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Retrans: If you mess with the **New England Patriots**, Sen **John Kerry** (D-MA) has proven he will gripe about it. So it comes as no surprise that Kerry wrote a letter asking **FCC** chmn **Julius Genachowski** “to immediately and personally ask” **DirecTV** and **Sunbeam** to settle their retrans dispute that has led to darkness of several stations including Miami **Fox** affil **WSVN** and Boston **NBC** affil **WHDH**. Kerry’s concerned that more than 200K Boston-area DTV may miss the Super Bowl—particularly if the Patriots get to the big game. Sunbeam has already agreed to offer Miamians access to the NFC Championship game (Jan 22) along with pre-game content, “American Idol” and late local news, so perhaps the broadcaster will do the same in Boston if a deal can’t be reached by kickoff on Feb 5. Either way, Kerry’s also urging Genachowski to conclude the Commissions’ notice of proposed rulemaking on retrans disputes.

At the Portals: As promised, **Comcast** asked the **FCC** to review **Tennis Channel’s** program carriage victory. The MSO said the complaint should have been dismissed under the applicable statute of limitations, which bars claims brought more than 1 year after the parties enter into a contract. The Media Bureau ruled (incorrectly in Comcast’s opinion) that the complaint was OK because it was filed within 1 year of Tennis presenting Comcast a notice of intent to file a program carriage complaint. Comcast also took issue with the administrative law judge’s initial decision, saying the complaint was an attempt to “rewrite a now 7-year-old contract under the guise of a discrimination claim.” The MSO claims the decision radically expands Sect. 616 of the Comm Act and violates its 1st Amendment rights by stepping on its editorial control. Late last month ALJ **Richard Sippel** ruled in Tennis’ favor, saying the net satisfied the burden of proving Comcast discriminated against it and unreasonably restrained its ability to compete fairly (**Cfax**, 12/21). Tennis pooh-poohed Comcast’s filing and said it would file its opposition in due course. “Our view prevailed at the hearing, the law is clear and we think that the Commission will act based upon it,” a rep said.

Apps: **Time Warner Cable** expanded to iPhones the availability of its free TWC TV app offering live, in-home viewing of nearly 200 nets. The app also allows users to change channels on set-tops, manage DVRs and search for programming.

On the Hill: SOPA and PIPA opponents are doing a victory dance. Sen Majority Leader **Harry Reid** (D-NV) will delay a vote on the Protect IP Act. In the House, Judiciary chmn **Lamar Smith** (R-TX) said consideration would be postponed until there is wider agreement on a solution. **MPAA** chief **Chris Dodd** said he hopes the dynamics of the conversation changes now and that there is a sincere conversation on how to protect the “millions of American jobs” (key Washington buzzword) affected by the theft of intellectual property.

Technology: **CableLabs** will host from Feb 13-17 in Louisville a 3DTV interoperability event where manufacturers of 3D-capable set-tops, TVs and test equipment can evaluate product implementations based on the OpenCable 3DTV requirements or are designed to interoperate with such products.

Shining the Light: Sometimes it’s more than just TV. **Nat Geo** doc “Hitler’s G.I. Death Camp,” which ran last month, helped find a Holocaust survivor from one of Hitler’s most secretive slave labor camps, known as Berga. After the doc aired, the US Holocaust Memorial Museum got a message about a survivor in TX who was missing from the post-war list for 67 years. The museum is adding more artifacts and diaries he has had in his possession.

FX Exec Session at TCA: Again arguing that next-day ratings figures don’t reflect a show’s overall reach, **FX** chief **John Landgraf** agreed to make available a database to help TV writers better assess the full reach and time horizon

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- Advertising Campaign for a Network
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- Community Relations
- Direct Response Marketing
- NEW:** Faith-Based 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
- Programming Stunt
- PR Stunt
- Public Affairs Campaign

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- Social Media Marketing
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of overall viewership. Critics found a packet of ratings charts at their seats as FX continues its campaign to get more credit for the undisputed success of its hit shows. Landgraf pointed out that only 40% of FX's revenue is based on C3 ratings, with 60% based on more comprehensive measures that help drive affiliate fees. But in terms of ad sales based on ratings, "two-thirds of it we're not getting paid for." Landgraf also defended his decision to greenlight *Charlie Sheen* vehicle "Anger Management" (June) based only on 15 story loglines ("hardly a full-baked outline"), with no script or pilot. "I go into the process as optimistic as I can without a full script," he said. "We're a network that likes to take risks." The 10-ep pickup involves an additional 90 eps if the show reaches certain ratings thresholds, Landgraf said, and the net sees the potential of a long life for the show. "Everything we do is a roll of the dice," he said. "Sometimes it comes up the number you want, sometimes it doesn't." Meanwhile, Landgraf said he's in "active conversations" with *Ryan Murphy* over the much-anticipated Season 2 for "American Horror Story," which will take the novel approach of resetting at a new location and with new characters. As previously reported, Landgraf confirmed that 2 or 3 actors from Season 1 could come back—but they would play completely different characters. It's an unusual and risky scenario for Murphy to put forth, but "if you want to be in business with him, you have to accept the premise that you're going to be on a long ride," said Landgraf.

