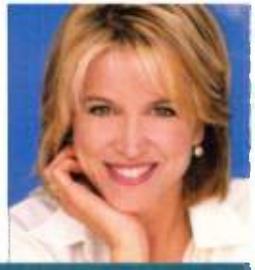
	<p>PROGRAMMING Boy Wonder Disney Channel builds a star Page 14</p>		<p>SPECIAL REPORT Listen Up! Audio gear gets serious Page 30</p>	<p>CABLE Unextreme Makeover CNN chief, Zahn explain changes Page 8</p>	
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BROADCASTING & CABLE

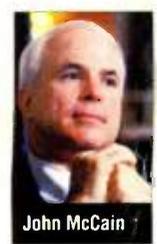
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CABLE BASHING

McCain: MSOs' Rates 'Gouge' Subscribers

BY BILL MCCONNELL AND JOHN M. HIGGINS

Throwing a little more political fuel into the already roaring fire between cable operators and program suppliers, cable critics used the FCC's latest rate survey to deliver another blast against the industry.



John McCain

"Cable rates increased an unbelievable 5 1/2 times faster than inflation," complained Senate Commerce Committee Chairman John McCain (R-Ariz.), pointing to the FCC's finding of an 8.2% increase

Continued on page 31

MEDIA DEREGULATION

NAB SOUNDS RETREAT

Industry group will now work with networks to defeat rollback of the 35% ownership cap

BY BILL MCCONNELL

In a move that shocked Capitol Hill, the National Association of Broadcasters last week agreed to work with the major networks to kill legislation that would reinstate the 35% cap on one company's national TV-household reach.

The move especially stunned the lawmakers that, only weeks before, the NAB had persuaded to sponsor the 35% rollback, which was intended to hem in

the growth of network-owned stations. NAB President Eddie Fritts, however, insisted that the trade group had no choice but to back off from what had been its legislative priority, because any bill is increasingly likely to contain additional restrictions that most of his members despise.

"The snowball was rolling downhill and becoming more difficult to stop," Fritts told reporters last week.

Clearly, not everybody

Continued on page 36

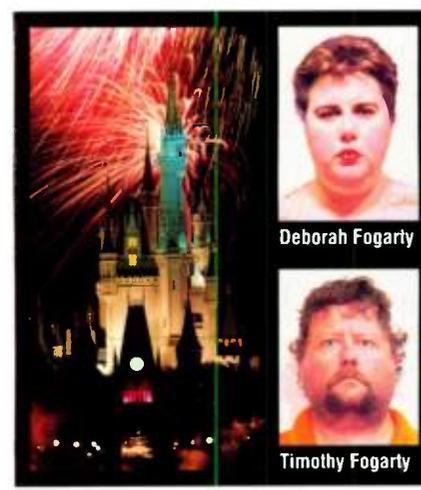
Reversal of Fortune

'The legislation creates a nightmarish vision of turning back the clock and reversing the gains broadcasters have made in the past 20 years.'

EDDIE FRITTS, NAB



PHOTO: MORRIS SEMATIN



CHICAGO SCAM

\$1.8M

Police charge ex-WBBM-TV accountant, husband with \$1.8 million credit-card fraud; they allegedly spent \$150,000 of that just for trips to Disney World.



Deborah Fogarty



Timothy Fogarty

PAGE 12

Is Hispanic Media Unique? Univision Deal Tests FCC

BY BILL MCCONNELL

Univision's bid to buy radio group Hispanic Broadcasting is cursed by bad timing. For starters, last summer's deal to marry the No. 1 Spanish-language television provider with

the top U.S. Spanish radio company, was announced just as the country entered a rancorous debate over media concentration.

But wait, there's more. Just about then, Clear Channel, an investor in Hispanic Broadcasting, became the prime target for

Continued on page 36



The network Don Francisco (center) built is trying to acquire Hispanic Broadcasting.

MADISON AVE.



HOT, HOT, HOT

+15%

Hispanic TV's upfront take zooms toward \$1B. TV BUYER, PAGE 18

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power



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combines **ratings growth**,
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strength

BREAKING...

Wilson Buying Nine TV Stations

LAS VEGAS—Larry Wilson, former CEO of radio's Citadel Communications, is leading a group that has entered into an agreement to purchase Lamco Communications, the Williamsport, Pa.-based owner of nine small-market TV stations. Kalil & Co. brokered the deal. The price was estimated to be around \$145 million. The stations involved: KRGR-TV Chico-Redding and KAEF-TV Eureka, both California (and both ABC affiliates); KECI-TV and KCFW-TV Missoula and KTVM-TV Butte-Bozeman, all Montana (all NBC); KTXS-TV Abilene-Sweetwater and KTXE-TV San Angelo, both Texas (both ABC); WCYB-TV in the tri-cities area of Tennessee and Virginia (NBC), and WCTI-TV Greenville-New Bern-Washington, N.C. (ABC).

NBC Revenue Slips in 2Q

NEW YORK—NBC's revenues dipped 2% in the second quarter to \$1.95 billion and tumbled 14% in the first half to \$3.4 billion. Part of the fall-off is due to lack of Olympic money, which it had in early 2002. Operating profits are up, however: 26% in the second quarter to \$638 million and 20% for the first half to just over \$1 billion.

HBO Plots Angels in America Strategy

LOS ANGELES—HBO will give viewers a few different ways to digest its December miniseries *Angels in America*. The \$60 million project, which stars Meryl Streep and Al Pacino, will likely premiere as two three-hour episodes on a Sunday night. HBO then will telecast it again as six hour-long episodes and the as one marathon six-hour play. Also HBO announced two new series for 2004: *Deadwood*, a 19th century Western, and *Marriage*, about a married couple's life, co-produced by Steven Bochco.

CBS Publicist McDonald Dead

LOS ANGELES—CBS Publicity Manager Kevin McDonald, 56, died last week of cancer. He joined CBS in 1979 after a stint at *The Hollywood Reporter*.

Gay Net Is Back in the Closet

Showtime tables plans for new niche channel until economy improves

BY ALLISON ROMANO

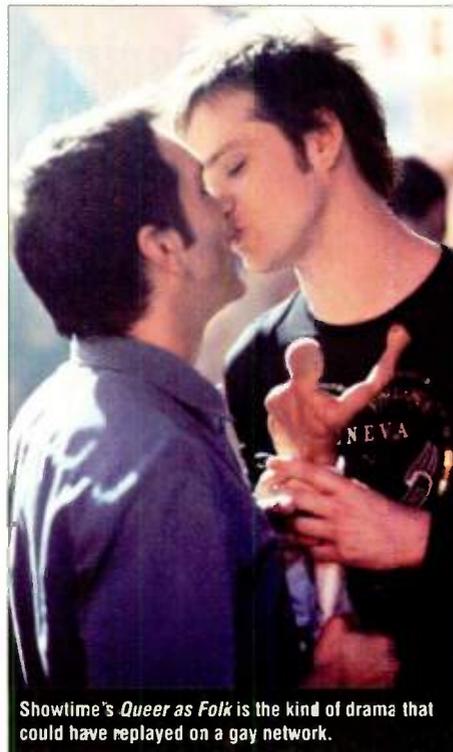
The gaggle of startup niche cable networks catering to nearly every audience imaginable was reduced by one last week when Showtime shelved plans to launch a gay network. Showtime Chairman and CEO Matt Blank blamed a bad economy for the decision by Showtime and parent Viacom to pull back.

"This was a channel you really had to invest in to have some special and unique programming," Blank told TV critics gathered for the Television Critics Association tour in Los Angeles. "The timing is not great."

But, he stressed, the idea is not dead, just off the front burner. The channel is "something we all wanted to do, something we would like to do," he said, adding Viacom President and COO Mel Karmazin has been very supportive of the idea. Blank would not, however, give any estimate of when Showtime might revisit the idea.

The service, said to be dubbed Outlet, was envisioned as a mini-pay premium service costing about \$5 per month, rather than a basic-cable network or even a digital channel. It would have probably carried some advertising, likely as "sponsorships" rather than traditional 30-second spots.

The idea was originally hatched as a joint venture between MTV and Showtime, but Showtime had taken the reins. Development hadn't got-



Showtime's *Queer as Folk* is the kind of drama that could have replayed on a gay network.

ten too far along. There were plenty of research and programming discussions, but the channel had no staff yet.

Certainly, it would have been challenging—and expensive—to fill out the gay channel's schedule. Showtime has some shows, such as *Queer as Folk* and upcoming drama *The L Word*, which features a group of young lesbians in Los Angeles, that could have replayed on the channel, and MTV was to have contributed

some shows. But Showtime would have needed to produce or acquire plenty more.

In fact, MTV Networks Chairman Tom Freston had expressed concern that other networks were gobbling up gay-themed programming on the market. Bravo has two such shows debuting this month: *Queer Eye for the Straight Guy*, where five gay experts make over a straight man, and *Boy Meets Boy*, a *Bachelor*-style reality dating show in which a bachelor chooses between suitors who are both gay and straight (of course, he doesn't know that twist).

In the end, "it was a matter of capital allocation" that scuttled the project, admitted Blank. "There are a lot more demands on our resources at Showtime, and that [the main network] is the priority."

Showtime is making original series more of a priority, ramping up development and committing more money to shows. New dramas *Dead Like Me* and *The L Word* are said to run about \$1.5 million per episode.

Initially, there were questions whether MSOs and customers would welcome the idea of a gay network. But Blank stressed that distribution was not the problem. "It wasn't that anyone was saying they wouldn't carry us. On the contrary, we got a lot of good feedback." ■

BROADCASTING & CABLE

July 14, 2003

Volume 133 | Number 28

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THINKING BIG

BBC America may be a small network, but it has lofty ambitions

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WEEK OF JULY 4-10

B&C INDICES

THE B&C 10

WEEK

3.4%

YTD

14.2%

BROADCAST TV GROUPS

WEEK

-0.1%

YTD

10.4%

CABLE TV MSO'S

WEEK

3.4%

YTD

22.6%

RADIO

WEEK

0.7%

YTD

8.0%

CLOSE WEEK YTD

Dow Jones	9036.04	-0.4%	8.3%
Nasdaq	1715.69	3.1%	28.5%

The B&C 10

CLOSE WEEK YTD

AOL Time Warner	16.24	-0.4%	24.0%
Clear Channel	41.31	0.5%	10.8%
Comcast Corp.	30.53	2.1%	35.1%
Cox Comm.	33.7	5.5%	18.7%
Disney	20.56	2.4%	26.1%
EchoStar	36.13	4.7%	62.3%
Fox Ent.	29.72	4.0%	14.6%
Hearst-Argyle	25.05	-1.3%	3.9%
Tribune	47.24	-2.3%	3.9%
Viacom	43.22	0.3%	-2.3%

GOOD WEEK

Paxson	\$6.25	12.2%	203.4%
Charter	\$3.98	10.9%	237.3%
Pegasus	\$32.57	10.4%	146.7%
ValueVision	\$14.54	7.6%	-2.9%
Gemstar	\$5.45	7.3%	67.7%

BAD WEEK

TiVo	\$11.82	-12.8%	126.9%
World Wrestling	\$9.89	-4.4%	22.9%
Washington Post	\$716.00	-3.8%	-3.0%
Vivendi	\$17.79	-2.9%	10.7%
McGraw-Hill	\$60.96	-2.9%	0.9%

LIBERTY UPTICK

4.2%

Investors weren't excited—or upset—by Liberty Media's \$7.9 billion deal for control of QVC. Liberty shares merely burped, up 4.2% for the week to \$11.93, way up for 2003 but a third off their peak of a couple of years ago. Comcast rose only 2.4%, despite the prospect of eliminating \$5.5 billion in debt.

Source: CNET Investor Intelligence. This information is based on sources believed to be reliable, and while extensive efforts are made to assure its accuracy, no guarantee can be made. CNET Investor assumes no liability for any inaccuracies. For information regarding CNET Investor's customized financial research services, please call 415-344-2636.

AFTRA, SAG Vote Leaves Members Wondering

BY DAN TRIGOBOFF

The failure of the proposed merger of the Screen Actors Guild and the American Federation of Television and Radio Artists earlier this month especially rankled AFTRA, and now its members are asking: What's next?

"When I first heard the results," says WRC-TV Washington newsman Joe Krebs of the defeat of a merger, "I was surprised and extremely disappointed."

Nationwide, AFTRA members, which include news personalities and disc jockeys in major markets, voted overwhelmingly in favor of the merger, with 75.88% of voters approving. At SAG, a majority voted in favor. However, for the merger to succeed, 60% of the voters in each union had to vote to merge, but only 58.88% of SAG members said yes.

Considering the vote, Krebs, president of the Washington/Baltimore Local of AFTRA, said, "So be it. And good riddance."

His mixed feelings match the mix of possibilities and opportunities facing the two unions' majority who voted to combine. Leadership at both cite the vote as a mandate by clear majorities toward increasingly joining forces and are already hinting, sources say, of another vote.

At AFTRA, though, the enthusiasm toward merger is at least somewhat offset by burnout from coming so close to meeting the goal—and committing resources to organizing, campaigning and voting—but not quite winning.

"It's expensive," says NPR *Morning Edition* host Bob Edwards, an AFTRA national vice president. "Meetings, cam-



AFTRA President John Connolly (left) and SAG President Melissa Gilbert supported the proposed merger.

paigns ... they drain our resources. This was nine months of work."

And while another vote is clearly on the minds of AFTRA members, led by its president, John P. Connolly, sources indicate that the union is not likely to commit any time soon to another campaign unless SAG first demonstrates a tangible and binding commitment toward merger. Then, sources say, an AFTRA vote would seal the deal.

Meanwhile, the unions will go forward together in representing actors in commercials over the next several weeks. The last negotiation between the two sides in 2000 included a six-month strike before an agreement was reached.

A glamorous but nonetheless grassroots coalition that included actors Harper Elliott Gould, Frances Fisher, McCord and Morales and called itself "SaveSAG" won enough of the SAG electorate to de-

"Digital is now the great battlefield. And in the long run, one of these unions is not going to survive."

BOB EDWARDS, NPR's *Morning Edition* host and AFTRA VP

Although current leadership is likely to keep the merger on the table, a changed SAG leadership might not. Actress Valerie Harper, who has been defeated twice for SAG president, will sit out the next election, but Kent McCord and running mate Esai Morales will challenge SAG President and leading merger proponent Melissa Gilbert and actor James Cromwell, a board member who will run for secretary-treasurer. Like Harper, McCord and Morales opposed the merger.

rail the merger. Opponents feared that a new union, tentatively titled the Alliance of International Media Artists, would cost members their autonomy.

Proponents of consolidation cite the emergence of digital technology, and they fear that studios and other employers of actors will play one union against the other on jurisdictional issues.

Says Edwards, "Digital is now the great battlefield. And in the long run, one of these unions is not going to survive." ■

Mandel Cites 'Consolidation Tax'

BY JOHN EGGERTON

Multiple-station ownership has generated advertising-cost increases far above the supply and demand of the free market, according to Jon Mandel, co-chairman of ad-time-buying giant MediaCom.

Mandel made his case as one of the witnesses at last week's Senate Commerce Committee radio-ownership hearing (see page 20). Armed with statistics to back up his claim, including what he called the "consolidation tax," Mandel said he was concerned about the future "not just of the advertising industry but of the broadcast industry as well."

He singled out Clear Channel, the na-

tion's largest radio group at more than 1,200 stations, as a major source of consolidation-related market-control issues.

Responding to Mandel's "tax" contention, Clear Channel lobbyist Andrew Levin said, "Advertising rates are so volatile right now, there's no way they aren't completely market-driven."

Mandel provided the committee with examples from various markets of the percentage increases in marketwide CPMs (costs per thousand) over what MediaCom has calculated they would be in an unconsolidated market. That increase, expressed as the dollar difference between what the ads should cost in an unconsolidated market and what they actually do cost, he labeled the "consolidation tax." ■

Cost to Advertisers

Sample calculations of what industry concentration did to CPMs

MARKET	INCREASE	'CONSOLIDATION TAX'
Atlanta	155%	\$144.5M
Austin, Texas	95%	\$25.3M
Minneapolis	78%	\$50.7M
Washington	32%	\$82.9M
New York	30%	\$156.0M
Las Vegas	30%	\$14.0M
San Diego	30%	\$34.6M
New Orleans	7%	\$2.8M

SOURCE: MediaCom analysis of data from 1994 to 2002

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UNIVERSAL TELEVISION NETWORKS

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*Source: Nielsen Media Research. Custom Research Recontact Study of NSI diary intab homes, May 2003. Median ages for A&E and Bravo from Nielsen Galaxy Explorer, 1Q03. M/Su 6A-6A.



pop,
culture,
tv.

World Radio History

FAST TRACK

Gee, What a Surprise

TNN can now be **SPIKE TV**. That's after the **VIACOM**-owned cable net and filmmaker **SPIKE LEE** reached an undisclosed settlement and a New York judge tossed out an earlier injunction, won by Lee, that barred the network from adopting the new name. Lee said he now believes the company was not trying to intentionally copy him. Spike (the filmmaker) and Spike (the network) presented a united front on July 8.

Viacom said it is "delighted." Lee said he is pleased to be able to work on new projects with Viacom. It's not clear whether those new projects were part of the settlement. Lee is currently working on a project with Viacom cousin **SHOWTIME** and he and wife **TANYA** will work on projects for **MTV NETWORKS**.

It's not clear when TNN will become Spike TV, but it probably won't be long. The original debut for the renamed Spike was to have been June 16.

From the Critics Press Tour

HGTV is adding three series. **Outer Spaces**, premiering Sept. 30, will surprise homeowners with a makeover of their outdoor spaces. Debuting the same night is **Date With Design**, where a single woman chooses one of three bachelor pads to redecorate and hopes to hit it off with the bachelor. And **Hey Remember** will look back on home and décor from the 1960s, '70s and '80s. ... **NICK AT NITE** is adding comedies **Full House** beginning Oct. 12 and **Roseanne** starting Sept.

Payback



Sole Man

Hillary Clinton let CNN's designated conservative Tucker Carlson off with merely eating a shoe-shaped cake rather than his actual shoe, as the *Crossfire* co-host promised if Clinton's book *Living History* sold 1 million copies. "I really want you to notice, Tucker, that this is a wingtip; it's a right-wing wingtip," the New York senator said.

21. Nick at Nite is sharing *Roseanne* with **OXYGEN**. ... **THE TRAVEL CHANNEL**, under new GM **RICK RODRIGUEZ**, is trying to reinvigorate ratings with a new prime time lineup. Come fourth quarter, Travel will welcome seven new series, including *Food Crazy*, behind-the-scenes visits to top culinary destinations, and *Weird Travels*, stories of America's most haunted and spookiest places. Reality show *Get Packing* will challenge two contestants try to win their dream vacation. ...

For its next original drama, **USA NETWORK** will feature two FBI detectives solving high-profile crimes for the Organized and Serial Crime Unit. *Touching Evil* is slated for early 2004. On the reality front, USA is bringing back *Nashville Star*, its search for a country star, for a second season; slated for fall is *Dream House USA*, where four families try to win a house they build on the show. ...

BRAVO's upcoming reality show *Underexposed* will give two aspiring filmmakers three days and \$10,000 to shoot the same four-minute film. Other shows in development include "extreme-arts competition" *Ready, Set, Van Gogh*, where players compete in off-beat mediums, like beach sand sculpture and graffiti. On *But I Played One on TV*, three actors will assume the real-life jobs their characters played on TV. And the fourth show, *Rewind*, is a celebrity biography show, but the stories will be told in reverse. ...

Former *Daily Show With Jon Stewart* personality **MO ROCCA** is coming to **COURT TV** to host *Smoking Gun TV*, a new series of quarterly specials based on thesmokinggun.com investigative Web site. The first one airs Aug. 20. Court TV magazine special *Hollywood at Large* is expanding to a weekly format with a new host, former MTV veejay **KAREN DUFFY**, beginning Oct. 2. A new companion show, *Hollywood Justice*, will look at celebrities' legal entanglements. Reality/game show hybrid *Faking Out*, slated to premiere Oct. 1, challenges players to figure out whether opponents are lying or telling the truth. *Mind Games*, for late fall, will test human behavior while hidden cameras record every move. (For more press-tour news, see page 14.)

We're a Rolex, Says CNN Chief

With Zahn, Cooper and O'Brien, news net shapes up

BY ALLISON ROMANO

Don't ask new CNN chief Jim Walton for his strategy for taking on ratings leader Fox News Channel. He simply won't answer. "There is certainly a lot of noise about a competitor," said the 20-year CNN vet. "But I don't get caught up in that."

Instead, at the Television Critics Association press tour in Los Angeles last week, Walton tried to focus attention on his network's journalism chops and its new shows and stars. CNN's quality journalism, he contends, is what consumers and advertisers really value.

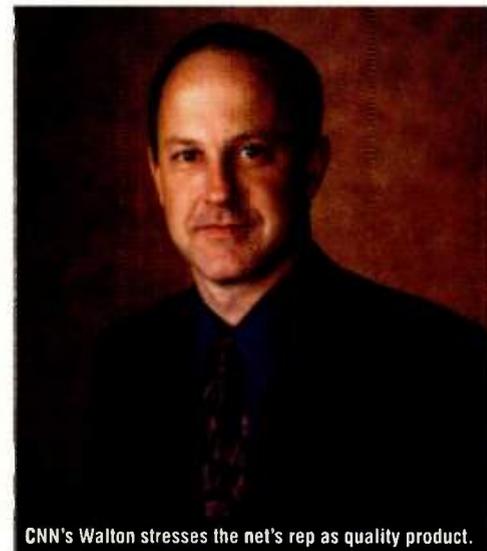
He likes to compare CNN to a Rolex watch. "Rolex means something to people; it's a quality product, it's expensive."

But still, Fox News Channel has been trouncing CNN in ratings. CNN's post-war ratings have dropped back to more normal levels: around 0.8 in prime, according to Nielsen. Meanwhile, Fox has managed to hold on to more viewers, garnering a 1.4 rating now in a typical week.

Careful to say he wasn't taking a shot at any competitor, Walton said that, if he cared most about ratings, CNN would change its style. "We might have more tabloid-y, more sensational and more talk in what we do." But, he stressed, that's not CNN.

Walton has jettisoned most of that programming. He canned Connie Chung's tabloid-style show and afternoon chatfest *TalkBack Live*. Political-debate show *Crossfire* lost its plum early-evening slot, moving to the afternoon.

