

# CableFAX Daily™

Thursday — July 12, 2012

What the Industry Reads First

Volume 23 / No. 133

## A Video View Is a Video View: DISH Touts Digital Media Ad Platform

**DISH** is looking more and more like a digital advertising operation, according to *Warren Schlichting*, svp DISH media sales & analytics. He said the DBS wants to distinguish itself from its competition by focusing on collecting viewer impression data, and it has started to do so through hauling back iTV data on consumer impressions over IP—a process that resembles digital more than traditional media, he said at the OPS TV conference Wed. “As we innovate we’re starting to look, walk and talk like a digital advertising shop.” The MVPDs ad ops team has begun to target households with addressable advertising, he said, by sending ad files with specific targeting instructions straight to the DVR over IP, essentially bypassing the satellite. “The advantages of digital don’t have to do with the viewing itself,” he said. “A video view, especially in an advertising sense, is a video view. The advantages of digital lie in the backend.” In other words, it facilitates an ease of collecting data and measuring impressions. But when it comes to getting credit for impressions, **Nielsen** is still king. “We live in a strange world, where Nielsen says this and we know what’s really happening,” he said. “That’s crazy-making sometimes... We’d like to get out of that. We’re making our way out.” In the meantime, he questioned whether established media players have the courage to reinvent themselves and embrace innovation, since that requires cannibalizing their own business. “When you’re an incumbent, it’s much harder.” Making tons of cash at the top is “diametrically opposed to doing something new and adaptation,” he said, and cited **Canoe** as proof that trying to move the backend for the operating system of traditional media is no small thing: “You can’t mandate Darwinian change.” For DISH, the real progress in convergence toward digital comes from day-to-day solutions provided by video operations. “Video ops teams are at the center of where things are moving, at least in our company,” he said. It plans to invest additional resources with a “heavy duty research and data team.” --Of course, the topic of DISH’s Ad Hopper could not go untouched. Schlichting attributed the technology’s existence to *Charlie Ergen*. “We like to say that Charlie Ergen is an equal opportunity innovator.” He’s out front on a couple of issues, he said, including retrans, and cited dropping **AMC**, “because he’s a believer that we can’t pass this on to the consumer. He said enough is enough.” The Ad Hopper is “an innovation for the consumer,” he said. “[Ergen] is moving ahead on all fronts.” In closing, however, Schlichting admitted reluctantly that he’s had to satisfy himself with that explanation. “I’ve had a few angry conversations on Madison Avenue this week,” he said.

**ONE LOCATION • TWO CONFERENCES • ONE PRICE**

OCTOBER 14 – 16 • ORLANDO • 2012

insights  
CTAM

summit  
CTAM



1



2



3



4



5



6

1 Shawn Achor - Author of The Happiness Advantage, Good Think Inc. 2 David Gregory, Moderator, “Meet the Press”, NBC News  
3 Dan Hill, President, Sensory Logic, Inc. 4 Christie Kawada, SVP, Nielsen Entertainment, The Nielsen Company 5 Evan Shapiro, President, Participant Media TV 6 Melinda Witmer, EVP, Chief Video and Content Officer, Time Warner Cable

**\$595**

**Guest Program Rate**

See website for details

[www.CTAMearlybird.com](http://www.CTAMearlybird.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, 818.945.5309, mgrebb@accessintel.com ● Editor: Joyce Wang, 301.354.1828, jwang@accessintel.com ● Community Editor: Kaylee Hultgren, 212.621.4200, khultgren@accessintel.com ● Advisor: Seth Arenstein ● Publisher: Debbie Vodenos, 301.354.1695, dvodenos@accessintel.com ● Assoc Publisher: Amy Abbey, 301.354.1629, aabbey@accessintel.com ● Marketing Dir: Barbara Bauer, 301.354.1796, bbauer@accessintel.com ● Prod: Joann Fato, 301.354.1681, jfato@accessintel.com ● Diane Schwartz/SVP and Group Publisher ● Subs/Client Services: 301.354.2101, fax 301.309.3847 ● Group Subs: Amy Russell, 301.354.1599, arussell@accessintel.com

