



PRIME TIME

Whoopi Indeed!

Two NBC sitcoms debut big

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BLACK PROGRAMMING

TV One Makes Two

BET gets a cable rival

Page 10



BEDNARSKI

Love That USA

Ad Council's PSAs hit home

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FREEDOM



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September 15, 2003

ANNUAL B&C COST-OF-SPOTS SURVEY, PAGE 3

Prime Time Doing Fine

Thirty seconds of commercial time now exceeds \$300,000 in 13 broadcast network shows

The Top 10 Highest-Priced Shows

CBS has four shows among prime time's most lucrative; NBC and Fox, three each



CBS
Survivor
\$425K

PROGRAM	NET	PRICE*
1 Survivor	CBS	\$425
2 CSI	CBS	\$400
3 Raymond	CBS	\$400
4 Friends	NBC	\$380
5 The Simpsons	Fox	\$370
6 Will & Grace	NBC	\$360
7 ER	NBC	\$355
8 Monday Night Football	ABC	\$350
8 CSI: Miami	CBS	\$350
9 Malcolm in the Middle	Fox	\$326
10 24	Fox	\$320

*Per 30-second spot in thousands
SOURCE: Ad agency and network executives

DOLAN: HIGH (DEF) ON DBS

Cablevision chief set to unveil satellite-TV service for HD junkies

By JOHN M. HIGGINS

Cablevision Systems' much criticized startup DBS service is aiming squarely at high-def junkies, loading up on HDTV services, creating a slate of new, narrow-interest HD networks of its own, and possibly selling its dish through Sears stores.

Expected to be unveiled Oct. 1, the DBS service is designed as a direct replacement for cable, DirecTV or Dish Network. The service aims at the high end of the TV market, viewers who have invested in high-definition TV

Continued on page <None>

VOOM?*

Here's the kind of satellite-TV service that Chuck Dolan is telling suppliers he would like to offer:

Basic package (\$49.95 per month):

21 nichey, unknown special-interest networks in HDTV, plus a few dozen basic-cable networks in standard-definition.

Premium tiers (\$14.96 per month each):

HD Marquee (HDnet, ESPN HD, Discovery HD Theater, etc.), plus various HD-rich movies and sports packages featuring HBO, Showtime and Starz, among others.

Subs projections

END OF YEAR

2002	30,000
2004	150,000
2005	500,000
2006	1 million

*Is this the name of the service? Dolan isn't saying, but he has trademarked the name and registered voom.com



MADISON AVE.

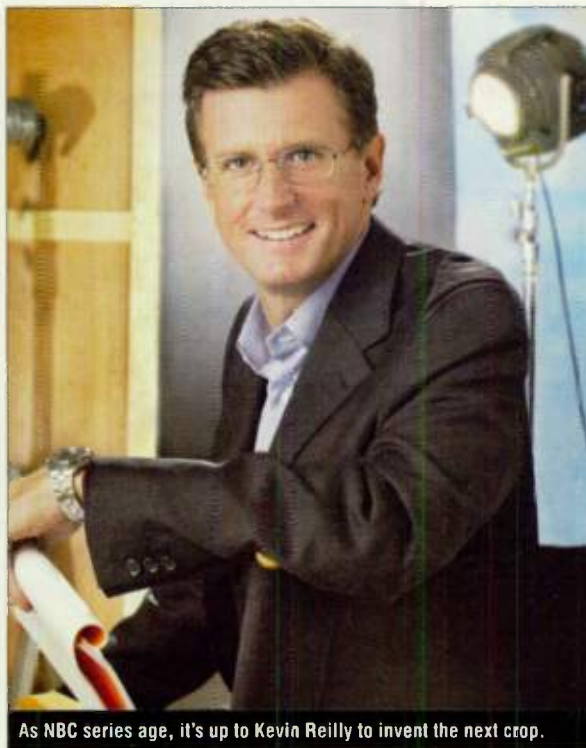


ALCOPOPS

HOW BAD?

Two conflicting views on whether commercials affect underage drinking

TV BUYER PAGE 24



NBC'S NEW HOLLYWOOD GURU

Life of Reilly Won't Be Easy

By PAIGE ALBINIAK

When Shawn Ryan submitted the script for *The Shield* to then FX President Kevin Reilly, he considered it nothing more than a sample of his writing. He didn't expect Reilly to turn it into a series, and he certainly didn't expect Reilly to also hand him an executive producer's job. Ryan had worked on other shows but had never written and produced one of his own.

"The easy thing would have been to pair me up with someone who was very experienced and who would have final say," Ryan

Continued on page 33

As NBC series age, it's up to Kevin Reilly to invent the next crop.

NEWSPAPER

#BXNPNRT *****3-DIGIT 462
#BC7537812# JAN04 REG 108



FCC Gives DTV a Plug-and-Play Push

By BILL MCCONNELL

Cable-ready digital TV sets should be on the market by fall 2004, set makers predicted last week following the FCC's approval of industry-brokered standards for "plug-and-play" TVs. The sets are compatible with cable TV and don't need a set-top converter.

Plug-and-play sets are believed critical to speeding the transition to DTV because it will make the service accessible to the 70 million TV households that rely on cable. The service will be even more attractive to those subscribers, about half, who don't want set-top boxes.

"Many consumers have been reluctant to invest in the newest televisions because of uncertainties about compatibility with cable systems and set-top boxes," FCC Chairman Michael Powell said.

The next stage in the development of cable-ready DTV sets will be standards for "two-way" sets that won't need set-top boxes for video-on-demand and electronic games.

Within weeks, the FCC Media Bureau is expected to propose broadcast-flag rules that would protect digital broadcast from unauthorized Internet transmission.

For cable operators, the introduction of cable-ready digital TV sets will give them a product that can be combined with programming packages to compete in retail stores with satellite-TV service.

"There are an increasing number of agreements between MSOs and retailers," said Robert Sachs, president of the National Cable & Telecommunications Association, "and I expect to see more in the future."

The FCC action approves standards that were negotiated in December 2002 after years of discussion between Cable Television Laboratories Inc.—the cable industry's research

arm—and the Consumer Electronics Association (CEA). Included is a copy-protection regimen requiring digital TV sets to comply with encoding that all pay-TV services, including satellite, must transmit to govern what programming may be copied and how often.

According to the scheme, pay-per-view and video-on-demand may not be copied; basic and extended-basic service as well as subscription video-on-demand can be copied once; and broadcast TV can be copied with no limits.

Starz Encore Chairman John Sie praised the FCC for rejecting a portion of the CEA/NCTA agreement that would have placed SVOD under a "copy never" order. That classification, he said, would have violated copyright law's designation of all subscription services as "copy once."

The Motion Picture Association of America fought for the toughest possible copy restrictions, which these aren't, but was not prepared to comment at press time.

In a victory for equipment manufacturers seeking to protect home-recording rights, cable and satellite operators will be prohibited from reducing the resolution of broadcast programming or of remotely blocking the copying of digital programming via VCRs and other analog devices.

To make high-definition programming available to cable customers who have already purchased digital TV sets, by April 1, cable operators must supply HDTV set-top boxes with connectors necessary for linking to copy devices for any subscribers who request them.

The Satellite Broadcasting & Communications Association, which was not part of the negotiations, criticized the provisions that bind DBS providers to restrictions they had no part in negotiating, particularly the copy-protection regimen and the bans on down-resolution and selectable output controls. ■

After Ritter's Death, Status of *Rules* Uncertain

By PAIGE ALBINIAK

The sudden death of John Ritter late last week leaves ABC with a gaping hole on its prime-time schedule. Ritter's comeback show, *8 Simple Rules for Dating My Teenage Daughter*, was set to premiere at 8 p.m. Tuesday, Sept. 23, but, at press time, ABC had not made a decision about whether to go forward with the show without its main star.

With its core 18-49 demographic audience, *Rules* last season averaged a 4.0 rating, 11 share and 10.9 million total viewers weekly. For the season, the sitcom ranked No. 42 in total viewers among all broadcast-network programs. It was ABC's number-one new series last year, its second-highest-rated comedy.

Ritter, who was about to celebrate his 55th birthday, died suddenly last Thursday after suffering an aortic dissection, an undetectable condition.

He is survived by his wife, actress Amy Yasbeck; their daughter, Stella; and three children from an earlier marriage: Carly, Tyler and Jason.

Ritter was best-known for starring as Jack Tripper in the smash-hit comedy *Three's Company* in the 1970s, but he also had developed a thriving career in independent film and theater.



John Ritter was best-known for his role in ABC's *Three's Company* in the '70s.

"All of us at ABC, Touchstone Television and The Walt Disney Co. are shocked and heartbroken at the terrible news of John's passing. Our thoughts and prayers are with his wife and children at this very difficult time," ABC said.

Various TV outlets planned remembrances. ABC's *20/20* aired a retrospective last Friday, while Viacom's *Nick at Nite* and TV Land planned programming salutes for Sunday, Sept. 14 and today. A&E aired Ritter's biography last Friday night. ■

BROADCASTING & CABLE

September 15, 2003

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Can cable summer hits stand up against the fall lineup?



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Few Advertisers Pull Back on Upfront Buys

From *Survivor* to *Mullets*, the buyers aren't kidding

BY STEVE MCCLELLAN

In late May and early June, when the biggest network prime time upfront market of all time took place (\$9.4 billion), there was much speculation that advertisers would bail out of a larger-than-normal chunk of those upfront commitments.

There were even predictions that the bail-out would match or surpass the \$400 million to \$500 million that advertisers took off the table two years ago during the recession.

This time around, the thinking went, it would occur if only because advertisers were ticked off at the hefty price hikes.

But, with most orders now firmly in place, the speculation is proving untrue. Agency and network executives say the level of upfront "breakage," as the sellers call it, is actually below the typical 2% of ad commitments that fall out of bed.

According to a BROADCASTING & CABLE survey of average unit rates, CBS's *Survivor*, at \$425,000 per 30-second spot is the highest-priced show on the networks this fall; NBC's sitcom *Coupling*, at \$300,000 is the highest-priced new show.

UPN's *The Mullets* is television's bargain basement, at \$25,000 a pop, the lowest-priced of the new shows and second-lowest-priced of all, just ahead of UPN's *Friday Movie* at \$14,000.

NBC remains No. 1 in terms of the highest average cost of a spot across 22 hours of prime time at \$180,000. But Fox's average across 15 hours is higher at \$193,000.

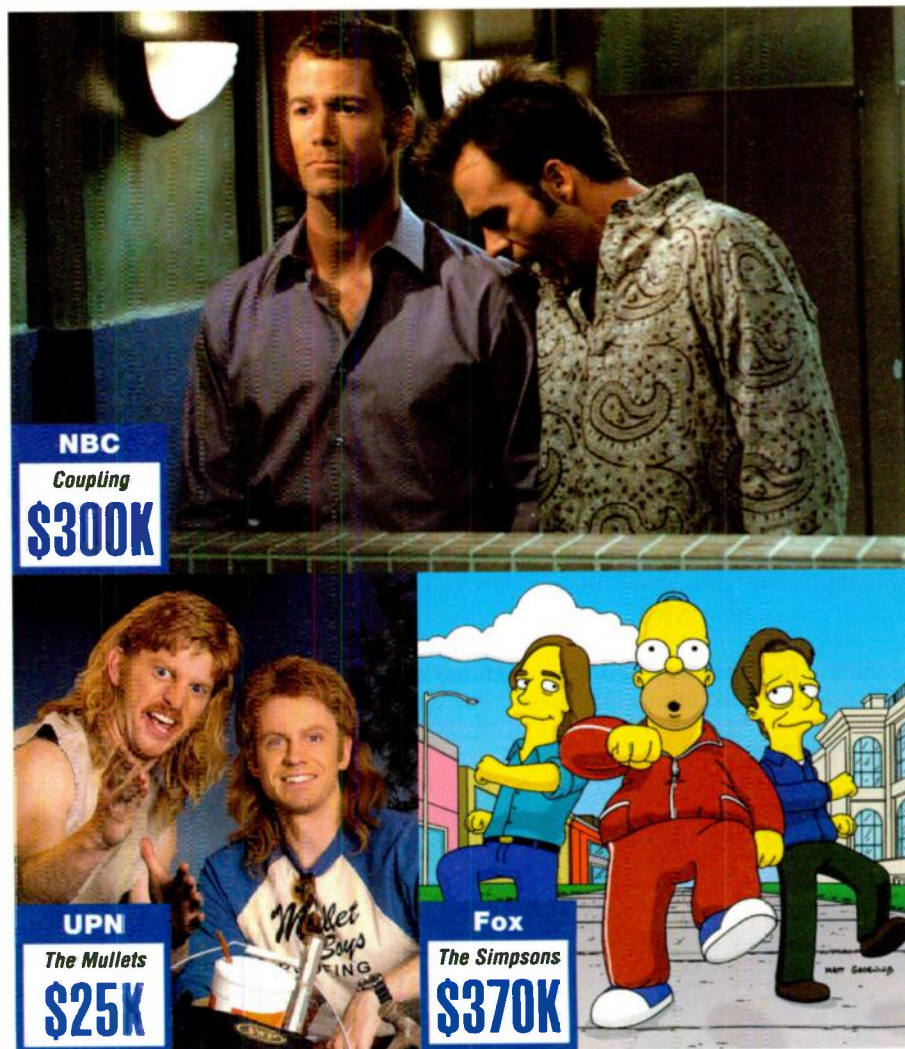
The consensus seems to be that, this year, the upfront slippage will come in under \$100 million. And sources say that about half the total is likely to come from one advertiser—Unilever—which has pulled approximately \$50 million in ad buys from the six broadcast networks.

The package-goods company has been struggling to meet profit projections, and the ad-spending cutback is part of the effort to meet the 2003 target, sources say.

No other advertiser has pulled anywhere near that amount, sources say. And three of the six networks say that, for every dollar that one advertiser has pulled, someone else made up for it by adding to its commitment.

"A lot of people thought that a greater percentage would fall off the table, but, in fact, that has not happened," says Ray Dundas, senior vice president, group director national broadcast, Initiative. "Certainly not at our shop and, from what we hear, across the industry as well."

Part of the reason, observers say, is that advertisers feel they have to be on TV just to maintain market share no matter what shape the economy is in. And, as Dundas notes, scatter prices are expected to remain significantly higher than the upfront so advertisers would just as soon plunk the money down early. ■



THE COST OF SPOTS, FALL 2003

The average price (in thousands) of a 30-second commercial

abc		CBS		FOX		NBC		UPN		WB	
PROGRAM	PRICE	PROGRAM	PRICE	PROGRAM	PRICE	PROGRAM	PRICE	PROGRAM	PRICE	PROGRAM	PRICE
Monday Night Football	\$350	Survivor	\$425	The Simpsons	\$370	Friends	\$380	Enterprise	\$100	Smallville	\$125
The Bachelor	250	CSI	400	Malcolm in the Middle	326	WM & Grace	360	Girlfriends	75	Gilmore Girls	115
Alias	200	Everybody Loves Raymond	400	24	320	ER	355	Hill & Hill	70	Everwood	112
The Practice	195	CSI: Miami	350	Joe Millionaire	290	Scrubs	310	Eve	59	7th Heaven	110
NYPD Blue	195	Without a Trace	250	That '70s Show	260	Coupling	300	The Parkers	55	Charmed	100
8 Simple Rules	190	Two and a Half Men	195	The Ortegus	260	Law & Order	275	One on One	45	Tarzan and Jane	92
My Wife & Kids	190	Still Standing	185	Bernie Mac	215	The West Wing	215	All of Us	43	Angel	80
According to Jim	185	Yes, Dear	175	Skin	210	Law & Order: C.I.	205	Smackdown	38	One Tree Hill	77
I'm With Her	175	Judging Amy	162	King of the Hill	208	Frasier	197	Rock Me Baby	30	Reba	75
Less Than Perfect	175	King of Queens	145	American Juniors	185	Law & Order: SVU	170	Jake 2.0	30	Smallville: Beginnings	75
Prime Time Thursday	155	60 Minutes	135	Arrested Development	185	Vegas	160	The Mullets	25	Grounded for Life	70
20/20	155	Becker	130	A Minute With Stan Hooper	175	Good Morning, Miami	155	Friday Movie	14	Like Family	68
Karen Sisco	155	The Guardian	127	Cedric the Entertainer	165	The Lyon's Den	150			All About the Andersons	65
It's All Relative	150	JAG	125	Oliver Beene	160	Third Watch	145			Jamie Kennedy Experiment	65
Extreme Makeover	140	Cold Case	120	The O.C.	140	Fear Factor	130			What I Like About You	60
George Lopez	135	Navy NCIS	116	Boston Public	125	Boontown	106			Run of the House	50
Wonderful World of Disney	135	The Handler	110	True Calling	110	American Dreams	105			Steve Harvey's Big Time	50
10-8	130	CBS Sunday Movie	110	America's Most Wanted	95	Miss Match	110				
Hope & Faith	130	60 Minutes II	103	Cops	90	Happy Family	95				
Life With Bonnie	125	Jean of Arcadia	100	Wanda at Large	90	Ed	100				
Famliest Home Videos	125	The District	95	Luis	85	Whoopi	86				
Back to Kansas	125	Hack	85			Dateline Friday	86				
Threat Matrix	120	Brotherhood of Poland, N.H.	80			Saturday Night Movie	70				
Prime Time Monday	115	48 Hours Investigates	71			Dateline Sunday	60				
L.A. Dragnet	90										

SOURCE: Ad agency and network executives, based on upfront sales

FAST TRACK

It's the Senate. Not HBO

HBO political drama *K Street* found out last week it's not welcome on Capitol Hill. In a "Dear Colleague" letter last Thursday, the **SENATE RULES AND ETHICS COMMITTEE** reminded the senators and their staffers about rules that prohibit using the Senate for commercial programming: "The use of Senate and Capitol space for the filming of *K Street* is strictly prohibited."

The letter was prompted by the committee's discovery that HBO was shooting "within the Capitol as well as inside various Senate office buildings." *K Street*, a hybrid fiction/reality series trying to capture Washington's inner workings, surveys real-life lawmakers for its fictional storylines. It premiered Sunday. HBO wasn't bothered. "We will just do the interviews elsewhere," said an HBO spokesperson.

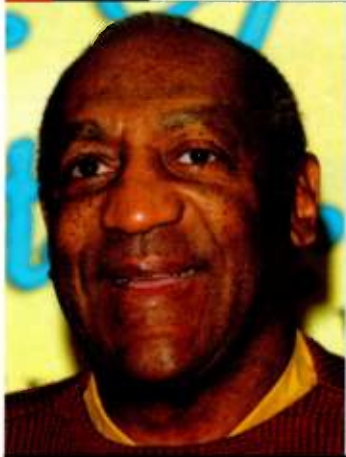
NBC Promo Push Helps Telemundo

The promotional boost **NBC** and **BRAVO** lent to little brother **TELEMUNDO** appears to have paid off. The NBC-owned Spanish-language net launched two shows—reality dating show *La Cenicienta* and telenovela *Amor Descarado*—last week to higher-than-average ratings. *Amor Descarado* was Telemundo's second-highest premiere for a telenovela since 1999. NBC and sister cable network Bravo ran their first-ever promos for Telemundo's new shows in August. NBC placed promos in *Fear Factor* and *For Love or Money 2*, the network's shows most popular with Latino audiences.

Fully Programmable

NBC has signed a pilot deal for a drama loosely based on the life of Los Angeles Lakers executive Jeanie Buss. The show will be executive-produced by Gavin Polone under his Pariah production shingle,

honor



Cosby To Get Emmy's Bob Hope Award

Bill Cosby will receive the second annual Bob Hope Humanitarian Award at the Primetime Emmys next Sunday. "Bill Cosby has not only made Americans laugh over a long career," said Bryce Zabel, outgoing chairman of the Academy of Television Arts & Sciences, "but he has also used his stardom to shine a light on strengthening the family values which make our country great."

with Buss, Linda Rambis and filmmaker Audrey Wells. It will be produced in conjunction with the National Basketball Association and will be set in the back offices of the Lakers. ...

RAINBOW and **MIRAMAX FILMS** have inked a pact to bring 84 theatrical movies to Rainbow's **IFC**, **AMC** and **WE** cable networks. The deal, which starts in 2004, includes **MIRAMAX**'s *Chicago*, *Chocolate* and *Gangs of New York*. Of the movies, 52 will go to IFC, the rest to AMC and WE. ...

