

Cablefax Daily™

WHAT THE INDUSTRY READS FIRST

Black Screen: Locast Stops Streams Amid Battle With Broadcasters

Locast ceased all operations Thursday after broadcasters pushed for a permanent injunction against the streaming app. A federal court ruled Wednesday that Locast was not protected by an exception to US Copyright Law reserved for non-profits and government organizations retransmitting broadcasters' signals.

"As a non-profit, Locast was designed from the very beginning to operate in accordance with the strict letter of the law, but in response to the court's recent rulings, with which we respectfully disagree, we are hereby suspending operations, effective immediately," the company said in a statement.

The motion for permanent injunction was filed late Wednesday by **ABC, Fox, CBS and NBC**. The plaintiffs are asking the court to enforce an agreement struck in 2019 between the parties that limited claims, counterclaims and discovery and also specified the conditions and processes regarding remedies. That deal put forth that if the court did not grant Locast founder *David Goodfriend* and the **Sports Fans Coalition of New York** with the copyright exemption, then the court should "immediately enter a permanent injunction" barring anyone from operating Locast.

The **Electronic Frontier Foundation** and attorneys at **Orrick, Herrington & Sutcliffe** have represented SFCNY during the proceedings, and they're currently strategizing their next steps.

"[The ruling] treats copyright law not as an engine of innovation benefiting the public but a moat protecting the privileged posi-

tion of the four broadcast networks ABC, CBS, NBC and Fox," the EFF wrote in a Wednesday blog post. "Make no mistake, this case demonstrates once again how giant entertainment companies use copyright to control when, where, and how people can receive their local TV broadcasts, and drive people to buy expensive pay-TV services to get their local news and sports." The organization told **CFX** Thursday that there are still unresolved issues in the case that will likely be brought up in an appeal.

Locast's devoted customer base took to **Twitter** and **Reddit** to mourn the service. Some threads brainstormed other services that could fill the hole left behind by Locast with many commenters saying they were out of range of over-the-air signals. One even posited that the **FCC** should step in to host or support a service like Locast, which they called the antenna for the budget-conscious masses.

Some operators have also promoted Locast as an alternative for customers during retransmission consent disputes with broadcasters. **DISH**, which saw **Nexstar** stations blacked out on its lineup in December after a breakdown in retrans consent discussions, carries the Locast app on its set-top box. **AT&T** has also been a backer of the service, offering SFCNY a \$500,000 donation in June 2019 to support its provision of broadcast content to a wider audience.

Not everyone online was singing the service's praises. Other customers found fault with Locast's communication with customers over the last 24 hours. Locast sent an email blast Wednes-

THE 2021 WICT
**LEADERSHIP
CONFERENCE**



OCTOBER 4 - 5
2021 WICT VIRTUAL LEADERSHIP CONFERENCE

**TOGETHER, WE SHINE
TOGETHER, WE THRIVE**

WE GRATEFULLY ACKNOWLEDGE THE TOP SPONSORS OF THE 2021 WICT LEADERSHIP CONFERENCE

<p>PLATINUM</p> 	<p>GOLD</p> 	<p>CHAMPION</p> 
		

REGISTER NOW
for the live-streamed event,
also available on-demand
www.wictconference.org

day to customers announcing the service was immediately suspending all programming interruptions to request donations.

“Of course, it is up to you whether or not to contribute to Locast. But if you currently contribute, we humbly request that you continue to do so. And if you don’t contribute, we hope that you will do so if you can afford it,” the service said in the email.

The message motivated some customers to donate for the first time or renew their subscriptions to Locast. The service’s registered users have the ability to change their donation at any time by submitting a ticket to Locast’s help center, and many of those voicing their concerns are in the process of or have already done so. “Seems like they should have warned us yesterday or stopped taking donations instead of asking for more,” one Reddit user said.

ATLANTIC COMPLETES WOW! SYSTEM BUY

Atlantic Broadband completed its acquisition of broadband systems in Columbus and Cleveland, Ohio, from **WOW!** Thursday. The deal has been valued at \$1.125 billion. The acquired systems pass approximately 688,000 homes and business in the area and served 196,000 internet, 61,000 video and 35,000 telephony customers as of March 31. They will continue to operate under the WOW! name and trademark for now, and will be rebranded following the initial integration period.

