

CableFAX Daily™

Monday — December 18, 2006

What the Industry Reads First

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Year Ahead: NCTA Chief Opines on 2007

With a Democratic majority in place, what does 2007 look like for the cable industry? **NCTA** pres/CEO *Kyle McSllarrow* says the verdict's still out. "I'm personally expecting to attend a lot of hearings" as the new leadership studies the evolving telecom industry, he told **Cfax**. "We have to give them some time to figure out what agenda is... I do expect there to be a lot of activity involving telecommunications. I'm just not sure there will be a massive rewrite" immediately. Beyond McSllarrow's comments, common sense suggests Congress will pay close attention to federal agencies led by administration appointees (i.e., the **FCC**). It's not clear what happens to the House and Sen Commerce committees' telecom bills that failed to pass this year. (Why, oh why, didn't we take up Rep *Joe Barton* (R-TX) on his bet? "I am a pretty good poker player; the odds are 2 to 1 that the president is going to sign a bill," he said during a press conference this year, goading reporters to gamble against him). While members voted the Sen Commerce bill out of committee largely along party lines, it's likely to at least serve as a jumping off point next year given its scope. On the House side, Commerce member *Hilda Solis* (D-CA) told **C-SPAN's** "Washington Journal" last week that she expects continued debate but also the ability to "bring out more witnesses on our side, the Democratic side, and I think that that's going to be very important... My perspective is always coming from the consumers... how can we keep costs low, not impeding technology and make it available to those areas that currently don't have access to a lot of the high technology." One issue facing Dems is net neutrality—especially considering interest from groups like **MoveOn.org**. But given the Dems' slim majority, it's unclear whether they'll be able to enact legislation. Franchising relief seems less important for Congress. "I expect the center of gravity for video franchising to be both at the FCC... and in the states," McSllarrow said. Indeed, the Commission is set to vote on a video franchise proposal Wed that reportedly treats cable and phone differently in some areas. As for the states, "there is no cookie cutter recipe for how states will tackle it," McSllarrow said, noting that he doesn't think any of the laws in states with statewide franchising look exactly alike. "The operators on the ground have to figure out what's in their best business interest and make judgments accordingly on how they're going to interact with that process."

No Deal: NFL Net boss *Steve Bornstein* has declined both of **Time Warner Cable's** proposals (**Cfax**, 12/14) for carrying the net's free trial in NY/NJ. Bornstein explained his decision in a letter to TWC pres/CEO *Glenn Britt*, saying that neither option satisfies both of the net's goals with regard to the preview offer, namely granting Rutgers fans access to the Texas Bowl and exposing area subs to additional net programming. He also questioned TWC's claim that they don't have the necessary expanded basic channel space to carry the preview. "I have directed my staff to identify specific alternatives that... would not require you to drop or preempt full-time services," said Bornstein. NFL Net failed to respond Fri with what some of those alternatives might be. While Bornstein said he is willing to work with TWC to find an alternative plan, the MSO believes that nothing short of full-week carriage will slake the net.

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"This is not about Rutgers fans," said a spokesperson. "It is about improving their leverage at the negotiating table." **Cablevision**, which NFL Net says has yet to respond to the offer, did not return phone calls by deadline.

In the States: A subcontractor for **Comcast** was charged Thurs with the Oct sexual assault and murder of a Chicago woman who had let him into her home to repair her Internet service, according to police. *Anthony Triplett*, 25, worked for **Premier Cable Comm**, which subcontracts for Comcast. He is also named as a suspect in a similar strangulation that occurred last week, according to the *Chicago Tribune*. "We were saddened to learn of this tragic event and extend our deepest sympathies to the families," a Comcast spokesman said. "We are continuing to cooperate fully with authorities to assist in their investigation." Comcast has suspended Premier as a contractor. The MSO said Premier notified it that Triplett had no previous criminal record and had passed a background check. -- The **FTC** says it entered into settlements with the final defendants charged with violating the "Do Not Call" rules in an attempt to sell **DirectTV** service. The orders require the defendants, which include **D.R.D.** and **Global Satellite**, to pay a total of \$100K in penalties. The settlements date back to the commission's charge last Dec that DirecTV and others that telemarketed on its behalf violated the rules. DirecTV paid \$5.3mln, the largest do-not-call penalty obtained by the FTC. -- **Time Warner Cable** announced in partnership with **In Demand** the launch of its "More Movies on Demand" service in Greensboro, NC. The service triples the number of available on demand titles in area systems, with the number expected to exceed 1.5K by mid-'07. Other TWC divisions are expected to launch the service sometime next year. -- **Allegiance Comm**, an MSO whose services pass 175K homes in OK, TX, AR, KS and MO, will provision a triple play bundle to its subs by offering VoIP services from **VoX Comm**. -- Rural satellite broadband provider **WildBlue** has launched a satellite (Wild-Blue-1) that triples its customer capacity for HSI service. -- **Hargray** has deployed an advanced services platform from **Ciena** to increase its network capacity in GA and SC for VOD, HDTV and metro Ethernet services.

