

CableFAX Daily™

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What the Industry Reads First


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Be Cool: McSarrow Urges Cable to Forget Martin, Tell Its Story

NCTA pres/CEO *Kyle McSarrow* is now beyond letting the antics of FCC chmn *Kevin Martin* get his blood pressure up, telling a group of cable communication gurus to focus on getting their points across to camps willing to listen. "It's a given," he said at the **Association of Cable Communicators** conference in DC Tues. "This is what it's going to be like while he's chairman. There's nothing the industry can do that's going to be good enough." With that in mind, he urged cable's public-affairs troops to redouble efforts to tell cable's story to other policymakers and to the public at large in order to counter anti-cable attacks. "If you're at the top of the heap, everybody shoots at you," he said. McSarrow said nowhere has that become more apparent than in the net-neutrality debate, which prompted Martin last week to suggest that **Comcast's** truce with **BitTorrent** amounted to the MSO admitting it was blocking certain traffic (In reality, Comcast has specifically said it doesn't block any traffic, only slowing some of it down as part of its network management practices). Again, McSarrow told communicators to play it cool and keep pounding home industry arguments even if "I still don't think we've punched through in a way that sticks." His advice? On rates, emphasize value. On a la carte, convey that per-channel prices would rise. On net neutrality, highlight better performance through network management (McSarrow said broadband issues could become a "big battle" in the presidential campaign). In the end, he said cable's overall success is probably the best evidence of consumer benefit: "They're voting with their remotes," he said.

ACC Notebook: C-SPAN within days will announce a partnership with **YouTube** to cover the presidential election, said *Steve Scully*, **C-SPAN** senior exec producer and political editor, on a panel Tues. The effort will include a joint bus tour that will start in Erie, PA and move across the country. -- The upcoming DTV transition—while a vast communications challenge for cable and related industries—is also a big marketing opportunity, said several **ACC** panelists. **Cox** vp, product marketing *David Pugliese* noted that consumers faced with either purchasing a converter box or hooking up an over-the-air set to cable/satellite should get one message from cable: Hooking up that TV to cable is "the easiest option." He added even consumers who buy a converter box or rely on internal digital TV tuners may live in areas not penetrated by all digital signals, presenting another upsell opportunity for cable. "The customers may not realize that until February 2009," he said. Said cable lawyer *Frank Lloyd* during another panel: "This is the most fantastic marketing opportunity that cable has ever had." -- Cable ops are deploying a slew of technologies to keep employees informed, including VOD and text messaging, panelists said during a session on internal communications. But tech alone won't provide buy-in, they agreed. Content must be refreshed regularly, said *Susan Warner*, a sr dir at **Time Warner Cable**. And material must be honest or it won't be read, consultant *Tom Galvin* said. **Comcast** manager *Debra Marton* said Comcast employees have a special hotline to customer service they can call if someone asks them about a service problem at the grocery store, for example. For smaller systems there's nothing better than getting your senior execs out to the field to meet employees,


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said **Bresnan** vp *Sean Beqaj*, who says he tries to think daily of creative ways to get his execs to travel.

State Franchising: AT&T is continuing its push for statewide franchise legislation in several states, including through a pair of bills in LA that don't contain opt-in alternatives for cable incumbents, said **Cox** exec dir, govt affairs *Michael Grover* at **ACC's** DC confab. Cable has countered with more industry-friendly legislation, and negotiations for a compromising bill are expected to begin over the next week, he said. Meanwhile, the telco has pleaded its franchise case in OK, MI and AL with the states' attorneys genl, and is receiving favorable opinions, said **Charter** corporate vp/sr counsel, govt affairs *Joi Philpott*. The MSO is lobbying for more cable friendly terms in OK and AL. Also, TN lawmakers are nearing approval for a franchise bill that would raise cable's local fees to 5% from 3%, according to reports out of Nashville.

In the Courts: The **SC Supreme Court** upheld Mon a decision by state legislators to ban **Time Warner Cable** from offering phone service in certain rural areas served by 5 small telcos. The court agreed that Time Warner's market entry would force the telcos to either raise rates or cease service provision. Time Warner regional vp, operations, SC *Bob Barlow* called the ruling "unfortunate" and pointed to results elsewhere. "Time Warner Cable has successfully offered these services in rural areas of other states and the rates are going down—not up," he said.

