

APR 22 2009

Federal Communications Commission  
Office of the Secretary

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC

In the Matter of	)	
	)	MB Docket No. 08-214
NFL Enterprises LLC,	)	File No. CSR-7876-P
Complainant	)	
	)	
v.	)	
	)	
Comcast Cable Communications, LLC	)	
Defendant	)	

**DIRECT TESTIMONY OF LARRY GERBRANDT**

1. My name is Larry Gerbrandt. I am founder and principal of Media Valuation Partners, a consulting services firm that provides valuation, market research and litigation support to a broad range of public and private enterprises. I have more than 30 years of experience as a media and entertainment analyst and as a research and publishing executive.

2. Throughout my career, I have focused on the economic and strategic implications of the intersection between traditional media and emerging content delivery technologies. I have experience in film and video production, commercial photography, cable TV system operations, and magazine publishing.

3. In 1984, I joined Kagan World Media, a groundbreaking media research organization. As senior analyst and senior vice president of Kagan's entertainment division, I oversaw more than two dozen of its newsletters and databooks and led its valuation practice.

4. In 2000, after Kagan's sale to Primedia, I became its Chief Operating Officer and led its integration into Primedia's MediaCentral division. Upon Kagan's subsequent sale to MCG Capital, I joined AlixPartners to lead its entertainment consulting and litigation support practice.

5. In 2005, I was recruited by The Nielsen Company to become Senior Vice President and General Manager of Nielsen Analytics where I focused on emerging media technology economics and conducted primary research on consumer adoption of new media platforms.

6. I have been widely quoted as an expert on trends and economics in the media and entertainment industries and have served as the moderator of more than 200 Kagan and industry panels and conferences. I have served as an expert witness in federal and state courts, offering extensive written and oral testimony on topics including the relative value of sports programming, issues related to leased access and a la carte tiering, the economics of basic cable programming, standards and practices in the cable programming industry, the value of basic cable network assets, the proper classification of a regional cable programming channel and extensive testimony as to the valuation of motion picture and television programming assets.

7. In addition, I and persons working under my direction have conducted research from publicly available sources, including the SNL Kagan Data Services, industry trade publications, and Tribune Media Services.

### **Summary of Conclusions**

8. Comcast's decision to place the NFL Network ("NFLN") on a sports tier is an appropriate and reasonable business decision. Comcast's sound business justifications include, in particular, the NFLN's excessive price and the network's limited, seasonal audience appeal. Indeed, a sports tier – which a subscriber can sign up for and cancel at will – is extremely well-suited for the NFLN's expensive, seasonal programming. From the perspective of standard television industry practices, distribution of the NFLN on a sports tier is a valid and justified action, completely independent of Comcast's relationship with or ownership of any other network or entity.

9. The NFLN is an extremely expensive network relative to other cable networks, with a price approximately three times higher than most cable networks. The NFLN's content does not justify its high price. The NFLN's price includes a \$6.60 per subscriber annual surcharge for only eight live regular-season games.

10. The NFLN delivers an extremely limited amount of high-value content – only eight live regular-season games per year – for a total of approximately 24 hours of high-value content.

11. Exclusivity of content is very valuable in the cable industry. Therefore, high license fees for television networks are historically understood to include corresponding degrees of exclusivity. If high-value content paid for by subscribers and MVPDs is made available elsewhere at little or no cost, those options severely undermine the value of the content. The NFLN repeatedly violates this core principal of exclusivity, making its content available at little or no cost on the internet, on broadcast television, and to mobile phone customers.

12. Contrary to the NFL's assertions, there is no direct connection between ratings and the license fees cable operators are willing to pay for a cable network. As both the president of Comcast Cable and the president of Comcast's Programming Group have explained, ratings alone do not determine license fees or carriage decisions. To the extent ratings are a factor in a distributor's evaluation of a network, it is a few specific

components of ratings, and not simple ratings, that matter. Regardless, the NFLN, at the license fee it is currently demanding, is the most expensive network relative to its ratings in the entire industry – by a wide margin. (Table 3)

13. The NFLN's offering of eight Thursday/Saturday regular-season NFL games (the "Thursday/Saturday Games") pales in comparison to the live NFL games offered by other providers. Despite the network's name (which suggests that it is a leading source of NFL games), the NFLN offers roughly 3% of live regular-season NFL games. In contrast, CBS and Fox each broadcast approximately 40% of live regular-season NFL games, and DIRECTV's Sunday Ticket out-of-market package includes 80% of live regular-season NFL games.

14. Less than 1% of all of the NFLN's programming schedule is devoted to live game coverage (including high school, college, NFL Europe, NFL preseason and NFL regular-season games) and only 0.15% (fifteen hundredths of one percent) of its programming hours are devoted to live telecasts of its namesake NFL regular-season games (Table 4).

15. DIRECTV has long enjoyed a special and preferred relationship with the NFL, as often referenced in its marketing campaigns and public statements.<sup>1</sup> The NFL's grant of exclusive rights for the majority (approximately 80%) of its live regular-season games to DIRECTV via the Sunday Ticket package has markedly *decreased* the value of NFLN's programming to other carriers by increasing the likelihood that dedicated NFL fans already have abandoned Comcast for DIRECTV. A Comcast subscriber who receives NFLN is still not able to watch the out-of-market live national games that are exclusively available on DIRECTV. Comcast's ability to attract avid NFL viewers through broader distribution of the NFLN is extremely limited because DIRECTV also offers the NFLN, plus DIRECTV is the exclusive source of the programming of greatest interest to many NFL fans, Sunday Ticket. Because Sunday Ticket and NFLN are bundled together in one package, the distribution by DIRECTV of NFLN is not evidence of NFLN's standalone value. DIRECTV's relationship with the NFL and exclusive rights to Sunday Ticket give DIRECTV entirely different considerations from Comcast in its carriage decision with respect to the NFLN.

16. The non-exclusivity of the NFLN's content is yet another reason that the NFLN's price is not justified. The Thursday/Saturday Games – for which the NFL collects a \$6.60 annual per-subscriber surcharge – can be seen for free via over-the-air television by viewers in the home markets of the competing teams. This reduces the value to Comcast of the NFLN's offering of the Thursday/Saturday Games because the fans who are most interested in the games – those in the teams' home markets – can see the games for free regardless of whether they are NFLN subscribers. Further, a team's

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<sup>1</sup> See, e.g., Comcast Ex. 93 ("Derek Chang said that having Sunday Ticket on its roster is integral to DirecTV... 'It's something that's part and parcel of our brand,' said DirecTV's executive vice president, content strategy and development of the pay-per-view package the satellite leader has held exclusively since 1994.")

out-of-market viewers cannot rely on the NFLN's package of regular-season games – which comprises only eight games – to follow that team's season. In addition, the NFL set a precedent for simulcasting an unusually popular game on free broadcast television when it simulcast the December 29, 2007 Patriots-Giants game nationwide on CBS and NBC. This precedent further decreased the value of the NFLN to distributors, and indeed prompted DISH Network to reduce its distribution of the NFLN significantly.

