

# CableFAX Daily™

Monday — April 18, 2011

What the Industry Reads First

Volume 22 / No. 073

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## Back Again: Fox, Discovery Nets Rejoin TWC iPad App

Time Warner Cable posted on its blog Fri afternoon that it is adding Fox nets Nat Geo, FX and Fox News as well as Discovery Comm's Discovery Channel, TLC and Animal Planet to its iPad app. Those 6 nets were removed from the service at the end of Mar following objections and cease & desist letters from the programmers. TWC also removed nets from Viacom, and has since asked a court to rule that it's within its rights to deliver Viacom programming to devices inside customers' homes, including iPads. Viacom is suing TWC over the service, saying it did not gain the proper rights to offer its channels on the app. When TWC removed the nets Mar 31, it said it believes it has every right to carry the programming on the iPad app and that it would continue to fight to do so. TWC, Fox and Discovery declined comment Fri. Cablevision has been carrying all of those nets on its own iPad app, which launched Apr 2. Viacom and YES have both raised objections publicly over CVC's app, but it's not known if anyone has pursued legal action. TWC was pretty quiet about the nets' return, simply telling customers via its blog that it has some "good news for a Fri." The channels were supposed to be back on the app Fri afternoon. The quiet return contrasts the nets' removal, in which the MSO's blog went in more detail, saying that the programmers "don't want us to talk about this publicly for fear of bad PR..." We're not sure if a truce has been reached, but if it has, new NCTA chief Michael Powell will have one less headache when he takes over the assoc Apr 25.

**Game On:** Comcast's argument in Tennis Channel's carriage complaint case at the FCC is that it would be "economic folly" to carry the net more broadly. That's according to a redacted version of the MSO's testimony in the upcoming complaint, which will be heard before an FCC administrative law judge Apr 26. Just how much more that broader distribution would cost Comcast is unclear since the figure is blacked out of testimony. We're still wading through the 237-page document, but the gist is that Comcast believes the ALJ should dismiss Tennis' claim without granting additional carriage. If the ALJ does order increased distribution "at the [redacted], then Tennis Channel should not be entitled to receive hundreds of millions in additional fees," Comcast said, adding that NHL Net has "far more valuable programming" than Tennis and its fees are only about "redacted" (darn it!) per sub per month for carriage on the D1 service tier. Any fees that Tennis is permitted to charge for increased distribution should be lower than NHL Net's fee, Comcast said. Comcast has a minority stake in NHL Net. Tennis' testimony could not be obtained by deadline Fri. The net claims Comcast favors its own nets, Ver-

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PR Tactics, Tools and Techniques for Maximizing Facebook

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NYC

Tuesday, May 24, 2011  
Grand Hyatt, New York City

**Questions:**Contact Amy Jefferies at [ajefferies@accessintel.com](mailto:ajefferies@accessintel.com)

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**sus** and **Golf**, by giving them better distribution. Comcast's testimony rejected that argument, saying they were launched 8 years before Tennis when market conditions were quite different. In fact, Comcast declares that the '03 Tennis launch came during "arguably one of the most difficult periods in history to launch a new network." Around its launch, Tennis agreed to sports tier deals with Comcast, **Time Warner Cable**, **NCTC** and others, and Comcast maintains that it is adhering to that deal but is open to talks with Tennis. Comcast plans to have both *Matt Bond* and current content acquisitions evp *Gregory Rigdon* testify. Its expert witness list includes *Michael Egan*, former **Cablevision** svp, programming & prod dev.

**CTO:** **Cox** finally has a CTO again, tapping former **Clearwire** CTO *Kevin Hart* for the job. He'll make the move to Atlanta from Seattle, starting the gig on Apr 25. *Scott Hatfield* resigned as Cox's CTO in June, with the company tapping former BellSouth exec *Don Hallacy* as interim CTO in Dec. Hart was among several sr Clearwire execs, including CEO *Bill Morrow*, to resign last month. Hiring a Clearwire exec is interesting as Cox is in the midst of its own wireless rollout, with plans to offer the service to more than half its footprint by year-end. Cox launched mobile and wireless HSD service throughout OK City and Tulsa a few weeks ago, with the MSO's New England market (RI, CT and Cleveland) next up to bat.

**In the States:** **Comcast** launched VOD in several CO communities including Vail, Breckenridge and Beaver Creek.

**Marketing:** Using the eponymous *Salt-N-Pepa* song in spots, cable in a new \$10mln national marketing campaign asks subs to "Push It"—the VOD button, that is. 12 of the top cable ops and 10 major movie studios have joined for the year-long **Movies On Demand** campaign featuring 60 recent hit movie titles. Many are available day-and-date.

