

# Section A

# Industry Overview

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## Television Markets Ranked by Number of TV Homes

Listed below are the Nielsen Media Research Designated Market Areas (DMAs) ranked by the number of television households. The estimates are from September 2008.

DMA Rank	Designated Market Area	TV Households
1	New York	7,433,820
2	Los Angeles	5,654,260
3	Chicago	3,492,850
4	Philadelphia	2,950,220
5	Dallas-Fort Worth	2,489,970
6	San Francisco-Oakland-San Jose	2,476,450
7	Boston (Manchester)	2,409,080
8	Atlanta	2,369,780
9	Washington, DC (Hagerstown)	2,321,610
10	Houston	2,106,210
11	Detroit	1,926,970
12	Phoenix	1,855,930
13	Tampa-St. Petersburg, Sarasota	1,822,160
14	Seattle-Tacoma	1,819,970
15	Minneapolis-St. Paul	1,730,530
16	Miami-Fort Lauderdale	1,546,920
17	Cleveland	1,524,930
18	Denver	1,524,210
19	Orlando-Daytona Beach-Melbourne	1,466,420
20	Sacramento-Stockton-Modesto	1,399,520
21	St. Louis	1,249,820
22	Portland, OR	1,175,100
23	Pittsburgh	1,156,460
24	Charlotte	1,122,860
25	Indianapolis	1,114,970
26	Baltimore	1,102,080
27	Raleigh-Durham (Fayetteville)	1,080,680
28	San Diego	1,066,680
29	Nashville	1,016,290
30	Hartford & New Haven	1,014,990
31	Kansas City	937,970
32	Columbus, OH	925,840
33	Salt Lake City	919,390
34	Cincinnati	915,570
35	Milwaukee	905,350
36	Greenville-Spartanburg-Asheville-Anderson	858,050
37	San Antonio	818,560
38	West Palm Beach-Fort Pierce	779,430
39	Grand Rapids-Kalamazoo-Battle Creek	741,420
40	Birmingham (Anniston, Tuscaloosa)	739,750
41	Harrisburg-Lancaster-Lebanon-York	738,880
42	Las Vegas	728,410
43	Norfolk-Portsmouth-Newport News	718,020
44	Albuquerque-Santa Fe	689,120
45	Oklahoma City	687,300
46	Greensboro-High Point-Winston Salem	685,110
47	Jacksonville, Brunswick	674,860
48	Memphis	673,770
49	Austin	667,670
50	Louisville	667,230
51	Buffalo	631,120
52	Providence-New Bedford	622,580
53	New Orleans	602,740

Television Markets Ranked by Number of TV Homes

DMA Rank	Designated Market Area	TV Households
54	Wilkes Barre-Scranton	594,570
55	Fresno-Visalia	574,900
56	Little Rock-Pine Bluff	567,060
57	Albany-Schenectady-Troy	556,750
58	Richmond-Petersburg	550,240
59	Knoxville	547,930
60	Mobile-Pensacola (Fort Walton Beach)	537,810
61	Tulsa	529,540
62	Fort Myers-Naples	509,530
63	Lexington	503,260
64	Dayton	483,790
65	Charleston-Huntington	479,750
66	Flint-Saginaw-Bay City	465,790
67	Roanoke-Lynchburg	461,420
68	Tucson (Sierra Vista)	456,030
69	Wichita-Hutchinson Plus	450,930
70	Green Bay-Appleton	444,210
71	Des Moines-Ames	432,410
72	Honolulu	429,940
73	Toledo	425,890
74	Springfield, MO	421,960
75	Spokane	416,630
76	Omaha	411,520
77	Portland-Auburn	410,890
78	Paducah-Cape Girardeau-Harrisburg-Mt. Vernon	393,260
79	Columbia, SC	393,170
80	Rochester, NY	390,590
81	Syracuse	388,000
82	Huntsville-Decatur, Florence	386,520
83	Champaign & Springfield-Decatur	386,000
84	Shreveport	385,770
85	Madison	378,740
86	Chattanooga	366,780
87	Harlingen-Weslaco-Brownsville-McAllen	349,910
88	Cedar Rapids-Waterloo & Dubuque	346,330
89	South Bend-Elkhart	334,720
90	Jackson, MS	334,650
91	Colorado Springs-Pueblo	334,390
92	Tri-Cities, TN-VA	332,840
93	Burlington-Plattsburgh	331,320
94	Waco-Temple-Bryan	329,690
95	Baton Rouge	326,390
96	Savannah	319,160
97	Davenport-Rock Island-Moline	309,600
98	El Paso	308,080
99	Charleston, SC	307,610
100	Fort Smith-Fayetteville-Springdale-Rogers	297,920
101	Johnstown-Altoona	293,860
102	Evansville	292,220
103	Greenville-New Bern-Washington	289,050
104	Myrtle Beach-Florence	285,010
105	Tallahassee-Thomasville	282,390
106	Lincoln & Hastings-Kearney	281,290
107	Fort Wayne	275,350
108	Reno	271,080
109	Youngstown	268,930
110	Tyler-Longview (Lufkin & Nacogdoches)	265,200
111	Springfield-Holyoke	262,850

Television Markets Ranked by Number of TV Homes

DMA Rank	Designated Market Area	TV Households
112	Boise	262,290
113	Sioux Falls (Mitchell)	260,190
114	Lansing	258,650
115	Augusta	253,950
116	Peoria-Bloomington	248,510
117	Traverse City-Cadillac	247,650
118	Montgomery (Selma)	247,230
119	Eugene	242,790
120	Fargo-Valley City	241,120
121	Santa Barbara-Santa Maria-San Luis Obispo	240,190
122	Macon	239,820
123	Lafayette, LA	230,670
124	Monterey-Salinas	225,350
125	Bakersfield	220,730
126	Yakima-Pasco-Richland-Kennewick	216,780
127	La Crosse-Eau Claire	215,610
128	Columbus, GA	213,980
129	Corpus Christi	197,290
130	Chico-Redding	197,280
131	Amarillo	192,090
132	Rockford	188,860
133	Columbus-Tupelo-West Point	188,740
134	Wilmington	187,480
135	Wausau-Rhineland	184,220
136	Monroe-El Dorado	179,190
137	Columbia-Jefferson City	179,010
138	Topeka	175,940
139	Duluth-Superior	173,180
140	Medford-Klamath Falls	171,830
141	Beaumont-Port Arthur	165,440
142	Palm Springs	159,240
143	Lubbock	158,070
144	Salisbury	157,940
145	Wichita Falls & Lawton	157,820
146	Erie	157,610
147	Albany, GA	156,800
148	Joplin-Pittsburg	156,560
149	Sioux City	154,900
150	Anchorage	150,620
151	Panama City	147,520
152	Terre Haute	145,450
153	Bangor	145,100
154	Rochester-Mason City-Austin	144,700
155	Bluefield-Beckley-Oak Hill	142,570
156	Odessa-Midland	141,560
157	Binghamton	138,930
158	Minot-Bismarck-Dickinson	136,730
159	Wheeling-Steubenville	133,700
160	Gainesville	129,960
161	Sherman, TX-Ada, OK	128,100
162	Idaho Falls-Pocatello	124,220
163	Biloxi-Gulfport	121,750
164	Yuma-El Centro	115,650
165	Abilene-Sweetwater	115,310
166	Missoula	111,340
167	Hattiesburg-Laurel	110,330
168	Clarksburg-Weston	109,150
169	Utica	106,280

Television Markets Ranked by Number of TV Homes

DMA Rank	Designated Market Area	TV Households
170	Billings	106,030
171	Quincy-Hannibal-Keokuk	103,910
172	Dothan	100,950
173	Jackson, TN	98,050
174	Rapid City	96,450
175	Elmira	96,090
176	Lake Charles	95,410
177	Watertown	94,960
178	Harrisonburg	92,900
179	Alexandria, LA	89,630
180	Marquette	89,290
181	Jonesboro	80,900
182	Bowling Green	80,260
183	Charlottesville	76,600
184	Grand Junction-Montrose	73,360
185	Meridian	72,280
186	Lima	70,690
187	Greenwood-Greenville	70,050
188	Laredo	68,110
189	Lafayette, IN	67,070
190	Butte-Bozeman	65,480
191	Great Falls	64,910
192	Bend, OR	64,830
193	Parkersburg	63,760
194	Twin Falls	63,540
195	Eureka	60,900
196	San Angelo	54,980
197	Casper-Riverton	54,340
198	Cheyenne-Scottsbluff	54,120
199	Mankato	52,230
200	Ottumwa-Kirksville	51,270
201	St. Joseph	46,840
202	Fairbanks	37,110
203	Zanesville	32,550
204	Presque Isle	31,270
205	Victoria	31,260
206	Helena	27,040
207	Juneau	25,250
208	Alpena	17,520
209	North Platte	15,250
210	Glendive	3,940

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## Top 25 Cable System Operators

### Ranked by Basic Subscribers\*

Rank	Company	Subscribers
1	Comcast	24,182.0
2	Time Warner	13,069.0
3	Cox	5,328.3
4	Charter	5,045.7
5	Cablevision Systems	3,108.0
6	Bright House (e)	2,307.8
7	Mediacom	1,318.0
8	Suddenlink Communications	1,268.7
9	Insight Communications	707.6
10	Cable One	669.5
11	RCN	366.0
12	WideOpenWest (e)	363.8
13	Bresnan	309.4
14	Service Electric (e)	290.7
15	Atlantic Broadband	285.5
16	Armstrong	247.3
17	Knology	232.8
18	Midcontinent Communications (&)	206.2
19	MetroCast Cablevision **	188.9
20	Blue Ridge (e)	177.4
21	Broadstripe (e)	158.4
22	Buckeye CableSystem (e)	147.8
23	General Communication	147.7
24	Wave (e)	141.2
25	MidOcean Partners (e)	139.8

\* As of December 2008.

\*\* Includes Vista III Media.

(e) Estimate.

(&) Counts include recent sale or acquisition.

Subs in mil. Data actual.

Note: Unless otherwise noted, counts include owned and managed subscribers.

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# U.S. Sales of Television Receivers 1983-2009

Data compiled by Consumer Electronics Association

Year	Analog Color TV		Digital TV		LCD TV		TV/VCR/DVD Combinations		Projection TV	
	Units	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units	Dollars
1983	11,179	3,443	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
1984	13,092	3,875	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
1985	13,993	4,114	n/a	n/a	n/a	n/a	n/a	n/a	266	488
1986	15,399	4,481	n/a	n/a	n/a	n/a	n/a	n/a	304	530
1987	16,805	4,890	n/a	n/a	n/a	n/a	n/a	n/a	293	527
1988	17,768	4,691	n/a	n/a	n/a	n/a	n/a	n/a	302	529
1989	19,557	5,359	n/a	n/a	n/a	n/a	n/a	n/a	265	478
1990	18,453	5,148	n/a	n/a	n/a	n/a	424	178	351	626
1991	17,951	5,134	n/a	n/a	n/a	n/a	662	265	380	683
1992	21,056	6,591	n/a	n/a	n/a	n/a	936	375	404	714
1993	23,005	7,316	n/a	n/a	n/a	n/a	1,629	599	465	841
1994	24,715	7,225	n/a	n/a	n/a	n/a	2,017	710	636	1,117
1995	23,231	6,798	n/a	n/a	n/a	n/a	2,205	723	820	1,417
1996	22,384	6,492	n/a	n/a	n/a	n/a	2,199	697	887	1,426
1997	21,293	6,036	n/a	n/a	n/a	n/a	2,311	684	917	1,361
1998	22,204	6,122	14	43	n/a	n/a	3,147	832	1,070	1,577
1999	23,218	6,199	121	295	n/a	n/a	4,148	1,014	1,232	1,632
2000	24,175	6,503	648	1,426	832	107	4,964	968	1,216	1,481
2001	21,167	5,130	1,460	2,648	845	101	4,630	790	933	1,060
2002	22,469	5,782	4,145	6,383	935	246	4,870	733	681	733
2003	20,791	4,756	5,532	8,692	1,253	664	4,373	778	276	293
2004	19,934	3,526	8,002	12,300	1,842	1,579	3,643	867	97	85
2005	16,934	2,790	11,369	15,563	4,077	3,258	3,348	650	20	15
2006	8,761	1,000	23,504	23,380	10,325	8,430	2,028	340	5	3
2007	1,166	115	26,904	25,184	16,843	14,520	184	26	-	-
2008 (e)	-	-	32,743	26,936	23,764	18,117	-	-	-	-
2009 (p)	-	-	34,639	26,344	26,790	18,737	-	-	-	-

Dollar figure in millions and represent factory sales price multiplied by unit sales to dealers.

Unit figures include distributor sales and factory direct sales to dealers. All unit figures are in thousands (add 000).

n/a=not available

(e)=estimate

(p)=projection

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## Television Sets in Use

	In Home (000)	Avg. Sets Per HH
1970	81,040	1.39
1971	85,290	1.42
1972	89,770	1.45
1973	95,330	1.47
1974	100,020	1.51
1975	105,460	1.54
1976	108,890	1.56
1977	113,440	1.59
1978	118,630	1.63
1979	124,570	1.67
1980	128,190	1.68
1981	132,260	1.70
1982	142,460	1.75
1983	148,910	1.79
1984	149,180	1.78
1985	155,410	1.83
1986	157,500	1.83
1987	162,750	1.86
1988	168,260	1.90
1989	175,580	1.94
1990	193,320	2.10
1991	193,200	2.08
1992*	192,480	2.09
1993	200,565	2.15
1994	211,443	2.24
1995	217,067	2.28
1996	222,753	2.32
1997	228,740	2.36
1998	235,010	2.40
1999	240,320	2.42
2000	244,990	2.43
2001	248,160	2.43
2002	254,360	2.41
2003	260,230	2.44
2004	268,260	2.47
2005	287,000	2.62
2006	301,380	2.73
2007	310,840	2.79
2008	310,470	2.83

1970-79, as of September of prior year; 1980 to date as of January of calendar year; excludes Alaska and Hawaii prior to 1989.

\* Reflects adjustments to conform to the 1990 census.

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# 55 Years of Station Transactions

Dollar volume of transactions (number of stations changing hands)

YEAR	RADIO ONLY*	GROUPS*	TV ONLY	TOTAL
1954	\$10,224,047 (187)	\$26,213,323 (18)	\$23,906,760 (27)	\$60,344,130
1955	27,333,104 (242)	22,351,602 (11)	23,394,660 (29)	\$73,079,366
1956	32,563,378 (316)	65,212,055 (24)	17,830,395 (21)	\$115,605,828
1957	48,207,470 (357)	47,490,884 (28)	28,489,206 (38)	\$124,187,560
1958	49,868,123 (407)	60,872,618 (17)	16,796,285 (23)	\$127,537,026
1959	65,544,653 (436)	42,724,727 (15)	15,227,201 (21)	\$123,496,581
1960	51,763,285 (345)	24,648,400 (10)	22,930,225 (21)	\$99,341,910
1961	55,532,516 (282)	42,103,708 (13)	31,167,943 (24)	\$128,804,167
1962	59,912,520 (306)	18,822,745 (8)	23,007,638 (16)	\$101,742,903
1963	43,457,584 (305)	25,045,726 (3)	36,799,768 (16)	\$105,303,078
1964	52,296,480 (430)	67,185,762 (20)	86,274,494 (36)	\$205,756,736
1965	55,933,300 (389)	49,756,993 (15)	29,433,473 (32)	\$135,123,766
1966	76,633,762 (367)	28,510,500 (11)	30,574,054 (31)	\$135,718,316
1967	59,670,053 (316)	32,086,297 (9)	80,316,223 (30)	\$172,072,573
1968	71,310,709 (316)	47,556,634 (9)	33,588,069 (20)	\$152,455,412
1969	108,866,538 (343)	35,037,000 (5)	87,794,032 (32)	\$231,697,570
1970	86,292,899 (268)	1,038,465 (3)	87,454,078 (19)	\$174,785,442
1971	125,501,514 (270)	750,000 (2)	267,296,410 (27)	\$393,547,924
1972	114,424,673 (239)	0 (0)	156,905,864 (37)	\$271,330,537
1973	160,933,557 (352)	2,812,444 (4)	66,635,144 (25)	\$230,381,145
1974	168,998,012 (369)	19,800,000 (5)	118,983,462 (24)	\$307,781,474
1975	131,065,860 (363)	0 (0)	128,420,101 (22)	\$259,485,961
1976	180,663,820 (413)	1,800,000 (3)	108,459,657 (32)	\$290,923,477
1977	161,236,169 (344)	0 (0)	128,635,435 (25)	\$289,871,604
1978	331,557,239 (586)	30,450,000 (5)	289,721,159 (51)	\$651,728,398
1979	335,597,000 (546)	463,500,000 (52)	317,581,000 (47)	\$1,116,678,000
1980	339,634,000 (424)	27,000,000 (3)	534,150,000 (35)	\$900,784,000
1981	447,838,060 (625)	78,400,000 (6)	227,950,000 (24)	\$754,188,060
1982	470,722,833 (597)	0 (0)	527,675,411 (30)	\$998,398,244
1983	621,077,876 (669)	332,000,000 (10)	1,902,701,830 (61)	\$2,855,779,706
1984	977,024,266 (782)	234,500,000 (2)	1,252,023,787 (82)	\$2,463,548,053
1985	1,414,816,073 (1,558)	962,450,000 (218)	3,290,995,000 (99)	\$5,668,261,073
1986	1,490,131,426 (959)	1,993,021,955 (192)	2,709,516,490 (128)	\$6,192,669,871
1987	1,236,355,748 (775)	4,610,965,000 (132)	1,661,832,724 (59)	\$7,509,153,472
1988	1,841,630,156 (845)	1,326,250,000 (106)	1,779,958,042 (70)	\$4,947,838,198
1989	1,148,524,765 (663)	533,599,078 (40)	1,541,055,033 (84)	\$3,223,178,876
1990	868,636,700 (1,045)	411,037,150 (60)	696,952,350 (75)	\$1,976,626,200
1991	534,694,500 (793)	206,995,500 (61)	273,365,000 (38)	\$1,015,055,000
1992	603,192,980 (667)	318,176,050 (24)	124,004,000 (41)	\$1,045,373,030
1993	815,450,000 (633)	756,722,000 (NA)	1,728,711,000 (101)	\$3,300,883,000
1994	970,400,000 (494)	1,800,000,000 (154)	2,200,000,000 (89)	\$4,970,400,000
1995	792,440,000 (524)	2,790,000,000 (213)	4,740,000,000 (112)	\$8,322,440,000
1996	2,840,820,000 (671)	12,034,000,000 (345)	10,488,000,000 (99)	\$25,362,820,000
1997	2,461,570,000 (630)	14,580,000,000 (329)	6,400,000,000 (108)	\$23,441,570,000
1998	1,596,210,000 (589)	14,080,000,000 (271)	7,120,000,000 (90)	\$22,796,210,000
1999	1,718,000,000 (382)	26,880,000,000 (196)	4,720,000,000 (86)	\$33,318,000,000
2000**	24,900,000,000 (1,794)	0 (0)	8,800,000,000 (154)	\$33,700,000,000
2001**	3,800,000,000 (1,000)	0 (0)	4,900,000,000 (108)	\$8,700,000,000
2002**	5,594,141,000 (836)	0 (0)	2,529,039,000 (249)	\$8,123,180,000
2003**	2,400,000,000 (950)	0 (0)	520,000,000 (97)	\$2,920,000,000
2004**	1,897,422,000 (901)	0 (0)	871,923,000 (66)	\$2,769,345,000
2005**	2,791,531,000 (895)	0 (0)	2,842,439,000 (86)	\$5,633,970,000
2006**	22,871,247,000 (2101)	0 (0)	18,127,686,000 (180)	\$40,998,933,000
2007**	1,488,628,000 (1,187)	0 (0)	4,616,018,000 (295)	\$6,104,646,000
2008**	642,344,000 (749)	0 (0)	745,511,000 (48)	\$1,387,855,000
<b>TOTAL</b>	<b>\$92,239,870,648</b>	<b>\$85,110,886,616</b>	<b>\$100,129,129,403</b>	<b>\$277,479,886,667</b>

Note: Dollar volume figures represent total considerations reported for all transactions with exception of minority interest transfers in which control of stations did not change hands and stations sold as part of larger company transactions. Although all states have been approved by the FCC, they may not necessarily have reached final closing. Prior to 1976, combined AM-FM facilities were counted as one station in computing total number of stations traded. Now AM-FM combinations are counted as two stations.

