

PROPOSED CONDITION: NEW CHARTER MUST MAKE ROOM ON ITS PLATFORM FOR INDEPENDENT NEWS SERVICES

BACKGROUND

- Historically and in recent proceedings, the Commission has given voice to concerns about the diminishing number of news gathering organizations that collect and bring information to the public and about difficulties that independent programmers have in breaking through marketplace barriers to gain carriage that is broad enough to sustain viability.
- In less than a 24 month period (9/12/2012 to 6/16/2014), five news networks launched services.
- There are five news “emerging” networks that launched in the last five years, namely One America News Network (7/4/13), Al Jazeera America (8/20/13), The Blaze (9/12/2012), Fusion (10/28/13), and Newsmax (6/16/2014).
- Four of the five are INDEPENDENT networks. (Fusion is a joint venture by Disney and Univision.)
- None of the four independent news networks have received carriage on Charter Communications.
- All four independent news networks have received broad carriage on Verizon FiOS.
- Two of the four independent news networks have received broad national carriage on AT&T U-Verse, namely One America News Network and Al Jazeera America. (Note Al Jazeera America is scheduled to shutdown on 4/30/15. It is believed that MFN concerns have played a role in Al Jazeera’s decision to shutdown the network.)
- Charter will acquire Time Warner Cable News in the TWC merger.
- Time Warner Cable News provides local, national, and international news in numerous markets
 - (Time Warner Cable News) NY1, operates in NYC (NY1 is carried by Cablevision and Bright House in Orlando and Tampa.)
 - TWCN Rochester, Rochester, NY
 - TWCN Capital Region, Albany, NY
 - TWCN Austin, Austin, TX
 - TWCN Buffalo, Buffalo, NY
 - TWCN North Carolina, Raleigh, NC (Serves the ENTIRE State. State wide weather and news, plus national)
 - TWCN Syracuse, Syracuse NY
 - The New York channels simulcast Capital Tonight
- Bright House News services
 - Bay News 9 - Tampa
 - News 13 - (Orlando, servicing Central Florida)
 - Sister channel - InfoMas (Spanish News)
 - Sister channel - Bright House Sports Networks

- The Commission should therefore require New Charter, as a condition of approval of the merger, to agree to add three independent new channels within a year of the closing of the merger.

LANGUAGE OF THE PROPOSED CONDITION

“No later than one year after the closing of the merger, New Charter shall certify to the Commission that each of no fewer than three independent, unaffiliated news services are available to no fewer than 75% of its subscribers on service tiers that are no less widely subscribed to than those on which Time Warner Cable-affiliated news services are carried as of the date of the Commission’s approval of the merger.”

DEFINITIONS

“Independent” shall mean not affiliated with any MVPD or broadcast licensee or any entity with a controlling interest in an MVPD or broadcast licensee.

“News service” shall mean a programming service that is offered in linear format and offers a 24/7 programming wheel substantially focusing on current events and topics of political or civic interest.

“Unaffiliated” shall mean that no MVPD or broadcast licensee, nor any entity with a controlling interest in an MVPD or broadcast licensee, has greater than a 5% ownership or voting interest in the news service.