



VIVENDI

Getting Close?

No holiday for NBC dealmakers

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TECH SPECIAL REPORT

More News, Less Staff

Newsroom continues drive to digital

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BEDNARSKI

Oh, Shut Up

Formerly funny Al Franken

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BROADCASTING & CABLE

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September 1, 2003



DJs Greg "Opie" Hughes and Anthony Cumia were fired over the St. Patrick's incident.

FCC Mulls \$27K Fine For WNEW Sex Stunt

By Bill McConnell

The FCC staff believes that the penalty for having sex in a cathedral should be between \$7,000 and \$27,500, although that is likely to be too little for some commissioners.

According to commission sources, the enforcement bureau is recommending that the FCC fine Infinity Radio's WNEW(FM) New York for an August 2002 broadcast of a phoned-in description of a couple's allegedly having sex in St. Patrick's Cathedral. DJs

Continued on page 16

Demo Woes All Around

Broadcast nets were flat or down for the summer in most demos, but so were some large cable networks

BROADCAST	P18-34	P18-49	P25-54
ABC	-6%	0%	4%
CBS	0%	0%	3%
NBC	-11	-6%	-3%
Fox	0%	-4%	-4%
WB	9%	0%	0%
UPN	0%	0%	0%
Pax	-50%	-33%	-25%
7 Net Avg.	-6%	-5%	0%



CABLE	P18-34	P18-49	P25-54
TNT	8%	13%	3%
YES	-2%	9%	-8%
Disney	26%	19%	9%
USA	-20%	-26%	-15%
Lifetime	-12%	-12%	-17%
E&PN	-16%	-16%	-18%
Discovery	19%	36%	10%
Sci Fi	-1%	-1%	-6%
MSV	14%	15%	14%
TLC	14%	13%	13%

SOURCE: Turner Broadcasting analysis of Nielsen data

SUNBURNED

Cable, broadcast each had summers that hurt

By John M. Higgins and Paige Albinak

Broadcast networks' load of first-run reality programming failed to stop the typical summertime drain of audience to cable, leaving networks with the consolation prize of suffering less damage than in recent years.

But not all the cable networks can brag. Some large cable networks took big hits during the summer, and their high-profile bets on new original series didn't pan out.

During the official TV season (September 2002 through May 2003), the seven broadcast networks nudged ahead of basic cable, snagging about 48% of the average prime time audience, according to Nielsen Media Re-

search. The 44 cable networks measured by Nielsen combined to secure 47%. (The remaining TV audience goes to pay cable, Hispanic broadcast networks, syndicated shows and noncommercial TV.)

When the broadcast networks load up their summer schedules with reruns, their share drops as cable networks exploit the supposedly slow season. For several years, cable services like Discovery and USA Network have targeted summer for both new series and new episodes of old series, hurting broadcasters in the summer and coaxing viewers into sticking around in the fall. In summer 2000, broadcast nets enjoyed 40.5% of prime time share. By 2002, that had dropped to 33%.

Broadcast executives grew

Continued on page 22

FLA. STORM

Orlando station takes heat over special weather show

PG. 17

6 TOM SORRELLS
CHIEF METEOROLOGIST

Competitors say *Big Picture Weather* lets WKMG-TV sidestep a low-rated night.

UP CLOSE WITH ELLEN DeGENERES

Her new talk show is her best comeback line

PG. 7

'I've actually had the fortune and misfortune of ... being knocked down and getting back up again.'



MADISON AVE.

LOCAL BLUES

+2%

Local car ads up just 2% from 2002; other major categories in free fall.

TV BUYER, PAGE 8

#BXNPNRT *****3-DIGIT 462
#BC7537812# JAN04 REG 213

NEWSPAPER

No Labor Day Break for VUE Bidders

NBC is relaxed, and Bronfman's getting anxious over Vivendi deal

BY JOHN M. HIGGINS

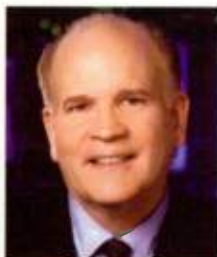
The Labor Day weekend was shaping up to be a lot more laborious than NBC and General Electric executives had anticipated, as the slow pace of the company's chase for Vivendi Universal Entertainment abruptly shifted gears.

Early last week, Vivendi executives cautioned that they might spend a month evaluating the two remaining suitors. But by week's end, NBC CEO Bob Wright had cut short a vacation and returned to New York, and dealmakers at parent company General Electric were expecting to be working the deal with Vivendi's lawyers and investment bankers over the weekend.

The deal squad working for rival Edgar Bronfman Jr. were expecting to be no less busy. Unlike the folks at GE, though, Bronfman's crew was angry and anxious that the prize was slipping away. His bid valuing VUE at \$13 billion may not be enough. Liberty Media formally dropped out the bidding.

Instead of the big cash offer that Vivendi executives initially demanded,

GE has outlasted five other players with a non-cash proposal to merge VUE into NBC. After weeks of conversations, NBC finally put it in writing: Vivendi could own 20%-25% of a unit combining VUE's TV and movie studio and its USA Network and Sci Fi Chan-



NBC CEO Bob Wright cut short a vacation when Vivendi talks shifted into high gear.

nel with NBC.

The venture would assume VUE's \$2.2 billion in debt. A sale could create tax problems tied to Vivendi's 2002 takeover of USA Networks, which had been deemed tax-free to the seller, Barry Diller's InterActive Corp. Vivendi had agreed to indemnify Diller for any tax penalties, so GE may put enough cash into the deal to cover the roughly \$2 billion problem.

There would also be a complicated way for the French company to extract some cash. Vivendi's stock in "NBC Universal" wouldn't be liquid, but, as in most similar ventures,

Vivendi would get opportunities to cash in all or part of its stake every few years. That arrangement would be structured almost like a GE note that Vivendi could use as the basis of a derivative security resold to institutional investors.

Bronfman's bid would give Vivendi a carried interest in any upside of VUE. But Vivendi Universal CEO Jean-René Fourtou is more interested in the idea of owning 20% of a media conglomerate with the GE name on it than in immediate cash and stake in assets that Vivendi already owns (and it acknowledges it cannot manage well).

Bronfman was blunt during a new meeting with Fourtou in New York last Wednesday. He reportedly argued that a GE deal would hurt Vivendi's remaining shareholders. Instead of raising cash and paying off debt, as Fourtou promised, Vivendi shareholders would be increasing their entanglement in media.

"They had a direct and frank exchange," said one Bronfman adviser. "We remain frustrated. There's a short fuse." The adviser would not say whether that fuse would set off any explosions this week. ■

U.S. Ad Market Growing, Especially Cable

The U.S. advertising market continues to exhibit strong growth this year, with \$61.6 billion in ad expenditures for the first half of 2003, an increase of 6.8% over first half 2002. Overall, broadcast rose 4.7% to \$31.3 billion, and print was up 8.6% to \$25.8 billion. TNS Media Intelli-

gence/CMR findings reveal that 15 out of 16 measured media experienced growth with six (Local Newspapers, Consumer Magazines, Cable TV, Internet, Syndication and Spanish-Language TV) showing double-digit percentage gains.

"These first-half results are further

evidence that the ad recovery is well under way," said Steven Fredericks, president and CEO, TNS Media Intelligence/CMR.

Cable TV—up 16.7% to \$5.7 billion—posted the highest growth, further evidence of the continued strength of this medium. ■

BREAKING...

FCC Advances LPFM Applications?

WASHINGTON—The FCC last week took the first steps toward following through on Chairman Michael Powell's pledge to speed the approval of low-power FM stations as part of his localism initiative. Those steps include helping station seekers with conflicting applications to find alternative channels on the band and permitting settlement payoffs for more than cost. The commission says any outstanding mutually exclusive applications for LPFM stations that can be settled by Oct. 31 will receive expedited processing.



Kissy Madonna Upstages MTV Awards

NEW YORK—Wins by rappers Missy Elliot and 50 Cent couldn't outbuzz Madonna's performance at Thursday's Video Music Awards. In a four-way medley of her "Like a Virgin" and more recent "Hollywood," Madonna planted long, open-mouthed kisses on Britney Spears and Christina Aguilera. Elliot abstained from the rehearsed action.

Date Set for Spectrum Sale

WASHINGTON—Jan. 14 is the new date for an FCC auction of spectrum slated for a terrestrial-based competitor to DBS and cable. Primary applicants for the frequencies, on the same band as DBS, are Northpoint Technology and MDS America. Northpoint has asked federal judges to block the sale on grounds that it did the work to prove that the service was viable and there were no competing applications when it filed for the license. On the block will be licenses for 214 markets in the 50 states, Guam, Puerto Rico, U.S. Virgin Islands and Northern Mariana Islands. Minimum bids range from \$961,000 for New York City to \$1,000 for rural Alaska.

BROADCASTING & CABLE

September 1, 2003

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Fear To Be A Factor Through '05

NBC reality show is also likely for syndication in 2004

BY PAIGE ALBINIAK

NBC's *Fear Factor* is on its way to being the first prime-time reality show to hit syndication. Last week, the network picked up from Endemol USA a fifth season of the gross-out reality show, taking it through 2004-05, and also grabbed options for sixth and seven seasons.

As part of the deal, NBC Enterprises acquired the rights to sell the show in syndication, and *Fear Factor* is likely to debut as a cable strip and a weekend broadcast hour in fall 2004. NBC already had locked in season four, starting this fall, with an order for 30 episodes.

Although there is no precedent for syndicating a network prime time reality show, all those involved predicted great things for the program's backend future, though declining to estimate the show's potential. Hit sitcoms, such as *Friends*, *Seinfeld* and *Everybody Loves Raymond*, have easily taken in \$1 billion and more once they've hit syndication; hour-long serial dramas aren't as lucrative because they don't repeat well. But because the storyline is completed in each episode of *Fear Factor*, its repeats tend to hold up in the ratings.

"*Fear Factor* will make multiple millions of dollars for all the parties involved," says Mark Itkin, executive vice president and worldwide head of syndication, cable and non-fiction programming at William Morris Agency, who helped broker the deal.

Says Endemol USA President David Gold-



Fear Factor delivers high 18-49 ratings for NBC.

berg, "The show is in second and third runs this summer and is consistently winning its time period, and the numbers continue to be strong. That bodes very well for how it will do in syndication."

This summer, *Fear Factor* is the 14th-highest-rated show summer-to-date among adults 18-49.

"As *Fear Factor* nears its 100th episode next season, its ratings are still growing, something no other reality show can claim at that stage of its life," said NBC Entertainment President Jeff Zucker. "This season, *Fear Factor* delivered the highest 18-49 rating for any network in the Monday 8-9 p.m. hour in six years. *Fear* dominates, with a 23% advantage over second place in the hour in that category. And even more than that, it's an 18-34 magnet."

Fear Factor is routinely cited as a reality show that is less appealing to advertisers because of the nature of some of the stunts. Goldberg admits that the "advertising arena is certainly smaller for *Fear Factor*, but there still are many, many advertisers that see it as a very important way to reach their targeted viewers. The show has a solid core of advertisers with big brand names who are happy to advertise in *Fear Factor*."

Like all reality shows, *Fear Factor* is flexible, and NBC has routinely expanded the show to meet its needs. In syndication, Goldberg says it's likely the lengthened 90-minute episodes will either be shortened to an hour or sold separately as two-hour specials. ■

Philly Court Holds Fate of Dereg

BY BILL MCCONNELL

Whether new broadcast-ownership rules will take effect this week depends on what federal appeals court judges in Philadelphia rule on Wednesday.

The federal appeals court will hear oral arguments and rule on requests to stay the FCC's new ownership limits scheduled to take effect the next day, Sept. 4. Public-advocacy groups have asked that implementation be postponed until the court rules on their validity. The FCC is urging the court to deny a stay, arguing that suits to throw out the rules aren't likely to prevail and no harm will come from implementing the rules now.

Allowing the FCC's relaxed ownership rules to take effect while their validity remains in question could cause chaos in the industry if

the rules are later struck down, countered attorneys for Media Access Project, one group seeking the stay.