CENTURYLINK STRIKES ANOTHER DOJ SETTLEMENT

CenturyLink, now known as **Lumen Technologies**, agreed to pay the **DOJ** \$275,000 to resolve a civil contempt claim tied to violations of terms tied to its 2018 acquisition of **Level 3 Communications**. CenturyLink has violated those terms once before, and the DOJ agreed to a settlement in 2020 that

extended by two years a ban on the provider initiating contact with customers in the Boise-Nampa, Idaho, metropolitan area that had switched providers. The department alleges that CenturyLink violated the non-solicitation provision of that 2020 settlement by sending more than 100 marketing emails to Boise area customers who had left CenturyLink.


BNC LAUNCHES FREE STREAMER

Black News Channel is launching streaming platform **BNC Go** Sept 13. The streamer is targeted toward Millennial and Gen Z audiences and will split its content library offerings into two categories. From 6am-12am ET, the platform will deliver original content exclusive to the platform, including “The Morning Hype,” “The Midday Jolt” and “After 6ix.” From 12am-6am ET, BNC Go will feature previously-aired, repurposed content from its linear network. The platform will also feature thematic segments based on trending topics like “Check Yourself,” “Let’s Bounce,” “Mind your Business” and “OPP: Our People’s Politics.” BNC Go will launch on **Amazon Fire TV, Roku, Pluto, Tubi, Samsung, VIZIO** and more.

MEDIACOM, ERICSSON, PARTNER FOR RURAL REACH

Mediacom has tapped **Ericsson** to reach rural areas using fixed wireless access products that use CBRS spectrum. The cable operator will use Ericsson’s 4G and 5G RAN product mix to launch CBRS-powered Internet services. The move comes after Mediacom spent approximately \$29.47 million to acquire 576 CBRS licenses in September 2020. The RAN solutions will give Mediacom the ability to offer fixed wireless access internet services up to nine miles from each tower location.

**HELP CABLEFAX
RECOGNIZE THE MOST
POWERFUL WOMEN
IN THE INDUSTRY**




Cablefax
MOST POWERFUL WOMEN

2021 CATEGORIES

In addition to spotlighting the industry’s biggest leaders, Cablefax is promoting the power of one-to-one relationships. This year, we are looking for executives to sponsor a female candidate to be included in The Rising Tide and will be featured along with their sponsor in a special section of the Most Powerful Women edition of Cablefax: The Magazine.

DEADLINE: FRIDAY, SEPT. 10

www.CablefaxWomen.com



Cablefax Daily (ISSN 1069-6644) is published daily by Access Intelligence, LLC | www.cablefax.com | 301.354.2101 | Editorial Director: Amy Maclean, 301.354.1760, amaclean@accessintel.com | VP/Group Publisher, Cablefax and Synopsis: Robbie Caploe, 917.974.0640, rcaploe@accessintel.com | Managing Editor: Sara Winegardner, 301.354.1701, swinegardner@accessintel.com | Assoc Editor: Theresa Maher, 301.354.1704, tmaher@accessintel.com | Director of Business Development, Cablefax: Ellen Kamhi, 917.626.5574, ekamhi@accessintel.com | Dir of Marketing: Kate Schaeffer, kschaeffer@accessintel.com | Production Manager: Joann Fato, jfato@accessintel.com | Kerry Smith, Divisional President, Marketing & Media Group, ksmith@accessintel.com | Group Subs/Subscription Questions, Client Services: 301.354.2101, clientservices@accessintel.com | Annual subscription price: \$1,799.00/year | Access Intelligence, LLC, 9211 Corporate Blvd., 4th Floor, Rockville, MD 20850

COMCAST EXPANDS RURAL BROADBAND EFFORTS

Comcast committed to building 31 miles of new fiber in Preston County, West Virginia. The network will pass through approximately 470 rural homes and businesses, providing broadband to current video-only customers in the Rowlesburg area and new customers to the north and east. The project is set to be completed by fall 2022. Businesses in the area will have access to all **Comcast Business** products and services at the end of the build. The operator completed a similar buildout to its Bruceton Mills service area in northern Preston County in 2019. In 2020, Comcast expanded its broadband services in West Virginia by 121 miles and more than 1,600 new home and business customers.

VAST BROADBAND DEPLOYS GOCARE CONNECT

Vast Broadband tapped **NuTEQ Solutions** to bring a multi-platform experience to its customers. The cloud-based technology will centralize all customer communications including voice, chat and email. It also defaults customer inquiries to the same agent who has handled previous requests for assistance.

ESPN LAUNCHES EDGE

ESPN, **Disney** and founding partners **Accenture**, **Microsoft** and **Verizon** are launching the **ESPN Edge Innovation Center**. The center will serve as a collaboration space where technology leaders can work together to explore how technologies like 5G, AR/VR and mobile edge computing can cultivate new ways for fans to experience sports. ESPN will use Microsoft's cloud platforms and digital technologies like automation, analytics, artificial intelligence and machine learning to focus on personalization and accessibility for fan engagement. Microsoft Azure will also become the center's primary innovation cloud platform. Verizon and ESPN will create new fan experiences powered by Verizon's 5G Ultra Wideband offering to enable interactivity and immersion.

