

# CableFAX Daily™

Friday — June 19, 2009

What the Industry Reads First

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## Building Broadband: Congress Letting FCC Take Lead

It doesn't sound like Congress is too interested in dictating the shape of the nation's broadband plan to the **FCC**. "I'm not planning to suggest any sort of formula to the FCC about this," **House Communications** subcommittee chair *Rick Boucher* (D-VA) said at **Pike & Fischer's** Broadband Policy Summit Thurs in DC. "It's appropriate for the new chair to take the lead on this. I don't want to pre-empt his thinking on the subject [by] putting forth my own agenda." It's safe to assume, however, that Congress will have plenty of input once the FCC puts forth the plan. And Boucher has already had preliminary conversations about it with FCC chair nominee *Julius Genachowski* and *Blair Levin*, who is returning to the FCC to help coordinate the national broadband plan. "Most members are confident that the FCC is going to do a great job," said *Roger Sherman*, **House Commerce's** chief counsel for communications & tech policy. "Whether legislation is required after the plan is delivered, we'll have to see." At the Summit, FCC acting chair *Michael Copps* warned against allowing "every telecom issue" to bog down the plan, especially since just about everything ends up in court. "If we say all [things must] be resolved before the broadband plan, that's just a prescription for delay," he said. The FCC is looking at releasing a draft of the plan for comment before presenting it to Congress and hoping to hold a series of public, broadband hearings across the country, similar to the media ownership hearings a few years ago. "This broadband proceeding is not going to be business as usual. It's going to be open and public," Copps said. "We need to do this across the whole wide gamut of issues facing the FCC, but broadband is going to be the place we start." As for the \$7.2bn in broadband stimulus funds, rules are expected soon. The debate continues over how to allocate money to unserved and underserved areas, and just what those 2 terms mean. "If we get sidetracked into some kind of 'either-or' debate over unserved and underserved, we will not get a broadband plan that does justice to America's needs," Copps warned. Boucher said unserved must be a "common sense definition" that's not as restrictive as the **RUS'** current unserved parameters. Expectations are that the grants will be given out in 3 batches, with the final lot made by summer '10, Boucher said.

**Genachowski Watch:** As expected, **Sen Commerce** approved *Julius Genachowski* to be chair of the **FCC** and OK'd a 2nd term for GOP commish *Robert McDowell*. Thurs' vote came in an off-the-floor markup 2 days after the nominees' confirmation hearing. Next step is approval from the Senate, which many are hoping will come before the



IT'S EXPOSING YOUR TALENT.

# HUNG

SUN JUNE 28 10PM

IT'S **HBO**

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July 4 recess. Sen Commerce chmn *Jay Rockefeller* (D-VA) said Genachowski has the public and private sector experience needed to “reinvigorate” the FCC and put consumers first. He wasn’t as enthusiastic about McDowell, saying he cast his vote in the spirit of bipartisanship. “However, my vote comes with concerns. I want to be clear that I have high expectations that Mr McDowell will show great independence from the industries he regulates,” he said. “I hope I am not disappointed.”

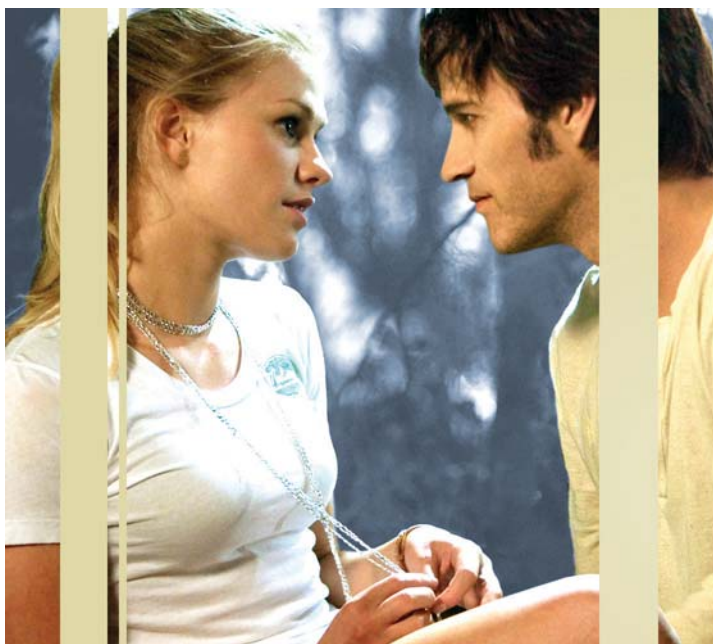
**On the Hill: House Communications** subcmte chmn *Rick Boucher* (D-VA) said he’s hoping to mark up must-pass SHVERA legislation next week. He conceded there was a lot of discussion and disagreement at this week’s meeting (*Cfax*, 6/17) over adjacent signal importation and satellite providing local-into-local service in all 212 DMAs (neither of which is included in draft legislation for satellite importation of distant broadcast signals). “There has been more discussion about the 212 markets,” he said. “There’s more promise that we’ll be able to do something on getting all 212 markets than on the adjacent markets,” he said. Less clear is how long it will take the full House Commerce cmte, which has been focused more on energy and healthcare, to take up the issue.

