rights to games that haven't been refunded (at this point). "This is a very complicated situation involving multiple parties with individualized agreements that will likely take months to sort out. We are closely monitoring this situation, and to the extent that we receive rebates for cancelled sports programming, we will pass that along to our customers," **Charter** said. "We continue to be charged by our suppliers for their sports programming despite the fact that no live games are being played. Ultimately, this is a decision for the leagues, teams, and networks to resolve, but we have consistently said that to the extent we receive any rebates for cancelled sports programming, we of course will pass it along to our customers." **Verizon** said it has been advocating for its customers and negotiating with programmers to create a "customer-first solution" to address the current environment. "We call on programmers and the sports leagues to cooperate with us to create a solution that provides relief to customers until live sports return to television," a spokesperson said. Similar line at **Altice USA**: "We have contacted the relevant networks to request relief for our customers and are closely monitoring the situation." Bottom line: there are a lot of moving parts. If MVPDs offered consumers refunds before programmers refunded them and then networks ended up airing a majority of contracted games, operators could find themselves out that money. There does seem to be movement on getting games going. Anonymous **MLB** officials are increasingly appearing in the news, expressing optimism that at least 100 games get played. *USA Today* cited three unnamed execs expressing cautious optimism that the season would start in late June, and no later than July 2. On Wednesday, word came that **NFL** commish *Roger Goodell* will give up his salary for the time being and that league staffers making \$100K+ will see pay cuts of 5-15%. Some individuals in the league office will be asked to take furloughs. The NFL is hoping to start its season on time.

COVID-19 and Broadband Networks: Providers who took the **FCC's** Keep Americans Connected pledge are finding themselves near the end of their 60-day promise to open up access to WiFi hotspots, waive late fees and offer uninterrupted service to residential or small business customers that have been affected by the COVID-19 pandemic.

We are so proud of our industry and the many ways companies are responding to the pandemic. Free internet, fresh content, employee safety and much more.

The Cablefax Editorial Team is reporting on vital industry updates every day. We want to hear from you so please reach out to share your news and stories.

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Amy Maclean, Editorial Director,
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The Collapse of Theatrical Windows?: With theaters shuttering, will day-and-date releases become the norm? **Universal Pictures** is the first out of the gate, announcing "Trolls World Tour" will be available April 10 for a rental. Other in-release movie titles are set to be available as soon as this Friday. The movies will be available on **Comcast**, **Sky** and a "broad range of on-demand partners." Titles to be made available include "The Man" and "Emma" with a suggested retail price of \$19.99 in the US.

Tuesday — March 17, 2020 What the Industry Reads First Volume 31 / No. 050

For Now: Providers Set Aside Disputes During Coronavirus Outbreak

As they face the common enemy that is the coronavirus pandemic, **Cox Media Group** and **DISH** have set aside their retrans dispute for now so that **DISH** can resume its carriage of 10 CMG stations in New York, Oregon, Washington, Arizona, Louisiana, California, Mississippi and Idaho. No word on how long the truce will last.

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Friday — March 13, 2020 What the Industry Reads First Volume 31 / No. 050

New Normal: Companies Roll Out Contingency Plans in Face of Covid-19

With a growing number of students and employees working from home, it's mission critical for the nation's broadband providers during the Covid-19 pandemic. Operators big and small are up-ending their day-to-day operations to ensure service to their customers.

Wednesday — March 18, 2020 What the Industry Reads First

Covering Covid-19: Content Companies Step Up Efforts

Programmers are shuffling schedules to respond to the coronavirus crisis. **The Weather Channel** is airing live programming at 50 minutes past the hour to share educational content. **ESPN** is airing live programming at 50 minutes past the hour to share educational content. **Pledge** is airing live programming at 50 minutes past the hour to share educational content. **Pledge** is airing live programming at 50 minutes past the hour to share educational content. **Pledge** is airing live programming at 50 minutes past the hour to share educational content.