From the Street: If you didn't hear **Comcast** the first 100 times, then here it is again: "We see absolutely nothing appealing about owning **Sprint**." That was the word from CEO *Brian Roberts* during meetings with **Sanford Bernstein** last week—a rejection that the investment firm feels is the "most unequivocal" to date. Roberts also said he welcomed *John Malone's* imminent return to the pay-TV industry via **News Corp's DirecTV** stake, calling him an ally in the battle for controlling rising sports costs and protecting pay-TV's interest, according to a Bernstein research note.

Research: The **US Census Bureau** has some predictions for the new year: People will spend 65 days in front of the TV, 41 days listening to radio and just over a week on the Internet. Consumer spending for media is expected to be \$936.75 per person. The data is from the Bureau's just-released "Statistical Abstract of the US." -- While online video download sales of TV shows, movies and other pre-recorded content will total \$298mln this year, according to **Strategy Analytics**, the market will explode in '07 by growing to \$1.5bln. By '10, global revenue from online video sales, rentals and subs will surge to \$5.9bln, and account for 8% of total home video industry revenues. -- Annual US revenues from online video services will exceed \$7bln by '10, when platform ad revenue will represent a much smaller percentage of the overall pie than it currently does, according to **Parks Associates**. Ads attached to user-generated content and TV/news streams will generate 85% of revenue in '07, posits PA, but download/rental services for TV shows and movies will account for 40% of total revenues by '10. -- Only 5% of North Americans who watch online videos have rented or purchased a digital movie download, according to **ABI Research**, making it the least watched genre on online video.



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Red Carpet Treatment: Filmmaker *Lucas Krost* received Thurs a \$100K grand prize from **Current TV** chmn *Al Gore*, who with the **Third Millennium Foundation** hosted an L.A. event honoring the winners of the "Seeds of Tolerance" video competition. Krost's film about the US prison system, "One Nation Under Guard," will be broadcast at current. tv/tolerance and on Current TV, where the films from all 6 finalists will also be featured. The competition invited aspiring filmmakers to produce short (5-10min) videos illuminating a story about "respecting diversity or unlearning intolerance."

Deals: **Blonder Tongue** completed the \$3.1mln sale of **BDR Broadband**, its TX-based private cable TV business, to **DirecPath**, a jv between **Hicks Holdings** and **DirecTV**. The deal also includes certain equipment purchase commitments from DirecPath, formed in May to market DirecTV services to MDUs. Separately, Blonder Tongue subsidiary **Blonder Tongue Investment Co** sold selected patents to **Moonbeam** for net proceeds of \$2mln. Blonder Tongue retains a non-exclusive, royalty free, worldwide license to continue to manufacture, use, sell, and distribute all of the products currently protected under these patents, including some in the Addressable Subscriber category of equipment. -- **Vivendi** said it will keep its 20% stake in **NBCU** instead of exercising its right to sell the holding next month.