**Deals: Comcast** bought **Hearst’s** 50% stake in **New England Cable News**, making Comcast sole owner.

**Let Us Help:** Cable has increased its focus on business subs in recent years, and a few MSOs have wisely stressed commercial customer service too, according to **J.D. Power and Associates’ ’09 Major Provider Business Telecom Study**. In the home-based business segment, **Cablevision’s Optimum Business** scored the highest, followed by **Cox**, **Embarq** and the 3 major telcos. **Time Warner**, **Comcast** and **Charter** scored below the provider avg. Optimum and Cox also led the SMB segment, while Comcast, Time Warner Cable and **Qwest** were below avg. Among large enterprise businesses, **Verizon** paced Time Warner Cable at the top as **AT&T** and Comcast dragged down the provider avg.

**Marketing:** After **USA’s** 3-hr **WWE** block Mon night—including a *Donald Trump* appearance—**NBCU** perpetuated The Donald’s show message by disseminating a release Tues announcing Trump’s purchase of “Monday Night RAW.” Because we’re used to WWE’s marketing ploys (remember *Vince McMahon* being “blown up” in a limo explosion), we weren’t duped. But apparently many people were, as USA and WWE issued a release Thurs saying the sale release was “intended... to be promotional for that ongoing story arc on the series. We apologize for any confusion.”

**Advertising: Canoe Ventures** scuttled its plans for Community Addressable Advertising due to tech issues, according to reports, yet remains committed to reviving the concept at a later date. The service would have allowed advertisers to feature a spot in 370 high-income cable areas and another outside of those areas. -- **NBCU** agreed to sell ad inventory for its cable nets and **KNBC** in L.A. through **Microsoft’s Admira** marketplace. Admira will provide large advertisers with new



IT'S FEEDING YOUR HUNGER.

**TRUEBLOOD**

SUNDAYS 9PM

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# BUSINESS & FINANCE

tools for data-driven targeting and segmenting of specific audiences across NBCU's cable and broadcast properties, and small to mid-size clients will get access to an automated planning, buying, posting and billing process.

**At the Portals:** Pace and Thomson have joined Moto and Cisco in seeking FCC integration ban waivers for their low-cost boxes (*Cfax*, 6/18). Comments are due June 29. Pace's waiver is for its DC50X and DC50Xu digital transport adapters; Thomson's request covers its DC104 and DC105 digital-to-analog converters.

**In the Courts:** A SC federal judge upheld the \$4mIn verdict awarded in Nov to *Richard Davis*, who served as creator/writer/co-prod and star of **A&E** series "Flip This House" and claimed the net failed to honor a 50-50 revenue sharing agreement. The net had no comment on the ruling but said it's planning an appeal.

**On the Circuit:** Discovery rightly is getting much local ink as it co-hosts the **SilverDocs** documentary fest, across from its Silver Spring, MD, HQ at a theater it renovated lovingly. Mon's opener featured a fine piece about *LeBron James*. Since the **NBA** phenom was there for a panel and after-party, you can imagine the crowd. This weekend's closer might best that excitement, though. It's the premiere of **HBO's** "Nine Lives of Marion Barry," about the controversial former DC mayor. And, yes, His Honor plans to attend.

