

APR 5

Broadcasting & Cable

The Newsweekly of Television and Radio

FUTURISTS



Stars of the multimedia world capture the spotlight in San Jose / 14

PROGRAMMING



Star Trek spin-off *Deep Space Nine* tops newcomers in Feb. sweeps / 24

CABLE



USA buys ad time on network TV for image campaign / 43

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QUELLO'S FCC REMAKES THE INDUSTRY

Cable dealt body blow on rates; fin-syn assigned to oblivion / 6



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Fast Track

MUST READING FROM BROADCASTING & CABLE

Giants of consumer high-tech (pictured at right) Barry Diller (QVC), Bill Gates (Microsoft), John Sculley (Apple) and John Malone (TCI) headlined a conference in San Jose last week on multimedia. Malone said TCI plans to introduce a set-top computer that will process video and data coming into the home; Gates wants Microsoft to design the operating system. / 14



CABLE'S \$1.5 BILLION RATE ROLLBACK

The FCC voted 3-0 last week to freeze current basic and extended-basic rates for four months and to require systems serving between two-thirds and three-quarters of all subscribers to roll back rates up to 10% below their Sept. 30, 1992, levels. Systems whose rates still remain above a to-be-announced competitive benchmark will face further scrutiny and possible rollback and refund orders. The commission estimated that the regulations will mean a potential revenue loss for the industry of at least \$1 billion, but its estimate may be low since it includes only the 10% rate rollback and not the rollback to Sept. 30. It also excludes rollbacks on equipment that operators sell or rent to consumers. (Summary of rules, page 19.) / 6



Rumors that Senate Communications subcommittee aide Toni Cook would be named to chair FCC swept through Washington again last week. Last word: maybe this week.

NETWORKS UNCHAINED

The commission last week gutted its financial interest and syndication rules. The networks will be able to negotiate for a financial interest in the once and future success of their programming, but they are prohibited—for now—from actively selling shows in syndication. The networks can now “flex their unparalleled muscle, unchecked and unimpeded, extracting rights and revenues from creators as a condition for putting a program on the air,” said Jerry Leider, head of the coalition to save the rules. / 7

The FCC approved rules to ban unfair or discriminatory practices in the sale of cable programming to competitors of traditional cable systems. / 10



On the Cover

Cable was rocked and the networks were rolling last week as the FCC reached long-awaited decisions on cable rates (it ordered a billion-dollar rollback) and fin-syn (it OK'd network stakes in prime time programming). / 6
Photo: Warren Mattox

STRONG FIRST SWEEPS FOR 'DEEP SPACE'

'Deep Space Nine' was strong out of the starting gate for its debut showing in the syndication sweeps: its 7.7 rating/17 share in February was second only to that of its progenitor, 'Star Trek: The Next Generation' (9.0/19), among weeklies. 'Batman' and 'Tiny Toon Adventures' took the top spots among kids 2-11. / 24

ESPN has added pay per view to the functions of ESPN Enterprises. / 24

USA Networks has formed a film production unit that will concentrate on relatively bigger-budget films (\$5 million-\$10 million). Productions will air on USA and be released theatrically and on TV and video overseas. / 26

“The best picture is seven octopuses, all with their hands in each other's pockets.” — TCI Chairman John Malone on a multimedia future / 14

Ad/Marketing.....43	Editorials66	Programming24
Bi-coastal27	Fates & Fortunes.....60	Radio33
Business35	Fifth Estater59	Ratings Week.....29
Changing Hands36	For the Record54	Top of the Week.....6
Closed Circuit63	In Brief.....64	Washington38
Datebook.....53	Monday Memo.....58	Washington Watch ...42

APRIL 5, 1993

L.A. TV GEARS UP FOR KING VERDICT

With a verdict expected as early as this week, Los Angeles stations are preparing for extensive live coverage should a jury again acquit four L.A. police officers of using excessive force against motorist Rodney King. Chastised by some viewers and media critics for the violent images they aired during last year's riots, local news directors vow to proceed as before. "We're in the reality business," said one. / 28



Reps. Rick Boucher (left) and Michael Oxley, sponsors of legislation to lift the ban prohibiting telcos from providing cable in their telephone service areas, are confident of White House support. / 38

WESTWOOD EXITS STATION BUSINESS

Westwood One's dream of building a station group ended last week when it sold its KQLZ-FM Los Angeles to Viacom International for \$40 million. Despite cash flow of \$2.5 million-plus, the station wasn't performing well enough to cut into Westwood's huge debt. "It's just another case of 1980's deals not standing up in the 1990's," lamented Chariman/CEO Norm Pattiz. / 33

Fast-growing radio group Evergreen Media hopes to raise \$64 million in an initial public offering. / 34

ANALYSTS SPECULATE ON NBC WRITE DOWN

Lehman Brothers research analyst Robert Cornell, who follows GE, thinks a write down for NBC may be in the offing. The move, he says, would provide a perfect counterbalance to GE's expected \$1 billion gain from the sale of its aerospace and other assets, and enable it to sell the network at a price below its current book value without reporting an embarrassing loss. / 35

WHITHER FREE-TV SPORTS?

Broadcasters and cable programmers clashed at the FCC last week over whether the latter have been siphoning sports from free TV. "Broadcasters have abandoned sports," Time Warner said. Professional and college sports leagues sided with cable, while independent stations said rules may be needed to limit sports migration. / 40

Pennsylvania Governor Robert Casey weighed in on the future of HDTV in the U.S. by telling President Clinton, in a March 30 letter, that job creation should be an important factor in picking a standard. / 41

The USA Network will launch a consumer awareness image campaign this spring, targeting network TV (only NBC accepts ads from cable networks), nationally syndicated programs, local TV and movie theaters. / 43

The Federal Trade Commission has proposed rules prohibiting 900-number ads in kids programing and requiring large-type displays of charges. / 44



Cokie Roberts, a growing presence on ABC News and still an NPR stalwart, sums up the difference between the media thus: TV is 'committee work'; on radio, 'you are a one-man band.' / 59

BEER & WINE AD WARNINGS PUSHED

Congress has reintroduced a bill that would require all beer and wine advertising to include one of seven health and safety warnings. Supporters call the legislation a "first step" in the fight against alcohol abuse, while opponents argue it would deal a severe blow to sports programing. / 45

Top of the Week

FCC RELEVELS THE PLAYING FIELD

Cable set back, networks set free

Last Thursday (April 1), in dramatic actions that stunned both the broadcasting and cable industries and the media world at large, a short-handed, holdover FCC led by an interim chairman took three actions that could fundamentally change the economics and nature of the telecommunications businesses.

□ Acting under a congressional mandate, it rolled back cable television rates 10% under the levels of last fall, subtracting \$1.5 billion from cable's top line and sending cable operators and investors scrambling to figure the impact on the bottom line. □ Under pressure of a court-imposed deadline, the agency acted (in effect) to repeal its financial interest and syndication rules (although delaying repeal of the syndication rules for two years

after dismissal of a consent decree). That fight's not yet over, but the advantage now belongs clearly to the broadcast networks that have been precluded from those two areas of television for more than 20 years.

□ And in another precedent-making decision, it implemented rules (program access) to force the cable television industry to make its programming available for sale to its principal competitors, including the DBS, wireless cable and telephone industries.

In the chair for these historic actions was Chairman James H. Quello, who was joined in the 3-0 votes by Commissioners Ervin Duggan and Andrew Barrett. Commissioner Sherrie Marshall (pictured with her colleagues during Thursday's meeting) did not vote. The full accounts of that day's actions follow.



FCC hits cable with rate rollbacks

Commission action is expected to cost industry at least \$1.5 billion this year

By Joe Flint

Congress spoke, the FCC listened, and cable lost big.

In what is estimated to be at least a \$1.5 billion loss in subscriber and equipment revenues to the cable industry this year alone, the commission voted 3-0 (with Commissioner Sherrie Marshall recusing herself) to cut cable rates by as much as 15%.

According to the commission, about 75% of all cable systems will likely face the rate rollbacks, including a rollback to Sept. 30, 1992 (pre-Cable Act) rates.

The commission also issued an im-

mediate freeze on all cable rates effective today (April 5) for the next four months.

Cable securities, both stocks and bonds, were hammered on Thursday and Friday, having already declined some the prior week. MSO's carrying a heavy debt burden, such as Adelphia and Cablevision Systems, were particularly vulnerable (see box, page 15). By Friday afternoon, most cable MSO stocks were off approximately 20% from their levels of only a few weeks earlier.

Cable operators last week were faced with trying to unravel what the new rules would mean to their bottom line.

Said one cable lobbyist of the long-term impact: "The rules are compelling us to abandon the whole thing to the telcos. We won't be able to provide services to do what we want."

Tele-Communications Inc. was already bracing Wall Street for the regulation last week at an investors' conference. The regulatory problems have already cost industry giant TCI at least \$8 million, spent on lobbying, issue

COVER STORY

Continues on page 15

Networks victorious in fin-syn fight

FCC opens door to rerun business for big three, but consent decrees still block way

By Harry A. Jessell

The FCC gutted its two-year-old financial interest and syndication rules last Thursday, putting the big three broadcast networks on the verge of entering the lucrative network rerun business, much to the dismay of Hollywood, which has battled for more than two decades to keep them out.

The agency also exempted Fox from all fin-syn obligations, permitting it to remain in the syndication business even if the Fox network expands its prime time schedule to a full 22 hours per week.

All that now stands in the networks' way are whatever new legal hurdles Hollywood erects and the antitrust consent decrees that parallel the original strict fin-syn rules.

How successful the hurdles will be is anybody's guess, but the consent decrees are expected to be lifted later this year.

The FCC's action "has the networks dancing in the streets," said Jerry Leider, one of the producers who led the broad coalition opposing changes in the rules. "The networks can once again flex their unparalleled muscle, unchecked and unimpeded,

extracting rights and revenue from creators as a condition for putting a program on the air."

Independent broadcasters, fearing network control of off-network programming, were also stung. There may come a day when independents no longer need protection from networks, said Association of Independent Television Stations President Jim Hedlund. "But that isn't the case today."

If the networks were dancing, they were doing so in private. "It's a step in the right direction," said NBC President Robert Wright, who grumbled about the perpetuation of restrictions on domestic and first-run syndication and the Fox exemption.

The networks were also nervous about the consent decrees. Until U.S. District Court Judge Robert Kelleher acts on them, the networks can do nothing. The Bush Justice Department called for gutting the decrees, but the Clinton Justice Department, the networks fear, may be turned around by Hollywood, which has close ties to the President. "The corks are still in the champagne bottles," said one network executive.

Fox was the biggest and clearest winner. Without the exemption, it would be restricted to 15 hours of

prime time per week—the point at which it would become subject to fin-syn restrictions and have to abandon either the network or syndication business.

(It was Fox that persuaded key members of Congress to give the green light to the FCC to reopen the fin-syn issue in 1990.)

Once the consent decrees are gone, the broadcast networks will be able to acquire financial interest and syndication rights in all their programs—including those in prime time—without restrictions.

However, they will be barred for two or three years from acquiring backend rights in first-run syndicated programs, except those they produce in-house, and from syndicating—actively selling—any program in the U.S. market. They will be permitted to syndicate shows overseas.

The syndication restrictions are set to expire two years after the consent decrees are lifted, although proponents will have an opportunity six months prior to the sunset to make a case for their retention.

The commission's action was precipitated by the U.S. Court of Appeals in Chicago, which last November tentatively vacated the 1991 rules as "un-

Quello makes his mark

Jim Quello's chairmanship of the FCC could last only weeks or months—his February appointment is good only until President Clinton gets around to appointing a permanent chairman. But when his time is up and he returns to a commissioner's role, he'll be able to boast that his commission changed the television landscape with its industry-shaking cable rates, program access and fin-syn actions.

