

CableFAX Daily™

Wednesday — December 14, 2011

What the Industry Reads First

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FCC Farewell: Last Meeting of Year CALM and Emotional

There was only 1 item of business at Tues' FCC meeting—approving an order to implement provisions of the Commercial Advertisement Loudness Mitigation (CALM) Act. That meant there was plenty of time to salute *Michael Copps*, who attended his last FCC open meeting as a commissioner. The good-byes were emotional at times, with fellow commish *Mignon Clyburn* crying during her statement about Copps and the normally deadpan *Robert McDowell* also getting a little choked up. More about that in a minute, but first business... Cable seemed a little CALMer about the FCC's provisions to prevent commercials that are louder than programming than it was a few months ago, with **NCTA** saying it appreciated the FCC's willingness to consider less burdensome alternatives for complying with the Act. The order wasn't posted until late Tues afternoon, so cable's lawyers are just starting to review it. The FCC established a "safe harbor," based on an NCTA proposal, for stations and MVPDs to demonstrate compliance with regard to embedded commercials through certifications and periodic testing. In order to be in the safe harbor, "very large" broadcast stations and MVPDs must annually spot-check 100% of the non-certified commercial programming they carry. The 1st set of spot checks must be completed by Dec 13, '13. A very large MVPD is defined a 10mln+ subs, meaning the 4 largest MSOs will have to comply. "Large" MVPDs (more than 400K subs) must annually spot check 50% of noncertified channels chosen at random. Small MVPDs and broadcast stations don't have to perform any annual spot checks, thus there is no requirement that they buy loudness measurement equipment prior to a FCC inquiry (a chief **ACA** concern). The FCC said an inquiry is unlikely to be directed to a small MVPD or station unless there have been complaints that have come largely or solely from the entity in question. In those cases, they would have 30 days to complete a spot check. "This is an important day for consumer protection. I cannot tell you how many hundreds of citizens have told me—personally, through e-mails and letters, at public hearings, even across the family dinner table—how obnoxiously intrusive they find loud commercials," said Copps, the man of the hour. FCC chmn *Julius Genachowski* praised Copps' 10 years on the Commission, saying that he knows his passion won't diminish just because he's retiring. "We can all rest assured that we'll still have Copps on the beat." A tearful Clyburn called him "part professor, part watchful critic, part sage," but "all friend, all mentor, and all public servant." McDowell delivered a few funnies—saying he had trouble calling Copps acting FCC chmn back in the day because he wasn't an actor, but a "rock star."

MEET THE HEROES



IN YOUR BACKYARD

EPC
CHRISTMAS

COMING THIS HOLIDAY SEASON

**EVERY LIFE.
EVERY DAY.**



weather.com

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But he also was serious in his admiration. "His accomplishments are numerous and profound, and I suspect he is merely in mid-stride in his quest to quench his desire for public service," said McDowell, who called Copps a good friend despite their differences—Republican vs Democrat and the even greater divide, Blue Devil vs Tar Heel.

Carriage: **BBC World News** scored carriage with **Comcast**, with the 24-hour intl news channel set to launch in Philly, Chicago, Boston, Minneapolis, Indianapolis, Portland, N CA, MI and Western New England by year-end. The deal could open up the door for wider distribution. The net's expected to be in nearly 15mln US homes by the end of '12.

Retrans: Some **Time Warner Cable** subs woke up Tues to find that **Cordillera**-owned stations, including **NBC** affil **KRIS** in Corpus Christi, TX, were dark on their cable systems. TWC said it offered the broadcaster an extension through Mar (post-NFL season), while Cordillera is complaining that the MSO rejected its more modest extension, which would last through Dec 31. TWC is informing subs of alternative ways to view programming, including the fact that NBC makes its Sun night NFL games available for free at www.snfallaccess.nbcsports.com. Primetime programming is also available via VOD, and many national shows are online at **Hulu** and **NBC.com**. The MSO said it has made arrangements to bring the national **Telemundo** feed on the same channel as Cordillera's **KAJA**.

In the Courts: **Verizon** was thwarted in its attempt to stay the monthly royalty payments in its ongoing patent infringement case brought by **ActiveVideo**, with a federal judge denying its motion for a stay late Mon. Judge *Raymond Jackson* of the US District Court for the Eastern District of VA, ordered Verizon to make the 1st monthly payment on Fri. Verizon has been found liable for up to \$250mln in damages. "All we really want them to do is stop using our technology," ActiveVideo pres/CEO *Jeff Miller* told us Tues. "It's much more difficult to sell a product in the marketplace when someone else is using it for free." The court gave Verizon until May 23 to figure out a work-around. -- While telling the court that **Cablevision's** lawsuit over its ad claims is just "another attempt to conceal [its] inferior broadband performance," Verizon said planned changes include no longer saying that Cablevision is delivering just 59% or less of its advertised speeds (a figure that comes from data released by the **FCC** in Aug). Verizon also won't state that to currently "get anything close to speeds Cablevision promises you would have to use your iO internet at 4:30 am." But Verizon said it won't back down on other claims such as "Cablevision does not deliver on their advertised download speeds during peak hours," the telco said in a court filing late Mon. The FCC said earlier this month that Cablevision delivered more than 90% of advertised speeds during peak periods in Oct.