\*Starting in 1993, the Radio only column includes only stand alone AM and FM deals and the Groups column contains AM-FM combos and all other multiple station deals. In previous years the AM-FM combos were included under Radio only

\*\*Figures for 2000 to 2008 courtesy of BIA Financial Network.

# Record of Television Station Growth Since Television Began

	TV Authorized	On Air
Jan. 1, 1946*	9	6
Jan. 1, 1947*	52	
Jan. 1, 1948*	73	17
Jan. 1, 1949	124	50
Jan. 1, 1950	111	97
Jan. 1, 1951	109	107
Jan. 1, 1952	108	108
Jan. 1, 1953*	273	129
Jan. 1, 1954	567	356
Jan. 1, 1955	576	439 <sup>1</sup>
Jan. 1, 1956	590	482 <sup>2</sup>
Jan. 1, 1957	631	511
Jan. 1, 1958	657	544 <sup>3</sup>
Jan. 1, 1959	666	562 <sup>4</sup>
Jan. 1, 1960	673	573 <sup>5</sup>
Jan. 1, 1961	634	583
Jan. 1, 1962	654	563
Jan. 1, 1963	662	579
Jan. 1, 1964	661	582
Jan. 1, 1965	676	586
Jan. 1, 1966	702	596
Jan. 1, 1967	769	623
Jan. 1, 1968	818	644
Jan. 1, 1969	834	672
Jan. 1, 1970	1,038	872
Jan. 1, 1971	1,025	892
Jan. 1, 1972	1,004	905
Jan. 1, 1973	1,001	922
Jan. 1, 1974	1,002	938
Jan. 1, 1975	1,010	952
Jan. 1, 1976	1,030	962
Jan. 1, 1977	1,029	984
Jan. 1, 1978	1,045	986
Jan. 1, 1979	1,059	992
Jan. 1, 1980	1,094	1,013
Jan. 1, 1981	1,143	1,019
Jan. 1, 1982	1,168	1,020
Jan. 1, 1983	1,276	1,090
Jan. 1, 1984	1,318	1,149
Jan. 1, 1985	1,505	1,194
Oct. 30, 1986	1,493	1,220
Oct. 31, 1987	1,558	1,285
Jan. 1, 1988	1,615	1,342
Jan. 1, 1989	1,683	1,395
Jan. 1, 1990	1,684	1,436
Jan. 1, 1991	1,690	1,469
Jan. 1, 1992	1,688	1,488
Jan. 1, 1993	1,688	1,505
Jan. 1, 1994		1,518
Jan. 1, 1995		1,520
Jan. 1, 1996		1,544
Jan. 1, 1997		1,554
Jan. 1, 1998		1,564
Jan. 1, 1999		1,589
Jan. 1, 2000		1,616
Jan. 1, 2001		1,663
Jan. 1, 2002		1,686
Jan. 1, 2003		1,719
Jan. 1, 2004		1,733
Jan. 1, 2005		1,748
Jan. 1, 2006		1,750
Jan. 1, 2007		1,756
Jan. 1, 2008		1,759
Jan. 1, 2009		1,759

\*Comparable figures for all services not available at this date.

<sup>1</sup>Includes stations with Special Temporary Authorizations (STAs), which either had not started operations as of this date, had started but had gone dark, or had received authorizations but turned them back with or without operating.

<sup>2</sup>Includes 2 licenses that had suspended operation and 37 stations with STAs in same category as footnote 1.

<sup>3</sup>Includes 7 licenses that had suspended operation and 40 stations with STAs in same category as footnote 1.

<sup>4</sup>Includes 6 licenses that had suspended operation and 38 stations with STAs in same category as footnote 1.

<sup>5</sup>Includes 10 licenses that had suspended operation and 38 stations with STAs in same category as footnote 1.

## Top 20 Cable Networks

### Primetime Mon-Sun 8PM to 11PM

	Rating	Total Homes (000)
USA	2.0	2290
FOXNC	1.5	1745
DSNY	1.5	1676
TNT	1.3	1490
NAN (1)	1.2	1365
TBSC	1.2	1349
ESPN	1.0	1180
AEN	1.0	1112
TOON (1)	0.9	1055
HIST	0.9	986
FX	0.9	975
HALL	0.8	969
LIF	0.8	966
FAM	0.8	935
HGTV	0.8	915
DISC	0.8	907
CNN	0.8	876
SPIKE	0.7	855
SCIFI	0.7	853
AMC	0.7	824

### Total Programming Day

	Rating	Total Homes (000)
NICK	1.5	1693
NAN	1.1	1314
USA	1.1	1215
DSNY	1.0	1169
FOXNC	0.9	1005
TNT	0.8	957
ADSM	0.8	885
TOON	0.7	842
TBSC	0.7	803
ESPN	0.6	706
LIF	0.6	685
AEN	0.6	666
HIST	0.6	636
CNN	0.5	609
TRU	0.5	598
SPIKE	0.5	575
DISC	0.5	571
FX	0.5	563
HGTV	0.5	544
HALL	0.5	537

2009 Year-To-Date 12/29/2008-04/19/2009.

Total Programming Day=M - Sun 6AM - 6AM or Individual Network's Total Programming Day and Sun 6AM - 3AM for Most Current Week

(1) Cable Network did not telecast during the entire daypart.

Coverage area ratings are within each cable network's universe.

Total U.S. ratings and household projections are based on 114.5 million TV homes.

This report includes only those cable networks who supply program names to the industry.

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# Top 100 Television Programs

Full Season: 9/22/08-5/20/09

RANK	PROGRAM	NETWORK	US AA% LIVE + SD
1	SUPER BOWL XLIII (6:32P)	NBC	42.1
2	AFC CHAMPIONSHIP ON CBS (6:44P)	CBS	22
3	ACADEMY AWARDS	ABC	20.8
4	NBC NFL PLAYOFF GAME 2	NBC	16.1
5	FEDEX BCS NATL CHAMP	FOX	15.9
6	AMERICAN IDOL-WEDNESDAY	FOX	15
7	OSCAR'S RED CARPET 2009	ABC	14.6
8	AMERICAN IDOL THU SP-1/29	FOX	14.6
9	AMERICAN IDOL-TUESDAY	FOX	14.5
10	FOX NFC PLAYOFF-SAT	FOX	13.8
11	AMER IDL THU RSLT SP-3/26	FOX	13.7
12	AMERICAN IDOL THU SP-3/5	FOX	13
13	DANCING WITH THE STARS	ABC	12.8
14	AMERICAN IDOL THU SP-2/26	FOX	12.6
15	OFFICE 2/1	NBC	12.5
16	DANCING W/STARS SP-9/23	ABC	12.2
17	FOX WRLD SERIES GM5 CONCL	FOX	11.9
18	BACHELOR:AFTER FINAL ROSE	ABC	11.7
19	CSI	CBS	11.6
20	GRAMMY AWARDS	CBS	11.4
21	NCIS	CBS	10.9
22	CBS NCAA BSKBL CHAMPSHIPS	CBS	10.8
23	MENTALIST, THE	CBS	10.8
24	DANCING W/STARS RESULTS	ABC	10.7
25	DANCING W/STARS RESULT SP	ABC	10.5
26	TOSTITOS FIESTA BOWL	FOX	10.4
27	MENTALIST, THE - SUN SPCL	CBS	10.4
28	NBC SUNDAY NIGHT FOOTBALL	NBC	10
29	CRIMINAL MINDS 10PM-SP	CBS	9.9
30	CBS SUNDAY MOVIE-SPECIAL	CBS	9.8
31	CSI - 8PM SPECIAL	CBS	9.8
32	CMA AWARDS	ABC	9.8
33	DESPERATE HOUSEWIVES	ABC	9.8
34	GREY'S ANATOMY-THU 9PM	ABC	9.5
35	GOLDEN GLOBE AWARDS	NBC	9.5
36	FOX WORLD SERIES GAME 4	FOX	9.3
37	CRIMINAL MINDS	CBS	9.3
38	FOX WORLD SERIES GAME 1	FOX	9.2
39	BARBARA WALTERS PRESENTS	ABC	9.1
40	CSI: MIAMI	CBS	9.1
41	TWO AND A HALF MEN	CBS	9.1
42	SNL PRESIDENTIAL BASH '08	NBC	9
43	60 MINUTES	CBS	9
44	ACM AWARDS	CBS	8.9
45	BARBARA WALTERS SP-1/7	ABC	8.7
46	CSI: NY	CBS	8.6
47	CBS NCAA BSKBL CHAMP SA-2	CBS	8.5
48	VOTE 2008-9:00PM	ABC	8.5
49	WITHOUT A TRACE	CBS	8.3
50	CSI: NY THURSDAY 10PM SP	CBS	8.3
51	SURVIVOR: GABON FINALE	CBS	8.2
52	FOX WORLD SERIES GAME 5	FOX	8.2
53	FOX WORLD SERIES GAME 2	FOX	8.1
54	SURVIVOR: GABON	CBS	8.1

Top 100 Television Programs

RANK	PROGRAM	NETWORK	US AA% LIVE + SD
55	HOUSE	FOX	8
56	NEIGHBORHOOD BALL-1/20	ABC	7.9
57	CBS NCAA BSKBL-BRIDGE	CBS	7.8
58	ALLSTATE SUGAR BOWL	FOX	7.8
59	DATELINE NBC 2/10	NBC	7.8
60	DANCING W/STARS RECAP #5	ABC	7.8
61	ELEVENTH HOUR	CBS	7.8
62	BACHELOR:AFTR FINAL ROSE2	ABC	7.8
63	BONES SP-4/15 8P	FOX	7.7
64	60 MINUTES SPECIAL	CBS	7.7
65	MENTALIST, THE-10PM SP	CBS	7.7
66	E.R. RETROSPECTIVE	NBC	7.7
67	COLD CASE	CBS	7.6
68	MENTALIST, THE-FRIDAY-SP	CBS	7.6
69	BARBARA WALTERS SP-11/26	ABC	7.6
70	24: REDEMPTION PREQUEL	FOX	7.6
71	NCIS 9P-SPECIAL	CBS	7.6
72	AMERICA'S GOT TALENT-WED	NBC	7.5
73	BACHELOR, THE	ABC	7.5
74	SURVIVOR: TOCANTINS	CBS	7.5
75	HALLMARK HALL OF FAME	CBS	7.4
76	NCIS FRIDAY 9PM SPECIAL	CBS	7.4
77	BARBARA WALTERS SP-2/22	ABC	7.4
78	AMERICAN MUSIC AWARDS	ABC	7.4
79	DECISION '08 PRIME	NBC	7.4
80	NFL REGULAR SEASON L	ESPN	7.4
81	SURVIVOR: GABON REUNION	CBS	7.4
82	NCIS FRIDAY 9PM-SPECIAL	CBS	7.3
83	24	FOX	7.2
84	BROTHERS & SISTERS	ABC	7.2
85	OT, THE	FOX	7.1
86	DANCING W/STARS RECAP #4	ABC	7.1
87	RULES OF ENGAGEMENT	CBS	7
88	CSI - THANKSGIVING SP	CBS	7
89	SURVIVOR:TOCANTINS FINALE	CBS	7
90	VOTE 2008-8:00PM	ABC	6.9
91	CBS NCAA BSKBL CHMP FR 2	CBS	6.9
92	MICHAEL J FOX SP-5/7	ABC	6.8
93	COLD CASE - SPECIAL	CBS	6.8
94	MENTALIST, THE-10PM SPCL	CBS	6.8
95	CASTLE	ABC	6.8
96	SNL:WKND UPDT 10/9	NBC	6.8
97	LAW AND ORDER:SVU	NBC	6.7
98	CBS NCAA BSKBL CHMP TH 2	CBS	6.7
99	GHOST WHISPERER	CBS	6.7
100	KENNEDY CENTER HONORS	CBS	6.7

Source: Television Bureau of Advertising, based on data from Nielsen Galaxy Lightning. Ranked by average audience percentage of the total number of homes in the U.S. with TV sets. Ad-supported subscription television only.

## Top 10 Cable Programs

<b>RANK</b>	<b>PROGRAM</b>	<b>NETWORK</b>	<b>US AA% LIVE + SD</b>
80	NFL REGULAR SEASON L	ESPN	7.4
103	ELECTION NIGHT 08	CNN	6.7
195	AMERICAS ELECTION HQ	FXNC	5.2
203	PRESIDENTIAL DEBATE	FXNC	5.1
213	NBA PLAYOFFS-CONF FNLS L	ESPN	5
221	MLB ALCS	TBSC	4.9
251	2009 NBA ALL STAR GAME	TNT	4.5
295	S KIDS CHOICE 09	NICK	4.1
304	BURN NOTICE	USA	4.1
317	NBA ALLSTAR SAT NIGHT	TNT	4

*Source:* Television Bureau of Advertising, based on data from Nielsen Galaxy Lightning. Ranked by average audience percentage of the total number of homes in the U.S. with TV sets.

## Television Advertising Shares

	Network*	Spot	Local	Synd.*	Cable	Total
1970	\$1,658	\$1,234	\$704	-	-	\$3,596
1971	1,593	1,145	796	-	-	3,534
1972	1,804	1,318	969	-	-	4,091
1973	1,968	1,377	1,115	-	-	4,460
1974	2,145	1,497	1,212	-	-	4,854
1975	2,306	1,623	1,334	-	-	5,263
1976	2,857	2,154	1,710	-	-	6,721
1977	3,460	2,204	1,948	-	-	7,612
1978	3,975	2,607	2,373	-	-	8,955
1979	4,599	2,873	2,682	-	-	10,154
1980	5,130	3,269	2,967	50	72	11,488
1981	5,540	3,746	3,368	75	160	12,889
1982	6,144	4,364	3,765	150	290	14,713
1983	6,955	4,827	4,345	300	452	16,879
1984	8,318	5,488	5,084	420	733	20,043
1985	8,060	6,004	5,714	520	989	21,287
1986	8,342	6,570	6,514	600	1,173	23,199
1987	8,500	6,846	6,833	762	1,321	24,262
1988	9,172	7,147	7,270	901	1,641	26,131
1989	9,110	7,354	7,612	1,288	2,095	27,459
1990	9,863	7,788	7,856	1,109	2,631	29,247
1991	9,533	7,110	7,565	1,253	3,145	28,606
1992	10,249	7,551	8,079	1,370	3,830	31,079
1993	10,209	7,800	8,435	1,576	4,451	32,471
1994	10,942	8,993	9,464	1,734	5,209	36,342
1995	11,600	9,119	9,985	2,016	6,166	38,886
1996	13,081	9,803	10,944	2,218	7,778	43,824
1997	13,020	9,999	11,436	2,438	8,750	45,643
1998	13,736	10,659	12,169	2,609	10,340	49,513
1999	13,961	10,500	12,680	2,870	12,570	52,581
2000	15,888	12,264	13,542	3,108	15,455	60,257
2001	14,300	9,223	12,256	3,102	15,736	54,617
2002	15,000	10,920	13,114	3,034	16,297	58,365
2003	15,030	9,948	13,520	3,434	18,814	60,746
2004	16,713	11,370	14,507	3,674	21,527	67,791
2005	16,128	10,040	14,260	3,865	23,654	67,947
2006	16,676	11,626	14,887	3,691	25,025	71,905
2007	16,643	10,138	14,411	3,329	20,614	70,840
2008	17,226	9,834	13,114	3,560	21,440	65,174

all figures in millions

\*Fox is included in syndication prior to 1990; it is included in network starting in 1990. PAX, UPN and WB/ION, CW & MyNetwork currently in syndication.

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## Top 25 TV Advertisers

Jan. 1, 2008-Dec. 31, 2008

Rank	Parent Company	Jan - Dec \$
1	PROCTER & GAMBLE CO	\$2,040,698,253
2	AT&T INC	\$1,364,232,649
3	GENERAL MOTORS CORP	\$1,299,269,143
4	VERIZON COMMUNICATIONS INC	\$1,168,612,835
5	TOYOTA MOTOR CORP	\$881,918,763
6	JOHNSON & JOHNSON	\$857,517,819
7	YUM! BRANDS INC	\$830,325,041
8	FORD MOTOR CO	\$795,110,244
9	CERBERUS CAPITAL MANAGEMENT LP	\$780,850,602
10	HONDA MOTOR CO LTD	\$707,532,051
11	GENERAL ELECTRIC CO	\$704,533,572
12	NISSAN MOTOR CO LTD	\$680,035,656
13	MCDONALDS CORP	\$675,340,961
14	GENERAL MILLS INC	\$662,383,166
15	WALT DISNEY CO	\$655,689,503
16	TIME WARNER INC	\$648,303,951
17	GLAXOSMITHKLINE PLC	\$594,937,288
18	PFIZER INC	\$575,806,798
19	SPRINT NEXTEL CORP	\$572,955,066
20	BERKSHIRE HATHAWAY INC	\$570,596,273
21	NATL AMUSEMENTS INC	\$528,502,718
22	PEPSICO INC	\$510,867,974
23	SONY CORP	\$485,998,124
24	STICHTING INBEV	\$484,214,853
25	US GOVERNMENT	\$455,635,408
	<b>Total</b>	<b>\$19,531,868,711</b>

Source: Nielsen Monitor-Plus.

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# Top 25 TV Advertising Categories

Jan. 1, 2008-Dec. 31, 2008

Product Category	Jan - Dec \$
Automotive	\$8,151,125,167
RESTAURANT-QUICK SVC	\$3,668,794,995
Pharmaceuticals	\$2,966,523,756
TELEPH SVCS-WIRELESS	\$28,820,053
MOTION PICTURE	\$2,680,080,041
STORE-DEPT	\$206,896,382
DIR RESP PROD	\$1,474,987,005
POLITICAL CAMPAIGN	\$1,270,256,249
RESTAURANT	\$1,223,561,164
INSURANCE-AUTO	\$1,163,615,293
Automotive-Dealerships	\$1,137,634,457
STORE-FURNITURE	\$985,355,598
CREDIT CARD SVCS	\$89,894,177
BEER	\$867,766,802
RECORDINGS-VIDEO	\$730,437,037
LEGAL SVCS	\$674,388,454
SATELLITE COMM SVCS	\$58,918,559
CABLE TV SVCS	\$584,487,716
PROFESSIONAL ORGN	\$560,885,834
BANK SVCS	\$544,845,122
CEREAL	\$540,072,596
FINANCIAL-INVESTMENT SVCS	\$517,402,383
STORE-HOME IMPROVEMENT	\$516,620,895
ENTERTAINMENT SFTWRE	\$398,876,074
INSURANCE	\$371,959,348
<b>Total</b>	<b>\$31,414,205,157</b>

Source: Nielsen Monitor-Plus.

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# A Brief History of Broadcasting and Cable

By Mark K. Miller, freelance writer and former managing editor, *Broadcasting & Cable* magazine

We could start our history of the electronic media in many places. We chose November 2, 1920. On that day, in Pittsburgh, Westinghouse Electric and Manufacturing Co.'s KDKA, generally acknowledged as the first licensed commercial radio station in the United States, broadcast the results of the Harding-Cox presidential elections. The broadcast demonstrated that radio was more than a novelty, that it could have real impact on our culture and our politics. The broadcast touched off a revolution that continues to this day. To give you a clear sense of the history, our history takes it decade by decade, assigning a theme to each.

## 1920s: Radio Begins Finding Its Way

Although we begin with that KDKA broadcast in 1920, there had been a lot of radio activity prior to that. Inventors and hobbyists had been filling the airwaves with signals, often on a very haphazard basis, for years. And government experiments during World War I contributed much to the growing volume of radio knowledge.

On August 20, 1920, WWJ(AM) Detroit, owned by the Detroit News, began what it claimed to be the first regular broadcasting schedule when it inaugurated daily broadcasts.

In 1922 the superheterodyne circuit as a broadcast receiver is demonstrated by its inventor, Edwin H. Armstrong, and will prove to become the industry standard. By May, there are 80 licensed radio stations in the United States; by year's end the number has grown to 569.

The rest of the decade is filled with examples of radio's surging growth and the unfettered vision of inventors around the world. In 1923 Dr. Vladimir K. Zworykin files for a U.S. patent for an all-electronic television system.

Stations begin to link themselves into "chains" or networks via telephone lines and numerous experiments test the feasibility of transmitting short-wave signals across the oceans, from airplanes and ships.

The 1924 Republican convention in Cleveland and the Democratic convention in New York are broadcast over networks, and in 1925 President Calvin Coolidge's inaugural ceremony is broadcast by 24 stations in a transcontinental network. The government was taking notice of the burgeoning industry; in 1926 the Federal Radio Commission is created in response to the chaos caused by the explosive growth of broadcasting.

