

CableFAX Daily™

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What the Industry Reads First

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State of Affairs: A Look at the Lay of the Land

While almost all the attention these days is on the presidential horse race, there's always something brewing on the state level. So far, it's quieter than years past when state franchising garnered all the headlines. A few more states could enact franchising legislation, but the climate is not like past years in which new bills cropped up every few weeks. One notable change is that **Qwest** is not pursuing any franchising reform bills as the telco has pulled back on the video business. There are a few bills floating around regarding **NFL Network**, including legislation in TX and WI that would require arbitration when multichannel ops and programmers can't reach agreement. Hot state issues involve telco deregulation, wireless consumer protection, privacy, VoIP and USF, according to **Stifel Nicolaus**. As for muni-broadband projects, many cities are moving forward but "struggling," the investment firm said. PA offers one example of how the tides have changed. '06 was an acrimonious year with the **Broadband Cable Assoc of PA** duking it out with **Verizon** over a telco-backed state franchising bill. The legislation wound up going nowhere, and now the 2 companies are working together in '08 to fight a **CWA**-backed bill that creates broad, new labor benefits, according to BCAP pres **Dan Tunnell**. The 2 also have teamed to support a VoIP bill that would grant all VoIP providers the same rights and would not subject them to PUC oversight. The measure has passed the state senate (34-14) and is also supported by **AT&T**. It's being opposed by the rural local exchange carriers, and according to Tunnell, Verizon recently left the RLEC-laden **PA Telephone Assoc**. With many legislatures starting a new session this month, it may take a little time for the state landscape to develop.

Another Biter: It appears **Verizon** will soon get the green light to go after video customers in the Big Apple, a city/metro region where **Time Warner Cable** and **Cablevision** service 1.4mln and 3.1mln customers, respectively. City news outlets say negotiations for a 15-year franchise agreement are close to conclusion, although desired "cherry picking" by Verizon has delayed a pact that was expected last month. The telco already offers its **FiOS Internet** service in parts of all 5 boroughs and has also begun building out its **FiOS TV** network in the city. It's also armed with video franchises for 94 NY communities, and has expanded in the area the availability of its **V Cast** mobile TV service. Time Warner Cable doesn't believe the expected competition will be any more intense than what is already occurring with Verizon in 2-3% of its nationwide footprint, and that "ongoing marketing efforts, improvements in customer service and innovative, value-added features... all help to make our offer attractive and competitive," said a spokesperson. CVC is planning to compete mainly with value propositions. "Cablevision is proud of our long history of service in New York City and is focused on delivering real value to customers," said a spokesperson. But NYC is a different animal: both MSO's contracts for the city expire later this year, and its great number of MDUs no doubt has Verizon salivating (**Cfax**, 1/11).

Election News: **Mitt Romney's** MI primary victory came without a single campaign ad on cable TV in the state's Lower Peninsula, according to data from the **MI Campaign Finance Network**, and the other 2 top Republican vote

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getters also finished in spots inverse to their respective cable ad buys. While Romney spent \$2.05mln on regional ads, *Mike Huckabee* used one-third of his \$484K ad spending total on cable and finished 3rd. *Sen John McCain* (R-AZ) devoted to cable just 2% of his \$744K spend, finishing 2nd. -- **Versus** will add "Sportsmen Vote '08" to its online and VOD programming tickets starting Thurs. The initiative, a partnership with **The Congressional Sportsmen's Foundation**, lets users pose questions and concerns to current participants McCain and Huckabee.

Oprah Channel: While *Oprah's* quite a talker, **Discovery** won't be silent when it comes to **The Oprah Winfrey Network** (*Cfax*, 1/16). Oprah has final say on editorial, but *David Zaslav & Co* will still be involved in editorial direction, the CEO search, affil sales, ad sales, origination, etc. After all, does anyone think Zaslav could not actively participate in anything?

In the States: **Charter** and **Time Warner Cable** are partnering on installations of Ethernet services in the Carolinas, intent on servicing business customers that desire connections between NC and SC and to/from their respective footprints. The collaboration offers seamless connectivity and a single bill. -- **Cablevision** has upgraded the online security devices available to its broadband customers, now offering for free download a software package offering anti-virus, anti-spyware, personal firewall, anti-spam, anti-phishing and parental controls, as well as data backup and transfer capabilities.

Technology: **Integra5** has commercially deployed its "PC Caller ID" app that delivers notifications of an incoming caller's name and number to a sub's PC screen before the phone rings.

Programming: **TV One** plans to commemorate *MLK's* birthday Mon with a pair of special docs, original "MLK: A Dream Deferred" (8pm) and the net premiere of "MLK: The Making of A Holiday" (9pm). -- **DirectTV** is sponsoring the special Super Bowl week programming on **FSN's** "Best Damn Sports Show Period," slated for Jan 30-Feb 1 and origination from the AZ site of the **PGA's** FBR Open. NFLers such as *Ben Roethlisberger* and *Ray Lewis* will serve as guest hosts, and guests will include *Joe Theismann* and Olympian *Amanda Beard*. -- **NBC** has ordered from **BBC Worldwide America** a pilot for "Top Gear," a UK car series featuring celebrity guest participation. -- The 5th season of popular **Speed** series "Pinks" will ignite in HD for the 1st time next month, and the season's initial 2 eps will be available a week early through VOD, **iTunes** and **Sprint** mobile devices.

