

# CableFAX Daily™

Tuesday — May 22, 2007

What the Industry Reads First

Volume 18 / No. 099

## State Franchise Recap: A Look at the Lay of the Land

With the 1st half of 2007 nearly over, the scorecard for state video franchise legislation stands at 4-4 going into halftime. Florida became the latest state to enact such rules, with Gov *Charlie Crist* signing it into law on Fri. MO, IA and GA have passed similar legislation (IA and GA still need the gov's signatures). But along with victory, there's defeat. Two states—UT and CO—voted down bills in committee this year. That's somewhat unique because most of last year's failed legislation stemmed from lawmakers running out of time, said **NCTA** vp, state govt affairs *Rick Cimerman*. Two other states also failed to pass legislation, with WA tabling a bill to potentially take it up next year and ID's sponsor withdrawing legislation (all of the defeats took place in **Qwest** territory). The score for defeats actually bumps up to 5 if one includes MN, which seems to be keeping legislation permanently in committee, Cimerman said. 8 states, primarily in **AT&T** territory, still have bills on the front burner: CT, IL, MA, NV, NY, OH, TN and WI. TN appears the least likely to pass a bill this year. Its General Assembly only has about a month left but several big pieces of legislation to take up—including the budget and Gov *Phil Bredesen's* cigarette tax increase. TN's sen commerce cmte is slated to take the bill up this week, a senate staffer said. Cimerman handicaps NV, OH and WI as the most likely to pass. Another state worth watching is PA. Last Oct, the sponsors of state franchising bills dropped the legislation but seem prepared to reintroduce the measures. It has been pretty quiet until recently, however, with State Rep *Todd Eachus* (D)—not one of the original sponsors—announcing that he plans to introduce his own bill that would create a statewide franchising law and put it under the auspices of the Public Utility Commission. It's unclear if **Verizon** will be enthusiastic about the proposal. The **Broadband Cable Assoc of PA** is reserving judgment until it sees the bill. Interestingly, AT&T has more territory covered by state franchises, but Verizon, which has applied for local franchises, has a significant lead in video customers—348K vs 20K at the end of 1Q. As for NCTA, its rallying cry continues to be, "No more Texas." Said Cimerman: "Since 2005 when the TX bill passed, not a bill has passed that would grant a 'new entrant' all the breaks while the existing providers get no benefit from the new scheme." -- For those playing at home who want to put red pushpins into their US maps, here's a list of states where lawmakers have passed franchising legislation: CA, TX, KS, SC, NC, VA, IN, NJ, MI, FL, MO, GA and IA.

**Sports Tier Chatter:** *Karen Chattertown*, 55, of Tucson, AZ, says she's not a shill for the **NFL Net**. "I'm just a big NFL fan. I love football," she told **Cfax** Mon. Chattertown, a retired media teacher, can be seen on **YouTube** telling folks to drop cable if they move the net to a more expensive tier (<http://www.youtube.com/watch?v=DtTyZLbuP9c>). The spot was so timely given **Comcast's** recent NY Supreme Court win allowing it to move the net to a tier, suspicions immediately surfaced that Chattertown was hired by the net. She says that's not the case; she just enjoys having fun making videos (she's done some work for local businesses)—and she really

We've Got You Covered.



HeadlineNews  
A CNN NETWORK



COURTV  
|||



TCM  
TURNER CLASSIC MOVIES

CNN  
EN ESPAÑOL



Targeted Audiences

Revenue Boosters

TurnerResources.com

Promotional Opportunities

Unparalleled Brands

**Turner**

A Time Warner Company

©, ®, SM and TM 2007, Turner Broadcasting System, Inc. A Time Warner Company. All rights reserved.

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

wants her NFL Net. When she learned that Comcast was moving the net to a \$5/month sports tier, she said she visited the MSO's Website and sent emails trying to find out more info, including what other channels are included on the tier. "They have not gotten back to me... I went to satellite, and they got right back to me," she said, adding that DBS would be cheaper. However, Chattertown said she doesn't want to leave her cable company. "I'm very big on Comcast," she said. "They do a lot for the community. But I'll be changing if they don't back up on this [sports tier]." Why not go to **DirectTV** where she can have NFL Sun Ticket? She doesn't think it's worth it because she doesn't follow just one team. And how did she stomp that set-top box to death? It was a duct taped UPS package, she said.

