

# CableFAX Daily™

Friday — July 30, 2010

What the Industry Reads First

Volume 21 / No. 146

## Volunteers Needed: Bill Would Help Ease Broadcast Spectrum Concerns

With broadcasters still worried about forced spectrum reclamation, you could hear a sigh of relief Thurs when **House Communications** subcmte chmn *Rick Boucher* (D-VA) and Ranking Member *Cliff Stearns* (R-FL) introduced the "Voluntary Incentive Auctions Act." While the FCC has said all along that these spectrum auctions will be voluntary, broadcasters are concerned that it might not prove to be the case and that current spectrum bills don't protect them. The legislation spells out that voluntary means TV broadcasters (or other spectrum holders) willingly agree to surrender spectrum in return for a portion of auction proceeds. "Our goal is to ensure that any incentive auctions the FCC conducts are truly voluntary," Boucher said. The FCC seeks more spectrum for commercial wireless services, with smart phones placing unprecedented demands on wireless spectrum. The FCC Natl Broadband plan calls for making 500Mhz of spectrum newly available for broadband within the next 10 years, with 120Mhz expected to come from broadcast. "As NAB has previously articulated, we have no quarrel with incentive auctions that are truly voluntary, and the Boucher/Stearns bill is a clear step in the right direction," a **NAB** spokesman said. "We look forward to working with Congress as it lays the foundation for sound spectrum policy that recognizes the enduring value of free and local broadcasting." Broadcast tech group **MSTV** also gave the bill a shout out, saying it recognizes the importance of free, over-the-air digital TV.

**Competition:** **DirectTV** is placing its \$300 (new price) **NFL Sunday Ticket** package on the marquee over the next few months through a pair of marketing plays. Starting next month, the DBS op will reportedly spend \$100mln touting the package's new standard features such as HD and a Game Mix channel on TV, the Web, in mags and on the radio. The other campaign, now running through Nov, offers new subs 5 months free of **DirectTV's** Premier programming package with the purchase of NFL Sunday Ticket.

**Ticker Time:** **Charter** named ent lawyer *Craig Jacobson* a board and Audit Cmte member. The Audit Cmte appt completes the cmte, paving the way for the re-listing of Charter shares on **NASDAQ**. The MSO expects to complete the listing process in the coming weeks as it remains listed on the **PinkSheets** under the symbol CHTRQ. Also, Charter named svp/controller/chief accounting officer *Kevin Howard* interim CFO; the search to replace outgoing evp/CFO *Eloise Schmitz* continues.

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**In the States:** Clearwire earned the 1st major wholesaler for its **Clear** 4G mobile broadband services in **Best Buy**, which starting next year will offer the services through its **Best Buy Connect** service. That service, officially launched earlier this month, now uses **Sprint's** 3G network and offers plans starting at \$30 for 250MB. -- **HiBeam Internet & Voice** tapped a **Tellabs** platform as part of its new **WiMAX** network aimed at customers in selected unserved and underserved markets.

**On the Hill:** Rep *John Dingell* (D-MI) argues **FCC** chmn *Julius Genachowski* couldn't answer his questions on the Third Way broadband proposal with "sufficient detail." In a letter to Genachowski Wed, Dingell urged him to "abandon this effort and work with Congress to enact law that resolves this matter." Meetings about potential Congressional action continue at the FCC. On Tues, **NCTA's** *Kyle McStarow* and **AT&T's** *James Cicconi* met with the chmn's chief of staff to discuss matters relating to potential legislation, according to an ex parte filing.

**Lassoing Latinos:** Cable may be enjoying another summer of solid viewership, and broadcast appears on the mend, but **Univision** said it will rule the July Sweep as the top network—broadcast or cable and English- or Spanish-language—among all 18-34s (1.10mln) and 12-34s (1.29mln). Among 18-49s (1.88mln), the net said it trailed only ABC and Fox during the month. Also, per the Nielsen Station Index, **KMEX Univision** in L.A. was the most-watched station, regardless of language, in the entire country during prime among all total viewers, 18-49s and 18-34s.

**At the Portals:** ACA's wish was granted. The **FCC** Media Bureau granted its request for a 2-week extension to reply to **Comcast** and **NBCU's** filing defending their proposed transaction. The new deadline for filing is Aug 19.

