

# CableFAX Daily™

Friday — December 7, 2007

What the Industry Reads First

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## Trademark Tracker: Comcast Has a Nomad DVR

Every so often, we get nosy and start poking around US trademark filings. Sometimes we get lucky, like when we stumbled on **Comcast's** plan last Aug to launch a video over the Web service dubbed "Ziddio" (*Cfax*, 8/28/06). Mostly, though, trademark trolling is a crapshoot because companies don't necessarily act on all the trademarks they file. For instance, we're still waiting for **Fox** to roll out its trademarked "Silver Fox Channel." But the latest trademark to catch our eye is "DVR Nomad," which was filed a couple months back by **Comcast**, and relates to programming and scheduling TV via mobile phone and other mobile devices. DVR programming via cell phone is something cable's been promising for a long time, so our hopes are a little high on this one. Indeed, Comcast has said it will eventually launch DVR programming via the Web and cell phone. It appears to be getting closer. When the redesigned Comcast.net portal launched this fall, it included a digital TV tool, presumably for Web programming. Comcast hasn't activated the feature yet, though. Earlier this year, **AT&T** began allowing **U-verse** subs to program their DVRs from wireless phones for no additional charge. **Verizon** launched a feature that lets its wireless customers program their **TiVos** remotely for \$1.99/month. It plans to roll out remote scheduling for its **FIOS** DVRs in '08.

**On the Hill:** As promised, Rep *Marsha Blackburn* (R-TN) introduced legislation that would repeal the Communications Act's 70/70 rule (*Cfax*, 11/29). Rep *Edolphus Towns* (D-NY) co-sponsored the "Consumer Freedom Choice in Cable Act." The so-called 70/70 rule allows the **FCC** to further regulate cable providers once marketplace penetration exceeds 70%. -- With the legislative year winding down, Sen Commerce vice chmn *Ted Stevens* (R-AK) is urging the full Senate to approve legislation that would give the FCC authority to dub fleeting images or words on broadcast TV/radio indecent. The bill came about after a federal appeals court ruled that the FCC had not justified its decision to go after fleeting profanities (specifically, *Nicole Richie* swearing during an awards show).

**Patriot Pact:** Sen *John Kerry* (D-MA) has penned a letter asking **NFL** commish *Roger Goodell* and **NCTA** boss *Kyle McSarrow* to help break the carriage impasse between major cable MSOs and **NFL Net**. "Football fans across the country... find themselves caught in the middle of a corporate standoff," wrote Kerry of the failed negotiations. "In light of the unique circumstances surrounding the 2007 New England Patriots, I urge you to reach an agreement as soon as possible." Those circumstances center on the net's forthcoming Patriots game (Dec 29), which the team could very well enter with a chance to join the Dolphins as the only teams to complete a regular season undefeated. Cable ops already felt some heat due to the net's recent tilt featuring the NFC's best squads. But stakes in the Patriots situation are much bigger. And while local broadcast carriage of the Packers-Cowboys game in Green Bay and Dallas served to quell some customer unrest, the Patriots are New England's team, and myriad regional locales won't receive cable access to the game unless a deal is struck. Even so, **Time Warner**



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**Cable** likes its position. "We think our customers in MA understand that it's the NFL that took the 8 games away," said a TW spokeswoman. The Steelers can render the entire situation moot with a victory this weekend.

**Industry Outlook:** Despite '08 expectations of slower overall revenue and cash flow growth for cable MSOs, **Fitch** said the industry's "continued strong generation of cash flow and free cash flow along with manageable leverage should lead to a stable rating outlook" next year. Still, Fitch expects MSOs to add less than 11mln RGUs next year, compared to an estimated 11.5mln in '07, and to lose 1.5% of basic subs. Even as telephony customers grow to 45% of new RGUs, "the impact of competition... will be more pronounced in 2008," said the firm. Fitch expects new cable HSD subs to fall slightly in '08 and for lower EBIDTA because of higher spending on advertising and marketing. The firm assigned a 'negative outlook' to **Cablevision** and a 'rating watch negative' to **Insight**. Only **Cox** is affixed with a 'positive outlook.'