But it was the launch of the National Broadcasting Co. on November 15, 1926, that marked the beginning of the network system of broadcasting that exists to this day. NBC was a joint venture of radio equipment manufacturers RCA (30 percent), General Electric (50 percent), and Westinghouse (20 percent). The initial broadcast was carried by 25 stations ranging from the East Coast to St. Louis and Kansas City, Missouri, and was estimated to have been heard by almost half of the nation's five million homes equipped with radios. In 1928 NBC would establish a permanent coast-to-coast radio network.

NBC's entry was followed in 1927 by that of the Columbia Broadcasting System, which debuted with a basic network of 16 stations. Two years later, William S. Paley, 27, purchases a controlling interest and is elected president.

There is also continuing activity on the television front. In 1927 Philo T. Farnsworth applies for a patent on his image dissector television camera tube and in 1929 Russian inventor Vladimir Zworykin demonstrates his kinescope, or cathode ray television receiver, before a meeting of the Institute of Radio Engineers.

## 1930s: The Rise of Radio Entertainment

It was in the 1930s that the "American Plan" of advertising-supported radio flourished, making it extremely unlikely that proponents (and there were many) of the "European Plan" of a government-operated medium would prevail. The attractiveness of free, high-quality

entertainment during the Great Depression resulted in larger and larger audiences for the networks, exactly what companies needed to advertise their products.

As listening skyrocketed (about 12 million U.S. homes had a radio in 1930, by 1940 the figure was 28.5 million and car radios were becoming standard equipment), so too did the fortunes of the major networks: NBC's Red and Blue, CBS and Mutual (plus numerous regional nets). With radio personalities such as Jack Benny, Charles Correll, and Freeman Gosden (Amos 'n' Andy), Eddie Cantor, Burns and Allen, and Major Bowes attracting larger and larger audiences, advertisers wanted more precise listening figures. So in 1936 A.C. Nielsen Co. proposed its Audimeter, which would be attached to a sampling of radio sets and measure audience size.

Work continued on television. By 1937 there were 17 experimental TV stations operating and President Franklin D. Roosevelt was seen on TV when he opened the 1939 New York World's Fair.

## 1940s: The Rise of Radio News

As Europe was engulfed in war and the United States appeared headed toward the conflict, Americans turned to their radios to stay informed. During 1940, the networks' typical weekly schedules contained 56 quarter hours during the day as opposed to only 33 in evening programming in 1939 and none during daytime hours. CBS had Edward R. Murrow in London and his team of correspondents across Europe, while NBC had Fred Bate, Max Jordan, William Kierker, and many others. When the United States was attacked by Japan on December 7, 1941, network news reporting preempted regular programming. And the audience for President Roosevelt's broadcast to the nation on December 9, the day after war was declared, attracted the largest audience to that time, about 90 million. By the end of the week, all the networks and most stations were operating around the clock. For the first time, a war was heard by the people back home.

In addition to war reporting, coverage of domestic news was on the rise. With a tremendous amount of public interest in the 1944 presidential campaign, the networks canceled all commercial programs that would have interfered with their coverage of the Republican and Democratic conventions and used more than 300 reporters, technicians, and officials at each.

When the war ended and the era of the atomic bomb and the cold war began, the networks put their news departments to work on radio documentaries. CBS established a documentary unit that later resulted in a separate series, Ed Murrow and Fred Friendly's *Hear It Now*.

## 1950s: The Rise of Television Entertainment

While television had been in development since the 1920s and there had been experimental broadcasts since the 1930s, it wasn't until after World War II that the networks were able to concentrate on developing programming, manufacturers were able to return to making sets, and the public was able to afford them. (At the beginning of 1952 about 19 million U.S. homes had a TV set, and by the end of the decade that number was about 46.5 million.) The post-war economy was booming and the country's optimism was reflected in many of those early TV shows. Some of radio's stars made the transition to TV, as did many of the radio show formats. Soap operas (*The Guiding Light* on CBS), comedies (*Life of Riley* on NBC), westerns (*Gunsmoke* on CBS), dramas (*Kraft Television Theater* on NBC and ABC), variety (*Toast of the Town with Ed Sullivan* on CBS), and quiz shows (*Twenty One* on NBC) emerged as early favorites. And the TV syndication business was born when Frederic W. Ziv began selling shows such as 1951's *Bold Venture* with Humphrey Bogart and Lauren Bacall to local and regional advertisers and stations.

At the beginning of the decade RCA and CBS

were in a battle: the companies each wanted FCC approval of a system for color TV. RCA eventually prevailed in 1953 because programs broadcast in its "compatible color" could still be watched on existing black and white sets. Another innovation that was to change television programming dramatically was unveiled in 1956 when Ampex Corp. demonstrated its videotape recorder at the National Association of Radio and Television Broadcasters convention and received \$4 million in orders.

## 1960s: The Rise of Television News

Television journalism came of age in the 1960s. As the decade began, the FCC suspended its equal-time requirement for presidential and vice presidential candidates (following the suggestion of CBS President Frank Stanton), paving the way for the four "Great Debates" between Vice President Richard Nixon and Senator John F. Kennedy. The first debate, broadcast from Chicago on September 26, was seen by 75 million viewers, a record at that time. It changed the course of political campaigning and, quite probably, the course of the election. In 1961, the newly elected President Kennedy, recognizing the influence of the medium, allowed television to cover his press conferences. In 1963 the networks expanded their evening newscasts from 15 minutes to a half-hour. The nation was stunned when President Kennedy was assassinated in November 1963 and it's been said that television news came of age with its coverage. For four days following, the networks suspended normal programming and commercials with NBC-TV on the air for more than 71 hours, CBS-TV for 55, and ABC-TV for 60. The network coverage cost an unprecedented \$32 million and CBS research showed that 93 percent of U.S. homes watched coverage of JFK's burial and that the average set was in use for more than 13 consecutive hours.

Americans were transfixed by coverage of the space race, beginning with Alan Shepard's suborbital flight in 1961 and culminating in live pictures of the moon landing in 1969. Americans were also presented with almost nightly images not so uplifting, with coverage of the civil rights movement and the Vietnam war (the networks established news bureaus in Saigon in 1965) becoming almost nightly subjects. The decade ended on two disappointing notes for broadcasters. Shortly after the election of Richard Nixon in 1968, Vice President Spiro Agnew began a series of speeches attacking the media and accusing the press of bias against the administration. And in 1969 the Supreme Court's decision in the *Red Lion* case upheld the FCC's fairness doctrine and personal attack rules, saying they "enhance rather than abridge the freedoms of speech and press protected by the First Amendment."

## 1970s: The Rise of FM and Satellites

While the technique of broadcasting using frequency modulation was patented by Edwin Armstrong in 1933, the first station built in 1939, and an FM band allocated by the FCC in 1940, growth of the new radio service was very slow. Delayed by World War II and a suspicion by many AM station owners that the new service would offer unwanted competition, it wasn't until the late 1960s that large numbers of consumers began buying FM receivers. Another handicap was beginning to be resolved in 1971 when car manufacturers began to include FM-equipped radios as standard equipment in about 20 percent of the new models (that number would rise to 50 percent within five years).

To differentiate FM stations from those on the AM band, and to take advantage of FM's higher fidelity, programmers developed new formats. One of the most innovative was the "underground" or "progressive" sound introduced by Tom Donahue at KMPX(FM) San Francisco in the late 1960s that played album tracks not heard on the tightly formatted top 40 AM stations. But "underground" wasn't the only sound to be heard on FM or even the predominant one. There was also the very aboveground sound of carefully researched syndicated formats. Coupled with the increased use of

automation equipment, services like Drake-Chenault's "Solid Gold" and Bonneville's easy listening formats turned many money-losing FM stations into profit centers. This success was translated into value as multimillion-dollar prices for FM stations became common. And for the first time industry observers began predicting that FM would overtake AM as the band for music, with AM becoming primarily a news and information medium.

The phenomenon of the 1970s was the development of international broadcasting live via satellites. RCA inaugurated the nation's first domestic satellite communications service in 1974, using a Canadian satellite, later launching its Satcom series of birds. But the breakthrough came in 1975 when Home Box Office, Time Inc.'s pay cable subsidiary, announced plans to extend its service from the Northeast to nationwide via satellite.

The next year, 1976, Ted Turner, owner of two TV stations, begins using the satellite to distribute the signal of his Atlanta UHF station, WTCC, to cable systems across the country, dubbing it the "superstation." Buoyed by his success, in 1978 Turner announced plans to sell his other station, WRET-TV Charlotte, North Carolina, and use the money to start CNN, a 24-hour cable news service to be distributed by satellite.

Later in 1978, the FCC moved to enhance the competitive environment of satellite-distributed TV superstations by endorsing an "open entry" policy for the resale carriers that wished to feed local stations to cable television systems. Then in April 1979, a former Nixon administration staffer and cable trade reporter, Brian Lamb, persuaded a critical mass of the cable industry to support the Cable Satellite Public Affairs Network (C-SPAN). The new service provided satellite gavel-to-gavel television coverage of the House of Representatives proceedings.

### 1980s: The Rise of Cable Television

Building on the innovation of satellite delivery pioneered by HBO, the cable industry began to be viewed as more than just a relay service for TV stations. Now it could offer alternative channels. (The strategy paid off in increased demand: in 1980 cable had 20 percent penetration of U.S. TV households and by the end of the decade it was seen in 60 percent.) Ted Turner launched his Cable News Network on June 1, 1980, sending 24-hour-a-day news to 172 cable systems from its Atlanta studios.

Innovations and new cable channels appeared in almost every year of the decade. Most pay cable channels begin to scramble their satellite signals and in 1998 AT&T demonstrates laser-modulated fiber optics offering wider bandwidth and greater signal quality than coaxial cable.

### 1990s: The Rise of Mega-Media Companies

The modern media era really began in 1989 with the

announcement that Time Inc. and Warner Communications Inc. had agreed to swap stock and merge into what would be the largest media and entertainment company in the world. The media landscape would only continue to change, and at an accelerating pace. A deregulatory wind was blowing through Washington in the 1990s.

In 1992 the FCC raised the cap on the number of radio stations a company could own from 12 AM and 12 FM to 18 of each and also permitted two of each service to be co-located in the same large market. A flurry of duopoly deals followed. The next year, the commission gave the big three TV networks a conditional OK to enter the lucrative network rerun business, when it lifts its financial interest and syndication rules (full repeal comes in 1995).

The year 1994 sees the radio caps raised again, to 20 AM and 20 FM. The FCC also said that it was time to acknowledge the dramatic changes in the video marketplace with equally dramatic deregulation of its TV ownership policies. The commission proposed new rules that would allow broadcasters to own as many stations as they want as long as they remain within the cap on total national audience reach. At the same time, the commission proposed raising that cap of 25 percent of the nation's TV households by 5 percent every three years to a maximum of 50 percent.

In another mega-merger, Viacom buys Paramount Communications. This is quickly followed in 1995 by announcements of Disney's \$18.5 billion purchase of ABC, Time Warner's purchase of Turner Broadcasting System in an \$8 billion stock swap, Westinghouse's \$5.4 billion purchase of CBS, and Comcast's \$1.6 billion purchase of the Scripps cable holdings. The big four TV networks get more competition in 1995 as The WB and United Paramount Network debut.

More deregulation appears with the Telecommunications Act of 1996, which eliminated cable rate regulation and the bar to telephone company-cable competition, resulting in AT&T and other phone companies offering packages that included cable, telephone, and Internet services and cable companies offering phone service. (This resulted in AT&T becoming the country's largest cable operator in 1999 when it bought TCI for \$50 billion.) The 1996 act also eliminated the cap on radio station ownership and companies wasted no time in expanding their portfolios both through acquisitions and mergers (including Westinghouse/CBS-Infinity, which merged in 1996 in a \$4.9 billion deal).

In 1997, TV group owner Bud Paxson began the seventh broadcast TV network with his PAX TV. Radio deals continued to proliferate, with a huge upsurge in station sales in 1998 and the mega-merger of Clear Channel's \$6.35 billion purchase of Jacor.

The decade ends in a flurry of activity in 1999 with the FCC allowing ownership of two TV and up to six radio stations in top markets. AT&T bought Media One, Viacom spent \$36 billion for CBS and the two largest radio groups, Clear Channel and AMFM, combined, leaving the merged Clear Channel owning 830 stations.

### 2000s: The Rise of Digital

Digital technology began to make a major impact. Cable used it to increase significantly the number of channels it offered to justify higher monthly fees and to meet the competition from channel-rich satellite technology. In contrast to cable, TV broadcasting has been slow to put digital technology to work. With digital, TV broadcasters could offer multiple channels of conventional TV, HDTV, or a little bit of both. But digital TV broadcasting has been mired in standards disputes and the resulting chicken-and-egg problem of receivers and programming: consumers are slow to replace their analog sets if there is little digital programming to watch and producers are hesitant to invest in new production equipment if few viewers are watching. But the transition continues.

The first digital TV station, WRAL-DT Raleigh, North Carolina, went on the air in 1996 and the FCC made digital channel assignments to all analog stations in 1997. On September 8, 2008 commercial broadcasters serving the Wilmington, NC TV market made the transition from analog to digital television. Then some stations decided to make an early change to digital TV for various reasons. On January 15, 2009 Hawaii's full-power TV stations made the switch to digital TV. The date all stations were to switch to digital TV, February 17, 2009, was changed to June 12, 2009 give everybody more time to get ready for the digital transition. Finally, on June 12, 2009, the historic switch to digital television occurred. On the June 12, 2009 date the FCC reported 971 full-power TV stations made the switch to digital television.

The Internet became a TV medium, with the quality and quantity of video available over the Web rapidly increasing throughout the first half of the decade. A major milestone was reached in October 2005 when Disney announced it would make some of its most popular ABC primetime shows available to users of the new Apple Video iPods. The price of each video download: \$1.99. The announcement prompted the other big media companies to begin repurposing primetime programming on the net. By the summer of 2006, all recognized that the Web would eventually become a TV medium at least the equal of broadcasting, cable, and satellite.

The first push for digital audio (other than that delivered by DBS or digital cable) is satellite-delivered radio. Sirius XM Radio Inc. offers nationwide subscription service to receivers in cars and homes. Terrestrial radio is just beginning to make the digital transition. In-band, on-channel (IBOC) technology developed by iBiquity Digital Corp. allows radio stations to overlay their analog service with a digital one. As of August 2009, approximately 1,922 radio stations were on the air with digital radio technology. Over 900 radio stations offer new FM multicast channels (HD2/HD3). There are more than 1,070 multicast channels. HD Radio is the brand name iBiquity uses for its digital AM and FM radio technology. HD is part of the brand name and does not stand for either high definition or hybrid digital. (HD Radio is a proprietary trademark of iBiquity Digital Corp.) Much of the HD Radio information is available on the [www.hdradio.com](http://www.hdradio.com) web site. The HD Digital Radio Alliance at [www.hdradioalliance.com](http://www.hdradioalliance.com) was actively promoting the digital radio technology.

# A Chronology of the Electronic Media

## From Isaac Newton to Janet Jackson: A Chronology of the Electronic Media

By Mark K. Miller, freelance writer and former managing editor, *Broadcasting & Cable* magazine

1666

Sir Isaac Newton performs basic experiments on the spectrum.

1794

Allessandro Volta of Italy invents the voltaic cell, a primitive battery.

1827

George Ohm of Germany shows the relationship between resistance, amperage and voltage. Sir Charles Wheatstone of England invents an acoustic device to amplify sounds that he calls a "microphone."

1844

Samuel F.B. Morse tests the first telegraph with "What hath God wrought?" message sent on link between Washington and Baltimore.

1858

First trans-Atlantic cable completed. President James Buchanan and Queen Victoria exchange greetings.

1867

James Clerk Maxwell of Scotland develops the electromagnetic theory.

1875

George R. Carey of Boston proposes a system that would transmit and receive moving visual images electrically.

1876

Alexander Graham Bell invents the telephone.

1877

Thomas A. Edison applies for a patent on a "phonograph or talking machine."

1878

Sir William Cooke of England passes high voltage through a wire in a sealed glass tube, causing a pinkish glow—evidence of cathode rays. It's the first step toward the development of the vacuum tubes.

1884

Paul Nipkow of Germany patents a mechanical, rotating facsimile scanning disk.

1886

Heinrich Hertz of Germany proves that electromagnetic waves can be transmitted through space at the speed of light and can be reflected and refracted.

1895

Wilhelm Conrad Roentgen of Germany discovers X-rays.  
Guglielmo Marconi sends and receives his first wireless signals across his father's estate at Bologna, Italy.

1896

Marconi applies for British patent for wireless telegraphy. He receives an American patent a year later.

1899

Marconi flashes the first wireless signals across the English Channel.

1900

Constantin Perskyi (France) coins the word television at the International Electricity Congress, part of the 1900 Paris Exhibition.

1901

Marconi at Newfoundland, Canada, receives the first trans-Atlantic signal, the letter "S," transmitted from Poldhu, England.

1906

Dr. Lee de Forest invents the audion, a three-element vacuum tube, having a filament, plate and grid, which leads to the amplification of radio signals.

1910

Enrico Caruso and Emmy Destinn, singing backstage at the Metropolitan Opera House in New York, broadcast through the De Forest radiophone and are heard by an operator on the SS Avon at sea and by wireless amateurs in Connecticut.

United States approves an act requiring certain passenger ships to carry wireless equipment and operators.

1912

The *Titanic* disaster proves the value of wireless at sea; 705 lives saved. Jack Phillips and Harold Bride are the ship's wireless operators.

1920

On August 20, 8MK (later, WWJ) in Detroit, owned by the Detroit News, starts what is later claimed to be regular broadcasting.

The Westinghouse Co.'s KDKA(AM) Pittsburgh broadcasts the Harding-Cox election on returns November 2 as the country's first licensed commercial radio station.

1921

The Dempsey-Carpentier fight is broadcast from Boyle's Thirty Acres in Jersey City through a temporarily installed transmitter at Hoboken, New Jersey. Major J. Andrew White was the announcer. This event gave radio a tremendous boost.

1922

The superheterodyne circuit is demonstrated by its inventor, Edwin H. Armstrong. It dramatically improves AM radio reception.

WEAF(AM) New York broadcasts what is claimed to be the first commercially sponsored program on September 7. The advertiser is the Queensborough Corp., a real estate organization.

WOI(AM) Ames, Iowa, goes on air as the country's first licensed educational station.

1923

Dr. Vladimir K. Zworykin files for a U.S. patent for an all-electronic television system.

A "chain" broadcast features a telephone tie-up between WEA(AM) New York and WNAC(AM) Boston.

1924

The Republican convention in Cleveland and the Democratic convention in New York are broadcast over networks.

1925

President Calvin Coolidge's inaugural ceremony is broadcast by 24 stations in a transcontinental network.

1926

President Coolidge signs the Dill-White Radio Bill creating the Federal Radio Commission and ending the chaos on the radio dial caused by the wild growth of broadcasting.

National Broadcasting Co. is organized on November 1 with WEA(AM) and WJZ(AM) in New York as key stations and Merlin Hall Aylesworth as president. Headquarters are at 711 Fifth Ave., New York.

1927

The Columbia Broadcasting System goes on the air with a basic network of 16 stations. Major J. Andrew White is president.

Philo T. Farnsworth applies for a patent on his image dissector television camera tube.

1928

NBC establishes a permanent coast-to-coast radio network.

1929

William S. Paley, 27, is elected president of the Columbia Broadcasting System.

Vladimir Zworykin demonstrates his kinescope or cathode ray television receiver before a meeting of the Institute of Radio Engineers on November 19.

1930

Experimental TV station W2XBS is opened by National Broadcasting Co. in New York.

1931

Experimental television station W2XAB is opened by Columbia Broadcasting System in New York.

The first issue of *Broadcasting* magazine appears on October 15.

The National Association of Broadcasters reports that more than half of the nation's radio stations are operating without a profit.

1932

CBS, NBC, and New York area stations, notably WOR(AM), go into round-the-clock operations to cover the Lindbergh kidnapping, radio's biggest spot-news reporting job to date.

NBC lifts its ban on recorded programs for its owned-and-operated stations, but continues to bar them from network use.

NBC withdraws prohibitions against price mentions

on the air during daytime hours; two months later, both NBC and CBS allow price mentions at nighttime as well.

### 1933

Associated Press members vote to ban network broadcasts of AP news and to restrict local broadcasts to bulletins to stipulated times with air credit to member newspapers.

The American Newspaper Publishers Association declares radio program schedules are advertising and should be published only if paid for.

CBS assigns publicity director Paul White to organize a nationwide staff to collect news for network broadcast. General Mills agrees to sponsor twice-daily newscasts.

