

Cablefax Daily™

Wednesday — August 26, 2020

What the Industry Reads First

Volume 31 / No. 165

Back and Forth: AMC, AT&T Battle Over FCC Carriage Complaint

AT&T is fighting back against AMC Networks' carriage complaint, telling the FCC that it should refuse the programmer's request to require AT&T to carry its channels. In the original complaint filed earlier this month, AMCN argued that AT&T was showing preference to its own networks, including HBO and TNT, by not agreeing to renew the pair's carriage agreement. AT&T said in its opposition that AMCN is asking for far more than the FCC has ever granted in previous carriage complaints. "AMCN seeks extraordinary relief that the Commission has never granted: an order overriding AT&T's business judgment and compelling it to continue carrying all six of AMCN's networks while overpaying AMCN for content that is not popular enough to justify the fees it is demanding," AT&T said. AT&T also argued that preventing it from adjusting rates and other provisions in the current programming and distribution environment would result in a windfall for AMCN while also placing AT&T at a competitive disadvantage amongst other MVPDs. AMCN claimed in its original complaint that its AMC net is situated similarly to TNT or HBO, but AT&T isn't buying into that argument either. The MVPD said HBO offers first run movies and shows that are far more critically acclaimed than those shown on AMC, and TNT is more popular than AMC due to its sports programming. "But the truth is that AMCN does not want to be treated the same as TNT or HBO. Instead, it wants the benefits of widespread carriage on popular packages (like TNT) and the freedom to distribute directly to consumers (like HBO), without accepting the tradeoffs AT&T's affiliated programmers made to secure the respective benefits of their chosen distribution agreements," AT&T said. AMC Networks fired back Monday in a new filing, saying that AT&T's arguments against the requested relief stood in stark contrast to its statements defending its acquisition of Time Warner to the DOJ. Specifically, AT&T argued in 2018 that program carriage rules are robust and would prevent the company from abusing its negotiating leverage as a vertically integrated MVPD. "AT&T argues that because it ran a churn and break-even analysis, it is immunized from a program carriage complaint," AMCN said. "If this were true, however, no programmer could succeed in a program carriage complaint, as any vertically integrated MVPD could claim that it performed an economic analysis to support its discriminatory decision."

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.

Content. Community. Daily.

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The Collapse of Theatrical Windows?: With theaters shuttering, will day-and-date releases become a thing? **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. **Pledge** is airing live programming due to school closures. Topics include why thunder happens, how rainbows form and how to stay safe during the pandemic. Programming is scheduled for Friday at 2pm.

From the Commission: Another 116 broadband and telephone service providers have taken the **Partners Keep Americans Connected Pledge**, agreeing to take specific steps to keep Americans connected during the coronavirus pandemic. Some notable names taking the pledge include **Hotwire Communications**, **Midwest** and **Verizon**.

Help Cablefax recognize the most powerful women based on their influence and power within the industry—as well as their commitment to ensuring that other execs receive the same opportunities to grow and flourish.

As always, it's free to nominate candidates for the Most Powerful Women list.

NEW for 2020!

INDIVIDUAL CATEGORIES
The Wavemakers

Female executives whose energy has propelled their careers, their companies and the industry over the last year through specific business initiatives, campaigns or career accomplishments. This select group of innovators got people's attention in 2020, got people talking and ultimately got big things done.



The Rising Tide

We all know the female leaders making a big difference every day, but the next generation is always learning and preparing to someday take the mantle. The Rising Tide list recognizes women under 30 whose hard work already has them on the path to making big waves in the future as they seek out mentors, push forward new business ideas and ensure this industry stays relevant to all generations of customers. *(Eligibility: Women who are 30 years or younger on Dec. 31, 2020)*

Women's Advancement Champion

A female executive whose contributions to the advancement of women within her company has made an important impact within the cable & broadband industry and inspired others to step up their games.

Mentor of the Year

An individual whose extraordinary mentoring effort to women either within or outside his or her organization has made a measurable impact in helping to increase the number of low- to mid-level female executives who have risen to senior roles.

ORGANIZATION CATEGORIES:

Mentoring Program

Recognizes a successful female-focused promotion program or initiative that has been in place for at least 2 years and has made a sustained and measurable impact on a company's ratio of female employees.