From the Commission: Another 116 broadband and telephone service providers have taken the **FCC's** Keep Americans Connected Pledge, agreeing to take specific steps to keep Americans connected for 60 days. Some notable names taking the pledge include **Hotwire Communications**, **Mild**

Several providers, including **Comcast**, **Verizon** and **Sparklight**, are extending their commitments through the end of June—though there's been no official direction from the FCC yet. "While we believe the FCC is considering what to do going forward regarding the pledge, we are encouraging our members to stay focused on meeting the needs of their customers and communities and keeping everyone connected," **ACA Connects** pres/CEO *Matt Polka* told **CFX**. **ACA Connects** released its own broadband dashboard Wednesday that—similar to **NCTA's** dashboard—shows members' broadband networks have kept up with surging internet traffic, which seems to be leveling off. During the pandemic, **ACA Connects** found download usage has increased by 27%, while upload usages was up 36%. Other stats: just 6% of support calls have been associated with network-related issues, despite 76% of members reporting a 10%+ increase in support calls. The group found that where rare network issues arose, they largely involved slower than expected speeds (not outages) and members typically dealt with them in less than 24 hours. The remaining 94% of support calls involved customer-owned or ISP-owned on-premise equipment, or issues arising from the adjustment to working at home. Strategic consulting firm **Cartesian** collected info over the past three weeks, using direct data gathered from select **ACA Connects** members as well as info from network usage analytics firm **OpenVault**.

ViacomCBS Lays Off Staff as Part of Merger: **ViacomCBS** laid off staff across the organization as part of ongoing integration efforts related to the merger. In an email to staff, CEO *Bob Bakish* confirmed the company was "already in a period of significant change to integrate our newly combined company" prior to the COVID-19 pandemic. "This means continuing to integrate and streamline our operations, manage our costs as diligently as we can, and follow through on our committed post-merger synergy targets." The company expects to have \$750mln in synergy savings. It is currently unknown how many people were let go.

Upfronts Update: **AT&T-owned WarnerMedia** and **Xandr**, originally slated to host their first joint upfront before the pandemic, announced they have canceled their plans for a virtual upfront event. Instead, WarnerMedia's ad sales operations will put out regular brand updates, including spotlights on each brand. On Wednesday, WarnerMedia released the first update, in which *Conan O'Brien* interviews pres of **TBS**, **TNT**, **truTV** and **HBO Max** chief content officer *Kevin Reilly*. According to Reilly, TNT and TBS' ratings have jumped 15% during the coronavirus pandemic. Reilly pointed out the lack of March Madness, but said the nets pivoted near seamlessly. "That is a lot of programming between that and the **NBA** that just went out the door, and yet we filled it pretty much overnight," he said. "Not only with the diversity of series we have, all of the great syndicated series and movies, but immediately we dialed up a whole slate of originals, some of which were supposed to be on next year anyway." Those shows include "Snowpiercer" and "Angel of Darkness." TBS also ordered a 20-episode revival of competition series "Wipeout." The series first debuted as the No 1 show of the summer in 2008 and ran for seven seasons. -- **Univision** will be hosting a livestream business presentation on May 12 at 2pm, its usual upfront spot. Ad sales chief *Steve Mandala* and other execs will discuss the state of the business and release new primary research about Hispanic consumers, in collaboration with **Nielsen**. Execs will also discuss how Univision is positioned in the midst of the crisis and how it is supporting its clients and brands. Univision said the event is not in place of its traditional upfront, which it still plans to hold when the market is ready.

Amazon Renews TNF Deal: **Amazon** and the **NFL** renewed their "Thursday Night Football" deal for three more seasons, and added an additional exclusive regular season game. The new deal covers the 2020, 2021 and 2022 seasons, and adds a late-season Saturday game each season for Amazon and its **Twitch** platform. That exclusive game will be available outside of Amazon on local TV stations in the participating teams' home markets. While financial terms of the deal were not disclosed, Amazon paid \$65mln/year for the last two seasons. Amazon will have streaming rights to the 11 games that **Fox** airs, and the **NFL Network** will retain exclusive rights to about eight games each year. The 11 games will be simulcast across Amazon Prime, Twitch, Fox, **Fox Deportes** and the NFL Network.

