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Top of the Week June 3, 2002



Brian Williams will take over *NBC Nightly News* after the 2004 national elections.

BANKRUPT LOOMS The threat to Adelphia deepens as negotiations to save the MSO fall apart. » 5

PASSING THE BATON Tom Brokaw prepares to hand over his anchor chair to Brian Williams. » 10

GOOD RELATIONS CBS meeting with affiliates is cordial, despite discussions of a variety of sticky subjects. » 11



EMT Kelly Gillen will be central character on ABC's upcoming documentary *Boston 24/7*.

STEALING SHARE Cable's percentage of audience grows in May sweeps as broadcast nets watch theirs erode. » 11

SWEPT IN NBC's sweeps victory carries many of its stations to wins in overall viewing and local news. » 14

REAL LIFE Networks are pushing prime time documentaries as another form of reality programming. » 16

Washington

Broadband mission Sen. Joe Lieberman pushes the administration for a comprehensive strategy for rollout. » 23

Technology

New approach LMDS high-power base stations are said to provide improved capacity over solid-state technology. » 24

Scooped up Router builder NVision goes to group of private investors when Miranda Technologies is slow getting financing. » 25

More interactivity Two new game shows bring Game Show Network's interactive offerings to 35 hours a week. » 25

Programming

Summer sizzle Fox slates newsmagazine with Fox News anchor Shepard Smith and the news net's pace and attitude. » 27

Syndication Watch *Good Day Live* clears in 60% of U.S. and plans live shots featuring talent from stations airing the show. » 29

Focus Local station execs consider the Indianapolis market a well-kept secret. » 31



COVER STORY

MEDIA CONSOLIDATION

Big targets Broad-based opposition to giant station groups, cable operators and programming networks is growing. » 19

B&C Eye	4
Broadcast Ratings	28
Changing Hands	32
Classifieds	38
Cutting Edge	26
Editorials	42
Facetime	34
Fates & Fortunes	35
Fifth Estater	36
Station Break	30
The Week That Was	18



The FCC staff is recommending the agency keep rules that help DBS.

BREAKING NEWS

Program access preserved

Cable program-access rules could remain in place for up to five more years under a staff recommendation to FCC commissioners.

The fate of those rules, set to expire Oct. 5, may be decided at the commission's June 13 meeting. Under the access requirements, networks owned by cable-system operators must sell their programming to satellite-TV distributors and overbuilders. EchoStar and DirecTV say the decade-old rules allow them to obtain the programming necessary to compete with cable monopolies. The cable industry doesn't like them and, led by Cablevision Chairman Chuck Dolan, is fighting to scrap them now.

FCC staffers concede that DBS has enjoyed enormous growth but say cable operators still have sufficient market power to deny them programming. Consequently, they are recommending commissioners revisit the rules in the next two to five years.—*B.M.*

BCEYE

BREAKING NEWS

Upfront starts strong

NBC got the network upfront ad-sales market moving late Thursday, and, by late Friday, sources were reporting that the it was roughly 50% sold out at cost-per-thousand rates 8%-10% higher than last year, when the network took mid-single-digit price cuts. Sources say many of NBC's early buys came from automakers and movie studios.

The WB and CBS are also doing brisk biz; just a few days ago, experts were predicting increases of just 1%-5%. But The WB is more than half sold out at rate hikes of 14%-16% and insiders say the weblet's upfront take will far exceed \$500 million, vs. \$475 million a year ago. CBS started selling Friday and got rate hikes in the 9%-13% range. ABC is talking 4%-6% rate hikes. Fox was reportedly 25% sold by late Friday but no word on pricing. UPN, being sold with CBS, expects big gains, too.—*S.M.*



CSI: Miami is one of the new CBS shows getting strong upfront action.



SYNDICATION

Raleigh lives!

Bob Raleigh, president of Domestic TV Distribution for Carsey-Werner-Mandabach, responded last week to the widespread rumors of his imminent departure: "I've heard them, too." Raleigh concedes that the company is "in the process of making decisions" about the future structure of the domestic syndication division. But he is under contract through the fall, and his focus is on the fall off-network launch of *That '70s Show* in 97% of the U.S. The recession has hurt C-W-M, which recently cut its workforce by 25%, including about a third of its syndication-sales staff. It lost one show in the new-season shuffle—*That '80s Show*—but still has *Grounded For Life* and *That '70s Show* on Fox. C-W-M can still hang in, for now. But stay tuned.—*S.M.*



Free to set their rates

The success of DBS and some cable overbuilders is allowing more incumbent cable franchises to free themselves of local regulation of basic rates by proving that they face effective competition in their market.

A funny thing is happening, however. Rather than applying for FCC approval, franchises that believe they qualify are simply changing rates. If competitors or consumers complain, then the incumbent operators argue effective competition. That is the case in the Los Angeles area, for example, where Altrio Communications complained about Adelphia's cost-cutting in Altrio neighborhoods. And there's more to come as DBS and overbuilding grows. Freed of basic-rate oversight, incumbents are allowed to advertise uniform rates across their clusters rather than charging separate levies set by the communities' authorities.—*B.M.*

LAND'S END

The Metropolitan Television Alliance, comprising 11 New York TV stations and charged with the task of getting a new tower built for over-the-air broadcasters, didn't renew the contract of lead consultant Doug Land. Whoever replaces him will have one tough job: Finding a place to build it. WNET President Dr. Bill Baker says that the MTVA hopes to fill the vacancy within two weeks. They'd like a lawyer—with a TV background.—*K.K.*

Crisis grows in Coudersport

NASDAQ delists Adelphia, which could trigger bankruptcy; Allen walks

By John M. Higgins

Adelpia Communications' financial crisis intensified as multibillionaire Paul Allen walked away from talks to buy systems and investors and lenders began feuding.

Late Thursday, Allen's financial team broke off talks with Adelphia after once offering a lowball bid of just \$2,700 per subscriber for some of the company's cable systems. The talks were Adelphia's best hope for raising cash and avoiding Chapter 11.

Other tense moments in a frenzied week include NASDAQ's decision that the exchange would delist Adelphia from its National Market System, which in turn could trigger a \$1.4 million demand from certain bondholders. Also, the company acknowledged that it has formally defaulted on \$7 billion in bank loans, although the banks are so far not demanding repayment. Either of those moves would plunge Adelphia, headquartered in tiny Coudersport, Pa., but the nation's fifth-largest cable operator, into Chapter 11.

Ex-Chairman John Rigas is out of the loop, as he and his sons were exiled from Adelphia's boardroom and executive offices. Wall Street and industry executives were startled by the Memorial Day weekend disclosure of how extensive Rigases' insider dealings with Adelphia had been.

In an SEC filing, Adelphia detailed not just the multibillion-dollar loan guarantees to family companies but how the once-multibillionaire family exploited company apartments and steered business to a family-owned car dealership and furniture store (see page 8).



With Adelphia on the verge of financial collapse and the dealings of the Rigas family under intense scrutiny, the company town of Coudersport, Pa., may never be the same.

Cranky stockholders also attacked Adelphia's "new" management—the directors who have long been on Adelphia's board but aren't Rigas family members.

Leonard Tow, who collected 12% of Adelphia's stock after selling his Century Communications to Adelphia three years ago, blasted the new board's move to sell Adelphia's assets. Tow, in a letter to Adelphia interim CEO Erkie Kailbourne, said that a cable-system fire sale "would strip the company of its ability to conduct an orderly and profitable disposition of the remainder of the company's cable assets when and if it is necessary."

Kailbourne fired back, "We have asked you for any concrete proposal you have as to how to restructure the company's debt" and asked, "what specific, concrete alterna-

tive or alternatives you propose. You will, I know, understand that general ideas without concrete details as to how they will be implemented are of little use at this time."

Kailbourne relented to Tow's demands to be added to Adelphia's board of directors and said Tow would be fully briefed during a board meeting that had been scheduled for last Saturday.

As long as Adelphia stays out of bankruptcy court, one key arena is the clash between equity holders and lenders. That's because, while nobody really wins if

Adelphia lapses into Chapter 11, if it goes, the banks lose the least and the stockholders lose pretty much everything.

So it is Adelphia's banks that are pressing for system sales. They're ahead of all bondholders, trade creditors and certainly

'Pre-bankruptcy, it's over. We'll wait to see if there's a chance in bankruptcy court.'

—an adviser to Paul Allen

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stockholders when it comes to collecting money. Adelphia's total debt stands around \$2,700 per subscriber, and banks are owed around \$1,600 per sub. So, even if it takes a fire sale to get a fat injection of cash into Adelphia, the banks aren't harmed. And they won't lend any more money without some kind of injection.

The shareholders are at the end of the line in a Chapter 11 proceeding, but they also don't want Adelphia to live on as a shell, stripped of its best properties and left with a bunch of old rural systems bought

from Century and FrontierVision that haven't yet been rebuilt.

Adelphia's investment bankers—primarily Salomon Smith Barney—have been scrounging for a player to put some cash in, but it was looking bleak. Allen, chairman of Charter Communications, would love to combine Adelphia's Los Angeles systems with Charter's nearby properties. And he has plenty of liquidity, recently selling \$500 million worth of USA Interactive shares lately plus steady sales of Microsoft shares.

But industry executives said that Allen's financial team found the properties in worse shape than expected, requiring a lot of rebuild capital. Further, Allen would have to lend Adelphia cash today for systems that couldn't actually be sold until after six to nine months of local-government reviews. Bankers couldn't readily find a quick way to protect Allen's loans if things still went sour.

"Pre-bankruptcy, it's over," said one Allen adviser of any asset buys. "We'll wait to see if there's another chance in bankruptcy court." ■

Rigas family values

It's the curse of the rich: The Rigases owned Adelphia stock worth, at one point, \$4 billion, but they had a policy of never selling any shares, and so the stock gave them no stream of cash for their personal use. Adelphia's new management (that is, the old directors), however, says the family found creative methods to use the publicly traded cable company for cash and perks, some big, some surprisingly small. Remember, Adelphia's latest SEC filing covers only recent transactions, not the similar, small-scale dipping that the family has engaged in for years (leasing set-top converters to Adelphia's systems, for example). Here's a list of some of their maneuvers:

Timber rights

A Rigas-family company was teeing up a deal to buy 3,656 acres of land, in part for a golf course. Just before that happened, the Rigases used Adelphia to buy the timber rights to that land (a cable operator needs poles, presumably). Price: \$26.5 million, or \$7,200 per acre. The Rigas family's price to own the land: \$465,000, or just \$127 per acre. Oh, and to keep some buyer of Adelphia from denuding the family property of



The Rigas boys—(l-r) Tim, John, James and Michael—allegedly benefited from dealings between private family companies and the publicly traded Adelphia they controlled.

trees, a takeover of Adelphia would send the timber rights back to the family. The transaction was not presented to Adelphia's board. The Rigases are handing the land over to Adelphia at cost.

Margin calls

Unsurprisingly, the Rigases often borrowed money against their Adelphia stock. But, as Adelphia's stock price has plunged, lenders have called their loans. The Rigases and their companies have had to cough up \$241 million so far

this year, drawn from Adelphia's cash-management system that regularly commingled company funds with family money.

Supply side

One way to get some cash was to sell ordinary items to Adelphia. A family office-furniture supplier sold the cable operator \$12.4 million worth of office furniture; a Rigas interior-design firm collected \$371,000 in fees; a partly owned New Castle, Pa., car dealership sold Adelphia 50 cars. Past filings show that

Adelphia systems regularly leased cable equipment and real estate from a family company.

The Golf Club at Wending Creek Farms

Adelphia has spent \$13 million building a golf course on 830 acres, most of which are controlled by John Rigas. But, unlike what you would expect if a company pays to build on the land, Adelphia has no lease on the family property. The transaction was not presented to Adelphia's board.

Mondo condo

New management suspects that condominiums in resort towns Beaver Creek, Colo., and Cancun, Mexico, may have been paid for with company funds. Also, Rigas's daughter Ellen Venetis and her husband have "had exclusive use" of two New York City apartments, rent-free.

At the movies

John Rigas's Coudersport, Pa., movie theater collected a mere \$6,600 from Adelphia last year. But his daughter's movie operation borrowed \$3.8 million from the MSO to finance production of *Songcatcher*, which a *New York Times* reviewer called a "sweet, lyrical ode to rural America in the early 1900s." Out now on DVD. —J.H.

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Tom Brokaw (top left) will relinquish the anchor seat on the *NBC Nightly News* after the 2004 presidential election, making way for Brian Williams (bottom right).

Brokaw to wind down

Youngest of the Big Three anchors will be first to move on

By Steve McClellan

You'd think it would be transition time at all three major broadcast-network news divisions and for their primary anchors—all of whom have been in their seats since the early 1980s. ABC's Peter Jennings will be 64 this year, and Dan Rather will be 72.

But last week it was the youngest of the Big-Three anchors, Tom Brokaw, at a sprightly 62, who announced plans to lighten his load after the 2004 presidential election and make way for Brian Williams, just 43, to take over as the face of NBC News.

And maybe, that's it.

Sources say that Rather has all but signed a new contract that will keep him at CBS through 2006.

Jennings has been in talks about a new contract for months now, and it's been reported that Disney wants to shave a few million off the reported \$11 million or so a

year that he's been making under the current deal, set to expire at the end of August.

Neither Disney nor ABC News (nor Jennings) would talk about those issues on the record. But insiders say the network is confident Jennings will re-sign—confident enough that it's already scheduling events and Jennings' specials this fall.

CBS has the opportunity to plan for a transition but apparently isn't—at least not with any great urgency. The new Rather contract doesn't guarantee Rather the role of anchor. But guess what? Neither did the last one.

The current anchors are well matched to their core viewership—advertisers might say, unfortunately so. At CBS, the median age of the *CBS Evening News* audience is 59.7 years, according to data compiled by Nielsen Media Research. At ABC, it's 57.5 for *World News Tonight*; at NBC, it's 56.5 for *Nightly News*, which leads the ratings pack.

"But it's always been a 50-plus kind of number and always will be," one analyst says. "That's just the appeal of news."

At the same time, the newscasts' audience shrunk over the past three decades as viewers have been offered more channels to watch. But that's true of just about every network daypart. Just in the last 12 years, the three-network share of audience for the newscasts has dropped 27% from a 59 share to a 43. Still, some 30 million watch every night.

And this season total viewing to the broadcast evening newscasts is up across the board, bucking the trend. The audience to the newscasts grew an average 5%. Paul Slavin, executive producer, *ABC World News Tonight*, says the audience to his newscast grew more in the second quarter of this year, by a record 12%, than in the fourth quarter of last year when the World Trade Center and Pentagon attacks took place.

(Researchers at CNN and Fox News say that now more people get their news from cable than from broadcast, but they don't include broadcast newsmagazines in that calculation, and at most times of the day, cable news audiences are very small.)

With Brokaw gone, Williams will have to step up his game. He's being handed a far bigger audience at *Nightly News*—an average 10.8 million viewers versus the little more than 300,000 that have been tuning in to his 8 p.m. newscast on MSNBC this year.

NBC News President Neal Shapiro said *The News with Brian Williams* will remain only on CNBC and will be pulled off MSNBC, where it has been airing, probably around July 15. Brokaw will remain at NBC News after leaving the anchor seat to focus on in-depth reporting projects.

The moving of Williams' show off MSNBC allows him more time to spend working on *Nightly News*, both reporting and filling in for Brokaw, who said the events of Sept. 11 convinced him he was not yet ready to leave the anchor desk permanently. (Brokaw has anchored *Nightly News* since 1983.)

"I'm here because I couldn't walk away from the story," he said last week.

—Additional reporting by Allison Romano

Promise: Better news lead-ins

CBS's Moonves replies to affiliate complaints; Karmazin sees signs of recovery

By Steve McClellan

Responding to criticism of weak 10 p.m. programs, CBS boss Les Moonves told the annual affiliates meeting last week in Las Vegas that the network will do a better job with news lead-ins this fall.

For his part, Viacom CEO Mel Karmazin insisted that the signs of an ad recovery are unmistakable. His gut tells him, he said, that more advertisers are going to buy upfront this year for two reasons: the fear of getting locked out of network TV in 2003 and the fact that advertisers paid more this year by waiting for the scatter market.

Even the sticky subjects were handled with apparent cordiality by both sides. Sticky subject No. 1 is the NCAA: CBS wants the affiliates to help pay for its multi-year, multibillion-dollar rights contract that



Viacom's Mel Karmazin says his gut tells him that more advertisers are going to buy upfront this year.

goes into effect next year. No specific proposal is on the table yet, but an affiliate committee will meet with network executives to see if a deal can be worked out. "That's a work in progress," said CBS Affiliate Board Chairman Ray Deaver, who characterized the meeting as "very positive" overall.

Network executives also made clear that they are firmly committed to the 7-9 a.m. news block and that there is no thought (on their end) of handing *The Early Show* time period back to affiliates. (Some stations do a "blended" local-national hour from 7 to 8, however.)

