

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

First Pitch: Networks Ready For a Semi-Normal MLB Opening Day

It's almost time to play ball, and while **MLB's** Opening Day is always something to be celebrated, the return of a 162-game season this year means something more—that we're a little closer to normal.

"I miss the personality. That's a real element, especially to baseball. I miss the kid or the father catching a home run. I miss the fun," **ESPN** senior coordinating producer *Phil Orlin*s said on a press call. "I don't think there's anything like baseball that exists within the daily rhythm of American lifestyle, and I think that's really important right now. It's part of what you do every day if you're a fan."

The Chicago Cubs will be allowed to fill Wrigley Field to 25% capacity for their Thursday showdown against the Pittsburgh Pirates at 2:20pm ET. After a year of no fans, **Marquee Sports Network** svp, programming and production *Michael Santini* said the ballpark will feel and sound like the crowd at a Super Bowl or World Series game.

"Everybody knew that the fans were so important, but I think people are realizing now just how important," Santini said. "It's not just the ballpark. It's around the ballpark, it's the conversations around whichever game is going on."

The 2020 season was Marquee Sports Network's first, and its preparations centered around the traditional 162-game season instead of the truncated 60-game season that was delayed until late July. "We knew we had a good team, we just didn't know how resilient they were and how quickly they could adapt this, but I think

we're really proud and lucky to have the group that we do," Santini said. "Now, going into this season... we have a lot of confidence. Whatever comes our way, we're ready for it."

The networks airing these games have found workarounds in their interactions with players and coaches, many of which revolve around platforms like Zoom or attaching microphones to players and listening in during big plays and quiet moments in the outfield. This season, Santini hopes Marquee can find a way to allow for more traditional interactions between those in the booth and the players on the field while still following social distancing guidelines.

YES Network is also aiming to have one-on-one and group interviews with players. "We go into it knowing that we're going to have our full production team at the ball park. We go into it knowing that we're going to have a nice complement of cameras, manned and robotic," YES senior coordinating producer *Jared Boshnack* said. "We're going to bring to our audience what they've always come to expect with Yankees games on YES."

SNY spent a tremendous amount of time during last year's 60-game season creating plans and workflows that would be transferable to this year. Creativity has flourished across the whole business, and it has left everyone in the organization feeling more at ease heading into this season.

"We were dealing with far more unknowns last year. Our crew and talent are more comfortable with the protocols in place for everyone's safety, and I am optimistic about the season ahead," SNY president *Steve Raab* said. The network already has reason to celebrate. It is coming off its coverage of the University of Con-



Who Deserves to Rank Among Cablefax's Annual Top Power Players?

The Cablefax 100 salutes the most influential executives whose leadership continues to take the industry to new heights. We will rank the top professionals in the media, cable & broadband industry and publish the list in the June edition of Cablefax:The Magazine.

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necticut's women's basketball season, which included its crew and talent traveling. "We had a successful season due to the hard work they put in following protocols and we will take out learnings from there and carry them over into the baseball season," Raab said.

New programming has also emerged out of the emptiness left behind by the delay in the start of the MLB season last year, some of which is sure to stick around in one form or another. YES Network launched a "Yankees Summer Camp" series last summer that covered the informal six-inning scrimmages that led up to the start of the regular season. "That really gave us a dress rehearsal before the start of the season," Boshnack said. Marquee has also been experimenting. It launched "Class is in Session" three months ago with *Doug Glanville*. The series chronicles how he navigated his shift from a professional baseball player to a professor and author.

Baseball fans will want to check their channel lineups ahead of first pitch, especially if they're planning to watch a game airing on a RSN. **fuboTV** announced a carriage agreement Wednesday with Marquee Sports Network that will place the RSN on the vMVPD's basic English language channel package in the Chicago area and surrounding regions. Importantly, the network may not be available in time for the start of the season as fubo said the network will be coming to its lineup in the coming weeks. **DISH** and **Sling** are scheduled to drop three **NBC Sports** RSNs and **MASN** at midnight. The provider hasn't carried the Fox RSNs since July 2019. Back in October, **Hulu** dropped all 21 of the **Sinclair**-owned **Fox** RSNs from its live TV package, including YES Network and Marquee Sports Network. That came just one month after **YouTube TV** dropped 19 Fox RSNs.

CABLE TROUBLED BY INFRASTRUCTURE PLAN

Biden's newly unveiled infrastructure plan includes \$100 billion to bring affordable, high-speed broadband to every American. Cable's nervous about the move, which lumps broadband into a \$2 trillion infrastructure and jobs plan that also includes funding for damaged bridges and modernizing public transit. A fact sheet on the plan includes language promoting municipal broadband networks and talks about reducing the cost of broadband. "Americans pay too much for the internet—much more than people in many other countries—and the President is committed to working with Congress to find a solution to reduce internet prices for all Americans...", the White House said. Those words are alarm bells for cable's largest lobbying group and revives concerns over whether rate regulation could be on the table. "Government does have a critical role to play in getting networks to areas that lack service and helping low-income families afford it. However, those targeted, shared goals are not served by suggesting wrongly that the entire network is ailing and that the solution is either to prioritize government-owned networks or micromanage private networks, including the unfounded as-

sertion that the government should be managing prices," **NCTA** president/CEO *Michael Powell* said in a statement. The former **FCC** chair criticized putting broadband alongside traditional infrastructure, calling broadband a "reliable workhorse" versus "decaying roads, bridges, waterways and electric grids." Powell concluded that the government risks taking "a serious wrong turn in discarding decades of successful policy by suggesting that the government is better suited than private-sector technologists to build and operate the internet."