Bachelor **SKIPPER KRESS** will share a house with eight of his ex-girlfriends to see if love can be rekindled (or if everyone can just survive) in NBC's new reality show *Little Black Book*. Production starts this fall. ...

Former **Xena** star **LUCY LAWLESS** has signed to play the apeman's aunt in new **WB** drama *Tarzan*. She has also committed to develop a series for the network in the 2004-05 season. ...

MANDY MOORE will host **LIFETIME**'s fourth annual Women Rock! concert to fight breast cancer. The show tapes Sept. 30 in Hollywood and will air Oct. 23 on Lifetime. ...

LIBERTY MEDIA warned last week that programming costs at its **STARZ** service are ballooning and will badly crunch the company's profits. Liberty said license fees for theatrical movies will surge between \$175 million and \$225 million next year. **SMITH BARNEY** media analyst **NIRAJ GUPTA** says that's up 41%-52% over the \$430 million he estimates Starz will incur this year, hitting \$605 million-\$655 million.

Correction

In the Sept. 8 Market Focus, WRDW-TV should have been listed as the No. 1 station in the Augusta, Ga., market and WJBF(TV) as No. 2.

Sex and Syndication

Deal with Tribune clears HBO hit in 40% of the U.S.

BY ALLISON ROMANO

The Tribune Broadcasting station group landed syndication rights to HBO hit *Sex and the City* from the pay service and distributor Warner Bros. Domestic Television Distribution last week, and TBS Superstation is closing on cable off-net rights, insiders say.

The half-hour comedy will run as a six-day-per-week strip starting in fall 2005 on Tribune's 26 stations and WGN Superstation cable network.

Warner Bros. is said close to a deal with corporate cousin TBS Superstation. Oxygen has also been interested in the show. *Sex and the City* could fit nicely with TBS's fringe acquired-comedy block. But insiders said the Turner deal had been slowed by Tribune's insistence that its WGN Superstation cable net be included in its own deal and was not a lock.

HBO and Warner Bros. have been shopping *Sex and the City* for more than a year. At one time, HBO was pitching it to broadcast networks, reportedly seeking up to \$3 million per episode, but all four major broadcast networks balked.

HBO and Warner Bros. executives crow that the show could be as big a hit in syndication as network shows like *Friends* and *Seinfeld*.

"This is a show that will be new and fresh to two-thirds of viewers," said HBO President of Domestic Television Distribution Scott Carlin.

Sex and the City is in its sixth and final season on HBO. Although a few HBO shows, such as *Tales From the Crypt* and *The Larry Sanders Show*, have been sold off the pay channel for a



Sex and the City is near a pact with TBS for cable rights.

second run, *Sex and the City* is the first high-profile HBO show to go into the syndication market.

In the end, Tribune was the only bidder. Financial details were not disclosed, but the four-year pact includes cash and an advertising-barter component. With Tribune, *Sex* is cleared in about 40% of the country, so other deals with smaller groups are likely. Tribune stations will likely run the show in prime access or late-night fringe. Tribune has rights to air *Sex* twice daily.

The language and content have been edited, and, in some cases, alternate scenes were substituted (with an eye to the future, HBO has been shooting two versions of racier scenes).

To accommodate commercials, the syndicated episodes have been trimmed to 21½ minutes from about 27 on HBO. ■

His Wife Is a Candidate So Anchor Is Ousted

BY DAN TRIGOBOFF

TV journalist Maria Shriver took a leave of absence from NBC while her husband Arnold Schwarzenegger runs for governor of California. A West Virginia station believes that a local anchor should do the same as his co-anchor/wife pursues state office.

Erik Wells, anchor at WBOY-TV, Clarksburg, has sued employer West Virginia Media Holdings over its decision to place him on involuntary leave without pay while his wife and co-anchor Natalie Tenant runs for West Virginia secretary of state.

Wells has sued for breach of contract and tortious interference with his business interests, seeking lost wages and other damages—including emotional distress, mental anguish and punitive damages.

In his complaint, Wells stressed that his contract and his wife's were separate, "conditioned in no way upon the contractual performance of Natalie Tennant or upon any of her personal or professional activities." To penalize him for his

marriage to Tenant and her political affiliations violates West Virginia public policy, Wells says. In an interview, he added that the station does not bill them as a married "team" and that he told the station he wouldn't read stories that could appear to present a conflict.

West Virginia Media CEO Bray Cary says his company's principal concern is less the possibility or appearance of conflict in reporting on politics—which, he says, can be avoided—than the possibility or appearance of conflict in Tenant's fundraising. West Virginia is a small state with a small community of business leaders and political donors.

"She's out there asking people for money," Cary says, "while he's involved in reporting news that might involve those people." Cary says he did not anticipate the situation when the couple was hired

as co-anchors less than a year ago and would prefer having both of them back co-anchoring the news. The pair are in the first year of a four-year deal, and, Cary says, the station spent thousands promoting them. ■

'She's out there asking people for money while he's involved in reporting news that might involve those people.'

BRAY CARY,
West Virginia
Media Holdings



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diversity • clarity in communication • integrity • compassion/support • shared responsibility • work/life balance • openness • humor

INTERNET

Odds on Survival

According to off-shore Internet betting site Intertops.com, Ryan the produce clerk (6-5) and Nicole the massage therapist (5-8) are the most likely to be the first ones voted off the island in CBS's latest *Survivor* incarnation, *Survivor: Pearl Islands*, which debuts Sept. 18. Voted most likely to succeed by the handicappers: Trish the sales exec (4-1) and Burton the marketing exec (5-1), suggesting that their "client-manipulation skills" could come in handy. An Intertops source said about \$120,000 has been bet on the first episode, but they don't look for big bucks being laid down on the show, saying *Cupid*, *Big Brother* and *Paradise Hotel* tend to generate more action.—J.E.



BEHIND THE SCENES | BEFORE THE FACT

IN THE LOOP

PROGRAMMING

SISCO SHARING

NBC's proposed takeover of Vivendi Universal's U.S. entertainment assets isn't stopping Vivendi-owned USA Network from sharing shows with NBC rivals. USA plans to repurpose ABC new series *Karen Sisco* (right), a drama about a gutsy and glamorous U.S. marshal in Miami. USA will air *Sisco* episodes eight to 14 days after their first plays on ABC. The drama debuts on ABC Oct. 1 and on USA Oct. 11 at 11 p.m. ET. USA plans to air it on Saturday nights. *Karen Sisco* is part of the Universal family, though. It is produced by Jersey Television in association with USA Network's corporate cousin, Universal Network Television.—A.R.



Clear Sailing?

There's great irony in media-concentration opponents' jubilation over a federal court stay of the FCC's (mostly) relaxed broadcast-ownership rules. The ruling freed radio giant Clear Channel—the prime target of activists' ire—from new restraints imposed by the FCC. While CBS and Viacom won't be able to take advantage of modestly higher TV-ownership caps, Clear Channel Chairman Lowry Mays and other radio owners will no longer be bound by tighter local radio limits, the one move in which the FCC made things tougher on broadcast companies.—B.M.

MARKETING

SPI: Spot Price Investigation

With shows like *CSI*, *Survivor* and *Friends* pulling in \$400,000 (or close to it) per 30-second spot, Thursday night remains the priciest night of network television. But some advertisers, like movie studios, are paying huge premiums to be in certain Thursday-night shows. Take *CSI* (right), for example. As reported in B&C's pricing survey this week (see page 3), the average price of a :30 in the show this fall is an estimated \$400,000. But sources familiar with the situation say some advertisers have paid as much as \$600,000. Similar story for *Friends*: The B&C survey puts the average price at \$380,000, but one buyer, representing a lot of studio money, reports paying an average \$570,000 for the show. "For some advertisers who feel they gotta be there, it's just the cost of doing business," says one TV exec.—S.M.



Univision Hits a Wall

Last week's expected approval of the Univision/Hispanic Broadcasting merger was delayed by stinging dissents by Democrats and their Republican counterparts' last-minute need to address them. The merger's go-ahead is expected to be announced early this week. A Sept. 11 *Wall Street Journal* story revealing extensive details of dissents—centered on their belief that Spanish-language media should be considered a separate market—generated heavy speculation among Washington telecom lawyers that the Democrats violated FCC protocol by leaking internal documents prior to official merger approval. The leak appeared timed to the day Senate debate opened on a "legislative veto" of the FCC's new media-ownership rules. The merger is snared in the larger debate over media concentration because it combines the country's largest Spanish-language TV and radio groups.—B.M.

REGULATION

Senators Promise Perseverance on Rereg

BY BILL MCCONNELL

Backers of a Senate resolution to undo the FCC's broadcast deregulation say they will try other legislative options if their measure can't overcome threats of a White House veto and House leaders' hostility to a necessary companion measure on their side of Capitol Hill.

The Senate resolution is scheduled to go to the floor for a vote Tuesday morning.

"This is not the last shot out of the cannon," Sen. Trent Lott (R-Miss.) told re-

porters last week, implying that measures could later be attached to "must-pass" legislation. "If [the president] vetoes this," said Lott, "the next time it's presented to him, it will be in a great big package with a bow on it."

The resolution would force the FCC to redo its broadcast-ownership rules for the third time in four years.

Debate on the resolution, sponsored by Lott and Sens. Byron Dorgan (D-N.D.) and Russ Feingold (D-Wis.), began last Thursday and will continue Tuesday for an hour before a vote.

"We feel good," Dorgan said about chances for winning Senate approval.

Still, his side has secured only 35 of the 51 votes needed. Complicating their effort is the possibility that four Democrats likely to back them are on the presidential campaign trail and might not be in Washington for the vote.

Nevertheless, "we are committed to seeing this thing through," Lott said. "This is not a partisan thing."

Leading the fight against the measure is Sen. John McCain (R-Ariz.), chairman of the Commerce Committee and backer of a bill that would reinstate the 35% cap on national TV-household reach as well as restrictions on local broadcast/newspaper crossownership, TV

duopolies, and radio-station ownership. "I share many of the same concerns, but to reject the FCC without further guidance is not appropriate," he said on the Senate floor.

While McCain and Lott are not of the same mind on how to deal with the new FCC rules, both offered surprisingly strong admissions that their past commitments to media deregulation went too far. "I'm not as theoretically pure on deregulation as I used to be," Lott said. After hearing so much public outcry over the FCC rules, McCain said, "The issue is too important to treat so categorically." ■



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Southeast: 905/694-2700
West: 310/228-4500
Satellite: 310/228-4505

Source: Nielsen Media Research Universe Estimates, September '03. Qualifications available upon request.

STATION BREAK

BY DAN TRIGOBOFF

AFTRA Fore! Goes Boycott

HARTFORD, CONN.—The American Federation of Radio and Television Artists changed its mind about boycotting a WFSB(TV)-sponsored charity golf tournament last week, AFTRA said, after discussions with the head of the kids' camp that benefits from the event. The on-air talent union had directed its members to avoid the tournament to protest the station's final offer in ongoing bargaining.

AFTRA New England Director Tom Higgins said Kids Camp President Reggie Hales made a convincing entreaty on behalf of the facility, which serves underprivileged children. The charity had issued an emotional letter critical of the proposed AFTRA boycott and the damage it might do to the camp's fundraising, calling specifically on the station's local celebrities to reconsider.

The station also made a specific request prior to AFTRA's 11th-hour change of mind, informing those on-air staffers scheduled to work during the tournament that they were obligated contractually to work regardless of the union's position. AFTRA plans to protest that directive with the National Labor Relations Board as an infringement on its members' bargaining rights, although it advised them to comply. The station denies the union's contention and said the message was simply a reminder of the obligations of some staffers.

Despite AFTRA's reversal, sources at the tournament said one of the biggest names

scheduled to attend—*Entertainment Tonight's* Bob Goen—did not appear. Those sources said Goen arrived for the tournament the night before after taping in New York but left before AFTRA changed its mind about the boycott. AFTRA said it had no official contact with Goen, and executives at *Entertainment Tonight* had no comment.

Sports Anchor Dies

NEW YORK—Sean Kimerling, 37, sports anchor for WPIX(TV), died of complications from testicular cancer Tuesday at Memorial Sloan Kettering Hospital. "We will miss him," said WPIX News Director Karen Scott, who hired him at the station six years ago. "Our thoughts and prayers go out to him and his family." Major League Baseball's New York Mets, which Kimerling had



new studio

On the Street

WMAQ-TV is planning Chicago's first street-side studio. Located on Michigan Ave. in the heart of the city, the facility, shown here in a rendering that includes its planned ticker, will be used for the NBC-owned station's morning and midday newscasts. It's also expected to be used by NBC's *Today* show on occasion.

covered, held a moment of silence before Tuesday night's game. Kimerling is survived by his parents, a brother and sister.

Ex-KMBC-TV Engineer Arrested

KANSAS CITY, MO.—Federal authorities have arrested a former KMBC-TV engineer and charged him with diverting about \$1.5 million in station funds into a private account. Jerry Dixon, who was terminated at the Hearst-Argyle-owned station late last year, has been charged with wire fraud. The investigation into his alleged activities began with Hearst station officials, the company said.

According to the U.S. Attorney's office, Dixon obtained electronic equipment and supplies for his own company and, using stolen blank invoices, charged them to Hearst-Argyle.

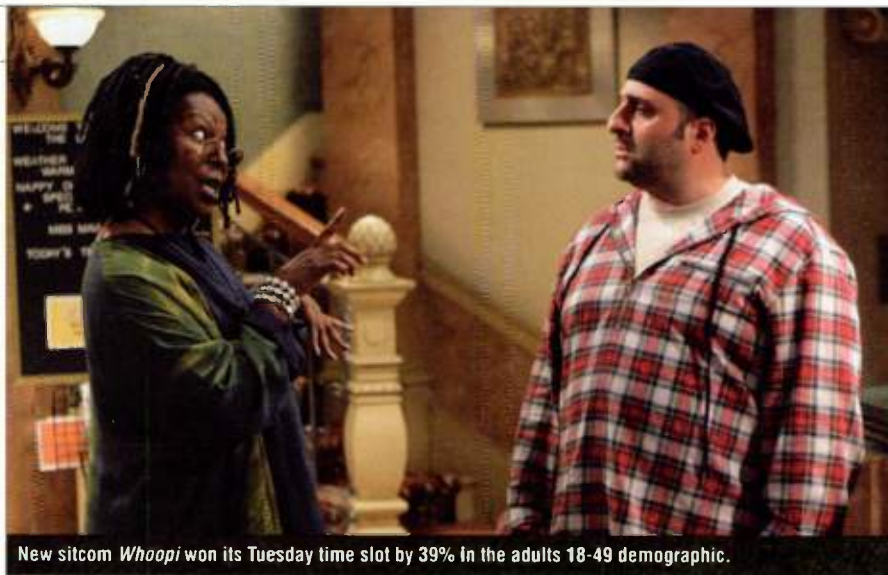
KMBC General Manager Wayne Godsey said the station became suspicious of Dixon last fall. "The monetary amount of the criminal misconduct is not material to the financial condition of the station," he added.

Contribution Recalled

OAKLAND, CALIF.—KTVU(TV) Business Editor Brian Banmiller took back a \$1,000 contribution to the Arnold Schwarzenegger campaign after news executives there convinced him that the gift had the appearance of conflict. Banmiller said his wife's eagerness to meet the bodybuilder-turned movie star-turned political candidate was a factor in his making the contribution for an event near his hometown.

"We don't have a formal written policy," said KTVU News Director Ed Chappuis, "although we've been working on it for the past couple of months. That's something a lot of news organizations need to consider. We don't believe a journalist should be involved in support of a political candidate."

Banmiller's station has been in the forefront of California political coverage, having co-sponsored the well-received debate the week before in which all the major candidates—except Schwarzenegger—appeared.

New sitcom *Whoopi* won its Tuesday time slot by 39% in the adults 18-49 demographic.

NBC Scores Big With Early Tuesday Debuts

Whoopi, *Happy Family* give net a time-slot boost

BY PAIGE ALBINIAK

The series premieres of two NBC comedies, *Whoopi* and *Happy Family* logged big numbers, but the key is whether the Tuesday-night shows will hold up over the long run.

Whoopi, named for star Whoopi Goldberg, won its Tuesday 8-8:30 p.m. ET time slot by 39% among adults 18-49. With a 4.9 rating/16 share in the demo, the show delivered the network's best number for regular programming in the time period since Oct. 24, 2000. *Whoopi* also won the slot by 66% in households and 71% in total viewers, with 15.1 million watchers.

NBC was happy enough with *Whoopi's* first outing that it scheduled another airing last Thursday at 9:30 p.m., hoping to take advantage of *Will & Grace's* large lead-in to gain even more sampling.

Happy Family built on *Whoopi's* premiere by 4%, scoring a 5.1/15 in adults 18-49. The show, starring television stalwarts Christine Baranski and John Larroquette, dropped off a bit in total viewers, with 14.7 million people sticking around. It also tallied NBC's highest 18-49 rating for regular programming in that time period since March 5, 2002, and its best overall total-viewer average since Feb. 26, 2002.

While NBC appeared happy with and even a little surprised by the two shows' early performance, the network wants to keep expectations down. "These numbers are way beyond what these shows will do over the long haul given the competition in the time period," said spokesman Thomas Bierbaum. "If we maintain 60% of these numbers, that would be very good."

"If" is the operative word: Last season, the now-canceled *In-Laus* premiered to similar numbers. The difference, Bierbaum says, is that *In-Laus* kicked off with a double-run leading into the highly rated season

premiere of *Frasier*. This season, *Whoopi* and *Happy Family* led into a *Frasier* repeat that dropped off from the two premieres.

Still, NBC's scheduling of the two shows reveals something about the network's confidence in them.

"The reason a [top-four network] schedules something two weeks before the season starts is that you don't think it's a strong show and you want to get as much viewing for it as possible," says Steve Sternberg, director of audience analysis at Interpublic Group's Magna Global USA.

Whoopi and *Happy Family* have been critically panned, and industry watchers

wonder whether their ratings will hold up. Especially in late October when Fox plans original episodes of the second go-round of *Joe Millionaire* on Tuesdays at 8 p.m., a potential time-period killer.

Last Wednesday, UPN debuted its only new drama, *Jake 2.0*, which opened to solid ratings behind the third-season premiere of *Enterprise*. *Jake*

maintained 90% of *Enterprise's* lead-in and attracted the network's largest audience in the time period since October 2002.

Last Thursday, UPN premiered sitcom *The Mullets*, and The WB opened *Steve Harvey's Big Time* and *Run of the House*. On Friday, The WB gave returning show *Reba* a one-hour premiere and kicked off *All About the Andersons*.

The official TV season doesn't start until Sept. 22, but UPN hopes to jump out early with premieres *The Opposite Sex* today at 8:30 p.m. and *All of Us* Tuesday at 8:30 p.m. The network follows that opening with *Rock Me Baby* at 9 p.m.

ABC premieres *Threat Matrix*, about a task force of terrorism fighters, this Thursday at 8 p.m. That time slot promises to be impossibly tough against the last season of NBC's *Friends* and CBS's *Survivor: Pearl Islands*, which also premieres this week. Fox launches its Friday-night lineup Sept. 19, with new sitcom *Luis*. ■

'If we maintain 60% of these numbers, that would be very good.'

THOMAS BIERBAUM, NBC

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BLACK PROGRAMMING

PROGRESS AND PROBLEMS



Radio One Chairman Alfred Liggins (l) and former Discovery Networks executive Johnathan Rodgers head TV One.

A Rival for BET

New TV One is targeting African-American adults

BY ALLISON ROMANO

A new channel is taking on BET, for 20-plus years the only major network targeting African-Americans, and it's coming well-armed. Launching Jan. 1, TV One boasts a healthy \$130 million in startup funds, backing by media-industry heavyweights Radio One and Comcast, and former Discovery Networks U.S. chief Johnathan Rodgers at its head.

Executives from BET and TV One insist the market is big enough for both. Says Rodgers, "I am always disgusted by the concept that BET and us should be competitors."

If women have several dedicated channels—notably, Lifetime, Oxygen and WE: Women's Entertainment—surely black

viewers deserve more than one, Rodgers likes to point out. Black viewers make up 12% of U.S. TV homes, according to Nielsen Media Research, watch more TV than non-blacks, and are heavy users of cable and pay TV. BET skews young, its 26.8 median age in prime one of the youngest on cable. There are still many older viewers, TV One says, clamoring for an alternative.

