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Wednesday — September 26, 2012

What the Industry Reads First

Volume 23 / No. 186

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What the Industry Reads First

Volume 23 / No. 186

Exclusivity Ban: Comcast's Cohen Says It's Time For It to Go

With the FCC's exclusivity ban less than 2 weeks away from sunset, **Comcast** is among those ready to wave it goodbye. "It's amazing to me that the opponents of an effort to allow the exclusivity ban to expire have just sort of forgotten that there actually is a piece of legislation that Congress passed which set out a standard that the FCC is supposed to apply," Cohen said Tues in an interview taped for **C-SPAN's** "Communicators" program (**CableFAX's Amy Maclean** also appeared on the program). "If people believe that it's appropriate for the exclusivity ban to continue, they need to go back to Congress and get different legislation... because the current legislation simply doesn't support the exclusivity ban in the current competitive posture of the marketplace." The rules keep MSOs from making exclusive contracts preventing their competitors from carrying satellite-delivered programming with which they are affiliated. FCC chmn *Julius Genachowski* has circulated an order that would not renew the ban past its Oct 5 sunset, and instead allow distributors to file complaints on a case-by-case basis. So will the rule change result in an onslaught of exclusive contracts? Cohen doesn't think so. "To get the economic equivalence of a broadly distributed channel when you enter into an exclusive arrangement, it results in an extremely large affiliate fee. With the cost of programming being as challenged as it is today, I'm not sure what the appetite is on the distribution side for extraordinarily high affiliation fees," he said. "My own suspicion is that at least for existing mature networks, you're not going to see a lot of market disruption and fundamental changes in the business model. But that's just one person's prediction. I could be wrong about that." Cable rivals such as **DirecTV** and **Verizon** see it differently, arguing that cable operators will engage in exclusivity in situations with the worst competitive effects for consumers and competition. They point to the years they spent fighting for access to **Comcast Sports Net Philly** and **Cablevision's MSG HD**, which are covered under different rules because they're terrestrially delivered. The exclusivity ban affects Comcast differently than its MSO brethren. Comcast-NBCU merger conditions make Comcast subject to program access arbitration conditions through '18 for Comcast-controlled or managed networks, but DirecTV and others have said arbitration does not apply to nets with which Comcast is merely affiliated. Comcast has declined to speculate until the FCC releases its official order. "Whatever it applies to during that period of time, it applies to. But after that period of time, we should be treated like everyone else," Cohen said during the interview, which also touched on Internet Essen-

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PROGRAM AWARDS

The Golden Age of Cable...

We're proud to highlight the finalists for the **2012 CableFAX Program Awards**, recognizing the best shows, talent and executive savvy across the wide breadth of cable content. Please join us on Oct 30 at the W New York for our annual Program Awards and Top Ops breakfast where this year's winners will be revealed. More info: www.cablefax.com/ProgramAwards/

Program Hall of Fame, Class of 2012



Frances Berwick
Bravo



Ed Carroll
AMC Networks



Jim Cramer
CNBC



Eileen O'Neill
Discovery Communications

Platinum: Best Actor in Cable

Dominic West - Appropriate Adult - Sundance Channel
Patrick J Adams - Suits - USA Network
Peter Dinklage - Game of Thrones - HBO
Mandy Patinkin - Homeland - Showtime

Platinum: Best Actress in Cable

Emily Watson - Appropriate Adult - Sundance Channel
Callie Thorne - Necessary Roughness - USA Network
Emmy Rossum - Shameless - Showtime
Connie Britton - American Horror Story - FX
Laura Dern - Enlightened - HBO

Platinum: Best Showrunner

Lizzy Weiss - Switched at Birth - ABC Family
Vince Gilligan - Breaking Bad - AMC
Glen Mazzara - The Walking Dead - AMC/MPRM Communications
Ryan Murphy - American Horror Story - FX

Platinum: Best New Cable Program

Switched at Birth - ABC Family
Appropriate Adult - Sundance Channel
Veep - HBO
Homeland - Showtime
American Horror Story - FX

Platinum: Best Cable Program

The Walking Dead - AMC
Breaking Bad - AMC
White Collar - USA Network
Game of Thrones - HBO
Boardwalk Empire - HBO
Shameless - Showtime

Best Actor/Actress/Host - Comedy

Joel McHale, The Soup - E! Entertainment
Carrie Brownstein - Portlandia - IFC
Fred Armisen - Portlandia - IFC
Charlie Day - It's Always Sunny in Philadelphia - FX