**Who Is NCAAOM? Comcast-NBCU** critic **Natl Coalition of African American Owned Media** now says it's preparing a lawsuit against the **FCC** claiming the agency has "continually violated the Sherman Act and anti-trust laws." The FCC declined comment. The group said the suit was triggered by the pending Comcast-NBCU transaction, but pres *Stanley Washington* told us the suit is separate from the proposed jv. "We strongly believe the FCC has not done its job up to this point with diverse ownership," he said. One of its advisers is none other than former FCC chmn *Kevin Martin*, who was criticized by some for hampering minority ownership with changes to media ownership rules. "I think Kevin would say this is a great opportunity for him to get it right," Washington said. While Martin and a fellow **Patton Boggs** attorney are listed on NCAAOM's "About Us" section of its Website, Washington said they are not members of the group nor does Patton Boggs provide funding. Martin and Patton's *Kristin Wells* are counsel providing service strictly for fee, he said, with funding coming from private sources and some members. **Entertainment Studios' Byron Allen** has identified himself as a member of the group, which Washington described as about a year old. Washington said it was too early to say where the suit would be filed or what specific remedies would be sought.

**July Ratings:** Though **USA** easily won the prime July ratings race with a 2.4/2.38mln, the net's total decreased compared to both June and 2Q and its margin of victory was narrower than in either of those time periods. After 2 eps each of "Royal Pains" and "Burn Notice" cracked the Jun telecast top 5, the series could manage only a 7th- and 9th-place finish in July, respectively. **TNT** took advantage, gaining 12% in HH rating from Jun to Jul (1.9/1.92mln) on the strength of its own originals "The Closer" and "Rizzoli & Isles," which together notched 4 of the 1st 6 telecast spots. **ESPN's** maligned "LeBron-The Decision" (7.0/6.97mln) led all telecasts in Jul, followed by **Discovery Channel's** "Deadliest Catch" (5.8/5.77mln). Other top-level gainers from Jun to Jul include **Disney Channel** (2.0/1.98mln from 1.9/1.85mln) and **ESPN** (1.2/1.15mln from 0.9/929K). -- **Brag Book:** **Bravo** posted its best July ever with double-digit growth among all key demos, including total viewers (+36%) and 18-49s (+44%). -- The 4th season premiere of **AMC's** "Mad Men" earned a 2.3/2.20mln and garnered 2.9mln total viewers, marking with the latter metric a series high and 5% increase over the show's 3rd season debut. -- **Investigation Discovery** delivered double-digit YOY delivery growth in July, marking the 12th consecutive month of such gains. HHs rose by 41%; total viewers by 45%. Meanwhile, sibling **Discovery Channel** notched its 2nd-best month ever among 25-54s (865K) while ranking 2nd among nets in July delivery of men 25-54 (525K). -- **ABC Family** scored its best July ever in prime among total viewers (1.5mln), 18-34s (420K), 18-49s (722K) and 12-34s (691K). -- **G4** saw its most-watched month in history and sibling net **E!** posted its most-watched July ever.

**Programming:** **Investigation Discovery** just got a little edgier, announcing "Who the (Bleep) Did I Marry" (Aug 25), which examines stories of people who thought they were happily married until the day they uncovered a shocking secret about their spouse. -- **USA** picked 2 additional seasons of "In Plain Sight." -- **ESPN 3D** announced coverage of 3 college

# BUSINESS & FINANCE

football games, including Boise State-VA Tech on Sept 8 and Ohio State-Miami on Sept 11. -- Former "American Idol" finalist *Kristy Lee Cook* will host new **Versus** series "Goin' Country" as she works to secure a record deal. -- **The Gospel Music Assoc** renewed its partnership with **GMC** to broadcast the Dove Awards in Apr. Next year's show will take place in Atlanta, the 1st time it's been held outside of Nashville. It's also where GMC is HQ'd. Meanwhile, *Amy Grant's* newest music video will be broadcast exclusively on GMC Fri, 8pm ET. -- **A&E** presents the 1-hour original on the DC Sniper, with convicted killer *Lee Boyd Malvo* granting an exclusive interview with *William Shatner*, 10pm, Thurs. The special comes before the premiere of Shatner's new series "Aftermath with William Shatner" on **BIO**, Mon, 10pm ET.-- **Go!TV HD's** set to kick off Sat with exclusive coverage of the '10 Emirates Cup from London. -- Actor *Common* will play 1 of the lead roles in **AMC's** newest pilot "Hell on Wheels," a contemporary western centered on the construction of the Transcontinental Railroad.

**People:** Discovery Channel upped *Dolores Gavin* to vp, dev.

**Business/Finance:** The **British Columbia Securities Commission** dismissed *Carl Icahn's* application for a cease trade order against **Li-ongate**, a request based on LGF's recent deleveraging transaction (*Cfax*, 7/27).