**Jump Ball:** Following the completion of an expected deal to replace **FSN Northwest** as the broadcast partner of the **NBA's** Portland Trail Blazers, **Comcast SportsNet** will now be able to trot out its own starting 5 when pro basketball tips off next season. At least 55 regular season Trail Blazers games will be the flagship content for the new **Comcast-SportsNet Northwest** when it launches in Oct, joining sibling nets CSN West, CSN Mid-Atlantic, CSN Chicago and CSN Philadelphia in the sports lineup. Financial terms weren't disclosed for the deal, discussions for which commenced in recent months when FSN NW benched the Blazers for sagging ratings and lofty dollar demands. In addition, FSN NW has the rights to the Seattle Super Sonics and MLB's Seattle Mariners through at least '10, and may soon be owned by **Liberty**, which could soon add **DirectTV** to its arsenal. CSN pres *Jon Litner*, however, sees nothing but future bloom in the city of roses. "The team is on the rise, and all the signs point to a bright future," said Litner, citing the team's new management and NBA Rookie of the Year *Brandon Roy*. "In Portland, this is the only game in town."

**In the Courts:** A TX jury returned Mon a verdict favorable to **EchoStar**, finding invalid a DVR patent that **Forgent** accused the DBS op of violating. Forgent had sought more than \$200mln in damages.

**Competition:** New **Verizon** FiOS HD/DVR subs will begin paying \$15.99/month, up from \$12.99/month, starting July 13. Existing customers will continue to pay \$12.99.

**RSNs:** **Mediacom** inked a deal to carry **FSN Midwest's** 20-game package of extra **Cardinals** games (*Cfax*, 5/18). Last Tues' game was blacked out because the 2 couldn't agree on a surcharge for the added games, but the 2 reached an agreement Fri in time for Sat's night's **Detroit Tigers** match-up. **Insight** still is not carrying the package.

**Deals:** **Comcast** plans to pay \$3.5mln for a cable company belonging to the city of Lowell, MI. The city has managed the system for the past 25 years but says it can no longer keep up with technology.

**In the States:** **4Kids TV on Demand** has reached 13.5mln homes, thanks to recent launch on **Cox** and increases in **Comcast** digital subs. In addition, **Bresnan** will launch the net in July. Broadcast solution turnkey provider **Crawford Satellite** launched a record 14 new nets in 1Q, including **Blue Highways** and **MASN**. -- **RCN** said it will expand its coverage area to include Milton, MA, which joins 16 other states communities that currently receive the overbuilder's service.

**Ratings:** YES' Fri night telecast of the NY Yankees-NY Mets game got a 6.2 HH rating (454K homes) in the NY DMA, making it the most watched regular season game between the clubs since the '97 adoption of inter-league play.

**Programming:** Eastern State Penitentiary in Philly is the site for **Travel Channel's** "Most Haunted Live: ESP" (Jun 1, 8pm ET), the 1st US version of the show, which will air for 7 consecutive hours. -- **Nat Geo** will chew on the



**Your Most In Demand Customer Watches WE tv On Demand.**

Drive digital sales and connect with the customer who watches VOD.

Call your WE tv rep to launch WE tv On Demand.

rainbowaffiliate.com

# BUSINESS & FINANCE

question of why great white sharks attack most often off the coast of CA in "Shark Battleground: The Red Triangle" (Jun 9, 9pm).

**Stork Visit:** Congrats to **ESPN** PR maven *Katina Arnold* and her husband *Glenn*, who welcomed 8lb, 11oz *Lia Elizabeth* to the family Mon (no truth to reports that Lia was delivered via The OnStar Hotline). And just like big sis *Alex*, Lia uttered "value" as her 1st word.

**People:** The **Walter Kaitz Foundation** named **Time Warner Cable** pres/CEO *Glenn Britt* and **Landmark Comm** pres/COO *Decker Anstrom* co-chairs of its annual fund-raising dinner, scheduled for Sept 19 in NYC. -- **Insight** upped *Joe Brown* to district vp, northern IL. -- **RHI Ent** named *Russell Maitland* svp, ad sales. -- **Disney Channel** hired *Frank Keating* as vp, marketing, and upped *Ron Pomerantz* to vp, creative dir and *Veronica Davidson* to vp, on-air promotion, production. -- *Kathy Brabson* was named pres of **Time Warner Cable's** Austin/Waco div. -- *John Manos* joins **EWTN** as gen counsel. -- **BabyFirstTV** tapped **Brainy Baby Company's** *Jeffrey Quinn* as svp, marketing.

