

CableFAX Daily™

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What the Industry Reads First

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Retrans-a-rama: More Bickering on Market vs Govt, Scripps Still Dark on CVC

The big deals may be done, but signs continue to point toward a fight this year to get DC to look at retrans rules. **Sinclair** followed up on **Mediacom's** letter to *Sen John Kerry* (D-MA) that urged reform (*Cfax*, 1/8). "I trust you can see through Mediacom's blustery rhetoric to understand that their true interest lies not in serving the public interest, but rather in maximizing their profits by receiving govt intervention to avoid paying fair, market-driven consideration for the right to retransmit broadcast television," Sinclair pres/CEO David Smith wrote to Kerry Fri. He pointed to the **Fox-Time Warner Cable** deal and **Cablevision** removing **Food** and **HGTV** as movement toward resetting program acquisition fees consistent with consumer demand, and asked that it be done by market forces unfettered by govt interference. Kerry has signaled that he wants to delve into the issue. Meanwhile, Time Warner Cable has left up its RollOverorGetTough.com Website, thanking customers for their support. Will the MSO use it again? We don't know, but as *SportsBusiness Journal* recently noted, it will soon face negotiations with **ESPN/ABC** (their pact expires at the end of Aug). Disney execs, including co-chmn **Disney Media Nets & ESPN, ABC Sports** pres *George Bodenheimer*, were at the **FCC** last month talking to Commission staffers about several things, including the importance of leaving retrans negotiations to the private marketplace. **Food Fight**: Speaking of negotiations, **Cablevision** and **Scripps Nets Interactive** still haven't settled their differences. Fans are taking it out on both companies. While **Facebook** groups have popped up calling on Cablevision to return **HGTV** and **Food** and some say they're switching providers, Scripps isn't unscathed, with several grumpy comments being posted on its Website. Check out this fan's (or ex-fan's) wordy blog: iusedtolovefoodnetwork.wordpress.com (a play on ilovefoodnetwork.com). Meanwhile, Ramapo, NJ's supervisor filed a complaint with the state's PSC, claiming Cablevision failed to provide written notice of the programming change and thereby violated state law. He wants CVC to offer up a rebate for the channels. CVC's response: "Within a few seconds of Scripps Networks pulling their channels off Cablevision without warning, we had video messages running on the channels to alert our customers to the situation and had launched a Web site with additional information. We were as surprised as anyone that Scripps would take such an irresponsible action and have repeatedly called upon Scripps to put its channels back on Cablevision while we negotiate a new agreement, but they have refused."

Cable On Board: **Epix** inked a carriage deal with **Cox**, marking the premium net's 1st distribution agreement with a cable



FOX SOCCER CHANNEL IN HD
AVAILABLE IN JANUARY



CONTACT YOUR FOX CABLE NETWORKS REPRESENTATIVE FOR MORE INFORMATION.

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op. **FiOS TV** began carriage in Nov. Cox will launch the net in Apr, when digital customers who also subscribe to the MSO's movie tier will get multiplatform Epix access. The MSO's movie tier runs approx \$5/month and includes **IFC, Sundance Channel, Lifetime Movie Net, TCM, Hallmark Movie Channel, Encore** and 4 genre-specific Encore nets. The MSO has more than 5mln video subs, approx 60% of which receive digital service. A Cox spokesperson said the Apr launch date "accommodates launch logistics, customer notification and marketing." In a Mon release, Cox svp, programming *Bob Wilson* said the deal lets Cox work with Epix (and partners **Lionsgate, Paramount** and **MGM**) "to transform and enhance viewer access to movies across multiple availability windows and platforms." FiOS TV charges \$10/month for Epix.

In the Courts: The **US Supreme Court** has declined to hear KY officials arguments for imposing taxes on satellite TV. **DirectTV** and **EchoStar** challenged the local taxes, with the KY Supreme Court agreeing with the satellite providers. -- *SportsBusiness Journal* and staffer *Daniel Kaplan* have been sued by **Madison Square Garden**, which claims Kaplan "improperly induced or encouraged" 1 or more unknown employees of major financial institutions to breach valid confidentiality agreements by providing him with information and projections related to MSG and its planned renovation of the arena. In a Mon SBJ article, *SportsBusiness Journal* Publisher *Richard Weiss* countered that MSG's claim has "no merit."

