

CableFAX Daily™

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What the Industry Reads First

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Sporting Event: Specter Wants NFL's Antitrust Exemption Repealed

As far as Senate hearings go, Thurs' Judiciary panel on vertically integrated sports programming was pretty exciting: Sen *Arlen Specter* (R-PA) pledged to introduce legislation next year to take away the NFL's antitrust exemption and threw around the words "subpoena" and "Cablevision" in the same sentence. "Wouldn't consumers be better off if sports teams were negotiating their own [rights] as opposed to having all the bargaining rights under the NFL?" Specter asked, later complaining that the League is exerting its power "right down to the last nickel." The senator had a laundry list of NFL concerns: its exclusive NFL Sunday Ticket deal with **DirectTV**, the Thurs-Sat package on **NFL Net** and the shift of Mon Night Football to **ESPN**. How far such a bill would go is unclear as Specter loses his chairmanship next month to *Patrick Leahy* (D-VT). An NFL spokesman said the League has discussed many issues with Specter for 20 years and is sensitive to his concerns. "NFL Sunday Ticket and NFL Network support consumer choice, as well as broader competition in the overall television market," he said. "There is no basis now to repeal statutory provisions that have supported the development of these pro-consumer and pro-fan policies." **Comcast** evp *David Cohen* didn't voice support for repealing the antitrust exemption, saying instead that Congress should look at putting conditions on it. As for **Cablevision**, Specter said he was unhappy the MSO didn't participate in the hearing (he wanted to drill into its **YES** dealings at one point). "I'm sorry that Cablevision did not send a witness here... They had no understandable reason why they didn't," Specter said, suggesting he could subpoena the MSO. "We apologize for any misunderstanding and did not intend in any way to offend the Senator," CVC said Thurs. "Based on our understanding of the hearing, we believe our views on these important issues were well represented by the cable industry participants. In the instance of the NFL Network, our primary concern is that our customers are able to see every NFL game that features the NY Jets and Giants, in addition to all the other national and playoff games carried on **FOX**, **CBS**, **NBC** and **ESPN**, and they can."

Doctor is In: Malone Near Deal for News' DirecTV Stake

The signs were all there that the long-rumored **News Corp-DirecTV** pact was nearing completion—*Peter Chernin* made it clear on Mon that News Corp would be happy to get rid of DirecTV (*Cfax*, 12/5) and *Greg Maffei* followed up Wed with a list of reasons why **Liberty** would be glad to take the 39% DirecTV stake off News' hands (*Cfax*, 12/7). Several hours after Maffei's presentation at Wed's **UBS** conference, the *WSJ* and *NY Times* broke the news that a deal is almost wrapped up, with Liberty reportedly getting the stake plus 3 RSNs and \$550mln in cash. "John Malone is perhaps the smartest guy I've ever met in my whole life," a sr exec said Thurs. "If anybody can figure out how to make satellite truly competitive by having a viable competitive broadband component, I think Malone is the guy. It's pretty exciting to have him back." By all accounts, it should be interesting to have Malone in the mix. After all, this is the guy who created the

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"gimme a piece of your pie" carriage deals. This could be a good thing for cable, as some suspect Malone will be less interested in exclusive sports deals for DirecTV (like its newly announced 3-year "NASCAR Hotpass" pact and possibly even the expensive NFL Sunday Ticket) and instead focus more on fattening it up to sell and ensuring carriage for Liberty programming. "It could potentially use DirecTV as a threat to cable operators to coerce carriage by cable on more attractive terms," **Sanford Bernstein's Craig Moffett** mused in a research note Thurs. But that was partly News' motivation in acquiring the stake and required arm-length negotiations to ensure fair carriage deals limited News' ability to take advantage, he added. But will Liberty reduce its DirecTV stake to the minimum level allowed (about 25%) or try to consolidate 100% of DirecTV, asked **Pali's Rich Greenfield**. News shares closed up 3% Thurs; Liberty climbed nearly 2.7%.

