

CableFAX Daily™

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What the Industry Reads First

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All Good: Cablevision, Disney Sign Broad Multi-Year Distribution Deal

A month after signing a renewal with CBS O&Os, Cablevision has cut a comprehensive multi-year deal with Disney including sports, news and entertainment content on both linear and digital platforms. Just 2 years ago, the 2 played hardball over a retrans spat that included Disney's threat to yank NY's ABC 7 (*Cfax*, 3/3/10). Seems like it's all good now. The new deal, which covers 70 services, includes retransmission consent for ABC-owned stations in NY and Philly (WABC-TV, WPVI-TV and more than 10 HD nets). Wink wink, AMC, DISH, Viacom and DirectTV. The agreement also includes the carriage of channels like ABC, ABC Family, Disney Channel, ESPN and Longhorn Network. The deal so enhanced TV Everywhere, with Cablevision set to launch the full suite of authenticated "Watch" products, ESPN3 and ESPN3D, as well as the upcoming ABC News/Univision Joint Venture, a 24/7 news, information and lifestyle net. Cablevision subs, through authentication, can access live and VOD content on computers, smartphones, tablets and gaming consoles. The agreement features extensive on-demand rights, allowing subs to access "dozens of ABC, Disney and ESPN networks for years to come and, for the first time, they will be able to enjoy Disney and ESPN programming outside the home," said Cablevision pres/CEO James Dolan in a statement. ABC Family original movies will also be available. In addition, select eps featured on Disney Channel On Demand will be available new offerings like playlists and monthly programming blocks, in addition to numerous eps available in multiple languages. Various Disney Channel original movies will also be available. The expanded on demand content from ESPN includes programming from ESPN Deportes and original content from ESPN Films. Expect the launch of ESPN3 and ESPN Watch by year-end, said one industry source. Working with Cablevision, ESPN's able to "strengthen the value of the multichannel subscription by delivery 24/7 live access to our content," said ESPN pres John Skipper.

Debate 2012: Fox News and Gov Mitt Romney won the 1st presidential debate Wed night, according to data provided by Nielsen and... consensus across the mainstream media and among observers on both the right and left. With over 10mln total viewers, Fox News beat all cable and broadcast nets. It averaged 10.4mln viewers from 9pm-10:30pm with nearly 3mln in AD 25-54. The debate marked Fox News' highest-rated presidential debate ever. CNN was the 2nd most-watched cable net with over 6mln total viewers, followed by MSNBC, which drew more than 4.7mln total viewers. As for

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primetime coverage, which includes pre- and post-debate analysis, Fox won again with more than 8mln total viewers, followed by CNN and MSNBC. CNN, however, tops Fox in younger viewers (18-34). On social media, the debate's the most tweeted event in US political history, topping this year's conventions for both parties, **Twitter** said. With 11.1mln tweets, the debate is the 4th most tweeted telecast of any kind, following the most recent Grammy, **MTV's** Video Music Awards and the Super Bowl, according to social analytics firm **Bluefin Labs**. Chatter across Twitter and **Facebook** Wed night centered on the endangerment of Big Bird and the loss of control by debate moderator **PBS** exec editor *Jim Lehrer*.

Exclusivity Ban: While changes are possible, the expected **FCC** order to sunset the program exclusivity ban Fri is expected to be similar to a draft order that chmn *Julius Genachowski* circulated last week, said **Stifel Nicolaus** analysts late Thurs. Chances are the FCC isn't going to extend the ban or bolster the competitors' presumptive rights much beyond the chmn's proposal for now, they said. Instead, the FCC seems likely to impose a "shot clock" on complaint proceedings, and examine various issues in a further NPRM. Potential issues include possible further presumptions, interim "standstill" carriage in renewal disputes, and proposals to allow small and mid-size cable/multichannel providers to receive programming discounts, including through "buying groups," the analysts said.