FCC ESTABLISHES EEO DEADLINE

The **FCC** set Sept 30 as the deadline for comments in its proceeding to refresh the record on the collection of Equal Employment Opportunity data collection regarding race and gender. In July, the FCC adopted a Further Notice of Proposed Rulemaking, specifically looking at Form 395-B, which is intended to gather workforce composition data from broadcasters on an annual basis. It is statutorily mandated, but hasn't been collected since the form was suspended in 2001 after the DC Circuit vacated certain aspects of the FCC's EEO requirements. Reply comments are due by Nov 1.

RATINGS

Spectrum Networks averaged more than 2.7 million daily viewing households in August. The ratings, aggregated from the company's anonymized proprietary set-top box data, punctuated a month defined by national news stories. Amidst NY Gov **Andrew Cuomo's** resignation on Aug 10, Spectrum News NY1 and Spectrum News 1 in Buffalo recorded nearly three times the viewership compared to the previous 30-day average. Spectrum News App's live feeds of the coverage were also streamed triple the viewership of the previous 30-day average.

As severe weather hit Wisconsin Aug 7-11, Spectrum News 1 recorded a 30% increase in daily viewership from the July average, just trailing **The Weather Channel** (31%).

CARRIAGE

AVOD **Canela.TV** partnered with MMA sports franchise **Combate Global** to feature Combate's MMA content library on the streamer. The partnership will bring live MMA events to 4 million U.S. Hispanics through Canela.TV.

2021 CHARTER SPECTRUM GRANT WINNERS

Charter announced the winners of its 2021 Spectrum Digital Education Grants, part of a \$7 million commitment to provide digital education in Charter communities through financial grants, PSAs and webinars to local nonprofit organizations. The company named 49 winners across 16 states and D.C. including Building Skills Partnership; Seniors In Service of Tampa Bay, Inc.; Georgia Extension 4-H Foundation, Inc.; Hawaii State Rural Health Association and Louisville Urban League.

PROGRAMMING

AVOD **Tubi** and **BBC Studios** joined for a content deal that brings more than 400 hours of programming to the streamer. New titles are now available and beginning Sept 15, Tubi will be the free U.S. streaming home of "The First Team," "Life" and "High & Dry." As part of the deal, Tubi viewers can see long-running BBC series like "Antiques Roadshow," "Atlantis," "Misfits," "Primeval" and "Robin Hood." – **HGTV** is shifting the scheduled September Season 2 premiere for "Selling the Big Easy" to Oct 1 at 9pm ET and 9:30pm ET in response to the damage done by Hurricane Ida. The event will double as a fundraiser to aid those affected by the natural disaster. – "UFC Fight Night: Brunson vs Till" will air live exclusively on **ESPN+** in English and Spanish Saturday beginning with the prelims at 1:30pm ET. The main card event is set to start at 4pm ET. Live coverage also includes "UFC Pre-Show: Brunson vs Till" Friday at 6:05pm ET on ESPN+. – **AspireTV** renewed series "Side by Side" and "Just Angela" for second seasons. Side by Side Season 2 debuts Tuesday at 8pm ET on the net, while Just Angela's second season is set to premiere in Q1 2022. – "Jersey Shore Family Vacation" was renewed for a fifth season ahead of its Season 4 finale Thursday at 8pm on **MTV**. – **BET+** renewed comedy series "The Ms. Pat Show" for a 10-episode second season.

PEOPLE

Rick Clodfelter was named lead, **Disney Branded Television** content acquisitions and partnerships. Clodfelter comes from **Universal Kids**, where he most recently served as senior director, content strategy and acquisitions. He also founded consulting firm **Garden Place Media**. – **Lisa Hamilton Daly** is joining **Crown Media Family Networks** as evp, programming. She fills the hole left behind by **Michelle Vicary**, who departed the company in June. Prior to joining Crown Media, Daly served as evp, creative affairs and ep at **Bedrock Entertainment**.

EDITOR'S NOTE

Cablefax will have skip issues tomorrow, September 2 and Monday, September 6 for Labor Day Weekend. Our next issue will hit your inbox on Tuesday, September 7.

