

CableFAX Daily™

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What the Industry Reads First

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Retrans Warfare: Deal's Done, But Reverberations Continue

Remember how FCC chmn *Julius Genachowski* said at last month's **ACA Summit** that it didn't seem like there had been many retrans blackouts this election cycle? Well, **DirectTV** took one for the team this week, with high-profile markets like L.A., Chicago and New Orleans losing local stations for 4 days. A deal was signed late Wed with **Tribune** (23 stations and **WGN America** were back on DirecTV at 9pm ET), but don't think this dispute won't be used in Washington. It's already started, with DirecTV saying that a blackout of local stations in 5mln homes "cries out for an examination in Washington, DC, of the decades old telecom law that encourages these impasses." **The American TV Alliance**, of which DirecTV is a member, also weighed in. "This dispute set a new low, with Wall Street bankers and hedge funds needlessly abusing viewers for their own gain," ATVA said. "Until Congress or the FCC reform the rules, the bullying will continue and consumers will continue to lose." And retrans reform flag waver ACA reiterated that just because a deal gets done, it doesn't mean the market is working. "ACA is certain that millions of DirecTV customers callously blacked out by Tribune Broadcasting since April 1 are now painfully aware that the current retrans regime is broken and no longer serves the public interest," ACA pres/CEO *Matt Polka* said, calling on the FCC to complete action on its pending retrans NPRM and for the House and Senate to hold hearings on designing a new system. It was a raucous few days, with DirecTV filing a complaint at the FCC claiming that Tribune had acted in bad faith by reneging on a handshake agreement (Tribune denied there was any deal). Now that an agreement's in place, DirecTV is withdrawing the complaint. "We're pleased that Tribune and their creditors now recognize that all DIRECTV wanted from day one was to pay fair market rates for their channels," said *Derek Chang*, evp, content, strategy and dev for DirecTV. "It's unfortunate that Tribune was willing to hold our customers hostage in an attempt to extract excessive rates, but in the end we reached a fair deal at market rates similar to what we originally agreed to on March 29." Of course, no word on what those rates are. Tribune pres *Nils Larsen* said the company's pleased a deal occurred and that "we truly regret the service interruptions of the last several days." The new deal covers the next 5 years.

Downhill Slide: The writing has been on the wall that the **MountainWest Sports Net** (The Mtn) was nearing the end for months (*Cfax*, 2/21). On Fri, *Sports Business Daily* reported that the channel's 44 employees were told the channel would go dark May 31. Severance packages and priority for openings at **NBC Sports** RSNs, such as up-

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coming **Comcast SportsNet Houston**, will be given, SBD said. The Mtn is owned by **CBS** and **NBCU**.

Chartervision: Charter may have a few of **Cablevision's** former execs, but that doesn't mean the 2 can't powwow together. At least at the **FCC** level. Last month, Cablevision svp, federal affairs *Catherine Bohigian* and Charter federal govt relations manager *Crystal Tully* met with FCC staff in 3 separate meetings to discuss **Frontier** and **Windstream's** petition to charge intrastate originating access rates for intrastate toll traffic that originates in TDM and terminates in VoIP, according to FCC filings. The 2 MSOs said that the relief can't be granted because the FCC's '10 Intercarrier Compensation Order caps rates for traffic that is originated or terminated in VoIP at interstate levels.

In the Courts: The 2nd Circuit US Appeals Court reversed a lower court decision to throw out **Viacom's** \$1bln lawsuit against **YouTube**. While Viacom is obviously pleased, YouTube likes the court's interpretation of protections under copyright law. "All that is left of the Viacom lawsuit that began as a wholesale attack on YouTube is a dispute over a tiny percentage of videos long ago removed from YouTube," the company said, adding that the ruling does not impact the way it operates.

Staying Current: Interesting story out of **Reuters**, which quotes unnamed sources claiming that **Current** could lose carriage with **Time Warner Cable** if it fails to meet a minimum quarterly viewer thresholds. That's significant since last week *Keith Olbermann* was fired (at the quarter's end) and replaced with former NY gov *Eliot Spitzer*. Current told Reuters it's in full contractual compliance and "all indications show that even with Keith leaving we will continue to be in compliance."

