TCA SPECIAL SECTION, See pages 4-5

6 Pages Today

CableFAX Daily...

Wednesday — January 20, 2010

What the Industry Reads First

Volume 21 / No. 012

Open Book: FTC Chmn Issues Warning as Net Neutrality Debate Rages On

When it comes to arguments against net neutrality mandates, be careful when referring to an '07 FTC report that declared policymakers should be hesitant to enact new regulation in the absence of significant market failure or demonstrated consumer harm. That was the word from FTC chmn Jon Leibowitz at an FCC Open Internet workshop Tues. "While staff advised proceeding with caution... they also recognized that a failure to act could be problematic. Further, it comes with an expiration date," he said, noting that nearly 3 years later is "an eternity in Internet time." Case in point, the report was completed before the FCC's Comcast-BitTorrent ruling, and it talked about possible developing broadband competition that hasn't really come to fruition—ie, municipal broadband, broadband over powerlines and WiMax, which Leibowitz said has developed much more slowly than anticipated. At its best, broadband is "essentially a duopoly in many markets," he said. Sounding keen on net neutrality rules, the FTC chmn talked up some non-discrimination language from the FCC. He added that it appeared to him at the time of the '07 report that FTC staffers were "overly confident" that antitrust rules could deal with net neutrality concerns. With more than 120K comments filed in the proceeding so far, Leibowitz said there's "no doubt in my mind that you're headed toward a reasonable, thoughtful, pro-consumer middle ground," and pledged to work with the FCC. Much of the workshop focused on the need for companies to provide disclosures on network management and other practices. Groups such as Media Access Project and Consumers Union called for clear, prominent disclosures, while Wharton School prof (and former FCC chief economist, '00-'01) Gerald Faulhaber stressed that disclosures should apply to all. "Application and content providers shouldn't get a free ride here," he said. "And backbone—they are in this game as well, and they influence what happens to customers." Verizon and Time Warner Cable reps talked up the industry collaborating on best practices vs any govt mandate. TWC doesn't believe there is a need to codify transparency principles, with TWC vp, external affairs and policy counselor Fernando LaGuarda saying it has always maintained transparency with respect to management practices. If the FCC mandates disclosure, he said it should allow flexibility, and users should have as much info on content and application providers as they do on service providers.

<u>Ad Sense</u>: Here's something to toast: Ad firm **Magna Global** forecasts that 1Q10 will be the last quarter of decline for the US advertising economy during this recession. The firm modestly upgraded its full year '10 forecast, predicting ad rev



CABLEFAX DAILY (ISSN 1069-6644) is published daily by Access Intelligence, LLC ● www.cablefaxdaily.com ● fax: 301.738.8453 ● Editor-in-Chief: Amy Maclean, 301.354.1760, amaclean@accessintel.com ● Exec Editor: Michael Grebb, 301.354.1790, mgrebb@accessintel.com ● Assoc Editor: Chad Heiges, 301.354.1828, cheiges@accessintel.com ● Asst VP, Ed Director: Seth Arenstein, 301/354-1782, sarenstein@accessintel.com ● Publisher: Debbie Vodenos, 301/354-1695, dvodenos@accessintel.com ● Advertising Mgr: Erica Gottlieb, 212.621.4612 ● Marketing Director: Carol Brault, 301.354.1763, cbrault@accessintel.com ● Prod: Joann Fato, 301.354.1681, cdaily@accessintel.com ● Diane Schwartz/VP and Group Publisher ● Subs/Client Services: 301.354.2101, fax 301.309.3847 ● Group Subs: Carol Brault, 301.354.1763, cbrault@accessintel.com

(excluding local TV political and national TV Olympic revs) to effectively be flat this year (-0.1% from '09 levels vs its previous estimate of -1.3%). Magna estimates that political advertising will account for about \$2.7bln in ad revenues for local TV supplies (broadcasters and local cable) in '10. That's more than the \$2.4bln generated in '08 and '06. Strip out political and Olympic ads, and the sector wil likely decline 1% to \$14.3bln. For 1Q10, US media suppliers will collectively generate 3% less ad rev on a normalized basis than they did when compared to the prior year period, with industry revenues projected to fall to \$36.8bln from \$38bln in 1Q09. For the year, national TV ad spending will likely climb 6.2% to \$35bln (this includes national cable, syndication and Spanish-language TV). For '09, Magna believes national ad spending dropped 3.6%.

