

**BLACKS
ON TV:
IMAGE AND REALITY
PAGE 22**



LIVE FROM IRAQ
NBC's Richard Engel
on reporting from a war zone.
Page 8



35%
Percent of high school students who
feel the First Amendment "goes
too far in the rights it guarantees."

KNIGHT FOUNDATION, SEE PAGE 3

FEBRUARY 7, 2005

BROADCASTING & CABLE



\$4.95

Reed Business Information

INSIDE

**FTC Chief Rips
Bogus Ads 14**

**Broadband
Lures Madison
Avenue 18**

**Lowry: L. A.
Trial Circus 38**

Verizon TV 26

WHAT'S NEW

March Madness

Cable networks are prepping an
ambitious slate of shows.

Expect reality to pop: Kirstie

Alley weighs in
with *Fat Actress*,
while Fabio gets
romantic. Also,
Kojak returns,
and William
Shatner invades
Iowa.

Page 12



Kirstie Alley

**"This is about
the survival
of local
television."**

DUANE LAMMERS,
NEXSTAR

STAND-OFF

No Cash, No Carry

**Digital broadcasting reignites fight over whether
cable operators should pay to carry TV stations**

By John M. Higgins and Bill McConnell

The hot consumer-electronics product in Abilene, Texas, is not a TiVo, a Blackberry or even an iPod. It's a set of "rabbit ears," the old-fashioned TV antennas that most viewers haven't used in years. But suddenly they're essential for Cox cable subscribers who want to watch the local NBC station, KRBC.

Tired of cable operators refusing to pay cash for carrying its stations, Nexstar Broadcasting has pulled KRBC off Cox Communications' local cable system. Now Nexstar is demanding that they start paying 30¢ per subscriber monthly for the right to retransmit KRBC's signals.

The scuffle is playing out across the country between local broadcasters and cable operators. Now, as they roll out high-definition TV and new digital channels, broadcasters are expecting cash for their content. **Page 20**

**"It's really
not us
they're trying
to extract money
from; it's our
customers."**

PAT ESSER, COX
COMMUNICATIONS

#BXNPNRT ***** SCH 5-DIGIT 46240
#BC7537812# JAN06 REG BCT#001 B0091



COUNTRY



GAC

IS ALREADY ON THE MAP

SCRIPPS

NETWORKS

WILL MAKE IT A

DESTINATION



We're bringing our brand building expertise to one of the fastest growing networks in cable - Great American Country. With the broadest range of artists and music, and the legendary *Grand Ole Opry Live* - exclusive to GAC - we've got everything we need to get there.

Come along for the ride - call Great American Country today 1-303-784-8318



WWW.GACTV.COM



World Radio History

B&C WEEK

Where to be and what to watch...

Monday, Feb. 7

The terrible eruption of a volcano pulled in 4.6 million viewers for **Discovery Channel** on Jan. 30, but *Pompeii: The Last Day's* top-five cable finish for the week couldn't salvage the month for Discovery. The channel's average prime time audience is down 27% from last



Garage's James

January. Maybe a different sort of terrible eruption will help in February: the explosions of tackiness, along with hot, steaming rivers of kitsch, that are *Monster House* and *Monster Garage* (season premieres, 8 p.m. and 9 p.m. ET), hosted, respectively, by "monsterizerizing" specialists **Steve Watson** and **Jesse James**.

Tuesday, Feb. 8

What is it with reality-TV producers and dead singers? Last week, we told you about **Mark Burnett's** *The Next Great Rock Star*, auditioning singers to fill the slot in **INXS** vacated in 1997 by suicide victim **Michael Hutchence**. Now it's **Fox Television Studios** searching for a new partner for **T-Boz** and **Chilli**, the two remaining members of **TLC** after Lisa "Left Eye" Lopes was killed in a car accident in 2002. The eight-week audition tour—which will provide grist for a UPN "dramality" series called *UR the Girl With T-Boz and Chilli*—pulls into the **Renaissance Chicago Hotel** today, from 10 a.m. to 6 p.m. Rejects, take heart: There'll always be another round of tryouts for *American Idol*, since it's not predicated on a *fatality*.



T-Boz



Green Day's Armstrong

Wednesday, Feb. 9
Viacommunism requires CBS to share some of its **Grammy Awards** glitz with sister network **VH1**, as the cable channel gets a jump on the Sunday night awards dump with *2005 Grammy Nomination Special* (tonight, 8 p.m. ET). Sure, sure, nominees include **Green Day's** **Billie Joe Armstrong**, **Usher** and **Kanye West**, but Hollywood is

Remember Our First Priority

By **J. Max Robins**

A Knight Foundation report issued last week found that nearly three-quarters of American high school students are clueless about the First Amendment and that more than a third of them thought it would be a good idea if journalists received prior approval from the government before they report anything. Then there is the one-third who think news organizations need even more restrictions on what they produce.

THE ROBINS REPORT

Gee, that's reassuring. No wonder *Kansas City Star* columnist **Mike Hendricks** mused that "the news media might have done better had the survey been taken on a street corner in Baghdad than in an American high school."

Truly, what makes the findings of the Knight Foundation study particularly chilling is that it comes at a time when this industry's First Amendment rights are in serious jeopardy. But the results seem somehow right in step with a climate of onerous FCC fines, legislation in Congress to limit the flow of information, and a White House bent on keeping every document under lock and key. And don't forget, this has been a year when prosecutors feel freer than ever to demand reporters reveal sources or be thrown in jail.

Sadly, the assault on the First Amendment is too often abetted by those who, ultimately, are among those who have the most to lose. During the last year—from **Janet Jackson's** overexposed Super Bowl breast onward—the broadcasting

industry has done a ham-handed job of defending its rights. Typical is **Phil Lombardo**, chairman of the National Association of Broadcasters joint board, who lambasted the FCC for levying millions of dollars in indecency fines against TV and radio stations, while cable and satellite were left unscathed [see page 36]. Great. Let's just fine everybody now so we level the playing field.

Far too often, Big Media giants say nothing to defend their First Amendment rights, too fearful to fight back and have the government take retribution out in some other area of their far-flung enterprises. The whole atmosphere of cowardice and inaction is only worsened by errant news organizations that abuse the rights they possess.

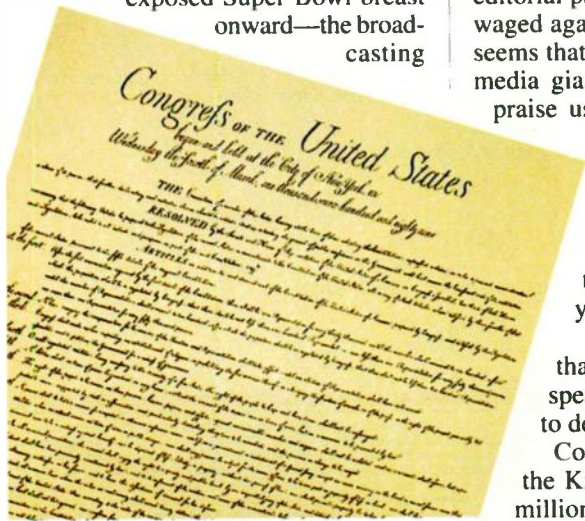
As has been reported here and elsewhere, in the wake of the CBS News fiasco over the botched story on President **Bush's** National Guard service, the already shrinking appetite at news organizations to do tough investigative pieces has been diminished even more. What we have instead of substantive reporting on issues that matter are partisan shoutfests and a perpetual obsession with seamy crimes and celebrity.

Sadly, the assault on the First Amendment is too often abetted by those who, ultimately, are among those who have the most to lose.

Last February, when I took the helm of *B&C*, my predecessor, **Harry Jessell**, gave me some sage advice. Key to this magazine's legacy and its connection to the community it serves is its staunch defense of the First Amendment, he said. I couldn't agree with him more.

Over the last year, every time our editorial pages condemn the war being waged against the First Amendment, it seems that a senior executive from one media giant or another will privately praise us for going public with the concerns they often voice in private. But when we offer to open our pages so they can lend their powerful voices to that defense, the typical response is: "Are you crazy?"

Yes, we're driven crazy that those in our industry don't speak up often, loud and proud to defend the First Amendment. Come on. You know now about the Knight study. There are a few million teenagers who need you to set a better example. ■



Hello, old friend. The Bill of Rights.

salivating over the noms for **Ray Charles**, **Johnny Cash** and **Joe Strummer**. All dead! Just think of



Linda Douglass

the reality-TV possibilities (please: don't). Tonight at the **J.W. Marriott Hotel** in **Washington**, the **Washington Press Club Foundation's** 61st Congressional Dinner will

be emceed by **ABC News** correspondent **Linda Douglass**, thus kicking off the Washington press corps' annual two-month orgy of self-congratulation and feigned détente with the politicians who hate them.

Thursday, Feb. 10

Bernie Kerik may be speeding into oblivion in the wake of his self-detonating quest to become the **Homeland Security** chief, but the law-enforcement lothario's legend hasn't faded so fast that we didn't pause over this invitation to the **Lotus** club in **New York City** tonight: *Judith Regan and Lifetime Television Invite You... To a party for Dr. Ian Kerner to celebrate the launch of his new book, "Be Honest—You're Not That Into Him Either" and the debut of his online show "Kiss + Tell" on LifetimeTV.com.* Word to the wise: Don't ask **Ms. Regan**, the publisher, for her thoughts on romantic breakups.



Judith Regan

Friday, Feb. 11

Say amen, **Anaheim!** The **National Religious Broadcasters** convention hits town today for a six-day religio-techie blow-out. Accomplished



John Tesh

keyboard noodler and former *Entertainment Tonight* host **John Tesh** will serenade the **Anaheim Convention Center Ballroom** on Sunday night.

Skip the jokes about how at least Tesh has got somewhere to go on Grammy night. He copped a Best Pop Instrumental Album nomination in 2003, plus the guy's got multiple Emmys, gold records and even an **Associated Press** award for investigative journalism. In other words, **John Tesh** is monsterized.

—**Mark Lasswell**

E-mail info for *B&C Week* to b&cweek@reedbusiness.com

FAST TRACK

Schieffer Replaces Rather—for Now

When Dan Rather steps down March 9 after 24 years, *Face the Nation* anchor Bob Schieffer, the network's top Washington presence, will step in for a "short transition period," until a new format hits the air, CBS News says. That's expected to be several months.



Bob Schieffer

Schieffer is a safe choice for an embattled news division in the wake of the controversial *60 Minutes* Wednesday report on President Bush's Texas

National Guard service. Viacom Co-COO and CBS Chairman Les Moonves is looking to overhaul the broadcast and has said he will consider a multiple-anchor format. Who will replace Rather permanently is a favorite media exercise these days, with names like *Today* stars Katie Couric and Matt Lauer and *Meet the Press* host Tim Russert among the favorites.

Marcy McGinnis, CBS News SVP of news coverage, says the network opted for Schieffer "because he is a name the American public knows." He will continue to host *Face the Nation*.—A.R./J.E.

Lombardo Blasts FCC, Cable

National Association of Broadcasters Joint Board Chairman Phil Lombardo last week lambasted the Federal Communications Commission for its unequal treatment of broadcast stations versus cable and satellite when it came to indecency standards, saying that the NAB has a \$2.5 million legal fund that could be used to fight the indecency crackdown in court, although he would not identify any particular case.

At a Media Institute lunch in Washington Thursday, Lombardo labeled as an "indecency disconnect" the fact that, while broadcasters had been fined \$7.7 million for indecency (compared with \$48,000 just four years ago), cable had been fined nothing.

"At the same time that indecency regulations are being ratcheted

T A B L E O F C O N T E N T S

FEBRUARY 7, 2005 VOLUME 135 NUMBER 6

COVER STORY: No Cash, No Carry

Renewed Battle Over Whether Cable Operators Should Pay To Carry TV Stations
Page 20

NEWS & COMMENT

Robins Report B&C Week

Page 3

Flash

Page 5

Iraq Journal: NBC's Richard Engle on Reporting Under Fire

Page 8

Cable's Spring Line Station to Station

Page 12

The FTC's New Head Washington Watch

Page 14

ADVERTISING

Broadband Advertising Takes Flight

Page 18

SYNDICATION

Ratings Cleavers' Recipe Book In Focus

Page 9

MARKET EYE

At a Glance: Pittsburgh Steel City Success Demos

Page 11



Dave Chappelle Page 22

SPECIAL REPORT: African-Americans on TV

The Picture Isn't Perfect, but It Is Better

Page 22

UPN's Year-Round Appeal

Page 23

The Awful Past: PBS' New Documentary on Slavery

Page 24

NAACP Image Awards TV Nominees

Page 24

TECHNOLOGY

Verizon, Microsoft Team Up on Video Service

Page 26

Q&A: Phil Garvin, HDNet

Page 26

Thomson To Debut dMax

Page 27

NIELSEN RATINGS

Page 28

PEOPLE

Fifth Estate: Michael Clemente, ABC News Now

Page 30

Fates & Fortunes

Page 30

OPINION

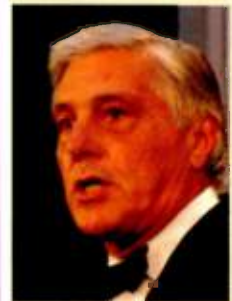
Editorial Airtime Open Mike

Page 36

Brian Lowry

Page 38

up against local broadcasters," he said, "cable giants like Comcast



Phil Lombardo

and Time Warner are raking in hundreds of millions a year from pay-per-view, hardcore pornography."

The National Cable & Telecommunications

Association disagrees with that view. "Cable is a subscription service that people invite in their homes," said NCTA spokesman Rob Stoddard.—J.E.

TiVo President Resigns

Marty Yudkovitz, president of TiVo Inc., resigned Jan. 31 but will consult with the company for the near future.

President since May 2003, he is the second top exec of the company to announce his resignation in less than a month.

Mike Ramsey, chairman and CEO, announced that he was resigning on Jan. 12. Ramsey is still serving as chairman and CEO as the company looks for a replacement.

Yudkovitz' resignation prolongs a rough patch for the DVR maker, which began the year by ending its relationship with DirecTV.

—J.M.H.

Comcast, TW Lead Bidders for Adelphia

Time Warner and Comcast have the inside track in the auction of Adelphia's cable systems, but creditors could take days to evaluate all the offers.

Time Warner and Comcast put a \$17 billion value on their offer, which would fold Adelphia's systems into Time Warner Cable, giving creditors a little cash but mostly stock in the combined operation. Comcast would get some systems, then leave the partnership. Creditors could then sell their stock or stay along for the ride.

Creditors and their bankers may decide that that bid is worth something less than \$17 billion. A \$16 billion bid for the whole company came in from buyout firms Kohlberg Kravis Roberts & Co. and Providence Equity Partners. Other financial players bid for smaller parts of Adelphia.—J.M.H.

Continued on page 32

B&C Broadcasting & Cable (ISSN 1068-6827) (USPS 0066-0000) (GST #123397457) is published weekly, except at year's end when two issues are combined, by Reed Business Information, a division of Reed Elsevier Inc., 360 Park Avenue South, New York, NY 10010-1710. Broadcasting & Cable © 2005 by Reed Elsevier Inc., 275 Washington St., Newton, MA 02458-1630. All rights reserved. Periodicals postage paid at New York, NY, and additional mailing offices. Canada Post IPM Product (Canada Distribution) Sales Agreement No. 0607533. Postmaster, please send address changes to: Broadcasting & Cable, P.O. Box 15157, North Hollywood, CA 91615-5157. Subscription rates: USA \$189, Canada \$249 (includes GST), Foreign Air \$360. A reasonable fee shall be assessed to cover handling costs in cancellation of a subscription. Back issues: except for special issues where price changes are indicated, single copies are \$7.95 U.S. \$10 foreign. Please address all subscription mail to: Broadcasting & Cable, P.O. Box 15157, North Hollywood, CA 91615-5157 or call 1-800-554-5729. Outside the U.S. call 1-818-487-4552. Microfilm of Broadcasting & Cable is available from University Microfilms, 300 North Zeeb Rd., Ann Arbor, MI 48106 (800-521-0600). Broadcasting & Cable was founded in 1931 as Broadcasting. The News Magazine of the Fifth Estate. It was named Broadcasting & Cable in 1993. Broadcasting & Cable® is a registered trademark of Reed Publishing (Nederland) B.V., used under license.

Nextel Agrees to Half-Billion-Dollar Payout

A mystery that's been lingering since December is over. Today (Feb. 7), Nextel CEO **Tim Donahue** will approve a deal proposed by the FCC that gives TV stations up to \$500 million for special channels the cellphone giant wants to use. Nextel, which had been playing its cards close to the vest, was given until today to accept the FCC plan. The deal means Nextel gets a chunk of frequencies used by local TV-news crews to beam live remotes back to their studios.

In return, the company must compensate the stations, write a \$2.2 billion check to Uncle Sam and give some of its current cell phone spectrum back to the government. The payout to the government was part of the FCC's final offer, floated in December, and stations were worried about hints that Nextel was going to balk at that part of the deal, torpedoing their end of the arrangement. But now Nextel's climbing onboard.

Spinning 'Idol'

Before *American Idol*'s season premiere last month,



Nextel CEO Tim Donahue



Sharon Reed, WOIO anchor



The *American Idol* quartet (l-r): Simon Cowell, Randy Jackson, Ryan Seacrest and Paula Abdul

Fox entertainment president, **Gail Berman**, said that ratings could be down 10% to 15% this year. Then the show opened huge, and you've heard nothing but giddy reports on the show's staggering success, right? Well, despite the hype, it

looks like Berman's anticipation of a drop was prescient—

though the decline isn't as pronounced as predicted.

American Idol ratings are down 4% from last year in the lucrative 18-49 demographic. And they were down in five out of the six episodes that have aired so far this season—with the sharpest drops coming on Wednesdays against ABC freshman *Lost*. On Feb. 2, *Idol* was down 14% from the same slot in 2004.

Now that the show has moved into the actual musical phase, instead of the rid-

icule-the-clueless-amateurs phase, the ratings could still top last year's if compelling characters emerge. For now, though, beware the entertainment media spin.

Wet T-shirt Tell-All

You've got to give it to the news outfit at **WOIO Cleveland**: They actually dreamed up a sweeps-month stunt that managed to be inspirational and yet still conjure images of women without their clothes on.

During the November sweeps, as you might recall, anchor **Sharon Reed**, sparked headlines when she participated in a nude art project and shared the experience—along with a few fleeting glimpses of her in the buff—with viewers. Keeping her clothes on,

Reed sat down last week for a heart-to-heart with a female journalist whose own wardrobe misadventures weren't quiet so well-received by management. Reed interviewed **Catherine Bosley**, a former **WKBN Youngstown** anchor who lost her job last year when revealing photos surfaced on the Internet of her participating in a wet T-shirt contest while vacationing in **Florida**.

