Turner Develops Ad Meetings

By Wayne Friedman

For the first time in its history, Turner Broadcasting Co. will hold meetings with advertisers and their media agencies next month to discuss first-run programs they are developing, agency executives said.

The meetings will be held in New York and are similar to presentations the broadcast networks have traditionally held in Los Angeles each spring. The aim is to give potential advertisers a preview of future programming plans—and entice them to make an early marketing or advertising commitment.

Development meetings give advertising executives an opportunity to talk at length with network programming executives. Unlike meetings in May tied to upfront ad sales, these development meetings aren't intended to offer specifics as to exactly where shows will run on their future schedules.

"It's an image thing," said Steve Sternberg, executive VP of programming for Magna Global USA. "Cable is trying to elevate itself so people think of them as interchangeable with broadcast. Turner has been taking the lead in all of this. Turner (with all its networks) could have a lot to talk about."

In broadcast presentations, network executives will discuss up to 40 programming projects—some accompanied by video. "A lot of this stuff doesn't make it to air," Mr. Sternberg said. "But it gives us an idea of the direction they are going into. It gives us, for example, how many dramas they have in development, whether they are going to concentrate on comedies, and what producers they have deals with."

Other media agency executives have been scratching their heads about Turner's development plans. Historically, Turner has not had a large development slate of first-run shows to discuss. Mostly the Turner programming discussions have been about its off-net comedies and dramas. "They might only have two shows to talk about," said one media agency executive. "It could be a very short meeting."

A Turner spokesman said, "It's continued on page 32"
I Want My ‘CSI’—No, I Demand It

While Disney may be giving Comcast the cold shoulder, CBS and NBC are both in discussions with the nation’s largest cable system operator about participating in an ongoing test of a video-on-demand service Comcast calls On Demand, currently available to about half of the MSO’s more than 20 million subscribers. This appears to be an expansion of an earlier agreement to offer programming from CBS News and MTV Network.

Among the shows being discussed for the prime-time schedule are hits “CSI” and “CSI Miami,” said David Poltrack, CBS’s executive VP of research and planning, and CBS spokesperson Dana McClatchey. Mr. Poltrack stressed the discussions are preliminary. NBC is also in discussions with Comcast, along with a couple dozen cable networks. A deal for a series as popular as “CSI” may take a while. Sources close to Comcast said the program suppliers are not being paid at this point, given the experimental nature of the VOd test. Comcast spokesperson Chris Ellis said his company does not discuss negotiations with programmers.

PLIMPTON IS GONE; DAYNA TV LIVES

Dayna Devon spent a decade in TV news before joining “Extra” in 1999, she is now anchor. She looks like a movie star but never wanted to act. That hasn’t stopped her from doing more than half a dozen acting gigs in the past month on “Jag,” “The Young and The Restless,” “Las Vegas” and “Half & Half” and as one of Barker’s Beauties on “The Price Is Right.” That hasn’t stopped her from doing more than half a dozen acting gigs in the past month on “Jag,” “The Young and The Restless,” “Las Vegas” and “Half & Half” and as one of Barker’s Beauties on “The Price Is Right.”

She is making the acting rounds to raise about $10,000 for The Fulfillment Fund, a nonprofit organization that provides support to disadvantaged youth. On an upcoming episode of NBC’s “Scrubs,” Ms. Devon’s job is to tell Dr. Reid to attend to a stabbing victim. On the first take, she walked up to Zach Braff and delivered her line. The problem is Dr. Reid is played by Sarah Chalke. Ms. Chalke motioned Ms. Devon over and asked, “Big fan of the show, Dana?” Ms. Devon recalled. That cracked up the crew. After that, Ms. Chalke would “mess” with her. Ms. Devon said: “You know that little tape they use to measure the distance from the actor to the camera? She goes over and grabs that and starts measuring. Then she acts like she’s craft [food] services, bringing me things like I’m a real diva.

So I look to our camera crew like ‘I’m this demanding, you know, bitch. It was so funny, it brought tears.’” Ms. Devon’s antics will air on “Extra” in a DaynaTV segment Tuesday, the same day she can be seen playing a nurse in a cameo on “It’s All Relative.” “I have my own theme music,” enthused Ms. Devon. “What more could a girl ask?”

The WB’s #1 Sitcom...EVER!

The WB's #1 Sitcom...EVER! Coming Soon...
Nets Enforcing Contract Clause

By James Hibberd

Cable | Restrictions Constrain Marketing of Rejected Projects

"It’s unfortunate that some studios and networks feel they have to take things off the market to limit their competition."

WGA Prepares for DVD Residual Fight

By James Hibberd

Labor | SAG Extends Pact; Writers Go Solo

WANTS TO WRITE Bill Moyers is leaving “Now” to concentrate on a book.

‘Now’ or Never for PBS Series

By John Motavalli

Broadcasting | Program Could End or Change to Half-Hour After Host Moyers Departs

Cox, ESPN Pound Out Pact

By Jon Lafayette

Cable | Sports Net Gets Smaller Rate Hike in Nine-Year Carriage Deal

JIM ROBBINS

In its latest network programmer’s dream come true—a legal restriction that prevents rejected projects from being produced elsewhere.

Variously called a "turnaround rights restriction," an "exclusivity clause" or a "turnaround provision," the restriction is becoming more integral to development contracts between major broadcast and cable networks and their production partners.

Under certain circumstances, such restrictions can prevent a writer or producer from taking a series or television movie elsewhere, even if the original network declines to produce the project.

"It’s a relatively new concept in television that's a lousy deal for everyone," said Carrie Stein, head of long-form television packaging for ICM. "If you have a chance to make a project somewhere, you should be able to make it.

TelevisionWeek spoke to agents, producers and network executives for this story. Very few were willing to go on the record.

Rights restrictions are a standard element of studio development contracts that has recently been receiving more attention. The restrictions are most often employed by broadcast networks to prevent the development of competing projects at outlets such as HBO, TNT and FX and the rising number of quality cable networks producing original programming.

"These are not unusual clauses by any stretch of the imagination," one agent said. "What’s new is that networks are adhering to them. It used to be a bit of a gentlemen’s club. Now people are more concerned about the embarrassment factor—how can you put your name on something that might turn out to be a hit, and then be used as a club against you?"

Here’s how a turnaround right restrictively works:

Once a network abandons a project, the owner has 1½ years to sell it elsewhere or the rights revert to the network. However, if any material changes are made to the story line (or in some cases, if a key attachment such as a director or actor changes), the original network once again has first rights to the project.

"For this reason, agents frequently tell their talent to line up competing interests prior to a project officially being declared dead at the original network, because once the project is put into turnaround, ‘The clock starts ticking.’"

Industry insiders contacted for this story stressed that each contract is unique, and that a producer or writer’s relationship with a network can be far more important in a dispute than the words on the contract.

"The position has received an overwhelming supportfrom the guild members, with 96 percent recently voting to affirm the WGA’s ‘pattern of demands’ for the talks.

The home-video residual formula, however, has been essentially unchanged for decades, and few expect the Alliance of Motion Picture and Television Producers to give up ground easily.

‘Nobody is going to negotiate the DVD issue standing out there by itself,’ one industry insider said. ‘When you talk about how profitable DVDs are, they have to talk about how non-profitable movies are. It’s a low-margin business, and the costs of DVDs are going up.’

The insider noted that studios have to produce extras for DVDs and market them like event films while still selling them at increasingly con-

Continued on page 34

By James Hibberd

WGA, which had recently been getting

By Jon Lafayette

Moyers' decision in a prepared state-

Mr. Johnson, for whom he once

PBS spokesperson Lea Sloan said Mr. Moyers will be hard to replace, because hosting "Now" requires a lot more than simply being a talking head. "We have to raise money for it," she said.

The 69-year-old Mr. Moyers, who has spent 30 years in television, said last week he is leaving to concentrate on a book, but in fact, Moyers is leaving "Now" to concentrate on a book.

Though Bill Moyers will depart as host of "Now With Bill Moyers" in November after the presidential election, PBS is looking at ways to keep the show on its schedule.

Pat Mitchell, president and CEO of PBS, lamented Mr. Moyers' decision in a prepared statement. "Bill Moyers is one of America's most respected journalists. Bill and Judith Moyers have produced some of public television's path-breaking television, including 'Bill Moyers Journal,' 'Creativity,' 'Joseph Campbell and the Power of Myth,' 'World of Ideas,' 'Genius,' 'Healing and the Mind,' 'The Public Mind' and most recently, 'Now.' The list goes on and on. PBS would like to thank Bill for his marvelous contribution to 'Now' and wish him well as he moves into this next phase of his work. We are in discussions with the executive producer, John Siceloff, about 'Now's' future in the new year.

These discussions include keeping 'Now' on the air on Friday nights but cutting the show to half an hour from its current one-hour format, sources said. David Brancaccio, the former host of "Now" also decided to leave the show last year.

''The Public Mind' and most recently, 'Now.' The list goes on and on. PBS would like to thank Bill for his marvelous contribution to 'Now' and wish him well as he moves into this next phase of his work. We are in discussions with the executive producer, John Siceloff, about 'Now's' future in the new year.

'Now' or Never for PBS Series

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Cox, ESPN Pound Out Pact

By Jon Lafayette

Cable | Sports Net Gets Smaller Rate Hike in Nine-Year Carriage Deal

JIM ROBBINS

In its negotiations, and in a separate agreement with Charter Communications, ESPN agreed to raise rates for the 20 percent of its cable audience it had been getting annually for its main channel under its current contracts.

"We are resolved to protect the value of cable television service for our customers, and with this agreement we believe we made material progress in accomplishing that objective," said Jim Robinson, Cox president and CEO, in a statement.

But as Sean Bratches, executive VP at ESPN, points out, even smaller increases add up fast because ESPN is already by far the highest-priced network on basic cable, with an average fee of $2.67 per subscriber.

"It's the perfect deal after the perfect storm," Mr. Bratches said. "We were seeking to moderate our annual adjustments in exchange for long-term agreements and the rollout of new products and services."

Mr. Bratches said Comcast's bid for ESPN parent, The Walt Disney Co., did not affect ESPN's strategy. In fact, he said, he was..."
These Station Groups Have Got It In The Bag:

FOX • TRIBUNE • NBC • GANNETT
LIN • GRANT • COX • BELO
MEDIA GENERAL • FREEDOM
PEGASUS • VENTURE TECH
RAYCOM • BAHAKEL • ACME
HEARST-ARGYLE • SINCLAIR

Available Fall 2004
NAB, Nets to Hold Indecency Summit

By Doug Halonen

Under the gun from federal regulators, representatives of all four major TV networks except NBC last week confirmed plans to attend an industry summit this spring aimed at working down indecency programming.

As of late last week, a date for the National Association of Broadcasters gathering had yet to be announced.

Spokespersons for ABC, CBS and Fox said the networks plan to participate but have not decided whom to send.

In his Feb. 10 letter to top executives of the Big 4 TV networks and the NAB, Federal Communications Commission Chairman Michael Powell urged the industry to get together to adopt a "voluntary code of conduct" aimed in particular at governing "indecent, profane and violent programming."

NAB agreed to host a session on programming standards without specifically committing to the concept of a code.

ABC Family Seeks Programmer

By Jon Lafayette

ABC Cable Networks Group President Anne Sweeney plans to fill the top programming job at ABC Family from outside The Walt Disney Co.

The hire is part of a plan to clean house at the channel, which lost its president, Angela Shapiro, after ABC Family was made part of Ms. Sweeney’s division in October. ABC Family’s senior VP and head of programming, Linda Mancuso, died of cancer in December.

The new channel’s management will be modeled after that of the Disney Channel. Executives responsible for original entertainment and marketing will report to the president of entertainment.

After Ms. Mancuso’s death, Ms. Sweeney hired executive search firm Carlsen Resources.

There is no shortage of candidates interested in the job of president of entertainment—despite Comcast’s takeover bid for the channel’s parent, The Walt Disney Co.—according to Ms. Sweeney. She had interviewed 12 candidates as of last week and had brought back four for second interviews. More candidates may be interviewed, Ms. Sweeney said in New York last week during a reception for the new Jetix action-adventure block on ABC Family and Toon Disney.

Ms. Sweeney said she hopes to have a top executive in place by the time the network conducts upfront meetings with advertisers next month.

During the upfront meetings, Ms. Sweeney and the new channel programmer will lay out the new strategic direction for ABC Family. Ms. Sweeney said. That strategic direction has already been approved and is supported by top Disney management, including CEO Michael Eisner, she said.

Shortly after Disney acquired it for $5 billion, ABC Family became home to a number of repurposed ABC programs. Ms. Sweeney said that being a second home for ABC shows was not "a big enough idea" and would not be an important part of the ABC Family plan. Instead, the channel will embrace the "family" part of its name, though she declined to go into detail.