On the Hill: A newly released **GAO** report on the **FCC** decision-making process recommends clarifications on providing commissioners access to info from bureaus about agenda items, increased oversight over ex parte comments and releasing the text of a rule or change before a public vote. Former House Commerce subcmte chmn *Ed Markey* (D-MA) requested the report before FCC chmn *Julius Genachowski* took over. Markey and current subcmte chmn *Rick Boucher* tipped their hats to the current chmn, noting that they are already seeing positive changes from his wholesale review of the FCC process. "I look forward to further reforms at the FCC and urge the Chairman to continue to take steps to ensure that the FCC serves the public interest by being open, transparent and accountable," Boucher said.

Xbox Live: Microsoft for years has said its **Xbox 360** gaming console can become a worthy foil to multichannel set-tops, and the *NYTimes*' report of the co's negotiations with **ESPN** to stream live PPV sporting events through the console gives that claim a little more gravitas. ESPN declined comment. Already, approx 20mln monthly Xbox Live subs can watch myriad movies and TV eps, surf **Facebook** and use their **Netflix** account. Microsoft even produces "1 vs. 100," an interactive version of the game show that previously aired on **NBC**. And at **CES** earlier this month, CEO *Steve Ballmer* said **AT&T U-verse** customers will gain access to the service though Xbox 360 consoles later this year. Meanwhile, IPTV platform **Microsoft Mediaroom 2.0**, which TV ops can begin testing next month, will allow ops to deliver video services including VOD, interactive apps and Internet content to Xboxes, TVs, Web browsers and compatible smart phones.

<u>Carriage</u>: Ovation TV bolstered its sub base by 5mln homes in '09, to 35mln total owing largely to launches on Comcast systems in Philly, San Francisco and Atlanta. Through additional pacts with Time Warner Cable and Charter, the net said it's now featured in all of the top 10 DMAs and 21 of the top 25 cable markets. -- Si TV said it's now available in more than 22mln homes following its launch on Comcast's Digital Preferred Package in the San Francisco area. -- Sportsman Channel's launching Mon a high-def simulcast channel, with one-third of its SD net's prime programming to be initially available in HD. The net expects the majority of its programming will be shown in HD by 3Q.

<u>Free Preview</u>: MSOs including **Charter**, **Comcast**, **Cox**, **Insight** and **Mediacom** will offer on-demand previews (including in HD) of the initial 2 eps of **Starz** original "Spartacus: Blood and Sand" (Fri) before their linear debuts. Ep 1 bows Wed on the systems, while ep 2 bows a week later. **DirecTV** agreed to feature the eps on Thurs and Jan 28 through it's **The 101 Network**, and **Fancast** and **Starz.com** will offer free full-ep streams beginning on Wed and Jan 27.

<u>Golden Globes</u>: If you're keeping score at home, cable nets garnered 8 of the 11 TV-related honors Sun night, adding to a haul that now tallies 26 of 33 over the last 3 years (the lion's share of broadcast wins over that time period stem from **NBC**'s "30 Rock"). **AMC**'s "Mad Men" impressively earned its 3rd consecutive Best Drama win,

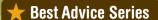
From The CableFAX 100



the best business advice from Lynne Costantini...

"Make friends before you need them; and leaders never have a bad day."

Lynne Costantini EVP, Affiliate Sales and Marketing Scripps Networks



17018

To order your copy of the December 2009 issue of CableFAX: The Magazine – Top 100 edition, please contact clientservices@accessintel.com or 800.777.5006.

www.cablefax.com

BUSINESS & FINANCE

carrying the basic net banner while **HBO** took home 4 Globes, including 2 for "Grey Gardens," and **Show-time** notched 3, including a pair for "Dexter." *Mo'Nique's* Best Supporting Actress movie win offered some free publicity for **BET**, as the actress hosts "The Mo'Nique Show" weeknights on the net.

<u>Technology</u>: Discovery Channel bowed a mobile app powered by the **Android** platform and featuring video clips from net series including "Deadliest Catch" and "Mythbusters."

Programming: Nat Geo picked up the global TV rights to "Restrepo" (fall), a doc kicking off the **Sundance Film Festival** that chronicles the deployment of US soldiers in Afghanistan's Korengal Valley.

