

CableFAX Daily™

Tuesday — December 21, 2010

What the Industry Reads First

Volume 21 / No. 245

We Got the Power: FCC Confident in New Internet Rules

With the FCC set to adopt its net neutrality framework along party lines Tues, 2 key questions remain: what will be included in the order and what level of pushback will the commission receive from legislators, firms and consumer groups? In a media call Mon afternoon, senior FCC officials who asked to go unnamed outlined the 3 main elements that would be part of the order. Rules against content blocking would apply to both fixed and mobile broadband access services. For fixed, it would cover any lawful content, apps, etc. For mobile, it would apply to content, apps, etc that compete with Internet providers' telephony services. Providers also would be barred from "effectively pick[ing] winners and losers," including pay-for-priority arrangements that officials called "particularly problematic." Meanwhile, a "robust" transparency rule would require broadband providers' disclosure of information related to consumers and developers of germane apps and devices. The order would demand reasonable network management, with the FCC initiating proceedings when deemed warranted based on complaints, with "accelerated timeframes to resolve disputes." Enjoiners, fines and/or forfeitures could apply in such cases. Peering won't be directly addressed in the order, which broadens the definition of a broadband Internet access service and provides "a little more certainty around the scope of services that may arise in the future." Concerning the **D.C. Circuit Court's** decision that reversed the FCC's order barring **Comcast** from certain traffic management practices because the agency lacked the authority to do so, the FCC officials contend the Commission has "developed a robust record that demonstrates the importance" of preserving an open Internet even without Congressional consent. The FCC's recent work on broadband deployment and promoting competition in voice and video services "clearly support[s] the action the Commission is taking here." More in the next issue from the FCC's open meeting on Tues.

Competition: **DirectTV** and **Starcom MediaVest Group** will collaborate to deliver scaled, household-addressable ads to customers with DVRs. SMG's clients will be able to segment their ads on a national level to selected consumers based on multiple factors including geography and customer segmentations, as well as third-party sources and the marketers' consumer databases, when testing of the addressable ad tech begins next year. After testing is complete,

The CableFAXIES awards

DEADLINE: JANUARY 21, 2011

ENTER AT: www.CableFaxiesAwards.com

Entry Questions:

Mary-Lou French at 301-354-1851; mfrench@accessintel.com

Sponsorship Opportunities:

Debbie Vodenos, Publisher at 301-354-1695; dvodenos@accessintel.com
Amy Abbey, Associate Publisher at 301-354-1629; aabbey@accessintel.com

The CableFaxies Awards salute the year's most outstanding communications initiatives and programs in the highly competitive and dynamic Cable arena. The coveted awards set the industry benchmark for excellence across all areas of PR and marketing.

The Winners of the CableFAXIES Awards are from networks, operators, PR firms, vendors, corporations, agencies and other entertainment companies who took chances, made tremendous strides and understand the power of PR and marketing in the cable industry. The winners and honorable mentions will be saluted during an awards event in April 2011 in New York City.

18192

THANK YOU

CableFAX Thanks its 2010 Advertisers and Partners:

■ Advertisers & Agencies

A&E Networks
Allscope Media
AMC
AMDOCS
Arris
Ascent Media
BBC America and BBC World News
Bloomberg Television
Bresnan Communications
CableONE
Cablevision
CBS College Sports
Clearwire
Comcast Cable Communications
Comcast Spotlight
CSG Systems
C-SPAN
CTI Media
Discovery Communications
Disney and ABC Television Group
E! Entertainment
ESPN
FAST/Microsoft
FEARnet
Fox Business News
Fox Cable Networks
Fox News
fuse

FX
G4
GMC
GSN
Hallmark Channel
HBO
HDNet
History
Horizon Media
HSN
ION Media Networks
Karmaloop
Lifetime
LMN
Mastermedia International
Mediacom
Mediastorm
Mediavest
MLB Network
Motorola
MK Advertising
MRV Communications
MSG Varsity
National Geographic Channel
NBC Universal
NewWave Communications
Outdoor Channel
Outside TV
Ovation

