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CBS 0&0s GET THE SWANSON SOLUTION WNBC-TV's Dennis

WNBC-IV'S Dennis Swanson, who has a way of winning, gets a crack at fixing CBS's owned stations » PAGE 8

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-0

E! GROWS UP, GETS YOUNGER

With 80 million subs, E! is a mature cable network. But it doesn't want to act that way » PAGE 22

PITTMAN OFF-LINE

With Bob Pittman out, HBO's Jeff Bewkes emerges as AOL Time Warner's new TV czar *» PAGE 12*

WHAT IF ADELSTEIN GETS THAT FCC POST?

As the would-be fifth member, Jonathan Adelstein could change the politics at the commission » PAGE 28 THE WINNER

FOX'S AMERICAN IDOL LEADS PARADE OF BROADCASTERS' OFF-SEASON HITS >> PAGE 19

10.1

"Genius!" – Entertainment Weekly

"Wickedly hilarious at every turn, much like its animated cousin, The Simpsons." – San Francisco Chronicle

"It's full of belly laughs." – Time Magazine

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BROADCASTING CABLE

Top of the Week July 22, 2002



In power axis between AOL and Time Warner factions, Bob Pittman is odd man out.

SWITCH HITTING Retired, briefly, as WNBC(TV) chief, Dennis Swanson takes over rival Viacom station group. **>> 8**

EXECUTIVE SHUFFLE HBO's Jeff Bewkes will run AOL Time Warner TV, movie and music units; Bob Pittman exits. **>>** 12

LOW MARKS Multicultural coalition gives CBS's upcoming season the lowest of the Big Four's low grades on diversity. » 16

ABOUT DEMAND Making VOD work for MSOs and cable networks was a dominant topic at last week's CTAM gathering. >> 16

HONOREES Don Imus and Bob Schieffer complete 2002 class of BROADCASTING & CABLE Hall of Fame. >> 17



TV critics at the summer press tour last week asked CBS executives why their upcoming San Francisco-set medical drama Presidio Med has no Asian or gay characters.

Programming

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Commerce nod Gaining Senate Commerce Committee approval, Jonathan Adelstein takes another step toward a seat on the FCC. **»** 28

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Getting tough Impatient with disputes stalling DTV transition, Rep. Billy Tauzin plans wide-ranging legislation. **>> 30**

Set-top offering New Scientific-Atlanta Explorer box incorporates Moxi PVR and other advanced functions. >> 31

Road trip SeaChange truck equipped with two complete headends sets off to teach MSOs and consumers about VOD. **>> 32**

Low-power leniency Sinclair asks FCC to rethink decision on lower-power transmission to meet digital obligations. **>> 32**





COVER STORY SUMMER HITS

No time for kicking back Programming aggressively, broadcast networks find the heat of summer perfect for growing hit shows. >> 19

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CABLE Low-power Puff?

Cartoon Net's Powerpuff Girls and Nickelodeon's Hey Arnold are no Boy Genius. Whereas Nick's Jimmy Neutron: Boy Genius raked in \$80 million last winter, feature films for the Girls and Arnold haven't made a similar splash.

Since its July 3 debut, Powerpuff Girls, Cartoon's first feature, has grossed \$10 million, while Hey Arnold weighs in at \$13 million after three weeks. Executives say international play, home video and DVD will boost their takes.

Another cable star, Animal Planet's Crocodile Hunter, Steve Irwin, isn't yet a big-screen smash either. After a week, *The Crocodile Hunter: Collision Course* has taken in \$9.5 million.

Cartoon and Nick execs say they are in the movie biz to stay. Later this year, Nick releases a *Wild Thornberrys* film, and there's talk of a *SpongeBob SquarePants* movie and a *Rugrats-Wild Thomberrys* crossover. New Line Cinema is also producing a liveaction version of Cartoon's hit *Samurai Jack.*—A.R.

DIGITAL TICKER

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Newest di	gital stations:
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KASA-DT	Santa Fe, N.M. (Fox)
KLST-DT	San Angelo, Texas (CBS)
WATL-DT	Atlanta (WB)
WGNT-DT	Portsmouth, Va. (UPN)
WPWR-DT	Gary, Ind. (UPN)
WREX-DT	Rockford, Ill. (NBC)
WSEC-DT	Jacksonville, Ill. (PBS)
WUPA-DT	Atlanta (UPN)

Total DTV stations:





WJXT's early returns

WJXT(TV) Jacksonville, Fla., which went from CBS affiliate to indie last week, reports early signs of ratings success. Of course, it fell in prime time and daytime, where CBS shows once were, but its local news, said General Manager Sherry Burns, beat its former CBS programming in the morning and evening news spots, and the station beat Fox affiliate WAWS(TV) in the 10 p.m. news. It even won the time slot last Thursday night against a repeat of *ER* (below).

Meanwhile, at new CBS affiliate WTEV-TV, General Manager Susan Adams Loyd was thrilled—the network said it was, too—by the station's ratings, particularly prime time. WTEV-TV did not expect to retain all of WJXT's CBS viewership, but the Clear Channel station kicked off the week winning prime Monday with *King of Queens* and *Yes, Dear.* "We came in with modest expectations," Loyd said early in the week. "People are going to be looking for shows, and there's going to be some sampling. But this was a fantastic day."–D.T.



NONCOM CONUNDRUM

The FCC is in a quandary about how and whether it will let educational/nonprofit broadcasters apply for commercial frequencies. But it must settle the matter before auctions for more than 500 radio licenses occur. Last July, NPR persuaded federal judges to forbid non-com entities from participating in spectrum auctions but not from getting commercial spectrum itself. But how? Last week, the FCC asked the court to dismiss complaints from Central Wyoming College and the Idaho Board of Education, which were denied applications, the FCC said, because the still-muddy issue could delay the auction itself. —B.M.



WASHINGTON

Send a résumé!

Headhunter Joe Sullivan says the search to replace Chuck Sherman (above) as NAB executive VP, television (he will remain president of the NAB Education Foundation), is expected to be completed by Labor Day, with semifinalists interviewed by NAB President Eddie Fritts in August. Sullivan wouldn't comment, but reliable sources tell B&C the winning candidate will be making \$250K a year, with a bonus of up to \$50K.—D.T.

Tower returns

Six detailed designs for reconstruction at the World Trade Center site in Manhattan were unveiled last week, and one feature they all share is a TV and radio transmission tower on one of the buildings. The designs have come under criticism from some, and the Lower Manhattan Development Corp., which unveiled them, says they're just a starting point. But, for New York broadcasters looking for a new digital tower site, the inclusion of transmission towers was important. Ed Grebow, chairman of the MTVA, said he was pleasantly surprised and "very pleased" to see all those towers .--- K.K.



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TOP OF THE WEEK

Now batting for CBS: Swanson

Noted WNBC(TV) GM unretires to lead the Viacom station group out of the second division

By Dan Trigoboff

B aseball analogies abounded last week when Viacom brought broadcasting superstar Dennis Swanson out of his two-day retirement from the top team in TV to operate its cellar-dwelling station group.

"I want to be like the New York Yankees," says Viacom TV Station Group President Fred Reynolds, to whom Swanson will report. "I want to win. I want to have a bench like the Yankees. I don't want to be number three," he said, conceding that, in some markets, "third might be an improvement."

Swanson is hardly the first free agent for the station group, which has brought in other highly regarded station executives without rising much in the local-viewership standings: John Culliton and John Severino in Los Angeles, Hank Price in Chicago, and Joel Cheatwood in New York, just to name a few.

But none aroused as much hope within CBS as Swanson has. "We're in awe," said Reynolds. "We're all giving each other high-fives."

Swanson has already made his first two moves. Within hours of his hiring, he bumped WCBS-TV GM Tony Petitti up to senior vice president for station operations and replaced him at the station with Lew Leone, the vice president of sales at WNBC(TV) and vice president of sports and Olympics sales for NBC. He earlier held sales positions with ABC Sports and ABC National Television sales.

Prior to becoming GM at WCBS-TV,



Says Dennis Swanson, "I'm 64 years old, and I'm not going to have that many more times at bat."

'We're in

awe. We're

all giving

each other

high-fives.

—Fred Reynolds, Viacom

Petitti was senior vice president of business affairs and programming for CBS Sports. In that role, he helped re-land NFL broadcast rights. Swanson and Petitti worked closely

at ABC Sports, and Swanson is godfather to one of Petitti's children. "He's smart, and the division is so big, it's going to need his help," says Swanson. "And it clears the way to bring in Lew Leone."

At WNBC, Swanson was replaced by Frank Comerford, executive vice president of sales and marketing for

NBC stations since 1999. The 23-year broadcasting veteran was head of sales for WNBC before that.

By the FCC accounting, the Viacom sta-

UPN stations that cover nearly 40% of TV households. Swanson's task is turning around the CBS stations. It will not be easy. The large-market CBS stations in particular have been underperforming for years. According to BIA Financial, none of its eight stations in the top 10 markets ranks greater than third in revenue and most are fourth or fifth.

tion group is the nation's

largest, comprising 40 CBS and

"In just the top three markets," says Merrill Lynch media analyst Jessica Reif Cohen, "there is an estimated \$250 million cash-flow gap between NBC's and CBS's performance."