Some Disney insiders said Rich Ross, president of entertainment at the surging Disney Channel and one of Ms. Sweeney’s top executives, was her top choice to run ABC Family. But Mr. Ross apparently turned down the job.

“I have the best job in television,” said Mr. Ross, who was also at the Jetix event.

As part of the ABC Cable Networks Group, ABC Family will share some functions with the other channels in the group. Last week, Disney Channel executives Gary Marsh and Michael Ealy were given oversight of ABC Family film projects.
BEST PICTURE WINNERS MARATHON

THURSDAY, FEBRUARY 26
8:00 PM  Ben-Hur ('59)
12:00 AM  Lawrence of Arabia ('62)
4:00 AM  Midnight Cowboy ('69)

FRIDAY, FEBRUARY 27
6:00 AM  The Broadway Melody ('29)
8:00 AM  The Life of Emile Zola ('37)
10:00 AM  Around the World in 80 Days ('56)
1:00 PM  The Apartment ('60)
3:30 PM  Marty ('55)
5:30 PM  Oliver! ('68)
8:00 PM  From Here to Eternity ('53)
10:00 PM  West Side Story ('61)
1:00 AM  Annie Hall ('77)
3:00 AM  The Last Emperor ('87)

SATURDAY, FEBRUARY 28
6:00 AM  Gigi ('58)
8:00 AM  An American in Paris ('51)
10:00 AM  The Best Years of Our Lives ('46)
1:00 PM  It Happened One Night ('34)
3:00 PM  You Can't Take It With You ('38)
5:30 PM  Rebecca ('40)
8:00 PM  Driving Miss Daisy ('89)
10:00 PM  Kramer vs. Kramer ('79)
12:00 AM  Rain Man ('88)
2:15 AM  Mrs. Miniver ('42)
3:40 AM  Grand Hotel ('32)

SUNDAY, FEBRUARY 29
6:30 AM  Cimarron ('31)
8:45 AM  Chariots of Fire ('81)
11:00 AM  On the Waterfront ('54)
1:00 PM  In the Heat of the Night ('67)
3:00 PM  The Bridge on the River Kwai ('57)
5:45 PM  Rocky ('76)

ALL TIMES EASTERN

THE 76TH ACADEMY AWARDS® ON ABC
8PM ET / 5PM PT

Only TCM can bring your customers such an immense collection of Academy Award®-winning or nominated movies - 345 to be exact - all without commercial interruption. It's more entertainment than one month can handle.
Eye on Product Placements

| Network | CBS Will Use iTVX Software to Mine Shows for Sales Opportunities |

By Jay Sherman

CBS has partnered with product placement valuation company iTVX to help the network explore how to put price tags on product placements in several series on CBS and UPN.

Described as a small deal that's exploratory in nature, the pact calls for iTVX, a New Rochelle, N.Y.-based software company, to use its product-placement valuation tool, Instant Access, to evaluate such things as how well a product placement is integrated into a scene, the clarity of a brand logo and the overall presence of the product in a scene to derive a dollar value of that product placement.

Both companies declined to put a dollar figure on the venture.

In show expected to be evaluated include "Everybody Loves Raymond," "Yes, Dear," "King of Queens," "Survivor," and "CSI" on CBS and UPN's "Girlfriends."

CBS is the first broadcast network to partner with iTVX, but company President Frank Zazza expects others to do so soon. Already, iTVX counts as clients Unilever, Snapple, Best Foods, and Coke.

While CBS declined to say what the networks might do with the valuation information once they get it, Mr. Zazza believes product-placement valuation data provides networks with a raft of sales opportunities to exploit.

Among them is the ability of a network to approach a company whose product generated a high valuation in an episode and offer that company the first advertising position that follows the product placement event during a repeat airing of that show. This allows you to pay on results, not investment, because it takes what is already out there and measures it.

The latest version of Instant Access, which was introduced in September, generates product placement values based on information from the show's cutover. Among the criteria considered are how clearly the brand logo stands out among other items, how clearly identifiable the logo is and whether a character from the show walks past or touches the product or utters the brand name.

The software can also evaluate the seamlessness of the product placement—an important factor in judging the success of the placement. The tool is seen as helping advertisers reach consumers at a time when many viewers are growing tired of being bombarded with ads and when personal video recorders are permitting viewers to fast-forward through commercials.

"Frank has turned this thing into something that gives agencies and clients a deeper look into the value and comparisons of product placements," said Peter Gardiner, president and chief media officer of Interpublic Group of Cos.' Deutsch, a New York-based advertising agency, one of the early adopters of iTVX's product. "I think this is the first step toward changing a part of the business."
EDITORIAL
Can Comcast Build a Better Mouse House?

As mega-mergers go, Comcast's proposed takeover of Disney is less frightening than most. Disney has been one of the more dysfunctional media giants in recent years and may well benefit from the new, more focused priorities the Comcast management team would bring to the table.

Still, a move of this size and potential impact warrants a wary eye by media watchers, government regulators and the industry as a whole. Consolidation has been speeding ahead at an alarming pace in recent months, with the GE-Vivendi Universal combination pending and News Corp.-DirectTV already a done deal. We now have more than enough evidence of the impact of such mergers. AOL and Time Warner are an example of the consequences when a merger doesn't work. Media concentration in general has produced a less competitive marketplace and a loss of industry jobs. Consumers have been hurt by higher prices and a move toward more formulaic programming.

Diversity efforts, local news, community involvement and other public service commitments have also suffered.

But the proposed Comcast-Disney deal is one case in which bigger may not necessarily mean worse. Disney remains a great company in many ways but has suffered from one management crisis after another in recent years. The problems have been particularly obvious in broadcast, where the ratings woes of the ABC Network are well documented. In cable, ESPN is a top performer but has been in a public dispute with several top cable system operators over its efforts to raise rates, apparently in an effort to pass on higher costs. And the $8 billion acquisition of ABC Family has never lived up to its promise. The current power struggle between Roy Disney and Michael Eisner remains a very visible reminder of the problems that have plagued The Walt Disney Co.

It is this internal turmoil and a low stock price that made Disney vulnerable to a takeover. Enter Comcast, the biggest gatekeeper in cable, with an eye on creating an integrated mega-corporation that would control both content and distribution. Unlike other recent mergers, this combination presents a minimum of overlapping businesses and a vision of how technology and programming can be integrated. That vision may be just what's needed to turn Disney into a success story again.

The move is fraught with possible pitfalls. If Comcast makes the same mistakes Disney has made, such as relying too heavily on in-house productions for its broadcast and cable outlets, it is unlikely to turn things around. If, however, Comcast avoids the rigid bottom-line-oriented mentality and puts long-range thinking ahead of a narrow-minded mentality and puts long-range thinking ahead of a narrow-minded

The rules may work against you. Media buyers and sellers evaluate all local television based on sweeps, the four periods each year when Nielsen surveys all designated market areas. Sweeps are also the times when broadcasters, networks and cable systems are based on the best and newest programming or run contests, which inevitably inflate audience figures. You could nonsweep months viewers are likely to see a repeat telecast, and ratings averages are lower.

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There really is a Kingdom Hospital. It was shot in Canada. Trier.

We have this great fictional "Kingdom" role is a departure for him. He is better known for serious and 'you do a great job. Anytime you can. I'll do what I can.'

If he can't act, Mr. Davison would like to direct again. He helmed "Off Season" for Showtime in 2001, starring Hume Cronyn and Geoffrey Scott. It received five Emmy nominations and won two. He is slowly developing other projects.

Mr. Davison wasn't going to worry about the small screen. One that is instructive to the actors under consideration. "I couldn't turn it down," he relented. "I've had that in my L.A. home and it's Stephen King's first limited series that we have done, if not bigger."

We are trying to capture that essence in the marketing campaign. A book jacket features a blurb telling us to "read the book and get a feel for the story in marketing materials. The thing that attracts people to Stephen King is the whole sense of the unknown. It's not a chameleon on-screen, he knows all about typescating and agism in Hollywood.

It can get a little grim." he said. "And it has been appearing to be real events. "We are treating this like a new network's first limited series that based the series. In promos, a voice-over says, 'Remember the line in 'Stand By Me' when the character says, 'Well, you never had a friend like me.'"

But as a college kid at Penn State, he frets between jobs to work again." Mr. Davison also said it has been one of the most difficult experiences of his career. He has spent eight months in Canada, working in a former neurologist of a very strange hospital. "This is eat-the-grapes-off-the-wallpaper kind of stuff," he said with a laugh. "This character is extremely self-centered. He walks around in his L.A. home and it's Stephen King wrote the series. Stephen King's "Kingdom Hospital," playing Dr. Stegman, the chief neurologist of a very strange medical facility who is described in media notes as "hopelessly arrogant and mean-spirited." Mr. Benson got a call from his long-time reps at the Gersh Agency. "It was a kind of vulnerability to carry everything else. It's not something I'm usually cast as. [Dr. Stegman] is a kind of monstrous piece, and every-thing else. It's not something I'm usually cast as, [Dr. Stegman] is bombastic. He's big and arrogant and totally self-involved. It's a blast. I'm having the best time ever."

Mr. Davison decided long ago that he wasn't going to worry about being the star in every episode. Directly Robert Scott once advised him to be a char-ac-ter actor because character actors always get work. A year after working on "Buick 8," Mr. Davison heard a call for a role. "And they said, 'Well, gosh ... yes, I am too,' he said. "And he put his head down and he got me the part, finally, after reading and auditioning and everything else. It's not some-thing I'm usually cast as, [Dr. Stegman] is bombastic. He's big and arrogant and totally self-involved. It's a blast. I'm having the best time ever."

Mr. Davison knew the odds were against him. Despite his ability to be a chameleon on-screen, he knows all about typescating and agism. It is particularly difficult when dealing with young casting direc-tors who think he can do only not far from where he grew up in Philadelphia. Despite success was a college kid at Penn State, Acting is deliberately not giving away much else of the story in marketing materials. The thing that attracts people to Stephen King is the whole sense of the unknown. It's not an eating disorder and won two. It can get a little grim." he said. "And it has been appearing to be real events. "We are treating this like a new network's first limited series that based the series. In promos, a voice-over says, 'Read the book and get a feel for the story in marketing materials. The thing that attracts people to Stephen King is the whole sense of the unknown. It's not a chameleon on-screen, he knows all about typescating and agism in Hollywood.

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Diller Shuns Knightly Role

By Diane Mermigas

Despite mounting speculation on Wall Street that Barry Diller and John Malone will counter Comcast Corp.'s hostile pursuit of The Walt Disney Co. as white knights for longtime friend and embattled Disney Chairman Michael Eisner, so far both moguls are remaining mum.

In an interview with TelevisionWeek shortly before Comcast made its bid on Feb. 10, Mr. Diller insisted that he has no interest in a return to traditional media. "I have no intention of going back," said Mr. Diller, who reiterated his commitment to InterActiveCorp and its interactive interests.

"This is where my interests lie. These are the kinds of possibilities that excite me. This is where I am concentrating most of my time and effort," Mr. Diller said, referring to the Internet and how IAC's interactive businesses compare with traditional media companies such as Universal, USA, Fox and ABC, where Mr. Diller made his reputation and fortune.

"How can anyone compare the two? One is a place where businesses are born; the other where they keep being tested. This is a far more interesting place to be," he said.

Mr. Diller, who has not spoken to the press since the Comcast bid, declined requests to update the interview based on recent events as rumors swirl that he is playing a behind-the-scenes role as an adviser to Mr. Eisner.

Despite the denials, there continues to be widespread speculation that at some point Mr. Diller might assist or be part of a counterbid for Disney or a defensive move. Such moves could include acquisitions of companies such as Metro-Goldwyn-Mayer or a key TV station such as KRON-TV in San Francisco, which would increase Disney's $12 billion debt. Disney also could seek alignment with a friendly media giant or private equity investors.

However, Disney's financial advisers late last week ruled out a friendly merger with a "white knight" for now, insisting that Disney could fend off a takeover based on its own strengthening balance sheet. Still, Disney last week consummated its long-running negotiation to acquire The Jim Henson Co. for an undisclosed price, believed to be less than $200 million.

Any move by Mr. Diller and Mr. Malone, whose Liberty Media Corp. is IAC's largest shareholder, to help Disney could come before the second round of bidding for Disney gets under way, perhaps by Disney's annual shareholders meeting March 3, sources said.

It might make perfect sense if Liberty didn't have a nearly 10 percent voting interest in Rupert Murdoch's News Corp., which many investors believe is well-positioned to eventually absorb all or part of Liberty's diverse portfolio of assets and investments.

Also, Mr. Diller has spent the year since he resigned as VUE CEO Brian Roberts for snatching control of QVC years ago, a move that has been the source of friction between the two men.