**Cox** svp, branding, advertising and social media *Joe Rooney*, who co-chairs the Movies on Demand initiative, said "the current movie rental climate is a pivotal time" to promote VOD. A spot example is available at [youtube.com/watch?v=gjNpSVnp8uk](http://youtube.com/watch?v=gjNpSVnp8uk). **iN Demand** said 132 VOD movies were released day-and-date in '10, more than double the number in '09. And citing **Rentrak** data, the company said paid VOD transactions increased 11% last year to 116mln.

**Ratings:** **Versus** averaged more than 534K viewers for its **NHL** playoffs opening night triple-header, marking a 12% YOY bump and the net's best opening night in its 6 years of playoffs coverage. The hot start followed a record-setting regular season in which the net averaged 259K (+18%) HH impressions and 353K (+18%) viewer impressions for 53 games.

**Programming:** **TNT** picked up **CBS** drama "Hawaii Five-O" for air beginning summer '14. -- Created to honor African-American achievement in diverse fields such as law, religion and ent, the **19th Annual Trumpet Awards** premieres Apr 24 on **TV One**. US Attorney General *Eric Holder*, **NBCU** evp/chief diversity officer *Paula Madison* and *Al Sharpton* are among the recipients. -- A new global unit of **Discovery Studios** focused on developing major content franchises for Discovery's global channels business inked dev deals with **Shine Group**, **All3Media** and **WTFN**. -- **Syfy**'s summer slate includes original reality series "Haunted Collector" (June 1) tracking a family of paranormal investigators and "Legend Quest" (July 13), featuring archaeologist *Ashley Cowie*'s travels in search of mysterious artifacts. Also new is "Alphas" (July 11) an original drama following a team of ordinary citizens with special mental and physical abilities.

**Give Us Liberty:** **Liberty Media** on Thurs night pulled off another intimate, understated and thought-provoking event in DC to celebrate its 2nd annual "Media for Liberty" award. This year the honor—created by Liberty chmn *John Malone* and CEO *Greg Maffei* to laud journalism covering economic and political liberties—went to *The Atlantic*'s *Don Peck* for a piece about the recession. One chilling finding: High joblessness can adversely affect society for decades as skills decline and work rhythms retard. Of course, there were lighter moments, such as when Malone told the crowd (including several lawmakers) that Maffei is probably waiting until he's richer before going into politics. And the keynote by *Stephen Dubner*, co-author of *Freakonomics* and *Superfreakonomics*, included self-described "disgusting" anecdotes about manure and human waste but also a point about how societal advances can actually breed discontent as people experience "diminishing returns of satisfaction." For example: smartphones do more than ever, but people still complain about what they can't yet do.

**People:** **Nat Geo** evp, global content *Steve Burns* is leaving the company in the next few weeks, with svp, prod *Michael Cascio* tapped to serve as interim head of global programming during the search for a successor. Under Burns, Nat Geo earned its 1st Oscar nomination, for "Restrepo." -- *Bob Okun*, long-time head of **NBCU**'s DC govt affairs office, plans to depart to establish his own govt relations firm, The "O" Team, starting July 1. He'll continue to advise the office through the end of June. **Comcast** and **NBCU** will each continue to run separate lobbying operations, but both report into *Kyle McS-larrow*, pres of Comcast/NBCU for DC. -- **Showtime Nets** welcomed *Amy Britt* as svp, talent and casting.

**CableFAX Week in Review**

Company	Ticker	4/15 Close	1-Week % Chg	YTD %Chg
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**BROADCASTERS/DBS/MMDS**

DIRECTV:	DTV	46.89	0.88%	40.60%
DISH:	DISH	23.20	(2.48%)	11.70%
DISNEY:	DIS	41.52	(0.57%)	28.74%
GE:	GE	20.04	(0.74%)	32.45%
NEWS CORP:	NWS	18.46	0.87%	15.95%

**MSOS**

CABLEVISION:	CVC	33.63	0.96%	30.25%
CHARTER:	CHTR	55.30	0.89%	0.00%
COMCAST:	CMCSA	24.49	(0.77%)	45.26%
COMCAST SPCL:	CMCSK	23.07	(0.77%)	44.10%
GCI:	GNCMA	11.25	1.17%	76.33%
KNOLOGY:	KNOL	14.14	1.58%	29.49%
LIBERTY CAPITAL:	LCAPA	76.31	1.67%	219.56%
LIBERTY GLOBAL:	LBTYA	43.28	1.00%	97.72%
LIBERTY INT:	LINTA	16.70	(0.89%)	54.06%
SHAW COMM:	SJR	19.97	(7.37%)	(2.92%)
TIME WARNER CABLE:	TWC	72.81	(0.05%)	75.91%
VIRGIN MEDIA:	VMED	27.91	1.31%	65.83%
WASH POST:	WPO	436.08	(1.53%)	(0.8%)

