

CableFAX Daily™

Friday — July 11, 2008

What the Industry Reads First

Volume 19 / No. 133

Rumor Mill: Could A la Carte Be Back?

Depending on who you talk to, FCC chmn Kevin Martin may or may not be trying to ready an order in the coming weeks mandating wholesale a la carte. But given the Republican chmn's penchant for the issue, no one's taking any chances. On Tues, the Congressional Hispanic Caucus wrote to Martin, saying it is "alarmed" to hear that the FCC may consider a la carte regulations. "The recent proposal to mandate 'wholesale a la carte' appears to be just another version of 'a la carte' that brings with it all the same threats to diversity on television," said the letter, signed by Rep Joe Baca (D-CA). Tongues in DC are wagging that orders addressing a host of issues, including a shot clock for program carriage access complaints and a quiet period for retrans negotiations around the DTV transition, are in the works. The biggest question regarding the quiet period, which would prevent broadcasters from yanking signals from cable ops during retrans negotiations, appears to be how long it would last. And an order granting a dual carriage exemption to small systems is also expected to be ready soon (Cfax, 7/9). It's looking as though there may be no meeting votes this month, with the FCC possibly convening for an open meeting in late Aug, as first reported by Comm Daily.

Waivers Granted: The FCC Media Bureau granted the requests by **James Cable**, **RCN** and **WOW** to have their set-top integration ban waivers extended. Last year, the Bureau allowed the 3 to continue to deploy boxes without separable security (ie, CableCARDS) after July 1, '07 because of the financial hardship integrated boxes would cause. While RCN, WOW and James requested an extension for at least 1 year, the FCC only gave them through the end of Jan, saying that they each need to submit specific plans within 30 days on how they will come into compliance with the ban. "We do not expect to grant further waivers unless a Petitioner presents an exceptional reason that it will be unable to comply with the integration ban after Jan 31, '09," the Bureau said. Noting that the FCC has not granted waivers past the Feb 17 DTV transition date, RCN said it wasn't surprised the Commission limited the extension to Jan 31. "RCN is moving to transition the majority of its customers/markets to all digital by then, so we're pleased that the order recognizes the importance of being able to continue to use the Motorola DCT-700s for that period, as it will greatly alleviate the financial burden of that important transition," said *Richard Ramall*, RCN svp, strategic external affairs and programming. **Charter** also was granted a waiver last year for financial reasons, but decided it did not need an extension for this year (Cfax, 5/23).

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At the Portals: In a blow to the **FCC**, the agency's Office of Management and Budget has rejected the reporting requirements for its new leased access rules. The setback comes weeks after the 6th Circuit stayed the FCC's new leased access rules. OMB's beef is that the requirements violate the 1980 Paperwork Reduction Act. Cable had complained that the rules require massive amounts of new paperwork. Among other things, the rule requires ops to provide info to potential leased-access providers in 3 business days instead of 15. The OMB decision is bad news for the FCC because even if it wins the 6th Circuit court challenge from cable, it will still have to revisit the reporting requirements.

Competition: Verizon bowed Thurs **FiOS TV for Business**, a subscription service targeting SMBs in the 13 states offering the telco's residential video. Service plans start at \$50/month, and Verizon is offering a \$409 online rebate to new business subs who sign up for a year of both FiOS TV for Business and FiOS Internet for Business. -- **DISH** said its HD lineup will soon eclipse 100 channels through the imminent additions of 7 **HBO** nets, 2 **Starz** nets, **Encore**, **Planet Green**, **CBS College Sports**, **Lifetime**, **Lifetime Movie** and **ActionMax**. -- More than 1mln recordings have been remotely scheduled through **DirecTV's DVR Scheduler**, the satcaster said, which also disclosed the top 15 recorded shows in Jun. Top 5: **ESPN's "SportsCenter," Discovery Channel's "When We Left Earth: The NASA Missions," Disney Channel's "Camp Rock,"** and a pair of **NBA Finals** games on **ABC**.

Complaint Dept: **NFL Net** continues to contend at the **FCC** that **Comcast** has discriminated against it. The channel filed its response Thurs to the MSO's response to its May 6 program carriage complaint (follow that?). **NFL Net** wants to be distributed on the same level of service as Comcast's own sports channels, **Versus** and **Golf Channel**. The **NFL Net's** filing concludes the complaints pleading cycle, leaving it up to the **FCC** to make a decision.

DTV Doings: The House unanimously approved a DTV bill Wed night that would enable the **NTIA** to spend previously allocated funds to educate residents of rural areas, the elderly and minorities on the DTV transition. It also implements a program to reimburse low-power TV stations upgrading to digital. The legislation now moves to the President. -- Members of the House Commerce committee are urging the **Postal Service** to give priority status to DTV converter coupons being mailed to consumers. -- The countless DTV polls continue. The latest from **NAB** claims 64% of US HHs that rely exclusively on over-the-air TV have already taken some sort of action to prepare for the transition.