**At Our Deadline:** A federal judge declined to block online TV start up **Aereo**. Broadcasters sought the temporary injunction, saying Aereo's rebroadcast of its programming over the Web without permission creates irreparable harm. But US District Court Judge *Alison Nathan* said Aereo also would face hardships if the injunction was granted and the balance of hardships is not tipped decidedly in plaintiffs' favor. Nathan also said that based on **Cablevision's** successful network DVR case, plaintiffs are unlikely to succeed on the merits of their public performance case. "Today's decision is a loss for the entire creative community," read a statement from the plaintiffs **Fox Networks Group, Tribune, PBS, WNET and Univision**. "The judge has denied our request for preliminary relief, ruling that it is OK to misappropriate copyrighted material and retransmit it without compensation. While we are disappointed, we will continue to fight to protect our copyrights and expect to prevail on appeal."

**Fight!:** Lot of mudslinging between **DirectTV** and **Viacom** the day after the DBS provider lost 17 Viacom nets (or 26, if you count HD feeds). Biggest news may be that both sides were talking Wed afternoon. Also generating lots of press was the fact Viacom pulled some full-length episodes of shows that it offers free online. This affects all consumers—not just DirecTV subs—and has rankled some, including **Public Knowledge**. Viacom acknowledged that it has "temporarily" trimmed offerings as DirecTV is marketing them as an alternative to its networks. Viacom said the online eps were always intended to serve as a complement and marketing tool for affiliates. Still, it added that hundreds of long-form episodes are still online for free (including "SpongeBob.") DirecTV told customers that Viacom is "now not only holding DirecTV customers hostage, but all online viewers as well" and asked if it was "another underhanded negotiating tactic" or a sign that Viacom will no longer offer its content free online. The latter has long been a bone of contention with MVPDs, who are paying for that content. -- Biggest surprise punch thrown in the fight? That goes to Viacom for snagging DirecTV's video of CEO *Mike White* discussing the dispute and overlaying it with **VH1** "Pop-Up Video" style graphics, disputing his talking points. -- Can you say awkward? Interesting situation in Sun Valley, ID, where Viacom CEO *Phillippe Dauman* and DirecTV's White are hanging out in the same private sessions with scores of other media moguls attending **Allen & Co's** annual retreat. On Wed morning, Dauman stopped at the press scrum outside the Sun Valley Inn to remind reporters that "in the 7 years since we last did a DirecTV deal, we have successfully and peacefully concluded affiliate agreements with every single other distributor in the United States." But when pressed on whether he'd unbundle Viacom's offerings, he said he didn't want to negotiate in public. "As I said, the record speaks for itself." White also chatted with reporters lurking on the resort grounds, arguing that Viacom is trying to push through a more than 30% fee increase. Will these 2 be golfing together this week? We're not betting on it, but perhaps they should.

**Spectrum Watch:** Turns out the **Verizon/T-Mobile** spectrum swap didn't entirely satisfy opponents of the **Verizon/cable** spectrum deal. While acknowledging that the swap addresses spectrum concentration concerns, critics continued to bash the joint operating and marketing agreements. If the regulators were to OK the deal (the **FCC** reportedly is ready to do so), conditions must be attached, they said in filings. For example, **Free Press** wants the Commission to require substantial AWS divestitures beyond what **Verizon** has agreed to through the **T-Mobile** swap. And here's a summary of the conditions **Sprint Nextel** proposed: no restrictions to access WiFi by wireless subs; making available any WiFi tech or protocols developed by the cable ops and **Verizon** through their joint venture; no discrimination in the cost or speed of handling traffic on cable ops' WiFi nets based on choice of carrier; no restrictions to access existing cable facilities for the installation and attachment of microcells; backhaul offering on a non-discriminatory basis. The **Verizon** gang fought back, arguing the cable spectrum deal will advance the public interest, with the **T-Mobile** swap only enhancing those benefits. Additionally, approval of the deals, will "underscore the effectiveness of the Commission's secondary markets policies," they said. The **T-Mobile** swap, including some spectrum **Verizon** must acquire from the cable ops, will "further rationalize" each provider's spectrum holdings by offering more spectrum in needed markets and by improving spectrum "contiguity, and thus efficiency..." they said. The **FCC** restarted the 180-day clock of the cable spectrum transaction review Tues.

