

# CableFAX Daily™

Friday — January 7, 2011

What the Industry Reads First

Volume 22 / No. 004

## FCC's Domain?: Open Internet Order Could Affect Web Gadgets Seen at CES

The glare of gadgetry and parade of tech at **CES** couldn't overshadow the **FCC's** divisive open Internet order, not with the event's net neutrality session following **The Internet Freedom Act's** Wed intro by Rep *Marsha Blackburn* (R-TN). She was joined by more than 60 colleagues, including the majority of Republican members on the **House Commerce Cmte**, in seeking to strike down the Commission's order. "In these times, for an unelected bureaucracy with dubious jurisdiction and misplaced motives to unilaterally regulate [a growing Web economy] is intolerable," said Blackburn in a release. **Verizon** evp, public affairs, policy and comm *Tom Tauke* isn't pleased, either, and may also retaliate against the FCC. "We are studying the order carefully to see what course of action we might take when the time comes," he said at CES. "The FCC only focused on the carriers, even though the market has changed so substantially that the underlying devices can sometimes prevent things from happening, or it can be that the operating system prevents things from happening." In defense of the order, FCC chief of staff *Edward Lazarus* underscored its transparency principle as particularly important. "There will be a greater disclosure of network management practices, so with the watch and see approach there will be more watching going on than was the previous status quo." In a Wed *USA Today* op-ed, Sen *Kay Bailey Hutchison* (R-TX) intimated such FCC oversight, including its ability to determine what provider actions are unreasonable, "diminishes providers' flexibility in managing their own networks and creates uncertainty about permissible management activities." Added **Center for Democracy and Technology** sr policy counsel *David Sohn* at CES: "Any suggestion that the FCC should become the regulator of computers and all those other devices out on the [CES] floor would be a huge mistake." **AT&T** sr evp, external and legislative affairs *James Cicconi*, however, echoed recent sentiment from cable players such as **Time Warner Cable** and **NCTA** that the FCC's order is workable, if not ideal. "What we [carriers] do shouldn't matter to consumers unless we somehow mess it up through bad policy decisions," he said. "The significance of what the FCC did is it avoided that danger." FCC chmn *Julius Genachowski* will be featured Fri at CES.

**Fox Changes:** **Fox Networks Group** chmn/CEO *Tony Vinciguerra* has decided to leave the company Feb 11 in order "to pursue a new, probably more entrepreneurial path, and I'm excited to see what unfolds before me." The

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decision means more restructuring at FNG (**CFax**, 1/14/10), including *David Haslingden's* promotion to pres/COO. Haslingden will report to corp pres/COO *Chase Carey*, as will FNG chmn, ent *Peter Rice*, **Fox Nets** pres, affil sales and marketing *Mike Hopkins* and **Fox Sports Media Group** chmn/CEO *David Hill*, who expands his role to include oversight of the **National Geo Channels** domestic jv and along with Haslingden and Hopkins will take a seat on the jv's board. *Randy Freer* and *Eric Shanks* will now serve as co-pres/co-COO of Fox Sports Media Group, taking on direct responsibility for sports cable channels including **Fox Soccer**, **Speed** and **Fuel TV** while reporting to Hill.