MORE INFRASTRUCTURE PLAN COMPLAINTS

Details of The American Jobs Plan are sparse at this point, with the fact sheet declaring prioritization of support for broadband networks, owned, operated by, or affiliated with local governments, nonprofits and co-operatives. **The Internet Innovation Alliance** is among those expressing concerns, particularly over lowering prices and abandoning the Lifeline Program that provides subsidies to offset connectivity for low-income Americans. "It's unrealistic to think that broadband prices could be artificially lowered, as the

Cablefax Executive Round Up

What's your best Opening Day memory?



Jared Boshnack
Senior Coordinating Producer
YES Network

"One of my best memories was when the new [Yankee] stadium opened up in 2009. The pomp and circumstance surrounding this beautiful new building with the history that came across the street and knowing that we were a part of launching a whole new time in the Yankee organization... it was incredible."



Dana Feldman
SVP, marketing and promotions
Sinclair Broadcast Group

"I remember as a young child going to Yankee Stadium with my dad to see my great uncle, Jim Honochick, who was an umpire in the American League. I didn't realize until I was much older what a treat it was to have a family member be an integral part of America's pastime and how lucky I was to see him on the field."



Michael Santini
SVP, programming and production
Marquee Sports Network

"When we first started our regular season, the 60-game season, with what we had to overcome to do it even before anything happened in the game... that's the most memorable Opening Day I've been a part of just to see this crew get together and get ready to do this in an entirely different way and still be able to do it at a really high level."

plan recommends, to a point that they are affordable for Americans most in need of assistance, while simultaneously leaving service providers with sufficient revenue to build, upgrade and maintain the networks that keep the United States globally competitive," IIA said. "A modernized Lifeline program providing adequate subsidies to ensure that those most in need are connected is a far better approach." The President's plan prioritizes building "future proof" broadband infrastructure in unserved and underserved areas, but doesn't define what that means. "Others have used that term to argue that only fiber qualifies as an eligible means of data transmission. That would mean that wireless networks, including 5G and satellites, would not be considered eligible for support," wrote **NewStreet Research's Blair Levin** in a note Wednesday. "If 'future proof' also means symmetric, then the current cable architecture would not qualify. That would have the impact of dramatically increasing the number of homes considered unserved in the country."

UNIVISION WANTS VMVPD DEALS

Univision renewed and extended nearly every one of its major MVPD deals in 2019, but there's still a hole in distribution. The Spanish-language programmer has essentially zero coverage with virtual MVPDs. "Carriage with virtual MVPDs and third-party library licensing are also huge opportunities for hundreds of millions of dollars of upside for Univision in the coming years," CEO **Wade Davis** said during the company's 4Q20 earnings call Wednesday. With Univision under new management, it's going to take a new approach to MVPDs in general, he said. "We're going to look to find new ways to partner with our distributors around advanced advertising and around innovative partnerships. We're going to look at ways to expand the nature of the content relationship that we have with our MVPDs," Davis said. The latter means leveraging Univision's massive content library in new ways, such as co-producing content. The CEO also said newly launched Spanish-language AVOD **PrendeTV** will also be important to MVPDs, stressing that the content doesn't overlap with its existing channels. In 4Q, Univision's revenue increased 4% to \$722.9 million. It posted a loss from continuing operations of \$39.1 million compared with a year-ago profit of \$93.9 million. Univision posted its first full year adjusted OIBDA growth for the first time since 2016, posting 1% growth to \$966.3 million from \$957.4 million.

APRIL'S FCC AGENDA

Under former **FCC** chair **Ajit Pai**, the agency established 988 as three-digit code to reach the National Suicide Prevention Lifeline. Now Acting Chair **Jessica Rosenworcel** wants to expand it to texting, describing it as the primary means of communication for young people. She's shared a proposal for consideration at the April 22 open meeting that would lay the groundwork for text-to-988. Other items proposed for the April agenda include a proposal to make spectrum available for the first time to support the private space launch industry and an item requiring new sponsorship identification requirements for when foreign governments or their representatives lease time on broadcasters' airwaves.

CIRCLE CITY SUIT AGAINST DISH MOVES FORWARD

A US District Court in Indiana denied **DISH's** request to dismiss a lawsuit from **Circle City** and the **National Association**

of Black Owned Broadcasters that accuses the satellite provider of racial discrimination. "The Court agrees with Plaintiffs that their amended complaint survives dismissal at this stage, because Plaintiffs have pled enough in the way of facts to at minimal, present a circumstantial case for intentional discrimination," the court said in its opinion released Wednesday. Circle City has a similar lawsuit pending against **AT&T**. The court noted that at this juncture, the issue isn't whether a plaintiff will ultimately prevail, but whether it's entitled to offer evidence to support the claims. The suit was filed last March, with Circle City claiming DISH has refused to negotiate a retrans contract in a non-discriminatory manner. Circle City was formed in 2019 by **DuJuan McCoy** to buy WISH-TV and WNDY-TV in Indianapolis from **Nexstar** for \$42.5mln. Circle City claims DISH has offered what it believes are only a tiny fraction of the fees paid to Nexstar.

