

CableFAX Daily™

Wednesday — April 11, 2007

What the Industry Reads First

Volume 18 / No. 070

Christmas in April: Liberty Says DirecTV Deal Isn't a Free Ride for Rivals

Kevin Martin isn't Santa Claus, and John Malone's not the Grinch. That was gist of Liberty's comments on some of the conditions being suggested for its proposed acquisition of News Corp's controlling stake in DirecTV. "Like letters to the North Pole in early December, petitioners and commenters identify in their submissions a wide variety of regulatory gifts that each would like to receive in this proceeding—none of which has any relationship to the transfer application," Liberty told the FCC in a filing Mon. Proposed conditions have included a ban on exclusive agreements with 3rd party programmers and program access requirements for Discovery. Discovery weighed in on that suggestion, made by ACA and EchoStar, saying it's not even a party to the deal and that it's already subject to some program access rules as a result of Advance/Newhouse's ownership interest. Like Liberty, Discovery accused the 2 of grasping at straws in an attempt to change existing rules that they don't like (i.e., ACA's concern over volume discounts). While Discovery argues that its owners aren't part of the deal, ACA and DISH believe there's clear overlap of ownership and interest between Liberty and Discovery. Liberty has said it will accept the same conditions that News Corp did 3 years ago when the FCC approved its acquisition of the DirecTV stake, but many want more (DISH has warned that Malone operated TCI "ruthlessly" in acquiring and creating programming, and in its treatment of unaffiliated video providers and programmers). Meanwhile DirecTV is speaking out against Hispanic Information & Telecommunications Network, which has urged the FCC to deny the deal. The DBS provider said it recently informed the public interest broadcaster that it would no longer be carried as of June. DirecTV intends to replace it with Spanish-language noncommercial programming that it believes would be of greater interest to subs. "Not surprisingly, HITN is unhappy about this," DirecTV told the Commission.

Crier Adjourned: Court TV canceled long-running series "Catherine Crier Live," a decision that reflects its move to more action-oriented programming. Crier's last show is slated for Apr 27. The timeslot will be filled, at least temporarily, by "Psychic Detectives." "As part of Court TV's re-branding strategy, we have decided not to renew the 'Catherine Crier Live' show. The 5-6pm hour is slated to feature the type of real-life stories that have given our prime-time line-up such strong ratings momentum," the net said. Crier, who was entering her 8th year at Court, has been one of the net's most recognizable personalities and a frequent participant at industry events.

Competition: Qwest plans to launch in 2Q an as-yet-unnamed broadband VOD service available to customers who have PCs running Windows XP or Windows Vista operating system.

Out at Digital Homes: The NY Yankees' (3-3) early season woes seem to have infiltrated YES' newly launched HD channel. Fans who tuned in to the net's Mon telecast of the team's 1st road game were greeted with Jeter & Co in minor league standard-def. Net officials blamed the problem on a third-party "routing error" and said steps have been taken to prevent a reoccurrence. YES backs up each game with a standard-def feed, protocol that ensured the Yanks

A line-up worth watching.

Bill Shaw President/GM
Chris Gilpatrick SVP/Affiliate Sales
Chris Manning VP/General Sales Manager
(212) 210-5900



**RENO
911!**

Coming this fall to ...



CABLEFAX DAILY (ISSN 1069-6644) is published daily by Access Intelligence, LLC ● www.cablefax.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 ● Associate Publisher: Amy Abbey, 301/354-1783, aabbey@accessintel.com ● Marketer: Doreen Price, 301/354-1793, dprice@accessintel.com ● Marketing Director: Carol Bray, 301/354-1763, cbray@accessintel.com ● Prod: Joann Fato, cfato@accessintel.com ● Scott Gentry/VP and Group Publisher ● Online Publisher, Alison Johns, 212/621.4642 ● Paul Maxwell/Columnist. Subs/Client Services: 301/354-2101, fax 301/309-3847 ● Group Subs : Angela Gardner, 757/531-1369, cfaxgroupsub@accessintel.com

could be seen beating the MN Twins—even if dirt patterns on players' uniforms couldn't.

In the Courts: Cablevision on Tues filed an appeal of last month's federal court ruling that determined its planned network DVR service would have violated content providers' copyrights (*Cfax*, 3/26). The MSO filed the appeal in the US Court of Appeals for the 2nd Circuit.

Broadband: A partnership with Viacom makes Yahoo! the exclusive provider of sponsored search and contextual ads to all of Viacom's 33 broadband sites, including MTV.com and Nickelodeon.com. It's a significant deal for Yahoo!'s new search marketing system, dubbed "Panama."