But the interview wasn't just an opportunity to match up two female journalists who've got some notoriety for public nudity; Reed was reporting for WOIO's ongoing series "Shattered Lives, Second Chances."

Bosley, it turns out, is back on the air in Youngstown—albeit on radio, doing the morning show for **WYFM**.

"This is a comeback story," says Reed. And, indeed, the report didn't include any

racy images, according to news director **Steve Doerr**: "The wags will be very disappointed."

Maybe they'll perk up for another WOIO sweeps story: how to get a beach body in 10 days.

Schieffer the Chairwarmer

From *B&C*, when **Bob Schieffer** (soon to be **Dan Rather's CBS Evening News** temporary replacement) was inducted into the magazine's Hall of Fame in 2002:

Fame has found him. It wasn't always like that, he said, picking up his Hall of Fame award. He recalled that, three or four years after joining CBS, he was tapped to be the substitute anchor for **Walter Cronkite** on the *CBS Evening News* one day. He wondered aloud how he should explain himself to viewers.

A producer heard his query, raced to the typewriter and, a few minutes later, handed Schieffer his opening lines:

"Try this: 'Good evening. Walter Cronkite is on vacation. **Roger Mudd** is sick. **Dan Rather** is in **Alaska**. And **H.V. Kaltenborn** is dead. So here I am.'"

Martha Stewart

A Whole NEW Martha from Producer Mark Burnett

75% SOLD

Available Fall 2005



America's First Choice for Entertainment News. Again. And Again. And Again.



Remembering Johnny. Celebrating the Golden Globes. Or just following Brad and Jen. ET is America's choice for entertainment news. Night after night. Sweep after sweep. Story after story.

Johnny Carson Tribute

ET **7.3**

Access Hollywood 4.3

Extra 3.6

Brad and Jen Break-up

ET **6.6**

Access Hollywood 2.7

Extra 2.5

Golden Globe Coverage

ET **6.4**

Access Hollywood 3.1

Extra 2.9



TM, ® & © 2005 Paramount Pictures. All rights reserved.

Source: NSS Galaxy Explorer 1/10/05 (B&J Break-up) and 1/17/05 (GGlobes), HH GAA%, NSI Wrap Overnights 1/24/05 (JC Tribute), Primary T/Cs, Wted HH Rtg.



ALWAYS THERE



Richard Engel on the air; (below) Engel with NBC Nightly News anchor Brian Williams (left)

to launch his own little parallel revolution. And it became no longer safe to be a Westerner in this country.

SAFETY MEASURES

There are two major risks right now. You can get killed in some sort of violent incident, hit by something military or a car bomb. But the other danger is kidnapping, and that's what keeps us awake at night. Most of the women reporters wear a head scarf and a black abaya, and some of the men put on local clothing so that they're not as conspicuous. But that mostly just helps print reporters. Once we're carrying cameras and tripods, that attracts a lot of attention. It's better if you can do things indoors. When I call someone to set up an interview, I ask: Do you have a closed garage? Can I come and park my car in the garage so nobody will know I'm there? You spend as much time on that kind of question—to keep both yourself and the other person safe—as you do on the actual interview.

The military are constantly telling us that we're missing other parts of the country that are doing well. To a degree, they are correct. In Najaf and Karbala, the situation is quite under control. The trouble is that, if I tried to drive down to Karbala, there is a good chance that something would happen. Insurgents are running checkpoints all along that road, stopping cars and looking inside. If they see a Westerner, they think, "Oh, this is someone of value." To the first level of kidnapper, I'm a commodity worth, I don't know, \$10,000? Maybe \$20,000. He's a criminal. Then you're sold up the line until you're sold to insurgents, who will then hand you over to another group of insurgents. To cover stories outside of Baghdad, you go with the military.

Life During Wartime

NBC News' Richard Engel on reporting under fire, as told to **Mark Lasswell**

This is the first in an occasional series of reports from journalists in hot spots around the world.

The day before the election in Iraq, I didn't even know if I would be able to cover it properly. I had gone out to report on a pro-election rally by a group in Baghdad I'd known for a long time. But when I got there—and this was typical—the organizer told me, "No, Richard, it's not good right now." He has a militia (everybody here who's worth his salt has his own private little army), and someone in a black BMW had just sprayed gunfire at them. The militia was looking for them, and he thought there was going to be a fight.

So on his advice, we left, but then we ran into an Iraqi checkpoint. While we were there, talking to the Iraqi police and National Guard, a suspicious car pulled up, and somebody—I don't know who—fired a shot. Everyone was so wound up that suddenly there was this tremendous volley of gunfire. I don't know if it was a gun battle or just bursts of gunfire. But we got out of there and went back to our hotel. On the morning of the election, we tentatively sent out a local crew—and they were immediately arrested. A total lockdown had been imposed. I thought, "We're not going to be able to cover this today."

And I expected that the election was going to be total pandemonium, with militia gunmen everywhere and the 40,000 election observers pressuring people and stuffing ballot boxes. About 11:00, we decided to try walking to a nearby voting station; we were a little band, huddled down and looking over our shoulders, not knowing what to expect. But then we started running into people. They were out with kids on their shoulders, and it was suddenly like a street fair, a carnival. The voting station wasn't designated as one open to the media, but the guard said, "Oh, come on in!" People were laughing

and dancing inside, but it was being very efficiently run. It was the most organized thing I'd seen in Iraq in two years.

REPORTING UNDER SADDAM

When you arrived, the Ministry of Information gave you a minder, and his job was to follow you and write reports. And to make sure that you didn't point your cameras at any presidential sites, which were everywhere. There were certain areas where you could film one way but you couldn't move your camera four inches to the left. But there were ways of getting around these guys. An Italian friend of mine gave me this tip: Pick the minders who are big and fat and smoke heavily, and then just walk 'em.

Walk 'em all day long. Eventually, they'd lose interest. After walking for a whole day, they were, like, "I'll just meet you there." And so you were able to get a few hours on your own. It was a totalitarian

system, but it was an Iraqi totalitarian system, so there were lots of holes in it. They didn't really censor your stuff. If I was going to talk to one of their scientists, they were more concerned about what he said than what I said.

THE INVASION

It was amazing to see this totalitarian regime—the state was everywhere—disappear, leaving behind a puff of smoke and no remains. In the beginning, it was the easiest time to cover Iraq. I would get in a car and go to Najaf, and if I didn't finish the shoot, I would stay in a hotel. I have lots of contacts, and I would go to their houses and have lunch. I know their families, and I'd go to their children's weddings. You just spent more hands-on time with people. Then, in April 2004, the security situation collapsed. There were starting to be kidnappings. The Marines went into Fallujah for the first time, and it was a very unpopular offensive. There were riots all over Iraq. Muqtada al-Sadr decided

MOMENTUM

A couple of weeks ago, a car bomb went off near our hotel at about 6:30 in the morning. I woke up in a big cloud of dust. The windows and window frames had been knocked in, and doors were just blown out. I ended up plucking out shrapnel that was burning its way into the carpet. It's the third hotel room of mine that has been wrecked since the war started. It has been rough. You feel like you're running on luck. But now, after the election, I think—you're always nervous about saying "the trend is getting safer," and then suddenly you'll be



To the first level of kidnapper, I'm a commodity worth, I don't know, \$10,000? Maybe \$20,000. RICHARD ENGEL, NBC NEWS

reading my obit someplace—but I think it will be easier for reporters to get access to places.

The election gave the Iraqi people confidence in themselves, a little bit of ownership in the process. It feels like we're back at those first few days after the fall of the regime, when you sense some momentum. But that's a dangerous period, because a lot of mistakes were made right after the war. Expectations were very high then, and now they're very high again. I've been here since before the war started, and it's fun to watch the whole process unfold. But I don't want to be here my whole life. Hopefully: first one in and last one out the door. ■



RATINGS 1/17-23/05

Nielsen Media Research

**Top 25 Shows
ADULTS 18-34**

PROGRAM	AA	GAA
1 Everybody Loves Raymond	4.3	5.4
2 Seinfeld (wknd)	4.2	5.1
3 Seinfeld	4.0	4.9
4 CSI: Crime Scene Investigation	2.9	3.2
5 Oprah Winfrey Show	2.5	2.5
6 Everybody Loves Raymond (wknd)	2.4	2.5
6 Malcolm in the Middle	2.4	2.9
8 That '70s Show	2.3	2.8
9 King of the Hill	2.2	2.7
9 Wheel of Fortune	2.2	NA
11 Will & Grace	2.0	2.3
12 Entertainment Tonight	1.9	2.0
12 Friends (wknd)	1.9	1.9
12 King of Queens	1.9	2.3
12 That '70s Show (wknd)	1.9	2.4
16 Cops	1.8	2.2
17 Jeopardy!	1.7	NA
17 King of Queens (wknd)	1.7	2.1
17 Maury	1.7	1.8
20 Dr. Phil	1.6	1.7
20 Judge Judy	1.6	2.5
22 Home Improvement	1.5	2.0
23 Montel Williams Show	1.3	1.3
24 Drew Carey	1.2	1.4
25 Entertainment Tonight (wknd)	1.2	1.2
25 Fear Factor	1.2	1.3
25 Frasier	1.2	1.4
25 Judge Joe Brown	1.2	1.7
25 Live With Regis and Kelly	1.2	NA
25 Maximum Exposure	1.2	1.2

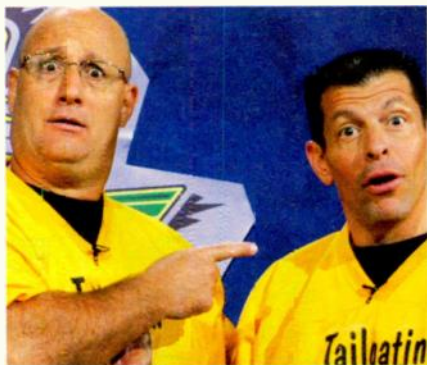
**Top Off-Net Sitcoms
ADULTS 18-34**

PROGRAM	AA	GAA
1 Everybody Loves Raymond	4.3	5.4
2 Seinfeld (wknd)	4.2	5.1
3 Seinfeld	4.0	4.9
4 Everybody Loves Raymond (wknd)	2.4	2.5
4 Malcolm in the Middle	2.4	2.9
5 That '70s Show	2.3	2.8

According to Nielsen Media Research Syndication Service Ranking Report Jan. 17-23, 2005
 AA = Average Audience Rating; GAA = Gross Average Audience
 One Nielsen rating point = 1,096,000 households, which represents 1% of the 109.6 million U.S. TV Households
 NA = not available

Cleavers' Recipe Book

Offbeat duo cooks on stations, cable **By Allison Romano**



The Clever Cleaver Brothers, Steve Cassarino (left) and Lee N. Gerovitz

The Food Network isn't the only place a chef can carve a TV name. In 22 markets, the Clever Cleaver Brothers are building a mini-empire. Their two-minute football-themed cooking segments, *Tailgatin' With the Clever Cleaver Brothers*, air during newscasts on stations from WCAU Philadelphia to KPNX Phoenix.

In the consolidated syndication business, independents like the Clever Cleavers—San Diego-based cooks Lee N. Gerovitz and Steve Cassarino—have to be scrappy. The pair peddle the shows, calling on stations personally.

Their business formula for fifth-season *Tailgatin'* is unusual. Stations get 20 two-minute segments each season for free; Cassarino and Gerovitz make money by selling product placements and sponsorships to food companies like Mrs. Dash and Chilula hot sauce. Sponsors pay \$3,000 per placement. With three spots per segment, the duo can earn \$180,000 a season.

Now the Clever Cleavers are branching out into cable. Production company Planet X wants them to host a *Man Show*-like program, called *UPX*, short for "University Planet X," for the Fox College Sports network this fall. The team will travel to 26 colleges to interview athletes and offer dishes suitable for frat-house kitchens. Meanwhile, *Camping Life* magazine has its own plans. It's recruiting the two for a cooking show for campers, traveling the country in an RV.

Despite the proletarian recipe, Cassarino and Gerovitz are classically trained chefs. They met 20 years ago at cooking school, where they trained with Emeril Lagasse. Still, they remain more shtick than gourmet. "We never wear chef outfits," says Cassarino. "We are Joe Cooks." A meat cleaver inspired their on-air personas; they cook simple recipes with readily available ingredients. At the recent National Association of Television Program Executives conference, Cassarino and Gerovitz grabbed a new deal: An exec from ad agency JWT scouted them out for American Tailgater Co., which plans to sell the Clever Cleavers' DVD on its Web site and in its catalog.

The centerpiece of Clever Cleaver Productions is an annual road show. Every year, the duo crisscrosses the country hosting 80-100 live cooking segments on local and national TV shows, like *Entertainment Tonight* and CBS' *The Early Show*. Another asset is a library of 260 three-minute spots, *Kitchen Cut-Ups*, blending comedy and cooking. The guys have also written a cookbook, *Cooking with the Cleavers*, and are consulting on another. "It is a tough business," Cassarino says, "but we're still having fun." ■

IN FOCUS

HOLIDAY, INAUGURAL BOOST RATINGS

Martin Luther King Jr. Day and the presidential inauguration boosted ratings for syndie daytime shows in the week ended Jan. 23. The number of TV watchers rose by nearly 2 million from the previous week, a 5% increase. The all-network coverage of the inauguration shortened the week and heightened the holiday's impact for most strips. Three first-run strips had their best week of the season: Paramount's *Judge Joe Brown*, Buena Vista's *Who Wants To Be a Millionaire* and NBC Universal's *The Jane Pauley Show*.

JANE ENLISTS PAUL NEWMAN



Newman aims to give boost to *Pauley Show*.

NBC Universal is looking to text messages to boost ratings of some of its syndicated shows during the February sweeps.

Viewers of *Blind Date*, *Maury* and *Jerry Springer* can win trips to Miami, New York and Los Angeles by watching the shows and using cellphone text messages to answer trivia questions. Meantime, Jane Pauley enlisted Paul Newman to help her show. Newman was scheduled to appear on Feb. 3 and teach viewers how to make trail mix using his microwave popcorn.

ALEX GETS DAY IN COURT

Judge Alex has a promising future with Twentieth Television, having been cleared to debut this fall in more than 65% of the country. *Alex's* rise comes at the expense of another Twentieth Television court show: *Texas Justice*, with Larry Joe Doherty. Stations rushed to sign up for the new show, which will be hosted by Alex Ferrer, a Cuban-born Florida Circuit Court judge. *Texas Justice* has yet to be renewed.

#1 (WITHOUT BREAKING A NAIL)



		HH	W18-34	W18-49	W25-54	M18-34	M18-49	M25-54
#1	FOX SIMPLE LIFE: INTERNS (P)	8.2	8.4	7.4	6.4	5.6	5.0	4.9
	ABC ALIAS (O)	7.3	4.8	5.8	6.0	3.0	3.9	4.8
	CBS KING-QUEENS (O) / KING-QUEENS (R)	7.2	3.2	4.5	5.4	2.1	3.4	4.2
	NBC WEST WING (O)	7.2	1.7	3.8	5.1	1.7	2.6	3.7
	UPN KEVIN HILL (O)	1.7	1.4	1.4	1.5	0.5	0.5	0.6
	WB JACK & BOBBY (O)	1.4	1.0	0.9	0.7	1.2	0.8	0.6

WED 01/26/05 9-10PM

the **simplelife:**
INTERNS.

TV'S SIMPLE SITCOM



Source: NTA Galaxy Explorer, 1/26/05, 9-10pm PA where available. Simple Life's highest rated premiere in W18-34 & W18-49, 12/2/03-1/26/05. Subject to qualifications upon request.

WHAT DO YOU CALL A BOX OFFICE WITH OVER

\$3 BILLION*
TOTAL?

COMING IN 2005:

SHREK 2 \$436.4

SPIDER-MAN 2 \$373.3

HARRY POTTER AND THE PRISONER OF AZKABAN \$249.3

THE DAY AFTER TOMORROW \$186.7

SHARK TALE \$159.3

I, ROBOT \$144.7

TROY \$133.1

50 FIRST DATES \$120.7

DODGEBALL: A TRUE UNDERDOG STORY \$114.2

THE GRUDGE \$110

COLLATERAL \$100

STARSKY & HUTCH \$88.2

ALONG CAME POLLY \$87.9

ANCHORMAN: THE LEGEND OF RON BURGUNDY \$84.2

SCOOBY DOO 2: MONSTERS UNLEASHED \$84

ALIEN VS. PREDATOR \$80.2

MAN ON FIRE \$77.8

THE TERMINAL \$77.1

GARFIELD \$75.1

AND MANY MORE!

* Source : The Hollywood Reporter, box office grosses through December 14, 2004. **Based on Tribune Media Services, January - December, 2004. ***For the period April - December 2004.
Harry Potter and the Prisoner of Azkaban © 2004 Warner Bros. Harry Potter Publishing Rights © J.K. Rowling. HARRY POTTER, characters, names and related indicia are trademarks of and ©Warner Bros. All rights reserved.
Spider-Man character © & © 2004 Marvel Characters, Inc. All rights reserved.

TOTAL DOMINATION!

THE MOST MOVIES ON PAY TV**

THE MOST \$100 MILLION BOX OFFICE HITS*

THE MOST LICENSING AGREEMENTS WITH THE MAJOR HOLLYWOOD STUDIOS

99% OF PRIMETIME THEATRICALS AVAILABLE IN TRUE HD***

AVAILABLE ON DEMAND AFTER PREMIERE



©2005 Home Box Office, Inc. All rights reserved. HBO and Cinemax are service marks of Home Box Office, Inc.

World Radio History

STATION BY STATION

Local Newsmags Gain Traction

By Allison Romano



Kathy Mykleby anchors WISN's *On Assignment*.

When WISN Milwaukee dispatched a news crew to Germany to report on local military personnel, the mission was twofold: report for newscasts and for local prime time newsmagazine *On Assignment*. In March, the Hearst-Argyle-owned ABC affiliate will air an *On Assignment* edition that reveals a specific view of the war on terror.

Nationwide, such network-style newsmagazines are gaining ground. Some are monthly or quarterly specials, whereas WCVB Boston's *Chronicle* airs weeknights at 7:30 p.m.

The format allows stations to showcase its anchors in the field. Plus, it lets them control production costs and ad inventory while building their brand and community ties. Station execs also see the possibility of multiple airings: Newsmagazines could find a home on digital multicast channels that would repeat newscasts and local shows. "We're doing what stations used to do: commit to local news and information," says Frank Biancuzzo, WISN president/GM.