17. Comcast's assessment of the NFLN is a sound and logical business decision. This decision is consistent with the independent conclusions of the majority of the top MVPDs, who choose not to carry the NFLN. In fact, Charter, an MVPD controlled by NFL team owner Paul Allen, who would clearly be interested in the NFLN succeeding, does not carry the NFLN. In addition, another of the three largest MVPDs, DISH Network, has been sued by the NFL because it reduced its distribution of the NFLN. Major MVPDs not carrying the NFLN at all include Time Warner Cable, Charter Communications, Cablevision, Suddenlink Communications and Mediacom Communications.

18. The NFLN is not "similarly situated" to either Versus or the Golf Channel. In fact, the opposite is true, as the price of the NFLN is multiples of that for Versus or the Golf Channel. Further, the NFLN is not similar to Versus and the Golf Channel in terms of a number of factors relevant to its value to distributors, advertisers and consumers, including programming and pricing.

19. Quantitative analysis shows that each network has distinctly different programming with virtually no overlap in programming categories. Qualitative analysis reveals another fundamental dissimilarity: the NFLN focuses on a single spectator sport, NFL football whereas Versus, which covers multiple sports, and the Golf Channel have greater focus on participatory sports and leisure activities and feature programming that includes instruction, lifestyle, and equipment.

20. Comcast's distribution of the NFLN does not unreasonably restrain the network's ability to compete fairly. The NFL's claim that a cable network needs to have 50-60 million subscribers before it can attract national advertisers is belied by the experience of numerous cable networks that reached a breakeven point, including through national advertising support and lower affiliate license fees, at much lower distribution levels (Table 5).

[REDACTED]

21. Comcast's decision to place the NFLN on a sports tier did not, and cannot, harm advertisers. Advertisers purchase availabilities from a tremendous variety of content providers, who compete vigorously for advertising revenues. There are many dozens of platforms, across all major media types, and including every major broadcast network, on which advertisers can market to NFL viewers. The NFLN is merely one

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2 [REDACTED]

recent entrant in already crowded field of competitors. Furthermore, advertising inventory almost always outweighs demand. Comcast's distribution of the NFLN does not affect the level of overall competition among advertisers. It is a well-known advertising principle that demographics play a disproportionate role in determining which networks are included in media buying plans. Advertisers will favor those networks with viewing audiences with a greater proportion of viewers in their demographic target. Advertisers looking to buy time on networks with certain demographics have many networks to choose from.

22. The development of the NFLN can be seen largely as the creation of a negotiation tool by the NFL, rather than a market-driven enterprise. The existence of a network division of the NFL can be seen as a vehicle by which the NFL competes with and gains leverage over its business partners negotiations: without the NFLN, game packages can only be fairly assessed by their value to the highest willing network or MVPD bidder. With the NFLN, the NFL can elect to reject any or all offers, countering that it will keep the games for its own network. This practice of undercutting its partners is symptomatic of the NFL's approach to business relationships, especially with MVPDs.

23. The NFLN's affiliation with the NFL gives it significant advantages over any competing network, including preferential access to game rights. [REDACTED]

**There are clear and rational business reasons justifying Comcast's placement of NFLN on the sports tier.**

24. The difference in Comcast's distribution of the NFLN compared to Versus and the Golf Channel is justified by legitimate and well-founded business concerns. There are sound business and customer concerns, unrelated to Comcast's affiliation with Versus or the Golf Channel, that support Comcast's tier placement decision.<sup>4</sup>

25. It is important that distributors have the flexibility to distribute high-priced niche programming content on premium tiers. Distribution on a premium sports tier, which a consumer can subscribe to and cancel at will, is an especially appropriate response to the narrow and highly seasonal appeal of the high-priced NFLN. Notably, Time Warner Cable, Charter, Cox and other distributors share Comcast's judgment that the NFLN does not warrant broad distribution.

- The NFLN's price is excessive

26. Relative to the price of other cable networks, the price set by the NFL for NFLN is unreasonably high. Table 3, which lists the prices charged by 109 cable

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networks, demonstrates the comparatively high price of the NFLN.<sup>5</sup> Moreover, the NFL is seeking, inappropriately, to increase the price per game by imposing a surcharge on all of Comcast's approximately [REDACTED] million expanded basic subscribers.<sup>6</sup>

27. The NFLN's excessive price is largely a result of the NFL's decision to place the games on NFLN. The economic value of the NFLN's eight Thursday/Saturday Games is greatest on a broadcast network. Within the television industry, NFLN's price is often seen as an example of hubris or misjudgment because the NFL removed NFL games from the free-to-consumer broadcast networks, which are inherently more capable of monetizing them. The NFLN attempts to recoup revenue by forcing consumers to absorb fees via a mandatory charge for its programming-thin network.<sup>7</sup>

28. **Table 6** lists the fees that the NFL's broadcast partners paid for NFL rights during the 2004 NFL negotiations. Should the NFL wish to unlock the economic value of the Thursday/Saturday Games, it could do so appropriately—by licensing these games to one of the many broadcast or cable networks willing to pay for them—rather than forcing cable customers to pay for the NFL's mistakes.

- **Comcast has legitimate concerns about the excessive cost of the NFLN at present and in the future.**

29. Affiliate license fees are the single largest expense category for MVPDs. Cable and satellite operators ultimately must pass on increases in license fees to their subscribers. Cable executives have noted with growing alarm the extraordinary increases in license fees for some networks.

30. Comcast is appropriately concerned about the potential for future increases in the NFLN's already excessive price, especially given the precedent of the enormous price increases levied by ESPN in the past ten years, due in part to major NFL price increases.<sup>8</sup>

- **There is no historical precedent for linking carriage decisions or license fees to ratings performance.**

31. *Overview.* The NFLN's economics expert, Dr. Hal Singer, suggests that a program network's "popularity," as measured by Nielsen ratings, is an appropriate basis for the determination of license fees and carriage tier.<sup>9</sup> There is little, if any, relationship

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<sup>5</sup> To place the NFLN's 55 cent per subscriber per month surcharge into perspective, the recent Viacom/Time Warner Cable dispute was fought over 23 cents divided over 9 networks, including Nickelodeon, the #1 most widely-watched cable network, MTV, Comedy Central and VH-1.