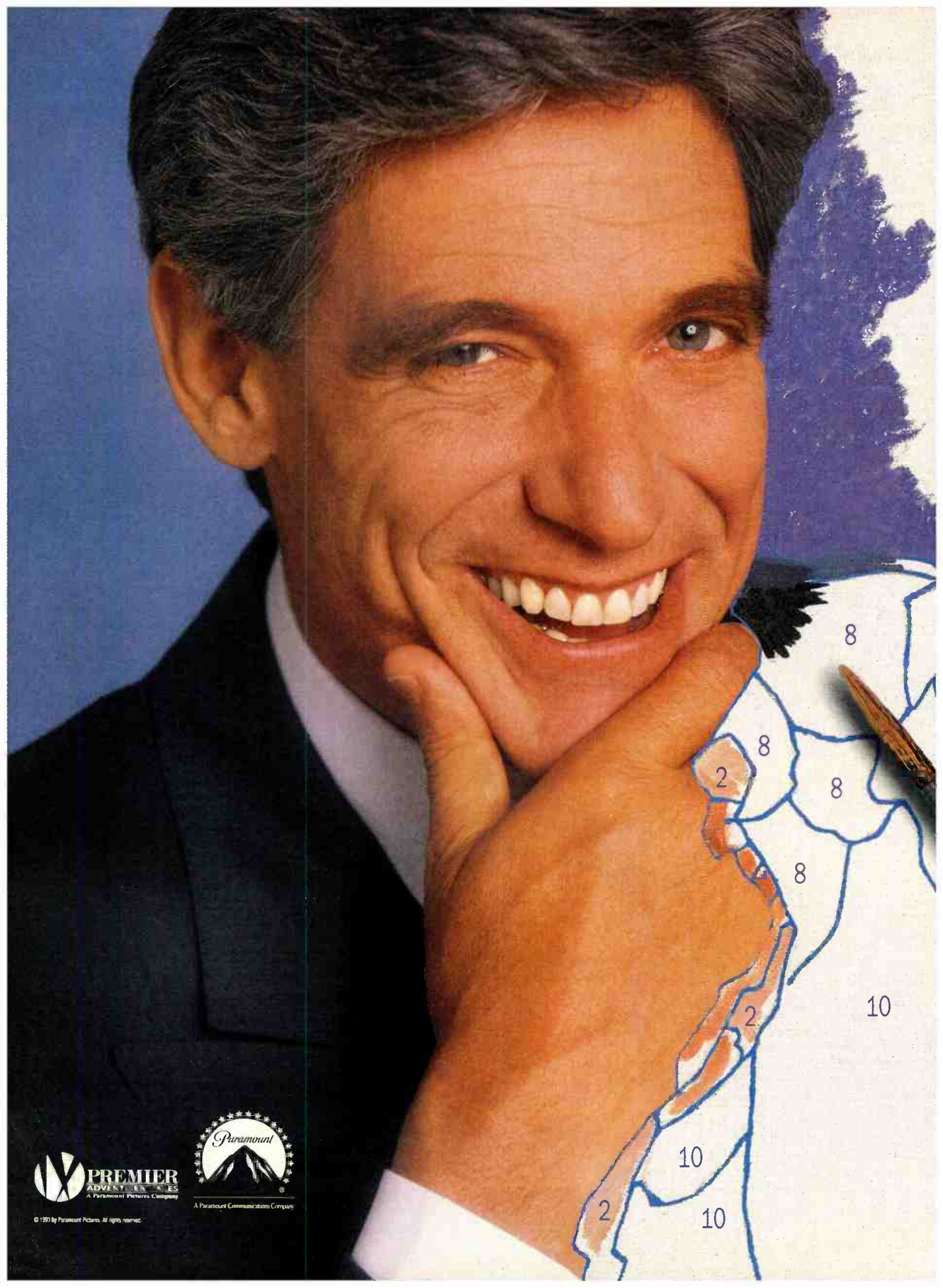
Even Quello was impressed by the impact of the decision to trim cable rates by up to \$1.5 billion. "I never thought I'd see the day when fin-syn would take second-billing," he says, noting that fin-syn has been the most hotly contested issue in his 19 years at the agency.

All in all, he is satisfied by what the FCC has wrought. The relaxation of the fin-syn rules, along with the adoption last month of rules giving TV stations either mandatory carriage on cable systems or the opportunity to negotiate for carriage fees, advance his personal goal. "The preservation of free, universal TV is an important, if unspoken, beneficiary of these actions," he says.

Quello also feels the FCC took a "reasonable first step" in regulating cable rates as mandated by the 1992 Cable Act. "We gave the public some rate relief without killing the business," he says. "We are not in the business of killing businesses here."

That the FCC produced the complex cable and fin-syn rules on a tight schedule is evidence of the hard work and unusual harmony now prevailing at the agency. Quello adds: "I don't think anyone here wants to fail me or make me look bad." —HAJ





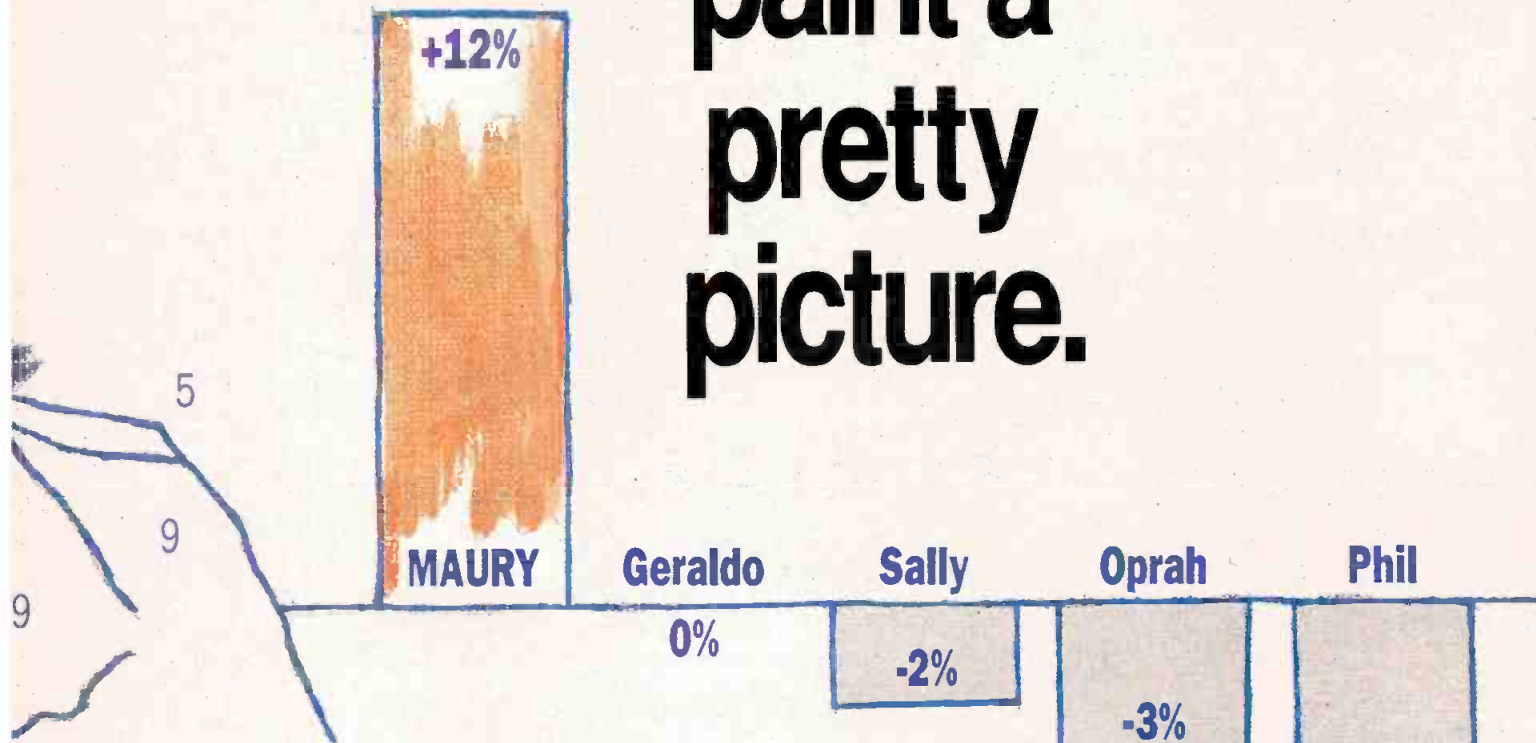
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reasoned and unreasonable" but gave the agency until April 6 to redraft them.

General Counsel Renee Licht said the agency would ask the court for an extension of the deadline to avoid a period of no rules before the new rules take effect next month.

The evisceration of the rules was made possible by Commissioner Andrew Barrett. In 1991 he was a member of a three-commissioner majority (along with Ervin Duggan and Sherrie Marshall) that voted to retain substantial fin-syn restrictions. But this time around, he was prepared to join Acting Chairman James Quello in unleashing the networks. The video marketplace has changed, he said, noting the continued growth of cable and Fox and the imminent arrival of direct-broadcast satellite service.

Protecting producers from network bidding for their shows, diversity of program sources on network schedules and "qualitative disputes about how much a certain entity will pay for certain types of programming" are no longer "primary" concerns for the FCC, Barrett said.

Duggan stuck to his 1991 guns. "To the extent that [a] reasonable, prudent, incremental approach to relaxing the fin-syn rules is demolished by the death today of the financial interest rule, I must dissent from today's action," he said.

Quello and Barrett were all the networks needed to carry the day. Commissioner Sherrie Marshall, the leader of the 1991 fin-syn majority, has recused herself from broadcasting while searching for a private-sector job. There has been a vacancy on the commission since Alfred Sikes resigned the chairmanship last January. He had favored repeal of the rules.

The pro-fin-syn forces will likely ask the FCC to reconsider its vote in the hope it will take it up at a time when the commission has been reconstituted with a new chairman and another new commissioner to replace the departing Marshall. Those appointments are expected this spring.

Those forces will also likely mount a legal challenge, making an effort to have the case heard in any court but the U.S. Court of Appeals, which has already ruled against it.

"It ain't over till the fat lady sings," said Diane Killory, an attorney representing the fin-syn interests. "And I haven't seen any fat ladies around." ■

FCC mandates equal access

Vertically integrated programmers will have to sell shows to wireless, DBS with same terms as those given to cable

By Joe Flint

Although the rate cuts will be an immediate hit to cable's bottom line, in the long-term the FCC's tougher-than-expected program access rules could prove even more harmful to the industry.

The commission's program access rules would force vertically integrated cable operators such as Tele-Communications Inc. to offer their programming to multichannel competitors on the same terms.

Competitors such as wireless cable operators have complained for several years that vertically integrated cable companies would refuse to deal with them on fair terms.

The commission even went beyond what Congress asked for in the Cable Act. The act's program access provision required cable program services owned—or partially owned—by a cable operator to void most of their exclusive contracts with cable systems and to make their services available to other potential multichannel competitors to cable, such as direct-broadcast satellite systems and wireless cable.

Under the commission's rules, a programmer does not have to be vertically integrated to be subject to its program access rules, although complaints over exclusive contracts will be limited to vertically integrated programmers.

"The FCC's decision regarding program access will go down in history as the beginning of the new era of competition in subscription television for the benefit of consumers as the Competitive Cable Act of 1992 is finally implemented," said Bob Schmidt, president of the Wireless Cable Association.

Bert Carp, vice president of government affairs for Turner Broadcasting System, said as a result of the rule-making the nation's cable networks would either suffer in quality or would have to raise their wholesale prices.

"From a programming point of view, it's pretty clear that our heads are on the chopping block, too," said Carp. "We, like the operators, are being put into a world that is less comfortable."

Carp added that additional legisla-

tion affecting the cable industry was expected in the next five to six years.

The commission outlawed exclusive programming contracts between vertically integrated programmers and cable operators in areas not served by a cable operator.

Exclusive contracts in areas served by cable—except those entered into before June 1, 1990—may not be enforced unless the commission determines the contract is in the public interest. All other programmers with such contracts have four months from the effective date of the rules (expected to be mid-July) to bring their agreements into compliance with the new regulations.

The burden of proof is also on the cable programmer, not the competing distributor. "The FCC will not require complainants alleging violations of specific prohibitions to make a threshold showing that they have suffered harm as a result of the proscribed conduct...the commission is persuaded that Congress has already determined that such violations result in harm."

To determine whether a programmer is engaging in unfair behavior, the FCC said it will compare the programming contract of the complaining distributor with the programming contract its competitor has.

The commission said discrimination between competing distributors will have occurred when any of the following factors do not exist:

- Cost differences at the wholesale level in providing a program service to different distributors.