DISH-MINORITY PROJECT REDUX

We told you yesterday that **Minority Television Project** has **sued DISH**, claiming its not carrying its non-commercial station KMTP despite it electing must-carry status for the three-year cycle that began January 1. Now, we're learning a bit more on why DISH hasn't made it available. New FCC rules required each noncommercial educational licensee to make a request for DBS carriage via the placement of a carriage election statement into its public file by Oct 1, 2020 and to send the election to an MVPD's carriage-election specific email address. DISH told the FCC late last year that while KMTP had the election in its public file, it never sent it an email, and thus it wouldn't be carrying the station. This isn't the first notification showdown between these two. DISH didn't carry KMTP in the previous three-year cycle because Minority sent its election letter via USPS Priority mail instead of certified mail, as previous FCC rules required.

APRIL FOOLS WARNING

Be on the lookout for suspicious news tomorrow for April Fools' Day. Some brands are already letting the cat out of the bag when it comes to their plans for tomfoolery. **Cartoon Network** alerted us that it's rebranding as Cat-toon Network for the day. The effort will launch at 6am with "Cats of the Creek" and "Meow Cats Go!" The cat-themed parodies of "Craig of the Creek" and "Teen Titans Go!" will also be available on Cat-toon Network's YouTube channel beginning at 10am ET.

PEOPLE

Former **FCC** commissioner **Mike O'Rielly** is joining the **Media Institute** as a senior fellow. He will also become a member of the First Amendment Advisory Council, the Institute's flagship advisory body.

CABLEFAX PROGRAM AWARDS

Congrats to **Cablefax** Program Award winners and nominees! Read our **special issue** of **Cablefax Daily** highlighting this outstanding content. As an interactive bonus, the photos with red borders have embedded links that will allow you to sample the program. You might find your next binge!

Think about that for a minute...

2033!

Commentary by Steve Effros

The NFL just announced its new agreement for the video distribution of its games running through 2033. The package is reported to be worth about \$110 Billion dollars, and includes, for the first time, a pure “OTT” arrangement with Amazon to distribute the Thursday night games.

Now, having read that paragraph, what do you think should be the “lede” (the most important aspect) of the story in the newspapers or analyst reports? If you were like most analysts or reporters you would be talking about the huge amount of money or the Amazon deal. If you’re me, you would put “2033” in the spotlight. This deal, unless significantly affected by changes in law or policy, locks in the structure of broadcast television for the next dozen years! That’s what the broadcasters and the NFL intended, and, in the process, it screws (pardon me) the consumer! It’s time to say so, loud and clear.

There’s a certain irony that much attention has been on the “major” change of focus toward streaming the NFL product, rather than a realization that in the main the principal players (broadcast networks) have kept total control over the most popular live video product for the next decade and more. And they’re paying handsomely for it, because they assume consumers, even the 75% on any given Sunday who don’t watch the games, will wind up paying for them! This has got to stop.

Look, I can’t go into all the ins and outs of this in one column and I’m not going to try. This is going to be a recurring theme. The NFL games, which garnered 24 out of the 25 most popular viewing slots over the last five years (the other being that other “bloodsport:” Presidential debates) are undeniably the most important package for broadcast television. Indeed, one could argue that they, along with several other sporting events, which are also being tied up with new long term network contracts, constitute the primary glue keeping the networks and their “local” affiliates together.

The affiliates pay the networks compensation for the programming they get and then distribute to consumers. The consumers pay the bill by subscribing to a local MVPD be-

cause the “local” television station no longer tries to assure good “over the air” distribution or much of “local” anything and has essentially become just a conduit for network fare. Bottom line; the NFL can roughly double its charges over the next decade with the expectation that consumers will continue to have to pay the bill whether they like it or not. Remember, MVPDs have little if any leverage in negotiating carriage deals that could keep sports broadcasting on a tier that would only be paid for by those who want to watch it. And that’s the way the broadcasters and the NFL want to keep it.

Sure, there is migration to streaming, and the Amazon move shows that it can be done. But that’s just playing around with an “escape valve” in case the MVPD (cable) subscription package is ultimately so weakened by “cord cutting” that there is a forced move to direct to consumer sales. It’s the last thing the NFL or the broadcasters want. They like having someone else, the cable guy, delivering the bill, and they like the current laws which in essence force the cable guy to be the intermediary. But that could change, and I think it’s time the industry said that loud and clear to Congress and the Justice Department.

There’s a major effort right now to re-examine the antitrust laws with a focus on Facebook, Google, etc.. I think the broadcast networks and the NFL as they relate to MVPDs and consumers should definitely be added to that list. More on this to come.



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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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