

CableFAX Daily™

Thursday — August 13, 2009

What the Industry Reads First

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Children & TV: Broadcasters Tell FCC to Keep Voluntary Ratings in Place

Judging by the parade of Big 4 lobbyists at the FCC this week, there is some concern over just what the Commission may be thinking about when it comes to providing safe viewing for children. Representatives from **The Walt Disney Company**, **NBC Universal**, **News Corp**, **CBS** and **NAB** met earlier this month with FCC chmn *Julius Genachowski* legal adviser *Sherrese Smith*, commish *Robert McDowell* legal adviser *Rosemary Harold* and several Media Bureau staffers, according to an FCC filing dated Tues. The gist of their concerns? That the FCC might consider a third-party TV ratings system instead of the voluntary TV parental guidelines agreed upon 13 years ago that are now applied to content delivered via broadcast, cable, satellite, telcos and other MVPDs. That fear may have some roots in FCC chmn *Julius Genachowski's* background. He was a founding board member of **Common Sense Media**, a non-profit that provides family entertainment reviews on many types of media, including TV, Websites and movies. In other words, it's essentially a third-party ratings service. The entourage, which included Disney's *Preston Padden*, News' *Maureen O'Connell* and *Margaret Tobey* of NBCU, told FCC staffers that "not only would it be infeasible to provide third-party ratings systems with advance copies of network programming, but it would be undesirable for competitive, piracy and other concerns." They also said a govt mandate requiring content providers to use a third-party system would constitute compelled speech in violation of the First Amendment. This meeting (in person and via conference call) comes as the FCC is preparing a report for Congress on the Child Safe Viewing Act, which specifically seeks input on the most advanced methods for blocking video content on a variety of platforms (TVs, DVD players, cable set-tops). The FCC has sought feedback on possible improvements to the ratings system and V-chip. The report is due to Congress by Aug 29. **NCTA** has previously spoke out against implementing a third-party ratings system, noting that there are a number of partnerships between individual companies and independent ratings, such as **Comcast's** deal with **Common Sense** to make detailed, age-based info available about TV, movies, Websites, etc available to subs. "In light of these voluntary partnerships, as well as the widespread availability of third party ratings information through other outlets such as web sites, proposals to mandate transmission of these ratings systems should be rejected," NCTA said in comments filed back in May.

Willner's Whack: In keeping with the kid and TV vein, **Insight** chief *Michael Willner* gave the industry a slap Wed in his blog (michaelsinsight.com) over suggestive and inappropriate commercials that run during all hours of the day. "I'm not an advocate of government censorship and don't seek it here," he began. "I even believe that running these spots are fair game and serve a purpose as long as they run during programs that are designed for an adult audience and air late enough that children are unlikely to be watching." Willner singled out an ad for male enhancement company **Enzyte** that he sees routinely at 8am, saying the suggestive ad featuring an office Santa is being inserted by his local cable company. He didn't name the operator, but it's well known that he resides in NYC, making it likely **Time Warner Cable** is his provider. A TWC spokesperson declined comment. After noting that **Insight** doesn't air the ad in its markets and that some cable

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ABC Family	CNBC	G4	Showtime Networks, Inc
AMC	Comcast Entertainment Group	Gospel Music Channel	SiTV
Animal Planet	Comcast CN100 Chicago	HBO	Starz
BBC America	Comcast SportsNet	HDNet	Sundance Channel
Biography Channel	Comedy Central	History	Syfy
Brainstorm Media	Discovery Channel	Investigation Discovery	Time Warner Cable
Bravo	Disney Channel	LMNO Productions	Travel Channel
Bright House Networks	E! Entertainment	M2 Pictures	Turner Broadcasting
Bright House Networks/ Central Florida News 13	ESPN	MTV Networks	TV Guide Network
Bright House Networks/Tampa	EWTN	National Geographic Channel	USA Network
Bay on Demand	FamilyNet	Nickelodeon	Veria TV
Cable Positive	FEARnet	PBS Kids Sprout	WE tv
CBS College Sports Network	Food Network	Retirement Living TV	World Wrestling Entertainment, Inc.
CN 8 The Comcast Network	Fuse	RFD-TV	YES Network
	FX	Science Channel	

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Grand Hyatt Hotel, NYC

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networks do air it during early day parts, Willner said he's worried about a "total lack of self-regulation... This trend is deeply disturbing to me and seems to be an invitation for advocates of government censorship to try to step in," his blog concludes.