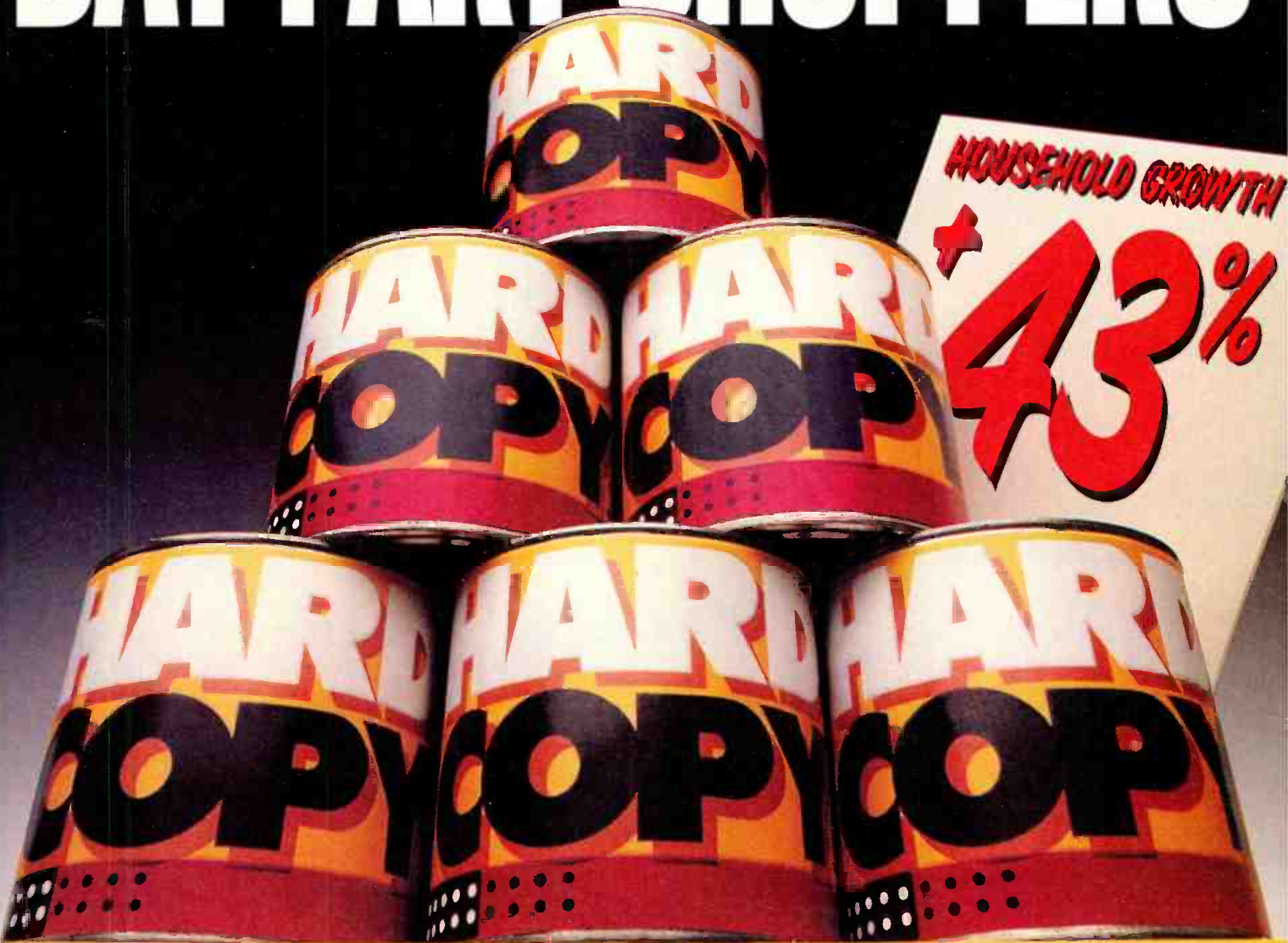
- Volume differences.

- Differences in creditworthiness, financial stability or character.

- Differences in the way the service is offered.

In evaluating a discrimination complaint, the commission will use a two-step approach focusing on the difference in price paid by or offered to the complainant as compared with that paid by the competitor. The programmer must then justify the difference in rates. To do so, the programmer will have to submit other contracts it has signed with distributors that it believes are similarly situated to the complainant. ■

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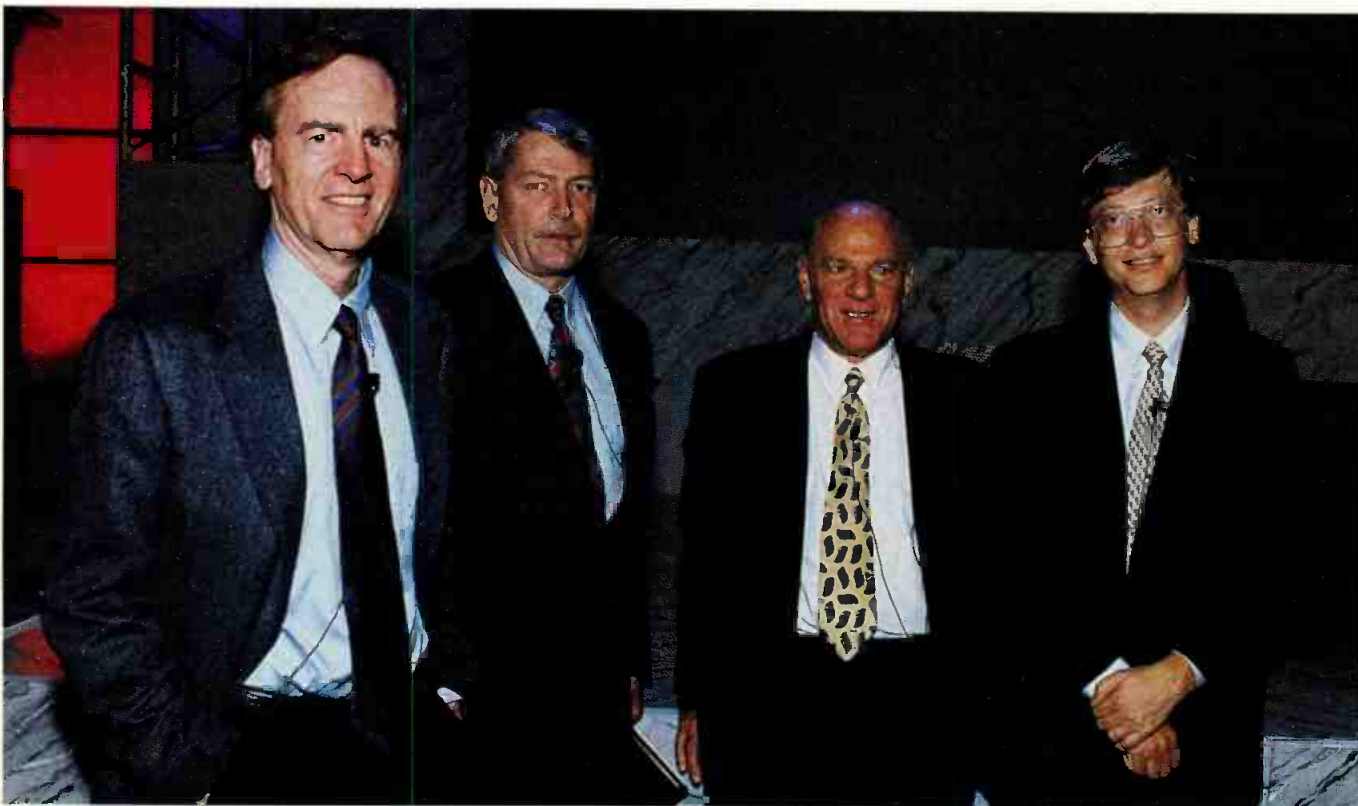
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The chairmen of the nation's biggest cable and computer companies interfaced last week during a multimedia conference in San Jose that logged in 10,000 attendees: John Sculley, Apple Computer; John Malone, TCI; Barry Diller, QVC, and Bill Gates, Microsoft.

Malone calls cable engine of multimedia

Says TCI has plans for converter with built-in computer; Microsoft's Gates says his company wants to provide software for next-generation box

By Bob Wells,
special correspondent

Tele-Communication Inc.'s ambitious upgrade plans stole the limelight at the keynote panel of a gathering of 10,000-plus people exploring the interactive world of multimedia.

"Cable is the locomotive that is driving the process" that is bringing two-way, on-demand services to the home, TCI Chairman John Malone told attendees at the three-day Intermedia '93 conference in San Jose.

TCI plans to put converter boxes containing high-powered computer operating systems and costing \$300-\$350 each into the 14 million homes it serves, Malone said. These next-generation devices, to be made by General Instrument Corp. and AT&T, will supplant simpler digital-decompression decoders. TCI will begin putting them into homes late this year.

TCI still hasn't decided, said Malone, "how much memory and pro-

cessing power" to put in the set-top devices.

Microsoft Chairman Bill Gates, who appeared on the same panel as Malone, said Microsoft hopes to provide the computer software for the future cable converters.

Gates said that so far, nobody

knows which applications will be "the big ones" in the home market—digital movies, teleshopping or otherwise. But, he added, Microsoft enjoys such a "huge profit stream" that it can be involved in the long-term process of finding out.

Has TCI considered investing in Microsoft? Malone was asked. "We're looking for the next Microsoft," said Malone.

"So is everybody else," Gates pointed out.

Will cable overwhelm the telephone companies? "That's a regulatory issue," said Malone, noting that in England, U.S.-owned cable companies are already offering phone service.

Do people want to use interactive phone services?

TCI's focus group research reveals that people "at least want the ability to control" what content is coming at them, "whether they actually use it or not," said Malone.

A big question about digital multimedia's huge range of potential offerings,

What is Multimedia?

It's text, sound, graphics, animation, full-motion video or some combination, all digitized and all available interactively. So far, multimedia services have generally been delivered on computer disks, in particular the high-capacity compact disc read-only memory (CD-ROM) disks. In the future, though, they may be sent over cable or phone lines, or by wireless channels, from large computer memory banks, called "servers."

said panelist Apple Computer Chairman John Sculley, is "how do you promote it, how do you get people interested? That's the bottom line here."

Another question for the 1990's, said Sculley, will be how the information-overloaded individual will "screen out the electronic junk mail everyone wants him to read. The answer, he said, is electronic "agents" or "filters," now under development, which will browse tomorrow's massive data flows, picking out each per-

son's morsels.

QVC Network Inc. Chairman Barry Diller said QVC's experience is that people are willing to shop electronically, but "only if all they have to do is point and say yes."

QVC, Diller said, will soon outgrow its orientation toward impulse buying and adopt a "more rationalized schedule with program segments." QVC's future? Diller alluded to a system IBM has been showing around that has an electronic "personal shop-

per" to assist the harried viewer.

Multimedia, noted panel moderator Stewart Alsop, is widely thought to be the nexus where TV networks, studios, cable, telcos, computer companies, consumer electronics and publishing will all some day converge.

"The best picture is seven octopuses, all with their hands in each other's pockets," said Malone. There will be some convergence, he added, but all seven "will continue to have separate appetites and separate stomachs." ■

Cable rollbacks

Continued from page 6

advertising and other related expenses in the fourth quarter. TCI executives have been reluctant to disclose what they will do operationally should the FCC regulations stick.

But in comments to the press last Thursday in New York, TCI executives provided one view of their long-term response, which is to expand the proportion of revenue coming from nonregulated portions of the business, in part by expanding internationally.

Jim Wholey, Washington representative for Jones Intercable, said the rules are "potentially much worse" than they sound. "Perhaps our biggest concern is how to reconcile this rule-making with our desire and congressional mandate to invest in upgrading our plant and services."

Joe Collins, chairman and chief executive officer of Time Warner Cable Group and chairman of the National Cable Television Association, said that aside from the 120-day freeze on rates, many of the FCC's rulemakings were "lost in a cloud of details."

"In general, I don't think we're going to find that this has been a terrific day for the business," said Collins. "Virtually everything we package will be impacted by today."

Collins said the cable industry needs to be particularly careful in the months ahead not to "shoot ourselves in both feet" while negotiating retransmission consent with stations. He also issued the by now familiar call to the cable industry to improve its public relations efforts.

Michael Isaacs, director of government affairs and public policy, Providence Journal Co., owner of MSO Colony Communications, with about

700,000 subscribers, offered this response: "There could be some danger here that the FCC action could affect our ability to meet customer needs, maintain program quality and make technology improvements," if revenues drop substantially as a result of the decision.

When not determining the future impact of the rules, the cable industry attacked the FCC's actions as being overreaching and excessive.

NCTA blasted the commission's rules saying it had gone beyond congressional intent, that it would hurt consumers, hurt cable's ability to advance technically and that it would face court challenges.

NCTA President Jim Mooney said the rules will "make it very difficult for us to satisfy the expectations of our subscribers for quality programming and service. These things are expensive to provide, and rate rollbacks, while always temporarily popular, almost always are destructive to quality."

Mooney said the commission's action exceeded its authority under the statute, and he said there was no doubt

the issues would end up in the courts, a sentiment echoed by others.

"You'll see a series of appeals—legal challenges to it—with a pretty good likelihood of success," said Amos Hostetter Jr., chairman/CEO, Continental Cablevision. "I think it will create chaos in the interim. It will cut off the availability of new capital to both programmers and operators."

"The FCC has clearly pushed the outer bounds of its authority and in some critical aspects, appears to have exceeded that authority. Although crucial details will not be known for several weeks, it seems certain the FCC has misinterpreted the 1993 Cable Act.... We suspect that much of what was done today may not survive judicial scrutiny," said TCI, the nation's largest cable operator, in a statement.