Best Actor/Actress - Family Friendly

Florence Henderson - Just Where I Belong - TBN and Smile of a Child TV
Dean Cain - The Case for Christmas - Hallmark Channel
David A.R. White - Brother White - GMC

Best Host - Food

Bobby Flay - multiple shows - Food Network
Alton Brown - Good Eats, Iron Chef America, Feasting on Asphalt - Food Network

Anthony Bourdain - Anthony Bourdain: No Reservations - Travel Channel

Best Host - News/Public Affairs

Paula Zahn, On the Case with Paula Zahn - Investigation Discovery
Anderson Cooper, Anderson Cooper 360 - CNN
Shepard Smith, Studio B and Fox Report - Fox News

Best Actor/Actress/Host - Other

Florence Henderson - Just Where I Belong - TBN and Smile of a Child TV
Jean Chatzky - Cash Call with Jean Chatzky - RLTV
Nigel Lythgoe & Debbie Allen: Battle of the Nutcrackers - Ovation

Best Host - Reality Competition/Game Show

Padma Lakshmi - Top Chef - Bravo Media
Billy Eichner - Funny or Die's Billy on the Street - Fuse
Heidi Klum - Project Runway - Lifetime

Best Host - Sports

Mike Breen and Jeff Van Gundy - NBA on ESPN - ESPN
Harold Reynolds - Studio Analyst - MLB Network
Matt Winer - GameTime - NBA TV

Ernie Johnson - Inside the NBA - Turner Sports

Best Host - Talk Shows

Suze Orman - The Suze Orman Show - CNBC
Chelsea Handler - Chelsea Lately - E! Entertainment
Kevin Millar and Chris Rose - Intentional Talk - MLB Network
Lynn Doyle - It's Your Call with Lynn Doyle - The Comcast Network

Best Show or Series - Animals/Nature

Swamp Wars - Animal Planet/2C Media
Dropped: Project Alaska - Sportsman Channel
Dog Whisperer - National Geographic Channel

Best Show or Series - Animated

Jingle All the Way - Hallmark Channel
Transformers Prime - The Hub TV Network
My Little Pony Friendship is Magic - The Hub TV Network

Best Show or Series - Regional

Chicago White Sox Spring Training 2012 "The Fan Experience" - Comcast- Chicago
10 Years of YES - YES Network

Best Show or Series - Children's

Pajaminals: Blankie in the Laundry - Sprout
R.L. Stine's The Haunting Hour - The Hub TV Network
Transformers Rescue Bots - The Hub TV Network
Yankees on Deck - YES Network

Best Show or Series - Comedy

Melissa & Joey - ABC Family
After Lately - E! Entertainment
Portlandia - IFC
Wilfred - FX

Best Show or Series - Documentary

CNBC's Billions Behind Bars: Inside America's Prison Industry - CNBC
 CNBC's The Costco Craze: Inside the Warehouse Giant - CNBC
 Our America with Lisa Ling - OWN: Oprah Winfrey Network
 To Not Fade Away - RLTV
 The Captains - EPIX
 George W. Bush: The 9/11 Interview - National Geographic Channel

Best Show or Series - Drama

The Secret Life of the American Teenager - ABC Family
 Luther - BBC America
 Justified - FX
 Sons of Anarchy - FX

Best Show or Series - Education/ Instructional

Science & U! - Science, Technology and Outer Space - CUNY TV
 Making Medicare Work for You: Boomers, Welcome to Medicare - RLTV
 DIY Network's Rehab Addict - DIY Network

Best Show or Series - Faith Based

Mary Mary - WE tv
 Just Where I Belong - TBN and Smile of a Child TV

Best Show or Series - Family Friendly

Dry Creek - BlueHighways TV
 The Good Night Show: Differences - Sprout
 R.L. Stine's The Haunting Hour - The Hub TV Network
 Clue - The Hub TV Network
 Family Game Night - The Hub TV Network

Best Show or Series - Food

Travel Channel's Bizarre Foods America - Travel Channel
 Cooking Channel's Unique Sweets - Cooking Channel
 In Search of Food - Ovation

Best Show or Series - Music

Britney Spears: Femme Fatale Tour - EPIX
 Seth MacFarlane: Swingin in Concert - EPIX
 Hip Hop Shop - Fuse