Three of the four major broadcast networks, the National Association of Broadcasters, the Network Affiliated Stations Alliance and Media General have filed separate challenges to various portions of the rules.

The nets are seeking to have the case transferred to the appeals court in Washington, D.C., a move the FCC endorses because that court has tackled the issues in previous ownership cases. Public advocates argue that the D.C. court is hostile to preserving the previous limits. The Philadelphia panel isn't scheduled to rule on the transfer request until the stay petition is decided. That court was chosen in a lottery among courts where various appeals of the new FCC rules were filed. ■

legal

FAST TRACK

Nielsen Hikes Household Estimate

NIELSEN MEDIA RESEARCH has increased its estimate for the total number of U.S. TV households to 108.4 million. Effective the TV week starting today, each national rating point will represent 1%, or 1.08 million TV homes. Last season, there were 106.7 million TV homes, translating to 1.06 million homes per rating point. According to Nielsen, nearly all major demographic categories saw an increase in households, with the exception of teens 12-17 and children 2-11.

Now the News

KTVU(TV) Oakland-San Francisco said that Gov. **GRAY DAVIS** will attend its televised California gubernatorial candidates forum *Race to the Recall* Wednesday in Walnut Creek. The debate, co-sponsored by the *Contra Costa Times*, is to be carried statewide and, with Davis, who is not actually running for reelection but fighting recall, now includes all of the major candidates (except Arnold Schwarzenegger). ...

BRAVO summer hit *Queer Eye for the Straight Guy* continued to rake in the ratings records, with last week's episode scoring its and the channel's highest ratings yet. The show has averaged 2.25 million viewers in the adults 25-54 demo, 2.22 million in adults 18-49, a 3.1 rating in total viewers and a 2.9 Nielsen household rating, all records in their categories. The show also broke the 3-million-viewer barrier for Bravo for the first time. ...

Media sales firm **WORLDBLINK** will handle all direct-response, infomercial ad sales and paid programming for **LA FAMILIA NETWORK**. The net is a family-oriented Hispanic cable channel carried on **CABLEVISION** in New York and a growing number of other systems, according to LFN Senior VP of Marketing **JOHN ROOS**. ... The **COMMUNICATIONS**

youthquake



The O.C. Catches On

Fox's new *The O.C.* started slow but has picked up a head of steam. Last Tuesday, the soapy show easily won virtually all young-demo Nielsen categories. It gets a breather when Fox interrupts its prime time programming for the baseball playoffs, then returns later in a new, tougher time period opposite NBC's *Will & Grace* and *Coupling* and CBS's *CSI*.

WORKERS OF AMERICA have asked a U.S. Bankruptcy Court in New York to investigate **ADELPHIA**'s labor practices. CWA argues that the MSO, which has been reorganizing under a Chapter 11 filing, is actually costing its creditors money by spending more on replacement workers and security guards than "peaceful settlement" of its labor disputes would cost. ... The **AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS**, representing some 80,000 actors, broadcasters and technicians, has unanimously endorsed a resolution asking Congress to roll back the FCC's generally deregulatory June 2 ownership-rule changes. AFTRA was a co-host of the first of several of those unofficial hearings on media ownership held in the months leading up to the June 2 vote.

Reality Patrol

CBS is extending the run of *Big Brother 4* by two episodes, taking the show's final two episodes into the middle of premiere week. The first new episode airs Friday, Sept. 19 at 8 p.m. ET; the final installment, on Wednesday, Sept. 24 at 9 p.m. The show had been scheduled to end one week before, on Wednesday, Sept. 17. ... **FOX** won't be bringing back *American Juniors* this fall as planned. Show producers 19 Entertainment and FremantleMedia told Fox they were too swamped to do another round, according to a spokesman for 19 Entertainment.

New at NATPE

The **NATIONAL ASSOCIATION OF TELEVISION PROGRAM EXECUTIVES** named six TV executives to its board: **IGNACIO BARRERA**, senior VP of **TEPUY**; **ANDY HEYWARD**, chairman and CEO of **DIC ENTERTAINMENT**; **PAUL JACKSON**, director of international production for **GRANADA INTERNATIONAL**; **ROBERT RIESENBERG**, executive VP and director of **MAGNA GLOBAL ENTERTAINMENT**; **JAY SWITZER**, president and CEO of **CHUM LIMITED**; and **JOHN WEISER**, executive VP of **SONY PICTURES TV**.

BEHIND THE SCENES | BEFORE THE FACT

IN THE LOOP

PROGRAMMING

BONZO GOES TO THE BANK

Kendall, a 4-year-old chimp, has been tapped by The WB to pick the numbers that could make Pepsi's *Play for a Billion* contestant a billion bucks.

Word has it, the chimp (at right with Jamie Kennedy, left, and Drew Carey) is being used to ensure that the drawing is on the up and up. Berkshire Hathaway is insuring the money. We get it from a reliable source—who talked to the trainer—that the chimp has not been trained to recognize numbers or colors, so there will be no monkeying around with the outcome. The special airs Sept. 14. Interesting sidelight: Pepsi's prize guarantor, Berkshire Hathaway, is chaired by Warren Buffet, who is on the board of ... Coca Cola.—J.E.



SYNDICATION

Peacock Promo

To encourage stations to promote new daytime reality show *Starting Over*, NBC Enterprises is giving them an hour preview episode and letting them keep all 14 minutes of ad time. The show will introduce the cast of women and the two "life coaches" and explain the show's premise. NBC also has pulled out all the in-show promos, adding another 40 seconds of ad time. Stations can double- or triple-run the preview. Typically, syndicators split the ad time with stations. *Starting Over* premieres Sept. 8.—P.A.

PROGRAMMING

Jerry Tops Tiger

By today's end, the Deutsche Bank Championship—a new PGA tournament to benefit the Tiger Woods Foundation—will have a winner, and the Muscular Dystrophy Association will have raised millions via its annual Labor Day telethon, hosted by Jerry Lewis (at left). But prior to the two events, MDA organizers faced a potential preemption of their last three hours on ABC affiliates. Lewis was so upset he called ABC officials to ask them not to cut into the telethon, according to an MDA spokesman. ABC declined.

Some ABC affiliates—WFTS(TV) Tampa-St. Petersburg, Fla., for one—planned to cut to the tourney, most affiliates agreed to stick with Jerry and show the tourney on tape. "Morally, I don't have the heart or the stomach to tell the MDA and these families that we are going to cut to a golf tournament," said KGUN(TV) Tucson, Ariz., GM Ray Dega.—P.L.A.



Plug-and-Play Teed Up

FCC Chairman Michael Powell aims to set technical standards for "plug-and-play" cable-ready DTV sets at the commission's

REGULATION

Sept. 10 meeting. Cable and consumer-electronics industry officials are optimistic the commissioners will approve their deal, which would set standards for the sets including a license regulating what types of programming consumers may copy and how often.

The proceeding could be bumped to the October meeting. Viacom, Disney, Vivendi and News Corp. urged the FCC to block the deal, partly because it preserves the "analog hole" that allows digital content to be converted to analog and copied back to digital.—B.M.

FINANCE

Stock Picks

Institutional investors vote for their favorite companies by buying their stock. But to get a clear idea of how public companies rate, Brendan Wood International surveys 3,000 such investors on their confidence in 550 companies. Topping the latest list is Wal-Mart (with a score of 961 out of a possible 1,100).

Here are the second quarter's top 10 media companies (score/overall rank): Comcast (893/24); Viacom (880/32); BSkyB (877/35); Gannett (863/52); Reed Elsevier (862/55); Cox (859/60); Tribune (854/65); McGraw-Hill (848/75); Clear Channel (847/76); and Thomson (840/90). Garnering little confidence: AOL Time Warner (676/410), Disney (644/446) and Vivendi (488/510).

Reed Elsevier publishes, among other things, *BROADCASTING & CABLE, Multichannel News* and *Variety*.—H.A.J.

LEGAL

Surprise!

Court watchers love to predict the outcome of lawsuits before proceedings begin based on the leanings of judges assigned. Such prognostication isn't possible, though, for motions to stay the FCC's new broadcast-ownership rules, which will be heard this Wednesday by the federal appeals court in Philadelphia. Unlike many courts around the country, Philadelphia's Third Circuit doesn't disclose who is assigned to a case until the judges walk in to begin proceedings.—B.M.

Another Setback in ENG Backhaul Take-Back

BY BILL MCCONNELL

A government plan to take back a portion of broadcasters' backhaul spectrum, half a decade in the making and repeatedly delayed, is likely to be delayed once again.

Broadcast- and satellite-industry sources expect the FCC to extend this week's Sept. 6 deadline for concluding negotiations between broadcasters and mobile-satellite-service companies seeking to claim the reallocated ENG spectrum, located on the 2 GHz portion of the radio spectrum. Broadcasters are entitled

to compensation but must work out the actual payments with the new users.

But the two sides never began negotiations.

Broadcasters are beginning to wonder whether the satellite company expected to be the main seeker of the frequencies, ICO Communications, will ever start talking money. "It's been three years with no negotiations," said Jack Goodman, regulatory attorney for the National Association of Broadcasters.

For more than five years, the FCC has been trying to figure out how broadcasters can share spectrum used for electronic newsgathering with new mobile

satellite services (MSSs).

Plans to share it have been plagued by delays. On April 15, database problems forced the FCC to postpone for six months plans to implement coordination procedures to make room for the new services and estimate compensation for stations. The current delay is expected to be announced this week, although FCC officials would not comment.

The FCC is forcing broadcasters eventually to relocate from 35 megahertz and shrinking the size of ENG channels.

Broadcasters are asking the FCC not to follow through with what they believe will be a proposal for phasing in the realloca-

tion market-by-market. Phasing in will allow MSS companies to spend their cash more slowly as they build out each market. Broadcasters would like the reallocations, and the compensation, all at once.

Last week, members of the NAB and Association for Maximum Service Television's Ad Hoc 2GHz Reallocation Committee said they are designing an alternative that would avoid the "substantial interference" the FCC plan would create in top-30 markets. A phase-in poses the danger of creating interference when news crews from adjacent markets, such as Washington and Baltimore, cover stories from the same location on different ENG channels. ■

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STATION BREAK

BY DAN TRIGOBOFF

KFMB-TV Photographer Missing

SAN DIEGO—The Coast Guard and other law-enforcement agencies conducted a scaled-down search late last week for KFMB-TV photographer Sean O'Kane, missing since Monday morning, Aug. 25. Authorities began their search efforts as a "rescue," but, by press time, it appeared all but certain that O'Kane's leased helicopter, on its way to a training flight in Long Beach, had crashed into the ocean near Encinitas in North San Diego County. By Thursday, the search was being called a "recovery," and sonar equipment was expected from Northern California to aid divers in the search. Flying had been a hobby for O'Kane.

Before losing contact Monday, he had asked air-traffic controllers for permission to increase his altitude to get out of a cloud bank. Witnesses in Encinitas area told local reporters they heard sounds of an engine backfiring and sputtering, then a loud splash.

KFMB News Director Fred D'Ambrosi said that some of the staff from KFMB-TV and KNSD(TV) San Diego, where he had once worked, went to the Moonlight Beach area near Encinitas Monday night to look out on the search "and to grieve."

on the hunt



Job Seekers?

Former WPVI-TV reporter Rose Tibayan returned to Philadelphia for a party at the World Fusion Restaurant celebrating the book she left the station to write. Tibayan reports that more than 100 people showed up to see early copies of *Résumé Tapebook: The Job-Hunting Handbook for Television Journalists*, including some former WPVI colleagues. Several universities have expressed interest in using the book for their broadcast-journalism students, Tibayan said. She left the station after management found her book in conflict with her contract. She now lives in Chicago, where she moved to be with her fiancé.

Brief Bragging Rights

MILWAUKEE—For two weeks last month, promos for Milwaukee's newest nightly newscast boasted that it was the city's only 9 p.m. newscast. Well, yes and no.

