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OCTOBER 7, 2002

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BROADCASTING EISNER'S NEW MOUSE HOUSE



In a novel move, Disney's Michael Eisner puts cable outlets and

ABC under the same management

» PAGE 6

FCC DEREG IS GREAT! AGREED?

Watchdogs charge FCC's independent studies of deregulation were guided by the commission

» PAGE 10

PROGRAMMING BEEN DOWN SO LONG...

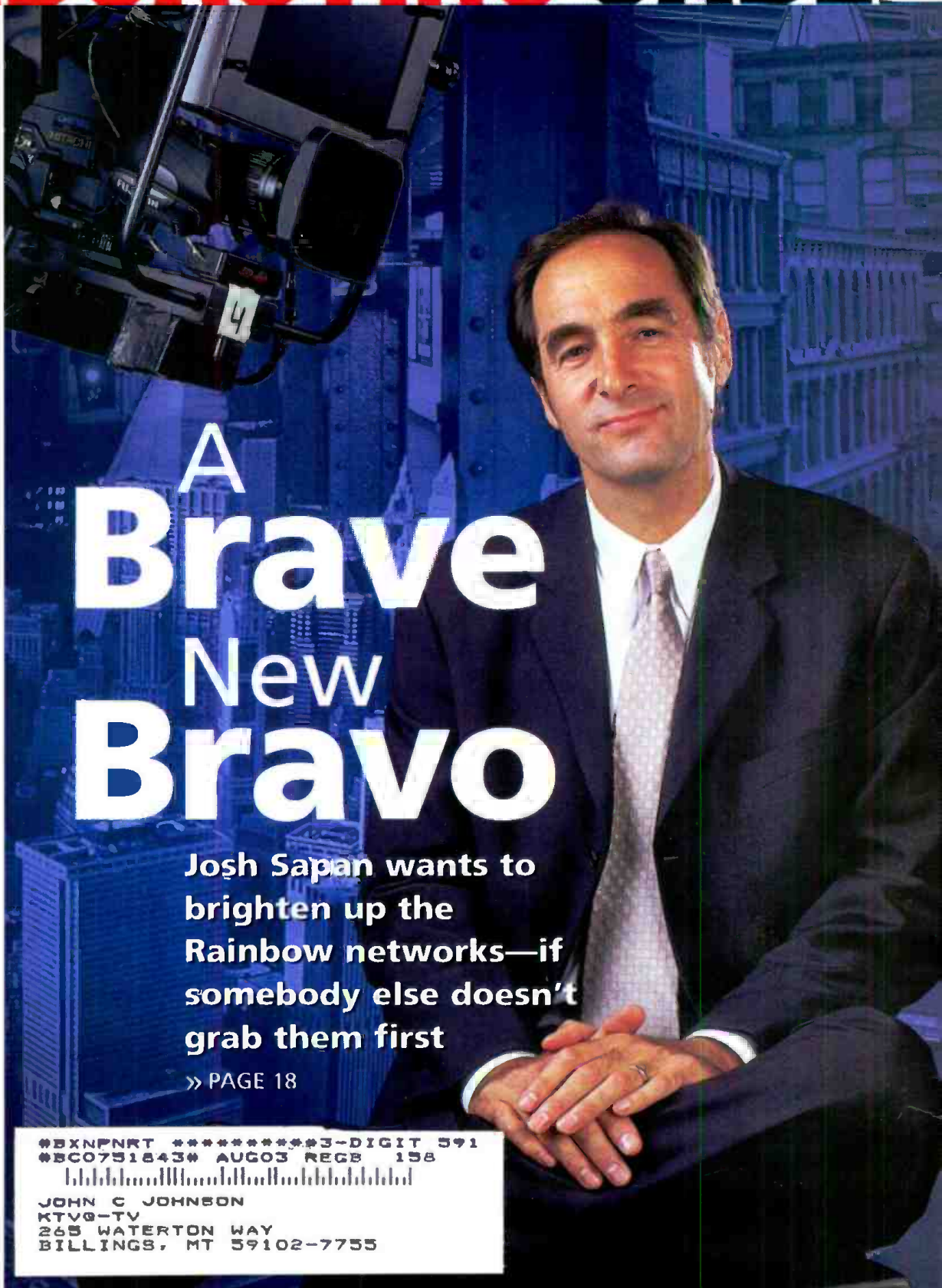
...looks like up to ABC. Early in the season, ratings are still in the dumps, but Tuesdays give hope

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TECHNOLOGY KEEP IT MOVING

Digital Fountain's new transporter aims to speed the transfer of large files without more bandwidth

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A Brave New Bravo

Josh Sapan wants to brighten up the Rainbow networks—if somebody else doesn't grab them first

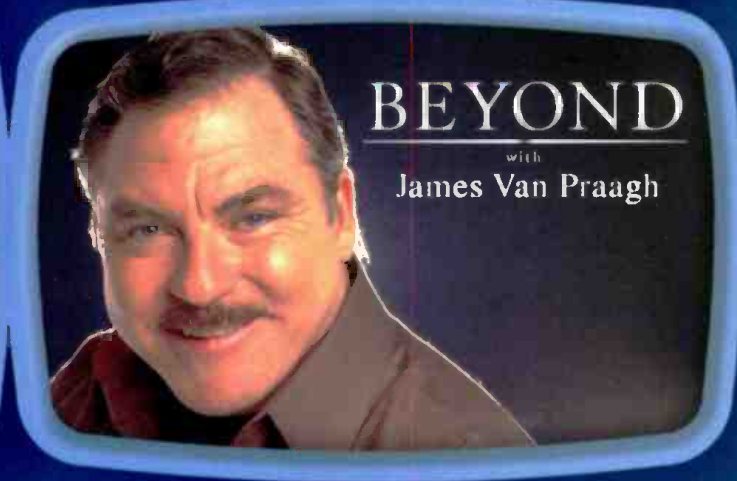
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* SOURCE: '02 Beta Research Cable Subscriber Interest Study; Rankings among mid-sized networks: #1 Among A18-34; #1 Among A18-49; #1 Among Men.

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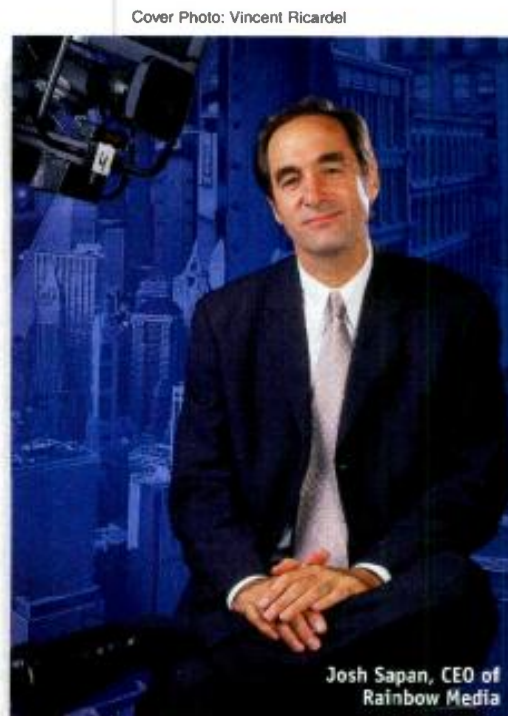
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Cover Photo: Vincent Ricardel

Josh Sapan, CEO of Rainbow Media

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OWNERSHIP RULES

Keep the wine on ice

Foes of deregulation were not the only ones miffed at the FCC's generally merger-friendly ownership studies last week (see story, page 10). Some communications attorneys are bemoaning the deadlines for comments and replies. With those attorneys likely having to burn the midnight oil to put the finishing touches on their arguments, particularly given the stakes involved, the Dec. 2 comment deadline—the Monday after Thanksgiving—and the Jan. 2 reply deadline could mean a harried holiday season. "That's sadistic," said one unhappy camper. The FCC says it is sticking with the dates, which are 60 and 90 days after the studies came out and just happened to fall where they did.—J.E.



BC EYE

Behind the scenes, before the fact

DIGITAL TELEVISION

Shhh...it's in HD

The availability of a program in HD used to be big news, worthy of press releases and excitement, but it looks like the networks are beginning to "soft-launch" HD programming. HBO decided that next year's season of *Six Feet Under* (below) will be in HDTV, but don't look for it to make a big deal over it. And that came less than a week after NBC began broadcasting *ER* in HDTV in a launch so soft that stations learned about it from a memo the morning of the broadcast. Even NBC executives couldn't confirm the next day that the broadcast was in HD, although station executives could.—K.K.



CABLE OPS

Churn at Charter

So, will Paul Allen (above) save Charter? Investors pounded the cable company's stock to an all-time low of \$1.41 per share after the company cautioned last Wednesday that the third quarter wouldn't come in quite as planned. (Cash-flow growth is 0.7 points short of the 13.7% promised. Horrors.) Then, on Friday, the Street was furiously buzzing that CEO Carl Vogel had resigned. (Not true.) That then shifted to rumors that CFO Kent Kalkwarf had resigned. (Not true.) Now everyone is waiting for the outcome of a meeting between Vogel and Charter mega-billionaire Chairman Allen this week in Seattle. The long-scheduled meeting will have a new topic: Is Allen going to do anything more than tease investors that he might throw new money Charter's way?—J.M.H.

DIGITAL TICKER

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Newest digital stations

WACX-DT	Leesburg, Fla. (Rel.)
KPXF-DT	Porterville, Calif. (Pax)
KEYE-DT	Austin, Texas (CBS)
KCNS-DT	San Francisco (SAH)
KFDM-DT	Beaumont, Texas (CBS)
KAIL-DT	Fresno, Calif. (UPN)
KCEN-DT	Temple, Texas (NBC)
KFTV-DT	Hanford, Calif. (Uni.)
KMAS-DT	Steamboat Sprgs, Colo. (Tel.)
KNVA-DT	Austin, Texas (WB)
KTVL-DT	Medford, Ore. (CBS)
WGBO-DT	Joliet, Ill. (Uni.)
WGCB-DT	Red Lion, Pa. (Ind.)
WKBS-DT	Altoona, Pa. (Rel.)
WRBL-DT	Columbus, Ga. (CBS)
WSBK-DT	Boston (UPN)
WSYM-DT	Lansing, Mich. (Fox)
WUNJ-DT	Wilmington, N.C. (PBS)
WXFT-DT	Aurora, Ill. (Tfa.)

Total DTV stations

510

NETS EYE RINGS

ABC, CBS, NBC and Turner have had meetings in Switzerland with International Olympic Committee officials to discuss the bidding process for the 2010 and 2012 games. Sources say each company



pitched the IOC on how their companies could "further grow and promote the Olympics." IOC officials were also curious how each company planned to integrate

new media into the coverage. Sources say it's likely the rights to the '10 and '12 games will be a package deal. Negotiations start within the next year, but the networks want to wait until at least July 2003, when the venue for the '10 games will be awarded. IOC officials promise a "completely open bidding process," says one network source, where everyone will get a chance to bid. That would contrast with NBC's 2000-'08 preemptive strike. Fox was not present but has held separate meetings with the IOC.—S.M.

FCC stalemate

The agency appears deadlocked on broadcasters' digital cable carriage rights. A few weeks ago, they seemed set on a rulemaking that rejected dual analog/digital carriage during the DTV transition but tentatively concluded that stations are entitled to carriage of all free channels. Sources say the split pits Commissioners Michael Copps and Kevin Martin, who favor full carriage rights, against Michael Powell and Kathleen Abernathy, who oppose any mandate until the constitutionality of such a move is clear.—B.M.

C O N G R A T U L A T I O N S

MICHAEL CHIKLIS



2002 Emmy Award® Winner
Outstanding Lead Actor
In A Drama Series



Eisner touts 'national' duops

Disney chief's turnaround plan couples ABC, cable networks by daypart

By Steve McClellan and Dan Trigoboff

Under pressure to revive the sagging fortunes of ABC, Disney Chairman/CEO Michael Eisner last week unveiled a plan that merges the management of the broadcast network with Disney-owned cable networks—daypart by daypart—and apparently spells the end of ABC as a discreet business.

“Each one of our dayparts at the ABC network will be run horizontally with the same businesses in cable,” Eisner explained at a Goldman Sachs conference in New York.

