

# CableFAX Daily™

Friday — November 16, 2007

What the Industry Reads First

Volume 18 / No. 224

## Crisis Communications: Cable CEOs Campus the Hill

As usual, NCTA planned a board meeting to coincide with Thurs' WICT Gala in DC. But the meeting was largely scrapped, with teams of CEOs—including *Brian Roberts*, *Michael Willner* and *Decker Anstrom*—instead hitting the Hill and FCC to talk about what NCTA chief *Kyle McSarrow* has characterized as an anti-cable agenda by FCC chmn *Kevin Martin*. Meetings were also held with Administration officials. "I've been a member of the association for nearly 20 years, and this is the 1st time in my memory that we canceled a board meeting," said **Landmark's** Anstrom, who serves as NCTA chmn. Virtually every board member hit the Hill after a quick breakfast powwow. "I think it shows that we treat the proposal that Martin made in the *NY Times* very seriously... and we're absolutely unified in our message," Anstrom said. The latest bee in cable's bonnet is the chmn's proposal that the 70/70 test has been met (70% of homes passed by cable and 70% of those taking cable), with the industry concerned that Martin may try to use the test to justify broad, new cable regulations. The gist of the CEO lobbying message was that the 70/70 test hasn't been met, nor does the test give the FCC carte blanche to enact sweeping new cable regs. The CEOs also echoed McSarrow, saying that the FCC process as it applies to cable is totally broken, Anstrom said. "There is no question that there is a level of intensity that the industry feels about what's been going on for the past few years," he said. NCTA's board was slated to hear from a couple speakers Thurs and discuss some industry issues, including plans to consolidate the number of industry events.

**Court TV Pink Slips:** Court TV cut about half of its Web staff (16 staffers) this week as it makes the transition from **courtstv.com** to **truTV.com**. 6 positions were also eliminated in operations and 2 in daytime. truTV.com will launch Jan 1 as Court changes its moniker and becomes more reality programming focused. Online trial coverage will shift to a new section of **CNN.com**—**CNN.com/crime**. "We will use CNN.com's existing resources, expertise and platform for CNN.com/crime, resulting in fewer positions in Court TV's online group," a spokeswoman said. "We will provide professional transition support to employees who are directly impacted."

**Cox Calculations:** Cox cited bundle growth (10%) and rising phone penetration as drivers of 3Q success, which includes a 19% increase in phone subs (2.3mln total), 23% growth in non-video residential subs (531K) and a 12.3% rise in HSD customers (3.6mln). The MSO also touted 21% rev growth at its Cox Business division and is celebrating the 10th anniversary of its 1st triple-play bundle in Orange County, CA. While digital subs swelled by 11.3%, it's unlikely the celebration includes clapping for basic results, which weren't disclosed.

**And That's the Way It Is:** 91-year-old news legend *Walter Cronkite* will contribute weekly editorials to **Retirement Living TV** starting next week, it was announced Thurs, a culmination to talks that were 1st reported in early Sept at **Cable360.net**. The former **CBS** anchor's initial commentary will appear Tues during "Daily Café," the net's 2-hour afternoon talk

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show. Joining the fledgling net in voicing excitement over Cronkite's return to TV is *Dan Rather*. "I'm happy for Walter. The thing about Walter is that whatever he does, he does well. I'll be watching," said the **HDNet** newsmen.

**Deals: Broadstripe** (formerly **Millennium Digital**) will acquire **James Cable**, which passes 125K homes in 9 states. The deal, expected to close in 1Q, will propel Broadstripe into the list of Top 20 MSOs, with it serving more than 160K subs. Financial terms weren't disclosed. **Waller Capital** served as a financial adviser to James Cable. Broadstripe is majority owned by certain investment funds managed by **Highland Capital**, which has committed to provide sr debt financing to consummate the deal.

**Uploaded Anger: Comcast's** recent bumpy bandwidth ride became more jolting this week when San Franciscan *John Hart* filed suit against the MSO over its broadband traffic management. The suit alleges breach of contract due to Comcast's alleged blocking of peer-to-peer file-sharing apps, and seeks class action status, an injunction barring the MSO from blocking apps, an order forcing Comcast to disclose its traffic management practices, and unspecified damages. Comcast declined to comment, saying a review of the lawsuit has yet to be completed. The MSO has said it manages bandwidth by slowing down data traffic in certain locales to relieve pockets of congestion, but it doesn't block applications or Websites. Several interest groups, including **Free Press** and **Public Knowledge**, filed an official complaint against Comcast with the **FCC** earlier this month.

