

# CableFAX Daily™

Friday — August 26, 2011

What the Industry Reads First

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## Getting Descriptive: FCC Releases New Rules on Video Descriptions

Cable was OK with the new rules released by the **FCC** Thurs that establish July 1 '12 as the date MVPDs and broadcasters must be in full compliance with video description rules that were thrown out by the courts in '02. The order reinstates the requirement that large-market broadcast affils of the Big 4 and MVPDs with more than 50K subs provide the descriptions. The rules, part of the 21st Century Communications Video Accessibility Act passed by Congress, actually go into effect on Oct 8, but the industry has 9 months to come into full compliance. **ACA**, which had expressed concerns over potential burdens to smaller ops, was happy. "ACA applauds the FCC for earnestly listening to the concerns of smaller cable operators and addressing them in an Order that will surely improve the lives of individuals in the blind and visually impaired community by making television more accessible," said assoc chief *Matt Polka*. "The approach taken by the FCC in this Order should serve as a model for how to adopt good public policy in the future without imposing too big a burden on smaller operators." Broadcasters covered by the order must provide 50 hours of video-described prime or children's programming per calendar Q, while MVPDs must provide the same number of hours on each of the 5 most popular non-broadcast nets—**USA, Disney, TNT, Nick** and **TBS** (exemptions were made for **Fox News** and **ESPN** given the live nature of much of their programming). MVPDs also must pass through any video description provided with programming they carry, but only to the extent that they are technically capable of doing so and when that technical capability is not being used for another purpose related to programming. In addition to video descriptions, the Act also requires captioning of online video that is closed-captioned on TV and calls for an FCC study on captions for video that originates on the Web. **NCTA** called the approach "balanced," saying it provide the industry with flexibility to implement the rules in a responsible way that will serve the interest of those who are visually impaired. **NAB** also congratulated the Commission on drafting rules that work for all interested parties. In a statement, Democratic commish *Michael Copps* gave a hat tip to **CBS, FOX** and **TNT** for continuing to provide video descriptions even after the courts vacated the previous rules in '02. It was thought that MVPDs and broadcasters would be given a year, until Oct 2012, to comply with the new description rules. Copps said he is pleased the timeframe was moved up, even though he would have preferred companies comply even earlier.

**Campaign 2012:** **Comcast** employees are the top organizational donors to the Obama Victory Fund, donating \$200K, according to research by the **Center for Responsive Politics**. Other entertainment-focused companies also are featured on the list of Top 20 donors, including: **Creative Artists Agency** (\$112K), **Dreamworks SKG** (\$107K), **Sony** (\$96), **Disney** (\$85K), **Time Warner** (\$82K), and **News Corp** (\$74K). The TV/Movie/Music industry ranks 4th in Obama fund donations, behind lawyers, retirees and securities & investment, according to Center data.

**Carriage:** **Longhorn Net** scored its 1st distribution partner in **Verizon FiOS TV**, which agreed to add the net Sept 1 throughout the country. Within TX the net will be featured on all 3 of FiOS TV's HD packages (also in SD), and else-



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where only on the highest-level Ultimate HD tier. VZ will also make LHN available online and via smartphones and tablets. **DirecTV**, meanwhile, said it has talked to **ESPN** about carriage of LHN but has no plans to add the net. “We understand Longhorn has other programming that may be of value to a small segment of our customers, but two UT football games do not constitute a network,” said the DBS op. “Given the dynamic situation in college football conferences today, we’ll wait and see how it all shakes out before we decide what we will or won’t carry.” -- **DISH** became the 1st US op to launch **ONE World Sports**, featuring East Asian sports such as soccer, golf and basketball.

**24/7 Irene:** Utilizing all forms of communication short of smoke signals, **Weather Channel** will keep viewers up to date on Hurricane Irene’s progress with TV, radio, online, mobile and social media coverage. The 24/7 TV coverage will pre-empt long-form programming and include coverage from on-camera meteorologists along the East Coast, such as *Jim Cantore* from NYC. The extreme weather may already be affecting ratings with The Weather Channel being ranked No. 1 among television news competitors from 8/21 to 8/23 among P25-54, according to **Nielsen Media Research**. Weather Channel mobile Web saw more than 9.7mln page views on Wed and 8.1mln on Tues.

