

CableFAX Daily™

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What the Industry Reads First

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Telecom Rewrite: What Does It Mean for Title II?

The same Wall St analyst that slashed the cable sector citing uncertainty over the **FCC's** plans to classify broadband under Title II is hopeful about Congress' plan to rewrite the Telecom Act—particularly the fact that 74 House Dems and 37 Senate Republicans sent letters this week expressing concerns about the FCC's plan. "We view it as unlikely that Congress would adopt a Title II framework (or else, why would they have written today's letters?)," **Sanford Bernstein's Craig Moffett** said in an email to clients. "Legislation to address the Administration's desires for net neutrality would likely be far more targeted and therefore potentially far less onerous for the carriers in our coverage." But not everyone shares his view. **Stifel Nicolaus** doesn't expect this Congress to enact focused legislation to block the FCC's Title II push because it doesn't believe there is sufficient consensus (plus, the committee chairmen have seemed open to the idea). "We believe this is a wide-ranging initiative more likely to take years than months to bear fruit legislatively," Stifel said in a research note. That said, if FCC reclassification drags out and the GOP makes big gains in Nov, it could complicate things, Stifel said. The firm added that one way to solve the problem could be a serious effort from both sides of the Title II debate to hash out a net neutrality agreement that could be enforced, possibly combined with targeted legislation to firm up the FCC's broadband authority. Just days after cable reported solid 1Q numbers, noted cable bull Moffett downgraded the overall cable sector to neutral, citing the potential of broadband price regulation. Moffett said the new developments make it "incrementally more likely that future pricing flexibility will be preserved." That said, he kept the sector's rating at neutral. It's clear where **Sen Commerce** ranking member *Kay Bailey Hutchison* (R-TX) stands. "Congressional action to update the Communications Act is a clear signal to Chairman Genachowski to stand down on his recently announced plans to reclassify broadband services," she said Tues. "Instead of an antiquated regulatory scheme imposed by the FCC, Congress will work to develop a legal and regulatory framework appropriate for our modern communications market."

At the Portals: Let the fun begin... The **FCC** officially launched its media ownership review, releasing a Notice of Inquiry Tues. Mandated by Congress, the review includes a look at the rules pertaining to local TV ownership and newspaper/broadcast cross ownership. -- The governors of PA, NY and CA, the 3 states where **Comcast** and **NBCU** have the most substantial business presence, support the proposed jv. In a letter to the **FCC** Tues, the trio wrote that putting NBCU under

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the mgmt of a company solely focused on entertainment and communications will result in a stronger company. Govs *Rendell*, *Paterson* and *Schwarzenegger* called for timely govt approval and restraint from imposing “extraneous conditions.”

Earnings: TiVo reported 1Q net rev of \$61.4mln, up 11% YOY and the co's highest total in 3 years, although legal fees related to the ongoing case with **DISH** helped lead to adjusted EBITDA of -\$6.7mln—better than the guidance range of \$-9-11mln but well below the +\$5.3mln delivered a year ago. Net loss totaled \$14.2mln, again better than guidance but well off the prior-yr performance. In a release, pres/CEO *Tom Rogers* expressed disappointment that a federal court granted **DISH** an en banc review (*Cfax*, 5/17) but remained confident about the ultimate outcome. Also Tues, TiVo said it's working with **Best Buy** to integrate TiVo software and advanced TV services into broadband-connected **Insighnia** TVs.

TV Everywhere: Time Warner inked a deal with **Sony Playstation 3s** to offer downloads of 11 **HBO** series including “True Blood” and “Entourage” for prices ranging from 99 cents to \$2.99/ep. New show eps won't be available until they're available on DVD, approx 11 months after their linear premiere.

In the Courts: DDB Technologies filed in a TX court separate lawsuits against the **NHL** and **AOL** alleging infringement of patents covering proprietary techniques to broadcast simulations of live sporting events, including play-by-play text, graphics, and animation. Similar suits against **ESPN**, the **NBA**, **NFL** and **Yahoo!** are pending. **MLBAM** recently settled its litigation with **DDB** dating back to '04 while becoming a licensee of the tech.

Ratings: Speed revved its engine Sat night to produce a welcome addition to the weekly cable telecast top 10, typically dominated by the same nets time after time. The net's coverage of **NASCAR's** All-Star race earned a 3.5/2.63mln to earn a 6th-place tie with an hour of **WWE** action on **USA**, and goes down as the net's 4th best audience total ever. **NBA** playoff action on **TNT** and **ESPN** dominated the top 5. Alas, some usual net suspects led in prime delivery, including **USA** (2.3/2.25mln), **TNT** (2.1/2.12mln), **ESPN** (1.9/1.94mln), **Disney Channel** (1.7/1.68mln) and **Fox News** (1.5/1.46mln).

Programming: History's top series “Pawn Star” returns Jun 7th for a 3rd season. -- Beginning Jun 6, **Animal Planet** will feature all 11 eps of **Discovery's** “Life” series.