**Competition:** According to published reports, the **Portland City Council** approved **Qwest's** video franchise bid, giving **Comcast** a big competitor in the OR city. Qwest has until July '09 to begin offering TV service, and its franchise lasts until '19. -- **AT&T** added in the San Fran area a suite of new **U-verse** features, including video games, local search functionality and customizable weather, stock, sports, and traffic information.

**On the Hill:** Sen Commerce chmn *Daniel Inouye* (D-HI) urged the Senate to adopt his bill to improve broadband data collection. A similar measure has already passed the House. "We cannot have good broadband policy based on bad broadband data," he said, pointing to a new **Pew Research Center** study that calls for govt action. -- **MoveOn** is pressuring *Hillary Clinton* to make an *Barack Obama*-like commitment to net neutrality. Speaking at a **Google's** HQ Wed, Obama said he would take a "backseat to no one" in terms of his commitment to network neutrality. MoveOn sent out emails to members noting that while Clinton has supported the issue in the past, net neutrality wasn't mentioned as part of the Internet agenda she unveiled last month.

**In the States: The Africa Channel** snagged a hunting license with **Time Warner Cable**. -- Subs of both **Cablevision's** VoIP and digital video services may now receive caller ID on their TV screens. -- **Time Warner Cable** added **FSN NY HD** and **Nat Geo HD** to its NY/NJ channel lineup.

**Spat: Massillon Cable** and **Fox Sports'** ongoing dispute isn't over yet. Massillon won an arbitrator's judgment that it should be charged a lower rate for **FSN OH** since the RSN is no longer providing Indians games. But Fox has argued all along that the spat isn't arbitrable and thus declined to even participate in the arbitration process. It just wanted the arbitration ruling so it could then appeal it to the **FCC**. Now, we hurry up and wait some more... As for the arbitrator's ruling, she found that Fox Cable's conduct was "unreasonable" and ordered that FSN OH reimburse Massillon for "excess affiliation fees."

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# BUSINESS & FINANCE

**Campaign '08:** Excellent call by **Mediacom** to simulcast in standard def in Iowa **HDNet's** coverage of the **Iowa Brown & Black Forum** (Dec 1, 8pm ET). All 8 Democrat presidential candidates have committed to attend. The country's oldest minority forum will focus on "housing, immigration, equal opportunity and race," said HDNet's *Dan Rather*, who will anchor a pre- and post-forum show. Mediacom will also put the proceedings on its Campaign '08 VOD channel. The Forum will reach about 500K HHs, Mediacom svp *Ed Pardini* said. Minority issues in Iowa are critical. The nation's fifth whitest state has the country's highest expulsion and suspension rate among African American males, says state Rep *Wayne Ford* (D), the Forum's co-founder. -- **MTV** and **MySpace's** presidential dialogue series continues with Republican candidate *John McCain* (R-AZ), Dec 3, 7pm ET. It's the 1st of these dialogues to be broadcast simultaneously on MTV, MySpace.com, ChooseOrLose.com, LaVibra.com and MTV Mobile.

**People:** **TiVo** appointed *Jeff Stettin* vp, national ad sales and *Dennis Dunphy* dir, Midwest ad sales, responsible for oversight of a new Chicago sales office. -- *Howard Lee* was named vp, East Coast dev and production for **Planet Green**. *Timothy Kuryak* is his West Coast counter part. *Claire Alexander* was made vp, ops and interactive media.