PROGRAMMER'S PAGE

Small Towns, Big Crimes

SundanceTV has embraced the true crime trend by commissioning its first franchise in the genre, "True Crime Story." GM *Blake Callaway* feels certain the brand will bring its own unique take to the programming. "Sundance is a brand that looks for unexpected angles and is always open to experimentation," said Callaway, who also serves as GM for **BBC American** and **IFC**. "True Crime Story is a franchise that will bring new voices to an extremely popular genre. Let's look at the crime, the victims, the system, and even the community that is most affected. Much more than solving a crime, we hope True Crime Story will raise questions that warrant a bigger discussion." The first entry under the banner is "It Couldn't Happen Here," debuting Sept 9. Hosted by *Hilarie Burton Morgan* ("One Tree Hill," "The Walking Dead"), it examines how crime in small towns impacts the entire community. "When a murder happens in a big city, it can feel far removed and anonymous for most people, but when a murder happens in a small town, it literally changes the fabric of that community," ep *Robert Friedman* told **CFX**. "These are places where everyone knows everyone, and suddenly families, neighbors, and friends are thrust into the roles of victim, suspects, jurors. And that's where things get complicated. Between small town allegiances, lack of resources, and little oversight, these cases can be ripe for injustice." Episode 1 focuses on a robbery and homicide in a Taco Bell parking lot in Adel, Georgia. More than 20 years later, questions linger over whether the wrong person is behind bars. When it comes to deciding which crimes to spotlight, Friedman says it also starts with Morgan—a self-described, small-town activist (she still subscribes to the local newspaper of every place she's ever lived). "When she finds a story that she feels still has unanswered questions hovering over it, she reaches out to someone on the ground to get the scoop," he said. "The stories that make it into our series are the ones in which it's clear that the systems meant to provide justice failed these small towns." In the end, Friedman hopes the series will give viewers a "magnifying glass" to examine what's happening in their own backyards. — *Amy Maclean*

REVIEWS

"The D'Amelio Show," premiere, Friday, streaming on **Hulu**. It's OK if you're in a demographic that's never heard of *Charli D'Amelio*. Now 17, Charli seems a fairly normal teen from CT with a normal family (married parents and an older sister, Dixie, 20). Thing is, Charli posted brief videos on **TikTok** of herself dancing. They exploded. She's unsure why, she says. While Charli's story isn't "The Beverly Hillbillies," it's close. Charli's 150 million followers propelled her out of normal life. *J.Lo* calls her, she's been on "Conan," but that's small stuff. In addition to a mega-influencer, she's now a brand and it's lucrative. The family moved to L.A. to optimize Charli's fame, though her parents don't quite say that. In fact, mom pleads with Charli's manager (yes, Charli has a staff now) to give her daughter time to be teenager. At this point, some parents watching the series, and perhaps a few teens, are wondering: 'Mom, dad, you could have shut down this whole thing months ago if you wanted to protect your daughter. Don't complain now!' It's not quite complaining, yet the urge to be normal is an underlying theme here. Will viewers believe Charli's desire for normalcy is authentic? Hulu probably doesn't care as long as people watch the series. They will. For a while, at least. — *Seth Arenstein*

BASIC CABLE		
P2+ PRIME RANKINGS*		
(08/23/21-08/29/21)		
MON-SUN	MC	MC
	US	US AA
	AA%	(000)
FNC	0.994	3,062
MSNBC	0.444	1,366
HGTV	0.372	1,145
CNN	0.320	985
ESPN	0.312	960
TLC	0.298	918
HALL	0.269	828
INSP	0.251	773
USA	0.245	754
TBSC	0.233	718
FOOD	0.216	666
DISC	0.201	619
HIST	0.200	616
ID	0.196	602
WETV	0.178	549
NFL	0.175	538
WTHR	0.174	537
TNT	0.164	505
AMC	0.164	504
TVLAND	0.163	502
LIFE	0.158	488
A&E	0.155	478
HMM	0.149	459
BRAVO	0.134	412
GSN	0.131	405
ADSM	0.128	394
NATGEO	0.125	384
FX	0.124	383
NAN	0.124	382
NICK	0.119	367
APKL	0.118	363
SYFY	0.114	350
TRAVEL	0.109	336
COM	0.106	327

*P2+ L+SD rankers are based on national Nielsen numbers, not coverage.

The DIVERSITY List

AD SPACE DEADLINE
September 2

CONGRATULATE
the honorees who are boldly forging
new paths to success!

Bonus Distribution Includes:
Diversity Week Virtual Event, Oct. 4-7, 2021 | NAMIC membership
Mailing Print issues to Execs at their Homes

www.CablefaxDiversity.com
Ellen Kamhi at ekamhi@accessintel.com or 917-626-5574