Now CNN is busy polishing its new prime



CNN's Walton stresses the net's rep as quality product.

time lineup. Paula Zahn is back from a six-week hiatus and hosting the 8 p.m. hour. She called it a "mirror on the world" and said the newscast "is really the kind of show I've always wanted to do."

Anchoring at 7 p.m. now is boyish Anderson Cooper, who earned praise for his overnight work during the war. CNN's morning looks a little different now, too. Former *Weekend Today* anchor Soledad O'Brien joined co-host Bill Hemmer on *American Morning* July 7.

One thing that's not changing is the CNN ticker. Although Walton wanted to eliminate it, research says viewers like it. "I hate it," he said, "but we don't program for ourselves." ■

FCC Quizzes Murdoch, GM

BY BILL MCCONNELL

Rupert Murdoch and company have some homework to turn in before they find out whether the FCC will give them a passing grade on their effort to acquire DirecTV.

The next step in securing government approval for his bid to control Hughes/DirecTV is for News Corp. and the DBS provider's current owner, General Motors, to answer 10 pages of questions from the commission about how the

its subscription and ad revenue. It must also identify its U.S. broadcast channels, along with pay-TV carriage terms and ad revenue. And it must provide details on its electronic programming guide and interactive services.

News Corp. also was asked to detail its plans to carry local broadcast channels, including in high-definition.

Hughes was asked to describe its ownership interest in programming powerhouse Liberty Media and whether there is an agreement to acquire a larger stake in the future.

In addition, the companies were asked to spell out their criteria for selecting independent Hughes directors.

The questions appear designed to investigate charges by Murdoch's critics that the deal will allow him to dramatically increase the cost of Fox pay-TV channels, a move that could lead to dramatically higher prices for



The questions appear designed to investigate charges by Rupert Murdoch's critics that the DirecTV deal will allow him to dramatically increase the cost of Fox pay-TV channels.

deal will enhance DirecTV service. The FCC also wants assurances the transaction won't diminish competition in the satellite-TV and TV-programming markets.

News Corp., which has promised to impose safeguards to prevent its using DirecTV as leverage to lift prices of programming it sells to cable and DBS competitors, must identify each of its U.S. multichannel programming networks and

pay-TV subscribers.

The FCC inquiry did not go far enough for Center for Digital Democracy's Jeff Chester, however, who said the request "failed to specifically ask the parties how such a transaction will offer meaningful competition to cable, including on monthly subscriber rates."

News Corp., Hughes and GM were given until Aug. 6 to respond. ■

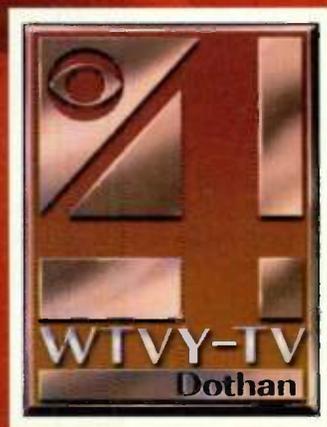
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- KKTV Colorado Springs
- WHSV Harrisonburg
- WVLT Knoxville
- WILX Lansing
- WTOK Meridian
- WOWT Omaha
- WJHG Panama City
- WTAP Parkersburg
- WIFR Rockford
- WCTV Tallahassee
- WIBW Topeka
- KAKE Wichita

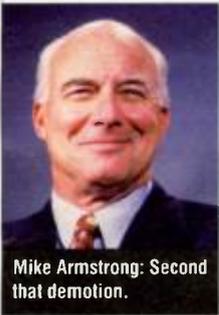


Continental Television Sales
A Katz Television Group Company

MANAGEMENT

Old CEOs
Never Die...

Talk about a low profile. Mike Armstrong has quietly resigned his post as chairman of Comcast. The former CEO of AT&T Corp. got Comcast's "top" slot last November when the MSO acquired ailing AT&T Broadband, a move that allowed Armstrong to save face while not having to grapple with the AT&T operations. It was supposed to be a two-year gig, one giving Armstrong a New York office (Comcast is based



Mike Armstrong: Second that demotion.

in Philadelphia) and not a whole lot to do. Armstrong has elected to demote himself to the post of non-executive chairman of the board of directors. The advantage: His contract gave him an immediate \$10 million payout, a mix of old options and cash.—J.M.H.

BEHIND THE SCENES | BEFORE THE FACT

IN THE LOOP

PROGRAMMING

'It's Chinatown'

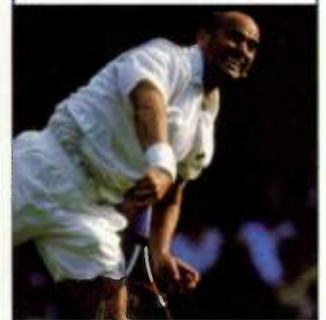
Tom Berringer (right) is no Jack Nicholson, but he plays Jack on TV. USA Network made no secret that its new series *Peacemakers* was derivative (think *CSI-meets-Gunsmoke*), but we didn't know quite how derivative it would be. In the two-hour pilot airing July 30, wealthy landowner Art Wannamaker is killed. As town marshal, Berringer investigates with his newfangled forensic-scientist sidekick. They discover that the victim was planning to give away 10,000 acres of land. And that the land controlled all the water to the town and nearby mines. And that among the land he owned was ... Chinatown!!! Yes, a big chunk of the plot was ripped off from the 1974 classic mystery *Chinatown*, which centers on the murder over land and water rights "What does Art Wannamaker have to do with Chinatown?" Berringer's character asks. Apparently everything, but that's pretty much where we hit the eject button.—J.M.H.



CABLE

Does ESPN
Have a Plan C?

As ESPN's big Aug. 1 rate hike looms, no cable operator has yet signed up for the sports network's alternate affiliation deal. Operators, for some reason, years ago agreed to a 20% escalator in ESPN license fees, not focusing on the fact that in, say, 2003, the price would rise to \$2.60 per sub monthly. (That's 5-15 times the price of other basic networks.)



ESPN is making a big deal out of a proposed alternative package, one that reduces the escalator (though not the base rate) in exchange for a new long-term agreement and the launch of all sorts of new product, some also carrying a high price. "We're not signing," said one MSO executive. "To us, it looks more expensive in the long run, not less expensive." But ESPN affiliate sales chief Sean Bratches says he's close to several deals, including affiliates among cable's top 10 operators.—J.M.H.



INTERACTIVE

IBS To Test Daypart Sites

Internet Broadcasting System, which produces Web sites for TV stations, is learning something from those stations: dayparting. "Stations have known for a long time that people have different needs for TV at different times of the day," says IBS CEO Tolman Geffs. "We found the same thing is true on the Web."

So, to increase usage and ad revenue (the 70 IBS-produced sites generated \$15 million in the second quarter), IBS will start experimenting with Web sites that offer different looks and content during various dayparts: morning, noon, afternoon, evening and weekend. The test sites are Hearst-Argyle's WBAL-TV Baltimore and NBC's WMAQ-TV Chicago.

IBS's principal broadcast client/partners are NBC, Hearst-Argyle, Post-Newsweek, Cox and McGraw-Hill.—H.A.J.

GOVERNMENT RELATIONS

Winning Friends

Broadcasters brag about their emergency weather reports. FCC Media Bureau attorney Shaun Maher found out last week that broadcasters' claim is no idle boast. Just as his wife was leaving for work on the afternoon of July 9, a report on WTOP(AM) Washington warned her of a possible tornado in Lincoln, Va., on her drive in from Loudon County. That gave her time to take another route. As it turns out, a tree fell directly on her normal path. "I don't know how close she would have been," Maher said. "At the very least, she would have been caught in a backup with terrible wind and rain. At worst, she could have had trees coming down on top of her."—B.M.

Manufacturers Sign On for New HD Format

BY KEN KERSCHBAUMER

Canon, JVC, Sharp and Sony are working on a new high-definition recording format that is based on the consumer Digital Video (DV) format currently sold in retail stores nationwide. By using that already developed format, the manufacturers will have a jump-start on bringing high-definition VCRs and camcorders to the marketplace.

Dave Walton, JVC's communications manager, says the new HDV format also will spur the creation of HD editing, some-

thing that has been lacking in the industry.

"I think you'll see that development go into high gear," he says. "This is really giving it a kick start and we expect to see a significant number of products conforming to this standard in the next 12 months."

The new format is tentatively named HDV and uses MPEG-2 compression on DV tape to allow for the recording of high-definition material.

"The transport stream that this format uses is an open standards stream that uses standard MPEG-2 data and that means that products using MPEG-2 encoders will be compatible," says Dave

Walton, JVC communications manager.

"And that's where the end-user, whether it's a consumer or professional, will win."

The final specification will be announced in September although there is already a product on the market that uses the format: JVC's GR-HD1 HD video camcorder which records at 720p/30 frames per second (fps). Walton says JVC approached the DV format in a similar way to how it approached S-VHS cassettes when it introduced the D-VHS format. That format records an MPEG-2 bit-stream containing HD data at up to 25 Mbps onto S-VHS cassettes.

"You need to map data to tracks, have various sorts of error correction and other things that allow you to record this MPEG-2 temporally encoded information onto a system that has DV structures of the tracks," he says. "And you either have to redefine the structures or shoe-horn the data into those structures."

The HDV format will have a bit-rate of 19 Mbps for 720p recording and 25 Mbps for 1080i recording. It will be able to record at 720p at 25, 30, 50 and 60 fps as well as 1080i at 50 and 60 fps. The sampling format is 4:2:0, aspect ratio is 16:9 and it records two channels of stereo audio. ■

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is proud to announce
the representation of the following

Gray Television, Inc. station:



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Joining their sister stations:

KBTX Bryan

KXII Sherman-Ada

KWTX Waco



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STATION BREAK

BY DAN TRIGOBOFF

Marriage Sacred to Capitol

RALEIGH, N.C.—Capitol Broadcasting's WRAL-TV did not air CBS reality show *Cupid*, invoking the community-standards clause in its affiliate agreement and contending that the show demeans marriage. *Cupid* is a relationship show from *American Idol* co-creator Simon Cowell in which a young woman, aided by her friends, searches for the man of her dreams among many candidates. The couple can earn a "million-dollar dowry" if they marry and stay married for a year. The station put on a double run of *The Andy Griffith Show* instead.

"Virtually every reality program deals with sex and nudity," he said. "We draw the line at marriage. We love CBS, and CBS has the right to put on anything that they want, but our feeling in our markets is that you don't demean marriage. You don't pay people to get married. You don't have other people choose who you marry, and we're not going to do that. We didn't take a poll, but, because we're there, we know the standards of our community. I'm not saying we made the right decision or the wrong decision, but we made a decision, and that's our job."

Capitol stations have objected to reality shows dealing with marriage in the past and have pulled Fox's *Married by America* and *Who Wants To Marry a Millionaire?*.

CBS spokesman Chris Ender commented that "we're somewhat mystified by their decision and we strongly disagree."



WSMV(TV) Nashville, Tenn.'s Dan Miller and Demetria Kalomidos hosted the station's coverage of the city's July 4 Riverfront Park celebration, which was also carried on A&E and included the Nashville Symphony Orchestra, Beach Boy Brian Wilson, Al Green and Lee Ann Womack. The event scored big numbers, according to WSMV General Manager Steve Ramsey, peaking with an 11 rating/24 share for the fireworks on a night when people are often out. For the first time in years, the Boston Pops July 4 concert was not carried on WCVB-TV Boston and simulcast by A&E. Instead, it was carried by CBS and CBS-owned WBZ-TV.

Tower Troubles

OMAHA, NEB.—KETV-TV had to go to a back-up tower when its over-1,200-foot main tower fell to the ground late on July 4. No one was at the site, the station reported, so there were no injuries, and engineers were inspecting the collapsed tower last week to determine the cause. It was the fourth tower accident in Nebraska in 14 months. A Louisiana man working on the tower of KOLN Lincoln/KGIN Grand Island, in Seward County, died instantly last month after falling from the structure. Two workers died and three more were injured in the collapse of KDUH-TV Scottsbluff, Neb.'s, nearly 2,000-foot tower in Box Butte County last September. And in April 2002, a worker was killed by falling debris when a cable snapped at a Nebraska Educational Television tower.

Anchor Exits After Arrest

CHARLESTON, W.VA.—Longtime popular anchor Tom McGee is off the air on WCHS-TV and WVAH-TV after being arrested for drunk driving—his third such arrest in 12 years. McGee joined the stations last year after being off the air following a contract dispute with WOWK-TV Huntington.

Police reported that McGee tried

to flee after driving the wrong way on a Charleston street and crashing. Sources said management at the station were disappointed but had no choice but to let him go.

Young Names News Exec

NASHVILLE, TENN.—Young Broadcasting has hired former TV newsman and news consultant Brian Greif as its first groupwide VP of news. Greif will be based in Nashville and report to Executive Vice President Deborah McDermott. Young said that, in addition to the group's 11 stations' overall news product and coaching, he will focus on digital news programming.

Greif is a former news director for WSVN-TV Miami and WHO-TV Des Moines, Iowa. Most recently, he was senior VP of North American Television for Frank N. Magid Associates.

Said McDermott, "We just needed some additional support as we move into looking at digital channels, extra spectrum, staying on top of our news product. Brian is there to look for opportunities for growth in news in our local markets."

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

Accounting Scam at WBBM-TV

BY DAN TRIGOBOFF

The allegedly lavish lifestyle of Debbie Fogarty might have been an advertisement for "going to Disney World" or for the benefits of the American Express card. Last week, though, a photograph of a former accountant for CBS-owned WBBM-TV Chicago showed up not in an ad but in a mug shot following her arrest on charges that she misappropriated nearly \$2 million in station money.

The former assistant controller, with her husband, Tim, was arrested last Tuesday and, accused of bilking the station by diverting funds from company American Express accounts into her own, faces criminal charges by the State's Attorney and civil action by WBBM-TV.

Fogarty had oversight of payments on the station's American Express business-travel accounts. She would overpay the accounts, according to the complaint, and would direct the credit card company to credit the overpayments to her personal Gold Card and Optima accounts.

Property belonging to the couple has been seized and assets frozen pending both legal actions. The station's complaint against the couple details an extravagant lifestyle of travel, jewelry, limousine rides, and thousands of dollars in toys for the couple and their two children, financed by \$1.8 million diverted from station funds over a six-year period.

More than a half million dollars was spent on jewelry, with hundreds of thousands more spent on travel—including more than \$150,000 for trips to Disney World—furniture, clothing, Barbie dolls and electronics from Best Buy.

Both Fogartys were charged with felony theft by deception and money laundering, after Cook County authorities set a cash bond of \$500,000 for each. He was charged because he allegedly had knowledge of her activities. Felony convictions could bring sentences of up to 15 years. The couple re-



'We are dedicated to fixing this, and we are going to rebuild this station.'

JOE AHERN,
WBBM-TV

mained in custody until at least later in the week for a hearing on their motion for reduced bonds, according to local reports.

WBBM-TV President and General Manager Joe Ahern gathered his staff into one of the station's large studios Tuesday afternoon to tell them that a former longtime employee had been arrested for stealing from the station.

He asked the staff not to be disheartened by the event or by the publicity it was certain to generate in a city where local television is big news and most cab drivers can rattle off news directors and ratings points as if they were ballplayers and batting averages. By Wednesday, the story had been covered locally by rival TV stations and by both the *Chicago Sun-Times* and *Chicago Tribune*.

"I don't think this is a setback," says Ahern, whose history in Chicago television predates by more than 20 years his move to the longtime ratings-challenged WBBM-TV last August. "When you shed light on things like this, there's an important lesson. We are dedicated to fixing this, and we are going to rebuild this television station."

Ahern notes that, although he has never seen a situation like it in his decades in television, a television station, like other businesses, is vulnerable. "This is a big business, and we're constantly adjusting many accounts."

Taking over last year from Walt Delaven, now running Viacom's KCNC-TV Denver, Ahern says, he set out to challenge every practice in place at WBBM-TV. In January, Justin Draper was hired to replace controller David Gittens, who retired after more than 30 years at the station, and Fogarty was fired in March for reasons unrelated to the current charges, the station says.

Within weeks, Draper alerted Ahern to discrepancies. Ahern brought in corporate accountants to review the accounts, and the matter was then referred to authorities. He believes that Fogarty's departure and subsequent inability to continue covering her tracks helped precipitate the discoveries. ■

Jane Pauley Picks Up First Stations

BY PAIGE ALBINIAK

More than a year before the show's launch, NBC Enterprises has scored its first major clearances for *The Jane Pauley Show*, although all are of the in-house variety.

NBC owned stations WNBC-TV New York, KNBC-TV Los Angeles and KNSD-TV San Diego have picked up the show for early fringe, with Los Angeles and San Diego agreeing to 3 p.m. slots for the show in fall 2004.

In Los Angeles, that pits Pauley directly against King World's *The Oprah Winfrey Show* on KABC-TV but teams the show with *Dr. Phil* airing at 4 p.m., which NBC Enterprises' President Ed Wilson thinks will be to Pauley's advantage.

NBC also is close to closing deals for the show in Chicago, Washington and Dallas. In all three of those markets, Pauley could end up on a non-NBC-owned station, according to Wilson.

Sources say NBC is clearing 10% ahead of *Dr. Phil*'s first-cycle fees, around \$1 million per week. ■

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ZAGATSURVEY[®]

Seattle
Dining
Guide

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CTAM 2003

Seattle, WA



A WORD ABOUT

ZAGAT SURVEY®

Zagat Surveys have become the country's best-selling dining guides and the most comprehensive, accurate and reliable source of restaurant information available, thanks to diners across the country who have rated and reviewed the restaurants they visit.

Started as a hobby over 20 years ago, Zagat Survey has since developed into a full-time publishing enterprise. Consisting of over 45 titles worldwide, the pocket-sized trademark burgundy guides now extend to a wide range of leisure and lifestyle activities including restaurants, nightlife, hotels and marketplaces.

Zagat Survey content is now available in all the ways consumers like to access dining and leisure information such as in book form, on the Internet at www.zagat.com, on Palm Pilot OS and on mobile phones at mobile.zagat.com.

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D I N I N G

To help you decide where to dine while attending the CTAM Summit 2003 Show, *Broadcasting & Cable and Multichannel News* are pleased to present the "Guide to Seattle Restaurants," made possible through the generous support of the **Hallmark Channel**.

Through a special arrangement with Zagat Survey, we have provided detailed and candid information on a number of the top restaurants in Seattle. This selection comes from the 2003 Seattle Restaurants guide. This guide features 698 restaurants reviewed by more than 1,300 diners. These restaurants are within easy driving distance from the CTAM Summit.

On behalf of *Broadcasting & Cable, Multichannel News* and the **Hallmark Channel**, we hope you find this *Guide* useful, and your dining experiences memorable.

Lawrence W. Oliver
Vice President, Group Publisher
*Broadcasting & Cable
and Multichannel News*



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Explanation of ratings and symbols

FOOD, DECOR and SERVICE
are each rated on a scale of 0 to 30 in columns
marked F, D and S.

0-9 = poor to fair

10-15 = fair to good

16-19 = good to very good

20-25 = very good to excellent

26-30 = extraordinary to perfection

● The **COST** column, headed by a **C**, reflects the estimated price of a dinner with one drink and tip. As a rule of thumb, lunch will cost twenty-five percent less.

● Before each review a symbol indicates whether responses were uniform ■ or mixed ▣.

● After a restaurant's name, a crescent moon indicates the restaurant serves after 11 PM, the "S" with a slash through it indicates the restaurant is closed on Sundays and a credit card with a slash through it indicates credit cards are not accepted.



Seattle's

Source: **ZAGATSURVEY.** www.zagat.com



Where great *stories* come to life

MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

Wild Ginger

26 23 21 \$36

1401 Third Ave. (Union St.), 206-623-4450

■ Once again voted the Most Popular restaurant in Seattle, this simply "superb" Downtown "Pacific Rim delight" "continues to charm" with "the best fragrant duck" and other "innovative, delicious dishes" savored amid "big, noisy", "high-energy" yet "elegant" environs; given such "stunning" "excellence", it's no wonder that the throng of "too-chic-for-words" patrons "never dwindles", meaning it "can be hard to get a table" (even booking ahead, regulars report a certain "indifference to reservation times"), though "once you get past the hostess it's smooth sailing."

Dahlia Lounge

26 25 23 \$42

2001 Fourth Ave. (Virginia St.), 206-682-4142

■ "Still strong after all these years", Tom Douglas' "first" (and "best") eatery continues to set hearts swooning with its "bold" "showcase of NW flavors" reflecting a "Pacific Rim" "twist", "warm yet sophisticated" decor (complete with "sumptuous red walls" and signature "paper fish" lamps) and a "sterling" staff; yes, everyone "loves the coconut cream pie", which is now world-famous and available to-go from "the Dahlia Bakery next door."

Metropolitan Grill

26 21 23 \$50

820 Second Ave. (Marion St.), 206-624-3287

■ "Where the power elite come to eat meat", this "pricey" Downtown "quintessential traditional steakhouse" "never disappoints" with its "whole-cow" portions of "thick, well-marbled", "cooked-to-perfection" beef and "delicious" sides supported by a "fabulous" 600-label wine list; add the pleasingly "old-school" "chophouse atmosphere" ("busy", "noisy") and "knowledgeable, courteous" service, and it's no wonder the "fat cats" who frequent this "Seattle classic" don't mind opening their wallets for the privilege.

Canlis Restaurant *S*

26 27 27 \$60

2576 Aurora Ave. N. (Halladay St., south of Aurora Bridge),
206-283-3313

■ "Family-owned" for more than 50 years, this "Seattle institution" "perched above Lake Union" is the "ultimate" "special occasion" destination thanks to its "exquisite", "can't-be-beat ambiance" and "phenomenal view" (it's voted No. 1 for Decor in this Survey), "divine" NW-accented surf 'n' turf menu, which "pleases every

F D S C

palate" by managing to be "old-fashioned and modern at the same time", 1,000-plus-label wine list brimming with "endless charms" and "gracious", "intuitive" service that ranks among the city's "utmost"; consensus says this *très* spendy "classic" just "grows better with age."