## CableFAX Daily Stockwatch

Company	06/18 Close	1-Day Ch	Company	06/18 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
BRITISH SKY:	28.20	(0.13)	AMPHENOL:	32.24	0.12
DIRECTV:	22.71	(0.01)	APPLE:	135.88	0.30
DISH:	15.09	0.24	ARRIS GROUP:	11.65	(0.03)
DISNEY:	23.72	0.04	AVID TECH:	13.13	(0.13)
GE:	11.97	(0.18)	BIGBAND:	5.15	0.08
HEARST-ARGYLE:	4.50	0.00	BLNDER TONGUE:	1.40	0.00
NEWS CORP:	10.61	0.02	BROADCOM:	25.12	(0.84)
<b>MSOS</b>					
CABLEVISION:	18.53	(0.14)	CISCO:	18.99	(0.21)
COMCAST:	13.87	0.01	CLEARWIRE:	4.50	0.12
COMCAST SPCL:	13.25	(0.04)	COMMSCOPE:	24.10	(0.12)
GCI:	6.91	(0.13)	CONCURRENT:	5.86	0.51
KNOLOGY:	8.32	0.10	CONVERGYS:	9.01	(0.07)
LIBERTY CAPITAL:	13.93	(0.38)	CSG SYSTEMS:	13.79	0.03
LIBERTY ENT:	24.95	0.38	ECHOSTAR:	15.26	0.11
LIBERTY GLOBAL:	15.07	0.16	GOOGLE:	414.06	(1.1)
LIBERTY INT:	5.35	(0.11)	HARMONIC:	6.24	0.18
MEDIACOM:	5.33	(0.06)	INTEL:	15.87	(0.27)
SHAW COMM:	16.74	0.06	JDSU:	5.96	0.08
TIME WARNER CABLE:	30.90	(0.01)	LEVEL 3:	1.31	0.01
VIRGIN MEDIA:	8.75	0.19	MICROSOFT:	23.50	(0.18)
WASH POST:	336.16	(0.55)	MOTOROLA:	6.28	0.02
<b>PROGRAMMING</b>					
CBS:	7.38	0.03	OPENTV:	1.26	(0.01)
CROWN:	1.87	0.02	PHILIPS:	18.17	0.14
DISCOVERY:	21.17	0.03	RENTRAK:	15.08	0.01
EW SCRIPPS:	1.94	(0.01)	SEACHANGE:	7.45	0.21
GRUPO TELEVISA:	16.85	(0.1)	SONY:	25.98	(0.41)
HSN:	10.13	(0.04)	SPRINT NEXTEL:	5.18	0.07
INTERACTIVE CORP:	16.30	(0.03)	THOMAS & BETTS:	29.42	(0.04)
LIBERTY:	27.20	0.29	TIVO:	10.91	(0.2)
LODGENET:	4.63	(0.16)	TOLLGRADE:	5.40	0.20
NEW FRONTIER:	2.44	0.09	UNIVERSAL ELEC:	19.03	(0.93)
OUTDOOR:	5.95	(0.1)	VONAGE:	0.47	0.06
PLAYBOY:	2.73	0.13	YAHOO:	15.34	(0.26)
RHI:	3.41	0.14	<b>TELCOS</b>		
SCRIPPS INT:	28.00	0.16	AT&T:	24.13	(0.01)
TIME WARNER:	25.33	(0.14)	QWEST:	4.10	(0.05)
VALUEVISION:	1.58	(0.1)	VERIZON:	30.09	0.31
VIACOM:	24.39	0.78	<b>MARKET INDICES</b>		
WWE:	12.88	0.17	DOW:	8555.60	58.42
<b>TECHNOLOGY</b>					
3COM:	4.48	(0.02)	NASDAQ:	1807.72	(0.34)
ADC:	7.67	(0.23)			
ADVANTAGE:	1.93	0.06			
ALCATEL LUCENT:	2.65	0.05			
AMDOCS:	20.56	(0.12)			



IT'S MAKING YOUR MARK.

**entourage**

SUN JULY 12 10:30PM

IT'S **HBO**

**PROGRAMMER'S PAGE** with Chad Heiges and Seth Arenstein

**You Be The Judge... And Jury**

I'd prefer to vote for the evisceration of all tabloids stationed in grocery store checkout aisles, those "journalistic" marvels that inform me and my rapt cereal that "Angelina's Lips Deflate Due to Bee Stings!" or that "Octomom Can't Even Count to 8!" But for now, an online survey offered through Sun by **E!** will have to suffice. The net's allowing viewers to decide whether it should cease reporting on the inane, vexing and disturbingly narcissistic shenanigans (my words) of Speidi, perhaps lesser known as *Spencer* and *Heidi Pratt*, of **MTV's** "The Hills." Votes of "yes" or "no" in response to "Have you had enough of Spencer and Heidi?" are being tabulated at **Eonline.com**, and if "yes" wins out, the net promises to suspend coverage of the lovely couple until they "do something truly newsworthy." Thankfully, a net spokesperson said the results are more anti-Speidi so far. Log on for chuckles of your own from some voters' commentary. *JennB* said she "would PAY to never have to hear/see them again!!!" while *jmm237* said "THANK GOD FOR THIS! This is why I love E! and will always and forever be a follower of you guys, but NOT Speidi." Full disclosure: I ignored any pro-Speidi feedback. Those crazy kids aside, the stunt is pure genius by E!. It's viral marketing at its best, combinative of a topic that elicits strong feelings with social media and a chance to shape content. The latter aspect has helped fuel staggering audiences for shows such as "American Idol," and for good reason. But it may also prove, down the line, to be a Pandora's Box for the TV industry. Viewers now demand the ability to watch shows both when and from where they want, so how long before there's a widespread and successful outcry for nets to feature specific content, or to tweak portions of that content. If **DirectTV's** popular mix channels offering a choice of camera angles for sporting events and other iTV apps are any indication, we're on our way. I can see it now: CWVOD, or Content Within VOD—sort of like choose your own adventure stories, only requiring a boatload of bandwidth. How sweet would it be to, say, swap out a football commentator for another, or perhaps jettison 1 from the telecast altogether? What, you don't like that a series villain received some spoils? Then change the story arc: maim his mug, kill his cat and show him who's boss. Oh, the possibilities are endless. But let's start with eradicating Speidi from E!. *CH*