**Stumping for News:** 23% of all respondents to an **IFC**-commissioned poll would vote for *Hillary Rodham Clinton* today, giving the only female presidential candidate a healthy 10-percentage-point lead over nearest foe *Rudy Giuliani*. Conducted by **E-Poll Market Research**, the poll serves to underscore the net's growing focus on its linear and online news division, which is planning comprehensive coverage leading up to the '08 election. Special "Introducing the Circus" (Sun) will serve to introduce this coverage, as well as **IFC News** political reporters *Will Rabbe* and *Sarah Scully*.

**Competition:** **EchoStar** plans to change its name to **DISH Network Corp** to reflect its decision to focus on DBS following an anticipated spinoff of some of its assets. Certain businesses, including commercial satellites, would be transferred to a new wholly-owned subsidiary that will initially be named **EchoStar Holding Company**. After the spinoff, EHC would become an independent company, retaining the EchoStar trademark.

**In the States:** **Charter** has more than doubled to 44 the number of HD channels available in LA, and plans to offer more than 100 high-def programming options in nearly all of its markets by month's end. Part of the goal entails HD on demand content, which also launched in LA. -- **ESPNU** has collaborated with schools such as FSU, Georgetown and UNC to launch "ESPNU Campus Connection," which will bring student-generated content **ESPN** platforms. Examples include game announcing and sideline reporting. -- Overbuilder **Grande** will launch **ESPNU** across its TX footprint. -- **Atlantic Broadband** launched high-def VOD in PA and FL. -- **Broadband National** launched a new app offering residents of MDUs a simple process to order communications services. **Comcast**, **AT&T** and **DirectTV** promote their services through the platform, which follows the **FCC's** banishment of exclusive contracts at MDUs.

**Carriage:** **Cablevision** launched **GAC**, which through the deal added approx 2mln to the net's sub base.

**Online:** **OurChart.com**, a social networking and entertainment site catering to lesbians, will host the online premiere of **Showtime's** "The L Word" on Dec 30, 1 week prior to the series' linear debut.

**Ratings:** **Nielsen** will provide an additional \$2.5mln R&D grant to the **Council for Research Excellence**, bringing its total contribution to the independent forum of Nielsen clients to \$7.5mln. The Nielsen-created Council is conducting its own research on video audience measurement. -- The Season 2 debut of **Oxygen's** "The Bad Girls Club" scored a 0.5 HH rating, up 10%.

**Programming:** **Bravo** greenlit "Shear Genius" and "Top Design" for sophomore seasons in '08. -- Watch out for



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# BUSINESS & FINANCE

flying colors during TLC's "Battle of the Inks" (Dec 18), a night to include successive airings of the net's 3 tat-too shop series and the chance for viewers to vote for their favorite at **TLC.com**.

**On the Circuit:** It's not too early to register for **CTAM Summit '08** (Nov 9-11, Boston). Register before Jan 31 and get 20% off (<http://www.ctam.com/conferences/summit/index.html>)

**Public Affairs:** Comcast has partnered with **Internet Keep Safe Coalition** to promote online safety awareness through educational programs for parents and teachers.

**People:** QVC appointed *Claire Watts* pres, US commerce, effective May 1. Watts will also oversee **QVC.com**.

**Business/Finance:** What happened to that \$36/share *Dolan* offer? **Citigroup** reiterated its sell rating Thurs on **Cablevision** and lowered its price target for CVC to \$23 from \$33. The investment firm expects RGU net adds to fall to 395K in '08, 135K in '09, 82K in '10. Citigroup also anticipates slowing ARPU growth and declining EBITDA margins as FiOS' homes passed accelerates. -- **Optimum Lightpath** delivered a 90% Y-over-Y surge in 3Q Ethernet rev, said **Cablevision**. -- **LodgeNet's** board approved a stock repurchase program of up to \$15mln to be funded with the company's available cash.