Disney recently hired Martin Lipton, a veteran merger attorney and a friend of Mr. Diller, fueling more speculation that Mr. Diller's return to the traditional media fold is afoot.

One obstacle to any deal may be the fact Mr. Diller and IAC remain major shareholders in Vivendi Universal, whose U.S. assets are in the process of being acquired by NBC.

Any interest Mr. Diller has in coming to the rescue of Disney and Mr. Eisner, with whom he once worked at ABC and Paramount Pictures, could make it necessary for IAC and Mr. Diller to sever their complex ties and settle their lawsuit with Vivendi—all or part of Liberty's diverse portfolio of assets and investments. That has been the source of friction between the two men.

"We're talking about trying to pull apart an ownership agreement Diller made when he sold USA Networks to Vivendi that was designed not to be dismantled," said an executive close to
By Daisy Whitney

As video-on-demand moves beyond its early-adopter phase and into the common lexicon, increasingly smaller and more specialized VOD services have sprouted up.

Their presence raises the question of what content will survive in the VOD world. Many of the successful niche services agree that leverage is the key for a lesser-known on-demand brand.

Emerging and growing VOD services like Anime Network, Studio 4 Networks, My Music Choice and others that don't have the big-name cachet of an HBO or Showtime have dealt with the critical issue of how to brand their services in a VOD world that is becoming increasingly cluttered.

Music Choice is planning a June launch of its new on-demand service, My Music Choice, which allows users to create their own digital music channels from more than 100,000 combinations available. "If you like to hear pop music and top 40 but not rap, you can put your hit list and take all the rap out. Or if you want to combine classic rock with alternative rock, you can," said David Del Beccaro, CEO of Music Choice.

The service debuted in Maine last year and is available to about 25,000 digital cable homes, but the national launch will come in June.

The parent service, Music Choice, provides digital music channels and exclusive music events to about 33 million digital homes, including 95 percent of digital cable homes and 100 percent of DirecTV homes. My Music Choice is the company's play in the VOD world, and it hopes to gain traction by leveraging the Music Choice brand.

On the VOD music channels for Music Choice, a button appears on the screen for on-demand service My Music Choice, allowing viewers to access the on-demand portal through the linear music channels.

That will help the service stand out, Mr. Del Beccaro said. To attract users, on-demand programming needs to either be compelling content, such as what is found on HBO, or offer something very useful, he said. "The reason we will stand out in the VOD interface is because we are so different," he said. "With most services you don't get to create anything or affect anything."

Branding firm 3 Ring Circus has been charged with helping Studio 4 Networks get noticed in the on-demand world. The Studio 4 service, which consists of fitness and education videos, is carried in 5 million homes, including those served by Comcast, Adelphia, Charter, and MediaCom, said John Sideropoulos, CEO of 3 Ring Circus.

He said the key to getting carriage for a niche service such as Studio 4 has been to emphasize the fact that Studio 4 Networks has unique programming that can't be found elsewhere. "This made it easier to sell the product. It's successful because Studio 4 isn't offering another movie," he said.

Niche Nets Arise as VOD Advances

[Image: Studio 4 Networks, above, offers uniqueness; My Music Choice, left, gives users variety.]

Anime Network, which is solely a VOD service offering the popular Japanese animation, has made quite a name for itself as a niche service on operators' on-demand platforms, including Comcast, Time Warner and Cablevision.

Anime is one of the top-performing networks on Comcast, with double the views per user of the entire anime genre. That allows Anime Network access to a unique programming that can't be found elsewhere.

What has helped Anime is that it is part of a larger company, A.D. Vision, which includes home video distribution, novels, comic books and toy merchandising for the entire anime genre. That allows Anime Network access to a number of targeted channels to promote the VOD service.

Despite some successes, VOD is still in the early stages for the niche players, said Bruce Leichtman, president of Leichtman Research Group. "It's so reminiscent of the early days of broadband. Unless you're in it for the long run, it's going to be a real challenge," he said.

To date, the cable industry has been effective in promoting VOD. According to a CTAM study released earlier this month, about half of all respondents were familiar with VOD, while 74 percent of digital cable customers were familiar with the service.

This is my last column for TelevisionWeek. (The sound you just heard was the popping of the bottle in the office of Michael Powell, the Federal Communications Commission chairman.) I want to thank everyone at the magazine for their support and encouragement over the past few months. And in my final commentary I want to address the growing hysteria of privacy advocates when it comes to digital technology.

TiVo, the digital video recording service, recently issued a press release that revealed the viewing habits of its customers during the Super Bowl. The findings, which included the 10 most-watched commercials during the game, were based on a sampling of 20,000 users, and TiVo said its personal data was made public.

However, just a few days after the release, you would think that TiVo CEO Mike Ramsay had sneaked in the back door of each DVR owner. Many journalists, myself included, were bombarded with e-mail calling for TiVo to stop releasing subscriber data.

The e-mail apparently paid off, leading to news articles with alarming headlines such as "TiVo Users Betrayed" (Chicago Sun-Times); "TiVo Watchers Uneasy" (CNET); "TV Might Be Watching You" (Toronto Star); and "TiVo's Vyver Power" (Motley Fool).

In the CNET article, one TiVo owner was quoted as saying the press release caused him to experience "the most severe form of anger ... deriving from a perceived betrayal of trust."

"The most severe form of anger?" One can only hope that this TiVo owner is that of a company's employee or an employee of your local post office.

In a Lather

The reaction to the TiVo release is neither new nor surprising. TiVo has been frequently criticized in the past for releasing subscriber sampling for its recent partnership with Nielsen to provide aggregate data to the TV industry. Privacy advocates and some consumers are concerned that digital technology makes it all too easy for TV services to collect information on what we watch and when we watch it. The mere suggestion that a company may release this data puts some people in a lather.

Privacy advocates are concerned technology makes it too easy for TV services to collect information on what we watch. The suggestion that a company may release this data puts some people in a lather.

Commercial-skipping feature might impact the future of advertising. Subscriber data that sheds light on this issue is invaluable.

However, the privacy "hysterics" don't see it this way. They believe they must oppose the release of all subscriber data to ensure that no one's personal information will ever be revealed. Like many other special-interest groups, they live by the credo that if you give them an inch they will take a mile. In other words, permit TV to release subscriber sampling and they will try to release your personal data next.

In the end, the position of paranoids.

Phillip Swan is president and publisher of TVPredictions.com. He can be reached at Swann@TVPredictions.com.
DILLER

continued from page 11

the situation.

In a recent interview with Television Week, General Electric Vice Chairman and NBC Chairman Bob Wright said he is resigned to the possibility of Mr. Diller and IAC remaining influential shareholders in the new NBC Universal, as long as Vivendi fulfills its commitment to settle all financial and legal obligations to Mr. Diller and IAC over time. That includes a lawsuit Mr. Diller has filed against Vivendi over tax-related issues and payments.

"I don't think it would be the ideal solution and I don't think it is the monetization of his interests that Barry eventually wants, but it would be a solution for now," said Mr. Wright, who speaks to Mr. Diller regularly.

Sources close to the situation say GE and NBC may prefer simply to use cash rather than GE stock in the company's VUE transaction to allow Vivendi to buy out Mr. Diller and IAC for about $2 billion, so that NBC can own VUE free and clear.

For now, Mr. Diller said he prefers to simply stay put.

"I'm not a deal maker or breaker. We have a deal. We have a very, very clearly articulated, memorialized transaction with VUE and VUE. That's it," Mr. Diller said.

"We have no great ambition to change it. If anybody wants to change it, they can call us up and discuss it, which we are happy to do. But we're also happy to stay where we are," Mr. Diller said. "We don't know what will happen."

Even while his future role in the traditional media and entertainment worlds he has helped to transform remains unknown, Mr. Diller is juggling a new set of challenges with IAC's Internet-related businesses.

"I do not think there is any additional value that can come from putting together HSN and QVC."

Even in the new media space, Barry Diller faces some old, familiar problems.

For instance, in recent months, IAC has gone from being a $27 billion Wall Street darling to being taken to task by industry analysts about the wisdom of some acquisition strategies and the long-term profit picture of core businesses. It is a dilemma that vexed his USA Networks Inc., which Mr. Diller concedes he was never able to grow beyond what he called a "second-tier" entertainment player.

"We did not have the scale we needed to be a first-tier player, and contrary to popular belief, I was not driven to get it," he said.

Within a year after selling USA's cable networks and studio to Vivendi Universal, Mr. Diller resigned as chairman of VUE to devote all of his time to IAC. He traded a lifelong concern about the power of broadcast and cable networks.

"We certainly have critical mass. We have over $1 billion a year in hard earnings. So acquisitions for us have to fit a certain profile that they didn't before," Mr. Diller said. IAC more likely will acquire select online transactional businesses while securing stronger distribution pacts with national portal companies.
Kaplan Sets His Sights on Firing Up MSNBC

New Chief Likes the Cable News Net's Current Direction, Plans No Wholesale Changes

By Michele Greppi

When Rick Kaplan gets a call on his cellphone, he hears the opening bars of his wife's 1960's hit "In-A-Gadda-Da-Vida." "When my phone rings, I know it's my phone," he said.

Last week it was Mr. Kaplan whose name was ringing throughout the cable news business after he was named the new head of MSNBC. The veteran news executive moved quickly to quiet concerns within MSNBC that he had been hired to make wholesale changes.

Instead, Mr. Kaplan said his job is to fulfill MSNBC's original promise to pioneer liberal talk show pioneer Keith Olbermann in managing the network. That mantra suggests he has been given a relatively free hand.

"We're clearly going to have a lot more money to play with," Mr. Kaplan said last week. "I did not even have the luxury of placing no better than 1,000 viewers over a year, with the permission of the producers shaped by the way the ratings are kind of moving in the right direction," Mr. Kaplan said.

MSNBC was founded in July 1996 as a joint venture between NBC News and Microsoft. It was conceived as the place to go for a hip, wired and plugged-in younger generation of TV news consumers, a market in which NBC News could amortize its network news programming costs by replaying and repackaging video and personalities.

The network is reportedly in the transition but is expected to return to MSNBC in Manhattan for special assignments that will likely allow it to be a news producer and executive and his articulateness.

"Its clean," Mr. Kaplan said. "It does good work and it's got a great network behind it; and if it's had any problem in the past, it's been simply that they didn't stick with the vision, if you will. The vision was too mobile. Eric kind of settled that all down, and now we're in a position where it's in a great place to improve it."

MSNBC has long been able to console itself with having the youngest viewers. In January its median viewer age was 54 for total day and 61 in prime time. CNN's median age was 66, and for prime time 62.

"Countdown with Keith Olbermann" is the most recognizable face and most resonant voice on MSNBC. "Hardball" is picking up ratings momentum and buzz under new executive producer Tammy Haddad, and the show is running a tight race with CNN's "Anderson Cooper 360," which is leading by 4,000 viewers but lagging by 11,000 in the 25 to 54 age group. The trend was noted in the other end of the weeknight lineup as "Scarborough Country," which grew 7 percent from fourth quarter 2003 to first quarter 2004 in the 25 to 54 demo.

As for "Countdown With Keith Olbermann," and "Deborah Norville Tonight," the sarcastic Mr. Olbermann suffers in year-to-year comparisons with "Hardball" while the upbeat Ms. Norville's show launched in late January and has been interrupted for extended presidential election primary coverage anchored by Mr. Matthews.

By Michele Greppi

Rick Kaplan takes over MSNBC at a time when all news channels are finding it hard to match year-ago ratings performances. It seems the Democrats' march to the presidential nomination has been of less interest than last year's loss of seven astronauts and the nation's march to war.

So even the potent Fox News Channel, which averaged almost double the audience of nearest rival CNN the week of Feb. 9 to 15, was posting double-digit year-to-year viewership losses.

For example, the data released last week by Nielsen Media Research. For the week, Fox News was down 24 percent in total day (averaging 802,000 viewers) and in prime time (1.3 million). CNN was off 36 percent for cable news (443,000 viewers) and 40 percent in prime time (715,000). MSNBC was off 19 percent for total day (232,000) and 28 percent in prime time (312,000).

Averages for Dec. 29, 2003, through Feb. 8 show less dramatic decreases. Fox News' total viewership over the first six weeks of the year was down 2 percent for total day and 6 percent in prime time. CNN was down 25 percent for total day and 22 percent in prime time. MSNBC was down 17 percent for total day and 12 percent in prime time.

Among the 18- to 34-year-old viewers, the core news demographic group, there were double-digit decreases across the board year-to-date as well. Fox was down 12 percent for total day and 12 percent in prime time. CNN was down 23 percent for total day and 23 percent in prime time. MSNBC was down 17 percent for total day and 11 percent in prime time.

