

CableFAX Daily™

Monday — June 27, 2011

What the Industry Reads First

Volume 22 / No. 122

Terrestrial Exemption: Cablevision Says FCC Must Hold Off on Telcos' MSG Complaints

Wasting no time after a DC Circuit Court of Appeals decision, **Cablevision** has asked the **FCC** to delve into whether the act of withholding terrestrial programming is automatically unfair before addressing complaints filed by **AT&T** and **Verizon**. On June 10, the court released a ruling from a 3 judge panel that unanimously found the FCC within its rights when it ordered that cable's competitors can file complaints when they are denied terrestrially delivered sports programming, but it vacated a portion of the order that declared exclusive terrestrial programming contracts as categorically unfair and remanded it to the FCC for further proceedings. AT&T and Verizon were thrilled with the ruling and said it would clear the way for the Commission to act on their long-pending complaints against Cablevision over access to **MSG HD** for **FiOS** and **U-verse** customers. But Cablevision believes those complaints have to take a backseat until the FCC addresses the portion of the order remanded. "While Verizon and AT&T seize on the court's reference to 'case-by-case' assessments of unfairness to assert that the Commission can proceed immediately to decision in the pending complaint proceedings, this assertions ignores basic principles of administrative law, the Commission's own rules, the language of section 628 and the Commission's precedent, the fundamental fairness—all of which require the Commission to complete its remand proceedings before deciding the pending complaints," Cablevision wrote Wed in a letter to Media Bureau chief *William Lake*. The complaints are more than a year old, with AT&T and Verizon amending their complaints after the FCC's Jan '10 order that narrowed the so-called terrestrial loophole. Cablevision is asking for a notice and comment period on the remanded portion of the order. While FiOS and U-verse subs have access to MSG, Cablevision has not made the HD feed available to the telcos. AT&T and Verizon argue that it's must-have programming, and the FCC's order establishes that the agency will consider HD and SD as separate services for complaints.

Deals: **Charter** agreed to acquire cable systems from **US Cable** serving approx 16K customers in MO communities, including Hannibal, Mexico and Moberly. Terms of the deal, expected to close in 3Q, weren't disclosed.

Waller Capital served as the exclusive financial advisor to US Cable, which earlier this month inked a deal to sell MN and WI cable systems to **Midcontinent Comm**. In Mar, Charter announced a planned purchase of 3 systems in AL and GA from **Windjammer Comm**, and now the MSO is purportedly gearing up to sell its southern CA sys-



Use me.

*Millions of Americans already have.
Coming soon, and for the first time ever,
the best primetime novelas can live
across ALL your platforms.*

 **tnovelas**
univisionnetworks.com

CableJobs

The Trusted Talent Resource

From the Publishers of CableFAX and Communications Technology

We've got the next cable job — or the candidate — for you!

www.cable360.net/jobs

Job Seekers: Find jobs, manage your resumes, and set up job alerts —

- Post an anonymous resume
- Access the newest and freshest jobs available
- Create job alerts that match your search criteria

Employers/Recruiters: Post jobs, browse candidates, fill open positions —

- Quickly post job openings and manage your online recruiting efforts with ease
- View resumes and only pay for the ones that interest you
- Reach the most qualified candidates
- Post job openings in CableFAX Daily and e-letters distributed to thousands of cable industry professionals.



www.cable360.net/jobs

More information: Kate Schaeffer at kschaeffer@accessintel.com

CABLEFAX DAILY (ISSN 1069-6644) is published daily by Access Intelligence, LLC ● www.cablefaxdaily.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 ● Senior Online Editor: Chad Heiges, 301.354.1828, cheiges@accessintel.com ● Contributor: Seth Arenstein ● Publisher: Debbie Vodenos, 301.354-1695, dvodenos@accessintel.com ● Assoc Publisher: Amy Abbey, 301.354.1629, aabbey@accessintel.com ● Marketing Dir: Carol Brault, 301.354.1763, cbrault@accessintel.com ● Prod: Joann Fato, 301.354.1681, cdaily@accessintel.com ● Diane Schwartz/VP and Group Publisher ● Subs/Client Services: 301.354.2101, fax 301.309.3847 ● Group Subs: Carol Brault, 301.354.1763, cbrault@accessintel.com

tems. Charter shares shed 2% Fri.