Digital Nitro: **Turner** has inked a collaborative advertising and content deal with **Yahoo!**, adding to an impressive online garage that includes **NASCAR.com**, **NBA.com** and **PGATour.com**. **Turner** obviously won't manage **Yahoo!** like it does the latter 3, but will exclusively represent the online ad sales **Yahoo!** Sports' pro hoops, **NASCAR** and golf pages while providing related content as well. **Turner** also gains access to targeting tech to sell ads based on consumers' affinity for content from the 3 sports.

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Programming: Three weeks before the DVD release, **Starz** will debut “Hannah Montana/Miley Cyrus: Best of Both Worlds” concert film. Starz has the concert in virtually every format possible: 2D, 3D and HD (<http://www.starz.com/3D> has a step-by-step instructions on making your own 3D glasses at home). -- **Versus** is the new champion of “The Contender,” which bobs and weaves to the net in Dec for its 4th season. *Sugar Ray Leonard* is negotiating to return as host. The net will also feature the series premiere of “The Contender Muay Thai” (Jul 31), a similar reality competition featuring 16 of the best intl Muay Thai kick boxers.

5 Qs with Tom Calderone, evp/gm, VH1: **With your online and mobile content, will the viewer who watches “VH1 Rock Honors” (July 17, 9pm, VH1, VH1 Classic, MHD) on the linear channels only be missing a lot?** The idea of those platforms is not to make it seem exclusive or a club you can't join...it's really meant to be additive, deeper and more immersive to your love of *The Who* and VH1 Rock Honors. What we're trying to tell people is even if you have no interest in going online we have additional performances and documentary footage that go beyond the television show. It takes the show in a kind of on-demand direction, so you can re-live it anytime. **Speaking of which, will there be a VOD component?** No, not this time. **So how do you pitch the benefits of this online content to cable operators?** It's not always about one particular event or show, it's about an ongoing relationship we have with our cable partners on a variety of things, like VOD, tent pole events, awards shows, reality shows and HD. **Does the variety of platforms help you monetize awards shows?** Yes. *Rainn Wilson* is doing all our backstage interviews and commentary for Rock Honors. We would not have enough time on our air to do all of that great content, so the fact that it will live forever on vh1.com...is really important to us. **You're offering travel packages to the Rock Honors this year?** Yes, we found a lot of people travel to this show, so we decided to offer packages on travel and tickets. And proceeds from all tickets will go to charity, including The Who's charities. Quite frankly, it's something we're really proud of.

TCA Notebook: In the first TCA for **Planet Green** (formerly **Discovery Home**), pres/gm *Eileen O'Neill* announced the net has greenlit a 2nd season (6 eps) of “Greensburg,” which is exec produced by *Leonardo DiCaprio*. The new season will premiere in May. In addition, she said *Jimmy Buffett* has created a 3-min video to raise awareness about sharks to run during breaks. It's set to his iconic “Fins” song. -- **Discovery Channel** pres/gm *John Ford* announced new series “Prototype This” to premiere in May. -- **Animal Planet** showcased the cast of its “Whale Wars” series premiering in Nov, in which activists try to stop Japanese “researchers” from killing whales in international waters. -- **TLC** showcased several of its hosts for real-estate themed shows, with pres *Angela Shapiro-Mathes* noting that the net will focus more on the realities of the sagging market (for example, tackling the issue of whether to refinance or sell). New TLC shows include “Ashley Paige: Bikini or Bust” (July 11 premiere), “Must Love Kids,” “Say Yes to the Dress” and “Rock the Reception” (July 15 premieres), “Take Home Nanny” (July 21 premiere) and “Who Are You Wearing” (Aug 22 premiere). -- **National Geographic Channel** promoted its new “Expedition Week,” set to premiere in Nov. It features shows such as “Live from the Moon” examining new HD pics of the lunar surface with astronaut *Buzz Aldrin*, as well as pirate study “Shipwreck! Captain Kidd.” And unwilling to cede the “extreme jobs” mantle to Discovery, NatGeo also previewed its “World Toughest Fixes” premiere in Sept in which master rigger Sean Riley



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visits worksites in an effort to solve serious problems. These guys are tough. -- **History Channel** previewed "Sandhogs"(premieres Q4), a show about a little known fraternity of workers who blast away tunnels in the bowels beneath NYC. When asked why they agreed to let cameras into their world, sandhog *Chickie Donohue* said it best: "Now we can show our kids what daddy does for a living." -- **A&E** previewed its new original scripted drama "The Cleaner" in which *Benjamin Bratt* plays a formerly drug-addicted man who helps others with extreme intervention. It's part of a deal he has struck with God. Interesting and cerebral concept, and the creators promised critics plenty of moral gray areas to trip up the show's cast.