The same period, the biggest night for Fox was Jan. 20, but President Bush delivered his State of the Union address (3.9 million viewers, 1.26 million in the demos) to a packed audience for the week of Feb. 9 to 15, MSNBC's biggest night so far this year (1.5 million viewers, 1.26 million demos).

For MSNBC, the biggest prime-time telecast in total viewers was the Jan. 29 Democratic debate in North Carolina (725,000 viewers). MSNBC's biggest night in the 25 to 54 demo was Jan. 1 (378,000).
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Upfront Reformers Pin Hopes on 2005

Carat CEO Claims ‘Philosophical’ Agreement Exists to Change Frenzied Atmosphere

By Jon Lafayette

Get ready for more cold pizza this May. Despite bold predictions that the network upfront buying process could be tamed, David Verklin, CEO of Carat North America, conceded that it will be business as usual this year.

Mr. Verklin has called for the upfront, during which the bulk of prime-time network television ad time is purchased, to be moved from May to September to better accommodate marketers’ budgeting and planning cycles. He also proposed that the buying and selling take place between 8 a.m. and 8 p.m. to prevent mistakes in orders worth million of dollars that are taken in the middle of the night by tired executives fueled by stale coffee and take-out food.

While it won’t happen this year, Mr. Verklin said he thinks the major broadcast networks are basically in “philosophical” agreement that the changes would help, and he’s hopeful that other leading media buyers will help convince the networks and marketers to implement them in time for the 2005 upfront.

The networks have benefited from the current system, which encourages buyers to stampede late at night in fear that prices will rise and commercial time in important shows will disappear if they wait until morning. In return for giving up such a tactical advantage, the networks would get firm orders in two quarters. Under the current practice, buys made in the upfront are firm only in the fourth quarter. In the following three quarters, buyers can return up to 50 percent of the commercials that they buy.

Because of his reputation as something of a maverick, Mr. Verklin said, he’s hoping that a more venerable media executive—MindShare CEO Irwin Gotlieb—taking a leading role on the issue will make it more palatable to the industry.

Mr. Gotlieb was traveling last week and could not be reached. But another senior media executive had only faint praise for the effort. “I hope David makes progress,” said Ray Warren, managing director, OMD. We are not so focused on the cold pizza aspect as we are on driving more value out of the investing of our clients’ dollars in national television... If driving value is going to be some of the things Verklin is talking about so be it, but it’s not our strategy to work on clock and calendar.”

To be sure, Mr. Verklin agreed that moving the date of the upfront and establishing some rules about timing were less significant to clients than being able to pay reasonable prices for television commercial time.

Mr. Verklin said that after two years of paying double-digit increases to the broadcast networks in the last two upfronts, clients are angry enough to seriously consider alternatives to broadcast networks. Those alternatives include cable TV, local TV, syndicated TV and no TV, said he expects the networks to seek pricing that is flat to up in the low single digits during this year’s upfront. They will moderate their asking prices because seeking more risks is killing the “golden goose” the broadcasters have been feasting on for years.

In most years, media buyers begin their posturing months in advance of the upfront. They cite low demand from their clients and tepid interest in the new programming being developed for the networks as reasons why prices won’t skyrocket once the selling begins in earnest.

This year, predictions that the upfront will be moderate is one reason why prices won’t skyrocket once the selling begins in earnest.

At a recent media conference in New York, Tim Spengler, director of national broadcast at Initiative Media, said he expected the upfront to be “moderate.” In a follow-up interview, Mr. Spengler said he didn’t see that it would be more specific. “There are no indications yet that it will be excessively strong or excessively weak.”

At the same conference, MindShare’s Mr. Gotlieb reportedly predicted that the broadcast networks would take in $9 billion during the upfront, down from $9.6 billion last year.

Even the networks are saying that the big cost-plus-thousand increases of the past couple of years won’t be repeatable this year. In public statements, CBS Executive VP for Research and Planning David Poltrack acknowledged the “frustration” felt by advertisers. But he said he expected the upfront market to be strong and that broadcasters will end up with a 10 percent increase in revenues, compared with a 3 percent increase in 2003.
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Source: NSS/NTI/NHI, Galaxy Explorer, June - Aug '03. GA/AAA rts (M25-54 & M18-49), excludes sports/spec.als
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Many Ways to Make a Point
To Understand the Level of GRPs Where Returns Start to Diminish, Planners Must Realize It’s a Judgment Call

By Roger Baron
Special to TelevisionWeek

One of the most difficult tasks facing planners is deciding how much media weight is needed to meet media and marketing objectives. It is common knowledge that reach builds quickly at first, but beyond a certain point—the point of diminishing returns—additional GRPs yield mostly frequency.

Some planners think this point, this GRP level, is the answer to the perennial question, “How much is enough?” The following discussion shows a way to calculate the point of diminishing returns and addresses considerations that limit the value of this mathematical answer to an essentially judgmental question.

Calculating the Point
Since reach accumulation takes the shape of a smooth diminishing returns curve, there is no obvious point where GRPs start yielding more frequency than reach. At first glance, it might seem the point is where one additional GRP yields less than one additional point of reach. But this doesn’t work because the scales are so different. Reach on the Y axis is a percentage that goes from 0 to 100 percent. There is no limit to the number of GRPs on the X axis. One way of calculating the point is to assume a 1:1 ratio between GRPs and reach, allowing us to define the point as “the place on the television reach curve where 10 additional GRPs yield less than one additional reach point.”

The point of diminishing returns for national prime time and daypart mixtures is in the neighborhood of 200 GRPs—a bit more or less depending on the demo and daypart mix. For individual dayparts that have less reach potential, the point occurs at fewer GRPs.

Assumptions Affect Results
The concept is simple enough, but to use it the planner must make a number of arbitrary assumptions that directly affect the result.

1. Calculation methodology. There is disagreement over how the point should be calculated. In our example, we assumed the point was where 10 additional GRPs yielded less than one incremental reach point. Others might define it in terms of changes in cost per reach point.

Still others might say it occurs where the change in percent of incremental reach is less than the percent change in GRPs or dollars. Each method is equally valid, but each gives a different point.

2. Number of weeks. Since all campaigns will eventually reach the point of diminishing returns, the planner must decide whether the GRP level relates to one week, four weeks, a quarter, a season, or a purchase cycle, or something else.

3. Commercial length/execu-

Because the process requires so many arbitrary assumptions, it is our opinion that knowing the GRP level of the point of diminishing returns doesn’t make a planner any smarter.

4. Demographic. Since the reach curve is different for each demographic, when there are primary and secondary demos, setting the point according to the primary demo will likely put weight for the secondary demo above or below its diminishing returns point.

5. Conflict with other priorities. The point of diminishing returns is a generic concept that has no connection to a brand’s media/marketing objectives that are the primary factors influencing media weight. These include the need to maintain a competitive share of voice, promotional requirements, seasonality, product introduction vs. sustaining weight, historic advertising-to-sales ratios and other considerations.

To sum up, this article was written in response to occasional planner and client requests for a point of view on the point of diminishing returns. Because the process requires so many arbitrary assumptions, it is our opinion that knowing the GRP level of that point doesn’t make a planner any smarter. It is a number in a vacuum that only complicates an inherently judgmental decision.

Roger Baron is senior VP, media research director, FCB.

SOURCE: Reach2000, Nov 2001—generic six-network curve

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The smooth reach accumulation curve applies only to individual dayparts or to GRPs that are proportionally allocated across dayparts. Planners must decide whether the point should be calculated for each daypart or for the schedule as a whole. But to be accurate, the analysis should reflect changes in the daypart mix as the GRP level increases.

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Universal McCann

Enza Chiodi
Executive Vice President, Director of Planning
PHD

KK Davey
General Manager, Insight Partners

Gregg Lieberman
Senior Vice President, Strategic Resources
Zenith Media

Carla Loffredo
Senior Partner, Strategic Planning Director
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Mary-Ellen Vincent
Senior Vice President, Director of Insights and Accountability
MediaVest USA

Special Guest Moderator Erwin Ephron

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Sports

continued from page 1

with partners," Mr. Murdoch, the chairman of News Corp. and of 21st Century, Corp., confirmed in a recent interview.

"We have to consider the capital requirements of the new sports sub-
scribers to pay for two ESPNs," Mr. Murdoch said. "It will depend entirely on the terms and conditions of the deal.

As a basis for launching such a cable sports ven-
ture would be the participa-
tion of major cable operators such as Cox, Comcast and such which has had its own preliminary discussions with the NFL about acquiring the rights to Sunday Ticket. Well-placed sources said Comcast is inter-
ested in participating in the formation of a new national sports networks, with a goal of $1 billion a year for its run for its money. There is no comment from the NFL or Comcast.

Comcast is already negoti-
at CableVision Systems' stake in many of the Fox Regional Speed Networks, which would also provide a foundation for a new service.

"We'd love that. They (Com-
nict) are very aggressive com-
petitors. You get a lot quicker answers from them," Mr. Mur-
doch quipped. "There are many things we could do together. We'll see.

A litigious twist to this dis-
cussion is Comcast's recent hostile bid for The Walt Disney Co., which relies on ESPN for nearly 40 percent of its annual earnings and 75 percent of its cable DTV networks. Theoret-
ically, Comcast could find itself in a battle with national television services with its
dominant 22 million cable sub-
scribers.

Basing on its monopolistic hold on virtually all of its home-
town sport in Philadelphia and the bold move it recently made in Chicago, taking over Fox regional sports networks and TV rights to the city's major teams, Comcast is savvy enough to know what to do with that kind of power. And so is Fox.

Fox's Regional Sports Net-
works, which are already valued by Wall Street at $3 billion, with the regional Fox Sports Networks alone gener-
ating more than $200 million in annual earnings.

There is considerable upside growth for Fox Sports, whose ad revenue and affiliate fees are about half of those of ESPN. Advertising revenue per subscriber is about $46 at Fox's regional sports networks compared with about $1 at ESPN, and Fox Sports' affiliate fees average $1.67 per subscriber, compared with $1.75 per subscriber for ESPN, according to Credit Suisse First Boston analyst William Drewry.

ESPN last week scurried to secure new license agreements with cable operators Charter Communications and Cox Com-

"We have to consider the capacity of pay television sub-
scribers to pay for two ESPNs.

Rupert Murdoch, chairman and CEO, News Corp.

monetizations rather than find itself in a blackout or forced onto pay tiers.

The pacts represent a major compromise and reduction in profits for ESPN, which, in the case of Cox, settled for an aver-
age 7 percent fee increase over

nine years—far below the 15 percent to 20 percent increase ES/N initially sought. Although the first-year fee increase is 13 percent, it ramps down to only 5 percent in the final years of the pact, and radically cuts Cox's losses to $7.5 million if it loses the rights to Sunday Night NFL football telecasts.

ESPN will go from making $2.61 per Cox subscriber today to making $4.38 per subscriber in nine years, over which Cox saves $550 million as a result of resisting ESPN's initial asking price.

ESPN also has a fat enough checkbook to keep almost everyone else out of the serious sports rights bidding world," said a source close to the nego-
tiations.

The fee increase is about what Viacom settled for with Comcast for carriage of its MTV networks. With nearly four times the number of sub-
scribers as Cox, Comcast could settle for even more stingy fee deal with ESPN in its negotia-
tions later this year—just as it has secured with all other major cable programmers based on its newfound scale.

In truth, Comcast's hostile bid for Disney could arguably be the ultimate attempt to strip ESPN's overt fee-fixing capa-
bilities. The new agreement with Cox also appears to table for nearly a decade the prospect of moving pricey

Sports en masse to pay tiers or a la carte prices, as Cox had threatened to do.

Cox's new pact assures a majority of ESPN's fare will remain at Fox in the end, and under a 

extraordinary pressure. Disney and ESPN executives probably figured that Cox, after the sum-
mmer of 2001 after it made a bid for cable systems owned by AT&T and Broadband, only to snatch the systems later.

Further, the longer Comcast waits, the more likely Disney's stock, which shot up immediately following Comcast's announce-
ment that it had made a hostile takeover bid for the media giant, will return to pre-announcement levels. So far, that has been the case: Disney shares late last week were trading at a slightly more than 12 percent premium over pre-announcement prices, down from an 18 percent premium the day after Comcast's offer was made public.