Robert F. Smith, public relations manager for Monmouth Cablevision Associates, Monmouth, N.J., said he is concerned about how the press will portray the rulemakings. "The conclusions will have already been done," said Smith. "Consumers in my neighborhood are going to expect a 15%

Cable fear and loathing on Wall St.

Even with recent warnings from Wall Street securities analysts that MSO stocks would be under pressure come April 1, owners were still caught off guard by the extent of the FCC's rules and sold those stocks across the board late last week. By Friday afternoon cable stocks were off 20% from their level of only a few weeks earlier. And bond prices declined roughly 2%-2½% from just a week earlier. Panic selling included Cablevision Systems, down to 32¾ from 42½ only a few weeks ago, and Tele-Communications Inc., down to 18½ from 24 only a few weeks ago. On the bond side, the market was distinguishing slightly between highly leveraged companies (such as Adelphia Communications and Jones Intercable), and those with less debt, said Bob Kricheff, director of high-yield research for First Boston. Kricheff noted that at least two MSO's, Continental and Adelphia, had debt offerings outstanding that could potentially be affected by the problems in the market. —GF

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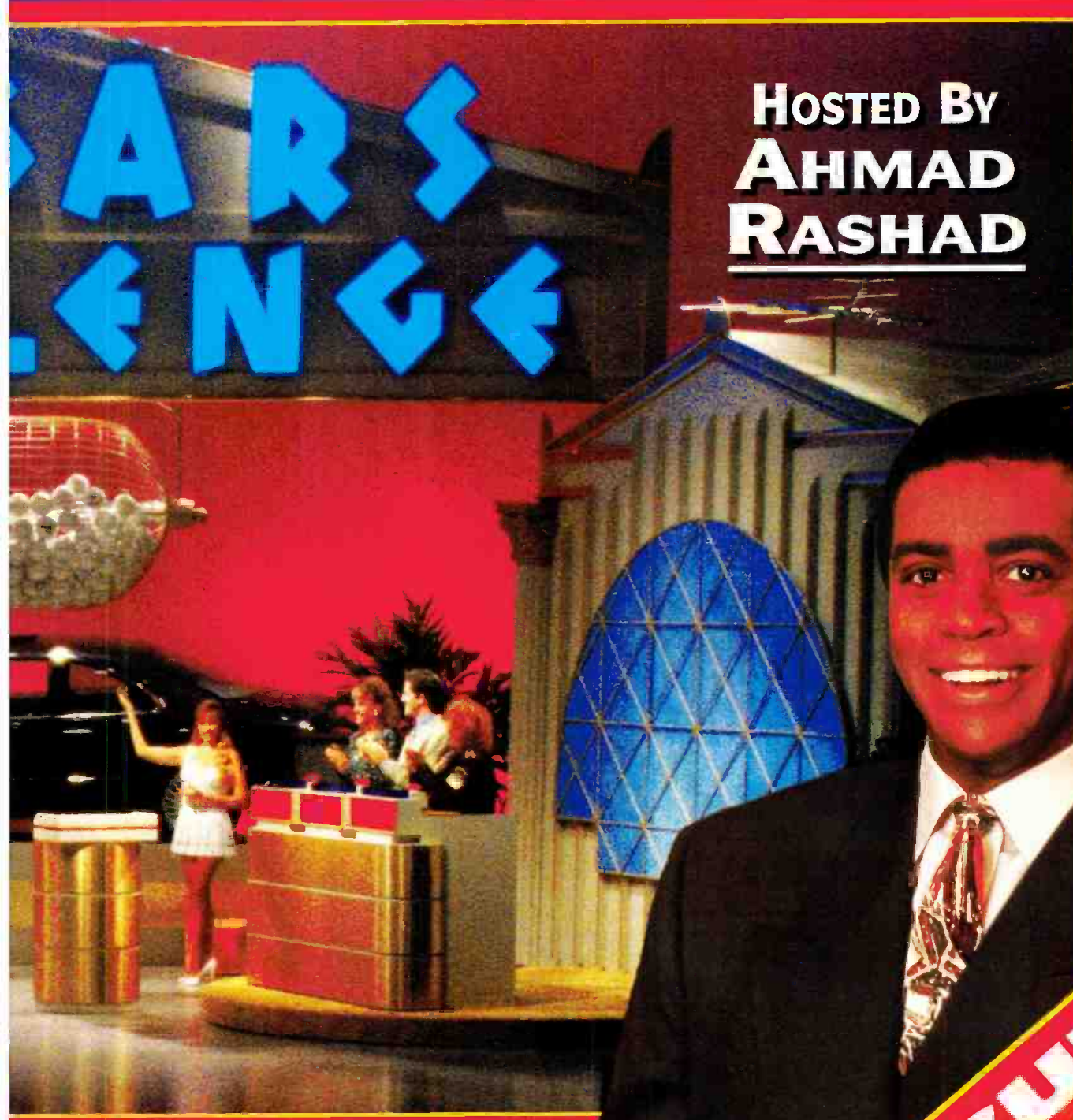
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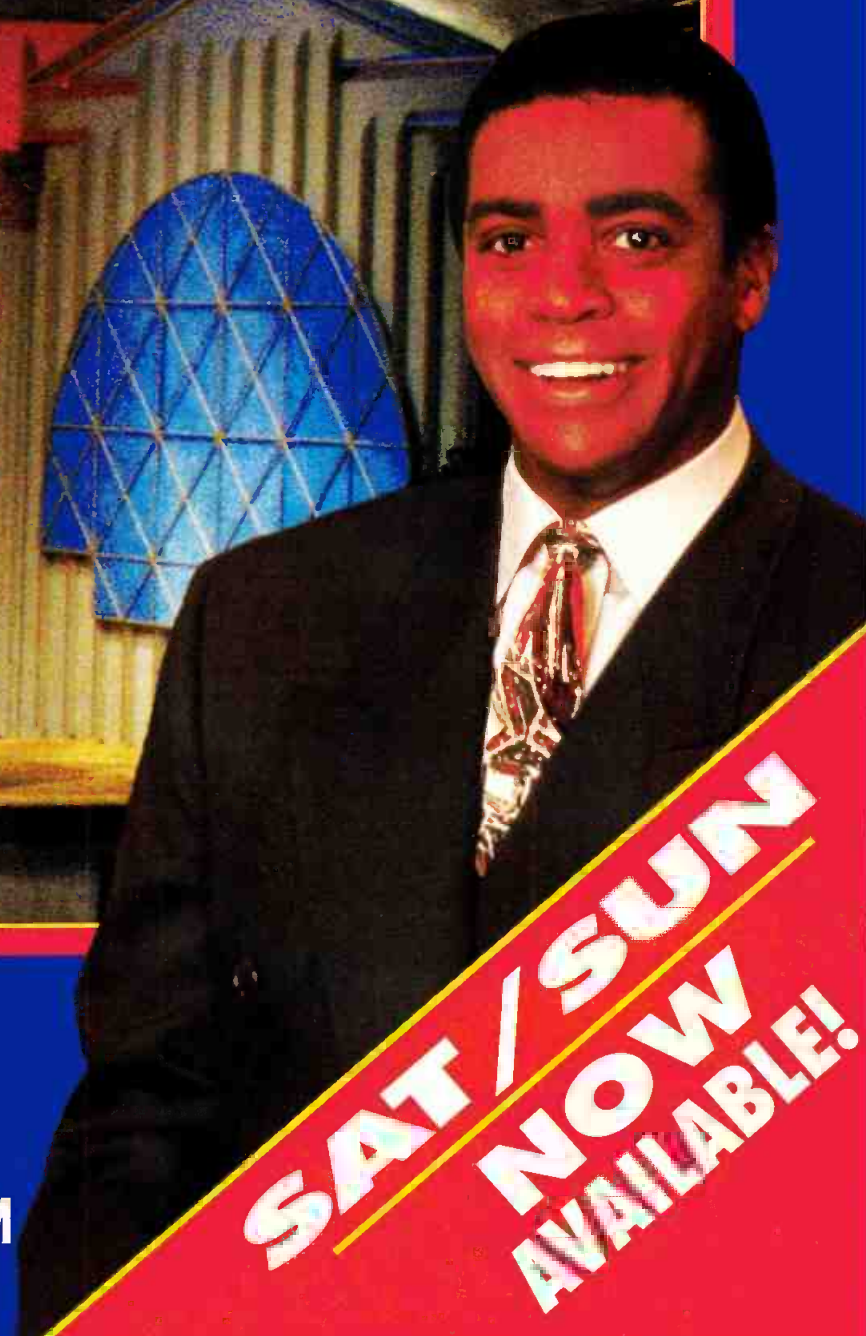
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rollback," he said.

"It's very troubling," Smith said of the FCC action. "I certainly didn't expect the rate decreases to be as draconian as they were just described to us."

Smith said it did not necessarily help the cable industry that the FCC allowed for pass-along costs because "the customer would write the check and the cable industry would catch the flak."

Also angered at the FCC's actions was Senate Commerce Committee member Conrad Burns (R-Mont.), who called the regulation "burdensome, unnecessary regulation whose every provision is designed to shackle and constrain one of the shining stars of the coming digital-information-age revolution."

Said Burns: "This stifling regulatory regime will discourage investment in increased channel capacity, in innovative programming and in new transmission technologies—all of which will be critical to job creation during the remainder of this decade and the 21st century."

The commission received faint praise from Senate Commerce Committee Chairman Ernest Hollings (D-S.C.), who said he was "encouraged by the FCC's decision to reduce cable rates for consumers" but added, "more work needs to be done to protect them."

"While some consumers will get a 10% rate reduction, others deserve much more. I'm going to work to make sure the FCC enacts the full letter of the law."

House Energy and Commerce Committee Chairman John Dingell (D-Mich.) said modifications to the FCC's action are likely as more data regarding cable rates are gathered.

Added House Telecommunications Subcommittee Chairman Ed Markey (D-Mass.): "While I would have liked to have seen the FCC's rate rollbacks go even further, communities that have faced the most outrageous rate hikes now have the ability to petition the FCC to bring their rates down to the benchmark or even further if the commission makes that determination."

Anticipating the negative reaction from both the cable industry and Congress, FCC Acting Chairman James Quello said: "Usually this reflects acceptable judgment."

Specifically, the commission's ac-

What it all means

Cable systems must freeze their basic cable rates today (April 5) for the next four months.

Once they get FCC certification, municipalities will check up on cable systems. Those that have raised their rates since Sept. 30 will have to roll them back to where they were on that date.

Systems above the "benchmark" price will have to lower their rates another 10% or to the benchmark, whichever is less. Systems can then add back inflation between Sept. 30 and April 1.

The benchmark will vary, depending on the number of channels and other factors. The FCC has yet to release its benchmark formula.

Case in point: a cable operator who raised his monthly rate 9% from \$23 to \$25 on Jan. 1 will have to return to \$23. The system will then have to trim another \$2.30 (10%) to \$20.70, assuming its benchmark is below that figure. Adding back inflation, say 2% for the six months, brings the rate back up to \$21.12. Bottom line: a rate \$3.88 (18%) lower than it was on April 1.

If the system is still "substantially" over the benchmark, the commission may investigate. If the system can't justify its high rate, the FCC can force additional cuts to bring it into line with industry norms.

Operators who have marked up equipment costs higher than their own costs will also have to bring those costs in line, plus a reasonable profit. If an operator is found guilty of overcharging for equipment, subscribers will be refunded money, retroactive to the date of their complaint.

Local governments can apply for certification as soon as the rules go into effect, some 75 days after release of the official order, which is due out in 30 days.

—JF

tions would first require cable operators that raised rates after the Cable Act passed Congress last October to roll back to Sept. 30, 1992, levels and—after that—the FCC can roll back basic cable rates up to another 10%. Rate increases after the Cable Act passed were in the 5% range, making for the 15% total.

The rollbacks will affect the local broadcast, access and basic cable programming tiers but not premium and pay channels such as Home Box Office.

Cable systems whose rates, after the first two cuts, still remain above the commission's to-be-announced competitive benchmark will face further scrutiny and possible reduction by the FCC.

Rate hikes, the commission said, will be limited to the general inflation index, with limited exceptions for external costs that are beyond the operator's control, including taxes, franchise fees and programming costs, but not retransmission consent.

None of the commission's rate slashing is automatic. The commission and/or local franchises will act to lower rates upon consumer complaints, but no one is expecting a shortage of complaints.

The industry will also likely lose money because of refunds to subscribers. Any subscriber who files a complaint at the FCC and/or with the local franchises that is validated will get a refund from the date of the complaint.

As for who is doing the regulating, local franchising authorities will handle complaints on basic cable (broadcast and access channels), while the commission will oversee expanded basic, which includes non-pay cable channels such as USA and CNN.