## CableFAX Daily Stockwatch

Company	12/06 Close	1-Day Ch	Company	12/06 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
BRITISH SKY:	49.32	(0.12)	APPLE:	189.95	4.45
DISNEY:	32.72	(0.03)	ARRIS GROUP:	10.29	0.00
ECHOSTAR:	39.51	(0.52)	AVID TECH:	27.33	0.77
GE:	37.26	0.55	BIGBAND:	5.70	(0.01)
HEARST-ARGYLE:	19.94	0.16	BLNDER TONGUE:	1.46	(0.04)
ION MEDIA:	1.38	0.01	BROADCOM:	28.05	0.09
NEWS CORP:	21.84	0.65	C-COR:	12.32	0.09
TRIBUNE:	32.00	2.31	CISCO:	27.79	0.31
<b>MSOS</b>					
CABLEVISION:	25.85	0.09	COMMSCOPE:	47.51	1.01
CHARTER:	1.36	0.13	CONCURRENT:	0.90	0.00
COMCAST:	18.30	0.12	CONVERGYS:	16.74	0.80
COMCAST SPCL:	18.22	0.21	CSG SYSTEMS:	16.62	0.15
GCI:	8.62	0.15	GEMSTAR TVG:	5.98	0.11
KNOLGY:	13.60	0.09	GOOGLE:	715.26	16.75
LIBERTY CAPITAL:	118.28	1.51	HARMONIC:	10.53	(0.02)
LIBERTY GLOBAL:	40.64	(0.18)	JDSU:	13.97	0.14
LIBERTY INTERACTIVE:	20.38	0.36	LEVEL 3:	3.49	0.12
MEDIACOM:	4.85	0.25	MICROSOFT:	34.55	0.40
NTL:	28.22	0.00	MOTOROLA:	16.31	0.56
ROGERS COMM:	42.97	0.00	NDS:	59.00	1.00
SHAW COMM:	24.57	0.60	NORTEL:	16.67	0.24
TIME WARNER CABLE:	26.05	0.18	OPENTV:	1.11	(0.03)
WASH POST:	799.75	7.25	PHILIPS:	41.60	(0.41)
<b>PROGRAMMING</b>					
CBS:	27.13	(0.09)	RENTRAK:	14.99	0.35
CROWN:	6.19	(0.09)	SEACHANGE:	7.35	(0.05)
DISCOVERY:	27.50	1.59	SONY:	54.77	1.13
EW SCRIPPS:	44.30	0.44	SPRINT NEXTEL:	15.79	0.37
GRUPO TELEVISA:	24.60	0.55	THOMAS & BETTS:	54.20	1.37
INTERACTIVE CORP:	28.66	0.19	TIVO:	8.39	0.22
LODGENET:	18.82	(0.2)	TOLLGRADE:	8.09	0.31
NEW FRONTIER:	4.84	0.00	UNIVERSAL ELEC:	37.56	0.13
OUTDOOR:	6.83	0.08	VONAGE:	2.12	0.05
PLAYBOY:	9.66	0.16	VYYO:	3.96	0.22
TIME WARNER:	17.34	0.36	WEBB SYS:	0.05	0.00
UNIVISION:	36.23	0.00	YAHOO:	25.96	(0.02)
VALUEVISION:	6.58	(0.09)	<b>TELCOS</b>		
VIACOM:	42.73	0.67	AT&T:	38.82	0.40
WWE:	15.17	0.05	QWEST:	7.00	0.20
<b>TECHNOLOGY</b>					
3COM:	4.53	0.09	VERIZON:	44.42	(0.1)
ADC:	17.49	0.42	<b>MARKET INDICES</b>		
ADDVANTAGE:	5.90	0.16	DOW:	13619.89	174.93
ALCATEL LUCENT:	7.85	0.06	NASDAQ:	2709.03	42.67
AMDOCS:	33.75	0.59			
AMPHENOL:	45.23	0.23			