But Cohen is a Swanson fan: "We believe that Swanson will be able to capture the upside inherent in the recent big im-

provement in the demographic delivery of the CBS Television network."

Others applauded the move. "Dennis just knows what to do," says a station consul-

> tant. "He did it in Chicago, he did it in L.A., and he's done it in New York. He figures out how to beat you. He's a leader."

> As a manager at KABC-TV Los Angeles, ABC Sports, WLS-TV Chicago and WNBC, Swanson was known for developing talent. His protégés now run stations for NBC in San Diego, Chicago and Providence,

R.I., and for CBS in Miami and Los Angeles. Reynolds appreciates the talent. Recent

hires of Viacom general managers in Chicago, Los Angeles, Minneapolis and





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Diversity downer

Multicultural groups say CBS fall season is worst of all

By Paige Albiniak

BS was not happy to be singled out last week by the Multi-Ethnic Coalition—comprising the Asian Pacific American Media Coalition, the National Latino Media Council, and the American Indians in Film and Television—which gave the network a D- after reviewing its new fall schedule in terms of diversity.

No network did well. While CBS earned the worst grade from the coalition, the other networks didn't fare much better. NBC got a D+, ABC a C- and Fox a C.

Last year, CBS got a D+, and NBC got a C, higher grades than this year's. Last year, ABC got a D-, and Fox got a C-, so, for

what it's worth, they appear to have improved.

African-Americans aren't part of the coalition; the NAACP usually issues its own report.

The three groups that make up the coalition said they were sending letters to CBS's top nine advertisers—including General Motors, Procter & Gamble and

AOL Time Warner—and asking them to "raise concerns about CBS's commitment."

But CBS fought back: "We vigorously dispute the findings of the so-called 'Report Card' that grades the major television networks on their progress in broadening diversity. CBS will continue to do what we know is the right and positive thing, and not be sidetracked into engaging



in a divisive and negative debate."

Last week during the summer press tour in Pasadena, CBS took some flak from TV critics asking why its new show, *CSI: Miami* has only has one recurring Hispanic character, and why *Presidio Med*, set in San Francisco, has no Asian or gay characters. Producers said ethnic minorities and gays would be part of the plot lines of many episodes.

The demands of demand

At CTAM, the talk is VOD and getting it to work for MSOs and networks

By John M. Higgins

The purpose of marketing is to spark demand. But it is demand—video-ondemand—that has cable marketing executives anxious.

VOD and its TV-on-demand cousin, the personal video recorder (PVR), dominated last week's CTAM Summit, the annual gathering of cable-system and -network marketing managers.

Time Warner Cable Vice Chairman John Billock cautioned that missteps in the demand-video arena could further disappoint video-hungry consumers. Cable is already losing 2 million customers annually to direct-broadcast-satellite providers, which generally offer a superior channel lineup. Cable operators, he said, "have to claim our technological superiority."

The two products hold both promise and threat to both operators and networks, which have very different issues. In VOD—serving up packages of products via a high-end cable system—operators agonize over marketing and packaging movies and TV shows so that subscribers will actually demand them.

But networks are terrified that selling their programs on VOD systems will drain viewers away from the commercials. (Both networks and movie studios are also terrified over piracy.)

PVR systems like TiVo and ReplayTV present related issues. Cable operators want to integrate the video hard drives into cable set-tops. DBS, the rival to cable operators, aggressively went this route more than a year ago.

But, since piracy issues and standardization issues leave cable customers leasing equipment, rather than buying gear outright, operators can't figure out how to profitably set monthly pricing and marketing for a TiVo-like cable box and program guide.

Through all the hesitation, anxiety and uncertainty, market-

ing executives got the message that demand technology is coming whether it's a tight fit with their businesses or not. ÿ

Ken Potashner, CEO of ReplayTV PVR manufacturer SONICblue, said his company has been sued by 29 different media companies over commercial-skipping features and Replay's ability to send recorded TV shows and movies through an Ethernet port and onto the Internet.

The technology is inevitable, he said. "Whenever you get a disruption like you have now, with technology itself, you have opportunities on every side of the disruption. The losers are the ones that try to cement their existing business models and business approaches. The winners are the ones that take out a clean sheet of paper and redesign it." ■

Hall of Fame's full slate

Don Imus and Bob Schieffer to be honored Nov. 11

ith the elections of radio-TV personality Don Imus and Bob Schieffer, anchor of CBS News's Face the Nation, the slate of hon-

orees for the 12th Annual BROADCASTING & CABLE Magazine Hall of Fame is now complete. The induction ceremonies will take place on Nov. 11 in New York's Marriott Marquis at a formal dinner benefiting a number of industry causes.

Previously announced as 2002 honorees: Peter Barton, cable pioneer and co-founder of Liberty Media; Carole Black, chief executive of Lifetime Communications; Kelsey Grammer, star of NBC's *Frasier*; Eddy



Don Imus



Bob Schieffer

Hartenstein, satellite pioneer and chief executive of DirecTV; Robert Miron, another cable pioneer, now chief executive of Advance/Newhouse Communications; Lowell (Bud) Paxson, founder of the Pax TV Network and chief executive of Paxson Communications; and Oprah Winfrey, toprated syndicated talk-show host.

Don Imus made his reputation in radio as one of the medium's leading personalities, then transferred his venue and his popularity to television with *lmus in the Morning* on MSNBC. He brought that format to WNBC(TV) New York in 1971, by way of Los Angeles and Cleveland. The radio version now appears in more than 90 markets. The actual broadcasts originate from the Imus ranch in New Mexico.

Schieffer has covered the Washington beat for CBS News for 35 years, assigned to all major capital beats: the White House, Pentagon, State Department and Capitol Hill. He has been anchor of *Face the Nation* since 1991. He has covered every presidential campaign and has been a floor reporter at every Democratic and Republican national convention since 1972. For 20 years, he was the anchor for the Saturday edition of the *CBS Evening News*.

As he has since 1991, ABC News veteran Sam Donaldson will perform the duties of master of ceremonies.

Reservations for the 2002 event may be arranged through Steve Labunski in New York at 212-889-6716. ■



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THE WEEK THAT WAS

HBO LEADS EMMY DERBY HBO's Six Feet Under

grabbed 23 Emmy nominations last week, more than any other series, and HBO itself led all networks, broadcast or cable, with 93 nominations. Other big scorers for HBO included *Sex and the City*, with 10 nominations, and *Band of Brothers*, the World War II miniseries, which is in contention for 19 Emmys.

All in all, cable-network programming grabbed 191 nominations, a record.

NBC was nominated for 89 Emmy statues. Among the contenders are *Will & Grace* with 13 nominations, and *The West Wing* with 22. CBS got 50 nominations, including six for its second-year hit CSI. ABC garnered 35 Emmy nominations, helped by 11 for its rookie *Alias*, and Fox got 33, including 10 for the novel drama 24.

Among other networks with multiple nominations were A&E (22), TNT (22) and PBS (11). A full list of the nominations is available online at www.emmy.org.

BUSH BACKS POWELL'S DIGITAL-TV DRIVE

The **Bush** administration last week seconded FCC **Chairman Michael Powell's** criticism of TV makers balking at his call to add digital tuners to nearly all sets.

In a speech to the **Media** Institute, the White House's top official for telcom policy called TV manufacturers "the sole source of static" impeding Powell's effort to speed the



Six Feet Under received 23 Emmy nominations.

DTV transition. National Telecommunications and Information Administration head Nancy Victory urged the Consumer Electronics Association to reconsider its decision not to "join the DTV team."

BY THE NUMBERS

The median age across the six broadcast networks for the just-ended season was 44.9 years, says media-buying firm **MagnaGlobal USA**. That's up almost three years from the 1997-98 season. **NBC** and **ABC** have aged the most, both up about five years on average: NBC to 45.9, ABC to 46.

The **CBS** audience has gotten younger by a year and a half, but it's still 51.7. The **Fox** audience has aged by almost three years to 36, while **UPN** has aged by about half a year to 34.2. **The WB**'s median age has climbed seven years to 31.2.

IN THE NEWS

MSNBC's new silver-haired star Phil Donahue grabbed an average 0.8 rating and 812,000 viewers in his first three outings last week, besting his CNN rival Connie Chung (0.7 average, 695,000 viewers). Fox News Channel's Bill O'Reilly remained far in front, though, with a 2.0 average with 2.1 million viewers. MSNBC's other addition, a 7 p.m. show with Jerry Nachman was weak in its debut, averaging an 0.3 rating with 270,000 viewers. ...

According to a new **RTNDA/Ball State University** survey, the percentage of female and minority TV and radio news directors is up in 2002, while the number of women and minorities as a percentage of the news workforce is down.

Women hold a record 25.9% of TV news-director jobs, up from 20.2% in 2001. In radio, 22.3% of news directors are women, up from 21.9% in 2001. Minorities hold 9.2% of TV news-director posts, up from 8% last year. In radio, 5.1% of news directors are minorities, up from 4.4% last year.

Overall, minorities make up 20.6% of the TV news workforce, down from 24.6% last year. In radio, minorities have 8% of the news jobs, down from 10.7% last year. In TV, minorities hold 19% of the jobs in English-language newsrooms, down from 21.8% in 2001. Women make up 38.6% of the television news workforce, down slightly from last year's 39.7%. Women hold 32.5% of all jobs in radio news, down from 37.4% in 2001. ...