SCARCE REAL ESTATE

Still, the format is difficult to pull off. Scheduling is a challenge. Available real estate on a traditional affiliate's schedule is rare. But several stations are succeeding. WCVB passed on shows like *Jeopardy!* to keep *Chronicle* in prime access because the 23-year-old show "is a hallmark of this station," says WCVB President/GM Paul La Camera. *Chronicle* regularly garners an 8 rating, outdistancing *Entertainment Tonight* and *Extra*.

Similarly, on Sept. 14, WISN's *On Assignment* recorded an 11 rating/16 share, beating out *Law & Order: SVU* on NBC affiliate WTMJ. The special also posted higher ratings than the 3/5 Nielsen marks that other metered-market

Cable's Spring Line

New fare ranges from *Power Girls* to a *Kojak* revival

By Anne Becker

Cable networks are prepping for March with an ambitious new slate of shows. "When there isn't a lot of noise from broadcasters, March is a good window for us," says Tim Brooks, SVP of research for Lifetime. Next month, look for reality to pop. On Oxygen's *Mr. Romance*, Fabio teaches beefcakes how to be heartthrobs. ABC Family's *Las Vegas Garden of Love*, meanwhile, follows a wacky crew that runs a wedding chapel. On the scripted front, *The Suite Life of Zack & Cody* on Disney Channel zooms in on the adorable Sprouse twins, whose lives change when their mom gets a job as a singer in a swanky Boston hotel. Here is a sample of what's coming.

ON THE SCHEDULE

BIG COMEBACKS



▶ **THE SHIELD**'s fourth season on FX (March 15, 10:30 p.m. ET): FX lures top talent, adding **Glenn Close** to the ratings behemoth.

DEADWOOD enters its second season on HBO (March 6, 9 p.m.): Can it hold its own as a heavy-hitting original for a network desperately needing one?

▶ **PROJECT GREENLIGHT**'s third incarnation is on Bravo (March 15, 9 p.m.): Matt Damon and **Ben Affleck** hunt for a hit moviemaker migrates from HBO to the re-branded arts network. This time they search for a horror flick.



NEW REALITY



▶ **POWER GIRLS** on MTV (March 10, 10:30 p.m.): MTV hopes to find a new reality star in PR princess and ex-con **Lizzie Grubman**.

▶ **CHASING FARRAH** on TV Land (March 23, 10 p.m.): Cameras follow '70s star **Farah Fawcett** and her troubled personal life. What was she thinking?

▶ **LAS VEGAS GARDEN OF LOVE** on ABC Family (March 21, 10 p.m.): Building ratings steam under new President Paul Lee, the network chronicles a lovable family managing a wedding chapel in the City of Sin.



▶ **MR. ROMANCE** on Oxygen (March 14, 10 p.m.): Buff blond Fabio takes a tongue-in-cheek approach to a heartthrob-training contest. The winner ends up on the cover of a romance novel.

NEW SCRIPTED SERIES



▶ **KOJAK** on USA (March 27, 9-11 p.m.): What started as a movie idea spun into a series revival starring Ving Rhames.

▶ **THE SUITE LIFE OF ZACK & CODY** on Disney Channel (March 18, 7 p.m.): Disney tries to spawn its latest multimedia cash cows: the twin cuties from *Big Daddy*, **Dylan and Cole Sprouse**.

MIXED BAG



▶ **FAT ACTRESS** on Showtime (March 7, 10 p.m.): HBO may lack for originals at the moment, but Showtime puts its weight behind this six-episode reality spoof from **Kirstie Alley**.

▶ **INTERVENTION** on A&E (March 6, 10 p.m.): Amid critics' accusations that the network is addicted to younger demos, it's rolling out a documentary series profiling people struggling with addictions of their own.

▶ **INVASION IOWA** on Spike (March 29-April 1, 9 p.m.): **William Shatner** tricks a small town into thinking he's filming an independent sci-fi movie, then reveals on April Fools' Day they've been had. The reality miniseries might just be weird enough to score a hit for a male network struggling to reassert its maleness.



▶ **THE MICHAEL JACKSON TRAIL: AN E! NEWS SPECIAL** (March weeknights in prime): The celeb-driven network will likely raise eyebrows, if not ratings, with daily re-enactments of the Gloved One's child-molestation trial.

ABC stations earned that hour from Mark Cuban's since-canceled reality show *The Benefactor*. Independent stations, such as Young Broadcasting's KRON San Francisco, unconstrained by network programming commitments, frequently offer in-depth specials.

Some stations take a different approach. NBC's flagship WNBC New York can't bump regular shows like *The West Wing* for local programming. "New York represents 7%-8% of the U.S. TV homes," says President/GM Frank Comerford. "We try to clear everything NBC offers." Instead, WNBC offers original fare on weekends; for example, *Jane's New York*, a monthly show hosted by popular anchor Jane Hanson, airs Saturdays at 7. "It's the highest-visibility timeslot where I can have something consistently," he says.

STAFFING ISSUES

A big concern is staff. Most stations have one or two programming staffers, not the staffed crews of decades ago. "Now we rely on syndication to develop shows," says Dennis Swanson, EVP/COO of Viacom's station group.

"We're doing what stations used to do: commit to local news and information."

FRANK BIANCUZZO, WISN MILWAUKEE

To solve the manpower shortage, WNBC outsources some production on *Jane's New York*. Others, like WISN, use their news staffers but work on longer lead-times. In San Francisco, one network magazine spinoff is trickling down to local TV, CBS-owned KPIX.

KPIX is honoring legendary *60 Minutes* executive producer Don Hewitt's dream to take his show on the road with *30 Minutes Bay Area*, a localized version of the venerable magazine. Says VP of News Dan Rosenheim, "We can illuminate local events and issues."

The quarterly series premiered in November and echoes *60 Minutes*' ticking clock, heavy voiceovers and hard-hitting investigative pieces. Hewitt is a consulting executive producer and screens pieces before they air. A second episode, slated for March 13, will feature a report on the California penal system and a famed local choreographer. The timeslot was a no-brainer: *30 Minutes Bay Area* leads into *60 Minutes* on Sunday evenings.

Send station news to aromano@reedbusiness.com.



AT A GLANCE

The Market

BIA Rank	22
Population	2.883 million
TV homes	1.186 million
Income Per Capita	\$17,528
TV Revenue Rank	25
TV Revenue	\$230.9 million

Commercial TV Stations

Rank*	Ch.	Affil.	Owner
1	KDKA	2 CBS	Viacom
2	WPXI	11 NBC	Cox Bcstg.
3	WTAE	4 ABC	Hearst-Argyle
4	WPGH	53 Fox	Sinclair
5	WNPA	19 UPN	Viacom
6	WCWB	22 WB	Sinclair

November 2004, total households, sign-on to sign-off Sunday-Saturday

Cable/DBS

Cable subscribers (HH)	1.45 million
Major cable operators	Comcast, Adelphia
Cable penetration	78%
ADS subscribers (HH)	241,8000
ADS penetration	13%
DBS carriage of local TV?	Yes

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

What's No. 1

Syndicated Show	Rating/Share***
Jeopardy! (WPXI)	14.2/23
Network Show	
CSI (KDKA)	28.2/37
Evening Newscast	
KDKA	11.1/18
Late Newscast	
NOVA	14.8/25

***November 2004, total households

SOURCES: Nielsen Media Research, BIA Research

Steel City Success

Pittsburgh loves news; KDKA dominates **By Allison Romano**

With its trademark steel mills long gone, Pittsburgh has reinvented itself. Industrial sites have been replaced with high-tech office parks.

Local universities, led by Carnegie Mellon University and the University of Pittsburgh, provide a foundation. "Biomedical research and robotics are the future here," says KDKA and WNPA VP/GM Chris Pike.



KDKA's 11 p.m. anchor team (left to right): Jeff Wersyzal, Patrice King Brown, Ken Rice, Bob Pompeani

TV news in the 22nd-largest market is dominated by KDKA, a top-rated CBS station. It's one of the oldest local broadcasters in the country, and its parent, Viacom, has deep pockets. Viacom owns the market's only duopoly: WNPA and KDKA. Although KDKA has retained the No. 1 spot for decades, its Big Three rivals, Hearst-owned ABC affiliate WTAE and Cox Broadcasting's NBC station WPXI, have made inroads. That prompted Viacom to install Pike, a veteran of ABC affiliate WJLA Washington, as VP/GM last year.

"TV news is still appointment viewing in Pittsburgh," says Pike. KDKA maintains a stranglehold on local news, winning early-evening and late news and churns out 7.5 hours of news per day. But its competitors score strong numbers, too. In November, KDKA's late news averaged a 14.8 rating/25 share, while WPXI pulled a 10.5/18 and WTAE recorded a 7.9/13. In some big markets, WTAE's third-place marks would qualify as top-rated. Says Pike, "When I was in D.C., lifestyles dictated viewing. In Pittsburgh, people plan their day around news time periods."

KDKA also carries the Steelers football locally. To complement game coverage, sister station WPNA is developing Steelers-themed programs. In access, WTAE airs powerhouse *The Oprah Winfrey Show* and currently carries *Dr. Phil*. However, KDKA just snatched *Phil* rights away and will add the show to its lineup in fall 2006. KDKA also purchased the new Martha Stewart reality show from NBC Universal for next fall. Comcast and Adelphia are the major cable operators.

Auto is the largest ad category and leads a market poised for high-single-digit growth in 2005, according to station execs. Stations will take in \$231 million in revenue this year, according to BIA Financial, up slightly from \$229 million in 2004.

While downtown Pittsburgh is losing residents, the suburbs are booming. Bob Bee, director of sales, WTAE, says the growth is a boon to home retailers, and competition benefits broadcasters. US Airways, which uses Pittsburgh as a hub, is in jeopardy, but Southwest and Independence Air are moving in. "After years of being an anemic market," says Bee, "things are finally getting going." ■

NEXT: TUCSON, ARIZ.

THE DEMOS

Pro sports are huge draws. More than half of residents are avid NFL fans, rooting for the Steelers; 24% are avid NHL and Penguin supporters. Forty-two percent attended a sporting event in the past year, and plenty watch on cable: Cable penetration and digital-cable uptake are above average.

WHO	SHARE OF POPULATION	INDEX*
18-34	26%	85
18-49	55%	89
25-54	53%	91
35+	74%	107
Married	57%	103
Never married	24%	94
College grad	22%	90
White	92%	112
Black	6%	46
Hispanic	1%	7
Asian	1%	43
\$100K+ HH	40%	81
\$50K+ HH	61%	118
Below \$50K HH	61%	118



BY THE NUMBERS**

Have digital cable	29%	118
Own a domestic car	78%	112
NFL Fans	57%	130
NHL Fans	24%	188
Attended pro sports event	42%	115

*Index is a measurement of consumer likelihood. An index of 100 indicates that the market is on par with the average of the 75 local markets.

**Activities engaged in past 12 months

SOURCE: Scarborough Release 1 2004 75 Markets Report (February '03- March '04)

THE King OF NEW YORK!

THE KING OF QUEENS

delivers strong ratings for WWOR!

3.0 HH RATING!

#1 STRIP ON WWOR!

+15% OVER LEAD-IN!

Source: NSI, WRAP Overnights, 1/24-1/28/05, M-F, 7P-9P, HH rating, rank = 6AM-6AM, lead-in = half-hour tg

www.sonypicturestelevision.com



WASHINGTON WATCH

Critics: Ad Bans Curry White House Favor

An activist group that claims the TV networks arbitrarily choose what ads to reject is now asking the FCC to investigate each network's policy on advocacy advertising.

Networks claim the right to reject issue ads on controversial topics, but "the network's decisions on which ads to run are inconsistent at best," complains **Melanie Sloan**, executive director of **Citizens for Responsibility and Ethics in Washington (CREW)**.

Sloan's group raised the alarm after **NBC** reversed its decision to air an ad opposing **President Bush's** plan to limit victims' awards in medical-malpractice suits. The advertisement was sponsored by **USAction**, a consumer-advocacy organization, and was scheduled to run on **NBC** minutes before the president's State of the Union address last week. **NBC** later reversed its decision to run the ad. The ad was previously rejected by **ABC**, **CBS** and **Fox**, according to **USAction**.

The ad features **Dylan Malone**, whose son **Ian** died from injuries sustained at birth. **Malone** warns that **President Bush's** plan to limit medical-malpractice damages would deny restitution to millions of deserving victims.

Although the networks say they reject all controversial issue ads,



George W. Bush

CREW argues that only spots likely to get stations in hot water with the White House are turned down. **CREW** points out that the networks have run spots advocating White House-backed ideas, such as limits on asbestos lawsuits.

Nets Revolt Over Kids' Web Rules

What's the hottest TV issue in Washington? Judging by the protests from major TV networks, new FCC rules restricting the display of Web-site addresses during children's programming rank right up with fights over cable carriage, media ownership or indecency.

What would seem to be an arcane

FTC Boss Presses Industry To Self-Police

Bogus diet-drug ads are a main target **By Bill McConnell**

The federal government is putting a squeeze on TV advertising. Turning the vise is **Deborah Majoras**, who took the post of Federal Trade Commission chairman in August.

The **FTC**, charged with protecting the American public from deceitful sales folk and greedy monopolies, has declared war on ads for bogus diet drugs.

Not one to mince words, **Majoras** says her mandate is simple: "We are relentlessly pursuing these cowards who prey on consumers."

Next, the **FTC** is considering strikes against snack-food commercials during children's programming, as well as paid product placements.

If **Majoras** squeezes, the TV business could see a drain on profits. The \$3 billion spent yearly on TV food advertising to kids is critical to the survival of children's programming on commercial stations, and product placements are considered by the industry as a way to counter the loss of ad dollars as more viewers use **TiVos** to zap through commercials.

So far, **Majoras'** strategy is in lock-step with the **Bush Administration's** determination to rely on industry self-policing to protect consumers in all areas of the economy. If honest businesses do more to ward off the crooks in the first place, **Majoras'** agency will have fewer complaints to investigate. "We simply can't do it all at the back-end through enforcement," she declared during a private luncheon last week with the editors of *Good Housekeeping*.

"CONSUMER SENTINEL"

For the past year, the **FTC** has been urging broadcast stations, cable operators and other media to reject diet-drug ads that make bogus claims and to report the marketers to the **FTC**. When TV-station staff members spot ads that make claims too good to

be true—Lose 15 pounds in two days!—they have been asked to reject the ad and tip off the **FTC**. The marketer's data is then put into an **FTC** database dubbed "Consumer Sentinel"; the agency uses this to track down scammers. State and local governments can tap into the **FTC** database to hunt down fraudulent marketers as well.

INDUSTRY PARTNER

Majoras says that, after a slow start, the program has cut fraudulent claims in diet ads by 70% since January 2004. When the program began, an **FTC** survey



FTC Chairman Deborah Majoras

showed nearly 50% of diet ads in all media contained false claims about the products' proven effectiveness or ability to cut weight without changes in diet or exercise. Today, only 15% of diet ads contain these illegal claims. A full report on the results, including a performance breakdown across broadcast, cable, print and online ads, is due later this month.

"We think the media should be proud," **Majoras** said last week.

"This is a great example of our power when we partner with industry." She hopes to roll out similar consumer-protection partnerships with media companies regarding marketing to kids and TV product placements.

Shutting down diet-drug scams is more important today than ever before, because a record 70 million Americans are overweight. Besides ripping off consumers, weight-loss frauds lead individuals to delay the difficult task of cutting calories and working out, **Majoras** says. She acknowledges that many questionable diet products continue to

be marketed on TV but, increasingly, the ads avoid claims that shedding weight will be as simple as taking a pill. "It's still crappy product," she says, "but at least they're not saying you don't have to bother with diet or exercise."

Some in Congress think the **FTC** is putting too much faith in *Continued on page 16*



FTC tracks down fraudulent ads from TV stations' tips.

issue—showing a Web address—has drawn howls from **Fox**, **Turner**, **Time Warner**, **Discovery** and **Nickelodeon**. Advertising-industry trade groups also oppose the rules.

The protests prompted the **FCC** to postpone the Feb. 1 effective date until Jan. 1, 2006, but some networks want the **FCC** to throw out the rules entirely and start over.

The FCC wants to limit display of commercial Web-site addresses on kids' shows.

Approved by the **FCC** in September, the rules would limit programmers' current practice of displaying commercial Web-site addresses in a crawl at the bottom of the screen. The aim is to make sure programmers don't circumvent hourly limits on ad time during kids shows by herding children to Web sites.

Programmers and advertisers complain that the **FCC** definition of a "commercial" Web site is so broad that nearly all Web addresses would be banned. The **FCC's** new rules "would place premature, speculative and unreasonable barriers on the interaction between TV and the Internet," says **Dan Jaffee**, executive vice president of the **Association of National Advertisers**.

Stop Us Before We Sell Again

Apparently unable to police its members, the **Electronic Retailing Association (ERA)** says broadcasters must pitch in to keep bogus infomercials off the air.

At an **ERA** seminar in New York this week, the group is giving cable and broadcast executives pointers on how to spot false and misleading long-form commercials.

"When we determine that a direct-response advertisement is unsubstantiated, we need the commitment of cable stations and networks that they will refrain from airing that program," the group said in an announcement for the event.

Federal Trade Commission representatives will also be on hand to talk about the importance of self-regulation. The **FTC** has been cracking down on false and misleading diet and health claims on TV and elsewhere and has given the media a set of pointers on what to watch out for.

Pick our brains.

TVB'05 Speakers, Announced to Date



David Barrett
President and CEO
Hearst-Argyle Television
(via videotape)



Michael Burgi
Editor
Mediaweek



Kathy Crawford
President of Local Broadcast
MindShare



Scott Donaton
Editor
Advertising Age



Lannie Dawson
SVP/Director of Media Services
Martin/Williams



Stuart Elliott
Ad Columnist
New York Times



Dennis FitzSimons
Chairman
The Tribune Company



Peggy Green
President of Broadcast
Zenith USA



Sue Johnning
EVP/Director of Local Broadcast
Initiative Media



Steven Sturm
VP, North America Planning
Toyota Motor Sales, U.S.A., Inc.



Dennis Swanson
EVP & COO
Viacom Television Stations Group

Featuring the best and brightest observers of our industry, the 2005 TVB Annual Marketing Conference is sure to be our best ever. As *Broadcasting & Cable* reported: **"The TVB conference has clearly established itself as a major broadcast gathering."**

The 2005 conference will focus on the issues that are transforming television and will show you how to find and keep advertising dollars. **It's a must-attend** and your colleagues (and competitors) are sure to be among the attendees. Remember: we've sold out in the past!

Early Bird Special Expires February 15, 2005 **REGISTER TODAY!**
Visit www.tvb.org for full agenda details and easy online registration.



