

# CableFAX Daily™

Friday — September 23, 2011

What the Industry Reads First

Volume 22 / No. 184

## Curtain Call: NAMIC'S Johnson to Depart at Conclusion of Diversity Week

When **Diversity Week** concludes Oct 7, so will *Kathy Johnson's* run as **NAMIC** pres. After 13 years with the National Assoc for Multi-ethnicity in Communications, Johnson will pursue other interests, the board announced. A search has begun for her replacement, and there are no plans to consolidate NAMIC into any other organizations. "Kathy has had a tremendous impact on both NAMIC and the industry as the leader of this organization over the past 13 years and, on behalf of NAMIC's 2400 members and 16 chapters, we are truly appreciative of her stewardship," said *Raymond Gutierrez*, NAMIC board chair and evp, HR, **CBS Television Networks**. Johnson has a long history with the group, becoming its 1st-ever exec dir in '98 when she joined the staff of **Reid Dugger Consulting**, NAMIC's former managing partner. During her tenure, Johnson transitioned NAMIC to an independently managed entity; relocated the natl HQ from CA to NYC and developed the resources to sustain a full-time staff of 9. For many, she'll forever be remembered as the organization's head on Sept 11, '01, which coincided with NAMIC's annual conference in NYC. Johnson also launched NAMIC's Executive Leadership Development Program and Leadership Seminar for middle managers and the NAMIC AIM employment research study. NAMIC was one of the higher-ranked industry associations for perceived value in a survey of some NCTA members last year (*Cfax*, 7/27/10). "The opportunity to lead an association that has been at the forefront of advocacy for greater multi-ethnic diversity and inclusion in the media industry has been very rewarding," said Johnson. "I'm extremely proud of NAMIC's growth and influence, as well as the impact we have made on so many careers, and wish all of the organization's stakeholders continued success." Current NAMIC vps *James Jones* (education programs), *Daphne Leroy* (marketing and comm) and *Daniel McGlone* (membership and fund dev) will continue in their roles and report to the NAMIC board until a new head is named.

**Program Access:** The FCC Media Bureau issued orders Thurs saying that **Cablevision** must make the HD feeds of **MSG** and **MSG+** available to **Verizon** and **AT&T**. The MSO said "we have every intention of pursuing relief in the courts." Under the order, Cablevision and **Madison Square Garden** must enter into an agreement to license the RSNs on non-discriminatory rates, terms and conditions within 30 days. The Commission has previously said withholding cable-affiliated programming from rival MVPDs may harm their ability to compete with incumbent operators. "We conclude here that Defendants withholding of MSG HD and MSG+ HD from AT&T has resulted in such harm," the Bureau said. In the Verizon order, the Bureau rejected Cablevision's argument that allowing it to differentiate its service from Verizon's will promote competition. "We do not dispute that product differentiation strategies may be precompetitive in many instances, but the key distinction here is that the product differentiation strategy involves non-replicable and popular RSN programming," the order said, adding that Verizon has no way to formulate a viable competitive response. Cablevision said data demonstrates that there has been no competitive harm to the telcos. "New York is the most competitive market in the country and this decision only hurts fair competition and consumers. Instead of competing on the merits in the marketplace,



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Verizon and AT&T are manipulating federal law to gain an unfair advantage...," CVC said. AT&T said it looks forward to bringing its customers "this 'must have content.'" Verizon, too, said it wants to make the HD nets available soon, adding that "competition will be on a more level playing field in the New York/New Jersey region."

**Retrans:** Rocco's not the only one pushing the FCC to change retrans consent rules. **Time Warner Cable** CEO *Glenn Britt* and **DirectTV** chief *Mike White* made an appearance together at the agency this week, meeting with commissioners *Robert McDowell* and *Michael Copps* as well as Media Bureau chief *Bill Lake*, according to an ex parte. "We explained that retransmission consent fees demanded by broadcast stations continue to skyrocket and that the outdated regulatory regime, which prevents true marketplace negotiations, results in harm to consumers," the filing said. Meanwhile, **LIN** stations remain off **Mediacom**. The 2 have been embroiled in a retrans battle since Aug 31.