Best Show or Series - News

CNBC's America's Oil Rush: Boom or Bust - CNBC

Viewpoint with Eliot Spitzer - Current TV
 Dan Rather Reports - AXS TV
 Healing Heroes - Time Warner Cable's YNN Austin
 On the Case with Paula Zahn - Investigation Discovery

Best Show or Series - Other

Top Gear - BBC Worldwide Productions
 Vietnam in HD - History
 Injustice Files: At The End of A Rope - Investigation Discovery
 Five - Lifetime
 Dropped: Project Alaska - Sportsman Channel
 Wildfire Relief: Time to Rebuild - Time Warner Cable's YNN Austin
 Motor City Rising - Ovation

Best Show or Series - Public Affairs

Florida - Cuba: A New Connection - Bay News 9
 BrianLehrer.tv - CUNY TV
 Sin By Silence - Investigation Discovery

Best Show or Series Reality - Autobiographical

It's a Brad Brad World - Bravo Media
 Shahs of Sunset - Bravo Media
 Braxton Family Values - WE tv
 Tia and Tamera - Style Media

Best Show or Series Reality - Professions

No Kitchen Required - BBC America
 Richard Hammond's Crash Course - BBC America
 Family Pickle- Old School, New School - RLTV
 Welcome to Sweetie Pie's - OWN: Oprah Winfrey Network
 Million Dollar Listing New York - Bravo Media

Best Show or Series Reality - Mystery/ Investigation

Finding Bigfoot - Animal Planet
 Travel Channel - Ghost Adventures
 Syfy - Destination Truth

Best Show or Series - Reality/ Competition

Around the World in 80 Plates - Bravo Media
 Top Chef - Bravo Media
 Project Runway - Lifetime
 Food Network's The Great Food Truck

Race - Food Network
 Family Game Night - The Hub TV Network
 American Ninja Warrior - G4

Best Show or Series - Sci Fi

Doctor Who - BBC America
 Warehouse 13 - Syfy
 Falling Skies - TNT

Best Show or Series - Sports

NBA on ESPN: Eastern Conference Finals - ESPN
 The Association: Denver Nuggets - NBA TV
 Wilt 100 - NBA TV
 Countdown to London - Universal Sports Television Network
 The Journey: Big Ten Basketball 2012 - Big Ten Network

Best Show or Series - Talk Shows

The Graham Norton Show - BBC America
 Chelsea Lately - E! Entertainment
 The Mortified Sessions - Sundance Channel
 CenterStage - YES Network

Best Online/Mobile Extras for a Linear Show

Discovery Channel's Gold Rush Aftershow - Discovery Channel
 Nascar.com: Race Buddy - Turner Sports
 TNT Overtime - Turner Sports
 PGA Championship Live on PGA.com - Turner Sports
 So You Think You Can Dance - Ovation

Best Opening Sequence

NBA on ESPN: Eastern Conference Finals - ESPN
 We'll Take Manhattan - Ovation
 2011 Rugby World Cup - Universal Sports Television Network
 Spartacus: Vengeance - Starz

Best Video on Demand Program/ Special

Vino Vino - Bay News 9
 Battle of the Fans: Football Final 2011 - Comcast.cn100 - Chicago
 Chicago Bears On Demand Training Camp - Comcast.cn100 - Chicago
 Merry Christmas with Mariah Carey - Music Choice

To register for the event, visit:
<http://www.cablefax.com/programawards>

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 ● Group Publisher, Media Entertainment: Denise O'Connor ● 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 Media Communications Group ● Subs/Client Services: 301.354.2101, fax 301.309.3847 ● Group Subs: Amy Russell, 301.354.1599, arussell@accessintel.com

tials and TV Everywhere. C-SPAN's "Communicators" airs Sat at 6:30pm ET.

In the States: Comcast is closing its 3 CA call centers at the end of Nov, which will impact about 1K jobs. The jobs will move to other call centers in the West in OR, WA, CO and TX, where the MSO has worked to create Centers of Excellence that specialize in certain areas (such as retention). Interested employees will be offered relocation assistance; otherwise they will get severance and outplacement support. "Our ongoing focus is to provide a better experience, and how we can do that includes better standardized processes to ensure consistency and quality. One of the ways to do that is provide specialized support," a Comcast spokesperson said, pointing to results from customer surveys. The closing call centers are in Natomas (Sacramento area) and the Bay area's Livermore and Morgan Hill.

