

# CableFAX Daily™

Monday — December 11, 2006

What the Industry Reads First

Volume 17 / No. 238

## Tie Breaker: McDowell Can Vote on AT&T-BellSouth Merger

FCC gen counsel *Samuel Feder* on Fri authorized commissioner *Robert McDowell* to participate in the **AT&T-BellSouth** merger proceedings, ending a week of debate that began Mon when chmn *Kevin Martin* formally sought that outcome (**Cfax**, 12/5). In a Fri letter, a torn Feder told McDowell that despite his OK, “reasonable people... could disagree about the appropriate result.” But Feder said impartiality concerns over McDowell’s former employment with CompTel, which has officially opposed the merger, are outweighed by a number of factors, including the “difficulty of reassigning this matter to another employee... you are the only person available to break the impasse that has been reached in this proceeding.” Feder’s decision came after AT&T said in a Thurs letter it has “no objection” to McDowell’s participation because it wants to move beyond the current 2-2 partisan stalemate at the FCC. Feder even consulted **Office of Government Ethics** dir *Robert Cusick*, who called the decision a “very, very close call” but said he actually would have decided against authorization if it were up to him. Martin lauded “the hard work and careful consideration that went into this important decision by the General Counsel. It is in the interest of the government and the American people to move this matter forward in a timely fashion.” The FCC will revisit and possibly vote on the merger at its Dec 20 meeting.

## YouTube Who? Current TV Brings User-Generated Buzz to Living Room

Since 2005 when *Joel Hyatt* and former *Veep* *Al Gore* started **Current TV**, people have watched with a mix of wonder and confusion. What is it? Who’s the audience? And why is it so different from every other cable network? We sat down with CEO Hyatt to get the answers. **Most nets go with a consistent theme, but Current TV seems to be a very eclectic mix of content. What are you trying to accomplish?** Current is about what’s going on in the lives of young adults, in their voice and from their perspective. So our programming centers on the topics young adults care about, including their culture, relationships, careers, and the issues of the day—but explored from their point of view. Our short-form programming provides this information in a style well received by our target demographic and in a format that unleashes the creativity of our audience. Remember, Current TV is the only network that empowers its audience to contribute to the creation of the content they watch. **What’s your main pitch to video distributors?** When we launched on August 1, 2005, we were in 17 million subscriber households. We have now grown to 30 million subscriber households, and we expect to be in 40 million subscriber households by next summer. This record-setting growth in distribution is probably a result of the fact that we pioneered what is today the hottest trend in the media business—user-generated content. **But there’s also MySpace, Google-YouTube and many other big guns in the user-generated game. How do you compete?** Current has a significant competitive advantage because we are the only media company in the user-generated



**IFC ANIME GET DRAWN IN**

**GUNSLINGER GIRL**

**PREMIERING THIS JANUARY**

**1 HOUR BLOCK**

**FRIDAYS @ 11PM ET**

**IFC tv, uncut.**


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content arena that can distribute content on all platforms. None of the companies you mention was founded on the basis of a television network. This is a huge advantage for Current, and assures that we will continue to get the very best viewer-created content. There are several secrets to how we stay relevant. One is that we schedule the network two hours in advance. Our name, after all, is "Current." We also stay relevant by empowering our audience to help program the network and by responding to what the audience is interested in seeing and exploring. **How will you integrate the Web going forward?** Current is at the intersection of television and the Internet. The Internet is an important part of our production infrastructure. People submit video to our online studio, and our community greenlights the best videos for broadcast on Current TV. We like to describe Current as the television homepage for the Internet generation. And now we are aggressively moving forward in expanding our online presence because the integration between our linear channel and website is very important. **How involved is Al Gore in the day-to-day operation of the channel?** Al is very much involved on a day-to-day basis. Indeed, there is hardly a day in which we do not talk with each other.