**Highlights:** "Surveillance," Wed, 8:15pm ET, **HDNet Movies**. Score another victory for *Mark Cuban* and his contrary habit of running films before they reach theaters. During the time he's been doing this, most of the films have been good. This one's even better. *David* ("Twin Peaks") *Lynch's* daughter *Jennifer*, who directed and co-wrote "Surveillance," has inherited her dad's knack for showing the unseemly side of small town life and enhancing the great Hitchcockian themes of "things aren't always what they appear to be." The plot's basic: The feds (*Bill Pullman* and *Julia Ormond*) arrive at a small town police station to solve a string of brutal murders. -- "Nurse Jackie," Mon, 10:30pm, **Showtime**. Normally this fine new series is a vehicle for *Edie Falco*. Tonight, Falco shows she can play well with others when her character shares the screen with a legend, *Eli Wallach*, as the 94-year-old delivers a brilliant cameo. Wallach plays a hospital patient who prefers chicken soup to medical technology. -- "Darwin and the Tree of Life," Sun, 7pm ET, **BBC A**. There are 1K different varieties of bat; 350K of beetle. Octogenarian *David Attenborough* explores these and other wonders as we mark the 200th anniversary of Darwin's birth. SA

**Worth a Look:** "Golf in America," premiere, Tues, 10pm ET, **Golf**. It's fitting for this series of stories about regular people and golf will premiere after **US Open** played on a public course. And with *Phil* and *Amy Mickelson* proving there's more to life than golf, the series complements their story with one about friends whose golf outing to Myrtle Beach, SC, nearly became fatal when their US Air flight landed in the Hudson. -- "NYC Prep," premiere, Tues, 10pm, **Bravo**. We wanted to, you know, not like this reality series about upper crust teens at prep schools. But, like, it's not bad. What... ever. SA

Basic Cable Rankings			
(6/08/09-6/14/09)			
Mon-Sun Prime			
1	USA	2.6	2528
2	DSNY	1.9	1826
3	TNT	1.8	1728
4	FOXN	1.7	1660
5	AMC	1.4	1298
6	NAN	1.3	1241
7	TBSC	1.1	1136
7	HGTV	1.1	1080
7	TOON	1.1	1041
10	DISC	1	999
10	A&E	1	983
10	TLC	1	973
10	LIFE	1	960
10	HIST	1	940
10	FX	1	930
16	FAM	0.9	883
16	FOOD	0.9	881
16	ESPN	0.9	874
16	HALL	0.9	767
20	SCIF	0.8	770
20	TRU	0.8	756
22	CMDY	0.7	691
22	SPK	0.7	648
22	MSNB	0.7	614
22	BRAV	0.7	607
22	NOGG	0.7	507
22	LMN	0.7	465
28	BET	0.6	576
28	CNN	0.6	575
30	MTV	0.5	526
30	VH1	0.5	476
30	EN	0.5	471
30	ESP2	0.5	467
30	TVLD	0.5	452
30	OXYG	0.5	368
30	SOAP	0.5	345
37	HLN	0.4	418
37	APL	0.4	403
37	TRAV	0.4	345
37	NGC	0.4	308
37	GSN	0.4	283
37	NKTN	0.4	199
43	CMT	0.3	300
43	WE	0.3	248
43	WGNA	0.3	246
43	DXD	0.3	228
43	DHLT	0.3	222
43	DSCI	0.3	163
43	ID	0.3	141
43	TV1	0.3	125
51	TWC	0.2	222
51	CNBC	0.2	184
51	SPD	0.2	176
51	TVGN	0.2	169
51	GOLF	0.2	145
51	MTV2	0.2	140
51	HI	0.2	133
51	THEN	0.2	128

\*Nielsen data supplied by ABC/Disney