Lawsuit: Time Warner Cable filed a lawsuit against **DirecTV** late Thurs in federal court in Manhattan, accusing DirecTV of "false advertising" promoting the NFL Network in Green Bay, Cincinnati, and New York City. TWC said DirecTV falsely claimed fans wouldn't be able to see their local teams play on TWC despite all 8 games carried by NFL Net being available to local fans over broadcast networks. The MSO said DirecTV on Nov 27 agreed to stop running the ads, and to edit out references to local games, but that similar ads ran on Nov 30 and then again Thurs repeating "false" claims. A DirecTV spokesman reached late Thurs declined comment.

Ratings: Nielsen met with more than 100 clients Thurs about its commercial minute ratings plan. It said specifications and timing for the new product will be determined by month's end, with the commercial minute ratings file being made available no later than May 31. Nielsen also has to settle on what streams of data will be provided for it. It will enhance existing products with highly granular data so that clients will have all the data they need to create commercial ratings at the minute level on up and for any interval of DVR playback from 1 minute to 7 days.

Program Access: It's "past time to repeal the program-access rules," **Comcast** evp **David Cohen** testified during Thurs' Sen Judiciary sports hearing. The rules requiring cable ops to share programming with competitors are slated to sunset next year. Cohen said federal antitrust laws should check program access abuse instead of Congress. **FCC** chmn **Kevin Martin** said earlier this week that the agency would soon consider whether to extend the rules or let them sunset. The FCC extended the rules for 5 years in '02. The program access rules cover satellite-delivered programming, not terrestrially delivered nets, such as **Comcast SportsNet Philly**. Comcast makes that net available to everyone except **DISH** and **DirecTV**. "We've not made it available to satellite because they distinguish themselves from us with their exclusive content," Cohen said. "NFL Sunday Ticket is the single most valuable piece of sports content in the US today."

I Want My Male TV: MTVN has created MTVN Entertainment Group, a multi-platform portfolio consisting of male-skewing brands such as **Comedy Central**, **Spike**, **TV Land**, **AddictingClips.com**, **Atom Films**, **IFilm**, **Gametrailers.com** and **XFire**. **Doug Herzog** was named pres of the group, which was formed to deliver scale with the male 18-34 demo. It also comprises the 3rd pillar of MTVN's targeted brand portfolio strategy, joining the MTVN Music, Logo and Films Group, and the MTVN Kids and Family Group.

Editor's Note: Haven't received your copy of the **CableFAX 100** yet? While you keep an eye anxiously by the mailbox, surf over to **cable360.net** and **cablefax.com** for the online version, complete with extra stuff you won't find in the print publication. Find out who got ranked where and why. You may be surprised!



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"BETTER THAN 24."
- THE NEW YORK TIMES

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BUSINESS & FINANCE

Emmys: CNN was the only cable net to win any Business and Financial Reporting Emmy awards Thurs afternoon, picking up 2 of the 8 awards presented. One was for an "Anderson Cooper 360" segment on black market infertility (couples going outside medical bounds to get fertile, in order to offset soaring in-vitro medication costs), and the other was for "CNN Presents" doc "How to Rob a Bank," showing how criminals use identity theft to scam banks.

People: Ovation Network named former Bravo and Trio exec Kris Slava as svp, programming and production as it gears up for a 3Q07 relaunch. Other new hires include Deborah Cuffaro, svp, ad sales and Daniel Casciato, vp, distribution. -- Verizon elected former US Treasury Secy John Snow a board member, effective Feb 1. Snow's appointment will bring Verizon's total board membership to 15.

Business/Finance: New Frontier Media's board declared a special dividend of 60 cents/share, payable Feb 14 to shareholders of record as of Jan 15. The company also announced a semi-annual dividend program in the amount of 60% of its free cash flow, the 1st payment of which is intended to be payable to shareholders of record as of Sept 30. -- Verizon's board declared a quarterly dividend of 40.5 cents per outstanding share, payable on Feb 1 to shareholders of record at the close of business on Jan 10.