Marketing Web: Comcast is caught in the web of "Spider-Man 3" and now offers subs exclusive multiplatform access to the film's 4th trailer due out May 4. Content is available on VOD and online at Comcast.net and Spiderman3onComcast.net, and more material related to the film and the forthcoming video game will be available in the coming weeks.

Mobile: Si TV tapped Soapbox Media to develop on-air mobile promotions and sweepstakes, programming alerts and content that ties into the network's programming.

Technology: Anystream introduced an ad management solution that serves ads to VOD, the Internet and mobile outlets. -- Widevine's "Cypher" DRM solution now supports the Adobe Flash video format, enabling content owners to protect against unauthorized copying of the most ubiquitous video format in use today.

Ratings: Are they now sleeping with the fishes or were they simply otherwise engaged Sun night? That's the question surrounding viewers of HBO's "The Sopranos," the final season premiere of which earned 7.7mln total viewers, down 1.8mln versus last season's premiere ep and 900K less than last season's Sun avg. The net said it's not worried—or receiving any threats from made men—because fans of the show now watch more eps on replay nights and via VOD. Meanwhile "Entourage," which now plays after Tony and the boys, earned 3.8mln total viewers, a 1.4mln increase over last season's Sun average. -- Disney (1.8/1.60mln) and TNT (1.7/1.62mln) ascended to the top 2 spots in last week's prime ratings race, slipping by recent prime ratings dominator USA (1.6/1.53mln), which notched 3rd position. Cartoon Net (1.3/1.17mln) and Fox News (1.3/1.16mln) completed the top 5. **Brag Book: TV One** notched its highest ratings ever during the 1st night of its 30th anniv telecast of "Roots." Ep 1 of the mini series received a 1.1 HH rating Sun—the rating soared to 6.2 in African American HHs. -- The Sun installments of Discovery Channel's "Planet Earth" continued the franchise's success, with each 1-hour block earning a 3.0/2.84mln.

Programming: TLC is swapping out "Trading Spaces" from its Sat night property programming block and adding new series "The Real Deal" and "My First Home" (Apr 21, 9pm). It offers respective looks at turning a profit in a down housing market and the purchase of new homes from scouting to selection to settlement. -- Speed is throttling up for a week of content surrounding the NASCAR Nextel All-Star Challenge (May 19) that culminates in 48 consecutive hours of race programming. -- Here! will bow later this month "here! at the Movies," a film review show to air on-air and online.

Dems Shun Fox: After luring fewer viewers than CNN during Nov election coverage, Fox News on Mon faced 2 more election-coverage setbacks. Citing its lack of sanctioning by the Democratic National Convention, the camps of US presidential hopefuls Hillary Clinton and Barack Obama said the pair will not participate in a Sept 23 Democratic debate

EXPERIENCE MUSIC

Exclusive High-Def Premiere Sunday 9^{PM} ET

The Black Eyed Peas - Live from Sydney to Vegas

Call Bill Padalino at 973-835-3780 or bpadalino@hd.net
to add HDNet and HDNet Movies to your HD line-up today.



The reason HDTV was invented.

BUSINESS & FINANCE

co-hosted by the net with the **Congressional Black Caucus Political Education and Leadership Institute**. But a debate to be staged by the CBC and CNN will see Obama and Clinton participate, and likely *John Edwards*, who last week was the 1st candidate to say he'd forego the Fox debate.

On the Circuit: The **Kaitz Foundation** presents its annual supplier diversity workshop at **NCTA's** "The Cable Show '07." Speakers include **Time Warner Cable** pres/CEO *Glenn Britt*, **Comcast** COO *Stephen Burke* and **Cablevision** COO *Tom Rutledge*.

People: **Fox Cable Nets** promoted *Oren Lieber* to vp, national accounts, affil sales & marketing, and named *Matt Grim* dir, affil sales & marketing, **Fox Sports en Espanol**. -- **A&E** promoted *Sean Cohen* to svp, international. -- **SeaChange** promoted *Tom Rosenstein* to vp, product marketing and alliances. -- *Roberto Perez-Irausquin* was named multicultural marketing manager strategist for **Cox**. -- *Tony Maddox* was promoted to evp/managing dir, **CNN Intl**.

Business/Finance: **NTN Buzztime's** board approved the repurchase of up to \$3.5mln of its common stock in a program expected to continue over the next 18 months. -- Interactive video software firm **Ensequence**, which counts **MTV**, **MLB** and **Disney** as clients, completed a \$40mln Series C funding round to continue global expansion and open offices in L.A. and NY.