As for Disney, holding out better positions the company to come up with a plan that could fend off Comcast. The company hired attorney Martin Lipton, the creator of the corporate so-
called poison pill defense, and is said to be examining options that could improve the Fox offer. Comcast, sources said, is likely to make a counter bid.
TELEVISION WEEK SPECIAL REPORT
AFRICAN AMERICAN TV

DEMOS ARE DIFFICULT TO DEFINE
By Joe Mandese
Special to Television Week
When it comes to targeting African American media buys, the process on Madison Avenue isn't always, well, black and white.
While African Americans are one of the largest ethnic groups, it's not always clear exactly what "African American media" is. Unlike other ethnic groups whose media preferences are clearly delineated by language, African Americans read, watch and listen to much of the same media as the general population.
If African American media options are a bit fuzzy, so are the approaches for managing them. Many marketers simply use their general market advertising agencies, while others employ multicultural specialist shops to create ads and develop media strategies for targeting African Americans.
When it comes to actually executing those media buys, some marketers depend on the media services divisions of their general market agencies, while others have begun tapping media buying specialists that focus exclusively on the African American marketplace.
"On the one hand, you have all of your general market media specialists, agencies like MindShare, or OMD or Carat or Mediaedge:cia, that buy a lot of African American media because their clients target African Americans, and they use their general market agencies to do it. On the other hand, you've got African American specialty agencies like Burnett Communications, UniWorld or Carol Williams Advertising that specialize in making ads for the African American marketplace."
"On Monday nights, we have an 80-20 split between African American audiences and non-black audiences," said Eric Cardinal, UPN's senior VP for research. He said UPN's 9.4 overall rating among black households puts it first among networks, but it rates only a 2.8 when all U.S. TV households are factored.
According to the Nielsen ratings, only a handful of shows can be said to be popular across racial lines. "Monday Night Football," "CSI" and "American Idol" among them.
UPN's "Girlfriends" earns a 19.2 rating among black households and is its most-watched show in that demo, but it rates only a 2.8 when all U.S. TV households are factored. On the flip side, fans of "Friends" are mourning the end of that series' long run, but among African American households the show ranks only 49th. "Everybody Loves Raymond," one of CBS' reigning hits, ranks 105th.
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Americans," said Dawn Ostroff, Mo'Nique of "The Parkers," also which have made you will get a larger you market to them are minority, so if year -old of that 18- to 34 - and themes. As it universal in stories multiethnic casting and are very in mind. All our shows have 34, and our marketing has that audience to be all women 18 to "But we consider our target UPN's president, entertainment. viewing for us with African are very much appointment Kids" and Fox's "Bernie Mac." are top 10 shows for black house- night lineups boast seven of the UPN's Monday and Tuesday almost 2 full points ahead of LINES have a higher percentage of minorities behind the scenes. African Americans in key cre- on Wednesday nights. Among those opportunities can seem that is not her besides, Ms. Bowser said she has court shows, including those with black hosts, such as Judge Joe Brown and Judge Greg Mathis. is. Unlike in prime time, where there is a divide between what black audiences and others watch, in syndication, there is a narrower gap. Everyone, it seems, likes "Wheel of Fortune." African Americans who watch public TV have favored specials and episodes of existing prime-time series with black history themes, though not exclusively. The top show on PBS among black households last season, with a 4.6 rating in black households, was the "POV" episode "Two Towns of Laper," which dealt with the horrific dragging death of a black man, James Byrd Jr., by three white men in Texas. But another highly rated PBS show in black households was an episode of "Reptiles," with a 4.0. African American house- holds watch, on average, 13 per- cent more prime-time TV than does any other demographic, according to Nielsen figures. Broadcast networks do not have a policy of targeting only one audience, but cable networks have emerged that aim for African American households. continued from page 21 almost 2 full points ahead of ABC's second place 7.5 rating. UPN's Monday and Tuesday night lineups boast seven of the top 10 shows for black households, season-to-date, along with football, ABC's "My Wife and Kids" and Fox's "Bernie Mac." Mondays and now Tuesdays are very much appointment viewing for us with African Americans," said Dawn Ostroff, UPN's president, entertainment. "But we consider our target audience to be all women 18 to 34, and our marketing has that audience to be all women 18 to 34, and our marketing has that audience to be all women 18 to 34 to them as well as I do." Ms. Bowser said she has had chances to develop sto- ries for nonblack talent, but that is not her goal. Besides, those opportunities can seem forced. "If there's a project that needs to be supervised with a Caucasian star, I'm not the first person [network executives] think of," she said. "Projects about us are open to Caucasian writers, but the reverse is not neces- sarily true. There's a misconception in the industry that the way we write is race-specific," Ms. Bowser said. "I came up through the ' Cosby' family, which taught me the oppo- site: If you write the truth, people will watch." — ERIC ESTRIN
**Profile**

**Mills: Economic Reality Limits Black Opportunity**

CBS had a one-hour pilot script called "The Mayor of Baltimore," a series of years ago that executives were ready to greenlight if they could find the right star. For weeks, they tossed around ideas with the story's creator, Emmy-winning writer-producer David Mills. Alec Baldwin, Treat Williams, Tom Berenger—all were either unavailable or not quite right. At one point, an executive made a bold suggestion to Mr. Mills: What about Ving Rhames? Mr. Mills, who is African American, jumped at the chance to sign a strong black actor for the lead role. The next day the same executive came back and apologized for bringing it up," Mr. Mills said. "I felt like I was never going to sell internationally with a black star.

Mr. Mills said he views the story not as an example of racial prejudice in the industry but as a sad commentary on how the economics of the business results in wasted black talent. "I don't say it's racist. It's reality. If only 11 percent or 15 percent of the mainstream audience is black, it doesn't make sense to target those viewers. Thank God there is an HBO and a Showtime (where black viewership is somewhat higher)," he said. Mr. Mills has reason to be thankful. His miniseries depicting Baltimore's largely black inner city, "The Cornor," won Emmys when it aired on HBO in 2000. But Mr. Mills, 42, has been equally successful in writing and producing a raft of critically acclaimed shows with predominantly nonblack casts—"Picket Fences," "ER," "NYPD Blue" and "Kingpin," a limited series about the Latin American drug trafficking that he created for NBC last year. He's currently developing a show with Jerry Bruckheimer Productions and Warner Bros. A show for NBC starring Jimmy Smits as a Los Angeles private investigator to the stars.

"I see great opportunities to tell stories involving black characters. The more diverse the show, the more I think it's a marketing tool," he said. Mr. Mills said he welcomes the challenge, especially in light of network planners aim to cast black stars in dramatic series. "I'm hamstrung," he said. "Hey, if they were willing to show with an all-black cast, or even a black lead, I'd be all over it." ERIC ESTRIN

**Demos Continued from page 21**

Minority itself is. It is one of the few media agencies to actually specialize in targeting ethnic media buys.

"To my knowledge, Tapestry and Unity Media are the only two entities in the country that call themselves African American media specialists," Ms. Gadsby said.

Bob Tassie, president of New York-based Unity, agreed. "It's not surprising when you understand the business evolved," said Mr. Tassie, who founded Unity in 1991. "Ten years ago, what you ran into was a marketing budget that was dispersed for general market media and the ethnic media market, but it was all being handled by the general market agency. It was just more efficient for the general market agency to know for a fact that Burrell creative is running in African American media, but it's also running in general market media like Friends.'

While it is not necessarily a bad thing for African American ads to run in general market media, specialists said it can be inefficient if not properly thought out. For example, Unity's Mr. Tassie said he has even more extreme view, noting that many market agencies often buy shows like "Monday Night Football" to reach African Americans but make the mistake of running general market ads in those spots. "They're not making the best use of the buy," he said. CREATIVITY

Clears, there is more gray area, but the practice is likely to get even more complicated as the complexion of the media marketplace increases and as the complexion of the African American market begins to change.

For one thing, blacks are not one homogeneous subset of the American population. While African Americans do account for the majority of that population, emigration of Caribbean and Haitian blacks to the United States is growing in faster numbers, forcing multicultural specialists to change the way they look at the black audience.

Meanwhile, some media buyers have become responsible for more than just advertising media that reaches consumers. As the field of media planning morphs into the science of communication, media buyers are reaching out to reach consumers at the right time and place and in a frame of mind where they will be malleable to the messages they receive.

"That practice is sometimes referred to as contextual media planning, and a few big agencies, including Tapestry's parent Starcom MediaVest Group, have dozens of contextual planners working for their general market media accounts. "We're looking at doing that too," said Ms. Gadsby, adding, "We have to, because our clients are asking us to." A GOOD BET One media buyer recommended placing ads on "Monday Night Football," though an expensive buy, because it has a high index of black viewers.

**Cost Differential**

Prime-time CPMs (broadcast and cable) for blacks vs. general audience (adults 25 to 54)

<table>
<thead>
<tr>
<th>Year</th>
<th>Cable Prime Time Black</th>
<th>Cable Prime Time General</th>
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<td>$180.80</td>
</tr>
<tr>
<td>2003</td>
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SOURCE: Nielsen MonitorPlus. *Presents for January through November*

The cost of reaching black viewers can often be considerably higher than that of mainstream audiences. patterns When BET first launched, the demand from mainstream marketers for multicultural media was not as great as it is today and the network had to cut ad deals that were priced competitively at that time. BET has done a good job of closing the gap, but still has some catching up to do, just as a new network—TV One—aimed at African American viewers is launching.

But looked at another way, the cost of reaching black viewers can often be considerably higher than that of mainstream audiences. The difference is that African Americans don't use only African American media, media buyers often target them through general market buys, including some of the top-rated network TV shows.

While buyers tend to select shows that index high among African Americans, such as UPN's lineup and some shows on Fox, the cost-efficiency can vary considerably. As a rule, these shows will always index higher among African Americans than comparable general market cable networks. The differential can be as much as 20 percent, media buyers said. Part of that differential exists because of historical differences that have existed for decades as media that exist purely to serve African Americans, the relative costs are often—but not always—less than comparable general market cable options.

When it comes to television, many black media buyers are as media specialists have found the opposite is true—in many cases the CPM is much higher," said Doug Alligood, senior VP, special markets, at BHDO, New York. The reason, he said, is simple mathematics.

"Unless you're buying a show that indexes higher with that audience, the CPM has to be higher because the advertising rates are the same," he said.

**By Joe Mandese Special to TelevisionWeek**

"Monday Night Football," though an expensive buy, because it has a high index of black viewers.
You can say we want to be a Lifetime Channel for African Americans.

Jonathan Rodgers, president and CEO, UPN, and programs many popular shows featuring music and music videos. Its "106 & Park..."

"That is what Stephen Hill, BET's senior VP for the Angry Black Man," said Johnathan Rodgers, president and CEO, UPN, and programs many popular shows. "We want to be a Lifetime Channel, and programs many popular shows featuring music and music videos. Its "106 & Park..."

You can say we want to be a Lifetime Channel for African Americans," said Johnathan Rodgers, president and CEO, UPN, and programs many popular shows featuring music and music videos. Its "106 & Park..."

Pam Veasey worked her way from office assistant on "Gimme a Break!" to executive producer on one of the Fox Network's hottest series of its time, "In Living Color." But when it came time to move on, the only offer she got was from the African American ensemble comedy "Living Single."

"It was a great show," Ms. Veasey said, "but it would look the same on my resume as what I had just done. You can't let the business decide you're just a "black writer," or that's all you'll ever be.

So Ms. Veasey took a pass. Turning her back on a job that she might have been offered because of her success, she opted instead to write spec scripts that would help her branch into TV and film. "I went to Columbia, I went to NYU, I went to USC," she said. "I..."

"The District" on CBS, making her the only black female showrunner on a network drama. She bounced between comedy and drama for years before getting there, attending many job meetings in the process. "They'd literally go, 'We need a black writer,' or 'We need a female writer,'" she said. "I'd go to these interviews with the other five black writers in town, and they'd pick one of us and fill their quota, and they'd feel good about that." Ms. Veasey said the studio executive had opened doors, but not often the ones she wanted. She said she turned down a producer-level staff job on "Friends," for instance, because she had already established herself at a higher executive producer level. She was willing to drop back to lower-paying producer jobs when she first switched to drama, even though white males in a similar position haven't always had to take that demotion, she said. Still, Ms. Veasey is pleased with the way things have worked out. She started her career path to that of her father, who moved the family from "Mississippi and "Under One Roof." TV One also offers originals such as "B. Smith With Style," which looks at lifestyle trends and has included celebrity guests. Radio One has provided a series hosted by radio DJ Tom Joyner.

Actor-producer-director Tim Reid is a senior executive supervising producer and program supplier to the channel. "You can say we want to be a Lifetime Channel for African Americans," said Johnathan Rodgers, president and CEO, UPN, and programs many popular shows featuring music and music videos. Its "106 & Park..."
Advertising to Kids Limited

1990 Law Restricts Product Placements

By Ivy Brown
Special to Television Week

"Product placement is regulated at this point," said Melissa Caldwell, director of research and publications for the Parents Television Council, a nonprofit media watchdog organization that is vocal in the industry, said the FCC has done a good job of keeping advertisers' messages from being intrusive. "But the FCC doesn't want children to be confused about whether they are watching a TV show or an advertising message," said Caldwell. "And we are constantly working with our advertisers to ensure that does not happen."