On two successive Thursdays, Fox-owned WITI(TV) carried network-programmed football games, preempting its own nine-year-old newscast. That left Sinclair's WVTM(TV)'s weeks-old newscast, temporarily, as the only newscast at that time on those nights. Viewers were beckoned to see teased stories "tonight on Milwaukee's only 9 p.m. newscasts," said WVTM News Director Joe Radske, who says he did not write the promos.

WITI News Director Bob Clinkingbeard, who says he noticed the promos while surfing during a break in the game, acknowledged that they were technically correct. "But they couldn't say they're the only completely local newscast," he added. That's a reference to Sinclair's Centralcast, in which part of the newscast is produced locally and part at Sinclair headquarters in Maryland.

Radske says he's starting with a staff of 22, full- and part-time, for the hour program. Since its Aug. 11 launch, WVTM has averaged about a 1 rating, to the long-established WITI's typical 9-plus.



WMAQ-TV's Vicki Burns moves to WRC-TV.

Peacock Picks WRC-TV ND

CHICAGO—WMAQ-TV News Director Vicki Burns has been named to succeed Bob Long as vice president of news for Washington-market leader WRC-TV. Long took over news at KNBC(TV) Los Angeles. All three stations are owned by NBC.

Burns has been news director at WMAQ-TV since 1998 and had been assistant news director there before briefly working at ABC-owned Chicago rival, WLS-TV. A popular figure in the WMAQ-TV newsroom, her return to the station was seen as a morale booster following the difficulty the station faced after the debacle over Jerry

Springer's commentaries: The talk show host's hiring to provide commentaries angered many in the newsroom and prompted the departure of two anchors and the replacement of the GM, VP of news, and news director. Burns is a veteran of all of Chicago's Big Three O&Os, having begun her career at WBBM-TV.

All news is local. Contact Dan Trigoboff at (301) 260-0923, e-mail dtrigoboff@reedbusiness.com or fax (413) 254-4133.

FIRST BEANTOWN, NOW L.A.

People Meters Are Coming

BY DAN TRIGOBOFF

With three of the four major networks on board, the launch of local people meters in Los Angeles by Nielsen Media Research, expected next month, will almost certainly be less contentious than last year's Boston launch.

The bulk of Los Angeles's major stations have already signed on through group deals by NBC, CBS and ABC, as well as Comcast. That includes with top-rated local-news station KNBC(TV), NBC's two Telemundo stations, KABC-TV, and Viacom's KCBS-TV/KCAL(TV) duopoly.

As in Boston, Fox (which owns two English-language stations in Los Angeles) and Tribune are holdouts, leaving Fox's KTTV(TV) and KCOP(TV) and Tribune's KTLA(TV) unable to use Nielsen after the launch. The research firm says both are in discussions regarding group deals. Neither group nor the stations would comment.

Since Nielsen reached its agreement covering the NBC and ABC groups earlier this year, though, local-people-meter technology has been the inevitable standard of measurement for the future. Hearst-Argyle, which owns WCVB(TV) Boston, had signed on earlier, and the largest station group, Vi-

acom, signed on over the summer.

"It's a more rational way to program and operate a television station," said Paul La-Camera, general manager at WCVB, "The best thing about this new system is that it has moderated the schizophrenia of the sweeps periods. We'll no longer program TV stations around those four months of the year because we'll be receiving overnight demographics and monthly measurements 12 months a year."

The lower measured viewing remains a



Los Angeles stations will launch local people meters next month.

problem for station executives in Boston as well as Los Angeles. "We'll be looking at the cooperation rates and at the parallel," said Alan Wurtzel, president of research for NBC. "In the end, a rating is a number. Ratings are technically estimates. The advertisers will put their dollars where the advertising is most effective." ■

Raycom Waits Out FCC Backlog

BY KEN KERSCHBAUMER

Sales of TV stations have been few and far between this year, even though the FCC relaxed many of its ownership restrictions in June. But Raycom Media last week became the first Top 25 TV-station group to cut a deal in the post-dereg world,

agreeing to buy three small-market stations from Waitt Broadcasting for \$25.7 million.

The stations: WDFX-TV Dothan, Ala. (DMA 171), WFXL(TV) Albany, Ga. (DMA 148), and WPGX(TV) Panama City, Fla. (DMA 159). All are Fox affiliates.

"These stations are in an area that has long-term strategic value to us," says Rebecca Bryan, Raycom Media vice president and general counsel.

Raycom Media has focused its efforts on the Southeast, particularly Alabama (its headquarters are in Montgomery), Georgia and Florida. Bryan says the new stations give Raycom more of presence along

the East Coast. Raycom's TV stations current reach 10.2% of the nation's viewers.

Final decisions, Bryan says, haven't been made yet with respect to how the stations will be run, but she expects no major changes. "This isn't a duopoly type of situation where we would shut down operations or anything like that."

Bryan doesn't expect the deal to run into any problems at the FCC.

The only holdup would be related to the commission's application backlog. "We had two low-power station deals. ... One went through quickly while the other took some time as the FCC was dealing with other issues."

Raycom submitted the deal to the FCC on Aug. 26. Once the deal is approved, the three

stations will be placed into different Raycom Media subsidiaries. The company, which has stations in 19 states, has three subsidiaries broken up by state.

Executives at Waitt Broadcasting, which also owns radio stations, were unavailable for comment late last week. ■

'These stations are in an area that has long-term strategic value to us.'

REBECCA BRYAN,
Raycom Media

PROGRAMMING



Ellen DeGeneres has been hard at work all summer promoting her syndicated talk show, *The Ellen DeGeneres Show*, which debuts Sept. 8.

Ellen in a Different World

DeGeneres says past turmoil toughened her for daily talk-show grind

BY P.J. BEDNARSKI

In 1997, the ABC sitcom *Ellen* set off a sociological time bomb when Ellen DeGeneres became the first television character to come out as a lesbian. Advertisers balked, and so did some viewers, and the show left the air.

It seems like a million years ago now.

With hits like *Will & Grace* and *Queer Eye for a Straight Guy* on NBC and other relaxed attitudes about homosexuality in the public in general, being gay is the big so-what of television.

"It's a different time," DeGeneres says. Remembering the past, she says, "I was doing something then that hadn't been seen. And I think it was harder for viewers. They knew me as one way, and then, all of a sudden, I'm a gay person now."

It's certainly not an issue for Warner Bros. Domestic Television, which premieres the new *Ellen DeGeneres Show* in syndication on Sept. 8 on stations covering 95% of the country, including NBC's O&Os.

For DeGeneres, the idea of doing a talk show is redemptive. Her recent HBO concert, her voice role in animated hit *Finding Nemo* and hosting the post-9/11 Emmy Awards show, she thinks, helped promote her image as a comedian instead of the firebrand she never was. She is just a super-funny observational comic whose act is, and always has been, free of foul language or randy topics.

A talk show at the end of that is a good place to land. Ask her if she's ready for the rigors of a daily talk show, and, except for the fact that she's too Southern-polite to do it, she almost laughs at the question.

"I've been doing standup for 25 years so I'm really looking forward to sitting down," she begins. "Everyone told me how exhausting this life is. But it's launching the talk show that's exhausting. I've done a lot of stuff that prepared me for this kind of schedule.

"I've been training myself for this for the last two

years as if I'm training for a marathon. That's what I want this show to be. I don't want this show to run forever. I want it to run for 15 years." She pauses and explains: "Forever is too long."

One of her executive producers, Mary Connelly, who worked for David Letterman back in his NBC days, says in comparing the two comedians that "the two of them share an incredible work ethic. She's not only on time, she's there ahead of time. They both work hard and expect people around them to do the same."

In 2001, DeGeneres resurfaced in prime time as the star of *The Ellen Show* on CBS. The show quickly tanked, she thinks because she tried so hard to please.

"I think, when that show was launching, I was coming from a place of 'Oh my God, I hope they like me again.' And that's never a good place to come from. It was important for me to get back to the place I was, but I don't think you should ever come from a place of needing someone's approval." She says that, back then, "I was a scared puppy that was just thrown out of the yard and told, 'You can't be in the house with the other puppies.'"

In a way, she says, the flap over the lesbian issue gave her a new perspective. She refers to "different situations" in her career that toughened her. "Whereas someone who has had a steady course of working and working and is lucky enough to stay [at one place], I've actually had the fortune and misfortune of falling and getting back up, and being knocked down and getting back up again. So I probably have a take on this career that somebody else in

the same career doesn't have" because she rebuilt hers.

When Warner Bros. began talking to her about a talk show two years ago, she says, it had been arranging focus groups to gauge what the daytime public thought of her. "I found out later that [the focus group's attitude] was always positive but there was negative. At the beginning, it certainly wasn't as positive, and now I guess it's completely changed. Now, it's really ... good." You wouldn't have predicted that in 1997. ■



'I've been doing standup for 25 years so I'm really looking forward to sitting down.'

ELLEN DEGENERES

ABC Uses Theme Park for Promo

BY PAIGE ALBINIAK

For the second year in a row, ABC is promoting its fall season with a weekend theme-park event. Seventy of the network's prime time stars will be featured at Disney's California Adventure in Anaheim during the weekend of Sept. 6-7.

"The nice thing about The Walt Disney Co. is that we have all of these (different divisions to provide us synergy," says Mike Benson, senior vice president of marketing, advertising and promotion. "When you have an asset like the theme parks, you can use them in a way no other network can." (Likewise, CBS is promoting its new season by giving away DVDs at Blockbuster stores, also owned by Viacom.)

"It goes both ways," says Vice President of Corporate Synergy Chris Curtain. "From the theme-park perspective, you get a lot of attendance that you might not otherwise have."

Last year, ABC valued TV, radio and print publicity of the event at \$8 million.

ABC won't be promoting just its prime time shows during the weekend. It's also featuring Buena Vista Television's syndicated *Wayne Brady Show*, which will be taping an episode with the cast of *NYPD Blue*. Selected fans of the latter show will be able to tape a scene with the *NYPD Blue* cast and take home the videotape.

Disney Channel's Raven of *That's So Raven* will deejay the day for Radio Disney, co-hosted by Martin Spanjers, who plays the youngest son on *8 Simple Rules for Dating My Teenage Daughter*. According to Jim's Jim Belushi and his band will play on Saturday and Sunday night, and such stars as *Alias*'s Jennifer Garner and *8 Simple Rules*' John Ritter will be available in the park to shake hands with fans and sign autographs. And the most recent *Bachelor*, Andrew Firestone, and his fiancée, Jen, will test fans to see whether they should appear on *The Bachelor*'s next installment. ■



8 Simple Rules' John Ritter (r) is one of 70 ABC stars set to be featured in Disney's California Adventure event.

TV BUYER

Hot Network Upfront Rotten for Local

Weak economies translate into weak TV-station advertising sales

BY JOHN M. HIGGINS

Local TV stations are continuing to choke on the dust left by their national network parents, with most affiliates struggling to squeeze out even tiny bits of growth for the rest of the year.

The weak economy continues to overwhelm local markets. Analysts and station group executives say that, while network owned-and-operated stations should do better, affiliate station groups are expecting 2%-4% sales increases for the fall and the holiday rush.

And that's after adjusting for political advertising, which surges when many congressional, state and local terms expire during even-numbered years but disappears in years like this one. Without adjusting, ad sales for most stations would be down sharply.

The sales picture should become a little clearer this Thursday during the Television Bureau of Advertising's annual advertising forecast conference in New York, which will focus on local and regional spending and economic trends.

But there's little good news in the local market, as the networks' ad strength seems to be hurting affiliates rather than helping them. "The robust upfront to date hasn't seen much trickle-down," said James Boyle, Wachovia Securities broadcast analyst. "There won't be a spillover effect but a sponge effect: The networks are sponging dollars up out of the local market."

Indeed, the national spot market continues to be terribly weak, as it has been pretty much for the past 18 months.

Overall, Belo Corp. Television Group President Jack Sander says the market "is not pretty, but it's improving. We have definitely seen the third quarter improve over the second quarter." But he finds it disconcerting that the national spot market has not revived.