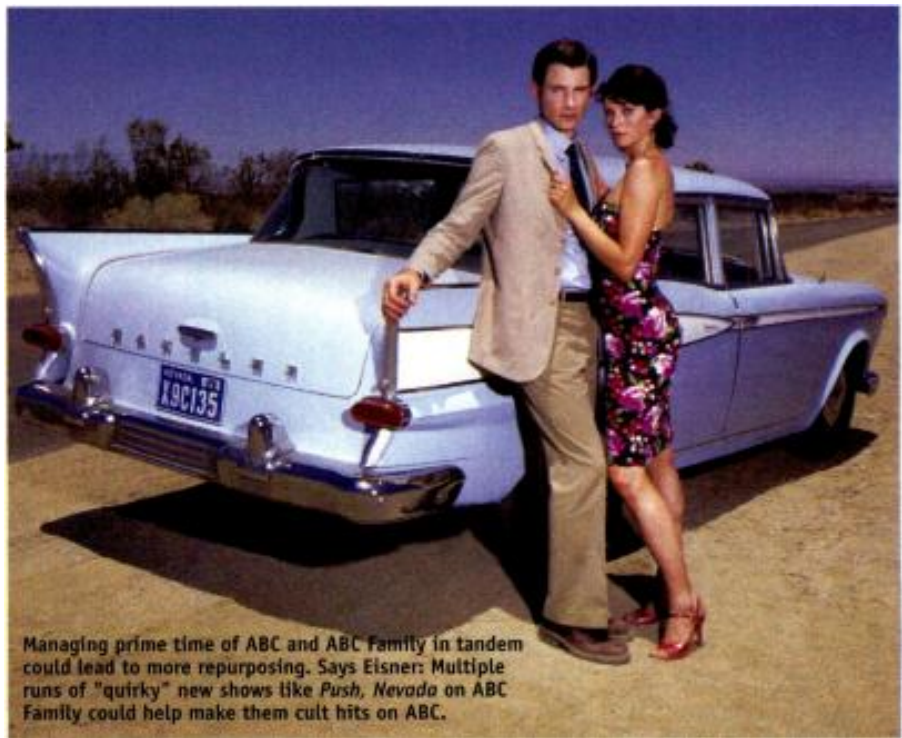
“The people that run The Disney Channel, Toon Disney and Playhouse Disney [Anne Sweeney] will also run ABC broadcast Saturday morning,” he said. “The people that run daytime at ABC [Brian Frons] will run SoapNet, and the people that run the ABC prime time schedule [Susan Lyne and Lloyd Braun] will run ABC Family.”

The new strategy will create “national duopolies,” Eisner said.

The plan is not sitting well with ABC affiliates, whose board just concluded a new two-year affiliation agreement with the network (see box, page 8). The affiliates were also grumbling about Eisner’s comment that, going forward, Disney will focus on promoting two “core brands”: Disney itself and ESPN. And ABC? Well, it’s a brand, but not a core brand.

Eisner was unavailable to elaborate after his speech, but spokeswoman Zenia Mucha later modified his comments. For example, she said, Angela Shapiro, who now runs ABC Family, won’t report to Lyne and Braun, although they will have a close working relationship.

Instead, all three will report to a more



Managing prime time of ABC and ABC Family in tandem could lead to more repurposing. Says Eisner: Multiple runs of “quirky” new shows like *Push, Nevada* on ABC Family could help make them cult hits on ABC.

senior executive, possibly president of the ABC Television Group. Steve Bornstein resigned that post earlier this year. No replacement is imminent, Mucha said.

She stressed that final decisions on which managers will run which dayparts haven’t been made yet. So, even though Eisner said ABC Daytime will run SoapNet, that doesn’t necessarily mean Frons will be running both. What Eisner said “shouldn’t be taken as a literal translation,” Mucha explained. “It’s premature to say who is going to be occupying which chair at this time.”

Eisner’s plan is not as radical as it may sound. In fact, Disney’s “horizontal” merging of the broadcast and cable networks began three years ago with the combination of the ABC Sports and ESPN sales departments. By most accounts, that move has proved a success.

More recently, ABC children’s program-

ming head Jonathan Barzilay began reporting to Disney Cable Networks chief Ann Sweeney. And sources say Sweeney’s own role may be redefined when the horizontal restructuring takes its final shape.

Disney is also looking to couple ABC News with an outside cable outlet. Last week, Eisner not only confirmed the talks with CNN but said Disney would “be thrilled if it happened,” although he also put the chances of a deal at “50-50.”

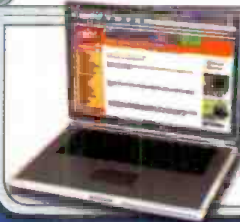
The common management of ABC and ABC Family prime time would likely lead to more repurposing—that is, the quick repeat of ABC sitcoms and dramas on ABC Family. Under its new agreement with ABC affiliates, Disney may repurpose only 25% of its programming. When that deal expires in two years, Disney expects to

ABC’s new fall schedule is showing signs of life ➤ Page 22



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At the conference, Eisner argued that repurposing would strengthen ABC, not weaken it, as many affiliates believe. Take the new show *Push, Nevada* as an example, he said. "There is no way a quirky new kind of show like that can get sampled on Thursday night," up against all the formidable network competition. But give it "multiple plays on ABC Family, and you find ways to bring attention to it like HBO and other cable services bring attention to their product. Then you can bring it back on the network once you start to build a cult following."

But affiliates remained skeptical last week. Reacting to the plan, Post-Newsweek President Alan Frank said, "It worries me. Successful cable networks are those that understand they are niche programmers. Successful broadcast networks

understand they are [mass media]. They are not one and the same."

Scripps' John Lansing shared the concern about the new cross-platform management. "Our company is certainly one

difference between broadcasting and cable.

"A cable network," he explained, "can be successful with a small niche audience, if it can target that audience to a similar advertiser base. The success of a cable network



'Each one of our dayparts at the ABC network will be run horizontally with the same businesses in cable'

—Michael Eisner, Walt Disney Co.

with a lot of experience with both broadcasting and cable properties. They're managed through separate divisions. That doesn't mean we don't look to cooperate with each other and look to promote each other's product, but there's a fundamental

should be tied to a small, specific group of viewers with a small, specific group of advertisers who target those viewers."

Addressing affiliate concerns, Mucha insisted that Disney remains firmly committed to ABC. ■

Still at odds, ABC and affiliates agree on pact

Disney chief Michael Eisner's timing couldn't have been lousier. At the same time he was suggesting to investors and financial analysts in New York last Tuesday that ABC was not one of the company's "core brands" (those would be Disney itself and ESPN), ABC executives and its affiliate board were working hard to wrap up a new affiliate agreement.

Affiliates agreed to pay \$34 million a year to help Disney pay for NFL rights for ESPN and ABC, roughly in line with the annual cash payment under the old agreement. (Under that one, the stations paid \$45 million a year for three years, but the deal covered a fourth year retroactively.)

In the new two-year deal, the repurposing cap remains at 25% of ABC prime time programming. However, Disney warned affiliates it will want to sweeten that in the next deal. Also, Disney's use of ABC to advertise other Disney cable

LET'S MAKE A DEAL

Main points in ABC's new tentative deal with affiliates:

- Affiliates continue to pay \$34 million a year to help ABC/ESPN pay for NFL contract.
- ABC is prohibited from repurposing more than 25% of prime time schedule to cable outlets.
- Disney gets only two ESPN promo spots per hour in ABC Sports programs; it is limited to airing 50 spots a week on ABC promoting co-owned cable network programs, and only 10 of those can mention program day/date/time.
- ABC agrees not to yank affiliation or change terms if an affiliate sells a station.
- Affils continue to give back 10 Saturday-morning ad units in exchange for seven ad units of prime time inventory, one less spot than the stations were given previously.

networks is limited but not prohibited.

The board and the network tried for a four-year pact but were too far apart to work it out.

"Still, we feel the affiliates will be better off with the new network-affiliate plan than without it," said Bruce Baker, chairman of the ABC Board of

Governors.

Said Alex Wallau, president of the ABC Television Network, "We believe this agreement marks a very significant and productive next step in solidifying our ongoing network-affiliate relationship." Affiliates covering 67% of the country have until this Friday to ratify.

Baker, executive vice president of Cox Broadcasting, noted that, for the first time, the agreement addresses the so-called "assignment issue."

In the past, affiliates have charged that the network blocked the sales of affiliated stations by threatening to change the terms of the affiliate contract with the new owner or even to withhold an affiliate contract altogether. Now ABC says it won't pull that stunt.

Despite the tentative deal, affiliates still worried about having their network brand given second-class status by Disney. Affiliates wonder about Disney's commitment to ABC, said Baker: "It's not good. Affiliates have not responded well to this."

Disney spokeswoman Zenia Mucha tried to make amends. "[Fixing ABC] is our top priority," she said, adding that integrating the cable and broadcasting operations is part of the cure. —S.M.



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Source: NHI; 10/1/01 - 9/3/02; Daytime is Monday-Friday 9a - 4p; all ad-supported cable; ratings based on network coverage area; non-children's ad-supported cable excludes networks airing children's programming (Nickelodeon, ABC Family, Cartoon Network and Toon Disney).

Critics: FCC stacks dereg deck

Consumer group vows to scrutinize the agency's internal communications

By Bill McConnell

Critics of media consolidation went on the warpath last week after the FCC released a dozen economic studies painting a generally rosy picture of broadcast consolidation in the past six years—a strong hint that more deregulation is on the way.

“These studies should not be a basis for abandoning broadcast-ownership limits,” said Mark Cooper, research director for the Consumer Federation of America. Any FCC attorney relying on last week’s research to defend new deregulation against court challenges would “get his brain handed to him,” he said, suggesting that the FCC coordinated the conclusions to favor deregulation.

“We intend to get every work paper, draft and back-channel correspondence between the FCC staff and the authors,” said the veteran of hundreds of court battles seeking local-cable Internet-access requirements as well as fighting telephone monopolies’ rates and efforts to get into long distance.

Despite critics’ chest-beating, it’s unclear



Commissioner Michael Copps decries the “bare-bones” nature of the studies and says the FCC should hold field hearings across the country to inform and better gauge public opinion.

whether the FCC’s econometric data and Ph.D.-level calculi will lead to wholesale elimination of remaining ownership restrictions, as Cooper fears, or just to some simple fine-tuning here and there.

A close examination of the FCC’s new data reveals that researchers also found some downside to the sweeping deregulation ushered in by the 1996 Telecommunications Act, and most imply that it’s a toss-up whether further relaxing of broadcast-ownership limits would be in the public interest.

“We have not yet begun to understand the implications,” said Paul Gallant, who coordinated the studies as head of the FCC’s media-ownership task force. “People who feel the outcomes are inaccurate or biased should supply us with better, more compelling analyses.”

FCC Chairman Michael Powell ordered the studies after a string of court rulings beginning in March 2001 found that the FCC’s media-ownership rules were based on conjecture rather than evidence.

Two clear winners in the new findings are newspaper owners Tribune and Belo Corp., which are fighting to eliminate restrictions on newspaper/broadcast combos in the same market. University of Wisconsin-Milwaukee professor David Pritchard’s study of 10 markets where co-ownership was grandfathered following a 1975 ban found that corporate management did not manipulate news coverage or commentary on the 2000 presidential campaign. Others found that stations owned by newspaper companies provide more, as well as higher-rated, news and that ad buyers don’t view newspaper and broadcast as interchangeable—a finding suggesting that cross-owned media won’t dominate the local ad market.

“This shows there is a significant public-interest benefit of broadcast ownership by newspapers,” said John Sturm, president of the Newspaper Association of America.

Other conclusions are less straightforward. Regarding the relaxation of national ownership caps, the studies found that TV-

Dereg study Cliff Notes

Here’s a snapshot look at how the studies come down on some of the deregulatory rules under review:

Rule	What studies say	Favored?
35% cap on TV-household reach	Network O&Os produce most news; elimination of national radio cap led to some homogeneity of programming	Toss-up
Local radio/TV-crossownership limit	Advertisers do not view radio, TV as substitutes	Yes
TV-duopoly limit	Increased concentration can lead to more ad time, improve station finances	Toss-up
Dual-network-ownership restriction	Proliferation of broadcast networks; repeal of ban on network ownership created more diverse but less expensive shows	Toss-up
Ban on local newspaper/broadcast combos	Cross-owned stations offer more, higher-quality news, did not show manipulation of news or commentary in presidential race coverage	Yes
Local radio concentration limits	Increase in local concentration created more-diverse playlists, mixed results in advertising rates	Toss-up

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network O&Os produced more news than affiliates and that radio playlists are more diverse within individual markets. On the other hand, radio program diversity nationally is slightly less diverse now that conglomerates set corporate programming policies.

An examination of the 1995 decision allowing broadcast networks to own their own programs showed that the networks diversified program lineups but mainly by replacing some traditional comedy and drama fare with lower-cost quiz shows, newsmagazines and reality programs.

