



**Niche Networks**  
Small channels bank on clever marketing. TV5 (left) offers free dinners and French lessons. **Page 10**



"In Washington, there are no final victories and no final defeats."  
NAB'S EDDIE FRITTS ON FCC'S MUST-CARRY DECISION **PAGE 46**

FEBRUARY 14, 2005

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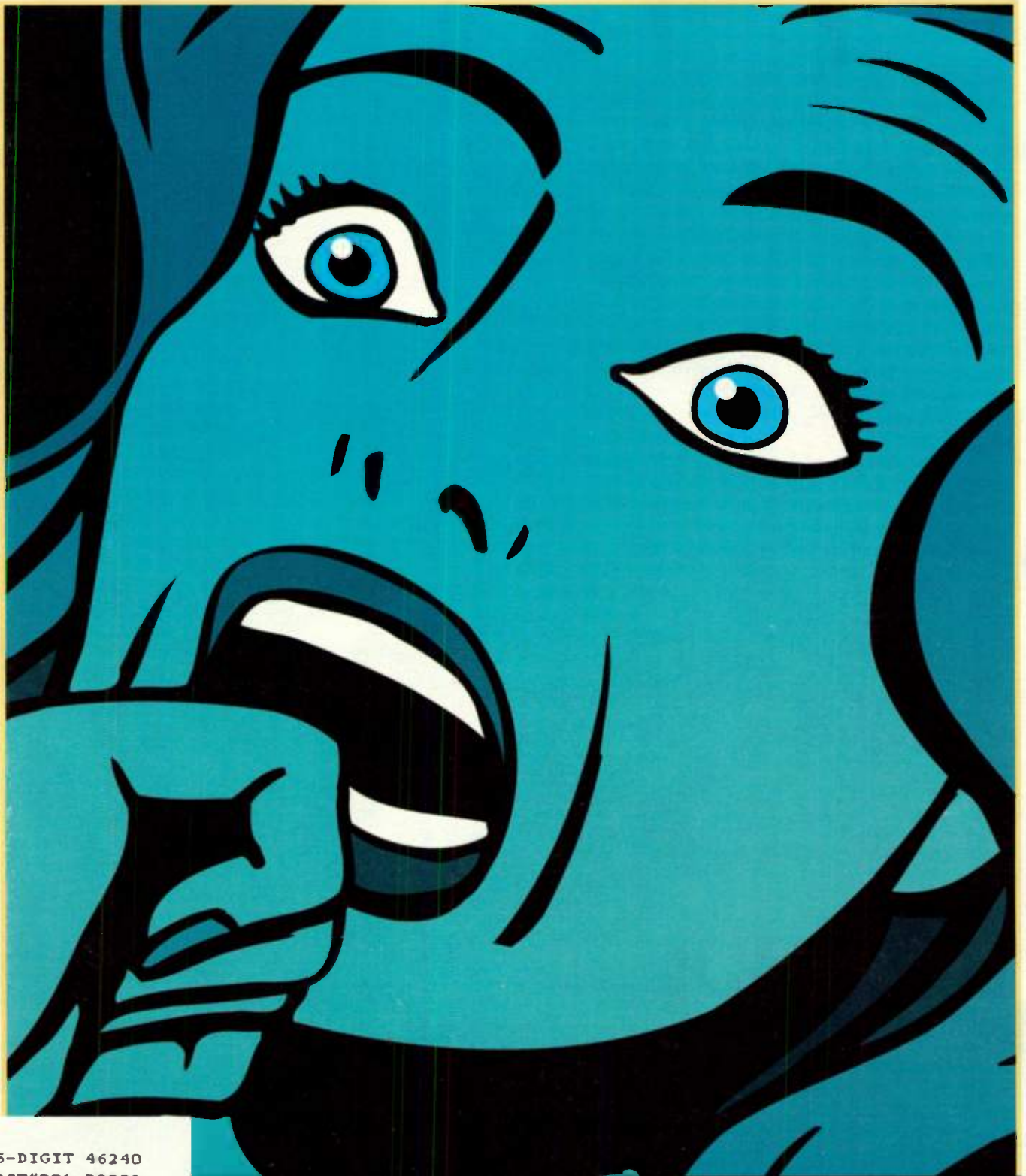
**SWEEPS**

**Beware 'Idol' Worship**

It keeps Fox on top, but *American Idol's* numbers tell only part of the February sweeps story. *Desperate Housewives*, *Medium* and *Numb3rs*, among others, are all hot.



*Medium's* Patricia Arquette **Page 8**



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**A Reality Waiting to Happen**

Unscripted TV tries to avert disaster By Deborah Starr Seibel **Page 14**





# MSNBC BEAT CNN

IN PRIMETIME COVERAGE OF THE STATE OF THE UNION ADDRESS



Keith Olbermann

Chris Matthews

Joe Scarborough

**It was one of the year's most-awaited news events.  
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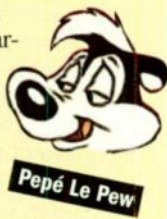


**B&C WEEK**

Where to be and what to watch...

**Monday, Feb. 14**

That amour-ish feeling rises with the sun this Valentine's Day as Cartoon Network's classic-animation channel Boomerang launches a **Pepé Le Pew** 24-hour marathon starting at 6 (ET). Seventeen shorts featuring the relentless **Looney Tunes** lothario—who, being an animated character, is immune to sexual-harassment lawsuits—will unfold in chronological order. Meanwhile, the animals at **Madison Square Garden in New York** will be *much* better behaved for the 129th **Westminster Kennel Club Dog Show**. USA Network calls its coverage **America's Dog Show** (two nights, 8 p.m. ET). Your host: newsman **Lester Holt**.



**Pepé Le Pew**



**Lester Holt**

What is Lester's expertise with dog shows? He works at MSNBC.

**Tuesday, Feb. 15**

It's like seeing store clerks trundling out the Christmas decorations the moment Halloween is over: Too. Freakin'. Soon! Nevertheless, here comes another TV upfront "season," which now lasts from midwinter until well into spring. First out of the box with presentations for advertisers is **Comcast Networks**. They're showcasing **E!, G4, The Golf Channel** and other Comcast holdings at **Cipriani 42nd Street**, a converted bank built when financial institutions were monuments to capital instead of being oversized ATMs. It is a great **New York** setting, and these early pitchathons can be fun. Then upfront fatigue sets in after a few weeks, lingering until May, when the broadcast networks swagger onto the scene with their gaudy affairs.

**Wednesday, Feb. 16**

Season premiere tonight: **Yes, Dear** (CBS, 9:30 p.m. ET), starring **Jean Louisa Kelly** and others. Yes, dear, you heard us right. The comedy that CBS couldn't be bothered to bring back for a fifth season last fall is being revived under the apparent



**Jean Louisa Kelly**

# New Media, New Thinking

By J. Max Robins

It was Lloyd Braun's new-media coming-out party. The former chairman of the ABC Entertainment Group was about to take the stage at the iMedia Brand Summit in Coconut Point, Fla., where I was ready to quiz him for the keynote Q&A. This would be Braun's first public gig in front of a new-media marketing crowd since he was named the head of Yahoo! Media Group, an interesting position for a heretofore decidedly old-media guy.

I wondered if maybe Braun was switching to new media because he had soured on TV after a rough ride at ABC. He had been mercilessly micromanaged by Michael Eisner and Bob Iger, his former bosses at corporate parent Disney. As chronicled in James B. Stewart's delicious new book **DisneyWar**, the Mouse House duo derided Braun for greenlighting **Lost** before they fired him last April—and before the show became a huge ABC hit.

Usually, deposed network chiefs either snare new jobs running other networks or studios or become independent producers, pitching shows to guys who do what they used to do. I asked Braun why he decided to take his career in such a markedly different direction. He said that, if he had found himself unemployed two years ago, he probably would have taken the typical former-TV-exec employment route. And it wasn't a hangover from the ABC experience that drove him into terra incognita. Braun said his move was prompted by something closer to home. Actually, it was *at home*: watching the media habits of his four kids, especially the 11-year-old and 13-year-old. "When I asked them which they'd rather give up, the computer or TV, they answered without question, the TV," he said.

In taking this cue from his children, Braun believes he's also following the advertising dollars. If he had known at ABC what he knows now after just three months on the Yahoo! job, Braun says, he would have "plunked 50%" of

his advertising budget online. Sure, that may sound self-serving, given who's signing his check now, but the remark came off as sincere and unrehearsed.

I asked him if he thought online's status today is similar to cable television's 15 or 20 years ago. Braun said that was an apt comparison: a medium at the start of a rapid growth spurt that was already having a fundamental impact on every sector of the media landscape. But there's one crucial difference: Unlike in the cable universe, he said, content creators for the Web aren't held hostage by those who control distribution.

Braun hasn't totally shed his old-media skin. He regaled the crowd with a tale about how losing a golf bet with Larry David ended up with the **Seinfeld** co-creator naming a character on the show Lloyd Braun. An hour before the episode taped, David called Braun to let him know his sitcom namesake was "very handsome but insane."

Braun also spoke about how TV hits, from **I Love Lucy** to **The Sopranos**, expanded the medium's creative possibilities. The Web's rise, he said, doesn't mean television's demise; it will simply "speed its evolution." Cautious in his new role, Braun was quick to say he hadn't come to Yahoo! to find a **Lost** or **Desperate Housewives** for the Web. A new medium demands new thinking about what a program is and what defines a hit, he said: "Different platforms require different experiences and executions."

With so much online content so niche-oriented, I asked him, is it possible to create a breakout online hit of some kind, a mass experience for mass marketers to exploit? "Yes, but they're going to be different kinds of hits," Braun said. Not surprisingly, he's still trying to figure out what form those popular entertainments will take. He then showed his roots as an ex-network guy who watched hundreds of pilots fail, including worthy ones, before he found his **Lost**. "If you do enough things right," he said, "you increase your chances of getting lucky." ■

**THE ROBINS REPORT**



Yahoo! Media Group's Lloyd Braun

**Braun said his move to Yahoo! was prompted by watching the media habits of his four kids.**

assumption that a show about two couples with conflicting child-rearing habits couldn't be any worse than the show it's replacing, **Center of the Universe**, which was about, uh, 22 minutes too long.

**Thursday, Feb. 17**

At last, a confluence of Washington and the entertainment business that *doesn't* involve indecency complaints or politicians passing the hat in Hollywood. The **Entertainment Industries Council** presents



**Rep. Mark Foley**

a congressional briefing today on "The Art of Making a Difference." House **Entertainment Industries Council** Chair **Diane Watson** (D-Calif.) and **Mark Foley** (R-Fla.), chair of the **Entertainment Industries Task Force**,

host the discussion of topics including copyright infringement and the industry's efforts to use content to address societal ills. Speakers include **Alan Wurtzel**, president of **NBC Universal Research and Development**. Yo, Alan: Don't get Foley started about his walk-on part in **Body Heat**.

**Friday, Feb. 18**

Attention, avaricious, self-absorbed, masochistic, good-looking executive wannabes: The month-long, 27-city **Apprentice** casting-call tour has reached the midway point. Today's stops: **Philadelphia** and **Louisville**. Auditions are for both the **Donald Trump** and **Martha Stewart** editions of the show. (How to tell Trump and Stewart apart: She's the one with the low-maintenance hair and the minimum-security home.) Weekend **TiVo** alert: the premiere of Cartoon Network's **Robot Chicken** (11:30 p.m. ET). The *extremely promising* opening vignette of this pop-culture trashing, stop-motion animation series features a **Rachel Leigh Cook** doll flipping out while doing an anti-drug PSA.



**Martha Stewart**



**Chicken doll**

Her rampage with a frying pan might have made even **Pepé Le Pew** cry, "*Au revoir, mademoiselle!*"—**Mark Lasswell**

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**FAST TRACK**

# Indecency Fines Moving Fast

Sen. Ted Stevens (R-Alaska), chairman of the Senate Commerce Committee vows that his side of Congress won't block anti-indecency legislation as it did last year.

"We're under substantial pressure from so many people to do something about it," he told reporters shortly after the House Commerce Committee overwhelmingly passed a bill hiking fines up to \$500,000 for indecent broadcasts during hours when children are likely to be watching. He predicted a Senate version would pass "fairly quickly" but cautioned that Senate leaders haven't told him when there will be time for a full Senate vote.

The House Commerce Committee approved 46-2 a bill similar to the anti-indecency measure that passed last session. The bill bogged down in the Senate when a few lawmakers insisted on attaching measures attacking media consolidation.

The current House bill raises maximum fines from \$32,500 to \$500,000 for stations and from \$11,000 to \$500,000 for performers. It also requires the FCC to rule on indecency complaints faster, gives the FCC power to revoke violators' station licenses, and encourages broadcasters to reinstate a family hour and a voluntary code of conduct. The Senate version has been introduced by Sen. Sam Brownback (R-Kan.).

Two amendments that would have shielded individual performers from higher penalties were defeated.—B.M.

# Broadcaster of the Year

Alan Frank, president/CEO of Post-Newsweek Stations, is B&C's 2005 Broadcaster of the Year. He'll receive his award at the Television Bureau of Advertising's Marketing Conference on March 31 at New York's Javits Convention Center.

A consummate broadcaster, the Pittsburgh native made his



Alan Frank

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

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mark at WDIV Detroit, where he was named general manager in 1988, and made it one of NBC's most powerful affiliates. Twelve years later, he was named president of Post-Newsweek stations, which owns a half dozen major-market stations.

As chairman of the National Affiliated Stations Alliance (NASA), he's a leader of the foes of media consolidation, fighting earlier FCC attempts to raise the station-ownership cap and battling with other affiliates for better treatment from ABC, CBS, NBC and Fox. He is also chairman of the TVB board and executive committee of the National Association of Broadcasters.

At the TVB Conference, which will once again be held in conjunction with the New York International Auto Show, Frank will also participate on a panel with the three previous winners of B&C's Broadcaster of the Year Award: David Barrett, president/CEO, Hearst-Argyle Television, (2004 winner), who will appear via videotape; Dennis FitzSimons, chairman, Tribune Co. (2003); and Dennis Swanson, EVP/COO, Viacom Television Stations Group, the first B&C honoree, in 2002. B&C Editor in Chief J. Max Robins will moderate.

Agenda and registration information for the TVB conference, which usually sells out quickly, is available at [www.tvb.org](http://www.tvb.org).

## Noth Returns to 'Law & Order'



Chris Noth

Chris Noth, most recently *Sex and the City*'s "Mr. Big," will return to his old beat. *Law & Order*, reprising the role of Det. Mike Logan, this time as a regular on spinoff *L&O: Criminal Intent*. Noth will split the lead duties with star Vincent D'Onofrio, each starring in 11 episodes.

*Law & Order* creator Dick Wolf says D'Onofrio needed some help, citing the "grueling pace" of being a single lead in an hour drama.

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Adult Swim's big hit, *Family Guy*

# Kids by Day, Adults by Night

## Cartoon Network does a Nielsen split

ming block, Nick At Nite. That network now shows up in ad buyers' systems as a separate network, heavy with adults 25-54. That move was controversial and, at the time, sparked a protest by other networks. More on that later.

Adult Swim has been a ratings breakthrough. Even though it runs during the hours when TV viewing is low, it averages more than a million viewers, which would make it a top-10 cable network. The big lift came from the acquisition of two busted series from Fox Broadcasting, *Family Guy* and *Futurama*. Both were cancelled, and Cartoon picked them up for about \$150,000 per episode, a bargain price for an off-network half-hour.

**MONEY TALKS**  
By John M. Higgins

But their ratings were a big score by cable standards and bubble toward the top of the cable charts each week. *Family Guy* reruns and DVD sales are so strong that Fox is bringing the series back to its prime time schedule.

Adult Swim excels among young, male viewers, consistently beating not just other cable networks but the broadcast network's late-night talk shows.

For example, the total audience for NBC's *The Tonight Show With Jay Leno* is far larger than that for Adult Swim. But Adult Swim outpaces Leno by 45% among men 12-34, by 64% among men 18-24 and 362% among men 12-24. The lead over Letterman is even bigger: 79%, 118% and 375%, respectively.

It's the same story against NBC's *Conan O'Brien* and even ABC's *Jimmy Kimmel Show*.

The late-night talkers are not exactly skewed toward young folks. Conventional wisdom holds that older adults go to sleep, but Brad Adgate senior vice president, corporate research, for ad buyer Horizon Media, notes that the median age of Leno and Letterman audiences exceeds 49.

Ad buyers targeting young men spend in late night because that's one of the few places to find them. When young men watch TV, it's often after 11 p.m. Lazarus recalls that, when he was an ad buyer on Miller Brewing's account, it was all about "sports and late night. That's where we spent our money."

Adult Swim starts stalling out among viewers over 24 and does terribly among women, even younger women. But young men are hard for advertisers to find,

so Cartoon has a valuable commodity.

The network wants to get paid more for those men. Adult Swim generated \$70 million in ad sales last year, about 25% of the network's total sales. But buyers for some ad categories, like auto, still see Cartoon Network as primarily a kids network.

Success, Lazarus says, requires "breaking down some traditional mindset of what Cartoon is."

Nick At Nite is the template. MTV Networks figured out years ago that it couldn't sell much kids advertising at night, so they clearly branded and programmed their kids network as the home for classic television. Still, they have long been reported as a single network.

### SEPARATION ANXIETY

Last April, Nielsen started reporting them as two networks, drawing howls from other cable networks. Suddenly, Nick was the top-ranked basic-cable network in prime time on the strength of a single hour of programming. And the split artificially pushed some smaller networks down.

And who was leading the protests? Jack Wakshlag, Turner Broadcasting's chief research officer. He led a group of network researchers to push Nielsen to revise its policy. The research agency made one concession, dropping Nick from the rankings of prime time channels because it programs only nine evening hours weekly.

But Nick At Nite remains in rankings of networks for "total programming day." In the most recent weekly ratings, Nick is No. 1 and Nick At Nite No. 3, keeping ABC Family out of the top 10.

Adult Swim will push smaller networks down another notch. Wakshlag says Cartoon is simply following the standards set by Nielsen. "These are the rules of the game," he says. "We should see how we could take advantage of them to help our business."

Change may not be quick. Nick At Nite has seen new buzz but not dramatic sales gains.

Wakshlag sees only upside. Adult Swim will generate more money than late-night kids shows do. "Remember, it's a daypart that we'd be doing nothing in." ■

E-mail comments to [jhiggins@reedbusiness.com](mailto:jhiggins@reedbusiness.com)



**"We have a tremendous amount of opportunity in this daypart."**

MARK LAZARUS,  
TURNER  
BROADCASTING  
SYSTEM

Cartoon Network executives are on a mission that sounds like a plot for one of their own programs: A kids channel by day, Cartoon transforms into an adult channel late at night. Its secret power: young men, legions of them, defeating Leno, Letterman and even Conan.

Cartoon Network plans to tell advertisers this week that Nielsen will no longer treat the channel as a single 24-hour network. At the end of March, the ratings firm will break out sizzling Adult Swim block as a distinct part-time service, separate from Cartoon Network.

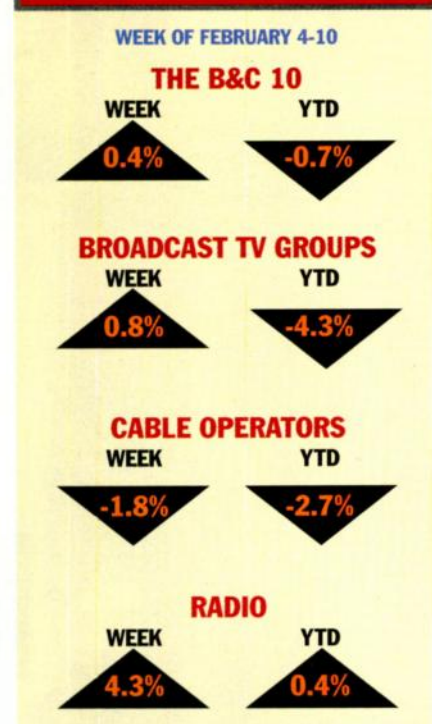
Viewers won't notice a thing. Adult Swim will remain the late-night block on the same channel slot as Cartoon. But when media planners are crunching data to reach young men, Adult Swim will now pop up as an individual channel, its average audience numbers unpolluted by the children who dominate Cartoon's audience. The block runs from 11 p.m. to 6 a.m. six nights a week. (Cartoon Network's "Fridays" kids block is too lucrative to bump.)

### A BILLION IN LATE NIGHT

Late-night programming is one of the most profitable places in television, accounting for around \$1 billion in annual ad sales. Cartoon is looking for a much bigger slice of that. "We have a tremendous amount of opportunity in this daypart," says Mark Lazarus, president of Turner Broadcasting System's entertainment group. "The audience has found us and finds us attractive. The marketing community, we're continuing to go through the education process."

The move follows the lead of kids network Nickelodeon, which did the same thing in April with its longtime program-

## THE B&C



	CLOSE	WEEK	YTD
Dow Jones	10749.61	1.5%	-0.3%
Nasdaq	2053.10	-0.2%	-5.6%

### THE B&C 10

	CLOSE	WEEK	YTD
Cablevision	\$26.59	-2.5%	6.8%
Clear Channel	\$34.60	5.8%	3.3%
Comcast Corp.	\$31.11	-1.5%	-5.3%
Disney	\$29.35	1.9%	5.6%
EchoStar	\$30.08	0.4%	-9.5%
Fox Ent.	\$34.00	1.8%	8.8%
Hearst-Argyle	\$25.81	1.4%	-2.2%
Time Warner	\$17.97	-1.0%	-7.6%
Tribune	\$41.03	1.9%	-2.6%
Viacom	\$37.31	-0.6%	0.6%

### GOOD WEEK

Granite	\$0.40	14.3%	-2.4%
Playboy Ent.	\$13.05	8.5%	12.2%
Grey Global	\$1,082.01	6.5%	-1.6%
Clear Channel	\$34.60	5.8%	3.3%
Emmis	\$18.09	4.3%	-5.7%

### BAD WEEK

SeaChange	\$13.41	-19.0%	-23.1%
New Frontier	\$8.31	-9.9%	4.9%
Young Bcstg.	\$9.13	-7.9%	-13.5%
Sirius	\$5.93	-6.2%	-22.2%
Sinclair Bcstg.	\$7.66	-6.1%	-16.8%

## SNAG AT SEACHANGE

**-19%**

The video-on-demand market is hot, but life can still be rocky for technology vendors. SeaChange disclosed revenues 30% short of expectations. **Big snag:** Comcast has delayed orders. Problems at the cable operator? **Worse:** Analysts believe that the No. 1 cable operator is shifting to other vendors. SeaChange's stock fell 19% last week.



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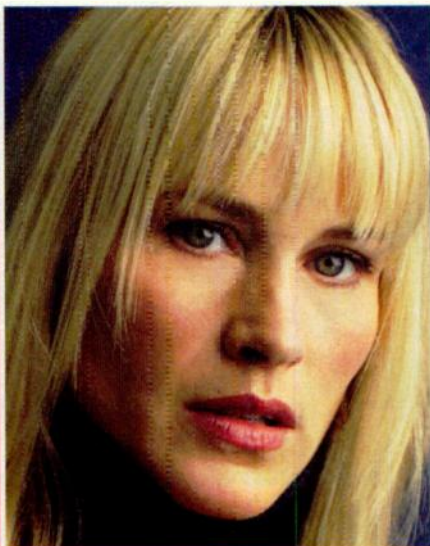


# Reality vs. Drama

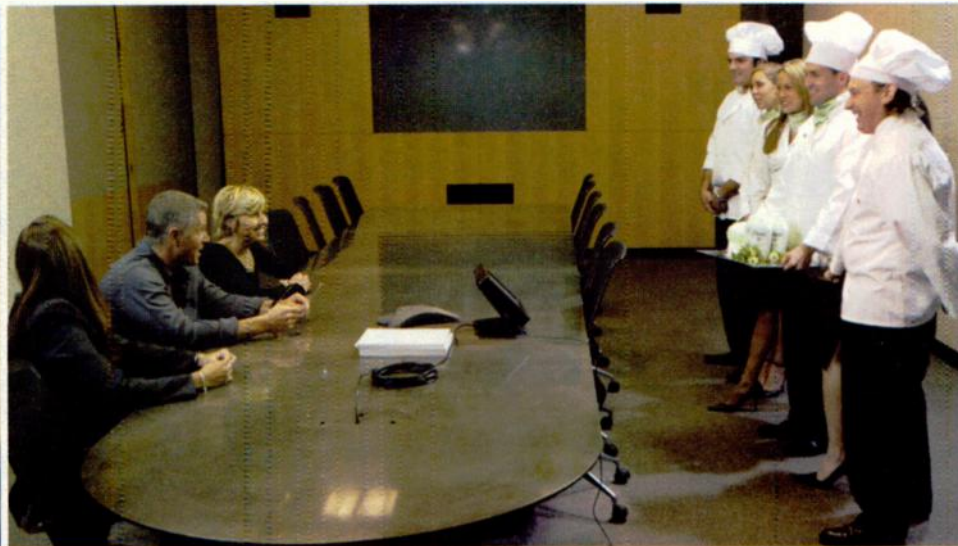
Scripted fare is hot, unscripted shows have cooled **By Jim Finkle**



American Idol host Ryan Seacrest



Medium's Patricia Arquette



Ad guru Donny Deutsch (left) and staff hear a pitch from NBC's *The Apprentice*.