Hearst-Argyle Television CEO David Barrett contends that the disconnect is due to timing. Much of the upfront fo-

cuses on locking up commercials airing in 2004. But advertisers' local-TV spending is driven largely by immediate goals.

"How we are doing today is a more short-term book compared to the advanced bookings that are on the network people," Barrett recently told investors. "How our pacing is in the fourth quarter and how the pacing is

young, valuable viewers. Fox affiliates are also better off than ABC affiliates, which are, in turn, far better off than affiliates of the ailing UPN.

Stations are being hurt by weakness in some major categories. Restaurants—a perennial top-five category in local TV—were off 8% during the second quarter, according to data compiled by TNS Media Intelligence/CMR. Travel, which had already slashed spending, is down 13%. Soft-drink manufacturers and snack foods have sliced local-TV spending a whopping 27%. Other slumping categories include clothing stores, supermarkets and consumer-electronics stores.

The biggest spenders, automakers, increased ad buys by 2%. Spending by car dealers was a little better, up 5%. But that's nothing compared with last year's growth driven by zero-percent-financing campaigns.

Jefferies & Co. media analyst Lee Westerfield forecasts similar trends for the third and fourth quarters. In the coming months he sees car advertising up, movies flat, and furniture and hardware up. Some surprises: Theme parks and other attractions are ticking upwards even though airline and hotel spending is still declining.

And Westerfield sees a sudden rise in advertising by telecommunications firms. That's a big change because that industry's financial free-fall has slowed but doesn't seem to have stopped and certainly won't reverse until the corporate accounts recover.

But the increase is coming from cellular-phone carriers, and stations have regulators to thank. The Federal Communications Commission has set Nov. 24 as the day when "number-portability" rules kick in. That means users can switch services and keep their old numbers. Right now, customers dumping Verizon Wireless for Sprint PCS lose their phone numbers, a significant impediment to switching carriers. But easier switching will make customers more likely to hop.

If the FCC sticks to the November switch date, cellular companies could start advertising heavily to poach customers from their rivals. ■



Who's Boosting Spending

Top 25 advertisers on local stations, ranked by change from 2002

ADVERTISER	2003	2002	CHG.
Procter & Gamble	\$64.3	\$38.4	67.4%
Target	\$38.8	\$25.4	53.1%
▲ GM Dealer Assn.	\$178.6	\$119.1	50.0%
Hyundai	\$49.2	\$37.6	31.0%
Toyota Dealer Assn.	\$117.9	\$90.9	29.7%
SBC	\$91.1	\$71.6	27.3%
Walt Disney	\$74.8	\$60.5	23.6%
Nissan	\$122.9	\$100.0	22.9%
General Mills	\$91.0	\$76.3	19.3%
DaimlerChrysler	\$271.2	\$243.3	11.5%
Honda	\$159.8	\$143.4	11.4%
AOL Time Warner	\$74.9	\$69.8	7.2%
Doctors Associates	\$39.5	\$37.5	5.5%
Ford Dealer Assn.	\$187.9	\$181.9	3.3%
PepsiCo	\$44.6	\$44.9	-0.8%
Volkswagen	\$36.9	\$37.4	-1.4%
Wal-Mart	\$42.2	\$43.1	-2.3%
Yum Brands	\$92.5	\$95.4	-3.0%
Toyota	\$91.7	\$95.7	-4.2%
GM	\$190.6	\$216.9	-12.1%
Sony	\$34.0	\$38.7	-12.1%
DaimlerChrysler Dealer Assn.	\$43.7	\$49.9	-12.5%
Ford	\$123.8	\$149.5	-17.2%
McDonald's	\$68.1	\$86.4	-21.2%
Verizon	\$96.0	\$128.2	-25.1%

SOURCE: Television Bureau of Advertising; CMR

in the first half of next year is going to be a more meaningful data point for all of us to observe."

Exceptions include major-market stations among the network O&Os. That's doubly true for Tribune Co., whose WB network and O&Os are soaring in the Nielsen ratings, particularly among

EBB & FLOW

Network Scatter An Expensive Buy

There will be less money spent for fourth-quarter scatter, according to some buyers, and, due to tight availability, pricing will be ahead of the record-breaking upfront.

"I expect to see 20% increases, at least," one agency buyer said. That figure is down a bit from the 30% increases others had projected.

"There's not a lot coming into the market," OMD Managing Di-

4Q Prices
+20%

rector Ray Warren said, "and the networks need to deliver on their ratings." Warren noted that the Olympics are "very well sold" but not totally sold out and buyer's pockets are bare.

"The networks are 85% sold out," he said, "but some advertisers already have spent 100% of their money."

"Most network dayparts except late night are sold out for September," added Kris Magel, senior VP and group director, Optimedia. "Syndication is cooked, but cable probably has inventory."

As the Oct. 1 deadline for first-quarter options looms, commitments made in the upfront seem to be solidifying.

"Inventory is largely holding," said Jo Ann Ross, president, CBS Network Sales.

"Things are pretty firm," added Wendy Marquardt, president, Verizon Media/Zenith Media Services. "Much as we anticipated, upfront holds have gone to order."

"There's been some breakage," said Warren, "but not to an alarming degree."

Meanwhile, Monitor Plus is reporting an advertising-spending decline for network TV for first half 2003. Despite a 2.8% growth rate for U.S. advertising spending in general, spending on network TV dropped 4.0% to \$10.4 billion against \$10.8 billion for the same time period in 2002. Some of that clearly went to Hispanic TV, which is up 16%.

—Jean Bergantini-Grillo

NEXT WEEK:

Cable

BUSINESS



CHANGING HANDS

TVs

KDTN-TV Denton, Texas

PRICE: \$20 million

BUYER: Daystar Television Network (Marcus Lamb, president/CEO)

SELLER: North Texas Public Broadcasting Inc. (Gary Ferrell, president/CEO)

FACILITIES: Ch. 2, 100 kW, ant. 1,352 ft.

AFFILIATION: PBS

KREX-TV Grand Junction, KREY-TV Montrose and KGJT-TV Grand Junction, Colo.

PRICE: \$10 million

BUYER: Hoak Media LLC (Eric van den Branden, manager)

SELLER: Withers Broadcasting Co. (W. Russell Withers Jr., president)

FACILITIES: KREX-TV: Ch. 5, 100 kW, ant. 1,404 ft.; KREY-TV: Ch. 10, 6.17 kW, ant. 79 ft.;

KGJT-TV: Ch. 27, 19.4 kW, ant. 2,898 ft.

AFFILIATION: KREX-TV: CBS; KREY-TV: CBS; KGJT-TV: UPN

KPXJ-TV Minden, La.

PRICE: \$10 million

BUYER: Edwin Wray

SELLER: Paxson Communications Corp. (Dean Goodman, president/COO)

FACILITIES: Ch. 21, 3,020 kW, ant. 469 ft.

AFFILIATION: Pax

WDFX-TV Ozark, Ala.; WFXL-TV Al-

bany, Ga.; and WPGX-TV Panama City, Fla.

PRICE: \$25.7 million

BUYER: Raycom Media Inc. (Paul McTear, president/CEO)

SELLER: Waitt Broadcasting Inc. (Michael J. Delich, president)

FACILITIES: WDFX-TV: Ch. 34, 1,200 kW, ant. 787 ft.; WFXL-TV: Ch. 31, 1,580 kW, ant. 991 ft.; WPGX-TV: Ch. 28, 1,260 kW, ant. 748 ft.

AFFILIATION: WDFX-TV: Fox; WFXL-TV: Fox; WPGX-TV: Fox

BROKER: Kalil & Co.

KTBY-TV Anchorage, Alaska

PRICE: \$4.5 million

BUYER: MediaNews Group Inc. (Richard Scudder, chairman/director)

SELLER: Piedmont Television (Paul Brissette, president/CEO)

FACILITIES: Ch. 4, 38.9 kW, ant. 180 ft.

AFFILIATION: Fox

Combos

KBOR-AM and KQXX(AM) Brownsville, KMAZ-FM Mercedes, and KQXX-FM Mission (McAllen-Brownsville-Harlingen), Texas

PRICE: \$6.5 million

BUYER: Clear Channel Communications (John Hogan, CEO, Radio); owns 1,206 other stations, including KBFM-FM and KTEX-FM McAllen-Brownsville-Harlingen

SELLER: Edgar Trevino

Station Sales Scorecard

	2003 YTD*		2002 TOTAL	
	NUMBER	VALUE (000)	NUMBER	VALUE (000)
TELEVISION	43	\$302,231	93	\$2,493,292
RADIO	506	\$1,430,617	809	\$5,391,793

SOURCE: BIA Financial Networks

*Through Aug. 28

FACILITIES: KBOR-AM: 1600 kHz, 1 kW; KQXX-AM: 1700 kHz, 9 kW day/880 W night; KMAZ-FM: 106.3 MHz, 2 kW, ant. 650 ft.; KQXX-FM: 105.5 MHz; 3 kW, ant. 285 ft.

FORMAT: KBOR-AM: Spanish/Variety; KQXX-AM: Oldies; KMAZ-FM: Spanish/Variety; KQXX-FM: Spanish/Variety

KRKD-FM Dermott and KZYQ-FM Lake Village, Ark.; WDSK-AM and WDTL-FM Cleveland, WRKG-FM Drew, and WZYQ-FM Mound Bayou, Miss.

PRICE: \$1.5 million

BUYER: Community Broadcast Group Inc. (Jerry Russell, president); owns seven other stations, none in this market

SELLER: Delta Radio Inc. (MS) (Larry Fuss, president)

FORMAT: KRKD-FM: Classic

Rock; KZYQ-FM: Oldies; WDSK-AM: News/Talk/Sports; WDTL-FM: Country; WRKG-FM: Classic Rock; WZYQ-FM: Hot AC

WKLF-AM and WEZZ-FM Clanton, Ala.

PRICE: \$1.2 million

BUYER: Great South RFDC LLC (Paul S. Alexander, managing member); owns two other stations, none in this market

SELLER: Southeastern Broadcasting Co. (Jack H. Dennis, president)

FACILITIES: WKLF-AM: 980 kHz, 1 kW; WEZZ-FM: 97.7 MHz, 3 kW, ant. 246 ft.

FORMAT: WKLF-AM: Gospel; WEZZ-FM: Country

FMs

KBPS-FM Portland, Ore.

PRICE: \$5.5 million

BUYER: KBPS Public Radio Foundation; owns one other station, not in this market

SELLER: Multnomah County School District #1 (Lynn Ward, deputy clerk)

FACILITIES: 89.9 MHz, 4 kW, ant. 1,358 ft.

FORMAT: Classical

WWUS-FM Big Pine Key and WCNK-FM Key West, Fla.

PRICE: \$3.38 million

BUYER: Cooke Communications LLC (John Kent Cooke Sr., president); no other broadcast interests

SELLER: Crain Broadcasting Inc. (Robert L. Soos Jr., general manager)

FACILITIES: WWUS-FM: 104.1 MHz, 100 kW, ant. 453 ft.; WCNK-FM: 98.7 MHz, 100 kW, ant. 125 ft.

FORMAT: WWUS-FM: Classic Hits/'70s and '80s; WCNK-FM: Smooth Jazz

COMMENT: If the stations' cash flow is less than \$250,000, the purchase price will be the greater of \$3 million or 12.5 times cash flow.

WYCL-FM Pensacola, Fla.

PRICE: \$2.2 million

BUYER: Clear Channel Communications (John Hogan, CEO, Radio); No. 1 radio-station group owns 1,209 other stations, including WTKX-FM Pensacola

SELLER: Concord Media Group Inc. (Mark W. Jorgenson, president)

FACILITIES: 107.3 MHz, 100 kW, ant. 1,408 ft.