Deaver said that, for the most part, affiliates support that stance, although Meredith Broadcasting President Kevin O'Brien has suggested that giving the time back might be a reasonable quid pro quo for

network compensation reductions.

CBS President Andrew Heyward and *Early Show* executive producer Michael Bass are searching for departing Bryant Gumbel's replacement; some affiliates said they were told Heyward wants to fill that post by summer's end. ■

Nibbling away at broadcast

Cable grows to 46.0 audience share as broadcast nets slip to 50.1

By Allison Romano

Despite a *Friends* baby on NBC, dinosaurs on ABC and another *Survivor* finale on CBS, cable networks stole a little more audience from broadcast networks in May.

The seven broadcast networks lost 2½ share points since May 2001, sliding to a 50.1, while cable's take increased four points, to a 46.0 share, according to Nielsen Media Research. "Cable networks aren't all going after the same viewers," ex-

plained Lifetime's head of research Tim Brooks.

Cable's advance was fueled by strong ratings from a host of channels. Lifetime won the month with a 2.0 average prime time rating, followed by TNT and Nickelodeon tied for second with 1.9 ratings. Cartoon Network and TBS, both with 1.6 ratings, rounded out the top five. FX scored a strong 1.0 rating, up 25% from last May, via its controversial, highly publicized cop show, *The Shield*.

Fox News remains the top-rated cable news net, with a 1.0 average in prime. CNN averaged a 0.8. The see-saw ratings competition between CNN's *News-Night With Aaron Brown* and Fox News' *On the Record With Greta Van Susteren* tipped to the latter in May; Van Susteren beat Brown by 46,000 households.

Cable's growth in May is particularly significant given the fierce competition from broadcast during May sweeps. "Cable networks are spending more and get-

ting smarter about promotions," said Jack Wakshlag, Turner Broadcasting's research meister.

Original series and sports fueled cable's success. Originals like *The Osbournes* on MTV and Lifetime's Sunday-night dramas earned strong ratings (the May 7 play of *The Osbournes* commanded a 5.6 rating, the month's highest single-show rating). NASCAR racing on FX and NBA playoffs on TNT and TBS also were big performers.

Some niche nets slipped. History's ratings dipped 22%, and Comedy Central, Bravo and MSNBC were down 25% each. But losses often look steeper because ratings are rounded to the tenth of a point. ■



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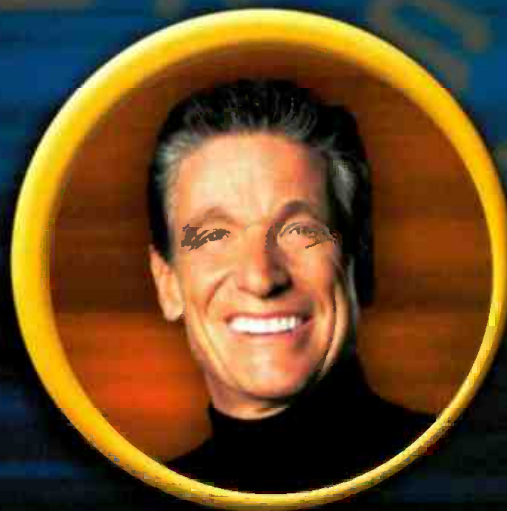
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Stations ride NBC coattails

Many log victories in overall viewing and local news; KRON-TV fades without net

By Dan Trigoboff

The NBC network's victory in May sweeps naturally spurred some triumphs as well for its station group. Its stations won in overall viewing and in local news in the top two markets, New York and Los Angeles; its KXAS-TV tied with Belo's WFAA-TV in No. 7 Dallas; WRC-TV won again in No. 8 Washington; and NBC-owned stations held second in the top markets it didn't win.

Not all the news was good, of course. In Chicago, ABC-owned WLS-TV continued its hold on first place in local news and overall ratings.

In No. 4 market Philadelphia, a city with often dramatic competition among the top two stations, ABC-owned WPVI-TV retook its local leadership. Although recent departures by local newswomen, Rose Tibayan from WPVI-TV and Sharon Reed from WCAU(TV), may have seemed distracting, both stations continued to grow in local news audience during May sweeps.

WPVI-TV had been losing narrowly to NBC-owned rival WCAU in recent sweeps periods, but, as measured by Nielsen household numbers last month, it recaptured its 11 p.m. crown. CBS's KYW-TV dropped in most news time periods in the nation's fourth-largest market. A statement from the ABC station noted that its newscasts come back from lead-in drawbacks against NBC.

WPVI-TV won as well at 5 and 6 p.m., and those shows, a statement from the station pointed out, were the highest-rated weekday newscasts in their time periods in the top 20 markets.

As always, ground continued to shift in the San Francisco-Oakland-San Jose market, the nation's fifth-largest. KRON-TV

ABC's WPVI-TV Philadelphia—led by anchor Jim Gardner (c), sportscaster Gary Papa (l) and weathercaster Dave Roberts—recaptured its position as news leader at 11 p.m. and won several other time slots as well.



was down from its glory days as an NBC affiliate and flat from its February numbers as an independent. But execs at the Young-owned station note growth in its news at 9 p.m. and early mornings and some in other prime as well.

Those changes in the market gave all four network-owned and affiliated stations a piece of a win. NBC's new KNTV won the 11 p.m. news race, CBS's KPIX-TV won in overall prime, KGO-TV won in overall household ratings, sign-on to sign-off, and Cox-owned Fox affiliate KTVU(TV)'s 10 p.m. newscast was the most-watched in the market.

In No. 2 Los Angeles, NBC-owned KNBC(TV)'s news rode *ER* and the *Law & Order* franchise to win at 11 p.m., with ABC's KABC-TV finishing second. CBS's KCBS-TV continued to drop and was last among the network stations in all competitive news broadcasts.

In the earlier newscasts, KABC-TV followed *The Oprah Winfrey Show* to win at 4, 5 and 6 p.m., with KNBC finishing second.

Fox-owned KTTV(TV) beat Tribune's KTLA(TV) in the 10 p.m. slot. This week, Fox's KCOP(TV) will change its low-rated hour newscast at 10 p.m. to a half-hour at 11 p.m.

CBS's new duopoly station KCAL(TV), which it purchased from Young Broadcasting earlier this year, grew audience for its 8-11 p.m. news block. But the station now must do without main anchor and L.A. news icon Jerry Dunphy, who died last month.

In the No.1 DMA, New York City, WNBC(TV) continued its strength in overall ratings and in key local news slots, winning at both 6 and 11 p.m. WABC-TV placed second in those slots and tied with WNBC in early mornings. WCBS-TV won at noon, and the long ratings-plagued station was up at 4 and 5 p.m. and more than 25% at 6 p.m.

In the competitive 10 p.m. slot, WWOR-TV, which beat WNYW(TV) a year ago, dropped to third behind its now-Fox sister station and WPIX(TV), which grew audience to finish second. ■

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How Ozzy altered 'reality'

Now the genre's definition seems to include upcoming prime time documentaries

By Allison Romano

As MTV last week cut a new deal for *The Osbournes*, in a negotiation apparently as bizarre as the family itself, other broadcast and cable networks are discovering that real life is just another form of reality programming.

The Osbournes has spawned its first knockoff, a reality series for E! Entertainment Television spotlighting former *Playboy* model Anna Nicole Smith. Rumors abound of more celebs, such as music mogul P. Diddy, wanting to be subjects.

But perhaps strangest of all is that it might be getting easier to feed viewers the concept of reality series than a documentary. Just look at the on-air promotions for upcoming documentary series: ABC's promos for *The Hamptons* resemble a steamy prime time soap; NBC's promos for its documentary *Crime & Punishment* have a distinct *Law & Order* feel.

Parts of ABC's "reality miniseries" *The Hamptons*, which premiered June 2, could be a Danielle Steel novel made into TV, instead of a documentary by Academy Award-winning documentarian Barbara Kopple.

In a case of life imitating television, *Law & Order* mastermind Dick Wolf is fronting NBC's "dramatery" *Crime & Punishment*, which follows the San Diego district attorney's office in the prosecution of cases over six months. Created by documentary filmmaker Bill Guttentag, each episode in the 13-part series focuses on a single case, with careful attention to character development and plot lines.

"There is no narration, no interviews and no reenactments. It plays like a drama," Guttentag said. *Crime & Punishment*, which debuts June 16, uses scene cards the way *Law & Order* does to advance the story.

The success of MTV's *The Osbournes*



Attorneys in the San Diego district attorney's office (top) are featured in NBC's *Crime & Punishment*.

Emergency Medical Technician Kelly Gillen (r), who is handicapped, is a central character in ABC's government/social services documentary, *Boston 24/7*.



proved that colorful subjects and crafty editing can propel a hit. More-serious subjects can require more finesse.

ABC News' upcoming doc miniseries *ICU*, which bows Aug. 7, focuses on doctors and nurses at Arkansas Children's Hospital, rather than a medical drama. "This looks more like an entertainment script than a news script," David Doss, the executive producer, says proudly.

ICU is one of three ABC News prime time documentary series this summer. *Boston 24/7*, inspired by a previous ABC project, *Hopkins 24/7* (a doc series about Johns Hopkins Medical Center), delves into multiple aspects of Boston's government and social services. *Boston 24/7* premieres June 4 and will air over five nights.

The third project, *State v.* documents the Phoenix legal system, including defense attorneys, prosecutors, the courtroom and jury deliberations. The five-part special debuts June 19.

At the other end of the spectrum will be E!'s *Anna Nicole Smith Show*, which hits the tube in August and tracks the travails of Smith, her lawyer, her assistant and 16-year-old son. E! timed its announcement nicely: The next day, rocker Ozzy Osbourne and his family agreed to return to MTV this fall for 20 new episodes.

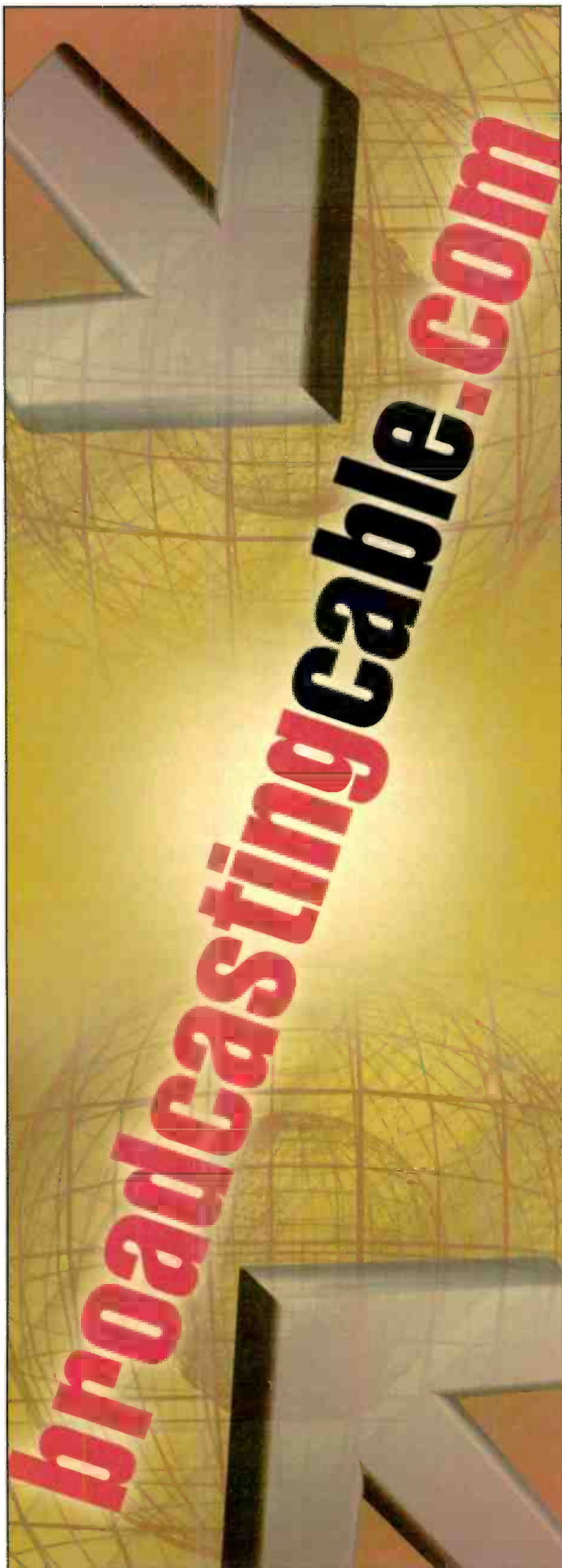
Getting the deal wasn't easy. Wife Sharon, Ozzy's manager and the family negotiator, apparently drove a hard bargain. The family switched representatives three times, with the Endeavor Agency finally hammering out the deal.

The Osbournes' take should be \$5 million for the U.S. rights. But there's more.

The family will control backend goodies, such as syndication, DVD and merchandise sales, and international plays. Unlike a network deal, with two repeats at best, MTV can play *The Osbournes* up to 100 times. If the financial stars align, the value could reach \$20 million, the figure reportedly circulated by the Osbourne camp.

Family members also are morphing into MTV personalities. MTV will visit Ozzy's summer concert series Ozzfest; daughter Kelly's video cover of Madonna's *Papa Don't Preach* will air at the MTV Movie Awards; and mom Sharon is hosting a VH1 special concert for the Queen of England's jubilee celebration.

Expect to see more celebs inviting cameras into their lives, predicts MTV President of Entertainment Brian Graden. "*The Osbournes* has inspired many A-caliber celebrities to think about allowing more access into their worlds," he said. Or was that a warning? ■



LOCAL CABLE ADVERTISING

While traditional broadcast advertising holds the purse strings tight they haven't forgotten about "Main Street" cable. Local ad sales at cable systems are experiencing a growth trend within their markets. This growing segment will be the focus of *Broadcasting & Cable's*, June 17th, special report. Stay tuned for this important issue and let our audience of 30,000 industry leaders know that your company is keeping its eye on "Main Street". Call your B&C representative today.

ISSUE DATE: June 17, 2002
CLOSING DATE: Friday, June 7
MATERIALS DUE: Tuesday, June 11

BROADCASTINGCABLE

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THE WEEK THAT WAS

MCCAIN HAS NEW FINANCE-REFORM PLAN

Campaign-finance reformer Sen. John McCain (R-Ariz.) won't quit trying to force broadcasters to provide free airtime to candidates. He will unveil his newest reform bill at a June 19 press conference in Washington hosted by the Alliance for Better Campaigns. A renewed push has been expected since the Torricelli amendment, which would have mandated deep discounts for political time, was stripped from the Bipartisan Campaign Reform Bill. In what would be a double hit for broadcasters, McCain's bill would also levy a spectrum fee on them to "finance" the plan.

SWEEPING CONCLUSIONS

The week ended May 19 included the third full week of the May sweeps (April 25-May 22) for syndicated strips and the fourth and final weekend for weeklies. As a group, off-net sitcoms were the strongest genre, with all the top six gaining on the previous week. Going in the opposite direction was *Spin City*, which recorded

a two-season low, down 13% to a 1.3 rating; compared with last year at this time, the show is down 43%. *Friends* led the off-net pack with a 7.3 rating, up 7%, followed by *Seinfeld* 6.2, up 3%; *Everybody Loves Raymond* 5.9, up 4%; *Frasier* 3.4, up 6%; *King of the Hill* 3.2, up 3%; and *Just Shoot Me* 2.4, up 4%.

With all the weekends counted, five of the top-eight veteran weekly hours were down by double digits last month compared with last year's May sweeps. They had strong competition from 59 hours of NBA, NHL and NASCAR coverage, whose combined ratings rose 7% from last year. The sweeps winner among weekly hours was *ET Weekend*, with a 3.6 rating, down 3% from last May; it was the only weekly hour to score above a 3 rating. ...

TLC hit *Trading Spaces* set another record on Memorial Day, scoring a 3.5 prime time household rating. Previously, the series had topped out at a 3.2 household rating. The big draw this time was an all-day marathon featuring 15

episodes, including three fan requests in an online vote. TLC beat the four largest broadcast networks among women 18-49, women 18-34 and adults 18-34. The marathon peaked with a 3.8 Nielsen household rating at 10 p.m. ET.

PEOPLE MEETER

Former *Donabue* producer Alexandra Jewett has been named executive producer of the NBC Enterprises' new *The John Walsh Show*. The talk show is set to premiere this fall. NBCE said Jerry Nachman, editor-in-chief of MSNBC, will serve as executive consultant to Walsh's show. Jewett also served as supervising producer for King World's *The Ananda Lewis Show*. ...

An armed man forced his way into CBS's Los Angeles studio complex last Tuesday night and forced a standoff with police SWAT officers that lasted more than four hours—ending when the man shot himself in the chest. The gunman, identified as Raymond Derouen Jr., was reported in critical condition at Cedars-Sinai Medical Center. ...