CableFAX Daily Stockwatch

Company	12/07 Close	1-Day Ch	Company	12/07 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
BRITISH SKY:	41.11	(0.3)	AVID TECH:	39.50	(0.89)
DIRECTV:	23.60	0.07	BLNDER TONGUE:	1.61	(0.14)
DISNEY:	34.14	0.04	BROADCOM:	33.62	(0.87)
ECHOSTAR:	37.13	(0.07)	C-COR:	10.50	0.06
GE:	35.16	0.05	CISCO:	26.88	(0.21)
HEARST-ARGYLE:	25.63	(0.01)	COMMSCOPE:	31.20	0.31
ION MEDIA:	0.43	(0.04)	CONCURRENT:	1.89	0.03
NEWS CORP:	22.40	0.66	CONVERGYS:	24.03	(0.16)
TRIBUNE:	32.16	(0.04)	CSG SYSTEMS:	27.06	(0.08)
MSOS					
CABLEVISION:	28.09	(0.24)	GEMSTAR TVG:	3.20	(0.05)
CHARTER:	3.19	0.10	GOOGLE:	482.64	(6.07)
COMCAST:	41.74	(0.15)	HARMONIC:	7.71	(0.02)
COMCAST SPCL:	41.49	(0.12)	JDSU:	18.02	(0.44)
GCI:	15.31	(0.02)	LEVEL 3:	5.75	0.21
KNOLOGY:	10.10	(0.13)	LUCENT:	2.55	(0.02)
LIBERTY CAPITAL:	90.28	2.35	MICROSOFT:	28.85	(0.14)
LIBERTY GLOBAL:	27.66	(0.31)	MOTOROLA:	21.44	(0.54)
LIBERTY INTERACTIVE:	22.74	(0.19)	NDS:	48.37	0.41
MEDIACOM:	8.18	(0.23)	NORTEL:	22.28	0.37
NTL:	25.14	0.61	OPENTV:	2.30	(0.04)
ROGERS COMM:	59.96	(0.81)	PHILIPS:	36.98	0.17
SHAW COMM:	31.72	0.32	RENTRAK:	14.78	(0.03)
TIME WARNER:	20.56	0.14	SEACHANGE:	8.96	0.00
WASH POST:	729.84	2.82	SONY:	39.90	0.16
PROGRAMMING					
CBS:	30.94	0.22	SPRINT NEXTEL:	19.62	(0.02)
CROWN:	3.01	(0.08)	THOMAS & BETTS:	52.59	(0.28)
DISCOVERY:	15.26	0.12	TIVO:	5.32	(0.27)
EW SCRIPPS:	50.01	(0.18)	TOLLGRADE:	8.70	(0.14)
GRUPO TELEVISA:	27.69	(0.02)	UNIVERSAL ELEC:	21.10	(0.02)
INTERACTIVE CORP:	36.13	(0.46)	VONAGE:	6.74	0.04
LODGENET:	22.94	(0.25)	VYYO:	4.01	0.02
NEW FRONTIER:	9.27	0.29	WEBB SYS:	0.04	0.00
OUTDOOR:	12.89	(0.02)	WORLDGATE:	1.42	0.01
PLAYBOY:	11.56	(0.06)	YAHOO:	26.63	(0.23)
UNIVISION:	35.39	0.00	TELCOS		
VALUEVISION:	13.22	0.02	AT&T:	34.63	(0.15)
VIACOM:	37.85	(0.4)	BELLSOUTH:	45.36	(0.3)
WWE:	16.56	0.20	QWEST:	7.69	0.14
TECHNOLOGY					
3COM:	4.04	(0.04)	VERIZON:	34.90	(0.05)
ADC:	14.03	(0.11)	MARKET INDICES		
ADDVANTAGE:	4.25	0.05	DOW:	12278.41	(30.84)
AMDOCS:	38.68	0.20	NASDAQ:	2427.69	(18.17)
AMPHENOL:	67.87	(0.93)			
ARRIS GROUP:	12.04	(0.08)			

WANT SOME PERSPECTIVE?