The National Association of Broadcasters, which opposes lifting the cap on TV-household reach but favors relaxing limits on TV duopolies, last week said it had not had time to comment on the studies.

Jonathan Blake, a Washington attorney representing network affiliates in their fight to retain the 35% cap, challenged the notion that network O&Os produce more news. "I'm not remotely persuaded," he said, noting that networks generally own more-profitable large-market stations with bigger news budgets. "I'm sure large-mar-

ket affiliates have more news than small-market O&Os."

Although FCC Chairman Michael Powell set an April deadline for revising the ownership rules, fellow Commissioner Michael Copps insisted last week that the inconclusive nature of the "bare-bones" studies makes the seven-month timetable too ambitious. He said the FCC should hold field hearings across the country to inform a large cross-section of Americans about the issue and better gauge public opinion. ■

TV Guide founder dies at 94

Annenberg's communications empire also included TV and radio stations, newspapers

By P. Llanor Alleyne

Walter H. Annenberg, head of a vast communications empire that once included *TV Guide*, died of pneumonia on Oct. 1 at his home in Wynnewood, Pa. He was 94.

Recently listed in *Forbes* magazine as the 39th-wealthiest person in the country, with a net worth of \$4 billion, Annenberg, who was ambassador to Great Britain in the Nixon Administration, was often generous with the vast wealth he accumulated as head of Triangle Publications Inc., which at one point comprised *Seventeen* magazine, several newspapers, and six television and radio stations in New York, Connecticut, Pennsylvania and California (including WFIL(AM) and -FM Philadelphia).

Annenberg's television holdings were the impetus for *TV Guide*, which was founded in 1953 and, by the 1970s, had reached a circulation of more than 17 million.

In recent years, Annenberg focused most of his energies to philanthropic activities, bestowing huge grants on several educational institutions, including Harvard University and his prep-school alma mater, The Peddie School.

Most notably, he pledged \$60 million in 1991 to the Corporation for Public Broad-



Walter Annenberg funded establishment of a communications department at the University of Pennsylvania and at the University of Southern California.

casting to support mathematics and science programming for kindergarten through 12th grade.

"The American people lost a great man today," said CPB President and CEO Robert T. Coonrod. "Walter Annenberg sought to provide all Americans with valuable free educational opportunities. His generosity to his country knew no bounds."

In 1958, the Annenbergs donated \$3 million to the University of Pennsylvania to establish the Annenberg School of Communications. He repeated the action

in 1971, when he funded another communications department that carries his name, at the University of Southern California.

Aside from phenomenal success as a businessman, Annenberg was politically active. In 1969, President Nixon, a close friend, appointed him Ambassador to Britain, which did not sit well with several Washington heads who felt he had bought the appointment.

He was also a noted art collector and pledged his accumulation of Impressionist and Post-Impressionist works to the Metropolitan Museum of Art, New York, in 1991.

He sold his broadcast properties in the early '70s. In 1988, he sold the remaining Triangle properties to Rupert Murdoch for more than \$3 billion.

Annenberg's father, Moses, was already venturing into media by the time Walter was born in 1908 and added New York's *Daily Racing Form* to his cache in the 1920s.

In 1939, Moses was sentenced to three years in prison for tax evasion and died two years later from a brain tumor. Walter dedicated the rest of his life to honoring his father's memory.

Annenberg is survived by his wife, Lenore; two daughters; two stepdaughters; two sisters; and seven grandchildren. ■



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Autos driving scatter market

The gains enjoyed in the upfront market continue

By Steve McClellan

Back in June, when the upfront network-TV ad market busted through the roof, some ad-agency executives said they thought the \$8.3 billion payday would come at the expense of this season's scatter market. Even network executives didn't think all the money would stick.

Wrong. The scatter market is now going through the roof as advertisers can't seem to get enough network time and also seem to have rediscovered local TV as well.

A handful of public companies, including Tribune, Hearst-Argyle, Acme and Granite Broadcasting, have upwardly revised their earnings and revenue guidance for the third quarter. Station operators also say the fourth quarter is on track to generate double-digit ad revenues.

For example, Hearst-Argyle recently indicated sales will be up 18%-20%, vs. earlier guidance in the 11%-13% range. "Business is very strong" and likely will be through the end of the year, says Hearst-Argyle President David Barrett.

Fox TV stations President Mitch Stern agrees. "A lot of advertisers are competing aggressively with each other, and they can't ignore the power of television." National spot business, he said, "is the best it's ever been."

Likewise, Dennis FitzSimons, president and chief operating officer at Tribune Co., told investors last week at a Goldman, Sachs conference in New York that, although the past three years have been an economic roller coaster, sales were up significantly in the third quarter. The fourth quarter, he said, is encouraging, with sales "way up" over last year's miserable post-9/11 trough.

The automobile makers are now in the middle of another 0%-financing campaign

and are buying a ton of ads to get the word out. Rich Hamilton, CEO of Zenith Media, points out that the auto category is so big that, when it's hot, it can tighten up the market almost by itself.

Unlike in much of last season, ABC is participating in the scatter market and is commanding prime time price increases that are 25%-30% higher than its upfront rates, says Mike Shaw, president of sales for the network. The news category is also strong, he adds. And, in daytime, ABC is commanding rates that are up 60% or more from the upfront. There's no reason this shouldn't continue," says Shaw of the strong scatter market. "There are no storm clouds that we can see."

Joe Abruzzese, president of sales for CBS, says his network is commanding scatter-price increases between 25% and 40% across every daypart. "Advertisers



market will become.

"Most of the health we're seeing is essentially the replacement of some money that was held back last year," he explains. "Travel and airlines are coming back, and, as we get further away from that event, we're gradually getting back to an ad economy where people realize that, if they want to move products, they have to advertise them."

Tom Decabia, executive vice president of the media-buying firm PHD USA, says a lot of retailers got hammered last year



"A lot of advertisers are competing aggressively with each other, and they can't ignore the power of television."

—Mitch Stern, Fox TV

seem to have a lot more faith in what's going to happen in the future than Wall Street does," he says, referring to the recent sell-off in the financial markets. "Clients are betting they're going to sell their products, and they're launching new products and putting marketing and advertising behind them."

Says Zenith's Hamilton, "The marketplace has been quite a bit healthier than most people predicted six months ago." And the more time passes from last year's 9/11 attacks, the more normalized the

with the one-two punch of the recession and terrorist attacks. This year, they are spending heavily on ads leading into the holiday season. "Right now," he explains, "they're saying, if we're going to have a decent year, we need to step up now."

Meanwhile, at the local level, comparisons with year-ago spending levels (which were dismal) and this year's political spending are helping to make sales look better at TV stations. But station executives also say the market is in pretty good shape even if you put those two factors aside. ■

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Torricelli 'toasted' by WNBC

Station's report on senator's dealings with Chang doomed re-election bid

By Dan Trigoboff

A Sept. 15 poll showed Republican Doug Forrester and Democrat Robert Torricelli in a statistical dead heat for the New Jersey Senate seat. Incumbent Torricelli was in a real race, largely because of his admonishment by the Senate Ethics Committee for improperly accepting gifts from a campaign contributor.

Last week, Torricelli dropped out, some say because of a nearly 40-minute report by WNBC(TV) New York's Jonathan Dienst, finding corroboration for convicted felon David Chang's claims to have given cash, jewelry, clothing, antiques and a big-screen TV to Torricelli. Chang also accused Torricelli of trying to intimidate him, and WNBC aired a surveillance video in which the senator, accompanied by a man identified as a local garbage hauler, entered a convenience store shortly after Chang—although they did not interact with him.

"Bob was, in effect, toast" after the report, said a New Jersey Democratic leader, according to the *Bergen Record*. Bill O'Reilly, on Fox News Channel, called the WNBC



Jonathan Dienst's report offered corroboration of David Chang's charges against Torricelli.

report "devastating."

Just before Dienst's report aired, a federal court made public a letter from federal prosecutors seeking leniency for Chang, who, despite "serious credibility problems," had "greatly advanced" their investigation of Torricelli.

WNBC had led a media coalition, which included *The New York Times*, several other papers and ABC, in seeking release of that memo.

"We were aware of the impact this story could have," says Dienst. "We didn't necessarily believe that Torricelli would with-

draw, but we thought it would force him to sit down and answer questions." Torricelli would not agree to an interview, but the story opened with his defense that Chang is a liar and convicted felon.

The lengthy report came during some upheaval at WNBC: News Director Dianne Doctor had left the newsroom for WCBS-TV, and Dan Forman had returned after a few years at WABC-TV, bringing with him executive producer Barbara Johnson to be WNBC news director. Dienst credits all the news managers—as well as station attorneys—with backing the story. ■

Cable keeps its newsies

The increased interest in current events created by 9/11 holds up a year later

By John M. Higgins

Cable's news networks have been able to hang onto some of the Nielsen gains sparked by 9/11, and Fox News Channel is doing far better than its rivals.

Of course, no one expected networks to

retain the initial spike. (CNN's 5.5 household rating for 9/11 was eight times its normal score.) For third quarter 2002, CNN's prime time rating was 0.8, down 33% from 1.2 in the same period last year, when heavy viewership from the final three weeks of September 2001 inflated the score. Top news net Fox News was flat at 1.1.

More interesting is data from the weeks before 9/11 of both years. Data crunched by Turner Broadcasting research chief Jack Wakshlag shows Fox News Channel up

25% to a 1.0 household rating in prime time, CNN up 15% to a 0.8, and MSNBC flat at a 0.4 despite this summer's high-profile launch of a prime time slate anchored by a nightly show featuring Phil Donahue.

When it comes to CNN's favorite demo, adults 25-54, Fox News soared 132%, in large part because more cable systems added the channel post-9/11. (Ratings are adjusted for increases in distribution; headcounts of demos aren't.) CNN is up 36%. But MSNBC is off 4%.

Lifetime was again the top cable network during the third quarter, its 2.1 household rating even with last year. ■

THE WEEK THAT WAS

THE PEOPLE MEETER

Veteran TV producer **Bruce Paltrow**, 58, died Oct. 3 in Rome, where he was reportedly helping his daughter, Oscar-winning actress **Gwyneth Paltrow**, celebrate her 30th birthday. He was suffering from throat cancer, but, according to a wire report, he died after a heart attack and from complications connected to pneumonia. In 1978, for CBS, Paltrow debuted *The White Shadow*. Later, he was executive producer of NBC's *St. Elsewhere*, which, over its six-year run, won 13 Emmys and was nominated for 63. It won a **Peabody Award** in 1984. Paltrow's widow is **Blythe Danner**, now starring in the CBS medical drama *Presidio Med.* ...

Charles James, assistant attorney general for **Department of Justice's** antitrust division, is leaving to become VP and general counsel of **Chevron Texaco**, starting Dec. 9. His division is in the midst of two large merger reviews—**DirecTV/EchoStar** and **AT&T/Comcast**—but DOJ says the timetable for a decision on those mergers will not be slowed by his departure. ...

Adelphia Communications Corp. founder **John Rigas** and two of his sons pleaded not guilty to charges of defrauding the cable operator of more than \$2.5 billion. The Rigases and two other former Adelphia executives entered the pleas during a hearing before U.S. District Judge **Leonard Sand** in Manhattan. The five executives face a 24-



count indictment. ...

Dana McClintock has been named senior VP of communications at the **CBS Television Network**. McClintock has been with CBS for nine years, starting in media relations with the launch of *Late Show With David Letterman*.

WATCH FULL

ABC has picked up the last nine episodes of Tuesday-night comedies *8 Simple Rules for Dating My Teenage Daughter* and *Life With Bonnie*, filling out a full 22-episode order for both shows, produced by co-owned **Touchstone Television**. ...

The WB is having its best year ever in its targeted 18-34 demographic, topping all the networks for the first time with its season premieres of *Gilmore Girls* and *Smallville* on Sept. 24 and then again with those shows the following Tuesday. It also won the demo with last Wednesday's two-hour season premiere of *Dawson's Creek*. ...

Dr. Phil remains the big ratings winner among rookie syndicated shows, according to Nielsen's national ratings for

the week ended Sept. 22. *Dr. Phil's* first full week recorded a 4.4 national rating, second only to *The Oprah Winfrey Show*, which led with a 6.0. No. 2 among rookie talk shows was Warner Bros.' *The Caroline Rhea Show*, up 10% to a personal-best 1.1 rating. That's better than it seems because the show is stuck in many late-night time slots.