Marketing: Oxygen is set to begin a 5-city “Dance You're A** Off Tour,” aimed at highlighting the benefits of dance as a fun way to lose weight through its competition series. **Yoplait** is sponsoring the tour, which kicks off Jun 6 in St. Paul, MN, and includes a special campaign benefitting the **American Heart Assoc.**

Happy Trails: Public affairs paragon *Bonnie Hathaway* retires from **Time Warner Cable** this week, though she will consult through the end of the year. Celebrated for her leadership of TWC's National Teacher Awards, the former Vanguard winner and 2-time past **ACC** pres has been instrumental in countless public affairs initiatives, including TWC's Connect

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CableFAX is proud to bring together cable's top buyers and sellers on June 15th at an awards breakfast in New York City. Congratulations to CableFAX's Sweet 16, Sales Hall of Fame and Sales Executives of the Year Finalists. You can view the complete list of finalists at www.cablefax.com/seoy.

CableFAX's Sales Hall of Fame

Henry Ahn, NBCU
Bob Broussard, Rainbow
Patty Gilchrist, Comcast Entertainment Group
Arlene Manos, Rainbow Advertising Sales Corp (RASCO)
Laura Nathanson, ABC Family
Hank Oster, Comcast Spotlight
Ben Pyne, Disney Media Networks
Bob Rose, CBS College Sports
Evan Sternschein, Discovery Communications
David Zagin, AETN

CableFAX Daily Mid-Day Special Report

Publication Date: **June 15**

Space Deadline: **June 4**

Artwork Deadline: **June 8**

Debbie Vodenos, Publisher
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CableFAX's Sweet 16

Mark Addicks, General Mills
William Brower, Geico
David Campanelli, Horizon Media
Chris Dennehy, Hawarth Marketing & Media Co (agency for Target)
Tim Ellis, Volkswagen of America
Cheryl Green, Mercury Media
Stephanie Kelly, Sprint
Anne Lund, Starcom
Chris Perry, Hyundai
Brent Poer, MediaVest USA
Edgar Sandoval, P&G
Karen Soots, Outback
Mitch Spolan, Yahoo!
John Swigart, Esurance
David Tepper, MediaCom
Brian Wieser, Magna

BUSINESS & FINANCE

a Million Minds initiative. She has served on several boards over the years, from **WICT** to **Cable Positive** to **NCTA's** Public Affairs cmte. **TWC** vp, corporate comm *Anthony Surratt* will take on Hathaway's responsibilities in addition to his current role.

Stork Visits: Congrats to **Travel Channel** vp, comm *James Ashurst* and **Planet Green** dir, dev *Leigh Ashurst* who welcomed identical twin baby girls to the world Wed. The cable babies are *Samantha Jo* (5lbs. 8oz) and *MacKenzie Marie* (5lbs. 7oz), and everyone's doing well.

On the Circuit: *Bob McIntyre*, CTO of **Cisco's** service provider business, will keynote **CTHRA's** Jun 8 symposium in Atlanta, and afterward will discuss game-changing tech advances in cable along with **Turner** svp, strategic audience solutions *Trish Jones* and **Time Warner Cable** evp/ chief strategy officer *Peter Stern*.

People: Comcast Ent Group extended **G4** pres *Neil Tiles'* employment contract for 3 years, until '13. -- **Discovery Channel** tapped *Simon Andrae* as West Coast svp, dev and prod. -- **Outdoor Channel** promoted *Jason Brist* to svp, Central Region ad sales.

Business/Finance: **Oak Hill Capital Partners** closed on its purchase of **ViaWest**. **RBC Daniels** acted as a financial adviser to ViaWest and also arranged the deal's sr debt financing.

