

CableFAX Daily™

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What the Industry Reads First

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Ready to Rumble: Broadcasters Target NCTC in Latest Hill Move

It isn't just retrans consent that these 2 can't agree on. As **ACA** argues that **NCTC** needs status to file program access complaints at the FCC and more recognition, broadcast coalition **TVFreedom.org** is asking Congress and federal regulators to investigate whether the collective buying group and other such groups are truly helping lower consumers' monthly pay-TV bills. The group points to an ACA news release that said NCTC has produced substantial efficiencies with the cost savings being passed through to consumers. "We believe America's consumers deserve to know whether buying groups, like NCTC, provide any savings at all to consumers on their monthly cable bills, particularly when bills are increasing at twice the rate of inflation and are expected to rise to \$200 per month by 2020, even in the face of increased competition and greater consumer choice in the U.S. video marketplace," *Robert Kenny*, dir of public affairs, TVfreedom.org, said in a statement. The coalition wants the govt to probe whether NCTC and other such buying groups are lowering costs and if so, what percentage is being passed on to consumers annually. If not, it asks "are these joint negotiations just a cable industry driven mechanism aimed at managing programming costs, while cable operators continue to make record profits?" The group also wants to know if cable programmers have concerns about NCTC conducting joint negotiations on behalf of hundreds of cable operators. Recall that there have been some issues in the past. **Tennis Channel** objected in 2009 when **Cablevision** joined the co-op and opted into its programming contract for the net, which allowed it to carry Tennis on a sports tier (until the contract expired in '11). After losing **Turner** nets for several weeks last year, **Cable One** tried unsuccessfully to keep **TBS**, **TNT** and **Cartoon** through an NCTC arrangement. And this week, NCTC has been warning members and their customers about the potential loss of **Viacom** programming on Mon if a new deal can't be reached. ACA has been urging the FCC to recognize the role NCTC plays in lowering the costs of conducting business with small and mid-size operators, suggesting it be included in a report to Congress on effective video competition (*Cfax*, 3/ 25). Meanwhile, broadcasters have their hands full trying to defend joint sales agreements that they say result in cost savings to stations. A vote on JSAs and joint retrans negotiations is scheduled for Mon at the FCC. On Wed, 6 Republican senators sent a letter to FCC chmn *Tom Wheeler*, asking the Commission to carry out its review of media ownership rules rather than separately changing the rules governing

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JASAs. They argue such a change will have a potentially negative impact on minority TV ownership. During a House Appropriations hearing this week, Wheeler said JSAs would create more minority ownership. "In 2006, there were 19 African-American-owned TV stations. Today, there are 4 (3 of those under an existing JSA)," he said, adding that during that time period the number of JSA waivers tripled. NCTC isn't the only target for broadcasters. They've also been raising objections to interconnection agreements that allow advertisers to reach a deal that covers multiple MVPDs' footprints in a local market. **NCTA** chmn *Michael Powell* discussed the issue with FCC commish *Mignon Clyburn* and her staff this week. "We noted that NCTA takes no position on whether broadcast JSAs should be attributable under the Commission's ownership rules. However, we strongly rejected certain misleading statements made in the docket in which broadcasters alleged that advertising interconnects... are the equivalent of broadcast JSAs," an ex parte said. NCTA explained that a broadcaster reaches more individual HHs than distributors do collectively (partly because of forced carriage requirements). "Without MVPD interconnects, advertisers that seek to reach an entire local market efficiently would be limited to purchasing advertising on a broadcast station," NCTA said.

