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Thursday — March 14, 2013

What the Industry Reads First

Volume 24 / No. 050

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ACA Summit: Lawmakers Recognize Updates Needed, But It'll Take Time

Policymakers invited to **ACA Summit** Wed acknowledged to small- and mid-size operators that the **FCC** and Congress need to step up their game in terms of reforming the 1996 Telecom Act and several regulatory issues at the Commission. But they offered little comfort that action will come any time soon. Sen *Dean Heller* (R-NV) warned ACAers that the current session of Congress will be “busy” with a number of non-telecom disputes over broad topics like immigration and the budget battle—but that Senate Commerce needs to drive “a broad discussion about the future of video” that tears down the silos of the past. “In an IP world, everything is connected,” he said. But he added “this conversation will have to take time. There are a tremendous number of policy implications” to overhauling the '96 Act to affect countless industries. “Let me assure you that the ACA will be part of this discussion,” he said. One big goal: More FCC transparency, he said. “Every time the FCC proposes a new regulation, I want them to come talk to you first,” he said, noting he also wants the agency to perform an analysis on every new rule “on whether it creates jobs or kills jobs.” Meanwhile, Republican FCC commish *Ajit Pai* said the Commission should enact reforms so that proceedings can't go into “limbo” for years at a time. “This is not good government,” he said. “To me, there's no such thing as a small item if you're the person seeking relief on that item.” Of course, Pai reminded the audience that he's the most junior commissioner and can't waive a “magic wand” to enact new reforms, including his idea that petitioners be able to challenge Bureau-level decisions in the courts if the full Commission can't act on the appeal within a reasonable time period. He also punted to Congress on retrans, noting that the FCC's authority is quite restrained—and said even the agency's established authority to evaluate good-faith standards in retrans disputes remains difficult because the agency isn't privy to real-time negotiations. “If we're going to give meaning to the good-faith standard, we're going to have to get a better handle on this marketplace,” he said.

Deals: It's official, almost. **InterMedia** is out of the picture, and **Outdoor Channel Holdings** will merge with **Kroenke Sports & Ent.** Kroenke will acquire all outstanding shares in an all-cash transaction at a price of \$8.75/share. That's nearly a 16% premium to Outdoor's Mar 1 closing price. With Outdoor determining that Kroenke has a superior offer to the InterMedia deal announced in Nov, it's on the hook for \$6.5mln breakup fee to InterMedia. Outdoor said that fee has been paid. The Kroenke transaction is expected to be completed in 2Q, and is subject to customary closing conditions, including the approval of the deal by Outdoor stockholders.

ACA Notebook: Indie ops drummed home their points at a media lunch during **ACA Summit**, telling reporters that leveling the playing field with large programmers remains a central challenge. “The cause is media ownership,” said **WOW!** chmn/CEO *Colleen Abdoulah*, noting that she recently booted 8 indie nets from her systems to make room for several nets bundled into a larger content deal. “Guess who's hurting? The independents, who shouldn't be,” she said. The **FCC** hasn't done enough, said **Wave Broadband** COO *Steve Friedman*. “I don't the FCC understands the marketplace,” he



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, 323.380.6263, mgrebb@accessintel.com ● Editor: Joyce Wang, 301.354.1828, jwang@accessintel.com ● Community Editor: Kaylee Hultgren, 212.621.4200, khultgren@accessintel.com ● Advisor: Seth Arenstein ● Assoc Publisher: Amy Abbey, 301.354.1629, aabbey@accessintel.com ● Sales Mgr, Susan, Kim, 301.354.2010, skim@accessintel.com ● Marketing Dir: Laurie Hofmann, 301.354.1796, lhofmann@accessintel.com ● Prod: Joann Fato, jfato@accessintel.com ● Diane Schwartz, SVP Media Comms Group ● Subs/Client Svcs: 301.354.2101 ● Group Subs: Amy Russell, 301.354.1599, arussell@accessintel.com