**Free at Last:** **Liberty Media** withstood **The Bank of NY Mellon Trust Company's** challenge of its plans to split-off the **Liberty Capital** and **Liberty Starz** tracking stocks, meaning the plan will be enacted by Sept 23. Several tongue-twisting changes will result, including Liberty Media's name change to **Liberty Interactive** (ticker: LINTA, which will transition to an asset-based stock), and the short-term trading (Sept 26-30) of the Class A shares of Liberty Capital and Liberty Starz under LCPAD and LSTAD, respectively, before they revert back to LCAPA and LSTZA. In the near-term, LSTZA share repurchases could accelerate, said **Collins Stewart's** *Thomas Eagan*, who maintained his 'buy' rating on the stock.

**Goldman Sachs Notebook:** Cable MSOs have recently noted a rebound in sub metrics after a dismal 2Q, and **DirectTV** pres/CEO *Mike White* did the same Thurs. "Our 3rd quarter numbers are very, very good," he said, noting particular improvements in gross ads and churn. ARPU is a little light owing to softness in PPV and ad sales, said White, although an uptick is expected over the coming quarters. As the DBS op's **LTE** tests with **Verizon** are going well, White said the company has yet to formulate definitive wireless plans. DISH's higher-end subs continue to chug along, but White said "we have to get smarter about unbundling certain things to attract lower-end subs... [maybe] shave some things out of packages and make them a la carte." -- **Time Warner** chief *Jeff Bewkes* remains bullish on TV Everywhere, claiming cord cutting due to digital platforms is a non-issue—rural, lower income people without computers are largely the ones dropping pay TV, he said—and that the availability of on demand content is driving increased show audiences. For example, viewership of **HBO** by subs using **HBO Go** is up "much more than 50%," said Bewkes. Time Warner's preparing to offer authenticated access to its acquired series through **TNT.com** and **TBS.com**, which feature content immediately after airing and are expected to boost the ratings of those lagging series. "It will work and it will advantage our networks," said Bewkes. Like most of its cable brethren, Time Warner's not seeing an ad slowdown. "TV's holding up very well," he said, adding that 4Q scatter pricing is "up considerably." -- **Viacom's** 3Q ad sales growth is tracking in the high single digits, said pres/CEO *Phillippe*

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Dauman, and only some short-term ratings issues late last month prevented a double-digit boost. Better still, scatter pricing is up in the high teens, he said, and "next quarter bodes very well for us." Dauman said Viacom programming "performs particularly well in digital platforms," which haven't impacted the company's traditional business and in many cases promote linear ratings. 1 goal for Viacom going forward, he said, is to expand its reach in older demos through nets such as **Spike, TV Land and CMT.**

**At the Portals:** The Federal Registry is set to publish the **FCC's** net neutrality rules Fri. That means the rules, which were approved by the Commission in Dec, would go into effect Nov 20. Once the rules are published, they are open to legal challenges. It's a virtual lock **Verizon** will file suit, having already had a suit thrown out for being premature since the rules hadn't been published yet. -- The **FCC** has launched a NPRM on next-generation 911, which would allow mobile users to send texts, video, photos and other data to emergency response officials.

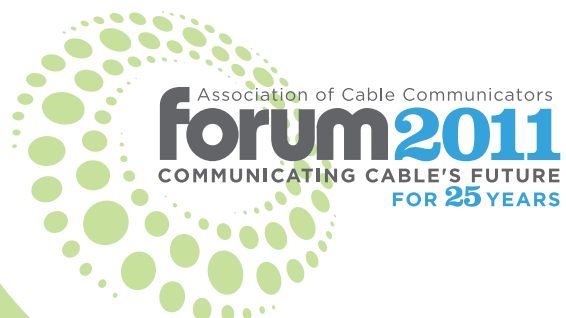
**Board Moves:** *Decker Anstrom* resigned from **Comcast's** board Tues to satisfy professional commitments that will involve significant foreign travel, according to an **SEC** filing. Former **TV One** pres/CEO *Johnathan Rodgers* was appointed to the board. Interesting tidbit: From Jan 1, '10 to Aug 31, '11, Comcast paid TV One approx \$22.5mln in program carriage fees.