### 1934

Congress passes the Communication Act, which, among other things, replaces the Federal Radio Commission with the Federal Communications Commission.

### 1935

RCA announces that it is taking television out of the laboratory for a \$1 million field-test program.

### 1936

A year of TV demonstrations begins in June with the Don Lee Broadcasting System's first public exhibition of cathode ray television in the U.S., using a system developed by Don Lee TV director Harry Lubcke. One month later, RCA demonstrates its system of TV with transmissions from the Empire State Building, and Philco follows with a seven-mile transmission in August.

FM (frequency modulation) broadcasting, a new radio system invented by Major Edwin H. Armstrong, is described at an FCC hearing as static-free, free from fading and cross-talk, having uniformity day and night in all seasons and greater fidelity of reproduction.

A.C. Nielsen, revealing his firm's acquisition of the MIT-developed "Audimeter," proposes a metered tuning method of measuring radio audience size.

### 1937

WLS(AM) Chicago recording team of Herb Morrison, announcer, and Charles Nehlsen, engineer, on a routine assignment at Lakehurst, New Jersey, records an on-the-spot account of the explosion of the German dirigible Hindenburg. NBC breaks its rigid rule against recordings to put it on the network.

### 1938

Broadcasting publishes the first facsimile newspaper in a demonstration at the National Association of Broadcasters convention.

### 1939

After 15 years of litigation, the patent for iconoscope-kinescope tubes, the basis for electronic television, is granted to Dr. Vladimir Zworykin.

A telecast of the opening ceremonies of the New York World's Fair marks the start of a regular daily television schedule by RCA-NBC in New York.

The first baseball game ever televised—Princeton vs. Columbia—appears on NBC.

### 1940

The FCC authorizes commercial operation of FM, but puts TV back into the laboratory until the industry reaches an agreement on technical standards.

CBS demonstrates a system of color TV developed by its chief TV engineer, Dr. Peter Goldmark.

### 1941

Bulova Watch Co., Sun Oil Co., Lever Bros. and Procter & Gamble sign as sponsors of the first commercial telecasts on July 1 over NBC's WNBT(TV) New York (until then W2XBS).

President Roosevelt's broadcast to the nation on

December 9, the day after war is declared, has the largest audience in radio history—about 90 million listeners.

### 1942

The Advertising Council is organized by advertisers, agencies, and media to put the talents and techniques of advertising at the disposal of the government to inspire and instruct the public concerning the war effort.

### 1943

Edward J. Noble buys the Blue Network from RCA for \$8 million in cash. RCA had two networks, NBC Red and NBC Blue.

### 1944

With the FCC approval of the transfer of owned stations, the Blue Network assumes the name of its holding company, the American Broadcasting Co.

### 1945

Pooled coverage of the Nazi surrender in May brings the American people full details of the end of the war in Europe. Peace heralds a communications boom: Not only will programming restrictions end, but new station construction, frozen for the duration, will proceed at an explosive pace soon after V-J Day in August.

### 1946

A telecast of the Louis-Conn heavyweight title fight, sponsored by Gillette Safety Razor Co. on a four-city hookup, reaches an estimated 100,000 viewers and convinces skeptics that television is here to stay.

RCA demonstrates its all-electronic system of color TV.

Bristol-Myers is the first advertiser to sponsor a television network program—Geographically Speaking—which debuted October 27 on NBC TV's two-station network.

### 1947

Radio comedian Fred Allen uses a gag, which NBC had ruled out, about network vice presidents, and is cut off the air while he tells it. The story is front-page news across the country as the sponsor's ad agency demands a rebate for 35 seconds of dead air.

### 1948

Texaco puts an old-style vaudeville show on NBC TV; the hour-long series stars Milton Berle.

### 1949

The Academy of Television Arts & Sciences presents the first Emmy Awards at ceremonies televised by KTSL(TV) Los Angeles.

### 1950

General Foods drops actress Jean Muir, who denies any communist affiliations or sympathies, from the cast of *The Aldrich Family* (NBC TV) after protests against her appearance by "a number of groups." The Joint Committee Against Communism claims credit for her removal, announcing a drive to "cleanse" radio and television of pro-communist actors, directors, and writers.

The FCC approves CBS's color TV system, effective November 20. The network promises 20 hours of color programming a week within two months. TV set manufacturers are divided, however, over whether to make sets, since the CBS system is incompatible with black-and-white broadcasts. In the meantime, RCA continues work on its color system.

### 1951

Witness Frank Costello's hands provide TV's picture of the week as he refuses to expose his face to

cameras covering New York hearings on organized crime of the Senate Crime Investigation Committee, chaired by Senator Estes Kefauver (D-Tenn.)

Sixteen advertisers sponsor the first commercial color telecast, an hour-long program on a five-station East Coast CBS TV hook-up.

Bing Crosby Enterprises announces the development of a system for recording video and audio programs on magnetic tape. The pictures shown at demonstrations are described as "hazy" but "viewable." A year later the images are described as improved "more than 20-fold."

### 1952

By rushing equipment across the country, from Bridgeport, Connecticut, to Portland, Oregon, KPTV(TV) Portland goes on the air as the first commercial UHF TV station.

### 1953

With the end of daylight-saving time, CBS TV and NBC TV inaugurate "hot kinescope" systems to put programs on the air on the West Coast at the same clock hour as in the East.

RCA demonstrates black-and-white and color TV programs recorded on magnetic tape. RCA-NBC Board Chairman David Sarnoff says two years of finishing touches are needed before the system is ready for market.

The FCC approves RCA's compatible (with black-and-white transmission) color TV standards. System supplants the incompatible CBS system.

### 1954

CBS President Frank Stanton broadcasts the first network editorial, urging that radio and TV be allowed to cover congressional hearings.

### 1955

A contract between the DuMont TV network and Jackie Gleason Enterprises calls for Gleason's *The Honeymooners* to be done as a filmed program for CBS TV on Saturday nights.

### 1956

Ampex Corp. unveils the first practical videotape recorder at the National Association of Radio and Television Broadcasters convention in Chicago. The company takes in \$4 million in orders.

### 1957

Videotape recorders are seen as the solution to the TV networks' daylight-saving time problems.

### 1958

Subliminal TV messages are put under the spotlight at hearings in Los Angeles and Washington.

The BBDO ad agency converts live commercials to videotape.

### 1959

Sixty-eight TV stations defy the broadcasters' code of conduct by refusing to drop Preparation H commercials.

The quiz show scandal climaxes when famed *Twenty-One* prizewinner Charles Van Doren admits to a House committee that he had been provided with answers and strategies in advance. The sad ending to the quiz show era prompts cancellation of big-prize shows and vows by NBC and CBS to end deceptive practices.

### 1960

A satellite sends weather reports back from a 400-mile-high orbit.

RKO-Zenith plans a \$10 million test of an on-air pay TV system in Hartford, Connecticut.

Sam Goldwyn offers a package of movies to television.

The last daytime serial on network radio ends.

## A Chronology of the Electronic Media

The opening Kennedy-Nixon debate attracts the largest TV audience to date.

### 1961

FCC Chairman Newton Minnow shakes up the National Association of Broadcasters convention with his assessment of TV programming: Although it occasionally shines with programs like *Twilight Zone* and *CBS Reports*, it is, more than anything, from sign-on to sign-off "a vast wasteland."

Off-network shows become popular as syndicated fare.

The Ampex "electronic editor" permits inserts and additions to be made in videotape without physical splices.

ABC TV engineers develop a process for the immediate playback of videotape recordings in slow motion.

### 1962

John Glenn's orbital space flight is seen by 135 million TV viewers.

Telstar, AT&T's orbiting satellite, provides a glamorous debut for global television.

### 1963

Astronaut Gordon Cooper sends back the first TV pictures from space.

All radio and TV network commercials and entertainment programming are canceled following the assassination of President Kennedy. In the same week, the first trans-Pacific broadcast via satellite previews live TV coverage of the 1964 Olympics in Tokyo.

### 1964

The government and the tobacco companies each ponder their next move after the surgeon general's report links cigarette smoking and lung cancer. Within weeks, American Tobacco drops sports broadcasts, radio stations begin to ban cigarette ads and CBS TV orders a de-emphasis of cigarette use on programs.

### 1965

Early Bird, the first commercial communications satellite, goes into stationary orbit, opening trans-Atlantic circuits for TV use.

### 1966

Fred W. Friendly quits as president of CBS News when his new boss, John Schneider, CBS group vice president for broadcasting, cancels coverage of a Senate hearing on the Vietnam War and runs a rerun of *I Love Lucy* instead.

Network TV viewers see live close-up pictures of the moon—sent back by Surveyor I—as they come into the Jet Propulsion Laboratory.

### 1967

ABC Radio introduces a radical plan: four networks instead of one, each tailored to suit different station formats.

President Johnson signs the Public Broadcasting Act into law, establishing the Corporation for Public Broadcasting, federal funding mechanism.

### 1968

The Children's Television Workshop is created by the Ford Foundation, the Carnegie Corp., and the Office of Education to develop a 26-week series of hour-long color programs for preschool children. *Sesame Street* is the result.

The U.S. Supreme Court gives the FCC jurisdiction over all cable TV systems.

Pictures taken inside Apollo 7 in flight and sent back to Earth revive public interest in the space program.

NBC TV earns the life-long ire of sports fans when it cuts off the end of a Jets-Raiders game to air its

made-for-TV movie *Heidi*. Viewers miss the Raiders' two-touchdowns-in-nine-seconds defeat of the Jets.

### 1969

The Corporation for Public Broadcasting plans the creation of the Public Broadcasting Service to distribute programming to noncommercial TV stations.

In the same week that ABC-TV announces its \$8 million *Monday Night Football* deal (games to begin in 1970), Apollo 10 sends back the first color TV pictures of the moon and of Earth from the moon.

The world watches live coverage of Neil Armstrong's walk on the moon.

### 1970

House and Senate conferees agree on legislation to outlaw cigarette advertising on radio and TV, but change the bill's effective date from January 1, 1971, to January 2, so commercials can appear on New Year's Day football telecasts.

The FCC rules that TV stations in the top 50 markets cannot accept more than three hours of network programming between 7 and 11 p.m., and bars them from domestic syndication and from acquiring subsidiary rights in independently produced programs.

### 1971

National Public Radio debuts with a 90-station interconnected lineup.

### 1972

Judge Benjamin Hooks of Memphis, Tennessee, is nominated to the FCC. He becomes the first black to serve on a federal regulatory agency.

Home Box Office Inc., New York, is formed as a subsidiary of Sterling Communications to provide pay-cable TV systems with live and film programming.

### 1973

Western Union becomes the first company to receive federal permission to launch a commercial communications satellite in the U.S.

Broadcast media around the world open their coverage of the Senate select committee's investigation of the Watergate scandal.

### 1974

RCA inaugurates the nation's first domestic satellite communications service, using a Canadian satellite.

More than 110 million viewers watch President Nixon announce his resignation.

### 1975

Home Box Office, Time Inc.'s pay cable subsidiary, announces that it will inaugurate a satellite delivery network in the fall.

### 1976

Ampex Corp. and CBS develop the electronic still-store system, which uses a digital recording technique to store 1,500 frames in random mode, each accessible in 100 milliseconds.

Cable network launches include Showtime and Univision.

### 1977

ABC's eight-day telecast of the miniseries *Roots* becomes the most watched program in television history, with ratings in the mid-40s and shares in the mid-60s. Eighty million people watch at least some part of the final episode.

Sony unveils its Betamax videocassette in August and later the same month RCA introduces its SelectaVision home videotape recorder.

### 1978

The U.S. Supreme Court upholds the FCC in the "seven dirty words" case involving Pacifica's WBAI(FM) New York. The ruling says the FCC may regulate and punish for the broadcasting of "indecent material."

### 1979

Ampex demonstrates its digital videotape recorder at the Society of Motion Picture and Television Engineers conference in San Francisco in February. Sony unveils its version two months later.

Cable network launches include C-SPAN, ESPN, The Movie Channel, and Nickelodeon.

### 1980

"Who Shot J.R.?" episode of *Dallas* garners the highest rating for any program in modern TV history, with a 53.3 rating and a 76 share.

Cable network launches include Cable News Network, Black Entertainment Television, the Learning Channel, Bravo, and USA Network.

### 1981

With five ENG cameras rolling, the shooting of President Reagan becomes history's most heavily covered assassination attempt.

The first U.S. demonstration of high-definition television (HDTV) takes place at the annual convention of the Society of Motion Picture and Television Engineers. The Japanese Broadcasting Corp.'s (NHK) 1,125-line analog system draws raves from engineers and filmmakers.

Cable network launches include MTV: Music Television and the Eternal Word Television Network.

### 1982

Having reached a settlement with the Justice Department to divest itself of its 23 local telephone companies, communications giant AT&T hopes to lead the country into the "information age." The National Cable Television Association, Congress, and the FCC wonder what the agreement has wrought.

Cable network launches include the Weather Channel and the Playboy Channel.

### 1983

Reagan appointee Mark Fowler, chairman of the FCC, tells a common carrier conference that the U.S. is heading toward a regulation-free telecommunications marketplace.

In February, the two-and-a-half-hour final episode of CBS's *M\*A\*S\*H* is the most watched program in TV history, garnering a 60.3 rating and a 77 share.

Cable network launches include the Disney Channel and Country Music Television.

### 1984

The U.S. Supreme Court rules that home videotaping is legal.

Congress passes the Cable Telecommunications Act of 1984, landmark legislation deregulating cable. Law accelerates the growth of cable.

Cable network launches include the Arts & Entertainment Network (A&E), American Movie Classics, and Lifetime.

### 1985

Ted Turner makes inquiries at the FCC about a possible takeover of CBS. Later, in March, media company Capital Cities Communications purchases ABC for \$3.5 billion. Turner's efforts to acquire CBS fail by the end of July, when a federal judge approves the network's stock buyback plan.

The Advanced Television Services Committee (ATSC) votes in favor of the NHK HDTV standard: 1,125 lines, 60 fields, 2:1 interlace, 5.33:3 ratio. This standard is put forward by the U.S. to the International Radio Consultative Committee (CCIR) for consideration as the international standard. The CCIR adopts the recommendation later in the year.

Having lost his bid to buy CBS, Ted Turner makes a \$1.5 billion offer for MGM/UA.

Cable network launches include The Discovery Channel, Home Shopping Network, and VH-1.

**1986**

MGM and Color Systems Technology sign an agreement for the conversion of 100 of the studio's black-and-white films to color.

Cable network launches include C-SPAN2 and QVC.

**1987**

Fox Broadcasting Co. introduces its primetime lineup with 108 affiliates in its bid to become the fourth major U.S. commercial television network.

The National Association of Broadcasters and the Association for Maximum Service Television broadcast HDTV over standard TV channels during public demonstrations in Washington.

President Reagan vetoes legislation to write the fairness doctrine into law. The doctrine required broadcast stations to allow opposing views of issues, but critics claimed that it discouraged open debate.

Cable network launches include Movietime (renamed E! Entertainment Television in 1990), The Travel Channel, and Telemundo.

**1988**

The FCC adopts preliminary ground rules for HDTV. It tentatively decides to require HDTV broadcasts to be compatible with NTSC sets and says it will not make additional spectrum available outside the VHF and UHF bands for HDTV because there is enough already available to accommodate the service.

Cable network launches include Turner Network Television.

**1989**

Time Inc. and Warner Communications agree to swap stock and merge into what will be world's largest media and entertainment company.

**1990**

Digital audio broadcasting is demonstrated at the National Association of Broadcasters convention and is heralded as the HDTV of radio.

General Instrument revolutionizes the development of high-definition television by proposing an all-digital system. The video compression system also has implications for satellite transmissions.

Cable network launches include CNBC and The Inspiration Network (INSP).

**1991**

The U.S. air attack on Iraq begins January 16 with dramatic live coverage from network reporters in Baghdad. CNN is the lone network to maintain contact with its Baghdad reporters through the night.

Free to move around Moscow and ready to commit resources to coverage, television and radio provide gripping details of the short-lived Soviet coup and the collapse of communism in the Soviet Union. During his detention in the Crimea, Soviet President Mikhail Gorbachev keeps track of events by listening to the BBC, Voice of America, and Radio Liberty.

Cable network launches include Court TV, Comedy Central, and Encore.

**1992**

In March, the Supreme Court let stand an appeals court ruling that struck down the FCC's around-the-clock ban on broadcast indecency as unconstitutional and requiring the commission to establish a safe harbor—a part of the day when few children are tuning in and during which radio and TV stations may broadcast without fear of FCC sanctions for indecency.

General Instrument and MIT show the first over-the-air digital HDTV transmission to Washington lawmakers and regulators. The 12-minute transmission of 1,050-line

video was broadcast by noncommercial WETA-TV Washington.

The FCC raises the limit on radio stations a single company may own from 12 AM and 12 FM to 30 of each, then backpedals and lowers the caps to 18 each, with no more than two AMs and two FMs in large markets and three stations—only two in the same service—in small markets.

Fox expands its programming lineup to seven nights a week, ending its status as a "weblet" and becoming the fourth full-fledged commercial TV network in the U.S.

The FCC unanimously approves allowing broadcast TV networks to purchase cable systems that serve no more than 10 percent of U.S. homes and up to 50 percent of a particular market's homes.

The FCC tells TV broadcasters they will have five years to begin broadcasting in HDTV once the agency adopts a standard and makes channels available.

Cable network launches include The Cartoon Network and the Sci Fi Channel.

**1993**

Warner Bros. announces it will launch a fifth broadcast TV network in 1994.

The FCC expands the AM band's upper limit from 1605 kHz to 1705 kHz.

General Instrument, Zenith, AT&T, and the ATRC join forces as the "Grand Alliance" to develop a single HDTV system. Later in the year, the Grand Alliance announces its support of the emerging MPEG-2 digital compression HD system: six-channel, CD-quality Dolby AC-3 music system; 1,920-pixel by 1,080-line interlaced scanning picture; and progressive scanning.

Paramount Communications begins talks with TV stations about forming a fifth broadcast TV network.

Southwestern Bell and Cox Cable form a \$4.9-billion partnership.

Cable network launches include ESPN2 and the Television Food Network.

**1994**

Two companies, Hubbard's United States Satellite Broadcasting and Hughes's DirecTV, begin direct broadcast satellite transmissions to 18-inch home dish antennas from a shared satellite.

Paramount and Viacom merge in a deal worth \$9.2 billion, forming the world's most powerful entertainment company. Viacom's Sumner Redstone becomes the new company's chairman. Later in the year, Viacom adds Blockbuster Entertainment to its portfolio.

Cable network launches include FX, Home & Garden TV, the International Film Channel, Starz!, Trio, the Game Show Network, and Turner Classic Movies.

**1995**

Seagram pays \$7 billion for the 80 percent of Hollywood studio MCA Inc. owned by Matsushita Electric Industrial Co. Seagram is controlled by the Bronfman family and is headed by President/CEO Edgar Bronfman Jr.

The Megamedia Age begins when, in the same week, Walt Disney Co. announces it is buying Capital Cities/ABC for \$18.5 billion and then Westinghouse Electric Co. releases word of its purchase of CBS Inc. for \$5.4 billion.

Time Warner and Turner Broadcasting System agree to merge in an \$8 billion stock swap deal.

Live television coverage of the verdict in the O.J. Simpson murder trial sets viewing records when 150 million people watch the jury return a "not guilty" verdict.

Microsoft buys 50 percent stake in NBC's cable channel *America's Talking* for \$250 million. AT's talk format will be dropped and the network will become a news operation after being rechristened MSNBC.

The FCC repeals its Prime Time Access and Fin-Syn rules. These rules restricted the major broadcast networks from owning interest in their own primetime programming.

Cable network launches include CNN/In, The Golf Channel, Great American Country, the History Channel, and the Outdoor Life Network.

**1996**

Congress passes—and President Clinton signs—the Telecommunications Act of 1996, the first major overhaul of telecommunication legislation since 1934. Its key provisions include: replacing the 12-station TV ownership limit with a national home coverage cap of 35 percent; eliminating the national ownership limits on radio stations and allowing one company to own different numbers of stations locally, depending on the market size; requiring TV sets sold in the U.S. to be equipped with a V-chip to enable blocking of channels based on encoded ratings; deregulating cable rates.

Westinghouse/CBS buys Infinity Broadcasting for \$4.9 billion, creating the country's largest radio station group in terms of earnings. The deal results in Westinghouse/CBS owning 83 radio stations in 15 markets.

The FCC releases its first list of proposed digital TV channel assignments for all U.S. analog television stations.

In July, WRAL-HD Raleigh, North Carolina, begins HDTV transmission on channel 32 under an experimental FCC license, making it the first HDTV station to broadcast in the U.S.