<sup>6</sup> [REDACTED]

<sup>8</sup> [REDACTED]

<sup>9</sup> Comcast Ex. 85 ¶¶ 24-26.

between an MVPD's carriage decisions and ratings alone. The relationship between ratings and license fees is not direct and ratings are part of a complex series of factors.<sup>10</sup>

32. For each broadcast and cable network, Nielsen ratings represent the percentage of viewing households among the total number of television households to which the network is available. For instance, if a network with a universe of 40 million TV households airs a program that receives a 2.0 Nielsen rating it means it had an estimated average audience of 800,000 viewing households ( $40,000,000 \times 2\% = 800,000$ ) for the duration of the show. This universe of viewing households can then be broken down into its various demographic components based on age and gender. Ratings can also be calculated for longer periods of time, such as a day, a week or a year. In that case it represents the average percentage of viewing households in the network's universe watching the network over that time frame.

33. To the extent that ratings are one of many factors that MVPDs weigh in valuing networks, it is the various components of ratings, and not the ratings alone, that matter.<sup>11</sup> Other factors, such as the ability of a network to help MVPDs retain subscribers, or a channel's effective targeting of an underserved demographic via its programming, are far more important than simple ratings. Were Dr. Singer's assertions correct, higher ratings would result in higher license fees, which is clearly not the case.<sup>12</sup>

34. *Procedure.* It is possible to compare the license fees per subscriber per month and the ratings for each of the major basic cable networks to see if there is a connection between the two variables. Average 24-hour ratings and average license fee per subscriber per month data for 76 networks for 2007 was assembled from SNL Kagan's Economics of Basic Cable Networks 2008 (Table 2 and Table 3 respectively). Even a casual review will show no consistent relationship between license fees and ratings. As a further test a simple ratio was calculated, dividing the average license fee per subscriber per month by the average 24-hour rating for each network.

35. *Findings.* If there were a consistent relationship between license fees and ratings this license fee/rating point ratio would be relatively equal across the industry. Instead, just the opposite pattern emerges, with relatively highly-rated networks such as Galavision (\$.02 license fee/rating point) and Hallmark (\$.04 license fee/rating point) receiving low fees. The highest rated cable network, Nickelodeon, with a 1.54 24-hour rating in 2007 had a license fee of \$.43 per subscriber per month, for a ratio of \$.28 per rating point (\$.43 divided by 1.54). At the other end of the extreme is the NFL Network,

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<sup>10</sup> [REDACTED]

Comcast Ex. 98 at 28:2-5 ("to not only look at ratings which are a factor but they have to look at all these different elements that go into the ratings and the composition of the ratings").

<sup>12</sup> In addition, there is reason to question the validity of the Nielsen ratings for the NFLN that Dr. Singer cites. Nielsen has twice overestimated NFLN ratings, and that Nielsen has publicly acknowledged this. See Comcast Ex. 100; Comcast Ex. 101.

with a license fee of █████ sub/month (according to SNL Kagan) and an average rating of .15, its fee/rating point ratio is \$5.33. If Nickelodeon were to be priced using NFLN's ratio, it would command a license fee of █████. Instead, Nickelodeon's monthly license fee in 2007 was \$.43 per subscriber per month.

36. *Conclusion.* A quantitative comparison of network ratings and license fees shows no consistent linkage between these two variables. When negotiating carriage agreements with cable networks, MVPDs give much greater weight to other factors than they do to ratings performance. In recent years many of the networks launched by MVPDs have targeted specific underserved demographics, such as Spanish-language networks, gay/lesbian-targeted networks, African-American-oriented channels and those channels oriented to enthusiast categories. A cable operator has limited means of monetizing the ratings success of the networks it carries.<sup>13</sup> Instead, given the relative maturity of the multi-channel marketplace, large incumbent MVPDs must seek programming to market to underserved audiences. The NFL Network does *not* fit into this category, and NFL related programming is widely available on many other cable network and broadcast television channels.

37. Furthermore, the NFL has chosen to forge a unique relationship with DIRECTV, and cable operators are keenly aware that a disproportionate share of the most ardent fans of the NFL are already DIRECTV subscribers. Adding the NFLN, especially at a premium license fee and with only a two-month window of live regular-season games, to basic/expanded basic channel lineups does not provide a cable operator such as Comcast with a compelling offering to drive incremental subscriber gains. Nor does it provide Comcast with a compelling retention tool, including because of the limited time of its live-game time window. The live, regular-season NFL games on NFLN represent just .15% of all NFLN programming minutes. Even all of NFLN's live game programming (including high school, college, NFL Europe and NFL preseason games) accounts for less than 1% (.8%) of its programming schedule (Table 4). In contrast, Versus had nearly six times more live game/event programming (4.76%) and the Golf Channel had twelve times the proportion of live game/event programming (9.61%) according to TMS data (Table 4).

- **The NFLN's eight Thursday/Saturday Games offering pales in comparison to the live NFL games offered by other providers.**

38. NFLN offers significantly less valuable content than expected of a network with such a high price tag and does not offer, on a cost basis, sufficient value to the broader Comcast subscriber base to justify inclusion on a broadly penetrated tier.

39. NFLN carries approximately 3% of the live regular-season games of its namesake sport. Although all of the games in the NFLN's game package occur during only two months of the year, the NFL seeks to charge the majority of MVPD customers its exorbitant rates for 12 months a year of service. The low volume and extreme

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<sup>13</sup> The sale of local ad availabilities in basic cable networks represents a small percentage of all cable operator revenues.

seasonality of live sports programming are major reasons for the NFLN's challenges with MVPDs.<sup>14</sup>

40. The NFL currently licenses its live game content to CBS, FOX, NBC, ESPN and DIRECTV. **Table 7** details the 2008 NFL Broadcast Rights for each of those entities. Three of these rights holders are major networks that are available in substantially all of the television households in the U.S. The fourth, ESPN, is by far the most widely distributed, popular and successful sports network in the U.S. The fifth, DIRECTV, is the exclusive recipient of arguably the NFL's most valuable rights package, Sunday Ticket. All six of these providers are rightly viewed as competitors to the NFLN for the viewing time of football fans.

41. The comparison made by Dr. Hal Singer, the NFL's expert witness, of the programming of ESPN and NBC on the one hand, and that of NFLN on the other hand, is contrary to the realities of the television business. Major networks are in a "24/7/365" business, with economic success or failure dependent on year-round performance and the aggregate success of thousands of unique television programs. Success in television is not a five- or six-week sprint but a year-long marathon. This is in contrast to the NFLN's programming strategy of providing a five or six week run of approximately 24 hours of total game content, which is far too little original content to be compared to major networks and *less than half* the volume of NFL live game content of either NBC or ESPN (both of which also air compelling programming year-round).