Programming: **Discovery HD Theater** kicks off "World of HD Week," Jan 1. The special week of programming will feature HD premieres of **Discovery Nets'** programming in advance of their standard-def debuts. Anchoring the week is a sneak peek at "Planet Earth," which details the natural wonders of our planet (Jan 7, 8pm). -- Did you catch **Comedy Central** gm *Michele Ganeless* on **C-SPAN's** "American Perspectives" Sat (12/16, 8pm and 11:15pm) speaking about the business of comedy at NYU? -- **FSN North** struck an exclusive TV rights deal with the **NBA's** Milwaukee Bucks and will air a minimum of 70 regular season games, beginning with the '07-'08 season. The agreement also allows the RSN to air all 1st round and select 2nd round playoff tilts. -- The 2nd and final season of **HBO's** "Rome" premieres Jan 14 (9pm). -- **Starz Cinema** sparkles Dec 22 (7:15pm) when it airs "Blood on the Stone," a doc about the trade of West African diamonds and a real-life companion piece to "Blood Diamond," a film now in theaters starring *Leonardo DiCaprio*. -- **E!'s** "High Maintenance 90210" (Jan 1, 11pm) will highlight the work environments of domestic staffers for the ultra-rich.

Ratings: The Wed edition of **MSG's** sports/ent show "MSG, NY" earned a 1.06 HH rating, the show's highest ever.

Intl: **Turner** inked a deal with **Claxson Interactive Group** to acquire for roughly \$235mln 7 pay-TV nets currently operating in Latin America. The nets reach 51mln subs across Latin America and will be guided by **Turner Broadcasting System Latin America**. -- **Gemstar-TV Guide Intl** has inked a patent license agreement with **Philips Electronics** for its interactive programming guide, allowing Philips to use Gemstar's intellectual property in certain consumer electronics products designed for the European market. -- Belgian comm service provider **Voo** will deploy **Cedar Point's** "Safari C" multimedia switching system to deliver residential and business telephone services to their existing 700K CATV and Internet customers. -- **Anime Net** has inked carriage deals with Puerto Rico's 2 largest cable ops, **One Link** and **Liberty Cablevision**, that give the net 178K additional subs.

Carriage: **Time Warner Cable** launched **CRN Digital Talk Radio** on its digital tier in Buffalo. It also launched Baby Boomer net **AmericanLife TV** in greater L.A. and will roll the net out to the DMA from now through the end of the year.

Competition: The **NJ Board of Public Utilities** approved **Verizon** Fri for the 1st state-issued video franchise agreement. The telco accordingly announced plans to market its **FiOS TV** service to 7 state communities within a few weeks, and to roughly 90 additional communities over the coming months. -- The College Park, MD, City Council unanimously OK'd **Verizon** offering video to the city. College Park is home to the Univ of MD, whose sports arena is dubbed the Comcast Center. Meanwhile, Verizon has started introducing FiOS TV to the Richmond, VA, area. The service is available to more than 15K HHs in parts of Henrico County, with plans to offer it to more than 20K HHs in the city of

YOU LOST US
96% of young Latino adults watch TV in English.
AT "HOLA."

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Speak English.
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Source: Made in America: Communicating with Young Latinos, New American Dimensions, Oct. 2005. TV viewing among Hispanics 14-29 born in the U.S. or arrived to the U.S. prior to five years old.

Richmond by year-end. -- **Cavalier Telephone and TV** and **Talk America** have closed their merger, as 99% of Talk America shareholders approved Fri the \$8.10/share offer from Cavalier. The combined entity counts more than 550K residential and 85K business customers. Talk America shares closed up 0.25% Fri at \$8.10.

Technology: **Philips Electronics** launched Thurs "MediaHedge," an anti-piracy system designed snuff out unauthorized copyright video files that have been uploaded to a video-sharing site or peer-to-peer network. The system checks the unique characteristics of video files and searches for a match in Philips' database of video content.

Milestone: **Cablevision** said its "Optimum Online" HSD service has breached the 2mln customer plateau.

VOD: **Comcast's** eastern division launched "Troop Greetings On Demand," a free service for military families/friends to view holiday greetings from loved ones stationed overseas. The service will be available through Jan 22.

Mobile: **The N** announced "Teens Everywhere," a research panel of 10K young people that, starting in Jan, will conduct research via teens' mobile phones. In partnership with online research firm **OTX** and mobile community provider **mbuzzy**, the panel will offer immediate feedback from teens about their lifestyles, as well as network programming, advertising, and events. -- Starting Tues **NFL** players such as *Reggie Wayne* and *Derrick Brooks* will make appearances at nationwide **Sprint** stores to drive awareness of the carrier's "NFL Mobile" product. The players will offer autographs and select recordings for customers' voice mail greetings.