The Washington-based Model HDTV Station Project demonstrates live, over-the-air digital TV transmission and reception. A few months later, it bounces digital signals off a satellite and displays them on a receiver.

Cable network launches include Animal Planet, Fox News Channel, MSNBC, the Sundance Channel, and TVLand.

**1997**

After several starts and stops, the TV industry unveils content-based V-chip ratings to mixed reviews. Recalcitrant NBC maintains it will not implement the new ratings.

Paxson Communications chief Bud Paxson announces plans to launch a new television network, Pax Net, using his 73 owned UHF stations as a base and airing family friendly off-network programming.

ABC Television Network President Preston Padden and Sinclair Broadcasting President David Smith say broadcasters ought to consider using DTV channels for broadcasting multiple channels of conventional TV rather than a single channel of HDTV.

Hearst Corp. (8 TVs) and Argyle Television (6 TVs) join their TV stations and create a new company, Hearst-Argyle Television Inc., that is valued at \$1.8 billion.

The FCC gives TV broadcasters a second channel for the delivery of HDTV and other digital services and said that all network affiliates in the top 10 markets have 24 months to start broadcasting a digital signal; those in markets 11-30 have 30 months; all other commercial stations have five years. Noncommercial broadcasters have six.

DTV service provider EchoStar plans to launch two satellites that will give it the ability to provide local broadcast TV signals to about 43 percent of the U.S.

Cable network launches include WE.

**1998**

The National Association of Broadcasters agrees to support plans by satellite TV providers to retransmit local TV station signals into their markets as long as the satellite services carry all a market's signals.

At 2:17 p.m. on February 27, WFAA-TV Dallas broadcast what it claims is the first non-experimental HDTV signal (in 1080i, 16:9 format). The broadcast began with a half-hour of taped HD programming, followed by a live simulcast of the station's NTSC programming that was upconverted to HDTV. The next month, Sinclair Broadcasting becomes the first TV group owner to broadcast multiple digital channels.

AT&T pays \$50 billion for cable system giant Tele-Communications Inc.

Paxson Communications launches its broadcast television network, now called Pax TV, with a lineup of 90 stations covering about 75 percent of U.S. TV homes.

Radio group owner Clear Channel Communications purchases competitor Jacor Communications for \$4.4 billion. The deal gives Clear Channel 453 stations in 101 markets. The year's other big deals include: Chancellor Media's purchase of Capstar Broadcasting for \$3.9 billion; Hearst-Argyle Television's purchase of Pulitzer Broadcasting for \$1.85 billion; Chancellor's

## A Chronology of the Electronic Media

purchase of LIN Television for \$1.5 billion; and Sinclair Broadcast Group's purchase of Sullivan Broadcasting for \$1 billion.

CBS is the first broadcast TV network to air a live HDTV sports event with its Nov. 8 telecast of the New York Jets-Buffalo Bills NFL game. It is carried by CBS stations in New York; Philadelphia; Washington; Cincinnati; Charlotte, North Carolina; Raleigh, North Carolina; and Columbus, Ohio.

Hughes Electronics Corp., parent of DBS provider DirecTV, announces deal to buy rival U.S. Satellite Broadcasting from Hubbard Broadcasting for \$1.3 billion. The DBS business now has three providers: DirecTV, EchoStar, and Primestar.

Cable network launches include BBC America, the Biography Channel, Cinemax, Tech TV, and Toon Disney.

### 1999

Hughes Electronics Corp., parent of DBS provider DirecTV, buys rival Primestar for \$1.1 billion plus stock. The DBS business now has two providers: DirecTV and EchoStar.

Paxon Broadcasting sells its 30 percent interest in The Travel Channel to the cable channel's 70 percent owner, Discovery Channel.

MSO Comcast offers \$58 billion for MediaOne Group's cable systems. AT&T then comes in with a \$69 billion offer that has AT&T swapping and selling Comcast systems with 2 million subscribers for roughly \$9 billion. In return, Comcast agrees to withdraw its \$58 billion offer.

CBS pays \$2.5 billion for syndication giant King World Productions, whose properties include the hit shows *Oprah*, *Wheel of Fortune*, and *Jeopardy!*

FCC votes to allow a broadcaster to own two TV stations in a market under certain conditions and liberalizes its radio/TV cross-ownership restrictions. A flood of station deals follow.

Viacom Inc. buys CBS Corp. for \$36 billion, merging Viacom's Paramount Station Group, UPN network, cable networks, and other properties, with those of CBS.

Clear Channel Communications pays \$23.5 billion in stock and assumption of debt for the 443 radio stations of AMFM Inc., the country's largest radio broadcaster. Clear Channel will have to divest about 100 stations to comply with FCC and Justice Department regulations. Those spinoffs will bring Clear Channel \$4.3 billion.

Legislation takes effect allowing satellite delivery of local television stations in their markets, increasing DBS providers' ability to compete with cable.

### 2000

America Online Inc. and Time Warner merge in a deal worth \$181 billion. The merged company, AOL Time Warner, combines the company that serves the largest number of Internet users with the largest producer of TV shows and movies and cable programming, plus cable systems passing 20 percent of U.S. homes.

Tribune Co. buys Times Mirror Co. for \$6.5 billion, acquiring seven daily newspapers and various magazines. The deal will give Tribune co-ownership of TV stations and major daily newspapers in the top three markets and the assets to sell packages of multimedia advertising to clients on national, regional, and local levels.

Harry Pappas, head of Pappas Television, the country's largest privately held TV station group, announces plans to launch Azteca America, the third U.S. Hispanic television network (Univision and Telemundo are the others) in 2001.

Cable network launches include Oxygen.

### 2001

FCC approves the \$5.4-billion sale of Chris-Craft Broadcasting's ten TV stations to Fox Television.

DBS operator EchoStar Communications engineers a \$26-billion bid for competitor DirecTV, owned by GM's Hughes Corp. The move follows attempts by Rupert Murdoch's News Corp. to acquire DirecTV. But regulatory reviews keep the deal in limbo.

XM Satellite Radio begins broadcasting a nationwide radio service of 200 channels from two satellites—"Rock" and "Roll"—in orbit above the equator. The Washington-based company charges subscribers \$9.95 a month for the service. A rival, New York-based Sirius

Satellite Radio, plans to launch a similar service later in the year.

The September 11 terrorist attacks on New York and Washington result in around-the-clock news coverage, dropping commercials. It's estimated that the networks lost \$200 million-\$300 million in the first four days of coverage. Four FM and nine New York TV stations whose antennas were on top of the World Trade Center are knocked off the air and several stations lost employees who had been manning the transmitters in Tower 1. Across the country, broadcasters raised money and arranged blood drives. The fall TV season is delayed, late-night talk/comedy shows are put on hiatus, the Emmy Awards are postponed, and several industry gatherings are canceled.

NBC buys Telemundo, the No. 2 U.S. Spanish-language TV network, for \$2.7 billion.

Comcast negotiates \$72 billion merger with rival cable operator AT&T Broadband, topping bids by AOL Time Warner and Cox Communications.

Cable network launches include ABC Family, Hallmark Channel, and National Geographic Television.

### 2002

Sirius Satellite Radio launches its satellite-delivered subscription radio service in four markets in February, then rolls out nationally in July. Sirius follows XM Satellite Radio to become the second U.S. satellite radio programmer.

Prompted by lawsuits from Fox, Viacom, NBC, and Time Warner, a three-judge panel of the federal appeals court in Washington refuses to uphold an FCC rule limiting a TV station group owner's audience reach to 35 percent of U.S. TV households and strikes down a rule barring a cable system from owning TV stations in its market. The court orders the FCC to rewrite or justify the ownership limit rule.

Tom Brokaw of NBC News announces he will step down as evening news anchor after the 2004 presidential election, to be succeeded by NBC's Brian Williams. Brokaw will then focus on in-depth reporting projects.

The Securities and Exchange Commission begins a formal investigation into the accounting practices of cable MSO Adelphia Communications. Five of Adelphia's top executives—including founder John Rigas and his two sons, Michael and Tim—are arrested on fraud charges, alleging that the family used the company as a "personal piggy bank," financing various personal transactions, including \$3.1 billion in loans for stock and family businesses.

The FCC mandates that all TV sets must be equipped with digital tuners by 2007 and proposes strong copy-protection measures intended to prevent widespread copying and streaming of content over the Internet.

Lifestyle diva Martha Stewart, whose media empire included TV, magazines, and books, is investigated by the Justice Department for allegedly lying to federal authorities looking into insider trading involving Stewart's sale of ImClone Systems stock the day before it became public that the Food and Drug Administration had denied the company's application to market a new cancer drug.

In October, both the FCC and the Department of Justice reject DBS operator EchoStar Communications' proposed \$26-billion purchase of competitor DirecTV, and a revised agreement fails to sway either agency. In December, EchoStar withdrew its merger request from the FCC. Rupert Murdoch's News Corp., whose previous bid for DirecTV had been rebuffed, puts together a new deal.

### 2003

Rupert Murdoch's News Corp. receives FCC and Justice Department approval of its deal to acquire 34 percent of DBS operator DirecTV's parent company Hughes Electronics for \$6.6 billion in cash and stock.

New York City's Metropolitan Television Alliance agrees to place a new broadcast tower for New York-area television stations on top of the Freedom Tower, a 1,776-foot office tower that will be built on the site of the World Trade Center, where the stations' towers were located prior to 9/11. The MTVA comprises all the city's major TV broadcasters. After the terrorist attacks, most of the stations operated from backup facilities atop the Empire State Building. Ground is expected to be broken on the Freedom Tower in the summer of 2004, and broadcasters should begin operating from the tower by 2008.

The FCC releases new media ownership rules in

response to a federal appeals court ruling in 2002. Among the changes: raising the national coverage cap for TV groups from 35 percent to 45 percent; allowing ownership of two TV stations (duopoly) in markets with five or more commercial stations; allowing ownership of three TV stations (triopoly) in markets with at least 18 stations; newspaper-TV cross-ownership is permitted in markets with at least four TV stations; radio-TV cross-ownership now include newspapers in the formula—owners in markets with nine or more TV stations face no cross-ownership restrictions per se but are limited by individual radio and TV limits applicable to specific markets. TV-duopoly owners would not be permitted to own newspapers in markets with fewer than nine TV stations. In markets with three or fewer TV stations, no cross-ownership of TV, radio, or newspapers is permitted. In markets with four to eight TV stations, an owner may form one of the following combos: (1) A daily newspaper, one TV station, up to one-half the number of radio stations permitted to one owner in that market. (2) A daily newspaper, the total number of radio stations permitted to one owner there, no TV stations. (3) Two TV stations and the total number of radio stations permitted there. Congress quickly reacts with legislation introduced by Rep. John Dingell (D-Mich.), which would restore the 35 percent cap. Other critics of the new rules challenge them in federal court.

Liberty Media pays \$7.9 billion for Comcast's 56 percent stake in home shopping giant QVC. With 2002 sales of \$4.4 billion, QVC is not just the largest shopping network, it's the second-largest television network of any kind.

A panel of federal appeals court judges in Philadelphia agrees with public advocacy groups and imposes a stay of the FCC's new broadcast-ownership rules scheduled to take effect on September 4. The stay will remain in effect until lawsuits to overturn the new rules are settled. The Philadelphia court then decides to retain the case attacking the new FCC broadcast-ownership limits rather than granting broadcast networks' pleas to transfer it to a court in Washington.

The Bush White House brokered a surprise compromise over media deregulation by agreeing to permanently set the national TV station ownership cap at 39 percent of U.S. television households. That percentage allows Fox and Viacom to retain all their stations. Wielding a threat to veto a catch-all spending bill over a provision that would roll the limit back to 35 percent, aides to President Bush persuaded Senate Appropriations Committee Chairman Ted Stevens (R-Alaska) to back down from the tighter limit. Stevens' action came less than a week after he had persuaded reluctant House leadership to go along with the old level. The compromise splits the difference between the 45 percent limit set by the FCC in June and the previous 35 percent level that rank-and-file lawmakers on both sides of Capitol Hill had been pushing to reinstate. The agreement is part of a spending bill that funds the FCC and many other agencies in fiscal 2004.

After a 36-year run, the California Cable Telecommunications Association's annual Western Cable Show makes its curtain call in December, citing consolidation in the cable industry and economic pressure.

Cable network launches include Spike TV.

### 2004

NBC gets Federal Trade Commission approval for its \$14 billion purchase of Vivendi Universal Entertainment, its last regulatory hurdle. The FCC was not required to review the deal because it involved no station licenses. Among other things, NBC acquires USA Network and the Sci Fi Network. The new entity will be called NBC Universal.

Congress and the FCC react swiftly to the "wardrobe malfunction" that bared Janet Jackson's breast during the MTV-produced half-time entertainment in CBS TV's Super Bowl broadcast. Congress passes legislation that dramatically increases the limits on FCC fines for indecency violations.

Congress and the FCC take the first steps toward punishing stations that air "excessively" violent shows. Under orders from leaders of the House Commerce Committee, FCC Chairman Michael Powell by the end of the year will start investigating whether the commission should restrict onscreen violence. Cable can't count on immunity either. Growing ranks of lawmakers say cable must do more to make sure that children aren't exposed to potentially traumatizing content.

A panel of federal appeals court judges in Philadelphia concludes that the FCC wasn't justified in its June



2003 decision relaxing ownership restrictions in the newspaper, television, and radio industries. The rules, which were blocked from taking effect in September 2003, have been sent back to the FCC for a rewrite. A frustrated FCC Chairman Michael Powell criticized the decision, claiming that it created a "clouded and confused state of media law" and makes it nearly impossible for his agency to design standards for ownership limits.

Cable network launches include TV One.

### 2005

George W. Bush, on January 20, becomes the first president to have his inauguration covered in HDTV. ABC News deploys 36 HD cameras and four HD production vehicles throughout the parade route to give viewers an unparalleled view of American history.

President Bush chooses FCC commissioner Kevin Martin to be chairman of the agency.

In a King Solomon-like answer to critics that Viacom has become too big to grow, Chairman Sumner Redstone proposes cleaving it in half. The resulting companies would be Viacom and CBS Corp.

Longtime ABC World News Tonight anchor Peter Jennings, 67, died August 7 at his home in Manhattan, four months after being diagnosed with lung cancer.

Following Hurricane Katrina, local TV broadcasters and cable operators in the Gulf Coast area say rebuilding their stations and plants could take several months.

The Disney-ABC Television Group announces that three ABC shows, *Desperate Housewives*, *Lost*, and *Night Stalker* will be available for purchase from the Apple iTunes store for \$1.99 an episode. The announcement prompts the other big media companies to begin repurposing primetime programming on the Internet. It's soon clear that the Web is the next big TV medium.

### 2006

In January, PBS dips into the ranks of its member stations and selects Paula Kerger of WNET New York

to succeed Pat Mitchell as president of the noncommercial network.

After battling to be the broadcasting fifth network for 11 years and mostly lackluster years, WB and UPN stun the broadcasting industry in January by deciding to merge into The CW. To fill the vacuum created by the loss of one network, Fox creates My Network Television, a mini network built around telenovelas, a popular Spanish TV format. Both CW and MNT debut in September.

Two years after the Janet Jackson wardrobe malfunction at the Super Bowl, broadcasters are still feeling the fallout. In March, the FCC issues another round of fines topped by \$3.6 million against CBS affiliates for airing an episode of *Without a Trace*. A few months later, Congress increases ten-fold the base indecency fine to \$325,000 per incident.

Ending a year of speculation, CBS announces in March the hiring of Katie Couric, the popular co-host of NBC's *Today Show*, to anchor the CBS Evening News. With new set and features, she begins her reign as anchor on September 5. Longtime anchor Dan Rather resigned from the job in March 2005 after botching a 60 Minutes story critical of President Bush's military record. CBS News's Washington Bureau Chief Bob Schieffer anchored the news during the Rather-Couric interregnum.

### 2007

On January 29 ION Media Networks Inc. changed the name of its TV network to ION Television.

In 2007 *The Sopranos* ended an eight-year run on HBO. There was much speculation about the final moments of the finale when the show faded to black.

After years of acquiring stations, on April 20 Clear Channel Communications Inc. entered into an agreement to sell its Television Group. And, as of June 30, the company had entered into definitive agreements to sell 389 radio stations in 77 markets.

### 2008

On July 25 the FCC approved the merger of Sirius Satellite Radio Inc. and XM Satellite Holdings Inc. On

July 29 the two companies announced they had completed their merger, and that the new company would change its name to Sirius XM Radio Inc.

The FCC announced that Wilmington, NC, would be the first market to test the transition to digital television before the nationwide transition to DTV on February 17, 2009. The commercial broadcasters serving the Wilmington market agreed to turn off their analog signals at noon on September 8, 2008. Beginning at noon on September 8 WWAY (ABC), WECT (NBC), WSFX-TV (Fox), WILM-LP (CBS) and W51CW (Trinity Broadcasting) planned to broadcast only digital signals to their viewers in the five North Carolina counties that comprise the Wilmington, NC, market.

### 2009

The nationwide transition from analog to digital television, scheduled for February 17, 2009, was delayed until June 12, 2009 to allow more time to get ready for the digital transition. The National Telecommunications and Information Administration (NTIA) provided consumers with a TV converter box coupon program to help the consumers make the switch to digital TV. Both the FCC and TV stations across the U.S. made a mighty effort to inform consumers about the coming switch and to help the consumers make the switch. Some TV stations made the switch to digital television early. Notably Hawaii's full-power TV stations made the switch to digital TV on January 15, 2009. Finally on June 12, 2009 full-power TV stations all over the U.S. became all-digital. The FCC reported 971 full-power TV stations made the switch on June 12.

Later in June 2009 the FCC adopted an order allowing AM radio stations to use FM radio translators to increase their reach within a local community. The FCC action gave AM stations an opportunity to overcome technical problems in their coverage areas.

Walter Cronkite, anchor and managing editor of the CBS Evening News from 1962 to 1981, died on July 17, 2009. A memorial service was scheduled for September 9 at Lincoln Center in New York.

# The FCC and the Rules of Broadcasting

The following manual is a reproduced copy of "The Public and Broadcasting: How to Get the Most Service from your Local Station," the FCC's overview of the laws, policies and regulations that govern broadcast TV and radio stations. It is reprinted here with the permission of the FCC. The agency invites those with questions about the manual to visit its web site ([www.fcc.gov](http://www.fcc.gov)) or to call 1-888-CALLFCC (1-888-225-5322).

## INTRODUCTION

This Manual is published by the Federal Communications Commission (the "FCC" or the "Commission"), the federal agency directed by Congress to regulate broadcasting. It provides a brief overview of the FCC's regulation of broadcast radio and television licensees, describing how the FCC authorizes broadcast stations, the various rules relating to broadcast programming and operations with which stations must comply, and the essential obligation of licensees that their stations serve their local communities. The Manual also outlines how you can become involved in assessing whether your local stations are complying with the FCC's rules and meeting these service obligations, and what you can do if you believe that they are not.

In exchange for obtaining a valuable license to operate a broadcast station using the public airwaves, each radio and television licensee is required by law to operate its station in the "public interest, convenience and necessity." This means that it must air programming that is responsive to the needs and problems of its local community of license.

To do so, each station licensee must affirmatively identify those needs and problems and then specifically treat those local matters that it deems to be significant in the news, public affairs, political and other programming that it airs. As discussed in this Manual, each station must provide the public with information about how it has met this obligation by means of quarterly reports, which contain a listing of the programming that it has aired that the licensee believes provided significant treatment of issues facing the community. As discussed in detail in this Manual, each station also must maintain and make available to any member of the public for inspection, generally at its studio, a local public inspection file which contains these reports, as well as other materials that pertain to the station's operations and dealings with the FCC and with the community that it is licensed to serve. The public file is an excellent resource to gauge a station's performance of its obligations as a Commission licensee. In the future, television stations with websites will be required to post most of the content of their public files on their websites, or on the website of their state local broadcasters association, if permitted.

The purpose of this Manual is to provide you with the basic tools necessary to ensure that the stations that are licensed to serve you meet their obligations and provide high quality broadcast service. Station licensees, as the trustees of the public's airwaves, must use the broadcast medium to serve the public interest. We at the FCC want you to become involved, if you have any concerns about a local station - including its general operation, programming or other matters - by making your opinion known to the licensee and, if necessary, by advising us of those concerns so that we can take appropriate action. An informed and actively engaged public plays a vital role in helping each station to operate appropriately and serve the needs of its local community.