Clear Channel last week won FCC approval for its \$775 million purchase of the Ackerley Group, which adds 16 TV stations and four radio outlets to its stable. The radio and outdoor-ad giant becomes the 17th-largest TV group, with 40 stations in 28 markets. The FCC allowed Clear Channel 12 months to divest stations to comply with limits on local radio/TV crossownership, despite opponents seek-

ing to limit the time to the standard six months. The deal violates crossownership restrictions in Eugene, Ore.; Santa Maria, Calif.; and Binghamton, Rochester and Syracuse, N.Y. ...

Kathleen Carroll, Washington bureau chief for Knight Ridder, is the new executive editor of Associated Press. Carroll formerly worked as a writer and editor in four AP bureaus. Starting July 15, she replaces and reports to Jonathan Wolman, named senior VP of AP in February.

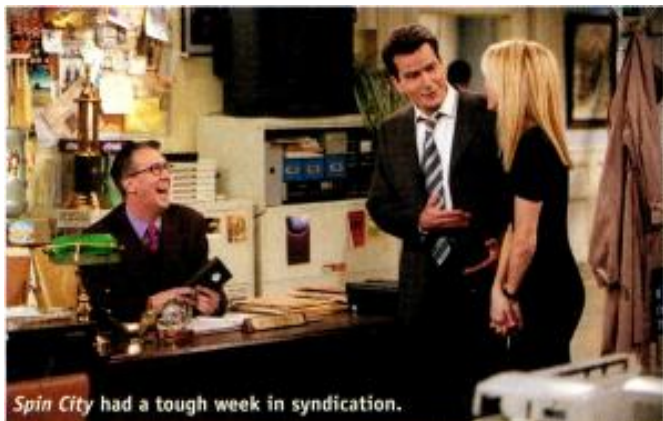
THE EARLY WORD

World Group's MediaCom Worldwide's report on TV networks' fall prime time schedule gave high marks to weblets The WB and UPN. The media-buying giant, which gave an A grade to WB and A- to UPN (much higher than its marks for the Big Four), thinks WB's *What I Like About You*, *Do Over* and *Everwood* have hit potential.

Half and Half should help UPN's already successful Monday urban-comedy block, according to MediaCom, and "*Haunted* looks to be a good lead-out from *Buffy*" on Tuesdays.

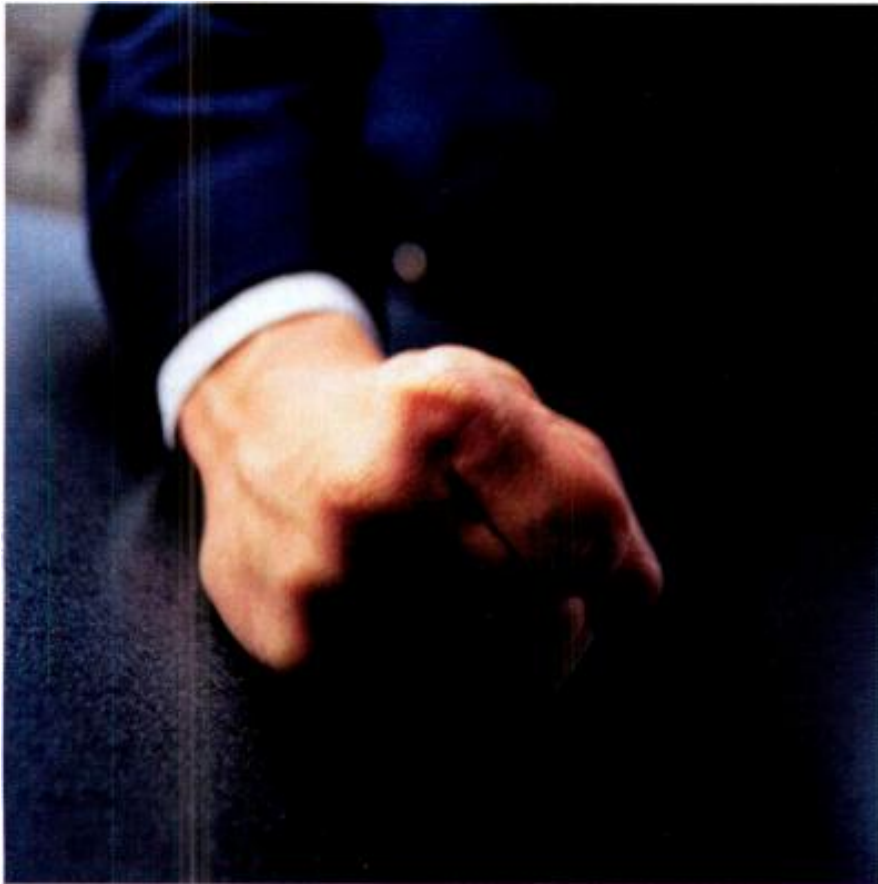
CORRECTION

ASCAP and BMI are performing-rights organizations representing songwriters, composers, publishers and others representing the copyright owners. In a May 27 story on page 14, the organizations were imprecisely defined.



Spin City had a tough week in syndication.

Big Media



Big Targets

By Bill McConnell

Deregulation-bred behemoths draw increasing flak from inside Beltway and out

Ann Chaitovitz and other union negotiators for TV and radio artists sat across from executives of the five largest record labels May 23 for the latest round of contract negotiations covering 15,000 singers, music groups, narrators and actors.

Before they launched into the typically contentious issues of royalties, insurance and pensions, Chaitovitz briefed the executives

on a separate matter that would put the two sides on solidly common ground. The next morning, the American Federation of Television and Radio Artists (AFTRA) and the record labels issued a joint condemnation of the media giants "ruining" the American music industry. Big radio-station groups are pushing a de facto payola system, they said, that forces artists to pay a handful of promoters to secure programming time.

The recording industry isn't the only sector pumping up the volume against the country's giant broadcast station groups, cable operators and programming networks.

Advertisers, small broadcasters and Congress are speaking out against what they consider an increasingly monopolized media industry that makes it nearly impossible for new and independent artists to get airplay or pitch shows or for small advertisers to buy time.

"For some time, our interests have been aligning with the record labels when it comes to consolidation," says Chaitovitz, AFTRA's national director of sound recording. "We hope the FCC, Congress and the Justice Department will look at the impact vertical consolidation of the industry is having on musicians and actors."

Although there is no formal coalition to fight media concentration, opposition to the consolidation wave is starting to gel. For the first time since the FCC's 1993 repeal of the financial-interest and syndication rules (fin-syn), which prevented broadcast networks from owning a financial stake in the domestic syndication of network programming, the pieces of a broad-based opposition to media consolidation appear to be falling into place.

"There is growing recognition that consolidation has been harmful," says Andrew Schwartzman, of Media Access Project, a public-advocacy group that has fought a largely futile battle against deregulation.

The same week that AFTRA, the Recording Industry Association of American and other consumer and independent media advocates were urging Washington to eliminate the bottleneck created by promoters, a team of powerful lawmakers fired their own warning shot across the bow of big media groups.

Led by South Carolina Democrat Fritz Hollings, three senators called on the FCC to investigate the effect that consolidation



FCC Chairman Michael Powell says the FCC will take its time crafting new ownership rules. "Haste is why we lost six [court] decisions in five years."

Reconstituting 'concentration'

Econometric modeling. No, it's not Alan Greenspan in a bathing suit, but it just may be the new fashion in FCC merger reviews.

Under orders from federal judges, the FCC is rethinking its decades-old approach to determining industry concentration. Strict numerical limits, such as the 30% cap on cable subscriber share or the 35% on broadcast TV-household reach, have been vacated or remanded and may be tossed out forever.

As a consequence of those rulings and of industry petitions for other changes, the FCC is likely to revise a host of ownership limits and related rules. Among them:

- 30% cap on a cable company's national pay-TV subscriber share.
- 35% cap on TV household reach.
- Ban on TV duopolies in markets with fewer than eight separately owned stations.

- Prohibition on local cross-ownership of broadcast outlets and either cable systems or newspapers.

- Limits on local radio/TV cross-ownership.

- Program-access obligations and channel-occupancy limits for jointly owned cable systems and programming networks.

To design a whole new approach, agency Chairman Michael Powell appointed Media Bureau Chief Ken Ferree to head an ownership working group. The team is keeping mum on the specifics, but, by all accounts, it is working on an economic model nearly as complicated as the intricate computations the Federal Reserve uses to set interest rates. Cutting-edge academic economists have even been employed to help the agency design its model.

According to some agency sources, the FCC will attempt to measure the extent to which

radio, TV, cable, newspapers, the Internet and other outlets are interchangeable in the minds of consumers and advertisers. The data will be used to calculate the "true" level of media concentration in a market and predict whether any one player will have power to dictate prices or keep competitors from entering the market.

To some, the whole process has the smell of an off-budget Defense Department project, and FCC officials acknowledge that no proposal will be ready until "well into" 2003.

But, after a string of ownership-rule losses in the federal appeals court in Washington, Powell would rather go slowly than suffer further legal embarrassment. "Haste is why we lost six decisions in five years," he said at the National Association of Broadcasters convention in April. —B.M.

is having on programming and demanded that the FCC back off on any ownership deregulation until the review is complete. "The effort to promote diverse voices has been undermined over the last decade by extensive media concentration and changes to FCC rules," the senators said.

Network officials, who wouldn't speak on the record, say they believe that Hollings doesn't have the power to roll back the past decade's deregulation but is trying to stem future relaxation by making clear that there will be an expensive battle to overcome his legislative roadblocks. Hollings can also threaten to cut the FCC's budget as punishment for moving too far.

"He's telling the FCC, 'We're watching you,'" says one network executive.

Adds Scott Cleland, analyst for the Washington-based Precursor Group, "Capitol Hill wants to keep the FCC on a leash, and, every now and then, they yank the leash."

The senators' stand comes as the FCC is undertaking a sweeping review of media-ownership limits and is examining whether it should preserve program-access rules requiring cable operators that own programming networks to sell their shows to satellite-TV competitors and independent

cable operators. The program-access rules expire in October, and the FCC is expected to propose revisions to national and local media-ownership limits next year. The FCC also is reconsidering cable channel-occupancy limits that bar operators from devoting more than 40% of their capacity to affiliated programmers.

On top of that, two major merger reviews are under way: Comcast is vying to more than triple its size by buying the country's largest MSO, AT&T Broadband, while EchoStar hopes to become the sole direct-broadcast-satellite provider by acquiring rival DirecTV.

Few mergers have been blocked since the deregulatory Telecommunications Act was passed in 1996. Last week, the FCC continued its favorable treatment of industry deals by approving Clear Channel's purchase of the Ackerley Group's 16 TV stations and four radio outlets. The radio and outdoor-ad giant is now the 17th-largest TV group. Also, Clear Channel was given 12 months, rather than the standard six, to sell stations in five markets where its holdings violate local crossownership limits.

The Comcast-AT&T deal is expected to be approved because the cable ownership

limits have been vacated, but the Justice Department is expected to take a harder line on the EchoStar-DirecTV deal.

Since 1994, when cable operators held a stake in 53% of national cable networks, the percentage has dropped to 35% of 285 national programming networks. Those figures prove that the program-access rules should go away, the cable industry argues.

But supporters of the rules say cable operators still retain control over some of the most widely viewed cable networks and wield sufficient power to dictate prices and muscle their affiliated networks' rivals out of channel space.

The massive wave of consolidation was launched by the '96 Telecommunications Act, which eliminated the national cap on radio-station ownership reach, lifted the cap to 35% on TV-household reach and greatly relaxed local ownership limits.

In radio, the average number of station owners in each market has dropped from 13.5 to 10.3 since 1996. The number nationally has dropped 25%, from 5,100 to 3,800, even as the total number of stations increased.

The biggest broadcast networks are now clamoring for the FCC to let them buy



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more stations, and conglomerates such as AOL Time Warner, Disney and Viacom have become dominant players in nearly every facet of the entertainment business.

Federal judges set the stage for further deregulation in February 2001 by ordering the FCC to redo the 30% cap on a cable company's share of pay-TV audience. Since then, additional court rulings have greatly increased chances that the FCC will relax limits on national TV reach, on operation of two TV stations in a market, and on crossownership in local markets. Additionally, the D.C. Circuit Court, interpreting the congressionally mandated biennial regulatory review, said the FCC must either justify keeping ownership rules on the books or throw them out.

"de facto payola," stations tend to build their playlists from songs suggested by promoters in exchange for a fee, union officials say. Sometimes, the funds originate from the record labels themselves.

"This is a loophole in the rule," Chaitovitz says. "We hope the FCC and Congress will revise the rules."

AFTRA also has charged that, in markets where Clear Channel often owns six to eight stations, it is all but impossible for local and independent artists to get play because the company relies on national playlists that dictate songs each station airs.

Clear Channel officials declined to comment for this story.

But it's not just artists, media watchdogs and a few lawmakers who are questioning

control the NAB have put the powerful lobby to work on the side of keeping the limit in place. With no apology for inconsistency, the NAB still supports relaxing other TV and radio ownership rules.

The advertising industry doesn't have a unified stance on deregulation either, so trade groups such as the American Association of Advertising Agencies have stayed out of the fight. "Some people don't see the problems I see," says Allen Banks, national media director at Saatchi & Saatchi. "The FCC and the Justice Department rationalize deregulation on the argument that you can move to another platform if one company dominates one platform in a market. But you can't avoid the guy who's screwing you in TV by going to radio because he's likely



Here comes the judge

Frustrated by the FCC's pace, media companies have pursued deregulation by litigation.

So far, the strategy is working. Companies that tried their luck in front of federal judges rather than wait for the FCC to knock down media-ownership limits have generally come out winners.

Since March 2001, when the federal appeals court in Washington vacated the 30% cap on a cable system's share of national pay-TV subscribers,

judges have ordered the FCC to rewrite a string of ownership limitations and related rules.

The judges haven't ruled completely for media plaintiffs, however. The big cable and broadcast networks were chagrined to see the Supreme Court and lower court judges uphold the constitutionality of ownership limits.

Nevertheless, the key plaintiffs are keeping up the legal battles in their fight for additional deregulation.

Three weeks ago, Sinclair Broadcasting asked federal judges to reconsider a decision keeping the TV duopoly "eight-voice" test in place pending FCC remand. Emboldened by the court's harsh treatment of other crossownership rules, Viacom and the newspaper industry have asked the FCC to eliminate local radio/TV and broadcast/newspaper ownership restrictions, and many observers expect them to go to court if the FCC turns them down.—B.M.

Unprecedented market power has emboldened the giant companies to abuse their positions, their critics say. The worries prompted the so-far unsuccessful battle for industry-wide open-access rules requiring cable companies to carry competing Internet providers on their broadband platforms. Time Warner systems, however, are obligated to carry unaffiliated ISPs as a condition of the MSO's merger with America Online.

Although the battle for open-access rules is being waged to prevent cable from discriminating against rivals in the future, the forces pushing for tighter radio regulation say that industry is being damaged today.

AFTRA charges that Clear Channel and other dominant radio groups have found a way to get around the ban on paying stations to play specific songs, a blatantly illegal practice banned in the 1960s. In today's

scope of media consolidation. Some industry players are beginning to complain, too. Clear Channel's competitors in several markets have lined up to block acquisitions of their local competitors by the radio giant.

"We've gone from one voice to a multitude of voices questioning the wisdom of massive consolidation and domination of a local market by a company," said Howard Topel, a Washington attorney helping Davis Broadcasting's fight at the FCC against Clear Channel's purchase of a competing outlet in Columbus, Ga. "The momentum could reach the point where the commission has to respond."

Those opposed to relaxation of the TV ownership limit have a surprising ally: the National Association of Broadcasters. Worried about the power of the broadcast networks, the smaller station groups that now

to screw you there, too."

But Saatchi & Saatchi Director of Local Investment Kevin Gallagher says consolidation created unprecedented ability to drive down audience-reach costs by striking package deals with large local groups. "This has opened opportunities for advertisers to negotiate packages that are advantageous to clients."

How far the FCC will go to assuage critics of Clear Channel and opponents of media concentration in general remains an open question. Chairman Powell is taking an analytical approach (see box, page 20) and warning that there's no sure vote for deregulation: "I'm one of those moderate moderate Republicans who bristle at the suggestion that all we do is get up in the morning and decide to do away with the next 50 regulations." ■



Steven A. Ballmer, CEO
Microsoft Corporation

Delivering Value to Cable

Welcome to *Cable 2002*, the 51st annual NCTA convention. Microsoft has long recognized the promise of cable, and the opportunity for software to help connect and bring to life the "Cable Home." We have been participating in the NCTA show for eight consecutive years, underscoring our strong belief in the future of cable, and our commitment to providing value as an industry partner.