<u>People</u>: Fox Cable Nets upped Michael Biard to evp, affil sales and marketing. -- Suddenlink promoted Patty McCaskill to chief programming officer, David Agnew to vp, information tech/customer care, and Beth Petti to vp, information tech/program mgmt. -- DH Capital added Daniel Golding, formerly of Tier1 Research, as a managing dir.

Business/Finance: ESPN acquired **Vistas Unlimited**, a TX-based tech dev firm that it hopes will augment its use of virtual tech across platforms. -- **News Corp** purchased additional shares in **Sky Deutschland** to up its stake in the co to 45% from 40%.

Ca	ableFAX	Dail
Company	01/19	1-Day
	Close	Ch
BROADCASTERS/DI	BS/MMDS	
BRITISH SKY:		
DIRECTV:		
DISH:		
DISNEY:		
NEWS CORP:		
		0.20
MSOS		
CABLEVISION:		
COMCAST:		
COMCAST SPCL:		
KNOLOGY:		
LIBERTY CAPITAL:		
LIBERTY GLOBAL:		
LIBERTY INT:		
MEDIACOM:		
RCN:		
SHAW COMM: TIME WARNER CABI	19./9	0.10
VIRGIN MEDIA:		
WASH POST:		
PROGRAMMING		
CBS:		
CROWN:		
GRUPO TELEVISA:	32.40 20.29	(0.03)
HSN:	19.76	(0.17)
INTERACTIVE CORF	² :21.35	0.02
LIBERTY:		
LIBERTY STARZ:		
LIONSGATE: LODGENET:		
NEW FRONTIER:		
OUTDOOR:		
PLAYBOY:		
RHI:		
SCRIPPS INT:		
TIME WARNER:		
VALUEVISION:		
WWE:		
****	10.10	0.11
TECHNOLOGY		
3COM:		
ADC:		
ADDVANTAGE:	2.08	0.07
AMDOCS:		
,	20.00	0.00

y Stockwatch				
Company	01/19	1-Day		
. ,	Close	Ch		
AMPHENOL:	44.08	0.24		
AOL:	24.95	(0.41)		
APPLE:				
ARRIS GROUP:	11.40	0.21		
AVID TECH:	13.84	0.29		
BIGBAND:	3.37	(0.02)		
BLNDER TONGUE:	1.10	(0.03)		
BROADCOM:	29.68	0.17		
CISCO:				
CLEARWIRE:	7.48	0.03		
COMMSCOPE:				
CONCURRENT:	3.81	(0.21)		
CONVERGYS:	11.43	(0.18)		
CSG SYSTEMS:	18.77	0.29		
ECHOSTAR:				
GOOGLE:	587.62	7.62		
HARMONIC:	6.49	0.09		
INTEL:	21.05	0.25		
JDSU:	8.81	0.60		
LEVEL 3:	1.41	(0.02)		
MICROSOFT:	31.10	0.24		
MOTOROLA:				
OPENTV:				
PHILIPS:				
RENTRAK:				
SEACHANGE:	6.81	0.36		
SONY:				
SPRINT NEXTEL:	3.68	(0.14)		
THOMAS & BETTS:				
TIVO:				
TOLLGRADE:		(/		
UNIVERSAL ELEC:				
VONAGE:				
YAHOO:	16.75	(0.07)		
TELCOS				
AT&T:	26.20	0.41		
QWEST:				
VERIZON:				
MARKET INDICES				
DOW:				
NASDAQ:	2320.40	32.41		

WANT TO BETTER UNDERSTAND THE BRAND PURCHASING BEHAVIOR OF SPORTS FANS?

The answer is simple: Just Ask Nielsen.™

Nielsen links consumer packaged good purchases with fan allegiances, enabling you to target advertisers with greater precision. Let Nielsen help align your sports content with the right brands and take your game to the next level.