CNN recruited Wilson Surrratt, most recently executive producer for the WB11 Morning News at WPIX(TV) New York, as executive producer for American Morning With Paula Zahn. He replaces Kathy O'Hearn, who stepped down in May.

PAXSON SELLS FRESNO

As part of an effort to sell \$100 million in assets to improve liquidity, **Paxson Communica**tions cut a deal to sell its **KPXF(TV)** Fresno, Calif., to **Univision** for \$35 million. The deal would give Univision a duopoly in Fresno, where it already owns KFTV(TV). Paxson says it paid \$8 million for the station in 1998.

Paxson's rocky operating cash flow and debt repayments next year have investors worrying that the company could face a cash pinch. Paxson's CEO Jeff Sagansky said it is "in active discussions" to sell other "non-core" stations.

CORRECTION

In a July 15 story on page 10, CTAM President Char Beales's name was misspelled.



COVERSTORY

How summer got

BY STEVE MCCLELLAN

ime was, summer was a dumping ground for repeats and failed pilots. For four consecutive years, though, the season has spawned at least one new hit show for broadcast network TV. Programmers now actually *plan* for summer.

Broadcast nets used to fill it with reruns; now summer grows hits In fact, over the past four years, the summer has generated more hits than the regular season has. Since 1999, only three fall-season hits have emerged: *CSI: Crime Scene Investigation* on CBS and *The West Wing* and *Will & Grace* on NBC

The summer hit parade began in 1999 with ABC's *Who Wants to Be a Millionaire*, which the network quickly added to its regular season—and played to death.

A year later, *Survivor* on CBS took the nation's summer viewers by storm and was quickly added to the fall season. Last season,

NBC struck summer gold with *Fear Factor*, which likewise found a place on the regular schedule.

And, this summer, at least three new shows are hitting the summer jackpot: Fox's American Idol: The Search for a Superstar and NBC's Dog Eat Dog and Crime & Punishment.

Without question, *American Idol* was just the shot in the arm Fox needed after a ratings-challenged regular season. *Idol* is so strong that the network has actually finished first with the show, not just in key demographics (which it just about always does) but in households and viewers, something the network doesn't often do.

The new summer shows have also become a sort of laboratory for the networks to experiment with product-placement advertising, says Jeff Zucker, president of NBC Entertainment. For example, both Circuit City and Net Zero have products in *Dog Eat Dog*. Products from Target, Pepsi Co., Reebok and others have been prominently placed in *Survivor*. And *Big Brother III*, which debuted last week on CBS, has several Miller Brewing Co. "malternative" beverages stocked in the house fridge.

Going forward, it's critical that the networks have such testing grounds for new ad forms because, say ad-agency executives, the 30-

COVER STORY

second commercial will soon become outdated and eventually extinct.

Last week, Rishad Tobaccowala, president of media-buying firm Starcom Media-Vest, told a CTAM crowd that his firm is telling clients to plan on the dominance of the 30-second spot for only three more years. By then, personal video recorders and other video-on-demand technologies will be widespread enough to force the development of other ad forms—and that's why you see all those energetic contestants on *American Idol* surrounded by Coca-Cola logos.

Summer success, of course, begets opportunity. Just last week, Fox moved up the debuts of two other reality shows to the summer. Both 30 Seconds to Fame and Meet the Marks, which were supposed to premiere later, turned in solid performances in the ratings in their initial outings, but the jury is obviously still out.

Meanwhile, stay tuned for a second edition of *American Idol*. Fox Entertainment President Gail Berman confirms that a second edition of the show will air in the upcoming season but says it hasn't been scheduled yet, although it's almost certain to be in a sweeps month.

Berman says the summer has become absolutely critical for the network to program aggressively, particularly to boost circulation among women.

American Idol has filled that bill.

"Knowing that we have baseball for the next several years, it's extremely critical that we keep our circulation up for females in the summer, because there are a lot fewer females watching our air during October. We want to make sure that we have promotional vehicles that women can see our product over the course of the summer and stay with us for the fall."

NBC's *Dog Eat Dog*, like *Fear Factor* before it, has achieved hit status. *Dog* is the top new summer show in total viewers, is tied with *Idol* among adults 18-49 and is the top-rated show in the demo on Monday nights (*Idol* airs on Tuesday and Wednesday nights).

"This summer has been very successful



USA Network President Doug Herzog can let out his breath. His summertime plunge into the original-series business is looking like a smart move.

After years on the sidelines, USA Network offered up two scripted originals this summer, psychic thriller *Dead Zone* and offbeat detective show *Monk*, that are pulling in impressive Nielsen ratings.

Monk, starring Tony Shalhoub as a brilliant but obsessive-compulsive detective, kicked off July 12 with a strong 3.5 household rating, according to Nielsen Media Research. That debut followed Dead Zone, which started June 16 and notched a stellar 4.7 rating, making it the highest original-series premiere in cable history. After five weeks on the air, Dead Zone, featuring a young man who awakens from a long coma with supernatural powers, is averaging a 3.6 rating.

The key, Herzog explains, is trying something different. "Everyone is talking gritty cop shows, and we put on Monk," he said. "Our shows are opposite what everyone else is doing. That's where we surprised people."

Observers have been waiting to see whether Herzog, who developed hits like South Park for Comedy Central and Malcolm in the Middle for Fox, could work some magic for stagnant USA, where he has been for a year. Through the first two weeks of July, USA averaged a 1.8 in prime, slightly above last July's 1.7 average. But before he could do much, he had to burn off mediocre shows, like word game show *Smush*, left over by his predecessor, former USA Cable President Stephen Chao.

"[Monk and Dead Zone] put USA back on the map," says Initiative Media's SVP, Director of Research Stacey Lynn Koerner. "They've backed them up with a lot of promotional and marketing weight."

Herzog also is high on specials and stunts, like the recent AFI tribute to Tom Hanks, which popped a strong 3.6 rating June 26.

Across cable, networks are boasting success with original programming. The second season of TNT's sci-fi cop drama *Witchblade* is averaging a 2.2 rating, even with season one. And the net's first collaborative movie with Johnson & Johnson, *Door to Door*, with William H. Macy, grabbed a 4.8 rating at its July 14 debut.

Sister net TBS, however, still claims the year's highest-rated original movie, a 5.9 on June 9 for Atomic Twister.

On Lifetime, original dramas are driving Television for Women's ratings romp (Lifetime has been the top-rated cable net for months). Proven Sundaynight originals *The Divisi*on and *Strong Medicine* are joined by new legal drama *For the People*, which debuted July 21.

With school out, *The Real* World, this one in Chicago, is producing Osbourne-sized ratings. The show grabbed a 4.4 rating, its best of the summer, July 9, along with several June episodes boasting ratings in the 3.1-3.3 range. — *Allison Romano*

2

COVER STORY



Big Brother III, debuting this week on CBS, will feature plenty of product-placement opportunities for "malternative" beverages.

for us," says NBC Entertainment President Jeff Zucker. It's very likely that *Dog Eat Dog* will follow the path of *Fear Factor* and become a midseason replacement after its summer run wraps up.

7

Although *Dog Eat Dog* is the network's big summer hit, Zucker says NBC has also seen solid performances from *Crime & Punishment* and *Spy TV*. He calls *Crime & Punishment*, new from Dick Wolf, a "bona fide success" in that it has boosted the network's key-demo performance in its time period by as much as 24% and has been first among adults 18-49 in three out five airings.

There's more to come. Debuting shortly will be *Meet My Folks*, a reality show based loosely on *Meet the Parents*, the 2000 hit film. Zucker says he has "very high hopes" for *Folks*. Also up soon: *The Rerun Show* and *Love Shack*.

In some ways, of course, it's just common sense: Given the choice between compelling, well-produced original programs and shows they've already seen (compelling or not), viewers will gravitate to the new stuff.

In the past, the economics of producing original fare year round dissuaded the networks from producing much original summertime material; it simply hasn't been in the budget. But, says Zucker, the networks are finally figuring out a new economics: "We have to. Summer is a time that can no longer be ignored." He says NBC's sum-

Summer repeats: Death Valley

Starting new shows during the summer may be more important than ever, because ratings for repeats have declined dramatically at virtually all the networks.

Network	2001 Avg. HH	2002 Avg. HH	% chg.
ABC	5.0	3.5	-28
CBS	6.3	5.7	-10
Fox	3.7	3.1	-16
NBC	5.3	5.0	-6
UPN	1.7	1.5	-12
WB	1.7	1.7	0
Total	4.3	3.7	-14
Courses Mich			

Source: Nielsen Media Research

mer shows are "significant contributors" to the network's bottom line.

A midsummer review of original summer programming by Initiative Media appears to show that summer-program development efforts are finally paying off in the ratings, compared with all the repeats. Initiative compared the ratings of original and repeat fare airing between May 23 and June 30 on the six broadcast networks. The repeat programs averaged a 3.7 rating while the original shows averaged a 4.9, about 32% higher. Initiative also found that the network repeats are way off compared with a year ago—about 14% on average across the six networks, driven by a 28% decline at ABC.

Despite the summer hits on broadcast,



NBC's Dog Eat Dog is broadcast's top new summer show in total viewers.