On the Hill: The House Appropriations Cmte unanimously passed an amendment to the Fiscal Year 2012 Financial Services and General Government bill that disallows the FCC from expending any funds related to a conditional waiver it granted **LightSquared** until concerns about the interference with GPS by the company's tech are resolved. As the waiver allows LightSquared's future wholesale customers to provide either dual-mode or terrestrial-only devices as part of an integrated satellite-terrestrial broadband service, several parties have expressed concern about potential interference. LightSquared has already admitted that 1 of its 10Mhz blocks of frequencies interferes with many GPS receivers, and will submit a final interference report to the FCC by June 29.

New Season, Day: Having already garnered 100K page views since launching Thurs night in tandem with the return of USA's "Burn Notice"—the ep delivered 5.2mln total viewers—interactive graphic novel "A New Day" will bridge the storylines between the Burn's 4th and 5th seasons over 12 weeks. Available at usanetwork.com, **Facebook** and as a mobile app on select devices, the comic is written by Burn's creative team and includes interactive games, hidden ciphers and exclusive video. USA and **DC Comics** collaborated on the comic.

Ratings: The June 20 debut of "Feherty" delivered 569K unique viewers to rank as **Golf Channel's** most-watched series premiere in history. -- **Univision's** Wed night Mexico-Honduras '11 CONCACAF Gold Cup semi-final match scored 7.12mln total viewers and 2.7mln 18-34s to become the net's top prime sports telecast ever. -- **ESPN's** Thurs coverage of the **NBA Draft** earned a 2.5 overnight rating, the highest since '07. -- **USA's** new original "Suits" bowed after "Burn Notice" Thurs night and garnered 4.6mln total viewers.

Programming: **C-SPAN's** "Communicators" continues to air interviews taped during this month's Cable Show in Chicago. On Sat, **MTVN Ent Group** pres *Doug Herzog* and **Time Warner Cable** tech policy evp *Kevin Leddy* appear on the show (6:30pm ET). The ep repeats at 8am and 8pm ET Mon on **C-SPAN 2**, and is also available online. -- **Sportsman Channel** debuts 4 new programming blocks next week: shooting block "Lock & Load Mondays," hunting focused "Thursday Traditions," guns & ammo-based "Friday Reload" and Sat waterfowl block "The Landing Zone." -- **Time Warner Cable's** original pilot "It Ain't Rocket Science" explores topics involving science, tech, engineering and math (STEM) as part of the MSO's **Connect a Million Minds initiative**. It premieres June 24 on NY1 and will then be added to TWC's VOD platform nationwide -- 6 series bows are lined up for **Syfy's** summer premiere week (July 11-15), including the returns of "Eureka" and "Warehouse 13," and premieres of "Alphas" and "Legend Quest." -- **Fuel TV** renewed original docu-series "The Moto: Inside the Outdoors" for a 3rd season beginning Sept 10. The show spotlights the **Lucas Oil AMA Pro Motocross Championship**. -- *Denis Leary* will dev and co-write a half-hour pilot for **USA** for an adaptation of British comedy "Sirens," which spotlights the antics of 3 young paramedics. -- **The Madison Square Garden Company** announced that it's launching **MSG Action Sports**, a division of **MSG Sports** that will produce a variety of action sports and lifestyle events, properties and TV programming. The 1st event, a MegaRamp ASA Triples BMX and skateboarding competition, will be televised nationally on **Fox Sports Net**, July 22, 5pm ET.

Back Off, Jim: Cute new promo from **Weather Channel** featuring *Jim Cantore*, least wanted man in America: <http://youtu.be/48r4lQTB3NE>. Weather assures us that this actually happens—people flip out when they spot him at a restaurant or in an airport because they assume it means bad weather is about to strike.

On the Circuit: **NAMIC Mid-Atlantic** will hold a tech panel and showcase at **Discovery's** Silver Spring HQ, July 12, 6-8:30pm.