**Broadband:** Repping approx 93% of the market, the 18 largest cable and telco providers added approx 350K net HSD subs in 2Q—marking the 2nd fewest of any quarter in the 10 years **Leichtman Research** has been tracking the data behind 2Q10. The top cable ops accounted for 77% of the adds, although the group’s more than 270K total reps an approx 19% YOY drop. **Suddenlink** shed nearly 5K subs and **Mediacom** was flat. The top telcos added 80K, compared to a net loss of 10K last year, while **AT&T** and **Verizon** combined to score 628K fiber subs and lose 578K DSL. Cable owns 56% market share on approx 43mln customers.

**Over-the-Airheads:** **LIN** launches a new **Fox** affil in Terre Haute, IN, Sept 1, using the digital channel of **WTHI** (a **CBS** affil). **Mediacom**, which operates in the market, could lose the LIN channels without a new retrans consent pact by Aug 31. **Mission-owned WFXW** (managed by **Nexstar**, now fighting with Fox over affil agreements) switches to an **ABC** affil Sept 1.

**Programming:** Moving TV Wed night as **MASN** sportscasters learned of the death of colleague and former Orioles pitcher *Mike Flanagan*. **MASN’s Amber Theoharis** put it well in her blog post Thurs: “I have a tremendous amount of respect for my colleagues, [Jim] Palmer and [Rick] Dempsey, who had the choice not to go on air Wednesday night. They did—and in the most honest television ever broadcast on our air, allowed all of us to feel how deeply Mike was loved by those who wore the Orioles uniform alongside him.” -- **Comcast SportsNet Mid-Atlantic** scooped up long-term rights to **ACC** football, men’s and women’s basketball and other sports, and will air up to 120 live conference events annually. -- **Cable-vision** high school net **MSG Varsity** added former **NY Giants Amani Toomer** and *Roman Oben* to its broadcast team

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# BUSINESS & FINANCE

when Fri night football returns (Sept 9). The net is expanding its signature "High School Sports Desk" show from 1 show covering the tri-state area to 4 simultaneous shows covering 4 distinct regions—NJ, Long Island, CT/Westchester/Hudson Valley, and NYC.

**Business/Finance:** TiVo shares jumped 17% Thurs on a narrower-than-expected loss and perhaps because the company gained subs last quarter and is looking forward to DVR deals with ops including, **Comcast, Charter** and **DirecTV**. "...We're going to continue to grow our base as best we can in the cable industry, both in the U.S. and abroad," said boss **Tom Rogers**. 3 patent infringement lawsuits involving **Microsoft, AT&T** and **Verizon** are all heading to trial in Oct. -- When and if **Hulu** is sold, **BTIG's Richard Greenfield** views **Google** as the most compelling buyer. "Maybe most importantly, a Google acquisition of Hulu would create a strong third player in the digital video arena alongside Netflix and Amazon," said Greenfield, noting Hulu ownership's unwillingness to acquire catalog TV and film content. -- An ailing **Steve Jobs** announced his resignation as CEO of **Apple** late Wed, leaving COO **Tim Cook** to take over the day-to-day reins as Jobs heads to the board room as chmn. But myriad analysts say the company's established strategic pathway likely extends out 2-5 years, so expect Apple's disruption of the media landscape to continue.