said. "If they did, they would fix it. We have a marketplace problem." ACA pres/CEO **Matt Polka** said rising sports costs, retrans, bundling and other related issues may need to get worse before policymakers intervene, noting that consumer anger must reach an apex 1st. "The crisis has to build," he said. "I don't think this will be solved by our government... Consumer demand, changes of consumer behavior will put pressure on broken business models," Abdoulah said, noting her company lost subs to bigger ops because it couldn't afford to carry **NFL Net**. -- You can count on Sen **Roy Blunt** (R-LA) to continue to examine the broadband stimulus program. Funding broadband deployment makes sense, but funding over-builders doesn't, he said at the Summit's congressional session Wed. Meanwhile, Rep **John Barrow** (D-GA) slammed the partisan gridlock that has made the Congress very inefficient. His take on lobbying in the current legislative environment? With 2 "warning tribes, 2 super powers, there's no longer a shared interest" of getting things done. "The spirit of cooperation is long gone," he said. To get anything done, broad bipartisan support is a must, he said.

VOD: Comcast's "Watchathon Week" is almost here. From Mar 25-31, the MSO will offer more than 100 full current season and/or past seasons of the TV series, including "Game of Thrones," "Downton Abbey," and "Duck Dynasty." Comcast worked with more than 30 premium, broadcast and cable nets for the promo, with **HBO, Showtime, Starz** and **Cinemax** offering almost their entire on demand library to video subs (even non-premium customers). Comcast Cable pres/CEO **Neil Smit** telegraphed the initiative earlier this month at an investor conference (**Cfax**, 3/5). After Watchathon Week ends, Xfinity launches "Catch-Up of the Week" on Apr 1. The ongoing effort will offer a mix of current and past seasons of hit shows on a specific net, or a specific series, through the end of '13.

Online: AMC nets used SXSW to announce **YEAHTV.com**, a streaming movie service enhanced with interactive features, including 400-500 individual pieces of original content curated from in-depth research. Rent "Natural Born Killers" on the service and watch **Juliette Lewis** and **Tom Sizemore** argue about how his nose was broken during filming. Flicks cost \$5 and are available for 48 hours.

Upfronts: The House of Mouse is getting back to its roots. That's right, Mickey's back. "He remains the heart and soul of who we are," said **Gary Marsh**, **Disney Channels Worldwide's** pres & chief creative officer during the Disney Kids upfront in NY Tues evening. A series of 19, 2D-animated short-form cartoons will bow June 28 on **Disney Channel, Disney.com** and **Watch Disney Channel**, among other platforms. The toons, geared towards kids 6-14 and their parents, will portray Mickey as the "prankster" and "impish best friend" he's known to be, said Marsh. The Disney Channels chief was thrilled to remind advertisers that Disney Channel bested **Nick** as the #1 TV network in total day for kids 6-11 last year and for the 4th consecutive year is #1 among tweens 9-14. "Phineas and Ferb" fans are in for a treat. This summer Disney Channel and Disney XD will debut the special "Phineas and Ferb: Mission Marvel," which combines characters from the **Marvel** franchise with the troublemakers. New programming on Disney Channel includes "Liv & Maddie," (wt) a series featuring 17-year-old actress **Dove Cameron** as she plays identical twins; the animated "Star and the Forces of Evil," in which a magical teen princess is sent to live with a normal family on Earth (fall '14 premiere); and "Teen Beach Movie," a musical movie with a surfers-versus-bikers theme (July 19). Preschool net **Disney Junior**, now in 60mln homes, will start reporting **Nielsen** ratings Apr 1. A trio of animated series joins the net: "Henry Hugglemonster" about a middle child in a family of monsters (Apr), "Sheriff Callie's Wild West," a kitty cat sheriff with the voice of **Mandy Moore** (Sept), and "The 7D," a modernized version of the Seven Dwarfs, pre-Snow White. The big news for **Disney XD** is "Marvel's Avengers Assemble,"

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chronicling the further adventures of the Avengers (previews May 26 and premieres July 7) and another Marvel vehicle "Hulk and the Agents S.M.A.S.H." (Aug 11).