Rover's *S*

28 23 27 \$88

2808 E. Madison St. (28th Ave.), 206-325-7442

■ Expect "an unforgettable dining experience" at chef-owner Thierry Rautureau's Madison Valley New French showing "first-rate" "attention to detail", from the "perfectly executed", prix fixe-only cuisine with "wonderful matched wines" to the "impeccable" staff (voted No. 1 for Service in Seattle) to the "elegant" decor that's "unexpectedly relaxed for formal dining"; just find "somebody else to pay the bill" because it's "breathtakingly expensive", though "worth every penny"; N.B. a post-Survey expansion has given this "world-class" destination new polish and more elbow room.

Cafe Campagne

26 23 22 \$33

Pike Place Mkt., 1600 Post Alley (bet. First & Pine Sts.), 206-728-2233

■ "In some ways more fun" than Campagne, its "grown-up brother", this casual Pike Place Market "favorite" provides the "perfect combination" of "*romantique*", "you're-in-Paris" ambiance and "excellent French bistro fare" ("*vive le steak frites!*" and the "pâté of champions"); its "great list of French wines", "gracious service" and "reasonable prices" only add to the appeal; N.B. the dining room has been expanded and they now offer sidewalk seating.



Seattle's

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Where great *stories* come to life

MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

Flying Fish ●

25 21 22 \$39

2234 First Ave. (Bell St.), 206-728-8595

■ Christine Keff and her team "make anything that swims taste divine" at this "vibrant" Belltown standout, voted "Seattle's best seafooder" thanks to its "interesting, eclectic" twists, often with "an Asian flair", on "exotic and local fish" ("love the whole fried snapper"), all of which "match well" with selections from the "excellent" wine list; it's also a "great late-night" choice, though the "festive" quarters can get "cramped" and "noisy as the evening" wears on; P.S. it's also "fun" just for "apps at the bar."

F D S C

Palace Kitchen ●

25 22 22 \$36

2030 Fifth Ave. (Lenora St.), 206-448-2001

■ "Food fit for royalty in a laid-back setting" is the allure of this Downtown New American, the baby sibling (and to some, the "best") of the Tom Douglas-owned eateries; considering the "great cocktails" and "highly creative", "sensational food", it's no wonder this "energetic, vibrant" place is "always bustling", especially "late night" (the kitchen's open till 1 AM); all in all, it's considered the "quintessential Seattle experience" - can a "Tom Douglas bobble-head" be far behind?

Etta's Seafood

24 19 21 \$35

2020 Western Ave. (bet. Lenora & Virginia Sts.), 206-443-6000

■ "After the hustle-and-bustle of the Pike Place Market" builds an appetite, "locals know" to go to this Tom Douglas-owned "gem" for "inventive" "NW seafood at its best", from the "fabulous brunch" menu's "delightful eggs Benedict with crab" to the signature "melt-in-your-mouth salmon" to the side dishes ("even the veggies are divine"); never mind if at times it seems "overrun by tourists" - with windows overlooking the "Western Avenue crowds", it's prime for "people-watching."

Ray's Boathouse

24 24 22 \$38

6049 Seaview Ave. NW (Market St.), 206-789-3770

■ "Always tops", this "old-school" Shilshole "institution" is among the "best places for visitors to get their fill of really good salmon" and other "fantastic" seafood prepared with "classic NW" touches while taking in a "million-dollar view over Puget Sound to the Olympic Mountains"; also contributing to the "pleasurable experiences" here is a "voluminous wine list" offering myriad "domestic and import choices" for oenophiles.

Daniel's Broiler

24 23 23 \$45

809 Fairview Ave. N. (Westlake Ave.), 206-621-8262

Leschi Marina, 200 Lake Washington Blvd. (Alder St.), 206-329-4191

Bellevue Pl., 10500 NE Eighth St. (Bellevue Way), Bellevue,

425-462-4662

■ One of "the best of the Seattle steakhouses", this "classy" trio is equally "dependable" for "important business dinners" and "special occasions" and "celebrations", thanks to its "flavorful" "prime beef" "cooked to perfection" and dished out in "healthy portions at healthy prices" (i.e. it "caters to big wallets"); "fantastic" "friendly service", "stellar" views and "nice piano bars" (at all but the Leschi branch) cinch the deal; P.S. the Bellevue location has a "great cigar lounge" too.



Campagne ●

27 24 25 \$51

Pike Place Mkt., 86 Pine St. (1st Ave.), 206-728-2800

■ "Still one of the best in Seattle", this Pike Place Market Country French "classic" is "strong all around", from the "take-your-breath-away quality" of its "sophisticated" cuisine and "superior" wine list to its "elegant", "romantic" interior (which was recently refurbished) to its "formal but relaxed", "knowledgeable" service; sure, it's "expensive", but devotees resoundingly vote it "worth every penny", especially for celebrating "special occasions", so "save up, skip lunch" and indulge; P.S. there's also a "wonderful bar menu", served until midnight.

Seattle's

Source: **ZAGATSURVEY**, www.zagat.com



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MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

F D S C



Anthony's

19 20 19 \$30

6135 Seaview Ave. NW (near Shilshole Marina), 206-783-0780

Squalicum Harbor Marina, 25 Bellweather Way (Foeder Ave.),

Bellingham, 360-647-5588

Des Moines Marina, 421 S. 227th St. (Marine View Dr.), Des Moines,

206-824-1947

Edmonds Marina, 456 Admiral Way (Dayton St.), Edmonds,

425-771-4400

Everett Marina Vlg., 1722 W. Marine View Dr. (bet. 16th & 19th

Sts.), Everett, 425-258-4000

Everett Marina Vlg., 1726 W. Marine View Dr. (bet. 16th & 18th

Sts.), Everett, 425-252-3333

8827 N. Harborview Dr. (Stinson Dr.), Gig Harbor,

253-853-6353

135 Lake St. S. (Moss Bay Marina), Kirkland 425-822-0225

704 Columbia St. NW (Market St., next to Olympia Farmer's Mkt.),

Olympia, 360-357-9700

5910 N. Waterfront Dr. (bet. Pearl St. & Vashon Ferry Dock),

Tacoma, 253-752-9700

■ A winning "formula" of "wonderful views", "good-value" "Northwest-style seafood", "comfortable" settings and "friendly" (if sometimes "harried") service makes this waterfront fish house chain a popular choice, whether for "taking out-of-towners", Sunday's "all-you-can-eat crab" special or just a "glass of wine and oysters at sunset"; still, a few carpers claim the experience "varies by location"; N.B. some outlets offer both casual and fine-dining options.

Brasa

25 24 22 \$45

2107 Third Ave. (bet. Blanchard & Lenora Sts.), 206-728-4220

■ "Everything's a winner" - from the "unforgettable, creative" cuisine to the "sleek", "beautiful interior" "glowing with golden light" to the "attentive, discreet" service - at this "very upscale" Belltown "class act" that's voted the Survey's top Mediterranean; chef/co-owner Tamara Murphy's "imaginative" dishes are all the more "memorable" when paired with choices from the "thoughtful wine list" "filled with obscurities"; P.S. bargain-hunters ballyhoo the "amazing bar menu", which goes half-price during the "best happy hour in town."

Kingfish

26 22 20 \$27

602 19th Ave. E. (Mercer St.), 206-320-8757

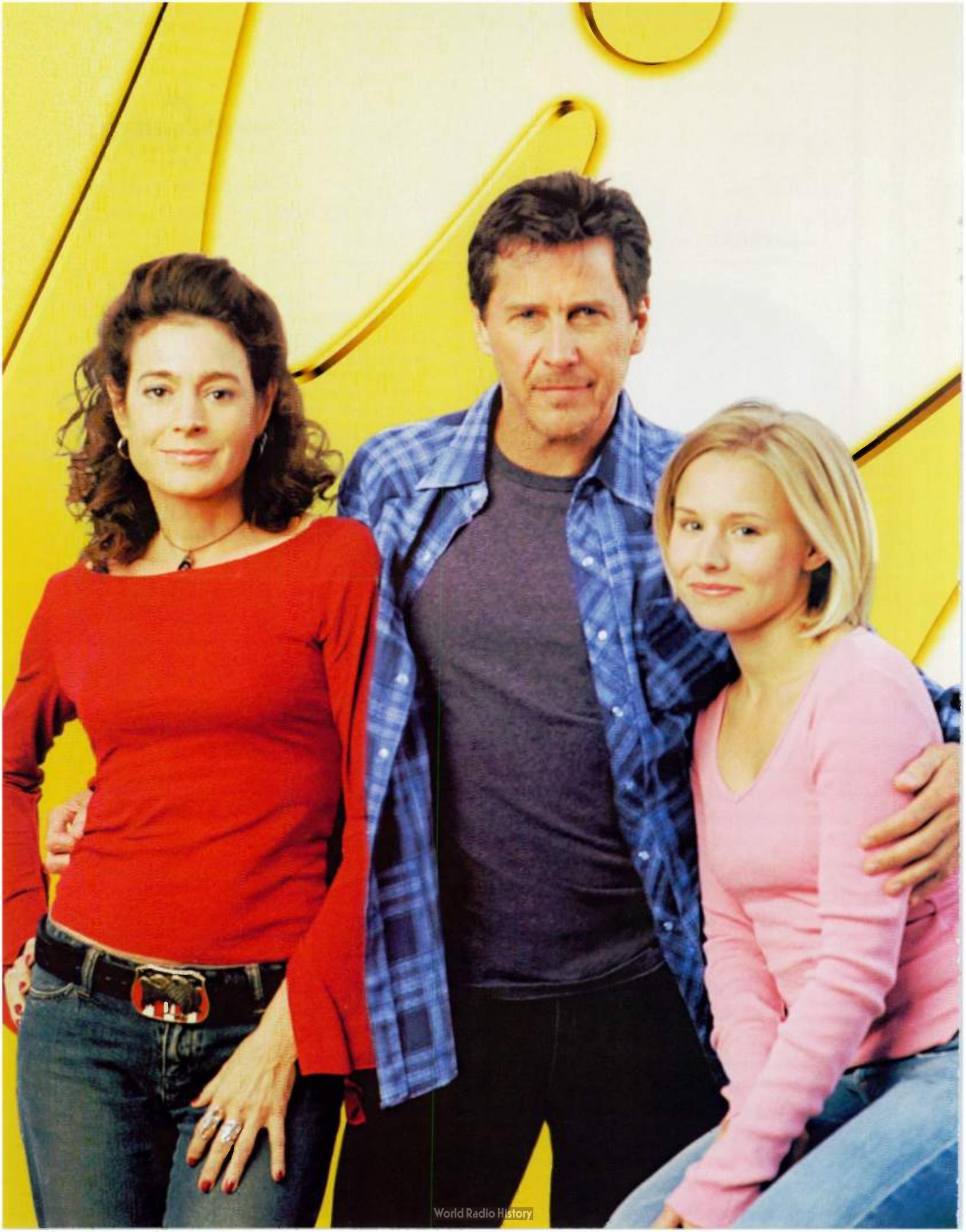
■ "Heaven-sent" soul food - cornbread, collard greens, buttermilk fried chicken and other "only-grandma-makes-better" delectables - to "remind a Southern boy of home" draws diners in droves to this Capitol Hill "favorite" boasting a "simple yet sophisticated" setting and "gracious" service; the only thing to "hate" is "the long wait" ("be there when they open to get a table"), but for most it's more than "worth it"; P.S. "save room for" the "trademark red velvet cake."

Restaurant Zoë

26 23 24 \$40

2137 Second Ave. (Blanchard St.), 206-256-2060

■ "One of Belltown's best", this "happening" New American succeeds on the strength of its "stellar", "amazingly creative" cuisine based on local, seasonal ingredients, "fantastic" pro service and "warm, glowing, inviting" ambiance, all overseen by chef-owner Scott Staples, "a great guy" who "always seems to know what's going on in his dining room"; though all appreciate the "hip", "see-and-be-seen" setting and its choice "people-watching" opportunities, tender ears just wish they could "cut the decibels" a bit ("really poor acoustics").



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Seattle's

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MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

F D S C

Il Terrazzo Carmine

26 24 25 \$44

411 First Ave. S. (bet. Jackson & King Sts.), 206-467-7797

■ "Astounding" "traditional Italian" cuisine featuring "simple preparations and the best ingredients" is what comes out of the kitchen at this "friendly" "jewel in the middle of Pioneer Square"; "upscale" but "not stuffy" decor, "honest-to-goodness pro waiters" and a "wonderful wine list" add up to truly "delightful evenings" here, whether "entertaining clients" or celebrating "special occasions."

no-"attitude" service and atmosphere, not to mention "excellent-value" prices, it's no wonder it's made "regulars" even of surveyors who "relish the food" ("even the hamburger is incredible") but not the "no-reservations" policy that ensures a "long wait" unless you "get there early."

Herbfarm, The

28 26 26 \$152

Willows Lodge, 14590 NE 145th St. (Woodinville-Redmond Rd.), Woodinville, 206-784-2222

■ Prepare for the "meal of a lifetime" at this "legendary" Woodinville New American where "four-hour-plus" prix fixe evenings are centered around "master" chef Jerry Traunfeld's "rigorously seasonal" "nine-course gourmet wonders" that celebrate "the bounty of the NW" "in new and often startling ways", with "herbs in everything" down to "the sparkling wine"; truly "nothing is lacking" here, from the "superb" service to the "wonderful atmosphere" to the substantial tab ("save for a year if you have to!"); P.S. for the ultimate getaway, "plan to stay the night" at the Lodge.

Palisade

23 27 23 \$42

Elliott Bay Marina, 2601 W. Marina Pl. (Garfield St.), 206-285-1000

■ "Wow" "out-of-town guests" at this "wonderful" water-themed Magnolia seafooder where the "breathtaking" "marina view" is no more "stunning" than the "elegant dining room" featuring its own interior "tide pool"; while in danger of being overshadowed by the "outstanding" atmospherics, the kitchen's crowd-pleasing shore classics at this "place to celebrate" are deemed "fantastic"; P.S. try the "stellar brunch" and its "prawn-laden Bloody Marys."

Cafe Juanita

28 22 26 \$44

9702 NE 120th Pl. (97th St.), Kirkland, 425-823-1505

■ "It just keeps getting better" gush groupies of chef-owner Holly Smith's "magical" Northern Italian that's voted Seattle's "best" of The Boot and considered "a must" for special "celebrations" ("secluded", "hidden" location notwithstanding); "transporting" "meals to remember" here are composed of "sublime", "perfectly" prepared cuisine making "great use of fresh, seasonal ingredients", "outstanding wine" selections and "terrific service"; P.S. "are we sure this is Kirkland and not Liguria?"

Jak's Grill

27 17 22 \$32

4548 California Ave. SW (bet. Alaska & Oregon Sts.), 206-937-7809
14 Front St. N. (Sunset Way), Issaquah, 425-837-8834

■ The "superb" beef in "tremendous" portions served up at this West Seattle-Issaquah "terrific neighborhood steakhouse" duo not only "competes with the big names", it leads the herd as the No. 1 red meatery in this Survey, given such "marvelous" quality,



Seattle's

Source: **ZAGAT**SURVEY. www.zagat.com



Where great *stories* come to life

MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

F D S C

Harvest Vine, The **S**

27 17 22 \$36

2701 E. Madison St. (27th Ave.), 206-320-9771

■ At Joseph Jimenez de Jimenez's "tiny Madison Park Basque", the "best seats are at the copper-topped bar", where "the chefs in front of you" craft "exquisite tapas" "like nothing else", so "taste everything they offer", make a selection from the "extensive Spanish and Basque wine list" and don't forget to "save room for pastry chef Carolin Jimenez's creations"; the "no-reservations" policy means "waits can be long", but patrons packed in like *boquerónes* have more elbow room now that the new cellar room is open.

Cheesecake Factory ●

16 17 16 \$23

700 Pike St. (7th Ave.), 206-652-5400

401 Bellevue Sq. (NE 4th St.), Bellevue, 425-450-6000

■ "Be prepared for a long wait" at these "noisy, crowded" Downtown and Bellevue chain links offering "something for everyone from the 2-year-old to grandpa" on a New American menu so big it "rivals Webster's Dictionary"; snobs sniff the "quantity-over-quality philosophy" adds up to "huge portions" of "mediocre" eats, but even critics admit it can be "darn good" ("the formula must be working").

El Gaucho ●

25 24 24 \$63

2505 First Ave. (bet. Vine & Wall Sts.), 206-728-1337

2119 Pacific Ave. (S. 21st St.), Tacoma, 253-272-1510

■ Imagine a "NY supper club straight out of a Frank Sinatra flick" and you've got this "dark, sexy", "retro"-styled Belltown steakhouse "known for its prime beef" and "near-perfect" Caesar salads "expertly prepared tableside"; for such "swanky" experiences, including "superb", "prepare-to-be-pampered" service, it's no surprise tabs are "very spendy" ("go on an expense account" or brace for "el oucho in the pocketbook"); N.B. the Tacoma branch opened post-Survey.

Brooklyn Seafood, Steak & Oyster House

24 21 21 \$36

1212 Second Ave. (University St.), 206-224-7000

■ The "atmosphere is charged" at this "clubby", "often-crowded" Downtown "favorite" boasting one of the "best oyster bars around", a "consistently" "superb" lineup of steaks

and seafood and a "great selection of microbrews and single-malt scotch" to go with 'em; "sit at the counter" in a "retro high-backed swivel stool" and "watch the chefs at work" - unless your evening's entertainment has you rushing off to Benaroya Hall across the street.

Le Pichet ●

23 20 21 \$30

Pike Place Mkt., 1933 First Ave. (Virginia St.), 206-256-1499

■ "The fastest and cheapest way to visit France" without leaving Pike Place Market, this "slice-of-Paris" "charmer" is home to "French bistro cuisine at its best", providing "pâté fixes" amid an "authentically" "noisy", "jam-packed", zinc-bar-and-banquette-appointed interior; the "terrific fun" here is enhanced by an "unpretentious" wine list that allows you to "experiment" with different sizes of *pichets* (pitchers); N.B. snackers take note: the *casse-croûte* menu's served all day long.



Seattle's

Source: **ZAGATSURVEY**. www.zagat.com



Where great *stories* come to life

MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

Nishino

28 22 24 \$38

3130 E. Madison St. (Lake Washington Blvd.), 206-322-5800

■ "No need to fish for compliments" here: they abound from finatics who say this "elegant, relaxed" Madison Park Japanese offers "a virtually perfect sushi experience" (it's No. 1 in its category in this *Survey*), not to mention "divine" cooked dishes; for many the multi-course "omakase meal remains a reason to wake up in the morning" ("remember to order it 24 hours ahead") - just "turn your taste buds over" to "creative" chef-owner Tatsu Nishino and "you won't go wrong."

Lampreia

27 20 22 \$58

2400 First Ave. (Battery St.), 206-443-3301

■ "Genius" chef-owner Scott Carsberg has virtually "perfected his art" and "continues to innovate" at this "sophisticated", albeit pricey, Belltown NW-New American where the "exquisite" cuisine employing "beautiful", "interesting ingredients" is considered the ultimate for "celebrating a special occasion"; still, despite its undisputed gustatory "excellence" and generally solid service rating, there are gripes that this "food church" serves up a "heaping helping of attitude" along with its other "sublime" offerings.

Assaggio Ristorante

23 19 21 \$37

2010 Fourth Ave. (Virginia St.), 206-441-1399

■ Definitely "not for the Jenny Craig crowd", this "old-style" Downtown Northern Italian is beloved for its "generous portions" of "terrific", "sinfully rich pastas" and other carb classics served under the watchful eye of "perhaps the most personable owner in Seattle"; the "wonderful ambiance" is "boisterous and congenial" (and a bit "noisy"), but despite any rumors to the contrary, "it isn't true that Michelangelo painted the ceiling" in its beautifully frescoed room.

Cascadia

24 26 24 \$63

2328 First Ave. (bet. Battery & Bell Sts.), 206-448-8884

■ "Absolutely wonderful" rave reviewers of this Belltown NWER where chef-owner Kerry Sear's "spectacular" cuisine composed of "seasonal" ingredients from the Cascade Mountain region is nothing less than a "lesson in culinary craft" (especially the "not-to-be-missed" tasting menu options), backed by an "excellent" wine list overseen by "helpful" staffers who brim with "great pairing" suggestions; "beautiful" decor (including a nifty "waterfall") completes the "truly amazing" experience.



McCormick & Schmick's

20 20 20 \$34

1103 First Ave. (Spring St.), 206-623-5500

■ Equally suitable "for a business lunch" or a "comfortable dinner with friends", this "brass and mahogany"-filled link of the national seafood chain offers "real charm" along with its "wide", ever-changing selection of "fantastically fresh" shore fare displayed daily on a "huge sheet" (which also enumerates the legendary "happy-hour food specials"); there may be "nothing fancy or trendy" on its "middle-of-the-road menu", but the "consistent quality" satisfies.

Seattle's

Source: **ZAGAT**SURVEY. www.zagat.com



Where great *stories* come to life

MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

IL Fornaio

19 20 19 \$30

*Pacific Pl., 600 Pine St. (6th Ave.),
206-264-0994*

■ "Conveniently located in Pacific Place", this outlet of the California-based Italian chain is a "comfortable place" to "refuel after a day's shopping"; its "lower-level risotteria" makes a "casual", bistro-like setting for "very tasty" "thin-crust Neapolitan-style pizzas" and the like, while the upstairs ristorante offers "better frills", more formal service and an extensive menu of dishes "done right"; N.B. there's also a bakery offering bread, pastries and sandwiches.

Palomino

21 22 19 \$34

*City Centre Bldg., 1420 Fifth Ave. (bet. Pike & Union Sts.),
206-623-1300*

■ "Shop at Barneys [downstairs], snack at Palomino" is the routine for "A-list" habitués of this City Centre Italian franchise that's a "steady player" thanks to its "terrific pizzas", "oven-roasted anything" and "best" Chop Chop Salad; popular for a "quick lunch" or "meeting friends for after-work drinks and dinner", it's no wonder that it "can get loud" and the generally "attentive" service sometimes slips.

Pink Door, The

21 21 19 \$29

*Pike Place Mkt., 1919 Post Alley (bet.
Stewart & Virginia Sts.), 206-443-3241*

■ A "Pike Place Market tradition", this "funky" Italian "hidden" behind, yes, "a pink door" "on Post Alley" is beloved as much for its "wonderful" patio ("sit outside and watch the sunset over the Puget Sound") as for its "terrific, airy lasagna" and other classics; Broadway babies "hang out in the bar and enjoy the cabaret" and other nightly entertainment (ok, so the "trapeze artist is a bit distracting").