Special Report

Now TV One needs to sell that pitch to operators.

BET counts 75 million subs on mostly analog distribution. To date, no other African-American network has been able to rival that mass. Major Broadcasting Cable Network (MBC), which launched in 1999 and focuses on news, sports and family fare, counts about 11 million

digital subscribers. Defunct entertainment channel NUE-TV never amassed more than 1 million digital subs.

Some operators are skeptical of TV One's potential. Many MSOs are preoccupied with launching Hispanic cable networks, notes Samara Cummings, MBC's head of distribution. She recalls a recent conversation with one major MSO executive, who asked why carrying BET wasn't enough.

Cummings was baffled. "I said, 'Is MTV enough for all non-African-Americans?'"

Among cable nets, BET ranks as middling, averaging a 0.6 rating and about 550,000 viewers in prime time in August.

TV One is seeking a mix of carriage, analog in major markets and digital in secondary areas.

It's getting a head start,
Continued on page 12

Johnson Raps Cable Industry for 'Lip Service' to Blacks

Three years ago, Viacom ponied up \$2.9 billion to acquire BET, the cable channel Robert Johnson created in 1980 with the help of former TCI chief and Liberty Media head John Malone. BET has always been a high-margin business without a true competitor in its space. But now, with Comcast and Radio One starting up their own African-American channel, TV One, the field is getting a second viable player.

The BET chairman and CEO, who pledges to complete the three years left on his five-year contract, is nonetheless busy with other ventures these days, including 12 hotels and a new NBA franchise in Charlotte, N.C. He hasn't decided his next move at BET but promises that the channel is in good hands with President and COO Debra Lee, a 20-plus-year BET vet.

With the NAMIC conference this week and the Kaitz Foundation dinner Sept. 17, BROADCASTING & CABLE's Allison Romano turned to the outspoken cable pioneer to reflect on minority programming and his gripes about cable operators. An edited transcript follows:



Robert Johnson: "The industry treats black-oriented programming with benign neglect."

In 23 years, you've built BET into a successful channel with 70 million subscribers. Why do you think other African-American-targeted cable channels have failed to achieve similar growth?

The industry treats black-oriented programming with benign neglect. They really don't believe it is a revenue driver. Most of the programming decision-makers don't identify with it. They feel they have a black subscriber base without any programming that appeals to them.

For example, four or five years back, I wanted to create a black family channel. We developed a program model, proposed several types of structures, a C-SPAN-type—joint ownership with the industry and BET—or another where [operators] would share in the upside revenue after we recouped programming costs. We got it endorsed by every civil rights and social organization you could imagine. And we got absolutely no takers for the concept.

There are three Spanish-language broadcast networks, at least 10 Hispanic-targeted cable networks. Do you think African-American-targeted programming is getting the appropriate support? I am pleased that there are more Hispanic channels. ... Yet

Continued on page 12

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World Radio History

Continued from page 10

thanks to Comcast, the country's largest operator with more than 20 million subscribers. Distribution on Comcast systems could spur DBS competitors DirecTV and EchoStar Communications to add the channel to their lowest-price tier. That pressure could spill over to MSOs in other areas.

Some basic carriage is crucial. It is hard to generate much in subscriber revenue off thin digital carriage. And many advertisers want to see a network in 30 million or 40 million homes before they'll commit serious dollars. That's one reason, industry executives note, many digital networks have trouble producing anything more than cheap, non-scripted originals.

So far, TV One has a corporate-level agreement with Comcast and is negotiating at the system level. It has yet to sign any other affiliates, but, according to Radio One Chairman and TV One Chairman Alfred Liggins, talks are progressing well.

"We haven't had anyone say, 'We don't need it,'" says Liggins, whose radio company has stations in 66 markets and 12.5 million listeners. "I have never had a meeting where they didn't feel the market was underserved."

Says DirecTV head of acquisitions Michael Thornton, "The market can absolutely sustain two networks if the second entry is a quality entry."

TV One executives insist they will deliver quality. Rodgers says his network will be a place where African-Americans can see themselves. For example, he sees TV One making shows like TLC's *Baby Stories* and *Date Patrol* that focus on African-Americans. "Black people, we have babies, get makeovers, go on dates, but we never chronicle that. This will be a chance."

TV One could play well with advertisers looking for a cheaper way to reach African-American adults, says media buyer Kris Magel, manager of national broadcast for Optimedia International. "For adult-oriented clients, BET becomes less of an option because of its 18-34 skew. There is a lot of product on broadcast networks, but it is very expensive."

But programming an African American channel comes with its challenges.

"The cost of entry [in this niche] is very high," explains BET President and COO Debra Lee. "There isn't a lot of African-American programming sitting on the shelf to buy, and it is expensive to make your own."

This is a dilemma that BET knows first-hand. Very few



BET is looking to boost prime time ratings with high-profile offnet shows: Showtime drama *Soul Food* (above) and sitcoms *Girlfriends* and *The Parkers*.

black dramas last long enough to go into syndication. Most, like CBS's acclaimed but short-lived *City of Angels*, burn out too soon. And the competition from other cable nets and station groups for sitcoms is fierce.

This fall, BET is adding three high-profile off-net shows from sister company Paramount to its regular schedule: sitcoms *Girlfriends* and *The Parkers* and Showtime drama *Soul Food* (which Rodgers admits he would love to have for TV One). The additions should help boost BET's prime time ratings.

Original programming can be even more difficult. Specials and

active supervising producer to make original movies and series, which are likely to include *American Legacy*, stories of influential African-Americans, and *After the Glory*, a look at American sports stars after they leave the limelight.

On the lighter side, lifestyle expert Barbara Smith's syndicated show *B. Smith With Style* will run in a second window on TV One. The net is also mining Radio One's pool of personalities to star in shows. Movie nights, awards shows and specials are on tap, but pricey original scripted fare is not, at least for now.

'I am always disgusted by the concept that BET and us should be competitors.'

JOHNATHAN RODGERS, TV One

awards shows like the *BET Awards* rate well and can be sold to advertisers at a premium. But putting on a scripted sitcom or drama—which can run up to \$1 million an episode—is a much riskier play, with more money on the table and no guarantees of advertiser support.

To start, TV One's prime time plans call for one hour of sitcoms, one hour of original reality or variety shows, and one hour-long drama. Emmy-winning producer Tim Reid, with his New Millennium Studios, has signed on as senior execu-

TV One's launch comes at a critical juncture for BET. The Viacom net is renegotiating most of its carriage deals, which expired this year. Lee says talks are progressing well, with BET looking to raise its subscriber fees, which run 14¢-16¢ per subscriber, by a few pennies. "Operators have asked us to improve our programming," she says, "and we have."

As for TV One, she says the channel should not impact BET's negotiations. "It will take a long time before they are situated to be a real competitor." ■

Continued from page 10

here is what I can't quite understand. We've been told by one large cable operator that they want to cut our subscriber fees. At the same time, they say there is a need for more diverse programming. It makes no sense. How can [operators] expect to support two dynamic programming channels that can compete for the millions of black subscribers who have been underserved by the cable industry for the last 20 years and at the same time ask for a rate reduction?

I think it just shows that the industry is not as committed in dollars and cents as in public expressions like NAMIC or Kaitz that pay lip service to diversity.

Radio One and Comcast are preparing to launch TV One. Is there room for a second African-American channel to thrive?

To say this industry can't support two black channels is ridiculous. The guys at TV One have challenges—just like any other programmer—to create compelling programming that people want to watch at a cost they can afford, to get carriage from cable systems outside of their partner, and to get advertisers to look at them when there are so many options. ...

My argument is with the cable industry. The cable industry ought to put dollars behind BET and TV One. There should be a black pay cable channel right alongside HBO and Showtime. It would stimulate the production of black

feature films; films could be

placed theatrically, then put on

the pay service and then sold into

syndication and later on cable.

It is not a matter of lack of demand

on the part of black subscribers. It is the gatekeepers who

are denying access in many cases

to these kinds of opportunities.

You said one operator wants you to

take a rate cut. What kind of subscriber

rates do you think BET should be getting?

BET probably has the lowest subscriber

fee of any channel that has been around

20 years. Why, when BET is as old as MTV,

ESPN, CNN, USA Network? I think it is

a failure on the part of the cable industry

to reciprocate to black subs who spend

more dollars per capita on cable than

white subscribers. We get 15¢-

16¢ a sub. We should be getting 45¢-

50¢ per sub. It would have been a

2¢-per-year increase over 20 years.

If "Diversity Week" means anything,

it should be to bring to the attention of

the industry that there is a deficit between

black subscribers and money going in

to produce compelling programming of

interest to African-American viewers

and delivering cable channels targeted

to African-Americans. I think the issue

of original programming is clearly tied

How has the muscle of Viacom helped BET in the past two years?

When they came in, they said continue to run BET the way you have in the past. Focus on your target audience, grow your business and maintain your editorial integrity. At the same time, whenever we need support in marketing from our sister channels, like on our music-awards show on MTV, cross-promotion on UPN for our programming, or the unique joint-venture partnership with CBS News, we get it.

BET has been knocked for focusing too much on music and cheap programming. How do you respond to this criticism?

I have always said BET's primary product is music entertainment. Music is the quintessential art form in African-American society. ...

People who criticize BET are criticizing simply because we can't be everything they wanted us to be. We never set out to be everything. There simply weren't dollars to do it, or viewers didn't want to watch it. I don't lose any sleep over that criticism, never have and never will. ■



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Networks Tout Improved Minority Numbers

Critics question whether diversity programs have brought significant change behind, in front of the cameras

BY PAIGE ALBINIAK

Since 2000, when the National Association for the Advancement of Colored People threatened the broadcast networks with a boycott if they didn't get more ethnically diverse and quick, four of the major broadcast networks have put extensive diversity programs in place and point to many examples of success.

The craft unions that follow these efforts closely, though, question whether these programs have brought significant change. Both the Screen Actors Guild (SAG) and the Directors' Guild of America (DGA) say gains have been minimal.

in network shows.

For example, one of NBC's programs puts a minority writer or producer on every one of its shows. "The idea of that is, if you have more minorities behind the scenes, it will make for more diverse characters and storylines," says spokeswoman Kyle Kaino.

NBC's diversity efforts are headed by Michael Jack, who also runs the Emma Bowen scholarship program, which gives minority students paid internships in positions all over NBC. The network offers a supplier-diversity program, encouraging minority- and woman-owned vendors to submit bids to become NBC suppliers. A Diversity Council comprises executives who report to NBC Chairman Bob Wright.

stone Television, who worked with DGA to develop the program.

Disney and ABC also run acting showcases, writing fellowships, a talent-development scholarship program, and associates' programs meant to develop promising executives. "When you get 4,000 people applying to your program, it says there are a lot of talented people who need more access," says Carmen Smith, vice president of talent development for ABC, adding, "What we try to do with all of our programs is prepare individuals to be in the business for a while. It's a tough business to get into."

Fox, which arguably has the most diverse slate of shows, has

several new shows this fall with predominantly ethnic casts. Both *Luis* and *The Ortegas* feature Latino casts; on *Skin*, Latina Rachel Ticotin plays a Los Angeles judge. Fox also has a long history of airing African-American comedies.

But Fox also works to include ethnic faces in all its casts, including an African-American First Family in *24* and one of the most diverse casts on television in *Boston Public*.

"Our goal has not been to add content that focused on communities of color but to increase diversity within each of our shows," says Mitsy Wilson, senior vice president of diversity for Fox Entertainment Group.

In the past three years, Fox has

drastically increased the number of minorities both behind and in front of the camera, with writers and producers of color on 19 of 22 series last year and ethnic and women directors on 17 of 22.

Says Wilson, "We have tripled the number of episodes that people of color have gotten within the last three years."

UPN, which has always sought to serve African-American and other underserved groups, works with corporate sibling CBS on diversity issues.

The WB says it isn't large enough to have a major program. "We want both our casts and our programs to reflect the populace at large," says spokesman Paul McGuire. ■



'Diversity Institute will allow us to be sure we are headed in the right direction.'

JOSIE THOMAS, CBS

According to SAG, 24.2% of all film and TV roles went to African-Americans, Latinos, Asians and Native Americans in 2002, up from 22.1% in 2001. The 2.1% jump is the largest such boost in the history of SAG, which was started in 1933.

Asians and Pacific Islanders, though, received 2.5% of all roles, the same as in 2001. And Native Americans won fewer

NBC says that, since 2000, the network has increased its on-air minority representation by 126%, its writer and producer diversity by 76%.

CBS Senior Vice President of Diversity Josie Thomas says her network has given more parts to minority actors since it started running acting showcases, to which it invites agents, managers and casting executives.



'What we try to do is prepare individuals to be in the business for a while.'

CARMEN SMITH, ABC

than in 2001, only 0.2% of all roles cast vs. 0.37% in 2001.

In June, DGA released a report stating that 82% of the top 40 TV shows (or 860 episodes) in 2002-03 were directed by white men, 11% by women, 5% by African-Americans, 2% by Latinos and 1% by Asian-Americans. The percentages are unchanged over the past two years, DGA says, except African-Americans, up from 3%.

The networks respond that, although statistics may not be bearing it out, their efforts have resulted in more minorities behind the camera and that acting "showcases" over the country have given more minorities roles

This summer, CBS launched the Diversity Institute, which adds a formal writer-mentor program and a director initiative, she says.

"The Diversity Institute is a more formalized program that will allow us to keep track so we can be sure we are headed in the right direction," Thomas says.

Disney's ABC, through its two-year-old "seasoned directors" program, has found four persons of color who routinely direct episodes of TV for the network.

"I'm in the talent business so I look at this as a way to get new points of view and new talent in front of us," said Stephen McPherson, president of Disney's Touch-

PROGRAMMING

Ellen, Starting Over Get Early Debuts

Warner talker improves time slot;
NBC reality series starts slowly

BY PAIGE ALBINAIAK

Warner Bros.' *The Ellen DeGeneres Show* and NBC Enterprises' *Starting Over* kicked off the syndie season last Monday. *Ellen* got off to solid, if not spectacular, start while *Starting Over* has some work to do.

Ellen's premiere episode, featuring an interview with *Friends*' Jennifer Aniston, launched with an overnight 2.0 rating/6 share in 53 metered markets. That's up 17% from the year-ago time-period average and up 5% from its average lead-in.

In its second day, *Ellen* built to a 2.2/7, up 10% over the show's launch, 22% over its year-ago time period average, and 10% from its lead-in.

"I'm cautiously optimistic," said Jim Paratore, executive vice president, Warner Bros. Domestic Television Distribution, and president, Telepictures Productions. "But this is a marathon, not a sprint. I think it's too early to judge success or failure."

While building on year-ago time-period average and lead-in are two of the key factors in determining a show's success or failure, a high-profile show like *Ellen* is typically looking for around 2.5 to be considered even a moderate hit. Last season, King World's *Dr. Phil*, by far syndication's biggest launch in several years, premiered with a 5.2/14.



Starting Over got off to a slow start, down 26% from its lead-in.

View. Starting Over also was up 61% over what King World's *Martha Stewart Living* had been achieving in the time period last year.

The show came in first or second in only one market: Hearst-Argyle's WCVB-TV Boston, where it aired at 2:20 a.m., after the late close of *Monday Night Football*.

"Our expectations were not that this show was going to open with a big number," says Barry Wallach, executive vice president of NBC Enterprises. "Our expectation was that we would come out with a decent number and show growth over months."

According to Wallach, while *Starting Over*'s initial rat-



The *Ellen DeGeneres Show*'s debut averaged a 2.0/6, 17% above the year-ago time-period average, and was No. 1 or 2 in 17 metered markets.

Ellen performed best in Columbus, Ohio, where it averaged a 4.5/12 on NBC-owned WCMH-TV at 4 p.m. on Monday and grew 13% in rating and 8% in share to a 5.1/13 on Tuesday. The show came in second in the market to King World's *Oprah*, still in repeats, but beat Universal's *Maury* in head-to-head competition and improved the time period by 18% over what Paramount's *Montel Williams* had been doing in the slot last season.

Ellen also came in first or second in 17 metered markets on its Monday launch.

The story wasn't as good for *Starting Over*, which launched with a 1.1/4 in 48 metered markets, down 15% from its time-period average and down 26% from its lead-in. On Tuesday, its overall performance remained flat, and it was down 35% from that day's lead-in.

Starting Over's best performance on Monday was in Jacksonville, Fla., where it averaged a 2.9/9 on Gannett's WTLV-TV at 11 a.m. That was good enough for only fourth place in the time period but still beat ABC's *The*

ings were low, the show managed to build its share over its four quarter-hour marks. "I look at those quarter-hours, and people are sticking with the show, and more people are coming. I don't think it's people coming 30 minutes early or 15 minutes early for *All My Children*," Wallach says. "The genre is proven, the producers are proven, and the product is darn good, but it's probably going to take a little bit of time."

Both *Ellen* and *Starting Over* got a jump on syndication's fall season. Warner Bros.' *The Sharon Osbourne Show* and King World's *Living It Up! With Ali & Jack* open today.

Other major premieres this week are King World's *Oprah*, back for its 18th season, and King World's *Dr. Phil*, starting its sophomore year with a focus on weight-loss in tandem with the release of Phil McGraw's new book, *The Ultimate Weight Solution*. *Dr. Phil* also is launching a mini-reality-show-within-a-show, following a family in crisis through the year. ■

Will Fall Cool Down Cable's Summer Hits?

BY ALLISON ROMANO

FX's latest series *Nip/Tuck* is quietly amassing ratings success on par with the channel's first original show, *The Shield*. After seven episodes, the plastic surgeon drama is averaging a robust 3.0 rating, and last week's episode posted a strong 3.1 rating and 3.3 million viewers, according to Nielsen Media Research.

Now, with the broadcast-network fall season getting under way in earnest, *Nip/Tuck* and some of cable's other summer hits will really be tested.

Since its July premiere, Bravo's makeover show *Queer Eye for the Straight Guy* has been steadily building. Four promotional plays of *Queer Eye* on NBC helped drive it to a high 3.3 rating with 3.4 million viewers for its Sept. 2 episode.

Last week, though, with NBC premiering Tuesday sitcoms *Whoopi* and *Happy Family*, Bravo aired a repeat episode of *Queer Eye*, which slipped to a 1.9 rating and 2 million viewers. Still, those marks were better than the first two episodes of *Queer Eye* earlier this summer.

On ESPN, original series *Playmakers* is losing steam. In its third week, the football drama slipped to a 1.6 rating, down from a 2.4 for its Aug. 28 premiere. One bright spot: Of the 1.8 million viewers who tuned in Sept. 9, 600,000 were men 18-34.

Also Sept. 9, MTV's latest hit celeb reality show *Newlyweds: Nick and Jessica* attracted a 2.3 rating and 2.4 million viewers.

Spike TV's reality spoof *The Joe Schmo Show*—starring a guy who unwittingly takes part in a fake reality show—improved ratings in its second week. On Sept. 9, it posted a 0.9 rating and 1.2 million viewers, up from a 0.7 and 800,000 viewers on its Sept. 2 debut. The show scored well with Spike's core male demos, and overall ratings were in line with the net's August prime time average. ■



Nip/Tuck, a strong summer performer for FX, will be tested as the broadcast nets' fall season starts.