Programming: **TNA** reupped its multi-year deal with **Spike TV**, which will continue to be the home of "Impact Wrestling" on Thurs nights. -- **OWN** announced 4 new, primetime series: "Elura and Michele Take Staten Island," 2 best friends mix it up; "Iyanla Fix My Life," *Iyanla Vanzant* helps others; "Married to the Army: Alaska," real Army wives; and "Six Little McGhees," following a family with sextuplets. -- "Real Housewives of NYC" will welcome 3 new ladies when it returns June 4. Bye Jill, Alex and Kelly! (Cindy, we hardly knew you).

Upfronts: Last night's **Bravo** Upfront was perhaps the largest collection of Real Housewives ever in one place, so it was bound to get rowdy. During the execs' brief presentation, Bravo pres *Francis Berwick* actually felt the need to shout "QUIET!" A few things cut through the noise, though: the net's enjoying its 6th consecutive best year, increasing its original production by 27% and moving into the scripted realm. Said *Linda Yaccarino*, named pres, cable entertainment and digital advertising sales, NBCU, late last year: "We all know NBCU has a crazy list of properties. How lucky am I to be making my debut tonight?" She touched on Bravo's newest passion point, Digital by Bravo, while the presentation video noted that the new original series "Silicon Valley" will showcase the net's new direction. Meanwhile, the crowd mingled with the net's many "Bravolebrities," including *Padma Lakshmi* and *Tom Colicchio* of "Top Chef"—and of course, numerous Housewives. Attendees enjoyed a reception with tasty tapas and drinks on one floor at NYC's Center 548, amid a flashy, colored décor populated by Bravo thought bubbles. Post-presentation the group was escorted downstairs to a taping of "Watch What Happens Live," hosted by evp, development and talent, *Andy Cohen*, where housewives duked it out with trivia—East Coast versus West. But despite the taping, the party continued. "It's like I'm not even talking," Cohen told the camera, as he attempted to play host amid noise from the back of the room—where the Upfront invitees sat. The party raged on post-taping on the floor above. -- New series at **Discovery Channel** include competition series "Top Engineer" and classic car restoration series "Fast and Loud." **TLC's** slate of '12-'13 shows features 10-part "Breaking Amish," following the lives of Amish men and women as they experience life outside the Amish community for the 1st time, and "Preacher Ladies," a look at Atlanta-area churches' first ladies in their work with their congregations and at home (both are working titles). Large families are still on the lineup, with TLC announcing an 8-ep series following *Gil and Kelly Bates* and their 19 children. In the "we're hoping this working title doesn't stick" category is **Animal Planet's** "Top Hooker," a fishing competition series. **ID's** slate of summer series includes "Redrum," which as the name suggests, follows a murder tales backwards. **Science** is touting "This Changes Everything." Hosted by *James Woods*, it forecasts future game-changing advances in science and tech. Over at **Velocity**, "Road to LeMans," follows *Patrick Dempsey* as he serves as both owner and driver for an auto racing team tackling the legendary 24 Hours of LeMans. **[More on Discovery's Upfront presentation in the Mon issue].**

Social TV: Check out how **USA** is creating a 2nd screen experience for Sat's premiere of a digitally remastered "To Kill a Mockingbird." Viewers can use **Viggle** to check into the movie and earn points using it to learn more about the film and USA's Characters Unite campaign. USA and Viggle will match the amount of points being generated by fans and make

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a donation of up to \$20,000 to the Characters Unite nonprofit partners championing civil and human rights.

On the Circuit: The Time Warner Cable Learning Center opened at the James Weldon Johnson Community Center in Harlem Wed. The facility boasts flat screen HDTV and DVRs as well as state-of-the-art computers with business class broadband. -- **Time Warner Cable** CFO Irene Esteves was named honorary chair for **NAMIC's** annual awards breakfast, May 23 at the Westin Boston Waterfront.

Public Affairs: USA and The Weinstein Company partnered to promote new feature film "Bully" and the Characters Unite public service campaign to highlight the importance of combating hate and discrimination. USA will raise awareness for the movie this month with a special tagged version of its "I Won't Stand For..." PSA with an adjacent commercial for the film. The Weinstein Company will run the Characters Unite PSA in conjunction with films in theaters across the country.