This Manual provides only a general overview of our broadcast regulation. It is not intended to be a comprehensive or controlling statement of the broadcast rules and policies. Our Internet home page ([www.fcc.gov](http://www.fcc.gov)) contains additional information about the Commission, our rules, current FCC proceedings, and other issues. At the close of each section of this Manual, we provide links to those places on the FCC website that provide additional information about the subject matter discussed in the section. Although we will periodically update this Manual and maintain the current version on the FCC website at [www.fcc.gov/mb/audio/deccdoc/public\\_and\\_broadcasting.html](http://www.fcc.gov/mb/audio/deccdoc/public_and_broadcasting.html), we urge you to also make use of the resources contained in these links, which may outline any more recent developments in the law not discussed in the current version of the

Manual. If you have any specific questions, you may also contact our Broadcast Information Specialist for radio or television, depending on the nature of your inquiry, by calling toll-free, by facsimile, or by sending an e-mail in the manner noted at the end of this Manual.

## THE FCC AND ITS REGULATORY AUTHORITY

### The Communications Act.

The FCC was created by Congress in the Communications Act for the purpose of "regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation wide, and world wide wire and radio communications service . . ." (In this context, the word "radio" covers both broadcast radio and television.) The Communications Act authorizes the FCC to "make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations and to carry out the provisions of [the] Act." It directs us to base our broadcast licensing decisions on the determination of whether those actions will serve the public interest, convenience, and necessity.

### How the FCC Adopts Rules.

As is the case with most other federal agencies, the FCC generally cannot adopt or change rules without first describing or publishing the proposed rules and seeking comment on them from the public. We release a document called a Notice of Proposed Rule Making, in which we explain the new rules or rule changes that we are proposing and establish a filing deadline for public comment on them. (All such FCC Notices are included in the Commission's Daily Digest and are posted on our website at [http://www.fcc.gov/Daily\\_Releases/Daily\\_Digest](http://www.fcc.gov/Daily_Releases/Daily_Digest)). After we have had a chance to hear from the public and have considered all comments received, we generally have several options. We can: (1) adopt some or all of the proposed rules, (2) adopt a modified version of some or all of the proposed rules, (3) ask for public comment on additional issues relating to the proposals, or (4) end the rulemaking proceeding without adopting any rules at all. You can find information about how to file comments in our rulemaking proceedings on our Internet website at [www.fcc.gov/cgb/consumerfacts/howtocomment.html](http://www.fcc.gov/cgb/consumerfacts/howtocomment.html). The site also provides instructions on how you can file comments electronically. In addition to adopting rules, we also establish broadcast regulatory policies through the individual cases that we decide, such as those involving license renewals, station sales, and complaints about violations of FCC rules.

### The FCC and the Media Bureau.

The FCC has five Commissioners, each of whom is appointed by the President and confirmed by the Senate. Serving under the Commissioners are a number of Offices and operating Bureaus. One of those is the Media Bureau, which has day-to-day responsibility for developing, recommending, and administering the rules governing the media, including radio and television stations. The FCC's broadcast rules are contained in Title 47 of the Code of Federal Regulations ("CFR"), Parts 73 (broadcast) and 74 (auxiliary broadcast, including low power TV, and translator stations). Our rules of practice and procedure can be found in Title 47 CFR, Part 1. A link to those rules can be found on our website at [http://wireless.fcc.gov/index.htm?job=rules\\_and\\_regulations](http://wireless.fcc.gov/index.htm?job=rules_and_regulations). Additional information about the Commission's Offices and Bureaus, including their respective functions, can be found at

<http://www.fcc.gov/aboutus.html>.

## FCC Regulation of Broadcast Radio and Television.

The FCC allocates (that is, designates a portion of the broadcast spectrum to) new broadcast stations based upon both the relative needs of various communities for additional broadcast outlets and specified engineering standards designed to prevent interference among stations and to other communications users. As noted above, whenever we review an application - whether to build a new station, modify or renew a license or sell a station - we must determine if its grant would serve the public interest. As discussed earlier, we expect station licensees to be aware of the important problems and issues facing their local communities and to foster public understanding by presenting programming that relates to those local issues. As discussed in this Manual, however, broadcasters - not the FCC or any other government agency - are responsible for selecting the material that they air. By operation of the First Amendment to the U.S. Constitution, and because the Communications Act expressly prohibits the Commission from censoring broadcast matter, our role in overseeing program content is very limited.

We license only individual broadcast stations. We do not license TV or radio networks (such as CBS, NBC, ABC or Fox) or other organizations with which stations have relationships (such as PBS or NPR), except to the extent that those entities may also be station licensees. We also do not regulate information provided over the Internet, nor do we intervene in private disputes involving broadcast stations or their licensees. Instead, we usually defer to the parties, courts, or other agencies to resolve such disputes.

## THE LICENSING OF TV AND RADIO STATIONS

### Commercial and Noncommercial Educational Stations.

The FCC licenses FM radio and TV stations as either commercial or noncommercial educational ("NCE"). (All AM radio stations are licensed as commercial facilities.) Commercial stations generally support themselves through the sale of advertising. In contrast, NCE stations generally meet their operating expenses with contributions received from listeners and viewers, and also may receive government funding. In addition, NCE stations may receive contributions from for-profit entities, and are permitted to acknowledge such contributions or underwriting donations with announcements naming and generally describing the contributing party or donor. However, NCE stations may not broadcast commercials or other promotional announcements on behalf of for-profit entities. These limitations on NCE stations are discussed further at page 21 of this Manual.

### Applications to Build New Stations; Length of the License Period.

Before a party can build a new TV or radio station, it first must apply to the FCC for a construction permit. The applicant must demonstrate in its application that it is qualified to construct and operate the station as specified in its application and that its proposed facility will not cause objectionable interference to any other station. Once its application has been granted, the applicant is issued a construction permit, which authorizes it to build the station within a specified period of time, usually three years. After the applicant (now considered a "permittee") builds the station, it must file a license application, in which it certifies that it has constructed the station consistent with the technical and other terms specified in its construction permit. Upon grant

of that license application, the FCC issues the new license to operate to the permittee (now considered a "licensee"), which authorizes the new licensee to operate for a stated period of time, up to eight years. At the close of this period, the licensee must seek renewal of its station license.

### Applications for License Renewal.

Licenses expire and renewal applications are due on a staggered basis, based upon the state in which the station is licensed. Before we can renew a station's license, we must first determine whether, during the preceding license term, the licensee has served the public interest; has not committed any serious violations of the Communications Act or the FCC's rules; and has not committed other violations which, taken together, would constitute a pattern of abuse. To assist us in this evaluative process, a station licensee must file a renewal application (FCC Form 303-S), in which it must respond concerning whether:

- it has sent us certain required reports;
- neither it nor its owners have or have had any interest in a broadcast application involved in an FCC proceeding in which character issues were resolved adversely to the applicant or were left unresolved, or were raised in connection with a pending application;
- its ownership is consistent with the Communications Act's restrictions on licensee interests held by foreign governments, foreign corporations, and non-U.S. citizens;
- there has not been an adverse finding or adverse final action against it or its owners by a court or administrative body in a civil or criminal proceeding involving a felony, mass media-related antitrust or unfair competition law, the making of fraudulent statements to a governmental unit, or discrimination;
- there were no adjudicated violations of the Communications Act or the Commission's rules during the current license term;
- neither the licensee nor its owners have been denied federal benefits due to drug law violations;
- its station operation complies with the Commission's radiofrequency ("RF") radiation exposure standards;
- it has, in a timely manner, placed and maintained certain specified materials in its public inspection file (as discussed at pages 25-31 of this Manual);
- it has not discontinued station operations for more than 12 consecutive months during the preceding license term and is currently broadcasting programming;
- it has filed FCC Form 396, the Broadcast Equal Employment Opportunity Program Report; and
- if the application is for renewal of a television license, it has complied with the limitations on commercial matter aired during children's programming and filed the necessary Children's Television Programming Reports (FCC Form 398) (as discussed at page 17 of this Manual).

### Digital Television.

After February 17, 2009, all full-power TV stations are required to stop broadcasting in analog and continue broadcasting only in digital. This is known as the "DTV transition." Because digital is much more efficient than analog, part of the scarce and valuable spectrum that is currently used for analog broadcasting will be used for important new services such as enhanced public safety communications for police, fire departments, and emergency rescue workers. Part of the spectrum will also be made available for advanced wireless services such as wireless broadband.

Digital broadcasting also enables television stations to offer viewers several benefits. For example, stations broadcasting in digital can offer viewers improved picture and sound quality as well as more programming options (referred to as "multicasting") because digital technology gives each television station the ability to broadcast multiple channels at the same time.

Consumers who receive television signals via over-the-air antennas (as opposed to subscribers to pay services like cable and satellite TV) will be able to receive digital signals on their analog sets if they purchase a digital-to-analog converter box that converts the digital signals to analog. Alternatively, if consumers purchase a digital television (a TV with built in digital tuner), they will be able to receive digital broadcast programming. If your TV set receives local broadcast stations through a paid provider such as cable or satellite TV, it is

already prepared for the DTV transition.

Regarding consumers who are shopping for new televisions, the Commission's digital tuner rule prohibits the importation or interstate shipment of any device containing an analog tuner unless it also contains a digital tuner. Retailers may continue to sell analog-only devices from existing inventory. However, at the point of sale, retailers must post notices advising consumers that TV sets and equipment such as VCRs that contain only an analog tuner will not be able to receive over-the-air-television signals from full-power broadcast stations after February 17, 2009, without the use of a digital-to-analog converter box.

Television broadcasters must promote public awareness of the DTV transition with an on-air education campaign, providing consumers with information about the transition. They must report their efforts on a quarterly basis by filing FCC Form 388 with the Commission, posting each such Form on their website and placing them in their station public inspection files.

While the February 17, 2009, deadline for ending analog broadcasts does not apply to low-power, Class A, and TV translator stations, these stations will eventually transition to all-digital service. In the meantime, some consumers may continue to receive programming from these stations in analog format after the transition date.

Additional information concerning the DTV transition can be found on the FCC's website, at <http://www.dtv.gov>, or by calling toll free 1-888-CALL-FCC (Voice) or 1-888-TELL-FCC (TTY).

### Digital Radio.

The FCC has also approved digital operation for AM and FM radio broadcast stations (often referred to as "HD Radio"). As with DTV, digital radio substantially improves the quality of the radio signal and allows a station to offer multicasting over several programming streams, as well as certain enhanced services. Unlike the mandatory digital transition deadline for television stations however, radio stations will be able to continue to operate in analog and will have discretion whether also to transmit in digital and, if so, when to begin such operation. In order to receive the digital signals of those stations that choose to so operate, consumers will have to purchase new receivers.

Because digital radio technology allows a radio station to transmit simultaneously in both analog and digital, however, listeners will be able to continue to use their current radios to receive the analog signals of radio stations that transmit both analog and digital signals. Receivers are being marketed that incorporate both modes of reception, with the ability to automatically switch to the analog signal if the digital signal cannot be detected or is lost by the receiver. For additional information about digital radio, see <http://www.fcc.gov/mb/audio/digital/index.html>.

### Public Participation in the Licensing Process

**Renewal Applications.** You can submit a protest against a station's license renewal application by filing a formal petition to deny its application, or by sending us an informal objection to the application. Before its license expires, each station licensee must broadcast a series of announcements providing the date its license will expire, the filing date for the renewal application, the date by which formal petitions against it must be filed, and the location of the station's public inspection file that contains the application. Petitions to deny the application must be filed by the end of the first day of the last full calendar month of the expiring license term. (For example, if the license expires on December 31, we must receive any petition at our Washington, D.C. headquarters by the end of the day on December 1.)

Broadcast licenses generally expire on a staggered basis, by state, with most radio licenses next expiring between October 1, 2011 and August 1, 2014, and most television licenses expiring between October 1, 2012 and August 1, 2015, one year after the radio licenses in the same state. A listing of the next expiration dates for radio and television licenses, by state, can be found on the Commission's website at <http://www.fcc.gov/localism/renewals.html>. Before you file a petition to deny an application, you should check our rules and policies to make sure that your petition complies with our procedural requirements. A more complete description of these procedures and

requirements can be found on the Commission's website at [http://www.fcc.gov/localism/renew\\_process\\_handout.pdf](http://www.fcc.gov/localism/renew_process_handout.pdf). You can also file an informal objection at any time before we either grant or deny the application. Instructions for filing informal objections can be found on the Commission's website at [http://www.fcc.gov/localism/renew\\_process\\_handout.pdf](http://www.fcc.gov/localism/renew_process_handout.pdf). If you have any specific questions, you may also contact our Broadcast Information Specialist for radio or television, depending on the nature of your inquiry, by calling toll-free, by facsimile, or by sending an e-mail in the manner noted at pages 32-33 of this Manual.

**Other Types of Applications.** You can also participate in the application process by filing a petition to deny when someone applies for a new station, and when a station is to be sold (technically called an "assignment" of the license), its licensee is to undergo a major transfer of stock or other ownership, or control (technically called a "transfer of control"), or the station proposes major facility changes. The applicant is required to publish a series of notices in the closest local newspaper, containing information similar to that noted above regarding renewal applications, when it files these types of applications. Upon receipt of the application, the FCC will issue a Public Notice and begin a 30-day period during which petitions to deny these applications may be filed. (All FCC Public Notices are included in the Commission's Daily Digest and are posted on our website at [http://www.fcc.gov/Daily\\_Releases/Daily\\_Digest](http://www.fcc.gov/Daily_Releases/Daily_Digest)). As with renewal applications, you can also file an informal objection to these types of applications, or any other applications, at any time before we either grant or deny the application. Again, if you have any specific questions about our processes or the status of a particular application involving a station, you may contact our Broadcast Information Specialist for radio or television, depending on the nature of your inquiry, by calling toll-free, by facsimile, or by sending an e-mail in the manner noted at pages 32-33 of this Manual.

## BROADCAST PROGRAMMING: BASIC LAW AND POLICY

### The FCC and Freedom of Speech

The First Amendment, as well as Section 326 of the Communications Act, prohibits the Commission from censoring broadcast material and from interfering with freedom of expression in broadcasting. The Constitution's protection of free speech includes that of programming that may be objectionable to many viewer or listeners. Thus, the FCC cannot prevent the broadcast of any particular point of view. In this regard, the Commission has observed that "the public interest is best served by permitting free expression of views." However, the right to broadcast material is not absolute. There are some restrictions on the material that a licensee can broadcast. We discuss these restrictions below.

### Licensee Discretion

Because the Commission cannot dictate to licensees what programming they may air, each individual radio and TV station licensee generally has discretion to select what its station broadcasts and to otherwise determine how it can best serve its community of license. Licensees are responsible for selecting their entertainment programming, as well as programs concerning local issues, news, public affairs, religion, sports events, and other subjects. As discussed at page 29 of this Manual, broadcast licensees must periodically make available detailed information about the programming that they air to meet the needs and problems of their communities, which can be found in each station public file. They also decide how their programs will be structured and whether to edit or reschedule material for broadcasting. In light of the First Amendment and Section 326 of the Communications Act, we do not substitute our judgment for that of the licensee, nor do we advise stations on artistic standards, format, grammar, or the quality of their programming. Licensees also have broad discretion regarding commercials, with the exception of those for political candidates during an election and the limitations on advertisements aired during children's programming (we discuss these respective requirements at pages 13-14, and 17 of this Manual).

# The FCC and the Rules of Broadcasting

## Criticism, Ridicule, and Humor Concerning Individuals, Groups, and Institutions

The First Amendment's guarantee of freedom of speech similarly protects programming that stereotypes or may otherwise offend people with regard to their religion, race, national background, gender, or other characteristics. It also protects broadcasts that criticize or ridicule established customs and institutions, including the government and its officials. The Commission recognizes that, under our Constitution, people must be free to say things that the majority may abhor, not only what most people may find tolerable or congenial. However, if you are offended by a station's programming, we urge you to make your concerns known to the station licensee, in writing.

## Programming Access

In light of their discretion to formulate their programming, station licensees are not required to broadcast everything that is offered or otherwise suggested to them. Except as required by the Communications Act, including the use of stations by candidates for public office (discussed at pages 13-14 of this Manual), licensees have no obligation to allow any particular person or group to participate in a broadcast or to present that person or group's remarks.

## BROADCAST PROGRAMMING: LAW AND POLICY ON SPECIFIC KINDS OF PROGRAMMING

### Broadcast Journalism

**Introduction.** As noted above, in light of the fundamental importance of the free flow of information to our democracy, the First Amendment and the Communications Act bar the FCC from telling station licensees how to select material for news programs, or prohibiting the broadcast of an opinion on any subject. We also do not review anyone's qualifications to gather, edit, announce, or comment on the news; these decisions are the station licensee's responsibility. Nevertheless, there are two issues related to broadcast journalism that are subject to Commission regulation: hoaxes and news distortion.

**Hoaxes.** The broadcast by a station of false information concerning a crime or catastrophe violates the FCC's rules if:

- the station licensee knew that the information was false, broadcasting the false information directly causes substantial public harm, and
- it was foreseeable that broadcasting the false information would cause such harm.

In this context, a "crime" is an act or omission that makes the offender subject to criminal punishment by law, and a "catastrophe" is a disaster or an imminent disaster involving violent or sudden events affecting the public. The broadcast must cause direct and actual damage to property or to the health or safety of the general public, or diversion of law enforcement or other public health and safety authorities from their duties, and the public harm must begin immediately. If a station airs a disclaimer before the broadcast that clearly characterizes the program as fiction and the disclaimer is presented in a reasonable manner under the circumstances, the program is presumed not to pose foreseeable public harm. Additional information about the hoax rule can be found on the FCC's website at <http://www.fcc.gov/cgb/consumerfacts/falsebroadcast.html>.

**News Distortion.** The Commission often receives complaints concerning broadcast journalism, such as allegations that stations have aired inaccurate or one-sided news reports or comments, covered stories inadequately, or overly dramatized the events that they cover. For the reasons noted above, the Commission generally will not intervene in such cases because it would be inconsistent with the First Amendment to replace the journalistic judgment of licensees with our own. However, as public trustees, broadcast licensees may not intentionally distort the news: the FCC has stated that "rigging or slanting the news is a most heinous act against the public interest." The Commission will investigate a station for news distortion if it receives documented evidence of such rigging or slanting, such as testimony or other documentation, from individuals

with direct personal knowledge that a licensee or its management engaged in the intentional falsification of the news. Of particular concern would be evidence of the direction to employees from station management to falsify the news. However, absent such a compelling showing, the Commission will not intervene. For additional information about news distortion, see <http://www.fcc.gov/cgb/consumerfacts/journalism.html>.

**Political Broadcasting: Candidates for Public Office.** In recognition of the particular importance of the free flow of information to the public during the electoral process, the Communications Act and the Commission's rules impose specific obligations on broadcasters regarding political speech.

• **Reasonable Access.** The Communications Act requires that broadcast stations provide "reasonable access" to candidates for federal elective office. Such access must be made available during all of a station's normal broadcast schedule, including television prime time and radio drive time. In addition, federal candidates are entitled to purchase all classes of time offered by stations to commercial advertisers, such as preemptible and non-preemptible time. The only exception to the access requirement is for bona fide news programming (as defined below), during which broadcasters may choose not to sell airtime to federal candidates. Broadcast stations have discretion as to whether to sell time to candidates in state and local elections.

• **Equal Opportunities.** The Communications Act requires that, when a station provides airtime to a legally qualified candidate for any public office (federal, state, or local), the station must "afford equal opportunities to all other such candidates for that office." The equal opportunities provision of the Communications Act also provides that the station "shall have no power of censorship over the material broadcast" by the candidate. The law exempts from the equal opportunities requirement appearances by candidates during bona fide news programming, defined as an appearance by a legally qualified candidate on a bona fide newscast, interview, or documentary (if the appearance of the candidate is incidental to the presentation of the subject covered by the documentary) or on-the-spot coverage of a bona fide news event (including debates, political conventions and related incidental activities).

In addition, a station must sell political advertising time to certain candidates during specified periods before a primary or general election at the lowest rate charged for the station's most favored commercial advertiser. Stations must maintain and make available for public inspection, in their public inspection files, a political file containing certain documents and information, discussed in this Manual. For additional information about the political rules, see <http://www.fcc.gov/mb/policy/political/>.

### Objectionable Programming

**Programming Inciting "Imminent Lawless Action."** The Supreme Court has held that the government may curtail speech if it is both: (1) intended to incite or produce "imminent lawless action," and (2) likely to "incite or produce such action." Even when this legal test is met, any review that might lead to a curtailment of speech is generally performed by the appropriate criminal law enforcement authorities, not by the FCC.