**TCA Notebook:** Cable's longest-running doc series "Explorer" will continue its top-notch programming with a trio of shows in '11 that explore the real, the newly possible and the supernatural. Explorer begins its new season on **Nat Geo** with "American Hostage" as journalist *Terry Anderson* recalls his 7-year terrorist captivity. On the 20th anniversary of his release, Anderson's former wife and daughter weigh in on the ordeal for the first time. Anderson didn't think this re-telling of his story had triggered new thoughts, but he became emotional when discussing his own viewing of the film because "the re-creations were extremely well done, and real," Anderson said. Another Explorer episode, "How to Build a Beating Heart," will discuss regenerative medicine, the ability to re-grow diseased, injured or missing organs using materials from the human body. One panelist was 20-yearold *Lucas Massella*, who's lived 10 years with a re-grown bladder. Looking fit and healthy, Massella told TCA he's lived well, wrestled in high school and is presently attending college. Interestingly, the initial push for research into regenerative medicine has come from the **Pentagon** as the advances in medicine have greatly increased the proportion of wounded soldiers who live, said *Dr Stephen Badylak*, deputy director of regenerative medicine, **U of Pittsburgh**. To improve the lives of surviving soldiers, the **Defense Dept** has been a heavy funder of regenerative medicine efforts, he said. The final Explorer show touted discusses the "The Angel Effect" (spring premiere) where people in life-and-death situations report seeing or hearing an unexplained presence that helps them survive. Retired astronaut *Jerry Linenger* told TCA he saw and heard his father during a critical part of his stay on the International Space Station. "He encouraged me," Linenger said. Author *John Geiger* said he's documented 100 instances of such occurrences, ranging from 9/11 survivors to polar explorers and shipwreck survivors. People tend not to talk about such things, Geiger said, making them "vastly under-reported." From there it was an easy segue to Nat Geo's next panel, promoting "Alien Invasion," a show examining how a group of experts in various fields believe Earthlings should react to an outer space invasion, and "Area 51 Declassified," a show about the legendary government repository for UFOs and extraterrestrials. While Nat Geo was under an NDA on Area 51, producer *Peter Yost* promised the show and a companion show to be named later would present newly declassified material along with the first interviews with a range of personnel who worked at Area 51, including **CIA** officials. The film "is solid, real and verifiable," he said. Regarding the alien invasion, "it's not for us to debate whether [aliens] will land, but what we should do if they do land," said astrophysicist *Travis Taylor*, who said he'd war-gamed 400 such scenarios and humanity survives in only one. That there's life in outer space is nearly a foregone conclusion, several of the panelists agreed. "With 10-50bln planets in our galaxy and billions in other galaxies, the miracle would be if aliens didn't exist, just looking at the

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numbers,” said astronomer *Seth Shostak*. Yet all agreed worrying about an alien invasion should not be people’s first priority. Despite the likelihood that aliens will not come in peace, “I wouldn’t suggest you worry about the sky falling tomorrow,” said author *John Ringo*. After such otherworldly sessions, **Nat Geo Wild** brought TCA writers back to Earth by pushing an 3-night special in April “Wild About Snakes,” including “Snake Underworld,” where rocker *Henry Rollins* explores the world of snake enthusiasts. Nat Geo’s reptile expert *Brady Barr* moves his “Dangerous Encounters” series to Wild with a show about the highly venomous black mamba. Yet he believes the hippo is the most dangerous animal. They are the 2nd-largest land animal, “can run like the wind and have a bad attitude,” he said. Perhaps, but the 10-foot Burmese Python that he brought on stage at the panel’s end so courageous TCA critics could pose for pictures with it seemed pretty dangerous to us.

**New Perspective on 3DTV:** Walking the **CES** floor, the picture is clear. 3D glasses are less cumbersome (albeit not less expensive and still proprietary) and content is on the rise. Despite falling well short of the 4.3mln set sales the CEA projected for ‘10 (2 manufacturers cited 1mln sets sold), “color took 17 years to go from big screen to the home,” while 3D took 17 months to do the same, noted *John Batter*, DreamWorks co-pres, prod and feature animation on the panel “3DTV Report Card: Next Frontier in Home Entertainment.” Expensive glasses, ineffective retail experience and dearth of content top the list of impediments. To remedy the latter, bundling deals between the content and CE worlds will remain prominent in ‘11. “By going to market that way, we knew it would help consumers fulfill their 3D experience out of the gate,” said **Samsung** vp, marketing, LCD TV *Jonas Tanenbaum* of the company’s bundling deal with Dreamworks. **Panasonic** is bundling its 3D-enabled **Viera** sets with **Fox’s** “Avatar.” *Bryan Burns*, **ESPN** VP, business strategy and dev said the network will be going 24/7 with 3D content on Feb. 14, including its first 3D live boxing event. Batter issued a warning. “The notion that you can feed a 2D piece of content in one end, and out of other end, inexpensively, will come a high-quality 3D product is a complete fallacy,” he said. “Our concern is a lot of this kind of product will come to market in the short term as a revenue boost.” Cost for glasses lingers in the \$130-\$150 range. Though Samsung is not yet reducing prices, Tanenbaum said with volume “usually grows some benefit in terms of cost.” Burns said the biggest challenge is the consumer in-store experience. “We’ve got to find a way to get next Monday night’s championship into retail, where people can see it and feel it,” he said. He also said the industry has to simplify terminology and marketing messaging.