**B**eware *Idol* worship. While it keeps Fox on top, and remains the most popular show on television, the numbers tell only part of the story. *American Idol* may give Fox an edge in winning February sweeps, but the bigger story this season: Reality has taken a backseat to drama. *Desperate Housewives*, *Lost*, *Medium*, *House*, *Numb3rs* and *CSI* all have water-cooler buzz.

In the first week of the sweep, which ran through Feb. 9, Fox claimed an overall 11.2/28 rating in the 18-49s demo—more than the combined ratings of CBS (3.5/9), ABC (3.5/9) and NBC (3.4/9).

Fox's huge lead was widened by its Feb. 6 broadcast of the Super Bowl. The showdown between the Philadelphia Eagles and the New England Patriots pulled in a whopping 33.2 rating/68 share among 18-49s. (This special bump is thanks to timing. The game is generally broadcast in January; in 2004, it wasn't a factor in February sweeps.)

Still, most of the credit for Fox's lead goes to *Idol*, which has handily beaten the competition in every episode this season. While the show's ratings are stellar by most standards, they are not quite as strong as they were last year. In five of the last eight *Idol* episodes aired through Feb 9, the show posted a lower rating in the key 18-49s than in the same period a year ago, down by roughly 2%.

Expecting an *Idol* dip, Fox warned last month that the program's ratings might slide, noting it is common for audiences to shrink in a show's fourth season. The decline, however, reflects a broader trend among popular reality shows that dominated ratings charts over the past few years. (ABC's *Bachelor*, CBS' *Survivor* and NBC's *Apprentice* have all seen their ratings drop a bit.)

## STANDOUTS

Of all the new shows introduced this season, audiences have given their warmest reception to dramas.

Freshman dramas are the clear favorites with 18-49s. The top 10 list includes six dramas led by ABC's *Desperate Housewives* and NBC's midseason hit, *The Medium*, just one sitcom, *Joey*, and four reality shows: *Biggest Loser*, *Wife Swap*, *Supernanny* and a spinoff of *Extreme Makeover: Home Edition* called *EMHE: How'd They Do That?*

## DRAMA QUEENS

Many unscripted shows continue to enjoy strong ratings. While all the networks are developing shows in the genre, they are placing bigger bets on traditional scripted fare, staking out *Lost* and *Desperate Housewives* territory.

NBC, for example, is investing in a pilot for *Fathom*, a sci-fi drama about squid-like aliens that launch an attack on Earth. NBC Entertainment President Kevin Reilly says the show would be expensive to produce but, given viewers' current tastes, it is worth taking the extra risk.

While *Desperate Housewives* and *Lost* are clear winners, it is still too early to predict what the future holds for other new dramas, especially NBC's *The Medium* and CBS' *Numb3rs*, both midseason entries.

The charts below contain a breakdown of top shows by genre, and the top 25 shows through Jan. 30. ■

## THE SEASON SO FAR

Top 25 in adults 18-49 through Jan. 30

SHOW	NETWORK	RATING*	SHARE
1 <i>American Idol</i> (Tues.)	Fox	13.0	32
2 <i>American Idol</i> (Wed.)	Fox	11.1	28
3 <i>Desperate Housewives</i>	ABC	10.3	22
4 <i>CSI: Crime Scene Investigation</i>	CBS	9.0	22
5 <i>Apprentice 2</i>	NBC	7.8	19
5 <i>ER</i>	NBC	7.8	20
7 <i>Survivor: Vanuatu</i>	CBS	7.4	20
8 <i>Apprentice 3</i>	CBS	7.2	18
9 <i>CSI: Miami</i>	CBS	6.9	17
10 <i>Extreme Makeover: HE (8p)</i>	ABC	6.5	16
10 <i>NFL Monday Night Football</i>	ABC	6.5	17
12 <i>Medium</i>	NBC	6.1	15
12 <i>Without a Trace</i>	CBS	6.1	16
14 <i>Lost</i>	ABC	5.9	16
14 <i>Alias</i>	ABC	5.9	14
16 <i>Numb3rs</i>	CBS	5.8	15
17 <i>Two and a Half Men</i>	ABC	5.6	13
17 <i>Everybody Loves Raymond</i>	CBS	5.6	13
19 <i>CSI: NY</i>	CBS	5.3	14
19 <i>Law &amp; Order: SVU</i>	NBC	5.3	14
21 <i>The Simpsons</i>	Fox	5.1	12
22 <i>Boston Legal</i>	ABC	5.0	12
22 <i>Will &amp; Grace</i>	NBC	5.0	13
24 <i>24</i>	Fox	4.9	11
25 <i>Las Vegas</i>	NBC	4.5	10
25 <i>Amazing Race 6</i>	CBS	4.5	11
25 <i>Fear Factor</i>	NBC	4.5	12

\*Includes ratings on repeats, excludes shows broadcast only once

SOURCE: Nielsen Media Research

## THE BEST OF THE NEW

Top 10 rookies, 18-49s through Jan. 30

SHOW	NET	RATING*	SHARE*	GENRE
1 <i>Desperate Housewives</i>	ABC	10.3	22	Drama
2 <i>Medium</i>	NBC	6.1	15	Drama
3 <i>Lost</i>	ABC	5.9	16	Drama
4 <i>CSI: NY</i>	CBS	5.3	14	Drama
5 <i>Boston Legal</i>	ABC	5.0	12	Drama
6 <i>Joey</i>	NBC	4.8	14	Comedy
7 <i>The Biggest Loser</i>	NBC	4.3	11	Unscripted
8 <i>Wife Swap</i>	ABC	4.2	11	Unscripted
9 <i>Numb3rs</i>	CBS	4.1	12	Drama
10 <i>Supernanny</i>	ABC	4.0	10	Unscripted

SOURCE: Nielsen Media Research

## OFF TO A SHAKY START

In week 1 of sweeps, only two networks are up from '04

	NETWORK	RATING/SHARE		CHANGE
		2005	2004	
1	Fox	11.2/28	4.0/11	Up
2	CBS	3.5/9	5.1/13	Down
2	ABC	3.5/9	3.1/8	Up
4	NBC	3.4/9	4.7/12	Down
5	The WB	1.4/3	1.6/4	Down
6	UPN	1.2/3	1.6/4	Down

SOURCE: Nielsen Media Research



# Disney's New Conflict (of Interest)

**A**s if George Mitchell doesn't have enough corporate drama in his life, the Walt Disney Co. chairman (brought in a year ago to diffuse stockholder revolt) is getting into the dispute between Cablevision Systems and New York City.

Disney is now defending its chairman over a potential conflict of interest in the city's request that he arbitrate the value of public land sought by the New York Jets.

The Jets and Mayor Michael Bloomberg want to build a football stadium over a Manhattan railyard owned by the Metropolitan Transportation Authority. Cablevision is protesting because the site would pull concerts and other events away from the cable operator's Madison Square Garden nearby. So Cablevision is trying to trump the Jets' \$100 million offer for the site by bidding \$600 million, proposing to build apartment and office towers.

To sort out all the numbers, the MTA has turned to Mitchell, a lawyer and former U.S. senator who performed similar valuations for development on the publicly owned site of the World Trade Center.

Here's the snag: Mitchell's Disney is neck-deep in deals



George Mitchell



Deadwood's Timothy Olyphant



Steve Buyer

with the National Football League. Disney's ABC and ESPN are in the midst of renegotiating an \$8 billion TV contract with the league, which includes—the Jets!

Disney blasted any challenge to Mitchell's possible role. Disney spokeswoman Zenia Mucha says that "the NFL deal is a television-rights deal and has absolutely no bearing on where they play." She adds that Disney also negotiates with Cablevision for carriage of ESPN and other cable networks. Are two potential conflicts better than none?

## Dude, Where's My Gold?

How desperate is HBO to get a crowd for its male-skewing western drama *Deadwood*?

In advance of the March 6

premiere of the second season, HBO is dispatching teams to leave 10,000 golden nuggets in each of four cities: New York, Chicago, Philadelphia and San Francisco. The nuggets will be inscribed with the

*Deadwood* logo, a number, and a Web site, which gold

diggers visit to see if they've won \$450 cash (about the market price for an ounce of gold) or *Deadwood* DVDs.

With *The Sopranos* not due back for a new season until 2006 and a certain ABC show about a bunch of suburban housewives stealing its Sunday thunder, HBO is taking no chances.

HBO is also decorating Manhattan's subway shuttle between Grand Central Station and Times Square saloon-style with faux-wood finishing—the first marketing venture of the sort for New York's Metropolitan Transportation Authority. (HBO also

included DVD screeners of the first season's first episode in weekend issues of *The New York Times* sent to some 200,000 *Times* subscribers). The campaign's budget ranked up there with HBO superstar shows *The Sopranos* and *Sex and the City* in the \$10 million range. An HBO rep maintained that the well-orchestrated marketing campaign had "nothing to do with *Desperate Housewives*," noting HBO's strategy of repeating programs and providing them on-demand: "We don't mind if you don't watch [*Deadwood*] on Sundays."

## Flip-Flop On TV Sex

What a difference a decade makes. Shortly before the House Commerce Committee approved hiking indecency fines to a \$500,000 maximum,

Republicans on the committee recalled a time when they opposed such heavy-handed rules.

Indiana's Steve Buyer reminded committee colleagues that he, like 80% of House Republicans, rejected the government's last attempt to shield children from sex and violence in 1995: the V-chip requirement.

At the time, the channel-blocking technology was viewed as the least restrictive of free speech—without all the chilling effect of a fine—since it gave parents a choice. "Republicans who had a libertarian view back then were saying, 'You've got an on/off switch,'" he said. "Now all of sudden we're saying, 'How far is indecency going, and what type of proactive move should we take?'"

Committee Chairman Joe Barton, who also voted against the V-chip, thanked Buyer, then quickly chose another lawmaker to speak.

Other Commerce Committee Republicans who voted against the V-chip: New Hampshire's Charles Bass, Georgia's Nathan Deal and Charlie Norwood, Arizona's John Shadegg, Florida's Michael Bilirakis and Cliff Stearns, and Kentucky's Ed Whitfield. Each voted for the higher fines.

**FLASH!**

VISIT THE BLOG OF TV: BCBEAT.COM

**NOBODY STACKS UP AGAINST OPRAH LIKE MAURY!**

MAURY DELIVERS THE HIGHEST RATINGS WHEN COMPETING HEAD-TO-HEAD WITH OPRAH!

	W18-34	W18-49	W25-54
<b>MAURY</b>	<b>3.6</b>	<b>3.1</b>	<b>2.4</b>
JUDGE JUDY	1.4	1.8	2.1
JEOPARDY	1.2	1.5	2.0
ELLEN	1.5	1.6	1.7
MONTEL WILLIAMS	1.5	1.6	1.7
JUDGE JOE BROWN	1.1	1.2	1.5
FAMILY FEUD	0.5	1.0	1.3
INSIDE EDITION	0.8	0.9	1.1
MILLIONAIRE	0.5	0.8	1.1
THE INSIDER	0.6	0.6	0.7

Source: NSI WRAP Sweeps Plus, Nov '04. Ratings: Weighted average of programs that air head-to-head against Oprah in early fringe in 10 or more markets, on ABC, CBS, NBC affiliates with 10+ telecasts





# Courting Niche Viewers

Small networks devise clever marketing tactics to lure subscribers **By Anne Becker**

After three years in the U.S., TV5—the French-focused cable channel—has found the perfect way to entice subscribers: buy them a gourmet dinner and teach them French.

Partnered with Time Warner, the channel offered free dinners at 10 of Manhattan's top French restaurants to 50,000 upscale digital subscribers as a reward for signing up. A similar TV5 mail campaign conducted with Adelphia in Beverly Hills, Calif., in November and December offered an estimated 65,000 digital subscribers eight weeks of free French lessons.

TV5's marketing effort paid off. Working with cable partners Time Warner, Adelphia and Cox, it averaged a 1% conversion rate—a combined total of 5,000 new subscribers.

Indeed, in a cluttered TV landscape, niche cable networks see an advantage in appealing to a narrowly defined audience base. But they have to go that extra mile to attract subscribers. To compensate for a lack of funds, especially in their first few years, budget-strapped networks are devising clever marketing campaigns, often teamed with cable companies, to attract the select group of customers they desire.

Yet even with the help of three of the largest cable operators in the U.S., "it's a challenge," says Patrice Courtaban, COO of TV5 USA. He says all of them provided essential funding for the promotional campaign,

"Niche networks have to get involved in this sort of bootstrap, one-viewer-at-a-time marketing because the TV landscape is so fragmented," says Gerry Philpott, president and CEO of E-Poll, an Encino, Calif.-based market-research firm specializing in broadcast and cable television. "Even a small network still has to be supported by millions interested in the subject. If they don't, it's almost impossible to survive."

Moreover, networks that aren't subscription-based need something more: Advertisers that want to reach their viewers, connections to the cable operators for carriage deals and programmers that can provide content.

"You have got to have at least one of the three legs of the stool before you can even consider trying to launch something," says Philpott, who estimates six to 10 networks attempt to launch each year.

## CABLE PARTNERS

One key way for niche networks to stay afloat is to partner with cable giants. Pairing with a cable operator is productive and efficient, says Cathy Rasenberger, president of Rasenberger Media, a consultancy that assists startups. "The best way to market is to promote together. It's cost-effective and highly directed to the consumer the network is trying to reach."

To that end, NBA TV decided to join with Comcast

Zamoiski has helped niche networks, including Rainbow's on-demand channel MagRack, endear themselves to cable companies' customer-service reps with inexpensive lunchboxes, scented candles and board games. The personal touch serves a dual function: It keeps the reps happy and educates them about the niche networks.

Zamoiski also corrals national advertisers to market with the networks as an added incentive to get cable companies on board. "I don't care if a network has diamonds or rhinestones in their budget," he says. "We can work with tiny networks and still get results."

Other networks lean on parent companies for support. TV One, a lifestyle network for African-Americans, advertises almost entirely through Radio One, a major investor, daily targeting approximately 13 million listeners nationwide.

An added bonus of radio is the opportunity to announce TV One's location in the cable lineup in each city. "It's one big voice that speaks out and helps us a lot," says Susan Banks, SVP of creative services and marketing for the year-old TV One. "It is advertising we could not afford right now as a startup."

## INVENTIVE STRATEGIES

By contrast, ImaginAsian Entertainment, which owns the pan-Asian network ImaginAsian TV, took the

unusual step of opening a movie theater on New York's Upper East Side last summer, specifically to promote the network. Posters and video clips of its programs are displayed during daily movie showings. The company also launched ImaginAsian Radio, a weekly variety hour in San Francisco, to cross-promote the TV network. Plus, discussions are in progress to open movie theaters in California.

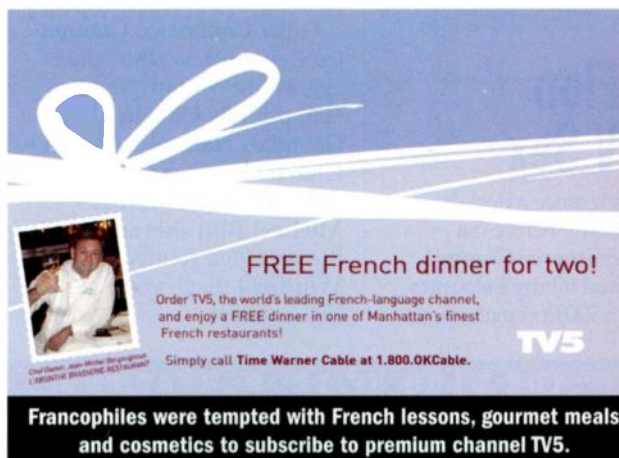
CSTV, the College Sports TV network, is taking a more conventional approach to marketing itself. The network is running "TGI Hockey" sing-along spots and distributing pocket schedules in college arenas to attract viewers.

Of all the niche networks, Sí TV—geared to hip young Latinos—has mastered the art of the freebie. During the 2004 presidential campaign,

it teamed with Rock the Vote, a nonpartisan, nonprofit organization, to lavish college kids with Sí-branded lip balms, CD cases, leather wristbands, caps, pens and postcards. Sí TV will soon hand out DVDs of *The Motorcycle Diaries*, via a Web giveaway.

## NETWORK SURVIVAL

For even the best of startups, says Philpott, survival can be tough. For example, Trio, backed by NBC, earns rave reviews for its programming but is struggling. While he won't speculate on the fatality rate of niche properties, he says: "There is no magic bullet." ■



ImaginAsian bought a movie theater in New York.

**"I don't care if a network has diamonds or rhinestones in their budget. We can work with tiny networks and still get results." JOHN ZAMOISKI, NMA**

as well as key access to their companies' databases. Though the network is the third-largest international channel, backed by state financing from France, Belgium, Canada, Quebec and Switzerland, it's struggling in the U.S.

By the end of 2004, TV5 had persuaded only 36,000 subscribers to pay an extra \$10 a month to add it to their cable lineups. Thus, the ability to zero in on potential new customers, a specific microcosm of Francophiles, is critical to increasing TV5's presence here.

To capitalize on its promotional success, TV5 will launch creative mailings in new markets, including Boston, Washington and Chicago, this fall and will team with Alliance Francaise in March to offer three months of free TV5 for new students.

in Denver to offer new subscribers mini basketball hoops and tickets to the NBA All-Star Jam Session, which the network is airing.

The Tennis Channel does even more. It pairs with affiliates to offer free seat cushions and binoculars to cable customers who bring their bills to matches where the network has a booth—even if they don't subscribe to the Tennis Channel.

But getting the cable company on board isn't easy.

Niche networks need a hook. They have to convince the cable operators they can increase digital-cable penetration, for example, or improve community relations, says John Zamoiski, COO of entertainment and marketing firm NMA.





SYNDICATION

RATINGS 1/24-30/05

Nielsen Media Research

Top 25 Shows HOUSEHOLDS

PROGRAM	AA	GAA
1 Wheel of Fortune	9.9	NA
2 Jeopardy!	7.9	NA
3 Oprah Winfrey Show	7.7	7.8
4 Everybody Loves Raymond	7.5	9.5
5 Seinfeld	6.3	7.9
6 Seinfeld (wknd)	6.1	7.7
7 Entertainment Tonight	5.9	6.1
8 CSI: Crime Scene Investigation	5.7	6.6
9 Judge Judy	5.4	8.3
10 Dr. Phil	5.3	5.3
11 Wheel of Fortune (wknd)	5.2	NA
12 Entertainment Tonight (wknd)	4.2	4.3
13 Everybody Loves Raymond (wknd)	4.1	4.3
14 Inside Edition	4.0	4.0
15 Judge Joe Brown	3.7	5.4
16 Live With Regis and Kelly	3.6	NA
16 Malcolm in the Middle	3.6	4.4
16 Who Wants To Be a Millionaire	3.6	4.1
19 That '70s Show	3.3	4.1
20 Will & Grace	3.2	3.9
21 Cops	3.1	4.0
21 King of the Hill	3.1	3.9
21 Maury	3.1	3.4
24 Home Improvement	3.0	3.9
25 The Insider	2.9	3.0
25 King of Queens	2.9	3.9
25 That '70s Show	2.9	3.7

Top Magazine Shows HOUSEHOLDS

PROGRAM	AA	GAA
1 Entertainment Tonight	5.9	6.1
2 Entertainment Tonight (wknd)	4.2	4.3
3 Inside Edition	4.0	4.0
4 The Insider	2.9	3.0
5 Access Hollywood	2.8	2.9

According to Nielsen Media Research Syndication Service Ranking Report Sept. 13-19, 2004

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

# Small Distributor, Big Plans

## Litton bets on 'Team' and 'Explorer' By Jim Finkle

Litton Entertainment is readying two new shows. It tapped an explorer-turned-journalist to head its next first-run adventure, *The World Explorer*, a half-hour program targeting teens. It's also betting that one of Donald Trump's *Apprentice* candidates, Troy McClain, has enough charisma to host *Home Team*, a me-too version of *Extreme Makeover: Home Edition* geared to the 18-34 market.

If both weekend offerings make it to air this fall, the tiny company from Mount Pleasant, S.C., could become one of a handful of distributors with more than one new syndicated show on TV, following a lackluster development season.

*The World Explorer*, hosted by Explorers Club President Richard Wiese, has cleared more than 60% of the country, including New York, Los Angeles and Chicago. The future of *Home Team* is less certain, since it has cleared only 40%.

In each episode, McClain provides a deserving family with a 10% down payment on a home and a promise to make the first-year mortgage payments. "We're still in serious conversations with the major groups," says Litton EVP Tim Voit.

Litton's credits include personal-finance magazine *Business Week: Money Talks*, 30-minute comedy strip *Ask Rita* and *American Toy Test*. It also created *Thunderbox*, a variety

show with boxing, videogames and live music performances that made its way to the pay-per-view market.

The company's most successful show, 15-year-old Jack Hanna's *Animal Adventures*, is available weekly in 93% of the U.S. In a good week, it has pulled in higher ratings than *The Ellen DeGeneres Show*. The host of *Animal Adventures* has become a fixture on the talk circuit; Hanna has appeared with exotic and funny-looking animals on such shows as *Late Night With David Letterman*.



Home Team's Troy McClain

The household rating for *Animal Adventures* is averaging 1.5 this season, putting it somewhere around No. 85 among the 153 shows rated by Nielsen. It is tied with NBC Universal's *The Jane Pauley Show*.

The FCC has been one of Hanna's biggest supporters, awarding him the U.S. government's seal of approval: *Animal Adventures* can be included as part of a station's requirement to broadcast at least three hours of educational programming each week.

Although Litton hopes for similar success with its newest ventures, *Home Team* has been slow to win clearances. Once reason: Stations sometimes look at Litton shows as backups if they lose bids for more highly contested programming. A case in point, *Home Team* lost out to Viacom's *Enterprise* in New York and Chicago.

But bigger rivals haven't scared Litton. Says Voit, "We like to say we're the tallest midget." ■

### IN FOCUS



Jeopardy! host Alex Trebek

### ULTIMATE 'JEOPARDY!'


The timing of *Jeopardy!*'s Ultimate Tournament of Champions is ideal. The first round began Feb. 9, shortly after the start of this month's sweeps. The grand finale is scheduled to

run May 23-25, at the height of the next sweeps period. Executive producer Harry Friedman cooked up the 15-week contest, which brings back 150 of the show's top-scorers. In May, the top two winners will square off against Ken Jennings, who raked in a record \$2.5 million during 74 straight shows last year. Until 2003, *Jeopardy!* contestants were required to step down from the podium after winning five shows. Jennings was the first big winner following the abolishment of that rule.