FORMAT: Oldies

INFORMATION PROVIDED BY: BIA Financial Networks' Media Access Pro, Chantilly, Va., www.bia.com

PATRICK  COMMUNICATIONS

is proud to have served as the broker in this transaction

(410) 740-0250, www.patcomm.com

Hoak Media of Colorado, LLC

James M. Hoak, Chairman

has agreed to acquire

KREX-TV

Grand Junction, Colorado

KREY-TV

Montrose, Colorado

KREG-TV

Glenwood Springs, Colorado

KGJT-LP

Grand Junction, Colorado

for \$10,000,000 from

Withers Broadcasting Company

W. Russell Withers, Jr., President

NEWSROOM AUTOMATION

MOVING TO DIGITAL



Avid's iNews system coordinates the relationships between the newsroom's newsgathering and editing components.

Doing More With Less

It's easier than ever to tie different systems together

BY KEN KERSCHBAUMER

With nearly every corporation in the industry consumed with cutting costs and headcounts, it comes as little surprise that automation technologies continue to gain presence in local, network and cable TV newsrooms. Given the very nature of newsgathering, which requires personnel in the field reporting and filing stories, any advantage that frees up more folks for gathering news is attractive.

"It's no big surprise that one of the recurring themes in the area of newsroom automation is doing more with less," says Dave Polyard, OmniBus Systems vice president, sales and marketing. "There are a lot of reasons why stations are programming more news." Among them: consolidation, regulatory changes, agreements with other stations in the market, cable inserts, and regional or national hub-based content-sharing con-

sortiums, or centralcasting.

One of the profound changes the average newsroom faces is the challenge of creating and managing multiple streams of news content. First, there are the demands of a station's own market; then, there are the demands of stations in other markets that may repackage a story. For both, news managers face a conundrum: Create more programming while also cutting budgets, with the biggest

cuts in most shops involving labor.

Typical automation needs include tying a station's newsroom system in more closely with nonlinear editing systems, graphics systems and video servers that store the content. Those new technologies pose two challenges: one financial, one technical.

Avid Broadcast Director Dave Schleifer believes that product pricing is helping companies meet the financial pressures. "Solutions are now so affordable," he says, "that this hurdle has been erased."

The hardest obstacles to overcome, he suggests, are often cultural. The systems are inherently different from what people are using today, and some people try to rebuild what they have instead of embracing different ways of working.

For stations that aren't looking to change their workflow, simpler approaches to automation are an answer. According to Com-

prompter President Ralph King, a good system reduces costs by automating the captioning, still-stores and character generation (CG). It also improves the on-air look by forcing a continuity and creation of a standard "look" by always cueing the correct next event (video, still, CG, etc.) for the director to take to air and hold at his or her discretion. And, he says, a good automation system will increase newscast options and flexibility during a show by providing accurate back and out times.

Control of multiple devices, such as VTRs and servers, is considered by manufacturers the

easiest to automate. Feed recording is also fairly easy to accomplish, according to Ian Bowker, Thomson Broadcast & Multimedia director, program management for news solutions. His company's FeedClip system is designed to do just that.

Where automation gets tricky, he says, is in the writing and editing process, where there is no substitute for flesh-and-blood control.

"While it's true in some situations that an automated newsroom system requires less people to operate it, we're finding that most of the stations converting to an automated system are doing so to beat the competition in getting stories to air faster," he says. "Jobs are not always cut in this type of situation. Most times, employees are retained to do other tasks related to a computerized newsroom."

Trevor Francis, business manager, news and sports, for Quantel, considers playout automation the most difficult because it requires communication and cooperation between as many as four sources: the newsroom system, automation product, server and router.

Quantel's generationQ is intended to short-circuit all this, he says, by handling the automation and routing in playout. GenerationQ comprises newsroom editing applications based on a common interface that runs on the company's sQ server architecture.

Like Quantel, Avid has been expending a large amount of effort in defining the relationship between the components itself, Schleifer says, its equipment is also compatible with gear from other manufacturers, thanks to its use of APIs and industry standards.

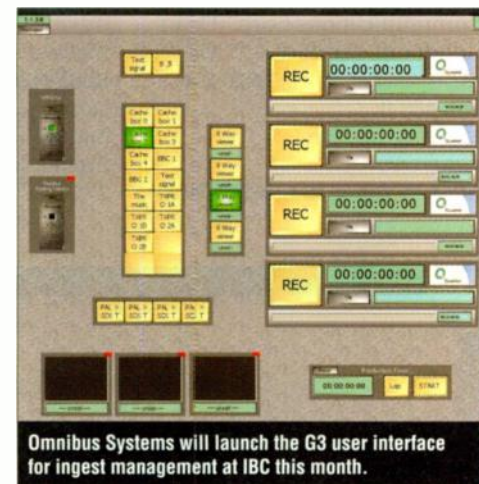
"The most difficult points to integrate are points where components need guaranteed performance, either in raw bandwidth, like shared storage, or in metadata consistency, as with an asset-management system," he says. "We have seen many assumptions about raw bandwidth and client requirements break down in real-world implementa-

tions. The end result is that the overall system can't deliver guaranteed performance."

Much of that performance demand falls on the newsroom computer system and its ability to integrate with other components. Mike Palmer, AP director of broadcast digital distribution systems and strategy, says that legacy editing and other craft-related products require companies to embrace integration and interoperability. At AP, that means MOS, or Media Object Server, protocol.

"MOS is the behind-the-scenes mechanism which allows us to efficiently work with the entire large and diverse group of MOS vendors to provide seamless editorial and production workflow," Palmer says. The recently released version of ENPS 4.0 and ENPS DNA (Dynamic News Architecture) program, he points out, are designed to help make newsrooms more efficient in getting news content to air.

"Even with the system running automatically, a producer can easily pause the system from his or her desktop so that breaking news can be covered live. And, since everything other than the breaking news is automated, everyone can then work on the breaking



Omnibus Systems will launch the G3 user interface for ingest management at IBC this month.

news as it happens, knowing that, when the live reporting is done, the system goes right back into automation mode."

At the end of the day, the broadcast facility considering newsroom automation needs to balance the risk of compromising the on-air product vs. the rewards of cost savings. Automation systems can help get a story to air more quickly, but it also requires a greater effort to maintain the local look of a station. But today's tools greatly reduce the risks. ■

Less Tape, More Fulfilling

Automation manufacturers see tapeless facilities as the future

BY KEN KERSCHBAUMER

With tapeless acquisition formats from Sony and Panasonic on the way, today's TV stations could find themselves going tapeless sooner rather than later. The formats hold the potential of greatly shortening the time it takes to get content to air, because news producers and editors will no longer have to shuffle through tapes or wait for content to be placed on a server.

"What's exciting about the new acquisition technologies is that they allow for instant mounting of media onto server systems," says Trevor Francis, Quantel business manager, news and sports. "If I've acquired onto either RAM technology or onto a

files both in and out of a facility. File transfers, metadata exchange, automation control, and application co-existence are some of the easier aspects of automating a newsroom, according to Avid Broadcast Director Dave Schleifer.

Many broadcasters and manufacturers view the aspects Schleifer mentions as the most important for defining the future of the newsroom. Transferring files via an Ethernet (or the Internet) eliminates the need for sneakernet or Federal Express. And metadata exchange makes it easier for editors and producers to get a better handle on what is in the file without having to scroll through the video and audio.

"Facilities which shoot and edit on tape can enjoy the best of both worlds by building a news-

jobs than with implementing the technology," says Ian Bowker, director, program management for news solutions, Thomson Broadcast & Multimedia. "A good collaboration between the technical and content-creation sides of the process is critical to success."

According to Schleifer, a tape-based facility can be up and running with a complete conversion to an Avid Unity for News environment in a matter of weeks. "A tape-based facility can take any of several steps to adopt new technologies and newsroom automation, starting with automation of studio playback, the adoption of standalone non-linear editors, or even smaller LAN-based workgroups." ■



Thomson's Grass Valley NewsEdit helps move newsrooms to tapeless operation.

'Facilities which shoot and edit on tape can enjoy the best of both worlds by building a newsroom automation system which integrates server ingest from the edit suites.'

FRED SCHULTZ, Sundance Digital Automation

CD-based technology, I can move media from acquisition to editing very quickly, and it's also completely non-linear."

The new formats won't work in a vacuum. Interfacing with other gear—like editing, graphics and newsroom systems—will require automation. The issue becomes one of budgetary vs. competitive pressures: The deeper the automation goes, the more efficiently the staff will be able to operate.

"For the next year or so, most stations will continue using their existing camcorders and edit suites while dust and prices settle on tapeless technology," says Fred Schultz, president of Sundance Digital Automation. "That period will favor newsroom automation that can integrate tape editing with on-air server operations. But, ultimately, the rising benefits of tapeless will sweep both servers and integrated tapeless editing into virtually all news operations."

Today's tape-based facilities are able to take advantage of automation. Machine control is an important aspect of an automation system, and it's as easy for a system to run either a VTR or video server. But the very nature of a server gives it a number of advantages over VTRs that can produce better operational efficiencies.

One thing in favor of servers is that it's easier then ever to move

room automation system which integrates server ingest from the edit suites," Schultz explains. "They benefit from server reliability and operational versatility, extend the useful life of their camcorders and edit suites, and defer spending on tapeless technology until the dust settles."

There is a pressure that may drive newsrooms to go tapeless before then. Michael Koetter, BBC Technology, vice president of technology, North American operations, says the sheer growth in news output across the country goes hand-in-hand with tape-based challenges common to many broadcasters: Locating footage in a timely manner; minimizing storage, transport, duplication and redundancy costs; managing the proliferation of incoming media and media formats while reducing "time to air;" dealing with fragmentation of workflows and the increased number of production "silos."

Once a station has made the move to go tapeless, it still has to deal with cultural issues, which can often be more daunting than the technical aspects.

"The difficulty in installing a server-based system into a situation that has existed with tape for a long time lies more with changing the way some people at the station think about and do their

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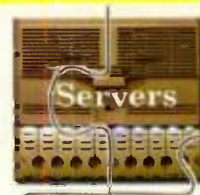


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Protocols, Standards Drive Development

By Ken Kerschbaumer

When it comes to newsroom automation, acronyms MOS, MXF and AAF are basic vocabulary. For most manufacturers (and broadcasters),

they are the standards and protocols that enable newsroom automation to go from concept to reality.

"Automation protocols such as MOS and file formats such as MXF offer a lowest common denominator for newsroom work-

flow integration," says Michael Koetter, vice president of technology, North American Operations, BBC Technology.

The MOS, or Media Object Server, protocol governs control between the newsroom and ancillary devices while the Ad-

vanced Authoring Format (AAF) and Media Exchange Format (MXF) help with the interchange of data between video, audio and effects-related systems. An AAF file contains data related to the video, audio and effects while the MXF file contains the

actual video and audio media. Used together, they remove many of the headaches associated with moving content from one device to another.

"MOS starts with placeholders for the daily events in the rundown and flows through the process from ingest to edit to playout, providing the fastest turnaround time available," says Eddy Jenkins, Leitch director of product marketing, video servers. "Control is placed where required, with a journalist, editor or news director."

MXF, on the other hand, provides a way to describe the content so that the journalist doesn't have to worry about format type, according to Dave Polyard, Omnibus vice president, sales and marketing, North America.

The AAF standard, he adds, "provides a 'container' to carry the increasing load of metadata and other information."

MOS was born out of a 1998 meeting at AP's ENPS newsroom systems developer conference. Five years later, it continues to evolve. The latest version, version 2.8, is designed to improve the speed and performance of a digital newsroom.

It includes detailed descriptions of how to apply the MOS protocol to several areas of workflow, called "profiles," according to Ian Bowker, Thomson Broadcast & Multimedia director, program management for news solutions. The profiles permit more-seamless integration because application of the protocol is no longer subject to interpretation because vendors must support at least two of the profiles.

The new version makes selection and integration of equipment much easier for customers, says Mike Palmer, AP director of broadcast digital distribution systems.