A product-placement laboratory, *Survivor* boasts products from Target, Pepsi Co., Reebok and other suppliers.

though, the prime time share of audience continues to shift to cable, and the trend is particularly acute in the summer months.

In May, the last month of the regular season, the seven broadcast networks had a 58 share of the prime time audience vs. a 45 share for basic cable, according to Nielsen Media Research. In June, broadcast's share slipped to 46.5, and the basiccable share climbed to 52.

Which prompts the question, how much more would the broadcast networks have slipped without the aggressive push on original programming?

According to Stacey Lynn Koerner, the Initiative Media senior vice president who wrote the report, a key finding this year was that, for the first time, the summer originals, taken as a group, outrated the repeat shows on broadcast TV. "It took a while," she says, "for the viewers to understand that the networks were no longer going to go to sleep in the summer."

At E!, youth will be served

By aiming at younger demos, the net's succeeding—and then there's Anna Nicole

By Allison Romano

niff out a drop in Nielsen ratings, and, usually, there's an illness pestering a cable network. For E! Entertainment Television, though, the numbers don't tell the True Hollywood story.

"I could create a stunt pretty easily that would pop a household rating," said E! President Mindy Herman, "but I would bring in people my parents' age."

For Herman, fewer viewers mean more-so long as they are younger.

The celeb-obsessed niche net has seen prime time ratings waver between 0.4 and 0.6 over the past year, according to Nielsen. In the second quarter, household ratings dipped 7%, to a 0.44, but delivery to adults 18-34 is up 24%, to adults 18-49 up 12%.

E! is a rare bird. It's a mature niche net, launched in 1990 and piped into nearly 80 million homes. Early hits like Talk Soup and True Hollywood Stories put E! on the map. But, in recent years, innovation has dried up. Much like VH1's famed Behind the Music, E!'s bio series started to define the network.

Count on a plump, busty blonde bombshell to change that.

Former Playboy Playmate Anna Nicole Smith stars in an Osbournes-like reality sitcom bowing Aug. 4 at 10 p.m. ET.

"We've had hits before, but we've never had a hit with this much buzz," said Herman.

Cameras will trail 36-year-old Smith daily, along with her lawyer; her teenage son, Daniel; her purple-haired assistant; and her dog, Sugar Pie.

"It's the story of a woman trying to make it in the big city." Herman says, The Anna

Nicole Show, an Osbournes

like sitcom.

debuts

Aug. 4.

likening it to Mary Tyler Moore or Roseanne.

Where Ozzy is a rock star, though, it's not clear what Anna is or does (in that, she's more like Ozzie Nelson). We hear she goes bowling, may get her driver's license and wants to act. Asked by TV critics gathered in Pasadena, Calif., why people will tune in, she replied blankly, "I don't know. I can't answer that." (She was married to late oil baron J. Howard Marshall II and stands to inherit \$89 million.)

But do young viewers care about her?

"How many 18- to 34-year-olds knew Ozzy that well? It's not like he arrived on the scene five years ago," says Magna Global USA's research chief Steve Sternberg.

Smith is the subject of a Hollywood Stories episode that has aired 40 times. Each play, E! says, pops above-average ratings, suggesting that curious viewers want more.

The Anna Nicole Show is part of E!'s design to hook young eyeballs. Last year, an aging prime time audience had E! execs fretting. Median viewer was

43 years old, according to Magna Global USA research. (That's young by industry standards, but E! execs aim even lower.)

The net's first move was painful. Mysteries & Scandals, a popular but old-skewing show, was yanked from prime, and True Hollywood Stories moved back to 8 p.m. ET. "That dropped our ratings," said Herman, "but we knew it would."

Four new series-including Rank, a "what's hot, what's not" show, and interview show Revealed-were added. "They play more to pop culture and what's happening in entertainment now," explained E! programming chief Mark Sonnenberg. The shows play younger: Nearly 70% of the audience is adults 18- to 49.

In upfronts, advertisers rewarded E!'s changes. While many cable nets' CPMs were down or flat, younger-skewing channels like MTV, Comedy Central and E! saw increases. El's CPMs rose 7%, and

total ad revenue was up \$42.5 million from last year, according to Morgan Stanley.

> "They have a lot of currency with their coverage of big events like the Oscars and the Emmys," said Andrew Donchin, director of national broadcast at Carat USA.

> > E! promises to keep delivering and has 15 shows in development. On the way for late 2002 is another reality/comedy hybrid, America's Favorite Houseguest, on which a comedian moves in with a family prepping for a big event. Anna's next wedding, perhaps?

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BroadcastWatch

COMPILED BY KENNETH RAY

 $JULY \ 8-14$ Broadcast network prime time ratings according to Nielsen Media Research

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Syndication Watch

JULY 1-7 Syndicated programming ratings according to Nielsen Media Research

TOP 25 SHOWS

		НН	нн
Rank/	Program	AA	GAA
1	Wheel of Fortune	7.1	NA
2	Jeopardy	6.3	NA
3	Friends	5.4	6.2
4	Seinfeld	4.9	5.3
5	Judge Judy	4.6	6.7
5	Everybody Loves Raymond	4.6	5.2
6	Entertainment Tonight	4.6	4.7
8	Seinfeld (wknd)	4.4	4.9
8	Oprah Winfrey Show	4.4	4.5
10	Wheel of Fortune (wknd)	3.9	NA
11	Entertainment Tonight (wknd)	3.5	3.5
12	Live With Regis and Kelly	3.2	NA
13	Judge Joe Brown	3.1	4.1
14	Maury	2.8	3.0
14	King of the Hill	2.8	3.1
14	Frasier	2.8	3.0
15		2.8	NA
15		2.8	3.6
19	Inside Edition	2.6	2.6
19	Home Improvement	2.6	2.9
19	Friends (wknd)	2.6	2.6
22	Montel Williams Show	2.5	2.5
22	Jerry Springer	2.5	2.7
23	Cops	2.4	3.1
24	Stargate SG-1	2.3	2.3
24	ER	2.3	2.6

TOP MAGAZINE SHOWS

			HH	HH
Ra	ank/	Program	AA	GAA
	1	Entertainment Tonight	4.6	4.7
	2	Entertainment Tonight (wknd)	3.5	3.5
	3	Inside Edition	2.6	2.6
	4	Extra	2.0	2.0
	5	Access Hollywood	1.7	1.7

According to Nielsen Media Research Syndication Service Ranking Report

July 1-7, 2002 HH/AA = Average Audience Rating (households)

HH/GAA = Gross Aggregate Average One Nielsen rating = 1,008,000 households, which rep-

resents 1% of the 100.8 million TV Households in the United States NA = not available

Ricki Lake grows up

Ricki Lake will be getting a makeover next season as the host and producers try to extend the appeal of the show from its core demographic of women 18-24 to women 18-34. Changes will include updated graphics, modifications to the set, a shift in topic choices to reflect Ricki Lake's own changing interests, new entertainment and celebrity segments, and a new production team. The show enters its 10th season in September.

Last week, Columbia TriStar Domestic Television, the studio behind *Ricki*, named Michelle Mazur co-executive producer for the show, where she will work with executive producer Michael Rourke to implement the changes. Rourke joined the program in February, replacing Gail Steinberg, who had run the show since its inception.

Mazur and Rourke are also co-executive producer and executive producer, respectively, on *Judge Hatchett*, which enters its third season. Both shows are based in New York.

CTDT also said two former producers of *The Rosie O'Donnell Show* have joined the *Ricki Lake* production team. Mimi Pizzi was supervising producer on *Rosie* and will hold the same title at *Ricki*. Liza Persky, a senior producer on *Rosie*, has been named entertainment producer on *Ricki*.

Rourke says Lake has "grown up in the last nine years." Initially, her show was targeted to high school and college kids, he says. Now she wants to explore subjects—including relationships, the changing role of women, parenting issues, even financial topics that concern somewhat older viewers.

The trick, says Rourke, will be to retain the current audience (or a good part it) while also appealing to women who are a little older. "We want to grow the show organically, and it's a natural evolution because, as Ricki has grown older, her interests have changed. So it makes sense to focus on an audience that's slightly older than our traditional audience."

As entertainment producer, Persky will incorporate celebrities and pop-culture stories into the *Ricki* subject mix, says Rourke. Historically, the show has done little along those lines. —*Steve McClellon*

New topic choices will reflect host Ricki Lake's own changing interests.



Station Break

RHODE ISLAND REPORTER INVOKES PRIVILEGE

WJAR(TV) Providence, R.I., reporter Jim Taricani cited federal newsgathering privilege when subpoenaed last week by a special prosecutor attempting to discover who leaked a videotape that appeared to show a Providence City Hall aide accepting a bribe.

WJAR in February 2001 aired the tape, which seemed to show a former top aide to Mayor Vincent "Buddy" Cianci Jr. taking a \$1,000 bribe in his office. Both the aide, Frank Corrente, and Cianci were convicted in the recent "Plunder Dome" trial, which gripped the city for months. Taricani has been the station's lead Plunder Dome reporter.

The identity of the person who leaked the tape may be known by as few as two people—the leaker and Taricani—and Taricani isn't talking. He says attorneys representing his station and owner NBC have been supportive and believe that the First Circuit goes further than most in providing haven for reporters protecting sources.