Advertising Campaign

Recognizes a successful female-focused advertising campaign for a brand, service or product that appeals to women or increases a company's outreach to female customers or female-run businesses and clients.

Public Affairs Campaign

Recognizes a public affairs media, lobbying or awareness campaign (local, regional or national) bolster causes and charitable contributions aimed at helping women and promoting opportunities for women around the world.



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CBS Auction Wraps: The **FCC's** first-ever 5G mid-band spectrum auction wrapped Tuesday with gross proceeds topping \$4.585mln. Bidders won 20,625 of 22,631, or more than 91.1%, of available licenses. It'll take a few days for the FCC to release a public notice detailing the names of the winners in the 3.5 GHz auction, but several familiar cable names were in the mix, including **Comcast, Midco, Charter** and **Cox**. Cable sees the spectrum as a way to offload traffic from their MVNO providers. The auction began on July 23.

MSNBC for DNC; Fox News Takes RNC: Last week's Democratic National Convention helped **MSNBC** to the gold medal in prime for the week, with the net averaging 3.38mln total viewers. Its news brethren took silver (**Fox News**, 3.17mln) and bronze (**CNN**, 2.85mln) in prime, while Fox News edged out MSNBC for the #1 spot in total day (1.68mln vs 1.51mln). The week's other notable ratings victors were **TNT** (4th in prime, 1.43mln; 5th in total day, 680K) and **HGTV** (5th in prime, 1.31mln; 4th in total day, 693K). While MSNBC got to shine during last week's DNC coverage, this week's Republican National Convention marks Fox News' moment. The net marked its highest-rated delivery for the first night of the RNC in cable news history Monday, according to early **Nielsen** numbers. Fox News averaged more than 7.06mln viewers in the 10-11pm ET—with runner-up CNN (2.01mln) not even close. **ABC** (1.978mln) and **NBC** (1.74mln) outdelivered MSNBC (1.57mln) during the hour. Fox News also maintained a sizeable lead for 8-11pm with 6.54mln total viewers compared to 2.04mln for CNN and 1.81mln for MSNBC.

Sports Sizzling: Maybe it's pent-up demand, but **CBS Sports** delivered its best viewership average and highest-rated PGA Tour season in five years, averaging 2.495mln viewers. Since golf returned in June, CBS has seen viewership up 22% vs last year's comparable events. -- The Indianapolis 500 delivered **NBC Sports'** second-most watched IndyCar race on record, with an average total audience delivery of 3.737mln viewers. Sunday's race is NBC Sports' second-most watched sports event since the Minnesota-San Francisco NFL divisional playoff in January (30.2mln). Across NBC Sports streaming platforms, the Indianapolis 500 averaged an average minute audience of 17,800 viewers.

NAD Recommends T-Mobile Discontinue 5G Claims: The National Advertising Division of **BBB National Programs** recommended that **T-Mobile** discontinue claims that its 5G network is more reliable than competing 4G or 5G networks. NAD also said that while T-Mobile supported claims that its 5G service provides better coverage than that of its competitors, it should discontinue a claim that its 5G service is generally available in locations that have traditionally been challenging for cellular service. The claims at issue were challenged by **Verizon**.

ACAC Shifts FCC Response Deadline: **ACA Connects** is asking the **FCC** to respond to its request for a stay on the C-

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band proceeding by Wednesday (Aug 26). ACAC had originally sought a response by Aug 20, but has adjusted that ask in light of the Commission's extension of the lump sum election deadline to Sept 14. Absent a decision by Aug 26, ACAC will seek a stay of the Sept 14 deadline from the DC Circuit.

Hop to It on Form 477: The **FCC** reminded service providers that Sept 1 is the deadline to submit their Form 477 data as of June 30, 2020. Failure to do so could result in enforcement action. Form 477 collects info about broadband connections to end-user locations, wired and wireless local phone services and interconnected VoIP. The data is used to describe deployment of broadband infrastructure and competition to provide local telecom service.