Cassis

24 20 23 \$37

2359 10th Ave. E. (Miller St.), 206-329-0580

■ Addicted Francophiles find it difficult to "get past" the "supreme frites" ("I dream about them") at this "delightful" Capitol Hill French bistro, which offers plenty of other "authentic-to-a-fault" classics from casset to mussels marinière; the "understated, romantic vibe" and "fabulous" "pro" service mean it's "perfect for a tête-à-tête."

F D S C

P.F. Chang's China

Bistro

19 20 18 \$24

*Bellevue Sq., 525 Bellevue Way (8th St.), Bellevue,
425-637-3582*

■ Truly a "godsend when you've shopped till you've dropped" at adjacent Bellevue Square, this "cavernous" Chinese chain link is usually "packed" with fans of its "sleek", "loud, fun" setup, "great variety" of "Asia-meets-America" fare ("the best chicken lettuce wraps") and "helpful" staff; still, a minority of naysayers finds it all a bit "impersonal" and "predictable", declaring it "not worth the wait."



Seattle's

Source: **ZAGATSURVEY.** www.zagat.com



Where great *stories* come to life

MOST POPULAR RESTAURANTS

(Most frequently named, in order of popularity)

F D S C

Elliott's Oyster House

22 19 20 \$35

1201 Alaskan Way (Seneca St.), 206-623-4340

■ "Set me in a corner and let me eat oysters by the dozen" plead shellfish junkies hooked on this Waterfront "favorite" where they may "have to fight the tourists to get a table" but are rewarded with a "large", "excellent" bivalve selection, along with other "fine NW seafood"; it's a "relaxed", "fun place" with a "view of Elliott Bay" and its "passing ferries" - in other words, the perfect "place to take visitors."

Matt's in the Market ⌘

25 16 22 \$29

Pike Place Mkt., 94 Pike St. (1st Ave.), 206-467-7909

■ "Hard to find" but a "true Pike Place Market gem" worth seeking out, this "tiny" (23 seats) seafooder has but a "two-burner kitchen" in which owner Matt Janke and his "fast, friendly" staff produce "some of Seattle's best fish dishes" in full view of the "counter seats"; at lunchtime its "exceptional" catfish sandwiches and other easygoing eats ensure it "fills up in about five minutes", while at dinner it features a "wonderful" "short menu" of more sophisticated dishes that really show off "fresh, local, seasonal" Market products.

Szmania's

25 24 23 \$37

3321 W. McGraw St. (34th Ave.), 206-284-7305

Kirkland Waterfront Market Bldg., 148 Lake St. S. (Kirkland Ave.), Kirkland, 425-803-3310

■ At this "innovative" Magnolia-Kirkland duo, "charming", "deft" chef-owner Ludger Szmania's "fabulous schnitzel" and other "uncompromisingly top-notch" dishes "elevate German food to a high gourmet level" while "making good use" of NW ingredients; a "well-trained staff" and "fun" vibe round out the "very enjoyable dining experiences" here; P.S. aspiring toques seek out the "seasonal cooking demonstration dinners" at the Magnolia location.

Tulio Risorante

22 20 22 \$38

Hotel Vintage Park, 1100 Fifth Ave. (Spring St.), 206-624-5500

■ Admirers of this Downtown Italian "favorite" insist it's "excellent every single time" thanks to chef-owner Walter Pisano, who "continues to produce delicious meals" with "subtle flavors", "with a wine list, decor and service to match"; it's no surprise, then, that many turn to it for "business lunches" or dinners, though some note it can get "crowded and noisy", making quiet conversation tricky.



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PROGRAMMING

Can Disney Attract Boys?

BY ALLISON ROMANO

Thanks to tween sensations like *Lizzie McGuire* superstar Hilary Duff and *That's So Raven* star Raven, Disney Channel is flush with red-hot programming for girls. But what's a boy to do? Disney's answer is *Phil of the Future*, an upcoming live-action series starring 17-year-old Ricky Ullman. The show, slated for a first quarter 2004 debut, features 2121 Phil as a teen who gets stuck in the present when his time machine breaks down. Disney Channel President Rich Ross says *Phil* will be more "gender-neutral" than the net's current hits.



Phil of the Future, starring Ricky Ullman, is expected to be an important addition to the Disney Channel lineup.

Lizzie McGuire and *That's So Raven* "ended up being back to back, and they have become ubiquitous for kids and certainly girls," Ross says. But he contends that Ullman has the star potential to "join the pantheon of Hilary and Raven in terms of mega-stars."

The timing is good for a new show. After making a feature-film version of *Lizzie*, Duff is moving on. Disney still has a few original episodes left to debut and will continue to replay the show. *That's So Raven* is fresher. The show debuted earlier this year—it immediately became one of Disney's highest-rated shows—and is currently shooting its second season.

Phil of the Future is an important addition for Disney. The network is on a ratings tear. Its 1.7 household average in prime for the second quarter was among the best on cable. Its research shows that 60% of Disney's young viewers are girls,



Research shows that 60% of Disney Channel's young viewers are girls, who tune in to shows like *That's So Raven*, starring Raven.

with more boys tuning into rivals Nickelodeon and Cartoon Network. To be a player, Disney needs to deliver a balanced audience that evens the sexes. The net says its boy numbers are already coming up, and that's pre-*Phil*.

Disney doesn't have to fret over satisfying advertisers with its demos and ratings. Because of distribution deals with MSOs, the network doesn't run traditional 30-second spots but accepts "sponsorships" from companies like McDonald's. ■

Little BBC America Is Thinking Big

BY ALLISON ROMANO

BBC America may be a small network in size, but the British import has lofty ambitions. "We're not out there to be a niche player," says network chief Paul Lee, although, in terms of viewers, that's just about where it is.

BBC America, he contends, has everything viewers are gobbling up on other networks. Want lifestyle shows? There's the BBC's *Ground Force* and *What Not To Wear*. Want comedy? Quirky workplace comedy *The Office* has a cult following, and hidden-camera prank show *3 Non Blondes* is on the way. Looking for high-impact drama? Upcoming miniseries *Cambridge Spies*, a Cold War espionage story, fits the bill.

And then, of course, there's *Coupling*, the BBC's *Friends*-style sitcom that NBC is remaking for its air this fall.

"People in cable spend hundreds of thou-



BBC America is catching on with British imports like *Coupling*, which NBC will remake for its own fall schedule.

Osbournes Get Another Turn at Bat

BY ALLISON ROMANO

For MTV, two seasons of *The Osbournes* simply wasn't enough. True, the ratings have fallen from last summer's sky-high levels, but, as MTV's Programming President Brian Graden pointed at the critics press tour last week in Los Angeles, it is still MTV's highest-rated series.

Even MTV, which brings on new shows at a breathless rate, finds it hard to let a good thing slip away.

The wacky Osbourne clan will be back for a third season in early 2004, having agreed to make 20 new episodes. MTV didn't have to get into another round of bizarre negotiations, either. Last year's deal included an option for a third.

Asked why he wanted MTV cameras back in his home, patriarch Ozzy Osbourne, a surprise guest at MTV's pre-

sentation, says—rather coherently—that "this whole MTV thing has been just an incredible adventure and I didn't want the adventure to end so soon."

Production on the new episodes should start in the fall. The latest



The Osbourne clan will be back for a third season in early 2004.

episodes are averaging about 3 million viewers, well above MTV's prime time average. But it's off from last spring's blistering Nielsen marks that peaked at nearly 8 million viewers.

"When we had the chance to do 20 more, there was zero hesitation," Graden says. "We were sort of there immediately."

Since filming wrapped on the current season, son Jack has been in rehab for a drug problem, and matriarch Sharon is recovering from cancer treatments. Those events, as well as daughter Kelly's shaky singing career, are likely to be prominent storylines.

Meanwhile, the Osbournes' oldest offspring, daughter Aimee, who does not appear on the reality show, is featured in an upcoming MTV original movie *Wuthering Heights*, a modern-day adaptation of Emily Brontë's classic romance novel debuting Sept. 4. ■

SYNDICATION WATCH

RATINGS | June 23-29

Nielsen Media Research

Top 25 Shows

Adults 18-34

RANK	PROGRAM	AA	GAA
1	Friends	5.5	6.4
2	Seinfeld (wknd)	4.7	5.9
3	Seinfeld	4.6	5.3
4	That '70s Show	3.4	4.2
5	King of the Hill	3.1	3.4
6	Will & Grace	2.8	3.1
7	Everybody Loves Raymond	2.7	3.0
8	Home Improvement	2.4	2.9
9	Dharma & Greg	2.3	2.6
10	Maury	2.2	2.4
11	Oprah Winfrey Show	2.1	2.1
12	Just Shoot Me (wknd)	1.8	2.5
13	3rd Rock From the Sun	1.6	1.8
13	Jerry Springer	1.6	1.8
13	Frasier	1.6	1.7
13	Drew Carey	1.6	1.6
13	Friends (wknd)	1.6	1.6
18	Jeopardy	1.5	NA
18	Judge Judy	1.5	2.1
18	Blind Date	1.5	1.6
18	Maximum Exposure	1.5	1.5
18	That '70s Show (wknd)	1.5	1.5
23	Wheel of Fortune	1.4	NA
23	Cops	1.4	2.0
23	Buffy the Vampire Slayer	1.4	1.6
23	ER	1.4	1.6
23	WW Police Videos	1.4	1.6
23	Entertainment Tonight	1.4	1.5

Top Action Hours

Adults 18-34

RANK	PROGRAM	AA	GAA
1	Maximum Exposure	1.5	1.5
2	Cops	1.4	2.0
3	Mutant X	1.3	1.4
3	Stargate SG-1	1.3	1.4
5	Adventure Inc.	1.2	1.3

According to Nielsen Media Research Syndication Service Ranking Report June 23-29, 2003

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

| first-run |

Upgrades for Universal

BY PAIGE ALBINIAK

Universal Domestic Television has scored upgrades for *Maury*, *Blind Date* and *The Jerry Springer Show* in two major markets. In San Francisco, the country's fifth-largest market, WB affiliate KBWB(TV) has shifted *Maury*'s first runs to 5 p.m. from 10 a.m.; another run of the show will remain at 1 p.m. During the May sweeps, *Maury*'s 1 p.m. run scored the station's highest share in daytime in women 18-34 and 18-49 and tied for highest rating in those demos.

With *Maury* out of the 10 a.m. slot, KBWB is airing a double run of Sony's *Shipmates* in the hour. The show has not been renewed in syndication for fall, but sources say Sony is exploring a cable deal for it for fall 2004.

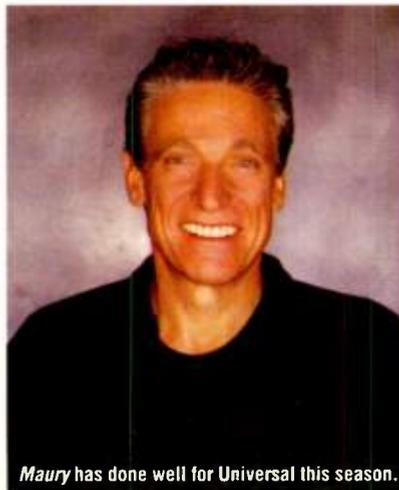
At 5 p.m., KBWB had been airing double runs of Buena Vista's *Home Improvement*.

Granite Broadcasting's KBWB also has brought over *Blind Date* from Young's KRON-TV. The half-hour dating strip airs at noon on the WB affiliate, leading into Twentieth's *Ex-Treme Dating*. KRON-TV had been airing *Blind Date* at noon and now is running locally produced *Rob Black and Your Money*. *Blind Date* is No. 1 in the dating genre. In its fourth season, the show is down 5% year-to-year in national household ratings and flat in adults 18-34, 18-49 and 25-54.

In Sacramento, Calif., DMA 19, CBS affiliate KQVR-TV is moving *Jerry Springer* to 3 p.m. from 9 a.m., bumping Sony's *Ricki Lake* to 2 p.m. *Jerry* has been a solid performer all year for Sinclair-owned KQVR, boosting its *Early Show* lead-in by 143% among women 18-49 and improving the time period by 240% in the demo compared to last year. Among women 18-34, *Jerry* increased its *Early Show* lead-in by 122% and was up 300% over last year.

Nationally, *Jerry*, down 11% year-to-year in households, is fifth among the 15 talk shows, behind King World's *Oprah Winfrey Show*, King World's *Dr. Phil*, *Maury*, and Buena Vista's *Live With Regis and Kelly*.

Maury, in particular, has been doing well for Universal this season, seeing year-to-year improvement in all the key female demos though remaining flat in households. Last week, *Maury* was the No. 3-rated talker, with a 3.5 household rating, behind *Oprah*'s 5.5 and *Dr. Phil*'s 4.4. ■



Maury has done well for Universal this season.

Syndie

Insider

Steinberg Joins Sony TV as Talent Veep

Dawn Steinberg has been named senior vice president of talent and casting at Sony Pictures Television, according to President of Programming and Production Russ Krasnoff. Steinberg was formerly with NBC Studios, where she was a casting consultant on such shows as the upcoming *Las Vegas* and *Happy Family* as well as *Boomtown*, which is entering its second season.

Kaufman Now Has Street Smarts

Carla Kaufman has been promoted to executive producer on Warner Bros.' *Street Smarts*, which is going into its fourth season in syndication. She started as the show's supervising producer and became co-executive producer in its second season. Prior to her work on *Street Smarts*, Kaufman wrote for Comedy Central's *Win Ben Stein's Money*. She has also been a writer and producer on *A Current Affair*, *The Newlywed Game* and *The Dating Game*.

Slow Start for Two Slow Rollouts

Syndication's two newest entries, Twentieth Television's *Classmates* and *Ambush Makeover*, kicked off the first two days of their slow rollouts last week with less than impressive numbers, according to Nielsen weighted metered-market averages.

Classmates earned a 2.2 rating/5 share on 25 Fox owned-and-operated stations. Based on a Web site that helps old chums reunite, it is cleared mostly in daytime but also in some early-fringe, pre-access and late-fringe slots. It was down 27% from its lead-in average and off 12% from its year-ago time-period average. *Ambush Makeover*, in which folks are plucked off the street and agree to an immediate re-do, also underperformed both its lead-in and July '02 time-period average, with a 1.7/5 for the two days on 19 Fox O&Os, with primarily daytime clearances. That represented a 23% decline from the show's average lead-in and a 29% drop from year-ago time periods.

Twentieth is happy with *Classmates*' performance in Austin, Texas; Milwaukee; and St. Louis, where it won its time periods. *Ambush Makeover* was No. 1 in only one market, Cleveland, but No. 2 in five other: Phoenix; St. Louis; Birmingham, Ala.; Greensboro, N.C.; and Austin, Texas.

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NIELSEN | June 30–July 6 | RATINGS

THE PRIME TIME RACE Top 10 Basic Cable Shows

June 30–July 6

Total Households (in millions)

PROGRAM	DATE	NET	HHS
1. <i>Mv: Miss Congeniality</i>	7/6	TBS	4.2
2. <i>WWE 10p</i>	6/30	TNN	3.3
3. <i>Mv: Miss Congeniality</i>	7/6	TBS	3.1
4. <i>WWE 9p</i>	6/30	TNN	2.8
5. <i>The Osbournes</i>	7/1	MTV	2.6
6. <i>Law & Order 9p</i>	7/1	TNT	2.5
6. <i>Real World XM</i>	7/1	MTV	2.5
6. <i>SpongeBob SqrPants</i>	7/3	NICK	2.5
9. <i>Fairly Odd Parents</i>	7/1	NICK	2.4
9. <i>Mv: Terminator 2</i>	7/2	USA	2.4

Adults 18-49 (in millions)

PROGRAM	DATE	NET	AA
1. <i>Mv: Miss Congeniality</i>	7/6	TBS	3.5
2. <i>WWE 10p</i>	6/30	TNN	2.8
3. <i>Mv: Miss Congeniality</i>	7/6	TBS	2.5
4. <i>The Osbournes</i>	7/1	MTV	2.4
5. <i>WWE 9p</i>	6/30	TNN	2.3
5. <i>American Chopper</i>	6/30	DISC	2.3
7. <i>Real World XXIII</i>	7/1	MTV	2.1
8. <i>Trading Spaces</i>	7/5	TLC	1.9
9. <i>Trading Spaces Family</i>	7/6	TLC	1.8
9. <i>Mv: Terminator 2</i>	7/6	USA	1.8

SOURCE: Turner Entertainment Research, Nielsen Media Research

Broadcast Networks

June 30–July 6

Total households (in millions)

	WEEK	STD
1. CBS	5.5	8.4
2. NBC	5.3	7.9
3. FOX	3.8	6.1
4. ABC	3.6	6.4
5. UPN	2.1	2.4
6. WB	1.5	2.6
7. PAX	0.6	0.9

Adults 18-49 (in millions)

	WEEK	STD
1. NBC	3.5	5.4
2. ABC	2.2	4.6
3. FOX	3.0	5.2
4. CBS	2.5	4.6
5. UPN	1.6	1.9
6. WB	1.0	2.1
7. PAX	0.3	0.4

Top 10 Broadcast Shows

Total Households (in millions)

	WEEK	STD
1. <i>CSI: Miami</i>	CBS	8.9
2. <i>Law & Order Wed 10p</i>	NBC	8.6
3. <i>Everybody Loves Raymond</i>	CBS	8.3
4. <i>80 Minutes</i>	CBS	8.1
5. <i>CSI</i>	CBS	7.9
5. <i>King of Queens</i>	CBS	7.8
7. <i>Law & Order Wed 9p</i>	NBC	6.9
7. <i>Law & Order: CI</i>	NBC	6.9
7. <i>Without a Trace</i>	CBS	6.9
10. <i>Daytona 400</i>	NBC	6.3

Adults 18-49 (in millions)

	WEEK	STD
1. <i>Mv: Independence Day</i>	FOX	5.2
2. <i>For Love or Money</i>	NBC	5.0
3. <i>Law & Order Wed 10p</i>	NBC	4.9
4. <i>CSI: Miami</i>	CBS	4.8
5. <i>Meet My Folks Tue</i>	NBC	4.7
6. <i>King of Queens</i>	CBS	4.6
6. <i>Everybody Loves Raymond</i>	CBS	4.6
8. <i>Last Comic Standing</i>	NBC	4.5
9. <i>Fear Factor</i>	NBC	4.4
10. <i>Meet My Folks Mon</i>	NBC	4.2
10. <i>CSI</i>	CBS	4.2

SOURCE: Nielsen Media Research

	abc	CBS	NBC	FOX	PAX	upn	WB
Week 41	4.6/8	7.0/12	5.4/9	3.0/5	0.6/1	2.2/4	1.7/3
MONDAY							
8:00	37. 8 Simple Rules 4.3/8	25. Yes, Dear 4.8/9	13. Fear Factor 5.5/10	71. Anything for Love 2.9/5	118. PAX Monday Night at the Movies—The Flamingo Kid 0.5/1	84. The Parkers 2.0/4	88. 7th Heaven 1.8/3
8:30	35. 8 Simple Rules 4.4/8	17. Still Standing 5.1/9		75. Anything for Love 2.7/5		79. One on One 2.3/4	
9:00	41. 8 Simple Rules 4.2/7	3. Ev Lvs Raymnd 7.8/13	11. For Love or Money 5.8/10	60. Paradise Hotel 3.3/5		81. Girlfriends 2.2/4	94. Everwood 1.6/3
9:30	41. 8 Simple Rules 4.2/7	5. King of Queens 7.4/12				79. Half & Half 2.3/4	
10:00	16. Primetime 5.3/9	1. CSI: Miami 8.3/14	30. Meet My Folks 4.6/8			106. Diagnosis Murder 0.9/1	
10:30							
TUESDAY							
	4.6/8	4.7/8	4.8/9	4.0/7	0.6/1	2.5/5	1.8/3
8:00	22. 8 Simple Rules 4.9/9	29. JAG 4.7/9	30. Dog Eat Dog 4.6/9	22. American Juniors 4.9/9	120. Mysterious Ways 0.4/1	88. America's Next Top Model 1.8/3	91. Gilmore Girls 1.7/3
8:30	53. Life With Bonnie 3.8/7						
9:00	18. According to Jim 5.0/9	30. The Guardian 4.6/8	22. Last Comic Standing 4.9/9	67. Keen Eddie 3.0/5	118. Promised Land 0.5/1	65. America's Next Top Model 3.2/6	86. Smallville 1.9/3
9:30	37. Less Than Perfect 4.3/7						
10:00	25. NYPD Blue 4.8/8	25. Judging Amy 4.8/8	18. Meet My Folks 5.0/9			106. Diagnosis Murder 0.9/2	
10:30							
WEDNESDAY							
	3.6/7	4.5/8	6.2/11	4.1/8	0.7/1	1.3/2	1.6/3
8:00	37. My Wife & Kids 4.3/9	13. 60 Minutes II 5.5/11	46. Fame 4.1/8	51. That '70s Show 3.9/8	112. Candid Camera 0.6/1	97. Enterprise 1.3/2	96. Boarding House 1.4/3
8:30	35. George Lopez 4.4/8			41. American Juniors 4.2/8			
9:00	53. Drew Carey 3.8/7	48. CBS Wednesday Movie—Perfect Murder, Perfect Town, Part 2 4.0/7	7. Law & Order 6.5/12	41. Paradise Hotel 4.2/8	112. Doc 0.6/1	97. The Twilight Zone 1.3/2	91. Jamie Kennedy 1.7/3
9:30	53. Drew Carey 3.8/7		2. Law & Order 8.0/15				84. Jamie Kennedy 2.0/3
10:00	75. The Dating Experiment 2.7/5				109. Diagnosis Murder 0.8/2		
10:30							
THURSDAY							
	3.0/6	6.1/13	4.1/8	2.8/6	0.4/1	3.0/6	1.3/3
8:00	66. ABC Thursday Night Movie—The Love Letter 3.1/6	30. Amazing Race 4 4.6/10	18. Friends 5.0/11	72. Fox Movie Special—Hurricane 2.8/6	120. It's a Miracle 0.4/1	67. WWE Smackdown! 3.0/6	97. WB Thursday Movie—Air Bud: 7th Inning Fetch 1.3/3
8:30		5. CSI 7.4/15	48. Scrubs 4.0/8		123. Encounters With the Unexplained 0.3/1		
9:00			48. Will & Grace 4.0/8				
9:30			58. Frasier 3.7/7		112. Diagnosis Murder 0.6/1		
10:00	75. Primetime Thursday 2.7/5	7. Without a Trace 6.4/13	53. ER 3.8/8				
10:30							
FRIDAY							
	2.6/6	4.0/10	3.9/10	1.7/4	0.4/1	1.0/3	1.2/3
8:00	72. America's Funniest Home Videos 2.8/7	60. The Price Is Right 3.3/9	60. Dateline NBC 3.3/9	91. Fox Movie Special—An American Werewolf in Paris 1.7/4	123. Friday Night Flix—Terminal Error 0.3/1	104. UPN's Movie Friday—L.A. County 187 1.0/3	95. Reba 1.5/4
8:30		53. 48 Hours Investigates 3.8/10					100. What I Like About 1.2/3
9:00	88. Whose Line Is It 1.8/5		41. Macy's 4th of July Fireworks 4.2/10				100. Reba 1.2/3
9:30	86. Whose Line Is It 1.9/5	25. Boston Pops Fireworks 4.8/12			110. Diagnosis Murder 0.7/2		106. Grounded for Life 0.9/2
10:00	67. 20/20 3.0/7						
10:30							
SATURDAY							
	2.5/5	4.0/9	5.7/13	2.7/6	0.4/1		
8:00	81. ABC Saturday Night at the Movies—Star Trek: First Contact 2.2/5	37. Price Is Right 4.3/10	10. NASCAR—Daytona 400 6.0/13	75. Fox Movie Special—Scream 2 2.7/6	123. Candid Camera 0.3/1		
9:00		51. The District 3.9/8			120. PAX Saturday Night Movie—The Omega Code 0.4/1		
9:30			46. NASCAR Postrace 4.1/9				
10:00	67. Dragnet 3.0/6	58. The Agency 3.7/8					
10:30							
SUNDAY							
	3.0/6	5.4/10	4.6/8	5.4/10	0.6/1		1.1/2
7:00	60. Wonderful World of Disney—Dinosaur 3.3/6	4. 60 Minutes 7.6/15	(nr) U.S. Women's Open 2.2/5	15. Fox Movie Special—Independence Day 5.4/10	112. Candid Camera 0.6/1		102. Gilmore Girls 1.1/2
7:30		18. Without a Trace 5.0/9	72. Cher Farewell Tour 2.8/5		112. Doc 0.6/1		102. Charmed 1.1/2
8:00					110. Sue Thomas, F.B. Eye 0.7/1		104. Boarding House 1.0/2
8:30	81. Alias 2.2/4	34. CBS Sunday Movie—Wild Wild West 4.5/8	7. Law & Order: Criminal Intent 6.5/11				
9:00			12. Crime & Punishment 5.6/10				
9:30							
10:00	60. The Practice 3.3/6				112. Just Cause 0.6/1		
10:30							
Averages							
Week	3.4/7	5.1/10	4.9/10	3.5/7	0.5/1	2.0/4	1.4/3
S-T-D	6.0/10	7.9/13	7.4/12	5.7/9	0.8/1	2.2/4	2.5/4