Ratings: The Tues ep of **Oxygen's** "Tori & Dean: Home Sweet Hollywood" garnered 660K women 18-49, setting an all-time record for net telecasts in the demo. -- "Baldwin Hills" returned for Season 2 Tues, notching a 1.2 coverage rating/1.5mln viewers, making it BET's top series telecast of all time.

On the Circuit: **CTAM Summit** has moved to Nov from July, but those in need of a CTAM summer fix can check out the assoc's free Webcast July 22, 2pm ET. The marketing panel features **Discovery's** *Rebecca Glashow*, **Cablevision's** *Jonathan Hargis* and consultant *Lee Hunt*. Sign up here at www.ctam.com/conferences/summit/.

CableFAX Daily Stockwatch

Company	07/10 Close	1-Day Ch	Company	07/10 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BRITISH SKY:	35.14	(0.42)	AMDOCS:	29.79	0.16
DIRECTV:	25.52	0.73	AMPHENOL:	45.39	0.80
DISNEY:	29.60	0.06	APPLE:	176.63	2.38
ECHOSTAR:	27.07	(0.35)	ARRIS GROUP:	7.31	(0.04)
GE:	27.64	0.45	AVID TECH:	16.96	(0.01)
HEARST-ARGYLE:	19.55	(0.1)	BIGBAND:	4.07	0.31
ION MEDIA:	1.45	0.00	BROADCOM:	27.70	0.11
NEWS CORP:	14.70	0.07	C-COR:	11.00	0.00
MSOS					
CABLEVISION:	20.24	(0.59)	CISCO:	22.13	0.55
CHARTER:	1.03	(0.01)	COMMSCOPE:	49.91	0.12
COMCAST:	18.66	0.18	CONVERGYS:	14.78	0.11
COMCAST SPCL:	18.46	0.10	CSG SYSTEMS:	11.50	0.05
GCI:	7.39	0.12	ECHOSTAR HOLDING:	30.25	(0.22)
KNOLOGY:	10.40	0.17	GOOGLE:	540.57	(0.98)
LIBERTY CAPITAL:	15.26	0.13	HARMONIC:	9.40	0.23
LIBERTY ENTERTAINMENT:	23.31	0.27	JDSU:	10.59	(0.12)
LIBERTY GLOBAL:	30.06	(0.02)	LEVEL 3:	2.62	(0.03)
LIBERTY INTERACTIVE:	13.28	0.02	MICROSOFT:	25.45	0.22
MEDIACOM:	5.02	(0.21)	MOTOROLA:	6.95	(0.2)
SHAW COMM:	21.28	(0.03)	NDS:	57.70	(0.33)
TIME WARNER CABLE:	25.71	(0.53)	NORTEL:	6.90	(0.14)
VIRGIN MEDIA:	12.13	0.69	OPENTV:	1.51	(0.06)
WASH POST:	597.00	7.30	PHILIPS:	32.68	0.12
PROGRAMMING					
CBS:	17.47	(0.16)	RENTRAK:	13.96	0.01
CROWN:	4.26	(0.06)	SEACHANGE:	6.71	0.00
DISCOVERY:	20.73	0.20	SONY:	41.17	0.75
EW SCRIPPS:	3.21	(0.04)	SPRINT NEXTEL:	8.58	(0.02)
GRUPO TELEVISA:	22.69	(0.12)	THOMAS & BETTS:	34.10	(0.21)
INTERACTIVE CORP:	17.83	0.46	TIVO:	6.28	(0.01)
LIBERTY:	45.98	0.35	TOLLGRADE:	4.56	0.15
LODGENET:	3.41	(0.28)	UNIVERSAL ELEC:	20.16	(0.18)
NEW FRONTIER:	3.57	0.20	VONAGE:	1.58	0.11
OUTDOOR:	6.75	0.04	WORLDGATE:	0.30	0.00
PLAYBOY:	4.88	0.06	YAHOO:	23.50	(0.32)
RHI:	12.22	0.22	TELCOS		
SCRIPPS INTERACTIVE:	40.60	0.60	AT&T:	32.77	0.65
TIME WARNER:	13.86	(0.03)	QWEST:	3.78	0.05
VALUEVISION:	3.20	(0.05)	VERIZON:	34.90	0.24
VIACOM:	28.44	0.03	MARKET INDICES		
WWE:	15.41	0.04	DOW:	11229.02	81.58
TECHNOLOGY					
3COM:	2.02	0.02	NASDAQ:	2257.85	22.96
ADC:	13.62	(0.27)			
ADVANTAGE:	2.77	0.01			
ALCATEL LUCENT:	5.81	0.01			

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PROGRAMMER'S PAGE with Chad Heiges and Seth Arenstein