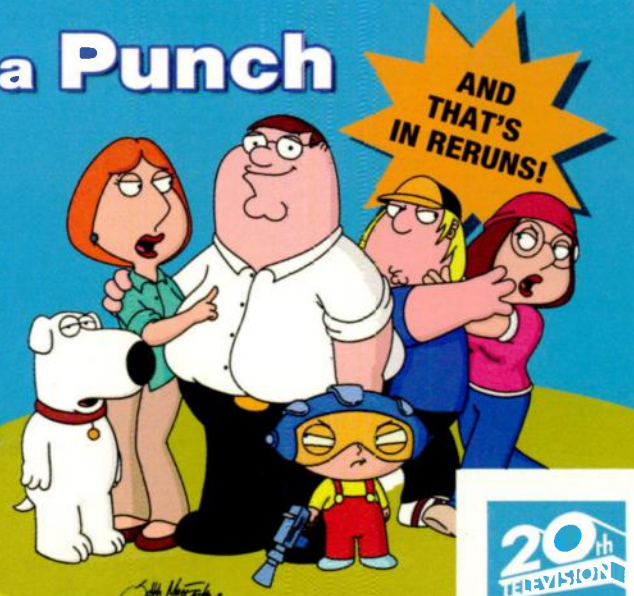
"People have speculated on how some of the past *Jeopardy!* players would do against him," says host Alex Trebek. "We're answering that question."

### TRUMP, CARSON FUEL RATINGS


The Trump wedding and Johnny Carson's death helped boost the ratings of the top four entertainment newsmagazines in the week ended Jan. 30. *Entertainment Tonight*'s household rating was up 4% from the prior week, hitting a season high of 5.9. *Inside Edition* pulled a 4.0 rating, also a season high. *The Insider* averaged a 2.9 for the week. *Access Hollywood* tied its season high of 2.8. The programs had their best ratings on Monday, when the newsmagazines provided complete coverage of the Saturday nuptials and Carson's death on Sunday. Most other syndicated shows were down from the week ended Jan. 23, when audiences were larger than usual due to the Martin Luther King holiday.



## This Family's Packing a Punch in Prime Time.



AND THAT'S IN RERUNS!



M18-34

3.0 → 4.2

**+40%**

2001-02    2004-05

M18-49

2.3 → 3.3

**+43%**

2001-02    2004-05

M25-54

2.1 → 2.9

**+38%**

2001-02    2004-05

Source: NTL Galaxy Explorer. 1/16/05-1/30/05 vs 11/8/01-4/18/02. Subject to qualifications upon request.



STATION TO STATION

## Karpowicz Leads Meredith Group

By Allison Romano

Four months after former broadcast group President Kevin O'Brien's stormy exit, Meredith Broadcasting has a new station-group chief. Paul Karpowicz, most recently LIN Television Group's VP of television, joins Meredith Feb. 14 to steer its 13 stations. Meredith is the 15th-largest U.S. station group, with \$321.9 million in revenue in 2003, according to *B&C's* 2005 survey of the top 25 broadcast station groups.

In his new role, Karpowicz will report to Meredith President and COO Stephen M. Lacy. O'Brien, a local-TV vet who once ran Cox Broadcasting's KTVU San Francisco, was dismissed for violating the company's Equal Employment Opportunity policies.

O'Brien's three-year tenure at Meredith was rocky: He dismissed GMs and news directors at nearly every Meredith station. Since his departure, VP of News Operations Micah Johnson has also exited, and Meredith has since hired fresh news directors for two stations: WGCL and WHNS Greenville, S.C./Ashville, N.C.

Karpowicz, who will be based in Hartford, Conn., is expected to be a calming force. A 30-year local-broadcasting vet, he is well-regarded in the station community. "He has an extensive background in news, programming, sales initiatives and broadcasting transactions. Paul has outstanding industry connections and is recognized for his integrity and leadership abilities," Lacy said in a statement.



Paul Karpowicz

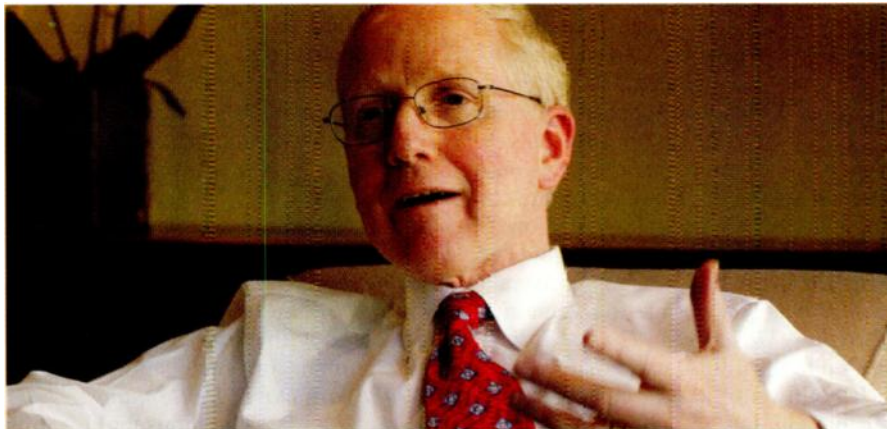
Karpowicz won't comment on the group's recent troubles but says he will emphasize local news and community involvement. "The biggest challenge is to continue to make our stations

relevant in an environment with more than 200 channels," he says.

After starting his career in radio at LIN-owned WIL St. Louis, Karpowicz moved to TV. He rose on the sales side, eventually managing WLNE Providence, R.I., and LIN's WISH Indianapolis. LIN tapped him for a corporate-level gig in 1994.

# Sachs' Last Act

Exiting NCTA chief discusses cable's win over broadcast



Robert Sachs will return to cable advisory service Continental Consulting.

**R**obert Sachs, departing president of the National Cable & Telecommunications Association, scored a big victory in his last full week on the job. Last week, the FCC for the second time in three years rejected broadcasters' demand that cable operators be forced to carry each of a station's six or so digital channels. After a Caribbean vacation with wife Caroline, Sachs plans to go back to work for Continental Consulting, the cable advisory service he left in 1999 to run NCTA. His successor at the association, Deputy Energy Secretary Kyle McSlarrow, takes over March 1. Sachs talked with *B&C's* Bill McConnell.

**Now that the FCC has ruled in favor of cable operators, will they now ignore broadcasters' digital channels?**

Despite the rhetoric in Washington, there are positive relations between cable operators and broadcasters in many local communities. The fact that 500 stations' digital signals today are being carried on cable without any government requirements whatsoever provides pretty strong evidence of that.

**Then why has there been this big fight?**

Broadcasters have seen this proceeding as a hedge on the future. They want to hold on to as much bandwidth on cable systems as possible. We've seen scant evidence that there are truly viable business models for multicasting.

**So what do you think of Verizon and SBC becoming cable companies?**

If Verizon or SBC want to enter this business on terms similar to those cable operators operate under, that's perfectly fine. Our companies are most willing to compete. They should be bound by the same rules as us.

**What should your replacement worry about?**

It appears the DTV transition issues will move rapidly. That raises concern about

TV-station carriage resurfacing. Also, our industry needs to be mindful about indecency. Even though the Supreme Court has clearly stated cable has more free-speech protection than broadcasting, that does not prevent Congress from enacting legislation. From time to time, Congress enacts laws that take several years for the courts to review and strike down.

**Should cable voluntarily offer family-themed tiers to ward off legislation or let subscribers pay only for channels they want?**

Those options are not economically viable. Family-friendly networks are the ones most likely to go under if they're not bundled with more-popular ones. Instead, our industry needs to devote even more resources to telling customers how to block the channels they don't want coming into their homes.

**The trade press has reported complaints that you have not stood up for cable forcefully enough in Washington.**

Often times, those who are critical are less informed about the strategies our board has adopted. I'm sure there is basis for criticism, but a lot of the barbs are out of ignorance. Looking at the last 5½ years, we've accomplished everything we set out to do. We preserved rate deregulation. We've created a deregulated environment for high-speed Internet service and voice-over-Internet. We've had two different FCC lineups vote our way on digital-TV carriage. The Supreme Court saved cable operators \$1 billion a year on the fees we pay for attaching our wires to utility poles. We're rolling out DTV in top markets.

**Have you ever considered buying a satellite package?**

I guess I can tell you now. I was an early DirecTV customer. We had a summer house in New Hampshire, and cable wasn't available there. The picture occasionally froze during thunderstorms, but otherwise I was a very satisfied customer. ■

## Meredith Wants K.C. Duopoly

In one patch of Meredith country, the broadcast group is trying to extend its reach. The company filed for a waiver with the FCC to purchase Sinclair Broadcasting's WB affiliate KSMO Kansas City, Mo., and forge a duopoly with its own CBS affiliate KCTV.

Meredith already has a stake in the station: It handles ad sales. Sinclair has agreed to sell for \$33.5 million—\$26.8 million for a controlling interest and another \$6.7 million if Meredith is awarded the KSMO license. But current FCC rules limit a new duopoly in Kansas City, the No. 31 TV market. Eight independently owned commercial stations must exist in a market. With Sinclair gone, Kansas City would have six station owners.

Meredith's strategy is to secure a "failing-station" waiver. The FCC will consider an exception to ownership rules if a station is struggling financially and has a low audience share. The review process could take up to 18 months.

"Ratings and profits at KSMO have eroded in the last several

**Company strategy is to secure a "failing-station" waiver.**

years. They are losing money," says KCTV VP/GM Kirk Black, who also heads KSMO sales. He says the station's revenue share has dropped from 10% to 6% in the past several years, although he won't cite figures. Plus, ratings are mediocre. In the latest November sweeps, KSMO ranked fifth out of seven rated stations. Kansas City stations will take in a projected \$174 million in revenue this year, up slightly from \$170 million in 2004, according to BIA Financial.

To sweeten its pitch, Meredith will expand KSMO's local programming with a 9 p.m. newscast, two weekend community-affairs shows, one teen-oriented show, and four hours of educational kids' programs. Also, KCTV news staffers would work on a new KSMO broadcast and provide breaking weather and news reports. Although KCTV's news ratings are up, Black says a duopoly helps both outlets. "We'd increase our employee ranks and revenues," he says. "Right now, we're on the outside."—A.R.

Send station news to [aromano@reedbusiness.com](mailto:aromano@reedbusiness.com)





AT A GLANCE

The Market

DMA rank	72
Population	1,069,000
TV homes	417,000
Income per capita	\$16,860
TV revenue rank	64
TV revenue	\$76,800,000

Commercial TV Stations

Rank*	Ch.	Affil.	Owner	
1	KOLD	13	CBS	Raycom
2	KVOA	4	NBC	Cordillera
3	KGUN	9	ABC	Emmis
4	KMSB	11	Fox	Belo
5	KUVE	3	Uni.	Univision
6	KWBA	58	WB	Cascade Bcstg.
7	KTTU	18	UPN	Belo
7	KHRR	40	Tele	NBC

November 2004, total households, Sunday to Saturday

Cable/DBS

Cable subscribers (HH)	246,030
Major cable operator	Cox
Cable penetration	59%
ADS subscribers (HH)	87,570
ADS penetration	21%
DBS carriage of local TV?	Yes

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

What's No. 1

Syndicated Show	Rating/Share***
The Oprah Winfrey Show (KOLD)	7.6/25
Network Show	
CSI (KOLD)	24/35
Evening Newscast	
KOLD	7.6/16
Late Newscast	
KVOA	10.1/24

\*\*\*November 2004, total households

SOURCES: Nielsen Media Research, BIA Research

Desert Storm

Tucson has big look, fierce news battles By Allison Romano



KOLD's evening-news team (from left): Kris Pickel, Randy Garsee, Chuck George and Scott Kilbury

In the Arizona desert, Tucson "is like a huge small town," says Ray Depa, VP/GM for Emmis-owned ABC affiliate KGUN. The 72nd-largest TV market, it is one of the 10 fastest-growing in the country. And for a midsize market, Tucson fuels a heated news war.

Just one-tenth of a rating point separated Cordillera Communications' NBC affiliate KVOA and Raycom-owned CBS station KOLD in 10 p.m. news in November. KVOA edged out a win with a 10.1 rating/23.7 share to KOLD's 10/23.6. "People from outside often say our news looks like a top-50 market," says KOLD VP/GM Jim Arnold. And the station has worked hard on its image.

In the past four years, KOLD has gone from fourth to first place in overall ratings. Key to its success was tweaking the news; a major factor was the return of chief meteorologist Chuck George after a stint at KPRC Houston. KOLD also upgraded its set, adding a new weather center. A fresh news-promotions producer also came on board. Aided also by CBS' surging prime time, KOLD is on a roll. Another win is prime access: KOLD's Who Wants To Be a Millionaire regularly beats KGUN's powerhouse Wheel of Fortune.

Tucson also supports a mix of English- and Spanish-language stations. Belo Corp. operates the only duopoly, with Fox affiliate KMSB and UPN station KTTU. Among Spanish-language stations, Univision-owned KUVE pulls in top ratings.

Population growth, expected to be 2% over the next five years (more than double the national average), is a boon to broadcasters' coffers.

This year, local stations are projected to collect \$76.8 million in revenue, up 2% over last year. Furniture is a major ad category; transplants from California or the Midwest like to outfit their homes with serious Southwestern motifs. And it helps that regional company American Home and local retailer Sam Levitz Furniture duke it out on the air. Add carpeting and window coverings, and home-related products make up the third- or fourth-largest ad category, Depa says.

Part of the city's appeal is its ever-changing population. "This is not like Midwestern cities, where five generations of families have lived," says Arnold. The population is young, thanks in part to nearby University of Arizona, along with a reasonable cost of living. "Most people are from somewhere else, and the weather is the attraction." ■

NEXT: BALTIMORE

THE DEMOS

In this southeast-Arizona city, residents take advantage of the hot, dry weather and abundant sunshine. Twenty percent go camping and 24% go hiking. Twenty-eight percent of Tucson residents claim Hispanic origin.

WHO	SHARE OF POPULATION	INDEX*
18-34	31%	100
18-49	58%	94
25-54	54%	93
35+	69%	100
Married	54%	98
Never married	26%	103
College grad	23%	96
White	91%	110
Black	4%	35
Hispanic origin	28%	207
Asian	4%	35
\$100K+ HH	8%	51
\$50K+ HH	36%	74
Below \$50K HH	64%	125



BY THE NUMBERS\*\*

Spent \$500+ online	21%	112
Go camping	20%	106
Go hiking	24%	189
Own domestic car	73%	105

\*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 CHICAGO!



THE KING OF QUEENS

is the #1 strip on WCIU!

3.5

HH RATING!

+67%

OVER YEAR AGO!

+13%

WEEK TO WEEK!

Source: NSI WRAP Overnights, 1/31-2/4/05. HH rating M-F 10PM Rank = 6AM-2AM Year ago = Feb '04 TP

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“It’s not a matter of *if*. It’s

# A REALITY WAITING TO

The ultimate stunt: avoiding a genre-killing accident

By Deborah Starr Seibel

(From left) *Fear Factor* competition aired Dec. 6, 2004.

Two-hour extended season premiere of *The Amazing Race* 6

Competitors on *The Contender*



don't like spontaneous. You'll do the stunt exactly as we tell you and nothing more." Perry Barndt, *Fear Factor* senior producer and head stunt coordinator, looks over the six ordinary men and women who are about to perform the kind of daredevil feat that used to be the exclusive domain of Hollywood stunt professionals. They stand, shivering, under a makeshift tent beside Lake Castaic, about 45 miles north of Los Angeles. "You will be put in a helicopter. You'll be rappelling down a rope attached to the helicopter," Barndt says. Not sure he has captured the complete attention of any overconfident showboats in the group or contestants too dazzled by the fact they're filming a TV show to listen, Barndt—who has logged more than 20 years in the stunt business, working on such action-heavy movies as *Air Force One* and *The Terminator*—adopts the tough-love strategy. "Look me in the eye," he says quietly. "I am here to tell you that you can die on this show. If you do not listen and do not do what I tell you, you can die."

And then, as a cold drizzle drums on the tent in the silence that follows this sobering message, the contestants go back to the matter at hand: signing yet another *Fear Factor* release form.

The paperwork is critical to the viability of any reality show that puts contestants in physical jeopardy or under psychological duress. Personal-injury lawyers might scoff at the concept of an airtight waiver of liability, but the releases at least give the shows and their insurers a fighting chance in the event of a courtroom battle prompted by a

contestant's catastrophic injury. Plus, the elaborate forms keep nuisance lawsuits to a minimum.

But that hardly means the shows are immune to the consequences of a stunt's going disastrously wrong. That is one reason reality TV shows pay twice the insurance premiums charged to scripted programs, as a hedge against forking over huge settlements. And it is why reality producers—even as they weather lawsuits for a variety of emotional and physical injuries (see box)—count their blessings that no reality-TV participant has yet suffered a catastrophic injury. Because the result could be the end of an entire genre of flirting-with-danger reality shows.

"All it would take," says Jonathan Paulsen, chief underwriting officer for insurance giant St. Paul Travelers Entertainment, "is either a death or significant, paralyzing injury."

## "NO GUARANTEES"

For now, though, networks remain hooked on the big ratings the shows often bring, and a whole subsection of the insurance industry is willing to cover the attendant risks. But even with the best supervision and safety equipment in place, says television insurance specialist Brian Kingman, senior vice president at Los Angeles-based Aon/Albert G. Ruben, "there are no guarantees."

As far as Barndt is concerned, there is one guarantee, and it is a grim one: "I tell everybody on this show: 'It is not a matter of *if*. It's a matter of *when* and *how bad*. It's inevitable. It doesn't matter how good you are or how careful you are. Somebody can get hurt.'"

So far, NBC's *Fear Factor* has lived up to its reputation

among many insurance professionals as the gold standard in reality-stunt safety. After five seasons and more than 200 spectacular stunts, contestants so far have been sent home with nothing worse than bumps, bruises and a sprained ankle.

## TRAUMA-FREE RACE

CBS' *Amazing Race*, which sends contestants careening across the globe in pursuit of a million-dollar prize, reports a similarly trauma-free history. "We haven't had one incident of anyone getting seriously hurt—contestant or bystander," says co-executive producer Evan Weinstein. Executive producer Bertram Van Munster points out that challenges—like the tandem skydiving in the recently completed sixth *Race*—are vetted by the production's safety crews "multiple times before contestants arrive."

Not every danger can be anticipated, though. Shola Richards, who was teamed with his identical twin, Doyin, on *Race*'s second season, somehow escaped serious injury when a taxi ran over his foot. *Survivor* fans well recall Michael Skupin's exit from the show's Australian outback camp in 2001, after he fell into a campfire and suffered second-degree burns. (Thanks to those trusty release forms, neither Richards nor Skupin filed lawsuits or were compensated for the accidents.)

It is the near misses that can keep producers awake at night. *Fear Factor* executive producer Matt Kunitz shudders at the memory of the contestant who was supposed to jump, feet first, from a helicopter into a field of U-Haul boxes floating on a lake. "He thought

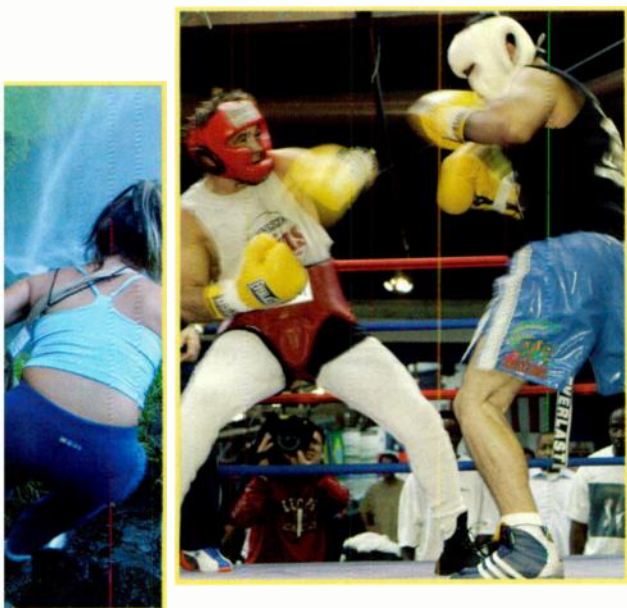




# matter of *when* and *how bad.*"

PERRY BARNDT, *FEAR FACTOR* SENIOR PRODUCER AND HEAD STUNT COORDINATOR

# HAPPEN



he was going to be this big hotshot and do this big swan dive into the boxes. Luckily, nothing happened, but he absolutely could have broken his neck."

To Martin Ridgers, director of underwriting for Los Angeles-based Entertainment Brokers International, it is all a matter of probabilities. "A good production company," he says, "will put out a waiver and release form that says, 'You could die. You could be injured.' And that's whether you were doing something dangerous or not." Meaning? "Is the production company driving you to various locations? Because the most likely reason you're going to die or become disabled is by getting in a car."

## \$100,000 PER EPISODE

Just ask the latest *Bachelor*, Byron Velvick. Last July, just before beginning production on ABC's sixth installment of the reality dating series, he was being driven to one of the show's locations in L.A. when the car was hit broadside by an electrical-utility truck. "I got out and staggered to the curb," Velvick says. "I pretended that I was in better shape than I really felt because I didn't want them to find a replacement."

He was checked out in a hospital emergency room and was deemed fine, Velvick says. Even so, say insurance specialists, he could have sued because the waivers that contestants sign, no matter how thorough, are never considered lawyer-proof. Courts can and do reject signed waivers if producers are found to be negligent. "Underwriters and producers and their lawyers do their best to make them enforce-

able," says Kingman, "but they can always be contested. That's why producers need general-liability insurance—an umbrella liability insurance—in case some judge or court throws the contract out."

All of which costs money. Producers of scripted shows typically budget 3%-5% of total production costs for insurance. That can balloon to 7%-10% for reality shows. For *Fear Factor*, which costs upwards of \$1 million an episode to produce, insurance can run \$100,000 for every completed hour.

So how do network executives, show producers and insurance specialists assess how much risk they're willing to take? It is all about comfort level. "We used to have a saying on the set: It's *Fear Factor*, not *Danger Factor*," says Chris Palmer, director of risk control for Aon/Albert G. Ruben and the insurance specialist on location for *Fear Factor*'s first three seasons. "This is supposed to be about people facing their fears, not putting their lives in jeopardy."

Says St. Paul Traveler's Paulsen, "I use my 13-year-old son as my guide. If I'd let him do it, then I'd go with it."

## FOUR QUESTIONS

At St. Paul Travelers, potential stunts are vetted for four essential elements: What exactly are they doing? Do they have enough time to do it? Have they done it before? And do they have enough money to do it?

About this last consideration, Paulsen says, "It's one thing to go buy a junker car from a junk yard and ram it into a wall. It's another to build a true stunt car that's using a fuel cell instead of flammable liquid, a five-point harness with roll cage and another harness around the neck." Paulsen's company also won't sign off on any car stunt where participants top 30 miles per hour. "With camera angles, they can make it look like they're going a lot faster."

Car stunts are considered unsafe at any speed on *Fear Factor*—if they involve, say, standing on the roof or any other potentially hazardous trick that "some dumb 12-year-old" will try to imitate, Barndt says. That aversion to inspiring copycats is also why the show abandoned one stunt in the planning stages that would have set fire to contestants wearing protective clothing.

Sometimes, the vetting process slips. In late January, Washington lobbyists for the Edison Electric Institute sent a letter of protest to NBC after seeing a promo for a *Fear Factor* episode that would involve contestants' racing through a maze of electric wires in a Los Angeles-area substation while being zapped with jolts of electricity. "Copycat pranksters could face serious injury or death from electrocution," wrote organization President Tom Kuhn. "There is no such thing as a safe shock."

## SECOND THOUGHTS

The stunt had been vetted by safety experts and aired as scheduled, but in retrospect Barndt has had second thoughts. "Their complaint was valid," he says. He prefers stunts involving "cranes, helicopters, submarines—things a kid wouldn't have."

But the kind of shock that some insurance companies worry about isn't electrical. St. Paul Travelers won't deal with shows that feature hidden cameras or involve some sort of hoax. "It's definitely a risk we are afraid of," says Paulsen, "because you do the shot and then, afterward, go back and try to get a release from the person you just scared or embarrassed. Recent lawsuits along those lines are exactly what we feared." Insurance insiders point to what is believed to be the biggest payout so far: a low-seven-figures settlement recently paid to a woman who was terrified on Sci Fi Channel's *Scare Tactics* by what seemed to be an abduction by aliens (the network declined to comment on the case).