Tan tint indicates winner of time slot

KEY: Each box in grid shows rank, program, total-household rating/share | Blue bar shows total-household rating/share for the day | Top 10 shows of the week are numbered in red | TV universe estimated at 106.7 million households; one ratings point is equal to 1,067,000 TV homes | Tan tint is winner of time slot | (NR)=Not Ranked; rating/share estimated | *Premiere | Programs less than 15 minutes in length not shown | S-T-D = Season to date | SOURCES: Nielsen Media Research, CBS Research | Compiled By Kenneth Ray

MSNBC Yanks Savage After Gay Diatribe

By JOHN M. HIGGINS

MSNBC swung the ax on controversial talk-show host Michael Savage after he blasted a gay caller as a "sodomite" and told him to "get AIDS and die."

On the July 5 edition of the weekly show, *The Savage Nation*, a hostile caller, apparently gay, swore at radio talk-show host and author Savage, who responded, "So you're one of those sodomites. Are you a sodomite?" The caller said yes.

"Oh, you're one of the sodomites. You should only get AIDS and die, you pig. How's that? Why don't you see if you can sue me, you pig. You got nothing better than to put me down, you piece of garbage. You have got nothing to do today. Go eat a sausage and choke on it."

Advocacy group Gay & Lesbian Alliance Against Defamation, which had attacked MSNBC for hiring Savage earlier this year, regularly monitors the program and started calling network officials Monday at 8:30 a.m. By 2 p.m., the network told Savage that he would no longer be on the air.

In a brief conversation, Savage wouldn't discuss the show, saying, "I'm better off waiting until later in the week to comment."

MSNBC hired Savage in an attempt to chip away at the success of Fox News Channel. GLAAD Media Director Cathy Renna said she is happy that MSNBC responded quickly but remains angry that the network put the show on the air and kept it on. ■



'Oh, you're one of the sodomites. You should only get AIDS and die, you pig.'

MICHAEL SAVAGE, *The Savage Nation*

MARKET | Helena | FOCUS

AT A GLANCE

The Market

DMA rank	207
Population	61,000
TV homes	24,000
Income per capita	\$16,377
TV revenue rank	209
TV revenue	\$2,600,000

Commercial TV Stations

RANK* CH.	AFFIL.	OWNER
1 KTVH(TV)	12	NBC Sunbelt
2 KXLH-LP	25	CBS Evening Post
3 KHBE-LP	21	ABC Dix
4 KMTF(TV)	10	Pax Rocky Mountain

*May 2003 total households, 6 a.m.-2 a.m., Sun.-Sat.

Cable/DBS

Cable subscribers (HH)	14,160
Cable penetration	59%
ADS subscribers (HH)**	5,352
ADS penetration	22.3%
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***
Jeopardy (KXLH)	9.2/22.6
Network Show	
Friends (KTVH)	16/30.3
Evening Newscast	
KTVH	11.4/27.8
Late Newscast	
KTVH	14.2/35.5

***May 2003, total households

SOURCES: Nielsen Media Research, BIA Research

TV Montana-Style

In tiny markets like Helena, Mont., things truly aren't the same as in the big city. Take ad rates: A 30-second spot in Thursday prime could cost as little as \$150 on KXLH-LP, which simulcasts its CBS schedule from KXLH-TV Butte. Ads can also be purchased as a package to run on KXLH-TV and sister station KBZK(TV) Bozeman.

Station Manager Pat Cooney admits that KXLH-LP is "not like 95% of the stations in this country."

He employs one ad salesperson in Helena. It's "like small-town radio," he says. "Helena makes up 5% to 10% of our total revenue. There is a lot of potential there, especially now that CBS is doing better."

He figures that Helena is probably one of the top 10 markets by satellite penetration given the mountainous terrain. But viewers don't get local stations that way. It's likely be one of the last markets to secure DBS carriage, he believes, if it ever does.

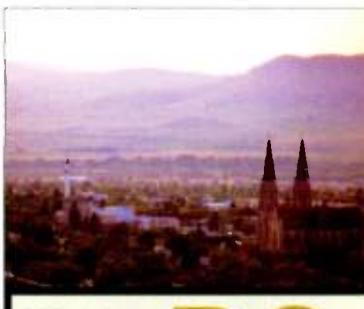
KXLH-LP is part of Evening Post Publishing's Cordillera Communications TV group, which comprises four major stations and three satellite channels in Montana. A correspondent covers state capital Helena for all those outlets, which call themselves "Montana's News Station."

NBC affiliate KTVH(TV) simulcasts on sister stations KBAO(TV) Lewistown and KBBJ(TV) Havre. Local news, airing weekdays at 6 and 10 p.m., displays the three logos, according to General Manager Kathy Ernst, who manages them.

Located on the campus of Carroll College, KTVH has "a wonderful working relationship with the college," Ernst says, including internships for students. The station focuses on state politics and the area's community and education system. The station is currently purchasing digital equipment.

The station's building includes a classroom and rival KMTF(TV). The Rocky Mountain Broadcasting Pax affiliate went on-air two years ago. General Manager Paul Albertson is the only employee involved in its operation.—Henry Seltzer

PHOTO: DONNIE SEXTON/TRAVEL MONTANA



WHAT THEY DO

250 trees grow at the Helena Arboretum in the Capitol Complex, and, every June, 10,000 plants spell out "Montana" in flowers.

6,000 runners compete in the Governor's Cup races in June.

139 years ago July 14, gold was discovered in Last Chance Gulch, now Helena's main street.

SOURCE: Helena Independent Record

HATCHETT PRESIDES OVER HOUSTON!

As Houston's #1 Court Show,
JUDGE HATCHETT Delivers
Impressive Ratings at
2:00pm on KHQB!

2.9 HOUSEHOLD RATING!

+32% OVER YEAR AGO!

JUDGE HATCHETT

www.sonypicturestelevision.com

Source: NSI, WRAP Overights, 6/30/03-7/4/03, 2-2 30PM court shows=Judge Judy, Judge Mathis, Judge Joe Brown, People's Court, Divorce Court, Texas Justice; year ago=July '02 Sweep

TV BUYER

Hot Market + Hot Census = Hot Hispanic Upfront

BY STEVE MCCLELLAN

For the first time, this year's Hispanic TV upfront ad market, still not quite closed, will reach close to \$1 billion, a sign of strength in the market and a sign of growing interest in the Hispanic market. Estimates are that total spending will be up perhaps 15% vs. a year ago to approximately \$980 million. Buyers say price increases are up on average in the 10%-12% range depending on the deal.

Univision's sales reportedly increased about 15% to about \$720 million, with the Univision network accounting for about \$615 million and Telefutera another \$75 million. On the cable side, Univision's Galavision network was said to collect about \$30 million.

Telemundo's upfront, sources say, will total about \$250 million, up 11% from last year's take of \$225 million.

Fledgling Spanish-language network Azteca America was in the upfront market for the first time, although, with just 60% coverage of Hispanic households, it apparently did just a few deals valued at no more than a couple of million dollars.

Univision and Telemundo executives would not go on the record last week to discuss this year's market, because they were still trying to wrap things up.

But going into the buying season two months ago, Univision Executive Vice President, Network Sales, Ron Furman was optimistic. He told Wall Street analysts then, "I would say that our average over the last few years has been somewhere in the mid teens per year, and we would expect that Univision will have that success once again in the 2003 upfront."

A few weeks ago, a senior executive at Telemundo parent NBC indicated that much of the Spanish-language net's advertising was sold in packages with other NBC networks. The executive estimated that Telemundo would be up approximately 10% in total sales for the upfront.

"Telemundo has a smaller base than Univision, and they also had a double-digit ratings fall off this past season," says an analyst following the company. "They should do okay with NBC packaging it, but they aren't going to gain any ground on Univision this year" in the upfront.

The strong Hispanic upfront reflects the overall health of that TV segment. Both Univision and Telemundo saw double-digit ad-sales growth in the first four months of 2003 (the latest figures available). According to Nielsen's Monitor-Plus ad-tracking service, for the January-April period, Univision ad sales were up almost 16% to \$414 million, while co-owned



Spots, such as this Pepsi commercial starring Hispanic favorite Shakira, will cost about 10% more on Spanish-language television in the 2003-04 season.

Telefutera added \$51 million to the Univision coffers. For the same period, Telemundo posted a 24% gain to \$283 million.

Marketers of Spanish-language TV remind advertisers at every opportunity that they ignore the Hispanic population at the risk of lost market share for their products.

And buyers say the message is sinking in. Because it's true, says Rosa Serrano, senior vice president, multicultural, at Initiative Media in Los Angeles: "We're seeing clients who weren't in the market before get in because they see their competitors gaining market share."

Danielle Gonzales, director of investment, at Chicago based Tapestry, a unit of Starcom Mediavest Group, agrees. She believes that a significant piece of this year's volume increase—which she estimates at 12%-14% and worth between \$950 million and \$1 billion—is due to new advertisers' entering the Hispanic upfront.

"Budgets are relatively flat to slightly up on most clients that were in last year," she explains. "There are many new clients this year causing demand to rise. These are clients that were in scatter and are now committing to full-year upfront budgets and some who are just getting into the game."

Gonzales and others believe that U.S. Census data showing the Hispanic population growing at a clip three times faster than the overall U.S. population helped spark the boom.

Some analysts say the Hispanic networks believe it still may be most important to just get the advertisers in the door. "They will never tell you this, but they are probably willing to give a little on price to get somebody to commit to the upfront," says one source. "They figure, once they get them in the upfront, they've got them in Spanish-language TV forever." ■

Who Buys Hispanic TV?

Top 10 advertisers, January-April

RANK	COMPANY	TOTAL
1	Procter & Gamble	\$60M
2	Lexicon Marketing Corp.	\$38M
3	Univision	\$34M
4	U.S. Government	\$33M
5	Sears Roebuck	\$32M
6	World Vision	\$23M
7	General Motors	\$19M
8	PepsiCo	\$18M
9	McDonald's	\$17M
10	Toyota	\$16M

SOURCE: Nielsen Monitor-Plus

EBB & FLOW

Double-Digit Gains
For Syndie Ad Sales

Syndication-sales increases for 2003 continue to outpace 2002's tough market, and third-quarter sales are expected to be up a solid 14%. Some expect the fourth quarter to show similar gains. Recent tracking reports predict 2003 syndication sales will be up 8%-9% for the entire year.

"We're seeing a pretty

Third-Quarter Outlook

+14%

strong third quarter for all day-parts," says Andrew Ladas, supervisor/broadcast networks, Carat. "Daytime is selling out, including the court shows."

Bob Cesa, Twentieth Television EVP of ad sales and cable programming, also notes syndication's brighter outlook. "We're certainly much better sold than last year," he says. "Syndication was among the media hardest hit because of the economy."

Sources tracking end-of-year pacing see healthy spending by package goods, especially personal care and pharmaceuticals, as well as retail and restaurants.

According to Warner Bros. Domestic TV Distribution EVP of Media Sales Michael Teicher, escalating dollars require additional personnel. So his company created a new position of director of Western Region media sales, to be filled by Marisusan Trout. "We believe for many years the planning community and a lot of clients [on the West Coast] have been under-served by the syndication community," Teicher says.

SNTA President Gene DeWitt lauds WBTD's West Coast expansion. "As an aggressive sales organization, it's only natural they'd want to be there," he says. "Certainly, others might follow."—Jean Bergantini Grillo

NEXT WEEK:

Radio



WE turns **high-speed** Internet
into the **hottest accessory**
this summer.

Thanks to WE's Summer of Style promotion, your subscribers are getting an even faster connection to fashion, travel and entertaining ideas. Plus, the chance to win \$25,000. This summer, cable-powered Internet service just may be the accessory of choice.

For more information about WE: Women's Entertainment, call Kim Martin at (516) 803-4311 or go to amcnetworks.com.



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WASHINGTON

Hill Slams Cumulus for Chucking Chicks

With Big Radio in its sights, Congress sees ban as a warning against the dangers of consolidation

BY BILL MCCONNELL

Cumulus Media's Lewis Dickey realizes his company did itself no favors in Washington when it banished the Dixie Chicks from country playlists. "If we had to do it over again, we would do things differently to avoid this," he admitted after incensed lawmakers called the incident a big warning about the potential dangers of consolidation.

"You have given me reason to have tremendous pause about consolidation," said Sen. Barbara Boxer (D-Calif.), likening the company's behavior to Communist and Nazi tactics in controlling opinions their citizens hear. "You've hurt yourself in terms of what you want."

The liberal Democrat was joined by several lawmakers at a Senate Commerce Committee hearing last week on the impact of new FCC radio-ownership rules.

"It's a strong argument about what concentration has the power to do," said committee Chairman John McCain (R-Ariz.), who has sponsored a measure that would force Cumulus and other big groups to sell some small-market stations. Decisions to ban the Chicks would have been less alarming, he said, if made on a station-by-station basis by local program directors.

Dickey seemed taken aback by criticism of the corporatewide decision in March to ban the group from Cumulus's country stations for 30 days after singer Natalie Maines told a London audience she was ashamed to hail from the same state as President Bush. (He noted that Cumulus Top-40 stations continued to keep the group in rotation.)

Failing to convince most lawmakers that Cumulus headquarters was simply reacting to the groundswell of listener demands, Dickey asked the lawmakers for some understanding. The "hue and cry" was unprecedented, he said. "We were caught off-guard. As much as anything, [stations] were looking for guidance. Their gut told them what they should do, but they looked to corporate for guidance."

Not all lawmakers were convinced that Cumulus had done anything wrong. "Entertainers

are realizing their political involvement has a consequence in terms of their business," said Sen. Gordon Smith (R-Ore.), noting that Dr. Laura Schlesinger's syndicated TV show failed because of the uproar over derogatory comments she made about homosexuals.

But Dixie Chicks manager Simon Renshaw said the impact went well beyond bumping the group from the airwaves. He accused Cumulus of acquiescing to CD-destroying rallies sponsored by company DJs and fostering an atmosphere that led to death threats against group members. "There was an organized campaign to vilify the group."

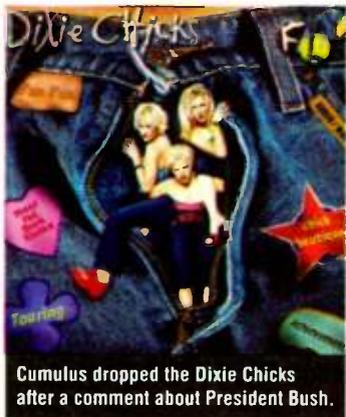
The focus on Cumulus's actions cost the industry, too. Few lawmakers followed up calls by Dickey and First Media Radio's Alex Kolobielski to retain the FCC's complicated market-measurement systems based on overlapping signal contours. A new method based on Arbitron market measurements would only help Clear Channel, one of the companies the rule was meant to hem in. Going to the Arbitron method is meant to eliminate an anomaly that

allows one company to own more stations in some small markets than would seemingly be permitted. The tightening effect of the Arbitron switch, however, was diminished somewhat by the FCC's decision to add noncommercial stations to the market count.

Under FCC ownership limits, owners may control up to eight stations in markets with 45 or more stations. Permitted holdings decline on a sliding scale as market size drops.

Dickey said FCC plans to grandfather existing clusters that don't comply with the new measures help primarily Clear Channel, while competitors will be prevented from establishing clusters to compete with the country's largest radio group.

Small groups like First Media, which owns 13 stations, will be doubly hurt, Kolobielski said: "The loss of a single station or inability to transfer intact a single cluster could have devastating effects." He called on the FCC to continue an interim policy that relies on the contour-overlap method in non-Arbitron markets while excluding the contours of powerful distant stations that artificially boost the number of stations in a market. ■



'You have given me reason to have tremendous pause about consolidation. You've hurt yourself in terms of what you want.'

SEN. BARBARA BOXER
(D-Calif.)



CAPITAL WATCH

NABOB Backs McCain

The National Association of Black Owned Broadcasters has endorsed Senate Commerce Committee Chairman John McCain's plan to make radio owners divest stations if they exceed new local-ownership limits.

New rules approved by the FCC June 2 would grandfather existing radio clusters, allowing them to remain intact regardless of whether they comply with the new rules. Arguing that old market-measurement methods created a loophole allowing one owner to control more stations in a market than Congress intended, the FCC switched to Arbitron market definitions. "These excessive-ownership situations should not have been grandfathered," said NABOB Executive Director James Winston. He also called on the FCC to reconsider its decision to include noncommercial stations in measurements of market size, a move that NABOB says lessens the loophole-closing effect of the switch to Arbitron. The group argues that radio consolidation in the past seven years has decreased opportunities for minorities to own stations.

Do Call

Cable companies are allowed to call video subscribers to market high-speed-modem, telephony or other services, even if those customers are among the millions that have signed up for the new national do-not-call registry. That's according to revised FCC rules unveiled last week.

The companies, however, must add customers to their corporate do-not-call lists if they so request. The NCTA lobbied for the provision, arguing that cable companies should have the right to market the full range of their products to existing customers. The FCC agreed: "As long as the company identifies itself adequately, a consumer should not be surprised to receive a telemarketing call from that company, regardless of the product being offered."

Broadcasters also won a minor concession. Pre-recorded messages encouraging households to tune in to a radio or TV channel at a particular time for a chance at a prize or other opportunity are exempt from do-not-call restrictions as long as the calls are not also used to advertise goods or services. The FCC said it has received few complaints about the messages.

From Afghanistan to Iran

The U.S. is boosting its broadcast presence in Iran to capitalize on growing unrest there. Director of Radio Free Afghanistan Andres Ilves is moving over to head the fledgling (six-month-old) Radio Farda, targeted to Iran. Radio Farda is a joint operation of Voice of America and Radio Free Europe/Radio Liberty. Ilves is the first director of the service, overseeing offices in Washington and Prague. Pro-Democracy protests in Iran have heated up, and the Broadcasting Board of Governors, which oversees all of the government's nonmilitary international broadcasts, says it needs to beef up in response. To that same end, VOA is debuting a nightly, Persian-language satellite-delivered TV program, *News & Views*, targeted to Iran.

PUTTING THE F IN FCC



Responding to calls by the Parent's Television Council to toughen indecency enforcement by the end of June, FCC Commissioner Michael Copps (above) says the agency deserves an "F" grade "for the job it has failed to do in enforcing the statutes."

In a letter that also praised PTC President Brent Bozell for his indecency-battling efforts, Copps singled out the lack of FCC action against Infinity's *Opie and Anthony* radio show for its St. Patrick's Cathedral sex stunt and the failure to seek revocation of the license of WKRK-FM Detroit for caller descriptions of sickening and violent sexual acts. Copps also suggested that the definition of indecent programming be changed to include graphic violence.

BUSINESS

Angry Bondholders Sue Adelphia's Banks

By JOHN M. HIGGINS

Can a bank be a negligent lender? Major bondholders in Adelphia Communications think so and are suing the bankrupt MSO's banks for \$5 billion.

The bondholders want a federal bankruptcy court judge to order the banks to pay damages to other, unsecured creditors and then stand in line behind them when it comes time to col-

lect a piece of the company.