Oops: HBO's "Treme" fans need not fear. The show, which won a Peabody this week, isn't a part of this month's premieres, but it hasn't been canceled (*Cfax*, 4/5). It will return later this year.

Editor's Note: Check out sister pub *Communications Technology's* free Webinar on how to turn all that customer data into profits, Tues at 1pm ET. http://www.cable360.net/ct/webcasts/2012_10_04/

CableFAX Daily Stockwatch

Company	05/05 Close	1-Day Ch	Company	05/05 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	49.83	0.93	CLEARWIRE:	2.15	(0.05)
DISH:	32.91	0.25	CONCURRENT:	3.61	(0.01)
DISNEY:	43.08	0.15	CONVERGYS:	13.24	(0.06)
GE:	19.49	(0.25)	CSG SYSTEMS:	14.89	0.02
NEWS CORP:	19.76	0.04	ECHOSTAR:	26.98	(0.26)
MSOS					
CABLEVISION:	14.00	(0.01)	GOOGLE:	632.32	(2.83)
CHARTER:	62.76	0.98	HARMONIC:	5.14	(0.04)
COMCAST:	29.56	0.24	INTEL:	28.07	0.14
COMCAST SPCL:	29.11	0.20	JDSU:	13.49	(0.38)
GCI:	8.35	UNCH	LEVEL 3:	26.65	(0.07)
KNOWLOGY:	18.28	0.18	MICROSOFT:	31.52	0.31
LIBERTY GLOBAL:	49.53	0.45	MOTOROLA MOBILITY:	38.83	(0.12)
LIBERTY INT:	19.10	0.11	RENTRAK:	20.30	0.12
SHAW COMM:	21.02	(0.17)	SEACHANGE:	8.10	0.04
TIME WARNER CABLE:	80.84	0.25	SONY:	20.01	0.29
VIRGIN MEDIA:	25.33	(0.07)	SPRINT NEXTEL:	2.76	0.01
WASH POST:	376.17	3.40	THOMAS & BETTS:	71.76	0.02
PROGRAMMING					
AMC NETWORKS:	43.53	0.24	TIVO:	11.51	UNCH
CBS:	33.33	0.34	UNIVERSAL ELEC:	19.05	(0.63)
CROWN:	1.53	0.02	VONAGE:	2.15	(0.01)
DISCOVERY:	51.74	0.81	YAHOO:	15.06	(0.2)
GRUPO TELEVISA:	21.20	0.07	TELCOS		
HSN:	37.14	(0.18)	AT&T:	30.94	(0.19)
INTERACTIVE CORP:	48.85	0.54	VERIZON:	37.66	(0.23)
LIONSGATE:	13.22	0.15	MARKET INDICES		
LODGENET:	3.67	(0.18)	DOW:	13060.14	(14.61)
NEW FRONTIER:	1.66	0.03	NASDAQ:	3080.50	12.41
OUTDOOR:	7.24	0.20	S&P 500:	1398.08	(0.88)
SCRIPPS INT:	48.91	0.51			
TIME WARNER:	36.65	(0.27)			
VALUEVISION:	1.90	0.01			
VIACOM:	51.11	0.72			
WWE:	8.33	(0.23)			
TECHNOLOGY					
ADVANTAGE:	2.53	0.13			
ALCATEL LUCENT:	2.15	(0.04)			
AMDOCS:	31.50	(0.02)			
AMPHENOL:	59.33	(0.31)			
AOL:	18.42	(0.03)			
APPLE:	633.68	9.37			
ARRIS GROUP:	11.42	0.40			
AVID TECH:	10.30	(0.06)			
BLNDER TONGUE:	1.27	(0.07)			
BROADCOM:	37.40	(0.14)			
CISCO:	20.22	(0.14)			

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PROGRAMMER'S PAGE

Upfront-ology

With the Upfront season in full swing, we thought we'd take a moment to acknowledge a few nets presenting on the circuit that have gone above and beyond.

Best Party: FX. On midtown's windy west side, FX threw a bowling tournament at Lucky Strike. Good form. There's nothing like bowling shoes to bring stars like *Louie C.K.*, *Timothy Olyphant* and *Charlie Sheen* down to earth and approachable.