Television Bureau of Advertising Annual Marketing Conference

In partnership with the New York International Auto Show
Jacob Javits Convention Center • New York City

Thursday, March 31, 2005

FTC Boss

Continued from page 14
the willingness of businesses to go along with Majoras' strategy. They want the commission to add restrictions on food marketing to children. The pressure is forcing the

FTC and the Department of Health and Human Services to consider examining companies' self-imposed limits on marketing food to kids.

Under a government contract, the Washington-based Institute of Medicine is draw-

ing up recommendations for the FTC that will be unveiled in the spring.

Already, consumer advocates are taking Majoras to task for not pushing tougher rules. Says Mark Cooper, research director for the Consumer Foundation

of America, "The notion that huge companies are going to limit their behavior voluntarily is ludicrous."

Majoras says the FTC is unlikely to limit what companies can market to kids unless Congress orders it, but

"The notion that huge companies are going to limit their behavior voluntarily is ludicrous."

**MARK COOPER,
CONSUMER
FOUNDATION OF
AMERICA**

the agency is already consulting with food producers to help them honor their efforts to self-police. Because of rising obesity rates in children, "there is a massive debate" over children's advertising in Washington. Additionally, trial lawyers are expected to file class-action suits against the companies.

The possibility that Congress will force Majoras' hand is causing food companies to listen to the FTC's advice now, she says: "Food companies see it coming." She says Kraft, for instance, was smart to voluntarily eliminate ads for unhealthy foods such as Oreos and Macaroni & Cheese during programs aimed at young children.

PR LESSON

Majoras is no stranger to the ways of Washington. Before accepting her current position, she was an associate at law firm Jones Day (she made partner in 2004), then was U.S. Deputy Assistant Attorney General for three years.

She expects plenty of critics and plans to blunt their attacks by promoting FTC initiatives in the press.

She learned the hard way that the press can be valuable when courting public opinion. As the Justice Department's chief prosecutor in its anti-trust case against Microsoft, Majoras avoided reporters' calls after Microsoft rivals leaked drafts of a settlement she was negotiating with the company a week before the deal was to be announced. She regrets stonewalling the press, because the stories reflected a negative view—that the government was going too easy on Microsoft—without any counter-opinion from the government's side.

"It was a bit of shock," she says. "But I learned from those public-relations mistakes." ■

12TH ANNUAL MEDIA BATTLE OF THE BANDS

SOLD OUT!

Benefiting Citymeals-on-Wheels
Thursday, February 17, 2005
6pm-11pm
B.B. King Blues Club & Grill
237 West 42nd Street, NYC

TICKETS ARE AVAILABLE TO SPONSORS ONLY!
Advance Tickets: \$60
(\$75 after February 11th)
 Call 212.687.1290 for more information or to purchase tickets.

Be there for the media and cable industry's biggest and best networking event of the year!
 Join in the fun as your colleagues in the advertising community and national cable networks band together for the 12th straight year to fight the battle against hunger among New York City's elderly shut-ins. It's a night of great music, great networking, and a great cause... 100% of the funds raised from ticket sales will go directly to the preparation and delivery of meals to the homebound elderly.

Sponsors: (as of 1/27/05)

ABC Family	Management Science Associates
AETN	MediaCom
BET	MediaVest Worldwide
Carat Americas	MTV Networks
Comedy Central	NBC News Networks
Court TV	NBC Universal
Discovery Communications Inc.	Nielsen Media Research
EI Networks	OMD
ESPN ABC Sports	Outdoor Life Network
Fox Cable Networks	Oxygen Media
Fox News Channel	Rainbow Media/AMC/WE & Fuse
G4techTV	Screenvision
Galavision Network	Scripps Networks
GroupM	SOAPnet
GSN. The Network for Games.	Superstation WGN
Hallmark Channel	Turner Broadcasting
ICON International Inc.	TV Guide Television Group
INVISION	TWC Media Solutions, Inc.
Jack Myers Report	
Lifetime Entertainment Services	

Restaurant Partners

- BurritoVibe
- Dinosaur Bar-B-Que
- Lucille's Grill
- The Olive Garden
- Italian Restaurant

Media Sponsors (as of 1/27/05)

- Advertising Age
- Adweek/Brandweek/Mediaweek
- Broadcasting & Cable
- MediaPost
- Multichannel News
- Jack Myers Report



SUCCESSFUL BROADCASTERS KNOW THAT TO SUCCEED THEY HAVE TO COVER THEIR TOWN FROM THE SMALLEST BURG TO THE BIGGEST INDUSTRY. SEVERAL TIMES THIS YEAR, *BROADCASTING & CABLE* WILL TAKE A CLOSE LOOK AT TV STATIONS THAT HAVE SERVED AS EXAMPLES FOR OTHERS IN THE INDUSTRY.

Few have done that better than **HEARST-ARGYLE'S WCVB IN BOSTON**, which is where we'll turn our spotlight in a special report in our February 28 edition. Boston television is fiercely competitive, but for years WCVB—even years when its prime time suffered—has risen to the top and taken special care of their Beantown viewers. Read how they do it, **B&C'S LOCAL LEGENDS SPECIAL REPORT ON FEBRUARY 28.**

To reach over 20,000 top level television executives, call your B&C sales representative and reserve your space today.

B&C LOCAL LEGENDS: HEARST-ARGYLE'S WCVB, BOSTON

LARRY DUNN: 646.746.6572 ldunn@reedbusiness.com
PAUL MAURIELLO: 646.746.6960 pmauriello@reedbusiness.com
CHERYL MAHON: 646.746.6528 cmahon@reedbusiness.com
JASON GREENBLATT: 646.746.6413 jason.greenblatt@reedbusiness.com
TERRY CITY: 323.549.4114 tcity@reedbusiness.com
BRIAN CAMPBELL: 303.470.4874 bcampbell@reedbusiness.com
SAMMY PATEL: 646.746.6933 sammy.patel@reedbusiness.com

CLASSIFIED ADVERTISING:

YUKI ATSUMI: 646.746.6949 yatsumi@reedbusiness.com

www.broadcastingcable.com

ISSUE DATE:
February 28, 2005

SPACE CLOSE:
February 18, 2005

MATERIALS CLOSE:
February 22, 2005

THE BUSINESS OF TELEVISION



BROADCASTING & CABLE



Broadband Advertising Takes Flight

The online medium is redefining ad agencies and media buys

Madison Avenue's dalliance with broadband commercials may soon blossom into a full-scale romance. While the broadband video ad marketplace pales in comparison with the \$60 billion TV ad market—broadband brought in just \$121 million in 2004 revenues—it's growing. Streamed to online users with broadband access, the medium is comparable to cable in the 1980s.

A relatively small marketplace now, this segment may one day determine how TV spots are measured, posted and priced, where and when they are viewed, and even how they are formatted.

Why? Advertisers know broadband video ads reach their desired audience, since click-through is required. Consequently, they pay for only those they reach; TV buys are priced on the *assumption* of reach.

Broadband video advertising look like TV spots, except they are shorter—usually 10 or 15 seconds. The major players are the big portals: AOL, Yahoo! and MSN, as well as niche publishers like ESPN.com. Broadband video ads don't target a specific audience per se, but the users tend to be younger, sought-after demos. For example, Yahoo! LAUNCH: Music on Yahoo! reaches the MTV crowd, while ESPN360 attracts younger men.

"Broadband video is hard to ignore," says Bob Flood, EVP/director, national electronic media, Optimedia, New York. "It's a less cluttered environment and far more accountable than conventional TV advertising. You're dealing with an engaged audience that is in lean-forward mode."

AGENCY IMPACT

Viewers may be attentive, but buyers are still working out the kinks. Many agencies aren't sure what to do with broadband video advertising; they don't know where it belongs or how it should work. This won't change until TV buyers embrace the medium as a genuine alternative to traditional TV ad buys. That means comparable distribution, reach and ad costs.

Currently, broadband video advertising is more expensive than most forms of TV spots. With CPMs (cost per thousand) typically in the \$20-\$25 range,

the medium is priced like top-tier prime time shows. Driving prices is a lack of inventory.

Even though the big operators have expanded their broadband video services, and new players like Forbes.com and WallStreetJournal.com have come into the market, there just isn't enough content to go around.

"Right now, broadband video ads are coming from the interactive agencies. But we're starting to get more feedback from media planners. Eventually, it will be rolled into general media plans," predicts Allison Bodenmann, EVP for national/network ad sales at WorldNow, a company that

currently leads the broadband video charge. In most cases, it is still the interactive-media team, but at least one major media buyer has merged all these elements into one.

Starcom MediaVest Group, Chicago, has formed a Video Investment Group that draws upon the interactive expertise of Starcom IP, Chicago, as well as the traditional media buyers at its Starcom, Chicago, and MediaVest, New York, units. So far, clients include ESPN, Miller Beer, Nintendo and Coca-Cola.

The new unit is responsible for determining planning and buying strategies across any media platform capable of

though there was hardly any inventory available in the marketplace.

The agency simply considered it a first strike. If it didn't put real ad budgets on the table, the broadband video providers would have no incentive to develop content that would establish an online video ad marketplace. The move encouraged rival agencies, advertisers and broadband developers to jump in.

PENETRATION PROBLEMS

Tobaccowala is more circumspect about SMG's plans for ad spending on broadband video this year, but analysts estimate that it could double. Nate Elliott, of Jupiter Research, projects that advertisers will spend nearly \$200 million for online video ads in 2005.

Yet broadband video will remain a minuscule portion of the overall TV ad marketplace, accounting for less than 1% of the total marketplace by 2009, according to ZenithOptimedia Group.

Broadband video faces an ongoing penetration dilemma, though broadband access is expected to be available in 50% of U.S. households this year.

"The minimum threshold for a cable network to be considered [for ads] is coverage in about 35 million households. It is very hard to do a 35 million-household broadband video buy right now," says Alan Schanzer, managing director of Digital Edge, Outrider and Wunderman Media. "Yahoo! LAUNCH is probably the only one that can really do it."

Broadband video today is in the same place CNN and TBS were in the early 1980s; they didn't reach Madison Avenue's radar screen until they hit a certain penetration level. But as the field expands, commercials can be priced competitively with TV.

"Eventually, it will all merge together," says Carat Digital EVP Mitch Oscar, "and when that happens, we'll call it television." ■

AD INFINITUM
By Joe Mandese



Starcom, which launched Coke's C2 broadband ads, integrates old- and new-media buys.

bundles broadband video content from various media sites and creates reach for potential advertisers. (It functions like an unwired TV network.)

In fact, Flood's role at Optimedia underscores the way many big media agencies see the future of TV ad buys. He oversees all the national buys for his clients, but he is also responsible for developing enhanced forms of TV advertising, such as broadband video, video-on-demand and digital cable TV.

That dual role is emerging at most big agencies, where autonomous interactive media units are being fused or integrated into the traditional media-planning and -buying departments. Combining new and old media is having an effect on agencies, shaking up organizational structures as it begs the questions: Who should control broadband video? Does it fall under TV or online ad budgets?

The answer usually depends on the agency itself, its mix of clients and who

rendering a "video message," says Rishad Tobaccowala, president of Starcom IP.

"This isn't about broadband or television. It's about a video-investment marketplace that includes many platforms: broadband, video-on-demand to a certain extent. We're even starting to explore mobile video over cellphones," Tobaccowala says.

Of course, the idea of new-media groups devoted to new TV platforms isn't novel. What makes the SMG unit noteworthy is that it put its money where its mouse is.

Last year, the agency kicked off what it initially called a "broadband upfront" but later modified to a "broadband embrace." SMG invested some \$10 million to \$20 million of its clients' TV ad budgets into broadband video advertising—

ONLINE COMMERCIAL GROWTH

	ONLINE VIDEO (MILLION)	TOTAL TV (BILLION)	ONLINE SHARE
2003	\$77	\$60.8	0.1%
2004	\$121	\$64.7	0.2%
2005p	\$198	\$66.6	0.3%
2006p	\$282	\$69.3	0.4%
2007p	\$372	\$73.5	0.5%
2008p	\$509	\$78.4	0.6%
2009p	\$657	\$83.6	0.8%
Change 2009 vs. 2003	+753%	+37%	+700%

P = Projected

SOURCES: Jupiter Research, ZenithOptimedia



2005

Broadcasters' Foundation NAB Charity Golf Tournament

sponsored by

THE BUSINESS OF TELEVISION



BROADCASTING & CABLE

Deutsche Bank



Bali Hai

GOLF CLUB

Las Vegas, Nevada

Sunday April 17th, 2005

**For more information call
Gordon Hastings at 203-862-8577**

Digital broadcasting reignites the fight over whether cable operators should pay to carry TV stations

The hot consumer-electronics product in Abilene, Texas, is not a TiVo, a Blackberry or even an iPod. It's a set of "rabbit ears," the old-fashioned TV antennas that most viewers haven't used in years. But suddenly they're essential for Cox cable subscribers who want to watch the local NBC station, KRBC.

"We've been selling 40% more than normal," says Thurman Richardson, manager of a local Radio Shack store. "People keep coming in."

Richardson is profiting in part from Nexstar Broadcasting's fight with the local cable operator, Cox Communications. Tired of cable systems' refusing to pay cash for carrying its stations, Nexstar is demanding that they start paying 30¢ per subscriber monthly for the right to retransmit the signals.

Raising the stakes on Dec. 31, it pulled stations off Cox cable systems in Abilene and San Angelo, Texas, and The Washington Post Co.'s systems in Texarkana, Texas, and Joplin, Mo. Nexstar took an additional station off a Cox Louisiana system last Wednesday. As a result, more than 120,000 cable subscribers have lost their Nexstar NBC and CBS stations so far.

"We have to do this," says Nexstar COO Duane Lambers about the fight with Cox. "This is about the survival of local television." Unlike cable operators, over the past few years, DBS companies have paid 15¢-20¢

per subscriber monthly for local broadcast signals. out using an antenna because of a fight between Sinclair Broadcasting, which owns the local Fox affiliate, and cable operators. The broadcaster, known for being outspoken, wants cable operators to pay 50¢ per subscriber monthly to carry its stations' HD signals.

Broadcasters are also looking for new payments for digital channels they plan to create as they make the transition from analog signals. Their hopes could be dashed, however, by an expected ruling this week that would hand cable tremendous leverage in carriage of digital broadcast programming. Broadcasters are hoping to delay the vote until after Chairman Michael Powell—who favors cable in this dispute—actually departs in March.

Many broadcasters cheer Nexstar executives on, but most see the odds as too long to join them. "We realize we're not in a strong position to negotiate," says Young Broadcasting CFO James Morgan. Besides Nexstar and Sinclair, cable operators say Emmis and Media General demand cash for their digital stations.

But one major broadcaster may be reconsidering. Fox TV Stations Chairman Lachlan Murdoch wants his stations to start demanding cash instead of settling for carriage of Fox cable networks.

FEAR OF PAYING CASH

Any money that broadcasters could secure would be pure profit. But cable operators fear that starting to pay cash to a few stations would open the floodgates, ultimately leaving them paying billions of dollars for the

No Cash, N

per subscriber monthly for local broadcast signals.

The scuffle is playing out across the country between local broadcasters, which want cash from cable systems carrying their signals, and cable operators, which don't want to pay. At the heart of the fight is a 1992 law that gives stations the right to attempt to negotiate payment or simply demand guaranteed carriage for free. Now, with technology advances promising new high-definition TV and digital channels, broadcasters think they have new leverage to get some cash for their content.

In Baltimore, Pittsburgh and 13 other cities, cable subscribers couldn't watch the Super Bowl in HD with-

programming they already carry.

Right now, cable systems generally secure the signals of strong stations of, say, Fox or CBS parent Viacom by agreeing to launch cable networks. For broadcasters that don't own cable networks, cable systems agree to buy ad time on their stations. ("They're now top-10 advertisers in every market," says Young's Morgan.)

But major operators have refused to simply pay for carriage. They complain that they will be faced with trying to recover those costs from their subscribers, whose rates already go up regularly, and will get blasted every time they raise rates.



Nexstar's anti-Cox Cable ad

During the meeting, Nexstar's Duane Lammers waved a penny in the air, then laid it on a desk. The Cox executives had to acknowledge that Nexstar's stations are worth at least a penny.

Cable operators, known for raising rates excessively, now conveniently claim to be defending consumers. "It's really not us they're trying to extract money from," says Cox Communications COO Pat Esser. "It's our customers."

In the current fights, big cable operators may have an advantage. Cable systems in bigger markets have more leverage because broadcasters have more money at stake.

Small operators often are barely competitive with satellite TV and could be ruined if their local stations walked away from the negotiating table and were carried solely on EchoStar and DirecTV. "Rural operators feel broadcasters are putting the screws to them," says one FCC staffer. "They have no negotiating power because the channels are must-have."

When broadcasters won the right to charge for their signals in 1992, some of the major broadcast networks initially bragged that they would withhold their O&O stations unless cable paid as much as \$1 per subscriber monthly. One by one, they folded their hands. ABC was first to drop its cash demand, settling instead for cable carriage of its then-new sports network ESPN2. Then NBC and Fox struck similar deals. CBS waited too long and got nothing. The new rule seemed to be: No cash, no carriage.

After a few years, negotiations got brutal, particularly a 1996 fight between Disney/ABC and Time Warner, which helped prompt Congress to require that broadcasters negotiate deals "in good faith," meaning that stations could not refuse to negotiate and must provide reasons for turning down an operator's offers. The good-faith requirements were extended to cable and satellite operators last year.

TAKE IT OR LEAVE IT

Compared with other negotiations in the past few years, the Nexstar dispute is unusually fierce. There were practically no conversations between Nexstar and the cable companies leading up to a Dec. 31 deadline when the company dropped a last-minute demand: Pay 30¢ or go dark. "It came in as a take-it-or-leave-it," says one Cox executive.

In all four markets, Nexstar runs commercials on its own stations and in local newspapers urging cable subscribers to switch to satellite TV. Cox and Cable One are blasting back with charges that Nexstar simply

says Nexstar's Lammers, "We know that thousands of people have cancelled their cable, thousands more are going to cancel their cable." He could not, though, verify the number.

But the victory may be hollow: Nexstar is already losing precious advertising dollars. Even with a herd of rabbit ears, the broadcaster has likely lost many of the 60% of locals who were getting their broadcast stations via cable (sometimes far more clearly than with an antenna).

STRUGGLE TO KEEP ADVERTISERS

Advertisers say Nexstar stations immediately began offering 30% additional "bonus" spots to every order. That hasn't kept all the customers happy. Gary Grubb, who buys advertising for Abilene's largest car dealer, Lawrence Hall Chevrolet, has shifted about half his TV spending to other stations.

