

# CableFAX Daily™

Thursday — February 22, 2007

What the Industry Reads First

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## No Joking: Busy Week Forces Cable Positive to Cancel Comedy Affair

You won't get to laugh in front of your CEO's face next month after all. **Cable Positive** has canceled its 1st-ever "Positively Time to Laugh" fundraising event, saying it was having trouble lining up CEO comedians. "There are too many things on the schedule that week. Everyone was so overbooked," said Cable Positive pres/CEO **Steve Villano**. The \$100 ticket CEO Comedy Challenge (to be held the day before Cable Positive's annual dinner on Mar 6) only received firm commitments from **Sundance Channel** pres/CEO **Larry Aidem** and **Rainbow Media** pres **Ed Carroll**. "We're declaring them the last 2 comics standing, and they're the winners," quipped Villano. The cancellation won't impact Cable Positive's fundraising efforts for the week, Villano said, noting that any money the comedy event would have brought in would have been "over and above" the money budgeted for Cable Spring Break week. The AIDS organization's primary fundraising effort, a dinner that this year will honor **Time Warner Cable** and **Glenn Britt**, is moving at "an exceptionally good pace," Villano said. With 2 weeks to go, it has already broke the \$1mln mark and is expected to draw about 1K guests. The dinner marks Cable Positive's 15th anniversary and the first time the event has garnered 8 co-chairs. "There's been such a ground swell of people coming forward," Villano said. The non-profit also has been successful at broadening its base of financial supporters, something Villano called for at last year's dinner. "This dinner... is shaping up to be the pacesetter of all Cable Positive benefit dinners in raising contributions from outside of the industry for our fight against HIV/AIDS," he said. Several law firms and banks have stepped up to the sponsorship plate, with **Paul Weiss Rifkind Wharton & Garrison** on board as a \$50K co-chair sponsor. As for the comedy event, Cable Positive hopes to try it again during a less busy week. -- Contact **Dana Levitt** (dana@cablepositive.org or 212-459-1547) for tix to the Mar 6 dinner.

**Cable Cash:** **Time Warner Cable** approved a \$5.59mln '06 cash bonus for pres/CEO **Glenn Britt**, who last year took in a total of \$9.48mln, according to a Tues **SEC** filing. COO **Landel Hobbs** earned a \$2.13mln bonus (\$3.66mln total), while evp/CFO **John Martin** and sr evp **Robert Marcus** are due \$1.22mln (\$2.28mln and \$2.31mln, respectively). Evp/CTO **Michael LaJoie** notched a \$646K bonus (\$1.54mln).

**Program Access:** As promised, the **FCC** has asked for comments on whether to let the program access rules sunset in Oct. The rules prohibit exclusive contracts for satellite-delivered programming in which cable operators have an ownership stake. Sure, cable would love to see the rules expire and will argue as much. But given the current environment at the FCC, the industry might be happy if the rules just stayed the same. **RCN**, **EchoStar** and others are expected to push for terrestrially delivered programming to be added to the program access rules. However, in approving the **Adelphia** acquisition last year, the FCC said **Comcast** and **Time Warner** couldn't withhold RSN programming from their competitors for 6 years —even if it's delivered terrestrially. Terrestrially delivered **Comcast SportsNet Philly** received an exemption.



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**Monopolized:** Apparently David has little chance against Goliath in the US TV audience measurement market, as **ErinMedia** announced widespread layoffs amid a losing battle against **Nielsen**. The near-knockout blow came when Nielsen announced last week plans for DigitalPlus, a new division focusing on garnering ratings from digital set tops, the company said, trumping the plans it had to launch a similar initiative. When Nielsen acted 1st, a \$25mln funding round from **Spark Capital** was scrapped. Erin said it will now focus primarily on the licensing of its six recently secured patents to research firms interested in analyzing digital set top data.