Taricani said he'd answered the questions he felt he could and now awaits the special prosecutor's next move. As yet, he has not been threatened with contempt of court.

WJZ-TV REPORTER HOSPITALIZED

A car crash in Columbia, Md., Sunday night killed an 18year-old girl and injured WJZ-





Proactive response

Baltimore viewers saw WBFF(TV) investigative reporter Jonathan Leiberman get hit in the mouth during an investigation of a car company suspected of rolling back odometers. As Leiberman attempted to ask questions of an executive at the company, an unidentified assailant first threatened station photographer Paul McGrew, then turned on Leiberman. "It made for good sound," said Leiberman, but it was two-handed and open and did not require medical attention. McGrew got it all on tape, Leiberman said, and took note of the license plate when the assailant drove away in a car brought in for service. A suspect has been charged with seconddegree assault, Leiberman says, and state authorities are investigating the allegations raised in the story.

TV Baltimore reporter Dick Gelfman and his wife, Lenore, a Howard County, Md., judge.

According to the station, Tiffani Wiberg was in a Ford Tempo that crossed a center line and collided with the Gelfmans' Ford Explorer. Police told the station that Gelfman had been pulled from his vehicle. He reportedly has a broken leg and at press time was in serious condition at an area hospital. His wife was able to leave the vehicle on her own and was listed in fair condition.

Both were considered

stable and the injuries not life-threatening.

HELPING A HERO

The homeless St. Louis woman who, with KTVI(TV) St. Louis photographer Bobby Hughes, saved the life of a driver trapped in a burning vehicle after an accident two weeks ago, was herself aided by an outpouring of support following the revelation of her action.

Following its initial report on the accident and Hughes's and Mary Whitehead's quick action, people began phoning the station to ask where they could send money to aid Whitehead in getting a home and a working car. Her car's breakdown put her at the scene of the accident.

Reporter Bonita Cornute, who is also a volunteer with the local Community Women Against Hardship, reported the follow-up story and brought Whitehead to the organization, which is attempting help her in using the fund created for Whitehead at the Union Planters Bank.

PRIME TIME HOWARD

Public-TV station WHUT-TV Washington will add a local prime time weekly series in September focusing on life and events at parent Howard University. "WHUT-TV is part of Howard University," says General Manager Adam Clayton Powell III. "So we have a special obligation to present educational programs, such as @HOWARD, at times when most viewers will be able to watch."

The Friday-night program will follow WHUT-TV's other weekly public-affairs entry, *Evening Exchange*.

The station will also be adding a second nightly BBC News financial-planning show, *Moneywise*, and a weekly documentary series focusing on African-American history and race relations in America.

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

FocusZanesville

THE MARKET

DMA rank	202
Population	85,000
TV homes	32,000
Income per capita	\$15,368
TV revenue rank	206
TV revenue	\$3,400,000

COMMERCIAL TV STATIONS

Rar	ık*	Ch.	Affil.	Owner
1	WHIZ-TV	18	NBC	So. East Ohio
"May	2002, total hous	seho lds , (6 a.m2 a.	m., SunSat.

CABLE/DBS

Cable subscribers (HH)	24,000
Cable penetration	75%
ADS subscribers (HH)**	4,160
ADS penetration	13%
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

Rating/Share***
11/23
22.5/37
16/33
15/40

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



The Zanesville, Ohio, market boasts one full-power commercial TV station.

Proud of its local voice

Last among Nielsen Media Research markets alphabetically, Zanesville, Ohio, comes in nearly last among TV markets both in revenue rank—at DMA No. 206—and in population—at No. 202. The flip side of that is a much smaller number: one. The market covers one county, and it includes only one full-power commercial station: WHIZ-TV.

Vice President Marion "Van" Vanelli has been with the station since he was its main news anchor in the late 1960s and began running the operation earlier this year at the retirement of 50-year veteran Allan Land.

The station and its ownership are proud of its localism and its commitment, Vanelli says. "When you have 75% cable penetration, with at least 65 channels, what we're selling is localism. We're the guys who report what the United Way is doing, what the Boy Scout camp is doing. Do you think the stations in the bigger markets care about those things? Not a chance. And we do all the hard news, too. We report on all the governments and all the elections in all those counties that surround us.

"This past year," he adds, "for the first time in the history of the station, we hired a full-time meteorologist, a Penn State grad." In the past, Vanelli says, the station used a weather service and satellite photo feeds from NBC. "It helped that an NBC-owned station was so close by," he says of WCMH-TV Columbus, Ohio.

The local economy is fairly stable. "We don't count on a lot of factories with 3,000 and 4,000 people for employment," says Vanelli. "One company, Longaburger Basket, employs about 7,000 people. If that went out of business, that could have an effect. But the economy is pretty diversified here. Our big advertisers are automotive, fast food, financial and—here we don't say 'retail,' we say 'Wal-Mart.'"

He's not enthusiastic about digital transition. "If we've got 75% cable penetration and 13% satellite, why are we spending \$4 million to go digital?" he asks. —Dan Trigoboff



Washington

Senate likes Adelstein for FCC

But confirmation for the vacant fifth seat could still be held up by Sen. John McCain

By Bill McConnell

hen Jonathan Adelstein appeared before members of the Senate Commerce Committee last week, his job was to quell any doubts about his qualifications to serve as an FCC commissioner.

But rather than grill him about his abilities and views, lawmakers used his confirmation hearing as a soapbox for their concerns about the telecommunications industry, violence on TV, broadband deployment and telephone universal service.

For example, Sen. Sam Brownback (R-Kan.), urged the FCC to consult studies of children's cognitive development to gauge the impact of violent TV programs.

Although the 39-year-old aide to Senate Majority Leader Tom Daschle did not indicate whether he would join FCC Commissioner Michael Copps' campaign to clean up the airwaves, Adelstein did call violent programming "an incredibly important issue" and called on broadcasters to be "vigilant" about what is aired during hours children are likely to be watching.

Adelstein pledged that one of his priorities will be making sure the FCC provides all Americans, especially in rural areas such as his home state of South Dakota, access to the full range of communications services. Under questioning from Sen. John McCain (R-Ariz.), the committee's ranking minority member, Adelstein agreed that the telecommunications industry faces a crisis because of the WorldCom meltdown and declining values of other infrastructure companies.

Adelstein won the endorsement of the handful of senators who attended the confirmation hearing, and his nomination is likely to be sent to the sent to the full Sen-



Jonathan Adelstein (above) appears one step closer to full Senate vote on his nomination, having gained the consent of key members of the Senate Commerce Committee. At its hearing, Sen. Sam Brownback (r) voiced concern over the impact of TV violence on children's development.



ate soon. Final confirmation might sit in the inbox for a few weeks, however. Despite conceding that the FCC had much important work ahead, McCain continues to block his confirmation and other nominations until his pick for the Federal Election Commission is appointed.

When Adelstein does fill the fifth and final vacant slot on the panel, the dynamics of the FCC might be in for important changes.

"His appointment won't change the Republican majority, but it changes the interplay and politics," says Precursor Group analyst Scott Cleland. For starters, Democrat Michael Copps likely will no longer be the sole voice questioning mediaownership deregulation and dissenting on other issues that divide along party lines.

Adelstein would not answer reporters' questions regarding his leanings on pending mergers and rulemakings, but, as Daschle's aide for the past seven years, it is widely assumed he will vote similarly to his liberal mentor. His appointment also will give Senate Democratic lawmakers unprecedented input at the FCC. Copps took his current post after serving Senate Commerce Committee Chairman Fritz Hollings for many years.

Even if the pair can't break the three-vote GOP

bloc, perhaps they can create enough controversy about deregulation that the Republicans will be forced to temper the final outcome.

Chairman Michael Powell also may have to step up efforts to protect his majority in cases when one of his party colleagues is sitting on the fence. "There will be situations where he will need to find a third over vote or wants a four-vote majority to increase the legitimacy of some actions," says Andrew Schwartzman, president of Media Access Project. "All this pushes toward some degree of compromise."

Changing<mark>Hands</mark>

FMs

KRCY-FM Dolan Springs, Ariz.

Price: \$12.43 million

Buyer: Entravision Communications Co. LLC (Walter Ulloa, chairman/CEO); No. 20 station group owns 53 other stations, none in this market **Seller:** Spectrum Scan LLC (Rodney A. Burbridge, president, Rodco Inc.)

Facilities: 105.9 MHz, 100 kW, ant. 1,775 ft.

Format: Oldies

Comment: Seller has agreed to petition the FCC for an upgrade to move the station to Moapa Valley, Nev. This deal was originally reported with a price of \$6 million

WYLA-FM Lacombe and WXXM-FM Reserve (New Orleans), La.

Price: \$3.95 million

4

Buyer: Wilks Broadcasting LLC, (Jeff Wilks, CEO); owns 10 other stations, including KKND-FM and KMEZ-FM New Orleans

Seller: Styles Broadcasting Inc. (Kim Styles, CEO)

Facilities: WYLA-FM: 94.7 MHz, 5 kW, ant. 348 ft.; WXXM-FM: 94.9 MHz, 14 kW, ant. 440 ft.