## CableFAX Daily Stockwatch

Company	09/22 Close	1-Day Ch	Company	09/22 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
DIRECTV:	41.02	(0.59)	BLNDER TONGUE:	1.20	(0.01)
DISH:	25.40	(0.87)	BROADCOM:	34.14	(1.11)
DISNEY:	29.55	(1.73)	CISCO:	15.33	(0.51)
GE:	15.04	(0.34)	CLEARWIRE:	2.50	0.18
NEWS CORP:	15.75	(0.47)	CONCURRENT:	5.11	(0.24)
<b>MSOS</b>					
CABLEVISION:	16.25	(0.59)	CONVERGYS:	9.20	(0.2)
CHARTER:	46.27	(1.89)	CSG SYSTEMS:	12.61	(0.4)
COMCAST:	21.02	(0.84)	ECHOSTAR:	21.36	(1.21)
COMCAST SPCL:	20.76	(0.85)	GOOGLE:	520.66	(18.54)
GCI:	7.57	(0.25)	HARMONIC:	4.33	(0.07)
KNOWLOGY:	13.17	(0.13)	INTEL:	21.61	(0.33)
LIBERTY CAPITAL:	68.71	(2.7)	JDSU:	11.54	(0.92)
LIBERTY GLOBAL:	36.77	(1.21)	LEVEL 3:	1.44	(0.08)
LIBERTY INT:	16.13	(0.64)	MICROSOFT:	25.06	(0.93)
SHAW COMM:	20.33	(0.77)	MOTOROLA MOBILITY:	37.79	(0.16)
TIME WARNER CABLE:	63.87	0.04	RENTRAK:	13.63	1.17
VIRGIN MEDIA:	24.02	(0.62)	SEACHANGE:	7.50	(0.28)
WASH POST:	313.00	(5.5)	SONY:	18.66	(0.52)
<b>PROGRAMMING</b>					
AMC NETWORKS:	34.01	(1.47)	SPRINT NEXTEL:	3.01	(0.24)
CBS:	21.10	(1.63)	THOMAS & BETTS:	38.24	(1.93)
CROWN:	1.29	(0.01)	TIVO:	9.98	(0.27)
DISCOVERY:	38.74	(1.19)	UNIVERSAL ELEC:	14.54	(0.86)
GRUPO TELEVISIA:	17.70	(0.41)	VONAGE:	2.65	(0.1)
HSN:	34.79	0.61	YAHOO:	13.99	0.03
INTERACTIVE CORP:	40.23	(1.02)	<b>TELCONS</b>		
LIBERTY STARZ:	70.18	(1.61)	AT&T:	27.75	(0.55)
LIONSGATE:	6.84	(0.12)	VERIZON:	35.59	(0.25)
LODGENET:	1.59	(0.06)	<b>MARKET INDICES</b>		
NEW FRONTIER:	1.10	(0.1)	DOW:	10733.83	(391.01)
OUTDOOR:	5.85	0.06	NASDAQ:	2455.67	(82.52)
SCRIPPS INT:	40.28	(1.7)	S&P 500:	1129.56	(37.2)
TIME WARNER:	28.91	(1.08)			
VALUEVISION:	2.78	(0.25)			
VIACOM:	50.75	(3.58)			
WWE:	8.93	0.10			
<b>TECHNOLOGY</b>					
ADVANTAGE:	2.22	0.07			
ALCATEL LUCENT:	2.88	(0.23)			
AMDOCS:	26.78	(1.03)			
AMPHENOL:	42.03	(0.48)			
AOL:	11.25	(0.52)			
APPLE:	401.82	(10.32)			
ARRIS GROUP:	10.11	(0.37)			
AVID TECH:	8.26	(0.56)			
BIGBAND:	1.33	(0.02)			