42. The NFLN's offering of eight Thursday/Saturday Games is clearly inferior to the games aired by CBS and FOX. Each of these networks has rights to approximately 110 games or roughly 40% of regular-season NFL games each.

43. The NFLN's eight Thursday/Saturday Games offering also is drastically inferior to the Sunday Ticket package that the NFL has licensed exclusively to DIRECTV. The Sunday Ticket package includes live national coverage of 80% of NFL regular-season games – compared to the 3% of NFL regular-season games accounted for by the Thursday/Saturday Games.

44. The NFLN's offering of eight Thursday/Saturday Games is also inferior to the games carried by ESPN, the most popular sports network on cable, and NBC, a major broadcast network, each of which has rights to 17 games per season.

45. NFLN is unique in the business of television for lagging behind the five other providers in offering the very content—live NFL football games—that its name implies.

46. In addition to television providers including CBS, FOX, NBC, ESPN, DIRECTV and NFLN, NFL programming is also available on Showtime, ESPN2, ESPN Classic, dozens of local market programs dedicated to the sport on television, such as *Patriots Football Network* on WCVB TV Boston,<sup>15</sup> *Bears Gameday Live* on FOX

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<sup>14</sup> See, e.g., Comcast Ex. 97 at 351:23-352:4.

<sup>15</sup> See Comcast Ex. 102.

Chicago,<sup>16</sup> *San Francisco 49ers Television Network* on CBS 5,<sup>17</sup> *Baltimore Ravens TV* on WBAL TV,<sup>18</sup> *Cleveland Browns' Pregame Huddle* and *The Point After* on WKYC,<sup>19</sup> and on radio at Westwood One Radio Network, Sports USA Radio Network and Sirius NFL Radio.

- **The NFL's most dedicated audience subscribes to DIRECTV, and therefore Comcast is unlikely to attract significant numbers of additional subscribers through broader distribution of the NFLN.**

47. DIRECTV is America's third-largest MVPD, and is a stalwart partner of the NFL in a variety of NFL exclusives, including Sunday Ticket, Game Mix, Red Zone and Short Cuts services.<sup>20</sup> DIRECTV has the exclusive out-of-market rights to 80% of NFL live games and rights to a variety of other DIRECTV-only content. DIRECTV's Sunday Ticket Super Fan services compound the enormous competitive advantage of DIRECTV to NFL fans. Because DIRECTV's out-of-market package is so competitive, DIRECTV is able to charge hundreds of dollars a season for Sunday Ticket on top of the basic service charges to subscribers.<sup>21</sup>

48. The NFL's grant of exclusive national live rights for 80% of NFL live games to DIRECTV has markedly decreased Comcast's and all other MVPD's attractiveness to dedicated national NFL fans, and has greatly increased the likelihood that dedicated NFL fans already have abandoned Comcast for DIRECTV. Sunday Ticket offers approximately 215 live NFL games (80% of NFL regular-season games), as opposed to the 8 games offered by the NFLN (approximately 3% of NFL regular-season games), making DIRECTV the clear choice for avid NFL fans.

49. Furthermore, because DIRECTV carries the NFLN, it is highly unlikely that Comcast could attract those NFL fans by distributing the NFLN more broadly. A Comcast subscriber who receives NFLN would still not be able to watch the out-of-market live national games that are exclusively available on DIRECTV. A fan of a particular out-of-market team who is interested in following that team's entire season has a small chance that the Thursday/Saturday Games would include the team's games more than once per year. A fan who desires to watch out-of-market games of a particular team is likely to subscribe to DIRECTV.

50. These actions on the part of the NFL reduce the number of dedicated NFL fans, the core audience of the NFLN, who choose Comcast or other MVPDs rather than NFL-dominant DIRECTV. The NFL's "Switch" campaign at [IWantMyNFLNetwork.com](http://IWantMyNFLNetwork.com), at which the NFL encourages fans to switch to DIRECTV

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<sup>16</sup> See Comcast Ex. 103.

<sup>17</sup> See Comcast Ex. 104.

<sup>18</sup> See Comcast Ex. 105.

<sup>19</sup> See Comcast Ex. 106.

<sup>20</sup> Comcast Ex. 107.

<sup>21</sup> See Comcast Ex. 108 ("Get a head start on the NFL season by ordering NFL SUNDAY TICKET with your DIRECTV base package for just 5 payments of \$55.99").

from other MVPDs, likely contributed to that effect and continues to do so.<sup>22</sup>

51. Thus, based on the NFL’s grant of exclusive rights, DIRECTV’s subscriber rolls are likely to contain a concentrated population of dedicated NFL fans relative to all other U.S. MVPDs. The small group of Comcast viewers who want to view the few NFL games on the NFLN outside the teams’ home markets, but who do not follow a particular team’s whole season, are able to do so by subscribing to Comcast’s sports tier. Similarly, while it does not make sense for Comcast to distribute NFLN more broadly, it *does* make sense for DIRECTV to carry the NFLN on its basic tier because DIRECTV’s subscribers likely contain a disproportionately large percentage of NFL fans who value out-of-market programming. In fact, as noted elsewhere, DIRECTV considers the NFL Sunday Ticket “part and parcel of our brand.”<sup>23</sup> Other MVPDs’ ability to attract DIRECTV subscribers through distribution of the NFLN is virtually non-existent because DIRECTV also offers the NFLN plus its exclusive Sunday Ticket.

- **The NFLN’s programming demonstrates a remarkable lack of programming exclusivity, which significantly decreases its value to Comcast.**

52. One of the core principles of creating maximum value for a programming asset is exclusivity. It is standard practice in the television industry to grant exclusive content rights to a single network at a time. These exclusive rights may range from specific windows, such as specific time periods, to blanket exclusivity that excludes carriage of the program on any network or channel other than that of the licensor. Moreover, when high-priced cable networks are licensed to distributors, it is standard practice not to make the network’s leading content available to the distributors’ subscribers through other media. The greater the level of exclusivity, the higher the value of the programming to buyers. As elsewhere, observing this standard practice has been the norm at the NFL— until recently:

[REDACTED]

53. The NFLN is eroding its value by a steady progression of deals that make the Thursday/Saturday Games – its centerpiece programming – available to an ever widening audience for free, a practice unprecedented in the annals of cable programming. The diminished exclusivity of the NFLN’s content described below is yet another reason that

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<sup>22</sup> [REDACTED]

Comcast Ex. 93.