CTIA: No announcement at **CTIA** regarding a WiMax jv between **Sprint**, cable and **Clearwire**. "The lack of an announcement raises questions about whether or not a deal will happen after all, and [CEO Dan] Hesse's commentary around Sprint's ongoing commitment to their Xohm WiMax network made no mention of potential partners," writes **Sanford Bernstein's** *Craig Moffett* in a note to clients. Also at the wireless conference, **FCC** chmn *Kevin Martin* said he would circulate a proposal dismissing **Skype's** petition for mandated open access for wireless, saying market developments make such govt intervention unnecessary.

Carriage: **Oceanic Time Warner Cable** launched **ReelzChannel** on its digital lineup Tues. -- **Verizon** added **ION's** suite of diginets, **ION Life**, **qubo** and **The Worship Network**, to its Boston **FIOS** lineup. -- **U-verse TV** has added **HBO2 HD**, **HBO Comedy HD** and **HBO Family HD** to its high-def lineup, which now tallies more than 40 nets.

Ratings: Political coverage dominated prime cable in 1Q, with 6 presidential election-related specials inhabiting the top 10. **CNN** accounted for 4 of the spots, including the throne, earned by the CA Democratic debate (6.2/5.96mln) in Jan. **MSNBC** inhabited the other 2 spots, led by the Q's 2nd-place telecast, another Dem debate (6.1/5.57mln). — **USA** (2.2/2.16mln) took home top prime honors in the Q, easily outpacing runner-up **Disney** (1.9/1.84mln). **TNT** (1.7/1.62mln) followed in 3rd, while **TBS** (1.5/1.47mln) and **Fox News** (1.5/1.41mln) tied in 4th. -- Winners in Y-over-Y 1Q prime ratings growth (min 0.4 rating in 1Q07) include **CNN** (+43%), **MSNBC** (40%), **Bravo** (40%), and **Lifetime Movie Net** (+33%). Using the same ratings guideline, losers include **GSN** (-25%), **SOAPnet** (-20%), **Animal Planet** (-20%) and **A&E** (-15%). **Brag Book:** **SNY's** season-opening Mets telecast delivered a 4.4/407K, making it the highest-rated team opener ever on an RSN. -- The Mon conclusion of **Lifetime Movie Net's** 2-part and 1st-ever original mini, "The Capture of the Green River Killer," became the highest-rated (2.8) and most-viewed (2.4mln viewers) program in net history. The telecast eclipsed the marks set the previous night by Part I. -- **Nick's** "'08 Kids' Choice Awards" drew historical show bests for total viewers (7.4mln) and among kids 2-11 (3.8mln). -- The season 2 debut of **Showtime's** "The Tudors" garnered 768K viewers, a 65% increase over last season's finale. The ep also delivered approx 1mln streams on sites including



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BUSINESS & FINANCE

Comcast.com and **MSN**. -- ESPN's inaugural '08 **MLB** telecast between the Nats and Braves averaged 2.7mln HHs and 3.66mln viewers to become the most-viewed opening night ever on the net.

Programming: TNT ordered 13 eps of "Truth in Advertising," a drama starring *Eric McCormack* and *Tom Cavanagh*. The series, exec produced by the creators of "The Closer," follows 2 ad execs whose friendship is tested when one is named creative dir of the firm. It's set to debut next year.

-- **Lifetime** reupped "How to Look Good Naked" for a 2nd season in July. -- **TNT** has ordered a 1-hour pilot of "Men of a Certain Age," a drama starring *Ray Romano* as a mid-lifer who shares important bonds with 2 best friends.

Honors: A special "Outstanding Contribution" Vanguard will be bestowed on **CableLabs** founder *Dick Leghorn* next month for his role in creating CableLabs. Awards will be presented at the **Cable Show** in New Orleans.

People: *Timothy Stautberg* will become CFO of **Scripps** after the company splits into 2 publicly traded entities, with current CFO *Joseph NeCastro* set to take the same post for spinoff **Scripps Nets Interactive**.