WASHINGTON THINKS THINGS OVER

House Energy and Commerce Committee Chairman Billy Tauzin will wait until the next Congress before introducing formal legislation aimed at speeding the **DTV** transition. Opposition voiced at a hearing two weeks ago demonstrated that lawmakers face the same difficulty settling inter-industry disputes as **FCC** officials do. ...

The **FCC** is expected to approve "in-band, on-channel," or **IBOC**, as the standard technology for digital radio when the commissioners meet this Thursday. ...

Former **FCC Chairman Reed Hundt** told a **Senate**

Commerce Committee last week that the government needs to step in to subsidize the broadband rollout. Hundt, now a partner in consulting firm **McKinsey & Co.**, said that, in the present economic climate, the private sector won't invest enough to build out the technology.

INDUSTRY SPIN

The **NAB** plans to hire a media-relations agency to pitch the nation on the bright side of today's radio-ownership landscape. The reported \$250,000 campaign will be aimed at countering industry critics who say consolidation since 1996 has put radio in the hands of a few corporate giants. ...

The National Cable Telecommunications Association says the industry has topped 10 million high-speed Internet customers as of the end of the third quarter, an increase of 2.8 million customers in the first nine months of the year. There remains a lot of room for growth, however. **NCTA** says more than 50 million of the 75 million homes with cable-modem service available own a computer.

CORRECTIONS

Warner Bros. retained repurposing rights to *Fastlane*, a new Fox series that will be repurposed on MTV. A Sept. 30 story incorrectly said Fox sold the rights.

Also a story on repurposing in the same issue misidentified Fox's San Francisco affiliate. It's **KTVU(TV)**.

For years, the cornerstone show on Bravo has been *Inside the Actor's Studio*, an hour-long, endlessly fawning interview of some major movie stars. It costs the network around \$125,000 an episode. And for years, that was pretty much at the high end of Bravo's programming budget.

That will change. Next fall, Bravo takes a huge financial plunge, debuting off-net episodes of one of NBC's signature series, *The West Wing*. Bravo is paying a hair-raising \$1.2 million per episode. That's at least \$105 million for four seasons' worth of episodes, a record price for an hour drama at the time the deal was cut.

That bet isn't limited to Bravo, but a reflection of a philosophical transformation at the network's parent, Rainbow Media. For years, Rainbow networks' approach has been get it cheap, be it old movies for its American Movie Classics or more recent—but not too expensively recent—artsy product for IFC (previously, the Independent Film Channel). Forget advertising and rely on cable operators to pay above-average license fees.

No more. Bravo, which went ad-supported two years ago, is further along than the others. AMC, long a commercial-free haven for

movie junkies, moved to a full commercial load last Monday and is playing up newer movies and original programming. And WE: Women's Entertainment, still shaking off its Romance Classics past, is sprinkling in some off-network acquired fare, trying to grab a piece of the Lifetime-dominated women's niche. Rainbow networks are flashing the big acquisition dollars usually thrown around by the USA Network and Turner's TNT and TBS.

"The goal is to keep the brand identity and reach the demographic of appeal but have more of them watch," said Rainbow CEO Josh Sapan.

But Sapan may not get the chance to see if the strategy works. Rainbow's owner, Cablevision Systems, is in financial trouble and is getting offers to buy parts of the network operation. NBC, already a minority owner of Rainbow and covetous of a cable entertainment outlet,

wants to buy Bravo, and Wall Street executives say the studio MGM is sniffing around as well.

Bravo's artsy, low-cost original programming and acquired films certainly deliver the upscale viewers that advertisers covet. But the net has never delivered very many of them and, to grow ratings and ad revenue, needs the muscle of tested, brand-name shows.

"They can't survive on their narrow targets," said veteran media buyer Howard Nass, principal of HN Media. With *West Wing*, "Bravo will be open to three times the advertisers."

The logic is simple. Without advertising, Rainbow's networks needed to increase license fees or add subscribers to grow. The networks started out as "mini-pays," sold to consumers like Home Box Office but cheaper, \$4 or so monthly. Now they're all sold as channels for basic cable, seeking 20-40 cents a month from cable operators. Cable operators fiercely



Photo: Vincent Ricardel

By Allison Romano

rainbow

brightens its stripes

Channels like Bravo rarely push the envelope; under Sapan, though, there's a more ambitious agenda—and NBC may want Bravo



Rainbow CEO Josh Sapan programs an expensive off-net product to bolster the channels. But parent Cablevision may sell them to raise cash, and NBC is eyeing Bravo. All that talk "has no effect whatsoever on our programming plans," he says.

fight paying any more per subscriber than they have to, especially for weak programming. Further, cable subscriber growth has stalled, and even DBS services are starting to slow. In the long run, if Rainbow is to generate much financial growth, its networks need to start generating ad revenue.

CABLEVISION'S ILLS

A big cloud over the strategy is Cablevision's financial woes. After separating Rainbow as a separate "tracking-stock" company two years ago, overleveraged and cash-starved Cablevision reeled the programming unit back in, paying Rainbow shareholders just \$800 million in Cablevision stock.

The main goal is to use Rain-

bow's \$187 million cash reserves immediately. Initially, speculation swirled that Cablevision would sell all—or at least pieces—of Rainbow, which includes MuchMusic USA and five Fox Sports regional nets. Analysts say it is more likely that Cablevision will borrow against debt-free Rainbow's balance sheet to ease its own liquidity crisis.

Then there's NBC. It has approached Cablevision Chairman Chuck Dolan about buying Bravo, offering \$1 billion, or \$16 per subscriber. Industry executives say Dolan wants twice that. MGM, also a part owner in AMC and Bravo, is expressing interest, too, but is not likely to cough up \$2 billion.

"Chuck needs some problems solved," said one media investment banker who works with Cablevision. "This would solve all his problems."

Dolan has said publicly that he'd consider selling all of his cable systems, though many of his peers believe he's more interested in talking his stock price up than selling into a down market.

At the very least, Hollywood executives said, Cablevision's crisis and the Rainbow buy-in have the networks closing their acquisition wallets.

Sapan wouldn't talk about the deal discussions: "We're marching ahead." He added that Cablevision isn't holding back Rainbow. "The stock intake has no effect

whatsoever on our programming plans."

AMC is Rainbow's most financially sound network, projected to generate \$246 million in revenue this year, according to Morgan Stanley estimates. Bravo will produce \$150.6 million, and WE and IFC will generate about \$52 million each. Because Bravo offers advertisers hard-to-reach upscale viewers, it has weathered the advertising downturn, posting single-digit CPM increases in the latest upfront.

Rainbow received a sizable cash infusion in April when MGM invested \$825 million for a 20% stake in AMC, Bravo, IFC and WE. Some of it went to pay down debts, the rest into network coffers. The MGM cash, ad revenue and license fees are fueling new programming and acquisitions.

BRAVO A PLAYER

Bravo raised industry eyebrows last year when it purchased cable rights to *West Wing*. Beginning next fall, it will strip the first four seasons in prime and take future deliveries of new seasons.

"*The West Wing* was an impressive buy," said Tim Spengler, executive vice president, director of national broadcast, Initiative Media North America. "Bravo bought a brand-name show, and that lends credibility."

It could be a risky purchase: Serialized dramas, like *ER*, don't repeat as well on cable as close-ended episodes like *Law & Order*.

"*The West Wing* is very topical. Will viewers want to see a 9/11 story or a Middle East plot three or four years from now?" wondered Tom DeCabia, EVP of media buyer AdvanswersNY.

Even modest ratings should perk up Bravo's prime time marks, which hover around 0.4, according to Nielsen Media Research. The channel wants its acquired fare to guide more viewers to its originals like upcoming *Page to Screen*, which analyzes books made into

movies, and a show on Chicago's famed comedy house, *Second City Presents*. Early next year, reality series *The IT Factor*, following struggling actors trying to make it in Los Angeles, returns for a second season.

Bravo's strategy starts to take form this week when reruns of HBO's off-beat comedy *The Larry Sanders Show* join the prime time schedule. Bravo plunked down \$200,000 per episode for its first basic-cable run.

This year, Bravo is spending \$50.5 million on programming, according to Kagan World Media estimates, a 7% increase from 2001. But it isn't shopping for

advertising per hour (that's still a few minutes less than other ad-supported cable channels). Many of the black-and-whites are back in the vault, replaced by movies from the '70s, '80s and even the '90s.

Moving to an ad-supported model and freshening programming may chase off some disgruntled old viewers, but many industry execs admire the moves as smart business. "They need to be relevant to younger consumers," notes Laura Caraccioli, VP of Starcomm Entertainment.

AMC's median age in prime for the 2001-02 TV season was a creaky 53.5, according to Magna

expensive, but AMC's \$82.5 million programming budget, according to Kagan, and new ad revenue should support pricier buys.

"If they generate a second source of revenue, we'd look for a commensurate payment in our license fee," said Jerry McKenna, vice president of strategic marketing for MSO Cable One.

WE AIMS TO GROW

Of Rainbow's national outlets, WE is the least established. As the second incarnation of old-skewing Romance Classics, "We still have a bit of a hangover," admits EVP/GM Marty Von Ruden. WE's median age hovers

cable juggernaut, and Oxygen takes aim with smart, often instructional programming. WE is trying to be a more whimsical entertainment outlet. "Television for women who want a timeout," explains Sapan.

Two new originals embody the approach: Animated *Committed*, which plays on life's challenges for working moms, bows Oct. 7, and game show *Spend It Fast* kicked off Sept. 30.

WE purchased its first two off-nets at bargain-basement prices, paying \$175,000 per episode for *Felicity* and \$75,000 for *Two Guys and a Girl*. The series, which debuted last week, air in



New on WE is *Spend It Fast* (l). Bravo's getting *West Wing* (c) reruns and still has the popular *Inside the Actor's Studio*.

just any acquired product. Sapan wants shows that contribute to Bravo's "smart TV" brand.

Apparently, not many shows fit the bill. Of the last 10 or 15 big network shows being sold to cable, Sapan says he bid only on *The West Wing*.

AMC OPENS UP

Rainbow doesn't want this to be your parents' American Movie Classics any longer. The network, known simply as AMC now, is putting finishing touches on a year-long evolution, gradually introducing ads and trading older films for newer flicks. It's not just about movies, it's about the movie experience, network execs explain, pointing to a new tagline "TV for movie people."

It's also about business. AMC now accepts 10 minutes of

Global's analysis of Nielsen data. The goal is to dip down to the 35- to 45-year-old range, said network chief Noreen O'Loughlin. "We want to expand our audience," she said. "That drives us to more-contemporary product." Indeed, many young viewers consider *The Breakfast Club* a classic.

Media buyers and research execs say they'll be watching AMC's ratings closely to see if its Nielsen marks slip because of fleeing viewers. Said Initiative Media's Spengler, "They have to be careful not to water down the brand in search of the Holy Grail advertising dollars."

AMC always seemed like an untapped resource. It's fully distributed, in 82.7 million homes, and collects Nielsen ratings that range from a 0.7 to a 0.9.

More-recent movies are more

around 55 in prime time.

That doesn't jibe with the median ages for WE's first newly acquired shows: college drama *Felicity* and relationship sitcom *Two Guys and a Girl*. Both shows boasted median viewers around 30 years old during their broadcast plays. WE is hoping these series, plus movies and original lifestyle programs, can entice younger viewers and attract more ad dollars.

To get there, WE is using the Bravo blueprint: Build a niche following, support it with ad revenue and expand programming offerings. WE is spending \$43.9 million on programming this year, according to Kagan estimates.

In the crowded women's space, WE's positioning is particularly important. Lifetime is the women's

fringe, setting up movies in prime time. "These shows will help market the network and make it look contemporary," said Von Ruden.

Advertisers are just beginning to look at WE. Its ratings are slight, averaging a 0.3 in prime time. Still, the audience is larger than Oxygen's, said to be a 0.1 (Oxygen doesn't publish ratings yet). Rainbow took WE into the upfront market for the first time this year and signed up 51 advertisers. "Women dominate TV viewing," said AdvanswersNY's DeCabia. "There is room for another outlet."

To attract more ad dollars, WE needs to bulk up its distribution, which stands at 47 million. Its biggest hold is on Comcast, but it is still wrangling for basic carriage on other MSOs. ■

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For ABC, it could be worse

Early in season, struggling network finds a few success stories on Tuesdays

By Paige Albinak and Steve McClellan

It doesn't have a *Friends* or a *West Wing* or a *CSI: Miami*, but, after three weeks, ABC, while still not healthy, is at least breathing regularly on Tuesday nights.