Along with MOS acceptance is the growing reliance on MXF and AAF. For many broadcasters and vendors, the sooner they become familiar with one or all of these acronyms, the better. ■

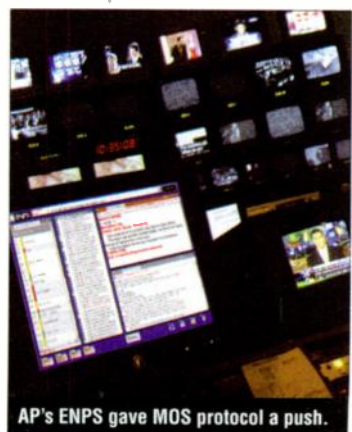


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PEOPLE

THE FIFTH ESTATER

Managing Change in the TV-Ratings Biz

Whiting has helped grow new business at Nielsen

Conventional wisdom has it that you have to move along to get ahead in the corporate world. But don't tell that to Susan Whiting, president and CEO of Nielsen Media Research. She has been with Nielsen her entire career, starting in the company's newly established management-trainee program back in 1978.

Of course, in the TV-ratings biz, once you decide that's the game you want to play, you have very little choice but to work for Nielsen. But credit Whiting with climbing a corporate ladder that has changed hands three times, including a stint as an independent publicly traded company, before being bought by Netherlands-based VNU in 2000.

Whiting joined Nielsen when it was a family-owned company based in suburban Chicago and run by the founder's son, Arthur C. Nielsen Jr. (Whiting still keeps in touch with Nielsen, now 84, who has no formal role at the company but is still interested in what goes on there).

After completing the management-trainee program, she was transferred to New York, where she was attached to a new-business-development unit. It was there that she got hooked on the ratings business.

"I love building businesses and putting teams of people together," she says. Part of what that unit was all about was listening to clients and their needs and problems and basically coming up with solutions that spawned new businesses.

One of the biggest was the Nielsen Home Video Index, the company's cable-measurement service. "A lot of what we were doing was looking at custom research and helping people with business plans who were starting new television venture."

Her work in that area was going on just as the fledgling cable industry was starting to get serious about generating big bucks from advertising-supported programming services.

In 1986, after five years of helping to develop, shape and manage the cable ratings system (among other initiatives), Whiting was

named vice president of Nielsen Home Video Index. At the time, it had no clients. Now it has 65 cable-network clients and hundreds of local-cable customers.

In 1987, she took on the additional responsibility of marketing for NHI. In 1997, she became general manager, national services and emerging markets (which developed such new businesses as ad-tracking service Nielsen Monitor Plus). In that role, she was in charge of sales and marketing of Nielsen services to the broadcast networks, syndicators, ad agencies and cable clients.

She was named president and chief operating officer of the company in 2001, assuming day to day management responsibility for the company. In January 2002, she added the title of chief executive officer.

The challenges going forward are enormous; the biggest, of course, involves implementing the largest expansion of the TV-ratings system in its 50-year history. The expansion includes shifting the nine other top-10 markets (Boston is done) to local people meter service, expanding the national household ratings sample from 5,000 to 10,000 homes and implementing new digital meters across that sample base.

As CEO, Whiting travels extensively. Almost half her time is spent away from her New York base.

But she doesn't mind the travel. Being in airplanes comes naturally. As she was growing up, her father owned and operated a regional air courier service. "We had an airstrip and two planes in our backyard," she recalls. And regularly scheduled rides in the plane with Dad were a part of her life.

Having grown up in rural Wisconsin, she is fond of country living, nature and the environment. She's a member of the board of trustees of Chicago's Peggy Notebaert Nature Museum. She divides her time between New York and Connecticut and recently finished building a house in her hometown of Lake Geneva, Wis., where she still has family.—*Steve McClellan*

Susan Whiting

President and CEO,
Nielsen Media Research

B. Aug. 1, 1956, Chicago

EDUCATION

BA, economics, Denison
University, 1978

EMPLOYMENT

Management trainee, A.C.
Nielsen Co., Chicago, 1978-
79; member, manager and di-
rector, new business develop-
ment unit, Nielsen Media
Research, New York, 1980-
85; vice president, Nielsen
Home Video Index, 1986-93,
and senior vice president.
NHVI, 1993-97; general man-
ager, national services and
emerging markets, NMR,
1997-2001; president and
COO, NMR, 2001; current po-
sition since January 2002

PERSONAL

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FATES & FORTUNES

Broadcast TV

PETER S. WALKER, senior VP, Tribune Television, Chicago, named to the advisory board of The Associated Press, Washington.

At WETA-TV Washington: **KATHERINE BENSON**, VP, national advertising sales, Bravo, New York, joins as VP, Eastern sales; **BARBARA JOHANSON**, VP, Central sales, MTV Networks, Chicago, joins in the same capacity.

GINGER ZUMAETA, VP, advertising and promotion, WMAQ-TV and WSNS(TV) Chicago, joins KNBC-TV Los Angeles, as VP, creative services.

Cable TV

ROBERT K. FAUGHT, CEO, Universal Wireless, Atlanta, joins Comcast Cable, Philadelphia, as senior VP, retail and commercial online sales.

SEAN HOGUE, director, operations, Northeast district, Anderson, Ind., promoted to district VP.

CHUCK GORDON, general sales manager, WXIX-TV Cincinnati, joins Time Warner Cable Ad Sales, Kansas City, Mo., in the same capacity.

Programming

MICHAEL SAKIN, senior VP, advertising sales, Game Show Network, Santa Monica, Calif., promoted to senior VP, sales and distribution.

DAWN ABEL, senior VP, research, Carsey-Werner-Mandabach, Los Angeles, rejoins Paramount Domestic Television, Los Angeles, in the same capacity.

At MTV Networks: **HARRIETT BRAND**, VP, talent and music, MTVN Europe, London, promoted to senior VP; **BILL FLANAGAN**, senior VP/editorial director, MTVN Music Group, New York, adds MTVN International to his roster; **CRISTIAN JOFRE**, VP/marketing and creative director, MTVN Latin America, Miami, promoted to senior VP/creative director, MTVNI, London.

DANILA KOVERMAN, executive producer, *La Cenicienta*, Galan Entertainment, Los Angeles, joins Gemstar-TV Guide International, as senior VP, programming and production, TV Guide Television Group, Los Angeles.

TODD MILLER, managing director, AXN Asia, Singapore, named senior VP, international networks, Asia, Sony Pictures Television International, Singapore.

BRIAN DECKER, VP, affiliate sales, Western region, Superstation WGN, Chicago, joins NFL Network, New York, as VP, West Coast.

Radio

JULIE TALBOTT, senior VP, integrated marketing solutions, Premiere Radio Networks, Los Angeles, promoted to

**MICHAEL SAKIN**
Game Show Network**PAUL MUELLER**
WLVI-TV Boston

executive VP, affiliate marketing.

RANDALL BLOOMQUIST, AM operations director, Clear Channel, Richmond, Va., joins WMAL(AM) Washington, as operations director.

Journalism

PAUL MUELLER, reporter, WLNE(TV) Providence, R.I., joins WLVI-TV Boston, weekend anchor/reporter 10 p.m. newscast.

Satellite

RON RODRIGUES, editor-in-chief, *Radio & Records*, Los Angeles, joins Sirius, New York, as senior director, PR.

Technology

MIKE MCGRAIL, president/chairman, DST Innovis, San Francisco, joins ICTV, Los Gatos, Calif., as president/CEO.

MARK NEARY, director, East Coast sales and support, Pinnacle Broadcast Products, New York, joins OmniBus Systems, Stamford, Conn., as Northeast region sales manager.

Correction

KIM DOZIER, chief correspondent, Middle East bureau, WCBS-TV New York, joins CBS News, as correspondent, Tel Aviv, Israel.

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DSL Forum Hilton Toronto, Toronto. Contact: 510-608-5905.

Sept. 3-5

Women in Cable & Telecommunications Executive Development Seminar. Sylvan Dale Ranch, Loveland, Colo. Contact: Deborah C. Stewart, 703-234-1904.

Sept. 4

Television Bureau of Advertising Forecast Conference. McGraw-Hill Conference Center, New York. Contact: David Friedman, 212-486-1111.

September**Sept. 7-9**

Association of National Advertisers Sponsorship and Event Marketing Conference. Chicago. Contact: Patricia Hanlon, 248-391-3121.

Sept. 9

Kagan Media Mobile Broadband. The Helmsley Park Lane Hotel, New York. Contact: 831-624-1536.

Sept. 10

The Black Broadcasters Alliance 3rd Annual Media Conference. Washington Monarch Hotel, Washington. Contact: 412-829-9788.

Sept. 10

Association of National Advertisers Western Region Meeting. Los Angeles. Contact: Patricia Hanlon, 248-391-3121.

Sept. 10

Kagan Media BroadbandVisions: Sponsored Programming & Product Placement. The Helmsley Park Lane Hotel, New York. Contact: 831-624-1536.

Sept. 10

Museum of Television & Radio A Conversation with Aaron

Sorkin, Los Angeles. Contact: Terry Smith, 310-786-1042.

Sept. 10

Women in Cable & Telecommunications Washington Chapter. Panel with top cable TV executives. NCTA Theatre, Washington. Contact: Joan Berler, 703-354-5062.

Sept. 11-15

IBC2003 RAI Exhibition, Amsterdam, The Netherlands. Contact: Robin Lince or Daniel Coderoy, 44(0)20 7611 7500.

Sept. 14-16

National Association of Minorities in Cable 17th Annual Conference: Embrace Diver-

sity, Embrace Success. New York. Contact: Veronica McGlothlin, 812-232-3995.

Sept. 14-17

Electronic Retailing Association 13th Annual Conference & Exposition. Paris Hotel, Las Vegas. Contact: Steve Syatt, 818-501-0700, or Mike Rudnick, 212-679-4750.

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Nov. 10

Broadcasting & Cable Hall of Fame Marriott Marquis, New York. Contact: Steve Labunski, 212-889-6716.

Dec. 2-5

California Cable & Telecommunications Association The Western Show. Anaheim Convention Center, Anaheim, Calif. Contact: Dorothea Elumba, 510-428-2225.

FCC Dispute Likely on *Opie & Anthony* Fine

Continued from page 1

Greg Hughes and Anthony Cumia instigated the stunt for their *Opie & Anthony* show. They were fired as a result.

The sources would not reveal the amount of the fine other than to say the figure is more

than the minimum \$7,000 typically levied for indecency violations but less than the \$27,500 maximum a single indecency incident can draw.

It's now up to the five commissioners to decide over the next couple of weeks whether to ac-

cept the staff recommendation and issue a Notice of Apparent Liability, the first step in the agency's complex fining procedure.

Commission and industry sources expect the staff recommendation to be accepted, but not without at least one commission-

er—Michael Copps—attempting to impose a stiffer penalty. The broadcast prompted public outrage in New York and among Catholics around the country.

Officials at Viacom, Infinity's parent company, had little comment on reports of the recom-

mendation. "After a decision is announced, Infinity intends to formulate a response," said a spokesman.

Copps, for whom tougher enforcement of indecency rules is a priority, has charged that FCC sanctions are little more than slaps on the wrist that do little to stem raunchy programming on the radio dial. He is likely to view the fine in a similar vein and could argue for increasing it well beyond the \$27,500 per-incident limit on the grounds that WNEW's Aug. 16, 2002, broadcast was re-aired on other stations and that similar escapades were chronicled on previous *Opie & Anthony* programs.

The show had been syndicated by Infinity's Westwood One to 18 stations. The incident, which led to the arrest of the couple and field producer Paul Mercurio, was part of a contest concocted by the shock jocks and their producers in which six couples were given a list of 54 different high-risk locations at which to have sex in New York.

First Amendment attorneys have predicted that the FCC would have a hard time making a sanction stick because there was little graphic description of the alleged sex. But an industry source speculated that Infinity might want to put the matter to rest by paying a modest fine rather than endure another round of embarrassment the case would likely cause. Infinity has paid much more to settle Howard Stern indecency fines.

It's possible that Copps will argue that Infinity's license for WNEW should be subjected to a revocation hearing before an agency administrative law judge, given that the FCC had warned the previous April that the next "serious" violation by an Infinity station could warrant stripping a license. The FCC has never sought to revoke a license for indecency. That prospect is a long shot in the WNEW case, however, because the incident occurred months before the revocation warning.