**Obscene, Indecent, or Profane Programming.** Although, for the reasons discussed earlier, the Commission is generally prohibited from regulating broadcast content, the courts have held that the FCC's regulation of obscene and indecent programming is constitutional, because of the compelling societal interests in protecting children from potentially harmful programming and supporting parents' ability to determine the programming to which their children will be exposed at home.

**Obscene material** is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, the material must have all of the following three characteristics:

- an average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
- the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
- the material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

**Indecent material** is protected by the First Amendment, so its broadcast cannot constitutionally be prohibited at all times. However, the courts have upheld Congress' prohibition of the broadcast of indecent material during times of the day in which there is a reasonable risk that children may be in the audience, which the Commission has determined to be between the hours of 6 a.m. and 10 p.m. Indecent programming is defined as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities." Broadcasts that fall within this definition and are aired between 6 a.m. and 10 p.m. may be subject to enforcement action by the FCC.

**Profane material** also is protected by the First Amendment, so its broadcast cannot be outlawed entirely. The Commission has defined such program matter to include language that is both "so grossly offensive to members of the public who actually hear it as to amount to a nuisance" and is sexual or excretory in nature or derived from such terms. Such material may be the subject of possible Commission enforcement action if it is broadcast within the same time period applicable to indecent programming: between 6 a.m. and 10 p.m.

### How to File an Obscenity, Indecency, or Profanity Complaint:

In order to allow its staff to make a determination of whether complained-of material is actionable, the Commission requires that complainants provide certain information: (1) the date and time of the alleged broadcast; (2) the call sign, channel or frequency of the station involved; and (3) the details of what was actually said (or depicted) during the alleged indecent, profane, or obscene broadcast. Submission of an audio or video tape, CD, DVD or other recording or transcript of the complained-of material is not required but is helpful, as is specification of the name of the program, the on-air personality, song, or film, and the city and state in which the complainant saw or heard the broadcast.

The fastest and easiest way to file a complaint containing this information is to use the FCC's electronic complaint form, Form 475B, which is available on the FCC's website at <http://fjallfoss.fcc.gov/cgb/fcc475B.cfm>.

You also may file a complaint about objectionable programming by mailing it to:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
445 12th Street, S.W.  
Washington, D.C. 20554.

If you are submitting an audio or video tape, DVD, CD or other type of media with your complaint, you should send it to the following address to avoid mail processing damage:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
9300 East Hampton Drive  
Capitol Heights, Maryland 20743.

You can also electronically file your complaint at [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov).

You may also complain by calling the Commission, toll-free, at 1-(888)-CALL-FCC (1-(888)-225-5322) (Voice) or 1-(888)-TELL-FCC (1-(888)-835-5322) (TTY).

For additional information on the complaint process for obscene, indecent or profane material, visit <http://www.fcc.gov/eb/oip>.

**Violent Programming.** Many members of the public have expressed concern about violent television programming and the negative impact such broadcast material may have upon children. In response to these concerns, and at the request of 39 members of the U.S. House of Representatives, the FCC conducted a proceeding seeking public comment on violent programming. In April 2007, the Commission delivered to Congress a Report recommending that the industry voluntarily commit to reducing the amount of such programming viewed by children. The Commission also suggested that Congress consider enacting legislation that would better support parents' efforts to safeguard their children from such objectionable programming. The Commission's Report can be accessed at

[http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/FCC-07-50A1.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/FCC-07-50A1.pdf).

**The V-Chip and TV Program Ratings.** In light of the widespread concern about obscene, indecent, profane, violent, or otherwise objectionable programming, in 1996, Congress passed a law to require TV sets with screens 13 inches or larger to be equipped with a "V-Chip" - a device that allows parents to program their sets to block TV programming that carries a certain rating. Since 2000, all such sets manufactured with screens 13 inches or larger must contain the V-Chip technology. This technology, which must be activated by parents, works in conjunction with a voluntary television rating system created and administered by the television industry and others, which enables parents to identify programming containing sexual, violent, or other content that they believe may be harmful to their children. All of the major broadcast networks and most of the major cable networks are encoding their programming with this ratings information to work with the V Chip. However, some programming, such as news and sporting events, and unedited movies aired on premium cable channels, are not rated. In 2004, the FCC expanded the V-Chip requirement to apply also to devices that do not have a display screen but are used with a TV set, such as a VCR or a digital-to-analog converter box.

For more information about this ratings program, including a description of each ratings category, please see the FCC's V Chip website at <http://www.fcc.gov/cgb/consumerfacts/vchip.html>.

**Other Broadcast Content Regulation**

**Station Identification.** Stations must air identification announcements when they sign on and off for the day. They also must broadcast these announcements every hour, as close to the start of the hour as possible, at a natural programming break. TV stations may make these announcements on-screen or by voice only. Official station identification includes the station's call letters, followed by the community specified in its license as the station's location. Between the call letters and its community, the station may insert the name of the licensee, the station's channel number, and/or its frequency. It may also include any additional community or communities, as long as it first names the community to which it is licensed by the FCC. DTV stations also may identify their digital multicast programming streams separately if they wish, and, if so, must follow the format described in the FCC's rules.

Commencing as of a date to be determined, for television stations, twice daily, the station identification will also have to include a notice of the existence, location and accessibility of the station's public file. The notice will have to state that the station's public file is available for inspection and that members of the public can view it at the station's main studio and on its station website. Broadcast of at least one of these announcements will be required between the hours of 6 p.m. and midnight.

**Children's Television Programming.** Throughout its license term, every TV station must serve the educational and informational needs of children both by means of its overall programming and through programming that is specifically designed to serve those needs. Licensees are eligible for routine staff-level approval of the Children's Television Act portion of their renewal applications if they air at least three hours of "core" children's television programming, per week, or proportionally more if they provide additional free digital programming streams. Core programming is defined as follows:

- Educational and Informational. The programming must further the educational and informational needs of children 16 years old and under (this includes their intellectual/cognitive or social/emotional needs).
- Specifically Designed to Serve These Needs. A program is considered "specifically designed to serve the educational and information needs of children" if: (1) that is its significant purpose; (2) it is aired between the hours of 7 a.m. and 10 p.m.; (3) it is a regularly scheduled weekly program; and (4) it is at least 30 minutes in duration.

To ensure that parents and other interested parties are informed of the educational and informational children's programming that their area stations offer, television

licensees must identify each program specifically designed to "educate and inform" children by displaying the icon "E/I" throughout the program. In addition, commercial stations must provide information identifying such programs to the publishers of program guides.

During the broadcast of TV programs aimed at children 12 and under, advertising may not exceed 10.5 minutes an hour on weekends and 12 minutes an hour on weekdays.

These rules apply to analog and digital broadcasting. As discussed at page 9 of this Manual, television stations have traditionally operated with analog technology. Television stations, however, are in the process of switching to digital broadcasting, which greatly enhances their capability to serve their communities. Among other things, digital technology permits stations to engage in multicasting, that is, to air more than one stream of programming at the same time. Digital stations that choose to air more than one stream of free, over-the-air video programming must air proportionately more children's educational programming than stations that air only one stream of free, over-the-air video programming.

Each television licensee is required to prepare and place in the public inspection file at the station a quarterly Children's Television Programming Report (FCC Form 398) identifying its core programming. These reports must also be filed electronically with the FCC each quarter and can be viewed on the FCC's website, at <http://www.fcc.gov/mb/engineering/kidvid>. This requirement of the station's public file is discussed at page 29 of this Manual.

The FCC has created a children's educational television website to inform parents and other members of the public about the obligation of every television broadcast station to provide educational and informational programming for children. This website provides access to background information about these obligations, as well as information about children's educational programs that are aired on television stations in your area and throughout the country. This website also can help TV stations comply with the children's television requirements. You can access the children's educational television website by going to the FCC's main website at <http://www.fcc.gov> and double-clicking on the "Parents' Place" listing under "Consumer Center" on the FCC home page. Alternatively, you can go directly to the children's television website at <http://www.fcc.gov/parents/childrenstv.html>.

**Station-Conducted Contests.** A station that broadcasts or advertises information about a contest that it conducts must fully and accurately disclose the material terms of the contest, and must conduct the contest substantially as announced or advertised. Contest descriptions may not be false, misleading, or deceptive with respect to any material term, including the factors that define the operation of the contest and affect participation, such as entry deadlines, the prizes that can be won, and how winners will be selected. Additional information about the contest rule can be found at <http://www.fcc.gov/cgb/consumerfacts/contests.html>.

**Lotteries.** Federal law prohibits the broadcast of advertisements for a lottery or information concerning a lottery. A lottery is any game, contest, or promotion that contains the elements of prize, chance, and "consideration" (a legal term that means an act or promise that is made to induce someone into an agreement). For example, casino gambling is generally considered to be a "lottery" subject to the terms of the advertising restriction although, as discussed below, the prohibition is not applied to truthful advertisements for lawful casino gambling. Many types of contests, depending on their particulars, also are covered under this definition.

The statute and FCC rules list a number of exceptions to this prohibition, principally advertisements for: (1) lotteries conducted by a state acting under the authority of state law, when the advertisement or information is broadcast by a radio or TV station licensed to a location in that state or in any other state that conducts such a lottery; (2) gambling conducted by an Indian Tribe under the Indian Gaming Regulatory Act; (3) lotteries authorized or not otherwise prohibited by the state in which they are conducted, and which are conducted by a not for profit organization or a governmental organization; and (4) lotteries conducted as a promotional activity by commercial organizations

that are clearly occasional and ancillary to the primary business of that organization, as long as the lotteries are authorized or not otherwise prohibited by the state in which they are conducted.

In 1999, the Supreme Court held that the prohibition on broadcasting advertisements for lawful casino gambling could not constitutionally be applied to truthful advertisements broadcast by radio or television stations licensed in states in which such gambling is legal. Relying upon the reasoning in that decision, the FCC and the United States Department of Justice later concluded that the lottery advertising prohibition may not constitutionally be applied to the broadcast of any truthful advertisements for lawful casino gambling, whether or not the state in which the broadcasting station is located permits casino gambling. Additional information about the rule concerning lotteries can be found at <http://www.fcc.gov/cgb/consumerfacts/contests.html>.

**Soliciting Funds.** No federal law prohibits the broadcast by stations of requests for funds for legal purposes (including appeals by stations for legal contributions to meet their operating expenses), if the money or other contributions are used for the announced purposes. However, federal law prohibits fraud by wire, radio or television - including situations in which money solicited for one purpose is used for another - and doing so may lead to FCC sanctions, as well as to criminal prosecution by the U.S. Department of Justice. Additional information about fund solicitation can be found at <http://www.fcc.gov/cgb/consumerfacts/contests.html>.

**Broadcast of Telephone Conversations.**

Before broadcasting a telephone conversation live or recording a telephone conversation for later broadcast, a station must inform any party to the call of its intention to broadcast the conversation. However, that notification is not necessary when the other party knows that the conversation will be broadcast or such knowledge can be reasonably presumed, such as when the party is associated with the station (for example, as an employee or part-time reporter) or originates the call during a program during which the station customarily broadcasts the calls. For additional information on the rule concerning the broadcast of telephone conversations, see <http://www.fcc.gov/eb/broadcast/telephon.html>.

**ACCESS TO BROADCAST MATERIAL BY PEOPLE WITH DISABILITIES**

The Communications Act and the Commission's rules require television station licensees to broadcast certain information that makes viewing more accessible to people with disabilities.

**Closed Captioning**

Closed captioning is a technology designed to provide access to television programming by persons with hearing disabilities by displaying, in text form, the audio portion of a broadcast, as well as descriptions of background noise and sound effects. Closed captioning is hidden as encoded data transmitted within the television signal. A viewer wishing to see the captions must use a set-top decoder or a television with built-in decoder circuitry. All television sets with screens 13 inches or larger manufactured since mid-1993, including digital sets, have built-in decoder circuitry.

As directed by Congress in the Telecommunications Act of 1996, the FCC has adopted rules requiring closed captioning of most, but not all, television programming. The rules require those that distribute television programs directly to home viewers, including broadcast stations, to comply with these rules. The rules also provide certain exemptions from the captioning requirements. Additional information on the closed captioning requirements may be found on the FCC website at <http://www.fcc.gov/cgb/dro/caption.html>.

**Access to Emergency Information**

The FCC also requires television stations to make the local emergency information that they provide to viewers accessible to persons with disabilities. Thus, if emergency information is provided aurally, such information also must be provided in a visual format for persons who are deaf or hard of hearing. The emergency information may be closed captioned or presented through an

alternative method of visual presentation. Such methods include open captioning, crawls, or scrolls that appear on the screen. The information provided visually must include critical details regarding the emergency and how to respond. Critical details could include, among other things, specific information regarding the areas that will be affected by the emergency, evacuation orders, detailed descriptions of areas to be evacuated, specific evacuation routes, approved shelters or the way to take shelter in one's home, instructions on how to secure personal property, road closures, and how to obtain relief assistance. Similarly, if the emergency information is presented visually, it must be made accessible. If the emergency information interrupts programming, such as through a crawl, such information must be accompanied with an aural tone to alert persons with visual disabilities that the station is providing this information so that such persons may be alerted to turn to another source, such as a radio, for more information. Additional information concerning this requirement can be found on the FCC website at <http://ftp.fcc.gov/cgb/consumerfacts/emergencyvideo.html>.

### BUSINESS PRACTICES AND ADVERTISING

#### Business Practices, Advertising Rates, and Profits

Except for the requirements concerning political advertisements (discussed at pages 13-14 of this Manual), the limits on the number of commercials that can be aired during children's programming (see page 17), and the prohibition of advertisements over noncommercial educational stations (see pages 21-22), the Commission does not regulate a licensee's business practices, such as its advertising rates or its profits. Rates charged for broadcast time are matters for private negotiation between sponsors and stations. Further, except for certain classes of political advertisements (see pages 13-14), station licensees have full discretion to accept or reject any advertising.

#### Employment Discrimination and Equal Employment Opportunity ("EEO")

The FCC requires that all licensees of radio and TV stations afford equal opportunity in employment. We also prohibit employment discrimination on the basis of race, color, religion, national origin, or sex. However, religious stations are permitted to require that some or all of their employees meet a religious qualification.

Our EEO recruitment rules have three prongs. They require all stations that employ five or more full-time employees (defined as those regularly working 30 hours a week or more) to:

- widely distribute information concerning each full-time job vacancy, except for vacancies that need to be filled under demanding or other special circumstances;
- send notices of openings to organizations in the community that are involved in employment if the organization requests such notices; and
- engage in general outreach activities every two years, such as job fairs, internships, and other community events.

Each licensee with five or more full-time employees must maintain records of its recruitment efforts, and create and place in its public file an annual public file report listing specified information about its recruitment efforts. (The requirements for the EEO portion of the public file are discussed at page 28 of this Manual.) The annual EEO public file report must also be posted on a station's website, if one exists. In addition, television licensees with five or more full-time employees and radio licensees with 11 or more full-time employees must file an FCC Form 397 Broadcast Mid-Term Report. Each licensee, regardless of size, must file an FCC Form 396 EEO Program Report with its license renewal application. Finally, a prospective station licensee must file an FCC Form 396-A Broadcast Model Program Report with its new station or assignment or transfer application. The FCC reviews EEO compliance at the time that it considers the station renewal application, when it reviews Broadcast Mid-Term Reports, when it receives EEO complaints, and during random station audits. A full range of enforcement actions is available for EEO violations, including the imposition of reporting conditions, forfeitures, short-term license renewal, and license revocation.

All EEO forms are electronically filed and are available for public review in CDDBS, the FCC's access database (to access these reports, see [http://fjallfoss.fcc.gov/prod/cdb/pubacc/prod/eeo\\_search.htm](http://fjallfoss.fcc.gov/prod/cdb/pubacc/prod/eeo_search.htm)). As discussed at page 27 of this Manual, in addition, copies of all FCC EEO audit letters, licensee responses, and FCC rulings must be included in the audited station's public file and are available for public review at the FCC Public Reference Center in Washington, D.C. Additional information concerning the EEO rules is available at <http://www.fcc.gov/mb/policy/eeo/>.

#### Sponsorship Identification

The sponsorship identification requirements contained in the Communications Act and the Commission's rules generally require that, when money or other consideration for the airing of program material has been received by or promised to a station, its employees or others, the station must broadcast full disclosure of that fact at the time of the airing of the material, and identify who provided or promised to provide the consideration. This requirement is grounded in the principle that members of the public should know who is trying to persuade them with the programming being aired. This disclosure requirement also applies to the broadcast of musical selections for consideration (so-called "payola") and the airing of certain video news releases. In the case of advertisements for commercial products or services, it is sufficient for a station to announce the sponsor's corporate or trade name, or the name of the sponsor's product (where it is clear that the mention of the product constitutes a sponsorship identification). For additional information about the sponsorship identification and payola rules, see <http://www.fcc.gov/cgb/consumerfacts/PayolaRules.html>.

#### Underwriting Announcements on Noncommercial Educational Stations

Noncommercial educational stations may acknowledge contributions over the air, but they may not broadcast commercials or otherwise promote the goods and services of for-profit donors or underwriters. Acceptable "enhanced underwriting" acknowledgements of for-profit donors or underwriters may include: (1) logograms and slogans that identify but do not promote; (2) location information; (3) value-neutral descriptions of a product line or service; and (4) brand names, trade names, and product service listings. However, such acknowledgements may not interrupt the station's regular programming. For additional information about the underwriting rules, see <http://www.fcc.gov/eb/broadcast/enhnd.html>.

#### Loud Commercials

The FCC does not regulate the volume of broadcast programming, including commercials. Surveys and technical studies reveal that the perceived loudness of particular broadcast matter is a subjective judgment that varies with each viewer and listener and is influenced by many factors, such as the material's content and style and the voice and tone of the person speaking. The FCC has found no evidence that stations deliberately raise audio and modulation levels to emphasize commercial messages.

Manually controlling the set's volume level or using the "mute" button with a remote control constitutes the simplest approach to reducing volume levels deemed to be excessive. Many television receivers are equipped with circuits that are designed to stabilize the loudness between programs and commercials. These functions usually must be activated through the receiver's "set up/audio" menu. Should these techniques fail to resolve the problem, you may consider addressing any complaint about broadcast volume levels to the licensee of the station involved. Additional information about loud commercials can be found at <http://www.fcc.gov/cgb/consumerfacts/backgroundnoise.html>.

#### False or Misleading Advertising.

The Federal Trade Commission has primary responsibility for determining whether an advertisement is false or deceptive and for taking action against the sponsor. The Food and Drug Administration has primary responsibility for the safety of food and drug products. Depending on the nature of the advertisement, you should contact these agencies regarding advertisements that you believe may be false or misleading. Additional information about false or misleading advertising can be found at <http://www.fcc.gov/cgb/consumerfacts/advertising.html>.

#### Offensive Advertising

Unless a broadcast advertisement is found to be in violation of a specific law or rule, the government cannot take action against it. However, if you believe that an advertisement is offensive because of the nature of the item advertised, the scheduling of the announcement, or the manner in which the message is presented, you should consider addressing your complaint directly to the station or network involved, providing the date and time of the broadcast and the product or advertiser in question. This will help those involved in the selection of advertising material to become better informed about audience opinion.

#### Tobacco and Alcohol Advertising

Federal law prohibits the airing of advertising for cigarettes, little cigars, smokeless tobacco, and chewing tobacco on radio, TV, or any other medium of electronic communication under the FCC's jurisdiction. However, the advertising of smoking accessories, cigars, pipes, pipe tobacco, or cigarette making machines is not prohibited. Congress has not enacted any law prohibiting broadcast advertising of any kind of alcoholic beverage, and the FCC does not have a rule or policy regulating such advertisements.

#### Subliminal Programming

The Commission sometimes receives complaints regarding the alleged use of subliminal perception techniques in broadcast programming. Subliminal programming is designed to be perceived on a subconscious level only. Regardless of whether it is effective, the broadcast of subliminal material is inconsistent with a station's obligation to serve the public interest because it is designed to be deceptive.

## BLANKETING INTERFERENCE

#### Rules

Some members of the public situated close to a radio station's transmitting antenna may experience impaired reception of other stations. This is called "blanketing" interference. The Commission's rules impose certain obligations on licensees to resolve such interference complaints. Complaints about such interference involving radio stations are handled by the Media Bureau's Audio Division. Blanketing interference is a less common occurrence with television stations than with radio stations due to the location and height of TV transmitting antennas. If this phenomenon does occur with a television station, the Media Bureau's Video Division will handle complaints on a case-by-case basis, subject to the radio guidelines noted below.