Best Design: Bravo. To signify its brand new passion point, Digital by Bravo, the net strung neon colored lights on the ceilings, walls and elevators of Center 548's pristine white spaces. And since the theme was all things digital, a slew of tablets, smartphones and laptops mounted on a wall caught attendees' attention at the reception's entryway.

Best Reveal: Cartoon Network. Celebrating its 20-year anniversary, CN brought out actors playing the voices behind the net's most popular characters. Joining was an guy in a lab coat, charged with physically producing the sound—by banging on a shopping cart, throwing some tires together and playing some music blocks. The birthday party finished strong: Curtains parted, revealing an entire symphony playing the score.

Most Sarcastic: IFC. IFC's first Upfront featured MC *Scott Aukerman* of upcoming show "Comedy Bang! Bang!" roasting the net and its execs. "Every since my parents came home with that first cable box, it's always been my dream to host an IFC upfront." The net does in fact know its audience, and it's attracting more of them. "We've lived with them in their environment, like 'Gorillas in the Mist,'" said evp/gm *Jennifer Caserta*.

Most Family-Friendly: Disney. Sitting pretty at the top of the kids 6-11 demo, Disney let advertisers and their families hob-knob with **Disney Channel's** *Debby Ryan*, take photos with Marvel characters and make flipbooks. If nothing less, the advertisers present will likely never hear the end of it from their kids. Point Disney. *KH*

Reviews: "Magic City," premiere, Fri, 10p, **Starz.** Starz chief *Chris Albrecht's* fingerprints are all over this high-quality merging of "The Sopranos" and "Mad Men." The music, sets and costumes are excellent and creator/former Miami hotel employee *Mitch Glazer* has perfectly portrayed the hotel biz. Like *Mad Men*, "Magic" develops slowly, but it's addicting. -- "Nurse Jackie," season IV debut, Sun, 8p, **Showtime.** One of cable's best ensembles gets even stronger by adding *Bobby Cannavale* as a no-nonsense hospital administrator who doesn't give drug-addicted, nearly divorced Nurse Jackie (the wonderful *Edie Falco*) a break. Good, you're saying. True. -- "Wilson Phillips: Still Holding On," premiere, Sun, 9p, **TV Guide Network.** A promising reality pilot; but it's serious material as *Carnie Wilson's* health issues endanger the band's reunion tour. -- "Hotel Impossible," premiere, Mon, 10p, **Travel.** Reality series often rise or fall on the backs of their talent. Here it's *Anthony Melchiorri* making like *Gordon Ramsay*, but resuscitating dying hotels. He's far less ornery and foul-mouthed than Ramsay, making him more palatable, but viewers tend to favor outrageous characters.

Basic Cable Rankings (3/26/12-4/01/12)			
Mon-Sun Prime			
1	USA	2	1979
2	DSNY	1.5	1496
2	FOXN	1.5	1467
4	TBSC	1.4	1404
5	HIST	1.3	1320
5	TNT	1.3	1243
7	ESPN	1.1	1113
7	A&E	1.1	1048
9	FX	1	986
9	FAM	1	945
9	DSE	1	69
12	ADSM	0.9	882
12	HGTV	0.9	868
14	FOOD	0.8	830
14	SYFY	0.8	778
14	LIFE	0.8	745
14	AMC	0.8	744
14	TRU	0.8	709
14	NKJR	0.8	581
20	DISC	0.7	737
20	MTV	0.7	705
20	TLC	0.7	697
20	BET	0.7	683
20	TVLD	0.7	672
20	CMDY	0.7	667
20	SPK	0.7	662
27	NAN	0.6	635
27	MSNB	0.6	618
27	BRAV	0.6	577
27	ID	0.6	509
31	APL	0.5	512
31	VH1	0.5	477
31	CNN	0.5	474
31	HALL	0.5	461
31	LMN	0.5	444
31	NGC	0.5	389
37	EN	0.4	388
37	HLN	0.4	365
37	ESP2	0.4	346
37	OXYG	0.4	287
37	NKTN	0.4	246
42	TRAV	0.3	305
42	DXD	0.3	257
42	WE	0.3	247
42	H2	0.3	239
42	OWN	0.3	236

*Nielsen data supplied by ABC/Disney



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