<sup>24</sup> [REDACTED]

the NFLN's price is not justified.<sup>25</sup>

54. First, the Thursday/Saturday Games – for which the NFL collects a \$6.60 annual surcharge – can be seen for free by viewers in the home markets of the teams who do not subscribe to the NFLN via over-the-air television. As the NFL acknowledges, it has a “long-standing policy of providing fans with access to their local teams’ games through free over-the-air broadcasters.”<sup>26</sup> This policy reduces the value to Comcast of the NFLN’s offering of the Thursday/Saturday games, because many of the fans who are usually the most interested in the games – those in the teams’ home markets – can see them for free regardless of whether they are NFLN subscribers. (Further, as previously discussed, a team’s out-of-market viewers cannot rely on the NFLN – which shows only eight regular-season games – to follow that team’s season, and would need to subscribe to DIRECTV’s Sunday Ticket to follow the team from outside its home market.)

55. In addition, certain Verizon and Sprint customers now have free access to the Thursday/Saturday games. As of October 30, 2008, the eight Thursday/Saturday Games were made available free of charge to Sprint data customers via the NFL Mobile Live application on Sprint TV.<sup>27</sup> On November 6, 2008, Verizon Broadband announced that any customer who subscribes to Verizon’s FiOS Internet or High Speed Internet service would be able to watch the full package of Thursday/Saturday Games. As an added bonus, through NFL Game Extra, Verizon Broadband subscribers would be able to select multiple camera angles to view action during the game.<sup>28</sup>

56. Furthermore, the NFLN airs portions of the Thursday/Saturday Games at no charge to all viewers on NFL.com, simultaneous to the broadcast of these games on the NFL Network. Given the NFL’s stated desire to increase the distribution of its content on new platforms,<sup>29</sup> it is reasonable to fear that the NFLN will continue to increase the amount of NFLN content available for free on NFL.com and elsewhere, further eroding the value of NFLN to MVPDs.

57. The NFL has also set a precedent of free simulcast on broadcast television when particularly popular matchups are featured in the Thursday-Saturday games. When the December 29, 2007 Patriots-Giants game garnered unusually large fan interest

<sup>25</sup>

Comcast Ex. 19 ¶ 72.

<sup>27</sup> See Comcast Ex. 110.

<sup>28</sup> I am a Verizon High Speed Internet service subscriber and I watched substantial portions of the New Orleans Saints-Chicago Bears game on December 11, 2008 using my Verizon DSL connection. These games were offered for free from the NFL.com web site. Comcast Ex. 111.

<sup>29</sup> See, for example, Comcast Ex. 112 (“NFL Media is now readily accessible anytime they want it, anywhere they want it on any screen they choose,” said Ron Furman, senior vice president of marketing and sales for NFL Media”).

because the Patriot's undefeated streak going into the game, the NFL simulcast the game nationwide on CBS and NBC. Because of that precedent, neither Comcast nor any other MVPD can count on particularly popular games not being simulcast for free on broadcast television throughout Comcast's coverage area.

58. In sum, the non-exclusivity of the NFLN's Thursday/Saturday Games reduces the value of the NFLN to cable companies like Comcast. As a result, business partners of the NFLN do not receive the content exclusivity and good faith protection that are standard in the TV business.

59. In addition to the Thursday/Saturday Games, other NFLN content is not exclusive to NFLN. NFL Films, a wholly-owned division of the National Football League, is a core provider of content for NFLN and is widely known as the principal source, and in most cases the exclusive source, of NFL game and behind-the-scenes footage. NFL Films aggressively licenses its content to channels and networks other than the NFLN.

60. According to NFL Films' web site, NFL Films content airs regularly on HBO (the *Hard Knocks* series) and on ESPN and ESPN2 (two series entitled *NFL Films Presents* and *State Farm – NFL Matchup*).<sup>30</sup> The wide availability of NFL Films content, drawn from the same library as the series on NFLN, further emphasizes the NFL's lack of justification for the premium license fee for its program lineup.

- **Comcast's assessment of the NFLN is consistent with the independent conclusions of six out of ten of the largest other cable companies.**

61. Excluding Comcast, six of the ten largest MVPDs do not carry the NFL Network at all.<sup>31</sup> Major MVPDs not carrying the NFLN include Time Warner Cable, Charter Communications, Cablevision, Suddenlink Communications and Mediacom Communications – effectively every major cable company in the US save Comcast and Cox Communications.

62. MVPD Bright House Networks explains the position of most large cable companies on its website:

The NFL Network appeals to only a small segment of our customers on a year-round basis and it is currently priced high. We believe that the most appropriate place for this network is on a sports tier. Carriage in this manner permits customers who want to watch it to do so, but those who do not, won't be forced to bear the costs associated with the network. The NFL, however, is still insisting that carriage be on a broadly based tier, which would result in customers that are not interested in the network

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<sup>30</sup> Comcast Ex. 113.

<sup>31</sup> Comcast Ex. 114 (reporting that Time Warner spokesman "said the company would prefer to carry the network as part of a premium service"); Comcast Ex. 115.

bearing the cost of delivering it to the relatively few who want to watch the programming on a year-round basis.<sup>32</sup>

63. In February 2008, the NFLN filed suit against satellite MVPD DISH Network, after Dish moved NFLN from its Top 100 Package to its Top 200 package.<sup>33</sup> Thus, the only major distributor placing the NFLN on a basic tier is DIRECTV. As explained above, DIRECTV's subscribers consist of a vastly disproportionate number of NFL fans interested in out-of-market games, giving DIRECTV a different customer base than that of other MVPDs. Moreover, the NFL's decision to offer such a vast majority of its high-value content to DIRECTV has greatly damaged Comcast's value to sports fans relative to DIRECTV, its primary competitor.

**The NFLN is not "similarly situated" to either Versus or the Golf Channel.**

64. The NFL's argument that NFLN is similarly situated to Versus and the Golf Channel contradicts widely understood business realities. From the perspective of the television industry, basic cable networks are similarly situated when, among other factors, they offer a similar programming mix, charge similar license fees and otherwise offer similar value propositions.

65. NFLN is not similarly situated to either Versus or the Golf Channel because there are tremendous disparities in the programming lineup mix, license fee and overall value proposition of the NFLN relative to either Versus or Golf.

- **The NFLN programming mix is dissimilar to the programming mix of both Versus and the Golf Channel.**

66. *Overview.* Quantitative analysis of the programming mix of the three networks—NFLN, Versus, and the Golf Channel—using data from program guide data provider Tribune Media Services (TMS)<sup>34</sup> shows that each network has distinctly different programming with virtually no overlap in programming categories.

67. *Procedure.* Every network can be analyzed in terms of its programming mix. TMS is the leading supplier of television program guide data for cable, satellite and DVR set top boxes. TMS also syndicates television program schedules to dozens of major newspapers across the U.S. TMS maintains a database of historic program listings that can be licensed for forensic analysis. In this instance, NFLN, Versus and the Golf Channel were compared using TMS program lineup data.