In broadband, we have collaborated closely with the industry to make sure that our Microsoft® Windows® software for personal computers provides a great broadband experience to consumers. Microsoft Windows XP and MSN services take advantage of cable's high-speed capacity, always-on connection and the opportunity to create a more compelling user experience.

We've also worked to create software for digital cable that is enabling a new level of TV services. We have succeeded in enabling some of the most advanced digital cable offerings in the world, although the promise of interactive TV has yet to be fully realized in the marketplace.

We see great promise in working with the cable industry. Microsoft has consistently taken a long-term view when the technical and business fundamentals are sound, and we believe the cable industry is on the cusp of the next industry revolution.

We understand that we still have some distance to go to determine how best to help you in the delivery of new cable products and services. We have learned some important lessons over the years and are more cognizant than ever of industry issues and challenges. Our focus is on building strong partnerships and delivering value. We are committed to working with the cable industry to help ensure that cable's place in the world of the connected home is secure and profitable.

While our strategy has evolved over the years, our commitment to delivering the best software for television products remains steadfast. The new versions of Microsoft TV software that we announced at *Cable 2002* represent the first step in a fundamentally new strategy we're embarking on with the cable industry.

Please share your view on how we can help the industry grow through great software. We welcome your feedback to the TV business executive team.

Please visit Microsoft at NCTA booth #3647 or email us at TVexecs@microsoft.com.

CEO, Microsoft Corporation

Steve Ballmer is chief executive officer of Microsoft Corp., the world's leading manufacturer of software for personal and business computing. During the past 20 years, Ballmer has headed several Microsoft divisions, including operations, operating systems development, and sales and support. He is a frequent speaker at industry events, including NCTA's *Cable 2000*.

Look inside for:

- 2 Lessons Learned
- 5 Microsoft Solutions for Cable TV
- 8 Microsoft TV Refocuses



Lessons Learned

As the industry has changed over the past decade, Microsoft has followed the learning curve in step with cable. Cable companies are continually looking for smart ways to marry profitable and proven technology—cable video—with new technology and the Internet. As a result, they have been subject to some of the volatile aspects of the Internet and broadband markets. At the same time, cable is affected by unique market factors—ranging from regulatory issues to financial and stock market pressures to competitive situations to legacy system infrastructure—which impact everything we do for this industry.

By addressing the following learnings, Microsoft aims to strengthen and improve its relationships with the cable industry:

Focus on the value proposition.

Making sure we balance technology with the value proposition for cable companies and their customers is part of the philosophy that's behind our new software development strategy. Our latest product release focuses on the most ubiquitous digital cable service—the Interactive Program Guide. The guide makes it faster and easier to navigate the complex array of cable channels and offerings. This product is designed to help keep viewers satisfied with their digital cable TV experience.

"In order to be successful, we need to focus intensely on how Microsoft software adds value to today's cable companies," said Moshe Lichtman, vice president of the Microsoft TV Division. "Our customers have continued to stress their commitment to Microsoft, to broadband, and to iTV. But in today's increasingly competitive marketplace we see that those customers simply have to be more thoughtful about strategic, long-term investments. That's why it's important for us to articulate Microsoft's vision for a scalable product strategy that enables the cable industry to offer new, cost-effective experiences and services both today, and in the future."

Many Internet company business models and new cable service projections were based on flawed assumptions about revenue from advertising. But cable services do not depend solely on advertising. Cable operators can build value into subscription services, using different basic and premium tiers. The key to the 'new reality' is the 'old reality' for cable—packaging new products and services as part of digital subscription tiers, and relying on advertising as the 'icing' on the overall business model that can grow over time as the subscription popularity and reach grows.

Constraints on the pace of cable Innovation.

The enormous multi-billion dollar cost of complex cable infrastructures inhibits swift changes and upgrades. In the PC industry, the pace of innovation is rapid, often mirroring the now-famous Moore's law with major new hardware and software reaching the marketplace every 18-24 months, and with hundreds of companies competing to win over the consumer with each technology improvement. By contrast, there are real constraints on cable's ability to move so quickly. Among the constraints, Wall Street is demanding safe, proven returns on large investments. However, competition is growing, and innovation is always essential, despite the constraints. The challenge is to develop software that enables innovative new services, but can be deployed at a cable-friendly cost and pace.

If the marketplace changes, change with it.

Several years ago, Microsoft developed technology for the emerging first generation of digital set top boxes ('thin' boxes with little memory or processing power), as well as new ideas for 'advanced' set top boxes that could support many Internet-based services. At that time, our relationship with TCI and discussions with others directed us to focus on advanced software. The industry made assumptions that thin client boxes didn't have enough horsepower to run a compelling set of services, so we invested heavily in advanced set-top box software. As a result, we now have the most advanced client and server solutions available today. However, over the last year it has become apparent that the cable industry would not be able to invest in new, and by definition, unproven products and services so quickly. We put our best developers behind this problem again, and they designed an even better, more cost-effective, innovative software solution that delivers better experiences and new services on thin set-tops. At NCTA, Microsoft unveiled the first version of new software for these thin client set-top boxes that makes digital cable even more compelling to viewers.

Start small.

Because of the costly digital infrastructure that cable is still funding, the markets are resistant to expensive build outs and deployment costs for additional services. For cable to invest in new products, there need to be proven and recognized benefits to the bottom line achievable at a low cost—whether through reduction in digital churn, or new revenue streams. At Microsoft, we see a great opportunity for churn reduction by helping consumers navigate the hundreds of digital channels and choices more easily, leaving subscribers happier with their digital cable TV experience. From there, we foresee cable continuing to take incremental steps toward supporting advanced and more expensive services, such as video on demand and digital video recording.

Get more from existing technologies.

As mentioned above, cable companies have unique infrastructure challenges, caused by the need to support both 'past' products and services, as well as 'future' ones all on the same network. For the most part, wholesale infrastructure changes are too expensive and complex to be viable. Leveraging and building on existing technologies is more cost effective, and is also more consistent with how cable companies amortize their hardware and software purchases (generally over 5-10 years).

"In order to be successful, we need to focus intensely on how Microsoft software adds value to today's cable companies."



Moshe Lichtman, Vice President
Microsoft TV Division

"We're refocusing our efforts to provide the cable industry with a great combination of choices that not only improve the customer experience, but also make sense financially."



Alan Yates, General Manager
Microsoft TV Marketing



Cable now supports broadband Internet service for PCs to most U.S. households. At the same time, the Internet is moving toward a new model of 'Web Services', applications and solutions that make IP connections and data exchanges simpler and more efficient. Web services can provide enormous benefits for cable by making new applications available from third parties with minimal or no investment, and by enabling Internet-based support for key backend functions, such as billing and customer support. Microsoft's goal is to enable cable operators to take maximum advantage of the "Internet side" of their network. The teamwork begins with Microsoft® Windows® delivering improvements to the consumer's broadband PC experience, empowering cable companies to deliver new services using Microsoft .NET, and then helping cable progress toward additional revenue-generating Internet services from the TV set.

iTV is not one-size-fits-all.

Over the past year we have become even more convinced that building a business on iTV is one of offering incrementally better choices to 'click' on the remote. The IPG is a key building block of the iTV experience which grows to support simple information services or virtual channels, extends to 'on-demand' viewing through VOD and DVR products, and supports additional services over time. Today, there are cable operators who are focused on products all along this spectrum, ranging from very simple products to very advanced broadband-connected 'Media Center' solutions for the cable household. It is Microsoft's goal to support this broad spectrum of needs better than any other software company.

"We see that today's cable operators are looking for more choices, because their subscribers are asking for more choices," said Alan Yates, general manager of marketing at Microsoft TV and a nine-year veteran of Microsoft's iTV efforts. "We're refocusing our efforts to provide the cable industry with a great combination of choices that not only improve the customer experience, but also make sense financially."

Further, we believe the ultimate opportunity for a cable operator is to reach beyond the TV and set-top box into emerging areas that will rely on the broadband infrastructure, including online gaming, home networking, home control, Web services, and services that span multiple consumer devices. At Microsoft, our strategy is to continue moving up the learning curve with the cable industry, building ever better products in tandem with the industry's ability to innovate and grow.

Microsoft Solutions for Cable TV

Early on, Microsoft saw the cable marketplace as an opportunity to grow our software business through solutions for digital cable and broadband Internet. Today, we team with cable companies in two key ways. First, we offer them software and services to build their own unique services, both for interactive TV and for broadband. Secondly, we build great consumer software products and services that drive consumption of broadband—a major source of growth for cable.

Software for Cable Operators

In recent years, cable companies have spent billions upgrading their systems to support digital cable and broadband services. By one estimate, the U.S. cable industry spent more than \$30 billion in the past two years on those upgrades alone. (In-Stat/MDR) Microsoft is actively working on solutions that will help cable recoup that infrastructure investment.

Microsoft TV

Microsoft TV is an end-to-end platform solution that includes both client software for set-top boxes and server software to manage and operate iTV services.

We announced two new products at NCTA which will enhance our product line to better support a full range of set-top boxes. The newly announced Microsoft TV IPG will enable network operators to create a more satisfying user experience for millions of existing set-top boxes, including Motorola's DCT1000 and DCT2000 class of systems. In addition, we have also upgraded Microsoft TV Advanced, which continues its leadership role in providing the most complete set of advanced features for digital set-top boxes, and now offers fully integrated video-on-demand and enhanced digital video recording support.

"I'm extremely proud of the great work Microsoft TV has achieved with its products," said Frank Halasz, general manager of Microsoft TV engineering. "I'm continually amazed with how our developers can find innovative ways to add new features and functionality to the product line that consumers really respond to."

Microsoft .NET

Microsoft .NET is our platform for XML Web services, the next generation of software that connects information, devices and people in a unified, personalized way. .NET provides a comprehensive solution—including tools, servers, services and clients to build, deploy, manage and use XML Web services. Built on open industry standards, .NET enables fast, flexible, and efficient connections with customers, partners and employees—giving a company the agility to thrive in a world where everything is connected.

For cable companies looking to ease their integration issues, the lineup of Microsoft .NET Enterprise Servers can help them save money today. One likely scenario is around billing integration. Today's cable operators (often built through a series of mergers) must manage disparate systems that need to connect to different, incompatible databases. Creating a web service using the XML format to enable those systems to communicate effectively can generate efficiencies, and save time and money. Customer Relationship Management tools are another area where cable can benefit from an application server. Again, using XML to exchange and compile information, companies can share data among marketing, support and finance teams to enable faster and smarter business decisions.

"I'm continually amazed with how our developers can find innovative ways to add new features and functionality to the product line that consumers really respond to."



Frank Halasz, General Manager
Microsoft TV Engineering



Extending Web services directly to consumers is another foreseeable step. These include communications services (email, chat, instant messaging), video-based services (remote PVR and TV reminders), and personal services (calendars, electronic wallets, address books, photo albums), and more. When these services are built on XML, they can be accessed by multiple devices, giving consumers greater flexibility and a better experience, and enabling cable providers to build closer relationships with their customers.

Driving Demand for Broadband

Broadband continues to grow. North American cable modem subscribers are forecasted to grow from 8.2 million at the end of 2001, to more than 17.6 million by the end of 2005. (In-Stat/MDR) In today's broadband world, most of those high-speed connections into the home are powered by a Windows-based computer.



Windows XP

Microsoft sees tremendous value in broadband because it dramatically improves the PC experience, providing the conduit for richer digital media experiences, which empower consumers to enjoy digital photos, music, videos or movies. With Windows XP, consumers can also easily share the broadband connection throughout the home with built-in home networking functionality.

Windows XP makes it easier to organize and share media. Today's digital cameras and digital video recorders are smart devices that can be simply plugged into the PC and immediately recognized by Windows XP using Universal Plug and Play. In addition, features like Windows Movie Maker make it easier to create, edit and store home movies, and new PCs allow users to save those digitally rich movies to CDs and DVDs.



This is all part of a growing trend toward digital media consumption. Every month, twice as many people listen to Internet radio as watch Monday Night Football. More than 35,000 terabytes of digital media traffic is carried on the Internet each month. And the impact is growing. A Madonna Webcast draws 9 million viewers, 30 times the 12 largest concerts that week.

Windows Media

Windows Media Technologies empower a large majority of that media consumption with over 350 million media players worldwide, and nearly 54 percent of PC consumers using a media player monthly. One key factor for the success of Windows Media is its leadership role around Digital Rights Management. Digital Rights Management (DRM) is a hot topic, not only because it's one real solution available today to combat digital piracy, but because it enables digital media commerce. DRM enables artists, publishers and distributors to build a real business model, collect revenue, and stay in contact with their customers.



"eHome"

Microsoft is also working to support the electronic home by including new audio/video functionality in Windows. The eHome division has a product code-named "Freestyle" which will add the ability for users to control and enjoy TV, home movies, digital video recording, DVDs, photos and music with a remote control. Scheduled to be available this holiday season with some new model PCs, "Freestyle" has the same Windows Media functionality that works best with a broadband connection. And a new user interface allows consumers to switch between keyboard and remote control, or from an up-close desktop experience to a 10-foot couch one.

Broadband services

Microsoft is also driving broadband adoption through enabling great services. MSN Broadband is teaming with cable companies like Charter to build co-branded subscription services. The Charter-MSN service is a good example of how we can work with cable to provide a powerful and seamless user experience over a cable broadband network, and leverage both the assets of the cable company and MSN services and technology.

With the Charter cable service featuring MSN, Charter's customers gain access to industry-leading MSN software technology and services, such as MSN Explorer for a great overall Internet experience in addition to key services like MSN Messenger and MSN Alerts that help deliver a personalized and useful web experience.

Xbox

Xbox is a new success story for Microsoft. After the North American launch last November, the Xbox gaming console was launched in Japan and Europe this spring. In the coming months, Xbox will announce more details about how online gaming will play a role in its future.

Microsoft believes online gaming with Xbox will be a new, exciting dimension for console gaming, with players competing against friends in another house, another town, or even other cities. A critical building block to creating that experience will be broadband. We also see specific advantages with cable broadband, in great part because of the logical proximity of the cable TV/broadband connection, the Xbox gaming console, and the TV set. Together, there's a natural combination for connectivity.





Microsoft TV Refocuses

8

Recently we announced some changes related to our strategy and organization for Microsoft TV. Central to the new strategy is refocusing our iTV software development so that all of our solutions center first and foremost on improving the broadcast television experience. With this new focus, we will be more in tune with our cable operator customers, who need to improve and refine existing products in the field and to take incremental steps to new services. Product and service decisions will be made first and foremost on whether our solution enables the customer to derive quantifiable value from the solution, typically through a specific revenue source that they've targeted, or through specific reduced costs (including reducing churn).

In addition, the new executive team structure will include a new position focused on unifying our approach to network operator sales and services.

Focusing on delivering the new strategy for Microsoft TV will be:

Moshe Lichtman, Vice President, Microsoft TV Division

Alan Yates, General Manager, Microsoft TV Marketing

Frank Halasz, Vice President, Microsoft TV Engineering

new position, Vice President Microsoft TV Sales and Services

We're excited about the future and continuing our hard work building great software solutions for the cable industry.

www.microsoft.com/TV

Microsoft

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Washington

One giant leap for broadband?

Sen. Lieberman stumps for comprehensive rollout plan expedited by the government

By John Eggerton

Likening it to President Kennedy's pledge to put a man on the moon, Sen. Joseph Lieberman (D-Conn.) last week said a comprehensive strategy for deployment of high-speed broadband should be "a national mission."

Arguing that the mission had yet to get off the ground due to the piecemeal approach and failure to act quickly of "numerous government agencies," the senator said he will introduce legislation this week to push the Bush administration for a "comprehensive" broadband-deployment policy within six months.

An administration official responded that Lieberman's proposal held nothing new, that the administration is already encouraging broadband on numerous fronts, but that it is up to the "best and brightest" minds at the FCC to puzzle out the key issue of DSL open access, put in doubt by a recent court ruling.

Although looking for more government inspiration, Lieberman said the perspiration should come from the private sector. "The public sector cannot and should not manage this effort. Our future will fortunately be in the hands of thousands of individual innovators like so many of you here today," he told an Alameda, Calif., crowd.

Lieberman, expected to be a presidential candidate in 2004, was borrowing a page from his former running mate: Bridging the digital divide was one of Vice President Al Gore's major talking points. It also could be a major fundraising point. Lieberman's marketplace emphasis was no surprise given the makeup of the crowd.

The senator unveiled his proposal in California before members of tech lobby TechNet, comprising top executives from

some 300 companies. It was akin to preaching to the choir since the broadband-status report with his announcement made some of the same points as a report offered in January by TechNet (a copy of which could be found last week at technet.org).

It was unclear whether Lieberman's bill would gain much Hill support, but it clearly could make him well-heeled friends in high-tech places.

Saying decisions are "piling up" on broadband deployment—such as on "spectrum, competition, rights management, spam, privacy and child protection"—Lieberman urged the Bush administration to develop a "coherent, cross-agency broadband strategy."