OWN: The Oprah Winfrey Network
Planet Green
PHD Networks
PK Networks
Rainbow Networks
ReelzChannel
RLTV
Scripps Networks
SeaChange
Showtime Networks
SiTV
Smithsonian Channel
Sony Pictures Television
Sportsman Channel
Starz Entertainment
Style Network
Suddenlink Communications
Tennis Channel
The Weather Channel
Time Warner Cable
TLC
TOA Technologies
Travel Channel
Turner Network Sales
TV Guide Network
TV One
Universal Sports
Univision
WE tv

Wieden & Kennedy
WWE
YES Network

■ Partners

ACA
ACC
AWRT
Broadband Cable Association of PA
Compete Inc.
comScore
CTAM
CTAM West
CTHRA
Digital Media Wire
Kaitz Foundation
Lustgarten Foundation
Media Business
NAMIC
NATPE
NCTA
NCTC
Nielsen Business Media
Rentrak
SCTE
Telco TV
The Cable Center
WICT

and a special thank you to our loyal readers!

Here's to a successful 2011

Sincerely,

Diane Schwartz

Debbie Vaden

Scott Armstrong

Milo

Amy Maclean

Chad Heiges

Joanna M. Gale

Amy Jefferies

Kate Schaefer

Amy Abby

CableFAX Daily™

CableFAX
THE MAGAZINE

CableFAX.com

CABLEFAX DAILY (ISSN 1069-6644) is published daily by Access Intelligence, LLC ● www.cablefaxdaily.com ● fax: 301.738.8453 ● Editor-in-Chief: Amy Maclean, 301.354.1760, amaclean@accessintel.com ● Exec Editor: Michael Grebb, 301.354.1790, mgrebb@accessintel.com ● Senior Online Editor: Chad Heiges, 301.354.1828, cheiges@accessintel.com ● Asst VP, Ed Director: Seth Arenstein, 301/354-1782, sarenstein@accessintel.com ● Publisher: Debbie Vodenos, 301.354-1695, dvodenos@accessintel.com ● Assoc Publisher: Amy Abbey, 301.354.1629, aabbey@accessintel.com ● Marketing Dir: Carol Brault, 301.354.1763, cbrault@accessintel.com ● Prod: Joann Fato, 301.354.1681, cdaily@accessintel.com ● Diane Schwartz/VP and Group Publisher ● Subs/Client Services: 301.354.2101, fax 301.309.3847 ● Group Subs: Carol Brault, 301.354.1763, cbrault@accessintel.com

DirecTV will deploy the tech to the nearly 10mln customers expected to have DVRs, with 25 of the top-rated cable networks. -- **AT&T** agreed to purchase from **Qualcomm** for \$1.93bln spectrum licenses in the Lower 700 MHz frequency band that cover more than 300mln Americans—including 70mln in NYC, Boston, Philly, L.A. and San Francisco—and will be used to bolster its 4G mobile broadband initiatives. Qualcomm currently uses the spectrum to support **FLO TV**, which is expected to shutter in Mar. AT&T intends to deploy this spectrum as supplemental downlink, using carrier aggregation tech, and expects to begin deploying it once compatible handsets and network equipment are developed. -- **DirectTV** and **DISH** filed suit in UT against the **UT State Tax Commission** for a code they say imposes a tax on satellite customers in the state but that doesn't apply the same tax to cable subs. The disparate tax treatment, said the DBS ops, boils down to a single geographic factor: "whether the family receives its pay TV programming from a business that uses ground distribution equipment located in the State—and more specifically, in the public rights of way—to transmit its programming signals to subscribers." DirecTV and DISH are seeking a declaratory judgment holding that the code violates United States Constitution, the Equal Protection Clause of the United States Constitution and the uniform operation of laws provision of the Utah Constitution, plus an order providing equitable tax treatment for cable and satellite subs and refunds of taxes paid by satellite subs since Jan '08. -- This spring, **DirectTV** will affix the **ROOT Sports** brand to its 3 RSNs, **FSN NW**, **FSN Pittsburgh** and **FSN Rocky Mountain**. Following the nets' official transition to the brand, all existing team partnerships and programming will remain intact as will the distribution agreements with cable and satellite ops. -- **DISH** and **NagraStar** won a nearly \$152mln judgment in CA court against *Khackik Bagdasaryan* for his role in the development and distribution of pirate software for Pansat-branded satellite TV receivers that were intended to gain unauthorized access to DISH programming.