**TNT Changes:** **TNT** and **TBS'** original programming reorganization means new roles for a few top execs. *Lillah McCarthy*, svp, original programming, will be svp, original productions, heading up the nets' in-house production company. *Brett Weitz*, vp of dev for **TNT**, was promoted to svp, scripted development for the nets. *Kathy Busby*, vp of comedy development for **TBS**, will be vp of **TNT** and **TBS** Original Productions. The nets recently added *David Eilenberg* as svp, unscripted dev.

# BUSINESS & FINANCE

**Honors:** Give it up for Time Warner Cable East Region evp Carol Hevey, who is WICT's Woman of the Year. Cox svp, law & policy Jennifer Hightower and WE svp, digital media & biz dev Jennifer Robertson were named as Woman to Watch honorees. The awards will be presented Sept 10 during WICT's Annual Leadership Conference in NY during Diversity Week.

**Programming:** Starz will launch 2 new original series, currently still in production. "Incursion," from "Spartacus" creator Steven DeKnight, is a science fiction, action-thriller that follows a squad of soldiers caught in a war against a hostile alien race. "Vlad Dracula," a spin of the classic tale, traces the prince's evolution from a revered ruler to the world's most feared vampire, and his slow downfall as he struggles desperately to hang on to his humanity, his wife and his kingdom. -- -- TNT booked a 3rd season of "Falling Skies," from Steven Spielberg and DreamWorks. Season 3 is slated to air '13 with 10 episodes. The series, which airs Suns at 9pm, currently averaged 5.9mln viewers.

**People:** Barbara Fisher, Hallmark's former svp, original programming, has joined GMC as svp, original programming—a new post for the net. Fisher left Hallmark at the end of Mar. -- CTAM hired Todd Esenwein as dir, biz services.

## CableFAX Daily Stockwatch

Company	07/11 Close	1-Day Ch	Company	07/11 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	48.15	(0.54)	CONCURRENT:	4.00	(0.02)
DISH:	26.80	(0.95)	CONVERGYS:	14.92	(0.02)
DISNEY:	47.27	(0.09)	CSG SYSTEMS:	17.54	0.01
GE:	19.68	0.06	ECHOSTAR:	26.36	(0.69)
NEWS CORP:	21.88	(0.12)	GOOGLE:	571.19	(10.51)
<b>MSOS</b>					
CABLEVISION:	12.95	UNCH	HARMONIC:	4.19	(0.04)
CHARTER:	71.59	(0.51)	INTEL:	25.39	(0.17)
COMCAST:	31.73	0.38	JDSU:	9.37	(0.8)
COMCAST SPCL:	31.14	0.33	LEVEL 3:	20.01	(0.08)
GCI:	9.77	0.20	MICROSOFT:	29.30	(0.44)
KNOWLOGY:	19.69	UNCH	RENTRAK:	19.43	UNCH
LIBERTY GLOBAL:	49.22	(0.25)	SEACHANGE:	7.64	(0.34)
LIBERTY INT:	17.71	0.11	SONY:	12.87	(0.23)
SHAW COMM:	19.36	0.15	SPRINT NEXTEL:	3.23	0.04
TIME WARNER CABLE:	82.76	0.91	TIVO:	7.86	(0.01)
VIRGIN MEDIA:	24.26	0.15	UNIVERSAL ELEC:	13.81	0.14
WASH POST:	364.00	(0.03)	VONAGE:	1.99	UNCH
<b>PROGRAMMING</b>					
AMC NETWORKS:	40.73	0.86	YAHOO:	15.80	(0.02)
CBS:	30.92	(0.66)	<b>TELCOS</b>		
CROWN:	1.74	0.01	AT&T:	35.26	(0.18)
DISCOVERY:	50.02	(0.23)	VERIZON:	44.90	0.20
GRUPO TELEVISIA:	21.63	0.34	<b>MARKET INDICES</b>		
HSN:	41.70	0.20	DOW:	12604.53	(48.59)
INTERACTIVE CORP:	47.10	(0.36)	NASDAQ:	2887.98	(14.34)
LIONSGATE:	14.19	(0.14)	S&P 500:	1341.45	(0.02)
LODGENET:	1.25	(0.07)			
NEW FRONTIER:	1.60	0.01			
OUTDOOR:	7.32	0.02			
SCRIPPS INT:	53.35	(0.79)			
TIME WARNER:	38.10	0.37			
VALUEVISION:	2.40	0.07			
VIACOM:	48.98	(0.75)			
WWE:	7.86	0.20			
<b>TECHNOLOGY</b>					
ADDVANTAGE:	2.10	UNCH			
ALCATEL LUCENT:	1.50	UNCH			
AMDOCS:	29.87	0.16			
AMPHENOL:	51.83	(0.65)			
AOL:	27.91	0.04			
APPLE:	604.43	(3.78)			
ARRIS GROUP:	13.77	(0.2)			
AVID TECH:	8.12	(0.04)			
BROADCOM:	31.19	(0.34)			
CISCO:	16.38	(0.03)			
CLEARWIRE:	1.11	0.03			