To determine rate rollbacks, the commission will use a benchmark formula that will take into consideration a system's size, channel capacity and penetration. The commission—saying it would only confuse the public—declined to release the benchmark formulas. They will become available when the FCC releases its report and order on the rate regulation in the next few weeks.—*Rich Brown, Geoffrey Foisie and Steve McClellan contributed to this story.*

A full text of the FCC's summary of its new cable rate regulation follows.

The FCC's summary of its new cable rate regulations

The official order detailing the new regulations will not be out for several weeks. Until then, the FCC summary—released after last Thursday's vote and reprinted here in full—is the most complete recitation of what the commission did. Not included are the formulas for establishing the benchmarks for basic cable rates. They will not be available until the order is released.

Temporary Freeze of Regulated Cable Rates

1. Cable service and equipment rates not subject to effective competition will be frozen for 120 days effective April 5, 1993. This action will prevent cable operators from raising rates before the Commission's rules become effective and will enable local governments and cable subscribers a reasonable period of time to start the rate regulation process before new rate increases are implemented. During the freeze, the average monthly subscriber bill for regulated services and equipment may not increase above the average monthly subscriber bill for such services and equipment as calculated under rates in effect on April 5, 1993. The freeze does not preclude operators from adding subscribers, retiering services, unbundling services and equipment, or providing additional services and equipment, as long as cable operator does not intend to evade the freeze and the average monthly subscriber bill does not increase over the April 5, 1993 level.

Standards and Procedures for Identifying Cable Systems Not Subject to Effective Competition

Definitional Issues:

2. Cable service and equipment rates may only be regulated under the Cable Consumer Protection and Competition Act of 1992 ("1992 Act") if the cable system is not subject to effective competition. Under the statute, "effective competition" exists if: (a) fewer than 30 percent of households in the franchise area subscribe to the cable system; (b) (i) the franchise area is served by at least two unaffiliated multichannel video programming distributors ("multichannel distributors"), each of which offers comparable programming to at least 50 percent of households in the franchise area, and (ii) the number of households subscribing to programming services offered by multichannel distributors other than the largest multichannel distributor exceeds 15 percent of households in the franchise area; or (c) the franchise authority itself is a multichannel distributor and offers video programming to at least 50 percent of the households in the franchise area.

3. When applying this definition, multichannel distributors will include cable systems, MMDS operators, SMATV systems, DBS operators, TVRO distributors and video dialtone service providers. Programers using leased access channels on cable systems will not be considered multichannel distributors.

4. A multichannel distributor's service is "offered" in a franchise area if the service is both technically and actually available, with no regulatory, technical or other impediments to households taking service. Service will be deemed to be "technically available" when the multichannel distributor is physically able to deliver the service to a household wishing to subscribe, with only minimal additional investment by the distributor. A service will be considered "actually available" if subscribers in the franchise area are reasonably aware through marketing efforts that the service is available.

5. The term "household" is defined as each sepa-

rately billed or billable customer, except that individual residents of multiple dwelling units will be treated as separate households.

6. For purposes of applying the 15 percent threshold in the second effective competition test, subscribership of alternative multichannel distributors will be calculated on a cumulative basis; however, only those multichannel distributors that offer programming to at least 50 percent of households in the franchise area will be included in the 15 percent cumulative measurement.

7. A multichannel distributor will be deemed to offer "comparable programming" to that provided by a cable system if it offers at least twelve channels of video programming, including at least one nonbroadcast channel.

Finding of Effective Competition:

8. For purposes of implementing rate regulation by local franchising authorities, cable operators will be presumed not to be subject to effective competition. Franchising authorities may rely on this presumption when filing a certification to regulate basic rates with the Commission. The cable operator will then have the burden of rebutting this presumption with evidence demonstrating that effective competition does in fact exist.

9. To ensure that cable operators have access to the data they need to mount a successful challenge to the presumption against effective competition, alternative multichannel distributors will be required to respond, within 15 days, to requests from cable operators for relevant information. Responses by the alternative distributors may be limited to the numerical totals needed to calculate the distributor's reach and penetration in the franchise area.

Assertion of Jurisdiction over Basic Service and Equipment Rates

Division of Jurisdiction Between FCC and Local Governments:

10. The 1992 Cable Act requires local authorities wishing to regulate basic service and equipment rates to certify in writing to the Commission that (1) its rate regulations will be consistent with the rate regulations we prescribe; (2) it has the legal authority to adopt, and the personnel to administer, rate regulations; and (3) its procedural rules provide an opportunity for consideration of the views of interested parties.

11. Under the statute, local franchising authorities and the Commission have shared jurisdiction over the regulation of basic service and equipment rates. However, the Commission will not exercise its jurisdiction unless either (a) a local franchising authority's certification is denied or revoked, or (b) the franchising authority requests us to regulate basic rates because it has insufficient resources to regulate or it lacks the legal authority to do so. Franchising authorities requesting Commission intervention on the basis of insufficient funds must submit a showing explaining why the franchise fees it obtains cannot be used to cover the cost of rate regulation at the local level. The Commission will not regulate basic rates where a local government voluntarily

chooses not to seek certification because it is satisfied with the rates charged by the local cable operator.

Preemption Issues:

12. Franchising agreements that prohibit rate regulation are preempted by the 1992 Cable Act. By contrast, state laws that preclude rate regulation are not preempted, although in such cases the Commission will assume jurisdiction over basic service and equipment rates. Similarly, state laws that prohibit local governments from engaging in rate regulation are not preempted; in these cases, basic rate regulation will be conducted at the state level.

The Certification Process:

13. Franchising authorities intending to regulate basic rates must first submit a form certification with the Commission. This form, which will be available from the FCC, will certify that the franchising authority has met the statutory requirements (set forth above) for seeking certification and will further certify that, to the best of the franchising authority's knowledge, effective competition does not exist in the franchise area.

14. Franchising authorities may begin filing certifications with the Commission 30 days after publication of the *Report and Order* in the Federal Register, although there is no deadline by which a franchising authority must seek certification. Under the statute, a certification will go into effect in 30 days unless Commission finds that it is defective. However, franchising authorities will not be able to begin regulating rates until they have adopted regulations consistent with those adopted by the Commission in the *Report and Order* and have implemented rules which give interested parties a reasonable opportunity to comment during the rate regulation process.

Certification Challenges:

15. The Commission recognizes that cable operators are likely to challenge franchising authority certifications on a number of grounds. The most serious challenge is the assertion that effective competition exists and thus rate regulation is not permitted under the Act. Cable operators who believe they currently face effective competition (as defined by the Act) should file a petition for reconsideration of the franchising authority's certification request. Such petitions may be filed any time within the 30 day period after a certification has become effective. An operator filing a petition for reconsideration on the ground that it is subject to effective competition will be granted an automatic stay of rate regulation until resolution of the petition, subject to refund liability back to the date the petition was filed if the Commission subsequently determines that there is no effective competition. Cable operators that file frivolous effective competition petitions to take advantage of the automatic stay provision will be subject to forfeitures.

16. If a cable operator that is not now subject to effective competition later faces such competition, it may petition the franchising authority for a change in its regulatory status. The burden will be on the

cable operator to prove that effective competition now exists.

17. If an operator believes that a franchise authority cannot be certified due to other defects (e.g., it does not have the legal authority, it lacks adequate resources or its rate regulations are not consistent with ours), the operator may file either a petition for reconsideration (which would be filed within 30 days after the certification becomes effective) or a petition for revocation (which could be filed at any time). Operators filing such petitions will not be entitled to an automatic stay of regulation.

18. Where the Commission denies a certification on other than effective competition grounds, the franchising authority will be notified and informed of any modifications that must be made in order to obtain Commission approval. If, after this opportunity to cure, the authority still fails to meet the certification requirements, its certification will be revoked.

Rate Regulation Procedures Used by Local Franchising Authorities:

19. Once a franchising authority has been certified and has adopted the appropriate rules, it must notify the cable operator that these requirements have been met and that it intends to regulate basic service rates. The cable operator will then have 30 days to file its basic rate schedule (and any supporting material concerning the reasonableness of its rates) with the franchising authority.

20. Upon receipt of the operator's basic rate schedule, the franchising authority will have 30 days either to find that the rates are within the FCC's benchmarks, that the rates are outside the benchmark, or that it cannot make that determination on the basis of the material before it. In either of the latter two cases, the franchising authority will issue a brief order to that effect and will have additional time in which to reach a final decision.

21. If the franchising authority finds the rates to be unreasonable, it may order a reduction of those rates to the maximum level permitted by the Commission's benchmarks and caps. Reductions below the benchmarks may be ordered based upon a cost-of-services showing. The franchising authority also may prescribe a reasonable rate above the benchmark where appropriate. If the franchising authority orders a rate reduction, it may also order refunds (including interest) dating back to the effective date of the Commission's rules or one year, whichever is shorter.

22. The same two-step review process will be used on a going-forward basis when a regulated cable operator seeks a rate increase.

Appeals of Local Franchising Authority Rate Decisions:

23. Appeals of a local franchising authority's rate decision that involve questions of whether or not the decision is consistent with the Commission's rate regulations will be resolved by the Commission; other challenges will be appealed to local courts. Subscribers and other interested parties who participated in the local rate proceeding will have standing to appeal rate decisions.

Assumption of Jurisdiction by the Commission:

24. If the Commission denies or revokes a franchising authority's certification, it will exercise the franchising authority's jurisdiction over basic rate regulation until the authority qualifies.

Regulation of Basic Service and Equipment Rates

Components of the Basic Service Tier Subject to Rate Regulation:

25. The 1992 Cable Act requires cable operators to offer subscribers a separately available basic service tier to which subscription is required for access to any other tier of service. The basic tier must include, at a minimum, all must-carry signals, all PEG channels, and all television signals other than superstations. The cable operator may add other channels of programming to its basic tier at its discre-

tion. The statutory definition preempts provisions in franchise agreements that require additional services to be carried on the basic tier.

26. Subscribers must purchase the basic tier in order to gain access to the video programming offered on a per-program or per-channel basis. Purchase of the basic tier is not required in order to buy non-video programming services such as cable radio.

27. Cable operators subject to rate regulation may have only one "basic" tier which must be unbundled from all other tiers; multiple basic tiers will not be permitted for rate regulation purposes.

Regulation of Basic Service Tier Rates: The Benchmark System:

28. A benchmark system will be used to regulate basic service tier rates, with cost-of-service showing available only to allow cable operators to justify rates above the benchmark. Local franchising authorities may not elect cost-of-service as their primary form of rate regulation but must apply the FCC benchmark system.

29. The same benchmark structure and rate levels will be adopted for the basic and cable programming service tiers. This approach will decrease incentives to create "stripped down" basic tiers and cost-shift between tiers in an effort to justify rates above the benchmark levels.

30. The Commission's survey of September 30, 1992 cable rates reveals that, on average, the rates charged by cable systems facing no effective competition are approximately 10 percent higher than rates charged by similarly situated systems that do face competition. The data further reveal that this "competition differential" occurs across the industry.

31. The Commission survey results have been used to develop a benchmark formula that will enable regulators to approximate what the competitive rates should be for a given cable system with particular characteristics. This formula will be used to calculate what the competitive rate should be for an individual system.

32. When assessing the reasonableness of a cable system's rates, local franchising authorities may not require systems whose September 30, 1992 rates were below the competitive benchmark to reduce rates below that level. However, the current reasonable rate for the system will be calculated by taking the system's September 30, 1992 rates and adjusting those rates forward for inflation. Regulated systems whose September 30, 1992 rates are above the competitive benchmark will be required to reduce their September 30, 1992 rates to the benchmark or by 10 percent, whichever is less. Their current reasonable rate will then be determined by adjusting the reduced rate forward for inflation. Cable systems not making the 10 percent rate reduction will be required to justify the higher rate to a regulating franchise authority by using a cost-of-service showing.

Special Scrutiny for "Outliers":

33. After August 1, 1993, the Commission will begin investigating the rates of "outlier" systems. Systems subject to investigation will be selected from among those systems, identified by local franchising authorities or subscriber complaints, whose September 30, 1992 rates were substantially above the competitive benchmark. An outlier system subject to such an investigation will have to demonstrate that its high rates are justified by high costs. This enforcement scheme will put systems whose September 30, 1992 rates were well above the benchmark on notice that they face investigation by the FCC. If the Commission finds that their rates are not cost-justified, the systems could be ordered to reduce their rates to whatever level is found to be appropriate, even if that level is below the benchmark.