Format: WYLA-FM: Rock; WXXM-FM: Rock

KXGJ-FM Bay City and KIOX-FM EL Campo, Texas

Price: \$3.15 million **Buyer:** Liberman Broadcasting Inc. (Lenard Liberman, executive vice president); owns 12 other stations, none in

this market Seller: Guajillo Investments LLC (Cheryl Stewart, managing member)

Facilities: KXGJ-FM: 101.7 MHz, 100 kW, ant. 981 ft.; KIOX-FM: 96.9 MHz, 100 kW, ant. 981 ft.

Format: KXGJ-FM: Country; KIOX-FM: Country

WJOR-FM St. Joseph, Tenn. Price: \$1.48 million

Buyer: Clear Channel Communications, (Randy Michaels, chairman/CEO, Radio); No. 1 radio group owns 1,212 other stations, none in this market Seller: Brenda Chandler Facilities: 101.5 MHz, 6 kW, ant. 404 ft. Format: Country/Gospel

KORQ-FM Winters (Abilene), Texas Price: \$675,000 Buyer: Doud Media Group (Richard J. Doud Sr., managing member); no other broadcast interests Seller: Dove Media Inc. (Bruce H. Campbell, vice president) Facilities: 96.1 MHz, 50 kW, ant. 492 ft. Format: Oldies Broker: Doyle Hadden of Hadden &

Assoc. Media Brokers

AMs

WOBS(AM) Jacksonville, Fla., and WCKO(AM) Norfolk (Norfolk-Virginia Beach-Newport News), Va.

Price: \$1.25 million
Buyer: Word Broadcasting Network Inc. (Robert Rodgers, president); owns one other station, not in this market
Seller: Metropolitan Radio Group Inc. (Mark Acker, president)
Facilities: WOBS(AM): 1530 kHz, 50 kW day; WCKO(AM): 1110 kHz, 50 kW day Format: WOBS(AM): Gospel/Talk; WCKO(AM): Gospel Broker: John Pierce of John Pierce & Co. WCGO(AM) Chicago Heights (Chicago), Ill.

Price: \$750,000

Buyer: Kovas Communications (Frank Kovas, president); owns four other stations, including WKKD(AM) and WONX(AM) Chicago Seller: Q Broadcasting Corp. Inc. (George M. Arroyo, president) Facilities: 1600 kHz, 1 kW day/20 W night Format: Nostalgia Broker: Doyle Hadden of Hadden & Assoc. Media Brokers

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



Technology

DTV bill due after recess

Tauzin draws 'line in the sand' to speed transition

By Paige Albiniak and Ken Kerschbaumer

W ide-ranging legislation is required to get the digital-television transition on track, Rep. Billy Tauzin (R-La.) told broadcasters, consumer electronics manufacturers, television and movie producers, and technology companies last week. Tauzin, chairman of the House Energy and Commerce Committee, and the committee's top Democrat, Rep. John Dingell (D-Mich.), plan to introduce the bill after Congress returns from its August recess. Tauzin also plans to hold hearings.

"The industries have done a good job of moving the issues forward, but we still don't have a deal that everyone can agree to," said Ken Johnson, Tauzin's spokesman. "Chairman Tauzin has drawn a line in the sand and said, if you can't come to us with an agreement by September, we'll legislate one."

A key part of that bill will be a provision to establish copy-protection for DTV content, but it will also encompass cable carriage of digital TV stations, the ability of cable settop boxes to receive DTV signals, and the inclusion of DTV tuners in new TV sets.

Disputes over copy protection are among the most intractable and disturbing for policymakers. Unless movie studios are



confident that their content won't be duplicated and streamed over the Internet, they won't produce movies and other high-value programming expected to lure consumers to buy digital sets. Although some progress has been made on cable copy-protection standards, there remains strong consumer and manufacturer opposition to the socalled "broadcast flag," which would encode station signals to block or limit duplication on digital recorders. Without the restriction, broadcasters say, they will never get access to movies and other programming needed to attract viewers.

In fact, CBS, one of the most aggressive producers of broadcast digital programming, has threatened to "reevaluate the continued availability" of that programming

unless a broadcast flag is implemented. As an additional way of dealing with the issue, Jack Valenti, president of the Motion Picture Association of America, last week said film studios are ready to tackle copy-protection issues with home computer makers.

Consumer groups say congressional mandate will threaten consumers' fair-use rights.

"It seems to be the networks and studios holding things back due to encryption and copyright concerns," says one industry executive. "I can't blame them."

Encryption is definitely a concern at the studios, which may be part of the reason Jack Valenti, president of the Motion Picture Association of America, praised Tauzin: "His continued determination has been instrumental in achieving real progress on the broadcast-flag issue that has been going on for a long, long time."

In May, Tauzin gave the industries a July 15 deadline to come up with a solution, but, with none apparently emerging, he decided it was time to take a stronger approach.

TV manufacturers also have balked at calls to install DTV tuners in nearly all sets. Frustrated at the industry intransigence, FCC Chairman Michael Powell two weeks ago shot an angry reply to the Consumer Electronics Association, which had offered a counterproposal he called so "loaded down" with conditions it amounted to "no commit-

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Technology

ment at all." Powell's harsh words were reiterated last week by the Bush administration when National Telecommunications and Information Administration head Nancy Victory called TV suppliers "the sole source of static" and urged CEA to reconsider its decision not to "join the DTV team."

In April, Powell asked set makers to equip half of sets 36 inches and larger with DTV tuners by Jan. 1, 2004, and all sets 13 inches and larger one year later. CEA countered with a plan to install DTV tuners in cable-compatible sets within 18 months of an agreement allowing the manufacture of "plug-and-play" sets that work without a cable-industry-supplied set-top box.

One consumer group agrees that a tuner mandate would unjustly raise the cost of TV sets for consumers. Mark Cooper, director of research at Consumer Federation of America, says he needs to see exactly what the bill would mandate. He believes built-in tuners should not be included, because consumers would be required to spend money for overthe-air tuners when 85% are cable subscribers. "I worked with Billy Tauzin when he had a 'D' after his name, and, since then, he doesn't do anything for the consumer."

Tauzin spokesman Johnson said, "Given the shakiness in the telecom sector today, the quicker we resolve these digital problems the quicker we can get people back to work and convince consumers to start buying new products."

Any bill has very little chance of moving this year because Congress is scheduled to end this session in October. A new session begins next January, and a new session requires a new start on all legislation.

Set-top boxes with Moxi

New S-A digital offering expected to incorporate PVR. other advanced functions

By Ken Kerschbaumer

cientific-Atlanta (S-A) is developing an Explorer set-top box that will incorporate Digeo's Moxi services, which include access to PVR and digital music, photos and games through one box. Cable MSO Charter is expected to deploy the boxes sometime in 2003.

The Moxi concept of the home media server was rolled out at CES last January to much fanfare and press, particularly the consumer kind. The promise of a device that could incorporate PVR, audio jukebox and digital photo capabilities was attractive. But, with costs estimates ranging from \$600 to \$1,000, interest by most MSOs has been a wait-and-see proposition.

Peter Kellogg-Smith, head of product development for Digeo, says cost is an issue and, in an effort to limit costs, development focus is on the 80GB hard drive and PVR functionality. With satellite receivers increasingly offering integrated PVR service, cable operators will increasingly find themselves in the role of laggard.

"There's also early proof that [PVR functionality] has a positive impact in battling satellite vendors' churn rates," he says.

Future services include a music jukebox, wireless gateway capabilities, digital photography display modes and digital slide



PVR functionality, which will be built into a new version of S-A's Explorer set-top box, has been found to reduce satellite vendors' churn.

shows on the TV, says Kellogg-Smith.

"For a single household needing only one system, it's an expensive proposition." he explains. "So we've decided to focus on two-TV households, and the reason for that is the cost of supporting a second TV off the media center is minimal."

Kellogg-Smith also believes that Digeo will be able to support two TVs with the media center for the same cost as two lowend S-A or Motorola digital boxes by the second half of 2003. Digeo has licensing agreements with S-A and Motorola.

The Carmel Group sees big gains ahead for the PVR market, which could help push deployment by cable operators. U.S. household penetration, the analyst firm predicts, will grow from 1.5% by the end of this year to 25% in 2008. It also expects U.S. cable operators to have 4.8 million PVR-based users and DBS operators 4.9 million PVR-based users by the end of 2005. Most of the market will be products from Digeo, Metabyte Networks, Microsoft, OpenTV, SONICblue and TiVo, with TiVo and Metabyte expected to lead the market's pure-PVR providers.

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The 41-foot truck will contain two complete headends—one for Scientific-Atlanta set-tops and one for Motorola set-tops—plus SeaChange VOD gear.

On the road with VOD

SeaChange truck serves as a new educational and sales vehicle

By Ken Kerschbaumer

In an effort to help cable MSOs drive demand and understanding of videoon-demand among subscribers, investors and regulators, SeaChange International began what it calls the "VOD Experience Tour" last week at the CTAM Summit in Boston.

"The thing about VOD is, once you've experienced it, you want more and more," says James Kelso, SeaChange vice president, advertising systems/marketing and communications. "So the trick is how do you get people to experience it for the first time?"

The truck will serve two functions on the road: One is to give MSOs that have purchased the SeaChange system a chance to demonstrate VOD to potential customers at shopping malls or other public areas; the other is to help SeaChange get more MSOs to become customers.