CALL FOR ENTRIES!

Late Entry Deadline: July 13, 2012

The Second Annual Communications Technology Platinum Awards honor the best of the best in technology innovation, implementation and PR/marketing. Prove your weight, and enter the 2012 Communications Technology Platinum Awards today!

[www.ctplatinumawards.com](http://www.ctplatinumawards.com)

## Think about that for a minute...

### I Say 'Please' to Siri

Commentary by Steve Effros

I was using my iPhone the other day, and wanted to set a reminder of something to do. As usual, I simply pushed the button and asked that the reminder be set through the voice recognition system, Siri. "She" does a lot of stuff for me. I set alarms, create reminders, and, when I'm in a good WiFi area (the more complex stuff needs a fast "cloud" connection) the voice recognition and analysis system will work well enough to even make inquiries on the Web.



For setting alarms, reminders and so on, that process is done right in the phone, and I use it all the time. It's much easier than pushing a whole series of "app" buttons and then manually setting a time and date. While I was doing it, however, I noticed something

that I hadn't realized before. When I started to ask Siri to do something, I said "please."

Now I know that this is just a device, it's not a person. But it's getting harder and harder to tell, and the way I was raised, you always say "please" and "thank you." So it was just automatic that I say the same thing to Siri.

It got me thinking. Wouldn't it be great if more folks got into the habit of saying "please" and "thank you" these days? To be sure, when I was growing up there was no question that is what you said, especially as a kid. But, maybe because I'm now well along the age curve, I seem to be noticing that the convention of being courteous apparently has gone out of fashion. Why not use our newest devices to help bring civility back into our lives?

What if Siri (or the equivalent on Android phones) was programmed to be more responsive when someone asked that something be done and said "please"? What

if our little electronic helpers were also programmed to say "thank you," or respond to being thanked? Yes, I'm anthropomorphizing an inanimate object here, and I certainly recognize that. But it could also prove to be a very useful teaching tool. What's wrong with that?

What if video games were programmed to respond in similar ways? What if they booted up faster, or gave extra points for those who asked, rather than demanded? Strange? Maybe, but it might just work. Again, as a tool, not as a mandate. I'm not suggesting Apple or Google "hardwire" their devices to only work in this fashion. I would just have it as an option, much like parental controls are on cable boxes. Parents could program the phones so that they worked better when, say, civil discourse was observed.

Naturally, this leads to all sorts of discussions about affecting behavior through the "user interfaces" that have now become a part of our lives. The same thing is true of the responses we get to the inquiries we make. Google, for instance, has "rigged" their search algorithm so that when health information is being sought, the information from the National Institutes of Health always shows up on the first page of results. Thus Google has decided that what they think is accurate information should take precedence even if the snake-oil salesmen and blogs get more "hits." I agree with them, but I think these "teaching" tools should be used only with lots of transparency, so everyone knows what's going on. Technology can aid knowledge and civility. It's just a question of how, and how much.

*Steve*

T:202-630-2099  
steve@effros.com

*(Steve Effros was President of CATA for 23 years and is now an advisor and consultant to the cable industry)*

THE  
INDEPENDENT  
SHOW

July 22-25  
Disney's Yacht & Beach Club Resorts  
Lake Buena Vista, FL

[www.nctconline.org/tis](http://www.nctconline.org/tis)

 NATIONAL  
CABLE TELEVISION  
COOPERATIVE, INC.

 American  
Cable  
Association