In the States: The Frankfort Plant Board, a municipal cable op in Frankfort, KY, selected **Evolution Digital's** digital-to-analog converters. Evolution recently was awarded a set-top integration waiver by the **FCC** so that ops could deploy the boxes, which don't have IPGs, VOD, PPV or other interactive TV capabilities. -- **Comcast** is closing its call center in Tucson, AZ, within the next few months. About 50 positions will be lost as the MSO consolidates operations to a larger regional call center. Comcast is also eliminating about 160 call center jobs in Albuquerque, NM, though many of the positions will move to its Denver location (**Cfax**, 8/12).

New Hire, Group: **Cablevision** tapped *Tad Smith* as pres, Local Media, a newly established group charged with streamlining the MSO's local media and programming assets. Effective Sept 1, Smith will report to COO *Tom Rutledge* and oversee CVC's **News 12 Nets** and **Newsday Media Group**. Smith's a former exec of **Reed Business**. Reed Elsevier recently announced (**Cfax**, 7/31) plans to sell most if its RBI titles, including *Multi* and *B&C*. Also, he was honored last year as Exec of the Year by **Cfax** sister pub *min b2b*.

Carriage: **Cablevision** added to its intl programming lineup **JUS Punjabi**, the 1st American-Punjabi net. -- After bowing in '06 as a public interest net, **Documentary Channel** re-launched as a full commercial service last month and inked a distribution deal with **DISH**. Among the DBS op and several bcst stations, the net currently reaches more than 21mln homes.

In the Courts: Watchdog group **Judicial Watch** filed a Freedom of Information Act lawsuit against the **FCC** to obtain documents related to the govt's decision to delay the DTV transition. The nonprofit group filed its original FOIA after press reports that a donor and adviser to *President Obama* allegedly stood to benefit from the delay (**Clearwire's Gerard Salemm**). According to Judicial Watch, the FCC said it could not respond to parts of the FOIA request "until we receive instruction from the White House," and no documents have been received that relate to the FCC's communications with the White House. The FCC declined comment Thurs.

Measurement: **Rovi** and **TNS Media Research** are partnering to develop advanced TV and set top measurement solutions focused on consumer viewing across live, recorded and VOD, plus their use of IPGs. Also, TNS will measure the ad performance in Rovi IPGs in participating cable systems. Rovi IPG ad tech is active in 25mln North American homes.

Ratings: Last week's viewership numbers were marked by **USA's** dominance and **Disney Channel** crying foul over a **Nickelodeon** ratings assertion. Original programming helped propel USA to a whopping 3.1/3.08 in prime, easily enough to thrash the competition and good enough to set weekly prime records for the net in each metric. USA nabbed 7 of the top 10 telecast spots, led by week-topper "Burn Notice" (5.4/5.36mln). **TNT** (2.1/2.06mln) took 2nd among nets, followed by Disney (1.9/1.88mln), **Fox News** (1.8/1.78mln) and **Nick at Nite** (1.5/1.51mln). Meanwhile, Disney took issue with a Nickelodeon release touting its Sat night movie special "iCarly: iFight Shelby Marx" (5.0/4.97mln) as cable's top '09 kids-targeted telecast among total viewers, kids 6-11 and tweens 9-14. Not so, said Disney, because its cross-over special "Wizards On Deck with Hannah Montana" (5.5/5.39mln) bested that telecast in all 3 metrics. The disconnect appears to lie in Disney's designation as a non ad-supported net, but either way Nick's iCarly went gangbusters last week. 2 Sun replays averaged a 3.2/3.18mln. -- **Brag Book:** **Travel Channel** may have a hot one on its plate. Wed's premiere of "Man v. Food"

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BUSINESS & FINANCE

posted a 1.09 HH rating and a 0.88 among 25-54s, making it the highest-rated original season premiere in network history for HHs and the demo. The show also started Wed with 28K fans at its **Facebook** fan page but ended the day with more than 83K.

Programming: Amid vocal disapproval by cable and others (*Cfax*, 8/7), the **TV Academy** scrapped plans to time-shift 8 awards presentations during next month's **Prime Emmys** telecast.