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

**\$135 Gets You My Thoughts**

If there are many more days on Wall St like Thurs' shellacking, or if our economic woes become much more protracted, I may have to consider using my iPhone alone for broadband and video. OK, that's a slight stretch. But mercifully heading into the final 3 months of a 2-yr deal with **DirectTV** (\$90) and **Verizon** (\$45) that charges me \$135/month for those 2 services, I'm impatiently waiting for the opportunity to significantly lower my bill through price shopping across providers (DTV handicapped itself by refusing to grant me free access to **NFL Sunday Ticket**). Indeed, as that distasteful phrase "double dip" becomes louder and more ubiquitous on **CNBC** and elsewhere, and as programming costs appear stuck in a contemporary Roaring '20s, it's no surprise that ops are taking various steps to help ease consumers' pricing burdens. **DISH** is playing hardball with expensive sports content, for example. **Time Warner Cable** is preparing to launch its **TV Essentials** value package in additional markets and **DirectTV** boss *Mike White* said the DBS op may offer some services/nets on an a la carte basis to help its base-level subs. Alas, sports programming is my favorite, I can't get TWC service and DirectTV likely won't institute any inventive options before I begin shopping. Yet platform fragmentation and the further bifurcation of Americans into haves and have-nots may be the 1-2 punch need to dislodge traditional packaging schemes. I long for a world in which pay TV subs could selectively shop at a channel meat market like long-ago "Wheel of Fortune" contestants faced perusing price-tagged items. Back in reality, could I live with TWC's Essentials package? No. It runs \$50 bucks (good) and features 40 cable nets including go-tos **USA**, **AMC** and **FX** (solid), but absent are **ESPN** and **TNT** (oh no!) and HD cable feeds (bad). *OK, Pat, I'll take ESPN, TNT, USA, AMC, FX, A&E, ESPN2, History, NFL Net, CSN Mid-Atlantic and CNBC for \$40.* The price is right. *CH*

**Highlights:** "Boardwalk Empire," season II premiere, Sun, 9p, **HBO**. Yes, it's strong drama, but don't forget the music, like the opening scene over *Irving Berlin's* "After You Get What You Want, You Don't Want It." -- "Catching Hell," Tues, 8p ET, **ESPN**. A personal look at baseball's Cubs, Bosox and scapegoats. Yes, *Bill Buckner*, who had more hits than *DiMaggio* and *Williams*, and Cubs' interfeerer *Steve Bartman*. *SA*

**Worth a Look:** "Latino in America," Sun, 8p, **CNN**. An inspiring story, this special is best when examining the social situation around its main subject, a 21-year-old Latina attempting to make the 1st US female Olympics boxing team. -- "A Mile in His Shoes," Sun, 7p ET, **GMC TV**. Decent drama about an unlikely baseball player discovered by an irreverent, still cute *Dean Cain* who—wait for it—also finds religion. Despite some of the worst-looking baseball sequences ever filmed, the knuckleball gets its due. -- "Sister Wives," season II premiere, Sun, 9p, **TLC**. The attention focuses on Kody and his 4 wives. Young Robyn is pregnant, adding drama to a house overflowing with it. The subtle subtext is more concerning. It's their 16 kids, who've been uprooted from Utah to Vegas as the family flees the threat of prosecution. Not surprisingly, the teens are having the roughest time. *SA*

Basic Cable Rankings			
(9/12/11-9/18/11)			
Mon-Sun Prime			
1	ESPN	3.4	3314
2	USA	2.2	2184
3	DSNY	1.8	1805
4	TNT	1.5	1489
4	FOXN	1.5	1484
6	HIST	1.4	1369
7	A&E	1.2	1157
8	HGTV	1	1015
8	FX	1	1000
8	MTV	1	982
8	ADSM	1	957
12	LIFE	0.9	935
12	SYFY	0.9	924
12	FOOD	0.9	874
12	TBSC	0.9	871
16	NAN	0.8	820
16	DISC	0.8	804
16	TLC	0.8	800
16	TRU	0.8	752
16	AMC	0.8	740
16	HALL	0.8	692
16	NKJR	0.8	616
23	FAM	0.7	724
23	SPK	0.7	712
23	CNN	0.7	712
23	BRAV	0.7	691
27	CMDY	0.6	626
27	TVLD	0.6	620
27	MSNB	0.6	553
27	BET	0.6	512
27	LMN	0.6	480
27	ID	0.6	433
33	ESP2	0.5	482
33	OXYG	0.5	344
33	HMC	0.5	199
36	EN	0.4	428
36	HLN	0.4	425
36	APL	0.4	419
36	VH1	0.4	383
36	NKTN	0.4	222
41	TRAV	0.3	295
41	NGC	0.3	269
41	SOAP	0.3	250
41	GSN	0.3	243
41	DXD	0.3	240
41	WE	0.3	224

\*Nielsen data supplied by ABC/Disney

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