**Competition:** **AT&T’s** ramping the buildout of its **4G LTE** network, now slated to launch mid-year and be completed by the end of ‘13. As deployment of **HSPA+** is nearly finished, offering 4G speeds when combined with Ethernet or fiber backhaul, the telco said it will feature 20 4G devices this year. -- The **DISH Remote Access** app that allows subs to watch live and recorded TV is now optimized for the higher-pixel **Android** tablet screens.

**Carriage:** HD net **ESPN Buzzer Beater** launches Sat for **Bright House** subs, **FiOS TV’s** Ultimate HD and Extreme HD customers and on **Time Warner Cable’s** sports tier. The net features live cut-ins and highlights from numerous college basketball games during each Wed and Sat of the season, plus up-to-the-minute commentary from ESPN analysts and experts. -- **Comcast** agreed to add **Smithsonian Channel** for digital subs in D.C. -- **The Inspiration Net** picked up digital carriage on **Time Warner Cable** in the Greensboro/Winston-Salem area of NC.

**Tech/CES:** **Showtime**, **HSN**, **ABC** and **CBS** are collaborating with **Yahoo!** on a new feature for the **Yahoo! Connected TV** platform that will allow programmers to create interactive apps for viewers to vote for a reality TV participant, get more info about characters, or make e-commerce purchases while watching a show. Brand advertisers such as **Ford** and **Microsoft** will be able to connect in real time with TV viewers during commercials or other branded entertainment experiences. -- **Time Warner Cable** subs who own certain Web-connected **Sony** HDTVs will be able to receive the MSO’s entire programming lineup on an IP basis later this year, negating the need for a set top. -- **CBS** agreed to provide content to **Samsung’s Media Hub** service, which allows users of the Galaxy S smartphone and Galaxy Tab devices to purchase TV shows and movies. Current partners include **MTVN**, **NBCU**, **Paramount** and **Warner Bros.** -- Cross-industry consortium **Digital Ent Content Ecosystem** announced a mid-year launch for **UltraViolet**, the initiative touted by **Time Warner** boss *Jeff Bewkes* that allows consumers to purchase digital content and watch it across computers, connected TVs, game consoles, smartphones and tablets. The 6 largest Hollywood studios announced their endorsement of the initiative that will give each home up to 6 member accounts to access UV content. Consumers will also be able to register up to 12 devices.

**Programming:** Coming soon is **3net**, the name given to the **Sony/Discovery/IMAX** 3D channel. It’s expected to feature the world’s largest library of native 3DTV content, plus original series “Experience 3D,” which takes viewers behind the wheel, into the sky, across the seas and more, and exclusive US premieres including Discovery’s “Wildebeest Migration.”



# BUSINESS & FINANCE

-- ESPN and the NFL are closing in on an extension for MNF that will be worth nearly \$2bln annually and extend into the '20s, according to *SBJ*, which said the price reflects an approx 40% increase. -- **Fox Sports** inked a 1-yr deal for Fox to air the inaugural **Pac-12 Football Championship Game** next season and market the corp sponsorship for the contest. As part of the deal, **Fox Sports Net** increases its '11-'12 regular season telecast package with the conference by up to 6 football and 10 men's basketball games. -- **CNN's** "Piers Morgan Tonight" kicks off Jan 17 with 1st guest *Oprah Winfrey*. -- **Science Channel** will work with filmmaker *Ridley Scott* to produce "Prophets of Science Fiction" (2nd half of '11), an 8-episode series that will profile "great minds of science fiction who later inspired 'science fact.'" Subjects will include *Isaac Asimov*, *Gene Roddenberry*, *George Lucas* and others.

**People:** **Crown Media** upped *Susanne McAvoy* to evp, marketing, *Michelle Vicary* to evp, programming, *Laura Lee* to svp, distribution and *Ed Georger* to evp, ad sales and gm, **Hallmark Movie Channel**. Hallmark svp *Nancy Carr* will be leaving Crown on Jan 31 as comm functions transfer fully to NYC. -- **Disney Channels** elevated *Robin Agranoff* to vp, programming.