Aereo Files Briefs: **Aereo** is not violating the copyright law and shouldn't compensate the broadcasters for retransmissions of their content. That's basically what it said in its 100-page response brief filed with the Supreme Court late Wed. "Under the Copyright Act, petitioners have no right to royalties at all for retransmissions of their content within the original broadcast market," the filing said. "This Court should not rewrite the Copyright Act in an effort to protect petitioners from lawful and logical advancements in technology or from the economic consequences of their transmitting works for free over the public airwaves." The over-the-air service provider has been battling with broadcasters including **ABC, CBS, Fox and NBC** for more than a year and the highest court is set to hear the case on Apr 22. In a statement, Aereo founder/CEO *Chet Kanojia* said "the long-standing landmark 2nd Circuit decision in **Cablevision** has served as a crucial underpinning to the cloud computing and cloud storage industry. The broadcasters have made clear they are using Aereo as a proxy to attack Cablevision itself. A decision against Aereo would upend and cripple the entire cloud industry."

4K Outlook: 4K, or Ultra HD, is expected to follow a similar, but faster, growth pattern as HDTVs, which reached 82% of US broadband HHs after 15 years on the market, **Park Associates** said. It predicts 4K will reach mass-market pricing in the next 2-3 years and top 80% of HHs in around 10-12 years. Initially, 4K will be delivered via OTT, with companies like **Netflix and Amazon** already working on 4K-based offerings, the research firm said. As 4K traffic increases over the next 2 years, traffic demands on broadband networks will grow "dramatically." As a result, "operators are aggressively looking into bandwidth-saving technologies, including next-generation video compression technologies."

Programming: **MLB's** 17 hours of Opening Day coverage begins at 9am ET Mon and includes the launch of daily studio show "High Heat with Christopher Russo" (noon). -- **Starz** added 2 new series to its YouTube comedy channel, "Union Pool." Live-action "Llama Cop" premieres Tues and sketch comedy series "Popcorn Addicts" bows Apr 15.

People: Lots and lots of promotions at **Comcast Cable**... *Jeur Abeln* and *Jennifer Yohe Wagner* were both promoted to svp, procurement, with Abeln focusing on customer premise equipment, professional services and billing systems, while Wagner leads negotiations for Comcast's infrastructure technology, including network hardware, software, telecom and supplier diversity efforts. *Eileen Diskin* was upped to svp, marketing comm, sales and marketing and *Kavita Vazirani* was promoted to svp, media strategy and sciences. In the legal dept, *Sarah Gitchell* was elevated to svp, deputy gen counsel and chief counsel, content acquisition, while *Jeff Smith* was promoted to svp, deputy gen counsel, gen operations. *John Gibbs* was promoted to svp, govt affairs. In technology & product, *Adrian O'Leary* was named svp, test & quality assurance and *Jason Press* was upped to svp, software engineering & ops. -- Best of luck to *Annie Howell*, who is leaving **Crown Media**. Hope she stays in cable land!

On the Circuit: **WICT** announced that 180 designees were selected for its Rising Leaders Program, which had nearly 250 applicants. The week-long immersion program will have 3 sessions with 60 participants in each. A grant from the **Kaitz Foundation** will support 8 full scholarships to the program. Visit WICT.org for a complete list of participants. -- **The Cable and Telecom Human Resources Association** is seeking nominations for its 2014 Excellence in HR Awards program. Nomination deadline is May 16. The program recognizes a company

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BUSINESS & FINANCE

or team within the company for innovative, creative problem solving that had a measurable impact on the business. -- The final date for submission of proposals for papers and presentations for technical sessions at **SCTE Cable-Tec Expo** (Sept 22-25 in Denver) is Fri. The program committee is targeting papers that address technologies, best practices, solutions, workforce training, and case studies in 3 areas: customer experience, next-generation video, and next-generation networks.

Business/Finance: Charter CEO *Tom Rutledge* saw his total compensation for '13 drop to \$4.5mln from \$6mln, according to an **SEC** filing Thurs. Some of that is because he's using a corporate airplane less with the MSO establishing an office in Stamford. Much easier commute than St Louis! Other comp, which included use of corporate plane, fell to \$250K from \$971K in '12. His base salary rose to almost \$2mln for '13, from \$1.76mln last year. Rutledge's non-equity incentive plan compensation fell to \$2.2mln from \$3.3mln. Other execs also saw drops in total compensation (primarily due to timing of stock awards), with CFO *Christopher Winfrey's* compensation falling to \$848K from \$2.2mln and COO *John Bickham's* dropping to \$2.8mln from \$20.1mln ('12 included \$12.7mln in stock awards).