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

**The Time Has Come Today**

Not too many years ago, I responded to many historical events with apathy, preferring instead to focus on the truly "important" things such as the present and what might transpire going forward. But age has taught me to examine the past, to measure it, to assess its current impact on me, my generation, and humankind... and to realize that yesterday's foundation is tomorrow's abode. I mention this because, to me, much of **The History Channel's** content strives to do just that, providing pertinent historical perspective on events and eras that have shaped the current world. The net's "1968 with *Tom Brokaw*" (Sun, 9pm ET) is no exception. Plus, it highlights the importance—and the net's typical deft use—of noteworthy points of view. "The beauty of history is that over the passage of time, people are able to think through their experiences," said svp, development and programming *David McKillop*. "This is a passion piece for Tom, and I think this film captures that passion." Indeed, much of the special's appeal is Brokaw's take on the tempestuous year of '68, when he was a young journalist covering a passel of compelling events. The respected newsman talks with people armed with first-hand knowledge of the heart-breaking assassinations of *King* and *RFK*, the charged anti-war and peace movements, and the important civil rights goals; and also to those whose lives were shaped by the turbulent era. Included are *Pat Buchanan*, *John Stewart* and *Bruce Springsteen*. Helping to further illustrate the weighty era are superb footage and cogent music, and what results is a span from past to present composed of genuine emotion and disbelieving interest. "We tried to capture the touch points of '68," said McKillop, who noted that all that came to pass in that fateful year "will blow people away." It does, and it will. Much of history, as I have to come to realize, is truly alive. *CH*

**Highlights:** "*Anthony Bourdain's Holiday Special*," Mon, 10pm, **Travel**. Don't worry, Chef Bourdain hasn't sold out. This is an un-holiday holiday special, with Bordin's tongue on fire. Discussing how a farmer raises great turkeys, he says, "You keep the strong and desirable ones and push the rest to the margins... kinda like the American school system." Later, on the farm, he handpicks his bird and lets "Santa's elves whack its head off and disembowel him." Happy holidays! SA

**Worth a Look:** "Lost Holiday," Sat, 8pm, **Lifetime**. Darn those promos. If you watch Lifetime (for "Frasier" reruns), you know Jim and Suzanne Shemwell (*Dylan Walsh* and *Jami Gertz*) get in trouble in "Lost Holiday." The details aren't important. The real question—will Lifetime let Jim and Suzanne die on a snowy mountain days before Christmas, making their kids orphans? Since this is Lifetime, Jim and Suzanne are estranged. But don't you think a near-death experience will rekindle their love, and just in time for Christmas? You don't? -- "The Note," Sat, 9pm, **Hallmark**. Even **FCC** com-mish *Deborah Taylor Tate* would find it tough to last through this long, silly excuse for a holiday movie. (On the other hand, she's survived *Kevin Martin's* delay tactics, so...) -- "Monk," Fri, 9pm, **USA**. He's a prig and lost his wife around Christmas, but would Monk (*Tony Shalhoub*) shoot Santa? Nah. SA

**Basic Cable Rankings**  
(11/26/07-12/02/07)

**Mon-Sun Prime**

1	ESPN	2.6	2525
2	USA	2.2	2160
2	NFLN	2.2	956
4	DSNY	2	1927
5	LIFE	1.6	1517
5	HALL	1.6	1369
7	TNT	1.5	1411
8	FAM	1.4	1366
8	TBSC	1.4	1335
10	SCIF	1.3	1234
11	FOXN	1.2	1179
11	NAN	1.2	1173
11	FX	1.2	1149
14	A&E	1.1	1011
14	TOON	1.1	1010
16	MTV	1	972
16	SPK	1	955
16	CORT	1	947
16	CNN	1	932
20	DISC	0.9	844
20	HIST	0.9	842
20	AMC	0.9	841
23	HGTV	0.8	788
23	VH1	0.8	771
23	CMDY	0.8	752
26	TLC	0.7	656
26	TVLD	0.7	645
26	FOOD	0.7	640
26	BRAV	0.7	583
26	LMN	0.7	402
31	BET	0.6	550
31	ESP2	0.6	547
33	EN	0.5	501
33	NGC	0.5	362
35	APL	0.4	395
35	MSNB	0.4	390
35	HLN	0.4	336
35	TTC	0.4	326
35	SOAP	0.4	269
35	TV1	0.4	152
41	WGNC	0.3	236
41	OXYG	0.3	230
41	GSN	0.3	216
41	TDSN	0.3	200
41	DHLT	0.3	198
41	BIO	0.3	128

\*Nielsen data supplied by ABC/Disney

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