People: **USA** upped *Rebecca Rhodes* to vp, program scheduling and *Vida Bauer* to vp, program & production operations and admin.

Business/Finance: Just a week away from regular trading on **NASDAQ** (July 1), **AMC Networks** gained 1.57% Fri (on a when-issued basis) on **BTIG** analyst *Richard Greenfield's* 'buy' initiation and \$48 price target. Among Greenfield's bull case points: an opportunity for meaningful growth in ad and affil rev (starting in '13), plus expectations of healthy FCF generation, share repurchases in '12 and takeover suitors in '13. -- **Goldman Sachs' Jason Armstrong** added **Comcast** to the firm's Conviction Buy List solid cable fundamentals, a potential for increased share repurchases and/or a dividend boost next year and relatively low valuation multiples. **CMCSA** dipped 0.55% Fri.

CableFAX Week in Review

Company	Ticker	06/24 Close	1-Week % Chg	YTD %Chg
BROADCASTERS/DBS/MMDS				
DIRECTV:	DTV	47.75	2.27%	43.18%
DISH:	DISH	28.00	0.86%	34.81%
DISNEY:	DIS	37.58	(1.39%)	16.53%
GE:	GE	17.97	(2.81%)	18.77%
NEWS CORP:	NWS	17.27	2.92%	8.48%
MSOS				
CABLEVISION:	CVC	34.53	(4.22%)	33.73%
CHARTER:	CHTR	54.41	(3.63%)	0.00%
COMCAST:	CMCSA	23.58	(0.25%)	39.86%
COMCAST SPCL:	CMCSK	22.50	0.45%	40.54%
GCI:	GNCMA	11.88	(2.94%)	86.21%
KNOLGY:	KNOL	14.48	(0.55%)	32.60%
LIBERTY CAPITAL:	LCAPA	79.92	3.59%	234.67%
LIBERTY GLOBAL:	LBTYA	42.27	4.32%	93.10%
LIBERTY INT:	LINTA	15.97	1.20%	47.32%
SHAW COMM:	SJR	20.81	0.34%	1.17%
TIME WARNER CABLE:	TWC	74.50	(0.36%)	80.00%
VIRGIN MEDIA:	VMED	30.85	3.01%	83.30%
WASH POST:	WPO	405.73	(2.98%)	(7.7%)

Company	Ticker	06/24 Close	1-Week % Chg	YTD %Chg
PROGRAMMING				
CBS:	CBS	26.79	3.48%	90.68%
CROWN:	CRWN	1.88	12.57%	29.66%
DISCOVERY:	DISCA	40.22	(0.67%)	31.14%
GRUPO TELEVISIA:	TV	23.81	7.01%	14.69%
HSN:	HSNI	30.64	(0.75%)	51.76%
INTERACTIVE CORP:	IACI	36.49	0.80%	78.17%
LIBERTY:	L	40.79	0.32%	12.21%
LIBERTY STARZ:	LSTZA	68.99	(3.89%)	49.49%
LIONSGATE:	LGF	6.57	9.32%	13.08%
LODGENET:	LNET	3.23	(2.42%)	(41.59%)
NEW FRONTIER:	NOOF	1.22	(9.63%)	(35.45%)
OUTDOOR:	OUTD	6.23	4.18%	7.41%
SCRIPPS INT:	SNI	47.36	0.49%	14.12%
TIME WARNER:	TWX	34.46	(2.19%)	18.26%
VALUEVISION:	VVTV	7.93	0.89%	65.21%
VIACOM:	VIA	55.21	0.44%	75.27%
WWE:	WWE	9.64	0.63%	(37.12%)