**At the Portals:** Comments on **Liberty Media's** plan to takeover **News Corp's** 38.4% ownership stake in **DirectTV** are due to the **FCC** on Mar 23. Reply comments are due on Apr 9.

**DSL in ICU:** "DSL is looking increasingly like the sick man of telecom service." That's the conclusion of **Bernstein Research**, which believes that consumer bandwidth demands are already starting to exceed the capabilities of legacy DSL. Case in point: DSL's share of net adds has fallen below 40% for the 1st time in 3 years. Just a year ago, Bernstein notes, DSL was gaining more than half of all net broadband adds. "The good news for all providers is that customers appear willing to pay higher prices for higher speeds," the investment firm said. "The bad news for all providers may turn out to be the capital expenditures required to meet increasing bandwidth demand."

**Franchising:** Missouri joined the video franchise reform party Tues, as the state senate passed a bill granting the state's PSC authority over video licenses. The measure, now headed to the MO House, requires video service providers to provide at least 25% of their services to low income HHs within 3 years, or 30% within 5 years. Those using telecom facilities for video delivery would have 6 years to reach the 30% threshold. The bill also allows municipalities to require video service providers to designate 3 PEG channels.

**In the Courts:** **Forgent Networks** says the US District Court for the Eastern District of TX issued a claims construction ruling in its case against several companies over a DVR patent. That means the court is setting the rules for a trial, which is expected to take place in May. **Comcast**, **EchoStar** and **Time Warner Cable** are among the defendants. The court also denied EchoStar's motion to dismiss the lawsuit.

**Technology:** **Terayon** unveiled 3 apps that allow video service providers to insert real-time programming and advertising into content while remaining within the compressed MPEG domain. -- **Pace** integrated into 2 of its new set tops **C-COR's** on demand platform, which joins similar apps from **Concurrent** and **SeaChange** in integration. -- **Applian Technologies** introduced "Replay Media Catcher," an online video and audio recorder for streaming Flash and MP3 sites. It can record multiple streams simultaneously through a 1-click interface, and saves files on PC hard drives.

**Ratings:** **TNT** (2.2/2.00mln) dunked the prime cable competition with an assist from the **NBA All-Star Game**, the week's top-rated telecast with a 5.1/4.73mln, compared to last year's 5.4/4.70mln. The hoops telecast now ranks as ad-supported cable's top '07 program among adults 18-49 (3.62mln), adults 25-54 (3.28mln) and HHs. **Disney** (2.1/1.92mln) remained in 2nd among the nets, while defending weekly champion **USA** (2.0/1.86mln) slipped to 3rd. **TBS** (1.5/1.40mln) and **Fox News** (1.4/1.31mln) rounded out the top 5. **Brag Book:** The Sun debut of **Fox News' "The Half Hour News Hour"** earned a 1.1, and got 1.4mln total viewers and 442K in the adult 25-54 demo. -- **Court TV's Anna Nicole Smith** case coverage boosted viewership 84%. The first 2 days of coverage, beginning Thurs, delivered 393K total viewers.



# BUSINESS & FINANCE

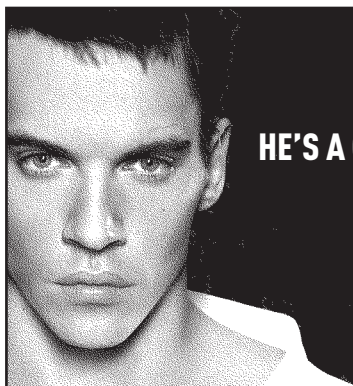
**Programming:** ESPN HD and ESPN2 HD will produce all upcoming coverage of NASCAR, NBA, MLS, MLB, college football, NHRA and NFL telecasts in HD. -- **Magical Elves**, the exec prod of Bravo's "Project Runway" and "Top Chef," is bringing to TV Guide Channel "America's Next Producer," a 10-ep reality competition series in which contestants will vie for \$100K and a first-look deal with the net. -- Beginning Mar 24, **Versus** will air 4 matches from the Major Indoor Soccer League, including semi-final and championship games.