Making the tour possible is a 41-foot truck. With two complete headends—one for Scientific-Atlanta set-tops and one for Motorola set-tops—plus SeaChange VOD gear, the truck can be put to use by every U.S. cable MSO. With the two headends, visitors don't even need to enter the truck.

"You can set up 20 set-top boxes in

kiosks outside of the truck and have people learn more about VOD there," says Kelso.

Visitors are welcome in the truck. Kelso says that, inside, visitors get a more robust story on how HD will work on cable, how ads will be inserted into digital cable and how ad replacement will be done for VOD. It can also become a conference room.

The idea for the truck was born out of last year's Western Show, when SeaChange evaluated its approach to trade-show exhibits. A large part of show costs is for drayage, the charge to get boxes to the show floor. "If we built a mobile exhibit and used it for our shows, we could cut back on shipping and drayage to the point where the truck almost pays for itself out of our current budget," Kelso says. "The added benefit is, this thing could be on the road selling for us and our customers."

Kelso sees demonstration of SeaChange system features as a big advantage over the typical meeting in a conference room, where features are more theoretical than practical.

The truck begins its trek next week in Ashland, Mass., for AT&T and will be visiting Cablevision, TWC and Comcast operations later in the year. The Western Show is also on the itinerary. ■

Technology

Sinclair defends low power

Challenges FCC mandate that DTV must be full power for Big Four in top 30

By Bill McConnell

S inclair Broadcasting has criticized the FCC for letting most stations launch DTV service at power levels far below that necessary to reach their entire markets. Now the Baltimore-based station group wants some leniency for one of its own lower-power DTV facilities.

Sinclair has asked the FCC to rethink its decision forbidding affiliates of Big Four networks in the top 30 markets from using lower-power transmission to meet their digital-TV obligations.

The DTV transition is too costly and the government's buildout deadlines too tight for all large groups to build full-power outlets on time, the company wrote in comments to the FCC, which ruled in May that major stations in big markets, generally the most profitable category, cannot rely on low-cost transmitters that reach only a part of their coverage area to fulfill digital broadcasting requirements.

Such lenient treatment was permitted to other stations, required to go digital May 1. But, because Big Four affiliates in top-30 markets have been required to offer a digital signal since at least Nov. 1, 1999, the FCC reasoned, there was no rationale to lessen their existing requirements. The ruling was issued with proposed sanctions including fines and eventual revocation of licenses.

Sinclair said all the restrictions violate administrative procedures for federal agencies because they were imposed on an interim basis with no notice.

Sinclair still sees lower-power operation as delaying DTV transition by reducing audience size and demand for DTV sets. ■

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THE FIFTH ESTATER

A love of tinkering

ATSC chairman Phil Livingston still likes to figure out the rattle

ngineers are born, not made. Or at least that's the message one can glean from discussions with nearly every engineer about the beginning of their love of engineering. Phil Livingston, ATSC chairman and Panasonic vice president for technical liaison, is no exception.

"When I was seven or eight, I would save my allowance and buy broken radios at the Salvation Army for 50 cents, take them home, take them apart, and try to fix them using past purchases for parts," he recalls. This habit isn't lost on his wife, who he says promises to put "He could take anything apart" on his tombstone.

"Engineers need to find out why the rattle rattles even if it doesn't rattle after you've taken it apart," he laughs.

A love for tinkering has lead Livingston to his lofty position at ATSC, where he'll oversee the nation's efforts in tinkering with the DTV standard. That's a far cry from broken radios.

Livingston has been involved with the ATSC on and off since

1987, and he was the Panasonic representative at the Advanced Television Test Center (ATTC) and the Model Station (WHD-TV) as well. His appointment coincided with the ATSC's branching off the ATSC Forum, which handles promoting the ATSC standard around the world.

Livingston's early career, however, was in broadcasting. He attended Union College in Schenectady, N.Y., where he worked diligently at the college radio station, WRUC(AM). The only problem was that the school didn't offer a major in radio. A physics and chemistry major, he found his attention focused on WRUC. So he left school and became chief engincer at WVOS(AM) Liberty, N.Y., after getting his first-class radio license from the FCC.

"It was a typical local AM station at that point, but it was a great place to begin, because I did everything," he recalls. "I was the chief engineer, but I was also the only engineer."

A little more than a year later, in 1962, the FCC channel reallocation took place, and he moved to WOKR(TV) Rochester, N.Y., where he had a chance to work with one of the first RCA videotape machines. "Videotape was still pretty new, expensive and had lots of tubes. But it was a miraculous kind of thing."

In 1964, he looked for a new challenge. Rochester's school district wanted to build an instructional-television fixed-



Phil Livingston Chairman, ATSC; VP, technical liaison, Panasonic Broadcast and Television Systems Co.

B. Feb. 1, 1942, New York; Union College; FCC First Class Radio Telephone license, 1961; chief engineer, WVOS(AM), 1961; ass't CE, WVIP(AM)/FM; staff engineer, WOKR(TV) Rochester, N.Y., 1962-64; chief TV engineer, Rochester City School District, 1964-66; chief TV engineer, SUNY College at New Paltz, 1966-73; assoc. dir., instructional resources, SUNY, 1973-76; VP, engineering, **EMTEK/TeleCommunications** Services, 1976-78; various postions, Panasonic Broadcast, 1978-2000; VP, technology, Azcar USA, 2000-01; current position since 2001; m. Rose Mary O'Brien; two adult children, Kerry and Timothy

service system. Livingston, only 23 at the time, headed the construction of a production facility and distribution system for 33 schools. "I marvel at the people who were older than I was who reported to me and worked with me and put up with me," he says. "They had the patience of saints to put up with this kid who was still wet behind the ears."

He enjoyed the educational side of TV and then went to work at SUNY College at New Paltz, N.Y. There he helped oversee construction of a media center, which included audio, video, film and graphics. He then joined a small systems integrator in New Hampshire called Telecommunications Services that tapped into his love of building things.

"I'm not a cabinet maker, but I'm not a bad carpenter," he says, "and I'm actually a pretty fair plumber and electrician."

But financial troubles at the company had him looking elsewhere. That's when he joined Panasonic. It was a year after the introduction of VHS, and the company was just starting to grapple with the success of the format.

Over the years, Livingston has seen lots of changes, but the biggest may be the improved reliability of equipment.

"Manufacturers like Panasonic will begin to build diagnostics that are the equivalent of the systems that are plugged into cars today," he says in discussing how engineers will know what's going on under the hood. Tinkering may become obsolete.

-Ken Kerschbaumer

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Great storyteller with exceptional live reporting skills, someone who has lead story ideas and can make compelling live television. Three years experience required. Send resume and nonreturnable tape to Gene Ross, News Director, KLAS-TV, 3228 Channel 8 Drive, Las Vegas, Nevada 89109. EOE.

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Experienced aggressive Assignment Manager. We're looking for someone who can effectively utilize the reporting and photography staff, develop contacts and find great stories the other stations don't have. Requires superb news judgment with organizational and leadership skills. Send resume to Gene Ross, News Director, KLAS-TV, 3228 Channel 8 Drive, Las Vegas, Nevada 89109. EOE

CAPTIONSERVICES



Television

SALESCAREERS

GENERAL SALES MANAGER

WVFX-TV, the FOX Affiliate in the Clarksburg-Weston, WV market has immediate opening for General Sales Manager. Minimum of 5 years television sales experience with at least 2 years of sales management experience preferred. Ability to lead and motivate existing sales team in achievement of revenue goals and demonstrate proven ability to cultivate new business required. Send resume to: George Boggs, General Manager, WVFX-TV, 775 West Pike Street, Clarksburg, WV 26301. EOE.

ACCOUNT EXECUTIVE

WHNS-TV -FOX Carolina (Greenville-Spartanburg-Asheville) has an immediate opening for an Account Executive. The successful candidate will have a strong work ethic, television sales experience and a verifiable record of success. If you have these qualities and are creative and customer focused, Fax or e-mail your cover letter and resume to Jeff McCallister, LSM. Fax (864) 297-0728 or jeff.mccallister@foxcarolina.com 21 Interstate Court, Greenville, S. C. 29617 EOE

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PRODUCERCAREERS

EXECUTIVE PRODUCER, SPORTS

Oversee content, coverage, and production of all sports segments, and programs, including Sunday night "Sports Xtra" show. Manage resources in eight-person department, including on-air talent, producers and photographers. Generate unique, distinctive, compelling stories focusing on New England athletes and teams. Must have the ability to develop sources and contacts which will enable WHDH to break sportrelated news stories. Excellent storytelling skills and knowledge of contemporary production values required. An EEO.

Resume/references to: Human Resources, WHDH-TV, 7 Bulfinch Place, Boston, MA 02114, or FAX (617) 248-0653.

NEWS PRODUCER

KOIN Television, a division of Emmis Communi cations and the CBS Affiliate in scenic Portland, Oregon, is searching for a creative and energetic news producer. Our newscasts focus on clarity, viewer benefit and compelling storytelling. If your well-honed skills and high standards can add to our product, we'd love to see your work. 3 years experience as a medium or larger market live newscast producer preferred. Please send your resume, references and VHS or Beta tapes to: KOIN-TV

News Producer Search 222 SW Columbia Portland, OR 97201 Emmis Communications / KOIN is an equal opportunity employer.