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PROGRAMMER'S PAGE with Chad Heiges and Seth Arenstein

Big Jump for Lil' Bush

An impish, pint-sized *George W. Bush* that attends the fictitious Quayle Lmntyary will ride a new school bus next summer, when **Amp'd Mobile's** original animated short "Lil' Bush: Resident of the United States" hits **Comedy Central's** linear lineup. The comedy net picked up 6 30-min eps—each comprised of 2 separate storylines—that will also feature a nerdy Lil' Condi, a goofy Lil' Rummy and an unintelligible Lil' Cheney who mumbles 'phrases' that only Lil' Bush seems to understand. "It took me about 2 seconds to realize that there was so much there, that it could make a great TV series," said Comedy Central evp, original programming and development *Lauren Corrao*. "It's part family comedy, part political satire, and its irreverent writing will work well on our net." The series gels nicely with Corrao's daily search for content that invites description by 1 or more of the following adjectives: intelligent, provocative, surprising and original. And like many other cable nets, that content at Comedy Central is increasing for and from digital platforms. The net has already produced roughly 10 original series across digital platforms, including "Baxter & McGuire," a short starring 2 animated testicles. Such digital content and delivery is changing the TV industry today much like cable TV altered the industry 20-25 years ago, Corrao said. Amp'd Mobile svp, content development and programming *Seth Cummings* is no less bullish about digital content. "Lil' Bush" was part of the carrier's mission to "create **HBO-type** original content for mobile" instead of the traditional video clips, he said. Amp'd has already deployed 10 such series shorts, and has 12 more in development. Cummings also said that an Amp'd cable VOD service is under consideration. *CH*

Highlights: "Sleeper Cell," Sun, 9pm, **Showtime**. With the terrorist cell's defeat, its ruthless leader, a brilliant *Oded Fehr*, has less influence on the storyline this season. Still, the tension and complexities are excellent. — "George Clooney: American Cinematheque Tribute," Wed, 8pm, **AMC**. Tribute? It's a roast that you feel part of—like being at a Hollywood party. — "The Lost Room," Mon, 9pm, **SciFi**. A 3-parter and an acquired taste, reminiscent of "Twin Peaks" and "Carnivale," so hang in there. — "One Punk Under God," Wed, 9pm, **Sundance**. *Jim and Tammy Faye's* punk-preacher son wrestles with their legacy and church traditions. *SA*

Worth a Look: "Tsunami, The Aftermath," begins Sun, 8pm, **HBO**. Sensitively told 2-parter about fictional characters dealing with the tragedy's results. -- "Taking the Hill," Tues, 9pm, **Discovery Times**. Step-by-step process film eyes military vets and Dems, some wounded, making grassroots bids for House seats. — "Chuck Barris Story," Sun, 8pm, **GSN**. Well-done review of "The Dating Game" creator's unusual life. A CIA assassin? — "Dirty Dancing," Wed, 10pm, **WE**. Muscled male hoofers pick a lucky lady to be their dance partner. Does *Kim Martin* know her viewers or what? — "Hunter S. Thompson on Film," Tues, 10pm, **Starz**. More ambitious than its title, but good intro to an icon. — "Wedding Wars," Mon, 9pm, **A&E**. Oh, I get it, *John Stamos* playing a gay man. Very cool. *SA*

Basic Cable Rankings (11/27/06-12/03/06) Mon-Sun Prime			
1	ESPN	2.6	2354
2	USA	2.1	1952
2	DSNY	2.1	1905
4	TNT	2	1806
5	HALL	1.8	1344
6	TBSC	1.6	1460
7	LIFE	1.5	1386
8	FAM	1.4	1235
9	NAN	1.2	1140
9	A&E	1.2	1120
9	FOXN	1.2	1085
9	TOON	1.2	1085
9	AMC	1.2	1036
14	FX	1.1	959
15	CORT	1	858
16	SCIF	0.9	834
16	SPK	0.9	822
16	HGTV	0.9	816
16	HIST	0.9	798
16	NFLN	0.9	357
21	DISC	0.8	773
21	CMDY	0.8	697
23	MTV	0.7	668
23	TVLD	0.7	656
23	FOOD	0.7	608
23	TLC	0.7	603
23	BET	0.7	570
23	LMN	0.7	389
29	CNN	0.6	585
29	VH1	0.6	557
31	ESP2	0.5	495
31	EN	0.5	435
31	APL	0.5	427
31	MSNB	0.5	399
31	NGC	0.5	332
31	SOAP	0.5	273
37	BRAV	0.4	324
37	WGNC	0.4	267
39	TWC	0.3	307
39	HLN	0.3	307
39	TTC	0.3	294
39	CMT	0.3	258
39	TVGC	0.3	242
39	OXYG	0.3	231
39	DHLT	0.3	202

*Nielsen data supplied by ABC/Disney

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