The network is acknowledging problem spots—*Push*, *Nevada* on Thursdays at 9 p.m. ET, *That Was Then* on Fridays at 9 p.m.—but, in the third week of new-season ratings, ABC showed strong numbers Saturday through Wednesday, and that's likely more than even the network expected.

ABC's strategy to rebuild Tuesday night appears to be working, with John Ritter's *8 Simple Rules for Dating My Teenage Daughter* winning adults 18-49 and 25-54 last week and providing a strong lead-in to *According to Jim*, *Life With Bonnie* and *Less Than Perfect*. Veteran *NYPD Blue* remains solid, winning adults 18-49 and 25-54. ABC won adults 18-49 and 25-54 for the night, tied for first with NBC in 18-34 and took second in households.

"We are very, very hopeful," says ABC Entertainment President Susan Lyne. "What we've set out to do this season was to try to build a few tent poles for the network so that, by next fall, we have a strong enough group of shows to be able to go into the new season aggressively. We are very happy with the Tuesday lineup."

Stacey Koerner, SVP, director of research at Initiative Media, notes, "It's somewhat of a resurgence of the comedy format for the lineup to be doing as well as it is, and a lot of that comes from the John Ritter show, clearly. I'd say they are looking better than last year."

That's no big achievement. Last year, ABC's spectacular decline was pegged to a



Life With Bonnie (above) was second with adults 18-49 last Tuesday, given a strong lead-in by *8 Simple Rules*, starring John Ritter, which won adults 18-49 and 25-54.

disastrous Tuesday-night lineup that included *What About Joan* and *Bob Patterson*. In previous years, Tuesday night was home to some of its most successful shows, including *Home Improvement* and *Roseanne*. Things might change when baseball season is over and Fox's comedies return to Tuesday, particularly *That '70s Show*.

ABC also has gotten a pleasant surprise on Wednesday night, with Damon Wayans's *My Wife and Kids* winning its 8 p.m. ET time period for the past two weeks.

"On Wednesday night, *My Wife and Kids* has been able to come out from what could have been a closer situation [vs. Fox's *The Bernie Mac Show*] and do extremely well," says Bill Carroll, vice president, director of programming, Katz Television Group.

The second-season premiere of *George Lopez* at 8:30 p.m. last Wednesday took second in households and won in 18-49, 18-34 and 25-54. At 9 p.m., *The Bachelor 2* bested CBS's *Amazing Race 3*, even though everyone



lost to NBC's *West Wing*. The night ended on a down note for ABC, with *MDs* at 10 p.m. losing to CBS's *Presidio Med*, though both were soundly beaten by the 13th-season premiere of NBC's *Law & Order*.

For the week ended Sept. 29, CBS won in households at 9.1 rating/15 share, followed by NBC 8.9/15, ABC 6.6/11, Fox 4.5/07, WB 2.8/4 and UPN 2.6/4. In the adults 18-49 derby, NBC won with a 5.4/15, followed by CBS with 4.6/12, ABC 4.5/11, Fox 2.7/6, WB 2.2/7 and UPN 1.7/5. ■



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Week	abc	CBS	NBC	FOX	PAX	UPN	WB
1	9.5/15	13.1/20	10.0/11	4.7/7	0.8/1	2.9/4	4.2/6
MONDAY	8:00 75. Drew Carey 3.8/6 8:30 78. Whose Line Is It 3.6/6 9:00 10. Monday Night Football—St. Louis Rams vs. Tampa Bay Buccaneers 12.5/21 10:00 10:30	21. King of Queens 9.3/15 19. Yes, Dear 9.6/15 6. Ev Lvs Raymnd 14.7/22 4. Ev Lvs Raymnd 15.3/22 5. CSI: Miami* 14.9/24	38. Fear Factor 7.1/11 42. Crossing Jordan 6.9/11	65. American Idol in Vegas 4.7/7	112. Diagnosis Murder 0.9/1 115. Body and Soul 0.8/1	87. The Parkers 3.0/5 83. One on One 3.1/5 90. Girlfriends 2.9/4 92. Half & Half* 2.8/4	57. 7th Heaven 5.0/8 81. Everwood 3.4/5
TUESDAY	8.1/13	6.3/10	8.9/14	4.2/7	0.7/1	2.5/4	4.3/7
8:00 30. 8 Simple Rules 8.3/14 8:30 36. Life w/Bonnie 7.3/11 9:00 53. Inside NYPD Blue 5.4/8 9:30 10:00 22. NYPD Blue 9.2/15 10:30	14. JAG 10.8/17 19. The Guardian 9.6/15 27. Presidio Med 9.0/15	46. In-Laws* 6.3/10 32. In-Laws 7.8/12 7. Frasier 14.1/21 17. Hidden Hills* 10.5/16 36. Dateline NBC 7.3/12	51. That '70s Show 5.6/9 68. Grounded/Life 4.6/7 82. Celebrity Daredevils 3.3/5	118. Weakest Link 0.7/1 123. Just Cause 0.6/1 112. Diagnosis Murder 0.9/1	83. Buffy the Vampire Slayer 3.1/5 100. Haunted* 1.9/3	75. Gilmore Girls 3.8/6 63. Smallville 4.8/7	
WEDNESDAY	6.9/11	7.3/12	10.4/17	5.1/8	0.7/1	2.6/4	2.4/4
8:00 22. My Wife & Kids 9.2/15 8:30 9:00 48. The Bachelor, Revealed 6.2/9 9:30 10:00 55. MDs* 5.3/9 10:30	34. 60 Minutes II 7.6/12 32. Big Brother 3 7.8/12 46. Presidio Med* 6.3/10	39. Ed 7.0/11 12. The West Wing 12.0/19	60. Bernie Mac 4.9/8 60. Cedric/Entertnr 4.9/8 53. Fastlane 5.4/8	125. Candid Camera 0.5/1 118. Doc 0.7/1 111. Diagnosis Murder 1.0/2	87. Enterprise 3.0/5 99. The Twilight Zone 2.2/3	95. WB Wednesday Movie—Blade 2.4/4	
THURSDAY	4.1/6	13.8/21	15.7/24	4.1/6	1.2/2	3.6/6	1.6/2
8:00 57. Monk 5.0/8 8:30 9:00 83. Push, Nevada 3.1/5 9:30 10:00 71. Primetime Thursday 4.3/7 10:30	11. Survivor: Thailand* 12.3/19 2. CSI 18.2/27 15. Without a Trace 10.7/17	1. Friends 20.3/31 9. Scrubs 13.8/21 8. Will & Grace 13.9/20 13. G Mrng Miami* 11.8/17 3. ER 16.9/27	72. Fox Movie Special—Rush Hour 4.1/6	123. It's a Miracle 0.6/1 107. Diagnosis Murder 1.3/2	78. WWE Smackdown! 3.6/6	100. Family Affair 1.9/3 102. Do Over 1.8/3 104. Jamie Kennedy 1.6/2 107. Off Centre 1.3/2	
FRIDAY	5.0/9	6.3/11	8.4/15	4.0/7	0.7/1	1.3/2	2.5/5
8:00 56. America's Funniest Home Videos 5.2/10 8:30 9:00 90. That Was Then* 2.9/5 9:30 10:00 42. 20/20 6.9/12 10:30	63. 48 Hours Investigates 4.8/9 29. Hack* 8.4/15 51. Robbery Homicide Division* 5.6/10	35. Dateline NBC 7.5/14 18. Law & Order: Special Victims Unit 10.3/19	78. Firefly 3.6/7 70. John Doe 4.4/8	118. Friday Night Flix—Heart of Fire 0.7/1 115. Diagnosis Murder 0.8/2	107. UPN's Movie Friday—The Crow 3: Salvation 1.3/2	94. What I Like/You 2.5/5 98. Sabrina/Witch 2.3/4 87. Reba 3.0/5 95. Greetings/Tucson 2.4/4	
SATURDAY	6.7/13	6.1/12	3.6/7	4.6/9	0.9/2	KEY: RANKING/SHOW TITLE/PROGRAM RATING/SHARE • TOP TEN SHOWS OF THE WEEK ARE NUMBERED IN RED • TV UNIVERSE ESTIMATED AT 106.7 MILLION HOUSEHOLDS; ONE RATINGS POINT IS EQUAL TO 1,067,000 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 8:30 9:00 39. ABC Saturday Night at the Movies—The Green Mile 7.0/13 9:30 10:00 10:30	57. Touched by an Angel 5.0/10 42. The District 6.9/13 45. The Agency 6.5/12	95. Spy TV 2.4/5 75. NBC Saturday Night Movies—Kiss the Girls 3.8/7	72. Cops 4.1/8 60. Cops 4.9/9 85. AMW: America Fights Back 4.7/9	112. America's Favorite Movies—How the West Was Won 0.9/2			
SUNDAY	6.6/11	7.6/12	8.6/14	4.5/7	1.1/2	2.1/3	
7:00 7:30 69. ABC Sunday Night Movies—Prince William 4.5/8 8:00 8:30 9:00 39. Alias 7.0/11 9:30 10:00 22. The Practice 9.2/15 10:30	(nr) NFL Game 2 11.5/24 26. 60 Minutes 9.1/15 49. CBS Sunday Movie—Mission: Impossible 2 5.9/9	50. Dateline NBC 5.8/11 22. American Dreams* 9.2/15 16. Law & Order: Criminal Intent 10.6/16 27. Boomtown* 9.0/15	93. The Simpsons 2.6/5 72. The Simpsons 4.1/8 65. Fox Movie Special—The Matrix 4.7/7	118. Candid Camera 0.7/1 105. Doc 1.5/2 110. Just Cause 1.2/2 115. Body and Soul 0.8/1	103. Gilmore Girls 1.7/3 83. Charmed 3.1/5 105. Angel 1.5/2		
6.6/11	9.1/15	8.9/15	4.5/7	0.9/1	2.6/4	2.8/4	
6.6/11	9.1/15	8.9/15	4.5/7	0.9/1	2.6/4	2.8/4	

SyndicationWatch

SEPT. 16-22 *Syndicated programming ratings according to Nielsen Media Research*

TOP 25 SHOWS

Rank/Program	18-49	
	AA	GAA
1 Friends	5.0	5.9
2 Seinfeld	4.0	4.3
3 Everybody Loves Raymond	3.7	4.2
4 Seinfeld (wknd)	2.9	3.1
5 Oprah Winfrey Show	2.7	2.7
6 That '70s Show	2.4	2.8
7 King of the Hill	2.3	2.5
8 Entertainment Tonight	2.2	2.3
8 Friends (wknd)	2.2	2.3
10 Wheel of Fortune	2.1	NA
11 Frasier	2.0	2.1
11 Home Improvement	2.0	2.5
11 Judge Judy	2.0	2.8
14 Dr. Phil	1.9	1.9
15 Everybody Loves Raymond (wknd)	1.6	NA
16 Drew Carey	1.5	1.5
16 ER	1.5	1.9
16 Maury	1.5	1.6
19 Judge Joe Brown	1.4	1.6
19 WW Police Videos	1.4	1.5
21 Divorce Court	1.3	1.7
21 Entertainment Tonight (wknd)	1.3	1.3
21 Jerry Springer	1.3	1.3
21 Live With Regis and Kelly	1.3	NA
21 Mutant X	1.3	1.3
21 The Practice	1.3	1.4

TOP MAGAZINE SHOWS

Rank/Program	18-49	
	AA	GAA
1 Entertainment Tonight	2.2	2.3
2 Entertainment Tonight (wknd)	1.3	1.3
3 Extra	1.2	1.3
3 Inside Edition	1.2	1.3
3 Access Hollywood	1.2	1.2

According to Nielsen Media Research Syndication Service Ranking Report Sept. 16-22, 2002
 18-49 = Adults 18-49
 AA = Average Audience Rating
 GAA = Gross Aggregate Average
 One Nielsen rating = 1,067,000 households, which represents 1% of the 106.7 million TV Households in the United States
 NA = not available

Sitcoms soar into new season

Off-net sitcoms have come on strong in the new season, with *Will & Grace*, *That '70s Show*, *Dharma & Greg* and *The Hughleys* bowing in syndication last month and sophomore *Everybody Loves Raymond* taking the No. 2 spot away from *Seinfeld* in the first two weeks of the new season.

All four rookie sitcoms scored in the top 10: Warner Bros.' *Will & Grace* at No. 4, Carsey-Werner's *That '70s Show* No. 5, and Twentieth's *Dharma & Greg* No. 6 and *The Hughleys* No. 9, according to

Nielsen Media Research's overnight ratings for Sept. 23-27.

Tribune, which bought group licenses for *Will & Grace*, is thrilled with the show's performance, says President Patrick Mullen. "It looks like we've got another hit on our hands."