In the States: **Sprint** and **Clearwire** flipped the switch on 4G services in Denver and Bridgeport, CT. -- **Cablevision** is providing free WiFi access throughout the holidays in 35 NY-area **P.C. Richard & Son** showrooms to allow customers to learn more about its Optimum WiFi service and receive assistance in setting up WiFi-enabled devices.

Comcast/NBCU: In a Mon letter to **FCC** chmn *Julius Genachowski*, *Rep Maxine Waters* (D-CA) urged the Commission, among other things, to ensure that **Comcast** and **NBCU** file their joint recent memoranda of understanding with Asian and African American organizations as official amendments to their merger app. "Many of the proposed conditions appear to be a series of vague goals and nominal gestures—lacking specificity and binding authority on the applicants," said Waters of the MOAs. "Because Comcast-NBC negotiated these diversity pledges as stand-alone agreements, there is no real assurance that the merged entity will honor them." Moreover, Waters would like the FCC and DOJ to consider public interest proposals advanced by the FCC Advisory Cmte on Diversity for Communications in the Digital Age as a framework for substantive and enforceable diversity conditions.

Carriage: Regarding renewal of a distribution deal with **Viacom** covering nets including **MTV**, **Nickelodeon**, **Comedy Central** and **TV Land** and that expires Dec 31, **Suddenlink** said an agreement isn't likely until just prior to the deadline even as talks continue. "In the unusual event those negotiations are unsuccessful and Viacom refuses to allow us to carry some or all of the above-listed channels after December 31, we pledge to reduce customer prices by the cost of the affected channels for whatever length of time they are unavailable," added the MSO in a release.

Advertising: **AETN's** net portfolio licensed **TRA's** ad analytics solution aimed at improving the efficacy of TV advertising by matching second-by-second measurement of TV viewing from set-top box data with purchasing behavior.

Online: **Turner Sports** and the **NCAA** relaunched **NCAA.com** to offer 1-click access to every NCAA sport across all divisions. The BCS national title football game on Jan 7 will be the 1st major championship featured on the site, which manager Turner plans to transition to a year-round destination.

Technology: According to numerous reports, **Google** has asked many CE manufacturers to cancel their planned debuts of tech featuring **Google TV** at the upcoming **CES** show because software refinements are needed. **Sony** and **Logitech** have already launched products based on the platform, the latter a set-top offered by **DISH**. -- **Sezmi** plans to cancel the Select Plus package offered by its Web-based personalized TV service on Dec 28, making unavailable 23 cable nets including **USA**, **TBS** and **Nickelodeon**. The company will continue to

BUSINESS & FINANCE

offer a \$5/month package featuring local channels, on demand movies and shows and YouTube content.

-- **ESPN** launched its **ScoreCenter** app to Internet-connected TVs, with **Samsung** TVs the 1st to receive availability. Accessible through devices including the **iPhone** and **iPad**, the app allows users to view scores, in-game stats and schedules from myriad sports with a touch of a button.

Programming: **E!** kicks off its feature of HBO series "Sex and the City" Jan 3, when the show's complete 6-season run starts with the very 1st ep and continues in chronological order. -- **Starz** original drama "Camelot" will premiere Apr 1.

People: **Retirement Living TV** tapped **Paul FitzPatrick** as pres/COO. -- **Ken Shapiro** and **Larry Gelfand** were named svps, **Turner/SI Digital Ad Sales**.

Business/Finance: **Univision** and **Televisa** completed a deal through which Televisa will invest \$1.2bln and contribute its 50% **TuTV** interest in exchange for a 5% equity stake in Univision and debentures convertible into an additional 30% stake of the broadcaster in the future. Also, Televisa will be the main provider of Univision content through '20, with the option to extend through '25. -- **Ascent Media** acquired security monitoring firm **Monitronics Intl** in a transaction valued at approx \$1.2bln.