At the Portals: The **FCC** granted **Cablevision's** waiver of encryption rules prohibiting ops from scrambling basic tiers for the NYC franchise. It asked for the waiver as it converts to all-digital.

TCA Notebook: **Bravo** plans to expand programming by 20% this year, with the freshman series lineup including "9 By Design" (husband & wife design team, Apr 5), "Double Exposure" (fashion/celeb photography, April) and "Work of Art: The Next Great Artist" (competition series, June). Previously in development, Bravo announced series pick-ups for 2 docu-series, "Bethenny's Getting Married?" (featuring "The Real Housewives of NYC's" *Bethenny Frankel*) and "Thintervention with *Jackie Warner*," featuring the celebrity trainer from "Work Out." -- **Oxygen's** 2010 development slate includes "Fashion Drop" (wt), in which audience members' fashion sense is put to the test (losers are dropped through the floor—literally), "Hair Battle Spectacular" (wt), competition series focused on fantasy hair design and "Jersey Couture," family owned glamour shop. The net's expanding to a 2nd night of original content, moving "Tori & Dean: Home Sweet Hollywood" to Mons this spring. "Dance Your Ass Off" Season 2 will take the Mon spot in the summer. "Bad Girls Club" is the Tues night anchor. -- **NBC** will shut down *Jay Leno's* 10pm run beginning Feb 12, said NBC TV Ent chief *Jeff Gaspin*, a move that many saw coming but likely has some cable execs mourning anyway. The broadcaster's eschewing of scripted programming in the 10-11pm timeslot benefitted multiple cable nets, with **FX** pres/gm *John Landgraf* telling **Cfax** that NBC's decision was a key reason for the net's healthy ratings increases in 4Q and '09. **Pali** analyst *Rich Greenfield* concurs, saying last month that Leno's move to 10pm aided "a wide array of cable networks that air original programming at 10pm (including networks owned by DIS, DISCA, SNI, VIA)." Gaspin said a new plan for the timeslot hasn't been determined.

Show Biz: "Battle of the Bands" returns to the **Cable Show** but will occur this time on the 1st night of the industry gathering (May 11, L.A.). **NCTA** has issued an open call for bands, and a yet-named headliner has been promised. A non-profit youth center in South Central L.A will be the beneficiary of this year's CableCares program, which includes Battle of the Bands. Attendees can also donate time for a half day of community service at the center on May 11 or by donating products/services (computers, musical instruments, school supplies, etc).

On The Circuit: *Henry Schleiff* championed public affairs efforts when he ran **Court TV**. It appears he intends to do the same at **Investigation Discovery**. On Mon, ID's most recognizable talent *Paula Zahn* moderated a Dept of Justice Town Hall on the issue of stalking, a crime victimizing 3.4 mln people 18+ yearly. Prior to the Town Hall, Zahn and Schleiff pledged to further assist Justice and advocacy groups in informing the public about stalking. Good thing, too, as the Town Hall's expert panel (including a stalking victim) agreed education is critical to help authorities, the public and victims recognize the crime and eventually punish perpetrators. Decrying the nearly 60% of victims who fail to report stalking, Schleiff urged panelists to let ID know how it can help make the public aware that stalking is a crime and must be reported.

In the Courts: A FL federal court ruled in favor of **DISH, EchoStar** and **NagraStar** in a piracy case, issuing a \$51mln judgment against *Robert Ward*, who posted software on the Internet allowing receipt of DISH programming using Free-To-Air receivers. The court held that the posting of pirate software violates the Federal Communications Act, and that statutory damages should be calculated based on how many individuals downloaded the pirate software.