**Honors:** Congratulate GSN's Dena Kaplan, Cox AZ's Suzee Smith-Everhard, Court TV's Lee Tenenbruso and Cox New England's John Wolfe. They are the winners of CTPAA's 4th annual Public Affairs Achievement Award and will be recognized during Forum, Mar 12, DC.

**People:** The Convergys board elected pres/COO David Dougherty to replace chmn/CEO Jim Orr, who retires at the end of '07. -- Turner named Clyde Smith svp, global broadcast technology and standards. -- Rod Birkins becomes svp, global sourcing and design & development, QVC. -- Ellen Futter, pres of the American Museum of Natural History, informed Viacom Wed that she would resign from its board Apr 12. Blythe McGarvie, pres and founder of private consulting firm Leadership for Intl Finance, will replace her. No reason was given for Futter's departure.

## CableFAX Daily Stockwatch

Company	02/21 Close	1-Day Ch	Company	02/21 Close	1-Day Ch
<b>BROADCASTERS/DBS/MMDS</b>					
BROADCOM:	35.47	0.08	AMDOCS:	35.11	0.28
BRITISH SKY:	44.34	(0.18)	AMPHENOL:	67.92	0.00
DIRECTV:	23.40	(0.48)	ARRIS GROUP:	15.26	0.47
DISNEY:	35.14	0.09	AVID TECH:	33.82	0.25
ECHOSTAR:	42.35	(0.82)	BLNDER TONGUE:	2.20	(0.22)
GE:	35.91	(0.2)	BROADCOM:	35.47	0.08
HEARST-ARGYLE:	26.30	0.06	C-COR:	14.60	(0.09)
ION MEDIA:	1.30	0.03	CISCO:	27.38	(0.28)
NEWS CORP:	24.95	(0.15)	COMMSCOPE:	37.25	0.54
TRIBUNE:	30.63	(0.14)	CONCURRENT:	1.48	0.08
<b>MSOS</b>					
CABLEVISION:	29.83	(0.16)	CONVERGYS:	26.99	(0.02)
CHARTER:	3.11	(0.08)	CSG SYSTEMS:	25.63	0.47
COMCAST:	41.69	0.24	GEMSTAR TVG:	4.28	(0.05)
COMCAST SPCL:	41.33	0.39	GOOGLE:	475.86	3.76
GCI:	14.98	(0.16)	HARMONIC:	9.16	0.24
KNOLOGY:	14.71	0.01	JDSU:	16.80	(0.02)
LIBERTY CAPITAL:	105.75	(0.88)	LEVEL 3:	6.67	0.12
LIBERTY GLOBAL:	30.10	0.13	MICROSOFT:	29.35	0.52
LIBERTY INTERACTIVE:	24.24	(0.05)	MOTOROLA:	18.90	(0.27)
MEDIACOM:	7.93	(0.11)	NDS:	49.61	0.69
NTL:	28.22	0.00	NORTEL:	31.25	(0.06)
ROGERS COMM:	34.29	0.43	OPENTV:	2.82	0.00
SHAW COMM:	37.38	0.54	PHILIPS:	39.10	0.31
TELEWEST:	24.20	0.00	RENTRAK:	14.69	(0.15)
TIME WARNER:	21.65	(0.02)	SEACHANGE:	10.77	(0.03)
WASH POST:	791.00	(2.86)	SONY:	52.91	0.37
<b>PROGRAMMING</b>					
CBS:	31.70	(0.25)	SPRINT NEXTEL:	18.97	(0.15)
CROWN:	4.16	(0.02)	THOMAS & BETTS:	53.00	0.50
DISCOVERY:	16.44	(0.14)	TIVO:	6.48	0.07
EW SCRIPPS:	48.96	(0.25)	TOLLGRADE:	12.36	0.24
GRUPO TELEVISA:	29.84	(0.09)	UNIVERSAL ELEC:	22.05	0.09
INTERACTIVE CORP:	40.26	0.18	VONAGE:	5.37	(0.11)
LIBERTY:	8.32	0.06	VYYO:	4.26	0.01
LODGENET:	27.29	0.41	WEBB SYS:	0.05	0.00
NEW FRONTIER:	9.47	(0.02)	WORLDGATE:	1.15	(0.02)
OUTDOOR:	11.98	(0.12)	YAHOO:	31.65	(0.36)
PLAYBOY:	10.60	(0.01)	<b>TELCOS</b>		
UNIVISION:	36.01	0.07	AT&T:	37.21	(0.15)
VALUEVISION:	12.78	(0.06)	QWEST:	8.32	(0.01)
VIACOM:	40.62	0.21	VERIZON:	38.29	0.03
WWE:	16.20	(0.02)	<b>MARKET INDICES</b>		
<b>TECHNOLOGY</b>					
3COM:	4.10	0.12	DOW:	12738.41	(48.23)
ADC:	17.16	0.06	NASDAQ:	2518.42	5.38
ADDVANTAGE:	3.64	(0.06)			
ALCATEL LUCENT:	13.07	(0.07)			