There's a lot of promotional content space for advertisers to overcome these challenges. "There's a lot of those things—tagged promos, tagged tune-ins. It's really promotionally driven," said Jim Perry, senior VP at Nickelodeon advertising sales. "That's why we generate a hit show, kid's rating is so important to have a lot of new episodes in the pipeline.

Starcom USA's Mr. Wagner agreed but said there are ways for advertisers to overcome these challenges. "There's a lot of things," he said. "While there might be some restrictions on commercial content and certainly restrictions on product placement, what you can do in the gray space is significant.

There's a lot of those things—tagged promotions, tagged tune-ins. It's really promotionally driven." As an example, Mr. Wagner cited McDonald's "I Can Do It" campaign on Nickelodeon, a series of six 30-second vignettes that celebrate achievements of 4- to 6-year-olds. Nickelodeon

continued on page 26
produces them and McDonald's sponsors them on a brought-to-you-by basis. Youngsters are shown learning how to shoot a basketball, for example, or how to use a camera.

These interstitials will probably run 30 or 40 times a month on Nickelodeon and another 10 or 20 times a month on Noggin, its educational channel for preschoolers. "Ideally, the audience begins to recognize you as the leaseholds of that property or that platform," Mr. Wagner said.

Another example of a kid-targeted promotion is Lego's NBA All-Star Slam that ran last weekend on the Time Warner-owned Cartoon Network. The network aired sports-themed episodes of key cartoons such as "Johnny Bravo" and "The Powerpuff Girls" as the lead-up to the NBA All-Star Game, which aired on TNT, another Time Warner cable network. The NBA and Lego were already in business together through a joint launch of Lego basketball-style game.

"We also look at if there's some kind of promotional television aspect-a marathon, a special set of episodes—were they able to drive interest in the promotion? Are the ratings for that particular show or that block up vs. a comparable time period or a year ago?" Mr. Wagner said these types of promotions are necessary in light of the increased competition for children's audiences in today's marketplace. "That's why the broadcast guys really aren't a player anymore," Mr. Wagner said. "They do what they have to do to be [Federal Communications Commission] compliant or make sure their affiliates are FCC-compliant and move on.

Indeed, many broadcasters, including CBS, NBC and Fox, have dramatically reduced their children's programming or have leased their kids programming to outside providers, as NBC has done with Discovery Kids.

"They've all decided to get out of it because it was just a very unstable business," said Nickelodeon's Mr. Perry. "If you're just a part-time player, you really don't have the opportunity to build a brand and to tap into the hearts and the minds of kids, and then you become entirely show-driven. And that's why Nickelodeon and even for that matter Cartoon Network have done well—because we are there making a connection with kids.

One notable exception to the rule is the Kids' WB, a broadcast kids outlet that airs Monday through Friday from 3 p.m. to 5 p.m. and Saturday mornings from 8 a.m. to noon. "Kids' WB still does a pretty substantial number when it's on," Mr. Wagner said. "The reason why they are most successful is that in broadcast, it is that they have unique offerings. Because both Kids' WB and Cartoon Network are Time Warner companies, the two outlets have begun looking for ways to make each other stronger.

"We've been experimenting with cross-programming between both networks," Mr. McQuilken said. "So we've had some shows that have been co-produced by Warner Animation for both networks, and they've run on both networks. That includes new episodes of 'Scoby-Doo' and a show called 'Teen Titans' that's very popular and doing very well on both networks.

Trouble With Teens

While reaching a kids audience has its own set of challenges, reaching the 12 to 17 teen demographic is even more problematic.

"Teens are a difficult demographic to reach in traditional broadcast nowadays," said Ray Dundas, senior VP group director, national sales, for the media buying firm Initiative. "Teens are very, very program-conscious," Mr. Dundas said. "Generally, the audience gets progressively older as their programs move along. And you don't have the hot new programs out there right now.

"They will gravitate to programs that are water cooler for their age group, and if they can't find that, then they'll go back to the music genre programming that they enjoy," Mr. Dundas said. "It's becoming a problem for our teen clients, quite frankly—finding viable dayparts and programs to sponsor.

But there are ample dayparts for children. The core demographics that most advertisers target are kids one to 11 and to 11. Within that is the preschool demographic, which is 2 to 5.

"Today kids are watching TV around the clock in a lot of different time periods.

Jim Perry, senior VP advertising sales, Nickelodeon

And then there is the 'tween demographic of 9 to 14. "If you're targeting kids 6 to 11, you're still going to get your fair share of 2- to 5-year-olds," Mr. Wagner said. "Now if you just want 2- to 5-year-olds, it's easier to target them and not get 6- to 11x, but you are still getting some aspirational afternoon viewing by 3, 4, and 5-year-olds with big sister or big brother, if you're targeting kids 6 to 11.

"Most of our clients are targeting 6- to 11-year-olds, and I think in most cases, that's a smarter way to go," he said.

"Most ads tend to run a bit older for the actual target demo because boys and girls tend to be aspirational," Mr. McQuilken said. "They tend to look up to the older kids, and they tend to want to buy things that older kids have. "The buyers in the business want 2- to 5-year-olds, so they are not going to target a group—if, for instance, 6 to 11, to 14—and that is more your core kid audience. And that's when you get into 'SpongeBob SquarePants,' 'The Fairly OddParents,' Mr. Perry said.

Emerging Tweens

The 'tween' market of 9- to 14-year-olds, in particular, is becoming more important to advertisers.

"These kids are very media-savvy," Mr. Perry said. "They're very tech savvy. They've got their own money to spend. They influence how mom and dad spend their money, and they're very brand-conscious at a young age.

As a result, Nickelodeon includes tweens in its overall programming mix with its TeenNick block of mostly live-action programming.

Notions about kids watching only children's programming on Saturday mornings or weekday afternoons have long evaporated.

With cable networks able to provide programming around the clock, advertisers must look around the clock. Time slot is absolutely huge," Mr. Perry said. "Today kids are watching TV around the clock in a lot of different time periods. Saturday morning is not a really important daypart anymore. From 7 p.m. to 9 p.m. is where the highest ratings basically come from.

"It opens up a lot more opportunities," Mr. Wagner said. And one of those opportunities is the ability to capture a few adults while advertising in time periods traditionally meant for kids.

"The preschool morning block from 9 a.m. to 11 a.m. is the other kids who have gone off to school," Mr. McQuilken, "and you get a lot of co-viewing with moms and preschoolers. So you might buy an 18 to 49 demo on Cartoon Network because you're actually shooting for mom sitting there with the preschooler at 9 a.m.

Boys vs. Girls

Gender plays an important role, too, as advertisers and programmers alike have to balance the differences between boys and girls.

"To some extent, girls will watch shows that skew to boys or feature boys, but you don't necessarily see a lot of boys watching shows that skew toward or feature girls," said Mr. Wagner. "So the reality is, most of the programming skews towards boys.

There are some networks that have had success focusing on girls, particularly tween girls. Mr. Wagner said, "Lego-supported Disney Channel is an example.

"Certainly boys and girls do watch different things, but they also watch a lot of the same things," Mr. Perry said. "You look at what we've been able to do on Nickelodeon, which is develop programming that delivers both audiences. We create characters, whether they are male leads or female leads, that are appealing to both sexes.

Despite all its challenges, the kids-TV business is going strong. Mr. Dundas said.

"Nickelodeon continues to lead the pack in terms of viewers and overall viewers," he said. "They come out of the fourth quarter at a better position, and there has been an increase in ratings for kids 2 to 11, so they are doing fine in terms of their programming, and Nick controls anywhere from 40 percent to 50 percent of the rating points to reach that target group.

"Then you have Cartoon Network, up 11 percent, so Cartoon is coming back a little bit. They've refocused a little in terms of their programming. From a cable standpoint, it seems to be a bright spot in the marketplace and kids are certainly going to those two cable networks," Mr. Dundas said.

Kids also watch popular adult shows, but there's a significant drawback for advertisers targeting teenagers there.

"You can get a number on any of the major networks prime time, especially in the 8 o'clock hour for some of the shows," said Mr. Wagner, "but it's just not cost effective.

"Children still love their own kids shows," he said. "There's a formula for what really keeps kids coming back, and the children's broadcasters know what that is," Mr. McQuilken said.
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## Nielsen Prime-Time Ratings

### WEEK OF FEB. 9-15

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<th>Network</th>
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### Top Shows by Day

**MONDAY**
- Adults 18 to 49: "Fear Factor" (NBC) 6/9/21 Total viewers: "CSI" (CBS) 23.6 million
- Adults 18 to 49: "American Idol" (Fox) 11/1/21 Total viewers: "Fear Factor" (NBC) 26.2 million

**WEDNESDAY**
- Adults 18 to 49: "American Idol" (Fox) 10/5/21 Total viewers: "American Idol" (Fox) 24.5 million

**THURSDAY**
- Adults 18 to 49: "Friends" (NBC) 11/4/21 Total viewers: "CSI" (CBS) 30.9 million

**FRIDAY**
- Adults 18 to 49: "CSI: Miami" (CBS) 5/3/20 Total viewers: "AG" (CBS) 12.4 million

**SUNDAY**
- Adults 18 to 49: "Law & Order: Criminal Intent" (NBC) 5/7/21 Total viewers: "Cold Case" (CBS) 13.3 million

### Top 10 Cable Network Ratings

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<th>Rank</th>
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<td>Fox</td>
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<td>TBS</td>
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<td>8</td>
<td>Cartoon Network</td>
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<td>10</td>
<td>History</td>
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Note: On-air ratings are within cable TV network's universe. Top 10 Ratings and household percentages are based on "N"-value TV ratings. Ratings do not include syndicated programming, miniseries, audience estimates are based on average minute ratings. Source: Nielsen Media Research
Sweeps Kickoff Buoy Newsmags, Weeklies

| Syndication | "Dr. Phil" Sole Daytime Strip to Rise Week to Week |

**MTV Sued Over Dance Show**

A performance artist is suing MTV for breach of contract and fraud over a dance show hosted by Britney Spears and "NSYNC choreographer Wade Robson. According to documents filed in Los Angeles Superior Court, John Larato (aka "Mobius 8") had a contract with the network, Mr. Robson and producer Paul Buccleri to create a competitive dance show. After Mr. Larato, Mr. Robson and Mr. Buccleri jointly produced a pilot, the "Wade Robson Project" was picked up as a series and premiered last fall. But Mr. Larato claims he was "cut out of the deal entirely." "It appears to be a pretty clear case," said Mr. Larato's attorney, Glen Kulk. "Larato brought Wade Robson to this project, together they produced a pilot... and the next thing we knew MTV is producing 'The Wade Robson Project,' and from what we can tell, it's the same show." MTV declined to comment on the accusations.

**Comedy Central Readyng Three New Series**

Comedy Central said it will premiere three new series in the third and fourth quarters of 2004. One show features a United Kingdom-based sketch comedy group, the Hollow Men. Another is a strip called "Crossballs," which woofs the similarly themed reality channels. The network, headed by President and CEO Larry Namer and Chairman Kay Kopolovitz, intends to show original and repurposed reality content. Reality Central, which faces competition from the similarly themed reality TV cable network, has delayed its planned spring launch until later this year.

**Rigas Trial Begins This Week**

Jury selection begins this week in New York in the trial of former Adelphia Communications Corp. executives John and Tim Rigas and his two sons. The Rigases are accused, along with former Adelphia executive Michael Mulcahey, of stealing hundreds of millions of dollars by illegally taking money out of the cable company, defrauding investors and misleading government regulators. All have pleaded not guilty. The primary issue will be a loan that the Rigas family made to itself that was guaranteed by Adelphia. The government also alleges that under the Rigas family Adelphia inflated its reported subscriber base and exaggerated the amount of its cable network's digital upgrades. In a pre-trial argument last week, U.S. Attorney Christopher Clark said he will present documents and electronic displays. U.S. District Judge Leonard Sand, who is presiding over the case, denied a motion by Michael Rigas' attorney, Andrew Levander, that would have admitted results of a 2002 lie-detector test. Jury selection is expected to take about a week. The judge has said he hopes opening arguments will commence around March 1.
CLASSIFIED

Career Opportunities

Writer/Producer

World-class skiing, 300 days of sunshine a year, and 650 miles of paved bike trails. Since you have to work, why not work someplace great? Come to Denver, Colorado! Tribune-owned WB2 (KWGN-TV) is looking for a creative, experienced Writer/Producer to join our Creative Services team. We want a hands-on pro with 5+ years experience producing and editing programs on Aud, Smoke, or D-Vision. Send your resume and reel to: WB2 (KWGN-TV), HR Dept. WP-CS#51, 6160 South Wabash Way, Greenwood Village, CO 80111. EOE.