For more info, visit www.nielsen.com/ media



TCA SPECIAL SECTION

Back in Black

Chris Albrecht bravely jumped up on stage at TCA to take questions on his much-publicized return to cable as the new CEO of Starz. His controversial exit from HBO in 2007 officially became old news as critics instead pushed him on his strategy for Starz, which he admitted faces a "challenging" time in a fast-evolving multiplatfom industry. But the well-connected showbiz veteran said he hopes his presence can help attract big talent to the net-especially as cable becomes increasingly a top destination. "A lot of creative talent has recognized the opportunity to work in pay television," he said. "So the nice thing is that I don't have that curve to get over. And there are lots of people that are ready to come and bring their ideas to Starz." Albrecht also said Starz's recent embrace of original series may expand into other kinds of programming under this tenure. "As we move forward, we should be thinking of other things we can do besides series, which everybody is doing. We're going to have to talk about what the final makeup is of our original programming." As for Starz's deal with Netflix, Albrecht said it's "complicated" and will need tweaking but continues to be a good revenue stream for the net. "It's always nice to get a check, and so far all their checks are clearing," he said. -- After Albrecht's quick Q&A, Hollywood insiders Peter Bart and Peter Guber told critics that their new interview show "In the House" will explore the nuances of the entertainment biz. "We don't try to be interesting, we try to be interested," said Guber, promising "a more on-the-bus attitude" in their conversations with actors, producers and other industry insiders. Starz also previewed the much-anticipated premiere of "Spartacus: Blood and Sand" (Jan). Steven DeKnight made no apologies for the series' many erotic and violent scenes. "Sex and violence: It kind of goes together like peanut butter and chocolate," he said. "Blood and death was part of being Roman." Meanwhile, Starz also brought up the funny cast of "Party Down" (Apr 23), which now includes Megan Mullally of "Will and Grace" fame. She replaces season 1 staple Jane Lynch, and fellow thesbians on stage hazed her by purposefully mispronouncing her name as "Morgan." Starz will also take a risk with "Gravity" (Apr 23), a comedy series about a group of people who have all tried to kill themselves. Will anyone succeed? "It would be inorganic if we had a show about suicide where nobody dies," said Eric Schaeffer, who produces and acts in the series.

<u>FX</u>: On Sun, FX pres/gm John Landgraf told critics that the net's reputation as a place for edgy dramas doesn't mean it won't continue to branch out. "I'd like to see us

have at least as many comedies as we have dramas on the air, and I'd like to see that as soon as possible," he said, noting that "It's Always Sunny in Philadelphia" took about 5 seasons to catch fire. "That's part of the problem with the comedy business," he said. In the past, TV execs could just put "Seinfeld" on Thurs night and "force feed it to people until they developed a taste for it," he said. But now, with DVRs so prevalent, it takes an enormous investment of time for comedies and money for dramas, the latter of which can cost up to \$30mln to shoot and market one season. He noted that "Damages" is one of the most DVRed shows but that the media often doesn't go back to report the "final score" after all DVR viewing is done. -- Meanwhile, "Damages" returns for its 3rd season Jan 25 with familiar storylines. Clips shown at TCA indicate the season begins with a Bernie Madoff-type fraud plotline. Star Glenn Close identified with the plot as she knows people who lost money through Madoff. Exec prod Todd Kessler said other plotlines will be based on financial news ripped from the headlines, with one based on Texas financier R. Allen Stanford's \$8bln bank fraud. New to the cast this season are Damages fans and comics Martin Short and Lily Tomlin playing serious parts. The casting choice of Short and Tomlin was yet another way for Kessler and his co-exec producer and brother Glenn Kessler to emphasize the theme that "things aren't what they appear to be," Todd Kessler said. -- "Justified" (Mar 16 debut) begins life with a fine pedigree. Star *Timothy Olyphant* is well known as the tough-guy sheriff of HBO's "Deadwood," exec prod Graham Yost worked on HBO's "Band of Brothers" and "The Pacific," and the pilot is based on an Elmore Leonard short story about a contemporary Kentucky-based deputy U.S. Marshal named Raylan Givens. Clips shown at TCA suggested plenty of violence, including much gun play. While the part allows Olyphant again to don a cowboy hat (as he did as Deadwood's Seth Bullock) he jokingly downplayed similarities between the series: "[Deadwood] is ending, and this one is beginning." Yet Givens contrasts with other FX heroes. "He's a good guy... you root for him," Yost said. While the pilot is based on a Leonard story, and the author is listed as an exec prod, he won't write scripts. Subsequent eps will be written based on the way FX's writers think Leonard would have written them, Yost says. "I'll write another [Raylan Givens] short story for sure" and ideas for the series, he said. "If they use them fine, if not, that's ok, too." -- Comedian Louis C.K. charmed critics as he promoted new show "Louie" (spring) about his postdivorce dating and parenting life (he shares custody of 2

TCA SPECIAL SECTION

girls with his ex). He said divorce can make people feel like it's all over, but "there's a whole life after divorce, and I'm living it."