Programming: CBS sold syndie rights for "The Good Wife" to **Amazon Prime** (will begin airing previous season eps Thurs), **Hulu** (rolls out in Sept) and **Hallmark Channel** (launches the series on cable in Jan). The series will be available to local TV stations for a weekend broadcast syndication window beginning in September '14. -- **C-SPAN** launched a 2nd fleet of TV vans to capture stories of literary and historic significance across the US. The 6 vehicles on the road now approximately doubles the number of **BookTV** and **American History TV** features it can produce. In each city cable affils will join the vehicle team in visiting schools and key community orgs, to talk about cable's commitment to public service through carriage of C-SPAN.

People: Congrats to longtime **Cablevision** PR hand **Jim Maiella** who is moving to **AMC Nets** as svp, corp comm next month. Maiella will oversee business and trade media relations for **AMC, IFC, WE** and **IFC Films**. **AMCN** svp, corp comm **Georgia Juvelis** will add more corp comm and marketing responsibilities to her role, while continuing to oversee business and trade relations for **Sundance Channel** and **AMC/Sundance Channel Global**. Both report to evp **Ellen Kroner**.

CableFAX Daily Stockwatch

Company	03/13 Close	1-Day Ch	Company	03/13 Close	1-Day Ch
BROADCASTERS/DBS/MMDS			CSG SYSTEMS:	19.27	(0.12)
DIRECTV:	51.96	0.68	ECHOSTAR:	38.21	UNCH
DISH:	34.65	(0.37)	GOOGLE:	825.31	(2.3)
DISNEY:	57.34	0.23	HARMONIC:	5.82	0.04
GE:	23.49	0.08	INTEL:	21.66	0.01
NEWS CORP:	30.79	(0.03)	JDSU:	15.05	(0.23)
MSOS			LEVEL 3:	21.10	0.02
CABLEVISION:	13.73	(0.19)	MICROSOFT:	27.91	0.01
CHARTER:	89.88	0.38	RENTRAK:	21.11	0.11
COMCAST:	40.59	(0.13)	SEACHANGE:	11.76	0.03
COMCAST SPCL:	38.72	(0.05)	SONY:	15.73	0.18
GCI:	8.99	0.02	SPRINT NEXTEL:	5.88	(0.04)
LIBERTY GLOBAL:	70.29	(0.63)	TIVO:	12.64	(0.1)
LIBERTY INT:	21.70	0.03	UNIVERSAL ELEC:	22.08	0.05
SHAW COMM:	24.03	(0.17)	VONAGE:	2.84	0.06
TIME WARNER CABLE:	91.69	0.11	YAHOO:	22.34	(0.06)
VIRGIN MEDIA:	46.94	(0.36)	TELCOS		
WASH POST:	438.26	21.26	AT&T:	36.60	(0.12)
PROGRAMMING			VERIZON:	47.94	(0.42)
AMC NETWORKS:	59.29	0.04	MARKET INDICES		
CBS:	45.94	0.02	DOW:	14455.28	5.22
CROWN:	2.00	0.01	NASDAQ:	3245.12	2.80
DISCOVERY:	78.28	0.37	S&P 500:	1554.52	2.04
GRUPO TELEvisa:	26.53	(0.6)			
HSN:	55.04	0.31			
INTERACTIVE CORP:	43.41	(0.07)			
LIONSGATE:	23.23	0.95			
OUTDOOR:	8.74	(0.1)			
SCRIPPS INT:	64.34	0.13			
TIME WARNER:	56.63	0.21			
VALUEVISION:	3.61	0.26			
VIACOM:	64.44	0.47			
WWE:	8.51	(0.05)			
TECHNOLOGY					
ADVANTAGE:	2.16	(0.04)			
ALCATEL LUCENT:	1.44	(0.04)			
AMDOCS:	35.96	(0.18)			
AMPHENOL:	72.90	0.24			
AOL:	36.90	0.05			
APPLE:	428.35	(0.08)			
ARRIS GROUP:	17.79	0.14			
AVID TECH:	6.98	0.02			
BLNDER TONGUE:	1.34	UNCH			
BROADCOM:	35.05	0.28			
CISCO:	21.57	(0.12)			
CLEARWIRE:	3.16	(0.05)			
CONCURRENT:	7.01	(0.27)			
CONVERGYS:	16.99	0.08			



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