## CableFAX Daily Stockwatch

Company	07/29 Close	1-Day Ch	Company	07/29 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	36.71	(0.96)	ARRIS GROUP:	9.61	(1.88)
DISH:	19.89	(0.22)	AVID TECH:	12.95	(0.02)
DISNEY:	33.71	(0.33)	BIGBAND:	3.07	(0.07)
GE:	16.15	0.10	BLNDER TONGUE:	1.32	0.07
NEWS CORP:	14.62	(0.07)	BROADCOM:	36.69	(0.78)
<b>MSOS</b>					
CABLEVISION:	26.79	0.09	CISCO:	23.21	(0.18)
COMCAST:	19.13	(0.43)	CLEARWIRE:	6.93	(0.22)
COMCAST SPCL:	18.09	(0.4)	COMMSCOPE:	21.34	(4.73)
GCI:	8.33	(0.12)	CONCURRENT:	4.95	(0.05)
KNOLOGY:	11.52	(0.04)	CONVERGYS:	11.00	0.04
LIBERTY CAPITAL:	46.00	0.50	CSG SYSTEMS:	19.61	0.07
LIBERTY GLOBAL:	28.84	(0.19)	ECHOSTAR:	19.27	0.19
LIBERTY INT:	11.27	(0.26)	GOOGLE:	484.99	0.64
MEDIACOM:	7.21	0.07	HARMONIC:	5.97	(0.2)
RCN:	14.95	0.02	INTEL:	21.03	(0.3)
SHAW COMM:	19.50	0.08	JDSU:	11.21	0.41
TIME WARNER CABLE:	55.65	(0.34)	LEVEL 3:	1.11	(0.01)
VIRGIN MEDIA:	21.01	0.79	MICROSOFT:	26.03	0.08
WASH POST:	422.25	(1.67)	MOTOROLA:	7.61	(0.07)
<b>PROGRAMMING</b>					
CBS:	14.68	0.06	RENTRAK:	25.44	(0.13)
CROWN:	2.53	0.75	SEACHANGE:	8.86	0.10
DISCOVERY:	38.06	0.21	SONY:	31.90	2.34
GRUPO TELEVISA:	18.60	(0.24)	SPRINT NEXTEL:	4.76	(0.08)
HSN:	28.60	(0.19)	THOMAS & BETTS:	40.09	(0.19)
INTERACTIVE CORP:	25.03	0.25	TIVO:	8.45	(0.05)
LIBERTY:	37.19	0.21	TOLLGRADE:	6.57	0.12
LIBERTY STARZ:	54.72	(0.18)	UNIVERSAL ELEC:	17.93	(0.25)
LIONSGATE:	6.61	(0.18)	VONAGE:	2.39	0.05
LODGENET:	4.40	0.31	YAHOO:	13.76	(0.11)
NEW FRONTIER:	1.57	0.00	<b>TELCOS</b>		
OUTDOOR:	5.81	(0.08)	AT&T:	26.02	(0.18)
PLAYBOY:	5.40	0.00	QWEST:	5.62	0.00
SCRIPPS INT:	42.52	0.46	VERIZON:	28.88	(0.03)
TIME WARNER:	31.26	(0.01)	<b>MARKET INDICES</b>		
VALUEVISION:	1.89	(0.07)	DOW:	10467.16	(30.72)
VIACOM:	37.26	0.19	NASDAQ:	2251.69	(12.87)
WWE:	16.20	0.05	<b>TECHNOLOGY</b>		
<b>ADC:</b> 12.68 (0.01)					
<b>ADDVANTAGE:</b> 2.81 (0.03)					
<b>ALCATEL LUCENT:</b> 2.60 (0.09)					
<b>AMDOS:</b> 27.24 (0.19)					
<b>AMPHENOL:</b> 44.78 (0.1)					
<b>AOL:</b> 20.73 (0.2)					
<b>APPLE:</b> 258.11 (2.85)					