Rings Leader

The pageantry and spirited competition of the **Olympics** kick off from Beijing in approx 4 weeks, and it wouldn't surprise me if **NBCU** properties are collectively able to feature every participating athlete at least once during the Games. The 3.6K hours of planned coverage—on cable across **USA** (165 hours), **MSNBC** (175), **CNBC** (96) and **Oxygen** (20)—is a ridiculous number and, quite frankly, seems like overkill. Even 2.2K hours of live competition will roll at **NBCOlympics.com**, for pole vaulter's sake! The conglomerate has said the quadrennial event's current iteration will be used to test demand across platforms, time periods, sports, etc, and for good reason: it also holds the rights to the '10 and '12 Olympics at a \$2.2bln price tag. Unfortunately, numerous reports claim NBCU's related ad sales are moving more like a speed walker than *Tyson Gay*, a plight likely due to the imperious and divisive Chinese govt and the gaping time difference between here and the Far East. Even so, I'm sure NBCU views its Olympic endeavor as a middle-distance race, not a sprint, and **NBC** is no doubt poised to lure millions of viewers from Aug 8-24. Just how many remains to be seen (and reviewed by execs and advertisers). Infer what you will from the following: not 1 of NBC's US Olympic Trials telecasts last week cracked the Big 4 broadcasters' top 20, and none ranked within the net's own top 3. The results on cable weren't medal-worthy either. Approx 9 hours of swimming and track and field on USA averaged 1.28mln viewers. A colleague of mine claims the latter number is superfluous, that no one ever watches the US trials. Possibly. But wouldn't NBCU and USA at least want Olympics-related content to beat time-slot regulars? Consider: during the 3 weeks prior, only 1 corresponding program failed to beat the top US trials scorer, and most were reruns of "Law & Order: SVU." We'll see how far NBCU can run with 3.6K hours on its back. CH

Highlights: "The Cleaner," Tues, 10pm, **A&E**. A&E's 1st scripted original in 6 years cleans up in ep 1, doling out plot elements about a crew of former addicts who liberate others. *Benjamin Bratt* plays the crew's leader whose profession competes fiercely with his home life. -- "Earth The Biography," Sun, 9pm, **Nat Geo**. Another reason to get HD; 5-parter hosted with gusto and insight by geologist *Iain Stewart*. Don't miss ep on ice at 10pm. SA

Worth a Look: "Emeril Green," Mon, 8pm, **Planet Green**. If your subs enjoyed *Emeril Lagasse's* shtick on **Food's** anchor series "Emeril Live, they'll need to develop a taste for this Emeril, the subdued, greenish version. Gone are patented Emerilisms like "bam!" and "take it up a notch." Also missing are too much butter and heavy cream. A green Emeril is a nutrition-conscious one. Still, ep 1 contains useful cooking and shopping tips as Emeril roams a gorgeous **Whole Foods Market**, shopping for and cooking a tasty, simple meal. The larger question: Will viewers visit Planet Green to watch Emeril slow cook this new act? -- "NYC Sound Tracks," Sun, 8pm, **MSG**. Clever concept well executed on a regional's budget—let viewers vote for the best subway musicians in the Apple and have the winner play on a big-time stage. SA

Basic Cable Rankings (6/30/08-7/06/08) Mon-Sun Prime			
1	USA	2.1	2043
1	TNT	2.1	1986
3	DSNY	1.7	1619
4	NAN	1.2	1149
4	LIFE	1.2	1138
4	TBSC	1.2	1133
4	HALL	1.2	1025
8	FAM	1.1	1064
8	TOON	1.1	1003
10	FOXN	1	963
10	ESPN	1	940
10	HGTV	1	932
13	SPK	0.9	894
13	FX	0.9	860
13	DISC	0.9	851
13	A&E	0.9	828
13	SCIF	0.9	812
13	AMC	0.9	802
19	HIST	0.8	791
19	CMDY	0.8	760
19	TRU	0.8	708
22	FOOD	0.7	709
22	MTV	0.7	650
22	LMN	0.7	400
25	CNN	0.6	580
25	TLC	0.6	530
27	ESP2	0.5	474
27	TVLD	0.5	469
27	VH1	0.5	467
27	APL	0.5	463
27	BET	0.5	453
27	MSNB	0.5	415
27	OXYG	0.5	346
34	EN	0.4	404
34	BRAV	0.4	399
34	NOGG	0.4	277
34	WGNC	0.4	275
34	STYL	0.4	221
39	HLN	0.3	300
39	TTC	0.3	266
39	NGC	0.3	231
39	SOAP	0.3	222
39	WE	0.3	217
39	GSN	0.3	188
39	ID	0.3	132
46	CMT	0.2	189

*Nielsen data supplied by ABC/Disney



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