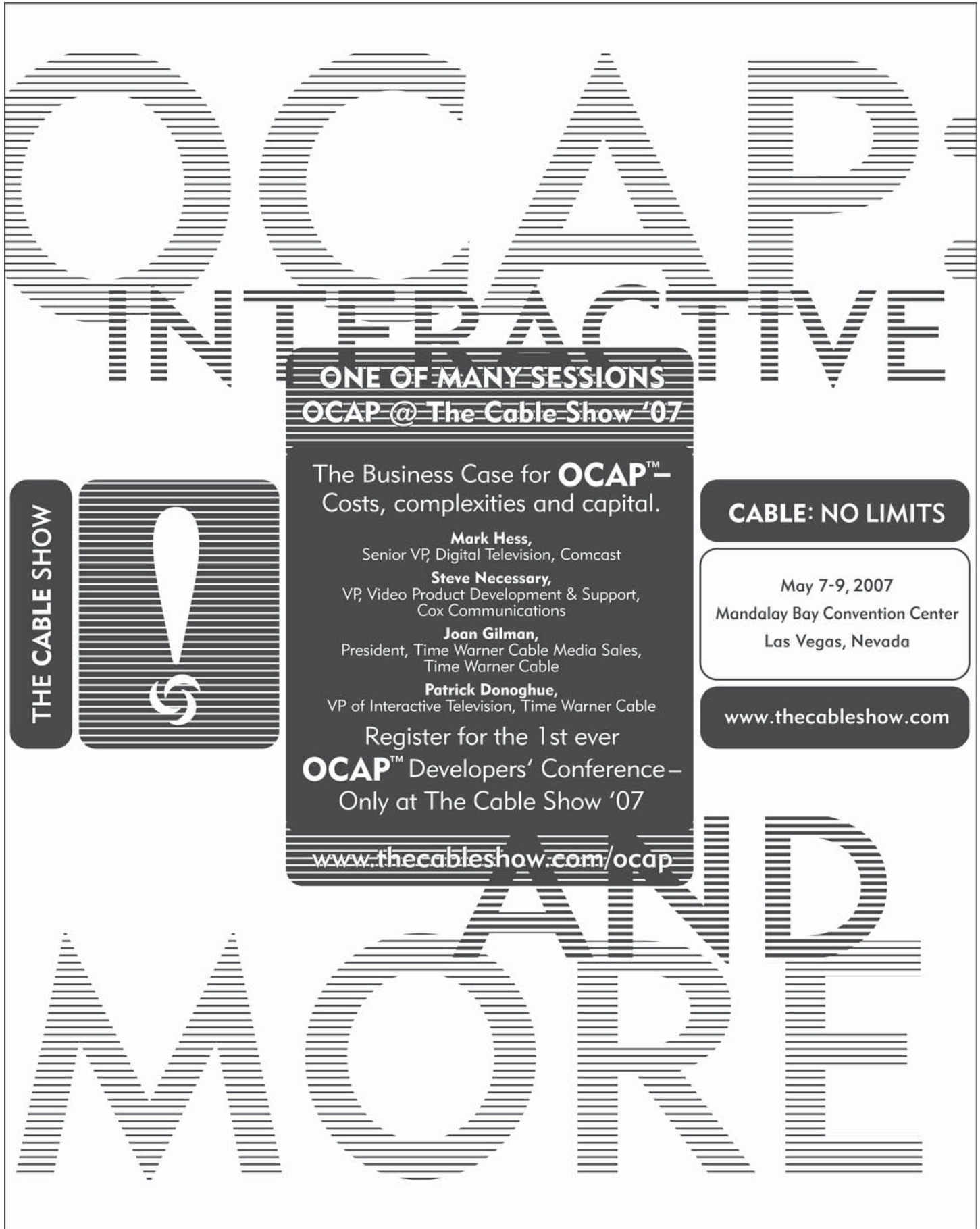
CableFAX Daily Stockwatch

Company	04/10 Close	1-Day Ch	Company	04/10 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BROADCASTERS/DBS/			AMPHENOL:	33.67	0.10
BRITISH SKY:	45.21	0.78	ARRIS GROUP:	14.69	0.05
DIRECTV:	23.74	0.16	AVID TECH:	35.75	0.15
DISNEY:	34.99	0.08	BLNDER TONGUE:	1.99	(0.02)
ECHOSTAR:	45.90	0.76	BROADCOM:	32.34	(0.07)
GE:	34.88	0.10	C-COR:	13.94	0.04
HEARST-ARGYLE:	27.65	0.19	CISCO:	25.99	(0.21)
ION MEDIA:	1.30	0.00	COMMSCOPE:	44.03	0.65
NEWS CORP:	25.20	0.18	CONCURRENT:	1.47	(0.02)
TRIBUNE:	32.75	0.00	CONVERGYS:	25.99	0.02
MSOS					
CABLEVISION:	30.86	0.16	CSG SYSTEMS:	24.91	0.07
CHARTER:	2.84	0.08	GEMSTAR TVG:	4.27	0.00
COMCAST:	26.71	0.25	GOOGLE:	466.50	(1.71)
COMCAST SPCL:	26.26	0.28	HARMONIC:	10.53	0.01
GCI:	14.51	0.16	JDSU:	15.18	0.04
KNOLOGY:	16.30	0.04	LEVEL 3:	6.15	(0.11)
LIBERTY CAPITAL:	112.44	(0.26)	MICROSOFT:	28.40	(0.17)
LIBERTY GLOBAL:	34.88	(0.03)	MOTOROLA:	17.68	0.03
LIBERTY INTERACTIVE:	24.31	0.29	NDS:	51.70	1.06
MEDIACOM:	8.51	0.01	NORTEL:	24.04	(0.11)
NTL:	28.22	0.00	OPENTV:	2.47	(0.02)
ROGERS COMM:	34.79	0.62	PHILIPS:	39.84	0.92
SHAW COMM:	38.55	0.18	RENTRAK:	15.07	0.07
TIME WARNER CABLE:	37.35	0.40	SEACHANGE:	8.47	0.18
WASH POST:	750.00	2.50	SONY:	54.01	0.76
PROGRAMMING					
CBS:	31.40	0.20	SPRINT NEXTEL:	19.33	0.06
CROWN:	5.39	0.19	THOMAS & BETTS:	49.91	(0.11)
DISCOVERY:	20.56	0.39	TIVO:	6.28	0.11