The suit is part an emerging strategy by bankrupt companies' unsecured bondholders, who stand behind banks in collecting. Banks generally recover 80 cents to 100 cents of each dollar they lent. Bondholders typically get 30 cents to 70 cents.

At the heart of the Adelphia suit is \$3 billion in loans that banks made to private companies controlled by the family of company Chairman John Rigas. Those private companies weren't worthy of so much credit, but the



At the heart of the suit is \$3 billion in loans that banks made to private companies controlled by the family of Adelphia Chairman John Rigas.

banks allowed the MSO itself to co-sign the loans. Much of that money was used to buy Adelphia stock, so, when the share price fell, the co-signed loans dragged

the whole cable operation down. "Each of the [banks] actually knew or recklessly disregarded the fact that the Rigas family was using the co-borrowing facilities

to defraud the debtors, their creditors and other stakeholders," the bondholders' suit said.

The banks named include Bank of America, Barclays Plc, Citigroup and Wachovia Corp. But the list of lenders being sued goes on for seven pages.

In this case, the bondholders contend that Adelphia's banks had significant conflicts of interest in receiving financing and other advisory fees from Adelphia that could be jeopardized if they didn't lend money to the family as well. ■



CHANGING HANDS

Combos

KRMO(AM) Cassville and KKBL-FM Monett, Mo.

PRICE: \$650,000

BUYER: Eagle Broadcasting (Dale D. Gandy, president); no other broadcast interests

SELLER: Monett Communications Inc. (Patricia Wodlinger, president)

FACILITIES: KRMO(AM): 990 kHz, 3 kW day/47 W night; KKBL-FM: 95.9 MHz, 6 kW, ant. 269 ft.

FORMAT: KRMO(AM): Country/News; KKBL-FM: CHR

FMs

WGUY-FM Dexter (Bangor), Maine

PRICE: \$1.2 million

BUYER: Clear Channel Communications (John Hogan, CEO/Radio); No. 1 station group owns 1,206 other stations, including WABI(AM), WBFB-FM, WFZX-FM, WKSQ-FM, WNSX-FM, WVOM-FM and WWBX-FM Bangor.

SELLER: Concord Media Group Inc. (Mark W. Jorgenson, president)

FACILITIES: 102.1 MHz, 23 kW, ant. 673 ft.

FORMAT: Oldies

KRXE-FM Opelousas (Lafayette), La.

PRICE: \$500,000

BUYER: Bonin Broadcasting Corp. (Donald Bonin, president); no other broadcast interests

SELLER: Citadel Communica-

tions Corp. (Farid Suleman, CEO)

FACILITIES: 105.9 MHz, 3 kW, ant. 433 ft.

FORMAT: Rock

AMs

WRSJ(AM) Bayamon (Puerto Rico) and WKVN(AM) Quebradillas, P.R.

PRICE: \$1.45 million

BUYER: International Broadcasting Corp. (Pedro R. Col-lazo, president); no other broadcasts interests

SELLER: Concillio Mision Cristiano Fuente de Agua Viva Inc. (Rodolfo Font, president)

FACILITIES: WRSJ(AM): 1560 kHz, 5 kW day/750 W night; WKVN(AM): 960 kHz, 1 kW day/2 kW night

FORMAT: WRSJ(AM): Spanish/Christian Contemporary; Spanish/Variety/Religious Music

WZTK(AM) Arcadia, Fla.

PRICE: \$225,000

BUYER: Integrity Radio of Florida LLC (George Kalman, manager/president); no other broadcast interests

SELLER: Heartland Broadcasting Corp. (Harold M. Kneller Jr., president)

FACILITIES: 1480 kHz, 1 kW day/131 W night

FORMAT: News/Talk

INFORMATION PROVIDED BY: BIA Financial Networks' Media Access Pro, Chantilly, Va., www.bia.com

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has agreed to acquire controlling

interest in

Emmis Austin Radio Broadcasting Company, LP

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TECHNOLOGY



ER is among syndicated shows that Warner Bros. Domestic Television distributes to stations through Pathfire.

Long-Form via Pathfire

Warner Bros. uses the system to deliver syndie content

BY KEN KERSCHBAUMER

Pathfire recently traveled the long road toward long-form content distribution, and it's already reaping the benefits. Warner Bros. Domestic Television is using the system to distribute syndicated programming to broadcast stations in the U.S. and Canada.

"Our view is that file-based delivery of product in either a linear fashion or in a non-linear fashion with IP-based technologies like Pathfire represent the basis for next-generation distribution," says Darcy Antonellis, Warner Bros. senior vice president of distribution technologies and technical operations.

Antonellis says the first show distributed via Pathfire had a file delivery success rate of 93%. Warner Bros. syndicated programming is distributed to more than 600 stations and more than 95% of those are using the Pathfire system now.

The Pathfire system packages the content using Internet Protocol (IP) and sends the video as data files. The files are reconstituted at the station's receive server to create the original and complete audio and video content file.

"One advantage is that stations will now have frame-accurate timing information with the program," says Mike Carey, Pathfire senior vice president of marketing. "That saves a lot of time at the station because they won't need to worry about making sure the ins and outs for commercials are right."

Programs that will be distributed with the system include *ER*, *Friends*, *Will &*

Grace and *The Drew Carey Show*.

The move required reengineering to enable the Pathfire transport system to handle long-form content, including two-hour movies and even HD content. "When we first started distributing content several years ago," says Pathfire Senior Vice President, Broadcast, Floyd Christofferson, "we realized that, once we got above 150 sites, the statistical packet loss that aggregates across multiple sites compounds when you get more sites and longer-form content."

Issues of packet loss are compounded, he adds, when "nack" collisions occur.

Nack stands for "negative acknowledgement," a message sent from the receive server at the station back to Pathfire when a packet doesn't arrive properly. The Pathfire system then re-sends the packet.

The problem that Pathfire needed to solve was how to deal with the number of nacks that occur when long-form content is distributed. If 1,000 receive servers were to send back nacks simultaneously, the buffer on the Pathfire server could be overwhelmed and become very inefficient. Pathfire solved the problem with a combination of randomization of

the incoming messages and adjusting how the servers deal with nack issues.

"Long-form delivery is the kind of thing stations don't notice because it's underneath the hood, but it allowed us to differentiate ourselves from the competition," Christofferson notes. "It's all about finding the right balance between forward error correction and nacking, getting reliable delivery, and still gaining the bandwidth benefits of store and forward." ■

'Stations will now have frame-accurate timing information with the program. That saves a lot of time because they won't need to worry about making sure the ins and outs for commercials are right.'

MIKE CAREY, Pathfire

Lean and Mean: NY1 Noticias

Big plans for a small staff as Time Warner Cable serves up NY1 in Spanish

BY KEN KERSCHBAUMER

On June 30, NY1 News in Manhattan hit the air with a new service: NY1 Noticias, a 24-hour newschannel that serves Spanish-speaking subscribers of Time Warner's DTV in Español digital cable service. The launch was the culmination of an effort that began in earnest last September, requiring nine new employees, about \$900,000 in new gear, and help from vendors like Omnibus, AP and Pinnacle to ensure that Noticias would be able to tap into NY1's audio and video content.

The move toward the new service began last fall when Time Warner began larger efforts to attract Spanish-speaking subscribers to its digital services. It's estimated that about 100,000 TWC digital subs in the NYC area are primarily Spanish-speaking.

"It seemed like a logical progression," Steve Paulus, NY1 senior president and general manager.

The channel's studio in the NY1 newsroom has a green screen and was formerly used for things like movie reviews. To accommodate the master control, says NY1 News Director of Operations and Engineering Joe Truncala, two closets were replaced with a glass door, an Oxtel EZT master-control switcher, a 50-inch flat-panel

monitor and a Miranda K2 multiviewer.

The rollout required rewriting the Omnibus automation software so that the Noticias staff could access content on NY1's Pinnacle servers without causing delays or congestion. The AP ENPS newsroom system also needed to be tied in.

"A new RAID array was added to be shared between the two stations," says Truncala. "So we had to make sure the AP MOS gateway protects the integrity of NY1 and keeps the other parts of the facilities independent of each other."

The Noticias challenge also provided an opportunity. NY1 currently uses the Pinnacle Targa 2000 boards, which handle video in the Motion JPEG format. But Noticias will use the Targa 3000, which supports DV. The result is that Noticias staff will be able to complete stories and even packages directly on their desktop with Pinnacle's Vortex 200 editors. And the Noticias master-control room has both Targa 2000 and 3000 boards, allowing playback of video in MJPEG via the 2000 and audio via the 3000.

Plans call for NY1 News to make the transition to Targa 3000.

Because Noticias doesn't have the budget for a dedicated weather person, weather-service provider WSI has installed a server at NY1 Noticias that receives Spanish-language weather reports every 10 minutes from WSI's Boston headquarters. The Omnibus system pins the WSI server and readies the content for air.

Right now, the channel provides news, weather and local-sports highlights. But Paulus envisions a ramp-up in stories designed specifically for NY1 Noticias once the advertising covers expenses. A political talk show, call-in program and other ideas are also on tap.

"Advertiser reaction has been pretty good," he says. "We're already half way to our annual sales budget with advertisers like Verizon and Sleepy's, who advertise on NY1 as well. But we also have an ad buy from Fanta, and, as far as I know, they've never advertised on NY1." ■

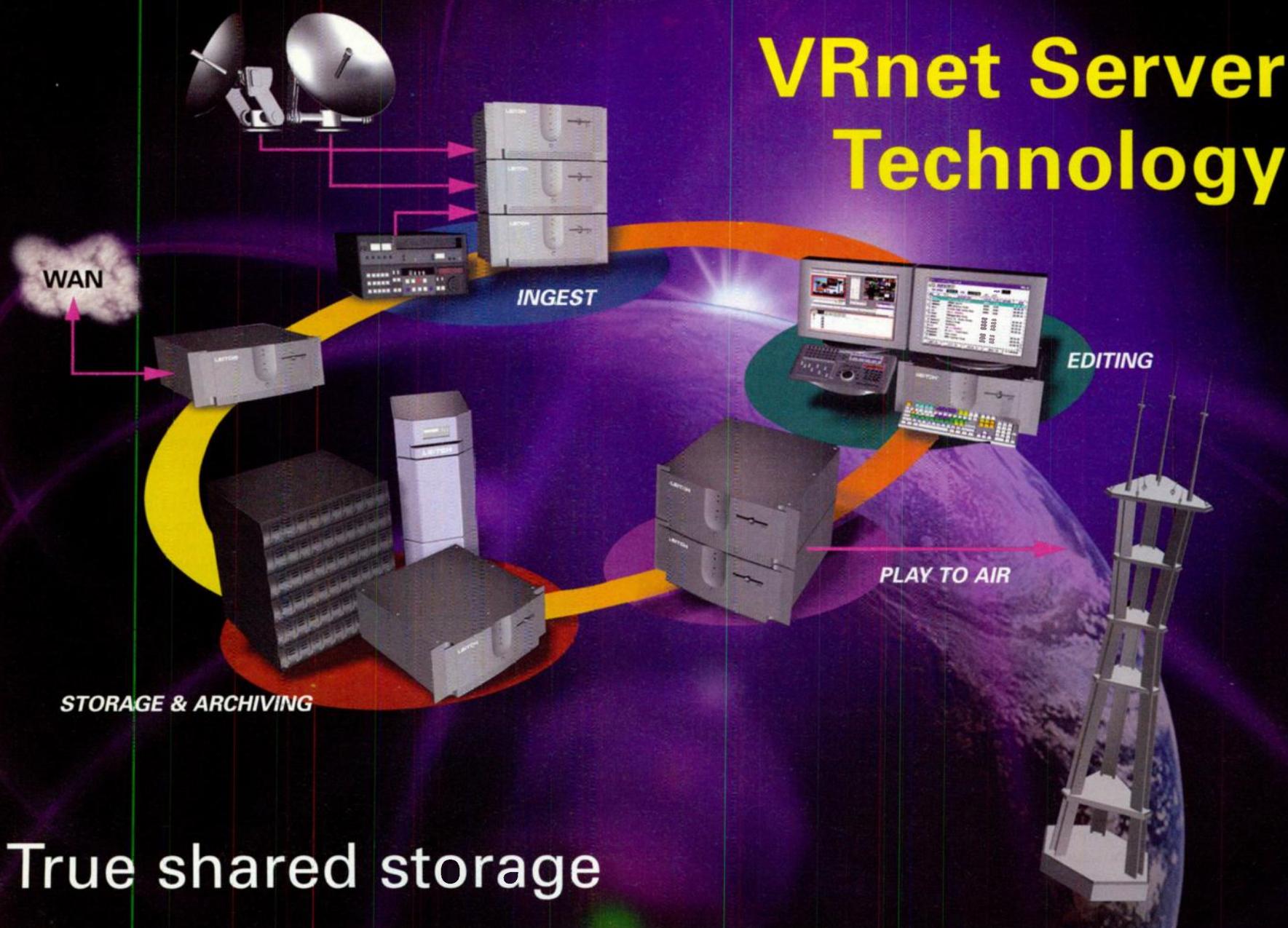
Focus

NEWS TECHNOLOGY



Adriana Hauser anchors and produces Spanish-language NY1 Noticias.

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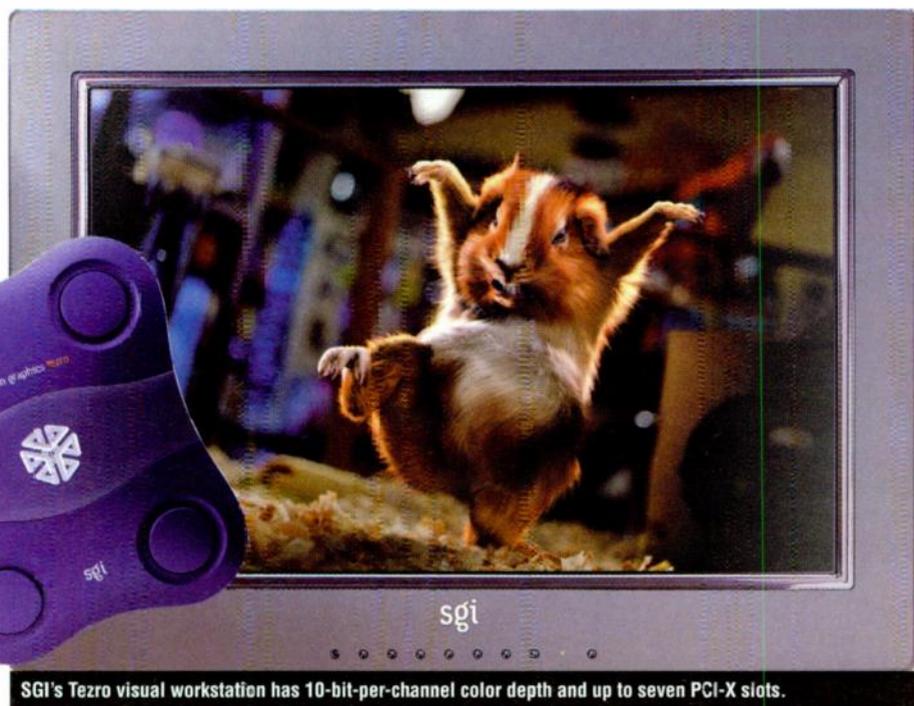
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World Radio History





SGI Intros Tezro, Onyx4

Graphics systems seek better price/performance ratio

BY KEN KERSCHBAUMER

SGI is making its next leap this week with the introduction of the Tezro visual workstation and the Onyx4 UltimateVision advanced visualization system, two products that it believes will double its business from the broadcast and production markets.

The Onyx4 is designed for high-end live graphics or virtual-studio processing. Tezro is for intended for post-production and video compositing, editing and mastering.

Tezro will be available in 2RU or 4RU rackmount configurations (\$24,495 list for 2RU) as well as the more traditional workstation configuration (\$28,000 for two processors and \$40,500 for four).

According to Director of Media Industries Jason Danielson, development of the Tezro is the result of SGI efforts to push the robustness of media-data throughput and increase input/output options. For example, the workstation has up to seven PCI-X slots, and the rackmount versions have six PCI-X slots and a PCI slot.

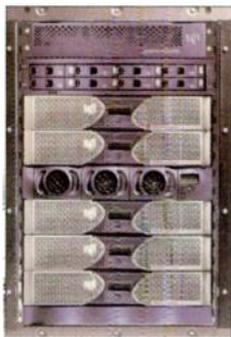
Tezro also has 10-bit-per-channel color depth, which means a faster system bus and graphics subsystem. It's also possible, Danielson says, to have two separate applications running at the same time on a four-CPU version of Tezro, which could prove attractive in a broadcast environment. "The rackmount workstation can be put in the machine room, and then cables can be run to the desktop," he explains.

The workstation is expected to ship in August and will also be demonstrated lat-

er this month at Siggraph 2003 in San Diego.

"We're not pushing Tezro for on-air graphics," Danielson says, "but the two-rack-mountable system is great for broadcast operations, and we think companies like Discreet will be able to sell more products into the broadcast market because the price point will be more attractive."

He sees the Onyx4 as holding the most promise for the broadcast market. It can handle up to eight CPUs, but the unit's ability to scale with the addition of up to four graphics cards will make the difference, he believes. "It's a revolutionary change: For the first time, we're treating graphics cards like CPUs. You want more



SGI's Jason Danielson said of the Onyx4 (left), 'It's a revolutionary change: For the first time, we're treating graphics cards like CPUs. You want more graphics power? You put a second card in.'

graphics power? You put a second card in."

He says the architecture allows "compositing" of multiple cards' polygon performance. Combining the performance makes it easier to handle high-end demands like HD virtual sets. At this point, the virtual-set market has pretty much been a European phenomenon. But Danielson says the Onyx4 cuts hardware costs in half (prices start at \$45,000 and rise to \$110,000) and may increase interest in virtual sets.

"This can fit into a lot more budgets," he says. "And broadcasters will see that, for the cost of building a set for one program, they can have a virtual set and do other programs as well." ■

Thomson Camera Hits 14-Bits

Architecture offers improved image quality

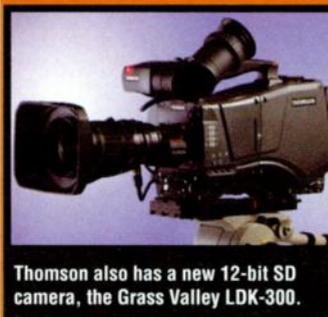
BY KEN KERSCHBAUMER

With all the talk about high-definition, it would be easy to conclude that areas that rely almost entirely on SD equipment, such as TV news studios, will suffer as manufacturers' developmental efforts concentrate on HD. But Thomson will introduce the industry's first 14-bit SD camera, the Grass Valley LDK-500, at the International Broadcasting Convention in Amsterdam Sept. 12-16, a move that should allay any fears of standard-definition's being left behind.

The company says the move from 12-bit to 14-bit will give users improved image quality and better video-processing capabilities (the company will also offer a new 12-bit camera, the LDK-300).

Focus

NEWS TECHNOLOGY



Thomson also has a new 12-bit SD camera, the Grass Valley LDK-300.

"The camera head has a new architecture based on two new ASIC [Application Specific Integrated Circuits] we developed," says Tim Felstead, marketing manager, production and acquisition. "The use of 14-bit provides better headroom handling for highlights and better noise handling and gain and also allows us to offer in-camera digital effects."

Felstead says that 12-bit cameras have 4,096 steps of quantization, the 14-bit camera more than 16,000. It's that extra headroom, he explains, that allows the improvements and the creation of new ways to process video content digitally. "Previous 12-bit cam-

eras had a processing chain that was like analog cameras. They would take the signal in from the CCDs, convert it to digital and then do some preprocessing."

Thomson is looking to move beyond that with the LDK-500, Felstead says. For example, freeze-frame capability allows talent and lighting director to spend less time setting up skin-tone detail. "That has always been a bit of an awkward process as it meant getting the talent to sit still in front of the camera. With this, they can press a button, freeze the image, and then the talent and lighting director can leave and carry on being their creative selves."

Also expanding camera horizons is a multi-matrix color corrector that can produce a considerable number of effects inside the camera. "It's a very radical departure from what cameras did in the past," says Felstead. "Gradients, sepia tones and soft focus with center spot in focus are all possible in the camera."

CCD sensors in the camera include Thomson's own DPM (Dynamic Pixel Management) CCDs, FT CCDs, or the new IT and ITW CCDs. According to Felstead, the DPM CCDs are completely smear-free and allow 4:3/16:9 switching without optical converters, and the IT and ITW have very low smear of -140 dB. The camera also has three layered remote-control filters for neutral density, effect filters and color correction. The filters can be controlled independently and also support external filters.

The camera has the same interface as the LDK-100 and LDK-200 cameras and also takes advantage of the Thomson C2IP camera-control system. That system allows Ethernet-based TCP/IP control of up to 99 digital Grass Valley LDK series cameras. An operational control panel, Felstead explains, provides features normally found in conventional master-control panels; a base station is backwards-compatible and can be upgraded with future changes.

The LDK-300 supports the same sensors as the LDK-500 and has two new 22-bit DSPs alongside the 12-bit analog-to-digital conversion to capture more visual information. It also is available with either one manual filter wheel or two remote-controllable filter wheels.

Pricing for the LDK-500 camera starts at \$75,000, for the LDK-300 at \$25,000. Both will be available in the fourth quarter. ■

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AUDIO FOR BROADCAST

SPECIAL REPORT

Surrounded by Options

Broadcasters face choice of using a discrete or matrix-based audio system

BY KEN KERSCHBAUMER

It's obvious why the pretty pictures of HDTV (and DVD, for that matter) get all the attention on the trade-show floors and consumer-electronics displays. For many broadcasters and viewers, though, there's growing awareness that sound is just as important.

CBS and the Grammys stepped up with an impressive display of 5.1 surround sound for the 2003 Grammy Awards coverage, and ABC's *Sunday Night Movies* has a wow factor as well. And, this week, Fox Sports will do a 5.1 broadcast of the Major League Baseball All-Star Game.

5.1 required HD encoders capable of carrying the signal as well as Dolby E decoders and Dolby encoders at stations. It also required audio delay gear because the Dolby system introduces about 7.5 frames of delay because of compression.

For broadcasters not up to the discrete challenge, there's another choice: the matrix route. Both Dolby and SRS Wowcast offer matrix-based systems, which send the six channels of audio over two audio channels.