In its first week, *Will & Grace* scored a 4.8, tying Sony Pictures Television's *Seinfeld*. Combined with a prime time performance by The WB that is surprising even that network, running *Will & Grace*, Warner Bros.' *Friends* and King World's *Everybody Loves Raymond* in early and late fringes is paying off for Tribune stations, many of which are WB affiliates in major markets.

The three sitcoms pull in the 18-49 and 18-34 crowds that both The WB and Tribune seek to attract. They provide a strong lead-in to The WB's prime time lineup, Mullen said, and *Will & Grace* averaged an 11% increase on its lead-in share in both fringe periods.

What's more, boosted by prime time Emmys, *Raymond* has beaten *Seinfeld* twice, scoring a 6.2 rating to *Seinfeld*'s 5.8 in the first week and a 7.5 vs. 4.8 in the second. In week two, *Raymond* knocked *Friends* out of its spot as top-rated off-net sitcom.

Like *Will & Grace*, *Dharma & Greg* also had just completed its first week at press time, notching a 3.0.

That '70s Show also had a strong debut, scoring a 3.3 in the national ratings for its first week and a 4.1 in overnight ratings for week two. (Overnight ratings are available the next day; national ratings become available one week later and include station clearances.) *The Hughleys'* debut was not as strong, logging a 1.3. —Paige Albinak



Warner Bros.' *Will & Grace* debuted at No. 4 among syndie shows, scoring a 4.8 rating.

yes, dear ...IT'S A HIT!

#1

SECOND WEEK IN A ROW
IN ITS TIME PERIOD,
IMPROVES ON LEAD-IN

9.9

yes, dear

8:30pm

CBS
MONDAY

9.3

yes, dear

8:00pm

KING OF QUEENS

9/23/02

9.6

yes, dear

8:30pm

KING OF QUEENS

9/30/02

9.4

yes, dear

8:00pm

KING OF QUEENS

Source: NTA, Survey Exposure, % Change, GR Rating

StationBreak

BY DAN TRIGOBOFF

KTVK DENIED TAPE

Arizona's Supreme Court has let stand an appeals court ruling allowing police to withhold emergency-phone-call tapes and release only transcripts. KTVK(TV) Phoenix has been fighting for access to emergency tapes for two years, but News Director Dennis O'Neill said following the ruling last week that there seemed to be nowhere left to go, with the state's highest court having the final say on interpreting state law.

KTVK sued Mesa police to obtain an audiotape of a call by a woman suspected of child abuse, but police released only a transcript. Police said releasing the tape would harm the defendant's right to a fair trial and would violate the victim's privacy. Arizona courts have concluded privacy interests of individuals outweigh public interest in hearing the tape.

"In our view," said O'Neill, "the judges have made new law in Arizona. The station had requested the tape of a 911 call made after a 16-month-old child fell from his crib." The call was made by a woman later arrested in the incident. Applying an "alternative means" test, state courts concluded that release of a transcript of the call satisfied the state's Public Records Act.

"The public-records law was created to help determine whether or not the government is withholding something," O'Neill said. "Now the government can determine whether there's something the people



In the pink

KYW-TV Philadelphia and the Susan G. Komen Breast Cancer Foundation are turning the city's skyline pink this month for a breast-cancer-awareness campaign, "Lights for the Cure." So far, 18 downtown buildings are participating.

Photo: Steven M. Falk / Philadelphia Daily News

need to know. It's very disappointing."

TWO WICHITA STATIONS START LOCAL NEWS SHOW

Two Wichita, Kan., TV stations have begun a half-hour local newsmagazine that will air four times a year. The show has been put together by the stations' production staff, since neither station does local news.

"It's not your typical newsmagazine," says Kent Cornish, who runs KSAS-TV and KSCC(TV). "We've done public-affairs shows here, and we decided to make this one more entertaining."

Among the segments in the opening show are a look at the local Wichita Museum of Ancient Treasures, 117-year-old local business Cero's Candies, and what the stations call a "tongue-in-cheek" profile of minor-league Wichita Wranglers' mascot, Wilbur T. Wrangler—a horse—done in VH1 *Behind the Music* style.

IT'S RAINING MONEY

WBZ-TV Boston will work with the city's Museum of Science "to explore the mystery and uncertainty of weather

forecasting in an unprecedented science-education program," the station said. A \$2 million grant from the National Science Foundation is expected to produce weather-education project "Predicting the Future: The Science and Technology of Weather Forecasting." The museum will host an interactive exhibit on weather forecasting featuring WBZ-TV weather staffers and led by meteorologist Mish Michaels.

CANDIDATES LOSE

Three Massachusetts gubernatorial candidates failed last week to get the courts to force six media organizations—including WHDH-TV, WBZ-TV, WCVB-TV and WGBH-TV, all Boston—to include them in a debate. Libertarian candidate Carla Howell, Green Party's Jill Stein and independent Barbara Johnson asked state courts in Middlesex and Worcester counties to ban the debate unless they were allowed to participate.

The media organizations have concluded that, based on polls, only Democrat Shannon P. O'Brien and Republican

Mitt Romney have a chance of winning. While the excluded candidates maintain that the debate amounts to a media endorsement of the two major candidates, the media argued that the First Amendment prohibits the government from determining editorial decisions. Middlesex Superior Court Judge Linda Giles held that the facilitation of a debate is not a campaign contribution, to which state campaign-finance laws apply.

KCBS NEWS ON THE MOVE

Viacom's CBS Los Angeles duopoly will move its KCBS-TV noon newscast to 11 a.m. so as not to go head to head with partner KCAL(TV). KCAL's ratings have been the stronger at noon. KCBS-TV will now be competing at 11 a.m. with local-news heavies KNBC(TV) and KABC-TV. Moreover, KCAL will add an evening hour of news and sports on Saturday.

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

Programming FocusLima

THE MARKET

DMA rank	194
Population	155,000
TV homes	57,000
Income per capita	\$15,510
TV revenue rank	204
TV revenue	\$4,200,000

COMMERCIAL TV STATIONS

Rank*	Ch.	Affil.	Owner
1	WLIO(TV)	35 NBC	Block
2	WOHL-CA	25 Fox	Greg Phipps
3	WLQP-LP	18 UPN	Greg Phipps
4	WLTW(TV)	44 Rel.	Amer. Christ.

*May 2002, total households, 6 a.m.-2 a.m., Sun.-Sat.

CABLE/DBS

Cable subscribers (HH)	44,080
Cable penetration	76%
ADS subscribers (HH)**	10,440
ADS penetration	18%
DBS carriage of local TV?	No

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

WHAT'S NO. 1

Syndicated show	Rating/Share***
<i>Wheel of Fortune</i> (WLIO)	15/30
Network show	
<i>ER</i> (WLIO)	26/43
Evening newscast	
WLIO	27/59
Late newscast	
WLIO	22/57

***May 2002, total households
Sources: Nielsen Media Research, BIA Research



The Lima, Ohio, market benefits from the density in larger, neighboring markets.

Small but not limited

In 2001, Lima, Ohio, climbed 10 spots on Nielsen's list of DMAs, from 201 to 191—the biggest jump that year—thanks to the addition of a second county. Population has dipped slightly, though, and the DMA ranks 194 this year.

Local television executives like being surrounded by the larger Toledo, Dayton, and Columbus, Ohio, and Fort Wayne, Ind. markets. NBC affil WLIO(TV) is carried over cable systems in them and has even been granted must-carry status over some. General Manager Bruce Opperman says it draws revenue from outside its official market.

He thinks the market benefits from the density in neighboring markets. "Lima is very much a retail shopping hub for 40 to 50 miles. That's why we get advertising from Home Depot, Lowe's, Kohl's, Applebee's, Ruby Tuesday, all the Kmart's and the Wal-Mart's: People would rather come here to shop than fight the traffic."

Given nearly 50 years of local dominance by WLIO, local owner Greg Phipps knows his stations have a long way to go, but he's trying to make a race of it with a Class A Fox affiliate, low-power UPN affil and recently acquired low-power independent.

He puts on an hour of local news carried on both his older stations—and anchored by Kathleen Phipps, his wife—and runs high school sporting events in addition to network shows. "We're running these low-powers like full-powers," he says. "In a small DMA, low-power is not as big a concern as long as you've got cable coverage."

Both operators say the lack of local competition gives them whatever they want in syndication. "We've got *Regis and Kelly*, *Hollywood Squares*, *Dr. Phil*, *Wheel of Fortune*, *Jeopardy* and *Oprah*. *Entertainment Tonight* has been our news lead-in for 15 years," Opperman brags.

But, Phipps notes, WLIO's impressive roster leaves *Everybody Loves Raymond*, *Seinfeld* and *Friends* for his stations.

—Dan Trigoboff

DETROIT DISCOVERS PYRAMID!

The PYRAMID Grows
on WDIV at 11:00am!

PYRAMID

3.1 Household Rating!

+19% Week to Week!

+24% vs. Year Ago!

SONY
PICTURES
TELEVISION

Source: NSI, WRAP Overnights, (9/23/02-9/27/02) vs. (9/16/02-9/20/02), year ago=Oct '01

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Washington Watch

BY JOHN EGGERTON

ACA ASKS FOR RETRANS INQUIRY

The trade group for independent cable operators last Tuesday asked the FCC to investigate retransmission-consent practices of the broadcast networks and TV-station groups. The American Cable Association argues that broadcasters are leveraging franchises' desire to carry local TV stations to force carriage of affiliated cable nets. "Increasingly," ACA said, "a few media conglomerates—powerful players like Disney/ABC, Fox/News Corp., and GE/NBC—are pulling the strings behind local retransmission-consent negotiations."

The filing coincided with stations' deadline for either electing must-carry or entering retransmission-consent negotiations with local cable franchises. The next carriage cycle begins Jan. 1. ACA members are cable systems not affiliated with multichannel programmers.

DTV BILL ON HOLD

House Energy and Commerce Committee Chairman Billy Tauzin (R-La.) will wait until the next Congress before introducing formal legislation aimed at speeding the DTV transition. Opposition voiced at a hearing last week to many provisions in a discussion draft floated by Tauzin and ranking Commerce Committee member John Dingell (D-Mich.) demonstrated that law-



Still on hold

Senator Byron Dorgan (D-N.D.) last week called it "unforgivable" that nomination of Jonathan Adelstein (above) to the open FCC seat continues to languish, and he pledged to bring up the issue on the floor in the near future. Dorgan used the opportunity of a Senate Commerce Committee hearing on broadband deployment to say that he believes the FCC needs "a full complement of commissioners" to deal with the important decisions before it.

makers face the same difficulty settling many inter-industry disputes that FCC officials have faced.

"Hopefully, we can improve the bill after hearing from all affected parties," said Tauzin spokesman Ken Johnson.

ERGEN'S LAST STAND

With the FCC commissioners expected to make a decision on the EchoStar/DirecTV merger within the next several weeks, EchoStar Chairman Charlie Ergen is expected to

make a last-ditch effort to please regulators. FCC sources confirm that the commissioners have received a staff recommendation reportedly nixing the deal.

The Justice Department staff came to a similar conclusion two weeks ago, according to published reports.

HUNDT PITCHES BROADBAND SUBSIDY

Former FCC Chairman Reed Hundt told the Senate Commerce Committee last week that the government needs to step in to subsidize the broadband rollout. Just as Herbert Hoover stepped in to build roads to drive the adoption of the automobile, he said, the government needs to step in to help subsidize the underlying broadband network. Hundt, now a partner in consulting firm McKinsey & Co., said a subsidy would represent a fraction of federal spending on roads.

Committee Chairman Ernest Hollings (D-S.C.) asked Hundt whether he would fund that subsidy with spectrum auctions. Hundt was noncommittal, saying he would "defer" to Hollings.

THE TORCH' PASSES

Broadcasters will shed few tears at Sen. Robert Torricelli's decision to drop a bid to retain his New Jersey seat. He was a key proponent of campaign-reform legislation that would have drastically discounted the rate stations

can charge federal candidates for ad time.

A Torricelli-authored amendment passed the Senate in 2001 but was defeated in the House early this year. Without "The Torch" to carry the torch for the amendment, its future appears doubtful.

NAB PAINTS RADIO RAINBOWS

Just a week after the FCC launched a sweeping review of media-ownership rules, the NAB said it will hire a media-relations firm to pitch the nation on the bright side of radio ownership. It may even have some new ammunition in the FCC's just released ownership studies (see Top of the Week). The reportedly \$250,000 campaign will be aimed at countering industry critics who say consolidation has put radio in the hands of a few corporate giants interested only in promoting a handful of megastar pop acts.