At the Portals: **Comcast** filed its brief with the DC Circuit Thurs in its appeal of the **FCC's Tennis Channel** decision. The FCC Order "compels" the op to carry the net more broadly than Comcast would have chosen because the net's content is similar to 2 Comcast affil sports nets, **Golf Channel** and **Versus** (now **NBC Sports Network**), the brief said. The FCC's July ruling upheld the ALJ's decision that Comcast discriminated against the net and ordered the op to distribute the net on the same tiers as Golf and Versus. Comcast argued the order "severely misinterprets" Section 616 of the Communications Act, replacing the statutory requirement of an "unreasonable restraint on fair competition with a standard that could be easily satisfied by a reasonable restraint." The op also argued the order imposes "nakedly content-based restrictions on Comcast's speech..." Finally, it argued that Tennis' complaint is time-barred. The net was required to file suit within 1 year after entering its contract with Comcast in '05 but "strategically chose to sit on its alleged rights until 2010."

Broadband Empire: The good news is the US has regained global leadership in mobile, according to a copy of **FCC** chmn *Julius Genachowski's* speech at the Wharton School of University of Pennsylvania Thurs. The not so good news is that the spectrum pipeline is largely dry, the chmn said, adding that it takes several years to bring new spectrum to consumers through traditional reallocation and auctioning of spectrum. Good thing "we are on track to exceed our first benchmark of freeing up 300Mhz of spectrum" by '15. The FCC's bringing new spectrum online by focusing on traditional auctions, removing regulatory barriers to flexible spectrum use, clearing new bands for flexible broadband use and working on dynamic sharing. The key challenge: freeing up 500Mhz by '20, the chmn said. And even as the country works to meet the '20 goal, "the block won't stop in 2020, and data demand will continue to increase," he said. Action is needed on 2 fronts: technology and business innovations that "dramatically increase spectrum efficiency," and "moving forward on smart wireless government policies," the chmn said.

Programming: **Travel Channel** greenlit new 1-hour special, "Trip of a Lifetime," premiering Jan 30 at 10pm. The "trip" features a group of Travel Channel talents who will reveal the most incredible and undiscovered food, fun and hotels throughout the over-the-top vacation.

Ratings: **BBC America** earned its highest ratings ever in total viewers for Sept and 3Q on both prime and total day. The "Doctor Who" season 7 premiere is the net's highest rated telecast ever, with delivery of 2.5mln viewers and a 1.48 rating/1.25mln A25-54 in Live+7, ranking #1 in cable in the time period on Sept 1.

On the Circuit: **SCTE's** Cable-Tec Expo will feature a special session on **CableLabs'** DOCSIS 3.1 spec to help understand the next generation of DOCSIS HSI technology. Scheduled for 11am on Oct 18, the 90-min session includes a panel discussion with technologists from CableLabs and the MSO community.

Launch Pad: Advanced ad service provider **BlackArrow** launched a technology that aims to link linear ad sales with ad execution on new platforms, extending premium pay-TV advertising to new screens. Dubbed Linear Extensions for Dynamic Ad Insertion, the service looks to let op monetize linear TV delivered to tablets and other IP devices.

In the States: **Cox** is teaming with **Verizon Wireless** to offer Cox triple-play packages and Verizon smartphone and tablets in parts of KS, AK and NE. Cox and Verizon subs who sign up for one of these packages from both companies

BUSINESS & FINANCE

are eligible to get a Visa prepaid debit card ranging from \$100 to \$400.

DISH Dishing: While DISH chmn Charlie Ergen is disappointed that the FCC hasn't authorized its use of AWS spectrum for mobile broadband, chances are DISH isn't a seller, Wells Fargo analysts said after Ergen's speech at PCIA Wed. The satellite company can't tap the AWS-4 spectrum for its proposed network unless the FCC revises the rules on the band. The agency is considering revisions. "We don't think Mr. Ergen is a seller," the analysts said, noting Ergen had stated he sees the spectrum block as a long-term investment that can be monetized. Ergen isn't a buyer either, the analysts said, noting Ergen stressed that 40Mhz isn't enough to compete against the incumbents given that the largest carriers have more than 100Mhz of spectrum. "But we have a hard time seeing WHO Mr. Ergen would outright buy," especially post the Metro PCS/T-Mobile merger announcement (Cfax, 10/4), the analysts said. Would a Republican-led FCC allow DISH to sell its spectrum to companies like AT&T? Said Ergen: "We may end up having to sell the spectrum. I am not saying that's an impossibility." However, the goal is to use the spectrum for DISH's own mobile network, he said.