## CableFAX Daily Stockwatch

Company	08/25 Close	1-Day Ch	Company	08/25 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	41.89	(0.99)	BLNDER TONGUE:	1.26	(0.04)
DISH:	21.81	(0.43)	BROADCOM:	32.69	(0.66)
DISNEY:	32.01	(0.5)	CISCO:	15.08	(0.38)
GE:	15.45	(0.27)	CLEARWIRE:	2.99	(0.06)
NEWS CORP:	16.71	(0.3)	CONCURRENT:	6.02	0.03
<b>MSOS</b>					
CABLEVISION:	17.01	(0.15)	CONVERGYS:	9.44	(0.42)
CHARTER:	46.49	(1.11)	CSG SYSTEMS:	12.78	(0.47)
COMCAST:	20.23	(0.34)	ECHOSTAR:	22.58	(0.48)
COMCAST SPCL:	20.04	(0.26)	GOOGLE:	520.04	(3.25)
GCI:	7.90	(0.29)	HARMONIC:	4.78	(0.12)
KNOWLOGY:	12.96	(0.43)	INTEL:	19.42	(0.38)
LIBERTY CAPITAL:	65.78	0.21	JDSU:	10.56	(0.28)
LIBERTY GLOBAL:	35.26	(0.15)	LEVEL 3:	1.71	(0.08)
LIBERTY INT:	14.56	(0.38)	MICROSOFT:	24.57	(0.33)
SHAW COMM:	21.85	(0.1)	MOTOROLA MOBILITY:	37.85	(0.09)
TIME WARNER CABLE:	62.62	(0.84)	RENTRAK:	13.52	(0.68)
VIRGIN MEDIA:	23.73	(0.45)	SONY:	20.35	(0.06)
WASH POST:	337.51	(7.59)	SPRINT NEXTEL:	3.23	(0.22)
<b>PROGRAMMING</b>					
AMC NETWORKS:	33.26	(0.46)	THOMAS & BETTS:	39.11	(1.43)
CBS:	22.66	(0.55)	TIVO:	9.50	1.38
CROWN:	1.25	(0.11)	UNIVERSAL ELEC:	17.75	(0.89)
DISCOVERY:	38.19	(0.49)	VONAGE:	3.19	0.04
GRUPO TELEVISA:	20.19	(0.23)	YAHOO:	12.87	(0.28)
HSN:	30.78	(1.07)	<b>TELCOS</b>		
INTERACTIVE CORP:	37.16	0.43	AT&T:	29.06	(0.37)
LIBERTY STARZ:	65.97	(2.38)	VERIZON:	35.77	(0.7)
LIONSGATE:	7.21	(0.18)	<b>MARKET INDICES</b>		
LODGENET:	1.85	UNCH	DOW:	11149.82	(170.89)
NEW FRONTIER:	1.23	(0.02)	NASDAQ:	2419.63	(48.06)
OUTDOOR:	6.21	(0.2)	S&P 500:	1159.27	(18.33)
SCRIPPS INT:	39.18	(1.13)	<b>TECHNOLOGY</b>		
TIME WARNER:	29.21	(0.63)	ADVANTAGE:	2.21	(0.08)
VALUEVISION:	3.27	(0.01)	ALCATEL LUCENT:	3.29	(0.17)
VIACOM:	53.26	(0.46)	AMDOCS:	26.28	(0.53)
WWE:	8.99	(0.29)	AMPHENOL:	43.27	(0.86)
<b>MARKET INDICES</b>					
			AOL:	13.94	1.13
			APPLE:	373.72	(2.46)
			ARRIS GROUP:	10.08	(0.27)
			AVID TECH:	9.35	(0.38)
			BIGBAND:	1.38	(0.07)