Broadband Matters: The goal is clear when it comes to broadband: "We need to get faster, sooner," according to FCC chmn *Julius Genachowski*, who spoke at an event at **Vox Media** Tues. He said the U.S. needs a "strategic bandwidth advantage," with speed, capacity and ubiquity all key, along with the "light touch" of govt. "We don't have to choose between having broadband policies and believing in a free market," the chmn said. Specifically, the FCC needs to keep driving improvements in broadband infrastructure and accessibility, protect and promote competition, and preserve open platforms. "The more competition, the less the need for regulation," he said. An important part of smart broadband policy is spectrum. Solving a spectrum crunch requires not only unleashing more spectrum but also improving spectrum efficiency, he said.

NFL Fiasco: Unlike the game itself, there's no confusion when it comes to **ESPN's** Monday Night Football ratings. The net scored an 11.5 overnight rating, MNF's highest rating so far this season. The "SportsCenter" that followed drew a 5.0 overnight, which if it holds up would be the highest since Dec 10, '95. The late night showed focused most of its coverage on the ending of the Packers vs. the Seahawks, in which a bad call turned a Green Bay interception into a game-winning Seattle touchdown. In a statement, the league upheld the decision Tues. The league acknowledged Seattle's receiver *Golden Tate* should have been called for offensive pass interference before the catch for a 14-12 victory. However, "the result of the game is final." While on-air talent has criticized the temp referees the league hired while it tries to resolve labor issues with its regular refs, cable ops carrying **NFL Network** are staying quiet. The net hasn't heard from any of the ops, a spokesman said. The net is covering all the action "in a similar balanced fashion" to the other nets covering the NFL, he said. The fiasco even promoted a joke by FCC chmn *Julius Genachowski* before his remarks at Vox Media on broadband (see separate story in this issue). "I was watching Monday Night Football and I fell asleep. Did I miss anything?," the chmn said.

FirstNet: Tues was the 1st day for the **FirstNet** board, which oversees the buildout of the 700 MHz public safety network. Its inaugural meeting at the Commerce Department addressed mostly procedural issues, according to the meeting agenda. But the board also heard 2 "conceptual presentations" on network and applications architecture. FirstNet will face "tough decisions and many competing demands," said Sen *John Rockefeller*, who chairs the Senate Commerce Committee.

Carriage: Cablevision added **Univision Deportes Network** and **Univision tlnovelas**.

Nooked: When **Barnes & Noble** launched its Nook tablet last year, we knew it was only a matter of time before a Nook video service arrived. The company announced Tues it will launch Nook Video this fall in the US and UK with content from **HBO, Viacom, Sony Pictures Home Entertainment** and **Disney**. Other studio partnerships will be announced soon. Similar to **Amazon's** cloud-based video solution, videos will be stored in the cloud. Nook Video will also allow users to integrate their DVD and Blu-Ray discs and digital video collection across devices using the "UltraViolet" permissions system.

Election 2012: **MTV** turned its logo red, white and blue Tues for National Voter Registration Day. Additionally, each person who visits the net's Websites are immediately greeted by a tool to make it quick and easy to register to vote.

Programming: Season 2 of **Travel Channel's** "The Layover with *Anthony Bourdain*" returns Mon nights starting Nov 19. Coinciding with the premiere, the net will launch a 2.0 version of the Travel Channel Layover Guide with Anthony Bourdain for iPhone and iPad. -- **USA** ordered new seasons of original series "Royal Pains," "White Collar" and "Covert Affairs."

Broadband Adoption: **Comcast** continues to tweak its Internet Essentials program, announcing a partnership this week with the **Labor Dept** to ensure information about the \$9.95/mo broadband service for low-income families is available at the **American Job Centers** across the MSO's 39-state footprint. Also, in partnership with **Connect2Compete**, Comcast will be able to begin offering customers this fall the opportunity to purchase desktop or laptop computers via **Redemtech**

BUSINESS & FINANCE

for \$150. Previously, the \$150 option was a netbook made available through Comcast's hardware partners.

Ratings: The 3.4mln viewers who tuned into **Bravo Sun** for the Season 4 finale of "Real Housewives of NJ" was a series season-high. "Watch What Happens Live" also scored a season-high with 2.2mln viewers.