St. Paul Travelers also won't take boxing shows like Fox's *The Next Great Champ* or NBC's upcoming *The Contender* "because the intention is to do damage," Paulsen says.

At Lake Castaic, *Fear Factor*'s intention clearly is to avoid damage. As contestants dangle in pairs from a Bell 212 helicopter, just off-camera two jet skis carrying emergency divers are at the ready. An L.A. County medic boat staffed with EMTs is on standby. And an ambulance is parked at lakeside. This is *Fear Factor*'s final episode of the fifth season—and 18 stunt professionals wait, fingers crossed, for the six contestants to get home safely. ■

## LEGAL BRIEFS

### SOME OF THE LAWSUITS FILED AGAINST REALITY SHOWS

**THE SHOW:** *Fear Factor* (2005)

**THE PRODUCER:** Endemol for NBC

**THE COMPLAINT:** A Cleveland man charges that the emotional distress caused by watching a gross-out stunt in which contestants put rats in a blender and drank them caused him to throw up and prompted a rise in blood pressure, dizziness and lightheadedness. Austin Aitken is suing for \$2.5 million.

**THE SHOW:** *Culture Shock* (2003)

**THE PRODUCER:** Rocket Science Laboratories for CBS (series never aired)

**THE COMPLAINT:** Jill Mouser flew to New Mexico to compete in a stunt that could win her \$75,000. Producers, doing a takeoff on a Native American rite of passage, rigged Mouser—upside down—to a chair called the "harness of pain." Mouser and her partner, Marcus Russell, claim the excruciating back pain she suffered was far beyond what

they had bargained for. Mouser is suing for unspecified damages.

**THE SHOW:** *Scare Tactics* (2003)

**THE PRODUCER:** Tri-Crown Productions for Sci Fi Channel

**THE COMPLAINT:** Kara Blanc believed she was on her way to a Hollywood industry party when the limo she was riding in stalled, the car's radio malfunctioned and a voice came on saying the United States had been taken over by aliens. She bolted from the car and came face to face with an actor in an alien get-up, who she believed was going to kill her. She was hospitalized. Her lawsuit charging severe physical and emotional injuries recently brought a low-seven-figure settlement.

**THE SHOW:** *Punk'd* (2002)

**THE PRODUCER:** MTV Networks

**THE COMPLAINT:** James and Laurie Ann

Ryan, vacationing in Las Vegas, discovered what appeared to be a dead body in their room at the Hard Rock Hotel. They were prevented from leaving the room by hotel "security guards." Police and EMS workers arrived, followed by *Punk'd* host Ashton Kutcher, but the couple is suing for \$10 million for invasion of privacy and emotional distress.

**THE SHOW:** *Candid Camera* (2001)

**THE PRODUCERS:** *Candid Camera* and host Peter Funt for Pax TV

**THE COMPLAINT:** When a *Candid Camera* crew made Philip Zelnick climb through a phony airport X-ray machine in Bullhead City, Ariz., he claims, he injured his leg and suffered severe emotional distress, anxiety and humiliation. Last month, a jury awarded him \$300,000 (\$150,000 apiece from Funt and the show). The producers plan to appeal.



# A Soapy Slide in the Ratings

Soap-opera viewership wanes, but the genre is far from dead **By Karre Jacobs**



Vets Jeanne Cooper (l) and Jess Walton are among the stars of CBS' top-rated *Young and the Restless*.

**A**s the industry gears up for the May 20 Daytime Emmy Awards celebration, it is also keeping a watchful eye on its content. With ratings continuing to slide and the FCC handing out indecency fines that could take the heat out of those steamy soap love scenes, there is a lot of angst out there. It can be tough to party when your genre is in a slump.

Less than a decade ago, No. 1-rated daytime show *The Young and the Restless* had Nielsen numbers in the 7s. But the CBS series, like all those behind it, has seen its viewers tune out and into other fare, and now its ratings hover at around the 4s, even though, amazingly, it has been the top-rated soap opera for

shifting demographics and the Hispanic market are all making things more and more competitive, and I think everyone is a little hungrier. We'll all have to be leaner and meaner to keep the audience and even grow one."

She notes that soaps now have new competitors in prime time, including Fox's *The O.C.*, not to mention ABC's runaway hit *Desperate Housewives*. And, she says, there's new pressure on daytime.

"[CBS] has been under close scrutiny ever since last year's Super Bowl," Friedman says. "And, yeah, we're feeling pressure to be cautious in sexual matters. The scrutiny has informed how we write."

But Smith has never felt that penning over-the-top, graphic sex scenes is the only way to engage his audience. "I can write romance and very sexy scenes

**With ratings continuing to slide and the FCC handing out indecency fines that could take the heat out of those steamy soap love scenes, there is a lot of angst out there.**

more than 16 years. Syndicated talk shows are also having a tough time; new shows are considered successful if they can maintain a relatively mediocre 2 rating.

Several factors explain the drop in viewership. "In the last 15 years, the explosion of cable and the number of two-parent families working make it a challenge to watch the show," explains *Y&R* head writer/producer Jack Smith.

Rhonda Friedman, supervising producer of *The Bold and the Beautiful*, concurs. "Everything in television is changing, not just daytime," she says. "The Internet, DVD sales, TiVo, the 500-channel universe,

without seeing a lot of skin and open-mouthed kissing. The reality is, I think fans can be turned on by [soap couples] without showing more intimate moments of sexuality."

The fact is, in every daypart on broadcast television, ratings aren't what they used to be.

But *Y&R*'s Smith doesn't believe the sky is falling. He still has confidence in the tradition of serialized drama. "It is the quintessential American art form. They began during the colonial days, when American newspapers ran serialized stories on their front pages. Those stories made the natural transition to radio and then TV. Soaps are like American jazz." ■



## Hard Habit To Break

Soap-opera stars have strong bonds with their viewers **By Alan Breznick**

**T**he two-hour Daytime Emmy Awards show, now in its 32nd year, always draws a solid, if not spectacular, audience in its spring prime time slot. Even as ratings for soap operas decline and daytime programs of all genres face similar challenges, the awards show typically averages about a 6.0 overall rating, regardless of which network hosts it. In large part, that is because daytime fans are loyal to "their" soap operas or favorite talk-show hosts. This year, the show airs May 20 at 9 p.m. on CBS.

Other TV awards shows have seen their Nielsen ratings falter this season. In the latest example, NBC's airing of the Golden Globes this year attracted fewer viewers than at any time since 1996, its 5.7 rating in the 18-49 demo off 40% from the previous year.

The National Academy of Television Arts and Sciences (NATAS) announced pre-nominations for the Daytime Emmys at the end of January. As part of that process, casts of the 10 soap operas choose two actors or actresses apiece from their show for each of the six acting categories. A screening panel of cast members from each show then narrows down that list to the field of nominees, which is slated to be announced March 2 on CBS' *The Early Show*.

Peter Price, president of NATAS, refers to both the daytime and prime time Emmys as "the Everest peaks of the television industry."

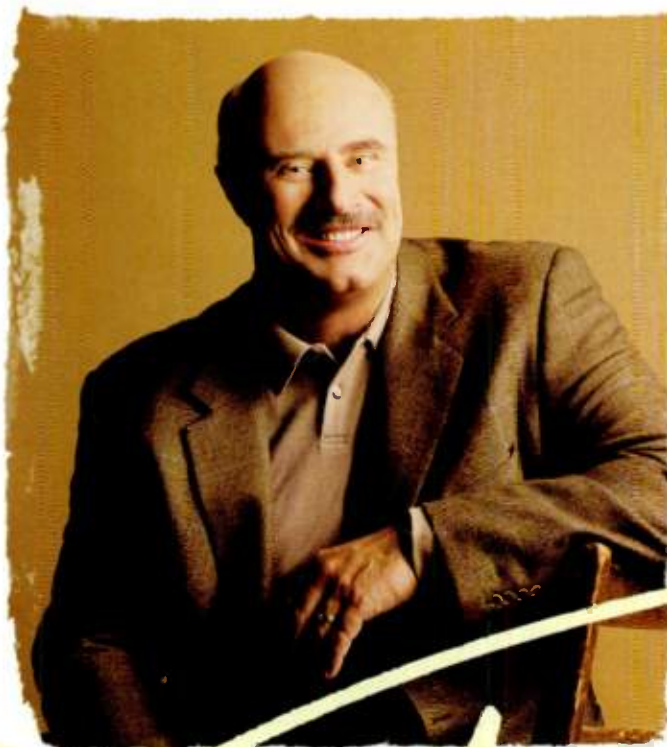
Whether they're the Everest peaks or just the Catskills, the Daytime Emmys have also become something of a New York event each May, largely because of the fierce loyalties of soap viewers. Like the Thanksgiving Day Parade in November, the parade of soap-opera stars from the red carpet into Radio City Music Hall attracts throngs of enthusiastic spectators each year. "It's not just a television awards show," Price says. "It's kind of a New York phenomenon." ■





“Nobody does it better.”

LADIES HOME JOURNAL



D R . P H I L

F O R Y O U R E M M Y C O N S I D E R A T I O N

“His take-no-prisoners approach has won him legions of new fans on his hit daytime talk show, ‘Dr. Phil.’”

GOOD HOUSEKEEPING

“After two seasons, ‘Dr. Phil’ is a firmly established pop culture brand name as recognizable as Trump or even Oprah herself. His ratings, second only to his patron saint O, are bigger than ever.”

TV GUIDE



World Radio History



# The Place To Place a Product

Storylines include everything from perfume to potato chips By Paige Albiniak

**R**atings for soap operas used to be like the lives of their characters: up, down, up, down. But with fragmentation the rule of the day, ratings today are mostly down. That is making the business of daytime a challenge—soaps have lost between 20% and 40% of their viewers in recent years. So to stay profitable, soaps have become a big market for product placement.

"From a marketing perspective, daytime is the best audience," says Angela Shapiro-Mathes, president of Fox Television Studios. She has a long history in soap operas, having run ABC Daytime and ABC Family. Shapiro-Mathes also founded *Soap Opera Digest*.

The relationships that soap-opera characters build with viewers are a marketer's dream. "The characters have credibility with their fans," Shapiro-Mathes says. "If a character is eating Lay's Potato Chips, the audience goes out and buys them. That's how much fans want to identify with their favorite characters."

In retail, a perfume has been created out of a storyline on *All My Children*. Disney Consumer Products worked with Wal-Mart to launch a fragrance called Enchantment, named after the cosmetics firm founded by Erica Kane (played by Susan Lucci). On the show, Enchantment took over Fusion, a rival perfume maker. ABC couldn't legally clear the name Fusion as a perfume, so it introduced Enchantment instead.

The perfume appears in storylines and also is available in Wal-Mart stores everywhere.

"We are working with Disney Consumer Products and Wal-Mart to develop other products and brand extensions," says Brian Frons, president of ABC Daytime. "It's been a terrifically successful venture for us."

Characters on soap operas have written novels, which have then become available

for viewers to purchase. And clothes and jewelry worn on the shows occasionally have been offered via home-shopping channels, although that's not a business that has really taken off yet.

On ABC's *One Life To Live*, character Marcy Walsh wrote a book called *The Killing Club*. The novel was actually written by show writer Michael Malone, a novelist who has penned 11 books. *The Killing Club* was released by Disney-owned publisher Hyperion last week.

In the story, several people are murdered. Tying book and show together, Walsh will watch characters on *One Life* get killed in ways described in her book.

#### DON'T INTRUDE ON THE STORY

That's not the first time a show launched a novel. *Passions* solved the problem of being a new show with no backstory by releasing a book called *Hidden Passions* detailing the characters' histories to fill in gaps for viewers, says Sheraton Kalouria, senior vice president, Daytime Programs, NBC Entertainment.

*Passions* also included a storyline in which one of the characters sold Mark cosmetics, a new makeup line launched by Avon for younger consumers.

NBC also has included JC Penney, Frosted Flakes and EPT Home Pregnancy Tests as part of storylines.

While many shows welcome product integration, producers and executives try to be careful about how they craft deals and insert items into stories.

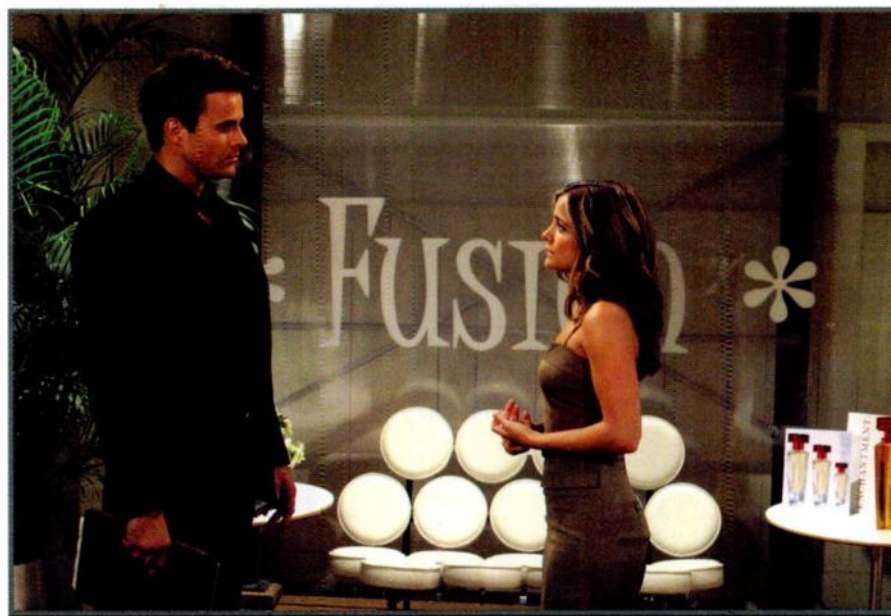


Brian Frons of ABC

"I don't want these messages to get in the way of our storytelling," Kalouria says.

That leaves a lot of room. Butterball turkeys have shown up on CBS' *As the World Turns* and *Guiding Light*. General Motors' OnStar global positioning system was featured on *The Young and the Restless* and *General Hospital*.

The trouble is, soap-opera viewership is down and has been for a while. "It all started with O.J.," says Shapiro-Mathes, referring to the televised O.J.



Fragrance Enchantment (far right), part of an *All My Children* storyline, is sold at Wal-Mart.

Simpson murder trial that occupied many afternoons in 1995. "That's when soaps really took a hit. Basically, O.J. was a much better soap. Once viewers stopped watching their stories, many of them never came back."

#### LOSING YOUNG VIEWERS

In the past five years, soaps have experienced significant viewership erosion (with the exception of NBC's *Passions*, launched in 1999, aimed squarely at younger, urban women). Elsewhere, losses are steepest among 18-34 women, the audience advertisers covet most. With young women, ratings for soap leader CBS' *The Young and the Restless* dropped 50%. NBC's *Days of Our Lives* has lost the least of this audience, dropping 32% since 1999. And among women 18-49, ABC's *Guiding Light* has fallen the most at 40%, while *Days* is off the least at 21%.

Even just comparing this season with last reveals drops. Only ABC's *All My Children*, with a story about a woman searching for her lost baby, has shown increases this year. *AMC* has dropped 7% in viewers, but gained 15% in women 18-34 and 5% in women 18-49. The CBS soaps all have plunged 25% or more among women 18-34 this season, and with the exception of *As the World Turns*, nearly 20% among women 18-49. The ABC and NBC soaps fare better among younger people, although *General Hospital* has lost 23% this year compared to last.

As a result, network license fees have declined, causing executives to find ways to cut soap fat.

"We take a look at every aspect of our productions to see how we can maintain the quality but produce for less," says Mary Alice Dwyer-Dobbin, executive-in-charge of production at Procter &

Gamble Productions, which produces *As the World Turns* and *Guiding Light* for CBS. "That may mean using fewer sets or decreasing the size of our casts. Also, that means, when contracts come up for renegotiation, we have to be very cautious."

At Sony Pictures Television, which distributes *Days* to NBC and co-produces *Young and the Restless* for CBS, executives have been streamlining costs for the last year.

#### CUE CARDS COST MONEY

"We've worked very closely with producers of the shows to do everything we can to operate these things as efficiently as possible in today's world," says Steve Mosko, president of Sony Pictures Television.

"We took a look at how the shows were operating from top to bottom," adds Steve Kent, Sony's senior executive vice president of international television production.

Behind the scenes, Sony has done everything from adding a computerized accounting system that allows the shows to track costs. A subtle saving: It got rid of expensive cue cards from the *Young and the Restless*.

"This is probably the healthiest thing we could have done for these shows," Kent says.

Although ratings have plunged, soap operas still make plenty of money. Last year, soaps brought ABC, CBS and NBC some \$2 billion combined in advertising revenue.

"At the end of the day, soaps are an incredible business," Shapiro-Mathes says. "It may not be as good a business as it was before, but I'd argue that you could say that about anything on the networks." ■

## SOAP RATINGS: SLIP SLIDING AWAY

How the numbers for daytime soap operas have changed from 1999 to 2004

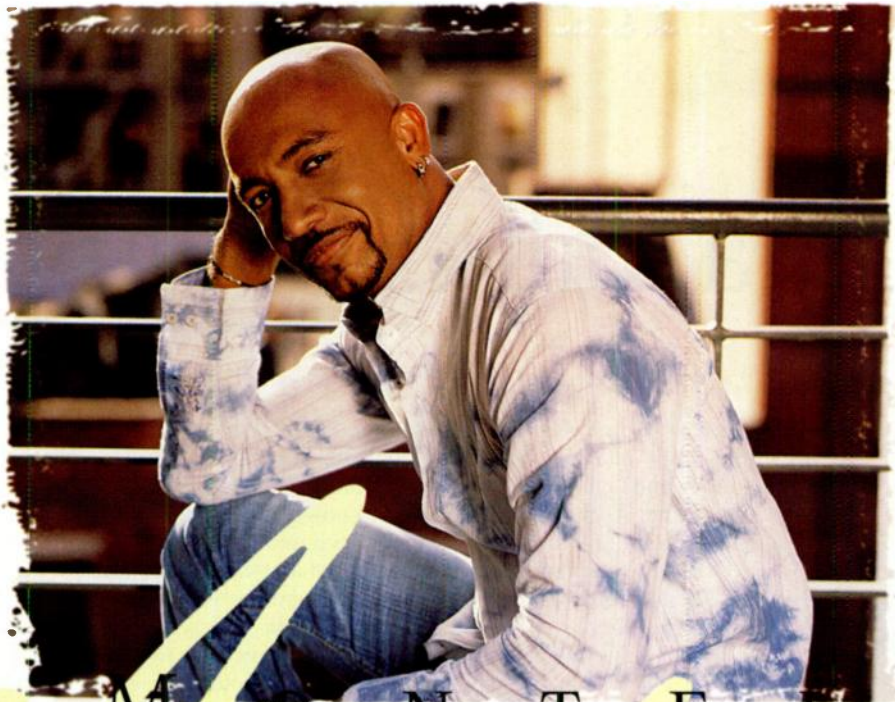
SHOW	VIEWERS	WOMEN 18-34	WOMEN 18-49
<i>All My Children</i>	-23%	-38%	-28%
<i>One Life to Live</i>	-29%	-40%	-34%
<i>General Hospital</i>	-26%	-41%	-29%
<i>Young and the Restless</i>	-32%	-50%	-29%
<i>Bold and the Beautiful</i>	-33%	-43%	-30%
<i>As the World Turns</i>	-33%	-43%	-32%
<i>Guiding Light</i>	-38%	-48%	-40%
<i>Days of our Lives</i>	-35%	-32%	-21%
<i>Passions</i>	flat	+5%	+21%

SOURCE: Nielsen TV National People Meter



# “He is a man on a mission.”

EXTRA



M O N T E L

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“One of the most charismatic, admired and successful personalities on television...Viewers tune in daily to check out his intuitive and compassionate take on the human condition.”

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“Williams...has always taken the high road with the program, choosing to help solve problems while other talk shows elected to exploit them.”

PHILADELPHIA TRIBUNE



World Radio History





Regis and Kelly have been nominated but have never won.

# Maybe It's Better Not To Win a Talk-Show Statue

The most popular shows often don't nab an award

By Paige Albinak

successful, unproduced—look and feel. It should look like Regis and Kelly sauntered out and a couple of their friends came over and they kibitzed and had a good time. As any TV professional knows, it takes a heck of a lot of work to make it look so unrehearsed.”

Other daytime producers agree with that assessment. “These awards can be very subjective and the voters seem to love the more presentational talk-variety formats,” says Hilary Estey McLoughlin, executive vice president and general manager, Telepictures Productions.

Last year, that preference among Emmy voters favored Warner Bros./Telepictures' rookie entry, *The Ellen DeGeneres Show*, which took home both Outstanding Talk Show Host and Outstanding Talk Show honors.

McLoughlin compares *Ellen* with Warner Bros.' *The Rosie O'Donnell Show*, which won a total of 25 Emmys over the life of the show (1996-2002), including best host all six years the show was on the air and best show five out of six. And while *Ellen* is considered a modest success in the ratings, averaging a 2.1 national household number season-to-date, *Rosie* was a smash daytime hit that faltered only near the end.

“*Rosie* was hot out of the box. Still, when Rosie went up there to collect that first Emmy, she was weeping like a baby. She had gone to Radio City Music Hall as a kid, and she remembered going there with her mom, who had died,” McLoughlin says. “With *Ellen*, the Emmys were really satisfying because there were a lot of doubts about her coming back to television. It was as much a win for the stations that supported her from the beginning, especially NBC, as it was for the show.”

#### REAL SUCCESS IS IN RATINGS

While all daytime producers appreciate the recognition, particularly because it comes from their peers, they know that real success in daytime means ratings. And the fate of some of Emmy's choices makes that clear.

Emmy loved *Wayne Brady*, but audiences were indifferent. The show lasted only two years, averaging a 1.0 in households. That's a killer.

“Wayne is so enormously talented, but maybe a

daytime format is too constricting for him,” says John Redmann, executive producer of both Buena Vista's *The Tony Danza Show* and *The Wayne Brady Show*.

Redmann also is a voting member of the National Academy of Television Arts and Sciences, so he knows what voters are looking for. “Daytime ultimately may have been the wrong format to display his talents.”

O'Donnell won the Emmy in her final year on the air, even though at the time her ratings were at their lowest, a 2.3 in households.

DeGeneres is the exception. When she won the Emmy, her show was averaging a 1.7 household rating, not a huge national number. This year, *Ellen* is up 24% in households, 18% among women 18-49 and 17% among women 25-54. While those increases are due to better clearances for the show, winning the Emmy gives a show a boost, in terms of both internal morale and external perception.

#### EMMY FUELS PUBLICITY

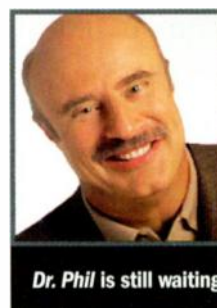
“It's nice to feel that people are acknowledging your work, and it creates a positive halo

effect on the staff,” McLoughlin says. “It helps reinforce with publicists that yours is a show they can take their stars on. And it helps the whole process of getting upgrades, even though obviously you have to perform and get numbers as well. It helps the whole momentum for a show.”

Redmann agrees. “You get so much publicity, and it motivates the staff,” he says. “Everyone involved gets a huge burst of energy. And it gives you credibility.”

That said, though, choosing between winning an Emmy or getting high ratings is easy for some. It's ratings every time, says Gelman, who doesn't mind being called the Susan Lucci of daytime talk, particularly because after being perpetually nominated for 19 years, Lucci finally won the big one.

“Would I like my staff to have a stack of Emmys on the mantle? Yes, of course,” Gelman says. “But given the choice, I'll take our ratings any day.” So would most general managers. ■



Dr. Phil is still waiting.

“Would I like my staff to have a stack of Emmys on the mantle? Of course. But given the choice, I'll take our ratings.”

MICHAEL GELMAN,  
LIVE WITH REGIS  
AND KELLY

**H**igh ratings don't necessarily impress Emmy. None of today's top talk shows are recent Daytime Emmy winners, including *The Oprah Winfrey Show*—by choice. The queen of talk is scoring her highest ratings in eight seasons, but Winfrey stopped submitting her show to the Emmy selection committee after winning the award for best talk-show host seven times, the award for best show nine times and a total of 35 Emmys.