Frontier Restructuring Wins Court Approval: **Frontier Communications** announced Friday that the US Bankruptcy Court for the Southern District of NY has confirmed the company's plan of reorganization. Upon emergence, the company will have reduced its total outstanding debt by more than \$10bln. The company expects to complete its restructuring and successfully emerge from Chapter 11 bankruptcy, following the completion of the regulatory approval process. "Today's confirmation marks the beginning of a new and exciting path forward at Frontier," pres/CEO *Bernie Han* said in a statement. "With a significantly stronger financial foundation, Frontier will be well positioned to accelerate our transformation, invest in infrastructure and drive efficiencies to better serve our customers."

Press Clippings: The mayor of Terra Alta, W VA, has been charged with felony damage or destruction to telecommunications or cable service, according to local broadcast [reports](#). It's alleged that *Robert DeLauder* "willfully and intentionally" damaged the **Prodi** box in Terra Alta town hall, removing a power line and damaging the telephone wiring block thereby interrupting Prodi internet and telecom on the evening of June 3. Prodi describes itself as a FTTH product owned and powered by **Digital Connections**, which is privately owned by *John Rockis*, *Bob Joseph* and *Tim Wotring*.

Synacor Celebrates 2020 Renewals: **Synacor** secured a 100% contract renewal rate with all of its North American service provider customers due for renewal in the first half of 2020. **CenturyLink** renewed its contract for two years and is upgrading its customer portal experience to optimize user engagement. It's also upgrading its email platform to Zimbra. Synacor also renewed contracts with **Armstrong**, **GVTC**, **Hotwire Communications**, **Mediacom**, **Sparklight** and **TDS**.

Distribution: Short-form video streamer **Loop Media** inked a deal with **TiVo** to deliver 17 of its music video channels to the TiVo+ content network, which features free streaming channels and thousands of hours of on demand content.

Programming: **HBO Max** teamed up with "The West Wing" creator *Aaron Sorkin* for the special "A West Wing Special to Benefit When We All Vote." The theatrical production of an episode from the show's third season will bring together the original cast for the first time in 17 years, launching on the platform this fall. -- **Nat Geo** is spinning off "Life Below Zero" with "Life Below Zero: Next Generation," premiering Sept 7 at 9pm. The original series returns for a new season on the same day at 8pm. -- **History** ordered 10 eps of "Assembly Required" (wt), a builder competition series starring and executive produced by *Tim Allen* ("Home Improvement") to debut next year. It will reunite Allen with *Richard Karn* ("Home Improvement"), who will serve as host and exec producer.

On the Circuit: **Strong Women Vote**, a campaign founded by *Ellen Schned*, will host its inaugural event Wednesday, Women's Equality Day, at 9amPT/noonPT. It's the first in a series of conversations with strong women. The first, "Strong Women Pivot," includes a panel featuring former **HBO** exec turned Westfield, NJ, mayor *Shelley Brindle* and **CA Cable & Telecommunications Assn** pres *Carolyn McIntyre*. RSVP at info@strongwomenvote.com.

Obituary: *Doug Semon*, a pioneer in developing residential broadband over cable, passed away last week after complications from a massive heart attack. Semon was director of **Viacom's** cable operations before it was sold **TCI**. He later joined the team at **CableLabs**. He is survived by his wife *Leslie Ellis*, owner of **Ellis Edits** and an analyst and writer covering cable and broadband technologies. Former **Charter** CTO and cable consultant *Jay Rolls* has started a [website](#) where friends of Semon are encouraged to submit memories and photos to be shared with his loved ones.

People: Former **Showtime** CEO/chmn *Matt Blank* is joining **CuriosityStream's** board. Blank most recently served as an adviser to Showtime and serves on the boards of **Cumulus Media**, **MSG Entertainment** and **The Cable Center**. -- **Entertainment Studios Networks** upped *Brooke Kahn* to vp, digital sales and partnerships. Before joining ESN three years ago, Kahn served as senior manager, digital sales for **Cinedigm**.

Editor's Note: We heard you. That's why we're keeping nominations open for **Cablefax's** Most Powerful Women magazine open until Friday, Aug 28. Nominate the industry's most innovative and influential female execs at cablefaxwomen.com. We also have several new categories this year, including "The Rising Tide," which recognizes women under 30 making big waves, and "The Wavemakers," honoring women whose energy has made a big splash through specific initiatives in 2020.