**UBS Conference:** While **RCN** CFO *Michael Sicoli* refused to comment Thurs on the alleged bidding process surrounding the company's possible sale to **Comcast** or **Verizon**, he did outline several planned initiatives he said will add value going forward. Sicoli admitted that the efficacy of RCN's customer care and field ops protocols lag far behind those of most MSOs and said the recent formation of a CRM team will benefit RCN over the next 2 years. He also said RCN will ramp up call center management and oversight, and that customers will be able to sign up for services via the Web beginning early next year. One-third of RCN's 424K subs take the triple play bundle, he said, delivering a \$108 ARPU. -- As **Insight** continues a VoIP roll out to its 7 remaining markets, CEO *Michael Willner* and CFO *John Abbot* posit an imminent period of RGU and financial growth, noting a 3.8% YTD growth in basic subs. **UBS** believes the MSO's "margins will improve as VoIP scales and rev shifts toward higher margin HSD and VoIP products." -- **Mediacom**, too, is VoIP-happy, as its roll out of the service has reached 80% (2.3mln) of homes passed. CFO *Mark Stephan* said 77% of current VoIP subs take the triple play, and that ARPU for triple play customers averages \$120. The MSO offered no new news regarding **Sinclair** but is currently marketing select triple play promos at \$60/month. Stephan said the company is not pushing the price point; prospective customers have to call to receive the offer.

**In the Courts:** The state of AK has settled for \$50mln a securities fraud case against **AOL**, **Time Warner** and **Historic TW**, ending litigation that began in '04. The state originally claimed the triumvirate misrepresented ad revenues and growth of AOL and AOL Time Warner, and the number of AOL subs, to the detriment of state investment funds. Under the terms of the settlement, Time Warner did not admit liability or wrongdoing.

**Competition:** **Verizon Business** and the Freedom Calls Foundation are teaming for a Dec 9 intl videoconference for US Marines in Iraq and their families in Camp Pendleton, CA, during which the Marines may watch and listen as their families meet Santa and Mrs. Claus. -- **AT&T** rang in the holidays by offering new residential HSI subs a free, 30-day trial of **Starz Ent's** movie download service **Vongo** and a free 90-day trial of "AT&T Broadband TV." Current HIS subs may participate by upgrading their existing service speeds. -- AT&T added special-interest video content from **TotalVid** to the VOD programming lineup of its U-verse TV service. -- **Cellpoint Mobile** and **Pixel-**



**JOHN STAMOS** **ERIC DANE**

# WEDDING WARS

His brother is out. His wedding is off.  
The war is on.

**The battle begins TONIGHT at 9pm/8c** **A&E**

GAYS ON STRIKE!

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**Play** launched an SMS sweepstakes **DISH's** "DishGames" iTV service that enables gamers to "text-in and win" 1 of 3 iPods. PixelPlay may also alerts gamers through SMS of future game releases, new sweepstakes offerings and promotions.

**VOD: Comcast's** heavy marketing for **Fear.Net** appears to have been fruitful, with the VOD channel nabbing 2.5mln hits in its 1st week (300K/day). For Oct, Comcast recorded 164mln total VOD views, up from 127mln in Oct '05. -- The **US DoD** has purchased a turnkey VOD system and software apps from **SeaChange Intl**. The acquisitions helps launch the **Pentagon's** "Media Review System," which will allow personnel to review broadcast TV events worldwide for information pertinent to the DoD.

**Carriage: Comcast** added **The Sportsman Channel** to its "Digital Sports Package" in Salt Lake City, Gadsden, AL, and Tallahassee. **Time Warner** added the net to its DSP in San Antonio; **Cox** added it to its "Sports & Information Package" in New Orleans.

**Programming:** The extension of **FSN Midwest's** TV rights agreement with the **St. Louis Cardinals** increases the number of regular season games on the net by 20 to 130. The RSN will also televise 2 spring training games, live pre-game and post-game shows, and a package of HD games. -- **Versus** will provide exclusive telecasts (Dec 27-28) of the inaugural T-Mobile Invitational high school basketball tournament. -- Season 3 of the **Travel Channel's** "Anthony Bourdain: No Reservations," premiering Jan 1 (10pm), will include explorations of Ireland, Namibia and Papua and New Guinea.

**Online: AOL** unveiled "True Stories," a Web site at [movies.aol.com/truestories](http://movies.aol.com/truestories) dedicated to docs. Included will be indie titles and yet-to-be-released projects, all of which will be available for free on demand streaming with ads, or for pay-per-download (\$1.99-\$14.99). The site will premiere up to 2 feature-length films per month, the 1st being "Danielson: A Family Movie," which will make its theatrical debut in major markets beginning this month.

**Marketing: Telemundo** will integrate **Cingular Wireless** products into the storyline of its original comedy series "Seguro y Urgente," including scenes shot in Cingular stores and references to phones in select eps. Cingular in turn may provide series content to its customers, and will sponsor all of the series' online elements at [yahootel-emundo.com](http://yahootel-emundo.com).