FX at TCA: At TCA, some panels present in the spirit of their show. The TCA panelists for FX's cartoon spy spoof "Archer" (season 2 premiered Jan 19) mirrored the series' irreverent tone beautifully. Before TCA critics asked a question Archer's voice actor *H. Jon Benjamin* had grabbed decorative plastic balls from a tasteful on-stage display and was winging them with gusto into the audience of critics. At least one expensive stage light was dinged by a Benjamin toss. Asked by a critic if people on the street recognize his deep, heroic voice from the series, Benjamin responded literally. "Oh, yes, hookers recognize it." The voice of voluptuous spy Lana Kane, *Aisha Tyler* placed odds on her character "suffocating under the weight of her own breasts." *George Coe*, who voices Archer's English butler Woodhouse, spoke of working with younger actors. "[At 82], it's a delight to be working with anyone," he said. -- Once a series has achieved a measure of success a measure of quiet confidence tends to surround it. The TCA panel for FX's Emmy-winning hit drama "Justified" (Tues, 10pm) appeared to reflect that sentiment. Entering its 3rd season, exec prod *Graham Yost* said he wanted "to switch gears a little bit." The plot will move from unconventional U.S. Marshal Raylan Givens (*Tim Olyphant*) chasing rural bandit Mags Bennett (*Margo Martindale*), who was killed last season, to a story where the bad guy wears a neatly-tailored suit. Played by *Neal McDonough*, Robert Quarles is a city guy "who thinks he's going to come down to Kentucky and show these backwoods hicks how crime is really done," Yost said. And of course there's the love-hate relationship between Givens and childhood chum and somewhat reformed baddie Boyd Crowder (*Walton Goggins*). There should be no paucity of Justified plots for a while. 86-years-young *Elmore Leonard*, whose Raylan Givens stories led to the series, bowed to Olyphant's urging and this week published "Raylan," a novel. Said Yost, Leonard instructed him to "hang [the book] and strip it for parts." -- In one of the more entertaining (and bizarre) TCA sessions, bigger-than-life British personality *Russell Brand* showed up to promote his tentatively titled late night FX show "Strangely Uplifting" (March premiere), which will take on a crowded late night marketplace. Brand told critics he'll bring an outsider's perspective to the U.S. "So like it is the perspective of an alien trying to understand this peculiar time, this peculiar country," he said. The rest of the session involved various metaphysical musings, leaving critics wondering exactly what the show will entail. "We live in a time where we're stupefied by plasticity, where we have this toxic sequined wave of vapid culture polluting our minds, denigrating our consciousness, detracting us and removing us from our spirituality," Brand said. Interesting... Please, go on. "I don't want to further celebrate the overly elaborate brittle plastic structures of nonsense that are constantly fired into our minds to distract us from what's really important. So like if I had done something actually newsworthy, in some bizarre world, then I would cover it. But if it was just more lacquered nonsense designed to distract us from truth, then I would wisely ignore it." Phew. Glad he cleared that up. -- *Louis C.K.* walked critics through his plans for season 3 of "Louie" (June premiere) with a refreshing dose of humility and gratitude. Amazingly, Louis C.K. writes, acts and even edits his show, which subsists with a skeleton crew and a low-budget, guerrilla feel. Will he at least delegate the video editing? "I love doing it, but it's always while I'm shooting, or something else is going on, or that I've got a gun to my head to deliver the show," he said. "I may have to give it up this year if we find somebody. It's the only job out of all the jobs that I have on the show that if I could find somebody, I would replace myself." Interestingly, he said he could walk away from the show and just do stand-up. "This is the greatest thing that ever happened to me, but I don't need it," he said. "And I'm eternally grateful to these guys, of course, for letting me do it this way. I don't know why they gave me this much freedom. If I was running FX, I would never have given me what they've given me. It was irresponsible, and it was not a good idea." Some 3mIn viewers would probably disagree. (Editor's Note: More from FX's epic, 4-hour session along with the last of our comprehensive TCA coverage in Tues' issue)

CableFAX Week in Review

Company	Ticker	1/20 Close	1-Week % Chg	YTD %Chg
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BROADCASTERS/DBS/MMDS

DIRECTV:	DTV	43.03	(1.87%)	0.63%
DISH:	DISH	28.86	0.38%	1.33%
DISNEY:	DIS	39.31	2.37%	4.83%
GE:	GE	19.15	1.65%	6.92%
NEWS CORP:	NWS	19.66	3.91%	8.14%

MSOS

CABLEVISION:	CVC	14.58	4.37%	2.53%
CHARTER:	CHTR	57.01	0.09%	0.12%
COMCAST:	CMCSA	26.07	2.72%	9.95%
COMCAST SPCL:	CMCSK	25.38	2.26%	7.72%
GCI:	GNCMA	10.51	5.95%	7.35%
KNOLOGY:	KNOL	14.48	1.26%	1.97%
LIBERTY GLOBAL:	LBTYA	45.31	6.39%	10.43%
LIBERTY INT:	LINTA	16.86	(1.17%)	3.95%
SHAW COMM:	SJR	19.70	1.55%	1.70%
TIME WARNER CABLE:	TWC	69.05	5.53%	8.62%
VIRGIN MEDIA:	VMED	23.75	1.02%	11.09%
WASH POST:	WPO	394.38	1.91%	4.66%