Online: **AOL** and **Major League Gaming** launched a co-branded site at gamedaily.com/mlg featuring streamed highlights from the "Boost Mobile MLG Pro Circuit" TV series after each ep has aired on **USA**. -- **Sundance Channel** announced a planned Jan launch of a virtual screening room within the online community of **Second Life**. The screening room will showcase films, docs, shorts and original series, and will 1st premiere the indie film "Four Eyed Monsters."

Public Affairs: **Cable Positive's** annual must-attend fundraising dinner will honor *Glenn Britt* and **Time Warner Cable**. Dubbed "Positively Time," it will be held Mar 6 at the Marriott Marquis in NYC. -- The VA Chapter of **WICT** donated more than 40 pieces of clothing and \$1K to a local chapter of **Dress for Success**, an organization that builds support and career development tools for disadvantaged women.

Sponsorship: **The Weather Channel** has signed on as the presenting sponsor of **MacGillivray Freeman Films'** "Hurricane on the Bayou," slated to premiere Dec 22 in select IMAX theaters. The net is creating a co-branded promotional campaign for the film's US release, including an ad campaign with national and local TV spots on The Weather Channel, extensive online, and cross promotions with local cable affiliates. -- **USA** and **Tanqueray London Dry Gin** have partnered on a series of vignettes to expand the net's "Characters Welcome" brand. Included will be live action promos featuring US brand-related characters such as Tanqueray's own spokesperson, *Tony Sinclair*.

Honors: The following 5 cable series made **AFI's** list of the 10 best US TV series of '06: **HBO's** "The Wire" and "Elizabeth I," **Showtime's** "Dexter," **Comedy Central's** "South Park," and "Battlestar Galactica" on **Sci Fi**. The awards will be handed out Jan 10 at an AFI luncheon in Los Angeles.

People: **Cox Ent** elected *Janet Morrison Clarke* and *S. Taylor Glover* to its board Thurs. They replace *Carl Gross* and *Paul Rizzo*, who will retire Dec 31. -- **Discovery Nets** promoted *Bob Sitrick* to svp, live production and special products.

Business/Finance: **Standard & Poor's Ratings Services** assigned a 'CCC-' rating to \$650mln of 9.25% senior notes due '14, issued by **Level 3 Financing**. Proceeds from the offering will be used to purchase the **Level 3 Comm** subsidiary's 10.75% senior notes due '11 under a tender offer launched Dec. 13.

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CableFAX Week in Review

Company	Ticker	12/15 Close	1-Week % Chg	YTD %Chg
BROADCASTERS/DBS/MMDS				
BRITISH SKY:	BSY	40.91	(1.2%)	24.30%
DIRECTV:	DTV	25.01	3.00%	77.10%
DISNEY:	DIS	34.30	(0.3%)	43.10%
ECHOSTAR:	DISH	38.45	4.40%	41.50%
GE:	GE	37.36	5.90%	14.40%
HEARST-ARGYLE:	HTV	26.00	0.40%	14.70%
ION MEDIA:	ION	0.41	(2.4%)	(55.4%)
NEWS CORP:	NWS	22.30	(1.3%)	35.80%
TRIBUNE:	TRB	31.75	(1.3%)	9.70%

MSOS				
CABLEVISION:	CVC	28.14	(0.2%)	19.90%
CHARTER:	CHTR	3.10	(5.2%)	154.10%
COMCAST:	CMCSA	42.95	2.00%	65.70%
COMCAST SPCL:	CMCSK	42.47	1.60%	65.30%
GCI:	GNCMA	15.73	2.50%	52.30%
KNOLOGY:	KNOL	10.93	0.30%	184.60%
LIBERTY CAPITAL:	LCAPA	96.20	5.00%	21.40%
LIBERTY GLOBAL:	LBTYA	28.50	0.90%	26.70%
LIBERTY INTERACTIVE:	LINTA	22.56	(0.7%)	17.20%
MEDIACOM:	MCCC	8.14	0.60%	48.30%
NTL:	NTLI	25.10	2.70%	5.80%
ROGERS COMM:	RG	58.86	(0.8%)	40.00%
SHAW COMM:	SJR	31.96	1.80%	58.10%
TIME WARNER:	TWX	21.66	3.60%	26.90%
WASH POST:	WPO	761.00	3.50%	2.50%