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## Think about that for a minute...

### Priorities

I'm just back from a trip to New Orleans where I spoke to the good folks down at the Louisiana Cable Show. They had a fine turnout, even though we had to suffer through the beginnings of Mardi Gras... an event that from my point of view you can skip! The jazz and the food, however, were as good as ever in a city still reeling from both natural and man-made disasters.

The "natural" part we all know about: Katrina. The man-made part we are all too familiar with as well: government bureaucracy.



**Steve Effros**

But this is a column about some small successes as opposed to the massive failures. It's about getting priorities straight. That job, in my family, is usually handled by my wife, Lucia. She chose to join me down in New Orleans to celebrate her birthday—not by going to the parades

and parties but to volunteer to help an organization made up of young people contributing their time, effort and souls to helping people in the most devastated areas.

Lucia spent her birthday cleaning and cutting up crates of potatoes to help provide food for folks working to rebuild the totally destroyed lower ninth ward. The group, Emergency Communities, was started by young volunteers right after Katrina hit when there were lots of volunteers and painfully little organization for how to help. They figured out their own way, and in essence started food kitchens in, for instance, the location where Katrina made landfall.

There was nothing left there.

In New Orleans, these kids organized food donations, created a temporary eating hall. They eventually expanded it to provide a place to do laundry, eat three

square meals (they feed over 250 people every day) and have some computers and email availability (they're using Cox cable modems). In addition, they now are starting things like a "tool lending library" so that people can get the basic tools they need to rebuild.

The kids running (now two) food kitchens are still there, sleeping in an unheated trailer with outside toilets and no pay. But they are smiling, they are doing great things and they have shown everyone how you can get things done without the bureaucracy, without the overhead, and with a lot of caring and love. It's an awesome example of what can be done when folks get just a little bit in the way of resources and then can do what they do best without anyone getting in their way.

To be sure, there are lots of "big" questions that need to be addressed down there. And government does not, and cannot, work fast. But in the meantime, there are still lots of people who need a smile, a plate of food, a place to sit after working all day and some simple resources to help them rebuild their homes and their lives.

Lucia spent the day at "ground zero" working with wonderful young folks who are doing just that. They just, for instance, got a donation from a cruise ship of 900 used mattresses that they are distributing. I'm pretty sure, even though the cable industry has already donated a lot, there is more (used tools, for instance) that we could send. Check out the list of things they are looking for on their web site: [www.emergencycommunities.org](http://www.emergencycommunities.org), to see what you can do. Check out the "needs" list on the "donate" page. We can assure you from first-hand knowledge, whatever you send will be put to good use. They have their priorities straight.

*Steve*

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