Advertising: **Bright House Media Strategies** signed agreements with **Verizon FiOS TV**, **Comcast Spotlight** and **Viamedia/Knology** for a Tampa/St Petersburg interconnect for regional and national advertising. The interconnect will reach 100% of wired TV homes and approx 80% of **Nielsen's** total TV HHs in the market. Placement beginning in 1Q



**75 MILLION
SUBSCRIBERS
UNDER OUR BELT**

and we must say, it's a pretty fabulous belt

Style is the must-have network for young, diverse, tech-savvy women

style.® BEFORE MEETS AFTER™

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Source: Nielsen Universe Estimates, December 2011.



CableFAX's Best of the Web Awards is the industry's top honor in the digital space, recognizing outstanding websites and digital initiatives among cable programmers, operators, vendors and associations.

Late Deadline: December 14, 2011 • Enter Online: www.CableFAX.com/BOW11 • Event: Spring 2012

Enter as many categories as you like, but please tailor your entry to the category you are entering.

Campaign Categories:

- General and Campaign Categories
Ad/Series of Ads
App (for Smartphone)
App (for Tablet)
Authenticated Content Marketing Campaign
Blog or Series of Blogs
Community/Social Networking
Contest/Online Games
Corporate Social Responsibility/Education
Digital Marketing Campaign
Digital PR Campaign
Editorial Excellence

- Email Marketing Campaign
Online Newsroom
Online Store/Merchandizing
Original Content
Podcast or Videocast
Social Media Campaign
Supplemental Web Content
Use of Facebook
Use of Twitter
Use of Geo-Location (FourSquare, Gowalla, etc)
Use of Video/Moving Image
Virtual Tradeshow or Online Event
Web Site Design
Web Site Redesign

People Awards

- Blogger / Tweeter / Social Networking Facilitator
Digital Hot List
Video Editor/Producer
Web Content Director
Other (please enter an executive who is successfully leading your organization's digital initiatives)

- Cable Operator
Official Show Website
Regional/Local Programmers
Technology and other Vendors
Web Show

TV Everywhere Awards

- Best Content Marketing/PR
Best App
Best Portal Site (Operator)
Best Portal Site (Programmer)
Best TV Everywhere Technology (Vendor)

Best Overall Websites

- Cable Network - Small and Mid-Size (Fewer than 50mln subs)
Cable Network - Large (More than 50mln subs)

Category definitions, FAQs, a list of last year's winners, and to enter online at www.CableFAX.com/BOW

Compiling Your Entry (Visit www.CableFAX.com/BOW11 for full details)

What to Send

At the beginning of your 2-3 page synopsis, include the following information for all categories:

- Category entered • Title of entry • Key contact for entry • Organization submitting entry

Supporting Materials

- URL/Web address(es) • Clippings • Photographs • Magazines • E-letters • Newsletters • Testimonials • Print-outs of Web Pages

How To Enter: Use this form or visit www.CableFAX.com/BOW11 for additional category information and to enter online.

Mary Lou French
CableFAX's Best of the Web Awards
Access Intelligence
4 Choke Cherry Rd, 2nd Fl
Rockville, MD 20850

Deadline: December 2, 2011
Late Deadline: December 14, 2011
Event: Spring 2012

Entry From (All information required)

Title of Entry/Name of Entrant (as you'd like it to appear on your award if selected):

Company and/or Client:

Contact Name of person submitting entry Job Title:

Address:

City: State: Zip:

Telephone of Contact: Fax of Contact:

Email Address (Required):

Entry Fees

- Primary entry: \$300 each \$300 each \$
Secondary entry of same campaign** into one or more categories: \$175 each \$175 each \$
Late entry fee: \$175 per entry \$175 each \$
(for entries sent between Dec. 2, 2011 and Dec. 14, 2011)

Total \$

The late entry fee must be applied to each individual entry postmarked after Dec. 2, 2011.

* Payment in full must accompany the entry.

** If entering more than one category, please submit separate entry forms.

Payment Options

- Check (payable to Access Intelligence/CableFAX) Money Order
Mastercard Visa Discover American Express

Credit Card #

Exp.

Print name of card holder

Signature

Entry fees are not refundable.

Access Intelligence Federal Tax ID#: 52-2270063

www.CableFAX.com/BOW11

The awards are presented by the most trusted information source in cable: CableFAX Daily and sister brand CableFAX: The Magazine.

Questions? Contact Awards Coordinator Mary Lou French at 301-354-1610; mlfrench@accessintel.com.