SYNDICATION WATCH

RATINGS | Aug. 25-31

Nielsen Media Research

Top 25 Shows

Adults 18-34

RANK	PROGRAM	AA	GAA
1	Friends	4.6	5.3
2	Seinfeld	4.2	4.9
3	Seinfeld (wknd)	3.6	4.6
4	That '70s Show	2.8	3.4
5	Everybody Loves Raymond	2.7	3.1
6	Will & Grace	2.4	2.7
7	King of the Hill	2.0	2.2
8	Home Improvement	1.9	2.4
9	Maury	1.8	2.0
10	Just Shoot Me (wknd)	1.6	2.1
10	Entertainment Tonight	1.6	1.7
12	Wheel of Fortune	1.5	NA
12	Frasier	1.5	1.6
14	Judge Judy	1.4	2.0
14	Jerry Springer	1.4	1.5
14	Oprah Winfrey Show	1.4	1.5
14	The X-Files	1.4	1.5
14	Drew Carey	1.4	1.4
19	ER	1.3	1.5
19	Friends (wknd)	1.3	1.4
19	Stargate SG-1	1.3	1.4
22	Jeopardy	1.2	NA
22	Steve Harvey	1.2	1.4
22	Just Shoot Me	1.2	1.3
22	Dharma & Greg	1.2	1.2
22	Entertainment Tonight (wknd)	1.2	1.2
22	Inside Edition	1.2	1.2

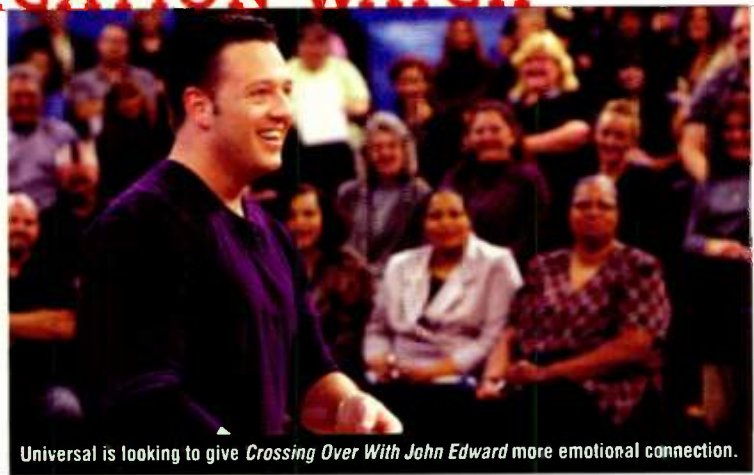
Top Talk Shows

Adults 18-34

RANK	PROGRAM	AA	GAA
1	Maury	1.8	2.0
2	Jerry Springer	1.4	1.5
2	Oprah Winfrey Show	1.4	1.5
4	Steve Harvey	1.2	1.4
5	Ricki Lake	1.1	1.2
5	Jenny Jones Show	1.1	1.1

According to Nielsen Media Research Syndication Service Ranking Report Aug. 25-31, 2003

AA = Average Audience Rating
GAA = Gross Aggregate Average
ONE NIELSEN RATING = 1,067,000 households, which represents 1% of the 106.7 million TV Households in the United States
NA = not available



Universal is looking to give *Crossing Over With John Edward* more emotional connection.

Correcting Crossing

BY PAIGE ALBINIAK

In an attempt to build the ratings of *Crossing Over With John Edward*, Universal Domestic Television is tweaking the show's format to connect viewers more emotionally to what Edward does in his readings.

"After John reads | daytime | someone, we'll have a conversation with that person and give the experience some more depth," says Steve Rosenberg, president of the syndicator. "We'll talk about why that reading was important to the person. "There is some emotional charge to being in that environment and seeing someone go through a reading," he adds. "There's an energy in the live readings that we have not yet been able to capture on the television show. By including the stories and their background, we are giving the show more of what daytime TV is, which is emotion and drama."

Edward will spend more one-on-one time with people instead of solely doing readings for a studio audience. The show also will

bring Edward outside the studio to delve more deeply into people's experiences.

To help accomplish this, Universal has added executive producer Elise Silvestri to the team, joining Paul Shave's son and Edward. "The idea of having another producer was to get another voice on the show, to get someone in there who could help turn it a little bit," Rosenberg says.

Crossing Over also airs in late night on the Sci Fi Channel, which is owned, along with Universal Domestic Television, by Vivendi Universal. The show, cleared in 98% of the U.S., returns for a third season today.

In the latest round of national ratings, closed the week ended Aug. 31, *Crossing Over* scored an 0.9, ranked 88th out of 130 syndicated shows. During the season, it hovered around a 1.2. More than one-third of its audience is women 25-54, according to Universal.

"There are so many shows that find an audience after some time on the air," Rosenberg says. "This show continues to feel like it's got that." ■

Syndie

Insider

Seacrest Finds a Home, More Stations

Twentieth Television has found a home for its latest entry, now officially titled *On Air With Ryan Seacrest*. The show will be set in Los Angeles's Hollywood and Highland complex, next to the Kodak Theatre, where major TV events such as the Academy Awards and the first *American Idol* finale have been held.



Twentieth also has increased the show's clearances to 85%, adding Viacom-owned KBHK-TV San Francisco, WBFS-TV Miami, and WNDY(TV) Indianapolis; Sinclair-owned WCWB-TV Pittsburgh; Meredith-owned KPDX-TV Portland, Ore.; Bay City-owned XETV-TV San Diego; and Raycom-owned WXIX-TV Cincinnati.

The show, which will launch in January, will be shot in a multi-story glass studio where visitors to the shopping and entertainment complex can look in and watch a taping or gather in the near-by courtyard to watch live performances.

Syndie Viewing Stays Low

With the final week of the 2002-03 syndication season ended Aug. 31, already low viewing levels inched up only three-quarters of a percent as viewers enjoyed the final days of summer vacation.

Ratings for the top game and talk shows were somewhat higher than the previous week, but a couple of relationship shows ended the season on a down beat. King World's *Wheel of Fortune* continued to lead in games, up 4% to a 7.7 rating; King World's *Jeopardy* was up 7% to a 6.3; and Buena Vista's *Who Wants To Be a Millionaire* was up 3% to a 3.1.

In talk, King World's *Oprah* rebounded off its season low, up 2% to a 5.0, while King World's *Dr. Phil* was up 8% to a 4.3. Universal's *Maury* added 3% to hit 3.3 for its ninth third-place finish in 11 weeks, and Buena Vista's *Live With Regis and Kelly* was up 3% to a 3.0.

Two dating shows hit new lows for the season. Universal's *Blind Date* was down 13% to a 1.4, and Twentieth's *Ex-Treme Dating* slid 22% to a 0.7. Universal's *Fifth Wheel* was unchanged at a 1.2. The only other strip to hit a new low was Twentieth's off-net *Dharma & Greg*, which fell 9% to a 2.0. On the plus side, Warner Bros.' *elimiDate* led the dating category with a 1.7, up 6% from the week before.

L.A. GETS A MAKEOVER!



#1

+41%
vs May '03

W18-34

July '03

BEATING:

The View
The Price Is Right
John Walsh
Wayne Brady
Jerry Springer
Ricki Lake

#1

+42%
vs May '03

W18-49

July '03

KTTV
10:30 am



Source: NSI, SNAP 3, Half-hour TP, July '03 vs. May '03 % Increase, The View/W18-34, Rtg3

NIELSEN | Sept. 1-7 | RATINGS

THE PRIME TIME RACE

Top 10 Basic Cable Shows

Sept. 1-7

Total Households (in millions)

PROGRAM	DATE	NET	HHS
1. NFL: Raiders/Titans	9/7	ESPN	7.8
2. NFL Prime Time	9/7	ESPN	4.3
3. WWE 10p	9/1	TNN	3.9
4. Law & Order 8p	9/1	TNT	3.8
5. Law & Order 9p	9/1	TNT	3.7
6. WWE 9p	9/1	TNN	3.6
7. Fairly Odd Parents 10a	9/7	NICK	3.4
8. Chevy Rock n Roll 400	9/6	TNT	3.3
8. Law & Order 10p	9/1	TNT	3.3
8. Law & Order 7p	9/1	TNT	3.3

Adults 18-49 (in millions)

PROGRAM	DATE	NET	AA
1. NFL: Raiders/Titans	9/7	ESPN	6.7
2. NFL Prime Time	9/7	ESPN	3.8
3. WWE 10p	9/1	TNN	3.1
4. Chevy Rock n Roll 400	9/6	TNT	2.8
5. WWE 9p	9/1	TNN	2.7
6. Queer Eye/Straight Guy	9/2	BRAV	2.6
7. Great Biker Build Off	9/1	DISC	2.3
7. Great Biker Build Off	9/1	DISC	2.3
9. SportsCenter	9/7	ESPN	2.2
9. Nip/Tuck	9/2	F/X	2.2

SOURCE: Turner Entertainment Research, Nielsen Media Research

Broadcast Networks

Sept. 1-7

Total households (in millions)

	WEEK	STD
1. NBC	6.3	7.5
2. CBS	5.8	7.9
3. ABC	5.6	6.0
4. FOX	4.5	5.8
5. WB	2.2	2.5
5. UPN	2.2	2.3
7. PAX	0.7	0.8

Adults 18-49 (in millions)

	WEEK	STD
1. ABC	3.9	4.3
2. NBC	3.8	5.1
3. FOX	3.5	4.8
4. CBS	3.2	4.4
5. UPN	1.6	1.8
6. WB	1.5	2.0
7. PAX	0.3	0.3

Top 10 Broadcast Shows

Total Households (in millions)

	WEEK	
1. Monday Night Football Thu	ABC	14.0
2. 2003 NFL Showcase*	ABC	11.9
3. CSI Thu 9p	CBS	10.6
4. Law & Order Wed 10p	NBC	10.4
5. Law & Order Sun 10p	NBC	9.1
6. NFL Postgame*	FOX	8.6
7. CSI: Miami	CBS	8.3
7. Everybody Loves Raymond	CBS	8.3
9. King of Queens 9:30p	CBS	8.2
10. CSI Thu 8p	CBS	8.1
10. Law & Order: Crim Intent	NBC	8.1

Adults 18-49 (in millions)

	WEEK	
1. Monday Night Football Thu	ABC	9.9
2. 2003 NFL Showcase*	ABC	8.7
3. NFL Postgame*	FOX	7.4
4. CSI	CBS	5.9
4. Fear Factor	NBC	5.9
6. Law & Order Sun 10p	NBC	5.7
7. Friends	NBC	5.5
8. Will & Grace	NBC	5.3
8. Paradise Hotel	FOX	5.3
8. Law & Order Wed 10p	NBC	5.3

* Program length less than 15 minutes
SOURCE: Nielsen Media Research

Week 50	abc	CBS	NBC	FOX	PAX	UPN	WB
MONDAY	4.4/7	7.0/12	5.9/10	3 7/6	0.5/1	1.9/3	1.9/3
8:00		31. Yes, Dear 5.5/9	16. Fear Factor 6.6/11	70. O.C. 3.5/6	124. PAX Monday Night at the Movies—Waking Ned Devine 0.5/1	100. The Parkers 1.8/3	88. 7th Heaven 2.2/4
8:30		26. Still Standing 5.8/9				93. Girlfriends 2.0/3	
9:00	51. ABC Monday Night Movie—Any Given Sunday 4.4/7	7. Ev Lvs Raymnd 7.7/12	28. For Love or Money 2 5.7/9	60. Paradise Hotel 3.9/6		93. Girlfriends 2.0/3	105. Everwood 1.6/3
9:30		9. King of Queens 7.6/12				100. Half & Half 1.8/3	
10:00		7. CSI: Miami 7.7/13	34. Who Wants to Marry My Dad? 5.2/9		120. Diagnosis Murder 0.6/1		
10:30							
TUESDAY	4.6/8	5.1/8	5.0/8	5.0/8	0.7/1	1.6/3	2.1/3
8:00	29. 8 Simple Rules 5.6/10	16. Big Brother 4 6.6/11	63. Frasier 3.8/6	55. Performing As... 4.1/7	120. Mysterious Ways 0.6/1	103. One on One 1.7/3	88. Gilmore Girls 2.2/4
8:30	54. Life With Bonnie 4.3/7		50. Frasier 4.6/7			96. One on One 1.9/3	
9:00	46. According/Jim 4.8/8	41. Cupid 4.9/8	49. Frasier 4.7/7	26. O.C. 5.8/9	116. Promised Land 0.8/1	109. Buffy the Vampire Slayer 1.4/2	93. Smallville 2.0/3
9:30	41. Less Than Perfect 4.9/8		76. Gd Mornng Miami 3.2/5				
10:00	60. NYPD Blue 3.9/7	63. Judging Amy 3.8/7	14. Law & Order: Special Victims Unit 6.8/12		116. Diagnosis Murder 0.8/1		
10:30							
WEDNESDAY	4.7/8	4 4/8	7 4/13	4 7/8	0.9/1	1 8/3	1 8/3
8:00	34. My Wife & Kids 5.2/9	19. Big Brother 4 6.5/11	20. Dateline NBC 6.4/11	55. That '70s Show 4.1/7	120. Candid Camera 0.6/1	105. Enterprise 1.6/3	92. Smallville 2.1/4
8:30	41. George Lopez 4.9/8			55. The Simpsons 4.1/7			
9:00	24. George Lopez 5.9/10		22. The West Wing 6.2/10	32. Paradise Hotel 5.4/9	114. Doc 0.9/1	96. Enterprise 1.9/3	107. Angel 1.5/2
9:30	41. Drew Carey 4.9/8	73. 4th Annual Latin Grammy Awards 3.4/6					
10:00	66. The Family 3.7/6		4. Law & Order 9.6/17		112. Diagnosis Murder 1.2/2		
10:30							
THURSDAY	10.8/18	8.1/13	5.7/9	3 4/6	0.8/1	3.5/6	1 6/3
8:00	23. NFL Kickoff Live 6.1/11	10. CSI 7.5/13	12. Friends 7.1/12	76. Stupid Behavior 3.2/6	124. It's a Miracle 0.5/1	96. Jamie Kennedy 1.9/3	
8:30			20. Will & Grace 6.4/10	73. Stupid Behavior 3.4/6		103. Jamie Kennedy 1.7/3	
9:00	1. Monday Night Football—New York Jets vs. Washington Redskins 12.9/22	3. CSI 9.7/15	46. Scrubs 4.8/8	68. Temptation Island 3 3.6/6		110. What I Like About 1.3/2	
9:30			46. ER 4.8/8		114. Diagnosis Murder 0.9/1	107. What I Like About 1.5/2	
10:00		12. Without a Trace 7.1/12					
10:30							
FRIDAY	4.9/9	4.8/8	6.0/11	2 4/4	0.5/1	1.3/2	2.4/5
8:00	41. America's Funniest Home Videos 4.9/9	37. Big Brother 4 5.1/10		81. Bernie Mac 2.6/5	124. MGM Night at the Movies—Benny and Joon 0.5/1	110. UPN's Movie Friday—The Sixth Man 1.3/2	88. Reba 2.2/4
8:30			14. Dateline NBC 6.8/13	86. Wanda at Large 2.3/4			82. Reba 2.5/5
9:00	63. Whose Line Is It 3.8/7	66. JAG 3.7/7		86. Boston Public 2.3/4			82. Grounded for Life 2.5/4
9:30	58. Whose Line Is It 4.0/7						
10:00	24. 20/20 5.9/11	29. CSI: Miami 5.6/10	51. Boomtown 4.4/8		128. Encounters With the Unexplained 0.4/1		
10:30							
SATURDAY	4.6/9	2.5/5	3 8/7	4.5/8	0 6/1		
8:00			60. Most Outrageous Game Show Moments 3.9/8	70. Cops 3.5/7	124. Candid Camera 0.5/1		
8:30				58. Cops 4.0/8			
9:00	37. ABC College Football—Florida vs. Miami/ BYU vs. USC 5.1/10	82. U.S. Open Tennis—Women's Final 2.5/5	78. Race to the Altar 3.0/5	34. AMW: America Fights Back 5.2/10	119. PAX Saturday Night Movie—Drive Time Murders 0.7/1		
9:30							
10:00		79. The District 2.7/5	51. Law & Order 4.4/8				
10:30							
SUNDAY	2.8/5	5 4/9	6.5/11	5 1/9	0 7/1		2 1/4
7:00	73. ABC Sunday Night Movie—City Slickers 3.4/6	16. 60 Minutes 6.6/12	39. Dateline NBC 5.0/9	(nr) NFL Game 2 12.5/27	128. Candid Camera 0.4/1		100. Gilmore Girls 1.8/3
7:30				68. Fox Movie Special—Crouching Tiger 3.6/6			
8:00		33. Without a Trace 5.3/9			116. Doc 0.8/1		
8:30							
9:00			10. Law & Order: Criminal Intent 7.5/12	Fox Movie Special—Crouching Tiger, Hidden Dragon, cont.	113. Sue Thomas, F.B. Eye 1.0/1		88. Charmed 2.2/4
9:30	ABC Movie, cont.	Without a Trace, cont.					
10:00	85. Alias 2.4/4	39. CBS Sunday Movie—Breakdown 5.0/9	5. Law & Order 8.4/14		120. Body and Soul 0.6/1		
10:30	79. The Practice 2.7/5						
Averages							
Week	5.2/9	5.3/9	5.8/10	4.2/7	0.7/1	2.0/3	2.0/3
S-T-D	5.7/10	7.4/13	7.0/12	5.4/9	0.8/1	2.2/4	2.3/4

KEY: Each box in grid shows rank, program, total-household rating/share | Blue bar shows total-household rating/share for the day | Top 10 shows of the week are numbered in red | TV universe estimated at 108.4 million households; one ratings point is equal to 1,084,000 TV homes | Tan tint is winner of time slot | (NR)=Not Ranked; rating/share estimated | *Premiere | Programs less than 15 minutes in length not shown | S-T-D = Season to date | SOURCES: Nielsen Media Research, CBS Research | Compiled By Kenneth Ray

MARKET | Alpena | FOCUS



Prime time soap *The O.C.* has experienced growth in every key demographic since its Aug. 5 premiere.

The O.C. Gets Fox Fall OK

BY PAIGE ALBINIAK

As expected, Fox last week ordered the remaining nine episodes of its new prime-time soap, *The O.C.*

"The success of this show has proved to be a tremendous first step towards Fox's stated goal of a year-round programming strategy," said Gail Berman, Fox's president of entertainment. "We're changing the rules, and *The O.C.*'s success has clearly proved that you can shift the paradigm and launch original series outside the traditional September window."

Since its Aug. 5 premiere, *The O.C.* has built in every key demo, jumping 48% in adults 18-49, 77% in adults 18-34, 63% in persons 12-34 and 23% in total viewers.

Last Tuesday night, the show won its time period in adults 18-49, total viewers, adults 18-34, teens, and persons 12-34.

The rule-changing Berman refers to gets a test later on. When other networks are revving up their fall schedules, Fox is interrupted by baseball playoffs and the World Series. Starting *The O.C.* early built an audience base that Fox is betting will return after baseball is over.

The O.C.'s summer finale will air Tuesday, Sept. 16 at 9 p.m. and then will move to the much tougher time slot of Thursday nights at 9 p.m. when it returns to the prime-time schedule on Oct. 30. ■

AT A GLANCE

The Market

DMA rank	208
Population	43,000
TV homes	18,000
Income per capita	\$14,356
TV revenue rank	210
TV revenue	\$1,900,000

Commercial Tv Stations

RANK*	CH.	AFFIL.	OWNER
1	WBKB-TV	11	CBS Thunder Bay Bcst

*May 2003, total households, 6 a.m.-2 a.m., Sun.-Sat.

Cable/DBS

Cable subscribers (HH)	11,520
Cable penetration	64%
ADS subscribers (HH)**	4,320
ADS penetration	24%
DBS carriage of local TV?	Yes

**Alternative Delivery Systems, includes DBS and other non-cable services, according to Nielsen Media Research

What's No. 1

Syndicated Show	RATING/SHARE***
Dr. Phil (WBKB-TV)	10/25
Network Show	
CSI (WBKB-TV)	16/27
Evening Newscast	
WBKB-TV	23/46
Late Newscast	
WBKB-TV	11/34

***May 2003, total households

SOURCES: Nielsen Media Research, BIA Research

TV in Smallville

As the only commercial TV station in Alpena, Mich., WBKB-TV faces no over-the-air competition, which isn't too surprising: It's the nation's No. 208 market, out of 210 Nielsen DMAs. The city has only 11,304 residents; the two-county DMA, around 43,000 residents.

The market and the CBS affiliate have felt the nation's economic downturn, but, fortunately, the station's hard times have been recent, not lingering.

"Our business has not been in the same bad cycle as the other industry businesses in our area," says WBKB-TV General Manager Curt Smith. "The DMA has been struggling the past two years just like everyone else, but we haven't seen a [slowdown] in ad dollars until just now."

WBKB-TV didn't always have the market to itself. A translator, broadcasting Fox and UPN, went dark 18 months ago. "Believe it or not, we got a lot of flack for turning it off," says Greg Buzzell, director of engineering for the translator's owner, Rockfleet Broadcasting, even though the signal barely covered the city.

The only other station in town is a PBS outlet, WCML-TV, operated by Central Michigan University.