Under FCC rules, broadcasts depicting sexual or excretory functions in a manner intended to pander, titillate and shock are prohibited between 6 a.m. and 10 p.m.

The FCC revocation threat was part of an order explaining a \$27,500 fine against Infinity's WKRK-FM Detroit for a 4:30-5 p.m. segment of the Jan. 9, 2002, *Deminski & Doyle* show, in which nine callers each described a different extreme or violent sexual act. ■

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Rivals Call WKMG-TV Show a Ratings Ploy

BY DAN TRIGOBOFF

In a way, WKMG-TV Orlando, Fla., is leaving it up to God. The Post-Newsweek-owned CBS affiliate last week began airing a 20-minute weathercast titled *Big Picture Weather* at 11:10 p.m. but plans to air it only on Wednesdays.

Why? Local competitors say the move is really a false front that allows WKMG-TV to exclude part of its normally low-rated Wednesday-night half-hour newscast from the Nielsen averages for the station's newscasts the other nights of the week.

"If they can figure out how to get weather emergencies every Wednesday night," says WFTV(TV) News Director Bob Jordan, "then they'll have something. This is one of the most ridiculous strategies I've ever heard."

WKMG-TV General Manager

'I believe that weather, like sports, is a franchise that defines your newscast. The Weather Channel does it for 24 hours a day, seven days a week. Why can't I do it for 20 minutes?'

HENRY MALDONADO,
WKMG-TV Orlando, Fla.

Henry Maldonado acknowledged that the opportunity to drop the second Wednesday-night quarter-hour, benefits his station. It does relatively poorly on Wednesdays because WESH(TV)'s airing of *Law & Order* spills viewers over to that NBC affiliate's 11:00 news.

In a competitive market, WKMG-TV has been first, second and third in late news, all within the past year's ratings books.

"I don't disagree that this is a repercussion," said Maldonado of the ratings effect. "But we're not doing it just for that reason. We're not starting this during a ratings period. I legitimately believe that weather, like sports, is a franchise that defines your newscast. The Weather Channel does it for 24 hours a day, seven days a week. Why can't I do it for 20 minutes?"

"We could do stunts," he adds. "We've all done it. ... [But] on Wednesdays, I'm dead whether I keep this in the book or out of the book."

Ratings were a bit cloudy during the first weather show. CBS's *48 Hours* handed WKMG-TV's 11 p.m. news a 7.5 rating/13 share lead-in during the last quarter-hour. WKMG-TV's newscast held

on to a 6.7/13 for the first quarter-hour, but *Big Picture Weather* dropped to a 4/9 for the rest of the half-hour. A week ago, the station's news went up during the second quarter-hour.

"I wouldn't rule out the possibility of doing a weather show,

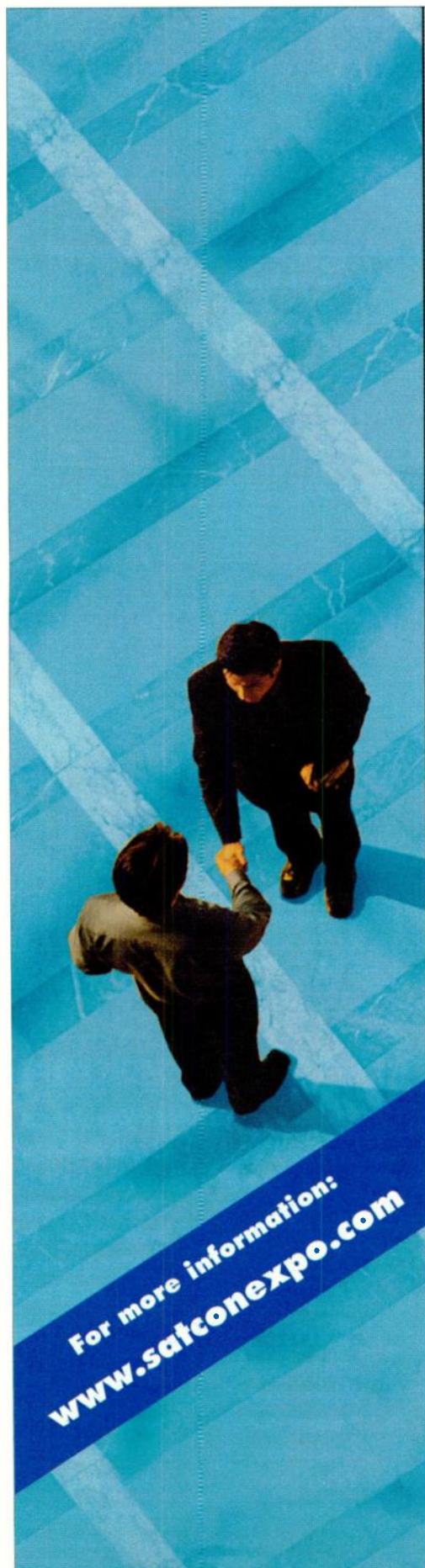
but I wouldn't do it at 11:15 at night," said WESH(TV) News Director Ed Trauschke. "Advertisers will see right through this."

Rich Melin, vice president and media director for Orlando's Cramer-Krasselt Advertising, said his company's buyers are "quite

aware of this situation and will take this into consideration regarding the rates we're going to pay and the ratings we're going to accept." But he credited Maldonado as "an innovator. Henry looks at everything from the perspective of entertainment value. He's

not afraid to try different things."

Nielsen's Jack Loftus concedes, "It's not unusual to see stations retitling news programs. In this case, they're putting on an entirely new program and selling it as a different program. This is perfectly within our rules." ■



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Executive Producer

is responsible for a significant portion of the operation. Will supervise production of newscasts or newscast segments, supervise the writing, story and graphics selection along with the other elements of production. The Executive Producer will conduct coaching to Producers, Talent and other direct reports. The ideal candidate will have 5 years experience in journalism, including 3 in television and 2 in News producing. Exp managing teams essential.

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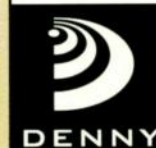
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EDITORIALS

BROADCASTING & CABLE COMMITTED TO THE FIRST AMENDMENT

FCC on the Offensive

We understand that Infinity will be fined, and more than the token amount, for indecency by the FCC for the Opie & Anthony stunt, in which WNEW-FM New York listeners were encouraged to have sex in public places and talk about it on air. One of those places was St. Patrick's Cathedral, which drew immediate censure from many quarters, including this one. Clearly, theirs was the kind of sophomoric, sacrilegious stunt guaranteed to get them a trip to the principal (and, as it turned out, a pair of pink slips). But was it indecent? No, not by the FCC's vague standards, nor should it be.

The Media Bureau was circulating the decision last week, which means that Chairman Michael Powell was on board. The other commissioners are pretty much gung-ho for toughening indecency standards, but we must admit to disappointment in the chairman, whose talk on First Amendment protections and the problems with content regulation has always been strong. Perhaps he reads the indecency rule differently. He is nothing if not a good soldier when he feels he has been given an order. But this was a chance to walk the walk, and he appears to have chosen to march with the content-reg crowd.

We don't believe this stunt was an indictment of Catholic sex scandals, though we can't be positive since the issue was raised during the broadcast, or a political statement about artistic freedom, or anything other than the sin of bad judgment, but broadcasters must be allowed to make those mistakes and to be thoughtlessly offensive. Otherwise, they will not be free to

be thoughtfully so. The latter is the only way boundaries are tested and barriers broken. Our children are better served by a free press than by one censored in their name.

French Disconnection

A stroll along the Seine, the play of light through beech trees sheltering a sidewalk café, the throw of spray at the Palais Royal fountain. Perhaps the enjoyment of such simple pleasures and the general pace of European summers are behind Vivendi's refusal to get on with it and sell its entertainment assets already.

Last week, the Vivendi board, meeting in Paris, decided not to decide who will win its hand, but it will certainly think about it some more.

In a summer lacking the merger-a-minute pace of years past, Vivendi/NBC/Bronfman et al. has been the main point of interest bookmarked in deal-watchers' dog-eared Fodor's. But Vivendi's stringing out the \$14 billion sale (that valuation may be part of the hold-up) of its Universal movie studio and theme park and USA Network as though teasing a crowd of rich suitors has begun to get old. The company risks going from playing the coquette to playing le clown. The last word at deadline was that the auction was finally coming to an end, with NBC emerging as the winning bidder. Let's hope so. It's in Vivendi's interest to get its act together and unwind assets that it has conceded it is not "genetically coded to run." Vite! Vite!



TWO CENTS



"When Norman Rockwell was painting, the bats were wood, the uniforms were wool and there wasn't any cable television. Not to be flippant, but these kids today grew up on *SportsCenter* and the Internet. No one puts baseball cards in their bicycle spokes anymore to hear the flapping sound. It's a different time. We had to change."

STEPHEN KEENER,

president and CEO of Little League Baseball, to *The New York Times* on the increasing television coverage of the Little League World Series.

"Back in the day, he had edge. He was kind of a rebel."

TOM CALDERONE, MTV executive VP of music and talent, to the Associated Press's David Bauder on Johnny Cash. Cash was nominated for six Video Music Awards and received one at last week's ceremony.



"Is this chicken, what I have, or is this fish? I know it's tuna. But it says chicken. By the sea."

JESSICA SIMPSON to new husband Nick Lachey on MTV's *Newlyweds: Nick and Jessica*.

"You can get incensed about *Temptation Island*'s attempts to break up couples, sure, but what's a little love test, really, next to *Joe Millionaire* treating America to the sounds of oral sex? And then there's the little matter of *Paradise Hotel*, which was like *Temptation Island* for slow learners."

STEVE JOHNSON,

Chicago Tribune, on *Temptation Island 3*.



AIRTIME

GUEST COMMENTARY

A Broader View of Broadcasting

The FCC's recent media-ownership order offers an extremely narrow view of the commission's First Amendment duties. Namely, that it is not "necessarily healthy for public debate to pretend as though all sides are of equal value or entitled to equal airing." The FCC does not care that broadcasters "do not always, or even frequently, avail themselves to others who may hold contrary opinions" and would care only about the complete suppression of a point of view. The commission tries to soften this view by reminding us that the average American has more entertainment viewing choices than ever, on average 102 channels.

Fortunately, neither the public nor the Supreme Court shares this narrow view, so the order is not likely to stand. The First Amendment is about the freedom of every citizen to speak, not the right to hear broadcasters speak. For print and electronic media, the Supreme Court applies the principle that "the widest possible dissemination of information from diverse and antagonistic sources is essential to the public welfare."

For broadcast media, serving that public welfare is problematic because, as the Supreme Court has repeatedly recognized, "where there are substantially more individuals who want to broadcast than there are frequencies to allocate, it is idle to posit an unbridgeable First Amendment right to broadcast comparable to the right of every individual to speak, write or publish."

In other words, we limit the number of broadcast licenses a single entity can hold because there are far more citizens who want a license than there are licenses. People without broadcast



The First Amendment is about the freedom of every citizen to speak, not the right to hear broadcasters speak.

MARK COOPER
Consumer Federation of America

number of entities to own multiple TV stations, numerous radio stations and dominant newspapers in the same city.

Cooper is director of research for the Consumer Federation of America.

licenses are at a distinct disadvantage in getting their ideas aired precisely because license holders decide what is broadcast. Cable does not change this equation much because each operator controls all of the channels on its system, except for those broadcasters have a legal right to control and a handful of under-funded access channels.

In the past quarter century, the number of owners of broadcast stations and the number of broadcast newsrooms have declined. The average American city must get its news about a school-board election or congressional race, for example, from that limited supply, while the population has grown larger and more diverse.

With licenses still very scarce, the broadcast and cable industry claims that an e-mail address and a Web site give ordinary citizens just as much of an electronic voice as owners of broadcast stations and major networks. If the Internet and broadcasting are so equal, broadcasters should not mind relinquishing their licenses and shifting their distribution to the Internet. I suspect they would not be very happy to have the power of their voices reduced to that of ordinary citizens.