**Business/Financial:** **Citigroup** raised **Comcast** and **Time Warner Cable** to "hold/medium risk" to "buy/medium risk." The firm upped Comcast's price target to \$33 from \$30 and TW's to \$44 from \$42. Citigroup's bullish on EBITDA and valuations.

## CableFAX Daily Stockwatch

Company	05/21 Close	1-Day Ch	Company	05/21 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
BRITISH SKY:	51.71	(0.27)	AMPHENOL:	35.23	0.18
DIRECTV:	23.79	0.03	APPLE:	111.98	1.96
DISNEY:	36.44	0.42	ARRIS GROUP:	15.79	0.64
ECHOSTAR:	49.56	0.32	AVID TECH:	33.47	0.09
GE:	37.10	0.14	BLNDER TONGUE:	1.61	0.01
HEARST-ARGYLE:	26.00	0.15	BROADCOM:	30.85	0.11
ION MEDIA:	1.42	0.01	C-COR:	13.86	0.42
NEWS CORP:	23.90	0.21	CISCO:	26.40	0.19
TRIBUNE:	32.98	(0.07)	COMMSCOPE:	52.00	1.39
<b>MSOS</b>					
CABLEVISION:	35.42	0.04	CONCURRENT:	1.54	0.03
CHARTER:	3.79	0.19	CONVERGYS:	25.75	0.16
COMCAST:	27.54	0.01	CSG SYSTEMS:	27.22	0.15
COMCAST SPCL:	27.18	0.07	GEMSTAR TVG:	4.48	0.04
GCI:	13.41	0.03	GOOGLE:	470.60	0.28
KNOLOGY:	18.30	0.26	HARMONIC:	8.92	0.13
LIBERTY CAPITAL:	118.14	1.07	JDSU:	13.03	0.03
LIBERTY GLOBAL:	38.29	0.47	LEVEL 3:	5.53	0.19
LIBERTY INTERACTIVE:	24.38	(0.12)	MICROSOFT:	31.05	0.22
MEDIACOM:	9.03	0.07	MOTOROLA:	18.90	0.11
NTL:	28.22	0.00	NDS:	51.09	(0.36)
ROGERS COMM:	41.00	0.42	NORTEL:	25.25	0.94
SHAW COMM:	40.55	0.08	OPENTV:	2.19	0.06
TIME WARNER CABLE:	38.31	0.41	PHILIPS:	40.91	(0.56)
WASH POST:	767.97	0.48	RENTRAK:	15.63	(0.03)
<b>PROGRAMMING</b>					
CBS:	32.84	0.29	SEACHANGE:	8.92	0.09
CROWN:	6.70	0.29	SONY:	57.38	1.82
DISCOVERY:	23.67	0.72	SPRINT NEXTEL:	21.40	0.61
EW SCRIPPS:	45.37	0.34	THOMAS & BETTS:	56.79	0.40
GRUPO TELEVISA:	30.06	0.19	TIVO:	6.11	0.01
INTERACTIVE CORP:	34.54	0.20	TOLLGRADE:	11.18	(0.38)
LODGENET:	35.70	0.55	UNIVERSAL ELEC:	31.86	0.05
NEW FRONTIER:	8.85	0.00	VONAGE:	3.18	0.06
OUTDOOR:	10.49	0.19	VYYO:	5.99	(0.09)
PLAYBOY:	10.49	(0.12)	WEBB SYS:	0.06	0.01
TIME WARNER:	21.75	0.21	WORLDGATE:	0.52	(0.01)
UNIVISION:	36.23	0.00	YAHOO:	29.35	(0.4)
VALUEVISION:	10.40	0.14	<b>TELCOS</b>		
VIACOM:	42.70	(0.22)	AT&T:	40.55	(0.55)
WWE:	18.34	0.25	QWEST:	10.01	0.17
<b>TECHNOLOGY</b>					
3COM:	4.74	0.10	VERIZON:	42.54	(0.05)
ADC:	18.18	0.06	<b>MARKET INDICES</b>		
ADVANTAGE:	4.93	0.30	DOW:	13542.88	(13.65)
ALCATEL LUCENT:	13.55	(0.03)	NASDAQ:	2578.79	20.34
AMDOCS:	37.94	2.29			



More Content New Look Same Great Character

Subscribe Now!