BUSINESS & FINANCE

Programming: Sarah Palin agreed to join Fox News as a contributor, and will offer the net political commentary and analysis across all Fox News platforms, including Fox Business Channel and FoxNews.com. -- With "Breaking Bad" returning Mar 21 for a 3rd season, AMC's spotlighting the series with a feature of 6 eps in Mar 19 and Feb VOD availability of season 2. -- Part of a deal between NBC Sports and Churchill Downs, USA will feature a 1-hour telecast (Mar 27) focused on 2 key KY Derby prep races. -- TV Guide Net's red carpet telecasts this awards season, beginning Sun with the Golden Globes, feature a new "hologram glam cam" to generate virtual 3D images of stars and their wardrobes. -- The 3rd season of TBS' microseries "My Manny" returns next month with Disney Parks as its exclusive sponsor. 10 eps, each of which will encore at TBS.com, will air over 5 weeks during special commercial breaks from Tyler Perry's "Meet the Browns."

People: Scripps Nets tapped Food Net vet Greg Regis as svp, ad sales, Travel Channel.

Business/Finance: iTV solutions provider Ensequence confirmed a report in The Oregonian that it cut an undisclosed number of jobs. "... We have been able to pare back on internal initiatives that the market doesn't value and, in turn, focus our resources on meeting the specific and defined needs of our customers," said the co in a statement.

CableFAX Daily Stockwatch

Company	01/11 Close	1-Day Ch	Company	01/11 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BRITISH SKY:	36.49	0.38	AMPHENOL:	45.29	0.11
DIRECTV:	33.65	(0.47)	AOL:	25.97	0.29
DISH:	21.23	0.07	APPLE:	210.11	(1.87)
DISNEY:	31.36	(0.52)	ARRIS GROUP:	10.85	0.15
GE:	16.76	0.16	AVID TECH:	12.87	0.06
NEWS CORP:	16.47	0.05	BIGBAND:	3.54	(0.04)
MSOS					
CABLEVISION:	26.29	0.01	BLNDER TONGUE:	1.15	0.00
COMCAST:	16.81	(0.11)	BROADCOM:	30.71	0.00
COMCAST SPCL:	16.08	(0.07)	CISCO:	24.59	(0.07)
GCI:	6.35	(0.05)	CLEARWIRE:	7.98	0.29
KNOLGY:	11.54	0.08	COMMSCOPE:	27.49	0.00
LIBERTY CAPITAL:	25.29	(0.08)	CONCURRENT:	4.16	0.02
LIBERTY GLOBAL:	23.69	(0.25)	CONVERGYS:	11.54	0.50
LIBERTY INT:	11.92	0.42	CSG SYSTEMS:	18.47	0.00
MEDIACOM:	4.88	(0.05)	ECHOSTAR:	19.69	(0.27)
RCN:	10.39	(0.07)	GOOGLE:	601.11	(0.91)
SHAW COMM:	20.37	0.22	HARMONIC:	6.51	0.00
TIME WARNER CABLE:	42.12	0.61	INTEL:	20.95	0.12
VIRGIN MEDIA:	17.14	0.10	JDSU:	8.61	(0.31)
WASH POST:	455.05	1.01	LEVEL 3:	1.54	(0.02)
PROGRAMMING					
CBS:	14.09	(0.06)	MICROSOFT:	30.27	(0.39)
CROWN:	1.54	0.04	MOTOROLA:	7.68	(0.08)
DISCOVERY:	32.67	(0.11)	OPENTV:	1.48	-0.00
GRUPO TELEVISA:	20.65	(0.11)	PHILIPS:	30.92	0.33
HSN:	20.56	(0.41)	RENTRAK:	17.87	(0.18)
INTERACTIVE CORP:	21.19	0.17	SEACHANGE:	6.65	0.04
LIBERTY:	37.92	0.03	SONY:	30.60	0.19
LIBERTY STARZ:	50.45	1.23	SPRINT NEXTEL:	4.05	0.10
LIONSGATE:	5.73	(0.11)	THOMAS & BETTS:	36.14	(0.15)
LODGENET:	5.81	0.42	TIVO:	10.64	(0.11)
NEW FRONTIER:	1.95	0.05	TOLLGRADE:	6.33	0.07
OUTDOOR:	5.55	(0.01)	UNIVERSAL ELEC:	25.16	1.08
PLAYBOY:	3.33	(0.11)	VONAGE:	1.61	0.02
RHI:	0.36	0.01	YAHOO:	16.74	0.04
SCRIPPS INT:	45.64	1.90	TELCOS		
TIME WARNER:	29.17	0.41	AT&T:	26.97	(0.13)
VALUEVISION:	4.99	0.01	QWEST:	4.69	0.04
VIACOM:	31.90	0.17	VERIZON:	31.88	0.13
WWE:	15.98	(0.32)	MARKET INDICES		
TECHNOLOGY					
3COM:	7.64	0.03	DOW:	10663.99	45.80
ADC:	6.73	0.00	NASDAQ:	2312.41	(4.76)
ADVANTAGE:	2.04	0.03			
ALCATEL LUCENT:	3.75	(0.02)			
AMDOCS:	28.82	0.33			