## Most Influential Minorities in Cable issue

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

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

**Summer Rumble**

As cable's top 2 ent nets for adults, **USA** and **TNT** bring the noise every summer with impressive rosters of original series. With Labor Day approaching, I've decided to determine which net has achieved seasonal supremacy using ratings, nightly match ups and my own assessments of show quality (it must be noted that USA nearly always rules in overall viewership). Round 1: TNT's "Falling Skies" ranks as cable's top new prime series (excluding kids fare) of summer '11 with an avg of 3.29mln 18-49s, according to **Turner** data through 8/21, while USA's "Suits" (2.63mln) and "Necessary Roughness" (2.22mln) took 2nd and 3rd. TNT's "Franklin and Bash" (1.82mln) ranked 5th. Decision: Draw; Skies' win and ent value just matched by Suits' smart fun. Round 2: among returning series, USA's "Burn Notice" (2.78mln), "Royal Pains" (2.72mln) and "Covert Affairs" (2.72) ranked a respective 7th and 9th among 18-49s, while TNT had no rep. Decision: USA; TNT's "The Closer" and "Rizzoli & Isles" resonate hugely and this round scores 18-49s. Round 3: based on my view of each net's top 5 summer series, it's Burn, Pains, Affairs, Suits and 'White Collar' against Rizzoli, Closer, Skies, Franklin and "Memphis Beat." Decision: TNT; Closer may trump them all. Round 4: nightly prime skirmishes begin with an easy TNT victory (P2+) on Mon (Closer, Rizzoli) before USA wins Tues (Covert, Collar), Wed (Pains, "Necessary Roughness") and Thurs (Burn, Suits). Fri and Sat are washes due to alternate programming, and TNT easily wins Sun (Skies, "Leverage"). Decision: USA, 3-2. Round 5: inventive does not generally define USA or TNT content, and it doesn't need to; general ent nets often excel with workable formulas. I, however, am not fond of boxes. Decision: TNT on Skies/*Spielberg*. After 5 action-packed rounds, a tie! USA, though, wears the belt because I like Suits best, and net remains ratings champion. *CH*

**Highlights:** "George W. Bush: The 9/11 Interview," Sun, 10p, **Nat Geo**. This exclusive sit-down with the former President is a piece of history and a relatively unfettered and riveting first-person account. Terrific footage complements the narrative. *SA*

**Worth a Look:** "Quirky," premiere, Tues, 10p, **Sundance**. The series' title comes from the name of a design firm, whose hip 20-something employees make art and architecture seem cool. Actually they're tackling quotidian hurdles, like making pasta without multiple bowls. And their ultimate goal is age-old—to make moolah. -- "Killer Mountain," Sat, 9p, **Syfy**. In the long line of outlandish Syfy Sat-night horror films, this one is so nearly normal it's barely memorable. Still, this Himalayan horror that bears a slight resemblance to mountain-climbing theatrical "Vertical Limit" is almost passable. -- "William & Catherine: A Royal Romance," Sat, 9p, **Hallmark**. Sweet revenge as *Tom Wilkinson* and *Kate Winslet* always play Yanks better than Americans. Here colonists *Victor Garber* and *Jean Smart* are smashing as Charles and Camilla. What about this forgettable film's younger duo? Brits **Alice St. Clair** and *Dan Amboyer* are little more than cute. *SA*

**Notable:** The 65th Little League World Series continues Sat with the international championship (noon ET) and the US championship (3p, ESPN 3D). The finale is Sun 3p. *SA*

Basic Cable Rankings (8/15/11-8/21/11) Mon-Sun Prime			
1	USA	2.5	2544
2	DSNY	1.9	1901
3	TNT	1.7	1744
4	FOXN	1.5	1520
4	HIST	1.5	1461
6	A&E	1.3	1346
7	ESPN	1.2	1246
8	HGTV	1	1015
8	MTV	1	1013
8	NAN	1	1009
8	ADSM	1	1000
8	FX	1	992
8	SYFY	1	949
14	LIFE	0.9	875
14	FOOD	0.9	864
14	TLC	0.9	851
14	TRU	0.9	838
14	NKJR	0.9	657
19	TBSC	0.8	849
19	TVLD	0.8	752
19	FAM	0.8	745
22	DISC	0.7	754
22	AMC	0.7	713
22	CMDY	0.7	680
22	SPK	0.7	655
22	BRAV	0.7	636
22	HALL	0.7	608
28	EN	0.6	588
28	MSNB	0.6	567
28	BET	0.6	543
28	LMN	0.6	490
28	ID	0.6	436
28	NFLN	0.6	326
34	CNN	0.5	506
34	VH1	0.5	496
34	OXYG	0.5	361
34	NGC	0.5	332
38	HLN	0.4	435
38	ESP2	0.4	392
38	APL	0.4	378
38	TRAV	0.4	341
38	SOAP	0.4	263
38	GSN	0.4	259
38	HMC	0.4	186
45	DXD	0.3	275
45	CMT	0.3	273

\*Nielsen data supplied by ABC/Disney

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