Daily says Dolby Surround Pro Logic matrix four-channel surround-sound system can be carried to the home via any two analog or digital delivery systems.

"Matrix surround technologies use

that come with perceptual coding. You do need to know how to mix for a matrix system, although some of the steering we do helps out."

The system is can also handle 6.1 surround sound. When ESPN airs the Espy awards on July 16, it will be the first telecast in 6.1 surround sound.

"There's a sensing logic in the decoder that determines the degree of correlation between the surround channel," Kraemer says. "If that is fully correlated, then there is an output in the rear center channel. On the encoder side, we have an input that guarantees what you put into that input will be fully accommodated."

Dolby's Daily says matrix systems should never be viewed as a substitute



Dolby will begin shipping the Pro Logic II DP563 surround encoder later this month and expects thousands of programs to eventually migrate to the new format.

The reason for the interest on the part of broadcasters is simple: Surround sound has taken off at the consumer level. The explosion of DVDs, which have soundtracks mixed for 5.1 Dolby Surround and DTS Surround, is one factor. The other is the advent of cheaper speaker systems. Packages start as low as \$200 and often come bundled with new receivers, making it much easier for the average consumer to experience surround sound.

For broadcasters and cable networks, there are two primary ways to offer surround sound. One way is a discrete 5.1 system, which sends six separate audio signals to five speakers and a subwoofer. Dolby Digital, which was tapped as the standard

for DTV, has Dolby 5.1, its highest-quality system available for broadcasters. More than 100 HDTV and SDTV broadcasters around the world currently use Dolby 5.1, according to Tom Daily, Dolby marketing director, professional audio.

Because Dolby 5.1 has discrete channels, it raises the technical challenge along with the quality level. For example, CBS's broadcast of the Grammys in

phase and amplitude relationships between the two channels to position the sound among the five speakers," he points out.

SRS Laboratories' Circle Surround technology is being used by ESPN and also by ABC, CBS, Fox, NBC and PBS, ac-



'Customers prefer Dolby Pro Logic 2 because ... Dolby pays particular attention to placing sounds in the assigned channels.'

TOM DAILY, Dolby

cording to SRS Labs Director of Sales Mike Canavaro. The system includes the CSID-07 Circle Surround Decoder and the CSE-07 encoder.

SRS Wowcast Vice President of Engineering Alan Kraemer says that one advantage his company's system has over Dolby's is that it doesn't use compression. That means less delay (Circle Surround delay is less than one-third of a frame, he says) and fewer artifacts.

"The audio can go from a fairly low bit rate to a full PCM uncompressed rate," he says. "There are none of the artifacts

for a discrete-based 5.1 system: "They will never offer the performance of a discrete system."

He does, however, see an either/or decision between matrix technologies. Dolby will begin shipping the Dolby Pro Logic II DP563 encoder later this month.

"We've found that broadcast customers prefer Dolby Pro Logic 2 because they know that Dolby pays particular attention to placing sounds in the assigned channels," Daily says. "Over the next few years, we expect to see thousands of programs that are produced today in Dolby Surround Pro Logic to migrate to Dolby Pro Logic II."

Neither Dolby nor SRS will maintain the status quo for long. Kraemer says SRS is looking into making its system capable of 7.1 channels.

"We're also expanding out of broadcast and into post-production later this fall," says Canavaro. Those efforts include post-production tools for AES/EBU content and Steinberg Virtual Studio Technology systems in the fourth quarter and a plug-in for Digidesign's Pro Tools TDM software in the third quarter. ■



Soundtrack Film & Television added a second Euphonix 5-F digital film console.

Sex and The Console

NYC post facility finds Euphonix board twice as nice

BY KEN KERSCHBAUMER

The final season of *Sex and the City* has already spun off one sequel: New York City post-production facility Soundtrack Film & Television has added a second Euphonix 5-F digital film console, which was used for the HBO hit.

"The Euphonix System 5 fit the bill offering the highest sound quality the first time around, so we knew it would take care of our needs for our second purchase," says Soundtrack Mixing Engineer Bob Chefalas. "We needed a console that could perform in multiple mix environments, whether it's a complex TV show like *Sex and the City*, a 5.1 DVD mix, or a feature film requiring a two-man mixing console."

The second system will be up and running this month. It will have 64 faders and 260 channels and has room for dual operators. As for specific features, Chefalas noted that the Snapshot recall of surface layouts makes the console easy to work with.

"The other main reasons we chose it are the sound of the EQ and Dynamic processors and the excellent visual feedback," he says.

The console is currently in version 2.5 of its software. Features include hot-swappable redundant processing modules and cards, which automatically take over in the event of a DSP or control failure. On-screen diagnostics, a modular post-production panel for easy access to bus/playback film-monitor controls, and a producer's desk option, including a 16:9 format screen for monitoring external video sources are also available. ■

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DP569—Multichannel Dolby Digital Encoder for ATSC broadcasts.

DP564—Multichannel Audio Decoder for monitoring and quality assessment of all Dolby consumer audio formats.

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PEOPLE

THE FIFTH ESTATER

Translating Sales Success to Entertainment

Lazarus applies deal-making skills in new Turner post

As a young media buyer in the late '80s, Mark Lazarus was ahead of the curve, dabbling in product placement. Client Norelco wanted exposure for a new coffeepot, so Lazarus helped craft a deal with The Nashville Network to feature the coffeemaker on a TNN cooking show.

Today, as president of Turner Broadcasting System Inc.'s Entertainment Group, Lazarus is plotting programming and advertising initiatives for Turner assets like TNT, TBS Superstation and Turner Sports. In fact, TBS Superstation channel is partnering with Lowe's home-improvement stores for remodeling show *House Rules*.

A Westchester County, N.Y., native, Lazarus learned the TV ad-sales business early on. His father headed ABC Sports ad sales and was Fox Broadcasting's first ad-sales chief. During summers home from Vanderbilt University, Lazarus toiled for ABC as a relief engineer, cameraman and boom operator. That meant one summer on soap opera *Ryan's Hope*, another on the pro golf tour, driving around a camera mounted to a fork lift.

While he loved the excitement of production, Lazarus didn't like "being on someone else's clock, being told what to point at, what to do. I liked the idea of the business side."

After a stint at an ad agency, he returned to TV, selling sports for fledgling regional network SportsChannel America. He cut his teeth pitching the net's local and national sports, but, without ratings and true distribution numbers, the sales calls could be rough. So, when Turner, looking to start a sports sales group, came calling, Lazarus jumped at the opportunity.

"We had the NFL and the NBA, some NASCAR and some golf," he recalls. "It wasn't slow-pitch softball and bull riding. We had stuff people were watching. We had some built-in demand."

And a shrewd salesman knows demand keeps business healthy. After Lazarus took over as president of Turner Sports in 1999, Turner

Sports hammered out rich deals for the NBA and NASCAR. Some efforts didn't work out, such as TV rights to the Olympics and the PGA tour, but Lazarus is proud of Turner's brand of sports deals. Turner's TV packages, he contends, are "more about marketing and partnerships with the leagues and how you are going to build that property."

That means an unorthodox partnership with NBC for NASCAR, with the broadcaster and TNT sharing half the season (Fox and FX have the other half). It also means grabbing a new six-year deal for the NBA with broadcast-network perks, including more playoff games, more exclusive games and the coveted All-Star Game.

Adding ad sales for all Turner's entertainment properties in 2001, Lazarus balanced his top-salesman job with new initiatives, like packaging and programming. A particularly proud moment: recruiting former NBA star Charles Barkley as a TNT's lead NBA personality. "It wasn't natural he'd come to us," Lazarus recalls. But he wined and dined Barkley at Bones, an Atlanta steakhouse, and, after sealing the deal, his new star picked up the check.

These days, Lazarus has a new challenge. Earlier this year, new Turner Broadcasting Chairman Phil Kent tapped him to head all of Turner's entertainment properties, overseeing ad sales and sports but also new areas like programming and marketing for TNT and TBS Superstation and for smaller nets Turner South and Turner Classic Movies.

A lot of his focus is on TBS Superstation, whose fringe block of acquired comedies is chugging along well while prime time is on the slide. For TNT, he is working with TBS/TNT chief Steve Koonin to find one or two original scripted series. Lazarus is using his sales background: Make a good deal and the

right deal. "Fools rush in," he says, "We're going to be methodical and strategic."—Allison Romano

Mark Lazarus

President, Turner Entertainment Group



B. May 5, 1963, Frankfurt, Germany

EDUCATION

BA, political science, Vanderbilt University, 1986

EMPLOYMENT

Media planner/buyer Backer, Spielvogel, Bates Inc., New York, 1986-89; account executive, NBC Cable, New York, 1989-90; account executive, Turner Sports Sales, New York, 1990-95; senior vice president, Turner Sports Sales, 1995-98; executive vice president, Turner Sports Sales and Turner Broadcasting Global Client Solutions, 1998-99; president, Turner Sports, Atlanta, 1999-2001; president, Turner Sports, and president, Turner Entertainment Sales and Marketing, 2001-03; current position since March

PERSONAL

M. Elizabeth, Sept. 23, 1989; children: Jack (8), Caroline (6), Henry (2)



FATES & FORTUNES

Broadcast TV

THERESE GAMBA, director, creative and strategic marketing, KGO-TV San Francisco, promoted to VP, programming and station marketing.

At WNBC(TV) New York: **GIOVANNI BAQUERIZO**, director, advertising and sponsorship sales, ESPN, New York, joins as manager, marketing and business development; **JENNIFER NEWMAN**, account manager, NBC National Sales, Boston, joins as manager, marketing and business development.

TERRY WOODS, national sales manager, KSTS(TV) San Jose, Calif., named account executive, KPIX-TV San Francisco.

CINDI HAGLEY, local sales manager, KTVU(TV) Oakland, Calif., named account executive, KBHK-TV San Francisco.

Cable TV

At Comcast Cable: **STEVE BOSCHI**, senior manager, marketing sciences, Philadelphia, promoted to director;

LARRY BOURNIQUE, director, engineering, Atlanta, Southern division, promoted to senior director; **DOUGLAS WELLS**, director, regulatory affairs, Southern region, Atlanta, promoted to senior director, franchising and government affairs; **RACHEL JONES**, coordinator, government and public affairs, Atlanta, named division government affairs administrator; **STACY GORDON**, national director, retention marketing, Philadelphia, promoted to national senior director; **JIM SHAUD**, national manager, marketing and promotions, promoted to national director; **MARK SWAN**, senior manager, Philadelphia, promoted to director, new business development, digital engineering group.

At Charter Communications: **BARRY L. WILSON**, CEO, United Pan-European Communications, Amsterdam, joins as senior VP/GM, operations, St. Louis; **DAVID GILLES**, VP, fiscal operations, central region, named VP/GM, St. Louis; In the Greenville, S.C., office: **RICHARD BELL**, director, business operations, Cox Business Services, Atlanta, joins as VP, finance; **POWELL BEDGOOD**, VP, Charter's digital services, named VP, engineering; **ROBERT CARTER**, VP/GM, Cox Business Services, Arizona, joins as VP, Charter Business Networks; **ALAN CLAIRMONT**, VP, marketing and sales, AT&T Broadband, Pittsburgh, joins as VP, marketing; **MICHAEL KELLEY**, director, advertising, Mid-South region, named VP, advertising sales; **MICHELE PARKS**, director, human resources, Charter's Georgia operations, named VP, human resources; **TOM**



BARRY L. WILSON
Charter Communications



ART BELL
Court TV



BARRON POSTMUS
Carsey-Werner-Mandabach



JOAN HARRISON
TLC

GORMAN, director, national accounts and business development, Jedai Broadband Networks, Red Bank, N.J., joins as, VP, Midwest division technical operations, St. Louis; **TRACY PITCHER**, director, customer care, named VP.

Programming

At Court TV, New York: **ART BELL**, executive VP, programming and marketing, Court TV, New York, named presi-

BROADCASTING & CABLE

HALL OF FAME

2003

SAVE THE DATE MONDAY, NOV. 10

The 13th Annual *Broadcasting & Cable Hall of Fame* – recognized as the leading industry venue honoring the pioneers, the innovators and the stars of the electronic arts – will be celebrated on November 10, 2003, at a formal dinner in New York's Marriott Marquis. Please save the date and watch for further information on how you can be part of this prestigious event.

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Steve Allen

Entertainer

Fred Rogers

Mr. Rogers Neighborhood

Margita White

FCC Commissioner,
Association of Maximum
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BROADCASTING & CABLE



OBITUARY



ROBERT M. BATSCHA
MTR

ROBERT M. BATSCHA, longtime president of the Museum of Television and Radio, died of cancer in New York City on July 4. He was 58.

Batscha joined the MTR in 1981 as president, six years after it was founded by former CBS Chairman William S. Paley as the Museum of Broadcasting. Paley's vision to make available to the public a

collection of television and radio history started out with a modest 5,000 programs housed on two floors of a converted office building on Manhattan's Upper East Side.

Under Batscha's guidance and deft hand at fundraising, the museum underwent several transformations, including a move crosstown in 1991 to the Paley Building at W. 52nd St. That same year, the institution was rechristened The Museum of Television & Radio to better reflect archival additions from other media, namely cable and satellite. In 1996, MTR opened a Los Angeles branch with a collection duplicating that of its flagship arm. Most significant, under Batscha's tenure, MTR's archives swelled—thanks to contributions from networks, studios, PBS, cable services, local radio and other sources—to 120,000 international programs spanning 80 years of TV and radio history, including documentaries, children's shows and commercials.

"There are people who really have the privilege of changing the perception of an industry, and Bob had that," said Leo Hindery, CEO of YES Network and MTR vice chairman. "His stewardship of the museum will have future generations come and understand the history of television from post-war onward."

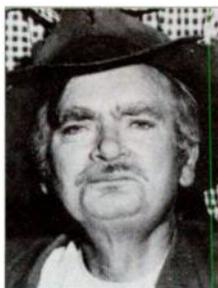
Born in Rochester, N.Y., Batscha grew up in New York City. He graduated magna cum laude from Queens College and, in 1969, received a master's in international affairs from Columbia University. He followed that degree with a doctorate in political science in 1972, also from Columbia.

For four years before joining the MTR, Batscha was president of the Population Resource Center Inc., a nonprofit organization that studies demographic change and serves as liaison to policymakers on the issue. Before that, he served as a senior consultant at

the Organization of Economic Cooperation and Development in Paris from 1972 to '75.

Batscha was also founder and trustee of the Center for Communication, a nonprofit venture that links students and faculty with professionals in various communications fields, and was an adjunct professor at Columbia's School of International Affairs and its School of Journalism, as well as associate professor of communications at Queens College.

He is survived by a son, Eric, and his former wife, Francine Sommer.



BUDDY EBSEN
Actor

BUDDY EBSEN, the veteran Broadway dancer who became a major TV star in the 1960s with CBS's *The Beverly Hillbillies* (1962-71) and again with the same network's *Barnaby Jones* (1973-80), died Sunday morning at Torrance Memorial Medical Center in Torrance, Calif. He was 95.

In a late career highlight, Ebsen made a cameo appearance as Barnaby Jones in the 1993 film version of *The Beverly Hillbillies*, in which the late Jim Varney played Jed Clampett, the part Ebsen had originated.

The gangly and likable Ebsen first gained attention dancing with Shirley Temple in 1930s Metro-Goldwyn-Mayer musicals. Ebsen was chosen to play the Tin Man in *The Wizard of Oz* but had to back out after an allergic reaction to the aluminum makeup used as part of the costume sent him to the hospital.

He first became known to TV viewers when he played Davey Crockett's sidekick, George Russell, in The Walt Disney Co.'s *Davey Crockett* series.

He was a sidekick again on NBC's *Northwest Passage* in the late 1950s.

His TV credits also contained a variety of guest stints, including a memorable turn portraying a drifter on *The Andy Griffith Show*. Ebsen also spent a season in the cast of ABC detective series *Matt Houston* (1984-85), playing Uncle Roy, a detective who had come out of retirement.

Ebsen is survived by his wife, Dorothy; his sister and former dance partner, Vilma; six children; and six grandchildren.

dent and COO; **GALEN JONES**, executive VP, strategy and planning/GM, Court TV Online, named executive VP/chief corporate strategist, Court TV.

RICK BERGAN, VP, business development, Music Choice, Horsham, Pa., promoted to VP, distribution.

At MTV Networks, New York: **ALEX FERRARI**, CFO, MTV Networks, promoted to COO, MTV Networks International; **JOHN CUCCI**, COO, Comedy Central, New York, joins as CFO.

SCOTT MILLS, COO, BET Interactive, named executive VP/CFO, BET.

OLIVIA COHEN-CUTLER, VP, broadcast standards and practices, ABC Inc., Los Angeles, promoted to senior VP.

At Carsey-Werner-Mandabach Distribution, Studio City, Calif.: **BARRON POSTMUS**, executive director, marketing and station relations, promoted to VP, marketing and creative services; **JANET BONIFER**, director, marketing and creative services, promoted to executive director; **PAUL E. SCHREIBER**, VP, Midwest regions, promoted to senior VP, domestic syndication.

JOAN HARRISON, television agent, The Broder, Webb, Chervin, Silbermann Agency, Los Angeles, joins TLC, Silver Spring, Md., as VP, programming and development.

MICHAEL R. OESTERLIN, director, international sales, Hallmark Entertainment, London, promoted to VP.

DARIO SPINA, director, marketing and promotions, TNN, New York, promoted to VP.

At Starz Encore, Englewood, Colo.: **ROBERT B. CLASEN**, former president, Comcast Communications, Philadelphia, joins as president, sales and marketing; **QUE SPAULDING**, president, distribution, will retire at the end of 2003.

JOSEPH LAPOLLA, VP, acquisitions, scheduling and digital programming, The History Channel, New York, named director, programming, Discovery Channel, Silver Spring, Md.

CARI WIDMYER, senior research manager, Hallmark Channel, New York, promoted to director, sales research.

DAVID LUNER, VP, licensing and new business development, Moon Mesa Media, Los Angeles, joins FremantleMedia Licensing Worldwide, Los Angeles, as director, brand licensing, North America.

PASCAL RACHENEUR, director, international product development, Weather Channel, Atlanta, promoted to director, broadband product and business development.

CHRIS FUOCO, director, core programs, Bell ExressVu, Ontario, joins Alliance Atlantis, Toronto, as director, affiliate marketing.

At NFL Network, Los Angeles: **ERIC WEINBERGER**, senior producer, *Best Damn Sports Show Period*, Fox Sports Network, Los Angeles, joins as coordinating producer, as-yet-unnamed show; **JENNIFER LOVE**,

senior associate director, *Fox NFL Sunday* and *Fox Saturday Baseball*, Los Angeles, named the shows' director.

JODY KING, account executive, New England Cable News, Boston, promoted to national sales manager, New York.

Journalism

At CBS News, New York: **WAYNE NELSON**, senior broadcast producer, *CBS Evening News With Dan Rather*, joins *60 Minutes II*, as producer; **LYNE PITTS**, executive producer, *The Early Show*, New York, named senior broadcast producer, *CBS Evening News*.

At ABC News: **KATE O'BRIAN**, GM, programming, ABC News Radio, Atlanta, named Southern Bureau chief; **DAVID EATON**, Southern Bureau chief, Atlanta, named Los Angeles Bureau chief; **CHARLIE HERMAN**, Miami Bureau producer, promoted to deputy Los Angeles Bureau chief.

LISA SYLVESTER, correspondent, *ABC Weekend News*, Washington, joins CNN, Washington, in the same capacity.

WAYNE ROGERS, actor and co-chairman/co-CEO, Swifty Serve, Durham, N.C., joins Fox News Channel, New York, as business contributor.

At KCEN-TV Temple, Texas: **CHRIS WALKER**, evening weekday producer, named executive producer; **DENISE KILLIAN**, producer/assignment editor, KRIS-TV Corpus Christi, Texas, joins in the same capacity; **JENNIFER DODD**, reporter/anchor, KBTW-TV Beaumont, Texas, joins as reporter.

JOE TRAHAN, sports director, WVUE-TV New Orleans, joins WFAA-TV Dallas, as weekend sportscaster.

Radio

BERNARD PENDERGRASS, executive producer, *The Ken & Company Morning Show*, with Ken Minyard and Dan Avey, KABC(AM) Los Angeles, named assistant program director.

Advertising/Marketing/ PR

At PIC-TV, Los Angeles: **ROY E. TILLES**, VP/sales director, East Coast, promoted to senior VP; **MARC R. GOODMAN**, account executive, promoted to VP, sales; **JOHN HARPER**, account executive, promoted to VP, sales.

Allied Fields

DEBORAH J. SINAY, VP/GM, WPRI-TV and WNAC-TV Providence, R.I., joins the Children's Museum of Boston, as senior VP, institutional advancement.

KERRI HOWLAND-KRUSE, senior attorney, BMI, New York, promoted to assistant VP, legal.

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Cable Rates Raise Ruckus on Capitol Hill

Continued from page 1
in cable bills. The industry "has risen to new heights in their apparent willingness and ability to gouge the American consumer," he said, vowing to examine cable pricing in future committee hearings.

Operators fear that Congressional anger will lead to a return to rate regulation. That's a big reason MSOs have been openly attacking cable networks over increasing license fees, particularly the ultra-pricey ESPN.

"It seems the cable companies always get the blame, while the fault is not necessarily ours," said Rocco Commisso, CEO of Mediacom.

The FCC's yearly survey found that average monthly rate for a cable subscription increased 8.2%, from \$37.06 to \$40.11, over the 12 months ended July 1, 2002. That's north of the average 7.1% annual increase of the past five years. The average price of a

to DBS if we raised rates enough to cover the cost."

This fall, the Government Accounting Office is expected to study whether cable rates are actually out of control or appropriately reflect the rising cost of programming.

Consumers Union used the FCC report as an opportunity to reiterate its call for à la carte pricing that would allow customers to keep their bills down.

NCTA and large MSOs oppose à la carte pricing, arguing that sports nets like ESPN would be-

come too expensive if the costs aren't spread among all cable subscribers.

The FCC report came under fire from the agency's two Democratic commissioners. Michael Copps and Jonathan Adelstein complained, the commission did

not check the veracity of data supplied by cable operators. "The operators attributed over 60% of their rate increases to programming costs," Copps said, "yet the commission does not conduct even minimal audits to assure the accuracy of these data." ■

The cable industry 'has risen to new heights in their apparent willingness and ability to gouge the American consumer.'