Rate Increases:

34. Increases in basic service rates regulated by local franchising authorities will be capped by a Commission-established price cap formula. In particular, requested increases may not exceed the GNP fixed weight price index (GNP-PI), which reflects general increases in the cost of doing business and

measures changes in overall inflation. Limited exceptions will be made for increases in external costs that are beyond the cable operator's control, such as taxes, franchise fees, the costs of other franchise requirements, and increases in programming costs that exceed the GNP-PI. A proposed rate increase that exceeds the permitted cap must be justified by a cost-of-service showing or will be disallowed.

Cost-of-Service Showings:

35. The Commission, not local franchising authorities, will set standards to govern cost-of-service showings. However, the record does not contain sufficient information for the Commission to adopt final standards at this time. Accordingly, a further *Notice of Required Rulemaking* is being issued to seek additional comment on the development of appropriate standards. (See paragraphs 63-64, below.)

36. Until final cost-of-service standards are adopted, local franchising authorities will have the discretion to apply general cost-of-service regulatory principles to cost-of-service showings submitted by regulated cable operators. If the local authority's decision is appealed, the operator's cost-of-service showing will be reviewed by the Commission on a case-by-case basis.

Regulation of Equipment Used to Receive the Basic Service Tier:

37. The 1992 Act requires the Commission to establish standards for setting, on the basis of actual cost, the rate for installation and lease of equipment used by subscribers to receive the basic service tier, and installation and lease of monthly connections for additional television receivers.

38. The Commission concludes that equipment "used" to receive the basic service tier includes converter boxes, remote controls, connections for additional television sets and cable home wiring. Such equipment is subject to basic service rate regulation even if it is also used to receive cable programming services. However, equipment used only to receive cable programming services will be regulated by the Commission.

39. Operators must completely unbundle charges for all equipment, additional outlets and installations. Local franchising authorities regulating basic service equipment shall use the actual cost standards developed by the Commission.

Subscriber Bill Itemization:

40. Cable operators may identify as a separate line item on each subscriber bill the amount of any fee, tax, assessment or charge imposed by a government entity on the transaction between the operator and the subscriber.

Regulation of Cable Programming Service Rates and Equipment by FCC

Procedural Issues:

41. Under the 1992 Act, regulation of "cable programming service" rates and equipment is to be conducted by the Commission, not local franchising authorities. "Cable programming service" is defined broadly in the statute as all video programming provided over a cable system except that provided on the basic service tier on a per-channel or per-program basis. The Commission will also exclude per-program and per-channel premium services offered on a multiplexed or time-shifted basis.

42. The 1992 Act provides that rate regulation of cable programming services and equipment will be a complaint-driven process—i.e., the Commission will not regulate cable programming service rates until it receives a complaint that a particular operator's rates are unreasonable. Thus, the procedures adopted by the Commission for handling cable programming rate regulation are significantly different from those used to regulate basic service rates.

43. The 1992 Act permits subscribers, franchising authorities and other relevant government entities to file complaints about the rates for cable programming services and equipment. As required by law, complainant's alleging that a cable operator's current cable programming rates are unreasonable will have

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180 days from the effective date of the Commission's rules to challenge existing rates. On a going-forward basis, complainants must file complaints about cable programming service and equipment rates within 45 days from the time subscribers receive a bill that reflects the rate increase (that is, roughly 75 days from the announcement of the proposed rate increase).

44. In order to avoid dismissal of a complaint, the complainant must supply certain readily available factual information and must allege that the rate is unreasonable because it violates the Commission's rate regulations. Complainants must use the complaint form adopted by the Commission and serve a copy on the cable operator.

45. Subscribers need not obtain the franchising authority's concurrence before filing a complaint with the Commission. However, franchising authorities are encouraged to assist subscribers in completing complaint forms and subscribers are free to attach the views of the franchising authority when submitting a complaint to the FCC. Franchising authorities will not be permitted to formally review and adjudicate cable programming service complaints in the first instance.

46. Upon receipt of a cable programming service complaint submitted on the FCC form, the Commission will review the complaint to determine whether it meets the minimum showing needed to permit the complaint to go forward. The operator must respond to a complaint within 30 days of its receipt, unless the Commission notifies the operator that the complaint fails to satisfy the minimum showing requirement.

47. If cable programming service rates are found to be unreasonable, the Commission will order the operator to reduce the rates to a specific reasonable level and to reflect that reduction in prospective bills to customers. Generally, the rate specified as reasonable will be the applicable benchmark, although the Commission may specify a higher rate depending on an operator's cost-of-service showing. The operator will then be required to refund overages (plus interest) to subscribers, with refunds being calculated from the date the complaint was filed until the date the operator implements the reduced rate prospectively in bills to subscribers.

Substantive Issues:

48. The Commission does not believe that the 1992 Act mandates use of a "bad actor" test for cable programming service rates, and the Commission's standards for reviewing complaints about such rates will not be designed simply to reach those cable operators whose rates for cable programming services are "egregious." Rather, when assessing a complaint that a system's cable programming service rates are unreasonable, the Commission will use the same test of reasonableness adopted for basic service rate regulation.

49. As with basic service rates, the Commission will use a benchmark approach as the principal form of rate regulation for cable programming services, with cost-of-service showings used only by cable systems whose rates exceed the benchmarks. The same benchmark system developed for basic service rate regulation discussed above in paragraphs 28-34 will be applied when evaluating complaints about the alleged unreasonableness of cable programming service rates.

50. Complaints concerning the rates for equipment used to receive cable programming services also will be evaluated using the same "actual cost" approach developed for equipment used to receive the basic service tier. Operators whose cable programming service equipment rates are the subject of a complaint filed at the Commission will have to unbundle its equipment charges and establish that those charges comply with the Commission's "actual cost" standard.

Provisions Applicable to Cable Service Generally

51. A cable system must have a uniform rate structure throughout the franchise area. This requirement, however, does not preclude operators from

establishing reasonable categories of customers and services. The reasonableness of such categories will be determined on a case-by-case basis by the governmental entity regulating rates.

Discrimination:

52. A cable operator may offer reasonable discounts to senior citizens and other economically disadvantaged individuals. For this purpose, an economically disadvantaged individual will be defined as a person who receives federal, state or local welfare assistance.

Negative Option Billing:

53. The 1992 Act provides that an operator may not charge a subscriber for "any service or equipment that the subscriber has not affirmatively requested by name." This limitation on so-called "negative option billing" applies whenever a new tier or single channel service is added. However, restructuring undertaken to respond to the Commission's new rate regulations will not bring the negative option billing into play as long as subscribers continue to receive the same number of channels and the same equipment, and the total price for the services does not change. On a going-forward basis, the provision does not apply to changes in the mix of channels in a tier, even when those changes are accompanied by a rate increase, unless the changes alter the fundamental nature of the service tier.

Further Notice and Survey of Cable Service and Equipment Rates:

54. The Commission will conduct detailed cost studies of selected cable operations to test the accuracy of its benchmark. In addition, next fall, the Commission will conduct another survey of a random sample of cable systems to collect information about equipment and program service rates. The results of this survey and the cost studies will be used to assess whether the benchmark formula developed by the Commission should be further refined. Although the Commission will not at this time require all cable operators to file annual financial information, it will explore this issue further in the *Further Notice* on cost accounting and cost allocation rules.

55. The Commission observes that including all types of "competitive" systems, as defined under the 1992 Act, in its analysis of September 30, 1992 cable rates resulted in an average difference in prices between competitive and noncompetitive systems that was lower than if some competitive systems—i.e. those with lower than 30 percent penetration—were not included in the analysis. The Commission thus will issue a *Further Notice* to request further comment on whether there is a legal basis for excluding these low penetration systems from its analysis and, if so, whether they should be excluded and rates reduced even further.

Preventions and Evasions:

56. Prohibited "evasions" will be defined as any practice or action which avoids the rate regulation provisions of the 1992 Act or the Commission's rules contrary to the intent of the Act or its underlying policies.

Treatment of Small Systems:

57. Franchise authorities regulating small cable systems will be permitted to exempt those systems from having to file an initial rate schedule with the franchising authority. In such cases, the small system need simply certify to the authority that its rates for basic service and equipment are reasonable and are within the applicable benchmark formula. However, a small system whose rates exceed the benchmark, a small system proposing to increase its basic service rates or a small system answering a cable programming service complaint will not be exempted from the procedures the Commission has established. For these purposes, a "small system" is a system with fewer than 1,000 subscribers.

Grandfathering Existing Rate Agreements:

58. Franchising authorities already regulating rates pursuant to a franchise agreement executed

before July 1, 1990 may continue to regulate basic service and equipment rates for the remainder of the franchise term without filing a certification with the Commission. Authorities with agreements signed after that date must be certified by the Commission. Moreover, franchising authorities regulating rates pursuant to grandfathered franchise agreements must nonetheless comply with the Commission's rate regulation procedures and standards.

Reports on Average Prices:

59. The 1992 Act requires the Commission to annually publish statistical reports regarding average cable rates and associated fees, including a comparison of such charges between those cable systems that are subject to effective competition and those systems that are not. The Commission will use the results of the survey described above in paragraph 54 to collect the information necessary to compile this report.

Leased Commercial Access

60. The Communications Act requires that cable systems with 36 or more channels make available a portion of their channel capacity for lease by outside unaffiliated parties. The Commission is provided with expanded authority under the 1992 Act to determine the maximum reasonable rates that may be charged for use of these leased access channels. The rules adopted set a maximum channel rate based on the highest implicit fee charged to any nonaffiliated programmer within the same program category. The implicit rate is calculated by determining the amount paid per month by subscribers for the service and deducting from that the amount that is paid per month to the programming service vendor, the difference between the amount received and the amount paid is the implicit leased channel rate. Such rates are to be calculated separately for the pay-per-program or pay channels, channels containing more than 50 percent direct sales (home shopping networks), and all other channels.

61. In accordance with statutory provisions, up to 33 percent of a system's designated leased channel capacity may be used for qualified minority or educational programming purchased by the system operator rather than by leased channel programming. The operator may also be required to provide billing and collection services, unless the operator can demonstrate that third parties provide services which, in terms of cost and accessibility, offer leased access programmers an alternative substantially equivalent to that offered to comparable non-leased programming.

62. Given the lack of focus on leased channel issues in this proceeding and the absence of Commission experience in administering rules of this type, the Commission will collect additional information regarding the functioning of the leased access rate rules and will review the rules as necessary. An expedited complaint process will be used to address complaints regarding leased channel rate and access issues.

Further Notice of Proposed Rulemaking on Cost-of-Service Standards

63. The Commission has determined that it does not have sufficient information to adopt cost-of-service standards to govern cost showings by cable operators seeking to raise rates above capped levels. Cost-of-service standards will govern the level of cost averaging permitted and define the costs and level of earnings that will permit rate increases above capped levels.

64. The Commission thus seeks further comment on what level of cost averaging should be permitted in cost-of-service showings: franchise, system or company level. It also seeks comment on what determinations should be made with respect to allowable rate base, earning and depreciation of plant and equipment. Pending resolution of the further rulemaking, cable operators will be required in any cost-of-service showing to present costs averaged in accordance with current practices. Local authorities and the Commission will review cost-of-service showings in the interim on a case-by-case basis.

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For example, news seminar sessions have included Tom Brokaw of NBC News rating the new technology-driven journalism; Elliot Jaspin, a Pulitzer Prize winner and former Media Studies Center Fellow, using the personal computer as an investigative tool; former Fellow and television producer Adam Clayton Powell III charting the future course of television news; Roger Fidler of Knight-Ridder Information Design Laboratory, describing the electronic newspaper of the future; and Kathleen Criner of NAA on managing the use of electronic databases.

"The Next Generation" also has site visits to major New York media organizations and hands-on connections in the Center's Technology Laboratory, featuring more than a dozen newsroom systems.

"The Next Generation" gives newsroom managers the exceptional opportunity to explore today's emerging technologies and prepare for tomorrow's specialized newsroom.

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Programming

ESPN ENTERS PPV ARENA

It's official—ESPN declared last week that it is now in the pay-per-view business. The ESPN PPV activities will fall under the purview of the recently formed subsidiary ESPN Enterprises, headed by Dick Glover. Enterprises, formed last November, is charged with the task of developing new and ancillary businesses, including home video, licensing and merchandising and now, PPV. The company's first PPV project will be to replace Showtime Event Television as the PPV provider of a package of ABC college football games next fall. Beyond that, no specific projects are set. But Glover said it was his intention to meet with executives

at all the major professional and college leagues to determine the possibilities for PPV events. "It's not our intention to try to take away programs from broadcast television for PPV," said Glover. "We want to develop packages that are additive. We'll sit down with the cable people, the PPV suppliers and the leagues themselves to try to come up with some opportunities that benefit everybody involved, but first and foremost that means maximizing value to the consumer." The ABC college football package, entering its second season, will bow Sept. 4, with a slate of Big 10, Pac 10 and College Football Association games. —SM

Freshman 'Deep Space Nine' records stellar sweep debut

Spin-off is second only to proud parent 'Star Trek: The Next Generation'; 'Wheel of Fortune' keeps on rolling; 'Oprah' tops talk; Caped Crusader captures kids

By Steve McClellan

Paramount's *Star Trek* spin-off, *Deep Space Nine*, had one of the best first sweeps of any first-run program in recent memory.