"I have reduced my budget with KRBC," he says, "but I haven't completely excluded it. Our trade area covers a 45- to 50-mile area," he adds. "There a lot of people who would receive KRBC anyway, via the old-fashioned way."

Lammers insists that "our losses so far are far below what we thought." He notes that there are plenty of non-cable homes in these markets and not every cable operator in a particular market is in the fight: "In Joplin, Mo., it affects just one out of eight homes."

Cox and Nexstar finally met last Monday, but it didn't go very well. Two executives from Cox's Texas region and a lawyer from Cox's Atlanta base traveled to the broadcaster's suburban-Dallas headquarters.

During the meeting, Lammers waved a penny in the air, then laid it on a desk. To even start, the Cox executives had to acknowledge that Nexstar's stations were at least worth a penny. He told them, "If you agree to the concept, we'll give you the stations back right away. We know we'll get somewhere between 1¢ and 30." He got to keep his penny.

A Cox spokesman characterized the meeting

the spectrum to create new channels. NBC stations, for example, are launching local digital Weather Plus channels. In a digital world, the National Association of Broadcasters wants an operator to carry not just a station's primary video but whatever "multicast" channel it puts on. Cable operators don't want to be forced to surrender more real estate. Powell agrees with cable and is expected this week to push a rule declaring that broadcasters get only one slot unless they can negotiate a better deal.

The fight is so divisive that even executives inside the Cox family disagree. Cox Broadcasting President Andy Fisher visited Washington two weeks ago to ask FCC officials to delay a vote his cable cousin, Cox Communications President Jim Robbins, supports. In an FCC filing, the National Association of Broadcasters insists that Fisher was lobbying on its behalf "and not as a representative of Cox Television." ■

HOW THE FIGHT STARTED

The initial spark for the latest firestorm between TV stations and cable operators was ignited more than a decade ago, when station owners lobbied for safeguards in the 1992 Cable Consumer Protection Act.

For years, cable systems were allowed to simply carry broadcast signals for free, as they were, in effect, merely retransmitting a gratis, over-the-air service. But the 1992 law shifted new power to TV stations, creating two choices for cable operators to consider.

Under the first option, a TV station can simply demand that its local cable operator carry it on the basic or most popular expanded tier. If a station chooses this option, known as "must-carry," the cable operator is required to add the station to its basic channel lineup but doesn't have to pay the owner a cent. Stations most likely to choose the must-carry option are ones whose loss would spur few cable customers to cancel their subscriptions, like Pax stations or independent UHF outlets featuring home shopping or televangelists.

The second option allows a stronger station to negotiate for compensation. No cable operator wants to go without the local NBC or CBS outlet, so broadcasters in 1992 believed they could make operators pay them fees the way they pay cable networks such as ESPN and MTV. They expected a river of cash to flow from cable systems into their stations, but it didn't work out that way.

Eight of ten stations chose to bargain for retransmission compensation when the first round of talks for three-year contracts opened in June 1993. But it soon became clear that broadcast networks and affiliate groups had very little leverage over big cable operators who vehemently vowed never to pay for broadcast signals. By then, 60% of American TV households subscribed to cable and no station could seriously threaten to withhold retransmission rights.

Cable homes, for the most part, no longer even had antennas. "We gave away this business when we let everyone take their antennas down," says Jeff Smulyan, CEO of Emmis Broadcasting. "No one was focused on it."

Major broadcasters quickly drafted business plans for new cable networks, bartering retransmission rights for carriage of the new channels. Fox formed FX; ABC created ESPN2; NBC created what eventually became MSNBC; Scripps Howard launched HGTV; and Tribune helped form the Food Network.

LIN Television and other station groups bargained for carriage of local weather and news channels. Other broadcasters won the right to sell ad time on cable or sell local news updates to CNN and Headline News.

CBS held out for cash, but it was too little, too late. As the Oct. 6, 1993, negotiation deadline drew near, then-Chairman Larry Tisch offered to start a cable channel in lieu of payment. But it was too late to come up with a programming idea compelling enough to attract enough cable systems to make the channel practical. Consequently, CBS penned a series of one-year deals allowing operators to carry its O&Os—and got nothing in return.—B.M.

Must Carry



By John M. Higgins and Bill McConnell

wants to increase their bills. In Joplin, Mo., Cable One isn't waiting for its subscribers to go to Radio Shack for antennas; the cable system has given away a few thousand pairs of rabbit ears to its customers.

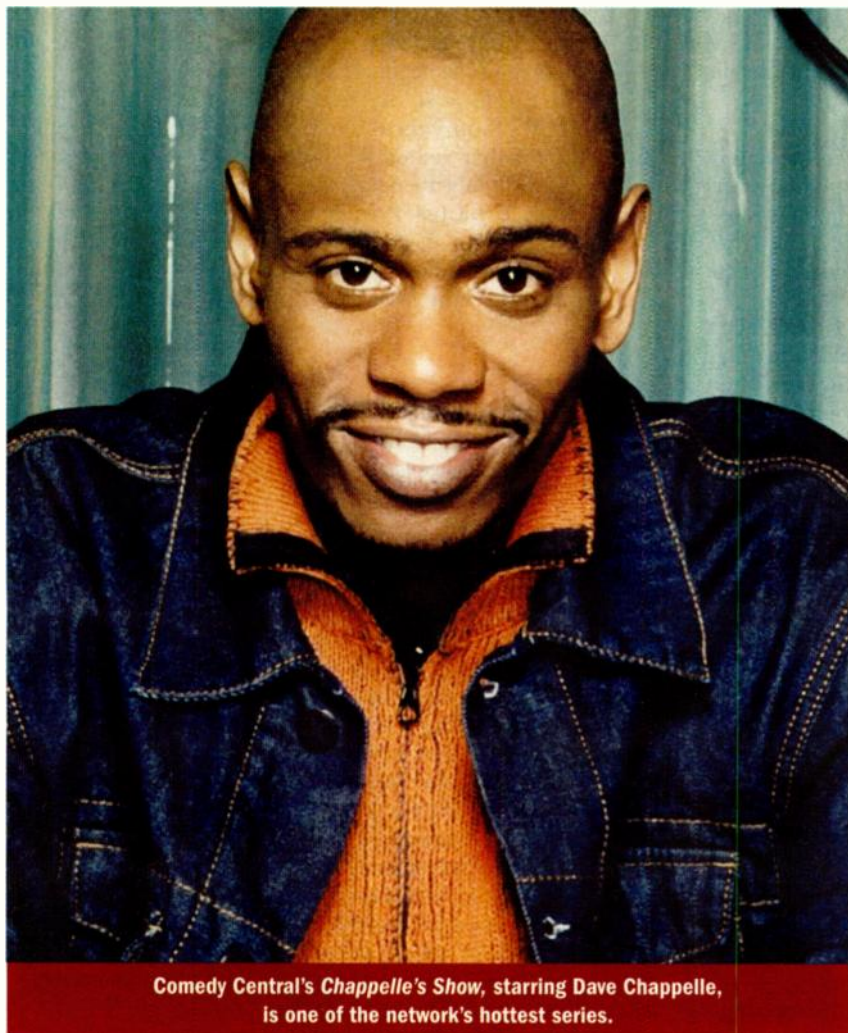
Eager to exploit the dispute, DBS companies EchoStar and DirecTV are running their own ads and special promotions to steal customers. The companies claim their sales in Nexstar markets are picking up.

as "unproductive. We are hopeful that this is just the start of the dialogue."

One big hurdle for broadcasters comes this week, when the FCC decides whether TV stations can demand that cable operators "must carry" each of the six or so digital channels that stations could offer. The conversion to digital broadcasting gives stations space in their slice of

The Picture Isn't Perfect, But It Is Better

By Paige Albinak



Comedy Central's *Chappelle's Show*, starring Dave Chappelle, is one of the network's hottest series.

When Vic Bulluck, executive director of the NAACP's Image Awards, looks at diversity hiring trends, he compares show business with sports: "There are a lot of minority players. Not as many coaches. Even fewer owners."

Things aren't perfect, but this year, the NAACP isn't complaining, at least not when it comes to the film industry. For the first time, five African-Americans have been nominated for Oscars. Bulluck is happy, but he does point out, "It's the first time ever—and this is 2005." The association's Image Awards, airing March 25 on Fox, will be an indicator of how racial diversity has become more mainstream.

In television, there are now several black cable networks: BET, the newly-renamed Black Family Channel, TV One and the Word Network among them. On the broadcasting side, UPN is paying special attention to African-American viewers, not just pushing substandard fare at that audience (see story, page 23).

Today's television picture tells a different story from last decade's. In 1999, NAACP President Kweisi Mfume, who stepped down last month, referred to network TV as a "virtual whitewash" and threatened a

boycott. Mfume's outrage was strong enough to make the networks pay attention.

"That definitely put the issue on the front burner," Bulluck says.

Mfume's threat led the Big Four to implement strong diversity efforts. "There are writing and acting programs and diver-

"There has been incremental change, for some groups more than others," says Alex Nogales, president and CEO of the NHMC. "Native Americans continue to be completely invisible. When you talk about justice for your group, you want there to be justice for all groups."

"HOT" BUT NOT

In recent years, Nogales has found media giants much more responsive now that Latinos represent 14% of U.S. consumer spending.

"There's a lot of action going on, a lot of excitement," he says. "But people who want to get into the market don't know who to dance with. Are we hot? Yes, we're hot. Has there been a payoff? Not yet. There needs to be inclusion of Latinos from top to bottom in these organizations."

All the minority organizations agree that the networks

and studios would benefit by putting more people of color in decision-making positions. In front of the cameras, however, Bulluck and Nogales concur that, while there still aren't enough minorities in lead roles, Hollywood is doing a better job of casting them in a variety of parts, without regard to skin color.

"When I was a kid, we grew up watching *The Cosby Show* on Thursday nights," says Rich Hall, a TV and movie producer. "We always thought of them as a family, not necessarily a black family. After that, TV tended toward programming that reinforced stereotypes. Now we're back in *The Cosby Show* format, and you are seeing black and Latino characters in all sorts of roles."

That is a subtle but perhaps significant change. Blacks aren't always just cast in "black" roles. "There's an African-American president on *24*, a black head of the CIA on *Alias* and a black head of the Navy on *The West Wing*," Hall continues. "Just like in real life, you now see people who have gotten where they are not because they are black but because of who they are."

A "SLOW CURVE"

As minority populations have increased in the U.S., so has the networks' willingness to cast minorities in important roles. But the changes aren't coming that quickly.

"It's a very slow-moving curve in prime time. The numbers hold going back as far as the '70s," says Christy Glaubke, associate director of the children-and-media program at Children Now, which puts out a biennial report on diversity in prime time.

"But TV programs created specifically for children have done a fantastic job of creating diverse characters. Nearly every children's show has some diversity in their cast, and that's magnificent."

And things are improving in prime time as well,

Image Award TV Comedy Nominees

The Bernie Mac Show (Fox)
Chappelle's Show (Comedy Central)
Girlfriends (UPN)
Half & Half (UPN)
My Wife and Kids (ABC)

sity chiefs at CBS, NBC, ABC and Fox," Bulluck says. "That didn't exist before."

In a study of prime time released in May 2004, public-interest group Children Now found that 73% of all prime time roles were played by whites, 16% by African-Americans and 6.5% by Latinos. Of all ethnic groups, Latinos saw the greatest improvement from 2001 to 2003.

Behind the camera, the gains have not been nearly so great, according to an October 2003

NAACP study. Initially, each network had just a handful of minority writers, although those numbers have improved significantly. In 1999, Fox, to cite the most extreme example, reported that just 5% of its writers were minorities; by 2002, that number was nearly 25%. The NAACP is collecting new statistics now.

"Things are getting better, and they'll continue to get better if we're vigilant," says Bulluck. "We've definitely seen the body politic of America deal with race, but it's one step forward, two steps back."

Now the NAACP wants to look at the cable networks, where pressure groups have had less clout, as the FCC is not involved in licensing. It vows to study TV news—not just who presents it but what is covered.

Additionally, the NAACP and other groups, such as the National Hispanic Media Coalition (NHMC), say their duty is to ensure all minorities are represented fairly in the media, not just the specific group each represents.

"You now see people who have gotten where they are not because they are black but because of who they are."

PRODUCER RICH HALL

producers say. John Wells is executive producer of NBC's *ER*, *Third Watch* and *The West Wing*, and Fox's *Jonny Zero*, shows that are particularly well-known for their diverse casts. And Nogales cites former ABC network President Alex Wallau for his commitment to the issue, which helped ensure diversity on *Alias*, *Lost*, *Desperate Housewives* and the now defunct *Dragnet* (on which *Housewives*' temptress Eva Longoria, a Latina actress, got her start).

"At the end of the day, executives are looking for something that is going to bring eyeballs to the network, regardless of the color of that character," says Jorge Reyes, creator and executive producer of UPN's critically acclaimed *Kevin Hill*. Reyes originally wrote the show with a white lead but changed gears when African-American actor Taye Diggs expressed interest.

"I'm not the first minority producer to say this, but when a part is not specifically about being that color, that's the type of character minority actors and writers want to portray," Reyes continues. "Hopefully, *Kevin Hill* has shown that you can do a show with an Afri-

can-American lead that doesn't have to be about an African-American. It's just a human story."

Getting more minorities cast in non-stereotypical TV roles, along with pushing Hollywood to hire qualified minorities, remains at the top of the NAACP's agenda.

"I think it's critical to the big picture," says Bulluck. "I still think there are huge tracks in the U.S. and around the world where the only exposure people get to people of color or different cultures is through the media." ■

Image Award TV Drama Nominees

ER (NBC)

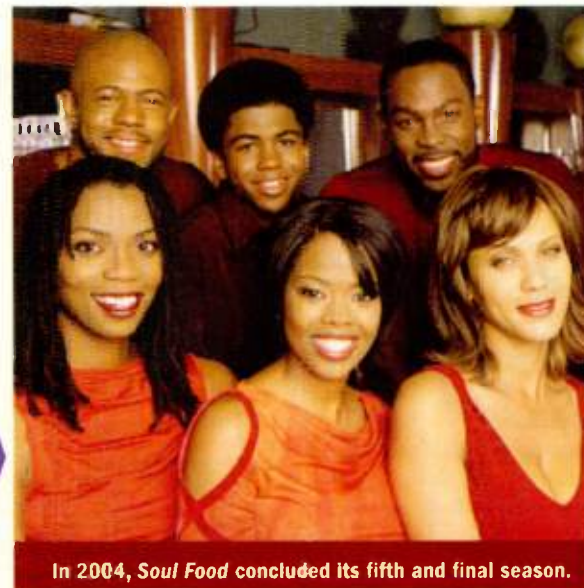
Kevin Hill (UPN)

Law & Order (NBC)

Soul Food (Showtime)

The Wire (HBO)

Remaining Image Awards TV Nominees, page 24



In 2004, *Soul Food* concluded its fifth and final season.

UPN's Year-Round Appeal

February is not the only month for black-themed programs **By Kevin Downey**

Considering that UPN accounts for the vast majority of the highest-rated shows among African-Americans—and nearly two-thirds of its prime time programs are led by black performers—it would seem logical that the network would go all out for Black History Month in February. But since UPN celebrates the African-American experience year-round, its approach to February is rather subdued.

Most weeks, six of UPN's 10 prime time hours consist of shows starring African-Americans; some of the shows were also created by blacks. In February, the network's programs will not feature storylines specific to the month. And the network isn't rolling out any specials to celebrate the achievements of African-Americans.

However, UPN will air interstitials—public-service announcements—throughout the month. UPN Entertainment President Dawn Ostroff says the vignettes "will feature our prime time talent honoring prominent African-Americans who have distinguished themselves in everything from politics to entertainment to sports." UPN stars like Taye Diggs, of the rookie drama *Kevin Hill*; Golden Brooks, from the long-running sitcom *Girlfriends*; and Kristen Bell, of *Veronica Mars*, will help honor the achievements of late Supreme Court Justice Thurgood Marshall, golfer Tiger Woods and Oprah Winfrey, who is being inducted into the NAACP Image Hall of Fame.

UPN thinks its approach to Black History Month is a respectful nod to African-Americans, rather than an over-the-top one.

"BLESSED TO TELL OUR STORIES"

Mara Brock Akil, creator and executive producer of *Girlfriends* (now in its fifth season and also in syndication), says UPN doesn't have to go out of its way to celebrate the achievements of African-Americans in February because it is already doing that year-round.

"I feel that, every Monday the show airs, we're celebrating Black History Month," she says. "The beauty of what we get to do is that it's not just about the month. I think Black History Month is still nec-

essary to remind people of the stories of African-American people. But we're blessed to be able to tell our stories [every week]."

TRICKY DEMO SHIFT

UPN's lineup of ethnically diverse programs continues to generate respectable ratings. So far this season, Niensens are holding steady even as the network streamlines its focus on young adults, chiefly women 18-34, and away from the multiple demographic groups that it had chased for years.

Instead of catering to black audiences one night, men on another and older demos in other timeslots, UPN has kept its focus on women 18-34 for its rating core; the network is up 13% in that demo from a year ago. Moreover, UPN remains the dominant network when it comes to attracting an African-American audience. In the fourth quarter of 2004, UPN accounted for eight of the 10 highest-rated shows watched by

black viewers in the 18-49 demographic. Among these shows were all of those on UPN's Monday lineup, including *Girlfriends*, the No. 1-ranked program in the demo.

Perhaps more impressively, UPN has been able to hold onto its ratings as the network establishes hits outside of wrestling on Thursdays and its long-running Monday sitcom block, the highest-rated night of programming among African-Americans.

The network has generated some of its best ratings—and certainly the most buzz it has had in years—with Tyra Banks' Wednesday-night reality show *America's Next Top Model*. The fourth generation of the series premieres March 2. The third version ranked fourth among blacks 18-49 in the fourth quarter.

UPN has also broadened its focus beyond sitcoms with *Kevin Hill*, a rare drama starring an African-American. The show was picked up for the entire season last November.

"They've had some good critical acclaim with *Kevin Hill* and also with *Veronica Mars*, but neither show has done very well in the ratings," says John Spiropoulos, partner and associate research director at MindShare.