Company	Ticker	06/24 Close	1-Week % Chg	YTD %Chg
TECHNOLOGY				
ADVANTAGE:	AEY	2.59	0.38%	31.47%
ALCATEL LUCENT:	ALU	5.19	1.17%	56.33%
AMDOCS:	DOX	29.71	3.63%	4.14%
AMPHENOL:	APH	50.83	1.32%	10.07%
AOL:	AOL	19.55	(5.1%)	(16.02%)
APPLE:	AAPL	326.35	1.86%	54.87%
ARRIS GROUP:	ARRS	10.95	4.39%	(4.2%)
AVID TECH:	AVID	17.89	2.11%	40.20%
BIGBAND:	BBND	2.16	3.85%	(37.21%)
BROADCOM:	BRCM	32.22	1.77%	2.38%
CISCO:	CSCO	14.93	(0.33%)	(37.64%)
CLEARWIRE:	CLWR	3.98	10.56%	(41.12%)
CONCURRENT:	CCUR	5.81	(2.68%)	46.72%
CONVERGYS:	CVG	13.37	4.37%	24.37%
CSG SYSTEMS:	CSGS	18.04	1.58%	(5.5%)
ECHOSTAR:	SATS	35.15	6.13%	74.53%

Company	Ticker	06/24 Close	1-Week % Chg	YTD %Chg
GOOGLE:	GOOG	474.88	(2.27%)	(23.4%)
HARMONIC:	HLIT	7.06	1.73%	11.71%
INTEL:	INTC	21.20	(0.84%)	3.92%
JDSU:	JDSU	16.01	3.10%	94.08%
LEVEL 3:	LVLTL	2.27	7.08%	48.37%
MICROSOFT:	MSFT	24.29	0.16%	(20.31%)
MOTOROLA MOBILITY:	MMI	23.11	(6.48%)	0.00%
RENTRAK:	RENT	16.56	(5.21%)	(6.28%)
SEACHANGE:	SEAC	10.59	4.85%	61.43%
SONY:	SNE	25.63	2.89%	(11.62%)
SPRINT NEXTEL:	S	5.00	(4.21%)	36.61%
THOMAS & BETTS:	TNB	51.03	0.75%	42.58%
TIVO:	TIVO	9.93	1.43%	(2.46%)
UNIVERSAL ELEC:	UEIC	24.54	1.20%	5.68%
VONAGE:	VG	4.42	8.60%	215.71%
YAHOO:	YHOO	14.88	1.12%	(11.29%)

Company	Ticker	06/24 Close	1-Week % Chg	YTD %Chg
TELCOs				
AT&T:	T	30.44	(1.17%)	8.60%
VERIZON:	VZ	36.00	1.29%	8.66%

Index	Value	% Chg	YTD %Chg	
MARKET INDICES				
DOW:	DJI	11934.58	(0.58%)	14.45%
NASDAQ:	IXIC	2652.89	1.39%	16.91%
S&P 500:	GSPC	1268.45	(0.2%)	10.81%

WINNERS & LOSERS

THIS WEEK'S STOCK PRICE WINNERS

COMPANY	CLOSE	1-WK CH
1. CROWN:	1.88	12.57%
2. CLEARWIRE:	3.98	10.56%
3. LIONSGATE:	6.57	9.32%
4. VONAGE:	4.42	8.60%
5. LEVEL 3:	2.27	7.08%

THIS WEEK'S STOCK PRICE LOSERS

COMPANY	CLOSE	1-WK CH
1. NEW FRONTIER:	1.22	(9.63%)
2. MOTOROLA MOBILITY:	23.11	(6.48%)
3. RENTRAK:	16.56	(5.21%)
4. AOL:	19.55	(5.1%)
5. CABLEVISION:	34.53	(4.22%)

CableFAX THE MAGAZINE Most Influential Minorities in Cable 2011

Nomination Deadline: July 1, 2011 Enter at: www.cablefax.com/diversity

Free and Easy to Nominate

Who are cable's most influential minority executives?

Help us decide by nominating the executives you think should be included in our annual list of the Most Influential Minorities in Cable.

We will rank the top 50 minorities, and run a list of the second 50, in the October issue of *CableFAX: The Magazine*.

CableFAX: The Magazine distribution includes: NAMIC/CableFAX Breakfast, Diversity Week.

Questions: Contact Mike Grebb at mgrebb@accessintel.com

Advertising Information Contact:

Debbie Vodenos, Publisher, dvodenos@accessintel.com or 301.354.1695 or Amy Abbey, Associate Publisher, aabbey@accessintel.com or 301.354.1629

Publication Date: October 1, 2011