

CableFAX Daily™

Wednesday — September 28, 2011

What the Industry Reads First

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RSN Beat: FCC Gets Another Earful on Sports Nets

With comments coming in to the **FCC** this week on RSNs, it's worth noting that **DirecTV's** contract with **Fox** for its RSNs is slated to expire Fri. Neither side has indicated any trouble brewing at this point (ie, negotiations happen all the time), but we're pointing it out because RSN programming is "some of the most popular" and "critical to any competitive MVPD offering." Those are DirecTV's own words in an FCC filing earlier this month for the agency's eagerly awaited report on the regional sports net marketplace (**Cfax**, 9/13). The report must be issued by Jan '13—6 months prior to the expiration of RSN conditions in the '06 **Adelphia** order approving **Time Warner Cable** and **Comcast's** purchase of the MSO. Comcast's conditions were extended as part of the **NBCU** deal, but Time Warner Cable's are set to sunset next summer. TWC was silent during that 1st round of comments this month, but it did file reply comments late Mon—tackling critics' complaints one by one. As for concerns raised by DirecTV over its upcoming **Lakers** RSNs and the potential for RSN affiliation in the Cincinnati area following the acquisition of **Insight**, TWC called them "ironic" given the DBS company's exclusive **NFL** Sun Ticket deal. It said the Lakers deal was "in large part to stem the spiraling increases in the cost of carrying sports programming, and its control of that programming will benefit not only TWC's subscribers, but customers of other MVPDs (including DirecTV) as well." TWC said that changes to program access rules that includes a rebuttable presumption favoring access to RSNs undercuts any claim that the Adelphia order conditions (which include arbitration and a standstill requirement) should be extended or expanded. If the FCC remains concerned about RSN access, any regulatory response should address must-have sports programming generally (Sun Ticket, games on the Big 4 broadcasters, etc), TWC argued. **Cablevision**, which said it will challenge last week's Media Bureau order finding that it must offer an HD version of its **MSG** RSNs to **AT&T** and **Verizon**, also filed comments. "In this mature competitive marketplace, no single programming service—including an RSN—can be deemed to be critical to the competitive viability of an MVPD in any particular local market," Cablevision said, urging distribution of RSNs to be governed by market forces. In its brief reply comments, Verizon noted that Comcast and Cablevision were the lone dissenters earlier this month challenging the need for continuing protections to ensure competitors gain access to RSNs, saying both are parties with a "long history" of withholding such programming.



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— Jim Cantore

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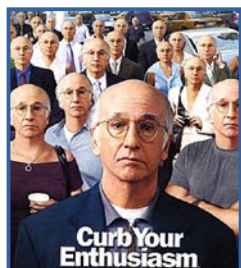
October 18, 2011 ■ Noon–2 p.m. ■ Renaissance Hollywood Hotel & Spa

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Ratings: **USA** took home the prime viewership titles in both Sept and 3Q, delivering a respective 2.94m and 3.51m P2+. The latter total established a 3Q record for the net and marks the 1st time any cable net has breached the 3.5m plateau in 3Q. **Disney Channel** (2.68m), **TNT** (2.51m), **History** (2.07m) and **ESPN** (1.93m) completed the 3Q top 5, while ESPN (2.94), Disney Channel (2.46m), **Fox News** (1.93m) and TNT (1.91m) completed Sept's. -- **Brag Book:** Powered by "Sons of Anarchy" and its 4th season premiere, which now ranks as **FX's** most-watched program ever with 6.5m total viewers (live+7), the net notched its best Sept in history among all key dayparts and several key demos in prime including 18-49s (818K) and men 18-49 (483K). -- **Comedy Central** scored its most-watched and highest-rated week in history last week owing to the premiere of "Jeff Dunham: Controlled Chaos" (5.5m P2+) and the "Comedy Central Roast of Charlie Sheen," which now ranks as the net's most-watched telecast ever (7.4m P2+). -- **ABC Family** posted its top Q ever in 3Q among several key demos such as 18-34s (427K) and women 18-34 (306K). -- **Food Net** earned its highest-rated and most-watched Sept prime in history plus its highest-rated prime Q ever in 3Q. The time periods were marked by respective P2+ of 1.1m and 1.2m. -- **History's** top 3Q of all time included 1.9m P2+ (+12%) and increased among 25-54s (+12%) and 18-49s (+11%). -- **Syfy's** most-watched 3Q ever in prime featured 681K 25-54s, 613K 18-49s and 234K 18-34s. -- 3Q marked **Style Net's** most-watched Q ever and was defined by a 115% YOY surge among women 18-49.