He also plans legislation that will (1) require the FCC to develop a plan for regulating the Internet; (2) create tax incentives for deploying broadband to underserved areas, both rural and urban; and (3) promote infrastructure R&D.

Lieberman's report concedes that cable is under no government obligation to upgrade its systems or make its high-speed lines available to competing Internet service providers. "Unlike common carriers, they have asserted First Amendment rights with regard to the content they carry," the report says, "and the courts continue to uphold that status."

While the broadband-rollout issue may seem more a legacy from Gore, the Internet-regulation aspect, particularly access by children to adult content, is a Lieberman staple. "The federal government has not

been effective at designing solutions to restricting children's access to sexually oriented content," said the report accompanying his announcement.

Responding to Lieberman's proposal, Bruce Mehlman, Assistant Secretary of Commerce for Technology Policy, said: "A preliminary review suggests no new facts, ideas or proposals. But the newfound interest of such a high-profile senator should clearly advance this important issue."

On what the administration is already doing, he said, "As the senator dives more deeply into the issue, he is going to recognize significant administration efforts."

Among examples he cited: the three-year acceleration on depreciation schedules for capital equipment; a push for a permanent R&D tax credit; extending the Internet-tax moratorium; and

support for \$80 million in loan guarantees for rural broadband rollout.

"Don't forget," Mehlman added, "we made Michael Powell chairman of the FCC and put Kevin Martin and Kathleen Abernathy on the commission because they are the best and brightest telecom minds and they need, at the FCC, to resolve the most challenging piece of the puzzle, as the appeals court just reiterated." He was referring to the D.C. Circuit Court decision late last month vacating and remanding FCC rules requiring telephone companies to open their high-speed Internet DSL lines to competitors. The FCC was already reviewing those rules as part of its triennial review. ■



"The public sector cannot and should not manage [the broadband] effort. Our future will fortunately be in the hands of thousands of individual innovators like so many of you here today," Sen. Joe Lieberman told members of lobbying group TechNet.

LMDS gets another day in the sun

New approach improves capacity of base-station technology

By Ken Kerschbaumer

The successful deployment of video and data services using LMDS (local multipoint distribution service) has met with more failure than success during the past 15 years, but Portugal-based SGC Telecom is looking to tip the scales the other way.

The wireless-broadband operator and technology company has worked with Lockheed Martin to create new LMDS high-power base stations that the companies say provide 40 times the capacity of base stations built on solid-state amplifiers.

"It allows us to provide services over a very broad bandwidth so that quality can be maintained across that bandwidth," says Jeffrey Horoshak, Lockheed Martin senior systems engineer, network systems development.

LMDS uses wireless base stations to transmit and receive microwave radio signals within a set geographical area. The transceiver device used by the customer has



a fixed location; typical configurations call for a transceiver placed on a rooftop for line-of-sight to the base-station transceiver.

According to SGC Telecom CEO Miguel Martins, the technology will allow local exchange carriers to offer customers a triple play of voice, video and data services. The system is currently being rolled out in Lisbon, Portugal, where customers will have access to phone service, 36 channels of video, and data bandwidth of 2 Mb/s in early 2003. Video-teleconferencing capability is also in the mix of services.

"In our view, there's a big gap between broadband demand and broadband offer-

ings," Martins says. "There are a lot of people waiting to be served with always-on broadband access. At the same time, there are companies ready to provide content. But there's a bottleneck in the middle, which is the local loop. We've found a way to relieve that bottleneck."

What differentiates it from previous LMDS offerings is the use of traveling-wave-tube amplifiers (TWTAs) in the base station instead of solid-state amplifiers (SSAs). SSAs are capable of 0.1 W in linear power output; TWTAs generate 8.15 W. As a result, the TWTA base station can serve 50 square km and up to 25,000 customers, numbers that give LMDS the type of coverage that can create business opportunities. An SSA base station could serve only 9 square km for the same type of multicarrier architecture.

"The problem has never been the technology itself," says Martins of LMDS. "But it was working based on system parameters which weren't large enough to promote a business model that could work."

Lockheed Martin is working as a technical adviser and system integrator with SGC Telecom. The companies have worked together for 18 months in developing the technology. For the Portuguese deployment, the system is designed to offer six TV carriers, 21 downstream data carriers and 54 upstream data carriers. Each 8-MHz TV carrier can handle six TV channels (using OFDM modulation), and the data carriers offer 27-Mb/s data downstream and, potentially, 4.6-Mb/s data upstream. ■

Contrary to popular opinion, Hell is a balmy, climate-controlled 67°

Miranda loses NVision

Private investors step up to purchase router builder

By Ken Kerschbaumer

Miranda Technologies' attempt to purchase router manufacturer NVision failed last week when a group of private investors purchased the company from ADC.

ADC, which had acquired NVision in 2000, had a deal in principle with Miranda before the investors (who include members of the NVision management team) came in with their bid. The company will continue to operate from its 40,000-square-foot facility in Grass Valley, Calif., with its current management team and work force.

NVision founder and CEO Birney Dayton says he always has a plan B in place when going through such a process. Thus, plan B was enacted. "We became aware that the Miranda deal wasn't progressing and that we needed to do something else. So we put a deal together."

Both Dayton and NVision President Charles Meyer are among the private investors. "We own the facility and equipment free and clear," Dayton says, "and we have no debt and good funding, so we're very strong and stable going forward."

According to Miranda CEO Strath Goodship, the deal between Miranda and ADC was supposed to close in April, and the price and terms of sale were agreed on. It was then up to Miranda to raise the money for the purchase, but, says Good-

ship, other, related financing needed to be approved at the same time for the transaction to be completed. The investor team was "one of the bidders in there, and we didn't manage to close our financing so [NVision] went ahead and did something else. It's disappointing but perfectly understandable."

More fun and games

Game Show Network adds two interactive programs

By Ken Kerschbaumer

The Game Show Network this week adds two game shows with interactive elements, bringing the network's interactive offerings to 35 hours per week. The two programs, *Friend or Foe* and *Russian Roulette*, join *Greed* and *Whammy!*, all four making use of GoldPocket's Event-Matrix interactive technology.

"We're going to try to build interactive components into all of our original shows from the get-go," says John P. Roberts, Game Show Network senior vice president, interactive and online programming.

Viewers can access the interactive content via PC or Mac computers or AOLTV, UltimateTV or MSNTV set-top boxes. The

He also hopes to have talks with the management team at NVision about synergies. "The personal relationships were there, and it's a great fit, so if we can work together, we would put the energy into those efforts."

Dayton agrees. "Having an ongoing relationship with Miranda is something we have an expectation of," he says. "We don't have any reason to believe it wouldn't happen." ■



Russian Roulette is one of four shows on the Game Show Network that have interactive elements.

network says a number of cable and DBS operators have contacted it about bringing the interactivity to their subscribers. The deal between GoldPocket and the Game Show Network is for the entire run of the programs. "We provide everything other than the television video," says GoldPocket CEO Scott Newnam. "That's the tools, the interactive network it runs on, the response systems, coding, design, you name it."

The interactivity goes beyond programming. AT&T is sponsoring a sweepstakes during the first week of *Russian Roulette*. Viewers answer questions about the commercials for more entries in the contest. ■

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BY KEN KERSCHBAUMER

CPB REUPS WITH DECISIONMARK

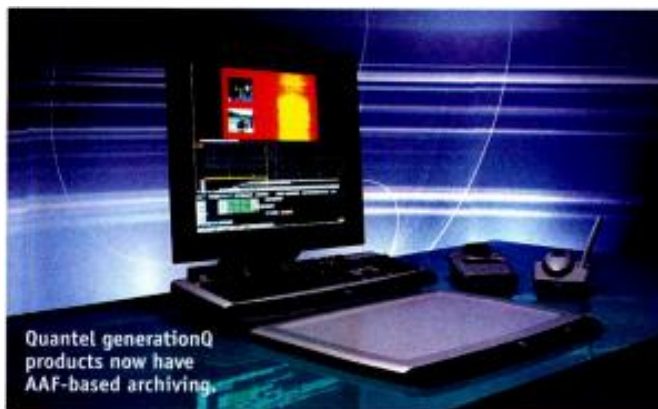
The Corporation for Public Broadcasting has renewed its three-year contract to use Decisionmark's online software for its broadcast-market analysis. Called Broadcast Area Stats, the Web application can report, map and handle ad hoc queries concerning market analysis for CPB. It will be used by more than 780 CPB-funded AM and FM radio stations to analyze 2000 U.S. Census demographics against a station's signal area or group of signal areas.

NCUBE VOD-PATENT LAWSUIT IS UPHELD

Video-on-demand system manufacturer nCube won a patent-infringement case against SeaChange and will receive more than \$2 million plus a 7% royalty on all sales of infringing products after Feb. 1, 2002. The lawsuit was filed in January 2001 and concerned U.S. patent 5,805,804, issued Sept. 8, 1998. Bill Styslinger, SeaChange president and CEO, said the verdict will not materially affect the marketing and performance of the company's VOD system. "We expect the verdict will be set aside in further proceedings," he added.

ARTESIA'S DREAMWORKS

DreamWorks SKG has selected Artesia Technologies' TEAMS digital asset-management system for use by its television and theatrical pro-



motional and marketing divisions. The initial use of the system will allow DreamWorks to speed delivery of promotional materials around the globe. The system is a single, Web-accessible resource that will give users online access to different media types. For example, users can use editing and storyboarding capabilities from the desktop to create new materials from existing assets to customize and personalize information for local audiences.

MINERVA, THOMSON INTEGRATE

Minerva Networks is integrating Thomson's RCA DSL1500 gateway decoder platform with Minerva's IP Television interactive software and head-end hardware system to deliver broadcast and on-demand video services over DSL. Ringgold Telephone, a Georgia-based local exchange service provider, is the first customer to deploy the system.

QUANTEL TAPS AAF

Quantel has implemented a full Advanced Authoring For-

mat (AAF)-based archive for its generationQ range of post-production products, allowing every piece of information about a project, both essence and metadata, to be archived as a background task to a data infrastructure. With all the generationQ products sharing the same AAF-based data archive format, all aspects of a project can be shared during the post-production process.

AFL SCOUTS CABLE-TEC

AFL Telecommunications is introducing the Scout facility-monitoring system at Cable-Tec Expo in San Antonio. The Web-based system allows cable facility managers to remotely monitor the functions of headend, hub and central-office locations.

They can also use the system to make changes to the building's systems and receive alerts if a system is malfunctioning. It also has comprehensive reporting and access to real-time data for all sites being managed and can send alarm notices through e-mail, wireless Web devices,

telephones or pagers. Facility functions controlled include generator master-alarm contact, temperature, door access, automatic transfer switch, fire alarm, power, and air conditioning.

COMCAST IS SUED FOR WEB-TRACKING

Jeffrey Klimas, a Comcast Cable customer living in Royal Oak, Mich., has filed a complaint against Comcast for violating a federal privacy law when it recorded the Internet-browsing activities of its 1 million broadband customers. Comcast said in a statement that it respects the privacy of its Internet-service subscribers and that the lawsuit is without merit. The company added that customers must agree to its privacy policies when signing up for the service and that the usage information is used to help improve the service.

MYDTV GOES TO COURT

Court TV will use technology company MyDTV's PromoLogic service to deliver pop-up alerts or promotions for viewer-specified programming content across all channels. Court TV will tailor the pop-up alerts or promos (which appear no matter what channel is being watched) to match viewer-defined topics and keywords to programming content. The viewer receiving the promotion can immediately tune to Court TV's offered programming.



Delivering Media Subscription Services: The Business Advantage of Intel

Digital media subscription services are now a reality. As Internet connections get faster and more consumers are online, paid subscriptions to rich content are replacing "free content" as a viable business model for entertainment and broadcasting companies. Today's most innovative content providers are gaining further benefits by choosing a scalable architecture that allows them to grow their business and maintain profitable customer relationships.

The Digital Media Revolution

Whether it's games, movies, sports, music, e-books, interactive programming—or an entirely new experience just now taking shape in the mind of some creative genius—the future of media is digital. From content creation and repurposing, to management and delivery, businesses and consumers alike are discovering that digital media offers quality, freedom of choice, mobility and affordability unmatched by traditional media.

Today inventive companies such as American Greetings*, Sony's Everquest*, New York Times Digital*, and ESPN.com* are offering subscriptions to premium content for a monthly or one-time-use fee. Similar to paid subscriptions such as cable TV, magazines, and newspapers, growing numbers of consumers are now subscribing to premium content online. Entertainment and broadcasting companies can use archived, re-formatted and new digital assets to extend their company's brand or gain new revenue streams by offering assets via the Internet for consumers to view on their PC, handheld device, cell phone, digital television or a digital set-top box.



“There is substantial evidence...that supports the consumer’s willingness to pay a subscription fee for streaming content. For streaming subscription models to be successful, content providers must follow the time-tested model of offering something extra to the consumer: no commercials and great, exclusive content. In essence, Webcasters must bring the HBO* model for cable broadcasting to the Internet.”

*— Advertising vs. Subscription—
Which Streaming Model Will
Win?, Arbitron/Edison Media
Research Internet 8*, 2002.*

The future is bright for digital media subscription services. Content that used to be delivered through traditional subscription services—such as newspapers, magazines and cable TV—can now be delivered in ways that offer consumers more choices, while simultaneously tracking the ways subscribers use media assets in order to form more direct, more lucrative relationships with them. Digital media subscription services ultimately allow providers to leverage their media assets with the Internet—cutting the costs of delivering media, increasing the revenues from repurposing content, and creating more satisfied customers.

From CDs to Subscription-Based Music

Subscription-based music provides a perfect example of how the distribution of media is evolving. Current implementations of peer-to-peer distribution don’t offer content companies the protection they require and potentially violate the privacy of their users. Forward-thinking media companies are discovering the advantages of digital music distribution and subscriptions. They are using digital technology to produce and distribute programming with better quality and increased efficiency, at a reduced cost.

McKinsey Quarterly* 2001 estimates that digital distribution of music can redistribute up to 60 percent of consumer revenues—or \$9 out of the \$15 retail price of a typical CD. A subscription-based “jukebox in the sky” frees up these revenues for return to consumers or redistribution within the industry. At the same time, it gives consumers simple access to all the music they want to hear—and none that they don’t—anywhere and anytime.

Beyond Music to Media: Extending the Model

The music subscription model applies to any type of media. Cable TV has already proven that subscribers will pay a premium for a greater choice in programming. Subscription-based digital TV would offer virtually unlimited choice, with no trips to the video rental store. By using the latest TV/PC convergence technologies, companies such as Intertainer* and Luxstat International* offer premium movies for a one-time online viewing fee. Luxstat delivers interactive content on demand – movies, TV programs, and video games – that match the viewer’s personal preferences via a dedicated terminal named LuxSTATION*. The LuxSTATION combines a powerful PC based terminal with video on demand and DVD controlled by a simple handset and keyboard. Intel® architecture is the basis of Luxstat’s back end infrastructure and media appliance because of the cost-performance and scalability that Intel brings to the market.

The Broadband Connection

As connection speeds get faster and less expensive, more consumers will be online looking for premium content. By 2004, more than 90 million households worldwide will have access to broadband. Cable will continue to be the broadband technology of choice in the home, but other technologies will also play an important role. In the United States alone, 13 million households will have DSL subscriptions by 2004, up from 1.5 million in 2000. And the market for alternative broadband technologies—fixed wireless, satellite and fiber—will top 32 million subscribers globally, up from 7 million in 2000.¹

The increasing penetration of broadband is fundamental. Along with high-performance clients, ample bandwidth is an essential factor in creating new audiences for digital content. And in a symbiotic fashion, new options for digital content encourage new customers to sign up for broadband service. While today’s typical broadband customer wants an always-on connection that frees up the phone line and enables faster downloads, the broadband market is increasingly being driven by the possibilities of streaming audio and video, online gaming, interactive multimedia, video-on-demand, and other next-generation entertainment options.

Managing Media

The digital media industry depends on efficient, cost-effective ways to index, store, retrieve, deliver and track digital files. New technologies in the areas of middleware applications, compression standards, computer networking and media streaming enable on-demand access to media assets. At the same time, they allow providers to track the ways customers use media assets in order to offer precisely targeted programming and tie-ins.

Intel is working with leading media management software companies such as Virage* and Convera*. Intel® platforms empower content owners to extract greater value from digital content by providing reliability and scalability. For instance, the Convera Screening Room*, running Intel® Xeon™ processor-based servers, lets digital media managers quickly capture, manage, repurpose, search, preview and publish video content directly from their desktops—at a fraction of the cost of traditional methods. So providers can reach more viewers and achieve maximum profitability from their existing and new video assets.