The No. 2-rated talker, King World's *Dr. Phil*, has been upset two years in a row. First, *Phil* was beaten in its highly rated rookie year by Buena Vista's *The Wayne Brady Show*. At the time, *Brady* wasn't even cleared nationally, and it struggled in the ratings both years that it was on the air. But apparently, Emmy voters were drawn to Brady's multi-talented approach to the day-part. In year two, Brady tied with Ellen DeGeneres as Outstanding Talk Show Host, but Buena Vista cancelled his show anyway.

The No. 3-rated show, Buena Vista's *Live With Regis and Kelly*, is one of daytime's longest-running hits, on the air (first with Kathie Lee Gifford) since 1989. It has been an anchor show on ABC's powerhouse station group, where the show has consistently won its morning time slot for 15 years.

Still, *Live* has never taken home the Emmy for best talk show, even though it is nominated every year. And host Regis Philbin, who cemented his TV-icon status when he hosted the prime time hit *Who Wants To Be a Millionaire*, has won the award for Outstanding Talk Show Host only once, and he had to share the honor with Rosie O'Donnell.

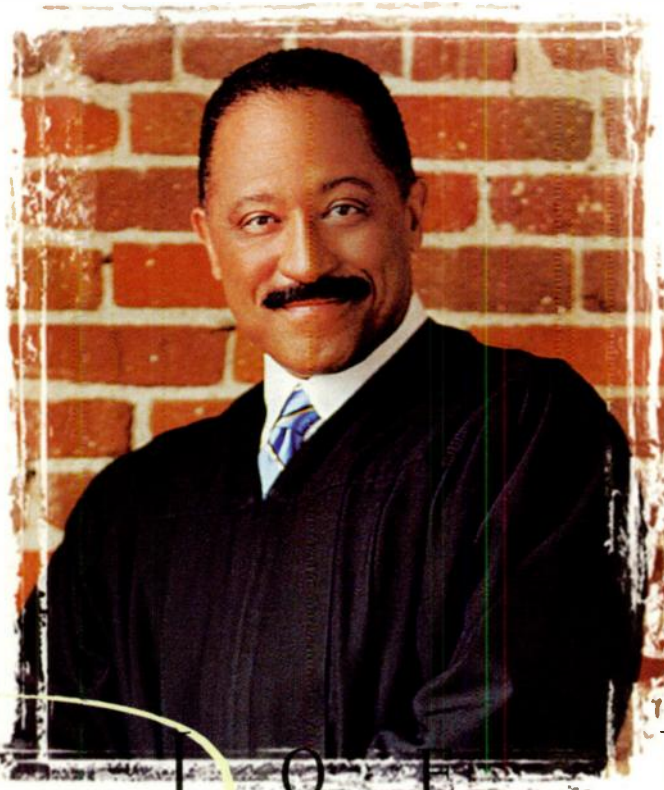
#### AWARDS CAN BE SUBJECTIVE

“I think Emmy takes our show for granted,” says Michael Gelman, *Live*'s executive producer who became well-known to daytime audiences when Regis began screaming “Gelman!” on the air. “I also think it's the live element. Our show has a very casual—and, when



# “Syndicated TV’s legal heavyweight.”

LOS ANGELES TIMES



J U D G E J O E B R O W N

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“He is the voice of the community that demands justice, the voice that demands that people step up and take responsibility for their actions and do the right thing.”

E B O N Y

“Paramount’s...‘Judge Joe Brown’ [is]...as strong as ever.”

B R O A D C A S T I N G & C A B L E

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World Radio History



# Fewer Grumbles About Daytime Emmy

**U**ntil recently, one of daytime's biggest headaches was the Emmy nomination process itself: Soap stars and producers didn't think the process worked.

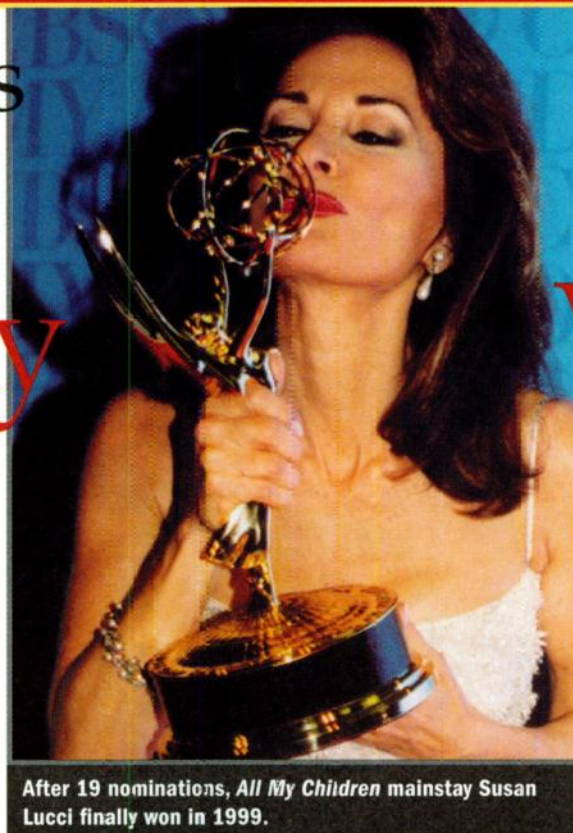
Until 2003, the cast and crew of each soap determined who received an Emmy nomination. But critics of the system believed that cast-heavy shows garnered the most nominations simply based on their numbers of voters, effectively creating a form of bloc voting. Actors then voted for nominated peers, and those with the most votes were part of the final Emmy ballot.

"The large shows had the advantage," says a West Coast publicist. "It seemed to be a popularity contest about which actor got the most votes to be in a position to win an Emmy."

The grumbling grew loud enough to force the National Academy of Television Arts & Sciences (NATAS) to change the nomination process. Now each soap initiates its own voting, with the top two vote-getters in each acting category becoming that show's entry for an Emmy nod. Those actors then send 30-minute reels of their work to a judge's panel of NATAS members, as well as cast members from each of the 10 soaps. Votes are cast for the best five performances, and those actors become the Daytime Emmy nominees.

"It's always been controversial how nominees, and ultimately winners, were chosen," the publicist adds. "I don't think you can find a system that pleases everyone."

While no show can now dominate the Emmy ballot, that doesn't mean that, once the envelope is open, there isn't a groan of outrage or gasp of disbelief.



After 19 nominations, *All My Children* mainstay Susan Lucci finally won in 1999.

"There have been some odd choices," another well-placed publicist points out. "Sometimes, you're left shaking your head."

Soap fans still talk about *All My Children* diva Susan Lucci's 1999 win, after 19 futile attempts to secure the golden prize. She may be soap's most recognizable face, but other soap stars have been underwhelmed by her acting chops.

#### GOOD REELS AND GOOD GAFFES

Some explain her win as the result of a great tape. "She had a good reel that year. She deserved the award," says publicist Thom De Lorenzo, whose client Heather Tom (*One Life To Live* and *The Young and the Restless*) has two statues. "Susan should have won, if only because she was a lady-in-waiting."

Technical gaffes in Emmy history have also provided their fair share of jaw-dropping moments. Five years

# Voting

Changes fix some flaws in the system

By Karre Jacobs

ago, when *The Bold & the Beautiful* stars Justin Torkildsen and Adrienne Frantz presented the lead-actress award, they called out fellow castmate Susan Flannery's name. But daytime talk diva (and Emmy winner) Rosie O'Donnell, who stood backstage with co-host Lucci, was certain she had heard Lucci's name. She urged the *All My Children* star to sprint on stage to accept her award. The orchestra didn't help matters when it began playing the AMC theme song. Even a stage manager was directing Lucci to the pulpit. Fortunately, Flannery got to the Emmy first, but Lucci's awkward moment was caught on camera and seen during the broadcast.

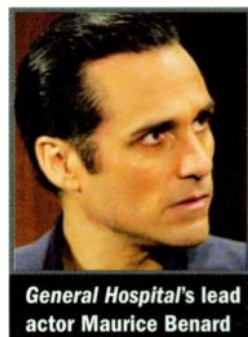
#### THE AWARD Y&R DIDN'T WIN

Some gaffes occur offstage. When *Y&R*'s writing team heard its name called in 1986, the thrill spilled over into the streets of Manhattan following the show, recalls head writer Jack Smith. "We partied all night. We walked the streets of New York, holding our Emmys high."

The next morning, after a night without sleep, Smith got a phone call from then-head writer and multiple Emmy winner Bill Bell. "He told me it was all a mistake, that the writing award really belonged to the team at *Guiding Light*," Smith recalls. "I thought Bill was joking." He wasn't, and *GL* was presented its award privately, away from the glare of the lights, cameras and applause the writers deserved.

But Smith kept the statue anyway. "It's not inscribed, but it hangs—upside down—in my home." ■

## Soap Operas: Long May They Live An Appreciation By Ed Martin



*General Hospital*'s lead actor Maurice Benard

**S**ometimes, all it takes is a glimpse to get hooked. The subsequent addiction can last for decades. And even if the daily habit is broken, memories remain so vivid and impressions so strong that simple passing exposure many years later can trigger familiar behavior and ignite interest anew.

So it is with daytime drama, an enduring programming genre that has somehow managed to master the art of long-term survival despite mounting competition from multiple media and the distractions of modern lifestyles.

Fox's *The Simpsons* may be marking its 16th season, but *Guiding Light* just began its 53rd year on CBS (after 14 years as a radio serial that debuted in 1937); CBS' *As the World Turns* will start its 49th year in April; ABC's *General Hospital* will mark its 42nd anniversary that month; and NBC's *Days of Our Lives* turns 40 in November.

Literally created to market soap and other consumer products directly to housewives, daytime television serials came alive and thrived during the suburban sprawl of the 1950s and '60s, when members of their target demographic—married women with children—spent most days at home as full-time wives and mothers. They were enthralled by stories largely centered on adult women facing seemingly insurmountable challenges in pursuit of romance and matrimony.

#### THE GENERAL HOSPITAL TRANSFUSION

Much has changed since the humble beginnings of the genre. In the '70s, the arrival of ABC's *All My Children* and CBS' *The Young and the Restless* signaled a shift in the strategy of soap-opera storytelling. These shows were targeted to both

adults and teenagers, with adolescent characters featured in primary roles. But it was *General Hospital* that would forever change the world of daytime drama in 1977, when it was transformed from a tired traditional serial into a powerhouse of contemporary storytelling. The love story of Luke and Laura became a phenomenon, and since that time, virtually every soap opera has focused much of its creative energy on similarly conflicted young couples.

#### SOCIAL CONSCIOUSNESS...AND SEXINESS

The soaps have gone through disparate creative and cultural phases over the decades. But daytime dramas have also bravely and realistically addressed such social issues as abortion, homosexuality, breast cancer and AIDS.

If there is one thing about soap operas that hasn't changed during the past 50 years, it is their emphasis on romantic relationships and sexual exploits, two key components of their timeless appeal. These narrative elements were discreetly conveyed decades ago, but overt sex and skin were in once the soaps started targeting teens. In recent years, daring soap producers began filming ever-hotter sex scenes, showing as much flesh and foreplay as standards and practices would allow. In 2003, *Guiding Light* went so far as to reveal the bare backside of one of its young actors and, in a side view, the nearly nude body of one of its female players.

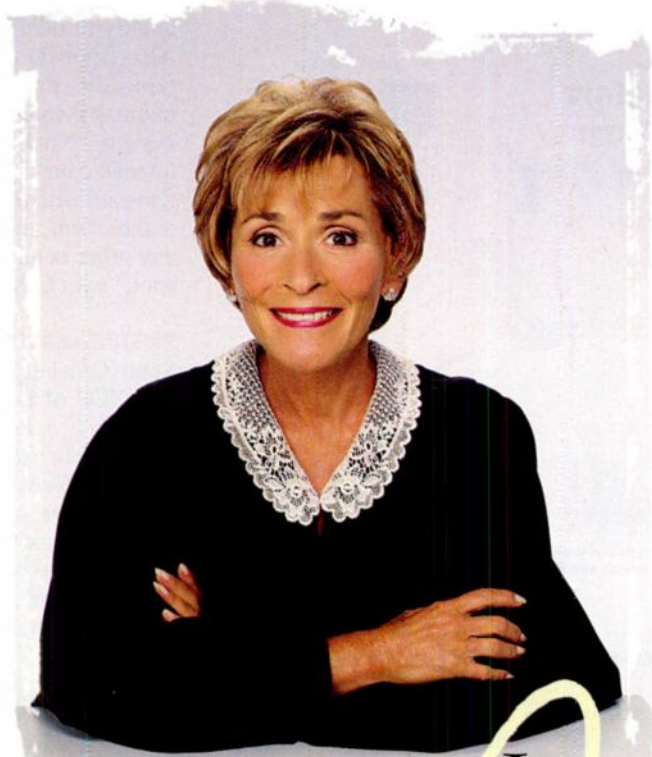
And then came Janet Jackson's controversial wardrobe malfunction during the 2003 Super Bowl halftime show. Before the full impact of that critical moment was realized, *Guiding Light* served up another sexy scene in which a young woman pulled down a young man's underwear, partly revealing his buttocks. A controversy erupted, and, for the first time in years, the soaps began toning down their sexcapades.

How long will that last? Maybe not long at all. Recently on *All My Children*, a young man and woman indulged in an erotically charged bath. But carefully placed bubbles kept the censors at bay. ■



# “The doyenne of daytime justice.”

TV GUIDE



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“Entering its ninth season, ‘Judge Judy’ has been a hit since its launch, bringing in the highest ratings of any court show.”

B R O A D C A S T I N G & C A B L E

“Judge Judy’ still stands head and shoulders above the rest.”

M E D I A W E E K / B R A N D W E E K

“Judge Judy’ hit a milestone making it 400 straight weeks as the No. 1 court show.”

D A I L Y V A R I E T Y



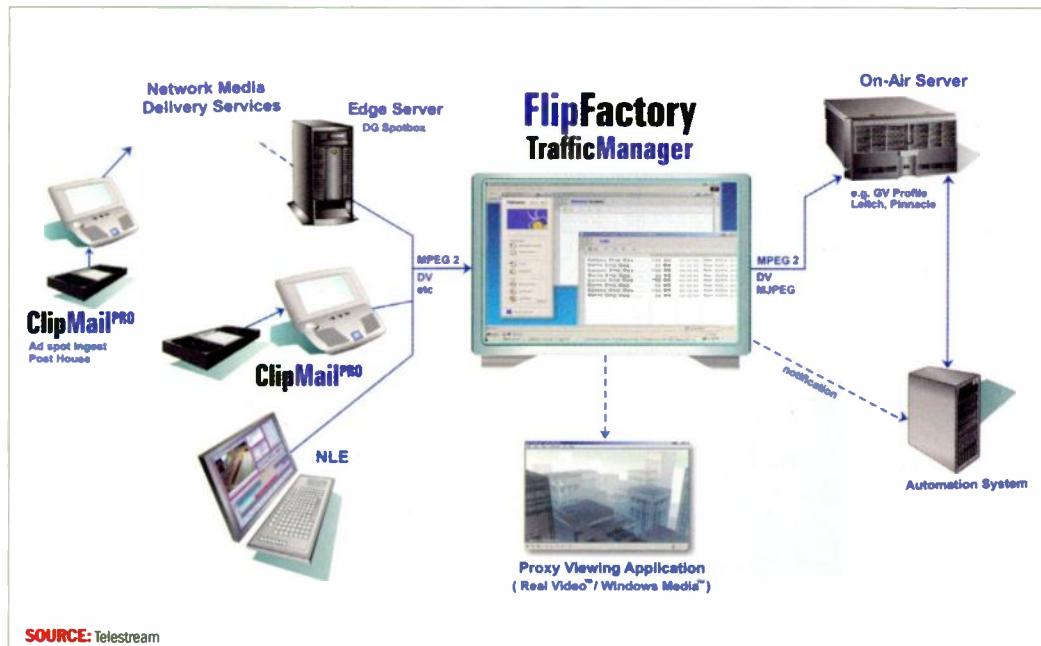
World Radio History





# New Tools Streamline Ad Delivery

Telestream, DG Systems send spots directly to station servers **By Ken Kerschbaumer**



SOURCE: Telestream

DG's new ad-distribution model uses Telestream technology to get a TV spot on the air quickly and efficiently.

Television spots used to be delivered to stations in one of two ways. They were either sent as an electronic file via satellite or physically mailed on a videotape.

Now DG Systems and Telestream have joined forces to streamline ad delivery. Starting this week, TV spots can be electronically delivered *directly* onto play-to-air video servers at broadcast and cable facilities.

DG Systems delivers more than 4.5 million TV spots digitally to 3,100 destinations—including TV and radio broadcasters, cable networks, and cable operators—on behalf of its 5,000 ad-agency clients.

The DG Spotbox is free, but the Telestream Traffic Manager costs \$45,000 for software, hardware, installation and training. The system streamlines operations, consolidating media and metadata into a single traffic-monitoring application. It also creates viewing opportunities. Once a spot arrives, sales and traffic personnel can verify the quality.

Last week, three Fox-owned stations—WNYW New York, WWOR New York and WUTB Baltimore—became the first stations to install the new equipment.

“We’re hoping it will provide seamless integration of third-party servers, like the DG Spotbox, into core servers used at our facilities,” says Al Shjarback, WNYW VP, operations and engi-

neering. Although he says it’s too early to predict savings, he does believe it will improve video and audio quality. The joint deployment of Spotbox and Traffic Manager makes getting a TV spot on air fast and efficient. Station personnel typically dub electronically delivered spots onto tape, then re-ingest them onto the play-to-air server. Each time a spot is dubbed, the quality takes a slight hit. But having spots in a file format main-

tains the original image quality of the commercial. Also, spot ID information typically needed to be manually entered into the system. “Now we can pick up metadata from DG Systems, information like who is the client, duration, and any other details about the spot,” says Castles.

## PRISTINE IMAGES

Scott Ginsberg, chairman and CEO of DG Systems, says his agency clients also benefit from the new system. They, too, want their images pristine, and they want spots to be received properly, which the Traffic Manager system verifies. If a spot is not sent correctly, it is resent, assuring the agency that

its client will be happy with the final on-air product.

“There are competing networks,” says Ginsberg, alluding to Fast Channel, which also delivers spots, via the Internet, for more than 5,000 advertisers to more than 3,000 destinations. “But ours is the most technically advanced when you take into account the digital delivery options, the transparency and the storage capacity.”

## ADDED VALUE

While Telestream’s emphasis is on making it easy to move TV spots in a station, Castles says the system can also be used for other things. Traffic Manager can pull a promo off an Avid editor and handle it like a spot. This kind of value-added feature, he

believes, gives his next-generation delivery system its competitive edge. “Once a TV station drinks the Kool-Aid, they’ll automate,” he says.

But Ginsberg says DG Systems has only begun to innovate. The company is now working on a digital order-entry and -management system that will create new workflows for advertisers and stations.

“They’ll be able to look into our system, see where a spot is and even capture it,” Ginsberg says. “The agency will know if a station has played a spot or if there are any network issues. It makes the delivery process that much more transparent.” ■

**“This automates a very labor-intensive process. There is no tape, no handling. And it’s easy to justify the expense.”**

DAN CASTLES, TELESTREAM

“This automates a very labor-intensive process,” explains Telestream CEO Dan Castles. “There is no tape, no handling. And,” he adds, “it’s easy to justify the expense: There is a proven return on investment.”

## SMOOTHER OPERATIONS

The new workflow starts at the DG Spotbox video server, a device that receives the incoming commercial at a TV facility. Telestream’s Traffic Manager takes the commercial, converts it into whichever video format a station needs, then sends it, and any related metadata, to its play-to-air server.

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Telestream’s Dan Castles

## BRIEFS

### WNIT TAKES FASTBREAK

WNIT Elkhart, Ind., a PBS station, has added the Sundance Digital FastBreak automation system to automate multicasting. WNIT Chief Engineer Brian Hoover says he consulted with other PBS stations that were using the system before making the purchase. “This was our first experience with automation, and we needed a user-friendly system with an easy learning curve,” he says. The system will drive a SeaChange Broadcast MediaCluster server and master-control gear. Two channels will be controlled initially, but it can handle up to six channels.

### DIALING QUALITY VIDEO

Content providers that send video out to 2G, 2.5G and 3G cellphones now have a new means of checking the quality of outgoing video and audio: the Tektronix K15 version 2.1 analyzer. It displays all video-telephony calls in a live mobile network; customers can calculate key performance indicators and extract the voice/video stream of each video call. The data can be loaded into a Tektronix MTS4EA elementary video-stream-analysis tool for complete analysis.



Ernie Johnson presents NBA’s MVP Award to Miami Heat’s Shaq O’Neal.

### NBA ALL-STAR HD

TNT’s coverage of NBA All-Star weekend from Denver Feb. 18-20 will use 35 HD cameras, the largest number the network has ever used for an NBA game. New HD features include aerial shots from a helicopter camera, indoor use of the Cablecam (which has become ubiquitous on NFL telecasts) and Magic Cam. Cablecam is a high-tech camera that allows TNT to pull frames of live game action, logos and players and transform them into three-dimensional graphics to be projected on various downtown Denver landmarks.

### ARROYO: MORE VOD

Arroyo Video Solutions now supports native 10 Gigabit Ethernet interfaces to give cable operators more flexibility when responding to customer demand for VOD. Arroyo co-founder and CTO Paul Sherer says that, by integrating 10GigE boards built by other vendors into its platform, Arroyo can easily and rapidly respond to operators’ needs for speed, performance and scalability. The technology offers tenfold scaling in capacity versus 1 Gigabit Ethernet. As a result, Arroyo says, a single fiber can carry up to 2,500 3.75-Mbps video streams and significantly reduce the number of network paths that operators have to manage.



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# Harris Showcases New Automation

Stations can now integrate traffic, digital-asset management **By Ken Kerschbaumer**

For decades, the buzz around the Harris booth at the National Association of Broadcasters (NAB) conference concerned the latest transmission technology for TV and radio. But this year, the company will unveil the fruits of its \$340 million cash acquisition of Encoda, an enterprise-level traffic, billing and automation system.

Harris, a Quincy, Ill.-based supplier of transmission and automation hardware and software, deals with customers that integrate traffic, automation and digital-asset management systems from a variety of vendors. Now they will be able to enjoy one-stop shopping. This leaner approach provides operational stability and fewer headaches for stations, the company says.

"When you look at enterprise-class systems versus point-to-point systems, the return on investment is more compelling," says Jeremy Wensinger, president/GM of Harris' Broadcast Communications division. He notes that such systems eliminate the need for multiple service contracts: "How many software-maintenance and hardware-maintenance agreements do you really want to manage?"

## NAB OFFERINGS

For NAB, Harris is building a "Harris Resource Suite" (HRS), including a Broadcast Presentation Manager (BPM) and Media Mover (MM), to replace the current Encoda ADC system. "In the future, the log will no longer be the foundation for what a broadcaster delivers," Wensinger says. "Instead, the digital asset will be."

This next-generation automation system will tie more information into

that asset, says John Sorensen, head of Harris' Software Systems division and former CEO of Encoda Systems. A commercial clip, for example, will have business information and rules attached to it, not just an ID number and traffic information. Integrating automation and traffic in the control room, Sorensen points out, allows any change to be reflected in the traffic systems in real time.

## FLEXIBILITY BENEFITS

HRS will also have a graphical user interface (GUI), minimizing training time.

"Customers will be able to configure the GUI to meet their specific needs," Sorensen says. The BPM will provide rules-based scheduling of branding, audio voiceovers and other content.

"It also allows for the ability to monitor channels and playout anywhere within the facility or across WANs [wide area networks]," Sorensen adds.

The acquisition of Encoda allows Wensinger to put his stamp on the broadcast communications division. He moved into the new role after successfully heading Harris' government division.

Harris had done well selling DTV transmitters, but as the market cooled (only 90 stations are not yet broadcasting digital signals, and potential long-term growth is about 5% per year), the division needed to expand.

So far, the moves are paying off. The broadcast division recently reported \$98.9 million in revenues for fiscal second quarter 2005, an increase of 49% over the year-ago period. Encoda contributed \$21 million of that revenue.