From The CableFAX 100



the best business advice from Amy Banse...

"Find a hole and fill it."

Amy Banse
President, Comcast Interactive Media;
SVP, Comcast Corp

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EYE ON ADVERTISING

Spot On

While other networks scramble to create unique product integrations, the traditional advertising spot is alive and very well at SoapNet. Heidi Lobel, SVP, ad sales, ABC Daytime and SoapNet, shared with contributing writer Cathy Applefeld Olson why Soap isn't getting caught up in the DVR drama.

Soap had primetime viewing records in 2009. How is your expanding audience affecting your advertising scope?

As the distribution has grown, our audience has broadened. When I look back over the past five years, we add typically 20 new advertisers at every upfront that haven't been on the network before. And then in scatter we add anywhere from five to 10 new advertisers.

So who are these new advertisers?

When SoapNet was born, we were pretty much a platform for the daytime dramas, and the advertisers we attracted were typical of daytime: personal care, packaged goods, pharmaceuticals and retail. Then we started acquiring shows like "Beverly Hills 90210" and "Gilmore Girls" that appeal to a broader audience and as the schedule has evolved, so has our base of advertisers. We have a lot more advertisers targeting the general 18-34 audience, clients trying to be all over the place. We've seen growth in other categories—telecommunications, most recently, and also soft drinks.

The network still airs primarily existing content, which doesn't leave much room for the kind of product integration many advertisers want these days.

We don't have a lot of original programming at this point in time, but it has not been a liability at all. A big

part of our value proposition is that typically with our programs there is a much higher retention of program to commercial. Based on Nielsen data, women 18-49 tuned in for an average of 20 unbroken minutes [in prime, in November 2009].

That would seem a compelling proposition in the age of the DVR.

The other thing is SoapNet has had major growth year over year, and advertisers recognize that. Advertisers are constantly looking at their budgets and we represent more rating points to them.

Are you doing integrations and other kinds of sponsorships with your original programming?

Our original programming in some cases is appealing to a more dual audience, too, so it's had the same impact on advertising. We've done some integrations and have been able to create other kinds of packages that have enhanced value, like custom interstitials, for those clients that need something beyond a schedule. The upcoming series "Being Erica" [season 2 premieres Jan 20] is being sponsored by Jenny Craig.

Are deals more often these days struck across ABC Daytime and the cable property?

We help daytime advertisers monetize their investment and enhance their exposure... We've also been able to leverage the types of integrations we do in [ABC Daytime] and give them to the SoapNet marketing team. The biggest one that comes to mind was last year's Campbell's integration with all the daytime dramas that also aired on SoapNet.

(Longtime entertainment industry reporter Cathy Applefeld Olson is delighted to be documenting media's wild ride into the 21st century)



The CableFAXIES awards

DEADLINE: FEBRUARY 5, 2010

ENTER AT: www.CableFaxiesAwards.com

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Entry Questions: Saun Sayamongkhun at 301-354-1610; ssayamongkhun@accessintel.com

The CableFaxies Awards salute the year's most outstanding communications initiatives and programs in the highly competitive and dynamic Cable arena. The coveted awards set the industry benchmark for excellence across all areas of PR and marketing.

The Winners of the CableFAXIES Awards are from networks, operators, PR firms, vendors, corporations, agencies and other entertainment companies who took chances, made tremendous strides and understand the power of PR and marketing in the cable industry. The winners and honorable mentions will be saluted during an awards event in April 2010 in New York City.