TDS TV+: **BendBroadband** is launching cloud-based video service TDS TV+, which integrates local broadcast stations, RSNs and national cable nets with streaming services, such as Netflix, and TV Everywhere apps. It also uses a voice-activated remote. Parent TDS did a deal last year with **CommScope** for Android TV boxes for the service. BendBroadband is the first TDS market to launch the IPTV video offering.

Clarification: **Spectrum News NY1** snagged 8 NY Emmys. An item in Wednesday's issue just says Spectrum News NY. If you add in the other Spectrum NY news nets, there were 11 wins total, with **Spectrum News Albany** picking up 2 and **Rochester** nabbing 1.

Join Cablefax for Virtual Happy Hour: Kick back and join **Cablefax's** editors Friday afternoon for an informal discussion with your favorite beverage. We'll chat about the news of the week, what we're binge watching any anything else on your mind. Our virtual happy (half) hour will start at 4pm ET. RSVP [here](#).

Think about that for a minute...

The Muddled Mile

Commentary by Steve Effros

Remember the Carville mantra from the Bill Clinton era; "...it's the economy, stupid!" That may not be true in this year's election, since government responsiveness and competency seem to be more front and center, but all of those things come to mind whenever I hear the recurrent din over the issue of "unserved" or "underserved" broadband service.

We're on round...oh, I've lost count...regarding "rural" broadband deployment, for instance. The FCC has once again issued a report, and again, depending on which party has the majority, broadband deployment is going along in a timely manner, or we are on the edge of disaster because some folks can't get "adequate" access. "Adequacy" is in the eye of the beholder. Some find the marketplace working just fine, others always want "more, faster, cheaper."

The "adequacy" debate inevitably revolves around what standard you pick. If the "speed" you find "adequate" is slower, then buildout is reasonable. If you keep raising the stakes, or "moving the goalposts," then we'll never reach excellence, let alone perfection. The rural "solution" offered by both is often government funds to either municipalities or a "competitor" to stimulate a faster market buildout.

As an example, last week one FCC commissioner suggested that the real standard for broadband buildout should be "100/100." That is, a minimum of 100Mbps symmetric broadband delivery. This is needed, allegedly, because folks are now working from home, using Zoom more, uploading massive files, so they need that much faster upstream as well as downstream speed.

This is nonsense. It's just another way of justifying why the government should spend lots of money to build redundant superhighways in rural areas. Why do I say redundant? Because we already have local, perfectly adequate broadband infrastructure at the local level in most communities.



OK, I'll concede that there are some distantly located farms and certainly some tribal areas that need support. But that doesn't equate with funding the telephone companies with government money to rebuild their infrastructure to compete with cable operators who would be perfectly happy to offer higher speed broadband in their rural communities if they were allowed to. Even multi-Gigabit speed!

"Allowed to?" What am I talking about? Well, if the FCC would simply check the reality on the ground, they would find that there are numerous areas where the "last mile" is ready to go, but can't get connected through the "middle mile" to the urban network access points that provide that ultra-fast, efficient broadband service. Why not? Because that middle mile infrastructure is controlled in many cases by telephone companies which refuse to allow competitive broadband suppliers to use it at any reasonable (or any) price! They'd prefer to create the appearance of need in those rural areas in order to get the government to finance the rebuild of their "twisted pair" instead.

That's why you hear the mantra of the "need" for "fiber superhighways" to the home. The telcos want federal funds to build them even though there already is a perfectly competent high-speed road leading to most folks' homes. The "missing link" is the ability to connect those local roads to the existing long-distance network; the middle, or in this case totally intentionally "muddled mile!"

Message to the regulators and politicians; you don't have to build a second superhighway to everyone's home! You just need to require the "middle mile" owners to allow its use, on reasonable terms, to all comers. You'd solve most of the "rural broadband problem" overnight. Stupid.

Steve

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(Steve Effros was President of CATA for 23 years and is now an advisor and consultant to the cable industry. His views do not necessarily reflect the views of Cablefax.)

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