**Technology: CableLabs** and **EuroCableLabs** issued a RFI seeking product availability for DOCSIS 3.0-compliant devices, specifically information on DOCSIS 3.0 modems, CMTS and E-MTAs. The RFI also seeks data on products being developed to meet the requirements of the specs.

**Sponsorship: Kia Motors America** announced a sponsorship/marketing program that includes 9 **NBA** teams, **FSN** RSNs in Cleveland, Dallas, Houston and L.A., and **Comcast SportsNet** in Washington, D.C.

**Public Affairs: TLC** has launched "TLC's Give and Learn," a multi-platform national campaign to encourage volunteerism. An on-air spot promoting the effort will air throughout Dec, and a dedicated Web site is available at [tlc.com/giveandlearn](http://tlc.com/giveandlearn).

**People: Narrowstep** appointed former **Vonage** exec *Lisa VanPatten* CFO.

**Business/Finance:** Digital communications firm **Arbinet-thexchange** will acquire for an undisclosed amount **Flowphonics**, which offers a license management platform for intellectual property rights and digital content distribution.

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**January 3-7, 2007**



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### CableFAX Week in Review

| Company                      | Ticker | 12/08 Close | 1-Week % Chg | YTD %Chg |
|------------------------------|--------|-------------|--------------|----------|
| <b>BROADCASTERS/DBS/MMDS</b> |        |             |              |          |
| BRITISH SKY:                 | BSY    | 41.40       | (1.2%)       | 25.70%   |
| DIRECTV:                     | DTV    | 24.28       | 7.00%        | 72.0%    |
| DISNEY:                      | DIS    | 34.39       | 3.90%        | 43.50%   |
| ECHOSTAR:                    | DISH   | 36.83       | 0.70%        | 35.50%   |
| GE:                          | GE     | 35.27       | 0.00%        | 8.50%    |
| HEARST-ARGYLE:               | HTV    | 25.90       | 1.10%        | 14.20%   |
| ION MEDIA:                   | ION    | 0.42        | (31.1%)      | (54.3%)  |
| NEWS CORP:                   | NWS    | 22.60       | 5.50%        | 37.60%   |
| TRIBUNE:                     | TRB    | 32.18       | 1.20%        | 11.10%   |

| Company              | Ticker | 12/08 Close | 1-Week % Chg | YTD %Chg |
|----------------------|--------|-------------|--------------|----------|
| <b>MSOS</b>          |        |             |              |          |
| CABLEVISION:         | CVC    | 28.19       | 0.90%        | 20.10%   |
| CHARTER:             | CHTR   | 3.27        | 16.80%       | 168.00%  |
| COMCAST:             | CMCSA  | 42.11       | 3.70%        | 62.50%   |
| COMCAST SPCL:        | CMCSK  | 41.79       | 3.10%        | 62.70%   |
| GCI:                 | GNCMA  | 15.34       | 1.30%        | 48.50%   |
| KNOLOGY:             | KNOL   | 10.90       | 9.10%        | 183.90%  |
| LIBERTY CAPITAL:     | LCAPA  | 91.61       | 3.60%        | 15.60%   |
| LIBERTY GLOBAL:      | LBTYA  | 28.24       | 3.40%        | 25.50%   |
| LIBERTY INTERACTIVE: | LINTA  | 22.71       | (0.6%)       | 18.00%   |
| MEDIACOM:            | MCCC   | 8.09        | 1.10%        | 47.40%   |
| NTL:                 | NTLI   | 24.44       | (0.7%)       | 3.00%    |
| ROGERS COMM:         | RG     | 59.31       | (0.8%)       | 41.10%   |
| SHAW COMM:           | SJR    | 31.40       | 2.60%        | 55.50%   |
| TIME WARNER:         | TWX    | 20.91       | 3.40%        | 22.60%   |
| WASH POST:           | WPO    | 735.38      | (0.1%)       | (0.8%)   |