TVWeek.com: Writer, Producer

Director of Sales

Khou-TV, Belo's Houston CBS affiliate is accepting resumes for Director of Sales. Min. 5 yrs. exp. in directing the sales efforts of a top market TV station. Strong communication skills, a proven track record in leading business development initiatives, the ability to work well with people, exp. with yield mgmt. systems, a solid foundation in research and knowing how to plan ahead are requirements to be successful in this position. Send cover letters, resumes and 90-day business plan including strategic and tactical activities to greatjobs@khou.com. EOE.

TVWeek.com: Sales

General Sales Manager

Raycom Media is seeking a GSM for it's Fox affiliate in Albany Georgia. The ideal candidate will be a strong leader with the proven ability to train and motivate a local sales staff, manage inventory and rate structure, and oversee the successful operation of the entire sales department. Your past experience should demonstrate your ability to work well with other departments to reach the station's revenue goals. We offer a challenging coupled with a great opportunity. Send resume and salary requirement to General Manager WXLY-TV, P.O. Box 4950, Albany GA 31707. EOE - M/F/DV.

TVWeek.com: Sales

Situation Wanted

Master Control Operator in CA with 10 yrs experience seeking position. Willing to relocate. Contact: Dee Jones at 310.676.9921 or email dej0260@yahoo.com.

TVWeek.com: Situation Wanted

General Manager

WGMB TV, the Fox affiliate in Baton Rouge, LA (95th) market is seeking an experienced, energetic and forward-thinking individual to lead the station. Responsibilities will include all phases of daily operations for WGMB and WBRL (the WB affiliate). A successful background in station management with an emphasis on sales is preferred. Individual must be a highly motivated, strong communicator with a proven track record in developing new business. Send resume to: Human Resources PO Box 57007 Lafayette, LA 70505 Or e-mail: greg.boulanger@comcorpusa.com Communications Corporation of America is an EQUAL OPPORTUNITY EMPLOYER.

TVWeek.com: Management

News Producer

Richmond's No. 1 news organization has immediate opening for creative and dynamic news producer. Successful candidate must be strong writer, energetic, self motivated and strong leader. No show slackers just an experienced leader with vision and skills to develop content. Send cover letter, resume and non-returnable VHS demo tape to Frank Jones, Assistant News Director/Executive Producer, WWBT, P.O. Box 12, Richmond, VA 23218 Phone calls welcomed. EOE.

TVWeek.com: News

Assistant Design Director / Washington DC


TVWeek.com: Creative Services

On Air Promotions Manager / Washington DC

Assists the VP of Creative Services in creation and development of marketing strategies for duploity in capital. Must have strong organization and communication skills. Supervises writer/producers. Must be skilled troubleshooter and creative problem solver in day-to-day operations. Hands-on writing, producing and editing of promotional messages. Images design and topical must be as well as a strong understanding of topical news promotion. Works in newscast tix Times, meeting deadlines in a fast paced environment. Must be able to work within 3-5 minute market required. For more detailed description refer to www.fox5dc.com Click on Inside Fox 5. Resume & cover letter to: Human Resources, FOX 5/WTTG, 5151 Wisconsin Avenue, NW, Washington, D.C. 20016. EOE/M/F/DV. Fax 202-885-3286.

TVWeek.com: Creative Services

News Director

Seeking a strategic planner with solid news judgment and communications skills to build and lead a winning team. must have experience as a leader. You must be a strong leader with the proven ability to train and motivate an aggressive staff in a market that is both competitive and challenging. You must have experience in all aspects of news management with an emphasis on newsroom and two bureaus. WTOV's newsroom features the latest in news gathering and editing technology. You will be part of a strong and dynamic news producer. Send resume in the help of a creative and aggressive News Director. Ideal candidate will have three years of management experience, impeccable news judgment, and the ability to hire, train and motivate an aggressive staff in a market that is both competitive and challenging.

TVWeek.com: News

Promotions

WSBTV, the #1 station in the Wheeling, West Virginia/Stebenville, Ohio market, is looking to grow with the help of a creative and aggressive News Director. Ideal candidate will have three years of management experience, impeccable news judgment, and the ability to hire, train and motivate an aggressive staff in a market that is both competitive and challenging. Send resume in the help of a creative and aggressive News Director.

TVWeek.com: News

Promotion Manager

WB6 TV, the FOX 11 station in St. Petersburg, FL is seeking a Promotion Manager to join our dynamic Sales Department. This position is responsible for the growth and development of the promotions department. This individual must have strong written and oral communication skills and the ability to work both individually and as part of a team. Develop sales presentations and proposals for Hetlevision Account Executives. Maintain client relationships. Interface with clients. Interface with Sales Department on all orders. Fulfill requests for proposals. Complete MSA's and Pots in a timely manner. Secure creative by deadline. Provide customized research for prospective accounts using MRI. Perform other duties as needed and as directed by supervisor. Please send resume and cover letter to: Laurie Benson-EVP, Strategic Sales and Marketing, Hetlevision, Inc. l.benson@hetlevision.com

TVWeek.com: Sales

Account Executive

WTVD, the ABC owned station in Raleigh-Durham, NC, is seeking an energetic and highly motivated individual to join our team of sales professionals. You must have experience servicing and negotiating with agencies. Prefer minimum of 3-5 years experience. Looking for a media consultant who can also prospect, develop and close new business accounts. This creative individual will have experience selling promotions, community campaigns and vendor programs. Knowledge of CRM, Scarborough, Excellent, Word and Power Point required. Please send resume to: Andrew Lashbrook, LSM, WTVD, ABC11 411 Liberty Street Durham, NC 27701 or andrew.p.lashbrook@abc.com. No phone calls please. EOE.

TVWeek.com: Sales

News Director

WTOV TV, the #1 station in the Steubenville, OH market, is seeking someone who can participate in all aspects of our specialty units. Superior writing skills, 3-5 years experience writing and producing in-depth stories, and previous newsroom experience required. In addition, strong editorial skills needed to participate in year round planning process of special segments. College degree a must. Send tape and resume to Janet Hendley, Assistant News Director, WJL-TV, 190 N State, Chicago, IL 60601. No phone calls please. EOE.

TVWeek.com: News

Special Projects Producer

Chicago's number one rated news station has an immediate opening for a special projects producer. We are looking for someone who can participate in all aspects of our specialty units. Superior writing skills, 3-5 years experience writing and producing in-depth stories, and previous newsroom experience required. In addition, strong editorial skills needed to participate in year round planning process of special segments. College degree a must. Send tape and resume to Janet Hendley, Assistant News Director, WJL-TV, 190 N State, Chicago, IL 60601. No phone calls please. EOE.

TVWeek.com: News

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TVWeek.com: Sales

Program Manager

WSBTV, the FOX 11 station in St. Petersburg, FL is seeking a Program Manager to join our dynamic Sales Department. This position is responsible for the growth and development of the promotions department. This individual must have strong written and oral communication skills and the ability to work both individually and as part of a team. Develop sales presentations and proposals for Hetlevision Account Executives. Maintain client relationships. Interface with clients. Interface with Sales Department on all orders. Fulfill requests for proposals. Complete MSA's and Pots in a timely manner. Secure creative by deadline. Provide customized research for prospective accounts using MRI. Perform other duties as needed and as directed by supervisor. Please send resume and cover letter to: Laurie Benson-EVP, Strategic Sales and Marketing, Hetlevision, Inc. l.benson@hetlevision.com

TVWeek.com: Sales

Assignment Editor

Aggressive news executive with a history of building news and developing hard news stories, organized and an excellent communicator. Must be proficient in MS Word, Excel and Powerpoint. Must have experience working for two or more stations. Must be a self-starter, with superb journalistic credentials, anchor skills, and the ability to work well with existing news team. College degree or equivalent experience required with at least five years reporter and/or anchor experience. EOE. Send tape and resume to: Television Week Classifieds 6500 Wilshire Blvd. Suite 2300 Los Angeles, CA 90048

TVWeek.com: On-Air

Anchor/Reporter

#1 rated network affiliate in the Midwest has a rare opportunity for an ambitious Anchor/Reporter to anchor a dominant morning news cast. Must be a self-starter, with superb journalistic credentials, anchor skills, and the ability to work well with existing news team. College degree or equivalent experience required with at least five years reporter and/or anchor experience. EOE. Send tape and resume to: Television Week Classifieds 6500 Wilshire Blvd. Suite 2300 Los Angeles, CA 90048

TVWeek.com: On-Air

TVWeek.com

www.wsbtv.com

PROMOTION WRITER/PRODUCER

The premier station in the south wants you! WSB-TV, a Cox Television station, is looking for a creative veteran to produce topical, news series and station image promotion. Here is your chance to work at one of the top stations in the country: Digital faciltiy-Edit Box Suite. Send tape to: Barry Sinnock Promotion Manager WSB-TV 1000 Peachtree Street Atlanta, Georgia 30309 WSB Television is an equal opportunity employer, m/f.

TVWeek.com: Promotions

www.tvweek.com
Watchdogs Seek Kerry's Support

By Doug Halonen

Watchdog groups that oppose big media mergers are trying to enlist Sen. John Kerry, D-Mass., the leading Democratic presidential candidate, in their efforts to stall or stop Comcast's proposed acquisition of The Walt Disney Co.

However, sources said that as of late last week, Sen. Kerry's support for their efforts was unclear because of his long record of support for the cable TV industry.

Jeff Chester, executive director of the watchdog Center for Digi-

tal Democracy, a group leading the charge against Comcast, said the center hopes to find a natural ally in Sen. Kerry, who opposed a controversial Federal Communi-

cations Commission decision last year to relax major media ownership rules.

Mr. Chester said they hoped to make "the Comcast grab of Disney" a presi-
dential campaign issue.

The rule change last year applied only to broadcast station and newspaper ownership, not cable TV.

Sen. Kerry has a history of supporting the cable TV industry. He is remembered by anti-competition activists for promoting an effort to blunt rate regulation for the cable TV industry in the 1992 cable TV act. He warned that supported the cable act after his amendment was defeated.

"In 1992 he was less firm than consumer groups would have liked him to have been," said Andrew Schwartz-

man, president of the activist Media Access Project.

Those activists also point to the media associations of Sen. Kerry's younger broth-

er, Cameron Kerry, as an indication of his intentions. Cameron Kerry is an attorney for the Boston-based law firm Mintz Levin Cohn Ferris Glovsky and Popeo, which represents a num-

er of major cable TV industry clients, including Cablevision and

National Cable & Telecommuni-
cations Association.

According to the watchdog Center for Responsive Politics, major contributors to Sen. Kerry's presidential campaign include Mintz Levin, which has given $64,740, and Time Warner, a major cable operator, which has given $32,225.

Said Mr. Schwartzman: "Has Kerry been more receptive to the cable industry than most Democrats? The answer is yes."

Representatives of Sen. Kerry's campaign had not returned telephone calls on the Comcast issue last week. Also declining to return calls were Cameron Kerry and other Mintz Levin representatives.

Primary Ad Prospects Improve

By Ira Teinowitz

Advertising Age

North Carolina Sen. John Edwards surprisingly strong showing in Wisconsin's Feb. 17 Democratic primary is reign-

ting hopes for Super Tuesday ad spending.

Sen. Edwards was running out of money for a major ad blitz and was expected to depend mostly on free media such as TV news appearances and interviews to carry him through March 2. But a quick increase in contributions follow-

ing his showing in the dairy state, along with an impending federal matching money check, raised the possibility that he has suffi-

cient funds for TV ads in smaller markets.

The Edwards campaign said it received a record amount of Internet contributions the day after the Wisconsin primary. Other contributions were also up. We will be able to communi-

cate with the voters we need to communicate with in the battleground states," said Kim Rubey, a campaign

spokeswoman.

Massachusetts Sen. John Kerry, expected before Wisconsin to hoard ad money for the coming battle with President Bush, now

may have to use some of that in Super Tuesday states. But his campaign was run on the issue last week. "We have the ability to advertise in all of them. It doesn't mean that we will," said Stephanie Cutter, a Kerry

spokeswoman.

On Super Tuesday, New York, California, Ohio, Maryland, Geo-

rgia, Connecticut, Massachusetts and Rhode Island hold primaries; Minnesota holds a caucus.

Sen. Edwards last week sought to seize on Wisconsin for leverage. His campaign Web site featured a picture of him celebrating. A cor-

ner cutout said: "Momentum: Support is growing across the nation." One link was labeled "Help defeat George Bush. Join the campaign now." While anoth-

er appealed for donations. On the trail he portrayed Wisconsin as a creating a two-man race for the Democratic nomination.

Sen. Kerry, noting his wins in 16 of 18 states, stayed focused primarily on attacking President Bush.