In February, the program averaged a 7.7 rating and 17 share, according to a Petry Television analysis of the local Nielsen books. (The following numbers are based on the Petry survey, which included all but the Palm Springs market, which was delayed.)

Deep Space had 6's to 8's across the key adult demographic ratings, boosting year-ago time performances by 50% or more. "It was a killer premiere," said Dick Kurlander, vice president and director of programming at Petry. Among weekly hours, the show was outperformed only by its progenitor, *Star Trek: The Next Generation*, which averaged a 9.0/19, with adult demos ranging from a 7.3 for women 18-34 to a 9.7 for men 25-

54. The strip version of *Star Trek: TNG*, now in 129 markets, averaged a 5.5/13, up 12% from the lead-in rating and up across the board from a year

In the children 2-11 category, 'Batman' and 'Tiny Toon Adventures' took the top two spots, followed by 'Goof Troop,' 'Darkwing Duck' and 'Tale Spin.'

ago in household and key demo ratings.

All American's *Baywatch* continues to show growth among first-run week-

ly hours. In February, the show finished third in the category, with double-digit growth across the key demos. The new *Kung Fu* hour, part of Warner's Prime Time Network independent consortium, was fourth with an average 3.8/9, an average 15% rating increase from year-ago time periods. The show also recorded double-digit increases in the adult demos.

Paramount's second new hour show, *The Untouchables*, didn't come out of the box nearly as strong as *Deep Space Nine*. *Untouchables* averaged a 3.5/9, falling 47% in rating from its lead-in, and showed double-digit declines in key demos from year-ago time periods.

Cannell's *Renegade* showed 10% growth from a year ago, averaging a 3.4/9, with solid gains in the demos. Warner PTN's *Time Trax* averaged a 3.4/7, down from its ratings lead-in by 23%, but up from year-ago time periods. For the record, Warner complains

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that Petry's analysis includes non-cumulated double runs, which show a lower average for the PTN show than if just the first run is considered.

Rysher's *Highlander* averaged a 2.7/8, down from the lead-in but showing growth from year-ago time periods. Claster's *Catwalk*, which the distributor is dropping at the end of this season, averaged a 1.8/5, down from the lead-in and across-the-board key demo ratings.

Meanwhile, in the game show genre, *Wheel of Fortune* has started to trend up. The show, which debuted 10 years ago, averaged a 17.7/32, up 11% in rating over a year ago, with single-digit gains across key adult demos.

Jeopardy! showed growth as well. It turned in a 14.3/26, up 8% in rating from a year ago, with modest gains in the demos. *Family Feud* averaged a 4.1/11, down from a year ago but up slightly from November 1992.

Entertainment Tonight was the top-rated magazine overall, with an average 9.2/17, although the show was down across the board in demos from a year ago and was also down 16% from its lead-in in February. *Inside Edition* did a 7.7/18, roughly flat from a year ago, but down 8% from its lead-in.

Hard Copy averaged a 6.9/16, roughly flat year-to-year. *A Current Affair* was down, with a 5.7/14, off 15% from its lead-in rating and down from a year ago in household and demographics.

The off-Fox *Cops* continues to show growth. In 45 markets in February, the show averaged a 6.1/11, up 22% in rating from the time period a year ago, with large gains across the demos.

Oprah Winfrey continues to dominate the talk category. The show averaged a 12.7/35, flat from a year ago, with an average 87% rating gain from its lead-in. *Donahue* was a distant second in the category with a 6.4/23, down 7% from a year ago and down across the board in key demos. *Regis and Kathie Lee* was third with a 5.8/23, posting a 14% gain in rating from a year ago, with gains across the demos.

Other growth stories in the talk category included *Montel Williams*, with a 6% household gain over a year ago, and strong demo gains, particularly among women 18-34. *Vicki!* was also up 18% over November, with across-



Paramount's 'Deep Space Nine' cast poses for a family portrait as the latest in a line of Star Trek successes.

the-board increases in the key demos. *Jenny Jones* turned things around in February, when it posted a 43%

household gain over the previous year, with solid demo gains across the board.

Jerry Springer was up slightly from year-ago time periods, but dropped an average 4 share points from the lead-in. *Jane Whitney* was also up slightly from year-ago time periods, with some growth in women demos.

In late night, *Rush Limbaugh* dethroned *Arsenio* as the top syndicated talker, with a 2.9/20, and captured roughly a quarter of the adult male audience. *Arsenio* averaged a 2.6/11 and captured about 10% of the male audience and 14% of the female audience. *Arsenio's* ratings erosion is a "major problem" for the show, said Petry's Kurlander.

In the kids genre, where the numbers reported are for children 2-11, Fox captured the top two spots with *Batman*, which did a 9.5/33, and *Tiny Toon Adventures*, which averaged a 9.2/33. Disney took the next three spots, with *Goof Troop*, which averaged a 9.1/32, followed by *Darkwing Duck*, which did a 6.9/29, and *Tale Spin*, with a 6/28. ■

USA forms film unit

Cable net to team with overseas production partners

By Steve McClellan

USA Networks is forming a new movie production unit that will develop and produce films with overseas partners. Kay Koplovitz, the company's president and chief executive officer, said the unit, USA Pictures, was formed to produce relatively bigger-budget films (\$5 million-\$10 million) and to produce films with broader themes and bigger star power than many of the action films seen on the network.

The new unit, which will be overseen by Tom Piskura, vice president, programming, West Coast, for USA Networks, has completed production on two films and has two more in production. The completed films include *Alistair MacLean's Death Train*, with Pierce Brosnan, Christopher Lee and Patrick Stewart, which will premiere on USA Network on Wednesday, April 14, at 9 p.m.

According to Koplovitz, the film's

foreign partners will divvy up foreign theatrical, television and home video (both foreign and domestic) rights on a project-by-project basis. For example, British Lion Screen Entertainment, one of three foreign partners financing *Death Train*—about the terrorist hijacking of a train loaded with nuclear warheads—will distribute the film to theaters in Europe next fall.

Koplovitz also raised as a "possibility" the domestic theatrical release of future projects after airing on USA or the Sci-Fi Channel. None of the four announced USA Pictures projects will be released to the U.S. theatrical market. A decision on whether future films will get a domestic theatrical window would probably be tied to a broader strategy about how to market the films in home video, Koplovitz said.

The second USA Pictures film in the can, titled *Voyage*, is a psychological thriller starring Rutger Hauer and Karen Allen that is scheduled to pre-

miere on USA Network on June 2.

While USA has put a few programs into domestic home video, Koplovitz said that U.S. home video rights on the USA Picture titles would go to foreign partners. Davis Entertainment, a co-production partner on *Voyage*, has the U.S. home video rights.

The two other announced projects, also for USA, include *Marilyn and Bobby: The Final Affair*, about the relationship between Marilyn Monroe and Robert Kennedy, and *A Race Against Time: The Carol Stevens Story*, about an American couple's attempts to adopt Romanian children. Partners on the *Marilyn and Bobby* project include Italy's Berlusconi Group, Primetime and Barry Weitz. Partners on *A Race Against Time* include Quinta Communications.

USA Networks produces or co-produces more than 40 original films annually for airing on USA and Sci-Fi. No word yet on USA Picture projects for Sci-Fi, but Koplovitz said some of the films developed under the new banner would air on Sci-Fi as well. ■

Rae returns to 'Affair'

By Mike Freeman

Following his 11th-hour repurchase of the *New York Post*, News Corp. and Fox Inc. Chairman Rupert Murdoch has decided to name former *Boston Herald* editor Ken Chandler to head up the paper. Chandler had been appointed executive producer of Fox's syndicated *A Current Affair* strip little more than a month ago. In turn, Ian Rae, a co-creator of *ACA*, has been named to his third tour as executive producer on the tabloid strip.

Murdoch originally owned the *Post* from 1976-88, but had to give up ownership of the paper to acquire WNYW-TV New York due to the FCC's prohibition against crossownership of a newspaper and TV station in the same market.

Although Senator Edward Kennedy (D-Mass.) had been similarly opposed to Murdoch's crossownership of the *Boston Herald* and WFXT(TV) Boston (the latter of which News Corp. was forced to sell to Boston Celtics Communications in 1990), a source close to Fox says Kennedy has changed his

Shingle's out

After mulling over several offers to work for program distributors and a studio, outgoing Carsey Werner Distribution President Bob Jacobs has decided to set up his own company to sell and produce programs for syndication and possibly other media. Reached last week, Jacobs said he was putting together a deal to develop a revival first-run strip for launch in 1994. "I expect to announce the name of the show and the star in July or August," said Jacobs, adding that he would be bringing the show to the 1994 NATPE International convention. Jacobs also said he was developing a weekly property for syndication.

Bennet-on-demand

Alan Bennett, former executive vice president, Television Program Enterprises, has signed on with the telecommuni-

cations group of NYNEX as managing director, business planning and development. NYNEX, the regional Bell operating company based in White Plains, N.Y., is one of the RBOC's that has been testing video-on-demand services, an area Bennett will be involved in, as well exploring other new video businesses. Bennett left TPE late last year after the demise of *Star Search...The Strip*.

Miscommunication

Beakman's World will not be heading to the Smithsonian after all (BROADCASTING, Feb. 22). According to National Air and Space Museum Chief of Public Affairs Michael Fetters, a student intern "misrepresented" the museum's intentions. The museum did indeed request a copy of a *Beakman's* episode on flight, but only to review it for possible inclusion in an exhibit on "How

Things Fly." (It was not selected.) Nonetheless, Fetters did "applaud the efforts of new programs like *Beakman's World* that are trying to stimulate children's interest in science and research."

Big payoff

Watching off-net comedies has rarely been as lucrative as it was for an Indianapolis viewer earlier this year. WISH-TV Indianapolis gave away the keys to a house valued at upwards of \$150,000 to a viewer of *Designing Women* who won a "watch and win" contest sponsored by the station. Columbia, which distributes the show, is detailing such local station promotional efforts for the show in a newsletter called *The Sugarbaker Scoop*. The company published a similar promotional newsletter last year for unusual promotional efforts related to *Married...With Children*.

position, instead favoring an FCC exemption to "save" the jobs of 1,000 employees at the *Post*.

Rae, who remains Fox Television Stations Inc.'s executive vice president of news and vice president and news director of Fox O&O WNYW-TV New York, comes back to *ACA* at a time when it has been exhibiting some ratings erosion.

(In the most recent Nielsen Syndication Service ranking report, *A Current Affair's* 7.1 rating nationally [NSS, week ending March 2] was eclipsed by competing tabloid *Inside Edition's* 7.7 rating average.)

Part of the problem, says a New York rep source, may be attributable to the executive producer shuffle at *A*

Current Affair over the last several years. Rae shared a co-creator and executive producer title with Peter Brennan, now executive producer of Paramount's *Hard Copy*, from 1986-88, and later with Anthea Disney who is now editor of News Corp.'s *TV Guide*. John Terenzio served as executive producer in 1992-93, but resigned from the news magazine so he could set up an independent production company in Florida.

"I can't understand why Murdoch keeps changing the executive producers to shore up other less profitable News Corp. holdings, when *A Current Affair* has been a strong profit center for Twentieth Television," said the source. ■

L.A. stations brace for King verdict

Most of the seven VHF stations are steadfast about airing 'uncensored' footage; some field crews will have security escorts and flak jackets for protection

By Mike Freeman

Not quite 11 months ago, the extended TV coverage of the four-day riots in Los Angeles left a montage of video images indelibly imprinted on the nation.

Now that it appears a federal civil rights trial of the four police officers charged with using excessive force in the beating of motorist Rodney King is expected to deliver verdicts as early as this week, the seven L.A. TV stations are reluctantly braced for "worst-case scenarios" if the federal jury upholds the previous state court acquittals of the officers.

(At press time, defense attorneys—for LAPD officers Theodore Briseno, Stacey Koon, Laurence Powell and Timothy Wind—were still calling witnesses, with final arguments possibly concluding as early as this week.)

Chastised by some of the nation's TV critics and media watchdog groups for violent riot footage (most notably, the beating of trucker Reginald Denny by a mob of assailants), some of the local station news executives contact-

ed by BROADCASTING & CABLE acknowledged those concerns, but collectively re-emphasized that it will not change their policy of providing "uncensored" news coverage of the next wave of verdicts, however events should unfold.