Smith says 80% of WBKB-TV's revenue comes from national and regional fast-food, soft-drink and gaming clients. The area's largest local employers—Alpena's school system, Alpena General Hospital and Phelps Collins Air National Guard Training Base—don't offer much in the way of advertising.

"Automotive is not a major factor in our market," says Smith. "In the city of Alpena itself, we have three [dealerships]. You have that many in some townships in other markets."

But that's not all bad news, he adds. By not relying on the auto dollar, the local economy is able to avoid the extreme peaks and valleys "when the economy goes soft."

Of course, WBKB-TV also competes for viewers and those national and regional dollars with other TV stations imported by the local Charter cable system. "It's always been a good cable market because of not having off-airs available," says system General Manager Ed Kavanaugh. —Melanie M. Clarke



WHAT THEY DO

0 Starbucks are within a 50-mile radius.

9 skating rinks are in Alpena.

95.2% of residents work within the county of Alpena.

SOURCES: Starbucks.com, Switchboard.com, U.S. Census Bureau

HATCHETT PRESIDES IN BIRMINGHAM!

As the #1 court show in the market, **JUDGE HATCHETT** delivers IMPRESSIVE ratings on WBRC at 11:30am!

5.2

HOUSEHOLD RATING!

#1

IN THE TIME PERIOD!

JUDGE HATCHETT

+100% OVER YEAR AGO TIME PERIOD!

SONY
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TELEVISION

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Source: NSI WRAP Overights, M-F, (9/1/03 - 9/5/03), rank on rating, daytime-9A-3P court shows=Judge Judy, Texas Justice, Divorce Court, People's Court, Judge Mathis, year ago=tp (9/16/02-9/20/02)



BOOK EXCERPT

FRIDAYS WITH ART

The Brotherhood

In writing of their own careers, TV's pioneers provide a history of the medium's early days in new book *Fridays With Art*



Seated, left to right: Loring d'Usseau, Art Greenfield and Jim Stern. Standing, first row: Dick Colbert, Lou Blumberg and Jack Jacobson. Standing, back row: Marv Gray, Dalton Danon, Steve Rodgers, Dick Woollen, Dixon Dern and Bill Clark.

Television is now firmly in the hands of its second generation of executives. But what of that first generation, the WW II vets and radio guys who made the jump to TV and invented the medium as they went along over the next 50 years? Some have died, but many are retired or winding down their careers as consultants and such.

About 30 years ago, Dick Woollen, then buyer for Metro-media Television, and the late Art Greenfield, then the head of his own program-distribution company, began having lunch every Friday in Los Angeles, their busy schedules permitting. Just friends, comparing notes, trad-

ing gossip and sharing their triumphs and defeats.

Over the years, the number of plates around their lunch table grew as other Hollywood program buyers and sellers joined the discussion. Some Fridays, four would show; other weeks, there would be as many as 10.

Finally, someone in this loose fraternity (yes, it's all men) suggested that they write a book about their adventures in TV. Each member—25 in all—would tell his own story as a chapter. With permission, here are four anecdotes from *Fridays With Art*, edited by Woollen and to be published in October by Burbank, Calif.-based Parrot Communications International (Hardcover/408 pages/\$27.95):

In the early 1950s, Jim Stern was peddling shows for New York-based Guild Films.

Here's what the man said to me in his rich southern drawl: "This guy [a vulgarity for defecates] cream puffs!"

The drawler was the General Sales Manager at one of Norfolk, Va.'s two TV stations to which I had been trying to sell a new show starring the talented but extravagantly flamboyant piano player, Liberace. The way he lisped slightly as he cooed the lyrics of love songs did nothing to dispel the image of homosexuality, nor did his penchant for glittery jackets with lacy cuffs and candelabra poised prettily on his piano. Liberace's show first aired

on a local Los Angeles station in 1952, and by 1954 had exploded onto TV stations in 217 cities. But it wasn't easy getting him there.

It took a lot of hard selling to convince any of my customers, either businessmen-advertisers or TV Station Managers in the Southeastern part of the nation, that this odd entertainer who today in our era of political correctness would be referred to as a "gay" entertainer but was then more bluntly referred to as a "fag," could attract viewers week after week. They said "No" to me in Norfolk and Richmond and Roanoke, and in Greenville and Charleston. ...

After dozens of futile audition screenings, I had discovered that the louder I turned up the sound volume, the better the schmaltzy piano music sounded ... and also the more it attracted the avid attention of any women who were within earshot. So before screening for a major appliance dealer in Columbia, [S.C.] I corralled as many secretaries as I could to join us in the company's conference room, turned the volume up full, and let it roll. When the film ended, the appliance guy seemed uncertain and unhappy. I asked him what percentage of his customers were women. He said, "About 90%." I then asked one of the girls how she liked the show, and with a tone bordering on reverence, she said, "Ah cain't find words to say!" So I made my first sale.

In the mid 1970s, Ave Butensky was an ad buyer at Dancer-Fitzgerald-Sample, working on the Toyota account.

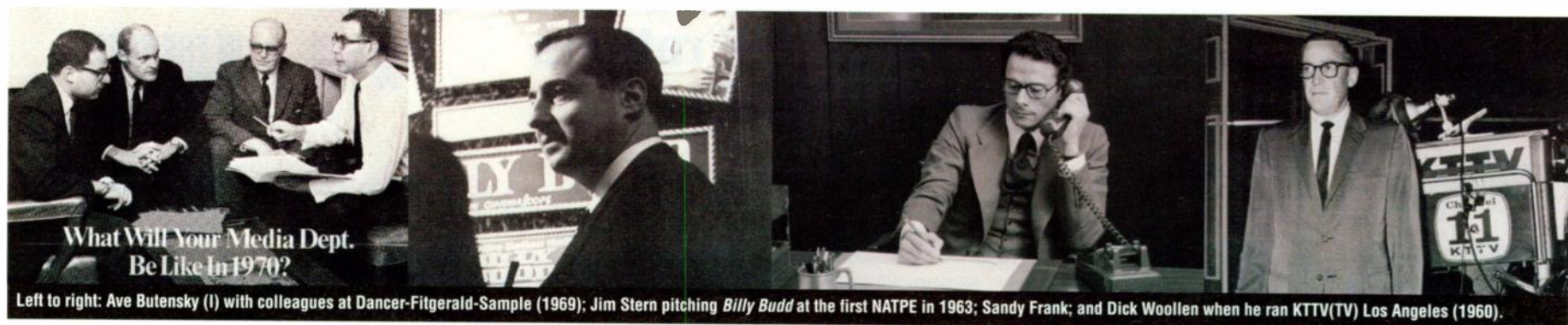
The head of NBC Spot Sales, Bud Hirsch, came to my office and said, "Ave, how would you like to buy the overtime break in the Super Bowl?" He added that such a spot would no doubt be the highest-rated part of the game, probably the highest-rated spot for the entire year. It sounded like an offer that couldn't be refused. Now, as every

football fan knows, there has never been an overtime in Super Bowl history. Bud explained the cost would be \$25,000 for one 30-second spot, and that only one such spot would be aired. Bud also went on to explain that in the event there was no overtime break, WNBC-TV would still keep the \$25,000 but would offer a package of make-goods to run over the next few weeks as part of a bushel basket of other spots. But he showed that the overall value of those make-good spots would exceed the value of the one overtime spot in the Super Bowl. I heard enough. We agreed. That night while going home on the Long Island Railroad, I met another time buyer who worked for another advertising agency who told me that he had bought the one overtime spot in the Super Bowl. I had the feeling that something else was in play here. How was it possible that Bud had sold the same single spot to two people?

And then it came to me. I called Bud at home and asked one simple question. "Bud, to how many advertisers did you sell that one overtime break in the Super Bowl?" Bud answered, "25." This was Zero Mostel and *The Producers* all over again, but this time it was television. Bud was betting there would be no overtime. And he was right. Every one of those 25 advertisers paid for a bushel basket of other spots, all sucked in by the notion that each might have that special overtime break in the big game. During his retirement party, I gave Bud the "chutzpah" award.

Dick Woollen was running KTTV(TV) Los Angeles in 1962. On the night that Richard Nixon lost his gubernatorial bid, late-night talk-show host and Nixon supporter Tom Duggan left word that he would not be doing his show.

I was slumped exhaustedly in my den about 8 p.m. when Ann Duggan, Tom's wife, called me with her



Left to right: Ave Butensky (l) with colleagues at Dancer-Fitzgerald-Sample (1969); Jim Stern pitching *Billy Budd* at the first NATPE in 1963; Sandy Frank; and Dick Woollen when he ran KTTV(TV) Los Angeles (1960).

startling question: Would I like to have Nixon fill in for Tom that night? Airtime was 11 p.m. I mumbled something inconclusive and she said, "Well, Dick Nixon is right here. I'll put him on."

I was dumbfounded. In his (at the time) darkest hour, Nixon hadn't gone home to his loyal wife, Pat. He hadn't even stayed with any of his closest confidants such as Bob Haldeman or Herb Klein. Instead, he had somehow wended his way to Duggan's home, where he found Ann home alone.

When Nixon came on the phone, it was obvious he was drunk. I was scrambling for reasons to tell him why I didn't think it would be a good idea for him to do a live one-hour telecast "after such an exhausting day," and one of his slurred responses was so memorable that it has become a staple of our family repartee ever since. I could almost envision him drawing himself erect as he chided my resistance by saying to me, "Well, I'm not eshackly

United States? Or would the press reports have been so devastating that it would have finished him politically?

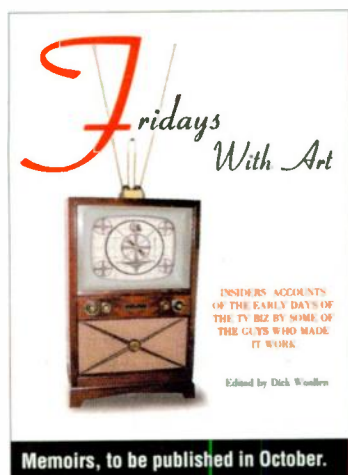
Sandy Frank owned his own production and distribution company. In 1977, he was determined to make a movie about then Israel Prime Minister Menachem Begin. In that effort, he visited Begin and was literally at his side when he announced

that President Sadat of Egypt would address the Knesset, a breakthrough in relations between the two countries.

A day after that announcement I was walking down the corridor with ... Begin, and the subject of Barbara Walters came up. I asked him if he would be interested in an interview with her. He said, "Absolutely. I would be delighted." Based on that information, I

called ABC News in New York and got Barbara Walters on the phone with a cold call. I had never met her. I told her I had just been with Prime Minister Begin and he indicated he would be willing to meet with her and be interviewed by her in Israel when President Sadat came, which would be several days later. Her reaction to this news was like that of a child, jumping up and down. She let

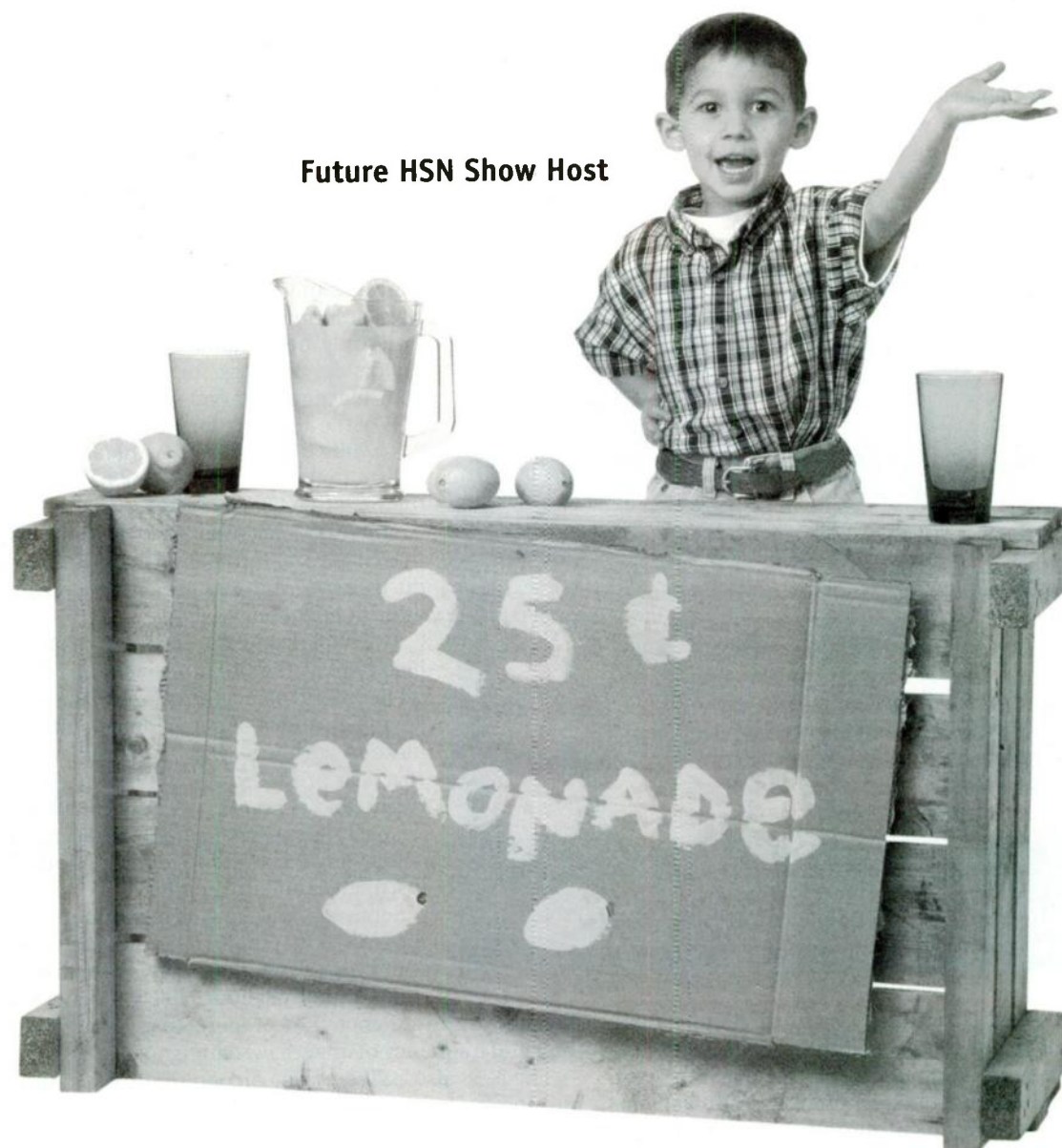
out a loud whoop, yelling, "Begin wants me to interview him with Sadat!" I told her that the one thing I ask in return for getting her this interview was to bring me a copy of *Weekly Variety*, BROADCASTING, and a bottle of *Eau de Portugal* hair tonic. Over the years, whenever I have seen Barbara Walters she kids me about having schlepped this stuff all the way to Israel. ■



wifout intelligence, ya know!"

I finally told him I'd think about it and get back to him. As soon as I hung up I called KTTV and spoke to the guard at the security gate, giving him firm orders that if Nixon showed up, not to admit him on the lot. Then, knowing that my colleague, Rev Winckler, was a close friend of Nixon's Communications Director, Herb Klein, I called Rev with the urgent suggestion that he find Herb or somebody else close to Nixon and send them out to put a butterfly net over him. Rev reached Herb with the news. Herb tracked down Haldeman who then dashed over to Duggan's house and carted Nixon back to where he belonged. I've often mused over the incident. Call it the "what if" syndrome. What if I had let Nixon do Duggan's show that night? What if a drunken Richard Nixon had babbled on for an hour on live TV? Would he ever have later been elected President of the

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on tv & online

TV BUYER

Cheers and Jeers on 'Alcopop' Ads

Two studies offer conflicting views of marketing to underage consumers

BY STEVE McCLELLAN AND JOHN EGGERTON

That "alcopop" bottle, depending on who's looking at it, is either half full or half empty. Last week, two reports offered differing views on how the industry is doing in its efforts to avoid marketing flavored malt beverages to underage drinkers.

The Federal Trade Commission concluded that alcohol marketers' efforts at self-regulation have improved significantly over the past four years.

But the National Academy of Sciences (NAS) issued a report saying the industry could do much better.

advertising of nine major brands. The commission found improvement in placement standards and in the adoption of external review. Although the report found that the alcohol marketers were not targeting underage drinkers, it did concede that the advertising "may have a 'spillover' effect on teens, because themes that appeal to younger, of-age consumers also appeal to underage consumers."

The report was issued in response to hearings presided over by vocal alcohol-ad critic Congressman Frank Wolf (R-Va.).

Wolf, joined by Mothers Against Drunk Driving and the Center for Science in the Public Interest (CSPI), have pushed for stricter controls on alcopop ads.

George Hacker, director of CSPI's Alcohol Policies Project, says the study misses the point. "We think it is irrelevant what the industry intends," he says, pointing to the "spillover" concession. The study, he complains, pats alcohol producers on the back for meeting a "puny" 50% placement target—in which at least 50% of the audience for an alcohol ad is over 21—while conceding that the ads reach a substantial number of young people, with themes attractive to minors.

The study's big weakness, Hacker adds, is that "it goes no further than to parrot the industry's own submission. There is precious little independent analysis."

The NAS proposed a number of steps to help remedy the situation, including the establishment of a government-funded ad campaign aimed at persuading adults to do more to curb underage drinking. Funding was also proposed for the Department of Health and Human Services to monitor underage exposure to alcohol advertising "on a continuing basis and to report periodically to Congress and the public."

Separate funding was recommended by the NAS so that the DHHS could periodically monitor TV content that is broadcast "at times and or in venues likely to have a significant youth audience [15% or more] to ascertain the nature and frequency of images pertaining to alcohol."

The NAS also called on the alcohol industry to fund a non-profit foundation "with the sole mission of preventing and reducing underage drinking."

Hacker cited the NAS approach as a "roadmap" to policies and programs to combat underage drinking.

But the Beer Institute's Becker considers the NAS off base. NAS's call for more government funding for various programs, he says, is "woefully misguided," particularly at a time when the state and federal governments are looking for ways to cut costs and balance budgets.

"At the same time," he adds, "we are encouraged to see positive attention paid to many of the effective, targeted and sensible approaches—such as increasing parental involvement and consistent enforcement of existing underage drinking laws—that the beer industry supports. These approaches have been the focus of the extensive educational programs to prevent illegal underage drinking the industry has implemented for 20 years in communities nationwide." ■



Ads for flavored malt drinks may have "spillover" on teens, says National Academy of Sciences.

The FTC report was a response to a Congressional mandate earlier this year to study the impact of the alcohol industry's marketing blitz on underage drinkers. The commission also was ordered to assess industry improvements (or lack thereof) in its self-regulatory efforts to limit the general appeal and exposure of alcohol marketing to underage consumers. The FTC had strongly urged the industry to consider such efforts in a report issued in 1999.

In its study released last week, the FTC found "no evidence" that advertisers of flavored malt beverages (also known as "malternatives") target underage consumers. The study also concluded that alcohol marketers have significantly improved self-regulation, implementing regulations suggested in FTC's 1999 report.

Not surprisingly, that conclusion is welcomed by Jeff Becker, president of the Beer Institute. "We are encouraged that the FTC recognizes that brewers plan and execute their advertising and marketing campaigns in a responsible manner," he says.

The FTC report is based on a study of the marketing and

EBB & FLOW

Cable Scatter Is Hard To Deduce

Third- and fourth-quarter cable-network scatter spending is up. How high remains a matter of some debate, but some networks are getting price hikes of 20% vs. the upfront.

"Third quarter slowed down a lot, although it started out strong," says Gibbs Haljun, VP/associate director, national broadcast, MediaVest. "Now

3Q-4Q Estimate

+20%

everyone's looking at 4th quarter, and there are lots of opportunities. However, it's supply and demand, and there's just not enough demand out there to support all the network ad increases."

Haljun sees cable's second half up anywhere from 4% to 20%, depending on the network.

"There was a summer lull," says Greg D'Alba, COO of CNN sales and marketing, "but September is heating up pretty well. Fourth quarter last year was very good, and we're pacing ahead of that." He predicts high-double-digit increases.

"We're still cutting a few broadcast year deals," D'Alba adds. Pharmaceuticals, auto, financial services, telecommunications remain strong.

Bruce Lefkowitz, EVP/ad sales, FX, concurs. "I see the back half of the year up 12%-14% for cable nets."