CableFAX Daily Stockwatch

Company	03/27 Close	1-Day Ch	Company	03/27 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
21ST CENTURY FOX:	31.67	(0.4)	HARMONIC:	6.73	0.02
DIRECTV:	74.67	(2.67)	INTEL:	25.31	(0.07)
DISH:	61.22	(0.87)	JDSU:	13.67	(0.22)
DISNEY:	78.48	(0.14)	LEVEL 3:	38.21	0.47
GE:	25.81	0.19	MICROSOFT:	39.36	(0.43)
MSOS					
CABLEVISION:	16.53	(0.13)	NIELSEN:	44.12	0.21
CHARTER:	121.26	(1.85)	RENTRAK:	60.15	(1.72)
COMCAST:	49.10	(0.52)	SEACHANGE:	10.14	(0.05)
COMCAST SPCL:	48.02	(0.47)	SONY:	18.27	0.22
GCI:	11.09	0.04	SPRINT NEXTEL:	9.27	0.30
LIBERTY GLOBAL:	40.36	(0.2)	TIVO:	12.94	(0.04)
LIBERTY INT:	28.31	0.04	UNIVERSAL ELEC:	38.65	0.60
SHAW COMM:	23.44	0.10	VONAGE:	4.21	(0.06)
TIME WARNER CABLE:	134.05	(0.87)	YAHOO:	35.59	0.14
PROGRAMMING					
AMC NETWORKS:	70.97	(1.05)	TELCOS		
CBS:	61.47	(0.49)	AT&T:	34.96	0.35
CROWN:	3.50	0.06	VERIZON:	47.69	0.68
DISCOVERY:	81.76	(0.72)	MARKET INDICES		
GRUPO TELEVISA:	32.61	0.07	DOW:	16264.23	(4.76)
HSN:	58.64	(0.78)	NASDAQ:	4151.23	(22.35)
INTERACTIVE CORP:	72.26	0.28	S&P 500:	1849.04	(3.52)
LIONSGATE:	26.04	0.32			
MADISON SQUARE GARDEN:	55.39	(0.73)			
SCRIPPS INT:	74.59	0.68			
STARZ:	31.91	0.32			
TIME WARNER:	63.47	(1.18)			
VALUEVISION:	4.75	(0.14)			
VIACOM:	84.28	(0.46)			
WWE:	27.35	(0.18)			
TECHNOLOGY					
ADDVANTAGE:	3.10	(0.06)			
ALCATEL LUCENT:	3.88	0.19			
AMDOCS:	45.76	(0.32)			
AMPHENOL:	90.78	(0.69)			
AOL:	43.01	(0.82)			
APPLE:	537.46	(2.32)			
ARRIS GROUP:	27.58	(0.67)			
AVID TECH:	6.14	(0.13)			
BROADCOM:	30.86	(0.84)			
CISCO:	22.02	(0.3)			
CONCURRENT:	8.22	(0.22)			
CONVERGYS:	21.53	(0.08)			
CSG SYSTEMS:	26.01	0.20			
EHOSTAR:	47.11	(0.17)			
GOOGLE:	1114.28	(17.69)			