Prior to the 2004 Encoda acquisition, Harris' automation group worked on systems for



Jeremy Wensinger aims to provide end-to-end digital-content delivery.



John Sorensen heads Harris' new software division.

**Harris' Wensinger says the return on investment for an enterprise-class system is compelling.**

facilities that needed fewer than 15 channels of automation. The addition of Encoda's automation line expands that capability to more than 15 channels. Encoda's traffic and billing software rounds out Harris' technology portfolio, allowing it to be a full-service (traffic, billing, automation) provider.

The new automation system is handled by a new division: the Software Systems Business Unit, which is headed by Sorensen. "Buying Encoda was almost like a reverse acquisition; our automation business was folded into their unit," says Wensinger. "All our software applications will be built by them, and we think it's a powerful way to go to market."

## PERFECT TIMING

Sorensen says the timing of the acquisition was perfect from Encoda's standpoint. Encoda, owned by venture capitalists, was looking for a buyer. Harris was looking for a buy. More important, both companies were looking for a change. "If you look at where the digital environment leads our customers, it's to a complete end-to-end digital-content delivery system," says Wensinger. "We have that, thanks to Encoda."

The move also gave Encoda some much needed resources. Harris has more than 5,000 software engineers in Melbourne, Fla. Encoda had about 300. Sorensen believes a surge in the talent pool will help Encoda stave off competitors on the traffic side. Developed more than two decades ago, Encoda's system was considered solid, but rivals VCI, OSI and WideOrbit provide more features and flexibility.

OSI President Ed Adams agrees that Harris' moves will beef up the traffic side of its business. But OSI is "working toward that sort of integration of metadata [delivered via satellite] with companies like Pathfire," he says.

"The challenge Harris faces is, the days of locking out competitors, something Encoda's proprietary system did, are over. Any software provider looking to do something exclusive," he says, "is setting themselves up for failure." ■

## TECH Q&A

### Cable Connections

How to market the "triple play"

The Cable & Telecommunications Association of Marketing (CTAM) recently released a report for its members called "Building DVR Ownership: What's Next?" For all the attention DVRs have received, customer awareness hovers below 50% (and as low as 32% for analog-cable subscribers). Seth Morrison, who was promoted in December to SVP/GM, CTAM Corporate Initiatives, discussed the report with *B&C's* Ken Kerschbaumer.

**Are you talking about consumers owning or renting a DVR? TiVo isn't having great luck getting consumers to buy them.**

Cable is moving toward the two-way, plug-and-play area. The leased model is the best way to go until we get TV sets that have DVRs built into them. Those will hit the market sometime in 2006.

**DVRs seem like a great pitch to cable subscribers. But what is the challenge from a marketing standpoint?**

The big challenge with all of the new products, including digital phone and VOD, is deciding what works for you. Customers are being deluged with new options and new technologies.

**Should operators focus on promoting one service? Or should they market the "triple play" of voice, video and data?**

The best route is a combination. You need to promote each individually to explain it, especially something like a PVR. When you talk to the customer is when you actually sell them on the bundle. Customer interaction and personalization is a key part of the process.

**Everyone is talking about fast-forwarding through ads.**

Cable companies sell ads just like broadcasters, so we are concerned. Having a constructive dialogue with Hollywood, Madison Avenue and the networks is very important. The issue of blocking is a competitive one. If technology A blocks fast-forward and technology B doesn't, somebody loses.

**Can ad-skipping be removed from future DVRs?**

It's going to be very tough—unless everybody agrees to do it.



WMAK Nashville, Tenn., is one of Harris' DTV-transmitter customers that could benefit from the company's expanded product portfolio.



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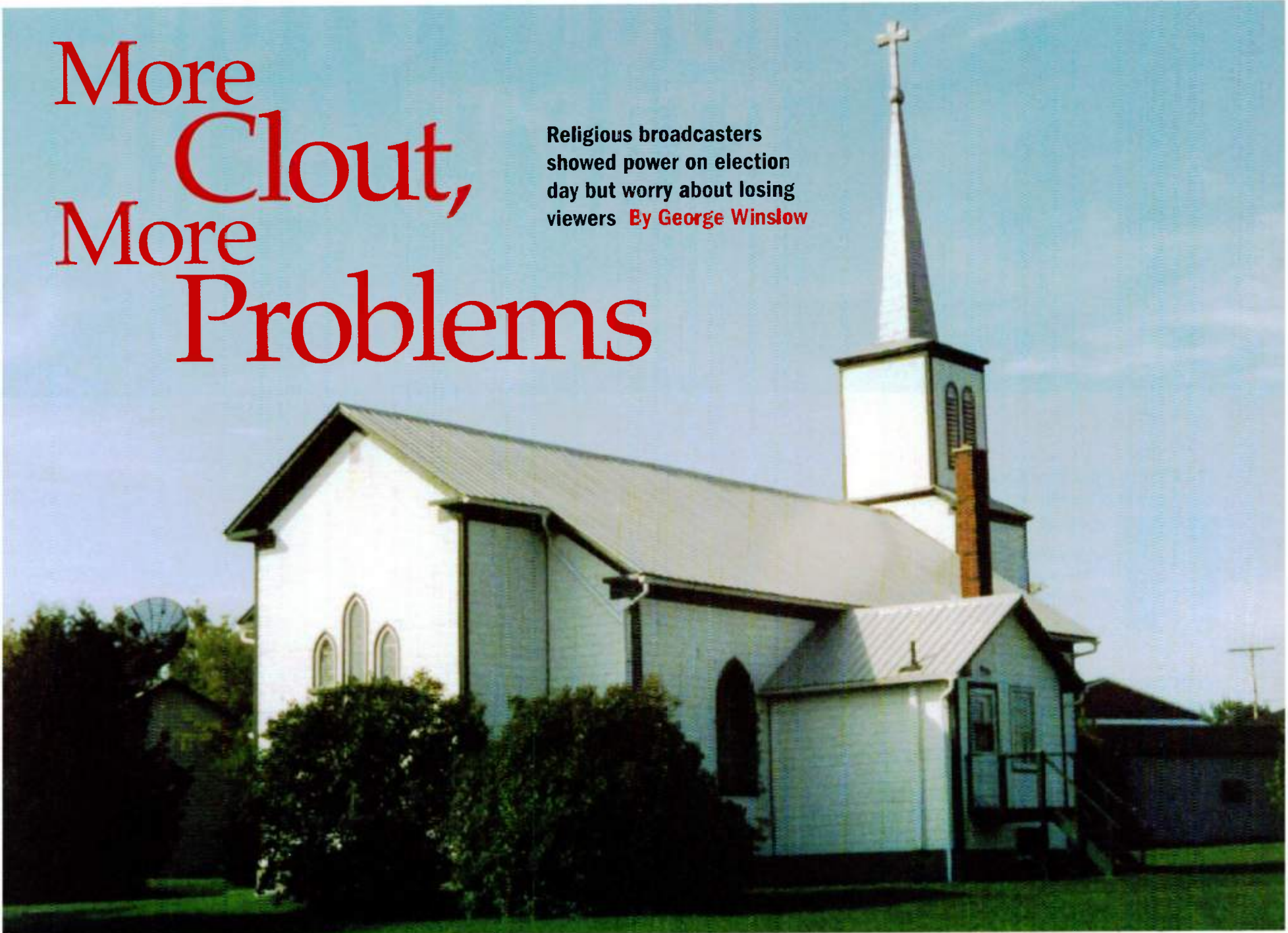
# NAB2005

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# More Clout, More Problems

Religious broadcasters showed power on election day but worry about losing viewers **By George Winslow**



**W**

hen Mark Twain said "politicians are uniquely respectful of anyone who buys ink by the barrel," he was talking about the power of newspapers. But Dr. Frank Wright, the president of the National

Religious Broadcasters (NRB), has a new spin on that.

The November election proved the political power of evangelical broadcasters and programmers. "In the modern world," Wright says, "politicians are respectful of broadcast platforms and broadcasters can have an impact."

The power of the television and radio pulpit is high on the list of topics at this week's NRB convention in Anaheim, Calif. But so are other issues, including an aging viewership and increased difficulty in finding timeslots on station or cable outlets.

Wright downplays the idea that the Bush-Kerry presidential race marked a landmark shift in the power of evangelicals. He stresses he limits on the way the NRB

and religious broadcasters can use their political clout. For starters, as a non-profit group, the NRB is prohibited from taking partisan stands on electoral issues; during the latest election, the NRB didn't endorse candidates. But hundreds and probably thousands of ministers gave pro-Bush sermons prior to the election.

#### **Christians Voted in Record Numbers**

But the NRB and a number of evangelical broadcasters did heavily promote get-out-the-vote-campaigns, and on election day born-again Christians turned out in record numbers, according to a recent survey by Barna

**One statistic claims born-again Christians comprise 38% of the population and accounted for 55% of all votes cast nationwide. They voted overwhelmingly for President George W. Bush.**

Research Group, which, it should be noted, specializes in Christian research for religious groups.

Barna finds that born-again Christians comprise 38% of the population and accounted for 55% of all votes cast nationwide. They supported President George W. Bush by a 62%-38% margin.

In the days immediately following the election, the popular idea was that "moral issues" decided the winner. That is probably overstating the case, but there is no doubt Christian conservatives helped Bush ride to victory and were part of his strategy.

Those voters are also leading a cultural shift that is boosting demand for faith-based or religious media. Speaking at 2003 NRB convention, President Bush noted that at least 144 million Americans use some religious media—books, radio or television—at least once a month. That is more than the 136 million Americans who attend church in an average 30-day period.

While the NRB is the largest association of faith-based broadcasters in the U.S., Wright and the association don't pretend to represent all faith-

*Continued on page 30*



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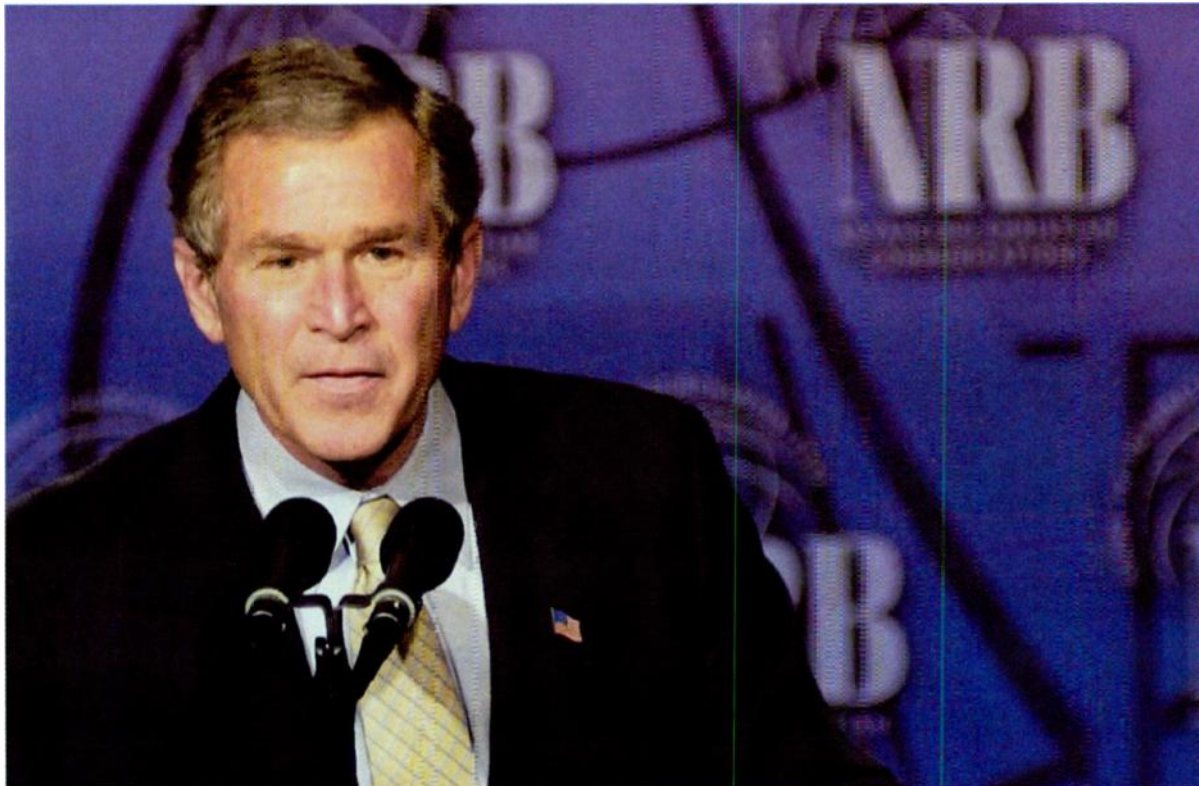
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## SPECIAL REPORT: Religion On TV



George Bush addressed the NRB in 2003. Its members were receptive to his message, to say the least.

### More Clout, More Problems

*Continued from page 28*

based programmers. Although a number of Catholic organizations will be exhibiting at the convention, all NRB members must sign a distinctly evangelical statement of faith that would probably exclude most Catholics and certainly all Jewish, Muslim or Buddhist programmers.

Nor does the NRB claim to represent all conservative Protestant evangelicals, a group that forms the heart of its membership.

Following the financial scandals of the 1980s, the NRB instituted rules requiring its members to provide detailed financial statements. The Trinity Broadcasting Networks and a number of evangelical broadcasters who are unwilling to accept those conditions are not members of the NRB, even though they regularly attend and exhibit at its convention.

Although reliable television ratings for religious programming are difficult to obtain, a July 2002 poll by Barna, which was the basis for Bush's numbers, found that about 43% of all adults—about 90 million people—watched a Christian TV program in the past month. This same survey found that about 38% of all adults listened to a teaching, preaching or Christian talk show on radio and that about 43% had listened to Christian music.

But those numbers need to be put into some perspective. No religious programming is highly viewed. For example, the most-watched religious program on television is Pat Robertson's Christian Broadcasting Network and its *The 700 Club*. But according to CBN's own data, the show, while being available to 95% of the country through ABC Family Channel, Trinity Broadcasting Network and some TV stations is seen by 1 million viewers daily.

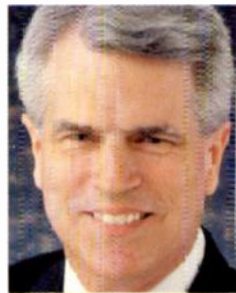
#### "At a Crossroads"

Yet there is a mountain of other programming. The NRB convention will be attended by 6,000 programmers and 300 exhibitors, and they are facing some serious challenges as they attempt to expand their TV influence.

Wright probably speaks for many programmers, Christian and non-Christian, when he admits that faith-based programming is "at a crossroads."

He ticks off a variety of issues—ranging from financial pressures and demographic changes to a rapidly changing television landscape and the swift speed of technological change—that threaten to slow the sector's progress: "It's a bit like an intersection where too many highways are converging and the traffic slows down."

For starters, the industry's financial state remains precariously dependent on the generosity of viewers. Most faith-based broadcast programmers buy airtime on broadcast stations and fund their programs from donations, not advertising. Likewise, a number of the religious cable networks, such as EWTN, rely on donations and do not charge cable operators subscriber fees. That makes it difficult to finance better programming that might attract younger viewers or expand their audience.



Dr. Frank Wright, NRB

"The audiences tend to skew older and the generation that has supported [religious broadcasters] is retiring," Wright admits. "We know that trillions of dollars will pass from one generation to the next [in the next few decades], but the younger generation has a much different conception of charitable giving. We don't know what will work with them."

In recent years, other items put the religious broadcasters under pressure. The transition to digital is imposing hefty costs on broadcasters and many programmers are finding it harder to get distribution for their programming.

And because of media consolidation, many stations that used to sell airtime to religious broadcasters have been snapped up by some of the larger media groups. That reduces the number of potential outlets for religious programming.

### Demand for Programming Is There

"In the last decade, we've actually seen the free broadcast platform [for faith-based programming] shrink," Wright says. "We've found some open doors on [DBS] but not among the major cable operators. The demand for this programming is clearly there, but they don't seem willing to provide carriage except on a local or regional level."

Not surprisingly, the NRB convention this week will be focusing on many of these issues. FCC Commissioners Michael Copps and Kevin Martin will address regulatory concerns. There will also be educational sessions and "boot camps" designed to help members attract more Hispanic viewers, improve their fundraising skills and deal with a wide variety of technological issues, ranging from the Internet to HD programming.

But as befits an association devoted to religious programming, the conference is "intentionally oriented around the spiritual needs of our members," with a Sunday-morning service and performances by well-known Christian artists like John Tesh.

Says Wright, "The gospel has to remain at the heart of everything we do." ■

## AN UNGODLY BURDEN: MEDIA DEREGULATION

If evangelicals are exerting new political power in the voting booth, that clout hasn't yet translated into policies that would help many religious programmers.

One major disappointment has been the failure of federal regulators to move against media consolidation. While National Religious Broadcasters (NRB) was not active in the recent debate over media consolidation, President Dr. Frank Wright applauded the federal-court rulings overturning FCC policies that would have loosened ownership rules for TV stations.

"Media consolidation clearly works against the interests of religious broadcasters," Wright says.

And he argues that the problem can be solved only with additional regulations or legislation. "The Republicans' commitment to free markets is one of the things that I both fault them for and praise them for," Wright says. "With media consolidation, the prices for radio and TV stations even in mid-sized markets have risen far beyond the reach of religious broadcasters. The only solution is a regulatory one that prevents companies from controlling too much of the market."

NRB has been pushing the FCC to create must-carry rules that would require cable operators to carry the multiplexed digital broadcast signals, a move that would provide religious programmers with more distribution. Wright vows to take this fight to Congress if the FCC rules against them, as some religious broadcasters expect.

Evangelical groups have applauded the FCC's crackdown on "indecentcy," but faith-based networks have been hurt by the commission's requirement that broadcasters archive programming. "This poses an undue financial burden on our members," Wright says. "We think it should only be applied to prior offenders." (On the radio side, religious and public broadcasters have found themselves increasingly competing for spectrum at the lower end of the FM dial, particularly in rural areas.)

The NRB also continues to fight against attempts to bring back the Fairness Doctrine. Wright credits the decision to end the Fairness Doctrine as playing a key role in the rise of conservative and religious talk-radio programs, but complains that new legislation attempting to bring back those rules is introduced in nearly every session.—G.W.



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World Radio History



# Is There an Audience for a Jewish Network?

**There are plenty of programs and some big plans**  
By Stuart Miller

**J**ohn Odoner, an attorney and TV neophyte, looks at the size of the Jewish population and thinks that, in the world of niche networks that cable has become, there's an audience waiting to be served.

He may soon find out. The founder and CEO of Jewish Television (JTV), Odoner now hopes to launch his cable channel this September.

"There are 6.7 million Jewish Americans but 13.3 million who are a quarter or half Jewish," Odoner believes he can woo that "Jewish-plus" crowd and reach a broader range of viewers.

Industry experts are more than a little skeptical of Odoner's chances.

Undaunted, he promises that his proposed channel "will have a downtown, let-your-hair-down, crossover feel. Our mantra is: 'Not just news and not just Jews.'"

Odoner is deliberately vague on many of his programming details as he works to finalize rights deals.

He does plan on importing and dubbing some Israeli programming, simulcasting John Batchelor's ABC Radio Network show (because it covers the Middle East well), and featuring a music-video program, reality shows, movies and comedies.

But while he is still considering some variations on initial concepts like *Jewishly Incorrect*, a comedic political commentary, and *Nice Jewish Boyz*, a *Man Show* with a Jewish twist (which may begin as skits in a larger format instead of as a stand-alone program), Odoner has decided that not every program will be distinctively Jewish.

"There are so many directions we want to go," he says, although he acknowledges that diluting the original idea is a mistake of many cable start-ups.

"The cable landscape is littered with failed networks that did not establish and secure their base," he says. "Rest assured that JTV will not ignore its base."

## TALL HURDLES AHEAD

Odoner is offering equity stakes to the cable operators and DBS companies and is optimistic that a "realistic launch" this fall will put JTV in 10 million to 12 million homes.

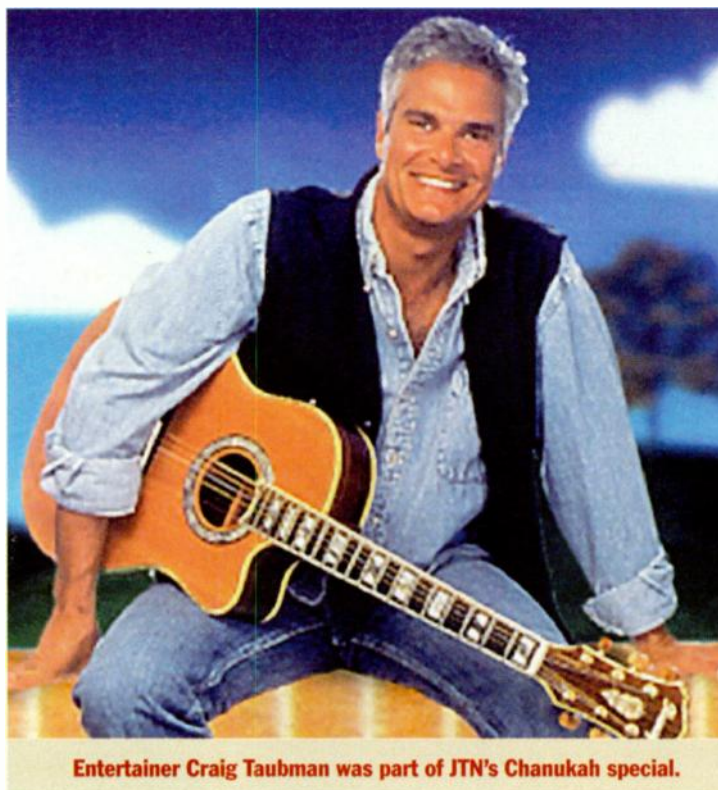
Elie Rosenfeld, COO of the Joseph Jacobs Organization, an advertising and marketing agency specializing in Jewish consumers, says a network like Odoner's could probably get some carriage in the major markets.

"There is certainly enough of a market to greatly increase the amount of Jewish-related television, because it's a community that is underserved," he says.

Others aren't so sure. "The barrier to entry is too high and the size of the audience is too low," says Jay Sanderson, CEO of the not-for-profit Jewish Television Network (JTN), which began life in the 1980s with plans to become a full-fledged network but instead morphed into a production company. "There have been a hundred different people trying this over the past 10 years," he says.

## EXPANDING A SMALL BASE

Cathy Rasenberger, of Rasenberger Media, which helps launch start-up networks, perceives Odoner's optimism as "naiveté," especially in such



Entertainer Craig Taubman was part of JTN's Chanukah special.

a "hostile environment" for any new network.

"Most entrepreneurs believe their idea is unusually superior to others," she says. "But there is no economic model for this. It's just way too small a demographic to support a network. There's no way he'll launch in that many homes."

Sanderson's JTN programming includes *HomeStyles* (focused on celebrating Judaism at home), magazine show *Twenty 2 Forty*, specials centered on Jewish holy days and the upcoming four-hour, two-part documentary *The Jewish Americans*. Most of these shows run

on public television. Says Sanderson, "We're showing our ability to produce prime time big-event programs and get an audience for them."

He is excited about broadening his network's audience while staying true to the mission with the upcoming *Exodus and Freedom*. The program shows the connection between the story of the Exodus and modern survivors, including a former Sudanese slave, a man on death row who was wrongfully accused and an army officer who survived the 9/11 attack on the Pentagon.

He thinks some programs like *New Jewish Cuisine* have broader commercial appeal, but negotiations with the Food Network fell apart over ownership and rights issues.

He says JTN is discussing programming—including two reality series "with very strong Jewish values"—with other commercial networks.

As a single show, maybe that's all right for JTN. But Rosenfeld thinks Odoner's thoughts about making a "broad-based" JTV is the wrong idea. "From an advertising perspective" he says, "I'd like to see something that has more Jewish content."