The "widest possible dissemination" that the high court says is "essential" has yet to be achieved. It should not be abandoned by allowing a smaller



"Someone I know who tried out for a *Temptation Island*-type reality show told me she didn't make the cut because the producers said she was too bright."

ADAM BUCKMAN, *New York Post*.

"How big is the demographic gap between *Buffy* and *Bonanza*? Younger viewers probably think Ponderosa is a rock group and Little Joe is the lead singer."

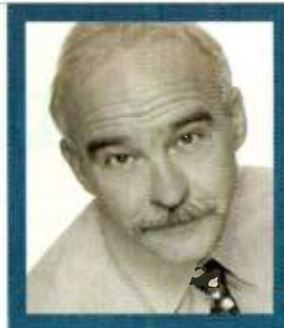
DUSTY SAUNDERS, *Rocky Mountain News*, on two of the many TV marathons scheduled for Labor Day.

"Take comfort in knowing *The Real Roseanne Show* has officially been canceled. Mind you, some have suffered mild psychological damage from taking in that sad series."

MELANIE MCFARLAND, *Seattle Post-Intelligencer*, on late-summer TV.

WE LIKE LETTERS

If you have comments on anything that appears on these pages and would like to share them with other readers, send them to Harry A. Jessell, editor in chief (e-mail: hjessell@reedbusiness.com, fax: 646-746-7028 or mail: BROADCASTING & CABLE, 360 Park Avenue South, New York, NY 10010).

**P.J. BEDNARSKI**
EDITOR

He Retorts. We Deride.

How Al Franken went from satirist to monotonous

They say—as a matter of fact, I heard it again just about a week ago on National Public Radio's *On the Media*—that, as Lenny Bruce began being prosecuted for obscenity, his nightclub act became the occasion for him to spout rambling legal arguments while his courtroom appearances became the place to see his standup act.

Something like that has happened to Al Franken. He ended the week of Aug. 18 as a brilliant comedian/satirist and performance artist and, by the beginning of the week of Aug 25, turned into this guy who somehow mistook himself for a political analyst.

If you saw him on CNN's *Crossfire* last Monday or Tuesday, you saw the deluded Al Franken who got to thinking

n't easy on shout shows like *Crossfire*, but here was Franken, a two-day guest host, shouting maniacally: "I am the co-host of this show! I am the co-host of this show! I am the co-host of this show. I can say this! I am the co-host of this show!"

Permanently twerpish host Tucker Carlson, observing this ranting, petulant display, remarked, "Al, your face is actually twitching, so you're making me a little nervous."

It wasn't funny. It was freakish.

Indeed, as you certainly know by now, Franken's new book got Fox News in a snit, particularly O'Reilly, about whom Franken would have certainly written his previous book, *Rush Limbaugh Is a Big Fat Idiot*, if O'Reilly had been well-known in 1997

have known that Franken would drown in his own self-importance immediately after winning in court.

That's what happened. That is not good news if you are a satirist trying to sell copies of your book, and, although Fox helped propel Franken's screed to the top of the bestseller lists, let's check it again in a couple weeks.

Because, somehow, Franken went from funny guy, former *Saturday Night Live* writer and performer, whose dry style and kind of bookish demeanor is darned funny, to Al Franken, the political strategist, the liberal savant who really thinks he knows something.

Why this happens to famous people is beyond my comprehension, but Al Franken's analysis of the 21st century



As co-host on *Crossfire*, Franken turned into this guy who somehow mistook himself for a political analyst.

he had politically impactful comments to make, not the Franken whose controversial *Lies and the Lying Liars Who Tell Them: A Fair and Balanced Look at the Right* wasn't accomplishment enough. It's a great book that skewers the Republican template, which these days includes Fox and its night-time talk host Bill O'Reilly. It's a very funny read. Great book.

Then Franken began taking himself seriously.

At one point on *Crossfire* last Monday, he was so intent on making a point—that it was the military built by that old softie President Clinton that had succeeded for strongman President Bush in Iraq and Afghanistan—that he frantically insisted to be heard as if he were some pouty 8-year old at a McDonald's playground.

Trying to get a word in edgewise is

(and if he were fat, I guess).

Fox sued for copyright infringement (the "Fair and Balanced" thing) and lost as it must have certainly known it would. Fox also must have known it was going to be made to look foolish by a federal judge, Denny Chin, who performed as expected.

In the 24/7 news cycle, I know this is all old news, but I needed to mention all this because of one wildly irrelevant argument that Fox had made in its lawsuit: that Franken was "increasingly unfunny." That doesn't have much legal clout as an argument.

But, by last week, Fox was shown to be exactly right. Everybody said Fox was foolish for bringing the suit, and it was, but it was very possibly true that Fox potentate Roger Ailes (I believe that is his official title now) might

military-industrial complex is told with such fervent complexity that a listener might conclude that he has crossed the border of comical cynicism and entered the state of aggressive paranoia.

Johnny Carson knew how to do a nightly political monologue without letting us know his politics; and even Mort Sahl, while liberal and Democratic, had the ability to lampoon the left. Every time comedians get serious, they sound stupid.

Sorry, Al. You are increasingly unfunny. You're good enough. You're smart enough. But when you set yourself up as the only truth-teller in the media, doggone it, you're just not good enough. ■

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Broadcast Nets Wilt in Summer

Continued from page 1

tired of watching cable's gains. "We are serving notice with this move that NBC intends to compete 12 months a year," NBC Entertainment President Jeff Zucker declared last spring.

NBC slotted originals in more than half its summer schedule. The new entries included *Fame*, *For Love or Money* and *Last Comic Standing*. Fox tried to repeat last summer's monster success with a kiddie *American Idol* spinoff, *American Juniors* and even a drama, *Keen Eddie*. Other networks followed suit.

But the effort failed to reverse the slide, although it did slow it considerably. This summer, the seven broadcast networks were down just down six-tenths of a point from last summer, to 32.4%.

During the past two summers, the broadcast networks lost as much as 11% in total viewers and 13% in adults 18-49. This year, both categories fell just 2%.

"It's a naive way of looking at things to say that, unless we show

ues; cable continues to grow."

Said Lifetime Executive Vice President Tim Brooks, "I think it's a summer that broadcasters tried very hard to recapture." And, initially, they were making headway, with heavily promoted reality series like NBC's *For Love or Money* pushing household viewership up 2.4% in June. During August, though, the broadcasters were off 4.5% from last year.

The conventional wisdom that good weather sucks viewers away from their TVs is exaggerated. Once upon a time—the 1950s—the average number of homes using television (HUTs) dropped about 28% when summer reruns came on. By 1991, that gap had shrunk to 11%. But, as cable programming has gotten stronger, viewers are hitting the couch even when the weather is nice. Now average summer viewership of all TV is just 5% lower than during the regular season. TV viewership in the lowest-rated month, July, is just 10% less than the highest-rated month: snowbound January.

from a financial standpoint. These increased ratings have resulted in an additional \$30 million to \$40 million, found money, because of that success, right to our bottom line. As a result, we'll employ exactly the same strategy next summer."

Nonetheless, except for a free-falling Pax TV, NBC sustained the most summer-to-summer damage, dropping 11% in adults 18-34, 6% in adults 18-49 and 3% in adults 25-54. NBC blames the decline on the loss of the NBA playoffs, which also accounts for ABC's 4% bump in adults 25-54. ABC managed to stay flat in adults 18-49, while dropping 6% in adults 18-34. CBS had the best scorecard of the Big Four networks in the demos this summer, staying flat in adults 18-34 and 18-49 and jumping 3% in 25-54.

Fox was flat in its key adults 18-34 demo, while dropping 4% in both 18-49 and 25-54. But this year's schedule was missing the soaring *American Idol* of last summer. So, overall, the Fox schedule was probably stronger this summer.

The WB was up 9% in its key demo, adults 18-34, and flat in the older categories, also a good report card since the lights usually go out at The WB during the summer. UPN was flat across the board, propped up by *America's Next Top Model*, which scored the network's highest ratings of the year.

Among the cable winners were MTV (up 19% in 18-49s and 15% in total viewers on an array of modest but solid series like *Making of the Band*), TLC (up 14% in 18-49s with *Trading Spaces*) and TNT (up 8% on the strength of *Law & Order* reruns). Losers include Lifetime (off 12% in 18-49s and down 18% in total viewers as movies fade), USA Network (down 20% in 18-49s) and ESPN (down 16% in 18-49s and total viewers).

The most glaring problem was cable's original series. Certainly, *Queer Eye for the Straight Guy* is a massive success for the bottom-rated Bravo (increasing 18-49 viewership in its main time slot by 790%), and FX scored with *Nip/Tuck*, which improved its time slot by 355%.

But USA's *Peacemakers* faded after a strong launch and skews so old—it's average viewer is 54 years old—that one Lifetime executive calls it "Pacemakers."

Be careful: One of Lifetime's new dramas is *1-800-Missing*, which suggests a joke or two about its audience fade since premiering strong. The same goes for companion Lifetime series *Wild Card*. A&E's British spy drama *MI-5* is also an expensive misfire. ■

Everybody Comes Back on *Raymond*

BY PAIGE ALBINIAK

CBS's *Everybody Loves Raymond* got back to work last week, with hold-out Brad Garrett securing a pay raise and a small percentage of the show's syndication profits, retroactive through the show's first season.

Garrett's new deal increased his salary from \$150,000 an episode, or nearly \$4 million annually, to \$250,000 an episode, a jump to \$6 million annually. Garrett plays Robert, the jealous older brother of Raymond, portrayed by the show's star, Ray Romano.

"We had a big contract negotiation. Now it feels like a hit show," said executive producer Phil Rosenthal.

"I'm thrilled to be back working with the best cast on television," said Garrett. "CBS, Ray and Phil really stepped up to make this happen. I'm looking forward to the new season where I'll take the art of over-acting to a whole new level."



Brad Garrett (l) strikes gold.

Garrett's salary increase—which brings him to the same level as Peter Boyle, who plays Raymond's father, and Doris Roberts, who plays his mother—is retroactive through at least last season, sources say. And his new backend stake, about one-half of a percentage point, is potentially worth another \$5 million, sources say, if the show brings in the \$1 billion or more in backend revenues that most predict. Heaton, who plays Raymond's wife, already earns more than Garrett, Roberts and Boyle, around \$415,000 an episode, or about \$10 million annually.

In May, Romano became the highest-paid star on television. After expressing their discontent, Peter Boyle, Brad Garrett, Deborah Heaton and Doris Roberts received small backend stakes in the show.

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sion. CBS bumped his salary to \$1.8 million an episode from about \$850,000, to a minimum of \$39.6 million annually. Romano also owns some 12.5% of the show's backend, sources estimate. So far, the show has been sold in only one cycle of syndication, with a second likely to start in the next few months.

With the salary structure so out of balance and Romano and Rosenthal talking about ending the show after this season, the rest of the cast became disgruntled. Ending the show a year early would have cheated them out of a year of salaries.

After expressing their discontent by calling in sick for parts of the first two weeks of production, Boyle, Roberts and Heaton received small backend stakes in the show as well, with Romano, Rosenthal, and production companies HBO Independent Productions and Worldwide Pants chipping in a small part of their percentages. Sources say CBS did not contribute because it owns only 10%, less than any other major party. ■



USA's *Peacemaker* (top left) and NBC's *Fame* (top right) failed to meet expectations. But *Queer Eye for the Straight Guy* (bottom) was a winner for Bravo.

a gain, it's not a success when the typical pattern has been a much greater fall-off," said Thomas Bierbaum, an NBC spokesman.

Cable-network executives, naturally, give the numbers a different spin. "They're just not seeing much of a ratings boost at all," Turner Broadcasting Chief Research Officer Jack Wakshlag said. "The erosion still contin-

"We cannot tolerate low-rated repeats anymore. We just can't," Zucker said at the summer press tour last month. Programming more aggressively in the summer "has worked for us on a number of levels: from a circulation standpoint ... from a promotional-platform standpoint—the awareness of our new fall shows is extremely high—and

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