68. I analyzed TMS programming data for NFLN, the Golf Channel, and Versus for the time period June 1, 2007 to May 31, 2008.<sup>35</sup> The data is coded on a

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<sup>32</sup> See Comcast Ex. 116.

<sup>33</sup> See, for example, Comcast Ex. 117.

<sup>34</sup> See Comcast Ex. 118.

<sup>35</sup> I focused on this time period because it was after the September 2006 rebranding of the Outdoor Life Network as Versus. I also reviewed TMS data for a longer period from

chronological, program-by-program basis, with 32 standard fields of descriptors. Among the fields assigned and tracked by TMS are program length (in minutes) and program category.<sup>36</sup>

69. By analyzing the number of programming minutes aired by a network in each program category, it is possible to develop a “program mix” profile that acts as a unique fingerprint for each network, and which can be compared across multiple networks.

70. **Table 1** compares the program mixes of Versus, NFLN and the Golf Channel for the June 1, 2007 to May 31, 2008.<sup>37</sup>

71. *Findings.* The program mixes of the three networks bear no resemblance to one another.

72. Comparing Versus’ programming to the NFLN’s programming reveals almost no overlap:

- Versus, the NFLN and the Golf Channel aired content in an aggregate of 52 TMS program categories during June 1, 2007 to May 31, 2008.
- Versus aired content on 42 of these 52 categories. Of these 42 program categories, the NFLN aired content in only 2 of Versus’ 42 categories.<sup>38</sup>
- In the two overlap categories, Versus carried 5,640 minutes of College Football programming and another 2,880 minutes of General Football programming. However, this represents only 1.62% of Versus’ total programming minutes during June 1, 2007 to May 31, 2008.

73. Similarly, comparing the Golf Channel’s programming to the NFLN’s programming reveals almost no overlap:

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August 1, 2004 through May 31, 2008, and that review showed even greater dissimilarities between the programming mix of NFLN and Versus.

<sup>36</sup> Whenever possible, the TMS program category description was used. There were instances when the category description was missing; in those cases the entire database was examined to determine the closest or most accurate substitute. I also determined there were a few instances where TMS had miscategorized a program or had designated the same series with two or more categories; in those cases the closest or most accurate category was used for all the episodes in the series. Also, TMS policy is to code movies by their genres (drama, comedy, romance, etc.). For the purposes of simplicity, all movies carried by any of the three channels were categorized as “movies.”

<sup>37</sup> Versus’ programming mix has been evolving, shedding several dozen program categories in the period prior to June 1, 2007. I therefore believe that the fairest and most accurate comparison is the latest 12 months of TMS data.

<sup>38</sup> Both NFLN and Versus contained a small amount of programming that was not identified by TMS or for which no program category could be ascertained. This programming was labeled “Unknown;” however, “Unknown” was not considered to be one of the discrete program categories for either network.

- The Golf Channel aired content in 5 of the 52 categories during June 1, 2007 to May 31, 2008.
- Of these 5 program categories, the NFLN aired content in only 1 of the Golf Channel's categories.
- The category in common was the "Golf" program category, which applied to 317,790 minutes of the Golf Channel's programming and 60% of its total programming. The NFLN carried a miniscule amount of programming in the "Golf" program category: a total of 360 minutes. These 360 minutes represent .07% of the NFLN's programming during June 1, 2007 to May 31, 2008. The overlap between the Golf Channel and NFLN is less than one tenth of one percent.

74. Not only are the programming mixes on the three networks very different, the fundamental nature of the programming is different as well. NFLN focuses on a single spectator sport, NFL football, and the NFLN's programming is not addressed to participation in NFL football by viewers. Instead, NFLN programming focuses on NFL games, NFL players, NFL cheerleaders and the history of the NFL. NFLN programming is highly specialized, including programs such as *GameDay Morning*, *GameDay Highlights*, *GameDay Final*, *GameDay Scoreboard*, *GameDay Red Zone* and *Playbook*,<sup>39</sup> and targets NFL fans whose interest goes beyond the hundreds of hours offered nationally by CBS, FOX, NBC, ESPN DIRECTV, Showtime, ESPN2, ESPN Classic, and HBO and also beyond the programming of dozens of regional outlets.

75. The Golf Channel's programming focuses on golf, and while the network carries coverage of PGA and LPGA tournaments, it also emphasizes the participatory nature of golf, with the majority of its programming focusing on golf technique, the golf lifestyle, golf courses and golf equipment. Versus covers multiple sports and forms of recreation, focusing on viewers' participation in hunting, fishing, and other outdoor-oriented pastimes. Also, although NFLN and the Golf Channel each cover almost exclusively one sport, football and golf respectively, unlike NFLN, the Golf Channel carries a significant percentage of live coverage of golf, whereas NFLN has little live football coverage. In fact, NFLN lags well behind CBS, FOX, ESPN and especially DIRECTV Sunday Ticket in terms of live football coverage.

76. *Conclusion.* NFLN's programming is dissimilar to that of either Versus or the Golf Channel.

**Comcast's distribution of the NFLN on a sports tier does not restrain the NFLN from to competing fairly.**

- **The assertion that the NFLN needs Comcast subscribers to viably compete is contradicted by empirical evidence.**

77. One of the NFL's core contentions is that "the generally accepted industry standard for advertisers seeking to purchase time on a 'national' cable channels is

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<sup>39</sup> See Comcast Ex. 119.

availability to at least 50 to 60 million subscribers.”<sup>40</sup>

78. However, analysis of industry data presents a very different picture. A review of the economics of 109 basic cable networks, set forth in **Table 5**, shows that they, on average, achieved cash flow breakeven at 28 million subscribers, and with an average license fee of 10 cents per subscriber per month. These networks have all reached breakeven within the last 10 years. This contradicts the NFLN’s arguments, which claim that 40 million subscribers are insufficient, while demanding a license fee of upwards of 70 cents per subscriber per month. Furthermore, there is evidence that the NFLN is, in fact, profitable. According to SNL Kagan 2008 Economics of Basic Cable, the NFL Network earned revenues in excess of [REDACTED] in 2007. In October 2006, a spokesman for the NFL Network stated that, “The NFL Network is profitable already.”<sup>41</sup> More recently, the Chair of the NFL Broadcast Committee spoke of the network’s profitability.<sup>42</sup>

79. All of the networks listed in **Table 5** are national ad-supported cable networks, competing for national advertising. Given their relatively modest license fees, advertising revenue is the most important source of revenue.