**Business/Finance:** **EchoStar** acquired the adaptive streaming and IPTV assets of *Move Networks*.

## CableFAX Daily Stockwatch

Company	01/06 Close	1-Day Ch	Company	01/06 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	41.17	(0.23)	AVID TECH:	17.31	(0.1)
DISH:	21.09	0.33	BIGBAND:	2.87	0.07
DISNEY:	39.65	(0.31)	BLNDER TONGUE:	2.40	0.07
GE:	18.56	(0.08)	BROADCOM:	44.86	0.88
NEWS CORP:	16.52	0.08	CISCO:	20.95	0.18
<b>MSOS</b>			CLEARWIRE:	5.78	0.45
CABLEVISION:	34.82	(0.36)	COMMSCOPE:	31.37	UNCH
CHARTER:	39.22	(0.35)	CONCURRENT:	4.84	(0.01)
COMCAST:	22.76	0.02	CONVERGYS:	14.08	0.03
COMCAST SPCL:	21.49	(0.03)	CSG SYSTEMS:	19.14	(0.01)
GCI:	12.94	(0.29)	ECHOSTAR:	25.57	(0.39)
KNOLOGY:	15.45	0.05	GOOGLE:	613.50	4.43
LIBERTY CAPITAL:	64.52	(0.41)	HARMONIC:	8.53	(0.06)
LIBERTY GLOBAL:	37.47	(0.08)	INTEL:	20.77	(0.17)
LIBERTY INT:	15.88	0.12	JDSU:	16.04	1.01
MEDIACOM:	8.52	UNCH	LEVEL 3:	1.13	UNCH
SHAW COMM:	21.02	(0.2)	MICROSOFT:	28.82	0.82
TIME WARNER CABLE:	66.54	(0.81)	SEACHANGE:	8.88	(0.02)
VIRGIN MEDIA:	26.85	0.17	SONY:	36.01	(0.2)
WASH POST:	440.70	0.70	SPRINT NEXTEL:	4.65	0.03
<b>PROGRAMMING</b>			THOMAS & BETTS:	48.01	(0.25)
CBS:	19.47	0.27	TIVO:	9.92	0.07
CROWN:	2.64	(0.07)	TOLLGRADE:	9.27	(0.03)
DISCOVERY:	40.31	(0.24)	UNIVERSAL ELEC:	28.03	(0.72)
GRUPO TELEvisa:	25.60	(0.25)	VONAGE:	2.74	0.11
HSN:	29.91	(0.74)	YAHOO:	17.06	0.15
INTERACTIVE CORP:	29.64	(0.04)	<b>TELCOS</b>		
LIBERTY:	39.75	0.13	AT&T:	29.15	(0.4)
LIBERTY STARZ:	68.97	(0.59)	QWEST:	7.47	(0.17)
LIONSGATE:	6.46	(0.04)	VERIZON:	36.23	(0.95)
LODGENET:	4.53	(0.12)	<b>MARKET INDICES</b>		
NEW FRONTIER:	1.79	(0.01)	DOW:	11697.31	(25.58)
OUTDOOR:	7.38	(0.04)	NASDAQ:	2709.89	7.69
PLAYBOY:	5.20	(0.05)	S&P 500:	1273.85	(2.71)
SCRIPPS INT:	48.52	(1.69)			
TIME WARNER:	33.27	0.10			
VALUEVISION:	5.82	0.09			
VIACOM:	46.71	(0.09)			
WWE:	14.10	(0.19)			
<b>TECHNOLOGY</b>					
ADDVANTAGE:	3.17	UNCH			
ALCATEL LUCENT:	2.97	(0.03)			
AMDOCS:	27.74	0.39			
AMPHENOL:	51.68	(0.25)			
AOL:	23.82	0.14			
APPLE:	333.73	(0.27)			
ARRIS GROUP:	11.52	(0.07)			

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# PROGRAMMER'S PAGE with Chad Heiges and Seth Arenstein