Meanwhile, some industry observers challenge Nielsen Monitor-Plus's recent report that put first-half network cable down 4.6%.

"That number is just totally counterintuitive," says Paul Woolmington, CEO, MediaKitchen. "Some fringe networks doing really well aren't included."

On the local/regional level, spot cable is up 11% through July, according to Charlie Thurston, president, Comcast Ad Sales, which recently announced 12 new interconnected markets.

—Jean Bergantini-Grillo

NEXT WEEK:

Broadcast Spot

Report: No More Baby Steps for Interactive TV

BY STEVE MCCLELLAN

Advertising on interactive TV (iTV) is still in its infancy, but a report by Jupiter Research says the medium is going to have a huge growth spurt over the next four years.

Jupiter, a unit of Darien, Conn.-based Supermedia Corp., predicts that total iTV advertising revenue will reach \$25 million this year. But it will grow almost 100-fold by 2007 to \$2.3 billion, according to Jupiter's forecast. On a household basis, that equates to about \$1 per home in 2003 jumping to \$39 per home in '07.

Why the huge spurt, especially given that many advertisers don't see interactive advertising as a must? Well, Jupiter believes that view will change dramatically as advertisers become more familiar with iTV technology and applications.

Some already are. Case in

Jupiter Research predicts that total interactive-TV advertising revenue will reach \$25 million this year and soar to \$2.3 billion in 2007.

point: Johnson & Johnson, which bought a multiple-platform, multi-brand iTV sponsorship from ABC linked to a prime time interactive TV special, *The View: His/Her Body Test* in June.

According to Jupiter analyst Lydia Loizides, who reviewed results of the J&J project, 54,868 viewers interacted across three platforms, including personal computer users, Wink-enabled viewers, and viewers linked to a separate wireless-phone-based technology known as short message service (SMS).

According to Loizides's analysis, viewers interacting with the program through one of the iTV platforms spent more time watching the show, paid more attention to and had better brand recall of the commercials, and in general reported having a "much better viewing experience" than viewers tuning in and watching the program passively (that is, without using any of the iTV applications).

The results showed, for example, that the passive viewers spent an average 43.2 minutes watching the program, vs. 54.3 minutes for those interacting with it via PC and 45.9 minutes watching via the Wink system. Phone-based users were tuned in an average 46.3 minutes.

Overall, PC and Wink users had far better recall of specific advertisers and sponsors: 82% for PC users, 60% for Wink watchers and just 26% for the couch potatoes. The phone-based group had slightly better recall than the potatoes at 34%.

Just over half the PC viewers felt that interactivity produced a better viewing experience. Just under 40% of the Wink watchers felt the same way; just 22% of the phone users could say the same.

But, overall, Loizides calculates that 45% of the iTV users

had what they considered a better viewing experience.

One conclusion she draws from the J&J test is that fewer brands per sponsorship event are probably better than more. J&J promoted 15 brands during *The View* special, and some fared better than

others. For example, iTV users had better recall of pain reliever Tylenol, while passive viewers had better recall of the Band-Aid brand. "There is greater opportunity to delve deeper into messaging and brand satisfaction with fewer products," Loizides noted. ■

"...deliciously informative and entertaining...
it is easy to get hooked..." — Sharon Schegel, *Trenton Times*

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David Maraniss
on his new Vietnam
book, Sept. 28



Stanley Crouch
In Depth, Oct. 5



Douglas Brinkley
In Depth, Dec. 7

WASHINGTON

Finance-Reform Battle in High Court

Questioning raises doubt on all campaign restrictions

By BILL MCCONNELL

Combative questioning last week by Supreme Court swing votes on campaign-finance reform raised doubts not only on whether new restrictions on political ads would survive but on whether longstanding restrictions on political campaigns could be weakened in the bargain.

Under review is the fate of a campaign-finance law sponsored by Sens. John McCain (R-Ariz.) and Russ Feingold (D-Wis.) and Reps. Christopher Shays (R-Conn.) and Marty Meehan (D-Mass.), which bans national political parties from raising "soft money"—contributions not bound by federal donation limits—and prohibits state and local parties from using their soft money in federal elections. In addition, corporations and labor unions would be barred

ion to try to change public opinion," he said.

He also questioned whether the law was only trying to eliminate the corrupting influence of money or seeking to reduce the fundraising burdens on lawmakers. Prior cases, he said, don't give Congress power to "willy-nilly regulate any sort of contributions in connection with an election campaign."

Other justices challenged lawyers arguing against finance reform on grounds that their far-reaching attacks, carried to their logical end, would call into question other finance regulations in place for decades. "If you do not accept what Congress has done here, you are doing a complete end run around prior law," Souter told Kenneth Starr, attorney for Sen. Mitch McConnell (R-Ky.), lead plaintiff seeking the law's elimination.

Souter's rhetorical question was echoed by other justices, although Scalia indicated that he



'Almost eight years to the day after the introduction of the original McCain-Feingold bill, we are hopeful and confident that the court will uphold the law, and we look forward to the court's decision.'

SEN. JOHN MCCAIN
(R-Ariz.)

from buying political ads mentioning a federal candidate within the 30 days of a primary and 60 days of a general election. Such campaigns mean big bucks for broadcasting coffers.

"It's very dangerous to draw a lot of inferences in this context," said Media Access Project President Andrew Schwartzman, who is pushing for strengthening of the laws. "This case is so complicated I have no confidence in any kind of projection I could make."

Based on past rulings, Justices John Paul Stevens, David Souter, Ruth Bader Ginsburg and Stephen Breyer are believed to support upholding the law. Likewise, conservatives Antonin Scalia and Clarence Thomas are expected to side with striking it down. That leaves the swing votes with Chief Justice William Rehnquist and Justices Sandra Day O'Connor and Anthony Kennedy.

O'Connor and Kennedy have backed campaign regulation before. She was largely silent during oral argument, but he asked several pointed questions of defenders of the new law.

Rehnquist, in particular, seemed to be struggling to balance his past support for restrictions on speech protections for corporate or interest-group political ads. "The whole purpose of the First Amendment is to allow people who perhaps don't have much in the way of public opin-

might support doing away with longstanding campaign-donation limits, such as caps on individuals' gifts to candidates. "Just because it's been around for 30 years doesn't convince me it's valid," Scalia said.

The restriction on corporate and union ads came under particular attack. Souter suggested Congress had set up a "false dichotomy" by forbidding ads that mention candidate names, saying voters will be able to figure out which candidates support the ad's position. "This is a silly distinction," added Kennedy.

The justices also questioned whether the soft-money ban will accomplish anything beyond weakening political parties and enriching interest groups. "The power and the money will shift to those groups," said Breyer.

Quizzed on criticism that the new law's ban on issue ads also would overwhelmingly help incumbents, U.S. Solicitor General Ted Olson, defending the law, noted that more than 97% of incumbents get reelected in federal elections.

"Almost eight years to the day after the introduction of the original McCain-Feingold bill," said McCain, "we are hopeful and confident that the court will uphold the law, and we look forward to the court's decision."

The court has not said when it will rule but is expediting the case for the 2004 elections. ■



CAPITAL WATCH

FCC OK's Stern Interview

Responding to a request from Infinity Broadcasting, the FCC's Media Bureau last week said that interviews with political candidates on Howard Stern's radio show qualify as bona fide news and are exempt from equal-time requirements, paving the way for an interview with California gubernatorial hopeful Arnold Schwarzenegger.

The FCC decision generated lots of news copy—and an incensed release from the Parent's Television Council—suggesting that the FCC had declared Stern's often raunchy show a news program, which the commission has-tened to point out was not the case. It had, instead, said that candidate interviews in Stern segments that met the requirements for a waiver—regularly scheduled, not done to advance a candidate, and with the show retaining editorial control—qualified for that waiver.

It also effectively gave notice that similar shows need not seek a declaratory ruling. "Although we take this action in response to Infinity's request," the bureau said, "we emphasize that licensees airing programs that meet the statutory news exemption, as clarified in our case law, need not seek formal declaration from the commission that such programs qualify as news-exempt programming."

Originally, the exemption applied only to traditional political Q&A programs, such as *Face the Nation* or *Meet the Press*, but the commission loosened the definition in 1984. Saying that *Donahue* segments qualified for the exemption, the FCC said nontraditional forms could earn it, as well as news segments in otherwise entertainment shows. Subsequently, *The Jerry Springer Show*, *Sally Jessy Raphael* and *Politically Incorrect* all qualified.

Powell Names Adviser

Christopher Libertelli, FCC Chairman Michael Powell's wireline competition legal adviser, has been named senior legal adviser. Before joining the FCC in 1999, Libertelli was with the communications law firm of Dow, Lohnes & Albertson.

At the FCC, he has served as special counsel for competition policy in the Wireline Competition Bureau and attorney-adviser in the Common Carrier Bureau's policy division.

AAF Picks Early Achievers

The Washington-based American Advertising Federation has picked seven new members for its Advertising Hall of Achievement. The hall honors advertising executives age 40 and under who are making a "significant impact" on the industry. The members to be inducted: Kathy Delaney, Deutsch Inc.; David Droga, Publicis; Susan Mboya, Procter & Gamble; John Osborn, BBDO North America; Stephen Pasierb, Partnership for a Drug-Free America; Michael Sands, Snapple Group (Motts); and Christopher Schroeder, Washingtonpost.Newsweek Interactive. The class of 2003 will be saluted at a lunch Nov. 18 in New York.

STATION SALES

GREEN LIGHT:
FCC Lifts Freeze

The Media Bureau moved quickly last week to lift the freeze on station-transfer applications it had imposed Sept. 5 following a court stay of the new ownership rules. It has decided instead to process the applications under the old rules now in effect and using the old forms (it had come up with new ones to reflect the new rules). Unfreezing commercial applications will require an immediate temporary freeze on noncommercial applications—which, unaffected by the new rules, had been allowed to continue apace using the new forms—until the FCC's public notice is published in the *Federal Register*. That public notice will trigger the "unfreeze" and a return to the old forms for commercial and noncommercial transfers alike.

Before the "unfreeze" can take effect, the FCC must first publish notification in the *Federal Register*, which it is hoping to do within a matter of days, at which point it will be business as "used to be usual," at least for the time being.

BUSINESS



CHANGING HANDS

Combos

KHLB(AM) and KHLB-FM Burnet, Texas

PRICE: \$1 million

BUYER: Munbilla Broadcasting Corp. (Randall B. Hale, president); owns one other station, KBey-FM Burnet

SELLER: Equicom Inc. (Glenn Hicks, president)

FACILITIES: KHLB(AM): 1340 kHz, 1 kW; KHLB-FM: 106.9 MHz, 5kW, ant. 358 ft.

FORMAT: KHLB(AM): Adult Standards; KHLB-FM: Country

KJPW-FM and KJPW(AM) Waynesville, Mo.

PRICE: \$735,000

BUYER: Shepherd Group (David Shepherd, president); owns eight other stations, none in this market

SELLER: Pulaski County Broadcasters (Millie Brotherton, president)

FACILITIES: KJPW-FM: 102.3 MHz, 3 kW, ant. 492 ft.; KJPW(AM): 1390 kHz, 5 kW day/111 W night

FORMAT: KJPW-FM: Country; KJPW(AM): Country

WVMG(AM) and -FM Cochran, Ga.

PRICE: \$675,000

BUYER: Communications Capital Managers LLC (Michael Oesterle, manager); owns nine other stations, none in this market

SELLER: Clear Channel Communications (John Hogan, CEO, Radio)

FACILITIES: WVMG(AM): 1440 kHz, 1 kW day/90 W night; WVMG-FM: 96.7 MHz, 6 kW, ant. 322 ft.

FORMAT: WVMG(AM): Country; WVMG-FM: Country

FMs

KZRQ-FM Ash Grove and KHTD-FM Mount Vernon (Springfield), Mo.

PRICE: \$5 million

BUYER: Journal Broadcast Group Inc. (Doug Kiel, vice chairman/CEO); owns 36 other stations, including KSGF(AM), KSPW-FM and KTTS-FM Springfield

SELLER: Citadel Broadcasting Corp. (Farid Suleman, chairman/CEO)

FACILITIES: KZRQ-FM: 104.1 MHz, 11 kW, ant. 505 ft.; KHTD-FM: 106.7 MHz, 18 kW, ant. 394 ft.

FORMAT: KZRQ-FM: Rock; KHTD-FM: CHR

BROKER: Michael J. Bergner of Bergner & Co.

WDAN(AM), WNDL-FM and WRKH-FM Danville, Ill.

PRICE: \$4.73 million

BUYER: Neuhoff Family LP (Roger A. Neuhoff, president); no other broadcast interests

SELLER: Neuhoff Communications Inc. (Geoffrey H. Neuhoff, president)

FACILITIES: WDAN(AM): 1490 kHz, 1 kW; WNDL-FM: 102.1 MHz, 50 kW, ant. 367 ft.; WRKH-FM: 94.9 MHz, 6 kW, ant. 328 ft.

FORMAT: WDAN(AM): Talk; WNDL-FM: AC; WRKH-FM: Classic Rock

KAZZ-FM Deer Park (Spokane), Wash.

PRICE: \$1 million

BUYER: First Broadcasting Co. LP (Gary M. Lawrence, president/vice chairman); owns eight other stations, none in this market

SELLER: 3 Points Media LLC (Bruce Buzil, manager)

FACILITIES: 107.1 MHz, 25 kW, ant. 253 ft.

FORMAT: Adult Standards

WKVN-FM Levittown, P.R.

PRICE: \$800,000

BUYER: Family Educational Association (Olga J. Irizarry, president); no other broadcast interests

SELLER: Clamor Broadcasting Network (Jorge Garcia, president)

FACILITIES: 88.5 MHz, 100 W, ant. 52 ft.

FORMAT: Spanish/Variety

WIFL-FM Inglis (Gainesville-Ocala), Fla.

PRICE: \$525,000

BUYER: Sabatino Cupelli

SELLER: Seven Rivers Broadcast Ministries (Paul Pratt, president)

FACILITIES: 104.3 MHz, 4 kW, ant. 381 ft.

FORMAT: Religion

AMs

KGUY(AM) Milwaukie (Portland), Ore.

PRICE: \$1 million

BUYER: Bustos Media Holdings, LLC (Amador S. Bustos, owner/president); owns four

other stations, including KKG(AM), KKS(AM) and KMUZ(AM) Portland.

SELLER: William Sizemore

FACILITIES: 1010 kHz, 5 kW

FORMAT: Country

KMAP(AM) Frazier Park (Bakersfield), Calif.

PRICE: \$700,000

BUYER: IHR Educational Broadcasting (Douglas Sherman, president); owns nine other stations, none in this market

SELLER: KMAP Inc. (Edward Hopple, president)

FACILITIES: 1050 kHz, 10 kW day/7 W night

FORMAT: Children

WGHB(AM) Farmville (Greenville-New Bern-Jacksonville), N.C.

PRICE: \$650,000

BUYER: Pirate Media Group (Troy Dreyfus, managing member)

SELLER: Ronald W. Benfield

FACILITIES: 1250 kHz, 5 kW

day/3 kW night

FORMAT: Sports

Clarification

In the Sept. 1 issue, Media Venture Partners was the broker that represented North Texas Public Broadcasting Inc. in its sale of KDTN-TV Denton, Texas, to Daystar Television Network.

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

Kelly Callan, Fred Kalil, Frank Higney,
Todd Hartman, Lou McDermott
and Frank Kalil

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TECHNOLOGY



As part of improvement plan, CNN's Washington bureau will go to nonlinear operations around the end of 2004.

Bureau With a View

CNN redesigns Washington newsroom to provide Capitol backdrop, plans move to nonlinear editing systems

BY KEN KERSCHBAUMER

CNN's Washington studio is the latest network news studio to literally tear down walls and let viewers see the outside world. The goal is to provide a backdrop (the Capitol) that is more dramatic than the back wall of a studio.

"We're using the view we've always had for maximum advantage," says Bureau Chief Katherine Kross. "It's a great view of the Capitol, and, while it's lovely for the people in the newsroom, it makes more sense if we share it with the viewers."

Giving viewers a look at the world beyond the studio walls has become standard practice in recent years. The changes to the studio were part of larger changes to CNN's bureau. More than 300 employees work on four floors, making it the news net's largest bureau.

Kross says a new design breaks the facility out of the typical "metropolitan newspaper model" of row upon row of desks and reflects television production's more collaborative workflow. "We're clustering like groups of people together in order to have a better communication flow."

Given the large number of people in the bureau and the large amount of content they turn out, creating an opportunity for better communication was paramount. "What we do here is like playing 3-D chess," she points out. "The newsgathering is the easy part."

CNN's networks are a hungry beast when it comes to news from Washington. As Kross explains, barring a really big story elsewhere, nearly all of CNN's networks turn to Washington first for stories. Coordinating live shots,

cueing the ins and outs for four networks that each want something different, and creating different packages all add to the complexity.

The multimillion-dollar renovation is the first step in an overhaul that will eventually have the bureau operating with nonlinear editing systems. Right now, the bureau is still tape-based, requiring multiple VTRs for the creation of packages.

"Nonlinear will change the way we work," says Kross. "We designed this newsroom for analog knowing that nonlinear will eventually rule the day. So it's designed for nonlinear with a foot in the analog world."

The move to nonlinear won't be made until late 2004. Kross notes that it's one in a number of dominoes that the bureau is setting up and knocking down. Once the nonlinear systems are in place, they'll work in conjunction with an Avid iNews system as well as a proprietary newsroom system designed for the bureau.

"We found the technology was running us, and we had an assignment sheet that was like a phone book," says Kross. "I wanted to be able to pick up an assignment sheet and know what we're doing and when we're doing it."

She describes the newsroom system as an interactive assignment sheet. It tracks crews, costs and archives and will become the central organizing tool when the bureau goes nonlinear. "We have 10 different groups that have 10 different needs."

According to Kross, the system is expected to eventually be rolled out across CNN bureaus; the New York bureau is being trained on it now. The bureaus may tweak it a bit to better meet their needs, she adds, but the system will definitely be up to the task of meeting the demands in New York or Los Angeles. ■

'It's a great view of the Capitol ... it makes more sense if we share it with the viewers.'

KATHERINE KROSS
CNN

PBS Moves Forward on New Pull Transmission Method

BY KEN KERSCHBAUMER

PBS's implementation of a transmission method whereby stations pull content from a video-server farm at PBS headquarters is nearing the end of the prototype phase.

Earlier this year, PBS began the pilot program called the Next Generation Interconnection System prototype (NGISp). Nine stations are participating in the project, which involves sending content via satellite using Internet Protocol. The system allows the stations to pull content from video servers at PBS almost as easily as PBS pushes content.

The system is based on Omneon video servers both at PBS headquarters in Alexandria, Va., and at the stations; all have 880GB of storage (PBS is working on deploying 2TB versions). The servers on the project have four standard-definition ports and two ASI ports for compressed HD delivery.

The system has two modes of operation. For scheduled series like *Nova* or *Nature*, content is automatically sent to the station's

servers, requiring no manipulation of the media. In the other mode, a station pulls content out of the PBS library. In that case, the system determines when it can most easily deliver the content, making it easier for the station to prepare to receive it.

Jerry Butler, PBS senior director, interconnection projects, says the stations have been transferring significant numbers of files for several months. File-checking processes confirm arrival and integrity of the content.

The system originally used QPSK modulation (the equivalent of 4QAM) to optimize the content for delivery

via satellite. According to Jim Kutzner, PBS senior director, enterprise networking, the network is now using 16QAM for non-real-time content delivery. In non-real-time delivery, the program is broken down into packets, which are sent out to the station and reassembled there. Any missing packets can be resent immediately, ensuring proper delivery.

Use of 16QAM for non-real-time content (QPSK is still first choice for real-time content) allows more content to be sent across a smaller pipe, Kutzner says. "When we fully ramp up, we'll need half as much bandwidth and half as many transponders. And with transponders costing more than \$1 million per year, you're talking real money over a 10-year time frame." PBS's current transponder contracts expire in 2006.

PBS has been spending more time on fine-tuning working with 16QAM than on the broader issue of file transfer. Fade characteristics, Butler explains, are more severe with 16QAM, requiring PBS to be more cognizant of how a file is packaged and what kind of error correction is used.