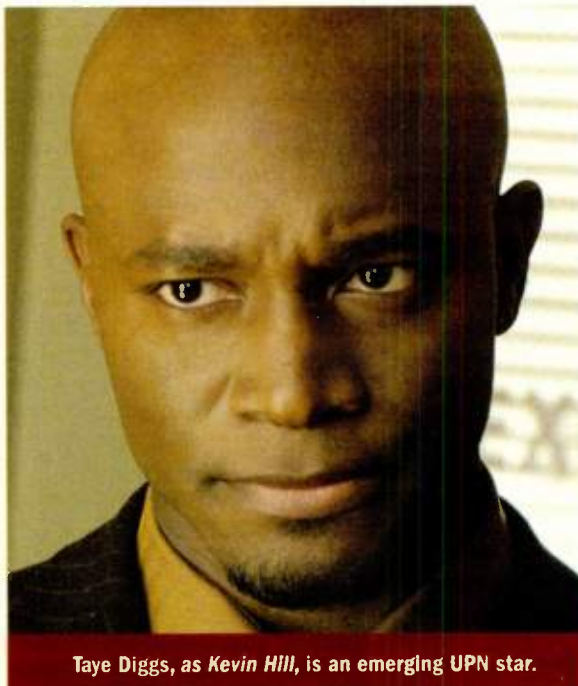
STILL A STRUGGLE

"They are still struggling to find their audience," Spiropoulos says. "They have to go after people who are most likely to watch and who have the highest price on their head, which is young women."

More recently, the reality show *The Road to Stardom With Missy Elliott* has pulled in modest ratings as a lead-in to *Kevin Hill*.

And as *Girlfriends*' Akil says, while several UPN shows focus on African-Americans, the shows' viewers are increasingly multiethnic.

"We're gaining a more diverse audience, but clearly our core audience—and the one we respect and appreciate—is African-American women and African-American households," she says. "UPN has been able to build and sustain a network, and throughout history, a lot of young networks have been built on ethnic programming. The fact that we're still here putting on good programming about African-Americans gives us hope." ■



Taye Diggs, as *Kevin Hill*, is an emerging UPN star.

The Awful Past

PBS documentary series examines the roots of slavery **By Kevin Downey**

PBS cuts right to the core of American black history with its documentary *Slavery and the Making of America*; it is likely there has never been a

more serious assemblage of material ever presented on television during Black History Month than this four-part program, airing two consecutive Wednesdays (Feb. 9 and 16). This documentary is intended to forever change our collective understanding of slavery.

Using reenactments, photographs and comments from about two dozen historians, the Thirteen/WNET New York production focuses on slavery from the perspective of the slaves themselves. This is a different way to look at the era, notes executive producer William Grant.

Underwritten by New York Life Insurance Co., *Slavery* re-creates scenes, giving the program a "feel" that is different from that of a Ken Burns documentary, he says.

"Because it's PBS and because New York Life has funded an enormous educational effort apart from the television series [including teacher guides and Web sites for both viewers and students]," he adds, "the hope is that this effort will help inform the way slavery is taught in middle schools and high schools for the generation ahead."

Grant is convinced that even well-educated Americans are largely uninformed about the history of slavery. "I think people will find it astonishing that America was a slave-holding country longer than it has been a free one and that slavery was practiced in the North for 200 years," he says. "Our hope was to develop a series of very strong stories from the perspective of enslaved people themselves, and we wanted to do it in a way that the largest audience possible would have the best historical understanding of slavery."

The audience for *Slavery* may get a boost from airing during Black History Month, when programs about

African-Americans get a good deal of attention. Nielsen Media Research reports African-American households spend about 20 hours more time watching TV each week than the average household—a total of 75 hours and 40 minutes compared with 55 hours and

newspapers is a listing of all PBS' programming for the month. Being part of Black History Month gives the program more visibility. But it concerns me to the degree that it says to white viewers, "This isn't a program for you."

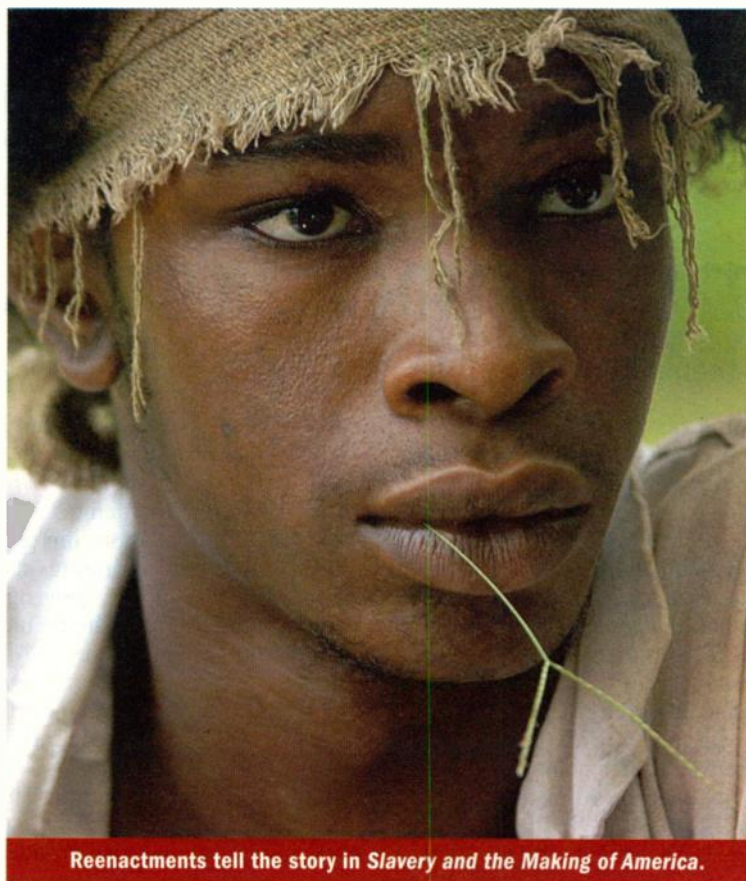
PBS wants the whole world to see the series. *Slavery* is getting a major promotional push from PBS and New York Life. In fact, the program was held back from last year's schedule, with the hope it could generate more viewers with a larger ad budget.

"It was a happy circumstance that, between New York Life and PBS, there is something like \$1.25 million or \$1.5 million being spent on advertising, a significant part of which wouldn't otherwise have been available," Grant says.

Such promotion is backing a project unlike anything PBS has ever aired. Narrated by actor Morgan Freeman, *Slavery* relies heavily on actors to reenact the lives of the slaves. Slavery came to an end in the middle of the 19th century, so photographs document only its final years; motion pictures didn't exist to capture images at that time.

While reenactments are a familiar tool in many documentaries, Grant's sharp focus on the faces of the actors is part of a deliberate decision to depict the emotional struggle of slaves that everyone—of every race—can relate to.

"*Slavery and the Making of America* is a very conscious title that puts the history of slavery at the center of American history," says Grant. "We want all viewers to understand this is part of our history. I'm perfectly happy for black viewers to see it positioned as part of Black History Month, but we're working very hard to have other viewers come to it, because it's part of their history, too." ■



Reenactments tell the story in *Slavery and the Making of America*.

26 minutes for all U.S. households.

PBS says 43% of all black households tune into it over the course of a month, but Nielsen says African-Americans spend only about 2% of their total viewing time watching the public network.

Therefore, the marketing of the series is crucial to PBS.

Last month, when it aired *Unforgivable Blackness: The Rise and Fall of Jack Johnson*, the preliminary ratings indicated that PBS nearly doubled its 1.8 Nielsen average.

PBS hopes it can attract far more black viewers, at least this month.

"For this series, it's something of a double-edged sword to be identified as a Black History Month program," says Grant. "A lot of the early [coverage] I've seen in



Executive Producer Bill Grant

THE IMAGE LIST

TELEVISION COMEDY:

Outstanding Actor in a Comedy Series
Bernie Mac, *The Bernie Mac Show* (Fox)
Damon Wayans, *My Wife and Kids* (ABC)
Dave Chappelle, *Chappelle's Show* (Comedy Central)
Flex Alexander, *One on One* (UPN)
George Lopez, *George Lopez* (ABC)

Outstanding Actress in a Comedy Series
Eve Jeffers, *Eve* (UPN)
Kellita Smith, *The Bernie Mac Show*
Mo'Nique, *The Parkers* (UPN)
Tisha Campbell Martin, *My Wife and Kids*
Tracee Ellis Ross, *Girlfriends* (UPN)

Outstanding Supporting Actor in a Comedy Series
Blair Underwood, *Sex and the City* (HBO)
Chico Benymon, *Half & Half* (UPN)
Donald Faison, *Scrubs* (NBC)
Dorien Wilson, *The Parkers*
Reggie Hayes, *Girlfriends*

Outstanding Supporting Actress in a Comedy Series
Camille Winbush, *The Bernie Mac Show*
Essence Atkins, *Half & Half*
Telma Hopkins, *Half & Half*
Valarie Pettiford, *Half & Half*
Wanda Sykes, *Curb Your Enthusiasm* (HBO)

TELEVISION DRAMA:

Outstanding Actor in a Drama Series
Gary Dourdan, *CSI* (CBS)
Hill Harper, *CSI: NY* (CBS)
Jesse L. Martin, *Law & Order* (NBC)
Steve Harris, *The Practice* (ABC)
Taye Diggs, *Kevin Hill* (UPN)

Outstanding Actress in a Drama Series
Mallinda Williams, *Soul Food* (Showtime)
Nia Long, *Third Watch* (NBC)
Nicole Ari Parker, *Soul Food*
Vanessa Williams, *Soul Food*
Vivica Fox, *Missing* (Lifetime)



Nia Long

Vivica Fox

Outstanding Supporting Actor in a Drama Series
Darrin Dewitt Henson, *Soul Food*
Dulé Hill, *The West Wing* (NBC)
Idris Elba, *The Wire* (HBO)
Mekhi Phifer, *ER* (NBC)
Omar Epps, *House* (Fox)

Outstanding Supporting Actress in a Drama Series
Diahann Carroll, *Soul Food*
Jasmine Guy, *Dead Like Me* (Showtime)
Khandi Alexander, *CSI: Miami* (CBS)

**SPECIAL REPORT:
African-Americans on TV
The Image & The Reality**

Pam Grier, *The L Word* (Showtime)
Sonja Sohn, *The Wire* (HBO)

**TELEVISION MOVIE, MINISERIES,
OR DRAMATIC SPECIAL:**

**Outstanding Television Movie,
Miniseries, or Dramatic Special**
Crown Heights (Showtime)
Justice (Starz)
Redemption (FX)
Something the Lord Made (HBO)
Walking on Sunshine (BET)

**Outstanding Actor in a Television
Movie, Miniseries, or Dramatic
Special**

Dulé Hill, *10.5* (NBC)
Flex Alexander, *Man in the Mirror:
The Michael Jackson Story* (VH1)
Jamie Foxx, *Redemption*
Mos Def, *Something the Lord
Made*
Wayne Brady, *Going to the Mat*
(Disney)

**Outstanding Actress in a Television
Movie, Miniseries, or Dramatic
Special**

Gabrielle Union, *Something the
Lord Made*
Keke Palmer, *The Wool Cap* (TNT)
Lynn Whitfield, *Redemption*
Tangii Miller, *Phantom Force*
(Sci Fi)
Tyra Ferrell, *NTSB: The Crash of
Flight 323* (ABC)

TELEVISION DAYTIME DRAMA:

**Outstanding Actor in a Daytime
Drama Series**

Bryten McClure, *The Young and the
Restless* (CBS)
Keith Hamilton Cobb, *The Young and
the Restless*
Kristoff St. John, *The Young and the
Restless*
Michael Jordan, *All My Children* (ABC)
Shemar Moore, *The Young and the
Restless*

**Outstanding Actress in a Daytime
Drama Series**

Christel Khalil, *The Young and the
Restless*
Marla Gibbs, *Passions*
Tonya Lee Williams, *The Young and
the Restless*
Tracey Ross, *Passions*
Victoria Rowell, *The Young and the
Restless*

TV NEWS, TALK, OR INFORMATION:

**Outstanding Television News, Talk, or
Information (Series or Special)**
**60 Minutes: The Murder of Emmett
Till** (CBS)
Beah: A Black Woman Speaks (HBO)
**Brown vs. Board of Education
Anniversary** (Court TV)
Judge Mathis (Syndicated)

Tavis Smiley (PBS)

TV VARIETY PROGRAMMING:

**Outstanding Variety (Series or
Special)**
American Idol III (Fox)

**Chris Rock: "Never Scared" Comedy
Special** (HBO)

Dave Chappelle: For What It's Worth
(Showtime)
Genius: A Night for Ray Charles (CBS)
**Russell Simmons Presents: Def
Poetry** (HBO)

**TELEVISION YOUTH OR
CHILDREN'S SERIES/SPECIAL:**

**Outstanding Performance in a
Youth/ Children's Series/Special**
Jo Marie Payton, *The Proud Family*
(Disney)

Kyla Pratt, *The Proud Family*
LeVer Burton, *Reading Rainbow*
(PBS)

Raven Symone, *That's So Raven*
(Disney)
Tommy Davidson, *The Proud
Family*

**CELEBRATING
BLACK HISTORY
365 DAYS A YEAR**

**THE
WORD**
Network

The Urban Religious Channel

WWW.THEWORDNETWORK.ORG 248-357-4566

**THE UNDISPUTED SOURCE FOR URBAN MINISTRIES AND GOSPEL MUSIC!
THE WORD NETWORK FAMILY 35 MILLION HOMES AND GROWING**

Fast Track

Continued from page 4

'Buster' Producer Is 'Reinvited' to DoE Panel

The Department of Education has reinvited *Postcards From Buster* executive producer Carol Greenwald to speak at a joint PBS/DOE kids'-TV conference in Baltimore. DoE Press Secretary Susan Aspey says the "uninviting" was a mistake and the department has apologized. According to a spokeswoman for WGBH Boston, where *Buster* is produced, Greenwald, who was attending the conference anyway, was contacted by a DOE staffer there Thursday, told that it had all been a misunderstanding and asked to rejoin the panel. She graciously accepted, said WGBH's Jeanne Hopkins.—J.E.

FAST TRACK

FCC to Sinclair: No! Again!

For the fourth time, the FCC this week will give the thumbs down to Sinclair Broadcast Group's bid to buy five stations from Cunningham Broadcasting.

Sinclair already owns stations in the affected markets, which are too small to permit two-station "duopolies" under FCC rules. FCC commissioners are expected to vote no, again, at their monthly meeting Feb. 10. Sinclair already operates the five stations under local marketing agreements but would have to sell them if the FCC outlaws LMAs. Critics say such partnerships allow owners to circumvent rules designed to prevent one company from dominating a local TV market. The FCC voted to phase out LMAs long ago, but the status of the ban is in limbo because of ongoing court fights over all broadcast-ownership limits.

Sinclair's wants permission to buy WGRT Dayton, Ohio; WVAH Charleston, W.Va.; WTAT Charleston, S.C.; WTTE Columbus, Ohio; and WNUV Baltimore. The stations are currently owned by Cunningham Broadcasting, a company 7.2% owned by Carolyn Smith, mother of Sinclair Chief Executive David Smith. Prior to 2002, Cunningham was named Glencairn Ltd.—J.M.H.

Herzog To Drive Spike

It's official: Comedy Central President Doug Herzog will also head co-owned Spike TV as president of the network, reporting to MTV Networks Group President Herb Scannell while wearing his Spike hat and to MTV Networks Chairman Judy McGrath for Comedy. The two networks under Herzog's purview will now form a separate unit within MTV Networks.

PTC Doesn't Want Its MTV

Forget MTV: Music Television's halftime: It's the rest of the time that the Parents Television Council is worried about.

On the one-year anniversary of MTV's Janet Jackson Super Bowl reveal, the group released an analysis of 171 hours of MTV programming over its Spring Break week March 20-27 and said it found that the cable service was delivering "8.9 un-bleeped profanities per hour and an additional 18.3 bleeped profanities per hour," plus "nine sexual scenes per hour," with "18 sexual depictions and 17 instances of sexual dialogue or innuendo" on top of that.

PTC compared that with its study of broadcast prime time program-

ing, where it found an average 5.8 instances of sexual content in the 10 p.m. hour, when indecency is protected on broadcast TV.

The study found that MTV's reality shows had more sex than the music videos and that the winner of most sexual segments was *Spring Break Fantasies*, at 32 per hour. PTC was pitching the study as ammunition for requiring cable companies to give consumers more control over their cable lineups, including offering their channels à la carte.

Said MTV spokeswoman Jeanie Kedas, "We follow the same industrywide standards that broadcast nets follow. We don't have any obscenities on our air. We may even have stricter language standards than many radio stations."—J.E.

Herzog's appointment comes after Albie Hecht, president of Spike since January 2003, resigned, citing creative differences with MTV.—J.M.H.

'Enterprise' Ends Its Trek



UPN and co-owned Paramount have decided to pull the plug on new episodes of *Star Trek: Enterprise* after this season.

May 13 will be the end date of its four-season mission. The prequel to the original *Star Trek*, the series has been sold in syndication in more than 90% of the country for a fall 2005 launch. *Star Trek: E's* departure could mark the end for new incarnations of the 40-year-old franchise, which ultimately spanned five TV shows and 10 feature films. Viacom Co-President and Co-COO Les Moonves told reporters last month that *Star Trek's* time may have come and gone.—J.E.

State of the Union: Down

President Bush's State of the Union address drew around 39 million viewers, down substantially from previous addresses, in which terrorism attacks and U.S. wars were more central.

NBC drew the biggest audience for the speech, around 8 million viewers. On cable, Fox News reported an average audience of 5 million viewers, five times CNN's audience and a jump from previous years. MSNBC drew

723,00 viewers. CNN lost half the audience it scored during last year's address.—A.R.

Cablevision's John Tatta Dies

A longtime Cablevision Systems executive who helped Chairman Chuck Dolan create the company, John Tatta, 84, died last week of bone cancer. Tatta joined Dolan's Sterling Cable, which created Manhattan Cable, in 1996. He was in charge of laying underground cable throughout Manhattan. When Dolan sold Sterling to Time Inc. in 1973, Tatta followed Dolan out to Long Island, where they started building an operation that now covers the entire island. Tatta served as Cablevision's president from 1981 to 1992. He remained a board member until his death.

He is survived by his wife, the former Anne Frasca, whom he married in 1949; two daughters and eight grandchildren.—J.M.H.

BVT'S Steven Cohen Dies

Steven Cohen, 33, VP of business and legal affairs for Buena Vista Television, died suddenly in his sleep Jan. 31. A cause of death is still to be determined. Cohen joined BVT in January 2000 as director of business affairs and was named to his latest post in March 2003. He was described last week as a rising star in the Disney division by BVT President Janice Marinelli: "An outstanding human being, Steven had



Steve Cohen

a thirst and passion for learning and always kept one step ahead." Cohen is survived by his wife of 10 months, Brielle, who is expecting their first child in July; his parents, Penny and Howard Cohen, of Denver; and a sister, Eden Cohen, also of Denver.—J.E.