Sponsorship Opportunities: Debbie Vodenos at 301-354-1695; dvodenos@accessintel.com or Amy Abbey at 301-354-1629; aabbey@accessintel.com.

BUSINESS & FINANCE

is now available.

In the States: Verizon will upgrade its IP network infrastructure in select markets, including Atlanta, Boston, Chicago, Dallas, L.A., NY and Seattle, extending its next-gen 100G capabilities with Cisco's CRS-3 Carrier Routing System in the 1st half of '12.

People: Jim Samples shifts from HGTV pres to pres, intl for Scripps Networks Interactive. He succeeds Greg Moyer, who will keep serving as a consultant to Scripps' Intl group. Additionally, Bob Baskerville was named COO, intl (he was previously gm).

On the Circuit: The legend of revered cable trade reporter John Higgins lives on. The Newhouse School of Journalism at Syracuse's Mirror Awards for print, broadcast and online journalism are naming its prize for in-depth investigative journalism The John Higgins award in memory of the reporter, who worked for Multi and B&C and who passed in Nov 2006. Time Warner Cable and Discovery Communications teamed to fund the award. The 2012 Mirror Awards call for entries is scheduled for Wed. Cablefax.com blogger Seth Arenstein hinted at the creation of the award in his blog several weeks ago. -- NAMIC announced election results for its '12 chapter offices, with newly elected and incumbent officers set to begin serving 1-year terms Jan 1. A complete list of officers can be found at www.namic.com under the About and NAMIC press sections.

CableFAX Daily Stockwatch

Company	12/13 Close	1-Day Ch	Company	12/13 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	45.99	(0.58)	CLEARWIRE:	2.15	0.02
DISH:	26.25	0.57	CONCURRENT:	3.45	UNCH
DISNEY:	36.33	(0.32)	CONVERGYS:	12.16	(0.16)
GE:	16.42	(0.04)	CSG SYSTEMS:	14.66	(0.21)
NEWS CORP:	17.70	(0.16)	ECHOSTAR:	22.05	(0.16)
MSOS					
CABLEVISION:	14.14	(0.34)	GOOGLE:	625.63	0.24
CHARTER:	52.67	(0.14)	HARMONIC:	5.02	(0.23)
COMCAST:	23.19	(0.08)	INTEL:	23.56	(0.44)
COMCAST SPCL:	23.04	(0.05)	JDSU:	10.08	(0.53)
GCI:	9.65	(0.54)	LEVEL 3:	17.55	(0.48)
KNOWLOGY:	14.12	(0.08)	MICROSOFT:	25.76	0.25
LIBERTY GLOBAL:	38.95	(0.37)	MOTOROLA MOBILITY:	38.67	(0.02)
LIBERTY INT:	15.58	(0.24)	RENTRAK:	13.49	(0.81)
SHAW COMM:	19.41	(0.26)	SEACHANGE:	7.44	(0.3)
TIME WARNER CABLE:	62.29	(0.31)	SONY:	17.51	(0.36)
VIRGIN MEDIA:	21.66	0.35	SPRINT NEXTEL:	2.39	0.02
WASH POST:	352.82	(2.33)	THOMAS & BETTS:	52.15	(0.59)
PROGRAMMING					
AMC NETWORKS:	35.91	0.45	TIVO:	9.49	(0.06)
CBS:	25.53	(0.72)	UNIVERSAL ELEC:	15.86	(0.36)
CROWN:	1.26	(0.05)	VONAGE:	2.36	(0.01)
DISCOVERY:	41.22	(0.29)	YAHOO:	15.42	(0.05)
GRUPO TELEVISIA:	20.72	(0.41)	TELCOS		
HSN:	35.24	(1.51)	AT&T:	29.04	0.03
INTERACTIVE CORP:	40.20	(0.89)	VERIZON:	38.26	(0.09)
LIONSGATE:	8.33	(0.1)	MARKET INDICES		
LODGENET:	2.49	(0.04)	DOW:	11954.94	(66.45)
NEW FRONTIER:	1.13	0.05	NASDAQ:	2579.27	(32.99)
OUTDOOR:	6.97	(0.06)	S&P 500:	1225.73	(10.74)
SCRIPPS INT:	42.16	(0.23)			
TIME WARNER:	33.83	(0.41)			
VALUEVISION:	1.97	(0.11)			
VIACOM:	47.95	0.46			
WWE:	9.93	(0.12)			
TECHNOLOGY					
ADDVANTAGE:	2.05	(0.01)			
ALCATEL LUCENT:	1.56	(0.09)			
AMDOCS:	27.82	(0.13)			
AMPHENOL:	42.57	(1.04)			
AOL:	13.85	(0.15)			
APPLE:	388.81	(3.03)			
ARRIS GROUP:	10.16	(0.15)			
AVID TECH:	7.45	(0.11)			
BLNDER TONGUE:	1.15	(0.01)			
BROADCOM:	28.19	(1.08)			
CISCO:	18.47	(0.06)			

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