Intel's Role in Digital Media Subscription Services

From development of the world's first microprocessor more than thirty years ago to today's most advanced processors for streaming content servers and workstations, Intel has always delivered a more intense, involving digital experience. In addition to technology leadership, Intel is an industry enabler that connects companies with the resources and expertise they need to deploy optimized solutions on Intel architecture. From creating content to managing media assets, delivery, program and interactive viewing, Intel's® technology and industry alliances bring higher levels of quality and performance to every phase of the digital media revolution. What's more, we're furthering the widespread adoption of innovative digital media solutions through our commitment to the latest standards, technology and platforms. Intel® processors for workstations, servers and wireless offer content producers the processing power they need to make the most of their media assets.



Intel® Pentium® 4 Processors

Intel® Pentium® 4 processors are the platform of choice for desktop PCs and entry level workstations, offering the most power and headroom available in a PC. Content creators can more efficiently create digital music, 3D games, digital images, MPEG-4 videos and more. With the Intel® NetBurst™ microarchitecture, the Pentium 4 processor was designed to tackle the most demanding media processing with improved memory access via an expanded front side bus. In addition, many popular digital content applications have been optimized for the Pentium 4 processor architecture, providing a further performance benefit.



Intel® Xeon™ Processor

The Intel® Xeon™ processor family for workstations and servers is designed specifically for multi-tasking environments. With the innovative Intel NetBurst microarchitecture and Hyper-Threading Technology, the family provides outstanding performance and scalability for the multi-threaded applications that the world of digital media demands. The Intel Xeon processor family delivers leading performance and headroom for the most demanding media applications such as efficiently managing and storing digital assets, cache, ingest and transcoding servers. This, coupled with its price-performance leadership position and reliability, makes the Intel Xeon processor family an intelligent choice for mid-range and high end workstations and servers.



“Intel® architecture is at the core of Envivio’s MPEG-4 solution set. Intel®-based platforms are available for every part of the solution, from post-production design and encoding, to live streaming over IP networks, to decoding on set-top boxes, PCs and personal viewing devices. And the consistent instruction set makes it much easier for our engineering team to develop, verify and deploy interoperable solutions end-to-end.”

*— Eric Deniau, vice president of engineering, Envivio**

Intel® Itanium® Processor

The Intel® Itanium® processor family for workstations and servers offers a new, built-from-the-ground-up architecture to digital media content owners, developers and distributors. The Itanium processor family provides the highest level of enterprise class capability for high end servers and workstations. Itanium-based applications use computation-intensive workloads and large data sets, requiring dual processors, large memory capacity and bandwidth, demanding floating point performance and superior in/out capabilities.

Intel® Personal Internet Client Architecture

Intel® Personal Internet Client Architecture enables you to develop and deliver media to new wireless Internet devices. Intel® XScale™ technology offers industry-leading performance per watt for applications processors capable of powering data-enabled cell phones and handheld devices, where extended battery life is essential. The new Intel® PXA250 Applications processor represents the next advance in handheld multimedia, increasing end-user functionality, ensuring outstanding battery life and providing a rich handheld Internet experience.

Supporting Standards

On top of the necessary bandwidth for delivering rich media, content providers need the most efficient tools and formats for creating and delivering content. MPEG-4 is emerging as the powerful new standard that provides optimal compression, security, protection of intellectual property rights, and an immersive, interactive viewer experience. Intel is working with Envivio* and other industry-leading MPEG-4 solution providers to bring the next generation of digital media into full production.

Envivio’s Live Broadcaster* is one of the world’s first encoders to provide full DI (DVD) resolution in real time. Envivio teamed with Intel to optimize Envivio Live Broadcaster to run on dual Xeon processor-based servers. Combined with broadband connections and Pentium 4 processor-based clients, Envivio Live Broadcaster provides a complete, end-to-end solution to compress, distribute, and view high quality content on multiple devices.

The More Things Change, The More You Can Count on Intel

The most important thing to understand about digital media is that everything must change. Revenue sources and profit centers. Technologies for creating, managing and delivering content. Delivery methods. Subscription models. Customers and preferences. Entertainment itself. Everything will change.

The future belongs to those who are ready to move today. Intel® offers the technology, expertise and industry connections you need to move quickly and cost-effectively into emerging digital media markets. As you build your subscriber base, Intel® architecture-based solutions offer transparent scalability, open-architecture compatibility, and the volume economics of optimum price performance. And Intel’s® industry alliances keep you current with the most important innovators in the field of digital media.

Learn more about Intel® architecture-based solutions for digital media. Visit Intel at www.intel.com/go/digitalmedia

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Programming

Fox-y pulse-pumping

New tabloid-style talk/news show set to sizzle midsummer

By Allison Romano

In time for the dog days of broadcast summer, Fox is fronting a new prime time newsmagazine, *The Pulse*, staffed and produced by News Corp. cousin Fox News Channel. When the tabloid-style program arrives July 11, it will bear Fox News' fast pace and requisite attitude.

"It will certainly be Fox-y," said Fox News anchor Shepard Smith, who will host *The Pulse*. "The audience is not looking for another *Dateline*, *20/20* or *60 Minutes*."

Fox's latest attempt at a newsmagazine came in July 1998 with *Fox Files*. Another, *Front Page*, sputtered in 1994 after a year.

The Pulse may successfully ride into the schedule on Fox News' coattails. The network, which leads CNN and MSNBC in Nielsen ratings, is lending its biggest stars. Along with Smith, Fox News kingpin Bill O'Reilly and gun-slinging war correspondent Geraldo Rivera will contribute. Expect investigative reports and entertainment and health stories. (O'Reilly himself has recently been hosting quarterly news specials on Fox.)

The format will be a departure for the Fox News crew, accustomed to quick-hit headlines and talk-radio-style shows. "With a newsmagazine," said Fox News executive producer Bill Shine, "you can let something breathe and do more investigative work."

For Smith, the nine-week newsmagazine means a summer of triple duty. On cable, he hosts afternoon news and, at 7 p.m., his unconventional brand of newscasting, *The Fox Report with Shepard Smith*, which trails only Bill O'Reilly and Larry King in cable news ratings.

On a channel known for talk, Smith proudly brandishes an hour-long newscast: "Other

shows just have talking heads and interviews with pundits. When you're locked into interviews, you can't keep up with changing news."

In May, *The Fox Report* averaged a 1.1 rating, bringing its year-to-date average to a 1.2 rating. CNN foe *Crossfire* trails far behind with a 0.5 May average. With MSNBC ditching plans to move Brian Williams to 7 p.m., Smith's lock on the hour seems guaranteed.

Key to *The Fox Report's* fast pace, Smith says, is keeping taped packages to a minimum, two or three per show, with correspondents chip-



Shepard Smith will host Fox News Channel's investigative-reporting vehicle in addition to *The Fox Report*.

ping in with live shots anytime, from anywhere.

In six years with Fox News, Smith has toiled on several major stories, most recently the events following Sept. 11. He covered the Columbine High School shootings and President Clinton's impeachment proceedings and witnessed the June 2001 execution of Timothy McVeigh.

Next month, he'll step onto a much larger Fox stage. Smith is accustomed to anchoring a show watched by about 400,000 people, not the 9 million to 12 million who tune in for a *60 Minutes* or *Primetime Thursday*. He's not worried. "It's not like years ago when no one knew who we were," he said. "Now, we have an identity." ■

IN BRIEF

GOLDMAN NEW VEEP AT WARNER SYNDIE UNIT

Andrew Goldman was named senior VP, general sales manager, media sales, for Warner Bros. Domestic Television Distribution. That makes him the No. 2 executive at the media sales division, reporting to Michael Teicher, who heads the unit as executive VP. Goldman joins the unit from Internet Broadcasting Systems, where he served for three years as executive VP, sales and business development. Before that, he spent six years with Turner Broadcasting.

THOMPSON TO COURT TV

Former *NYPD Blue* star and *Headline News* anchor Andrea Thompson is returning to TV. Thompson, who exited her CNN gig abruptly in March, is joining Court TV to host a retooled Saturday-night block. Thompson will be featured in wraparound spots buffering two *Forensic Files* episodes and an hour documentary.

Court TV's new Saturday-night block, dubbed "Follow Your Intuition," kicks off June 8. *Perry Mason* movies have been airing on Saturday nights. The Saturday prime schedule is the same as Court TV's weekday-evening lineup.

Thompson also will do promotional work for Court TV (the channel airs off-nets of *NYPD Blue*).

FOOD IS FASTEST

The Food Network is the fastest-growing cable network, picking up 15.7 million new cable and DBS subscribers in the past year. Soap Net added 15 million new homes and the Hallmark Channel 14.9 million new subs, according to Nielsen Media Research's June universe estimates.

Programming

BroadcastWatch

COMPILED BY KENNETH RAY

MAY 20-26 Broadcast network prime time ratings according to Nielsen Media Research

Week	abc	CBS	NBC	FOX	PAX TV	UPIN	WB
35	6.9/11	9.4/15	7.0/11	7.1/11	0.9/1	3.1/5	4.0/6
MONDAY	8:00 27. ABC Monday Night Movie—Enemy of the State 6.9/11	15. King of Queens 8.0/13 10. King of Queens 8.6/13 2. Ev Lvs Raymnd 12.8/19 5. Becker 11.0/16	23. Fear Factor 7.3/11	31. Boston Public 6.6/11	117. Miracle Pets 0.5/1	82. The Hughleys 2.7/4 75. One on One 3.3/5	46. 7th Heaven 5.0/8
	10:00 27. ABC Monday Night Movie—Enemy of the State 6.9/11	14. 48 Hours 8.1/13	31. 20 Years of Must See TV 6.6/10	20. Ally McBeal 7.5/11	109. Touched by an Angel 0.8/1	73. The Parkers 3.4/5 81. Girlfriends 2.9/4	82. Angel 2.9/4
	10:30				102. Diagnosis Murder 1.3/2		
TUESDAY	7.1/11	9.4/15	8.1/13	5.8/9	1.1/2	3.3/5	3.9/6
8:00	60. That's Incredible Reunion 4.3/7	7. JAG 9.8/16	29. Frasier 6.7/11	45. That '70s Show 5.7/10	114. Mysterious Ways 0.6/1	75. Buffy the Vampire Slayer 3.3/5	64. Gilmore Girls 4.0/7
8:30			17. Frasier 7.8/13	40. That '70s Show 5.9/9			
9:00		7. The Guardian 8.5/13	6. Frasier 10.8/17	43. 24 5.8/9	104. PAX Mystery Movie—Diagnosis Murder: Trash TV 1.1/2		68. Smallville 3.8/6
9:30	12. NYPD Blue 8.5/13	18. Judging Amy 9.8/16	19. Scrubs 7.6/12				
10:00			16. Dateline NBC 7.9/13				
10:30							
WEDNESDAY	5.7/9	8.6/14	10.5/17	6.0/10	0.8/1	2.7/4	2.6/4
8:00	34. My Wife & Kids 6.4/11		22. Mst Outrageous Game Show Moments 7.4/13	53. The Simpsons 5.0/9	117. Candid Camera 0.5/1	75. Enterprise 3.3/6	
8:30							
9:00	53. Drew Carey 5.0/8	10. 37th Annual American Country Music Awards 8.6/14	3. The West Wing 11.3/17	36. Celebrity Boxing 2 5.3/10	107. Touched by an Angel 0.9/1	92. Enterprise 2.0/3	85. Felicity 2.5/4
9:30	58. Drew Carey 4.6/7						
10:00	43. David Blafne's Vertigo 5.8/10		1. Law & Order 12.9/21		104. Diagnosis Murder 1.1/2		
10:30							
THURSDAY	3.9/6	13.0/21	17.8/28	4.0/7	1.0/2	3.5/6	1.5/3
8:00	85. Whose Line Is It 2.6/5	9. CSI 8.8/17	25. Friends 7.2/14		114. It's a Miracle 0.6/1	70. WWF Smackdown! 3.5/6	99. Gilmore Girls 1.4/3
8:30	78. Whose Line Is It 3.2/6		31. Frasier 6.6/12	64. Fox Thursday Night Movie—Blade 4.0/7	106. Touched by an Angel 1.0/2		96. Charmed 1.6/3
9:00	56. Who Wants to Be a Millionaire 4.8/8	4. CSI 11.1/19	26. Will & Grace 7.0/12				
9:30			40. Just Shoot Me 5.9/10				
10:00	23. Primetime 7.3/13	40. The Agency 5.9/11	38. ER 6.1/11		97. Diagnosis Murder 1.5/3		
10:30							
FRIDAY	5.7/11	4.3/8	5.8/12	2.2/4	0.8/1	1.5/3	1.7/4
8:00	57. America's Funniest Home Videos 4.7/10	68. JAG 3.8/8	47. Dateline NBC 5.2/11	89. Dark Angel 2.3/5	114. Weakest Link 0.6/1	97. UPN's Movie Friday—High School High 1.5/3	99. Sabrina/Witch 1.4/3
8:30							99. Raising Dad 1.4/3
9:00	39. America's Funniest Home Videos 6.0/11	67. First Monday 3.9/7	29. NBA Playoffs—Sacramento Kings vs. L.A. Lakers 6.7/13	92. The X-Files 2.0/4	113. Encounters With the Unexplained 0.7/1		90. Reba 2.2/4
9:30							95. Maybe It's Me 1.8/4
10:00	34. 20/20 6.4/12	48. 48 Hours 5.1/10			103. Diagnosis Murder 1.2/2		
10:30							
SATURDAY	5.1/11	3.6/8	2.9/6	4.5/10	0.8/2	KEY: RANKING/SHOW TITLE/PROGRAM RATING/SHARE • TOP TEN SHOWS OF THE WEEK ARE NUMBERED IN RED • TV UNIVERSE ESTIMATED AT 105.5 MILLION HOUSEHOLDS: ONE RATINGS POINT IS EQUAL TO 1,055,000 TV HOMES • YELLOW TINT IS WINNER OF TIME SLOT • (NR)=NOT RANKED; RATING/SHARE ESTIMATED FOR PERIOD SHOWN • *PREMIERE • PROGRAMS LESS THAN 15 MINUTES IN LENGTH NOT SHOWN • S-T-D = SEASON TO DATE • SOURCES: NIELSEN MEDIA RESEARCH, CBS RESEARCH	
8:00		73. Touched by an Angel 3.4/8	92. America's Heroes 2.0/4	70. Cops 3.6/8	109. Diagnosis Murder 0.8/2		
8:30				60. Cops 4.3/9			
9:00	48. ABC Saturday Night Movie—Enemy of the State 5.1/11	79. Rockin' for the USA! 3.1/6	62. NBC Saturday Night Movie—My Fellow Americans 3.1/6	48. AMW: America Fights Back 5.1/10	109. PAX Big Event—An Unexpected Family 0.8/2		
9:30							
10:00		59. The District 4.5/9					
10:30							
SUNDAY	2.5/5	4.7/9	6.9/14	3/11	0.8/2		2.1/4
7:00		20. 60 Minutes 7.5/17	28. NBA Playoffs—Sacramento Kings vs. L.A. Lakers 6.8/16		119. Candid Camera 0.4/1		
7:30	87. Wonderful World of Disney—Switching Goals 2.5/5	64. The Education of Max Bickford 4.0/8	62. Weakest Link 4.2/8	48. Fox NASCAR Winston Cup: Coca-Cola 600 5.1/11			91. Flix From the Frog—Selena 2.1/4
8:00							
8:30					107. Ooc 0.9/2		
9:00	87. Alias 2.5/5		37. Law & Order: Criminal Intent 6.2/11				
9:30							
10:00	82. The Practice 2.7/5	70. CBS Sunday Movie—Nicholas' Gift 3.6/7	17. Law & Order 7.8/14		109. Touched by an Angel 0.8/2		
10:30							
AVERAGES	5.3/10	6.8/12	6.8/12	5.0/9	0.9/2	2.8/5	2.6/5
5-10	6.3/10	8.1/13	8.8/14	5.7/9	0.9/1	2.7/4	2.5/4

Syndication Watch

MAY 13-19 *Syndicated programming ratings according to Nielsen Media Research*

TOP 25 SHOWS

Rank/Program	HH	AA	HH	GAA
1 Wheel of Fortune	8.7	NA	NA	NA
2 Jeopardy	7.6	NA	NA	NA
3 Friends	7.3	8.8		
4 Seinfeld	6.2	6.8		
5 Everybody Loves Raymond	5.9	6.6		
6 Judge Judy	5.8	8.5		
7 Entertainment Tonight	5.6	5.7		
7 Oprah Winfrey Show	5.6	5.7		
9 Seinfeld (wknd)	5.0	5.6		
10 Entertainment Tonight (wknd)	3.8	3.9		
11 Wheel of Fortune (wknd)	3.7	NA		
12 Live With Regis & Kelly	3.5	NA		
12 Judge Joe Brown	3.5	4.7		
14 Frasier	3.4	3.6		
15 Maury	3.3	3.6		
15 Friends (wknd)	3.3	3.5		
17 King of the Hill	3.2	3.6		
18 Inside Edition	3.1	3.1		
19 Everybody Loves Raymond (wknd)	2.9	NA		
20 The X-Files	2.8	3.0		
20 Montel Williams Show	2.8	2.8		
22 Divorce Court	2.7	3.4		
22 Jerry Springer	2.7	3.0		
24 Cops	2.6	3.4		
24 Andromeda	2.6	2.8		
24 Stargate SG-1	2.6	2.7		
24 Rosie O'Donnell Show	2.6	2.6		