'Apprentice', Stewart-Style

Once Martha Stewart is out of jail, NBC will launch *The Apprentice: Martha Stewart* in prime time in the same format it uses for the Donald Trump version of the NBC hit. NBC Universal TV Group President Jeff Zucker, executive producer Mark Burnett and Trump announced the show in a joint press conference last week.

Stewart's show, like the Trump version, will be looking for an executive to work for her company, Martha Stewart Omnimedia.

Zucker says work could start on the show while Stewart is still under house arrest (convicted for lying to federal investigators about a stock trade, she is in prison until March, then on house arrest through August). A 27-city casting tour for Trump and Stewart is under way.—P.J.B.



Martha Stewart

Corrections

"Ad Sales Made Easy" (1/31, page 28) contained several misstatements. The Strata Marketing software allows orders, not contracts, to be sent to rep firms, not television stations. The assertion that 70%-80% of all TV-spot invoices are discrepant is an industry estimate, not TVB's. Currently, sales orders are sent via either fax or e-mail, not fax or regular mail. It is Donovan Data Systems (DDS), not Donovan Advertising and Marketing Services. TVB Executive Vice President Abby Auerbach said 10 of the 11 major agencies use DARE (Direct Agency Rep Exchange); she did not say they use Donovan. Also, the Strata capability comes as a result of the work done by the TVB tech-standards task force, including DDS, Harris and Strata.

FX's *The Shield* makes its fourth season debut at 10 p.m. on March 15. A chart on page 12, which for production reasons was printed in advance, has the wrong time.

Broadcasting & Cable's

NAB 2005

Technology Special Reports

FEBRUARY 28, 2005

NAB SELLER'S GUIDE – TV NETWORKS

A network by network snapshot on technology needs and purchases planned for NAB 2005. We talk with the top technology buyers from major networks to find out what's on their shopping list.

MARCH 14, 2005

NAB SELLER'S GUIDE – MAJOR STATION GROUPS

What are the major station groups looking for in Las Vegas? As these key buyers free up capital spending – they'll tell us what is on their shopping list for the show.

MARCH 21, 2005

ROAD TO NAB #1 – NEWSROOM OPERATIONS

Newsroom technology continues to dominate the shopping needs of television technology buyers. We'll take an end to end look at what's ahead at NAB 2005 in this category.

APRIL 4, 2005

ROAD TO NAB #2 – STATION OPERATIONS

Our NAB build up continues with a look at TV station operations and the category of products serving these needs including: Servers, Asset management, Production switchers, Routing switchers, Automation, Graphics & more.

APRIL 11, 2005

ROAD TO NAB #3 – IT INFRASTRUCTURE

The move to an IT Based Infrastructure is driving the changes in stations and network facilities, we'll examine this movement and the opportunities at NAB 2005 for broadcasters.

APRIL 18, 2005

NAB CONVENTION ISSUE – TOP 25 TV GROUPS

Our Convention Issue features analysis of the Top 25 TV Groups, Station Operations plus expanded technology coverage.

BONUS DISTRIBUTION – Exclusive NAB Conference Bag Distribution of 7000 plus Show Floor Distribution.

SPECIAL SUPPLEMENT – Technology Leadership Awards

APRIL 25, 2005

NAB WRAP-UP ISSUE

We'll get the word out the week after NAB with a rundown of major technology deals and important product introductions from the show. A great environment to remind buyers of your offerings.

To reach over 20,000 top level television executives, call your B&C sales representative and reserve your advertising space today.

NAB 2005 - TECHNOLOGY SPECIAL REPORTS

LARRY DUNN: 646.746.6572 ldunn@reedbusiness.com

PAUL MAURIELLO: 646.746.6960 pmauriello@reedbusiness.com

CHERYL MAHON: 646.746.6528 cmahon@reedbusiness.com

JASON GREENBLATT: 646.746.6413 jason.greenblatt@reedbusiness.com

TERRY CITY: 323.549.4114 tcity@reedbusiness.com

BRIAN CAMPBELL: 303.470.4874 bcampbell@reedbusiness.com

SAMMY PATEL: 646.746.6933 sammy.patel@reedbusiness.com

CLASSIFIED ADVERTISING:

YUKI ATSUMI: 646.746.6949 yatsumi@reedbusiness.com

www.broadcastingcable.com

World Radio History

THE BUSINESS OF TELEVISION



BROADCASTING & CABLE



CAREERS

TELEVISION

RESEARCH CAREERS

RESEARCH MANAGER

ABC7/NewsChannel 8 Washington, D.C. seeks experienced Research Manager to manage all audience research operations for ABC affiliate and 24-hour local cable news channel. Qualified candidates should have a minimum of 5 years experience with in-depth knowledge of and practical experience using qualitative and quantitative research tools to provide timely, accurate and insightful analyses for all aspects of station operations. Knowledge of Nielsen and Scarborough a must. The qualified candidate will have corporate responsibilities and will report directly to the VP of Sales for Allbritton Communications Company. EOE. Please no phone calls. Send all resumes to: ABC7/ NewsChannel 8, Colette Colclough, Director of Human Resources, 1100 Wilson Blvd, 6th Floor, Arlington, VA 22209.

CREATIVE CAREERS

WRITER/PRODUCER

FOX 16/UPN 38 are seeking a talented Writer/Producer to join its Creative Services team. We are looking for a creative leader that loves the challenge of making cutting edge promos for programming, special events, and news. This position will require writing and producing compelling promotions daily. If you have the talent and desire to create winning, persuasive, gripping, and emotionally driven pieces we want to talk to you. Qualified candidates will have outstanding writing, producing, and non-linear editing skills and be able to work well with others under tight deadlines. Graphics and/or animation experience is a plus. Television experience is required; college degree preferred. E.O.E. Send resume and non-returnable reel to: Creative Services Director, FOX 16/ UPN 38, 10800 Colonel Glenn Rd., Little Rock, AR 72204.

SALES CAREERS

HIGHLY EXPERIENCED SALES REP NEEDED FOR TV SYNDICATION

"MAJOR STUDIO has New TV Series starring ROGER LODGE, (host of BLIND DATE) --- available for immediate Syndication." Plus package of 37 NEW FEATURES. Email resume to: profile2@webtv.net

MediaRecruiter.com

"We're looking for you!"

We're in touch with over 67,000 media professionals each week.
Currently 225+ Jobs - Nationwide
Managers - Sales Pros - Marketing & Research

SALES CAREERS

GENERAL SALES MANAGER

WHIO-TV in Dayton, OH, one of America's very best CBS affiliates, is seeking an exceptional candidate to lead our sales organization. Our new General Sales Manager will have a minimum of 5 years of television sales management experience and all the tools to provide energetic leadership to increase our high sales standards. In addition to being highly successful in traditional sales management functions, candidates should be well versed in new media, strategic planning and execution, and new revenue development. If you feel qualified we are excited and eager to hear from you. EMAIL resume to eric.zwarg@cox.com. WHIO-TV is an equal opportunity employer. M/F

MARKETING SALES ACCOUNT EXECUTIVE

Unique opportunity for select candidate to build Internet Sales activity and seek new business technologies as they relate to the broadcast arena. Responsible for developing new business and generating revenue through promotion and sponsorship. Understanding of marketing and promotions from concept to final execution, with enthusiastic sales attitude for "getting the job done." Presentation and computer skills should include Powerpoint and Excel. College degree required. Contact Chris Reller, WLS-TV, 190 North State Street, Chicago, IL 60601. No phone calls, please. EOE

MANAGEMENT CAREERS

TELEVISION GENERAL MANAGER

Saga Communications, a leader in the Broadcasting Industry, has an exciting opportunity for the right person. We are seeking a General Manager for WXVT, our CBS Affiliate in Greenville, MS. The ideal candidate will have a proven sales management background at a minimum, and the ability and desire to run your own operation. Interest from General Sales Managers is welcome. This is not a desk job. Successful candidates will have the ability to create and motivate new sales opportunities while leading a successful News Department and station to even larger ratings. Saga Communications nurtures an entrepreneurial spirit in its stations. Being able to envision the best and achieve it is a critical asset to the successful candidate. Send a complete resume with salary history and requirements to: Danny Thomas, President/General Manager, KOAM-TV, P.O. Box 659 Pittsburg, KS 66762. EOE

NEWS CAREERS

VICE PRESIDENT - NEWS

WOFL/WRBW, the FOX O&O duopoly in Orlando, FL has an opportunity for an experienced news professional to direct and manage the daily news operations of WOFL as well as news opportunities at WRBW (Orlando) and WOGX (Ocala). Responsibilities include program development, planning, recruiting and budget oversight. The successful candidate must be a strong hands on leader and motivator. A minimum of 5 years news management experience is preferred. Send letter of interest and resume to: WOFL-FOX35, Attn: HR Dept/BC, 35 Skyline Drive, Lake Mary, FL 32746. No phone calls please. EOE/M/F/D/V.

WEEKEND ANCHOR/REPORTER

WHNS-TV FOX Carolina (Greenville-Spartanburg-Asheville) Meredith Broadcasting is searching for a Weekend Anchor/Reporter with two years experience at a commercial TV Station. This position is responsible for anchoring the weekend newscast, and assists in writing the news programs. Reporting duties are required on a regular basis and you must have excellent story abilities. Please reply with resume and VHS tape to News Director/WA-R, WHNS-TV, 21 Interstate Court, Greenville, SC 29615. EOE

ANCHOR/REPORTER

Kvue, the Belo Corp owned ABC affiliate in Austin, Texas is looking for someone to anchor its primary newscasts. The successful candidate will be an experienced journalist, a skilled anchor, and a team player whose reporting skills will often be needed. Kvue is the highest rated and most honored station in Austin. We need someone who will achieve excellence and work to carry on the winning traditions of Kvue. Please send a VHS tape, resume and list of references to: Frank Volpicella Executive News Director Kvue Television, 3201 Steck Ave, Austin, Texas 78757. EOE

WEEKEND ANCHOR/REPORTER

FOX/MINNEAPOLIS

Join an exciting station that values strong talent and even stronger enterprise reporting. We'll hire a dynamic person who can complement co-anchor Tim Blotz. Candidate must anchor with energy and warmth. As a reporter, you must know how and where to break news. Send non-returnable tape, resume, references, and a letter describing specific methods/techniques that set you apart from everyone else to, KMSP-FOX9, Attn: Human Resources, 11358 Viking Drive, Eden Prairie, MN 55344. EOE/M/F/D/V

STATIONS FOR SALE

2 LPTV STATIONS

Washington, DC, combined 64 dBu coverage exceeds 2M households. May be collocated. Call Christopher Blair, (303) 593-1433, email syncommmedia@msn.com.

ALLIED FIELDS

DIRECTOR CAREERS

TELEVISION PRODUCTION DIRECTOR

Supervise the operation of the College's television studio. Oversee the production of television programs for the College and the County; coordinate programming, and direct & supervise the post-production activities. Operate, calibrate & test all types of video equipment, must be able to perform minor repairs. B.A. in Mass Media Production or appropriate discipline required., M.A. desired. 3 yrs. exp. directing in-studio and field-produced television programs reqd. and must be able to operate television automation systems, studio and satellite receiving equipment. Ability to work under pressure of deadlines and work flexible hours, based on production schedules reqd. Hiring Salary: \$29,500/yr. to \$43,500/yr. Exc. bnfts. Appl/resume, transcripts & letters of reference to: Ocean County College, HR Dept., PO Box 2001, Toms River, NJ 08754 by 3/18/05. Fax: (732) 255-0516. Email: Lmorrocco@ocean.edu. AA/EOE.

VARIETY CAREERS
THE MEDIA & ENTERTAINMENT JOB SITE

LOOKING FOR
A JOB?
CHECK OUT:
www.varietycareers.com

POWERED BY:
BROADCASTING-CABLE Multichannel
VARIETY VB!

Get the latest industry news at: www.broadcastingcable.com

- or -

Sign up for our daily e-newsletter at:
www.broadcastingcable.com/subscribe.asp



C A R E E R S

ALLIED FIELDS

TECHNICAL CAREERS

CUSTOMER ENGINEERING MANAGER

LOCATION: Princeton, NJ. REPORTS TO: Vice President, Media & Entertainment Sales. Established in 1973, SES AMERICOM is the largest supplier of satellite services in the U.S. and is recognized for the delivery of the highest quality satellite communications services. The company currently operates a fleet of spacecraft in orbital positions providing service throughout the Americas. As a member of the SES GLOBAL family, AMERICOM is able to provide end-to-end telecommunications solutions to any region in the world. Based in Princeton, New Jersey, SES AMERICOM maintains offices in the United States, Europe, South America and Asia. We are a wholly owned subsidiary of SES Global S.A., offering access to a fleet of over 40 spacecraft operated by the world's leading satellite operators. For more information, visit www.ses-amicom.com. EXPERIENCE/QUALIFICATIONS: *5+ years experience in engineering satellite-based services. *Bachelors degree required. *Strong knowledge of Digital Video and/or IP/Internet Networks interfacing with satellite services; link budgets; and other commercial satellite communications services. *Demonstrated ability to effectively interface with internal and external customers. *Strong written and oral communications skills. *Ability to multi-task on projects. ESSENTIAL JOB FUNCTIONS: *Translate customer needs into quantifiable technical requirements, mainly in areas of satellite transmission for media and entertainment (e.g. cable and broadcast TV). *Assist Sales Managers in defining technical requirements, competitive status and prepare transponder proposals. *Interface with the Engineering departments for proposal requests involving ground segments and/or link budgets. *Provide on-going technical interface with customers for new services, expansion of existing services, and technology consultation. *Direct technical demonstrations at trade shows. *Travel required up to 25%. EOE/AA RESUMES ACCEPTED VIA EMAIL ONLY. PLEASE EMAIL RESUME TO: hr.americom@ses-amicom.com. SUBJECT LINE SHOULD STATE YOUR LAST NAME AND JOB # 05-02.

PROFESSIONAL CARDS & SERVICES

du Treil, Lundin & Rackley, Inc.

CONSULTING ENGINEERS



201 Fletcher Avenue
Sarasota, Florida 34237
(941) 329-6000
www.DLR.com

Member AFCCE



Serving Broadcasters Since 1948

9049 Shady Grove Court
Gaithersburg, MD 20877
(301) 921-0115
Fax (301) 590-9757
mullaney@mullengr.com

24/7 Teleport Facility with Ku and C band
Network Origination
Transmission Services

1-800-605-3590
www.NorthStarStudios.tv

Munn-Reese, Inc.

Broadcast Engineering Consultants
P.O. Box 220
Coldwater, Michigan 49036
Phone: 517-278-7339
Fax: 517-278-6973
www.munn-reese.com

CARL T. JONES
CORPORATION

CONSULTING ENGINEERS

7901 Yarnwood Court
Springfield, Virginia 22153
(703) 569-7704 fax (703) 569-6417
MEMBER AFCCE www.ctjc.com

CAYELL MERZ & DAVIS INC.
Broadcast and Communications Consulting Engineers

7839 Ashton Avenue
Manassas, VA 20109
703-392-9090

www.CMDconsulting.com
www.FCCinfo.com
Member AFCCE



Broadcasting & Cable 2005 Classified Advertising Rates

CLASSIFIED LINE AD (TEXT ONLY)
\$4.03 PER WORD, MIN. 20 WORDS

CLASSIFIED DISPLAY AD (BOXED W/LOGO)
\$342 PER COLUMN INCH,
MINIMUM 1 COL X 1"
*ASK FOR OUR CABLE RATE

OTHER

ONLINE POSTING: PRINT + \$355
ONLINE ONLY: \$805 FLAT
BLIND BOX: PRINT + \$55

COLUMN WIDTHS

1 COLUMN: 2-1/4"
2 COLUMNS: 4-5/8"
MAX. HEIGHT 11"

CONTACT INFORMATION

CONTACT: YUKI ATSUMI
EMAIL: YATSUMI@REEDBUSINESS.COM

PHONE: 646-746-6949
FAX: 646-746-6954

HATFIELD & DAWSON

Consulting Engineers
9500 Greenwood Ave., N.
Seattle, Washington 98103
(206) 783-9151
Facsimile (206) 789-9834
www.hatdaw.com
MEMBER AFCCE

HAMMETT & EDISON, INC.

CONSULTING ENGINEERS
Box 280068
San Francisco, California 94128
HE 707/996-5200
202/396-5200
www.h-e.com

John F.X. Browne & Associates

A Professional Corporation
Member AFCCE
BROADCAST/TELECOMMUNICATIONS
Bloomfield Hills, MI Washington, DC
248.642.6226 (TEL) 202.293.2020
248.642.6027 (FAX) 202.293.2021
www.jfxb.com

BURST Turnkey TV Systems
Custom Integration

RF Transmission
MPEG Encoding
Studios
Master Control Rooms

www.burstvideo.com
Contact Kirk for info
303-649-9600

hispanic television update | e-newsletter

TWICE A MONTH WE WILL DELIVER:

- ▶ News and industry updates
- ▶ TV networks, stations, cable MSO's & systems, agencies
- ▶ Q&A's with executives making a difference in Hispanic TV
- ▶ The people behind Hispanic Television
- ▶ Audience and subscriber data
- ▶ Career movement and classified opportunities

For Advertising Executives, Advertising Agencies, Advertisers, Cable Systems and MSO's, Broadcast Stations and TV/Cable Networks - you'll want to receive this twice monthly definitive source of Hispanic Television.

To subscribe, go to:

www.broadcastingcable.com/newsletters

For sponsorship information:

Larry Dunn
646.746.6572
ldunn@reedbusiness.com

For editorial contact:

HispanicTV@reedbusiness.com



Multichannel

YOUR SOURCE FOR HISPANIC TELEVISION

Right Idea, Wrong Message

We were pleased last week when the National Association of Broadcasters, the sleeping giant on indecency, finally awakened. But we wish its anger had been directed more at the FCC and less at cable.

Phil Lombardo, chairman of the NAB joint board, railed against the FCC for fining radio and TV stations for indecency while doing nothing about cable and satellite operators.

But he chose to bait cable rather than spear the FCC. "At the same time that indecency regulations are being ratcheted up against local broadcasters," he complained, "cable giants like Comcast and Time Warner are raking in hundreds of millions a year from pay-per-view hardcore pornography."

His eventual point, fortunately, was that a continuing avalanche of fines or threat of fines could cripple local broadcasting by making it more timid and emptying its piggy bank. But by referring to cable's sleaziest corner, Lombardo sounded as though he were proposing that the FCC start a cable/DBS witch hunt. Bad move.