## CableFAX Daily Stockwatch

Company	11/15 Close	1-Day Ch	Company	11/15 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
BRITISH SKY:	50.81	(1.14)	AMPHENOL:	41.22	(1.09)
DIRECTV:	23.98	(0.01)	APPLE:	164.30	(1.81)
DISNEY:	32.40	0.54	ARRIS GROUP:	10.32	0.21
ECHOSTAR:	39.51	0.05	AVID TECH:	27.76	(0.32)
GE:	38.31	(0.7)	BIGBAND:	6.01	0.07
HEARST-ARGYLE:	20.92	(0.39)	BLNDER TONGUE:	1.85	(0.25)
ION MEDIA:	1.36	0.01	BROADCOM:	28.52	(0.14)
NEWS CORP:	21.71	(0.36)	C-COR:	11.89	(0.06)
TRIBUNE:	29.79	0.54	CISCO:	29.30	(0.41)
<b>MSOS</b>					
CABLEVISION:	25.77	0.07	COMMSCOPE:	39.94	(2.07)
CHARTER:	1.34	(0.04)	CONCURRENT:	0.98	0.02
COMCAST:	19.66	0.01	CONVERGYS:	17.18	(0.36)
COMCAST SPCL:	19.46	0.05	CSG SYSTEMS:	17.70	(0.41)
GCI:	9.22	(0.31)	GEMSTAR TVG:	5.60	(0.25)
KNOLOGY:	13.88	(0.34)	GOOGLE:	629.65	(12.03)
LIBERTY CAPITAL:	114.16	1.04	HARMONIC:	10.46	(0.86)
LIBERTY GLOBAL:	36.54	0.27	JDSU:	13.34	0.07
LIBERTY INTERACTIVE:	19.92	(0.04)	LEVEL 3:	2.82	(0.17)
MEDIACOM:	4.43	(0.21)	MICROSOFT:	33.76	(0.17)
NTL:	28.22	0.00	MOTOROLA:	16.46	(0.18)
ROGERS COMM:	42.97	0.00	NDS:	57.08	(0.92)
SHAW COMM:	24.95	(0.72)	NORTEL:	18.38	(0.55)
TIME WARNER CABLE:	25.43	0.12	OPENTV:	1.05	(0.01)
WASH POST:	797.95	(0.86)	PHILIPS:	42.13	(0.71)
<b>PROGRAMMING</b>					
CBS:	27.22	(0.08)	RENTRAK:	14.85	(0.18)
CROWN:	6.93	(0.04)	SEACHANGE:	5.29	(0.04)
DISCOVERY:	23.32	0.08	SONY:	48.38	(0.27)
EW SCRIPPS:	44.19	0.01	SPRINT NEXTEL:	15.48	(0.36)
GRUPO TELEVISIA:	23.70	(0.05)	THOMAS & BETTS:	51.67	(1.04)
INTERACTIVE CORP:	28.49	(0.5)	TIVO:	6.50	(0.14)
LODGENET:	18.51	(1)	TOLLGRADE:	8.00	0.19
NEW FRONTIER:	5.01	(0.2)	UNIVERSAL ELEC:	34.46	(0.16)
OUTDOOR:	7.33	0.04	VONAGE:	2.13	(0.09)
PLAYBOY:	9.61	(0.3)	VYYO:	4.55	0.02
TIME WARNER:	17.01	(0.06)	WEBB SYS:	0.07	0.00
UNIVISION:	36.23	0.00	YAHOO:	25.42	0.35
VALUEVISION:	4.93	(0.14)	<b>TELCOS</b>		
VIACOM:	40.65	0.71	AT&T:	39.37	0.03
WWE:	14.90	(0.31)	QWEST:	6.71	(0.08)
<b>TECHNOLOGY</b>					
3COM:	4.65	(0.06)	VERIZON:	43.04	(0.48)
ADC:	16.53	(0.44)	<b>MARKET INDICES</b>		
ADVANTAGE:	5.90	(0.32)	DOW:	13110.05	(120.96)
ALCATEL LUCENT:	8.23	(0.22)	NASDAQ:	2618.51	(25.81)
AMDOCS:	32.44	(0.63)			

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

**Dig Dugging Into a Cultural Phenomenon**

Do you remember the global love affair with a certain pellet-chomping yellow lady? Or toting sacks of quarters to the local video arcade? Did the Atari 2600 serve you endless hours of family room fun through games like "Pitfall" and "Space Invaders?" If so, **Discovery Channel's** 5-part special "Rise of the Videogame" (Nov 21, 8pm) is a must-see. In fact, it even provides insight to **Xbox** and **PS3** adherents that have never heard of **Intellivision**. Beginning with a focus on the military-based provenance of video games and completed with a look at the virtual gaming worlds so prevalent today, the special—true to Discovery form—offers eye-opening information and history of the industry while featuring unsurpassed experts. There's **Atari** (formerly a **Time Warner** subsidiary) founder *Nolan Bushnell*, for example, and the Russian creator of Tetris.