TOP COURT SHOWS

Rank/Program	HH	AA	HH	GAA
1 Judge Judy	5.8	8.5		
2 Judge Joe Brown	3.5	4.7		
3 Divorce Court	2.7	3.4		
4 Judge Mathis	2.3	3.8		
5 Texas Justice	2.2	2.9		

According to Nielsen Media Research Syndication Service Ranking Report May 13-19, 2002
HH/AA = Average Audience Rating (households)
HH/GAA = Gross Aggregate Average
One Nielsen rating = 1,008,000 households, which represents 1% of the 100.8 million TV Households in the United States
NA = not available

Good Day growing

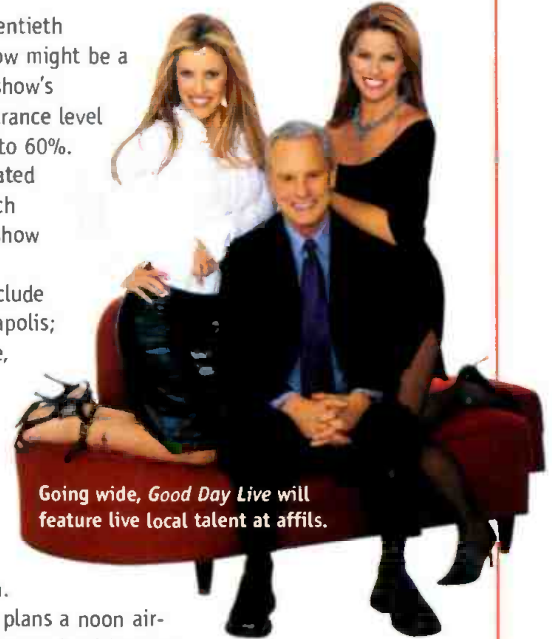
If you're thinking about picking up Twentieth Television's *Good Day Live* talk strip, now might be a good time to keep a close eye on the show's ratings: Starting today, the show's clearance level expands from 15% of U.S. households to 60%. That includes the Fox owned-and-operated stations in New York and Chicago, which join KTTV(TV) Los Angeles, where the show originates.

Previously undisclosed clearances include WPGH-TV Pittsburgh; WTTV(TV) Indianapolis; KUSI-TV San Diego; WZTV(TV) Nashville, Tenn.; WSTR-TV Cincinnati; WTTE(TV) Columbus, Ohio; WDRB(TV) Louisville, Ky.; KLRT(TV) Little Rock, Ark.; and WXXX-TV Albany, N.Y.

Viacom-owned KPIX-TV San Francisco has scheduled the show for 3 p.m.; UPN affiliate KMAX-TV Sacramento, Calif., will air it at 10 a.m. Fox-affiliate WCCB(TV) Charlotte, N.C., plans a noon airing. In addition to the 12 Fox O&Os previously airing the show, 13 more stations in the group are scheduled to begin airing it today.

In May, the ratings for the show in Los Angeles went through the roof, climbing 90% compared with April, reports executive producer Lisa Kridos, who adds that the show will take advantage of its far wider distribution to tweak the format. New in the mix will be an ongoing series of live shots that will feature local talent at affiliates clearing the show. New York opens up all sorts of opportunities. Live shots from several soap-opera sets and Broadway shows are scheduled. But it's not just the O&Os that will get a piece of that live-shot action: The show plans two live shots from San Francisco with KPIX next week.

"As we expand nationally, we just want to open up the show a little bit," says Kridos. "The basic core of the show doesn't change." The core format is an entertainment magazine with unpredictable co-hosts: Steve Edwards, Dorothy Lucey and Jillian Barberie.
 —Steve McClellan



Going wide, *Good Day Live* will feature live local talent at affils.

HATCHETT RULES ORLANDO!

JUDGE HATCHETT Scores BIG on WFTV During the Month of May!

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+33% vs Year ago!



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Source: NSI, WRAP Overnights, Orlando, come, 9A & 9:30A tp, M-F (5/20/02-5/24/02) vs May '01 Sweep

StationBreak

BY DAN TRIGOBOFF

NO BROTHERLY LOVE?

KYW-TV Philadelphia reporter Beverly Williams is suing the station, charging race, sex and age discrimination. Williams first raised the issues before the EEOC and Pennsylvania Human Relations Commission a few years ago, and, since they're unresolved by the agencies, she has now taken them to court.

The CBS-owned station in the No. 4 market denies any wrongdoing and has said it will vigorously defend itself. Typically, stations cite market research, job performance and change in direction behind on-air changes, and the ratings-troubled KYW-TV has made many on-air changes over the years. Williams, an African-American, contends that she has invariably been replaced at various positions by someone of another race or gender and/or by someone younger.

VOWS AT 11

WHO-TV Des Moines, Iowa, anchor Bobbi Silvernail is apparently going into her June 16 wedding with a media strategy. In a memorable article in the *Des Moines Register*, she and her husband-to-be, plastic surgeon Ronald Bergman, left little for local speculation—albeit a great deal for gossip.

"If you just put it out on the table, there is less to talk about," Silvernail told the local paper. "If they have to find out something themselves, they're more likely to talk about it."

The couple detailed their difference in age—he's 53,



she's 28—and in wealth, the size of her engagement ring and how they met: Bergman did Silvernail's breast-enhancement operation.

Station management appeared surprised by the interview when contacted by B&C, although WHO-TV has taken a somewhat progressive stance in the past. Silvernail's station Website bio noted, for instance, that "Bobbi lives with her fiancé, Dr. Ronald Bergman, in Des Moines" and listed the wedding date. By week's end, however, that changed to "Bobbi plans to marry her fiancé, Dr. Ronald Bergman, in June."

DROPPING OPRAH

Gannett-owned WFMY-TV Greensboro, N.C., outbid Hearst-Argyle-owned WXII-TV Winston-Salem, N.C., for the final two years of *The Oprah Winfrey Show*, but

WFMY-TV last week exited the deal, and WXII-TV instead will begin its run of the show Sept. 2. WFMY-TV, which has carried *Oprah* for several years, said the decision was a change in strategy but would not comment on whether economics were a factor.

WXII-TV GM Hank Price commented, "Obviously, *Oprah* was worth more to us than to WFMY, and that's why we have it."

MOVING UPSTATE

Veteran broadcaster Dick Lobo will take over this week as president and CEO of PBS station WEDU(TV) Tampa, Fla. Lobo is best known for his 23 years with NBC, most recently as president and GM of WTVJ(TV) Miami—where he began his career as a reporter/photographer. He has also worked in management at NBC's WMAQ-TV Chicago

and WNBC(TV) New York and is a former director of the U.S. Information Agency's Office of Cuba Broadcasting.

OHIO ANCHOR SUES

Longtime Columbus, Ohio, anchorman Pete Scovill is suing his former employers WSYX(TV) and WTTE(TV), charging age discrimination and harassment. Scovill, 56, claims that, after he was rejected as a candidate for news director—in favor of the younger David Silverstein—Silverstein harassed him to get him to leave the station. Scovill left in February, reportedly on medical leave. Silverstein could not be reached for comment.

D.C. DECISION

WJLA-TV Washington, which brought back former WUSA(TV) Washington news star Maureen Bunyan a few years ago, is looking for a co-anchor. Kathleen Matthews has been co-anchoring temporarily, but the station wants a permanent replacement. Ren Scott, a reporter/anchor for CBS-owned KYW-TV Philadelphia, is said to be a contender. The Allbritton-owned station, which is combining facilities this summer with co-owned Newschannel 8, wants to fill the spot by fall, sources said, and will launch a large-scale promotional campaign touting its revamped anchor desk.

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

Focus Indianapolis

THE MARKET

DMA rank	25
Population	2,603,000
TV homes	1,013,000
Income per capita	\$19,108
TV revenue rank	25
TV revenue	\$186,100,000

COMMERCIAL TV STATIONS

Rank*	Ch.	Affil.	Owner
1	WTHR(TV)	13 NBC	Dispatch
2	WISH-TV	8 CBS	LIN
3	WRTV(TV)	6 ABC	McGraw-Hill
4	WXIN(TV)	59 Fox	Tribune
5	WTTV(TV)	4 WB	Tribune
6	WNDY-TV	23 UPN	CBS
7	WIPX(TV)	63 PAX	Paxson

*November 2001, total households, 6 a.m.-2 a.m., Sun.-Sat.

CABLE/DBS

Cable subscribers (HH)	66,858
Cable penetration	66%
ADS subscribers (HH)**	182,340
ADS penetration	18%
DBS carriage of local TV?	Yes

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

WHAT'S NO. 1

Syndicated show	Rating/Share***
<i>Jeopardy</i> (WISH-TV)	11.9/21
Network show	
<i>ER</i> (WTHR)	23.5/37
Evening newscast	
WTHR	7.8/16
Late newscast	
WTHR	10/21

***November 2001, total households
Sources: Nielsen Media Research, BIA Research

The Indianapolis market declined only 8% in 2001 and expects ad revenues to return to nearly \$200 million next year.



A well-kept secret

Indianapolis, say local TV executives, is a market coming into its own. After underperforming for years, it now ranks No. 25 in both population and revenue.

"It's a consistent market," says Richard Pegram, GM at NBC affiliate and top-rated WTHR. "Financial advertising has been active; health care is poised for enormous growth. Internet advertising will come back, although we didn't have as far to fall." The market's drop in 2001 from 2000 was about 8%, well under that of other large markets. Market-wide ad revenues will likely be close to \$200 million again by next year.

"Indianapolis is America's best-kept secret," says an enthusiastic Scott Blumenthal, GM at CBS affiliate WISH-TV. "It's a wonderfully progressive city." The station boasts among its assets the nation's senior news director: Next year, Jane Pauley mentor Lee Giles will mark 35 years in the job (40 total at the station).

WRTV GM Don Lundy concurs: "It's got good people, and it's a lot more of a big city than people realize—with good restaurants, good entertainment and great museums." It's a city that is upgrading its image also to make itself a destination for visitors. "The city is embarking on a huge, new advertising campaign," says Pegram, "to try to promote our local attractions."

Despite losing several corporate home offices via local-company acquisitions, Blumenthal says, "it's a growth market. Home Depot just entered with multiple stores. That's always a good sign."

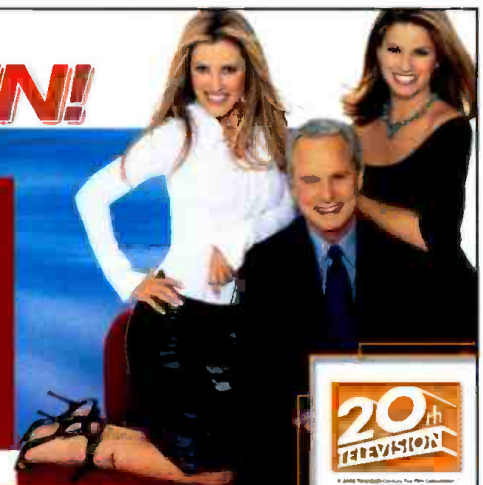
The TV scene will change soon with a new duopoly. Tribune, which owns Fox affiliate WXIN, recently purchased WB affil WTTV from Sinclair. WXIN is among the nation's stronger-performing Fox affils, and the addition of the WB station in a market that tends to favor those younger demographics is likely to make Tribune more of a player there, local executives say.

—Dan Trigoboff

THE QUICK DRAW IN AUSTIN!



Source: NSI Wrao Overights, % Shr Inc. w/o 5/20 vs Feb 02 Sweed. HH Rtg/Shr.



As of Today - Good Day Goes LIVE in 55% of The U.S.!

Changing Hands

Combos

WPEZ-FM Jeffersonville; WDDO(AM), WMAC(AM), WDEN(AM) FM, WAYS-FM and WMKS-FM Macon; and WMGB-FM Montezuma (Macon), Ga.

Price: \$35.5 million

Buyer: Cumulus Broadcasting Inc. (Lewis W. Dickey Jr., president/CEO); owns 248 other stations, none in this market

Seller: US Broadcasting Ltd. (Don McCoy, president)

Facilities: WPEZ-FM: 93.7 MHz, 100 kW, ant. 679 ft.; WDDO(AM): 1240 kHz, 1 kW; WMAC(AM): 940 kHz, 50 kW day, 10 kW night; WDEN-FM: 99.1 MHz, 92 kW, ant. 663 ft.; WDEN(AM): 1500 kHz, 1 kW day; WAYS-FM: 105.5 MHz, 6 kW, ant. 659 ft.; WMKS-FM: 92.3 MHz, 3 kW, ant. 328 ft.; WMGB-FM: 95.1 MHz, 46 kW, ant. 390 ft.

Format: WPEZ-FM: AC/Light Rock; WDDO(AM): Black Gospel; WMAC(AM): News/Talk/Sports; WDEN-FM: Country; WDEN(AM): Country; WAYS-FM: Oldies; WMKS-FM: Classic Hits; WMGB-FM: CHR
Broker: Tom McKinley and George Reed, Media Services Group

KSMX-FM Clovis and KSEL(AM) FM Portales, N.M.

Price: \$1.15 million

Buyer: Rooney Moon Broadcasting (Steve Rooney, president/CEO); no other broadcast interests

Seller: Bergman Broadcasting Co. Inc. (Sandi Bergman, president)

Facilities: KSMX-FM: 107.5 MHz, 100

kW, ant. 560 ft.; KSEL-FM: 95.3 MHz, 6 kW, ant. 299 ft.; KSEL(AM): 1450 kHz, 1 kW

Format: KSMX-FM: Hot AC; KSEL-FM: Country; KSEL(AM): Adult Standards

Broker: Doyle Hadden, Hadden and Assoc. Media Brokers

KVRC(AM) and KDEL-FM Arkadelphia, Ark.

Price: \$400,000

Buyer: Jay Bunyard; owns six other stations, none in this market

Seller: Graham Broadcast Co. (Lloyd E. Graham, president)

Facilities: KVRC(AM): 1240 kHz, 1 kW; KDEL-FM: 100.9 MHz, 3 kW, ant. 95 ft.

Format: KVRC(AM): Country; KDEL-FM: AC

Broker: Wally Tucker, MGMT Services Inc.

FMs

WFRO-FM Fremont, Ohio

Price: \$1.3 million

Buyer: BAS Broadcasting (James A. Lorenzen, president); no other broadcast interests

Seller: Wolfe Broadcast Corp. (Thomas J. Wolfe, vice president)

Facilities: 99.1 MHz, 20 kW, ant. 194 ft.

Format: AC

Broker: Greg Guy, Patrick Communications

WAKJ-FM DeFuniak Springs, Fla.

Price: donation

Buyer: First Baptist Church Inc. (Fred

Lowery, trustee); no other broadcast interests

Seller: Truth Communications (M. Opal Chandler, president)

Facilities: 91.3 MHz, 300 W, ant. 187 ft.

Format: Adult CHR

Comment: Non-profit station will be operated by First Baptist Church Inc.

AMs

KJPN(AM) Waipahu (Honolulu), Hawaii

Price: \$650,000

Buyer: Salem Communications Corp. (Edward G. Atsinger III, president/CEO); owns 82 other stations, including KGU(AM), KHNR(AM), and KAIM(AM) and -FM Honolulu

Seller: International Communications Corp. (Herbert Nishida, president)

Facilities: 940 kHz, 10 kW

Format: Japanese

WLYC(AM) Williamsport, Pa.