Programming: **CMT** gave the greenlight to "Dog," (wt) a reality series that has *Dog the Bounty Hunter* and *Beth Chapman* helping other mom-and-pop bail bond agencies.

On the Circuit: **Bravo** is opening the "Top Chef" franchise's 1st-ever brand restaurant, "Top Chef Kitchen," in collaboration with the restaurant operators of Distilled NY. It opens Oct 16 for a limited time only, with dinner night Tues-Sun. Reservations can be made at OpenTable or bravotv.com/topchefkitchen. -- **NAMIC** announced the roster for Class XII of its Exec Leadership Dev Program, with the '12-'13 class marking the official launch of NAMIC's academic partnership with the Univ of VA Darden School of Business. Class sessions will be presented over a 7-month period. A full class list is available at Namic.com/press.

People: **AMC** expanded its business affairs team, naming *Aleksandar Stojkovic* and *Scott Stein* vps of business affairs. -- **GMCTV** promoted *Wendy McCoy* to be svp, marketing and *Angela Cannon* to be vp, affil marketing.

CableFAX Daily Stockwatch

Company	09/25 Close	1-Day Ch	Company	09/25 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	53.01	0.31	CONCURRENT:	4.44	(0.09)
DISH:	31.14	(0.19)	CONVERGYS:	16.10	(0.32)
DISNEY:	52.54	(0.38)	CSG SYSTEMS:	21.85	(1.07)
GE:	22.31	(0.05)	ECHOSTAR:	28.19	(0.48)
NEWS CORP:	24.69	(0.34)	GOOGLE:	749.16	(0.22)
MSOS					
CABLEVISION:	15.90	(0.48)	HARMONIC:	4.71	(0.08)
CHARTER:	75.44	(0.93)	INTEL:	22.54	(0.26)
COMCAST:	35.85	(0.57)	JDSU:	12.34	(0.42)
COMCAST SPCL:	34.90	(0.47)	LEVEL 3:	22.96	(0.35)
GCI:	10.09	(0.17)	MICROSOFT:	30.39	(0.39)
LIBERTY GLOBAL:	60.30	0.02	RENTRAK:	16.83	(0.26)
LIBERTY INT:	18.15	(0.22)	SEACHANGE:	7.86	(0.31)
SHAW COMM:	20.56	0.02	SONY:	12.05	(0.31)
TIME WARNER CABLE:	94.70	(1.09)	SPRINT NEXTEL:	5.53	(0.17)
VIRGIN MEDIA:	29.44	(0.31)	TIVO:	10.17	0.23
WASH POST:	360.34	(9.38)	UNIVERSAL ELEC:	17.01	(0.23)
PROGRAMMING					
AMC NETWORKS:	42.06	(0.44)	VONAGE:	2.29	0.02
CBS:	36.34	(0.9)	YAHOO:	15.68	(0.33)
CROWN:	1.70	UNCH	TELCOS		
DISCOVERY:	58.45	(0.79)	AT&T:	38.06	(0.19)
GRUPO TELEVISA:	23.12	(0.37)	VERIZON:	45.62	(0.06)
HSN:	48.22	(0.26)	MARKET INDICES		
INTERACTIVE CORP:	52.69	0.49	DOW:	13457.55	(101.37)
LIONSGATE:	14.75	(0.29)	NASDAQ:	3117.73	(43.05)
LODGENET:	0.40	UNCH	S&P 500:	1441.59	(15.3)
NEW FRONTIER:	1.32	0.01	TECHNOLOGY		
OUTDOOR:	7.27	0.02	ADVANTAGE:	2.18	(0.02)
SCRIPPS INT:	61.23	(0.26)	ALCATEL LUCENT:	1.12	(0.03)
TIME WARNER:	44.99	(0.83)	AMDOCS:	32.86	(0.14)
VALUEVISION:	2.27	0.02	AMPHENOL:	60.18	(0.53)
VIACOM:	54.98	(0.78)	AOL:	33.66	(0.1)
WWE:	8.27	(0.11)	APPLE:	673.54	(17.25)
TECHNOLOGY					
ARRIS GROUP:	13.20	(0.24)	AVID TECH:	9.52	(0.1)
BROADCOM:	34.57	(1.07)	BLNDER TONGUE:	1.01	(0.09)
CISCO:	18.66	(0.14)	BROADCOM:	34.57	(1.07)
CLEARWIRE:	1.48	0.01	CISCO:	18.66	(0.14)

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