The program runs through December, after which PBS will have a better sense of how the system changes the workflow. "We have the before picture," Reilly says. "Now we're waiting to get the after picture." ■

Focus

SERVERS



PBS's Next Generation Interconnection System is based on Omneon video servers.

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PEOPLE

THE FIFTH ESTATER

A Flutist Who Became an Engineer for NAB

Claudy finds musical skills a basis for a technical career

Lynn Claudy's career spans a range of technical disciplines, from audio to systems integration to broadcast engineering. In each case, though, he found himself part of an industry that was about to undergo a shift in core technologies.

For example, he worked as a phonograph-cartridge development engineer at Shure Brothers in the late '70s and had a chance to get a sneak peek at a new technology called the compact disk. Then, while working at Hoppmann Corp., as a systems integrator of high-end audio-visual systems, he saw the market change from a robust one in the early '80s to a declining one in the late '80s as technologies changed. That led him to reply to an NAB help-wanted ad in the newspaper, even though he had no broadcast-engineering experience. NAB management took a flier that Claudy could get up to speed on the technology quickly, but, during Claudy's first week, the industry itself undertook a learning curve that it is still riding.

"During my first week, the proponents of the Advanced Television system made technical presentations to the industry in the basement of a Days Inn in Springfield, Va.," he recalls. During the week, meetings were held from morning until 10 p.m. every night as the industry grappled with the move to Advanced Television.

"It's now fondly referred to as 'Hell Week,'" he says. "It was uncomfortable, long, and no one was sure what a proponent was or who could give presentations. It wasn't clear how the process would go, but there were clearly a lot of people interested."

Claudy says one thing was clear: It wasn't going to be a simple or quick transition. And it also became clear to him that he really liked his new industry.

"I was hooked, and it's been a great ride ever since," he says. "While it was a steep

learning curve, it was an enjoyable one."

Today, in his role as NAB senior vice president of science and technology, Claudy finds himself involved with multiple industry groups and efforts. He and his team are occupied with everything from helping member stations deal with technical issues, to representing the NAB on standards issues, to planning the annual NAB convention. It's the last that continues to provide Claudy with consistent satisfaction year after year.

"The NAB convention is a catharsis every year, a rebirth and celebration," he says. "[Here at NAB we] like to complain about it, but, truth be told, I get a kick out of every aspect of it."

Claudy's first love was music, and the classically trained flutist attended Oberlin College to earn a degree in music. But, in his early 20s, he began to get pulled into technology. During his junior year, he began attending Washington University's engineering school and, upon graduation, had a bachelor of arts degree from Oberlin College and a BSEE degree from Washington University.

Claudy is an example of how the creative artists can shift into the seemingly non-creative technology field. He's also an example of how those two fields are more closely linked than those not involved in either field would think.

"Music is a form of organizational thinking and expression and those same kind of tools that are used in music—creativity, organization, order, structure—are found in engineering and even business," he says. "So there's a universality of fundamental tools in both disciplines that is advantageous to draw from."

He has pretty much given up the flute. He finds his rustiness frustrating. "As one

gets older," he says laughingly, "one tries to reduce the frustration in one's life, not increase it."—Ken Kerschbaumer

Lynn Claudy

Senior Vice President,
Science and Technology,
NAB



B. Dec. 1, 1954,
Washington, D.C.

EDUCATION

BA, music, Oberlin College, 1977; BS, electrical engineering, Washington University, St. Louis, 1977; MS, electrical engineering, Illinois Institute of Technology, 1979

EMPLOYMENT

Development engineer, Shure Brothers, 1977-80; manager, communications engineering operations, Hoppmann Corp., 1980-88; part-time professorial lecturer of physics, American University, 1984-88; staff engineer, NAB, 1988-90; director of advanced engineering and technology, NAB, 1990-93; vice president, science and technology, NAB, 1993-95; current position since 1995

PERSONAL

M. Jeanne Arenella, June 15, 1985; children: Carl (15) and Caitlin (12)



FATES & FORTUNES

Broadcast TV

MARK WALKER, director, sales and marketing, KWHD(TV)/KWHS-TV Denver/Colorado Springs, Colo., named station manager.

Cable TV

KIM MESSINA, assistant VP, communications, Insight Communications, New York, promoted to VP.

Programming

JOE TOWNLEY, senior VP, programming and production, Clear Channel Entertainment Television, Houston, named president.

At VH1, New York: **MICHAEL HIRSCHORN**, senior VP, news and production, promoted to executive VP, production and programming; **SHELLY TATRO**, VP, series and special, promoted to senior VP, production and programming; **JIM ACKERMAN**, supervising producer, *The Caroline Rhea Show*, New York, joins as VP, development production and programming; **JEFF OLDE**, independent producer, Los Angeles, joins as executive consultant, Los Angeles; **MATT HANNA**, director, music news, named director, development.

At NBC Entertainment, Burbank, Calif.: **ERIN UNDERHILL**, director, current series, promoted to VP; **JAYSON DINSMORE**, manager, alternative programs, named director.

At UPN, Los Angeles: **DEBORAH HAMBERLIN**, Hamberlin Consulting, Santa Monica, Calif., joins as VP, affiliate marketing; **MARK BASS-SMITH**, marketing manager, on-air planning and scheduling for Fox Kids and Fox Broadcasting, Los Angeles, joins as director, on-air promotion and planning.

JENNIFER FLETCHER, VP, regional entertainment advertising sales and off-channel commerce, Turner Entertainment Networks, Hong Kong, joins Turner Network Sales, Atlanta, as VP, strategic marketing.

CRISTINA MANCINI, director, marketing, publicity and promotion, Twentieth Century Fox Television Distribution, Los Angeles, named executive director.

JOE DUKE, director, marketing, CBS Newspath, New York, named director, recruitment, CBS News, New York.

JAMIA BIGALOW, director, affiliate marketing, ABC Cable Network Group, Burbank, Calif., joins NFL Network, Los Angeles, in the same capacity.

WILLIAM BLAIR, VP, sports marketing and business development, Blue Sky, Atlanta, joins CSS, Atlanta, as director, marketing.

MIKE CONNELLY, executive producer, Fox Sport Net North, Minneapolis, joins Fox Sports Net West,



JENNIFER FLETCHER
Turner Network Sales



JOE DUKE
CBS News

Los Angeles, in the same capacity.

Journalism

SAM FEIST, senior executive producer, *Crossfire*, CNN, Atlanta, named senior executive producer, political programming, CNN/U.S.

CESAR ALDAMA, managing editor, WFOR-TV Miami, joins KYW-TV Philadelphia as assistant news director.

PAUL MAGERS, anchor, KARE(TV) Minneapolis, joins KCBS-TV Los Angeles as primary anchor.

BEVERLY KIDD, weekend morning anchor/host, KTVK(TV) Phoenix, promoted to 10 p.m. weeknight anchor/early evening co-anchor.

At WMAQ-TV Chicago: **NESITA KWAN**, co-anchor, 4:30 p.m.

newscast, adds medical reporter to her duties; **ZORAIDA SAMBOLIN**, fill-in morning anchor, is named anchor 11 a.m. newscast; **ELLE PAI HONG**, anchor, weekday morning newscasts, WFSB(TV) Hartford, Conn., joins as morning news anchor.

SHAE CRISSON, weekend anchor, WTVD(TV) Raleigh/Durham, N.C., promoted to weekend evening anchor.

JASON WHEELER, reporter, WFOR-TV Miami, promoted to weekend morning anchor.

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Producer Careers

PRODUCER

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Director Careers

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CABLE

Director Careers

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Marketing Careers

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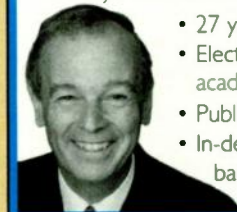
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World Radio History

SPECIAL REP REPORT

Reilly Takes on NBC Programming Chores

Continued from page 1

says. "I asked Kevin many times afterwards why he wanted me to run the show, but he always said, 'I'll only do it if you run it.' He had an instinct that it would work."

It's history now, but *The Shield* went on to become basic cable's first Emmy-winning original series, and it was the show that earned FX some respect. Reilly followed up that success with *Lucky*, critically acclaimed though ratings-challenged, and *Nip/Tuck*, a critical and ratings winner.

This Tuesday, Reilly begins putting his proven programming instincts to work at NBC as its new president of programming. He arrives at the network at a pressure-filled time: Mega-hit *Friends* is going off the air after this season, stalwart *Frasier* is likely following right behind, and several of NBC's top hits, *The West Wing* in particular, declined substantially in the ratings last

At FX, Reilly could focus on creating one scripted show at a time; at NBC, he'll be in the middle of rolling out six new shows while trying to develop NBC's next big hit.

season. Fox, coming from behind last season to nip at NBC's heels with reality blockbusters *Joe Millionaire* and *American Idol*, poses a real threat to NBC's 18-49 crown this season. What NBC needs is a big hit, and fast.

NBC also is on the verge of merging its TV assets with those of Vivendi Universal Entertainment, a development likely to change the dynamic between Reilly and his new boss, NBC Entertainment President Jeff Zucker, before Reilly even starts. Zucker is expected to return to New York in the next few months to oversee all of the combined assets of what's being called NBC Universal, directly reporting to NBC Chairman Bob Wright. That should leave Reilly with NBC's programming department to run, giving him more autonomy sooner.

Reilly is ready for the challenge. "This is historically the time at NBC when the next crop of shows are introduced," he says. "There's something in the DNA at NBC, a competitiveness and a creativity that kicks in when these times come around."

And others believe Reilly is ready. "He is always seeking bold areas and bold ideas while rooting them in distinctive quality,"

says his old boss, FX President Peter Liguori.

"The kind of keen instinct Kevin has is rare in this business," says Michael Rosenfeld, a television agent for CAA, who worked with Reilly when Reilly was president of Brad Grey Television.

"Most executives, most agents don't have it. It's a variable that no one can put their finger on."

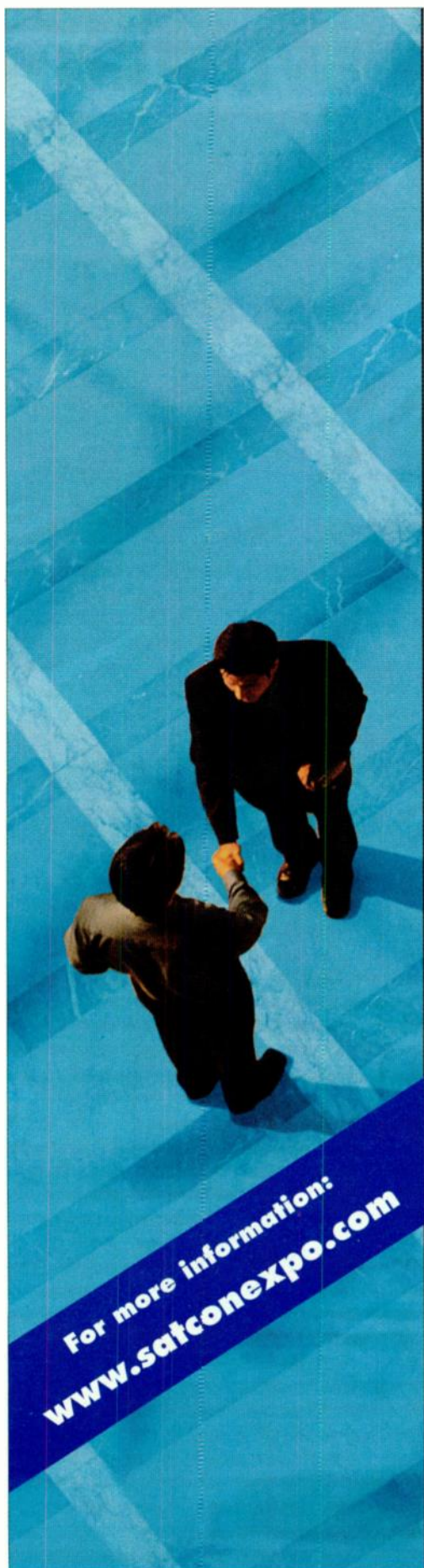
Reilly says he will work as close to the edge as broadcasting will allow. "When you are cutting close to the nerve with a comedy that says something or a drama

that is potentially heavy or bold, that's the time when I see a lot of people in this system get scared and run. To me, that's the time when you know you are getting to something very interesting."

NBC is not an unknown to Reilly. He worked there for six

years, first as manager of creative affairs and finally as vice president of drama development, a position he shared with former ABC Entertainment President Jamie Tarses, from 1992 to '94. Reilly was instrumental in

Continued on page 35



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A Different Work Environment Awaits Reilly

Continued from page 33

persuading NBC to put *ER* on the air, which, 10 years later, is still a top-10 hit for the network. He also developed *Homicide: Life on the Street* and worked on *Law & Order*, which has since become NBC's most profitable prime time franchise.

And he's not all drama and no comedy. He developed *News Radio* and *Just Shoot Me* for NBC and *The Steve Harvey Show* for The WB while at Brad Grey from 1994 to 2000. Although his FX dramas, developed since he started there in August 2000, have gotten the buzz lately, it's the comedy experience that is going to prove important in his new post at NBC.

"I do feel as comfortable in comedies as I do in dramas," he says. "I've probably been in the drama soup more than in comedy, but most comedy breaks down for dramatic reasons. There

'In cable, you can hear yourself think. You have the clarity of not having to feed the beast.'

KEVIN REILLY, NBC

are plenty of guys who can write jokes that are funny, but you have to ask if it holds together in terms of character and story."

Perhaps most impressively, Reilly was instrumental in helping develop the pilot script for HBO's *The Sopranos*, the show that all programming executives in Hollywood wish was theirs.

Reilly is going to have to hit NBC running, after spending the summer essentially waiting for his contract at FX to expire. A different work environment awaits him: At FX, Reilly could focus on creating one scripted show at a time; at NBC, he'll be in the middle of rolling out six new shows while trying to develop NBC's next big hit.

Reilly, a family man, lives in Pacific Palisades with his wife, Cristan, twin boys and a baby on the way. He's a big Los Angeles Lakers fan who splits season tickets with a friend.

Unlike his new boss, Zucker, Reilly comes from a pure TV-programming background, having focused his entire career on developing quality shows and nurturing creative talent through the process.

"I love his combination of intelligence and passion," says Ben Silverman, CEO of Reveille, a production company housed at Universal. "There are a lot of

people who can dissect an idea and try to make it better, but there are very few people who can do that and make you feel better afterwards. He has this awesome combination of skills that are so important to the creative process."

Reilly says, "When I took the job at FX, [USA Network Chief] Doug Herzog called me and said, 'You've learned the secret. Cable's more fun.' In cable, you can hear yourself think. You have the clarity of not having to feed the beast. You can serve it up

when it's ready. That luxury doesn't exist in network television. The timeline is the biggest compromiser of all."

Cable may be more fun. But broadcast is the big leagues, the risks and rewards much greater. "One of the biggest battles is al-

ways that there will be some product that I or others will feel passionate about while others will feel nervous about it or they won't be on board with it," Reilly says. "But the key is to not let the winners get away, not to let *Seinfeld* fall through the cracks." ■

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EDITORIALS

BROADCASTING & CABLE COMMITTED TO THE FIRST AMENDMENT

Much Ado About Waivers

OK, everybody take a deep breath. The FCC has not declared Howard Stern the heir abhorrent to Edward R. Murrow. You would have thought so, though, given the outrage that followed the commission's decision last week, really more like an announcement, that a candidate interview on the shock jock's show could qualify for a waiver of the equal-time clause. What that means is that, if Stern interviews Arnold Schwarzenegger on his show, he is not obliged to carry a stopwatch and offer the same time to the hundred-plus other California gubernatorial candidates, so long as the interview meets certain criteria already spelled out in the rules.

So, basically what the FCC was saying was that, if the Stern segments qualified for the waiver, they would get it. To qualify, the appearance has to be regularly scheduled (you could not, for instance, insert an interview into the middle of *Will & Grace*), be under the broadcaster's control and not be an obvious plug for a candidate. If it failed any of those, it would not qualify whether it was Stern's show or Stephanopoulos's.

This is not some shocking new policy. The FCC has been broadening the definition of a qualified news program over the past 20 years from the narrow *Meet the Press* model of serious talking-head shows to nontraditional forms like *Politically Incorrect* or news within non-news shows, like *Donahue* and even *Springer*. Last week's expressions of alarm were primarily from alarmists ready to create their own smoke and then shout fire!

The FCC also said that it was putting other programs on notice that they did not have to seek prior approval, so long as the interviews met those criteria. Just as well. The FCC has

enough paper to deal with as it is. Besides, it is not in the business of pre-approving content, nor, said one high-level staffer last week, does it wish to be.

Setting Aside Set-Tops

The broadcast, cable and consumer-electronics industries may disagree on a lot of things about the DTV transition: dual must-carry, cable's channel capacity, tuner mandates and, of course, whether the programming, the carriage, the signal or the sets is the missing link between the analog and digital worlds, to name only a few. But one thing they could all agree on last week: The FCC's plug-and-play decision is "huge."

That decision means that 70 million cable subscribers will be able to buy DTV sets knowing the things will work with cable or over-the-air digital signals and without having to add the cost or, for some, inconvenience of a set-top box. To date, a lot of DTV-set sales have been tuner-less DTV monitors for DVD players.

But the work is not yet done. The FCC and industry need to hammer out a similar deal to make two-way TV—VOI, gaming—set-top-free as well in order to attract next-generation viewers. In addition, the FCC needs to make a decision about the broadcast flag, which broadcasters say is key to protecting their signals from unauthorized transmission over the Internet. Plug-and-play may be done, with the FCC getting appropriate kudos from all sides last week, but there is still much plugging away to do on those and other key issues.



TWO CENTS

"Pretending to celebrate the blue-collar, redneck joys of two brothers in the roofing business, it instead manages to denigrate an entire stratum of society. No man who puts shingles on a house was ever this dumb."

KAY MCFADDEN,

The Seattle Times, on UPN's *The Mulletts*.



"I can only imagine that if *Monday Night Football* ratings start to slide this season, we'll see John Madden propositioning Al Michaels over a deep-fried Turducken."

ERIC EDWARDS, *The Orlando Sentinel*, on the rash of reality-TV marriage proposals and TLC's upcoming *The Perfect Proposal*.

"I felt amused watching Ozzy. I felt dirty watching Anna Nicole. And I feel pity watching Jessica."

One fan of reality show *The Newlyweds*, with Nick Lachey and Jessica Simpson, quoted in the *New York Post*.



"I want to escape that legacy of Arnold Jackson. I'm someone more. It would be nice if the world thought of me as something more."

Former *Diff'rent Strokes* star

GARY COLEMAN to *The New York Times'* Charlie LeDuff.

"It took awhile for people to be able to look at this show without all the crazy bias and distortion and white noise. I would have disliked the person who replaced David Letterman. This is a crazy concept, but if I could have separated myself from Conan O'Brien and watched Conan O'Brien come on the air, I would have been angry at him. I would have thought, 'He's not Letterman,' and 'Who does this punk think he is?'"

CONAN O'BRIEN, to Don Aucoin, *The Boston Globe*. O'Brien is celebrating his 10th year as host of *Late Night With Conan O'Brien*.

"I think Simon [Cowell] is an arrogant jerk ... because it's his own show, and he never showed up. Simon doesn't even know me."

JOE NARDULLI, contestant on CBS's *Cupid*, to *Chicago Sun-Times'* Paige Wiser.



"To me, that's not a reality show about gay people. A really good reality show for gay people would be five gay men dying of AIDS."

JULIE MILLAM, Montana Family Coalition, commenting on Bravo's *Queer Eye for the Straight Guy* to Montana's *Billings Gazette*. Her group plans an anti-*Queer Eye* media campaign.

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).



AIRTIME

GUEST COMMENTARY

FCC's Bundling Strategy Unraveled

Harry Jessell's Aug. 25 column, "Walking the Walk," which attributed the furor over all of the Federal Communications Commission's new media-ownership rules to the White House's appointment of Commissioners Michael Copps and Jonathan Adelstein. While I agree with much of what the column said, I believe it missed what were the crucial mistakes: (1) the commission's prejudgment even before the record was developed that the cap should be abolished or gutted and (2) its insistence, against the advice of many inside and outside the commission, on bundling all of the ownership rules in one proceeding.