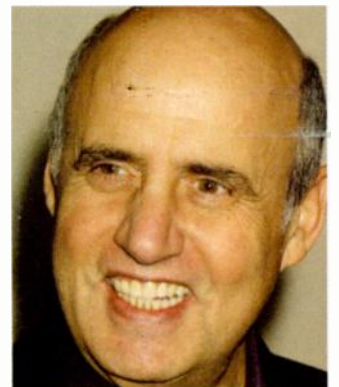
"If viewers have to ask, What does that program have to do with JTV?," he continues, "then the network will flounder. Advertisers don't need another general-interest cable network with a tiny audience, even if it reaches upscale, urban demographics." If it is that generic, he jokes, "you could just do the American Express Channel, because it's the same demographic."

Rasenberger believes there may never be a big enough market for a full-fledged network but there will be more opportunities as cable operators develop a business model for video-on-demand.

## ON-DEMAND IN THE CARDS

Sanderson is looking at VOD as well. "There are still questions about how it works and when we should enter the fray, but, yes, absolutely, we see video-on-demand in the future." In fact, it's Topic A at a March retreat planned by the company.

The trick for Sanderson and any producer is to sell a religious program to the masses as well as the core audience. Says Sanderson, "We think there are important messages within Judaism that we want to share with Jews and non-Jews." ■



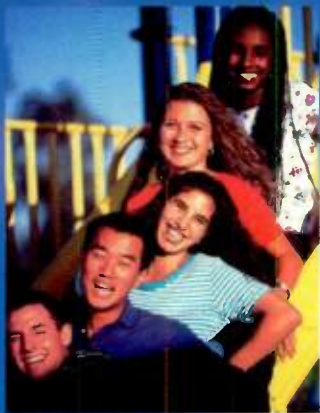
Jeffrey Tambor narrated a JTN Passover program.



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## SPECIAL REPORT: Religion On TV

### NETWORKS & PROGRAMS

An abridged list. There are so many, here's just a sampler:

**Christian Television Network**  
P.O. Box 6922  
Clearwater, FL 33758  
727-535-5622

**Cornerstone Television**  
1 Signal Hill Dr.

Wall, PA  
412-824-3930

**DayStar**  
P.O. Box 612066  
Dallas, TX 75261  
303-423-4141

**Dominion Sky Angel**  
3050 N. Horseshoe Dr., Ste. 290  
Naples, Fla.  
239-403-9130

**EWTN**  
5817 Old Leeds Rd.

Birmingham, AL 35210  
205-271-2900

**FamilyNet**  
6350 West Fwy.  
Fort Worth, TX 76116  
817-377-3261

**God TV**  
1730 M Street NW  
Washington, D.C. 20036  
202-223-4023

**Good Life Broadcasting**  
653 W. Michigan St.  
Orlando, FL 32805  
407-423-5200

**LeSea Broadcasting Network**  
61300 S. Ironwood Rd.  
South Bend, IN 46614  
574-291-8200

**Son Broadcasting**  
P.O. Box 4338  
Albuquerque, NM 87196  
505-473-1111

**The Inspiration Networks**  
7910 Crescent Executive Dr.  
Charlotte, NC 28217  
704-525-9800

**The Word Network**  
20733 W. Ten Mile Rd.  
Southfield, Mich. 48075

**Total Living Network**  
2880 Vision Ct.  
Aurora, IL 60506  
630-801-3838

**Trinity Broadcasting Network**  
2442 Michelle Dr.  
Tustin, CA 92780  
714-731-2300

### PROGRAMS

**Believer's Voice of Victory/  
Kenneth Copeland**  
Fort Worth, TX 76192-0001  
817-252-2700

**Billy Graham TV Specials**  
1 Billy Graham Pky.  
Charlotte, NC 28201  
704-401-2432

**The 700 Club/Pat Robertson**  
977 Centerville Turnpike  
Virginia Beach, VA 23464  
757-579-7000

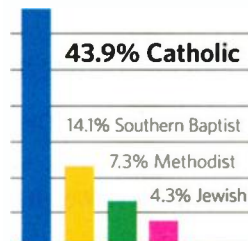
**Day of Discovery**  
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Grand Rapids, MI 49512  
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Glenmary Research, U.S. Survey - 2002

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# NIELSEN JAN 31 - FEB 6 RATINGS

## THE PRIME TIME RACE Top 10 Basic Cable Shows

Jan. 31-Feb. 6

PROGRAM	DATE	NET	HHS
1. State of the Union Analysis	2/2	FOXN	4.2
2. State of the Union 2005	2/2	FOXN	4.0
3. WWE Raw 9p	1/31	SPIK	3.6
3. WWE Raw 10p	1/31	SPIK	3.6
5. Monk	2/4	USA	3.5
6. SpongeBob SqrPants 9:30a	2/5	NICK	3.4
6. Law & Order 9p	1/31	TNT	3.4
8. Law & Order: SVU 10p	2/2	USA	3.2
9. Fairly OddParents 10a	2/5	NICK	3.1
9. SpongeBob SqrPants 9:30a	2/6	NICK	3.1
9. Fairly OddParents 10a	2/6	NICK	3.1

PROGRAM	DATE	NET	HHS
1. WWE Raw 10p	1/31	SPIK	2.6
2. WWE Raw 9p	1/31	SPIK	2.4
3. The Real World XV	2/1	MTV	2.3
4. Newlyweds: Nick & Jessica	2/2	MTV	2.2
4. State of the Union Analysis	2/2	FOXN	2.2
4. Law & Order: SVU 10p	2/2	USA	2.2
7. Law & Order 9p	1/31	TNT	2.0
7. Law & Order: SVU 9p	2/2	USA	2.0
7. Battlestar Galactica	2/4	SCI FI	2.0
7. Monk	2/4	USA	2.0
7. Law & Order: SVU 11p	2/2	USA	2.0
7. State of the Union	2/2	FOXN	2.0

SOURCE: Turner Entertainment Research, Nielsen Media Research

## Broadcast Networks

Jan. 31-Feb. 6

	WEEK	STD
1. FOX	16.3	6.6
2. CBS	7.7	9.2
3. NBC	6.8	7.3
4. ABC	6.6	7.3
5. WB	2.5	2.5
6. UPN	2.2	2.5
7. PAX	0.5	0.5

	WEEK	STD
1. FOX	14.9	5.1
2. NBC	4.3	4.8
3. ABC	4.1	5.0
4. CBS	4.0	5.2
5. WB	1.8	1.9
6. UPN	1.5	1.8
7. PAX	0.2	0.2

## Top 10 Broadcast Shows

	WEEK	STD
1. Super Bowl XXXIX	FOX	45.1
2. Super Bowl Postgame	FOX	27.9
3. American Idol Tue	FOX	17.6
4. CSI	CBS	17.4
5. American Idol Wed	FOX	17.0
6. The Simpsons	FOX	14.2
7. Without a Trace	CBS	13.8
8. Happy Days 30th Anniv Reunion	ABC	13.7
9. ER	NBC	13.4
10. Everybody Loves Raymond	CBS	12.7

	WEEK	STD
1. Super Bowl XXXIX	FOX	43.1
2. Super Bowl Postgame	FOX	28.1
3. American Idol Tue	FOX	15.4
4. The Simpsons	FOX	14.6
5. American Idol Wed	FOX	14.2
6. CSI	CBS	11.5
7. ER	NBC	11.4
8. American Dad	FOX	9.8
9. The Apprentice	NBC	9.4
10. Happy Days 30th Anniv Reunion	ABC	8.1

SOURCE: Nielsen Media Research

Week	abc	CBS	NBC	FOX	PAX	UPN	WB
<b>MONDAY</b>	6.4/10	9.5/14	8.0/12	6.1/8	0.6/1	2.1/3	3.6/5
8:00	55. Extr Makeover Home Edition: How'd They Do That? 5.2/8	27. Still Standing 6.9/11	30. Fear Factor 6.7/10	52. Trading Spouses 5.3/8	122. America's Funniest Home Videos 0.5/1	102. One on One 2.1/3	67. 7th Heaven 4.4/7
8:30		34. Listen Up 6.6/10				102. Half and Half 2.2/3	
9:00	37. The Bachelorette 6.3/9	10. Evrybdy Lvs Raymond 11.6/17	24. Las Vegas 7.0/10	28. 24 6.8/10	119. Mary Higgins Clark Mystery Movie—I'll Be Seeing You 0.7/1	102. The Road to Stardom 2.1/3	91. Everwood 2.9/4
9:30		11. Two and a Half Men 11.2/16					
10:00	19. Supernanny 7.6/12	12. CSI: Miami 10.2/16	12. Medium 10.2/16				
10:30							
<b>TUESDAY</b>	5.9/9	7.7/12	5.7/9	12.0/18	0.3/1	1.6/2	3.0/5
8:00	67. My Wife and Kids 4.4/7	21. NCIS 7.5/11	66. Most Outrageous Moments of Live TV 4.6/7	3. American Idol 16.1/24	129. Young Blades 0.3/1	108. All of Us 1.6/3	85. Gilmore Girls 3.2/5
8:30	70. George Lopez 4.3/6					108. Eve 1.6/2	
9:00	36. According to Jim 6.5/10	21. The Amazing Race 7.5/11	50. Scrubs 5.4/8	17. House 7.9/12	122. Early Edition 0.5/1	110. Veronica Mars 1.5/2	91. One Tree Hill 2.9/4
9:30	40. Rodney 6.1/9		62. Committed 4.8/7				
10:00	24. NYPD Blue 7.0/12	16. Judging Amy 8.0/13	23. Law & Order: Special Victims Unit 7.3/12			132. Cold Turkey 0.2/1	
10:30							
<b>WEDNESDAY</b>	5.5/9	4.3/7	3.6/6	14.0/22	0.7/1	1.5/2	2.6/4
8:00	30. Lost 6.7/10	59. 60 Minutes Wednesday 4.9/8	89. Sports Illustrated: Model Search 3.0/5	5. American Idol 15.5/24	120. Doc 0.6/1	112. The Road to Stardom 1.4/2	89. Smallville 3.0/5
8:30							
9:00	President's State of the Union Address						
9:30					116. Sue Thomas, F.B. Eye 0.9/1	110. Kevin Hill 1.5/2	102. Jack & Bobby 2.1/3
10:00	59. Analysis 1 4.9/8	74. State/Union Analysis 4.0/6	44. Pres Address Analysis 1 5.8/9				
10:30	82. Analysis 2 3.4/5	85. Democratic Response 3.2/5	72. Pres Address Analysis 2 4.2/7		120. Early Edition 0.6/1		
<b>THURSDAY</b>	10.4/16	12.0/18	9.5/15	3.6/5	0.4/1	3.4/5	1.8/3
8:00			34. Joey 6.6/10	63. The O.C. 4.7/7	126. America's Funniest Home Videos 0.4/1		
8:30	8. Happy Days 30th Anniversary Reunion 12.5/19	19. CSI 7.6/12	28. Will & Grace 6.8/10				
9:00		4. CSI 15.9/23	14. The Apprentice 9.5/14	98. Point Pleasant 2.3/3		82. WWE Smackdown! 3.4/5	106. WB Thursday Movie—Dr. Dolittle 1.8/3
9:30					126. Diagnosis Murder 0.4/1		
10:00	36. Primetime Live 6.2/10	7. Without a Trace 12.6/20	9. ER 12.2/20				
10:30							
<b>FRIDAY</b>	5.6/10	6.8/12	6.1/11	2.5/4	0.4/1	1.5/2	2.5/4
8:00	47. 8 Simple Rules 5.6/10	41. Greatest Commercials: Super Bowl 6.0/10	41. Dateline NBC 6.0/10	93. Bernie Mac 2.8/5	122. America's Most Talented Kids 0.5/1	106. Enterprise 1.8/3	105. What I Like About You 1.9/3
8:30	52. 8 Simple Rules 5.3/9			95. Bernie Mac 2.6/5			98. Reba 2.3/4
9:00	49. Hope & Faith 5.5/9						
9:30	57. Less Than Perfect 5.1/8	30. JAG 6.7/11	30. Third Watch 6.7/11	98. Jonny Zero 2.3/4		113. The Road to Stardom 1.1/2	82. Reba 3.4/6
10:00	43. 20/20 5.9/10	18. Numb3rs 7.8/14	46. Medical Investigation 5.7/10		129. MGM Night at the Movies—Fatal Instinct 0.3/1		96. Blue Collar TV 2.4/4
10:30							
<b>SATURDAY</b>	4.5/8	3.8/7	6.1/11	4.3/8	0.6/1		
8:00	74. America's Funniest Home Videos 4.0/7	93. Wickedly Perfect 2.8/5	47. Law & Order 5.6/10	74. Cops 4.0/7			
8:30				63. Cops 4.7/8			
9:00	72. Desperate Housewives 4.2/7	78. Crimetime Saturday 3.9/7	44. Law & Order: Criminal Intent 5.8/10	70. America's Most Wanted: America Fights Back 4.3/8	117. Universal Family Movie—Uncle Buck 0.8/1		
9:30							
10:00	55. Desperate Housewives 5.2/9	63. 48 Hours Mystery 4.7/8	24. Law & Order: Special Victims Unit 7.0/12			132. Faith Under Fire 0.2/1	
10:30							
<b>SUNDAY</b>	4.4/7	4.4/7	4.2/6	38.0/57	0.4/1		1.0/1
7:00	96. America's Funniest Home Videos 2.4/4	85. Child Prodigies 3.2/5	88. Dateline NBC 3.1/5		129. America's Most Talented Kids 0.3/1		117. Summerland 0.8/1
7:30							
8:00	78. America's Funniest Home Videos 3.9/8	74. NCIS 4.0/6	78. Law & Order: Criminal Intent 3.9/6	1. Super Bowl XXXIX—New England Patriots vs. Philadelphia Eagles 41.1/62			113. Summerland 1.1/2
8:30							
9:00	58. Extreme Makeover: Home Edition 5.0/7	59. Cold Case 4.9/7	67. Law & Order 4.4/6		122. Sue Thomas, F.B. Eye 0.5/1		115. Summerland 1.0/1
9:30							
10:00	38. Desperate Housewives 6.2/10	50. Without a Trace 5.4/9	52. Law & Order: Criminal Intent 5.3/8	2. Sup Bowl Postgame 25.5/40	126. Diagnosis Murder 0.4/1		
10:30				6. The Simpsons 13.0/22			
<b>Averages</b>							
Week	6.0/10	7.0/11	6.2/10	14.9/23	0.5/1	2.0/3	2.3/4
S-T-D	6.7/11	8.4/14	6.7/11	6.0/10	0.4/1	2.3/4	2.3/4

KEY: Each box in grid shows rank, program, total-household rating/share. Blue bar shows total-household rating/share for the day. Top 10 shows of the week are numbered in red. TV universe estimated at 109.6 million households; one rating point is equal to 1,096,000 U.S. TV homes. Tan tint indicates winner of time slot. (NR)=Not Ranked; rating/share estimated. \*Premiere. \*Programs less than 15 minutes in length not shown. \*S-T-D = Season to date. SOURCES: Nielsen Media Research, CBS Research. Compiled by Kenneth Ray





PEOPLE

# A League of Her Own

Mohrman-Gillis helps set media policy for city government **By Bill McConnell**

**T**he lobbying director for the National League of Cities says she owes her job to trash. Prior to leaving private practice in 1987, Marilyn Mohrman-Gillis was a litigator for Washington law firm Steptoe & Johnson. In her final case, she handled a notorious legal battle over Islip, N.Y.'s attempt to solve a solid-waste-disposal crisis.

Unable to dump locally, Islip tried to barge its trash to three Southern states, as well as to the countries of Cuba and Belize. All refused. Humiliated by nightly mocking news coverage, Islip agreed to take the load back and incinerate it.

Shortly afterward, Gillis dumped her firm for the FCC.

"I joke I ended up going to the FCC because of garbage," says Mohrman-Gillis, who also decided litigation was too all-consuming. At the time, she was building a family that eventually grew to four children.

"Litigation was wonderful in teaching me to be a lawyer," she says. "Each case requires you to become an expert in a new field. I loved it, but it wasn't something I could sustain."

After a two-year stint at the FCC, where she concentrated on broadcast and cable regulations, Mohrman-Gillis began a 13-year tenure as lobbyist for the Association of Public Television Stations.

In 2003, Mohrman-Gillis entered a broader arena when she was tapped by the National League of Cities to be director, policy and federal regulations. The league is the chief advocate for municipal governments in Washington and weighs in on issues critical to urban areas, such as preserving funding for low-income housing programs and deductions for local and state income taxes. "Our issues are so broad, we cover virtually every committee on Capitol Hill," she says, "except foreign relations."

## LOBBYIST AND REGULATOR

Today, she is getting the opportunity to put her expertise as a TV lobbyist and regulator to work. "Two of our top five priorities involve media policy," she notes. Perennial issues for the League: keep city governments' powers to set cable franchise fees and dictate cable operators' obligations to serve low-income neighborhoods. As Congress gears up to rewrite telecommunications laws, new issues, such as regulation of cable telephone and phone companies' Internet TV, will top her agenda.

Another big priority: getting broadcasters to give up their old analog channels quickly, so local emergency

departments can use them for communications. To help carry the load, Mohrman-Gillis hired former Media Access Project attorney Cheryl Leanza

## FIFTH ESTATER

last year as lead legislative counsel.

Since changing jobs, Mohrman-Gillis' position on broadcasters' switch to DTV has become more nuanced. As a lobbyist for public-TV stations, she argued against a tight deadline that forced broadcasters to go all-digital. But as an advocate for cities, she understands the frustration of local officials who are attempting to coordinate emergency communications among fire, police and ambulance services on crowded radio bands.

Such problems will be relieved, she

argues, when officials are permitted to use channels unencumbered by TV stations.

"I still believe we need to have a transition period that's reasonable for stations," she says, "but wearing my city hat, I would like to see that transition happen as soon as possible."

On cable issues, she predicts cities and the industry will side together more frequently than in the past. The top priority for both during the new session of Congress will be ensuring that phone companies pay the same fees and have the same obligation to serve low-income communities as cable.

## CRUSADING LAWYER

Given her social consciousness, it isn't surprising that Mohrman-Gillis entered law school in the mid 1970s after a stab at social work. Her goal was to become a crusading lawyer and reform the juvenile-justice system—to repair the troubles she had seen as a social worker.

In 1976, she married Jack Gillis, a former Transportation Department analyst who publishes the annual *Car Book*, a bestselling consumer guide. He is also a contributor to the *Today* show and appears regularly on *20/20*, *Nightline* and *The Oprah Winfrey Show*.

After several internships during law school, Mohrman-Gillis gravitated toward corporate law and accepted an associate post with Steptoe & Johnson in 1979. Determined to continue working in social policy in some capacity, she took on a heavy load of pro bono work for activist groups and low-income clients. In one case, she forced D.C. to back off plans to close a health clinic.

After leaving private practice, Mohrman-Gillis worked for either the government or membership groups representing nonprofits. "My career has always contained a major component of pro bono work or nonprofit service."

## PRO BONO BENEFITS

In fact, she believes young lawyers should take on pro bono clients in addition to their workloads. She insists there are professional benefits that complement the rewards of helping others.

"Junior associates at big private firms do a lot of non-substantive work. But my pro bono work required me to cross-examine witnesses before many of the partners got the chance."

When she assesses her career path, Mohrman-Gillis pronounces herself satisfied: "I haven't gotten that far afield from what I set out to do." ■



**MARILYN MOHRMAN-GILLIS**  
Director, policy and federal relations,  
National League of Cities

B. Oct. 1, 1949, St. Louis

## EDUCATION

BA, psychology, St. Mary's College, Notre Dame, Ind., 1972; MA, social work, Catholic University, Washington, 1975; JD, Catholic University, 1979

## EMPLOYMENT

Associate, Steptoe & Johnson, 1979-87; attorney, FCC policy and rules division, 1987-89; general counsel, Association of Public Television Stations, 1990-95; VP of policy and legal affairs, APTS, 1996-2003; current position since November 2003

## PERSONAL

Married; four children

## FATES AND FORTUNES

### BROADCAST TV

At KBHK/KPIX San Francisco: **STEVE POITRAS**, director, marketing and creative services, named station manager, KBHK San Francisco; **DAN ROSENHEIM**, director, news, KPIX San Francisco, named VP.

**BILL CUMMINGS**, news director, WOWK Huntington, W.Va., named news director, WFIE Evansville, Ind.

**MIGDALIA FIGUEROA**, producer, *Cristina Show*, Univision Network, South Florida, joins Telemundo 51 as news director.

**JUSTIN ANTONIOTTI**, executive news producer, KPRC Houston, named assistant news director, WISN Milwaukee.

**KACI BLOEMERS**, national account manager, WFLX West Palm Beach, Fla., named local sales manager, WTVX Fort Pierce, Fla.

### CABLE TV

Promotions at Cox Communications, Atlanta: **VEENOD KURUP**, project manager, to VP, data product services; **GUY MCCORMICK**, VP, technical operations and new media, Cox Media, to executive director, operations engineering; **BLAKE JAMES**, senior manager, interface support, to director, IT applications, product and interface support; **MEREDITH SNYDER**, manager, IT customer care and implementation, to director, IT customer care, implementation and training; **RICH MAZUREK**, senior data product manager, to director, Web strategy, Cox Business Services.

**TOM RODDY**, WBZ and WSBK Boston, named national sales manager, New England Cable News, Boston.

### PROGRAMMING

**BRENDA FREEMAN**, VP, affiliate marketing, entertainment group, MTV Networks, New York, joins

*Continued on page 38*



**Tom Priore**  
Entone





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.

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February 18, 2005

**MATERIALS CLOSE:**  
February 22, 2005

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## PEOPLE

Continued from page 36  
VH1, New York, as VP, consumer marketing.

At Sony Pictures Television: **STUART ZIMMERMAN**, VP, advertiser sales, New York, promoted to senior VP; **DOUG FREDERICK**, account executive, New York, advertiser sales, named VP.

At NBC Universal



**Brenda Freeman**  
VH1

Television Studio, Burbank, Calif.: **CRAIG KURLAND**, director, business affairs, promoted to VP; **PHILIP MATTHYS**, counsel, legal affairs, named director, business affairs.

**MATTHEW GAVEN**, executive producer, *Your Face or Mine*, MTV, joins Merv Griffin Entertainment, Beverly Hills, Calif., as VP, television development.

At Court TV, New York: **TIM SULLIVAN**, VP, daytime programming, upped to senior VP; **HEATHER CURATOLO**, director, direct response and paid programming advertising sales, promoted to VP; **WENDY WHITMAN**, executive producer, named senior executive producer.

**STEPHEN MACIAS**, entertainment media director, Gay and Lesbian Alliance Against Defamation, Los Angeles, named VP, publicity, here! Network, Los Angeles.

**MICHAEL CHAN**, operations manager, NY1 News, New York, promoted to director of operations.

At Rainbow Media, New York: **TODD GREEN**, VP, national accounts and affiliate marketing, named senior VP, affiliate market-

ing; **JUDI LOPEZ**, VP, Eastern and Western regions, | appointed senior VP, Eastern region, network sales.

**JOURNALISM**  
**AMANDA HENCMANN**, associate producer, *Evening Magazine*, KPIX San Francisco, to producer.

**MARY STOKER SMITH**, anchor/reporter and host, WTVO Rockford, Ill., joins *News at Ten*, WPHL

Philadelphia, as week-night co-anchor.

**JOE VAZQUEZ**, reporter and anchor, WCAU Philadelphia, joins KPIX San Francisco *Eyewitness News* as reporter.

**RADIO**  
**DAN YUKELSON**, senior VP/chief financial officer, Premiere Radio Networks, Los Angeles, promoted to executive VP/chief financial officer.

**ADVERTISING/MARKETING/PR**  
At Pryor & Associates LLC, Los Angeles: **KRISTIE BRADA-THOMPSON**, manager, public relations, TokyoPop, Los Angeles, named VP, publicity; **THEO DUMONT**, account associate, promoted to account manager.

**TECHNOLOGY**  
At Entone Technologies: **TOM PRIORE**, manager, engineering, Comcast Washington/Northern Virginia region,



**Craig Kurland**  
NBC Universal Television Studio

appointed senior field engineer, North America, San Mateo, Calif.; **TERRY BIRCH**, technical sales engineer, Evertz Micro-

systems, Burlington, Ontario, appointed senior field engineer, EMEA, United Kingdom.