**PROGRAMMING**

CBS:	CBS	24.34	0.29%	73.24%
CROWN:	CRWN	2.17	(8.44%)	49.66%
DISCOVERY:	DISCA	40.06	(0.02%)	30.62%
GRUPO TELEVISIA:	TV	22.47	(2.47%)	8.24%
HSN:	HSNI	32.19	(1.41%)	59.44%
INTERACTIVE CORP:	IACI	31.24	0.87%	52.54%
LIBERTY:	L	42.48	(1.21%)	16.86%
LIBERTY STARZ:	LSTZA	77.53	(0.88%)	68.00%
LIONSGATE:	LGF	6.45	(1.98%)	11.02%
LODGENET:	LNET	3.32	(11.23%)	(39.96%)
NEW FRONTIER:	NOOF	1.76	(14.98%)	(6.88%)
OUTDOOR:	OUTD	7.05	(2.08%)	21.55%
SCRIPPS INT:	SNI	49.94	(1.21%)	20.34%
TIME WARNER:	TWX	36.05	1.64%	23.71%
VALUEVISION:	VVTV	5.73	(2.39%)	19.38%
VIACOM:	VIA	53.05	(1.61%)	68.41%
WWE:	WWE	11.26	(9.92%)	(26.55%)

**TECHNOLOGY**

ADVANTAGE:	AEY	3.15	4.30%	59.90%
ALCATEL LUCENT:	ALU	5.96	4.01%	79.52%
AMDOCS:	DOX	29.35	1.73%	2.87%
AMPHENOL:	APH	53.03	0.82%	14.83%
AOL:	AOL	19.78	(1.44%)	(15.03%)
APPLE:	AAPL	327.46	(2.27%)	55.39%
ARRIS GROUP:	ARRS	12.62	(0.86%)	10.41%
AVID TECH:	AVID	21.39	(2.99%)	67.63%
BIGBAND:	BBND	2.54	2.83%	(26.16%)
BLNDER TONGUE:	BDR	2.23	1.96%	95.88%
BROADCOM:	BRCM	38.23	(4.19%)	21.48%
CISCO:	CSCO	17.03	(3.51%)	(28.86%)
CLEARWIRE:	CLWR	5.95	(0.5%)	(11.98%)
CONCURRENT:	CCUR	5.86	(2.66%)	47.98%
CONVERGYS:	CVG	14.02	(0.71%)	30.42%
CSG SYSTEMS:	CSGS	20.32	(0.88%)	6.44%

Company	Ticker	4/15 Close	1-Week % Chg	YTD %Chg
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ECHOSTAR:	SATS	36.51	0.11%	81.28%
GOOGLE:	GOOG	530.70	(8.21%)	(14.4%)
HARMONIC:	HLIT	8.99	(2.49%)	42.25%
INTEL:	INTC	19.75	(1.35%)	(3.19%)
JDSU:	JDSU	18.50	(4.15%)	124.24%
LEVEL 3:	LVLT	1.73	19.79%	12.75%
MICROSOFT:	MSFT	25.37	(2.69%)	(16.77%)
RENTRAK:	RENT	23.91	(5.27%)	35.31%
SEACHANGE:	SEAC	10.39	(5.11%)	58.38%
SONY:	SNE	29.69	(2.91%)	2.38%
SPRINT NEXTEL:	S	4.81	1.69%	31.42%
THOMAS & BETTS:	TNB	59.10	1.44%	65.13%
TIVO:	TIVO	8.64	0.12%	(15.13%)
TOLLGRADE:	TLGD	10.06	0.10%	64.65%
UNIVERSAL ELEC:	UEIC	28.68	2.03%	23.51%
VONAGE:	VG	5.00	8.93%	257.14%
YAHOO:	YHOO	16.62	(0.89%)	(0.95%)

**TELCOS**

AT&T:	T	30.65	(0.2%)	9.35%
VERIZON:	VZ	37.85	0.34%	14.25%

**MARKET INDICES**

DOW:	DJI	12341.83	(0.31%)	18.35%
NASDAQ:	IXIC	2764.65	(0.57%)	21.84%
S&P 500:	GSPC	1319.68	(0.64%)	15.28%

**WINNERS & LOSERS**

**THIS WEEK'S STOCK PRICE WINNERS**

COMPANY	CLOSE	1-WK CH
1. LEVEL 3:	1.73	19.79%
2. VONAGE:	5.00	8.93%
3. ADVANTAGE:	3.15	4.30%
4. ALCATEL LUCENT:	5.96	4.01%
5. BIGBAND:	2.54	2.83%

**THIS WEEK'S STOCK PRICE LOSERS**

COMPANY	CLOSE	1-WK CH
1. NEW FRONTIER:	1.76	(14.98%)
2. LODGENET:	3.32	(11.23%)
3. WWE:	11.26	(9.92%)
4. CROWN:	2.17	(8.44%)
5. GOOGLE:	530.70	(8.21%)

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