SEN. JOHN MCCAIN (R-Ariz.)

broadcast-basic subscription rose 3.7%, from \$13.93 to \$14.40.

The data is a year old. Even so, the survey's findings are markedly higher than what cable operators say their increases have been during the same period.

Operators' primary defense is that they offer more channels every year. On average, basic packages grew by three or four channels to around 63 channels last year. The cable industry's primary trade group argues that, when viewed on a cost-per-channel basis, rates rose just 1.2%, or slightly less than the inflation rate.

"Cable customers are enjoying greater choice and quality in basic channels plus additional optional digital-TV services," said Rob Stoddard, spokesman for the National Cable & Telecommunications Association.

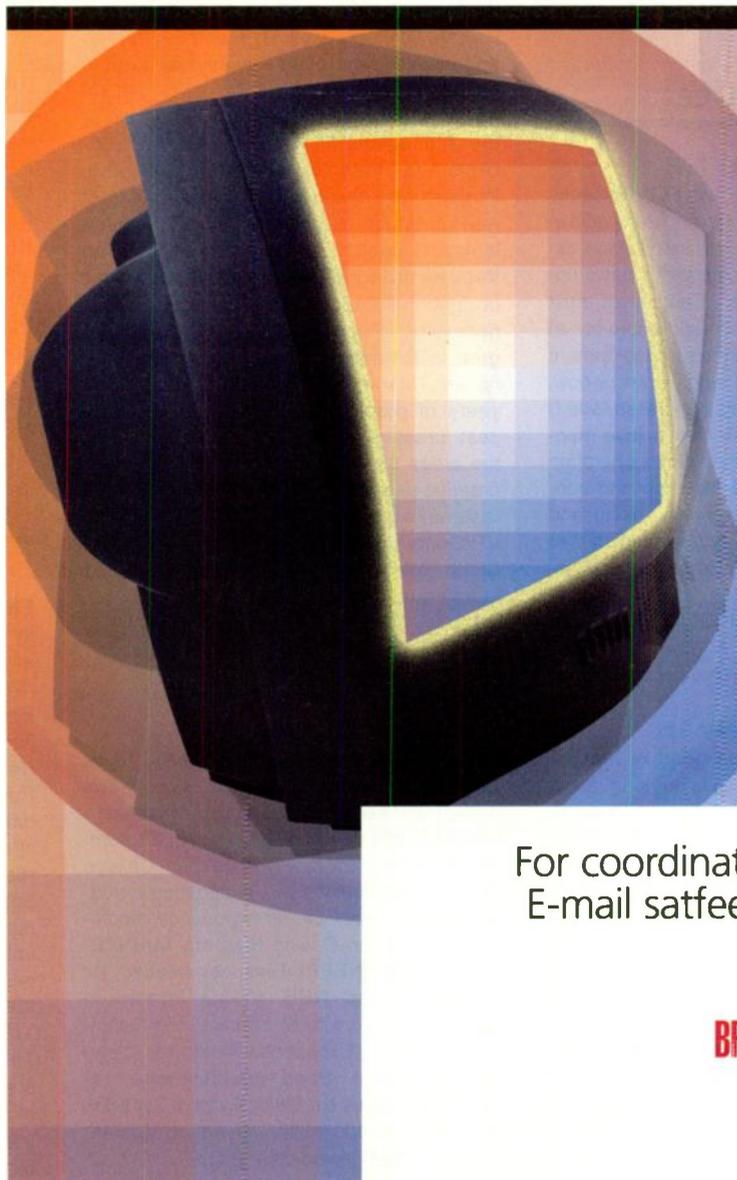
Operators said that the license fees for networks they already carry accounted for 50% of their basic-rate hikes. ESPN is the poster child, costing \$2-plus per sub monthly and increasing 20% each year. But other basic networks boost rates 10% or more per year.

"We raised our basic rates 5% last year," said a senior executive at one cable operator. "My programming costs increased 14%. But we'd lose more subscribers

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CABLE

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EDITORIALS

BROADCASTING & CABLE COMMITTED TO THE FIRST AMENDMENT

A Necessary Course Correction

The NAB last week officially concluded that any victory it won on rolling back the 45% ownership cap would be a Pyrrhic one. NAB has now informed its friends on the Hill that it opposes all legislative attempts to reimpose the 35% cap.

While some in the organization still want the rollback, the legislative efforts that NAB itself helped launch have accumulated far too many regulatory barnacles. Whether or not this ship can be turned around is another question. Sen. John Dingell said last week that he will push on with his effort to roll back the cap, adding that he still thinks he has some broadcasters with him. We hope not. Anyone still on this wayward ship deserves to go down with it.

Having taken NAB to task for what we felt was shortsighted backing of cap-rollback efforts (see this page, July 7), we will now applaud it for taking the longer view. We would rather it had been due to the light of reason rather than the swift kick of political reality, but it was the right call no matter what the motive. Credit is due NAB President Eddie Fritts for making that call—that is, for leading rather than following members who would have accepted repugnant content regulation as the price for the rollback.

We also hope that putting the cap issue behind them signals the beginning of a rapprochement between NAB and the networks, which have all left the trade group over the issue and the suggestion by some affiliates that network-owned stations weren't their equals in news and local programming. General managers of network-owned TV stations are scheduled to ar-

rive in Washington en masse this week to counter that charge. Perhaps, after they have pressed the flesh and shown the flag, they could stop by NAB headquarters and talk about what everybody does now to keep from hanging separately in a city that seems decidedly less broadcast-friendly than it did only a few months ago.

Cloudy Cumulus Debate

Last week, Commerce Committee Chairman John McCain and other senators beat up on Cumulus for having removed the Dixie Chicks from its country playlists for a month in response to one member's criticism of President Bush. The legislators suggested that it represented a threat to the First Amendment, if not the democracy itself. OK. Let's all take a deep breath. Was it a good decision? As a regular programming philosophy, no. Politically, certainly not. And Cumulus Chairman Lewis Dickey conceded as much under the committee's grilling, saying, if he had it to do over, he would have left it to individual program directors. But whatever you think of Cumulus's decision, to paint it as some Borg-like (or worse) attack on the First Amendment is absurd. In bumping the Dixie Chicks, Cumulus was exercising its First Amendment right to air whatever it wants without regard for what the government wants. Cumulus is not a threat to the First Amendment; the sentiments of McCain and his Hill colleagues are.



OPEN MIKE

Broadcasters, Reunite!

Editor: There is an urgent need for a reunited broadcasting industry to cope with upcoming critical issues. All broadcasters should heed the admonition this week of FCC Chairman Michael Powell: "There is no guarantee the nation's telecommunications giants will still be in business 15 years from now." Without that guarantee, broadcasters must work together to exploit new technology, maintain their universal service and their own financial solvency.

On the united broadcasting agenda: The digital transition, including must-carry for all free broadcast services; more duopoly relief for small and middle market TV; relaxation of restrictions on newspaper, radio, TV crossownership in all markets; threats to First Amendment rights of broadcasters, including the return of the outmoded fairness doctrine; efforts to undermine renewal expectancy of broadcast licenses; calls for more programming reports and logging requirements; copyright protection; exclusive geographical programming areas; piracy; and maintaining legislative and regulatory parity with cable, satellite and even Internet competitors.

The broadcasting industry has split in two parts over the 35% cap on the audience reach of TV station groups. The networks want to raise the cap. The affiliates and the NAB like it just as it is. As a result, all four of the networks have quit the NAB.

Personally, I maintained a neutral position on this controversy, but I don't believe the FCC's decision to raise the cap to 45% represented a deregulatory Armageddon. And early efforts by the NAB to restore the 35% cap through legislation attracted several ultra-liberal allies traditionally opposed to industry and to the free-enterprise system. Some represented the extreme over the public mainstream.

The cap is an important issue. But overall, broadcasters have bigger fish to fry in the complex digital and technological future. This 23-year FCC veteran of many regulatory and legislative battles now believes there is an urgent need for broadcast reunification. The networks must return to the NAB. ABC, CBS, Fox, NBC and aggressive NAB board members must consider the network cap issue a tough family fight, but all stay in the family.

Reunite! Return to the days when the NAB, with a solid broadcast front, was considered the most influential and fair-minded government relations organization in Washington, able to gain well-earned recognition and support for the many positive and essential broadcast services performed.

So, God bless the affiliated stations, the NAB, the networks and the group-owned stations and grant them the wisdom to form a more perfect union.

JAMES QUELLO,
former FCC commissioner and
interim chairman, Washington



AIRTIME

GUEST COMMENTARY

For More Behind-Scenes Diversity

The Directors Guild of America's recent report on the continued lack of representation of minorities and women within the television industry's creative ranks is distressing but predictable. The report found that, among 860 episodes of the top 40 prime time network comedies and dramas (2002-03), only 11% were directed by women and 8% were directed by African Americans, Latinos or Asian Americans.

Despite efforts of civil rights advocates, trade press and the DGA itself to heighten awareness, the situation remains relatively unchanged. Diversity-minded TV executives should apply a few lessons from any business textbook:

Lesson 1: Perform a thorough situation analysis. There are *real* barriers that prevent talented people of color from breaking into the mainstream creative as well as corporate arenas. Entities like the DGA have taken steps to bridge the gap by creating networking opportunities between minority talent and industry decision-makers. Since this hasn't worked, perhaps we need to go beyond statistics, revisit benchmarks of success, and craft some new strategies to incorporate minorities into the existing hiring system as well as create new platforms to accommodate fresh talent.

Lesson 2: Examine past successes and failures. In the late '70s and early '80s, a select number of media companies, recognizing their lack of diversity, created opportunities to train and advance qualified minority candidates with internships and management-training programs. Some of these efforts provided career guidance and even matched employees with a



We need to go beyond statistics and craft new strategies to incorporate minorities into the existing hiring system.

MARK D. WALTON
Onyx Media Group

company mentor. The result? A small but significant number of minority employees were sprinkled throughout the network landscape in entry-level business and creative positions. Where the effort failed was in the follow-through. By the mid '80s, these programs were all but gone, the diversity imperative downgraded.

Lesson 3: Adopt a winning strategy. For years, the financial, medical and legal communities grappled with developing an inclusive workforce. They all achieved some measure of success by employing *creative* strategies as divergent as creating unique relationships with historically black colleges and universities to setting up apprenticeships with professional organizations. More than likely, the concerned parties disagreed on the "right" approach, but, at some point, they all agreed that conventional methods were ineffective. Perhaps our industry is at that crossroads.

Lesson 4: Top management sets the tone and the agenda. I would venture that the diversity initiative works better when the top decision-maker is actively involved in setting guidelines, monitoring results and rewarding positive behavior. In 1979, then CBS Television Network President Jim Rosenfield hired me and three other African-Americans into a CBS management-trainee program. His vision helped launch our careers in the business.

Lesson 5: Failure is not an option. I hope you agree.

Walton is president/CEO of Onyx Media Group, an independent production, distribution and advertising-sales company.

WE LIKE LETTERS

If you have comments on anything that appears on these pages and would like to share them with other readers, send them to Harry A. Jessell, editor in chief (e-mail: hjessell@reedbusiness.com, fax: 646-746-7028 or mail: BROADCASTING & CABLE, 360 Park Avenue South, New York, NY 10010).

**HARRY A. JESSELL**
EDITOR IN CHIEF

Small-Market Angst

FCC's new ownership rules don't help broadcasters like Sook

Perry Sook is feeling a bit left out these days. On June 2, as even a casual reader of this magazine must know, the FCC relaxed an assortment of its media-ownership rules, giving most broadcasters and newspaper publishers a chance to own more stations in more places. Most broadcasters, not all.

The FCC did little for small-market TV broadcasters like Sook, who could care less about the 35% cap and newspaper crossownership and the other facets of the rules that have dominated headlines here and elsewhere.

Sook is president and CEO of Nexstar Broadcasting Group, which is trying to build a big group from small stations. The Irving, Texas-based company owns 14 stations (and has purchases for two more pending) in markets as large as Wilkes Barre-Scranton, Pa. (No. 53), and as small as San Angelo, Texas (196). It also has its hand in the operation of second stations in half of the markets through joint sales agreements and other contractual arrangements.

Sook had wanted the FCC to OK ownership of two stations—duopolies—in any market with four or more stations. The FCC let him down. In effect, the agency affirmed its ban on small-market duopolies by prohibiting combinations among a market's four top-rated stations. Many of the markets that Sook operates in (or would like to operate in) have only four stations.

"They didn't go far enough," Sook says. "We would like to enjoy the full economic benefits of dual ownership just like broadcasters in the larger markets."

Sook thinks the FCC, in continuing to ban small-market duopolies, is defeating its own goal of encouraging more TV news and public-affairs programming. As his own company can attest, control of two stations by one company can lead to more news, more public affairs.

In Peoria-Bloomington, Ind. (market No. 117), Sook owns WMBD-TV and has a deal to produce news on the Fox affiliate, Sinclair's WYZZ-TV. The deal has resulted in the market's first 9 p.m. news, two more news crews on the street and a new public-

affairs program. Nothing wrong with that.

According to Sook, some small-market stations cannot afford to produce news, even though they carry network affiliations. At the same time, other stations in the same market could improve their profit margins if allowed to own and program news on a second station.

Sook says that some folks at the FCC labor under the misconception that all network-affiliated TV stations

dent owner if it doesn't offer news and provide a forum for the community?

To placate Sook and others, the FCC says it will consider waivers to the small-market duopoly ban under certain conditions. For instance, it would give points to broadcasters who promise to increase news and public-affairs programming or speed the transition to digital.

Sook is unimpressed. The policy leaves too much open for interpretation. "The waiver process would be as



Nexstar's Perry Sook (inset) owns 14 stations, including WCIA(TV) Champaign-Springfield, Ill.

now offer news and that permitting duopolies can only lead to fewer independently produced newscasts. The fact is, says Sook, many small markets have network-affiliated stations that don't bother with news. To prove it, he took a close look at all the markets from No. 51 (Jacksonville, Fla.) to No. 210 (Glendive, Mont.). Those 160 markets have an average of just 2.49 newscasts per market. There are plenty of markets below 150 with just three, two or one newscasts.

Give him the freedom to buy stations in some of those markets, Sook is saying, and he will begin broadcasting news on them. Others will do likewise. Over time, that average will creep upward. The FCC may lose independent owners in these markets, but it will end up with more newscasts. And what good is an indepen-

protracted as it is now."

What's needed are specific criteria and a presumption that, if the criteria are met, the waiver will be granted, Sook says. Only by removing some of the uncertainties from the process will broadcasters be able to line up the financing necessary to make duopoly deals, he maintains.

Sook is continuing his campaign for small-market duopoly relief with a petition for reconsideration, which will include his small-market news analysis and that 2.49 average.

He says he doesn't know whether it will do any good. "I'll just bring additional facts to light and hope to get a fair hearing." ■

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Despite Change, NAB And Nets Still at Odds

Continued from page 1

thought so. "The NAB's decision to reverse itself on the issue of the national television-ownership cap is an unfortunate retreat from its proud history of support for localism, diversity and competition in the broadcast marketplace," said Rep. John Dingell (D-Mich.), who sponsored legislation to reinstate the 35% cap. The FCC raised the cap to 45% on June 2.

LAWMAKERS FEEL BETRAYED

Fritts rejected assertions NAB had flip-flopped, noting that the trade group had announced June 11 that it would oppose 35% legislation if it also contained unacceptable provisions, such as a ban on local broadcast/newspaper crossownership or forced divestiture of some radio stations. After the Senate Commerce Committee added those restrictions and others to the 35% legislation, NAB lobbyists decided that there was no way to ensure that objectionable measures could be stripped from those bills or blocked from being included if the 35% rollback was tacked on to separate bills.

Still, lawmakers friendly to the NAB were shocked by the reversal, and Fritts dutifully marched to Capitol Hill several times last week to try to patch the damage.

Lawmakers already backing legislation, however, vowed to push forward de-

'Never before has the broadcast industry had such a list of challenges on the table at one time.'

EDDIE FRITTS, NAB

spite the NAB's new stance. "This battle is being fought for the American people and diversity of expression, not the NAB," said Sen. Ernest Hollings (D-S.C.), ranking member of the Commerce Committee. "Americans from widely differing perspectives have made it quite clear that they want the FCC's ruling reversed."

NO PEACE YET

Despite joining sides for the Capitol Hill fight, both NAB and network officials stressed they have not put aside differences that led all major nets to leave the trade group in recent years. "It's way premature to get into that," said Disney/ABC lobbyist Preston Padden. ABC was the last network to exit the NAB, on June 16.

Making good on Padden's pledge to organize a lobbying group for the nets, the Big Four broadcast networks are sending their TV-station general managers to Washington this week to meet with lawmakers and defend their record as local broadcasters after concluding that they had been maligned by some NAB members.

Inside the NAB, there were obvious fractures. "Cox has not changed its posi-

tion," said Cox Enterprises lobbyist Alexander Netchvolodoff. Cox is an NAB member but, along with Hearst-Argyle, has pushed particularly hard for 35% legislation. Both groups have said they will oppose bills that contain measures the industry opposes. The lobbyist said the NAB kept board members in the dark, but Fritts said last week's announcement was simply the logical next step to the June 11 position and no board vote was necessary beyond an informal polling of the group's executive committee. He admitted that communications could have been better.

The next opportunity for legislation is a vote on FCC spending this Wednesday in a House Appropriations Subcommittee, where a 35% rollback and other media-related provisions could be attached. A Senate Appropriations vote is scheduled for July 21.

ANTI-MEDIA WAVE

Many lawmakers believe a "clean" attachment containing only a 35% rollback would be likely, but Fritts said there's too much anti-media emotion mounting in Congress to put faith in that strategy.

Last month's Senate Commerce Committee votes that would saddle broadcasters with a renewed ban on local broadcast/newspaper crossownership, forced radio divestitures and renewed public-interest obligations was a "harbinger of things to come" if any legislation is pursued, Fritts said. "This creates a nightmarish vision of turning back the clock and reversing the gains broadcasters have made in the past 20 years."

He said broadcasters, traditionally viewed as local, grassroots favorites on Capitol Hill, have been sucked into the rising discontent with networks and cable companies that accompanied the FCC's June 2 vote to relax media-ownership rules.

"The FCC action clearly spawned a great deal more anti-media sentiment than anybody would have estimated," he said. "Never before has the broadcast industry had such a list of challenges on the table at one time."

The next step for NAB is to decide whether to challenge the new ownership cap at the FCC or in court. Strategy on those options will be decided at the group's July 28 board meeting.

The other NAB strategy sessions may be internal. Network officials have heard reports from Capitol Hill that die-hard supporters of 35%-cap legislation have attributed NAB's reversal to a "sleazy deal" that would call for CBS to return to NAB's fold as a reward for fighting the 35% cap legislation.

"There's no truth to this whatsoever," said a CBS spokesman.

"There's no quid pro quo," Fritts insisted. ■

Strong Criticism for Univision, HBC Deal

Continued from page 1

opponents of big media, just as Hispanic media exploded from a little-noticed niche to one of the media business's hottest sectors in both business and politics.

Things have grown more complicated for Chairman Jerry Perenchio's \$3.5 billion deal to buy Hispanic Broadcasting Corp. since it was announced June 2002. Critics have made Univision's perceived right-wing bias an issue in the bitter partisan battle over President Bush's judicial nominations. And if that weren't enough, in the past month, the deal has been caught in the growing backlash against the FCC's relaxation of media-ownership rules.

The result: The merger has languished at the FCC longer than Comcast's bid to acquire AT&T Broadband. Amazingly, the deal is close to taking longer to finalize than the formation of the world's largest media company, the merger between America Online and Time Warner.

The FCC must decide whether Spanish-language broadcasting is a separate market. If commissioners say yes, the merger would undoubtedly be conditioned, most likely by forced divestitures. According to Univision's foes, the combined company would control more than 70% of local ad dollars in four of the top nine Hispanic markets and more than 50% in eight of nine.

The Justice Department approved the merger four months ago with the stipulation that Univision shed most of its interests in another Spanish-language broadcaster, Entravision Communications. At the time, FCC approval was expected imminently.

But the agency's plans to tighten local radio-ownership limits in some small markets complicated things. Now, in addition to the Spanish-as-a-separate-market question, the commissioners are said to be debating whether the merger should be considered under the old or new restrictions. If the tighter new rules apply, Univision may have to sell stations in Houston, San Antonio, Phoenix and Albuquerque, N.M.

But Univision, with an estimated \$1.2 billion in revenue this year, is by far the dominant Spanish-language media company in the U.S. Among Hispanic audiences, experts say, its influence surpasses that of AOL Time Warner or any other media giant on the overall U.S. market. "Virtually all Latinos would see and hear their news and entertainment from a single source: Univision," Rep.

Robert Menendez (D-N.J.) warned the Senate Commerce Committee last week.

Menendez, chairman of the House Democratic Caucus, has complained that Univision was trying to boost chances for federal approval of the merger by airing programming supporting President Bush's nomination of Miguel Estrada to a key federal appeals court post. Estrada is opposed by the Congressional Hispanic Caucus, which is composed entirely of Democrats.

Univision combined with HBC would be a Hispanic juggernaut controlling 40% of the Hispanic audience's radio ad rev-



enue and 70% of TV revenue. Univision already controls the two leading Hispanic cable nets, Galavision and Telefuturo.

The only deep-pocketed competitor is NBC-owned Telemundo, which hasn't been able to gain a 15% share of a major local market. Mexican giant TV Azteca supplies programming to some U.S. stations but hasn't yet established a presence.

'Virtually all Latinos would see and hear their news and entertainment from a single source: Univision.'

REP. ROBERT MENENDEZ (D-N.J.)

Spanish Broadcasting System, which bills itself as the largest *Hispanic-controlled* radio group has led a legal and public-relations fight against the merger. In addition to the competitive worries a combined Univision/HBC would create, SBC Chairman Raul Alarcon Jr. blamed Univision for the demise of his own attempt to buy Hispanic and unsuccessfully took Univision to court alleging antitrust violations. Univision's critics have also made much of the fact that the country's largest Spanish-language media firm is not run by a Latino.

On the other side of the fight, Alarcon has been dogged by Miami gossip-column coverage of his messy and probably expensive divorce. The source of the reports is unclear, but Univision's allies have been more than willing to circulate them to reporters whose beats don't touch South Florida. ■

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