Retrans: The retrans visits at the **FCC** continue, with **DISH** reps popping in last week to meet with Media Bureau chief *William Lake* and other staffers. According to an ex parte, DISH noted it has a number of high-profile retrans consent agreements expiring in the next several months. A particular complaint DISH brought up is broadcasters offering a contract extension several months in advance of a deal's expiration. "DISH Network typically declines because it would only delay each side's readiness to negotiate a new deal. If a new retransmission consent deal is not reached close to the deadline, however, the broadcaster will then refuse to grant a temporary extension to avoid a takedown, claiming that DISH Network previously refused an extension," DISH said in calling for updates to retrans rules. **Time Warner Cable's Glenn Britt** and **DirecTV's Michael White** have made recent retrans stops at the Commission.

On the Hill: They might sound delicious, but Reps *Joe Barton* (R-TX) and *Ed Markey* (D-MA) want the FTC to investigate "supercookies." The cookies are files that can be installed on computers without a user's knowledge. -- 34 members of Congress, including Reps *Henry Waxman* (D-CA) and *Ed Markey* (D-MA) have joined Rep *Doris Matsui* (D-CA) in urging the FCC to reform the USF high cost fund. Advocating limiting growth of USF while using it to fund adoption as well as deployment, the members told FCC chmn *Julius Genachowski* that "with appropriate fiscal responsibility, there is sufficient funding for both—without unduly burdening consumers with additional USF fees."

Screen Dreams: The NY Television Festival, where independents get a shot at cable and broadcast deals, announced the 2011 winners of more than a dozen development deals. For the NYTVF Pitch contest, where artists are challenged to submit pitches based on creative briefs, the winners were *Jake Greene's* "Party Doctor" for **Sundance Channel**; *Greg Burke* and *Lou Perez's* "Carlos and the Games of Seduction" for **MSN** and **Eyeboogie**; and *Giacomo Knox's* "A Week With My Father" for **SevenOne International** and **Red Arrow Entertainment**. The Independent Pilot Competition Sponsored Awards went to the following: *Nathan Gotsch's* "Josh Jennings for Congress" won the **FX** "There Is No Box" Comedy Award; *Ross Patterson's* "St. James St. James Presents: Delirium Cinema" clinched the **IFC** "Out of the Box" Award; *Mike Salva's* "Pound Dogs" took the **MTV** "Voice and Vision" Animation Awards for Writing and Animation; and *Al Thompson's* "Odessa" won the **Syfy** Digital Studio "Imagine Greater" Award. -- **Eurocinema** launched a Short Film Competition, with entries for Best Film, Best Director, Best Actor, Best Actress and Best Screenplay, being accepted until Dec 15. The Best Film winner will be awarded \$1K and have their film showcased on demand for a minimum of 3 months starting Feb 2012 on Eurocinema, an on demand provider of European films.

People: **IAC** named as a board member *Chelsea Clinton*, who will earn \$50K annually for the dir post and received \$250K worth of IAC shares that vests in equal installments over 3 years. -- **NBCU** svp, digital sales *Nick Johnson* assumed oversight of **NBC Sports Group's** digital portfolio. -- **mun2** promoted *Ricardo de Montreuil* to vp, creative director. -- Entertainment marketing agency **mOcean** tapped **MRM Worldwide's Rob Alley** as its new digital creative dir.

Public Affairs: **MTV's** and **The Associated Press'** new study exploring the pervasiveness of digital abuse reveals 56% of the 14-24 year olds surveyed say they have experienced abuse through social and digital media, up from 50% reported

BUSINESS & FINANCE

in the 2009 MTV-AP digital abuse survey. However, 56% of respondents say they would be likely to intervene if they saw someone being mean online, up from only 47% in 2009. The study was released as part of MTV's "A Thin Line" campaign which also includes the premiere of the original movie "DISconnected," exploring life, love and digital drama, Oct 9 at 9pm.

OTT: Health education and lifestyle videos from **HealthiNation** are now available on **Roku** streaming players.