EW SCRIPPS:	44.15	0.37	TOLLGRADE:	12.25	(0.1)
GRUPO TELEVISA:	30.86	(0.18)	UNIVERSAL ELEC:	27.03	(0.96)
INTERACTIVE CORP:	38.64	0.44	VONAGE:	3.01	(0.02)
LODGENET:	31.75	0.00	VYYO:	7.10	0.20
NEW FRONTIER:	8.95	(0.03)	WEBB SYS:	0.05	0.01
OUTDOOR:	10.78	0.48	WORLDGATE:	0.67	0.00
PLAYBOY:	10.01	(0.09)	YAHOO:	31.69	0.05
TIME WARNER:	21.01	0.00	TELCOS		
UNIVISION:	36.23	0.00	AT&T:	39.45	0.12
VALUEVISION:	12.37	0.29	QWEST:	8.84	(0.11)
VIACOM:	40.62	(0.38)	VERIZON:	37.80	(0.2)
WWE:	16.17	0.09	MARKET INDICES		
TECHNOLOGY					
3COM:	3.97	0.03	DOW:	12573.85	4.71
ADC:	17.27	(0.1)	NASDAQ:	2477.61	8.43
ADVANTAGE:	4.21	0.24			
ALCATEL LUCENT:	12.53	0.18			
AMDOCS:	36.80	0.05			

WANT SOME PERSPECTIVE?



CABLE360.NET, THE BIG PICTURE NETWORK.



ONE OF MANY SESSIONS
OCAP™ @ The Cable Show '07

The Business Case for **OCAP™** –
Costs, complexities and capital.

Mark Hess,
Senior VP, Digital Television, Comcast

Steve Necessary,
VP, Video Product Development & Support,
Cox Communications

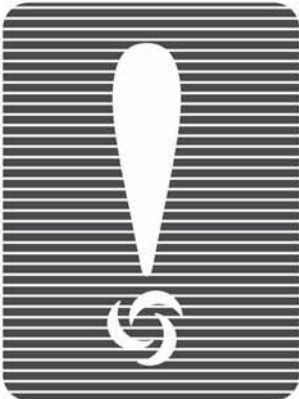
Joan Gilman,
President, Time Warner Cable Media Sales,
Time Warner Cable

Patrick Donoghue,
VP of Interactive Television, Time Warner Cable

Register for the 1st ever
OCAP™ Developers' Conference –
Only at The Cable Show '07

www.thecableshow.com/ocap

THE CABLE SHOW



CABLE: NO LIMITS

May 7-9, 2007
Mandalay Bay Convention Center
Las Vegas, Nevada

www.thecableshow.com

MORE