Ratings: Parsing viewership data is a lot like tallying votes for competing candidates, and last week cable customers tapped **Fox News** and **CNN** as the clear front runners in presidential election coverage. The race between the 2 nets, however, is still too close to call. Fox News' SC Republican debate (Jan 10) cracked the weekly top 5 with a solid 3.0/2.85mln, but CNN hammered its rival during the 10-11pm hour the Jan 8 NH primary, riding a politically-focused "Anderson Cooper 360" to a 2.9/2.85mln. The 9-10pm slot, however, was a virtual dead heat: CNN garnered a 2.8/2.73mln, Fox News a 2.8/2.64mln. And Fox News avenged its late-night defeat in the 7-8pm slot, clearly besting its rival with a 2.8/2.63mln. The final results: for the entire 3-hr period, CNN averaged a 2.7/2.64mln, Fox News a 2.63/2.47mln. But Fox News had the week's last laugh, claiming the 3rd spot in prime ratings with a 1.7/1.58mln. **MSNBC** posted a 3-hr average of 1.4/1.29mln. -- Back to the prime race, **USA** (2.3/2.19mln) handily defeated **Disney** (2.0/1.95mln) for the victory, enlisting help from running mates "Monk," "Psyche" and WWE, the week's 3 top shows. **TNT** (1.6/1.58mln) and **TBS** (1.5/1.42mln) followed Fox News in 4th and 5th, respectively. -- *Steve Martin* classic "The Jerk" became Fri the most-watched theatrical movie ever on **TV Land**, averaging 1.2mln total viewers. -- **ESPNEWS** posted its most-viewed

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BUSINESS & FINANCE

program ever Sun, averaging more than 327K HHs for "The Blitz" (8 - 8:30pm) and post-game coverage of the Giants-Cowboys game.

Mobile: Hallmark Channel has teamed with mobile entertainment community **Limbo** for its 1st interactive mobile initiative. Launching Thurs in support of the net's "The Good Witch" (Sat, 9pm), the play lets viewers play a game either online or via handset, with the winner receiving \$2K and memorabilia from the movie.

Honors: The following received **SCTE** Emerging Technologies Awards: **Cox' Greg Griffis**, **Rogers Cable's Charlie Elliott**, and **Comcast's Esteban Sandino**. -- *Business Week* included **Comcast's** universal phonebook "SmartZone Communications Center" in its **CES** Best in Show picks.

Obit: Sad to hear that Cable Pioneer couple **Stevie** and **Greg Liptak** lost their son **Greg**, 37, to colorectal cancer. A Memorial Mass will be held Fri, 2pm in Littleton, CO. A Celebration of Life Service is slate for Sat, 2pm in Centennial, CO.

People: **ACA's** board appointed **Wave Broadband** COO **Steve Friedman** vice chmn. **Friedman** replaces **Atlantic Broadband** CEO **David Keefe**, whose company joined **Bresnan** in leaving the trade group last week (*Cfax*, 1/8). -- **Sci Fi** promoted **Dave Howe** to pres. -- **Fuse** appointed **Theresa Chillianis** svp, strategy and operations.