80. The survey data spans a wide range of programming genres and business models and includes both standalone startups and networks that are part of multi-network families that often share infrastructure in an attempt to lower operating expenses. What makes this study compelling is that these networks not only attracted national advertisers with relatively modest subscriber bases but also attracted enough advertising to break even from an operational standpoint.

81. The NFLN, with more than 40 million subscribers, as measured by Nielsen, is well past the industry threshold for attracting national advertiser interest.

- **The assertion that advertisers can be harmed by tiering of the NFLN is incorrect and contradicts basic television economics.**

82. Contrary to the NFL’s allegations, Comcast’s decision to tier the NFLN did not harm advertisers. The contention that advertisers can or are being harmed by any MVPD’s distribution of NFLN<sup>43</sup> reflects a lack of understanding of the market for advertising.

83. Advertisers purchase availabilities from a tremendous variety of content providers, who compete vigorously for advertisements. The level of distribution of a single cable network such as the NFLN – which is one of thousands of ways to reach consumers through advertisements, and one of hundreds of television networks – does not affect the level of overall competition.

<sup>40</sup> See Comcast Ex. 19 ¶ 47.

<sup>41</sup> Comcast Ex. 120.

<sup>42</sup> Comcast Ex. 121.

<sup>43</sup> See Comcast Ex. 19 ¶¶ 53-55.

84. Advertisers will favor those networks with viewing audiences with a greater proportion of viewers in their demographic target. Advertisers looking to buy time on networks with certain demographics have many networks to choose from. MediaMark MRI (MRI), for instance, tracks the demographics of some 90 different basic cable networks, including NFLN, Versus and the Golf Channel. MRI data shows that advertisers looking to buy time on networks with a male demographic skew<sup>44</sup> could choose among 59 networks; 11 of those have a higher male skew than NFLN. Some 63 of the 90 networks in the MRI survey have an 18-49 age skew; 42 of those networks have a higher 18-49 skew than NFLN. Of the 90 networks tracked by MRI, 38 networks have audiences whose average household incomes skew higher than the average cable subscriber and of those 30 networks have audiences that would be considered more upscale than NFLN. Of the 90 networks tracked by MRI, 34 have audiences that skew better-educated than the average cable subscriber; in contrast NFLN's audiences skew notably less educated than the industry average (Table 8).

- **The NFL's behavior suggests that it seeks to undermine its partners at the expense of its fans; the NFL's decisions, and not Comcast's, harm consumers.**

85. The creation of NFLN can be seen largely as the creation of a negotiation tool by the NFL, rather than an enterprise driven by and responsive to market demand. The NFLN can be seen as a method of competing with and gaining leverage over the NFL's partners in the negotiation of future rights agreements: *without* the NFLN, game packages can only be fairly assessed by their value to the highest willing network or MVPD bidder. But *with* the NFLN, the NFL can elect to reject any all offers, countering that it will keep the games for its own network. This practice of undercutting its partners is symptomatic of the NFL's business relationships, especially with MVPDs, as the following examples illustrate.

86. Unlike the vast majority of networks, the NFL publically attacks its distribution partners and potential distribution partners on an ongoing basis:

The NFL is preparing to launch a \$100 million attack ad campaign over the next six months in an attempt to force cable TV operators to carry its NFL Network channel... If the cable providers don't sign up, the NFL will urge consumers to switch to satellite TV operators that carry the channel, NFL Network spokesman Seth Palansky says.

... Palansky says. "We're replacing the kid gloves with bare knuckles."<sup>45</sup>

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<sup>44</sup> In this context a skew is determined by how the percentage of a particular demographic compares to a national average. In this instance, the comparison is to the average cable subscriber. If a network's audience demographic has the same percentage as the national cable average it would index to 100. If it has a higher percentage than the national cable subscriber average then it indexes proportionately higher than 100.

<sup>45</sup> Comcast Ex. 122.

87. The NFL also initiated an email campaign to encourage Comcast and other MVPD subscribers to cancel their service and switch to DIRECTV or EchoStar:

The NFL net is hoping that its email blitz will cause Comcast customers to cancel their cable subscriptions and subscribe to DirecTV or EchoStar; both satcasters carry the channel on widely circulated tiers. The network's email attack helpfully publishes the phone numbers of DirecTV and EchoStar.<sup>46</sup>

88. This occurred before EchoStar/DISH Network reduced its distribution of the NFLN and was subsequently sued by the NFL:

The National Football League... filed a lawsuit in federal court in New York to prevent Dish Network from moving NFL Network to its America's Top 200 package from its America's Top 100 tier. The nation's No. 2 satellite player made the play last week, one that cost the embattled network about 4 million subscribers, or half of its base, with the distributor.

... EchoStar's tier gambit stemmed in part from the simulcast of the Dec. 29 game between the then-undefeated New England Patriots and New York Giants.

... "The NFL is the most popular sport in the nation and this decision is taking NFL Network away from millions of subscribers around the nation that are football fans and have been receiving NFL Network's quality programming. We are seeking to prevent EchoStar from violating the terms of its distribution agreement with the NFL Network."<sup>47</sup>

89. This lawsuit made EchoStar/DISH at least the third NFLN distributor – after Charter and Comcast – to be sued by the NFL in an attempt to increase the NFLN's distribution through litigation.

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<sup>46</sup> Comcast Ex. 123.

<sup>47</sup> See Comcast Ex. 124.

**Table 1: Program Mix Comparison: Versus vs. NFLN vs. Golf Channel, June 1 2007- May 31 2008**

	<b>CATEGORY</b>	<b>VERSUS (in minutes)</b>	<b>NFLN (in minutes)</b>	<b>GOLF (in minutes)</b>
1.	Action Sports	11,100	0	0
2.	Auto	4,830	0	0
3.	Auto Racing	930	0	0
4.	Award	240	0	0
5.	Baseball	960	0	0
6.	Bicycle Racing	24,630	0	0
7.	Biography	120	0	0
8.	Boating	1,560	0	0
9.	Bodybuilding	5,460	0	0
10.	Boxing	17,370	0	0
11.	Cheerleading	0	1,200	0
12.	College Basketball	1,590	0	0
13.	College Football	5,640	3,300	0
14.	College Golf	0	0	2,460
15.	Cooking	630	0	0
16.	Documentary	0	300	0
17.	Dog Sled	420	0	0
18.	Event	330	0	0
19.	Fishing	59,280	0	0
20.	Football	2,880	484,815	0
21.	Golf	0	360	317,790
22.	Hockey	3,330	0	0
23.	HS Basket	780	0	0
24.	HS Foot	0	1,020	0
25.	Hunting	36,690	0	0
26.	LPGA Golf	0	0	18,060
27.	Martial Arts	45,330	0	0
28.	Mixed Martial Arts	15,360	0	0
29.	Motorsports	1,920	0	0
30.	Movie	15,630	0	0
31.	NFL Euro	0	5,400	0
32.	NFL Football	0	28,665	0
33.	NHL Hockey	23,580	0	0
34.	Outdoor	101,940	0	0
35.	Paid Program	86,190	0	76,890
36.	PGA Golf	0	0	111,840
37.	Rodeo	27,570	0	0
38.	Rugby	2,190	0	0