Price: \$105,000

Buyer: Williamsport Broadcasting Inc. (Samuel F. Jordan Jr., vice president, operations); no other broadcast interests

Seller: Brown Bear Irrevocable Common Law Trust (Frederick M. Stein, trustee)

Facilities: 1050 kHz, 1 kW day, 36 W night

Format: AC/Oldies

—Information provided by
BIA Financial Networks'
Media Access Pro
Chantilly, Va. www.bia.com

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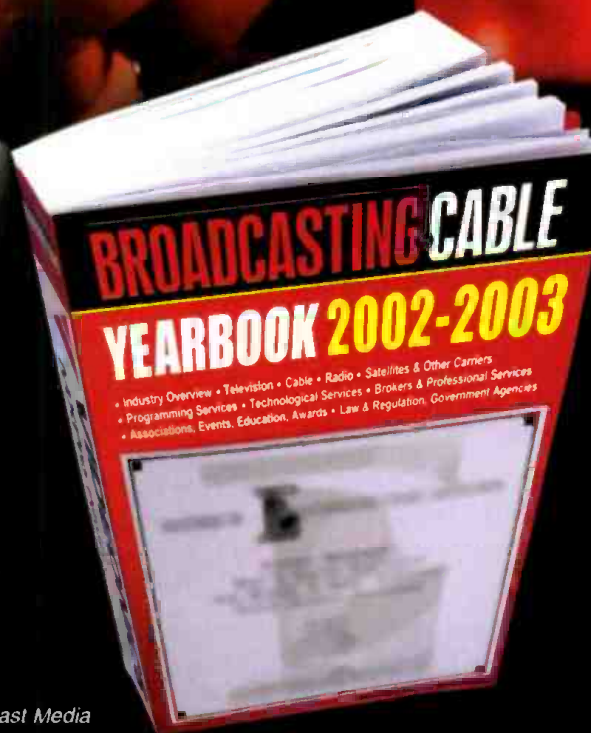
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October 2002

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People F A C E T I M E



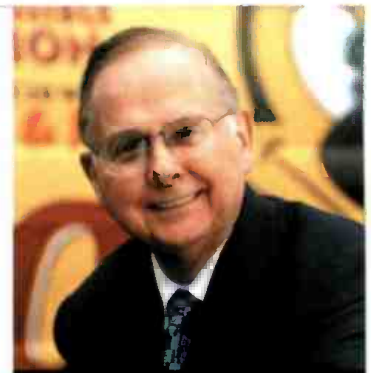
Lawyers or justice?

What's wrong with America's legal system? Plenty, says Court TV's Catherine Crier (above). In *The Case Against Lawyers*, due out this October from Broadway Books, the lawyer-turned-anchorwoman argues that the legal system is inherently unfair and unnecessarily complex. "Our great cornerstone of democracy, the rule of law, has become a source of power and influence, not liberty and justice," she writes. "I resent the insidious manipulation by those entrusted with such authority, but even more I despise our deliberate ignorance and passive acceptance of these shackles on the American spirit." Dedicated to Crier's childhood hero, Atticus Finch, the book is her first.



Holy Michelangelo

To promote its "Uncensored" month of programming, arts network Trio hired four modestly attired Davids to hand out copies of the First Amendment at Times Square. Ironically, the arts networks says, the billboard company insisted on a strategically placed black strip over part of the image of the real David on the Trio billboard in the background.



Juvie-crime busting

Having conquered Philadelphia radio with his lone FM, broadcaster Jerry Lee (above) spends most of his time these days trying to conquer inner-city crime. And his principal means is the Jerry Lee Center, the criminology school at the University of Pennsylvania, to which he has pledged the bulk of his estate and to which the Jerry Lee Foundation is contributing \$5 million. Ask Lee what the center is up to, and you'll get a long list of projects. Just last week, he says, the state of Pennsylvania granted the center \$1 million to figure out how to keep juveniles out of trouble. Lee's mission is to evaluate anti-crime programs and to spread the news about the ones that work. For help in the latter effort, he says, he will be calling on other broadcasters. "We are making a difference; we really are."

MEDIA BIZ QUIZ

1. Asked in 1999 to comment on concerns about Adelphia's related-party transactions, then Chairman and CEO John Rigas said:

- A) "Hey, the company has got to buy its hockey tickets somewhere."
- B) "The way to stay out of trouble is to be as candid as you can. Light is the best disinfectant."
- C) "When we went public ... I wasn't comfortable with the exposure to the public."

D) "Trust me."

2. Ex-Playboy model Anna Nicole Smith, whom E! will feature in an *Osbornes*-like show, told Larry King she doesn't date much because:

- A) she's stuck at home and nobody knows her.
- B) she's afraid she'll fall for some guy who is really after her money.
- C) the camera crew might get jealous.
- D) like the typical adoles-



Has the world forgotten Anna Nicole Smith?

cent late-night E! viewer, she would rather watch.

3. Tom Brokaw took an extended vacation last summer from the *NBC Nightly News* so he could:

- A) figure out how to extend his tenure as anchor of the evening newscast to about the time NBC decides to drop it.
- B) work on making his

next vacation permanent. C) calculate the maximum time he could keep his job without Brian Williams's getting really annoyed. D) reflect on how Manhattan beats South Dakota in just about every way you can think of.



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Answers: 1) C; 2) A; 3) B

F A T E S & F O R T U N E S

Broadcast TV

Klarn De Palma, local sales manager, WFSB(TV) Hartford, Conn., promoted to general sales manager.

Greg Rando, senior promotion producer, WBAL-TV Baltimore, promoted to assistant promotions manager.

Cable TV

Paul E. Martin, VP/controller, Charter Communications Inc., St. Louis, promoted to senior VP/corporate controller.

Programming

Beth Wolfe, executive VP, corporate services, PBS, Alexandria, Va., leaves the company for family reasons.

At FX, Los Angeles: **Nicholas Grad**, VP, comedy development, Columbia TriStar Television, Los Angeles, joins as VP, series development; **Matthew Cherniss**, director, current programming, Fox Network, Los Angeles, joins as director, development.

Vera Buzanello, regional director, affiliate sales & relations for Discovery Networks Latin America/Iberia, Miami, promoted to VP.

Tooper Taylor, president, Nelvana Communications, Los Angeles, adds president, international distribution, marketing and consumer products, Nelvana Ltd., to his duties.

At A. Smith & Co., Santa Monica, Calif.: **Greg Hampson**, producer, Lynch Entertainment, Los Angeles, joins as VP, production; **David Green**, producer, Media Revolution, Los Angeles, joins as director, development.

Stephanie Eno, manager, programming, Fine Living, Los Angeles, promoted to director.

Robert Guralnick, consultant, Warner Bros., Los Angeles, named president, production, motion pictures, Mosaic Media Group, Los Angeles.

Marc Jansen, independent producer/creative consultant, Los Angeles, named worldwide creative consultant, The Gurin Co., Studio City, Los Angeles.

Radio

Jack Shaum, reporter/news anchor, WBAL(AM) Baltimore, retired on May 31. He will be a reporter for *The Bay Times*, Kent Island, Md.

Journalism

At ABC News, New York: **John Arrowsmith**, senior operations producer, *World News Tonight*, named senior operations producer, ABC News; **Elizabeth Gadd**, production executive, *World News Tonight*, named executive director, news production and operations.

Doug Ballin, director, affiliate relations, CNN Newsource, Atlanta, promoted to VP.

Jeff Blum, director, programming and operations, Metro Traffic & Weather, New York, promoted to GM.

Casey Clark, executive producer, news operation, WBNS-TV Columbus, Ohio, joins KYW-TV Philadelphia, as 11 p.m. executive producer.

Kelley Barr, Waco, Texas, bureau chief, KCEN-TV Temple, Texas, adds anchor,

Texas Today Weekend, to her duties.

Advertising/Marketing/PR

John Gaffney, managing partner, Arnold Worldwide, Boston, appointed COO, Media Planning Group USA, Boston.

Associations/Law Firms

Lori Holy, attorney, National Association of Broadcasters, Washington, joins the Federal Communications Commis-

sion, Washington, as attorney/adviser, legislative affairs.

Technology

Jeff DeLazaro, director, worldwide sales, Zolo Technologies, Louisville, Co., joins Cedar Point Communications, Denver, as VP, sales, Western region.

P. Llanor Alleyne
palleyne@cabnrs.com
212-337-7141

Obituary

Martin F. "Marty" Killeen, veteran television producer, died May 8 after a lengthy battle with lung cancer. He was 60.

Killeen was born Dec. 9, 1941, in the Bronx, N.Y., and received a BFA from Syracuse University. After college, he worked for the *New York Daily News* as a police-beat reporter. In 1967, he moved to Chicago, where he helped convert WBBM(AM) to an all-news station. CBS Radio took notice and brought Killeen back to New York to coordinate its newsgathering efforts. After a brief stint writing for the CBS Television Stations Division, he returned to Chicago and WBBM-TV, where he became producer of a weekly half-hour magazine series, *Two on Two*, hosted by Bill Kurtis and Walter Jacobsen.

In 1975, Killeen he joined the staff of public station WTTW(TV) Chicago, becoming a public-affairs and documentary writer and producer. It was there that he won The George Foster Peabody award for his story *Miles to Go Before We Sleep*, which focused on the effects of mandatory retirement. In 1980, he became a producer for *Walter Cronkite's Universe*, a science series that also won a Peabody award.

In 1982, Killeen moved to Atlanta to join the TBS Productions unit of Turner Broadcasting System. He earned a third Peabody, for the series *Portrait of America*, on which he was executive editor and senior producer.

In the 1990s, Killeen lived in San Francisco, editing TBS television projects and working as a freelance documentary producer. In 1996, he joined the staff of Ward Television in Washington as primary producer of geo-political profiles of Turkey and India.

Killeen is survived by his wife, Mary; two daughters, Ashlinn and Brenna; his mother, Sally C. Killeen; and a sister and two brothers. In lieu of flowers, contributions can be made in the name of Martin Killeen to the Madeira School Scholarship Fund, McLean, Va.

T H E F I F T H E S T A T E R

NASCAR 'consigliere'

Brooks manages the hottest sports package on television

Last June, executives at Fox Network had a clever idea for coverage of a NASCAR exhibition at Daytona. It opened with a computer-generated animation of the cars racing that day, cars usually encrusted with the logos of their various sponsors. Fox's sequence, however, featured only certain logos: those of companies that had bought TV commercials on the network.

That meant a big headache for Paul Brooks, vice president of broadcasting for NASCAR. A big part of his job is to manage the delicate balance among the TV networks paying huge rights fees, track owners holding races, and drivers who are part athlete/part independent contractors. On that day, the balance was out of whack.

It didn't stay that way. NASCAR protested, and chagrined Fox executives promised there would be no repeat.

Just another day of managing the hottest sports package on TV. Working as what Fox Sports Chairman David Hill calls "consigliere" to NASCAR Chairman Bill France Jr., Brooks helped shepherd

NASCAR to its current \$2.4 billion TV-rights deal, an average four times the revenue of prior deals. Previously, some track owners had individually licensed TV rights to races they promoted. NASCAR's France family persuaded track owners—many France-family partners—to pool TV rights and sell them to fewer networks.

Fox and its cable siblings get half the 34-race season; NBC and Turner Broadcasting are teamed for the other half. NASCAR will collect dramatically more than the \$100 million generated yearly by an old package fragmented across ABC, NBC, ESPN, TBS and TNN.

Managing the package is Brooks's job. Based in Los Angeles rather than NASCAR's

Daytona Beach, Fla., headquarters, he's responsible for all the group's media deals, including the recent VOD package with cable distributor InDemand and a streaming-media deal with Turner and RealNetworks.

Like NASCAR, which grew from a Southern dirt-track circuit into the nation's second-ranked sports "league," Brooks took an unusual path. Reared in Lynchburg, Va., he never went to college, opting instead to be a paramedic. After two years as a volunteer, he got the certifications for a full-time job with the local fire department, chasing fires, car accidents, heart attacks and the usual assortment of medical mayhem. The workload could involve 12 to 16 calls per 24-hour shift.



Paul Brooks
Vice President,
Broadcasting, NASCAR; Vice
President, NASCAR Digital
Entertainment

B. May 8, 1965; graduated E.C. Glass High School, Lynchburg, Va., 1983; volunteer EMT and cardiac technician, Campbell County (Va.) Rescue Squad, 1982-84; nationally registered paramedic, Lynchburg Fire Dept., 1984-89; marketing and sales, Race Management Group and Bobby Hillin Racing, 1989; manager of special projects, Griggs Publishing Co., 1990; marketing services coordinator, 1993, manager of special projects, 1994, director of special projects/publishing, 1995, senior director, special projects worldwide, 1998, VP, office of the president, 1998, NASCAR; current position since October 2000; m. Kelly, April 7, 2001

Then, seeking to get involved in business, Brooks moved to Charlotte, N.C., considering be-

coming a financial planner for an uncle's small firm. Charlotte is the heart of American car racing, and the wife of racer Bobby Hillin worked for his uncle. Hillin needed help landing new sponsors, so Brooks signed on.

"It was a lot of calling on companies cold," Brooks says. "At that time, he was fairly prominent. He wasn't a superstar but was competitive week in and week out."

Brooks didn't meet with much success but gained important exposure to the racing culture and friends in the pits. He landed a job as special projects manager for a publisher of racing magazines.

After three years, it led him to Bill France's son, Brian, who was about to take over marketing for NASCAR. In 1993, Brooks moved to NASCAR as a marketing services coordinator, attending two dozen or so races a year and working with sponsors to ensure everything went right—from making sure winning drivers wore correct-logo caps in the victory lane to lining up garage tours.

That led up the marketing ladder to the president's office and, when the new TV deal came, to head of broadcasting.

Brooks looks back on his days on a paramedic rig to put life in perspective.

"When you've seen death and destruction and babies being born," he says, "whatever problem I run into today isn't going to be that huge a deal in the great scheme of things." —John M. Higgins



Jamie Kellner



Jeff Zucker



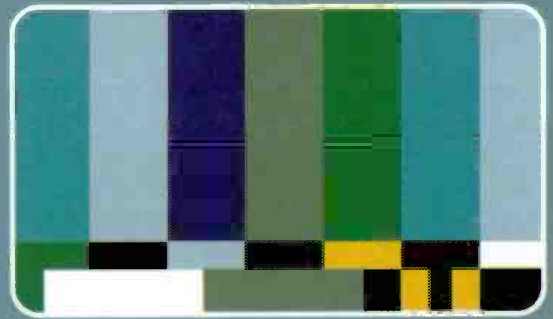
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PUBLIC NOTICE

Meetings of the Public Broadcasting Service Board of Directors and its committees will take place at the San Francisco Hilton Hotel, 333 O'Farrell Street, San Francisco, California on June 22-23, 2002. Schedule and tentative agenda for each meeting follows: Membership Committee, 4:00 p.m., June 22, program differentiation plan, membership policies, and other business. Investment Subcommittee, in executive session, 8:00 a.m., June 23, investment report and other business. Business Committee, in executive session, 9:45 a.m., June 23, PBS Businesses financial report, sponsorship, new initiatives and other business. Education Committee, 9:45 a.m., June 23, education services and other business. Finance, Budget and Audit Committee, in executive session, 11:30 a.m., June 23, finance delegations, FY 2003 budget, audit plan, investment and business committee reports, and other business. Board of Directors, 1:45 p.m., June 23, reports from management and board committees on compensation, nominating, national policy, DBS, cable, programming policy, finance, membership, education, and technology and distribution matters; general counsel's report; FY 2003 budget; appointment of corporate officers; and other business.

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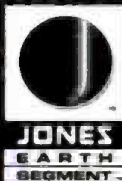
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Editorials

COMMITTED TO THE FIRST AMENDMENT

Broadband grandstanding?

Senator Joe Lieberman may be mightily exercised over the pace of the broadband rollout, but we think it equally as likely that, in releasing his broadband white paper last week, he was trying to curry favor with the high-tech industry and make the Bush administration look like a bunch of slackers. He gave the Bush policymakers six months to come up with a comprehensive plan for accelerating the rollout. There was no "or else" attached, but his challenge is probably only for show anyway. Well, not all show. Lieberman is earnest about wanting to regulate Internet content, and his proposed bill would give him another opportunity to do that. That's reason not to like the bill right there, but we'll wait until its official unveiling this week before suggesting its roundfile readiness.

It was hardly coincidental that Lieberman chose a crowd composed of California high-tech executives/lobbyists (TechNet) as a cheering section, or that his report on the state of broadband deployment shared several salient points with one released in January by that same group. Whatever the motivation, we have to agree with a Commerce Department official who saw little new in the proposals. The paper essentially says there are a lot of complicated issues yet to be resolved and that they need to be resolved. We doubt anyone disagrees. But that point could be made in a sentence, passed unanimously and inserted into the *Congressional Record* between salutes to Wisconsin cheese and Idaho potatoes.

We must add, however, that we were impressed with the marketplace talk coming out of the senator. "The public sector cannot and should not manage this effort," he preached to the high-tech business choir. "Our future will fortunately be in the hands of thousands of individual innovators like so many of you here today." We're glad to have on record such a public statement supporting a marketplace approach to the proliferation of communications services. Let's read that statement into the record, too.

Another First Amendment hit

Senator John McCain is trying to force broadcasters to provide free airtime to candidates. No similar effort will be aimed at newspapers, of course, because they are shielded by the First Amendment. Broadcasters are the ones with the deep pockets and the chinks in their government-issue First Amendment armor. McCain is introducing his new bill June 19, but this has been coming since the Torricelli amendment, which attempted to mandate deep discounts for campaign ads, was jettisoned from the campaign-reform bill in January. That bill already has broadcast ad restrictions that raise troubling speech issues, enough so that the ACLU has joined in opposition to it. The electronic media should not be singled out to subsidize politicians, particularly when it is at the cost of further reductions in their First Amendment status.

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