The NAB campaign will point out that there is more diversity than there was five years ago, citing more Hispanic radio and more sub-formats such as alternative rock. The campaign also will note that there remain more than 4,000 radio owners vs. roughly 400 newspaper owners and five major record labels.

"We thought it was time to engage in counter arguments on the industry's behalf," explained NAB spokesman Dennis Wharton.

Bob Miron is a company man; his entire career—beginning in 1958—has been with the Newhouse organization, first in radio and broadcast TV and then in cable.

But he's also an industry man. He's been a member of the NCTA board since 1983 and served as chairman twice, in 1989 and 1997. He is also on the boards of C-SPAN and the Walter Kaitz Foundation and is a former board member of Cable in the Classroom.

As the chairman/CEO of Advance/Newhouse Communications, he's overseeing the company's reemergence in cable by reclaiming systems from its joint venture with Time Warner. When the deal closes later this year, Advance/Newhouse will have clusters of systems in several markets, including central Florida and the Tampa Bay, comprising about 2.1 million subscribers.

Miron began his career during his senior year at Syracuse University, landing a job at Newhouse's WSYR-AM-FM-TV Syracuse. He started in sales and later performed a variety of jobs at the Newhouse stations before being named operations manager for the company's new cable division in 1966.

He became executive vice president in 1974, with responsibility for the broadcasting and cable operations. The cable side took on his full attention after Newhouse sold its broadcast stations during the 1980s.

In 1994, Newhouse formed Advance/Newhouse, a joint venture with Time Warner, to operate its cable systems. Newhouse, Miron says, "was not a well-clustered MSO. We didn't want to exit the business and Time Warner was a natural joint venture partner because their systems were all around ours."

This year Advance/Newhouse decided it wanted to go on its own and took advantage of the joint venture's exit clause to set up a privately-held corporation.

"I guess what I'm proudest of is helping lead the cable industry toward establishing customer service standards, toward recognizing the importance of our customers, our employees and our communities."

BROADCASTING CABLE

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MATERIALS CLOSING: Monday, Nov. 4



ROBERT MIRON

Fame

BROADCASTING CABLE'S

12TH ANNUAL

HALL OF FAME

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Carole Black
Katharine Graham
Kelsey Grammer
Eddy Hartenstein
Don Imus
Robert Miron
Lowell Paxson
Bob Schieffer
Lew Wasserman
Oprah Winfrey

Keeping streams flowing

Digital Fountain helps expedite massive content files' delivery

By Ken Kerschbaumer

Streaming-technology company Digital Fountain has improved its Transporter Fountain product to better meet the needs of media companies that use it for transferring large content and data files. The product is designed to help speed the transfer of large files without additional bandwidth.

"Getting more bandwidth is like adding

Eighteen months later, meeting consumer demand is the least of the problems with streaming. Security issues have pretty much restrained demand because there is little content to demand. As a result, studios aren't looking to Digital Fountain to solve external problems; instead, the focus is on solving internal problems like moving gigabits of video, audio and data files through data pipes designed for megabits.



Disney and Warner Bros. are using Digital Fountain's Transporter Fountain.

another lane on the highway," says Digital Fountain President/CEO Clifford Meltzer. "It means more cars can go 65 mph, but, if there's a radar trap every mile, having more lanes doesn't help you go faster."

The new developments also point to the company's change in business strategy. Digital Fountain officially launched at the end of 2000, just as the sun was setting on round one of the consumer streaming experience. Its product was seen as a way to deal with consumer demand for streams by helping eliminate the bad experiences of consumers unable to access the content. If movie and television studios wanted to reach hundreds of thousands of streaming users, the Digital Fountain system was a solution.

Currently, the main application of the technology is sending digital dailies back to a studio or to a post-production facility via Internet or intranet instead of by courier. But the technology can be extended to traditional broadcast organizations as well. Syndicators and centralized station groups can also use the system to move content via satellite or broadband connection.

Meltzer says the challenge facing broadcasters and other media companies is the cost of a dedicated line for transmission of large amounts of data. A dedicated T1 line that can send data at 10 Mb/s may cost \$10,000 per month. But a shared line with a data rate from 2 Mb/s to 10 Mb/s burstable can cut that to \$2,500.

"Typically, the studios are buying into burstable-type bandwidth," says Meltzer. "They don't want a committed 10 Mb/s because they don't need that much bandwidth all the time."

That's where Digital Fountain's technology—already being used by Disney and Warner Bros. as well as by post-production facilities—comes in. Based on the company's Meta-Content concept, it separates the content file into data packets, which are then sent over the connection to the Digital Fountain receiver.

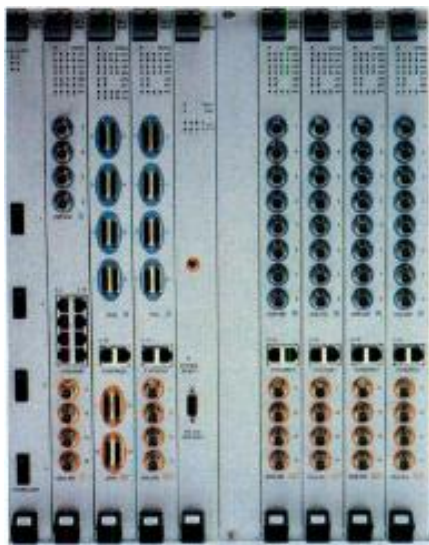
The key is that the receiver does not need to receive the packets in a specific order; it just needs to receive them, in any sequence, to re-create the file. This approach removes the headaches related to packet loss or delay, allowing the packets to be sent much more quickly before they are reassembled.

"Latency has no impact on us, and our degradation in terms of performance is linear with the amount of loss," says Meltzer. For example, a 1% packet loss results in a transmission time that is lengthened by only 1%.

"If you give someone the ability to accelerate delivery but it varies in reliability, they can't use it," he adds. "So what we bring is predictability to the data and then accelerate it while maintaining predictability."

Transporter Fountain 2.0's ability to link with two or more Transporter Fountains to deliver content to a single receiver unit gives the system a redundancy helpful in dealing with a transportation medium as susceptible to hiccups and burps as broadband, T1 or even T3 lines.

Another new feature is tunable rate control and bandwidth cap. Digital Fountain Director of Product Marketing Mahal Mohan says it allows the user to set the amount of bandwidth used so that data transfers don't affect other wide-area network traffic on the same connection. ■



The Broadband Multimedia Router is designed to protect digital cable services.

Big AT&T sale for BigBand

To be deployed in Atlanta system, broadband router provides instant backup

By Ken Kerschbaumer

BigBand Networks has sold its Broadband Multimedia-Service Router to ATT Broadband for use in the cable operator's Atlanta cable system. The BMR will be the first to use BigBand's latest enhancement: self-healing redundancy.

"Self-healing redundancy means we can protect digital cable services," says BigBand President and CEO Amir Bassan-Eskenazi. "If the feed is of a large pay-per-view event and the signal is lost, that could mean hundreds of thousands of dollars that get placed in the 'oops' category."

The redundancy feature allows a remote backup headend to sit on the same Gigabit Ethernet connection as the first headend. If there is a problem, ranging from a single

program to a failure of multiple channels, the BMR is designed to draw from the backup source instantaneously.

"This type of technology is important today," says Bassan-Eskenazi, "because, as HD and VOD crunch the cable network, this approach is needed to turn cable from a transmission medium to a true, sophisticated, smart network."

The installation in Atlanta will serve the system's 1.2 million customers, approximately 30% of which are digital subscribers. The BMR router sits on the edge of the cable operator's network. Continuing to move closer to the home, the edge is defined as the place in the system where the operator last has control over the signal before it is sent to the subscriber. A few years back, the edge would have been the cable headend. Today, the edge is the hubs between the headend and the subscriber.

"You're going to see all digital applications move closer to the hubs, closer to the consumer," says Bassan-Eskenazi.

Those digital applications include grooming of digital and HDTV signals (grooming allows better allocation of bandwidth among channels), ad insertion, VOD, PVR functions and interactive television. The software and hardware to handle those services, available as optional modules, can be brought onto the BMR as needed. AT&T Broadband will deploy the broadcast grooming and ad-insertion modules in Atlanta.

"They'll use the ad-insertion module to separate their network into 13 different zones for local advertising," says Bassan-Eskenazi. "That's important for AT&T or any other cable operator because that's a source of revenue that will grow as more and more programs move from the analog to digital services."

In the field, the BMR can load multiple service applications, with cost depending on number of customers (or, in the case of interactive applications, number of sessions). It typically costs between \$50,000 and \$100,000.

The HD grooming application holds particular promise for cable operators, whose bandwidth demands require intelli-

gent management of the system's overall bandwidth. "Our grooming application enables statistical multiplexing so that more feeds can be placed on the same pipe," Bassan-Eskenazi explains. "If we need to, we can combine SD and HD on the same 6-MHz signal, basically figuring out how to pack those packets into a 6-MHz envelope so they get to the set-top at the home in a way that can be decoded."

Bandwidth is a zero-sum game, he adds, and, with HD and VOD services looming in force, management will be crucial to adding more content. "There could be a shelf-space issue some day" with respect to bandwidth and opportunities for programmers to expand services.

The key to the BMR system, he believes, is its "pay-as-you-go" feature. "Cable operators cannot or will not prepay for functionality they don't use now to help create cash flow. We enable them to do that." ■

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SportsNet's fresh look

Fifth year begins with new graphics, preparations for HD

By Ken Kerschbaumer

Comcast SportsNet is kicking off its fifth anniversary this week with a new graphic look and new studios, all part of a birthday celebration that will culminate next January with the launch of Comcast SportsNet HD.

"We've used the same graphics and music for five years. It was dated and needed to be refreshed," says President and CEO Jack Williams. "When we came on the air, we wanted to be ahead of our time, and what we're hoping is that our new graphics packages will help us do that again."

Philadelphia graphics and post-production facility Shooters helped with the design.

The network also has three new sets and a fourth under construction. Studio productions won't be part of the network's ini-



Updated graphics are designed to be used for both standard- and high-def broadcasts.

tial HD efforts, which will offer more than 200 events in high-definition in the first year (100 games each for the Philadelphia and Baltimore markets).

"The move to HD is coming along," he says. "We're on schedule for a mid- to late-January launch."

A new production truck will feature 11 HDTV cameras and will also be capable of producing 5.1-channel surround mixes of the action. An AMS Neve Libra Live Series II console will be used for those duties. ■

U.S. Postal Service
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Lawrence Oliver, Group Publisher 10/1/02

Tech Emmys awarded

The National Academy of Television Arts and Sciences presented the 2001-02 Scientific Development and Technological Achievement Emmy Awards at a ceremony held at New York's Marriott Marquis hotel last Wednesday. The event drew only about 500 people but managed to provide a few laughs and plenty of information on the development of the SkyCam. The honorees: CBS, for development and standardization of the alignment color-bar test signal for television picture monitors; Panasonic Matsushita Electric Industrial Co. Ltd., for development of a



Henry Mahler (l), who developed CBS's color-bar test signal, receives the Emmy from NATAS President Peter O. Price.

practical variable-frame-rate video-acquisition camera system that enables under- and over-cranking; Fujitsu General America, Donald L. Bitzer, H. Gene Slottow and Robert H. Willson, for development of plasma displays; Royal Philips Electronic and Thomson, for development and commercialization of the 16:9 aspect ratio; Garrett Brown and CF-InFlight LLP, for development of remote-controlled cable-suspended moving-camera-platform technology; Proximity Corp., for software for managing graphical assets for broadcast; and Motorola and Thomson, for development of the consumer digital set-top box for satellite and/or cable.—Ken Kerschbaumer

Photo: Darleen Rubin/NATAS

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Cable's Hot Programs



Broadcasting & Cable's upcoming special report takes an inside look at the top "hot" cable programs that are helping the various cable networks stand out in the crowd. We'll break the report out by cable network and look at which show is a network's current signature program and examine what makes for a "hot" show. We'll also take a peek at which shows are on the cusp of being the next audience craze. Viewers watch programs and programs help create a personality for a network. Be sure to showcase your "Hot" show in *Broadcasting & Cable's* upcoming exclusive special report.

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No dropping Case

The media has been filled with reports of a boardroom coup (with Ted Turner as one of the ringleaders) under way at AOL Time Warner that would have Steve Case (above) dumped as chairman of the company he helped create.

But Case was showing no visible signs of stress last week, as he fielded questions at the Goldman Sachs media conference. He even said the "right role for me is to be more active now than in the past." He said he sees himself as a "partner" with CEO Dick Parsons.