Don't Miss Another Issue of **CableWorld** with its new look and sharpened editorial focus!

Renew or subscribe today at [www.ameda.com/cbw1](http://www.ameda.com/cbw1).

Do you have a colleague who would benefit? Tell them about us!

## Symonds Says...

It's that time of year, when graduations send parents careening back through the pages of time, marveling at how quickly kids grow, thinking about how fleeting life is, and considering, if only a moment, both the roads we took and the ones we didn't.



**Curtis Symonds**

This weekend, I had two sons graduate from college; the oldest from Morehouse College in Atlanta, home to great African Americans like Dr. Martin Luther King, Jr., Spike Lee and the school's retiring president and commencement speaker, Walter Massey.

As I sat there listening to Dr. Massey and thinking about my son, I reflected on how his life paralleled my career in cable. He was born in 1984.

That was a crazy time for this industry. Most urban areas were not yet fully franchised, much less built, there were still hundreds of MSOs and networks like ESPN, MTV and BET, who I worked for, had yet to achieve broad distribution. The industry was just a kid, and those of us building it weren't much older.

I spent the better part of my son's early years flying and driving across the country, and did so for days on end. In fact, I'm certain that at some

point late in the eighties, if you tabulated his time on earth, I was registered in a hotel for half of it.

And I was not alone. There were many people my age doing the same thing. We were on a mission, and those we loved would just have to appreciate that. They would have to accept our love when we were able to give it, along with whatever souvenirs from our travel we might bring home.

I can't tell you how many times I'd pull some trinket from my suitcase and present it, as though a stupid little dust collector might somehow fill the void I created every time I hit the road to chase down yet another deal.

As Dr. Massey spoke, I found my son in the crowd and just watched him. That's all; just watched. I watched him shuffle in his seat; watched him lean over and whisper something to the young man to his right. Eventually, Dr. Massey faded away, along with everyone else.

Soon it was just my son and me. And I marveled at the person he had become. He was so grown up; so tall. He was about to graduate from college.

It was like he went from infant to man in the amount of time it took me to gasp and choke back the emotion.

And now he was set to embark on

the most exciting phase of his life, one during which he might meet the woman he will marry, might have kids of his own and might possibly find himself in a job that will, like his father's, conspire to keep him from his family.

At that moment, I wanted to yell, "I'm sorry."

I wanted my son to know I was sorry I hadn't been there when he and his brother took their first steps or said their first words. I wanted to explain why I couldn't be there every night to read to them, or why, on occasion, I had to miss their performances as a tree or a tomato in the school play.

I wanted to tell him that even when I wasn't there to guide him, he and his brother were guiding me. I wanted him to know that, even as I spent nights taking affiliate big wigs to dinner and buying them drinks well past their bedtime, he and his brother were with me, if only in spirit.

I wanted to tell him I love them both. I always have, and I always will.

I wanted Demetrius to know that if I had my career to do over again, he and Karry would come first.

And Symonds says anyone I might happen to work for but who couldn't understand that... wouldn't be anyone I'd care to be around anyway.

*Curtis Symonds can be reached at [curtissymonds@yahoo.com](mailto:curtissymonds@yahoo.com).*

Free Webcast

### Cable Revs Up with Carrier Ethernet

Ciena and Communications Technology are presenting a free Webcast on Carrier Ethernet services. This Webcast will focus on cable's use of Carrier Ethernet services, including the enabling of business services and the certification process by the Metro Ethernet Forum.

#### Panelists:

Charles Bergren, Engineer Technology Development, CableLabs  
Benoit Legault, Product Marketing Director, Ciena  
Glen Calafati, Director of Business Products, Optimum Lightpath  
Louise Wasilewski, Co-Chair of Marketing, Metro Ethernet Forum

Wednesday, May 23<sup>rd</sup> at 11AM EDT

**REGISTER TODAY!**  
**CABLE360.NET/WEBINARS**

Sponsored by

**ciena**

**Communications  
TECHNOLOGY**

10964