Explaining the regulatory differences between cable and broadcasting to the average person is really nothing an average person should have to endure. Suffice it to say, there should never be indecency regulations on cable or satellite. But we're sure millions of righteous viewers would love to put the squeeze on pay TV.

Let's get down to one or two facts. Lombardo says that, last year, the FCC levied \$7.7 million in indecency fines against broadcasters. Cable, as far as we can tell, hasn't been fined

a penny by anyone but continues to draw kudos because cable—unregulated cable—is considered hipper, edgier and more willing to take risks.

By comparison, the broadcast networks are now parodies of virtue: We note, with amazement, that cable's Fox Sports Net program *The Best Damn Sports Show Period* retitled itself *The Best Darn Sports Road Show Period* when it aired on the Fox broadcast network prior to last Sunday's Super Bowl. (Fox thought it might get fined for using the "damn" on broadcast TV. In 2005?)

What Lombardo ought to have said is that broadcasters should be as unshackled as cable. The fact is, broadcast networks—when they have not been cowed by the FCC—still don't allow nudity or profanity except in extraordinary circumstances, or by mistake. And in the history of television, there have been remarkably few mistakes like that.

If broadcasters want to be as crude as cable, they should certainly have that right, which is what Lombardo, and every broadcaster, should say and keep saying. Indeed, Lombardo and the NAB should have said something sooner, louder and better.

The organization has been good at getting Congress to tread lightly on the business of broadcasting but has not taken the lead on controversial battles over the First Amendment. Lombardo says the NAB has \$2.5 million set aside to fight indecency issues in court.

It's time to use it. This business is about freedom of speech.

EDITORIAL

Powell's Legacy: He Riled the Masses

The Bush administration's decision to let stand the U.S. Court of Appeals' overturning of the FCC's 2003 media-ownership decision as "arbitrary and capricious" is a welcome and well-deserved ending to a sorry chapter in not only media regulation but in American democratic government.

From the very start of the media-ownership proceeding, the FCC's eventual decision to permit more newspaper/television crossownership, more network-owned local stations, more local duopolies and triopolies, more consolidation and more concentration had the smell of a done deal. Astonishingly, for such a far-reaching initiative that could have profound implications on our nation's democracy and culture, the FCC scheduled not one public hearing.

When a delegation of labor representatives brought this oversight to the attention of FCC Media Bureau Chief Ken Ferree, he dismissed the idea of public hearings as unhelpful to the commission—"an exercise in foot-stomping."

FCC Chairman Michael K. Powell evinced a similar troubling lack of curiosity about the public's views on

his ambitious deregulatory agenda. Finally, bowing to widespread bipartisan criticism, Powell agreed to make time in his busy schedule of attending industry events—trips often paid for by the industry, a practice heavily criticized and now halted—to hear from the public at a single public hearing in Richmond, Va. There, 90 miles outside the Beltway, the FCC heard testimony mostly from the "usual suspects," the inside-the-Beltway crowd. Few were persuaded that the real American public had been given a meaningful chance to participate.

Many Americans, including the creative artists who formed the Center for Creative Voices in Media, felt they had no choice but to organize. Indeed, Powell's legacy as chairman of the FCC may be that, more than any other person, he is responsible for the emergence and success of the nation's media-reform movement. His performance in the media-ownership proceeding was a galvanizing example of how not to regulate "in the public interest," prompting over 3 million Americans to file protesting—and unheeded—comments with the commission.

Now it appears the FCC will have to

take up yet again its media-ownership rules. This time, the media-reform movement that Powell aroused calls on the FCC to reconsider its fundamentally flawed 2003 order and establish new media policies that promote its oft-stated—and oft-ignored—core values of localism, competition and diversity of viewpoints and voices.

And this time, before the FCC adopts new rules, it must let the public meaningfully weigh in and help define exactly what constitutes the "public interest." The full commission should, at a minimum, schedule hearings across the country to engage the American people on the future of their media and gain a better understanding of the impact of media consolidation on our nation's communities, democracy and culture. If it does not, yet another flawed media-ownership deal will emerge from behind closed doors to serve only the interests of the media conglomerates.

In our democracy, that is something the public has no interest in.

Rintels is the executive director of the Washington-based Center for Creative Voices in Media.

AIRTIME
By Jonathan Rintels

OPEN MIKE

How About Bias At 'B&C'?

Editor: Your *B&C* editorial "The Real CBS Bias" (1/17, page 78) merely adds another nine paragraphs to the media's complicity in the CBS whitewash. Your willingness to accept their "Gee, we worked on the story for three years, considered questionable documents a godsend to our manufactured attack on the president of the United States, and were desperate to release the story before the election" disclaimer makes your *B&C* editor as gullible as CBS is disingenuous.

Please, this is a network that will pray for and broadcast anything that could possibly embarrass George W. Bush. One has to wonder if you would have been so forgiving had the fraud been committed by, say, Fox News.

Equally amusing is the "We just didn't know" and "But they didn't follow our instructions" chaff dispensed by those ultimately responsible for CBS's broadcasting and staffing. Apparently, the "If he didn't know, he should have" rationale so frequently employed against the president by CBS journalists comes with a media exemption.

Despite your straight-faced assertion that Les Moonves has learned his lesson and will never allow this to happen again, the same CBS honchos live on. Your own J. Max Robins (*The Robins Report*: "A Real Page Turner," 1/17, page 9) now proposes a CBS alliance with CNN. That would be more of a synergy of dishonesty than a cleanup.

Fortunately, the American public (and your readers) has enough common sense and recognition of media bias to know that you're both spinning.

Todd Halberg
Denver

WE LIKE LETTERS

If you have a comment about anything in *B&C* or the media business, we'd like you to share. Send your letters, with a daytime phone number. E-mail: bnclatters@reedbusiness.com; fax: 646-746-7028; or mail to BROADCASTING & CABLE, Letters to the Editor, 360 Park Ave. South, New York, NY 10010. We reserve the right to edit.

TWO CENTS

"If I'm a baseball broadcaster for the St. Louis Cardinals and I found out in the team hotel, on a bus, talking to a guy, that someone's on steroids, is that something I would tell the fans? My answer to that was no, it's not my job, and I stand by that."

Fox Sports play-by-play announcer (and Cardinals broadcaster) Joe Buck, elaborating on his "I'm not a journalist" response to a question about steroids posed by Bernard Goldberg on HBO's *Real Sports*

INDUSTRY JOBS

brought to you by VarietyCareers.com

A Career Where Anything's Possible.



TIME WARNER CABLE

To explore opportunities with Time Warner Cable, visit www.varietycareers.com



G4TECHTV

We are hiring!

For more information visit our website www.g4techtv.com

Or see a complete listing of our career opportunities on www.varietycareers.com



The **best jobs** in the industry begin at **E! Networks**

Make your next move at www.VarietyCareers.com

Discover all the possibilities...

Not only are we the leading global real world media and entertainment company, with some of the best-loved networks in 155 countries and territories, we are ranked in the top 10 among "Best Companies" by *Working Mother* magazine.

The more you discover the more you'll see why you should be part of our team. We have Entry-level to Senior Executive opportunities available in:

- Media
- Production
- Marketing
- Sales
- Finance
- Technology
- And much more!



See a complete listing of opportunities at www.VarietyCareers.com. An Equal Opportunity Employer.

For information about professional opportunities at Turner Broadcasting System, Inc., visit www.varietycareers.com



A Time Warner Company



Check out our job opportunities on VarietyCareers.com



PBS

Be more inspired with PBS

Job opportunities available at www.pbs.org/jobs or www.varietycareers.com

THE SPOTLIGHT IS ON YOU!



FOX is hiring.
Go to: FoxCareers.com

You can also view our job opportunities at www.VarietyCareers.com


Check out great job opportunities at Rainbow Media on www.varietycareers.com



RADIO ONE
THE URBAN RADIO SPECIALIST

JOIN RADIO ONE, INC. LOCATED IN 22 MARKETS ACROSS THE COUNTRY!
EMAIL RESUMES TO: employment@radio-one.com
OR FAX TO: (301) 918-9274

Check out our open positions at www.varietycareers.com



Warner Bros. Studios is in the business of ideas. By blending creative freedom with diverse points of view, we have achieved an environment in which anything is possible.

Check out the possibilities at www.varietycareers.com

© 2004 Warner Bros. Entertainment Inc. All rights reserved.

comcast

Join the many faces of Comcast

For a listing of career opportunities visit: www.comcast.com or www.varietycareers.com

Comcast is an Equal Opportunity/Affirmative Action/Drug-free workplace employer

ONLINE. WORLDWIDE.
www.varietycareers.com

VARIETY CAREERS
THE MEDIA & ENTERTAINMENT JOB SITE

For more information: varietycareers@reedbusiness.com or 800.357.4745

POWERED BY:
BC Multichannel  VB

To Live and Try in L.A.

The sun, the stars and the trials of Southern California

Since becoming governor, Arnold Schwarzenegger has emphasized promoting California's business climate, but so far the state's most burgeoning industry appears to be the frenetic merry-go-round of sensational trials.

From Scott Peterson to Robert Blake, Michael Jackson to Phil Spector, the true growth sector has been in attorneys seeking exposure as cable-TV legal commentators as well as in coffee shops near courtrooms. (Journalists are notoriously cheap when it comes to spending their per diems.)

As the Jackson circus comes to town, Blake and Spector will be temporarily sidelined, but that doesn't mean they can be ignored for long. Indeed, at times it's as if L.A.'s TV and radio stations should revise their slogans, adopting something like "There's more to life than trials, weather and sports; we just don't have time for it" or "Give us 22 minutes, and we'll put you on your way to a law degree."

All this is particularly perplexing for those who live and work around the area, given the vision of local life conveyed to the rest of the world since O.J. Simpson's trial a decade ago. Through the TV screen, everyone from Bakersfield to San Diego is simply an extra in the ongoing road show, a mix of red-carpet arrivals and sequestered juries, interrupted annually by the Rose Bowl.

Some residents actually embrace this peculiar side of Southern California life as a perk of living here. Take Vitello's, the Italian restaurant situated near CBS' Studio Center in Studio City, Calif., where

Blake was a regular (there's even a "Pasta à la Robert Blake" on the menu) and had dinner with his ex-wife shortly before her murder. Business is booming for the place, in a way I can't remember despite having gone there for roughly 15 years.

In fact, the first time I went in for dinner after the murder took place, there was a 20-minute wait on a Thursday, hardly par for the course. Going in, I bumped into a comedy writer I knew and asked why he had come to the restaurant. "Well, Mezzaluna closed," he quipped, referring to the Italian bistro

that figured prominently in the Simpson case.

This flippancy isn't to say these cases aren't interesting or even newsworthy. Michael Jackson is an enormously recognizable and disturbing figure, perhaps the ultimate example of the eccentricity (he says politely) that early fame can inflict. He's the reason all parents should think twice before they drag their kid to an audition.

BRIAN LOWRY

Those who see this place as a dreamy world of artifice and make-believe should remember that we all help keep this warped image alive.

Moreover, the relationship between the criminal-justice system and drama is hardly a new one, though these real-life cases are commanding so much attention that *Law & Order* might actually have to dream up stories instead of ripping them from the headlines. Then again, that series offers the catharsis of investigation, trial and verdict in an hour (or 44 minutes if you zap through the commercials), so it's an efficient way to get one's legal fix.

Still, watching the local and even national cable channels last week as they began to fill up with all things pertaining to the Gloved One (including a flurry of cable specials), it's hard not to fret about what's pushed to the margins. There's a war in Iraq, last I checked, and a second-term Bush administration talking about bringing freedom to the globe and blowing up Social Security. The Democratic Party is in disarray, and tsunami victims are still sorting through the remnants of that mind-boggling disaster.

So what do we obsess about? Well, for a stretch last Monday, it was Wacko Jacko simultaneously on Fox News, CNN and MSNBC. Even CNN's *Hannity & Colmes* took a break from applauding the Bushies long enough to chime in.

To put this in perspective, the big news this month from the largest city in the country's most populous state boiled down to a courtroom rotisserie of Jackson, Blake and Spector, along with what (or in fashion parlance, "who") Nicole Kidman will wear on the red carpet.

Admittedly, the preoccupation with lifestyles and deathstyles of the rich and famous is hardly new, and it certainly has its place. Still, those who see this place as La-la-land—a dreamy world of artifice and make-believe, freeway-close to both Disneyland and Jackson's Neverland estate—should remember that we all help keep this warped image alive, as we stare collectively into the media haze and can't stop inhaling the fumes. ■



Yet another superstar enters a courtroom metal detector.

Editor in Chief
J. Max Robins

Executive Editors
Mark Robichaux [News] **P.J. Bednarski** [Specials]

Art Director **Kent M.C. Lau**
Editor at Large **Mark Lasswell**
Washington Bureau Chief **John S. Eggerton**
Business Editor **John M. Higgins**
Features Editor **Fern Siegel**
Managing Editor **Susan Qualtrough**

Senior Writers
Bill McConnell [Washington]
Deborah Starr Seibel [Los Angeles]

Staff Writers
Anne Becker **Jim Finkle** [Los Angeles]
Ken Kerschbaumer [Technology] **Allison Romano**

Assistant Art Director **Forest Evashevski**
Assistant Editor **Joel Meyer**
Editorial Assistant **Melanie M. Clarke**

Contributing Editors
Paige Albiniak, **Brian Lowry**, **Joe Mandese**,
Howard Rosenberg, **Matt Roush**

Creative Consultant **JC Suarez**

Internet [New York] **Dave Levin**

Group Publisher
Chuck Bolkcom 646-746-6544

Advertising [New York]
Publishing Director **Larry Dunn** 646-746-6572
Marketing Services Manager **Michael Farina** 646-746-7231
Regional Sales Manager **Cheryl Mahon** 646-746-6528
Regional Sales Manager **Jason Greenblatt** 646-746-6413
Regional Sales Manager **Paul Mauriello** 646-746-6960
Regional Sales Manager **Sammy Patel** 646-746-6933
Art Director—Creative Services **Todd Berkowitz** 646-746-7064
Advertising Coordinator **Elaine Sturgis** 646-746-6541
Executive Assistant **Suzanne Natale** 646-746-6741

Advertising [Los Angeles]
Regional Sales Manager **Terry City** 323-549-4114
Director, Technology Advertising **Kathy Standage** 303-278-2689
Regional Sales Manager **Brian Campbell** 303-470-4874
Sales Coordinator **Eric Low** 323-549-4113

Classified Advertising [New York]
Yuki Atsumi Account Executive yatsumi@reedbusiness.com
Direct: 646-746-6949 Toll Free: 866-258-1075
360 Park Ave. South, New York, NY 10010; Fax: 646-746-6954

Summits/Events
Director, Special Projects **Sandy Friedman** 646-746-6740

Production [New York]
Production Manager **Farrakh Aponte** 646-746-6524
Production Coordinator **Medwin Pang** 646-746-6566

Circulation [New York]
Circulation Director **John LaMarca** 646-746-7080
Circulation Manager **Karen Looby** 646-746-7081

Subscriptions [Delivery]
Broadcasting & Cable: 800-554-5729
Online Customer Service: www.broadcatingcable.com/renew
Main E-mail: bnletters@reedbusiness.com
Broadcasting & Cable Yearbook: 800-521-8110
TV Fax: 800-554-5729, **TV Buyer:** 800-554-5729

Lists [Reprints]
Julie Cronin List Rental 800-323-4958 ext. 8348
jeronin@dm2lists.com
Reprints 888-825-3647 rbireprints@valeoIP.com

Offices
[New York]: 360 Park Avenue South, New York, NY 10010
646-746-6400; Edit Fax: 646-746-7028; Ad Fax: 646-746-6948
[Washington]: 1701 K Street NW, Suite 510, 20006
202-659-3852; Edit Fax: 202-659-2235
[Los Angeles]: 5700 Wilshire Blvd., Suite 120, 90036
323-549-4100; Edit Fax: 323-965-5327; Ad Fax: 323-965-2432

The Reed Television Group
President **Charlie Koones** 323-965-4441
Group Publisher **Chuck Bolkcom** 646-746-6544
Vice President, Editorial Development **Marianne Paskowski**
646-746-6581
Group Deputy Editorial Director **Carol Jordan** 646-746-6582
Associate Publisher, Marketing **Madelyn Hammond** 323-965-4439
Senior Director of Finance **Jim Guttridge** 646-746-6861
Director of Finance **Rawle Moore** 646-746-6445

Reed Business Information
Chief Executive Officer **Jim Casella**
President, Media Division **Ted Smith**
Vice President, Finance **Dan Hart**
Founder and Editor (1904-1982) **Sol Taishoff**

syndication television update | e-newsletter

YOUR SOURCE ON THE
SYNDICATION TELEVISION BUSINESS



BROADCASTING & CABLE PRESENTS:

The twice monthly Electronic Newsletter focuses on the Syndication Television Market. Delivered to your desktop, our Syndication Television Update E-Newsletter will cover the ever-changing business of Syndication—a marketplace that is buzzing with activity—with more stations, networks and advertisers paying attention.

TWICE A MONTH WE WILL DELIVER:

- ▶ Syndication News and Industry updates
- ▶ Programming Trends
- ▶ Syndication ad sales updates and analysis
- ▶ Q&A's with executives making a difference in Syndication
- ▶ The people behind Syndication Television Sales
- ▶ Sales and Ratings Updates
- ▶ Audience Data
- ▶ Career movement and classified opportunities

For Local Television/Network executives, Programming and Production executives, Advertising Agencies and Advertisers and Cable Network executives - you'll want to receive this semi monthly definitive source of Syndication Television news, data, successes and the sales executives that drive the Syndication Television Marketplace.

To subscribe, go to:
www.broadcastingcable.com/newsletters

For sponsorship information:

Larry Dunn

646.746.6572

ldunn@recbusiness.com

MARIO BATALI

BOBBY FLAY

MASAHARU MORIMOTO

THEY COOK. YOU CLEAN UP.



IRON CHEF AMERICA

THE SERIES

Watch the best chefs America has to offer in a sizzling culinary showdown.

**BRING MORE CUSTOMERS TO YOUR TABLE.
BE A PART OF IRON CHEF AMERICA.**

YOUR SECRET INGREDIENTS:

- "SCRATCH, WATCH & WIN" LOCAL AD SALES PROMOTION
- MARKETING INCENTIVE PROGRAM • HIGH SPEED INTERNET UPGRADE SPOT
- VOD AND BROADBAND CONTENT • CUSTOMIZABLE TUNE-IN MATERIALS



COMMENTATOR
ALTON BROWN



SUNDAY NIGHTS 9/8c

Don't be iron deficient! Call your Scripps Networks Representative now or visit Affiliate.ScrippsNetworks.com



World Radio History

© 2005 Television Food Network, G.P. All rights reserved.