Behind those stances, Demo-

continued on page 35
**ESPN**

continued from page 3

in Cox's boardroom hammering out details when he first heard about the Comcast offer. Cox's agreement calls for a 13 percent increase in 2004 and an 8 percent increase in 2005. In the last three years, the increases are 5 percent. Overall, the increases average about 7 percent, according to a Cox spokesman, who noted that while 7 percent is less than 20 percent, it is still "on the high end compared to many quality networks out there." The 7 percent hike is also higher than the 5 percent rate increases cable operators like to pass on to their customers.

If ESPN reaches similar deals with other operators, by 2012 ESPN will cost almost $5 per subscriber per month and, based on its current 80 million subscribers, generate $5.23 billion annually. The agreements keep ESPN and ESPN2 on the expanded basic tiers for Cox and Charter subscribers. Cox had threatened to move the channels to a sports tier that customers would have to purchase and Cox would benefit from the deal with ESPN expired March 31. ESPN also gets carriage (and increasing rates) for ESPN2, ESPN Classic and ESPN News, ESPN H3 and ESPN Deportes.

A Cox spokesman said ESPN Classic and ESPN News are carried as ala carte sports tiers and that the operator already was carrying ESPN2/N2 under a one-year contract. ESPN Deportes will be introduced in selected markets with Hispanic populations, he added. The spokesman said the fees for all of the other ESPN channels will also rate at a rise of about 7 percent over the life of the new agreements.

Some Wall Street analysts were surprised at how well Cox fared after its public fight with ESPN2 Networks. Mr. Bratches maintained, however, that the Cox deal leaves ESPN "very well positioned to continue the growth of our company from a profitability and margin perspective." Unlike Cox, Charter's agreement with ESPN was not about to expire, and Cox conducted its negotiations with the sports network quietly. "As a result of this early completion, we expect to enjoy meaningful financial benefits in the latter portion of 2004," Carl Vogel, Charter president and CEO, said in a statement. Unlike Cox, Charter's agreement with ESPN was not about to expire, and Cox conducted its negotiations with the sports network quietly. "As a result of this early completion, we expect to enjoy meaningful financial benefits in the latter portion of 2004," Carl Vogel, Charter president and CEO, said in a statement.

"It exposes Cox to the risk that ESPN will see an opportunity to consumers declines over time," she said. ESPN's Mr. Bratches maintained, however, that the Cox deal leaves ESPN "very well positioned to continue the growth of our company from a profitability and margin perspective." Unlike Cox, Charter's agreement with ESPN was not about to expire, and Cox conducted its negotiations with the sports network quietly. "As a result of this early completion, we expect to enjoy meaningful financial benefits in the latter portion of 2004," Carl Vogel, Charter president and CEO, said in a statement. Unlike Cox, Charter's agreement with ESPN was not about to expire, and Cox conducted its negotiations with the sports network quietly. "As a result of this early completion, we expect to enjoy meaningful financial benefits in the latter portion of 2004," Carl Vogel, Charter president and CEO, said in a statement.

The moves may prove to be wise, analysts said. "Fox is placing their bets on some of the key peripherals now," said Bill Carroll, VP and director of group programming for Katz Media. "Given the lack of success for any of the networks in being able to establish a breakout hit over the last few years, it makes a lot of sense to protect and go after the devil you know." Bill Carroll, VP and director of group programming, Katz Media.

"Raymond" continued from page 1

record, about the first A-list off-net series to jump ship since "Seinfeld" did it in 1998.

"No matter how or why it happens, it's clear this move by Mr. Murdoch, the new chairman of Fox Television Stations, is a coup at the beginning of his tenure. The Fox-owned TV stations bought "Everybody Loves Raymond" in eight cities, and the series will move from its Tribune stations in five of the five cities, including New York, Los Angeles and Chicago. The deal will commence in March 2008 for 5½ years. Fox stations renewing the strip are Minneapolis, Baltimore and Washington.

With no diamond-caliber off-net players on the horizon, Fox executives hedged their bets and moved in the past two weeks to secure both "Raymond" and "Seinfeld" into the next decade. The pickup of "Raymond" from distributor King World follows last week's news (TelevisionWeek, Feb. 16) that all 19 Fox O&Os renewed Sony Pictures TV's "Seinfeld" in the third cycle, keeping the off-net series in the group through 2011. The moves may prove to be wise, analysts said. "Fox is placing their bets on some of the key peripherals now," said Bill Carroll, VP and director of group programming for Katz Media. "Given the lack of success for any of the networks in being able to establish a breakout hit over the last few years, it makes a lot of sense to protect and go after the devil you know." Bill Carroll, VP and director of group programming, Katz Media.

Ultimately, I believe both sides are happy with the outcome." During January's National Association of Television Program Executives convention, one Tribune station executive said the group was waiting for news of "Raymond's" fate on CBS before making a move to pick up the second cycle. The creative forces behind the hit series have reportedly met to discuss story lines for another season. There is not yet, however, a deal for more seasons. Many analysts expect a renewal. That hesitation by Tribune may have cost the group one of its two biggest syndicated series. A Tribune spokesperson would not comment for this piece. However, one Tribune station general manager expressed frustration at losing the show and speculated that

**FOX FINISHING**

"Everybody Loves Raymond" is the first A-list off-net series to jump ship since "Seinfeld" did it.

Roger King may have lost patience with the holdup in negotiations, which gave the Fox stations an "out" for the 2008 runs. Tribune does, however, have an unhot show on the way in HBO's "Sex and the City," which will begin in September 2005. However, Mr. Cicha noted that even if "Raymond" does not return for next season, the group considers itself fortunate to have clinched the heavyweight sitcom. By the end of this season, nearly 200 episodes of "Raymond" will be in the can. "That was a risk we were willing to take," said Mr. Cicha of "Raymond's" potential series finale this spring. "In the particular

**TURNER**

continued from page 1

not just new shows—we are talking about a little bit of everything. This is something that is hitting the marketplace a little bit early as well. Other cable networks such as MTV Networks and USA Networks say they have no plans to follow suit this year.

While Turner is looking to show off future programming plans, the broadcast network appears to be cutting back. Only three networks—Fox, ABC and NBC—have scheduled big development meetings this year.

Fox will do a presentation March 24 at its Los Angeles-area studio. "It is a benefit for us, since we've renewed two series and will develop another," a Fox spokesman said. NBC will hold its presentation March 25 at its studios in Burbank. An ABC spokesman would say only that meetings will be held in New York and Los Angeles "sometime in March." CBS will hold its presentation March 19 at its studios in New York. CBS will have lower-profile affairs. CBS, which hasn't done any big development meetings, will hold one-on-one meetings with agencies. The WB, which has held meetings in recent years, also will meet with agencies separately.
ANA Television Advertising Forum
March 10, 2004 • New York

YOUR ROADMAP FOR TELEVISION ADVERTISING

Sessions Include:

TV'S ISSUES & CHALLENGES – THE CLIENT PERSPECTIVE
ANA will release the results of an exclusive survey that takes the pulse of client-side marketing executives on issues including: the upfront, commercial ratings, media auditing, the impact of new technologies, and the role of procurement.

POINT/COUNTERPOINT
The TV buyers will debate TV sellers on issues including: the disappearance of young men on network TV; why costs are going up, while ratings are going down; multi-platform media negotiations; and the threat of personal video recorders.

TV AUDIENCE MEASUREMENT
Recently there has been an unusual amount of activity in the TV research arena, including new techniques, upgrades in methodology and data fusion. What will their impact be on advertisers?

CREATIVITY & INNOVATION IN TELEVISION ADVERTISING – CASE STUDIES
Home Depot, Johnson & Johnson and Wachovia will share examples of new thinking in the ways television can be used for consumer connections and brand building.

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Seth is one of today’s leading “agents of change.” He will challenge us to think differently about marketing in general and television advertising in particular.

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CLAUSE continued from page 3

WGA continued from page 3

SUMMIT continued from page 6

to block material from being developed by competitors is HBO. Though the network declined to comment officially on this story, a source at HBO who is familiar with the contract process said the clause is merely a way of protecting its substantial investments in new programming.

The clause was added about three years ago, the source said, in response to a number of competitors seeking to imitate HBO's programming success by poaching new programming.

Since HBO is both a high-quality production company and a network, it makes sense that the company would take protective measures similar to those taken by a theatrical studio.

Others said HBO's use of such a clause has a specific origin. Several sources noted that HBO's contracts have long included a restriction against projects going to Showtime. The network added the restriction in order to protect its original programs from being preempted by Showtime. This was done to limit their competition.

Some Wiggle Room

The HBO source noted that even though the network's contract may seem harsh on paper, the company can be reasonable when approached by producing partners who wish to go elsewhere. As long as development costs and salaries are preserved, plus interest (and sometimes a piece of the back-end), most producers are willing to be flexible with the condition, the source said.

However, according to one business affair executive at a major network, HBO has been a hardliner when it comes to their network after being developed by the company.

Other networks said to be contractually gun-shy include TNT and CBS.

But according to one business affair executive at another network, if HBO has a producer or writer in a contractual bind, "It's nearly impossible to get a project back. Not that the executive faulted his network. "We represent these producers and I can see their point of view," the executive said. "But part of the HBO argument is that it's not just their money, it's their time. They're not getting paid to develop projects for their competitors. Nobody wants to have egg on their face." The Sony source shot back: "It's a 'low-mar- gin business'? Tell that to Wall Street." And while the WGA released a statement of support for the Screen Actors Guild and the American Federation of Television and Radio Artists, the WGA's Melinda Gilbert said, "I'm happy with where we are in our negotiations, the threat of an actors strike could have been a great benefit for tackling DVD issues.

The actor guild's contract was set to expire June 30. The extension deal will go to a vote before SAG's next membership meeting, which is set for Aug. 16. The agreement for equal pay for equal work, a raise in pay, a strengthened health plan, network salaries for WB and UPN actors and broader coverage for background performers, "We like to have positive collaborative relationships with the producing community, and that's a perfectly fine position," the studio source said. "But, as long as there is a fair balance in the contract, we are willing to work with them on other issues."
That no good deed goes unpunished is a truism. It's also getting to look in the omnivorous and insatiable 500-channel universe we live in—as if no bad idea goes unproduced.

It's wonderfully ironic, in a dismal sort of way, that HDTV is coming along just as television runs out of things worth looking at. Prior to the prime-time schedule some odd hours ago and ask yourself if you really want to see this stuff more clearly. And wider, much wider. Widening sounds like a dubious boon, unless you're talking about football or basketball or anything else done on a large rectangle.

HDTV will be like color TV was and just—please continue from page 31

The primary concept is the whole notion of permanence. Fox perpetually will.

Meanwhile as we await the arrival of this latest technological marvel, television seems tentative, halting, at a vague crossroads, in a Bermuda Triangle of its own—pulled one way by the future and another by the past. Fox says the whole idea of a TV season is out of date while other networks talk about killing off the idea of a 22-week season, opting for a replica date while other networks talk about killing off Cable is full of examples that prove permanence is a good thing.

But what happens to the syndication business? They can't run "Seinfeld" reruns forever. Oh wait—they can. And apparently will.

Among the most endangered traditional concepts is the whole notion of permanence and the idea that it can any longer be a plausible goal. The great shows of the past ran 20, 30 years, numbers that seem impossible to duplicate. The great shows of the past ran forever. Oh wait—yes they can. And apparently will.

Somebody once said, "I have no idea what the future holds."

Our new series for the niche network—only nobody knows what niche it is—has existed for only about a month but already it looks as though they say in that funny FedEx commercial, doomed! Irreverent old pro Steve Friedman has been called in to perform emergency surgery. Frankenstein needs a new brain.

Miller's is kind of a news program and kind of a comedy program and fails at both. Is CNBC a news channel or a chat channel? The status practically changes hour to hour. Its daytime schedule is solid, of course; nighttime is the hazardous inner city where drive-by cancellations are rampant.

As someone once said, when HBO began and wasn't yet a 24-hour operation, I recall rather fondly the network's Saturday morning programming: Jolly old records of band music played without interruption until noon, when the network signed off. It was nice. It was pleasant. So why not give up on the thankless task of reinventing CNBC and bring back that band music? It might get a 1 rating, which would be better than Miller does.

Television has assumed the helter-skelter, wildly transitory nature of radio and, appropriately, it's growing less and less visual; the big cable networks have been taken over by talking heads, a category that includes shouters and blithering heads. It will be thrilling indeed when those heads are made clearer and wider by HDTV. But it probably won't improve the quality of the blither.

And television, which used to be called radio with pictures when every American home still contained echoes from the old Philco console that piped out entertainment and information, will now be called—what? Radio with pictures do you need to look at? Yes, dear friends, we live in changing times, to coin a phrase. But I don't want to live in changing times. I want to live in changed times. I want all the shaking-out to end so we can see what the hell kind of a system we've got.

Maybe times will never stop changing.
You. Riding the digital and broadband wave full-on.
The CTAM Digital & Broadband Conference