| Company            | Ticker | 12/08 Close | 1-Week % Chg | YTD %Chg |
|--------------------|--------|-------------|--------------|----------|
| <b>PROGRAMMING</b> |        |             |              |          |
| CBS:               | CBS    | 30.93       | 4.00%        | 21.90%   |
| CROWN:             | CRWN   | 3.11        | (4.9%)       | (66.1%)  |
| DISCOVERY:         | DISCA  | 15.91       | 5.10%        | 8.70%    |
| EW SCRIPPS:        | SSP    | 50.50       | 2.80%        | 7.40%    |
| GRUPO TELEVISIA:   | TV     | 27.70       | 3.90%        | 37.60%   |
| INTERACTIVE CORP:  | IACI   | 35.79       | (0.4%)       | 26.50%   |
| LODGENET:          | LNET   | 22.28       | (0.5%)       | 59.80%   |
| NEW FRONTIER:      | NOOF   | 9.27        | 4.20%        | 42.00%   |
| OUTDOOR:           | OUTD   | 12.80       | 0.30%        | (5.2%)   |
| PLAYBOY:           | PLA    | 11.50       | (0.6%)       | (17.2%)  |
| UNIVISION:         | UVN    | 35.39       | (0.2%)       | 20.40%   |
| VALUEVISION:       | VVTV   | 13.19       | 0.30%        | 4.70%    |
| VIACOM:            | VIA    | 37.63       | (1.2%)       | (12.8%)  |
| WWE:               | WWE    | 16.73       | 4.60%        | 28.70%   |

| Company           | Ticker | 12/08 Close | 1-Week % Chg | YTD %Chg |
|-------------------|--------|-------------|--------------|----------|
| <b>TECHNOLOGY</b> |        |             |              |          |
| 3COM:             | COMS   | 4.04        | (0.7%)       | 12.20%   |
| ADC:              | ADCT   | 14.12       | 3.60%        | (13.9%)  |
| ADVANTAGE:        | AEY    | 4.25        | 2.90%        | (30.9%)  |
| AMDOCS:           | DOX    | 38.55       |              | 14.70%   |
| AMPHENOL:         | APH    | 68.20       | 0.20%        | 54.80%   |
| ARRIS GROUP:      | ARRS   | 12.05       | 4.00%        | 27.20%   |
| AVID TECH:        | AVID   | 39.67       | 1.20%        | 7.60%    |
| BLNDER TONGUE:    | BDR    | 1.53        | (16.8%)      | (21.5%)  |
| BROADCOM:         | BRCM   | 34.12       | 5.50%        | 8.50%    |
| C-COR:            | CCBL   | 10.57       | 7.20%        | 117.50%  |
| CISCO:            | CSCO   | 26.98       | 1.10%        | 57.60%   |
| COMMSCOPE:        | CTV    | 31.33       | 3.50%        | 55.60%   |
| CONCURRENT:       | CCUR   | 1.90        |              | 0.50%    |

| Company         | Ticker | 12/08 Close | 1-Week % Chg | YTD %Chg |
|-----------------|--------|-------------|--------------|----------|
| CONVERGYS:      | CVG    | 24.05       | 0.30%        | 51.70%   |
| CSG SYSTEMS:    | CSGS   | 26.92       | (1.4%)       | 20.60%   |
| GEMSTAR TVG:    | GMST   | 3.12        | 0.60%        | 19.50%   |
| GOOGLE:         | GOOG   | 484.11      | 0.70%        | 9.90%    |
| HARMONIC:       | HLIT   | 7.61        | (1.2%)       | 56.90%   |
| JDSU:           | JDSU   | 17.77       | (1.8%)       | (20.4%)  |
| LEVEL 3:        | LVL3   | 5.82        | 6.80%        | 102.80%  |
| LUCENT:         | LU     | 2.55        |              | (4.1%)   |
| MICROSOFT:      | MSFT   | 29.40       | 1.00%        | 18.10%   |
| MOTOROLA:       | MOT    | 21.09       | (3.5%)       | (4.6%)   |
| NDS:            | NNDS   | 48.21       | 0.70%        | 17.20%   |
| NORTEL:         | NT     | 22.54       | 6.60%        | (26.3%)  |
| OPENTV:         | OPTV   | 2.29        | (8%)         | 2.20%    |
| PHILIPS:        | PHG    | 36.88       | (1.4%)       | 22.00%   |
| RENTRAK:        | RENT   | 14.84       | 1.30%        | 38.70%   |
| SEACHANGE:      | SEAC   | 9.00        | 7.80%        | 13.90%   |
| SONY:           | SNE    | 40.10       | 1.00%        | (0.7%)   |
| SPRINT NEXTEL:  | S      | 19.25       | (0.8%)       | (9.2%)   |
| THOMAS & BETTS: | TNB    | 52.82       | 1.50%        | 24.30%   |
| TIVO:           | TIVO   | 5.34        | (7.5%)       | 4.30%    |
| TOLLGRADE:      | TLGD   | 8.63        | 0.70%        | (21%)    |
| UNIVERSAL ELEC: | UEIC   | 21.40       | 0.20%        | 20.60%   |
| VONAGE:         | VG     | 7.07        | 8.60%        | (41%)    |
| VYYO:           | VYYO   | 4.12        | 1.50%        | (23.1%)  |
| WEBB SYS:       | WEBB   | 0.05        |              | (37.5%)  |
| WORLDGATE:      | WGAT   | 1.40        | 3.70%        | (32%)    |
| YAHOO:          | YHOO   | 26.34       | (0.6%)       | (20.2%)  |