"Video games, much like TV shows and movies, found a niche with people who like a good story, or want to step out [from reality] for a while," said exec prod *Tracy Rudolph*. "The technology speaks to multiple generations." Fascinatingly, the generation that pressed the initial play button is that which endured the Cold War. Military equipment provided the 1st notions, chips and technological wherewithal, and potential war imparted the catchy theme of combat around which the first games—and many conventional titles—are built. Key subsequent introductions include **Nintendo's** Mario, perhaps the most famous video gaming character ever, sports games (ever heard of Madden?), and extremely popular role-playing games. Americans today long for immersion in all media, and video games have delivered with online game play and salient storylines. Check the holiday wish lists of friends and family members, and you'll be reminded that millions continue to eat up video games like Ms. Pac-Man swallowed pellets. *CH*

**Worth a Look:** "Frank TV," Tues, 11pm, **TBS**. *Frank Caliendo* is the impressionist whose *John Madden* scored during TBS MLB playoff coverage. Like Caliendo, his impressions are low key and amiable, and there's nothing like this on TV. A "Seinfeld" reunion in 2027 is the opening sketch. That clever premise allows Caliendo to prove his versatility. He plays all the Seinfeld characters well, except for Elaine. Still, the writing's flat. Ironically, his *Bill Clinton*—usually an easy mark—isn't great, but the sketch about a visit to the Clinton library is great for late night. And Caliendo's non-partisan; he skewers Bush and Cheney, too. -- "Baghdad Diary," Sat, 10pm, **History**. This fine piece of news video and home movies makes the war in Iraq an intimate experience. Despite its strengths, its stories cover the early days of Shock and Awe, material covered elsewhere earlier. Far more intimate, raw and immediate content can be found at History's Web site, where anonymous U.S. soldiers in Iraq blog. The worth of the posts vary, but it's great primary sourcing (<http://www.history.com/minisites/bandofbloggers>). -- "50 Greatest TV Icons," Fri, 8pm, **TV Land**. Another countdown show, but done well by TVL and "Ent Weekly" and loaded with warm nostalgia mostly (*Lassie*, *Lucci*, *J.R.*, *Carson* and *Cosby*, but *Simon Cowell* and *Buffy the Vampire Slayer*?). Good pre-show buzz, leaking the list to select media outlets. *SA*

Basic Cable Rankings (11/05/07-11/11/07)		
Mon-Sun Prime		
1	ESPN	2.3 2257
2	DSNY	2.2 2092
3	USA	2 1929
4	TBSC	1.6 1557
5	TNT	1.5 1462
6	FOXN	1.3 1191
7	NAN	1.2 1119
8	MTV	1 981
8	LIFE	1 976
8	TOON	1 956
8	SPK	1 943
8	CORT	1 917
8	HALL	1 865
14	FX	0.9 893
14	HGTV	0.9 890
14	HIST	0.9 847
14	AMC	0.9 831
14	DISC	0.9 830
14	A&E	0.9 827
20	SCIF	0.8 783
20	CMDY	0.8 769
20	TVLD	0.8 739
20	FAM	0.8 725
24	TLC	0.7 715
24	VH1	0.7 689
24	FOOD	0.7 675
24	LMN	0.7 436
28	CNN	0.6 610
28	BET	0.6 539
30	ESP2	0.5 516
30	BRAV	0.5 478
30	EN	0.5 462
30	APL	0.5 426
30	NGC	0.5 319
35	MSNB	0.4 410
35	SOAP	0.4 289
35	WGNC	0.4 253
38	HLN	0.3 326
38	TTC	0.3 308
38	OXYG	0.3 258
38	CMT	0.3 235
38	TDSN	0.3 232
38	DHLT	0.3 212
38	GSN	0.3 208
38	WE	0.3 173
38	BIO	0.3 136

\*Nielsen data supplied by ABC/Disney

# CORPORATE LICENSES



CableFAX Daily™

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