CableFAX Daily Stockwatch

Company	12/20 Close	1-Day Ch	Company	12/20 Close	1-Day Ch
BROADCASTERS/DBS/MMDS					
DIRECTV:	39.79	0.53	AVID TECH:	18.27	0.07
DISH:	18.84	0.87	BIGBAND:	2.59	(0.11)
DISNEY:	37.06	0.01	BLNDER TONGUE:	2.03	(0.07)
GE:	17.70	UNCH	BROADCOM:	43.81	(0.01)
NEWS CORP:	16.11	(0.03)	CISCO:	19.62	0.07
MSOS					
CABLEVISION:	34.29	0.07	CLEARWIRE:	5.00	(0.2)
CHARTER:	38.04	(0.63)	COMMSCOPE:	31.22	(0.04)
COMCAST:	21.93	0.51	CONCURRENT:	4.85	0.11
COMCAST SPCL:	20.56	0.50	CONVERGYS:	13.17	(0.04)
GCI:	13.18	(0.19)	CSG SYSTEMS:	18.83	(0.13)
KNOLOGY:	15.56	0.09	ECHOSTAR:	22.55	0.93
LIBERTY CAPITAL:	58.56	(0.55)	GOOGLE:	595.06	4.26
LIBERTY GLOBAL:	35.46	(0.02)	HARMONIC:	8.72	0.46
LIBERTY INT:	15.81	(0.16)	INTEL:	21.23	(0.23)
MEDIACOM:	8.45	(0.02)	JDSU:	14.41	0.03
SHAW COMM:	20.59	(0.14)	LEVEL 3:	0.97	0.03
TIME WARNER CABLE:	65.26	(0.04)	MICROSOFT:	27.81	(0.09)
VIRGIN MEDIA:	26.20	0.09	MOTOROLA:	8.88	UNCH
WASH POST:	432.06	9.06	RENTRAK:	29.72	UNCH
PROGRAMMING					
CBS:	18.92	0.15	SEACHANGE:	8.71	(0.02)
CROWN:	2.70	0.02	SONY:	35.19	(0.2)
DISCOVERY:	42.42	(0.05)	SPRINT NEXTEL:	4.27	0.11
GRUPO TELEvisa:	25.61	0.31	THOMAS & BETTS:	48.56	0.42
HSN:	30.45	0.13	TIVO:	8.58	0.21
INTERACTIVE CORP:	29.74	(0.09)	TOLLGRADE:	8.85	0.12
LIBERTY:	38.80	0.15	UNIVERSAL ELEC:	28.35	(0.65)
LIBERTY STARZ:	66.54	(0.12)	VONAGE:	2.43	0.06
LIONSGATE:	6.72	0.09	YAHOO:	16.28	(0.1)
LODGENET:	3.87	(0.05)	TELCOS		
NEW FRONTIER:	1.75	(0.03)	AT&T:	29.13	(0.08)
OUTDOOR:	7.11	(0.05)	QWEST:	7.62	0.21
PLAYBOY:	5.13	0.09	VERIZON:	34.74	0.10
SCRIPPS INT:	52.06	(0.02)	MARKET INDICES		
TIME WARNER:	31.65	0.14	DOW:	11478.13	(13.78)
VALUEVISION:	4.93	0.18	NASDAQ:	2649.56	6.59
VIACOM:	45.02	0.01	S&P 500:	1247.08	3.17
WWE:	14.30	0.02	TECHNOLOGY		
TECHNOLOGY					
ADVANTAGE:	3.15	(0.03)			
ALCATEL LUCENT:	2.99	(0.01)			
AMDOCS:	26.47	(0.54)			
AMPHENOL:	52.69	(0.46)			
AOL:	23.96	(0.53)			
APPLE:	322.21	1.60			
ARRIS GROUP:	11.02	0.14			

YOU BELONG HERE TOO.



"CTAM provides a community of industry executives who collaborate on projects that help grow the business." **DENISSE GOLDBARG**, Time Warner Cable Business Class

CTAM
CTAM membership grows cable's business and your place in it.
www.ctam.com/membership