39.	Running	540	0	0
40.	Shooting	2,550	0	0
41.	Ski	1,980	0	0
42.	Snowboard	840	0	0
43.	Sports News	1,230	0	0
44.	Sports Related	0	1,680	0
45.	Sports Talk	2,340	0	0
46.	Tennis	4,440	0	0
47.	Track	4,440	0	0
48.	Triathlon	960	0	0
49.	TV Movie	120	0	0
50.	Unknown	720	240	0
51.	Wm. Coll. Basketball	150	0	0
52.	WTA Tennis	2,400	0	0
53.	Yacht	5,010	0	0
	<b>Total: 52 categories</b>	<b>526,200 minutes</b>	<b>526,980 minutes</b>	<b>527,040 minutes</b>

Table 2: Ratings

	2007 24-Hour Rating*
Nickelodeon	1.54
Disney Channel	1.35
TNT	1.04
USA	1.03
Cartoon	0.95
Galavision	0.87
TBS	0.81
Lifetime	0.81
ESPN	0.76
Fox News	0.75
Hallmark	0.71
A&E	0.67
truTV	0.59
Discovery	0.58
History	0.55
FX	0.55
HGTV	0.54
MTV	0.54
TV Land	0.53
Spike TV	0.53
ABC Family	0.53
Comedy Central	0.49
AMC	0.49
Food	0.48
Lifetime Movie	0.45
CNN/HN	0.45
SciFi	0.44
TLC	0.40
mun2	0.37
VH-1	0.37
BET	0.37
Boomerang	0.35
Fox Sports en Espanol	0.35
WGN America	0.31
MSNBC	0.30
E! Entertainment	0.29

ESPN2	0.29
Bravo	0.28
Toon Disney	0.27
Noggin	0.27
Animal Planet	0.26
GSN	0.26
National Geographic	0.26
Weather Channel	0.25
Oxygen	0.22
SOAPnet	0.21
CNBC	0.20
TV One	0.19
Travel	0.18
Nicktoons	0.18
CMT	0.18
Biography	0.18
GolTV	0.17
CNN en Espanol	0.17
Wetv	0.16
MTV2	0.15
Science Channel	0.15
Investigation Discovery	0.15
Discovery Health	0.15
NFL Network	0.15
TV Guide Network	0.14
style	0.14
SPEED	0.14
Military Channel	0.12
History International	0.12
Outdoor Channel	0.11
GE videogame TV	0.11
ESPNEWS	0.11
GAC	0.10
VERSUS	0.10
Golf	0.09
ESPN Classic	0.08
BBC America	0.07
VH-1 Classic	0.04
Fine Living	0.03
FUSE	0.03

**Table 3: License Fees Per Rating Point**

	<b>2007 Avg. License Fee Per Sub Per Month*</b>	<b>License Fee Per Rating Point</b>
Nickelodeon	\$0.43	\$0.28
Disney Channel	\$0.83	\$0.61
TNT	\$0.91	\$0.88
USA	\$0.50	\$0.49
Cartoon	\$0.16	\$0.17
Galavision	\$0.02	\$0.02
TBS	\$0.13	\$0.16
Lifetime	\$0.24	\$0.30
ESPN	\$3.26	\$4.29
Fox News	\$0.35	\$0.47
Hallmark	\$0.03	\$0.04
A&E	\$0.23	\$0.34
truTV	\$0.09	\$0.15
Discovery	\$0.26	\$0.45
History	\$0.20	\$0.36
FX	\$0.36	\$0.65
HGTV	\$0.09	\$0.17
MTV	\$0.30	\$0.56
TV Land	\$0.10	\$0.19
Spike TV	\$0.19	\$0.36
ABC Family	\$0.21	\$0.40
Comedy Central	\$0.12	\$0.24
AMC	\$0.22	\$0.45
Food	\$0.07	\$0.15
Lifetime Movie	\$0.09	\$0.20
CNN/HN	\$0.46	\$1.02
SciFi	\$0.19	\$0.43
TLC	\$0.16	\$0.40
mun2	\$0.10	\$0.27
VH-1	\$0.13	\$0.35
BET	\$0.15	\$0.41
Boomerang	\$0.06	\$0.17
Fox Sports en Espanol	\$0.18	\$0.51
WGN America	\$0.11	\$0.35
MSNBC	\$0.15	\$0.50
E! Entertainment	\$0.22	\$0.76

ESPN2	\$0.46	\$1.59
Bravo	\$0.16	\$0.57
Toon Disney	\$0.11	\$0.41
Noggin	\$0.15	\$0.56
Animal Planet	\$0.07	\$0.27
GSN	\$0.10	\$0.38
National Geographic	\$0.20	\$0.77
Weather Channel	\$0.10	\$0.40
Oxygen	\$0.09	\$0.41
SOAPnet	\$0.14	\$0.67
CNBC	\$0.27	\$1.35
TV One	\$0.02	\$0.11
Travel	\$0.06	\$0.33
Nicktoons	\$0.06	\$0.33
CMT	\$0.07	\$0.39
Biography	\$0.09	\$0.50
GolTV	\$0.08	\$0.47
CNN en Espanol	\$0.48	\$2.82
Wetv	\$0.10	\$0.63
MTV2	\$0.04	\$0.27
Science Channel	\$0.06	\$0.40
Investigation Discovery	\$0.07	\$0.47
Discovery Health	\$0.12	\$0.80
NFL Network	\$0.80	\$5.33
TV Guide Network	\$0.02	\$0.14
style	\$0.10	\$0.71
SPEED	\$0.19	\$1.36
Military Channel	\$0.04	\$0.33
History International	\$0.05	\$0.42
Outdoor Channel	\$0.05	\$0.45
GE videogame TV	\$0.07	\$0.64
ESPNEWS	\$0.14	\$1.27
GAC	\$0.02	\$0.20
VERSUS	\$0.23	\$2.30
Golf	\$0.24	\$2.67
ESPN Classic	\$0.16	\$2.00
BBC America	\$0.11	\$1.57
VH-1 Classic	\$0.06	\$1.50
Fine Living	\$0.05	\$1.67
FUSE	\$0.07	\$2.33