

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Hold On: Newsmax Says FCC Should Defer Action on RCN, Grande, Wave

Newsmax is weighing in on **Stonepeak's** plan to acquire **RCN, Grande, Wave** and **enTouch** from **TPG Capital** and **Patriot Media** for \$8.1bln, telling the **FCC** that it should hold off on action because the applicants have "provided conflicting and incomplete information."

Newsmax takes issue with the assertion that Stonepeak is not a telecommunications service provider, which qualifies the deal for presumptive streamlined processing. "Although that may be true with respect to the nominal Transferee itself, certain affiliates of [Stonepeak] clearly are telecommunications service providers, and those affiliates are included within the definition of 'Transferee' under the Commission's Rules," Newsmax, which operates **Newsmax TV**, said in a filing with the FCC Thursday. The conservative-leaning news channel is available to approximately 60mln homes, including via **Comcast** and **DirectTV**, but it's not carried by RCN.

Stonepeak announced the deal to acquire the systems last month, with the transaction reported to be the largest private equity acquisition in the US in 2020 and the largest cable transaction in the past five years. On Dec 16, the FCC issued a public notice accepting the application for filing and requiring any interested parties to submit comments or petitions by Dec 30. At our deadline, Newsmax was the only commenter in the FCC docket.

Newsmax contends that Stonepeak and its portfolio company

ExteNet, which holds authorizations to provide intrastate telecom services in much of the US, are under the same common control—thus making Stonepeak a telecom provider. Stonepeak submitted a letter on the matter Dec 23 following discussions with FCC staff. The private equity firm said ExteNet is a "carrier's carrier" in that it provides point-to-point telecommunications services to its wireless service provider customers, and unlike RCN, Grande and Wave, it does not serve the retail residential market.

Newsmax also claims that Stonepeak provides "little or no information" support that the proposed transaction raises no foreign ownership concerns. "Although Applicants have provided a host of convoluted charts purporting to show the post-closing ownership structure..., they have provided little or no information about the actual equity ownership of the various entities depicted in those charts or the level of foreign investment in any of those entities," Newsmax told the FCC. It's also concerned about interests of potential co-investors, with Stonepeak exploring syndicating a portion of its equity interest in TPG.

"Because the Applicants have provided inaccurate and incomplete information, and have acknowledged that such information is likely to change in material respects, the Commission should defer action on this Application until the comment periods have expired for all of the relevant applications and should request further ownership information from the Applicants in the interim," Newsmax concluded.

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 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 Maryland, 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 its "Pledge to School Closures" topic. **Why Thunder Happens**, how rainbows form, and more are scheduled for Friday at 2pm.

From the Commission: Another 116 broadband and telephone service providers have taken the **Par'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**, **Midco**

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RETRANS COUNTDOWN

New Year's Eve continues to be a contract deadline for many a carriage deal, and there were still plenty of negotiations that were going down to the wire Thursday. **Mediacom** needed to strike a new agreement Thursday with **TEGNA** for stations in several markets including the Des Moines ABC affiliate, Minneapolis-St Paul NBC station KARE and St Louis NBC affiliate KSDK. Mediacom successfully reached a deal with **Waypoint Media** for WMDN TV (CBS) and WGBC TV (FOX/NBC) in Meridian, MS, Thursday. **Verizon** is facing similar a deadline with **Hearst** for stations such as WBAL-NBC in Baltimore and WMUR-ABC in Boston. It's also still negotiating with **Gray TV** for WWBT-NBC and WUVP-CW in Richmond, VA. On Tuesday, **DISH** lost **Capitol Broadcasting's** three NC stations, WRAZ (FOX), WILM (IND) and WRAL (NBC) in a retrans skirmish. They remain dark at press time. However, the DBS provider did finally reach a truce with **Nexstar**, bringing an end to a 23-day blackout of 164 stations in time for Christmas morning. **WGN America** was also restored to DISH and will be made available on vMVPD **Sling** in early 2021 as part of an extra add-on package. TEGNA and **AT&T/DirectTV** settled their 18-day spat on Dec 20, with 64 stations in 51 DMAs returning.

CHARTER, NY1 LAWSUIT SETTLED

Charter's Spectrum Networks said it reached a confidential resolution with five **NY1** anchors who sued the company last year, alleging age and gender discrimination. As a result of the settlement, Charter said the five women—*Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee* and *Amanda Farinacci*—and Spectrum Networks have mutually agreed to part ways. “We want to thank them for their years of dedicated service in

reporting the news for New Yorkers and we wish them well in their future endeavors,” Charter said. Terms weren't disclosed.

ADIOS TO EL REY

Reminder that **El Rey's** 24/7 linear network is shutting down today. **CFX** broke the news earlier this month. El Rey has steadily lost linear distribution over the past year, with **AT&T** dropping the channel in January and **Charter** removing it in September. Its carriage dropped from about 33mln homes in November 2019 to around 13mln as of last month, according to **Nielsen** data.

RATINGS

Fox News has now officially won prime and total day for 2020, as projected. It became the first cable news net to end a year with more than 3.5mln viewers in prime. It was a pretty good year for all the news nets though. See [our story](#). – Watching **TNT** and **TBS's** 24-hour marathon of “A Christmas Story” has become a tradition that shows up in **Nielsen** ratings. The flick claimed the first, second and third spots on Christmas Day across broadcast and cable, with nearly 32mln people watching at some point. The TBS marathon peaked at 8pm on Dec 24 with 2.5mln viewers, while TNT's marathon peaked with the 9am Dec 25 telecast (1.6mln viewers).

PEOPLE

Rose Jerez was named vp, customer success for **WOW!**. She previously served as a consultant of digital growth and delivery, marketing and customer care operations at **Fox**. Prior to that role, she held leadership positions at **DIRECTV/AT&T**, most recently as associate vp, retention marketing operation

EDITOR'S NOTE

We wish you a happy new year! Your next issue of **Cablefax Daily** will arrive January 4.

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