At the outset, the policy is designed to provide protection from interference for individuals within a certain distance from a station (in an area known as the station's "blanketing contour") and only involving electronic devices that pick up an over-the-air signal from a broadcast radio or television station. Thus, stations are not required to resolve interference complaints involving the following:

- A complaint from a party located outside of the station's blanketing contour (115 dBu contour for FM stations, 1 V/m contour for AM stations).
- Improperly installed antenna systems.
- Use of high gain antennas or antenna booster amplifiers.
- Mobile receivers, including but not limited to car radios, portable stereos or cellular phones.
- Non radio frequency ("RF") devices, including but not limited to, tape recorders, CD players, MP3 players or "land-line" telephones.
- Cordless telephones.

For complaints from parties located within the station's blanketing contour involving non-mobile television or radio receivers, a station must resolve the interference complaint at no cost to the complaining party if the party notifies the station of the problem during the first year that the station operates its new or modified facilities. For similar complaints received after the first year of such operation has passed, although the station is not financially responsible for resolving the complaint, it must provide effective technical assistance to the complaining party. These efforts must include the provision of information and assistance sufficiently

specific to enable the complaining party to eliminate all blanketing interference and not simply an attempt by the station to correct the problems. Such assistance entails providing specific details about proper corrective measures to resolve the blanketing interference. For example, stations should provide the complaining party with diagrams and descriptions which explain how and where to use radiofrequency chokes, ferrite cores, filters, and/or shielded cable. In addition, effective technical assistance also includes recommending replacement equipment that would work better in high radiofrequency fields. Effective technical assistance does not mean referring the complainant to the equipment manufacturer.

## How to Resolve Blanketing Interference Problems.

If you believe that you are receiving blanketing or any other type of interference to broadcast reception, we encourage you to first communicate directly, in writing, with the licensee of the station that you believe is causing the interference. If the licensee does not satisfactorily resolve the problem, you can mail, fax, or e-mail a complaint to us as follows:

- For radio stations:

Federal Communications Commission  
Audio Division, Media Bureau  
Washington, D.C. 20554  
Fax number: (202) 418-1411  
E-mail address: radioinfo@fcc.gov

- For TV stations:

Federal Communications Commission  
Video Division, Media Bureau  
445 12th St., S.W.  
Washington, D.C. 20554  
Fax number: (202) 418-2827  
E-mail address: tvinfo@fcc.gov

Your complaint should include: (1) your name, address, and phone number; (2) the call letters of each station involved; (3) each location at which the interference occurs; and (4) each specific device receiving the interference. The more specific your complaint is, the easier it is for us and any station involved to identify and resolve the interference problem.

## OTHER INTERFERENCE ISSUES

In many cases in which you receive interference on your television set or radio, the source of the problem could be with your equipment, which may not be adequately designed with circuitry or filtering to reject the unwanted signals of nearby transmitters. We recommend that you contact the equipment manufacturer or the store at which the equipment was purchased to attempt to resolve the interference problem. You can find more information about broadcast interference on the Commission's website, at <http://www.fcc.gov/cgb/consumerfacts/interference.html>.

## THE LOCAL PUBLIC INSPECTION FILE

### Requirement to Maintain a Public Inspection File

Our rules require that all licensees and permittees of TV and radio stations and applicants for new broadcast stations maintain a file available for public inspection. This file must contain documents relevant to the station's operation and dealings with the community and the FCC. The public inspection file generally must be maintained at the station's main studio. To obtain the location and phone number of a station's main studio, consult your local telephone directory, or call the station's business office. You may also be able to find this information on the station's Internet website, if one exists.

### Purpose of the File

Because we do not routinely monitor each station's programming and operations, viewers and listeners are an important source of information about the nature of their area stations' programming, operations, and compliance with their FCC obligations. The documents contained in each station's public inspection file have information about the station that can assist the public in this important monitoring role.

As discussed in this Manual, every station has an obligation to provide news, public affairs, and other programming that specifically treats the important issues facing its community, and to comply with the Communications Act, the Commission's rules, and the terms of its station license. We encourage a continuing dialogue between broadcasters and members of the public to ensure that stations meet their obligations and remain responsive to the needs of the local community. Because you watch and listen to the stations that we license, you can be a valuable and effective advocate to ensure that your area's stations comply with their localism obligation and other FCC requirements.

## Viewing the Public Inspection File

Each broadcast licensee, permittee, and applicant must make its station public inspection file available to members of the public at any time during regular business hours. Although you do not need to make an appointment to view the file, making one may be helpful both to the station and to you.

A station that chooses to maintain all or part of its public file on a computer database must provide you a computer terminal if you wish to review the file. As of a date to be determined, television stations will also be required to post most of the content of their public files on their Internet websites, if they have them, or on their state broadcasters association's website, if permitted. Radio stations have not yet been required to post their files on their websites, but may do so if they wish. If you want to view a station's public file over the Internet, you should check its website or contact the station to determine if the file is posted.

You may request copies of materials in the file, which the station must provide to you at a reasonable charge, by visiting the station in person. In addition, if the station's public file is located outside of its community of license (and you live within the station's service area and your request does not involve the station's political file), you may request copies of materials in the file over the telephone. To facilitate telephone requests, we require stations to provide you a copy of the current version of this Manual free of charge if you so request. The Manual can help you identify other documents you may ask to have mailed to you. Stations should assist callers in this process and answer questions you may have about the actual contents of the public file. This information may include, for example, the number of pages and time periods covered by a particular ownership report or children's television programming report, or the types of applications actually maintained in the station's public file and the dates on which they were filed with the FCC. Finally, if you ask a broadcast station for photocopies of material in its public inspection file, the station may require you to pay for those photocopies. Therefore, the station may require a guarantee of payment in advance (such as with a deposit or a credit card). The station must pay the postage for copies requested by telephone. Stations must fulfill requests for copies within a reasonable period of time, which generally should not exceed seven calendar days after the request is made. For additional information on these public file requirements, see <http://www.fcc.gov/eb/broadcast/pif.html>.

### Contents of the File.

The following materials must be maintained in each station public inspection file:

**The License.** Stations must keep a copy of their current FCC construction permit or license in the public file, together with any material documenting Commission-approved modifications to the authorization. The license or permit reflects the station's authorized technical parameters (such as its frequency, call letters, operating power and transmitter location), as well as any special conditions imposed by the FCC on the station's operation. It also indicates when it was issued and when it will expire.

**Applications and Related Materials.** The public file must contain copies of all applications involving the station filed with the Commission that are still pending before either the FCC or the courts. These include applications to sell the station or to modify its facilities (for example, to increase power, change the antenna system, or change the transmitter location). If a petition to deny any application was filed, the file must contain a statement to that effect, and the name and address of the petitioning party.

Applications must be maintained until "final" FCC action on them, when the action can no longer be appealed or reversed.

The station must also keep copies of any granted construction permit or assignment or transfer application if its grant required us to waive our rules. Applications that required a waiver, together with any related material, will reflect each particular rule that we waived, and must be maintained as long as any such waiver remains in effect.

Also, if the FCC renewed the station license for less than a full term, the station must keep that renewal application (FCC Form 303-S) in the file until grant of its next renewal application by final FCC action. We may grant such a short-term renewal when we are concerned about the station's performance over the previous term. These concerns will be reflected in the renewal-related materials in the public file.

**Citizen Agreements.** Commercial stations must keep copies of any written agreements that they make with local viewers or listeners. These "citizen agreements" may deal with programming, employment, or other issues of community concern. The station must keep these agreements in the public file for as long as they are in effect.

**Contour Maps.** The public file must contain copies of any station service contour maps or other information submitted with any application filed with the FCC that reflects the station's service contours and/or its main studio and transmitter locations. The Commission's application forms require submission of contour maps only from stations that do not certify that their signals cover their city of license. These documents must stay in the file for as long as they remain current and accurate regarding the station.

**Material Relating to an FCC Investigation or Complaint.** Stations must keep material relating to any matter that is the subject of an FCC investigation (including EEO audits) or a complaint that the station has violated the Communications Act or FCC rules. The station must keep this material in its file until the FCC notifies it that the material may be discarded. Since the FCC is not involved in disputes regarding matters unrelated to the Communications Act or FCC rules, such as private contractual disputes, stations do not have to retain material relating to such disputes in the public file.

**Ownership Reports and Related Material.** The public file must contain a copy of the most recent, complete ownership report (FCC Form 323 for commercial stations, FCC Form 323-E for noncommercial educational stations) filed for the station. Among other things, these reports disclose the names of the owners of the station licensee and their ownership interests, list any contracts related to the station that are required to be filed with the FCC, and identify any interests in other broadcast stations held by the station licensee or its owners.

**List of Contracts Required to be Filed with the FCC.** Stations must keep in the public file either copies of all the contracts that they have to file with the FCC, or an up-to-date list identifying all such contracts. If the station keeps a list and a member of the public asks to see copies of the actual contracts, the station must provide the copies to the requester within seven calendar days. Contracts required to be maintained or listed in the public inspection file include:

- contracts relating to network service (network affiliation contracts);
- contracts relating to ownership or control of the licensee or permittee or its stock. Examples include articles of incorporation, bylaws, agreements providing for the assignment of a license or permit or affecting stock ownership or voting rights (stock options, pledges, or proxies), and mortgage or loan agreements that restrict the licensee or permittee's freedom of operation; and
- management consultant agreements with independent contractors, and contracts relating to the utilization in a management capacity of any person other than an officer, director, or regular employee of the licensee.

**Political File.** Stations must keep a file which contains "a complete record of a request to purchase broadcast time that: (A) is made by or on behalf of a legally qualified candidate for public

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office; or (B) communicates a message relating to any political matter of national importance, including: (i) a legally qualified candidate; (ii) any election to federal office; or (iii) a national legislative issue of public importance." The file must identify how the station responded to such requests and, if the request was granted, the charges made, a schedule of time purchased, the times the spots actually aired, the rates charged, and the classes of time purchased. The file also must reflect any free time provided to a candidate. The station must keep the political records in the file for two years after the spot airs. (You can find more information regarding the political broadcasting laws at pages 13-14 of this Manual.)

**EEO Materials.** As noted earlier, licensees must submit certain forms containing EEO information and include copies in their station public files. Thus, all stations employing five or more full-time employees must put an EEO public file report in their station public file each year. We also require each radio and TV station licensee to file a Form 396 EEO Program Report with its license renewal application and to include the Report in its public file. Those licensees that file a Form 397 Broadcast Mid-Term Report must also include a copy in the public file. These materials must be retained in the file until final action on the station's next license renewal application. A new station applicant or prospective station buyer, if it intends to employ five or more full-time employees, must file a Form 396-A Broadcast EEO Model Program Report with its new station assignment or transfer application and the Report must be included in the public file as a part of the underlying application and retained in the file until the grant of the underlying application becomes final. (You can find more information regarding the EEO rules at pages 20-21 of this Manual.)

**"The Public and Broadcasting."** Stations must keep a copy of the current version of this Manual in the public file and provide a copy, upon request, to any member of the public. As noted above, you can also request a copy from the FCC or access it on our Internet website at [http://www.fcc.gov/mb/audio/deccdoc/public\\_and\\_broadcasting.html](http://www.fcc.gov/mb/audio/deccdoc/public_and_broadcasting.html).

**Letters and E-Mails from the Public.** Commercial stations must keep in their files, for at least three years, written comments, suggestions, and e-mails received from the public regarding their operation. (Noncommercial educational stations are not subject to this requirement.) This obligation is limited to comments, suggestions, and e-mails sent to station management or a publicized station address. Letters need not be placed in the public inspection file when the author has requested that the letter not be made public or when the licensee feels that it should be excluded from public inspection because of the nature of its content (such as defamatory or obscene letters). Moreover, although television stations that post their public file materials on their websites must include e-mails received from the public, they need not post letters from the public, as long as they include hard copies of such letters in their public files, and a notice on their website that the letters can be located in the file. As noted above, all or a part of a station public file may be maintained on a computer database, as long as a computer terminal is made available, at the location of the file, for members of the public who wish to review the file. Accordingly, as an alternative to maintaining hard copies of e-mails in the public file, a station may place the e-mails on a computer database, as long as a terminal is made available at the location of the public file to members of the public who wish to review the file.

**Quarterly Programming Reports.** Every three months, each broadcast radio and television station licensee must prepare and place in its station public file a list of programs containing its most significant treatment of community issues during the preceding three months ("issues/programs lists"). The list must briefly describe both the issue and the programming during which the issue was discussed, including the date and time that each such program was aired and its title and duration. The licensee must keep these lists in the file until the next grant of the station renewal application has become final. Television stations will be required to file a Standardized Television Disclosure Form instead of these lists once that form is approved and made available. The form, which will also be filed quarterly, will require commercial and noncommercial educational television broadcasters to provide detailed information on the efforts of their station to

provide programming responsive to issues facing their communities in a standardized format.

**Children's Television Programming Reports.** As discussed at pages 17-18 of this Manual, the Children's Television Act of 1990 and our rules require each TV station to serve the educational and informational needs of children by means of its overall programming and through programming that is specifically designed to serve such needs. Commercial TV stations must make and retain in their files Children's Television Programming Reports (FCC Form 398) identifying the educational and informational programming for children aired by the station. (Noncommercial educational stations are not required to prepare these reports.) The report must include the name of the person at the station responsible for collecting comments on the station's compliance with the Children's Television Act. The station has to prepare these reports each calendar quarter, and it must place them in the public file separate from the file's other material. The licensee must keep these lists in the file until the next grant of the station renewal application has become final. You can also view each station's reports on our website at <http://www.fcc.gov/parents/localprograms.html>.

**Records Regarding Children's Programming Commercial Limits.** As also discussed at page 17 of this Manual, the Children's Television Act of 1990 and our rules limit the type and amount of advertising that may be aired during TV programming directed to children 12 and under. Stations must keep records that substantiate compliance with this limitation in their public files and retain them until the next grant of the station renewal application has become final.

**Time Brokerage Agreements.** A time brokerage agreement is a type of contract that generally involves a station's sale of blocks of airtime to a third-party broker, who then supplies the programming to fill that time and sells the commercial spot announcements to support the programming. Commercial radio and television stations must keep in their public files a copy of every agreement involving: (1) time brokerage of that station, or (2) time brokerage by any other station owned by the same licensee. These agreements must be maintained in the file for as long as they are in force.

**Lists of Donors.** Noncommercial educational television and radio stations must keep in their public files a list of donors supporting each specific program. These lists must be retained for two years after the program at issue airs.

**Local Public Notice Announcements.** As discussed at pages 10-11 of this Manual, when someone files an application to build a new station or to renew, sell, or modify an existing station, we generally require the applicant to make a series of local announcements to inform the public of the application's existence and nature. These announcements are either published in a local newspaper or made over the air on the station, and are intended to give the public an opportunity to comment on the application. A statement certifying compliance with this requirement, including the dates and times that notice was given, must be placed in the public file. The only exception to this public notice requirement is when the proposed station sale is "pro forma" and will not result in a change of ultimate control, or the modification application does not contemplate a "major change" of the station facilities.

**Must-Carry or Retransmission Consent Election.** The public file for all commercial television stations must also contain documentation of the station's election for carriage over cable and satellite systems. In this regard, there are two ways that a broadcast TV station can choose to be carried over a cable or satellite system: "must-carry" or "retransmission consent." Each is discussed below.

**Must-Carry.** TV stations are generally entitled to be carried on cable television systems in their local markets. A station that chooses to exercise this right receives no compensation from the cable system. Satellite carriers may decide to offer local stations in a designated market area. If they choose to offer one station, then they must carry all the stations in that market that request carriage.

**Retransmission Consent.** Instead of exercising their "must-carry" rights, commercial TV stations may choose to receive compensation from a cable system or satellite carrier in return for granting permission to the cable system or satellite carrier to carry the station. This option is available only to commercial TV stations. Because it is possible that a station that elects this option may not reach an agreement with the cable system, it may ultimately not be carried by the system.

Every three years, commercial TV stations must decide whether their relationship with each local cable system and satellite carrier that offers local service will be governed by must-carry or by retransmission consent agreements. Each commercial station must keep a copy of its decision in the public file for the three-year period to which it pertains.

Noncommercial stations are not entitled to compensation in return for carriage on a cable or satellite system, but they may request mandatory carriage on the system. A noncommercial station making such a request must keep a copy of the request in the public file for the duration of the period to which it applies.

**DTV Transition Consumer Education Activity Reports.** Each broadcast television station must place in its station public file on a quarterly basis an FCC Form 388 DTV Consumer Education Quarterly Activity Report outlining its efforts during the previous quarter to educate consumers on the transition to digital television. These reports must be maintained in the file for one year. Additional information about the DTV transition can be found at page 9 of this Manual.

## COMMENTS OR COMPLAINTS ABOUT A STATION

### Comments to Stations and Networks.

If you feel the need to do so, we encourage you to write directly to station management or to network officials to comment on their broadcast service. These are the people responsible for creating and selecting the station's programs and announcements and determining station operation. Letters to station and network officials keep them informed about audience needs and interests, as well as on public opinion on specific material and practices. Individuals and groups can often resolve problems with stations at the local level.

### Comments/Complaints to the FCC.

We give full consideration to the broadcast complaints, comments, and other inquiries that we receive. As stated above, we encourage you to first contact the station or network directly about programming and operating issues. If your concerns are not resolved in this manner, with the exception of complaints about obscene, indecent, or profane programming, which should be submitted in the manner described at page 15 of this Manual, and complaints about blanketing interference discussed at page 24, the best way to provide all the information the FCC needs to process your complaint about other broadcast matters is to complete fully the on-line complaint Form 2000E, which can be found at <http://www.fcc.gov/cgb/complaints.html>. You can also call in, e-mail or file your complaint in hard copy with the FCC's Consumer Center in the following manner:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
445 12th St., S.W.  
Washington, D.C. 20554

Fax number: (202) 418-0232  
Telephone number: (888) 225-5322 (voice);  
(888)835-5322 (TTY)  
E-mail address: [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov)

If you are submitting an audio or video tape, DVD, CD or other type of media with your complaint, you should send it to the following address to avoid mail processing damage:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
9300 East Hampton Drive  
Capitol Heights, Maryland 20743



If you do not use the on-line complaint Form 2000E, your complaint, at a minimum, should indicate: (1) the call letters of the station; (2) the city and state in which the station is located; (3) the name, time, and date of the specific program or advertisement in question, if applicable; (4) the name of anyone contacted at the station, if applicable; and (5) a statement of the problem, as specific as possible, together with an audio or video tape, CD, DVD or other recording or transcript of the program or advertisement that is the subject of your complaint (if possible). Please include your name and address if you would like information on the final disposition of your complaint; you may request confidentiality. We prefer that you submit complaints in writing, although you may submit complaints that are time-sensitive by telephone, especially if they involve safety concerns. Please be aware that we can only act on allegations that a station has violated a provision of the Communications Act or the FCC's rules or policies.

In addition to (or instead of) filing a complaint, you can file a petition to deny or an informal objection to an application that a station licensee has filed, such as a

license renewal application. This procedure is discussed at pages 10-11 of this Manual. You may obtain further information on the petition to deny process on the Commission's website, at [http://www.fcc.gov/localism/renew\\_process\\_handout.pdf](http://www.fcc.gov/localism/renew_process_handout.pdf). You may also wish to consider reviewing our rules or contacting an attorney. You can find links to our rules on the Commission website, at [http://wireless.fcc.gov/index.htm?job=rules\\_and\\_regulations](http://wireless.fcc.gov/index.htm?job=rules_and_regulations). As noted earlier, the rules governing broadcast stations are generally found in Part 73 of Title 47 of the Code of Federal Regulations.

### BROADCAST INFORMATION SPECIALISTS

We have created contact points at the Commission, accessible via toll-free telephone numbers, by fax, or over the Internet, dedicated to providing information to members of the public regarding how they can become involved in the Commission's processes. Should you

have questions about how to do so, including inquiries about our complaint or petitioning procedures or the filing and status of the license renewal, modification or assignment or transfer application for a particular station, you may contact one of our Broadcast Information Specialists, by calling, by facsimile, or by sending an e-mail, as noted below:

- If your question relates to a radio station:

Toll-Free: (866) 267-7202 (Voice) or (877) 479-1433 (TTY)  
Fax: (202) 418-1411  
E-Mail: [radioinfo@fcc.gov](mailto:radioinfo@fcc.gov)

- If your question relates to a television station:

Toll-Free: (866) 918-5777 (Voice) or (866) 787-6222 (TTY)  
Fax: (202) 418-2827  
E-Mail: [tvinfo@fcc.gov](mailto:tvinfo@fcc.gov)

If your question relates to both a radio and a television station or is general in nature, you may contact either specialist.