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PROGRAMMER'S PAGE


Directing Amy

Ahead of **Comedy Central's** "Inside Amy Schumer" premiering Tues (10:30pm), we caught up with executive producer and showrunner *Dan Powell* to discuss the show's format, production challenges and women in comedy today. **For the most part, Season 2 had a single director, Ryan McFaul. But you and Amy both direct a couple of scenes. What compelled you to do so?** We both had very specific visions on how we wanted to shoot them. Ryan had an absolute beast of a job. We had 50 sketches to shoot and 7 weeks, and since we're a modestly budgeted show, unless a sketch takes place in a single location, we're working backwards. We don't shoot them in chronological order. It was almost as if shooting a movie actually—200-some-odd pages of material. **Is that specifically a directing challenge?** Yes, in terms of keeping everything organized. We don't really consider production parameters too much when we're writing. The goal is to get the funniest material, that speaks most to Amy's voice and point of view, and things that Amy and *Jesse [Klein]* find interesting and funny and want to talk about. And then when we get to pre-production and the realities of production start to set in, there are certain changes we have to make, if there's a venue we can't get or something like that. **Was there an occasion where it didn't work out?** Jesse wrote a sketch that took place on a plane. It was a parody of **Virgin Airlines**. We had no idea how expensive and nearly impossible it is to shoot on a plane in New York City, until we started exploring that. I guess in L.A. they have sound stages that are available that look like planes. But here in NY they don't really have that at a reasonable cost, so unfortunately that was something we had to set aside. *For the full Q&A, go to CableFAX.com. – Kaylee Hultgren*

Reviews: "Eva Marie Saint: Live from the TCM Classic Film Festival," Mon, 8p ET, **TCM**. Listening to *Eva Marie Saint* talk to *Robert Osborne* about her six-decade career is pure pleasure and plenty of insight. 88-years young, Saint is as entertaining a storyteller as any. And what material. Who else won an Oscar in their 1st film and can talk about working with *Brando*, *Grant* and *Hitchcock*? Kudos to TCM for whetting our appetite to view (or re-view) Saint hits "On the Waterfront" (9p) and "North by Northwest" (3:30a). -- "Dark Minds," Season 3 premiere, Wed, 8p, **Investigation Discovery**. Think **Showtime** hit "Dexter" was fiction? You won't after watching the Dexter-like exploits of *Israel Keyes*. Seeming to be a nice guy by day, he killed at night. Even his girlfriend and young daughter were clueless. This gripping special uses **FBI** footage to get face-to-face with Keyes and ponders how many others he killed. -- "The Man Who Went Looking for Freedom," Sat, 10:10p ET, **BBC World News**. In '83 *Ion Bugan*, a married TV repairman with children, peacefully protested in Bucharest against *Ceausescu's* dictatorship. Jailed for 6 years, Bugan and family eventually emigrated. They returned to Romania recently for a cathartic visit, seeking to come to grips with Ion's actions. A terrific piece of history, beautifully told. – *Seth Arenstein*

Basic Cable Rankings (3/17/14-3/23/14)			
Mon-Sun Prime			
1	TNT	1.8	1752
1	TBSC	1.8	1748
3	USA	1.5	1476
3	FOXN	1.5	1394
5	HIST	1.4	1367
6	DSNY	1.3	1229
6	DSE	1.3	91
8	HGTV	1.1	1096
8	AMC	1.1	1094
8	TRU	1.1	969
11	A&E	1.0	992
12	ADSM	0.9	896
12	NAN	0.9	886
12	TLC	0.9	859
12	DISC	0.9	854
16	FOOD	0.8	816
16	SYFY	0.8	791
16	FX	0.8	787
16	LIFE	0.8	765
16	BRAV	0.8	751
21	ESPN	0.7	698
21	FAM	0.7	681
21	CNN	0.7	677
21	BET	0.7	649
21	ID	0.7	609
26	MTV	0.6	600
26	SPK	0.6	594
26	TVLD	0.6	582
26	HALL	0.6	546
26	LMN	0.6	465
31	MSNB	0.5	520
31	CMDY	0.5	508
31	APL	0.5	493
31	DSJR	0.5	343
31	HMC	0.5	255
36	VH1	0.4	408
36	EN	0.4	387
36	TRAV	0.4	380
36	NGC	0.4	327
36	OWN	0.4	322
36	NKJR	0.4	312
36	WE	0.4	299
36	H2	0.4	292
36	GSN	0.4	291
36	AHC	0.4	226
36	INSP	0.4	215

*Nielsen data supplied by ABC/Disney



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Juicy.*

*Coming soon from CableFAX.