It should have been clear that the national rule—the 35% ownership cap—was distinctly different from the other ownership rules, all local. For example, the federal courts had already made clear that the local and national rules had little to do with each other and the commission's much touted diversity index had nothing to do with the national cap. Even the commission's own order makes clear that the cornerstone principle of localism supports retention of a national cap and relaxation of the local ownership rules. Also, because the "heat," the controversy, was largely generated by the national cap, the commission would have been wise to examine that issue separately.

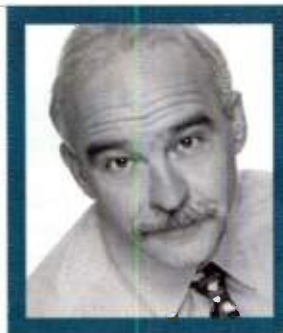
Instead, the networks encouraged the commission to believe the bundling strategy would splinter the defenders of the cap by holding hostage relaxation of the local rules that is



It should have been clear that the national rule—the 35% ownership cap—was distinctly different from the other ownership rules, all local.

ALAN FRANK
Post-Newsweek
Stations

Frank is president of Post-Newsweek Stations and chairman of the Network Affiliated Stations Alliance.

**P.J. BEDNARSKI**
EDITOR

Freedom To Disagree

Two years after 9/11, it's good to see America exercise this basic right

I had a miserable week. I think everybody who lives in New York did. It wasn't just 9/11. It was that every other day of the week was measured in relationship to that day. And in New York, every thing seems somehow connected to 9/11, from the restaurants that are now out of business to the friends who are now out of work.

Two years ago, the world cried for the United States and for New York. Two years and a war against Iraq later, I read in a *New York Times* story published on the anniversary that many around the world now believe America is "an imperial power that has defied world opinion through unjustified and unilateral use of military

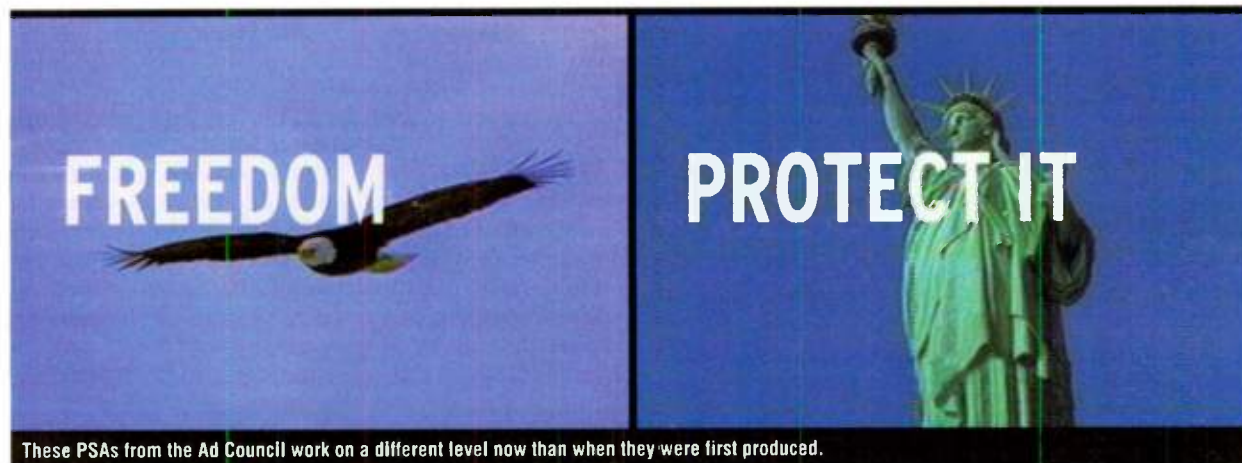
freedom public-service commercials that have been running since last year.

The Ad Council, the admirable non-profit organization that gets advertising agencies to produce do-good commercials for worthy causes like fighting forest fires, began putting together its own Campaign For Freedom days after 9/11. With help from the Knight, Hearst, and Mott foundations and Coca-Cola and Home Depot, the organization put together a half-million dollars to produce a multimedia campaign that reminded us of a plainly inarguable point: Freedom is something to cherish.

Peggy Conlon, the Ad Council's president and CEO (and former pub-

Conlon said they were intended, more or less as "a civics lesson for kids," to teach them the impact of the Bill of Rights. In fact, schoolteachers asked to use the spots in their classrooms.

This year's spots, produced at the same time as the first batch but held back until 2003, concentrate on immigrants, who poignantly explain what we may have forgotten: Compared with many other parts of the world, American freedoms are unique. The series includes a Cambodian refugee explaining how his parents were slaughtered by the Khmer Rouge, a Russian woman who fled to the United States 52 years ago, and an escaped Armenian artist who had



These PSAs from the Ad Council work on a different level now than when they were first produced.

force.¹¹ Many in the United States think the same thing.

Attitudes have shifted, and not just in a straight line. Right after Sept. 11, 2001, even the men and women who weren't the sort to wear lapel flags were wearing NYPD and FDNY caps. The liberal *Village Voice* ran a front page of the burning towers, emblazoned with the headline "Those Bastards."

Two years later, the monolithic support for the White House and its policies is fading. In fact, Secretary of Defense Donald Rumsfeld said last week that Democratic criticism of President Bush's Iraq policy emboldens the terrorists. The implicit message: Shut up.

He misses the point. Criticism of the president is what makes this country great. It's why we're not Iraq.

I couldn't help thinking of Rumsfeld's don't-rock-the-boat admonition last week when I popped in a tape of pro-

lisher of BROADCASTING & CABLE) is justifiably proud of the spots—which got \$33 million worth of donated television and radio time or newspaper and magazine space in 2002.

But viewed today, last year's spots appear to have predicted a paranoia that seems to have developed with the Patriot Act. In one spot, a teenage guy tells a librarian he can't seem to locate books he needs. "Those books are no longer available," she tells him, and suddenly two FBI-ish guys hustle the kid away. "We just want to ask you a couple questions," you hear one of G-men say. In another commercial, cops find stacks of daily newspapers that a teenager has hidden in his car. In another, a minister holds a religious service in his basement and then warns the congregation on the way out, "Please be careful going home."

Those commercials end with the tag: "What if America Wasn't America?" and

been imprisoned there because of his political views.

All the spots end with the same command: "Freedom. Appreciate it. Cherish it. Protect it." To Conlon, these spots are about "people who know first-hand how America is different from anywhere else in the world."

These PSAs work on a different level now than when they were first produced, I'd say. In the immediate aftermath of 9/11, America may have needed reaffirmation of its basic principles. Two years later, you're seeing those principles put to the test. America dissents. There is criticism. Division. Arguments. They're all-American traits. And I say, God bless our disagreeable selves. ■

Bednarski may be reached at
pbednarski@reedbusiness.com

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Scott Olson/Reprints/651-582-6037/sdo@rsicopyright.com

OFFICES

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646-746-6400;
Edit Fax: 646-746-7028 or 646-746-6610; Ad Fax: 646-746-6948
Washington: 1627 K Street NW, 20006
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REED BUSINESS INFORMATION

Jim Casella/Chief Executive Officer
Tad Smith/President, Media Division
Dan Hart/Vice President, Finance
Sol Tishoff/Founder and Editor (1904-1982)

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Cablevision DBS Targets High-Def Junkies

Continued from page 1

sets, currently around 2 million homes but growing quickly as TV prices drop to \$1,000-\$2,000. Cablevision's Rainbow 1 DBS service wants rights to every HD channel available, from HBO to startup HDNet.

"Everything is sprinkled with HD," said an executive at a cable network that has been briefed on Rainbow 1's plans. "That's his point of differentiation."

Another said that "in time they want to replace every basic cable service with their HD feed."

DirecTV currently carries four HD channels; EchoStar offers five channels. HDTV is such a bandwidth hog that the satellite companies will have a hard time fitting many more into their lineups. But right now, there aren't many more HD channels available to carry.

The Rainbow DBS venture is the pet project of Cablevision Chairman Charles Dolan, who has enthusiastically spent months working out details. "I haven't seen Chuck engaged like this in years," said one cable executive.

The company projects 30,000 subscribers by year-end, 150,000 by the end of '04, 500,000 in '05 and 1 million in '06. By comparison, DirecTV, the biggest DBS service, has 10 million subscribers.

The venture's working name is Rainbow 1 DBS and executives have also used and trademarked the name Rainbow Sat. But, in June, a Cablevision unit trademarked the brand "Voom" for satellite services and equipment and two weeks ago grabbed the Internet domain voom.com.

Whatever it's called, Cablevision is having a difficult time locking up deals with program-

As a top-10 multichannel distributor serving 3 million metro New York customers, Dolan is an important customer to cable networks. But some are exploiting his pressing need for networks for the DBS venture to squeeze better carriage terms out of Dolan's cable systems. "They may announce a package with us in it, but that doesn't mean we have a deal," said one cable-network executive.

That may present a problem since Cablevision has promised investors it will spin the DBS venture off as an independent company by December. "Will the systems pay higher license fees for the next decade so the spin-off can get off the ground?" asked one securities analyst.

Cablevision declined to discuss its DBS plans, saying it expects to unveil them within the next few weeks.

Dolan has been secretive, keeping many of his own executives in the dark about programming and marketing details, but he has a timetable: Cablevision's DBS license from the FCC mandates that it light up some sort of service by year-end.

Wall Street analysts have been harshly critical, contending that it's going to burn too much cash. Dolan has already spent \$342 million building and launching a satellite and has committed another \$564 million. His son, James, who is president of Cablevision, has estimated that the venture could ultimately burn up \$2 billion.

"I can't believe we've got-

ten to this point," said Fulcrum Global Partners media analyst Richard Greenfield. "I hope to God they spin it off by year-end so I don't have to worry about it any more."

The bulk of the HD channels available will be home-grown services targeting narrow niches.

Rainbow 1's DBS service is a pet project of Cablevision Chairman Charles Dolan.

The executives say they'll be similar to the product on Cablevision's Mag Rack video-on-demand service, which patterns itself after small, enthusiast magazines. Mag Rack channels include Photography Close Up and Celebrating Dogs. But some will be part-time channels, either dark during

some hours or repeating several hours of how-to programming over and over.

At least initially, there will be no local broadcast signals available on the Rainbow 1 service, so subscribers would have to rely on cable or over-the-air reception to get local stations. But Cablevision's satellite receiver is to come with a separate antenna.

The base package would cost subscribers \$49.95. They would get one slate of 21 HD channels, the "Rainbow exclusive" services. They would also get another slate of conventional, standard-definition cable services like A&E, MTV or Lifetime.

Subscribers would then get to choose one of six premium packages. One is dubbed "HD Marquee," envisioned as a lineup of core HD channels, such as HDNet, Discovery HD Theater, ESPN HD, and Bravo HD.

A second tier would be sports, a blend of high-definition services, like the NBA TV's HD service, and smaller services, like ESPN News and Fox Sports product.

The remaining four packages would be movie channels: for example, all of HBO's various feeds, including its HD service, or a similar lineup from Showtime, Starz or Cinemax.

Details of the equipment deals, such as retail pricing, subsidies and commissions to retailers, could not be learned. However, one industry executive pointed out that the location of the Rainbow 1 satellite means the signal will be weak

on the West Coast, requiring subscribers to acquire a much bigger dish.

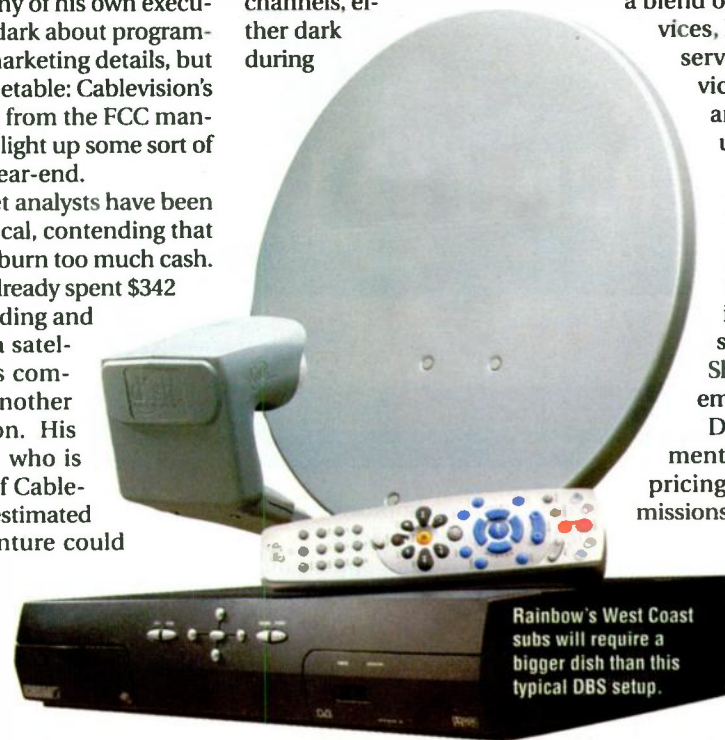
Rainbow 1 is hovering at the equator, pretty much over an Amazonian forest in Brazil. Going north, that longitude runs 300 miles east of the coast of Maine. That means weak signals in the West, and the Pacific Northwest may be completely beyond reach.

Cablevision talks about the satellite's ultimately having capacity for 468 standard-definition video channels. Further, "spot beams" can direct different programming to 22 circular regions, 252 channels per region. But that high capacity presumes the satellite will transmit in the MPEG-4 compression scheme, a standard not yet finalized for video delivery. That, in turn, means decoder chips aren't readily available and won't be at mass-market prices anytime soon.

Cablevision has said it will initially deploy receivers using MPEG-2 decoders, with slots available for consumers to upgrade to MPEG-4 later.

Cablevision executives are still working to secure Sears as the service's initial retail outlet. They have told prospective business partners that Sears has committed to sell the service and receivers through the electronics department of about 860 full-line stores.

One Wall Street executive familiar with the plan said Cablevision is tapping Motorola to supply satellite receivers and dishes. Motorola's broadband division is the top supplier of cable set-top converters (which consumers currently can obtain only through cable operators) and cable modems (sold widely at retail). ■



After Years of Trying, Northpoint Finally Makes Progress in Spectrum Quest

Northpoint Technology wants some DBS spectrum, it wants it for free, and suddenly it's closer to getting it.

The company has spent years hacking through the regulatory jungle with the odd notion of becoming a direct broadcast satellite company without a satellite. It would use the same spectrum as sat-TV rivals DirecTV and EchoStar, but its transmitters would be on towers on the ground, not on satellites in space. Subscribers would get the same dishes and receivers as DBS customers.

The goal is to create a DBS- or cable-like service complete with local high-speed Internet access.

Right now, Northpoint pretty much lives to

lobby. It has no operations to speak of, other than tweaking the technology. It has a small Washington staff, a squad of lobbying firms and an army of well-connected, ethnically and racially mixed franchisees who have signed up to build Northpoint systems in their hometowns. These franchisees can be called upon to work on their local Senate and House members.

DirecTV and EchoStar have been working hard to block Northpoint. They complain that Northpoint service would interfere with their own, but Northpoint Chairman Sophia Collier says their real complaint is that Northpoint means more competition.

Northpoint will be a price-cutter, Collier says. "DBS prices went up by 8% last year," she says. "As the cable industry has seen, where there's an actual price competitor [from a wired overbuilder], rates are 17% lower than where there's not. Not having a price competitor is very convenient for DBS."

The company's skill at navigating Washington is evident right now. Northpoint was dealt a potentially crippling blow last year when the FCC ordered that the spectrum should be sold at auction rather than simply awarded to Northpoint or other companies. That would easily cost hundreds of millions of dollars.

Northpoint, of course, sued, arguing that

EchoStar and DirecTV got most of their spectrum for free. But the company also took their case to Congress.

Two weeks ago, the Senate Appropriations Committee passed a budget amendment forcing the FCC to award the spectrum without an auction. If the provision survives conference committee later this fall, the FCC will have to figure out how to award the spectrum. Northpoint would have its shot at free spectrum.

One industry executive said Northpoint's success on the Hill is not much of a surprise. "They're a lobbying machine; if that's all you did, you'd be pretty good at it, too."—J.M.H.

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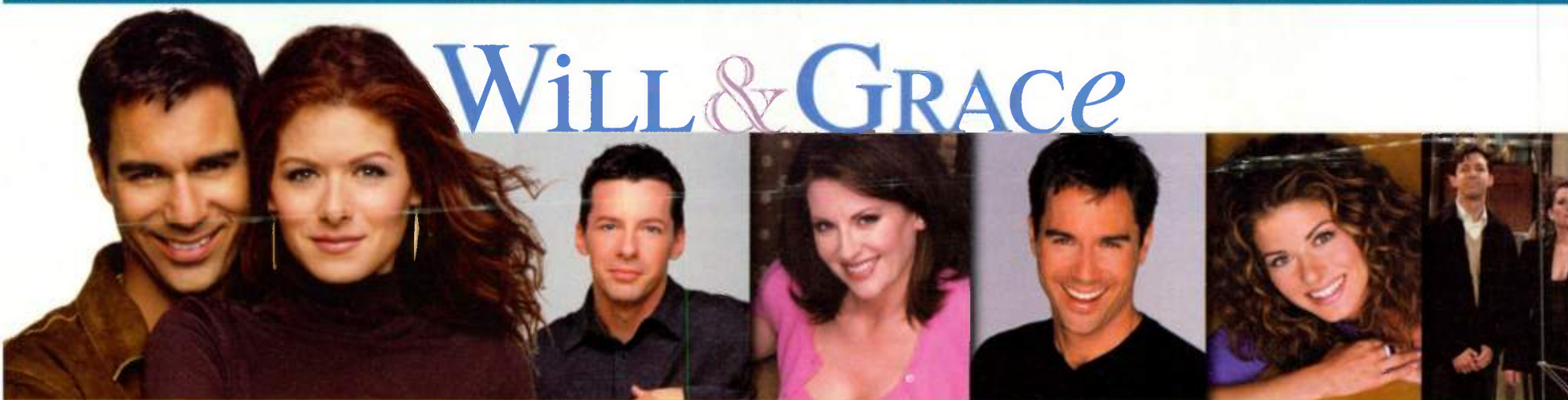
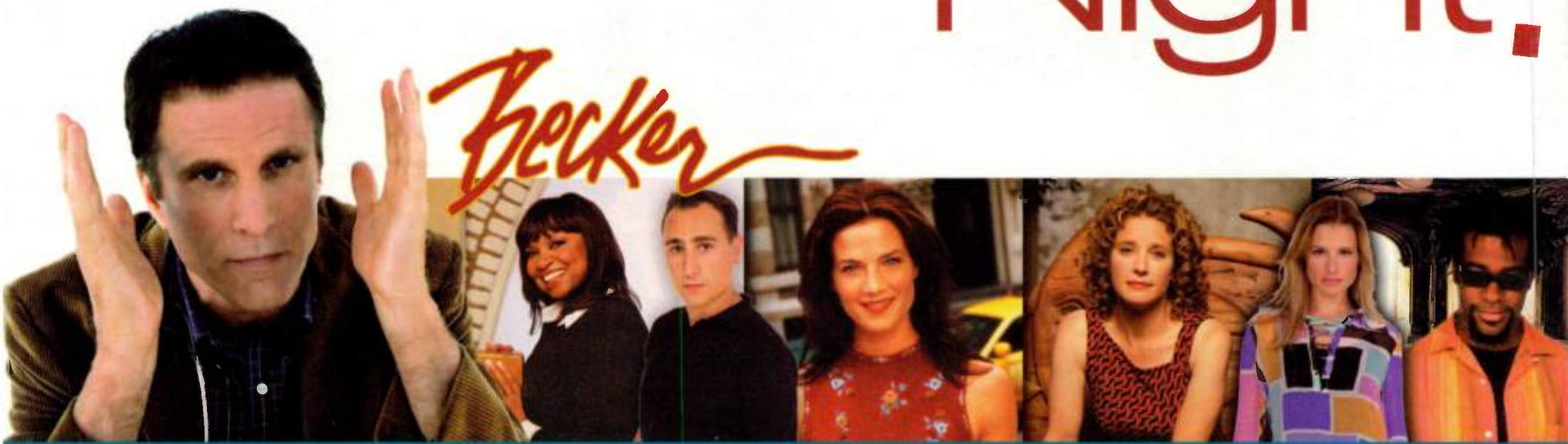
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