**BOB LANDINGHAM**, regional sales manager, Videotek, Pottstown, Pa., promoted to VP, Americas sales.

**ALLIED FIELDS**  
At Nickelodeon and Viacom consumer products, New York: **JIM**

**DAVEY**, VP, toys and marketing,

consumer products, named senior VP, global consumer products marketing and planning; **TANYA HAIDER**, VP, strategy and business development, Nickelodeon networks, appointed VP, Nickelodeon and Viacom International consumer products; **SHERICE GUILLORY-TORRES**, VP, packaged goods, home and gift, named VP, hard goods,



**Judi Lopez**  
Rainbow Media

Nickelodeon and Viacom consumer products; **HARALD (HAL) SNIK**, VP, apparel, accessories, stationery, activities and social expressions, becomes VP, soft goods.

**STEVE HENDRICKS**, president/CEO, Virgin Digital Studios, Hollywood, Calif., joins Post Logic Studios, Hollywood, Calif., as president and CEO.

**ALAN BLAUSTEIN**, CEO of Flexplay Technologies Inc., New York, joins Sucherman Consulting Group, New York, as senior consultant.

### WHAT'S YOUR FATE?

Send it to Melanie M. Clarke, editorial assistant, B&C (e-mail: meclarke@reedbusiness.com; fax: 646-746-7028; mail: 360 Park Ave. South, New York, NY 10010)

## DATEBOOK

### FEBRUARY

**FEB. 21-22**  
**ENVIRONMENTAL TECHNOLOGY ALLIANCE COLLABORATIVE CONFERENCING SUMMIT**  
Waldorf-Astoria, New York. Contact: 917-655-0818 or www.ccsexpo.com

**FEB. 26**  
**WOMEN IN FILM & VIDEO MEDIA JOB FAIR**  
Atlantic Video, Washington. Contact: Rachel Beckman, 202-429-9438 or www.wifv.org

**FEB. 24**  
**WOMEN IN CABLE AND TELECOMMUNICATIONS EXECUTIVE LEADERSHIP BREAKFAST**  
Time Warner Center, New York. Contact: Ilise Benun 201-653-0873 or ilise@marketingmentor.com

**FEB. 24-26**  
**AMERICAN WOMEN IN RADIO & TELEVISION ANNUAL LEADERSHIP SUMMIT & BUSINESS CONFERENCE**  
Key Bridge Marriott, Arlington, Va. Contact: 703-506-3290 or www.awrt.org

**FEB. 28**  
**BROADCASTERS' FOUNDATION GOLDEN MIKE AWARD**  
The Plaza, New York. Contact: Gordon Hastings 203-862-8577 or ghastings@broadcastersfoundation.org

### MARCH

**MARCH 2-16**  
**THE MUSEUM OF TELEVISION & RADIO WILLIAM S. PALEY TELEVISION FESTIVAL**  
Beverly Hills, Calif. Contact: 866-468-3399 or www.ticketweb.com

**MARCH 8**  
**THE JOHN A. REISENBACH FOUNDATION GALA TRIBUTE FOR A SAFER AND BETTER NEW YORK**  
The Harmonie Club, New York. Contact: Ronny Venable, 212-935-1840 or ronnyvenable@aol.com

**MARCH 11**  
**NATIONAL ASSOCIATION FOR BLACK OWNED BROADCASTERS COMMUNICATIONS AWARDS DINNER**  
Marriott Wardman Park Hotel, Washington. Contact: 202-463-8970

**MARCH 13**  
**ACADEMY OF TELEVISION ARTS & SCIENCES COLLEGE TELEVISION AWARDS**  
The Renaissance Hotel, Hollywood, Calif. Contact: 818-754-2800 or www.emmys.com

**MARCH 30 - APRIL 1**  
**DIVERSITYBUSINESS.COM MULTICULTURAL BUSINESS CONFERENCE AND AWARDS CEREMONY**  
Foxwoods Resort Casino, Mashuntuckett, Conn. Contact: 203-255-8966, wstokes@ccaii.com or www.DiversityBusiness.com/conference

### APRIL

**APRIL 1**  
**BROADCASTERS' FOUNDATION OFFSHORE FISHING CHALLENGE**  
The Breakers, Palm Beach, Fla. Contact: 203-862-8577 or ghastings@broadcastersfoundation.org

**APRIL 2**  
**RADIO-TELEVISION NEWS DIRECTORS ASSOCIATION & FOUNDATION EMERSON COLLEGE CHAPTER REGIONAL CONFERENCE AND AWARDS DINNER**  
Marriott Hotel, Newton, Mass. Contact: Bob Salsberg, 617-357-8100 or www.aprndaemerson.com

**APRIL 3-5**  
**NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION THE NATIONAL SHOW**  
The Moscone Center, San Francisco. Contact: NCTA Industry Affairs 202-775-3669 or www.thenationalshow.com

**APRIL 3-5**  
**NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION 2005 VANGUARD AWARDS**  
The Moscone Center, San Francisco. Contact: www.thenationalshow.com or 202-775-3669. Nominations: Michelle Ray, 202-775-3669 or mray@ncta.com



# 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.

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## DEALS

### TVs

**WPXS MOUNT VERNON, ILL.; KUMO(LP) ST. LOUIS; WDAH(CA) ATLANTA; K07UI MINNEAPOLIS; K58DP SEATTLE**

**PRICE:** Swap plus \$10 million  
**BUYERS:** WPXS and KUMO(LP): Daystar Television Network (Marcus Lamb, president/CEO); WDAH(CA), K07UI and K58DP: Equity Broadcasting Corp. (Steven Solding, VP, television)  
**SELLERS:** WPXS and KUMO(LP): Equity Broadcasting Corp. (Steven Solding, VP/television); WDAH(CA), K07UI and K58DP: Daystar

Television Network (Marcus Lamb, president/CEO)  
**FACILITIES:** WPXS: Ch. 13, 302 kW, ant. 991 ft.; Ch. 51, 70 kW; WDAH(CA): Ch. 55, 15.7 kW; K07UI: Ch. 7, 0.405 kW, ant. 781 ft.; K58DP: Ch. 58, 4.07 kW  
**AFFILIATION:** WPXS: Pax; WDAH(CA): Religion; K07UI: Ind.; K58DP: Religion

**KMMF (TV) MISSOULA, KMMF(LP) KALISPELL, KBTZ (TV) BUTTE, KBTZ(LP) BOZEMAN AND KLMN(TV) GREAT FALLS, MONT.**

**PRICE:** \$4.25 million  
**BUYER:** Max Media LLC (John A. Trinder, president)  
**SELLER:** Equity Broadcasting

Corp. (Greg Fess, VP, television)  
**FACILITIES:** KMMF(TV): Ch. 17, 589 kW, ant. 2,060 ft.; KMMF(LP): Ch. 34, 10kW; KBTZ(TV): Ch. 24, 330 kW; ant. 1,870 ft.; KBTZ(LP): Ch. 32, 11.8 kW; KLMN(TV): Ch. 26, 355 kW; ant. 214 ft.  
**AFFILIATION:** KMMF(TV): F&P; KMMF(LP): Ind.; KBTZ(TV): Ind.; KLMN(TV): Ind.  
**BROKER:** Larry Patrick of Patrick Communications

**KSZG(LP) ASPEN, COLO.**

**PRICE:** \$2 million  
**BUYER:** Aspen Television LLC (Chris Glowacki, president)  
**SELLER:** Aspen Skiing Co. LLC (David Bellack, SVP)

**FACILITIES:** Ch. 20, 0.008 kW  
**AFFILIATION:** Ind.  
**COMMENT:** Price comprises \$1 million cash at closing, \$500,000 in advertising air-times during the five-year period beginning at closing, and \$500,000 during the 10-year period beginning closing.

### COMBOS

**WCMS(AM) AND WGH(FM) NEWPORT NEWS, WXMM(FM) NORFOLK, WFOG(FM) SUFFOLK, AND WXEZ(FM) YORKTOWN (NORFOLK-VIRGINIA BEACH-NEWPORT NEWS), VA.**

**PRICE:** \$80 million  
**BUYER:** Max Media LLC (John Trinder, president/COO); owns 32 other stations, none in this market  
**SELLER:** Barnstable Broadcasting Inc. (Michael Kaneb, president/COO)  
**FACILITIES:** WCMS(AM): 1310 kHz, 20 kW day/5 kW night; WGH(FM): 97.3 MHz, 74 kW, ant. 394 ft.; WXMM(FM): 100.5 MHz, 50 kW, ant. 499 ft.; WFOG(FM): 92.9 MHz, 50 kW, ant. 486 ft.; WXEZ(FM): 94.1 MHz, 40 kW, ant. 532 ft.  
**FORMAT:** WCMS(AM): Sports; WGH(FM): Country; WXMM(FM): Rock; WFOG(FM): Oldies; WXEZ(FM): Inspiration  
**BROKER:** Kalil & Co. Inc.

**WKZE(FM) SALISBURY AND WKZE(AM) SHARON, CONN.**

**PRICE:** \$1.4 million  
**BUYER:** WillPower Radio LLC (William J. Stanley, managing member); owns no other stations  
**SELLER:** Johnson Development Inc. (Scott Johnson, president)  
**FACILITIES:** WKZE(FM): 98.1 MHz, 2 kW, ant. 604 ft.; WKZE(AM): 1020 kHz, 3 kW  
**FORMAT:** WKZE(FM): AAA; WKZE(AM): AAA

### FMs

**WDVT(FM) HARWICH PORT, WCOD(FM) HYANNIS, WTWV(FM) MASHPEE AND WXTK(FM) WEST YARMOUTH (CAPE COD), MASS.**

**PRICE:** \$21.3 million  
**BUYER:** Quantum Communications Corp. (Frank Osborn, CEO); owns 31 other sta-

tions, including WCIB(FM), WPXC(FM) and WRZE(FM) Cape Cod  
**SELLER:** Boch Broadcasting LP (Carolyn Bernhart, VP, broadcasting)  
**FACILITIES:** WDVT(FM): 93.5 MHz, 3 kW, ant. 328 ft.; WCOD(FM): 106.1 MHz, 50 kW, ant. 430 ft.; WTWV(FM): 101.1 MHz, 6 kW, ant. 272 ft.; WXTK(FM): 95.1 MHz, 50 kW, ant. 262 ft.  
**FORMAT:** WDVT(FM): Oldies; WCOD(FM): Hot AC; WTWV(FM): Oldies; WXTK(FM): News/Talk  
**BROKER:** Doug Ferber of Star Media Group Inc.  
**COMMENT:** To comply with FCC rules, WDVT(FM), WTWV(FM) and WPXC(FM) will be transferred to an independent trust.

### AMs

**WXLW(AM) INDIANAPOLIS**

**PRICE:** \$3 million  
**BUYER:** Raven Broadcasting Inc. (Jonathan Byrd II, president); owns no other stations  
**SELLER:** Pilgrim Communications LLC (Gene Hood, president/manager)  
**FACILITIES:** 950 kHz, 5 kW day/117 W night  
**FORMAT:** Sports

**WCEO(AM) COLUMBIA, S.C.**

**PRICE:** \$1.6 million  
**BUYER:** Norsan Consulting and Management Inc. (Norberto Sanchez, president); owns two other stations, neither in this market  
**SELLER:** Eastern Broadcasting Group Inc. (Michael Sbuttoni, president)  
**FACILITIES:** 840 kHz, 50 kW  
**FORMAT:** Talk

**KMYR(AM) WICHITA, KAN.**

**PRICE:** \$1.3 million  
**BUYER:** Steckline Communications LLC (Gregory R. Steckline, member); owns no other stations  
**SELLER:** Agape Communications (Don W. Clifford, president)  
**FACILITIES:** 1410 kHz, 5 kW day/1 kW night  
**FORMAT:** Adult Standard

**INFORMATION PROVIDED BY:**  
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**Fast Track**

*Continued from page 4*

His erratic behavior—on the set, allegedly starting fist fights—has been reported for several months, particularly in the *New York Post's* Page Six column, and had NBC Universal executives considering Noth as an emergency backup in the lead-detective role since at least November.—*J.E.*

**Once Again, Spectrum Fees Cited in Federal Budget**

Under the fiscal 2006 budget released last week by the Bush administration, TV stations that have not returned their analog channels would pay a combined total of up to \$500 million in 2007 and again in 2008.

No fees would be due in 2006.

The fee would drop to \$480 million in 2009 and to \$450 million in 2010. Specifics of how the fee obligations would be spread among individual stations were not spelled out.

Since the Clinton administration, White House budgets have contained some form of spectrum fee to compensate taxpayers for the right to broadcast on stations obtained for free. NAB lobbyists have always managed to get the fees eliminated.—*B.M.*

**CNBC Picks New President, Chairman**

CNBC has named **Mark Hoffman** president. He replaces current President/CEO **Pamela Thomas-Graham**, who becomes chairman of the network. Hoffman leaves his post as president/GM of NBC Universal-owned **WVIT** New Britain, Conn., a job he has held since September 2001.

Hoffman was previously with CNBC, serving as executive producer, VP/managing editor and VP/managing editor, business development. He will be responsible for day-to-day operations, programming and technology.

Thomas-Graham will oversee strategic planning and explore possible brand extensions for CNBC. She has served as president/CEO of CNBC since July 2001 and was previously president/CEO of NBC.com.—*J.E.*

**Shall We Danza? BVT Says Yes**

**Buena Vista Television** has renewed rookie talker *The Tony Danza Show* for a second season.

The show has been renewed in 115 markets and over 80% of the country for the 2005-06 season. The talker has also been upgraded in several

**FCC Crushes Stations' DTV Carriage Plans**

Broadcasters vowed to take their fight to Congress and the courts last week after the FCC voted 4-1 to reject TV stations' demand for greatly expanded cable carriage rights for their digital channels.

As expected, the FCC upheld its 2001 ruling that stations will be guaranteed carriage of only one "primary" channel. Unless they can convince either lawmakers or judges that the FCC was wrong, stations will have to negotiate with their local operators to win space on cable lineups for the additional channels that digital technology allows them to offer.

By a unanimous vote, the commission also rejected broadcasters' added demand that cable systems carry both their old analog signals and the new digital versions while they are transitioning to all-digital operation.

"In Washington, there are no final victories and no final defeats," says **Eddie Fritts**, president of the **National Association of Broadcasters**. "NAB will be working to overturn today's anti-consumer FCC decision in both the courts and Congress."

The vote had another bad outcome for TV stations: Commissioners also committed themselves to resolving by year-end whether to saddle broadcasters with additional public-interest obligations or not. Congress ordered the FCC to examine whether broadcasters should be required to offer more news, kids programming or locally produced shows in return for the DTV spectrum, but the review has long been on the backburner.

Regarding multicasting, the FCC said broadcasters failed to demonstrate that the public benefit would outweigh harm to cable operators. Even on the 500-channel lineup that cable operators can offer their digital subscribers, some might be forced to drop lower-rated cable nets like **CSPAN3** to make room for what would be hundreds of new broadcast programming streams in each market.

Commissioner **Kathleen Abernathy** said broadcasters should take their case to lawmakers, who can eliminate ambiguity over carriage rights when Congress rewrites the Telecommunications Act over the next year.—*B.M.*

**FAST TRACK**



**Tony Danza**

**KCBS** or **KCAL**. Season-to-date, the show is averaging a 1.3 rating, which ranks it No. 3 among freshman first-run strips behind *Entertainment Tonight* spinoff *Insider* and talker *The Jane Pauley Show*.—*J.E.*

**CBS' George Herman Dies at 85**

**George Herman**, 85, the longtime *Face the Nation* moderator who spent 43 years covering politics and international affairs for **CBS News**, died Tuesday of heart failure following a long illness, according to the network.

Herman was the first reporter to broadcast a story about the break-in at the Democratic National Committee headquarters in 1972 and co-anchored coverage of the Senate Watergate hearings. He appeared on

markets, most importantly in No. 2 market Los Angeles, where it moves up from overnight to a daytime clearance on one of Viacom's two stations, either

TV for the first time during the 1948 Democratic Convention in Philadelphia, the first to be televised. He left **CBS News** in 1987. Herman is survived by his wife of 50 years, Patricia, three sons and six grandchildren.—*J.F.*



**George Herman**

**TLC Taps Abraham**

TLC has named **David Abraham** EVP/GM of the network. Currently GM of Discovery Networks UK, he replaces **Roger Marmet**, who resigned Jan. 27. Abraham, 41, has managed Discovery's nine UK channels since 2001. In the coming months, he will relocate to the company's U.S. headquarters in Silver Spring, Md., to oversee TLC's programming, production, development and operations.—*A.B.*

**Dolan Picks Up Voom Assets**

**Voom** may be crippled, but some of its homegrown networks may live on. **Cablevision** Chairman **Chuck Dolan** cut a deal to buy the failing DBS service's

assets from the company, including a cluster of HD movie and other channels that he started to feed the service. **EchoStar** is buying **Voom's** main satellite, but a Dolan company will buy the 21 original HD channels (primarily showing older movies) and related licenses. Terms were not disclosed.—*J.M.H.*

**A 10th for '7th'**

The **WB** is picking up its longest-running show, drama *7th Heaven*, for a 10th season. That early pickup, says **WB Entertainment President David Janollari**, will also make it the longest-running family drama in TV history, topping the nine seasons for *Little House on the Prairie* (NBC) and *The Waltons* (CBS).

The series, from **Aaron Spelling**, debuted on the network in 1996.

**NBC Universal Attacks Autism**

Autism will be the subject of a multichannel programming effort from the **NBC News** networks the week of Feb. 21. The disorder, which currently affects about 1.77 million Americans, will be covered in reports on *Today* and *Nightly News With Brian Williams*, in addition to coverage on **CNBC**, **MSNBC**, NBC's O&Os, **Telemundo** and **MSNBC.com**. According to NBC, the Centers for Disease Control is announcing that autism is the "fastest-growing serious developmental disability in the United States."

*Today* will feature weekly educational reports, culminating in a Feb. 25 segment with **NBC Universal** Chairman/CEO **Bob Wright** and his wife, who will discuss their grandson's diagnosis with the disorder and launch the **Autism Speaks** foundation.—*A.B.*

**Correction**

Producer **Rich Hull** was incorrectly identified in an article about the **NAACP Image Awards** (2/7, page 22).

**Clarification**

Ratings for the *Friends* Monday-Friday syndicated run for the weeks of 1/17-23 and 1/24-30 are being reprocessed by Nielsen, according to Warner Bros. Domestic Television. The sitcom didn't appear on the list of rated shows that is the basis for the Syndication Ratings table in the Feb. 7 issue and this one (page 11).





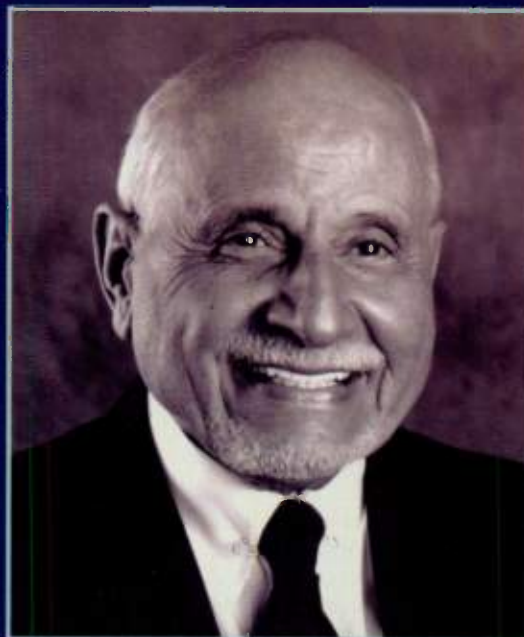
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BROADCASTING & CABLE





# Correct on Must-Carry

**T**he FCC last week said it isn't going to force cable systems to carry broadcasters' digital spinoff channels. It's a good decision that held true to what we always believed was the cautious regulatory philosophy of Chairman Michael Powell (except when it comes to indecency).

The FCC vote doesn't surprise broadcasters, who saw it coming, but Congress may yet get the last word.

B&C has always been bothered by must-carry, which requires cable companies to carry broadcast signals whether they want to or not. Local broadcasting remains a national treasure worth guarding, but the First Amendment implications of mandating what cable must show has always troubled us, too. Our first allegiance is to the First Amendment, which says nobody has a right to program somebody else's medium.

The digital must-carry plan would have forced cable to carry all the other channels that digital TV allows broadcasters to carve out of their main channel. In a major city with, say, 10 broadcast stations, that could have added up to 50 new channels. The FCC also rejected the argument that cable be required to carry broadcast's analog and DTV signals during the transition to digital.

Given the issues before it—dual digital/analog must-carry and multicasting—the FCC did its regulatory duty. Absent a clear direction from Congress, reasonable commissioners concluded that they should not expand must-carry without certainty that there was an overriding public-interest duty to do so. We agree with Powell that, where speech regulation is ambiguous, the government should err on the side of conservatism, but we were trou-

bled by reports that Commissioner Jonathan Adelstein considered the vote a kind of payback for broadcasters' failure to jump through his public-interest hoops.

A key factor, as a majority of commissioners pointed out, was the lack of congressional input. Congress' mandate for digital must-carry calls for cable carriage of a broadcaster's "primary video" signal. It arguably takes a bigger stretch to interpret that phrase to mean "everything technology can squeeze into the channel" than it does to conclude that it means the digital equivalent of a broadcaster's analog signal. In other words, stations get what the non-technical world calls one channel.

If broadcasters believe that their successful switch to digital hinges on mandatory cable carriage of multiple channels (that means they are effectively a cable service themselves), they need to convince Congress; the FCC isn't persuaded. Broadcasters will also have to argue that what they are trying to preserve is local weather and news, not home shopping and infomercials.

Congress is preparing a rewrite of the 1996 Telecommunications Act. If it wishes to better define mandatory cable carriage of "primary video," it should do so now.

Not many big-name legislators were rushing to broadcasting's side last week, so it could well be that the matter is resolved. But we doubt it. The National Association of Broadcasters has good leverage points to use against members of Congress, who have to get elected every two or six years.

The NAB has pledged to fight the decision in the courts and in Congress. If it truly believes that the fate of the business depends on it, we say go for it.

## EDITORIAL

## NATPE Needs Independent Voices

**T**he FCC's Michael Copps made waves at NATPE by decrying the lack of independent voices in prime time. If medical problems hadn't forced him to address the confab by satellite, he might have sensed another snub of independents: the NATPE organization itself.

In the exhibit hall, four rows of majors were surrounded by a sea of independent producers and distributors. And walking the aisles? Scores of folks with shows to sell.

Yet NATPE's new board of directors contains no independents.

Why is the NATPE board just filled with big players, when indies are fueling its membership growth? Why is there not one voice for the independent producers and distributors who grind out show after show—the hits that have fueled cable's growth, such as

*Forensic Files* and *Trading Spaces*, as well as two of broadcast TV's hottest shows, *Wife Swap* and *The Apprentice*?

NATPE's pre-convention ads urged on even the smallest independents. They turned out in large numbers. Most took their meetings in the NATPE lounge—but, with just 4,000 square feet, sellers and buyers had to hunt for space. Some sellers even camped out for the day with logos on their tables (bad form!).

This cramped space also inconvenienced the very buyers NATPE needs for its survival. Indies with booths were relegated to the "outskirts,"

with majors taking a "not in my backyard" approach. Some erected walls to keep non-station buyers out. Yet non-majors outnumbered majors by about 10 to 1.

Independent producers count on the huge growth in niche telecasting, reality programming, domestic cable and international TV to

build their business, and they need a healthy forum to continue doing so. NATPE is happy to take their registration dollars, but must give indies a voice on the board and more space to do business. And yes, they should be expected to pay for that space, if even by the hour. That will reduce interlopers and set a higher standard.

For indies with booths, NATPE needs to mix them in with majors. Segregating them has eliminated the "middle-class" indie—and made hospitality suites their only option.

Indies need to grow up, too. Many came to Vegas just to hang out in the lobby. You want more space and influence? Register!

Because indies are so important as exhibitors and attendees, NATPE must listen to them—and be more than a way station between other international television fairs.

*Lico is president and CEO of independent program distributor CABLEready.*

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