PROGRAMMING				
CBS:	CBS	31.99	3.40%	25.80%
CROWN:	CRWN	3.00	(3.5%)	(67.3%)
DISCOVERY:	DISCA	16.25	2.10%	11.10%
EW SCRIPPS:	SSP	50.43	(0.1%)	7.20%
GRUPO TELEVISIA:	TV	28.05	1.30%	39.40%
INTERACTIVE CORP:	IACI	38.45	7.40%	35.90%
LODGENET:	LNET	26.35	18.30%	89.00%
NEW FRONTIER:	NOOF	9.35	0.90%	43.20%
OUTDOOR:	OUTD	12.82	0.20%	(5%)
PLAYBOY:	PLA	11.46	(0.3%)	(17.5%)
UNIVISION:	UVN	35.33	(0.2%)	20.20%
VALUEVISION:	VVTV	13.09	(0.8%)	3.90%
VIACOM:	VIA	37.99	1.00%	(11.9%)
WWE:	WWE	16.69	(0.2%)	28.40%

TECHNOLOGY				
3COM:	COMS	4.13	2.20%	14.70%
ADC:	ADCT	14.89	5.50%	(9.2%)
ADDVANTAGE:	AEY	2.66	(37.4%)	(56.7%)
AMDOCS:	DOX	37.09	(3.8%)	10.40%
AMPHENOL:	APH	64.34	(5.7%)	46.00%
ARRIS GROUP:	ARRS	12.52	3.90%	32.20%
AVID TECH:	AVID	37.36	(5.8%)	1.30%
BLNDER TONGUE:	BDR	1.55	1.30%	(20.5%)
BROADCOM:	BRM	33.59	(1.5%)	6.90%
C-COR:	CCBL	11.03	4.40%	127.00%
CISCO:	CSCO	27.56	2.10%	61.00%
COMMSCOPE:	CTV	31.55	0.70%	56.70%
CONCURRENT:	CCUR	1.86	(2.1%)	(1.6%)

Company	Ticker	12/15 Close	1-Week % Chg	YTD %Chg
CONVERGYS:	CVG	24.09	0.20%	52.00%
CSG SYSTEMS:	CSGS	26.90	(0.1%)	20.50%
GEMSTAR TVG:	GMST	3.26	4.50%	24.90%
GOOGLE:	GOOG	480.30	(0.8%)	9.00%
HARMONIC:	HLIT	7.60	(0.1%)	56.70%
JDSU:	JDSU	17.51	(1.4%)	(21.5%)
LEVEL 3:	LVL	5.95	2.20%	107.30%
LUCENT:	LU	2.55		(4.1%)
MICROSOFT:	MSFT	30.19	3.40%	22.00%
MOTOROLA:	MOT	20.71	(1.8%)	(6.3%)
NDS:	NNDS	47.90	(0.6%)	16.40%
NORTEL:	NT	23.10	2.40%	(24.5%)
OPENTV:	OPTV	2.38	3.90%	6.30%
PHILIPS:	PHG	36.97	0.20%	22.30%
RENTAK:	RENT	15.78	6.30%	47.50%
SEACHANGE:	SEAC	9.08	0.90%	14.90%
SONY:	SNE	43.41	8.30%	7.40%
SPRINT NEXTEL:	S	19.51	1.40%	(8.2%)
THOMAS & BETTS:	TNB	50.15	(5.1%)	18.00%
TIVO:	TIVO	5.52	3.40%	7.80%
TOLLGRADE:	TLGD	8.96	3.80%	(18%)
UNIVERSAL ELEC:	UEIC	21.00	(1.9%)	18.30%
VONAGE:	VG	7.22	2.10%	(39.8%)
VYYO:	VYYO	4.35	5.60%	(18.8%)
WEBB SYS:	WEBB	0.03	(40%)	(62.5%)
WORLDGATE:	WGAT	1.32	(5.7%)	(35.9%)
YAHOO:	YHOO	26.90	2.10%	(18.5%)

TELCOs				
AT&T:	T	35.66	2.00%	59.20%
BELLSOUTH:	BLS	46.50	1.40%	84.40%
QWEST:	Q	7.95	3.80%	40.70%
VERIZON:	VZ	36.48	7.00%	37.70%