Honors: CBS led all nets in **News & Doc Emmys** wins with 10, while **Nat Geo** (7) took 2nd to pace all cable nets. Other victors include: **PBS** (6), **Discovery Channel** (3), **CNN** (2), **NBC** (2), **BBC America** (1), **CNBC** (1), **HBO** (1), **HDNet** (1), **MSNBC** (1) and **Smithsonian Channel** (1).

Business/Finance: Stifel Nicolaus' Benjamin Mogil initiated coverage of **AMC Nets** with a 'sell' rating on a belief that the company's investments in original programming will continue to moderate its FCF generation. Mogil's also concerned about the impact **Netflix** and other OTT players will have on non-sports cable channels. **AMCX** shares fell 1.1% -- **Miller Tabak's David Joyce** maintained his 'buy' rating on **Lionsgate** shares while lowering his short-term (\$8) and long-term (\$10.50) targets on the stock by 50 cents due to recent underperforming films and fewer TV prod deliveries. **LGF** shares took a 4% hit.

CableFAX Daily Stockwatch

Company	09/27 Close	1-Day Ch	Company	09/27 Close	1-Day Ch
BROADCASTERS/DBS/MMDS			CISCO:	16.07	0.08
DIRECTV:	44.20	1.01	CLEARWIRE:	2.47	(0.07)
DISH:	27.91	0.28	CONCURRENT:	5.65	0.05
DISNEY:	31.16	0.86	CONVERGYS:	9.83	0.36
GE:	15.76	0.19	CSG SYSTEMS:	13.17	0.26
NEWS CORP:	16.48	0.14	ECHOSTAR:	23.39	0.88
MSOS			GOOGLE:	539.34	7.45
CABLEVISION:	17.94	0.50	HARMONIC:	4.53	0.20
CHARTER:	50.05	0.84	INTEL:	22.54	0.30
COMCAST:	22.33	0.43	JDSU:	11.54	0.07
COMCAST SPCL:	22.07	0.42	LEVEL 3:	1.61	0.08
GCI:	8.06	(0.03)	MICROSOFT:	25.67	0.23
KNOLOGY:	14.04	0.29	MOTOROLA MOBILITY:	38.04	0.08
LIBERTY GLOBAL:	38.02	0.88	RENTRAK:	13.81	0.02
LIBERTY INT:	16.02	0.05	SEACHANGE:	8.29	0.28
SHAW COMM:	20.82	0.55	SONY:	19.22	0.23
TIME WARNER CABLE:	66.99	0.88	SPRINT NEXTEL:	3.13	0.04
VIRGIN MEDIA:	25.04	0.56	THOMAS & BETTS:	41.87	1.15
WASH POST:	320.78	(3.03)	TIVO:	10.40	0.10
PROGRAMMING			UNIVERSAL ELEC:	16.89	(0.04)
AMC NETWORKS:	34.03	(0.38)	VONAGE:	2.82	UNCH
CBS:	22.19	0.18	YAHOO:	14.54	(0.21)
CROWN:	1.40	0.04	TELCOS		
DISCOVERY:	41.78	0.12	AT&T:	28.67	0.33
GRUPO TELEVISIA:	19.17	0.46	VERIZON:	36.89	0.53
HSN:	35.15	0.16	MARKET INDICES		
INTERACTIVE CORP:	40.60	0.11	DOW:	11190.69	146.83
LIONSGATE:	6.71	(0.28)	NASDAQ:	2546.83	30.14
LODGENET:	1.84	0.05	S&P 500:	1175.38	12.43
NEW FRONTIER:	1.10	0.01			
OUTDOOR:	6.40	0.24			
SCRIPPS INT:	40.37	(0.92)			
TIME WARNER:	31.72	0.97			
VALUEVISION:	2.73	(0.02)			
VIACOM:	51.61	0.86			
WWE:	9.41	0.13			
TECHNOLOGY					
ADDVANTAGE:	2.16	0.01			
ALCATEL LUCENT:	3.13	0.13			
AMDOCS:	27.70	0.18			
AMPHENOL:	43.75	0.93			
AOL:	12.54	0.25			
APPLE:	399.26	(3.91)			
ARRIS GROUP:	10.63	0.07			
AVID TECH:	8.68	0.13			
BIGBAND:	1.42	0.03			
BLNDER TONGUE:	1.17	(0.02)			
BROADCOM:	35.04	0.76			

CableFAX Webinar:

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