People: Former FCC staffer Rick Kaplan joined NAB as evp, strategic planning.

CableFAX Daily Stockwatch

Company	10/04 Close	1-Day Ch	Company	10/04 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	53.24	0.62	CONCURRENT:	4.90	0.02
DISH:	32.27	0.34	CONVERGYS:	15.73	0.23
DISNEY:	52.63	0.16	CSG SYSTEMS:	22.85	0.15
GE:	22.95	0.04	ECHOSTAR:	29.53	0.10
NEWS CORP:	25.35	0.25	GOOGLE:	768.05	5.55
MSOS					
CABLEVISION:	16.88	0.41	HARMONIC:	4.49	0.04
CHARTER:	77.38	0.62	INTEL:	22.46	(0.09)
COMCAST:	36.50	0.30	JDSU:	11.53	(0.22)
COMCAST SPCL:	35.32	0.27	LEVEL 3:	22.46	0.62
GCI:	10.15	0.10	MICROSOFT:	30.03	0.17
LIBERTY GLOBAL:	61.56	(0.29)	RENTRAK:	16.95	0.11
LIBERTY INT:	18.98	0.17	SEACHANGE:	8.62	0.25
SHAW COMM:	20.74	0.21	SONY:	11.74	(0.15)
TIME WARNER CABLE:	98.96	0.65	SPRINT NEXTEL:	5.09	(0.11)
VIRGIN MEDIA:	30.82	0.56	TIVO:	10.46	0.10
WASH POST:	365.79	4.35	UNIVERSAL ELEC:	18.91	0.15
PROGRAMMING					
AMC NETWORKS:	43.50	(0.02)	VONAGE:	2.33	0.03
CBS:	36.00	1.15	YAHOO:	16.27	0.06
CROWN:	1.71	0.03	TELCOS		
DISCOVERY:	61.06	0.88	AT&T:	38.34	0.17
GRUPO TELEVISA:	23.57	0.25	VERIZON:	47.26	0.98
HSN:	48.97	0.30	MARKET INDICES		
INTERACTIVE CORP:	53.74	0.14	DOW:	13575.36	80.75
LIONSGATE:	15.70	(0.06)	NASDAQ:	3149.46	14.23
LODGENET:	0.74	0.10	S&P 500:	1461.40	10.41
NEW FRONTIER:	1.30	0.07			
OUTDOOR:	7.30	0.02			
SCRIPPS INT:	63.36	0.55			
TIME WARNER:	45.83	0.03			
VALUEVISION:	2.28	(0.01)			
VIACOM:	56.31	1.01			
WWE:	8.21	0.10			
TECHNOLOGY					
ADVANTAGE:	2.19	0.09			
ALCATEL LUCENT:	1.08	0.02			
AMDOCS:	33.01	(0.06)			
AMPHENOL:	57.95	(0.28)			
AOL:	36.79	0.62			
APPLE:	666.80	(4.65)			
ARRIS GROUP:	12.73	0.07			
AVID TECH:	9.51	UNCH			
BLNDER TONGUE:	1.23	(0.02)			
BROADCOM:	34.22	0.23			
CISCO:	18.89	(0.04)			
CLEARWIRE:	1.33	(0.01)			

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PROGRAMMER'S PAGE

C'mon, Everybody's Doing It...