MISCELLANEOUSCAREERS

ACME Communications is looking for a talented, highly motivated television crew for a new syndicated weekday morning show. Live television news experience, a great attitude and the ability to work under pressure are a must. The following positions are open immediately: Writer/Producers Editors Director **Technical Director** Floor Director Graphics/Chyron Operator **News Assistant Audio Technician** Video Playback Technician Please send a tape, resume and cover letter indicating position of interest to: **Executive** Producer **ACME** Communications PO Box 411520 St. Louis, MO 63141 No phone calls, please. EOE.



Job Code 200206

EXECUTIVE PRODUCER

Do you produce the best newscast in your market and are ready to take the next step into management? Join a great company whose number one priority is news. WPBF Eyewitness News 25, an ABC affiliate in West Palm Beach is looking for an Executive Producer to help take our station to the top. Responsible for overseeing daily newscast content, editorial direction and enforcing high journalistic standards. Develop and implement research based news format as well as innovate and execute graphic presentation. Act as a producer's producer -- guiding and facilitating -- while helping to create and foster an atmosphere which defines excellence. Exceptional writing and leadership skills are essential. Must have a minimum of three to five years experience as a line producer. If you believe writing is key, motivating employees is essential, and hard work is exhilarating, please send resume and recent newscast aircheck to: Joe Coscia, News Director, WPBF-TV 25, 3970 RCA Blvd. Suite 7007, Palm Beach Gardens, FL 33410. WPBF, a Hearst-Argyle managed station is an Equal

PRODUCER

We need a great producer! Ideal candidate must be highly creative and motivated, with excellent news judgement and strong organizational and people skills, plus three years line producing experience in medium to large market. You must be driven to produce compelling newscasts, with fast pace, high story count, lots of live and engaging copy and graphics. We're the number one shop, in a beautiful, diverse, exciting market. Meredith Corporation and WSMV are Equal Opportunity Employers. Rush tape, resume, references to Mark Shafer, News Director, WSMV-TV, 5700 Knob Road, Nashville, TN 37209. No phone calls.

NEWSCAST PRODUCER

KMBC-TV, Kansas City is looking for a News Producer. We stress creativity and writing. This is a chance to work with an award winning staff at a station that has all the bells and whistles. Only experienced news producers need apply. Send non-returnable tapes and resumes to Michael Sipes, News Director, KMBC-TV, 1049 Central, Kansas City, MO 64105. KMBC is an Equal Opportunity Employer. Women and minorities are encouraged to apply. Please indicate how you learned of this opening. EOE

EXECUTIVE PRODUCER

We need a great Executive Producer. Aggressive news organization in beautiful Nashville, TN needs a motivated, tenacious problem-solver to help us complete dramatic make over. Ideal candidate is a solid journalist, engaging writer, visual thinker, creative show doctor and great teacher. Join a great team and share in our success. Send resume, tape and references immediately to Mark Shafer, News Director, WSMV-TV, 5700 Knob Road, Nashville, TN 37209. Meredith Corporation and WSMV are Equal Opportunity Employers.

Classifieds

Television

TECHNICALCAREERS

ASST. CHIEF ENGINEER

CBS-58 has a #2 position for an Asst. Chief Engineer available. Great opportunity for someone ready to make the move on to the next level. Responsible for providing all facets of television engineering, studio maintenance and remotes. Knowledge of or experience in computers, LAN, Internet, and RF a +. Must have associates degree in electronics, 3+ yrs. exp. in broadcast maintenance and FCC license or SBE certification. Resume: HR, CBS-58, 809 S. St., Milwaukee, WI 53214. EOE. No calls.

STAFF ENGINEER -BROADCAST CONSULTING

Must have at least 2 years college and 2 years experience in preparation of FCC applications for AM, FM, TV, DTV, and/or LPTV facilities. Salary plus benefits package. Northern Virginia area. Please fax resumes to 703-392-9559 or via email to info@cmdconsulting.com. EOE/MF

TV MAINTENANCE ENGINEER

CBS-58 is seeking a full-time Television Maintenance Engineer to perform routine system and component level trouble-shooting. Must be able to repair Sony cameras and tape decks. 2+ yrs. experience in a television broadcast environment, FCC license, SBE certification and associates degree in electronics a plus as well as RF and LAN experience. Resume: HR, CBS-58, 809 S. St., Milwaukee, WI 53214. EOE. No calls.

PROMOTIONCAREERS

PROMOTION WRITER/PRODUCER KXAN-TV NEWS 36

KXAN News 36 in Austin, Texas, an NBC affiliate, seeks creative, organized writer/producer to support the promotion efforts of the Central Texas News and Weather Leader. Responsibilities include writing and producing image and topical news promos that dazzle and shine! We've got great tools in a great town, and we're the number one station in the market. Nonlinear AVID editing skills are a must and so is 1 to 2 years of promotion experience. Rush resume and reel to Wendy McMahon, Promotion Manager, KXAN News 36, 908 Martin Luther King Blvd. Austin, Texas 78701. EOE

PROMOTION PRODUCER/COMMUNITY AFFAIRS COORDINATOR

Candidate should have college degree in Communications and at least 3 years experience in TV Promotion Production and related experience in event planning. Must be able to produce news promos and coordinate events. Send resume to: HR, WKBW-TV, 7 Broadcast Plaza, Buffalo, NY 14202 or e-mail wkbwresume@wkbw.com

EOE No phone calls please.

CREATIVESERVICES

PHOTOGRAPHER/EDITOR

Channel 4 San Diego - Cox Communications' innovative, hyper-local television station is looking for an innovative, highly-motivated photographer/editor to join our team. We are "The Padres Channel," producing features and programs on that team as well as the San Diego Spirit, SDSU Aztecs, Chargers and other local amateur and professional sports teams. Proprietary programming also includes San Diego Insider. the region's only local news magazine and Forefront, the region's most interesting people, on-location and in their own words. Applicants will have at least 5 years experience in news or news-style videography and non-linear editing experience (Final Cut Pro and Media 100 preferred). Please, no phone calls. Send resume and demo reel to Cox Communications, c/o Human Resources, 5159 Federal Blvd, San Diego, CA 92105. EOE.

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MARKETINGCAREERS

MARKETING DIRECTOR

News 13 Inside Las Vegas is seeking a Marketing Director to lead the marketing team in developing and implementing marketing strategies.Key responsibilities include coordinating multi-media marketing and community service programs and developing concepts and scripts to best market the station. If you are interested in learning more about this opportunity or the Journal Broadcast Group, an employee owned company, visit our website at www.journalbroadcastgroup.com, or submit your resume and cover letter including salary requirements to Randy Oswald, Vice President and General Manager, 3355 S. Valley View Blvd., Las Vegas, NV 89102, fax 702-248-1873 oswald@journalbroadcastgroup.com. EOE

Radio

MANAGEMENTCAREERS

RADIO STATION GENERAL MANAGER

Classic Hits 99.1 in Danville-Champaign IL is seeking a dynamic leader with a proven track record. Previous management and sales experience is required. We offer excellent benefits and compensation package. If your are ready for a rewarding rebuilding challenge, please reply in confidence to: Key Broadcasting, Inc. 333 West Vine St. Suite 300, Lexington, KY 40507 or e-mail: chaldridge@keybroadcasting.net EOE

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Editorials

COMMITTED TO THE FIRST AMENDMENT

Can you tell them where to go?

Today's editorial brought to you by the letter T for tolerance.

Since there are no plans for an HIV-positive Muppet in the U.S., how about introducing a red-faced elephant with a blue trunk who sticks it where it doesn't belong? We'd call him Mr. Shut-'em-up-agus if that weren't disrespectful to the Republican lawmakers who might find some slight resemblance in the characterization.

A small herd of House elephants demanded last week to know whether public money was being funneled through PBS to introduce the HIV Muppet here or abroad. Turns out there weren't plans for a U.S. character, and no PBS money goes to the South African incarnation. But it also turns out that the government is helping introduce the character abroad. In fact, a government agency, the U.S. Agency for International Development (USAID), was helping fund the African version, according to PBS President Pat Mitchell, and was squarely behind the new character, according to a USAID executive. Good for it.

By week's end, the trumpeting had died down, the lawmakers assured that our children are "safe" from TV exposure to an HIV-positive Muppet (though something calling itself Concerned Women for America was trying to nix the South African character). Mitchell bent over backwards to explain to the lawmakers that their fears were groundless. We wouldn't have minded if she'd told them to butt out, too.

What business is it of the government's what content choices programmers make, other than to applaud education wherever they find it?

In the real world outside Pleasantville, kids get AIDS and cancer and have to deal with poverty and domestic violence. If adding a character helped a 4-year-old cope with any of those realities or taught a lesson about tolerance to other children, why isn't that a good thing?

One problem with all those marble halls on the Hill is that the sound of fear and ignorance carries a long way.

Let him in

Senator John McCain said last week that there remain "enormous challenges facing the telecom industry today and nobody is more important to furthering the economy of this nation than the Federal Communications Commission." We agree, which is why it should be running at a full complement of commissioners. We don't expect to agree with the new commissioner on a lot, although we suppose he could surprise us. The fact remains that the White House has nominated Jonathan Adelstein and the Senate endorsed him for the vacant chair. McCain needs to get out of the way and allow him to be confirmed.

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