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

**Bankable Menu**

So an advertiser walks into **NBCU's** offices in '11... No, this isn't the start of a joke. It's perhaps just preamble to yesterday's eye-opening, ad-related punch line from **Comcast**, which very well could have the last and heartiest laugh. No doubt several of the parties against the Comcast-NBCU jv don't see the MSO's post-close expectation of \$10bln in annual ad rev as a joke either, but rather another argument in favor of anti-competition. I won't comment on that aspect, though I will give plaudits to the MSO for its business acumen in striking the deal. Execution's a different beast altogether, to be sure, but let's consider the bouquet of cable options that could be available to that fictional advertiser starting next year. To reach the general ent market, there's no better selling point than **USA** and its consistent prime excellence, but don't sleep on the steady progress of the more focused **Syfy**. For news, the entity will have **MSNBC** to tout along with its current rank as the 2nd-most popular cable news net. Those wishing to drill down further can reach a captive financial market through **CNBC**. Want to reach women? Try **Bravo**. Latinos? Try **mun2**. Hip younger persons with a jones for ent, fashion and pop culture? The jv's got **E!**, **Style** and **G4**. And then there's arguably the most important programming genre: sports. Go national with the up-and-coming **Versus**, or step down to the red-hot local sports market with **Comcast SportsNet**, which owns footholds in key markets such as Chicago, D.C., CA, Philly and New England. About the only demos that Comcast/NBCU won't have covered are senior citizens and kids, a truly saturated market with established players anyway. There will be a genre hole in non-fiction, but I wouldn't rule out a purchase or establishment of a net to plug it. And don't forget about the enormous cross-promotional opportunities surrounding **NBC**, cable nets and **Universal Studios**... So an advertiser walks into **NBCU's** offices in '11 and finds nearly a 1-stop shop. *CH*

**Highlights:** "Rubicon," pilot & ep 2, Sun, 8p, **AMC**. This dark drama about a small but influential outpost of the U.S. intelligence community begs for a cult following. This retro series feels like it's rooted in AMC's favorite era, the 60s. Retro and intelligence work? Yep, it's all brainpower here, no cool gadgets and nary a laptop. *James Badge Dale* (from **HBO's** "The Pacific") has the Don Draper/Hamlet role, a brooding, lonely survivor. And since it's intelligence, everyone is suspicious. – "Ultimate Air Jaws," Sun, 9p, **Discovery**. Cable's longest-running event "Shark Week" begins with (sorry) a jaw dropper. Gorgeously shot in slow-mo HD, the special has photographer *Chris Fallows* examining why Great Whites forsake seals to wander close to the S African mainland. *SA*

**Worth a Look:** "Dark Blue," season II premiere & ep 2, Wed, 9pm, **TNT**. Things heat up quickly courtesy of "Battlestar" alum *Tricia Helfer*, who joins the ensemble as perhaps the sexiest Federal agent ever. She supervises the police undercover squad headed by *Dylan McDermott* (and his perpetual 5 o'clock shadow). Initially exec prod *Jerry Bruckheimer* has the pair face off in the usual Feds vs cops motif; later they athletically gyrate in bed. In ep 2 (at 10p), the pair learns sex between colleagues changes things. Really, it does. *SA*

Basic Cable Rankings (6/28/10-7/25/10) Mon-Sun Prime			
1	USA	2.4	2382
2	DSNY	2	1976
3	TNT	1.9	1915
4	FOXN	1.5	1448
5	NAN	1.2	1191
5	HIST	1.2	1191
5	ESPN	1.2	1149
8	DISC	1.1	1092
8	TBSC	1.1	1092
8	FAM	1.1	1077
8	A&E	1.1	1076
12	FX	1	969
12	HGTV	1	966
14	FOOD	0.9	939
14	LIFE	0.9	894
14	TOON	0.9	885
14	AMC	0.9	880
14	SYFY	0.9	871
14	TRU	0.9	820
20	CMDY	0.8	807
20	TLC	0.8	804
20	TVLD	0.8	751
23	BRAV	0.7	674
23	BET	0.7	618
23	HALL	0.7	596
23	NKJR	0.7	545
27	MTV	0.6	620
27	SPK	0.6	598
27	MSNB	0.6	565
27	EN	0.6	539
27	LMN	0.6	458
27	NKTN	0.6	318
33	CNN	0.4	443
33	APL	0.4	428
33	HLN	0.4	398
33	TRAV	0.4	383
33	VH1	0.4	375
33	NGC	0.4	315
33	OXYG	0.4	299
33	GSN	0.4	267
33	WGNA	0.4	260
33	ID	0.4	251
43	ESP2	0.3	324
43	SOAP	0.3	246
43	CMT	0.3	239
43	WE	0.3	227

\*Nielsen data supplied by ABC/Disney



**Most Influential Minorities in Cable**

Celebrate Diversity Week! This issue profiles CableFAX's most influential minorities in cable and the winners of NAMIC's EMMA Awards (Excellence in Multicultural Marketing Awards) and the Top 10 Places to Work in Cable.

**Distribution:** NAMIC and CableFAX Breakfast Honoring the 2010 Most Influential Minorities in Cable; Kaitz Dinner; WICT Conference.

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