CableFAX Daily Stockwatch

Company	05/25 Close	1-Day Ch	Company	05/25 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	37.31	0.53	APPLE:	245.22	(1.54)
DISH:	20.82	0.09	ARRIS GROUP:	10.96	0.00
DISNEY:	32.32	(0.16)	AVID TECH:	13.43	0.26
GE:	15.95	(0.06)	BIGBAND:	2.81	(0.04)
NEWS CORP:	14.89	(0.18)	BLNDER TONGUE:	1.30	0.01
MSOS					
CABLEVISION:	23.90	1.05	BROADCOM:	32.33	0.16
COMCAST:	17.67	0.90	CISCO:	23.31	(0.06)
COMCAST SPCL:	16.86	0.80	CLEARWIRE:	7.91	0.03
GCI:	5.73	(0.11)	COMMSCOPE:	27.26	(0.1)
KNOLOGY:	11.94	(0.18)	CONCURRENT:	5.25	(0.07)
LIBERTY CAPITAL:	40.10	0.54	CONVERGYS:	10.80	(0.19)
LIBERTY GLOBAL:	24.19	0.51	CSG SYSTEMS:	20.10	(0.33)
LIBERTY INT:	12.36	0.00	ECHOSTAR:	19.30	(0.14)
MEDIACOM:	5.11	(0.16)	GOOGLE:	477.07	(0.09)
RCN:	14.30	(0.09)	HARMONIC:	5.59	(0.04)
SHAW COMM:	17.93	0.29	INTEL:	20.85	0.18
TIME WARNER CABLE:	52.09	1.43	JDSU:	11.02	(0.03)
VIRGIN MEDIA:	15.46	0.28	LEVEL 3:	1.25	(0.04)
WASH POST:	469.37	(4.44)	MICROSOFT:	26.07	(0.2)
PROGRAMMING					
CBS:	13.89	(0.07)	MOTOROLA:	6.75	0.02
CROWN:	1.83	0.03	PHILIPS:	28.75	(0.4)
DISCOVERY:	36.46	0.07	RENTRAK:	23.66	(0.38)
GRUPO TELEVISA:	17.95	(0.14)	SEACHANGE:	7.82	(0.05)
HSN:	26.43	0.43	SONY:	30.90	(0.47)
INTERACTIVE CORP:	22.61	0.45	SPRINT NEXTEL:	5.29	0.50
LIBERTY:	31.49	0.10	THOMAS & BETTS:	37.74	0.03
LIBERTY STARZ:	50.47	0.42	TIVO:	9.15	0.10
LIONSGATE:	6.75	(0.03)	TOLLGRADE:	6.37	0.02
LODGENET:	5.17	(0.02)	UNIVERSAL ELEC:	18.45	(0.08)
NEW FRONTIER:	1.85	0.00	VONAGE:	1.93	(0.01)
OUTDOOR:	5.97	0.06	YAHOO:	15.31	(0.23)
PLAYBOY:	3.58	0.00	TELCOS		
RHI:	0.23	-0.00	AT&T:	24.32	(0.11)
SCRIPPS INT:	44.07	0.35	QWEST:	5.09	0.04
TIME WARNER:	29.79	0.02	VERIZON:	27.40	(0.09)
VALUEVISION:	2.21	0.13	MARKET INDICES		
VIACOM:	35.84	0.06	DOW:	10043.75	(22.82)
WWE:	16.01	(0.12)	NASDAQ:	2210.95	(2.6)
TECHNOLOGY					
ADC:	8.21	0.30			
ADDVANTAGE:	2.77	-0.00			
ALCATEL LUCENT:	2.45	0.02			
AMDOCS:	29.17	(0.5)			
AMPHENOL:	41.54	(0.03)			
AOL:	20.68	(0.52)			



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Deadline: June 4, 2010

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Enter as many categories as you like but please tailor your entry to the category you are entering.

Platinum/People Categories:

- Best Actor in Cable
- Best Actress in Cable
- Best Cable Program
- Best New Cable Program
- Best Producer
- Best Writer
- Best Director
- Hall of Fame: Open to actors, writers, directors and producers for a body of work

- Children's
- Comedy
- Documentary
- Drama
- Education/Instructional
- Family Friendly
- Faith Based/Religious
- Fitness/Health
- Food
- Music
- News
- Public Affairs
- Reality/Game Show
- Sci Fi
- Sports

- Talk Shows
- Best Regional Program
- Other: enter your best in a genre not mentioned above

By Genre: Best Actor/Actress/Host In The Following Genres

- Animals/Nature
- Comedy
- Drama
- Family Friendly
- Food
- Music
- News/Public Affairs
- Reality/Game Show
- Sports

- Talk Shows
- Best Regional Program
- Other: enter your best in a genre not mentioned above

Special Categories:

- Best Opening Sequence
- Best Surprise Ending

Tech Categories:

- Best Online/Mobile Extras for a Linear Show
- Best Online-Only/Mobile-Only Show
- Best Video on Demand Program/Special

By Genre: Best Show or Series In The Following Genre

- Animals/Nature
- Animated

Compiling Your Entry (Visit www.cablefaxprogramawards.com for full details)

What to Send

At the beginning of your two page synopsis, include the following information for all categories:

- Category entered • Title of entry • Key contact for entry • Organization submitting entry

Supporting Materials

- Video of Program on DVD • Clippings • Photos

How To Enter: Use this form or visit www.cablefaxprogramawards.com for additional category information and to enter online.

Mary Lou French
CableFAX Program Awards
Access Intelligence
4 Choke Cherry Rd, 2nd Floor
Rockville, MD 20850

Deadline: June 4, 2010
Late Deadline: June 11, 2010
Event: October 2010

Entry From (All information required)

Title of Entry/Name of Entrant (as you'd like it to appear on your award if selected): _____

Company and/or Client: _____

Contact Name of person submitting entry Job Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone of Contact: _____ Fax of Contact: _____

Email Address (Required): _____

Entry Fees

- Primary entry: \$300 each \$300 each \$ _____
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