Public Affairs: **Discovery Comm** pres, domestic distribution and enterprises *Bill Goodwyn* spoke Wed before youths and **UN** reps about sustainability and **Discovery Education's** commitment to related programs such as the **Siemens We Can Change the World Challenge**, a partnership involving Disc Ed, **The Siemens Foundation** and the **Natl Science Teachers Assoc** that encourages students to team up with their classmates to create replicable solutions to environmental issues.

Business/Finance: **Fitch** initiated coverage of **Discovery Comm** with a 'BBB' issuer default rating and a 'stable' rating outlook, noting the company's "strong core brands, global carriage, leverageable content, growth prospects and solid credit metrics." Separately, Fitch upgraded **DirecTV's** default rating to 'BBB-'. -- A **DISH** subsidiary plans to offer approx \$1bln in debt securities with the net proceeds intended for general corporate purposes.

CableFAX Daily Stockwatch

Company	08/12 Close	1-Day Ch	Company	08/12 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BRITISH SKY:	35.24	0.33	AMPHENOL:	33.90	1.15
DIRECTV:	24.70	0.43	APPLE:	165.31	2.48
DISH:	18.24	(0.29)	ARRIS GROUP:	13.18	0.45
DISNEY:	26.22	0.32	AVID TECH:	12.58	0.15
GE:	14.13	0.14	BIGBAND:	3.89	(0.01)
NEWS CORP:	12.92	0.17	BLNDER TONGUE:	1.26	0.01
MSOS					
CABLEVISION:	21.11	0.06	BROADCOM:	26.96	0.33
COMCAST:	14.85	0.09	CISCO:	21.43	0.26
COMCAST SPCL:	13.96	0.02	CLEARWIRE:	6.93	(1.5)
GCI:	6.89	0.18	COMMSCOPE:	27.48	1.43
KNOLGY:	8.37	0.18	CONCURRENT:	4.85	(0.05)
LIBERTY CAPITAL:	16.91	(0.06)	CONVERGYS:	10.84	0.20
LIBERTY ENT:	27.91	0.64	CSG SYSTEMS:	16.23	0.49
LIBERTY GLOBAL:	21.80	0.30	ECHOSTAR:	18.91	(0.09)
LIBERTY INT:	9.89	0.24	GOOGLE:	458.58	4.64
MEDIACOM:	5.64	0.17	HARMONIC:	6.67	0.18
RCN:	9.05	0.34	INTEL:	18.81	0.17
SHAW COMM:	16.80	0.17	JDSU:	5.81	(0.01)
TIME WARNER CABLE:	34.12	0.01	LEVEL 3:	1.18	0.00
VIRGIN MEDIA:	10.78	0.18	MICROSOFT:	23.53	0.40
WASH POST:	492.36	11.51	MOTOROLA:	7.07	0.04
PROGRAMMING					
CBS:	10.72	0.13	OPENTV:	1.32	0.05
CROWN:	1.79	0.03	PHILIPS:	22.92	0.39
DISCOVERY:	25.13	0.12	RENTRAK:	17.46	0.10
EW SCRIPPS:	6.03	0.24	SEACHANGE:	9.78	0.13
GRUPO TELEVISA:	18.28	(0.16)	SONY:	28.55	0.25
HSN:	12.03	0.15	SPRINT NEXTEL:	3.69	0.14
INTERACTIVE CORP:	18.48	0.17	THOMAS & BETTS:	26.26	0.25
LIBERTY:	31.96	0.94	TIVO:	10.39	0.04
LODGENET:	6.41	0.26	TOLLGRADE:	5.70	(0.11)
NEW FRONTIER:	2.19	(0.01)	UNIVERSAL ELEC:	19.42	(0.11)
OUTDOOR:	7.29	(0.02)	VONAGE:	0.38	0.00
PLAYBOY:	2.41	0.04	YAHOO:	14.68	0.22
RHI:	2.50	0.15	TELCOS		
SCRIPPS INT:	34.06	(0.13)	AT&T:	25.65	0.29
TIME WARNER:	28.15	0.41	QWEST:	4.00	0.08
VALUEVISION:	3.67	0.35	VERIZON:	31.21	0.61
VIACOM:	25.98	0.17	MARKET INDICES		
WWE:	14.85	0.28	DOW:	9361.61	120.16
TECHNOLOGY					
3COM:	4.21	0.26	NASDAQ:	1998.72	28.99
ADC:	8.92	2.02			
ADVANTAGE:	1.92	(0.02)			
ALCATEL LUCENT:	3.26	0.16			
AMDOCS:	24.47	0.65			

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