Time Warner Cable's El Segundo, CA, offices (or at least the central courtyard) on Mon became a Hollywood wonderland where sports giants like *David Beckham* and *Kobe Bryant* mixed with the likes of "Glee's" *Chord Overstreet* and other faces from the TV celebri-verse, as well as the L.A. Lakers cheerleaders. It was all part of a lavish party to launch **TWC SportsNet** and **TWC Deportes**, signifying Time Warner Cable's dip into the content ownership game. It's an interesting twist for the MSO, which seemed to leave behind the idea of melding content and distribution when it split from Time Warner Inc in '09. But that was then... In this new TV Everywhere-addicted world of multiple platforms and fickle customers, it seems like everyone wants a piece of the content action. Of course, TWC has been quite focused so far. After all, these are regional sports nets focused on the L.A. market where the MSO has a dominant presence (L.A. and NYC... that makes *Glenn Britt* cable's biggest hipster, right?). But it's also an interesting switcheroo for TWC's top content gatekeeper *Melinda Witmer*, who's used to content owners kissing her ring but must now go out and kiss a few rings herself to sell the nets to other distributors. We hear she's been getting quite a few phone calls offering "advice" from the programming side. And while the shoe-on-the-other-foot thing may seem like poetic justice to some, the industry should remember that Witmer knows every distributor negotiating tactic in the book. That gives her pretty good spidey sense. TWC doesn't have any takers on the new nets yet, but we suspect the MSO will be inking some contracts within the next few months. One thing we can confirm from Mon's party, which included a makeshift basketball court: Witmer wields a mean hook shot. Her next task is to hook some distributors. We're not betting against her. *MG*

Reviews: "9.79," Tues, 8pET, **ESPNHD**. It's getting old to say ESPN's "30 for 30" films are terrific, but say it again about this small masterpiece, which recounts the '88 Olympics 100m race pitting Canada's *Ben Johnson* against *Carl Lewis*; and the aftermath. Your subs aren't interested in track? Doesn't matter—one of this film's beauties, besides gorgeous footage, is its storytelling. It's a character study, and perhaps the most honest look at athletes and drugs ever. -- "Johnny Cash: Song by Song," premiere, Sun 8p ET, **Ovation**. We received the last of this 6-part series, discussing Cash's cover of the Nine Inch Nails' tune "Hurt," which Cash did as a brutally honest piece of art, with producer *Rick Rubin*. If the rest of this bio-series is nearly as good as this ep, Cash fans and anyone with a passing interest in his music will enjoy. -- "Larrymania," premiere, Sun, 9p, **mun2**. *Larry Hernandez*, the Latin music star, is an interesting subject. Understated offstage, he insists on managing his career, sans assistants, and is fiercely loyal to family and fans. We're guessing his story is unusual enough to sustain several seasons. -- "Duck Dynasty," season II premiere, Wed, 10p, **A&E**. The hirsute, duck-loving Robertson men may be unsafe drivers, but they're better on the facts of life. And they're an entertaining hoot.

Basic Cable Rankings (8/27/12-9/30/12)			
Mon-Sun Prime			
1	ESPN	2.2	2162
1	USA	2.2	2145
3	FOXN	1.9	1869
4	DSNY	1.6	1551
5	TNT	1.4	1427
5	HIST	1.4	1408
7	TBSC	1.3	1280
8	A&E	1.1	1078
8	HGTV	1.1	1045
8	MSNB	1.1	1029
8	NFLN	1.1	683
12	TLC	1.0	998
12	SYFY	1.0	956
12	DSE	1.0	75
15	LIFE	0.9	935
15	ADSM	0.9	927
15	FX	0.9	888
15	FOOD	0.9	871
15	TRU	0.9	796
15	AMC	0.9	779
21	FAM	0.8	799
21	DISC	0.8	775
21	NKJR	0.8	586
24	MTV	0.7	721
24	CNN	0.7	720
24	NAN	0.7	719
24	BRAV	0.7	675
24	TVLD	0.7	649
24	ID	0.7	587
30	SPK	0.6	591
30	ESP2	0.6	577
30	CMDY	0.6	577
30	LMN	0.6	541
30	HALL	0.6	533
35	VH1	0.5	521
35	EN	0.5	493
35	BET	0.5	456
35	APL	0.5	444
39	NGC	0.4	374
39	GSN	0.4	332
39	TRAV	0.4	331
39	OWN	0.4	298
39	OXYG	0.4	290
39	WE	0.4	256
45	DXD	0.3	279
45	HLN	0.3	269

*Nielsen data supplied by ABC/Disney

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