CableFAX Daily Stockwatch

Company	01/16 Close	1-Day Ch	Company	01/16 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BRITISH SKY:	41.22	(0.88)	APPLE:	159.64	(9.4)
DIRECTV:	20.15	(0.3)	ARRIS GROUP:	8.44	0.05
DISNEY:	29.83	(0.02)	AVID TECH:	24.13	0.14
ECHOSTAR:	28.64	(0.18)	BIGBAND:	4.13	(0.51)
GE:	34.56	0.03	BLNDER TONGUE:	1.77	0.11
HEARST-ARGYLE:	19.98	0.08	BROADCOM:	22.78	(0.39)
ION MEDIA:	1.37	0.05	CISCO:	25.15	(0.7)
NEWS CORP:	20.13	0.43	COMMSCOPE:	42.25	(1.19)
MSOS					
CABLEVISION:	23.98	0.48	CONCURRENT:	0.75	0.04
CHARTER:	1.12	(0.04)	CONVERGYS:	15.04	0.30
COMCAST:	18.18	0.51	CSG SYSTEMS:	13.04	0.55
COMCAST SPCL:	18.02	0.44	ECHOSTAR HOLDING:	29.50	(0.4)
GCI:	8.07	0.39	GEMSTAR TVG:	4.75	0.16
KNOLGY:	10.59	0.28	GOOGLE:	615.95	(21.7)
LIBERTY CAPITAL:	106.77	0.07	HARMONIC:	9.05	(0.27)
LIBERTY GLOBAL:	40.88	1.75	JDSU:	11.13	(0.21)
LIBERTY INTERACTIVE:	15.20	(0.07)	LEVEL 3:	3.01	0.08
MEDIACOM:	4.85	0.03	MICROSOFT:	33.23	(0.77)
NTL:	28.22	0.00	MOTOROLA:	14.01	(0.3)
ROGERS COMM:	42.97	0.00	NDS:	51.74	(0.11)
SHAW COMM:	19.60	(0.67)	NORTEL:	13.02	0.60
TIME WARNER CABLE:	25.57	0.60	OPENTV:	1.27	(0.06)
WASH POST:	808.00	9.50	PHILIPS:	37.99	(1.31)
PROGRAMMING					
CBS:	23.45	(0.08)	RENTRAK:	12.64	0.19
CROWN:	5.96	0.36	SEACHANGE:	6.53	(0.03)
DISCOVERY:	25.01	0.72	SONY:	52.55	(1.23)
EW SCRIPPS:	41.55	(0.3)	SPRINT NEXTEL:	11.82	(0.51)
GRUPO TELEVISA:	21.66	(0.53)	THOMAS & BETTS:	43.00	(0.51)
INTERACTIVE CORP:	24.71	0.88	TIVO:	7.21	0.11
LODGENET:	14.34	0.32	TOLLGRADE:	7.46	(0.03)
NEW FRONTIER:	4.97	(0.01)	UNIVERSAL ELEC:	24.39	(0.41)
OUTDOOR:	6.62	(0.04)	VONAGE:	1.97	0.01
PLAYBOY:	8.12	0.13	VYYO:	2.67	0.12
TIME WARNER:	15.96	0.23	WEBB SYS:	0.06	0.02
UNIVISION:	36.23	0.00	YAHOO:	21.95	(0.96)
VALUEVISION:	5.46	0.21	TELCOS		
VIACOM:	39.88	(0.37)	AT&T:	37.87	0.24
WWE:	14.67	0.56	QWEST:	5.66	0.14
TECHNOLOGY					
3COM:	4.17	0.01	VERIZON:	42.32	0.15
ADC:	13.52	0.45	MARKET INDICES		
ADDVANTAGE:	5.29	(0.04)	DOW:	12466.16	(34.95)
ALCATEL LUCENT:	6.71	0.10	NASDAQ:	2394.59	(23)
AMDOCS:	32.10	(0.89)			
AMPHENOL:	39.72	(0.06)			

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Negotiating Your Severance

Picture this: on a routine Friday afternoon you're summoned to your boss' office. You walk in and there, and sitting with your boss, is the company's human relations director. Suddenly your heart begins to race, sweat starts to bead on your forehead, and a knot forms in the pit of your stomach. It's the situation you never thought would happen: you're being laid off.

Even as you read this, the industry's belt-tightening and consolidation continues. Rainbow recently paired down its SportsSkool staff. Vendors such as SeaChange and Vyvo have trimmed staff. And what about mergers and acquisitions, like NBCU acquiring Oxygen or Arris acquiring C-COR, one plus one does not equal 2. More often it's 1.25.

There are several things to keep in mind when negotiating the terms of your severance.

If you're being dismissed for poor performance, this probably isn't unexpected and your severance can be significantly impaired. But as long as you haven't robbed, cheated or stolen anything, there are several severance options available to you.

While it's natural to feel surprised and upset when being let go from your job, that doesn't grant you carte blanche to take your frustration out on your soon-to-be-former employer. Unless you still drink out of a sippy cup, throwing a tantrum isn't acceptable behavior—especially in a professional setting.

When you get the news, take a few moments to collect yourself before reacting and then do your best to express your disappointment calmly and professionally. If you feel like you may become emotional, excuse yourself and go to the restroom to collect yourself.

Your employer may ask you to sign <something> – do not sign it! Negotiating your severance is a lot like going through a divorce; always stick up for yourself and al-

ways consult a lawyer before you sign anything. Use your surprise to ask for time to review the severance, and then go to a lawyer. Odds are you'll be dealing with colleagues, which may make it difficult to effectively negotiate, so hiring a lawyer to be your mouthpiece is your best protection. Also, if they ask you to sign <something> and offer to give you time to change your decision, don't do it—the law and labor rules are on your side this time.



Maggie Bellville

Depending on the circumstances surrounding your dismissal, you may be eligible for several options, including compensation for time served, unused vacation, and outplacement services.

For lower- and mid-level positions, two weeks' pay is customary severance. But vps and above typically have more room for negotiation. Depending on your rung on the corporate ladder, one year base salary is a good starting place.

If you have stock and bonus options, you should be negotiating for time so your stock can vest. Try to get any bonuses paid out through the end of the year, or at least prorated for the amount of time that you worked.

Severance isn't just about being compensated for the time you've put in; it can also include unused vacation time, outplacement services and medical benefits. Take advantage of outplacement services if offered. These services are invaluable for having your resume reviewed and talking to a pro about future goals.

And just because you're unemployed doesn't mean you have to forego medical coverage. U.S. labor law requires your former employer to offer full benefits under COBRA guidelines.

As the song goes, "breaking up is hard to do." But if you keep these pointers in mind, you should be ahead of the game when positioning yourself for your next job.

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