## Friends?

Retrans wars nearly ensure that cable ops and local broadcasters will remain at odds for years, and the big 4 and MSO's can't exactly be described as pals either—save for new BFFs **Comcast** and **NBC**. On the programming side, though, the cable-broadcast relationship continues to move toward cooperation. The big 4 have enjoyed syndication sales to cable nets for years, but according to **Turner** chmn/CEO *Phil Kent*, both parties are cognizant of the potential impact of Web plays on that ecosystem. “There’s a heightened sensitivity to what effects will come from the availability of series on” services such as **Netflix**, said Kent this week. As both **TNT** and **TBS** are big players in the syndie market, Kent’s pushing the envelope by demanding some contractual assurances that acquired broadcast series won’t end up everywhere. “Freezing those [online distribution] rights is very important to the industry,” he said. At the show level, **TV Land** and **ABC** have agreed to a cross-over event involving “Hot in Cleveland” and “All My Children.” The soap’s *Susan Lucci*, *Michael Knight* and *Darnell Williams* will appear as themselves in *Hot*, while *Wendie Malick* will hit the soap as her *Hot* character. “This is a unique opportunity to raise awareness of both shows with similar demos and we expect each other’s viewers to follow from one show to the next,” said **Disney ABC Television Network** pres, daytime *Brian Frans* said in a release. What could become the most extensive collaboration between cable and broadcast has yet to emerge, but **S&P** analyst *Tuna Amobi* believes “a formal announcement of a news gathering partnership between Time Warner’s **CNN** and either **CBS** or one of the three other major broadcast networks could finally evolve” in ‘11, wrote Amobi. I believe **CNN** must find a way to get it done. *CH*

**Highlights:** “Southland,” Tues, 10p, **TNT**. Describing “Southland” as just another cop drama, is like saying *Astaire* was a dancer. Southland shows the personal and professional lives of LA police with gritty honesty. Tonight, gang violence and insensitive remarks from Officer Dewey (*C. Thomas Howell*) create havoc. -- “Shameless,” Sun, 10p, **Showtime**. This could be Showtime’s best drama; its adaptation of a British hit about savvy, lower-class kids running things because dad’s (*William H. Macy*) perpetually drunk. *Emmy Rossum* shines as the family’s de facto head. -- “Lights Out,” Tues, 10p, **FX**. The gritty saga of a dad, husband and boxer (played wonderfully by *Holt McCallany*) whose finances torment him. *SA*

**Worth a Look:** “Oprah Presents Master Class,” Sun, 10p, **OWN**. There’s little teaching here, yet an ep about *Diane Sawyer* was a mildly interesting if uncritical reprise of the TV journalist’s life. We get mostly platitudes and some wisdom from her rural upbringing, her work, ties with Nixon and her marriage. Oprah contributes paeans to the “master” journalist. “Nobody can imitate her...but I would if I could,” she says.

**Notable:** “BSC Championship,” Mon, 8:30p, **ESPN**, **ESPN 3D**. Cable’s 1st BSC finale should be an unconventional beauty. Normally championships are won by defense, but Oregon and Auburn just try to “outscore you,” ESPN’s *Chris Fowler* says. *SA*

### Basic Cable Rankings

(12/27/10-01/02/11)

#### Mon-Sun Prime

1	ESPN	5.3	5332
2	USA	2	2038
3	DSNY	1.8	1755
4	TNT	1.5	1529
5	HIST	1.4	1346
6	NAN	1.2	1248
6	HGTV	1.2	1149
8	TBSC	1.1	1109
8	A&E	1.1	1063
10	FX	1	959
10	FOXN	1	939
12	LIFE	0.9	932
12	FAM	0.9	881
12	TRU	0.9	857
12	TLC	0.9	854
16	TVLD	0.8	830
16	FOOD	0.8	826
16	SYFY	0.8	825
16	DISC	0.8	789
16	ADSM	0.8	787
16	HALL	0.8	733
16	BET	0.8	691
16	LMN	0.8	644
16	NKJR	0.8	574
25	MTV	0.7	675
25	AMC	0.7	658
27	SPK	0.6	644
27	BRAV	0.6	598
27	CMDY	0.6	572
27	ID	0.6	426
27	HMC	0.6	220
32	VH1	0.5	516
32	EN	0.5	504
32	ESP2	0.5	466
32	OXYG	0.5	370
32	OWN	0.5	357
37	MSNB	0.4	406
37	APL	0.4	383
37	CNN	0.4	356
37	CMT	0.4	348
37	WE	0.4	294
37	NGC	0.4	289
37	WGNA	0.4	276
37	GSN	0.4	263
37	NKTN	0.4	207
46	TRAV	0.3	324

\*Nielsen data supplied by ABC/Disney

## TheCableFAXIES awards

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