PROGRAMMING

AMC NETWORKS:	AMCX	41.82	5.39%	11.28%
CBS:	CBS	28.04	1.05%	3.32%
CROWN:	CRWN	1.19	(3.25%)	(1.65%)
DISCOVERY:	DISCA	43.80	1.06%	6.91%
GRUPO TELEVISIA:	TV	21.53	1.22%	2.23%
HSN:	HSNI	36.68	3.15%	1.16%
INTERACTIVE CORP:	IACI	42.13	1.15%	(1.1%)
LIONSGATE:	LGF	9.37	8.95%	12.62%
LODGENET:	LNET	3.44	23.30%	43.93%
NEW FRONTIER:	NOOF	1.12	7.69%	8.74%
OUTDOOR:	OUTD	7.82	5.82%	4.83%
SCRIPPS INT:	SNI	45.04	3.59%	6.18%
TIME WARNER:	TWX	37.60	0.89%	4.04%
VALUEVISION:	VVTV	1.59	(1.85%)	(15.43%)
VIACOM:	VIA	53.77	1.45%	0.83%
WWE:	WWE	9.62	1.16%	3.22%

TECHNOLOGY

ADDVANTAGE:	AEY	2.20	0.46%	4.76%
ALCATEL LUCENT:	ALU	2.00	14.94%	28.21%
AMDOCS:	DOX	29.40	1.48%	3.05%
AMPHENOL:	APH	55.36	14.97%	21.97%
AOL:	AOL	15.60	4.49%	3.31%
APPLE:	AAPL	420.30	0.12%	3.78%
ARRIS GROUP:	ARRS	11.43	5.74%	5.64%
AVID TECH:	AVID	9.79	8.18%	14.77%
BLNDER TONGUE:	BDR	1.35	(43.04%)	10.66%
BROADCOM:	BRCM	35.00	9.96%	19.21%
CISCO:	CSCO	19.92	4.51%	10.18%
CLEARWIRE:	CLWR	1.85	(1.07%)	(4.64%)
CONCURRENT:	CCUR	3.60	0.56%	(5.01%)
CONVERGYS:	CVG	13.08	3.89%	2.43%
CSG SYSTEMS:	CSGS	15.75	0.77%	7.07%
ECHOSTAR:	SATS	24.20	6.19%	15.57%
GOOGLE:	GOOG	585.99	(6.24%)	(9.28%)
HARMONIC:	HLIT	5.67	8.41%	12.50%

Company	Ticker	1/20 Close	1-Week % Chg	YTD %Chg
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INTEL:	INTC	26.38	4.93%	8.78%
JDSU:	JDSU	13.45	17.26%	28.83%
LEVEL 3:	LVLT	18.28	0.00%	7.59%
MICROSOFT:	MSFT	29.71	5.17%	14.45%
MOTOROLA MOBILITY:	MMI	38.66	0.55%	(0.36%)
RENTRAK:	RENT	17.48	12.41%	22.41%
SEACHANGE:	SEAC	6.95	2.96%	(1.14%)
SONY:	SNE	17.85	4.20%	(1.05%)
SPRINT NEXTEL:	S	2.27	3.65%	(2.99%)
THOMAS & BETTS:	TNB	58.18	2.65%	6.56%
TIVO:	TIVO	10.30	(1.34%)	14.83%
UNIVERSAL ELEC:	UEIC	18.23	0.89%	8.06%
VONAGE:	VG	2.34	(2.09%)	(4.49%)
YAHOO:	YHOO	15.96	3.10%	(1.05%)

TELCOS

AT&T:	T	30.51	1.46%	0.89%
VERIZON:	VZ	38.97	0.13%	(2.87%)

MARKET INDICES

DOW:	DJI	12720.48	2.40%	4.12%
NASDAQ:	IXIC	2786.70	2.80%	6.97%
S&P 500:	GSPC	1315.38	2.04%	4.59%

WINNERS & LOSERS

THIS WEEK'S STOCK PRICE WINNERS

COMPANY	CLOSE	1-WK CH
1. LODGENET:	3.44	23.30%
2. JDSU:	13.45	17.26%
3. AMPHENOL:	55.36	14.97%
4. ALCATEL LUCENT:	2.00	14.94%
5. RENTRAK:	17.48	12.41%

THIS WEEK'S STOCK PRICE LOSERS

COMPANY	CLOSE	1-WK CH
1. BLNDER TONGUE:	1.35	(43.04%)
2. GOOGLE:	585.99	(6.24%)
3. CROWN:	1.19	(3.25%)
4. VONAGE:	2.34	(2.09%)
5. DIRECTV:	43.03	(1.87%)

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