| Company       | Ticker | 12/08 Close | 1-Week % Chg | YTD %Chg |
|---------------|--------|-------------|--------------|----------|
| <b>TELCOS</b> |        |             |              |          |
| AT&T:         | T      | 34.97       | 2.80%        | 56.40%   |
| BELLSOUTH:    | BLS    | 45.86       | 2.80%        | 82.10%   |
| QWEST:        | Q      | 7.66        | 0.10%        | 35.60%   |
| VERIZON:      | VZ     | 35.31       | 1.90%        | 29.50%   |

| Index                 | Value    | 1-Week % Chg | YTD %Chg |
|-----------------------|----------|--------------|----------|
| <b>MARKET INDICES</b> |          |              |          |
| DOW:                  | 12307.49 | 0.90%        | 14.80%   |
| NASDAQ:               | 2437.36  | 1.00%        | 10.50%   |

### WINNERS & LOSERS

#### THIS WEEK'S STOCK PRICE WINNERS

| COMPANY       | CLOSE | 1-WK CH |
|---------------|-------|---------|
| 1. CHARTER:   | 3.27  | 16.80%  |
| 2. KNOLOGY:   | 10.90 | 9.10%   |
| 3. VONAGE:    | 7.07  | 8.60%   |
| 4. SEACHANGE: | 9.00  | 7.80%   |
| 5. C-COR:     | 10.57 | 7.20%   |

#### THIS WEEK'S STOCK PRICE LOSERS

| COMPANY           | CLOSE | 1-WK CH |
|-------------------|-------|---------|
| 1. ION MEDIA:     | 0.42  | (31.1%) |
| 2. BLNDER TONGUE: | 1.53  | (16.8%) |
| 3. OPENTV:        | 2.29  | (8%)    |
| 4. TIVO:          | 5.34  | (7.5%)  |
| 5. CROWN:         | 3.11  | (4.9%)  |



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# MaxFAX...

## Welcome Back ...

... to the world of competing for subscription revenue in the good old USA. Of course, the good *Doctor Malone* hasn't been far away at all. His leveraged hands are in a lot of domestic stuff such as **QVC**, **Discovery** and **Starz**. And, if you've been paying



**Paul S. Maxwell**

any attention to those things, you know he and his troops haven't been exactly just treading water.

Soon, he'll be the big guy in domestic satellite as well as international cable.

Nice mix, huh? Think he'll exercise a little leverage?

## Random Notes:

• **Amos Hostetter + C-SPAN + DU + Cable Center = Coolest Cable Program Extant:** And, with mega-thanks to cable veteran and all-around good and smart guy *Amos Hostetter*, it is going to continue... and add some more schools. I've been to a couple of the class sessions. Way cool... real, major-league political guests. Real, learned discussions. Great guy playing ringmaster (**C-SPAN's Steve Scully**). You should watch a re-run some Saturday morning. Full disclosure: my kid is a 2nd time student participant at the University of Denver. As this signature higher-learning adventure

of the **Cable Center** scales up a bit, it can't help but develop a better understanding of the business among many of America's brightest students (yeah, see full disclosure above... can't help bragging sometimes; she graduates this year... resumes available for the asking). This current program, though, is unique... accredited and, so far, at three major universities including George Mason and Pace.

• **Shopping?** Was in Atlanta last week visiting some folks at **Turner Networks** which is busy absorbing **Court TV**... dinner out one evening with the ebullient *Maggie Bellville* who certainly knows her olive oil... and another dinner out at a brand new, terrific and affordable place called The Epicurean (way out on Clairmont Road in Decatur near Emory U.) run by some friends of *Art and Toni Dwyer* (complete with opening night champagne tasting). Best crab cakes (with corn) I've had in years... but the most interesting aspect was a visit with **Argo Systems**... which you probably haven't heard about unless you run the finance or affiliate relations departments of a programming network group... you'll be learning a lot more about them soon, though.