No mention of Turner by Case, although earlier at the conference Disney CEO Michael Eisner praised him for his "keen spirit" and "fantastic job" of inventing the cable news business.

People F A C E T I M E



Photo: Lee Salem

Danson, Wolf kudos

Ted Danson (second from l), former star of *Cheers* and current star of CBS's *Becker*, and Dick Wolf (second from r), creator of NBC's highly successful *Law & Order* franchise, were honored in Beverly Hills, Calif., Sept. 30 by the Museum of Television and Radio for "significantly contributing to the development of quality prime-time entertainment." Flanking Danson and Wolf above are museum President Bob Batscha (l) and Chairman Frank Bennack.

Wolf, who hit it big with 1984's *Miami Vice*, told the audience that he was driven to crime dramas when he received horrible reviews for a comedy he worked on. Danson, after a warm introduction by wife Mary Steenburgen, jokingly asked, "Isn't there a plaque or something?" and went on to thank a long list of supporters.

Karmazin mum

The Wall Street crowd attending a Q&A session with Viacom COO Mel Karmazin (below) at Goldman Sachs's media conference last week wanted to know what the odds were that he would re-up his contract, set to expire at the end of this year.

It's no secret that Karmazin



has locked horns with CEO Sumner Redstone more than once over the past two years.

But Karmazin wouldn't give much away. With or without him, he said, "the company would continue to do well. Don't place a bet based on one individual," he added, "because that person may go and get on the wrong airplane."

MEDIA BIZ QUIZ

1) Having done away with Jerry Levin, Ted Turner now plans to whack:

- A) Paulie Walnuts
- B) Ralph Cifaretto
- C) Silvio Dante
- D) Steve Case

2. The FCC commissioned a dozen studies on the effect of deregulation on radio and television since

1996. Among their stated conclusions:

- A) The FCC pays far more than \$1 per word.
- B) Radio playlists and television programming are actually more diverse.
- C) "Dangerously too many versions of *Law & Order* since deregulation."
- D) "The own-price elasticity for television is -0.7960."
- E) B and D



Paulie may have a bigger problem than Tony Soprano.

3. CBS is going to make the hit film *My Big Fat Greek Wedding* into a television series with one significant change:

- A) John Corbett, the love interest, won't star in the TV show.
- B) Nia Vardalos will be replaced by someone a "little less Greek-looking."

C.) The show will be retitled "Who Wants to Marry a Big Fat Greek Gal?"
D) Jerry Van Dyke will be cast as a next-door neighbor who's in the Witness Protection Program.



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Answers: 1, D; 2, E; 3, A

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Tuesday, Oct. 15, 2002

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

Broadcast TV

Kevin Harlan, GM, WPGX(TV) and WBPC(TV) Panama, Fla., joins WMBD-TV Peoria, Ill., as VP/GM.

Greg McAlister, former president/GM, KAMC(TV) Lubbock, Texas, joins KLBK-TV Lubbock as VP/GM.

Joel Goldberg, assistant news director, WNBC(TV) New York, named director, station operations, WCBS-TV New York.

Programming

At Sony Pictures Television International, Culver City, Calif.: **Andy Kaplan**, entertainment and media consultant, Los Angeles, named senior executive VP, international networks; **Greg Baldwin**, director, music marketing, MTV, New York, joins as VP, marketing and talent relations.

Tim I. Krass, senior VP, affiliate sales and marketing, Intertainer, Culver City, Calif., joins Univision, Los Angeles, as executive VP, affiliate sales.

Diane Herzog, director, publicity, NBC Enterprises, Burbank, Calif., promoted to VP, publicity.

Toby Jaffe, independent feature producer, Los Angeles, joins MGM Pictures, Santa Monica, Calif., as executive VP, production.

Richard Golden, Southwest division manager, Dallas, Paramount Domestic Television, promoted to VP/Southwest regional sales manager.

At MTV Networks, New York: **Dawn Jones**, business manager, affiliate sales and marketing, promoted to VP, finance, affiliate sales and marketing; **Robyn DeMarco**, director, programming, planning and scheduling, promoted to VP.

Radio

At Clear Channel Radio: **Chris Kampeier**, director, programming, Orlando, Fla., Clear Channel Radio, promoted to regional VP, programming, Central/North Florida trade zone; **Kelly Carls**, director, operations, Louisville, Ky., station cluster, named regional VP, programming, Louisville trade zone; **Bob Kaake**, director, operations, WNUA(FM) and WLIT-FM both Chicago, named regional

Obituaries

William D. "Bill" McCracken, Wyoming radio and television pioneer, died Sept. 26 after a long illness. He was 73. McCracken, who broke into radio at age 13 at his father's radio station, KFBC(AM) Cheyenne, helped build KRAL(AM) Rawlings and, by the mid-1950s, was instrumental in getting Wyoming's first television station, KFBC-TV, on the air. Over the next 30 years, McCracken became VP and director of Frontier Broadcasting Co. and owner and operator of several radio and television stations, including Cheyenne's first cable company, Cable Colorvision, and was head of Cheyenne Newspapers Inc. He is survived by his wife, Marvel; two sons; and five grandchildren.

Howard Green, radio and television mogul, died Sept. 29 at the Atlantic City Medical Center. He was 72. Green, whose career started in New York during the 1950s, owned several television and radio stations on the Eastern seaboard, including NBC affiliate WMGM-TV Atlantic City, N.J., the only remaining major network affiliate in New Jersey. He also served as president and chairman of the board for the New Jersey Broadcasters Association.

VP, programming, Chicago trade zone.

Journalism

Andrew Kirtzman, political reporter, NY1, New York, joins WCBS-TV New York, in the same capacity.


At ABC News: **David Wright**, correspondent, Los

Angeles, moves to London bureau; **John Yang**, correspondent, Washington, named Jerusalem correspondent; **Barbara Pinto**, correspondent, Washington, named Chicago correspondent.

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THE FIFTH ESTATER

A news junkie at heart

Murphy worked his way from the body-bag beat to the national scene

As a teenager in Queens, N.Y., Jim Murphy dreamed of entering the diplomatic corps. But, when he was a senior in high school, an internship at WPIX-TV New York got him hooked on the TV business.

The career could have gone either way, he recalls, and was basically decided by the extra \$1 per hour compared with a clerkship at the UN. That extra buck was a lot of money for a working-class kid in the '70s. "That's how I ended up in television," the executive producer of *CBS Evening News* says with a laugh.

Murphy has been going to college—on and off—for some 20 years. He regrets never getting a degree—but not much. After all, he got the best television education achievable right in his own backyard: working at three New York stations in his teens and 20s.

After his internship, WPIX-TV hired him full-time. Within six months, he was writing copy and shooting stories in the field. At PIX, he says, that wasn't unusual: Many of the writers and pro-

ducers were in their teens and early 20s. "It was a place where, if you had any aptitude and willingness to learn, you moved around fast."

At 21, Murphy was hired away by WABC-TV and, within a year, was producing the 6 p.m. news. Four years after that, it was on to WCBS-TV and that station's 6 p.m. news.

After a couple of years there and a decade in the business, the thrill of local TV news began to wear thin. Bottom line, Murphy was tired of the body-bag beat. He wanted to be in network news, covering big national stories: "I was really sort of lost."

Then, in early 1988, he and movie critic Gene Siskel were stranded at the airport trying

to get a flight to Chicago. They didn't know each other but struck up a conversation. Turned out Siskel's wife was a veteran of the New York TV-news wars. The upshot: Murphy was hired as a producer on *Siskel & Ebert at the Movies*.

It wasn't exactly network news. But the pay was good, and it was a ticket out of local news. "It was a cushy job," says Murphy. But he learned a lot about TV production. He had been "the young idealistic news boy. There, I learned that television and the way it's presented is really important to television viewers."

Deep down, though, Murphy is a news junkie at heart, and *Siskel & Ebert* proved frustrating. Meanwhile, he and his



Jim Murphy
Executive producer,
CBS Evening News

B. July 26, 1960, Queens, N.Y.; desk assistant, producer and news writer, WPIX-TV New York, 1977-81; producer, *Eye-witness News*, WABC-TV New York, 1981-86; producer, WCBS-TV New York, 1986-88; supervising producer, *Siskel & Ebert at the Movies*, 1988-93; senior broadcast producer and then executive producer, *CBS This Morning*, 1993-97; senior broadcast producer, *48 Hours*, 1997-99; senior broadcast producer, *CBS Evening News*, 1999; current position since January 2000; m. Adrienne Barr, May 18, 1986; children: Liam (9), Tea (2)

wife, Adrienne, had been told by doctors that they couldn't have kids. So they decided to head back to New York to make a fresh start. On Murphy's last day at the *Siskel & Ebert* show, however, they

learned they were going to be parents.

They might have stayed in Chicago, Murphy says, but he had landed his dreamed-of network gig—sort of.

CBS had offered him a job as segment producer on *CBS This Morning*. It wasn't exactly what he had in mind, but then-CBS News President Eric Ober convinced him it would lead to other opportunities. A year later, he was named executive producer. For three-plus years, he worked hard trying to turn the broadcast around, like legions of producers before him.

In 1997, Murphy shifted to *48 Hours* and, in May 1999, became a supervising producer at the flagship *Evening News* broadcast. Eight months later, he was named executive producer, a job he never thought he'd get because he wasn't a "lifer" working his way up through the *Evening News* ranks.

He has extended his contract to 2006. After that, who knows? He's convinced that the network "is in the best shape it's been in in my adult life." It's just a matter of time, he believes, before the stations give the *Evening News* the lead-in it needs to be competitive in the ratings.

He says he wants to be executive producer of *Evening News* as long as Dan Rather is in the anchor seat. And Rather is only 70, a spring chicken by CBS standards.

—Steve McClellan

Classifieds

Television

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WTVI is looking for a senior executive, preferably working in the broadcasting business. A minimum of seven years in a top executive position is required. Candidates must also have a minimum of a Bachelor's Degree, and a Master's Degree is encouraged. Candidates must have above average team-building skills. Applications should include: (1) a narrative letter describing how the candidate's ability and experience qualify him/her for the position, (2) the candidate's vision of public television over the next five years, and (3) a detailed but not excessively long resume. Candidates selected for interviews will be contacted, and professional references will be required at that time.

WTVI is an Equal Opportunity Employer. This position offers a competitive compensation package with excellent benefits. Applicants are encouraged to apply by October 31, 2002. All applications should be sent to: WTVI Search Committee, 3242 Commonwealth Avenue, Charlotte, NC 28205.

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TOPICAL WRITER/PRODUCER:

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DIRECTORCAREERS

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Editorials

COMMITTED TO THE FIRST AMENDMENT

You copy?

Boston-based consulting firm Viant estimates that 400,000 to 600,000 movies are illegally downloaded every day. Despite record box-office takes, Hollywood is frightened by those figures, as it should be. That's why MPAA was quick to criticize a pair of bills introduced in the House last week that, by undoing some of the copy-protection provisions of the Digital Millennium Copyright Act (DMCA), would make it easier for pirates to plunder the digital seas.

While the bills probably aren't going anywhere, that didn't keep the e-mails from flying last week, with CEA praising the bills and MPAA hoping to bury them.

Protecting fair use while preventing unfair use is a tough job, but the DMCA already provides for fair-use copying of digital material, so we will have to side with MPAA regarding the more wide-ranging of the two bills, which was offered by Rep. Zoe Lofgren (D-Calif.). We'll save Rick Boucher's bill for another day.

Lofgren's bill strikes us as an unnecessary, inequitable entitlement program with language broad enough to drive a truckful of pirated CDs through.

Unnecessary because it "clarifies" that fair use applies to digital as well as analog transmissions, even though no one is disputing that and technological neutrality is already a given in the DMCA.

Inequitable because its prohibition of "non-negotiable, shrink-wrap licenses" (the familiar "click if you accept these terms") conveniently excludes computer software, the bread-and-butter of Lofgren's Silicon Valley constituents, not to mention the intellectual-property category that pioneered such licenses.

Overbroad, finally, because it refers to protecting not only rights but "expectations," an extension of fair use whose end is nowhere in sight and whose interpretation is anybody's guess.

Statistical reading

The FCC's ownership studies came out last week. They arrived in the hundreds of pages, some filled with the sorts of equations that made us choose journalism over, say, statistical analysis when meeting with guidance counselors. There appears to be fodder for both sides, but there's evidence of a definite pro-dereg lean.

We don't say this often, but we have to agree with Commissioner Michael Copps that these "bare-bones" studies should not provide the sole underpinning for commission action, although they should make for interesting reading and prompt lively debate between now and April.

Stay tuned.

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