MARKET INDICES				
DOW:	INDU	12445.52	1.10%	16.10%
NASDAQ:	COMPX	2457.20	0.80%	11.40%

WINNERS & LOSERS

THIS WEEK'S STOCK PRICE WINNERS

COMPANY	CLOSE	1-WK CH
1. LODGENET:	26.35	18.30%
2. SONY:	43.41	8.30%
3. INTERACTIVE CORP:	38.45	7.40%
4. VERIZON:	36.48	7.00%
5. RENTRAK:	15.78	6.30%

THIS WEEK'S STOCK PRICE LOSERS

COMPANY	CLOSE	1-WK CH
1. WEBB SYS:	0.03	(40%)
2. ADDVANTAGE:	2.66	(37.4%)
3. AVID TECH:	37.36	(5.8%)
4. AMPHENOL:	64.34	(5.7%)
5. WORLDGATE:	1.32	(5.7%)

WE tv is launching our
West Coast Feed
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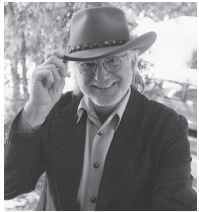
MaxFAX...

Peace on Earth...

...Goodwill toward man(kind). What a great idea. In this best of all possible worlds.

But, don't hold your breath.

A couple in Pagosa Springs, CO, put a Christmas wreath in the shape



Paul S. Maxwell

of a peace insignia on their front door... and one of the homeowners' association directors accused them of putting an "anti-Christ" and unpatriotic, anti-war symbol on public display

during a time of war and ordered them to remove it. (Calmer heads prevailed).

In New York City, trans-fat cooking oils get banned. The "nanny-state" is alive and well.

In Louisiana, the guy with \$90k in his freezer gets re-elected to Congress. (At least they've kept him off a critical committee until the investigations run their course).

In the Pacific Northwest, a rabbi's complaint—and his desire to erect a Menorah and have lighting ceremony—resulted in the Sea-Tac airport temporarily taking down its Christmas trees.

And the nation's CEO—America's first MBA president—stays the

course... or something. Too bad he didn't pay attention during history courses (Islamic history; Northern Ireland; the Huguenots in the 16th and 17th centuries).

The 2008 Presidential campaign has already begun... and the motif will be "who lost Iraq?"

Meanwhile, Christmas is seven days away. We're in the third (or fourth) day of Hanukkah (or Chanukah). Kwanzaa starts in eight days. Islam's Hajj Days start (depending upon the sighting of the moon) in 11 days. The Mahayana Buddhist New Year is 16 days away.

This is time of worldwide religious significance.

A time of reaffirming faith.

Of re-dedication to ideals.

Of worship.

Of submission to a higher calling.

A time of special programming on non-broadcast networks (you remember, we used to call them "cable" networks... wonder what we can call them as non-broadcast continues to morph into broadband channels, too?). Maybe, just maybe, if everyone prayed... That wonderful, idealistic thought of peace on earth just might come true. We can dream (and pray), can't we?

Random Notes:

• **Validation:** On wines. One I really, really like just made it the top of

the list in the latest Parker on Wine column in *BusinessWeek* (12/18). A real favorite, I first tasted it at the Nautilus restaurant (scattered at treetop across a stand of trees above Port Douglas, Australia)... then found it at a pub in Glasgow... it is the D'Arenberg Dead Arm shiraz from the McLaren Vale, South Australia. The 2004 vintage made Parker's list... but it is absolutely spectacular in almost any vintage and runs about \$65 at a decent liquor store (if you can find it).

• **THE Fulcrum?** Soon to be another word for Malone?

• **Congrats:** Lots of new jobs to celebrate this season... David Zaslav at Discovery Networks; the lovely Bridget Baker moving up at NBC Universal; Nancy Dubuc @ History et al; and another really, really big one... super techie Tony Werner to Comcast as CTO (will that presage a strategy shift? Stay tuned). May they all be blessed in the coming years.

• **Liberty + FOX RSN = Altitude Deal?** Maybe. Friends do talk.

• **Happy Holidays!**

Paul Maxwell

T: 303/271-9960

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