• **Travel Observations:** "Security" isn't "secure" and/or TSA + "Rules" = Hassles. Period. Sure takes almost any and all fun out of flying anywhere. Still great when you actually

get somewhere, though. The evolution of hotel amenities continues as so many hotels followed Westin's lead and upgraded bedding. Another evolution is underway in simplifying in-room coffee-makers. Westins now have single cup makers that shut off automatically after the one cup drip brews. Ain't innovation wonderful?

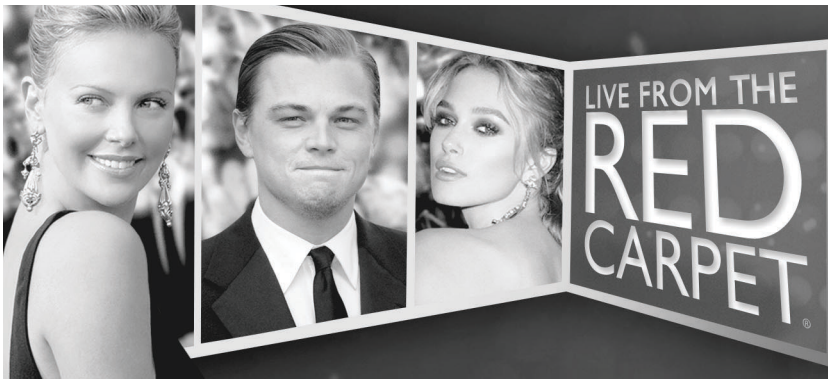
• **@ The Portals:** So, the thought police are busy justifying their crackdown on naughty language on broadcast television because "the V-chip" isn't good enough. They warned broadcasters in advance and besides, political correctness has migrated from the liberal to the reactionary side of the political aisle. Meanwhile, **FCC** chmn *Kevin Martin(et)* is busy trying to break his 2-2 tie on the impending **at&t** (they like the lower case, really) and **Bell-South** merger. "Unrecusing"... that's quite a word. That Commissioner, *Robert McDowell*, recused himself from the vote because he worked for an organization that had already opposed the merger. Seems like the honorable thing to do, don't you think? And, if that's honorable, what does that make *Martin(et)*?

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# HALLMARK CHANNEL #5 IN PRIME TIME FOR NOVEMBER



**Led By 5.1 Million  
Cool Penguin-Watching Households  
#1 A25-54 #1 W25-54 #1 A18-49 #1 W18-49**

U.S. Television Premiere

**MARCH OF  
THE PENGUINS**



Source: Nielsen Galaxy Explorer (10/30-11/26/06), M-Su 8-11p Live+SD coverage area ratings, Hallmark Channel ranks #5 (tied with TBS and NAN) averaging 1.3 rating/941,000 homes; Nielsen NPower Reach & Frequency report (11/25/06), "March of the Penguins" Sat 9-11p among unduplicated Households; Nielsen Galaxy Explorer (11/25/06), "March of the Penguins" Sat 9-11p Live coverage area program ratings vs. time period coverage area ratings among all measured ad-supported cable networks. Qualifications subject to change upon request. © 2006 Crown Media. All Rights Reserved.

# WE'VE BROUGHT IN THE BIG BRASS

## Announcing the Military Channel Board of Advisors.

**Allison Barber**

*Liaison for the U.S. Department of Defense; Deputy Assistant Secretary, Public Affairs*

**General Charles G. Boyd, USAF (Ret.)**

*President and CEO, Business Executives for National Security*

**Bonnie Carroll**

*Founder and Chairman, Tragedy Assistance Program for Survivors*

**Sheila Casey**

*Member, Board of Governors, National Military Family Association*

**General Tommy R. Franks, USA (Ret.)**

*President, Franks & Associates*

**Rear Admiral S. Frank Gallo, USN (Ret.)**

*National Executive Director, Armed Services YMCA of the USA*

**James B. King**

*National Executive Director, AMVETS*

**W. Thomas Matthews**

*Chairman, Congressional Medal of Honor Foundation*

**Christopher Michel**

*Founder and Chairman, Military.com*

**Gordon H. "Nick" Mueller, Ph.D.**

*President and CEO, The National World War II Museum*

**Mary Jo Myers**

*Philanthropist*

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