Business/Finance: The **SEC** declared effective **Macrovision's** registration statement for its \$2.8bln offer for **Gemstar**. Final joint proxy statements are being sent to stockholders.

CableFAX Daily Stockwatch

Company	04/01 Close	1-Day Ch	Company	04/01 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BRITISH SKY:	45.61	1.31	AMDOCS:	29.01	0.65
DIRECTV:	25.75	0.96	AMPHENOL:	38.86	1.61
DISNEY:	31.91	0.53	APPLE:	149.53	6.03
ECHOSTAR:	29.79	1.06	ARRIS GROUP:	5.99	0.17
GE:	38.43	1.42	AVID TECH:	24.63	0.29
HEARST-ARGYLE:	20.69	0.06	BIGBAND:	5.94	0.21
ION MEDIA:	1.45	0.00	BLNDER TONGUE:	1.75	0.35
NEWS CORP:	19.85	0.81	BROADCOM:	20.39	1.12
MSOS					
CABLEVISION:	22.45	1.02	CISCO:	24.98	0.89
CHARTER:	0.94	0.09	COMMSCOPE:	36.99	2.16
COMCAST:	20.14	0.80	CONCURRENT:	0.80	0.10
COMCAST SPCL:	19.82	0.85	CONVERGYS:	15.09	0.03
GCI:	6.33	0.19	CSG SYSTEMS:	11.86	0.49
KNOLOGY:	13.40	0.45	ECHOSTAR HOLDING:	30.19	0.65
LIBERTY CAPITAL:	15.81	0.07	GEMSTAR TVG:	4.82	0.12
LIBERTY ENTERTAINMENT:	22.98	0.34	GOOGLE:	465.71	25.24
LIBERTY GLOBAL:	34.98	0.90	HARMONIC:	7.93	0.33
LIBERTY INTERACTIVE:	16.65	0.51	JDSU:	13.94	0.55
MEDIACOM:	4.46	0.13	LEVEL 3:	2.11	(0.01)
ROGERS COMM:	42.97	0.00	MICROSOFT:	29.50	1.12
SHAW COMM:	19.47	1.29	MOTOROLA:	9.47	0.17
TIME WARNER CABLE:	26.19	1.21	NDS:	50.30	1.43
VIRGIN MEDIA:	14.47	0.40	NORTEL:	7.25	0.56
WASH POST:	672.90	11.40	OPENTV:	1.17	(0.01)
PROGRAMMING					
CBS:	22.86	0.78	PHILIPS:	39.21	0.87
CROWN:	5.25	0.08	RENTRAK:	12.10	0.00
DISCOVERY:	21.76	0.54	SEACHANGE:	7.45	0.42
EW SCRIPPS:	42.50	0.49	SONY:	41.73	1.66
GRUPO TELEVISA:	25.04	0.80	SPRINT NEXTEL:	6.67	(0.02)
INTERACTIVE CORP:	21.22	0.46	THOMAS & BETTS:	38.22	1.85
LIBERTY:	1.00	0.00	TIVO:	8.90	0.14
LODGENET:	6.29	0.20	TOLLGRADE:	5.39	0.15
NEW FRONTIER:	4.48	0.02	UNIVERSAL ELEC:	25.10	0.89
OUTDOOR:	7.41	0.06	VONAGE:	1.96	0.11
PLAYBOY:	8.71	0.38	WEBB SYS:	0.03	0.00
TIME WARNER:	14.59	0.57	YAHOO:	28.50	(0.43)
UNIVISION:	36.23	0.00	TELCOS		
VALUEVISION:	5.74	0.20	AT&T:	39.48	1.18
VIACOM:	40.85	1.24	QWEST:	4.66	0.13
WWE:	18.74	0.13	VERIZON:	37.79	1.34
TECHNOLOGY					
3COM:	2.37	0.08	MARKET INDICES		
ADC:	12.42	0.34	DOW:	12654.36	391.47
ADDVANTAGE:	3.76	0.30	NASDAQ:	2362.75	83.65
ALCATEL LUCENT:	6.02	0.26			

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