AMC: AMC's development slate borrows from history for "Black Gold," a mini-series about the Teapot Dome scandal of the '20s, featuring Warren Harding, possibly our country's most corrupt president. "John Adams" writer Kirk Ellis will write and exec produce. -- To research her role as a destructive life coach, comedienne Cheri Oteri actually became a licensed life coach. Her comic take on the profession will be seen as interstitials during AMC's Mon night movie at 8 (Feb 15 debut). Full "Life Coach" eps will be available on amctv.com. -- The experimental nature of **AMC**'s "Breaking Bad" (season 3 debuts Mar 21, 10pm) involves characters radically changing from how they began in the series' pilot, creator Vince Gilligan told TCA. An example from the new season: the wife of protagonist Walter finds her husband's unusual behavior and newfound wealth stem from his double life selling illegal drugs. "The genius [of Gilligan]" is that he removes this essential ingredient from the plot, putting himself into a corner, and is able to write his way out of it, said 2-time Emmy winner Bryan Cranston, who plays Walter. Meanwhile, a facsimile of the mobile home Walter uses as his meth lab will hit the road for 6 weeks to promote "Breaking Bad," beginning Feb 6 from the Super Bowl in Miami. Inside the 53-foot biodiesel truck 90 fans will be able to see scenes from the series' 2 seasons. Besides gaining new fans, AMC hopes to tout seasons 1 and 2 on DVD. The truck will end up in Times Square on Mar 21, as season 3 debuts.

BBC America: More than a few critics blanched when young, upbeat choirmaster *Gareth Malone* ("The Choir," spring, **BBC America**) claimed "literally everyone can sing." Yet his case is compelling—he's taught inner city schoolchildren and townspeople to sing and eventually led them to victories in choral competitions. Even more, at session's end, Malone cajoled 50 or so critics to the stage, schooled them for a few minutes and led a respectable rendition of The Beach Boys' "Barbara Ann."

Odds and Ends: Nickelodeon unveiled 2 new music-based comedy series for critics. First up was "Victorious" (premieres Feb) helmed by "iCarly" creator and former 1980s sit-com "Head of the Class" actor Dan Schneider, who said he has a "no jerks policy" on set to keep the mood loose. Meanwhile, Marjorie Cohn, Nick evp, development and original programming, said "Big Time Rush" (premieres Jan 30), which follows a Monkees-esque crew of young rockers the show, is

part of a "music plan" that iTunes songs coinciding with tracks featured on the show as well as an eventual album from the band. -- Logo's "The Robert Verdi Show Starring Robert Verdi" (premieres Feb 10) takes a pseudo-realistic look at the life of the well-known style guru as he tries to take over the world with a litany of questionable self-promotion ideas. "Most things aren't innately perfect," he said. "So I kind of make fun of myself by showing people how flawed I really am." -- Though Animal Planet could argue to the contrary, National Geographic Channel's bevy of dog-related shows ("Dog Whisperer" and "DogTown" to name 2) make it the unofficial king of the canines. Nat Geo hopes "And Man Created Dog" (summer debut) will burnish that rep; the 2-hr HD special will trace dogs' origins back 100K years to the wolf. It also will cover how humans have selectively bred dogs for 14K years, making dogs Earth's most diverse mammal. -- It appears one of the best stories to come from Nat Geo's special celebrating 25 years of "Explorer" (Apr 18) will be veteran correspondent Boyd Matson's report on tracking down the iconic green-eyed girl who was photographed by Steve McCurry for the June '85 cover of "National Geographic" magazine. 18 years after the photo was published Matson searched Afghanistan and Pakistan for the girl, whose photo was taken as Soviet tanks rolled into her native Afghanistan. Matson told TCA critics that people kept asking 'What happened to that girl?' 'Where is she living now?' After following several false leads, Matson finally found her and was able to interview her. "It was a special moment," he said.

Party Wrap Up: Despite the economy, programmers treated TCA critics to fine parties, including Comcast **Entertainment Group**'s celebrity heavy cocktail happy hour, including Khloe Kardashian, Bruce Jenner, Olivia Munn, Guiliana Rancic, Kimora Lee Simmons, among others. And some terrific sushi. Earlier, IFC touted its food series "Dinner with the Band" (Apr 27 debut) and "Food Party" with, er... dinner and a band. Dinner with the Band chef/host Sam Mason prepared the spread and his signature cocktails. The Devil Makes Three's bluegrass fit well with Mason's offbeat cuisine, the room's campy, kitschy decor and appetizers from Food Party's charmingly off-the-wall hostess Thu Tran. Discovery's tented party on the lawn of the Langham Hotel had something for everyone: award-winning barbecue from **TLC**'s "Pit Masters," futuristic food courtesy of Planet Green's "Future Food" (Mar 30 debut) crew and huge cakes from TLC's "Cake Boss" that piled all the Discovery net logos on top of each other.



Deadline: February 5, 2010

More Information:

The CableFAXIES Awards salute the companies and people who took chances, made tremendous strides and understand the power of PR and marketing in the cable industry. The coveted awards set the industry benchmark for excellence across all areas of cable's PR and Marketing. The winners and honorable mentions will be saluted during an awards luncheon on April 28, 2010 in New York City.

www.cablefaxiesawards.com luncheon on April 28, 2010 in New York City.				
Enter as many categories	as you like but please tailor y	your entry to the category y	ou are entering.	
Campaign Categories: Advertising Campaign for a Single Program Advertising Campaign for a Network Annual Report Corporate Social Responsibility/ Green Campaign Community Relations Direct Response Marketing Integrated Marketing Campaign	 □ Marketing Campaign □ Marketing of a New Series or Show □ Marketing of a Continuing Series □ Marketing of a Special or □ Documentary/Documentary Series □ Media Event □ Media Relations Campaign □ Mobile Marketing Campaign □ Multicultural Marketing □ Press Kit 	☐ Public Affairs Campaign☐ Trade Show Marketing and PR	People Awords: (Awards can be given at 5 levels: Programmer, National; Programmer, Regional/Local; Operator, MSO; Operator, Local System; and Vendor) ☐ Marketer of the Year, VP Level and above ☐ PR Executive of the Year, VP Level and above ☐ Public Affairs Executive of the Year ☐ Marketing Team of the Year	
What to Send At the beginning of your two page. Category entered • Title of entre Supporting Materials	ry • Key contact for entry • Organizations • CDs	information for all categories: zation submitting entry • Budget	onials	
Mary Lou French CableFAXIESAwards Access Intelligence 4 Choke Cherry Rd, 2nd Floor Rockville, MD 20850 Entry From (All information	as you'd like it to appear on your a	Deadline: Feb Late Deadline Event: April 28	ruary 5, 2010 : February 12, 2010 3, 2010	
Company and/or Client:				
	ting entry Job Title:			
Address:			7'.	
Telephone of Contact:	State:	Fax of Contact:	Zip:	
1				
Entry Fees		Payment Options		
☐ Primary entry: \$300 each	\$300 each \$	☐ Check (payable to Access Intellig	gence/CableFAX) 🚨 Money Order	
☐ Secondary entry of same campaign** in one or more categories: \$175 each	\$175 each \$	☐ Mastercard ☐ Visa ☐	☐ Discover ☐ American Express	
☐ Late entry fee: \$175 per entry	\$175 each \$	Credit Card #		
(for entries sent between Feb. 5, 2010 and Feb. 12, 2010)		Exp.		
	Total \$	Print name of card holder		
The late entry fee must be applied to each individual entry postmarked after February 5, 2010. * Payment in full must accompany the entry. ** If entering more than one category, please submit separate entry forms.				
		Signature		
www.cablefax	www.cablefaxiesawards.com		Entry fees are not refundable. Access Intelligence Federal Tax ID#: 52-2270063	
The awards are presented by the most to	rusted information source in cable: CableFA	· AX Daily and sister brand CableFAX· The N	Magazine.	

Questions? Contact Awards Coordinator Rebecca Stortstrom at 301-354-1610; rebecca@accessintel.com. Sponsorship Opportunities: Debbie Vodenos at 301-354-1695; dvodenos@accessintel.com.