"It's a chicken-and-egg situation," said KTLA(TV) news director Warren Cereghino, referring to questions of whether the live coverage of the early flashpoints served to tip off looters and arsonists to locations where the police failed to respond last April 29-May 2. "If people are going to riot and loot again, they'll be more likely to do it without television coverage."

While *Los Angeles Daily News* columnist Phil Rosenthal said the criticism was valid to a "certain extent," he emphasized that "it wasn't the L.A. TV stations' fault they got to the intersection of Normandie and Florence [the first flashpoint of rioting on April 29] before the police decided to respond to the situation." In fact, he credited the station's early helicopter coverage in helping to warn commuters to avoid certain besieged areas.

"We're not in the censorship business, we're in the reality business," said Jeff Wald, news director of independent KCOP(TV). "Even though the footage of [Denny] being beaten was terrible, it also alerted some nearby viewers who drove out to save him and take him to the hospital." (The footage will also likely be the centerpiece of a slated May trial of four individuals charged in the Denny beating.)

This time around, federal, state and city authorities will seek to quell any public unrest before it can flare up. According to Cereghino, Wald and other station sources, U.S. District Judge John G. Davies, defense attorneys and the U.S. Attorney's Office have agreed to seal the verdicts for 24 hours after the jury concludes deliberations.

The expected lead time would allow LAPD and National Guard personnel to secure strategic positions around the federal courthouse downtown and in many of those metropolitan locations hit hardest by looting and arson last year. Several sources also suggested that if the verdict is delivered on a weekday, federal court authorities may try to delay announcement until the weekend to lessen the potential threat to commuters.

"It is perceived that any acquittals could have negative consequences, but guilty verdicts could also result in celebrations that potentially transform into other forms of civil unrest," said Wald, a native Angelino. "Hopes are that cooler heads will prevail, and if they don't, Police Chief [Willie] Williams is promising that the LAPD will have a much more visible show of force this time around. But nobody knows what exactly will happen."

Of the four TV stations that would comment on their special news coverage, all indicated they would provide extensive coverage. (Network O&O KNBC-TV and Fox-owned KTTV(TV) declined comment, while news officials at KABC-TV and Disney-owned KCAL(TV) were unreachable to discuss their plans.)

KTLA's Cereghino said that once the federal jury goes into deliberations,

**Broadcasting
& Cable**

FREEZE FRAME

TOP 5 BASIC CABLE SERVICES MAR 22-28

NETWORK—HOUSEHOLDS (THOUSANDS)—RATING/SHARE



	ABC	CBS	NBC	FOX
MONDAY	10.9/17	15.7/24	15.2/23	NO PROGRAMING
8:00	42. FBI: Untold Stor 11.1/17	22. Evening Shade 14.6/23	20. Fresh Prince 14.9/23	
8:30	36. American Det. 11.5/17	18. Hearts Afire 15.1/23	23. Blossom 14.1/21	
9:00		5. Murphy Brown 18.0/27		
9:30	36. ABC Monday Night Movie—Family Pictures, Part 2 11.5/18	24. Love and War 13.6/21	11. NBC Monday Night Movies—Kindergarten Cop 16.2/25	
10:00		14. Northern Exposure 15.5/26		
10:30				
TUESDAY	15.2/25	15.8/26	8.4/14	4.5/7
8:00	8. Full House 16.8/27	8. Rescue: 911 16.8/27	76. NBC Movie of the Week—Back to the Streets of San Francisco 7.8/12	92. Class of '96 3.6/6
8:30	16. Hang'n w/Mr. C 15.2/24			86. Tribeca * 5.4/8
9:00	2. Roseanne 21.4/33	15. CBS Tuesday Movie—Sworn to Vengeance 15.3/25	57. Dateline NBC 9.6/17	
9:30	12. Jackie Thomas 16.0/25			
10:00	45. Homefront 11.0/19			
10:30				
WEDNESDAY	12.8/21	14.2/23	10.3/17	6.2/9
8:00	59. Wonder Years 9.5/15	52. How'd They Do That? 10.2/16	25. Unsolved Mysteries 13.1/21	28. Beverly Hills, 90210
8:30	63. Doogie Howser 9.2/14			
9:00	4. Home Improvmt 22.3/34	30. In the Heat of the Night 12.3/19	77. Homicide 7.6/12	68. Melrose Place 8.8/14
9:30	10. Coach 17.5/27			
10:00	48. Sirens 10.6/19	32. 48 Hours 12.0/22	59. Law & Order 9.5/17	
10:30				
THURSDAY	12.1/20	10.9/18	12.8/21	9.7/15
8:00	25. Matlock 13.1/21	39. NCAA Basketball Tournament 11.2/18	50. Cheers 10.3/17	29. The Simpsons 12.4/20
8:30			42. Wings 11.1/17	45. Martin 11.0/17
9:00	73. ABC's World of Discovery 8.4/13	56. NCAA Basketball Tournament 9.7/18	13. Cheers 15.8/24	64. ILC: 1st Season 9.0/14
9:30			7. Seinfeld 17.1/27	83. Down the Shore 6.5/10
10:00	20. Primetime Live 14.9/26		39. Crime & Punishment 11.2/19	
10:30				
FRIDAY	13.3/24	9.9/18	10.5/18	6.8/12
8:00	23. Family Matters 13.7/25	55. NCAA Basketball Tournament 9.8/18	78. Secret Service 7.4/13	79. America's Most Wanted 7.3/13
8:30	27. Step By Step 13.0/23			81. Sightings 6.8/12
9:00	31. Getting By 12.1/21	53. NCAA Basketball Tournament 10.0/19	32. NBC Movie of the Week—Danielle Steel's 'Changes' 12.0/21	84. True Stories 5.6/10
9:30	48. Where I Live 10.6/19			
10:00	16. 20/20 15.2/27			
10:30				
SATURDAY	7.4/14	11.0/20	8.6/16	9.5/17
8:00	88. Young Indiana Jones Chronicles 4.9/9	18. Dr. Quinn, Medicine Woman 15.1/27	80. Almost Home 7.2/13	53. Cops 10.0/18
8:30			81. Nurses 6.8/12	39. Cops 2 11.2/20
9:00		66. In the Heat of the Night 8.9/16	59. Empty Nest 9.5/17	68. Code 3 8.8/15
9:30	72. Matlock 8.6/16		57. Mad About You 9.6/17	74. Code 3 2 8.1/14
10:00		75. Raven 8.0/15	62. Reasonable Doubts 9.3/18	
10:30				
SUNDAY	10.5/17	20.2/32	8.3/14	7.4/12
7:00	42. Am Fun Home Vid 11.1/20	1. 60 Minutes 21.9/37	90. Brokaw Report 4.4/8	91. Parker Lewis 3.8/7
7:30	50. Am Fun People 10.3/17			87. Shaky Ground 5.1/8
8:00	71. Day One 8.7/14	6. Murder, She Wrote 17.2/27	38. I Witness Video 11.3/18	47. In Living Color 10.7/17
8:30				66. Roc 8.9/14
9:00		3. CBS Sunday Movie—The Man with Three Wives 20.8/33	68. NBC Sunday Night Movie—Lethal Exposure 8.8/14	34. Married w/Childn 11.9/18
9:30	35. ABC Sunday Night Movie—Star Trek IV: The Voyage Home 11.6/19			64. Herman's Head 9.0/14
10:00				85. Flying Blind 5.5/9
10:30				89. The Edge 4.6/8
WEEK'S AVGS	11.8/20	13.8/23	10.6/17	8.0/13
SSN. TO DATE	12.4/20	13.5/22	11.1/18	7.8/12

RANKING/SHOW (PROGRAM RATING/SHARE)

*PREMIERE

SOURCE: NIELSEN MEDIA RESEARCH

YELLOW TINT IS WINNER OF TIME SLOT

the independent's 80-plus news staffers—equipped with pagers—will go on a "Defcon 3" alert, where they can be immediately called to pull extended shifts once federal authorities have notified stations that the verdicts are about to be handed down.

However, Cereghino revealed that KTLA's field reporters will have "security escorts." He added that, where necessary, field crews may be instructed to retreat from certain "hot spots" to opt for "above-the-scene" helicopter shots instead.

KCOP's Wald and a network O&O news director both said most of the stations in the market—including theirs—had purchased bulletproof "flak" jackets for cameramen and reporters to wear in the field.

"We have always felt that we're the neutral party, but it is too dangerous today to think that way," Wald said. "You have to be in a defensive position today. By that, I only mean that we have to be prepared to extricate our personnel in a potentially life-threatening situation."

Following last year's riots, all seven stations were forced to comply with

Horowitz named GGP president

Corte Madera, Calif.-based producer/distributor GGP has named Bob Horowitz president of the privately held company, succeeding David Peterson, who has been named chairman and founder. Horowitz, who had served as vice president and general manager since 1977, joined the company in 1975 when it was known as the Golden Gaters tennis team of the now-defunct World Tennis Team League. Widely credited for moving GGP into the program supply business, Horowitz claimed the latest top-level moves will "signal" further changes in direction for the independent distributor.

Although he has been largely responsible for GGP's production, distribution, studio facilities and live-event divisions, Horowitz says he has expanded from the company's northern California base to include opening a station and national barter ad sales office in New York. He has hired two sales executives and says he hopes to add two more by the end of the year. Overall, GGP employs approximately 50 people in production, sales and administrative capacities. Over the last dozen years, GGP has focused on the production of sports and public affairs specials, but last January the company made a move into the series business with a quiz show called *Sports Snapshot*, which has a sports memorabilia home shopping tie-in (BROADCASTING, Jan. 25). **-MF**

court-ordered subpoenas calling for copies of aired and *unaired* broadcast footage.

(The tapes allowed state and local law enforcement authorities to identify and prosecute more than 10,000 indi-

viduals believed to be involved in looting, arson and assault cases.)

"Our counsel felt that we had no other choice but to turn over the out-takes [unaired footage]," said the network O&O news source. **■**

FIRST-QUARTER RATINGS: 1993 VS. 1992

USA Network ranked as the highest-rated basic cable network in prime time during the first quarter of 1993 (Monday-Sunday 8 p.m.-11 p.m., 12/28/92-3/21/93), according to A.C. Nielsen Co. ratings data supplied by various cable networks.

Although USA's numbers were down slightly from first-quarter 1992, the network managed to maintain the top slot with such programming as its Friday night USA movies, which averaged a 2.5 rating; its 8 p.m. weeknight strip of *Murder, She Wrote*, which averaged

a 2.9, and its prime time coverage of the Westminster Kennel Club Dog Show, which averaged a 3.6 rating.

Among the networks showing gains in a prime time year-to-year comparison of the first quarter were ESPN, TNT, A&E, Discovery, Nic' at Nite and Headline News. Also showing gains was CNN, which the news network attributed to continuing interest in the Clinton administration, the coverage given to the World Trade Center bombing and the Blizzard of '93. **-RB**

Network	Prime Time				Full Day			
	IQ 1993		IQ 1992		IQ 1993		IQ 1992	
	Rating	HH	Rating	HH	Rating	HH	Rating	HH
USA	2.3	1,411,000	2.5	1,434,000	1.2	724,000	1.4	802,000
WTBS	2.1	1,241,000	2.3	1,310,000	1.4	841,000	1.5	839,000
ESPN	1.7	1,050,000	1.6	970,000	0.8	490,000	0.8	460,000
TNT	1.5	901,000	1.5	869,000	1.0	572,000	1.0	578,000
CNN	1.2	722,000	1.0	565,000	0.8	480,000	0.6	356,000
Discovery	1.1	643,000	1.1	634,000	0.7	387,000	0.6	365,000
Lifetime	1.1	616,000	1.2	638,000	0.7	413,000	0.7	363,000
Nashville	1.1	600,000	1.3	696,000	0.6	320,000	0.6	351,000
Nick at Nite	1.0	582,000	1.0	578,000	0.7	412,000	0.7	410,000
A&E	0.9	507,000	0.8	419,000	0.6	333,000	0.5	261,000
MTV	0.6	318,000	0.7	362,000	0.4	254,000	0.5	296,000
Headline	0.4	205,000	0.4	172,000	0.4	206,000	0.4	178,000
VH1	0.3	125,000	0.3	135,000	0.2	110,000	0.3	112,000
Nickelodeon	--	--	--	--	1.3	749,000	1.2	645,000

Notes: Figures are network estimates. All data supplied by an outside source based on Nielsen Media Research. Ratings based on coverage area of each network, not entire television universe. USA's prime time is 7-11 p.m.; Family's is 7-10 p.m.; Discovery's and Nashville's full day is 9 a.m.-3 a.m.; VH1 and Family's is 7 a.m.-1 a.m.; Lifetime's is 7:30 a.m.-11:30 a.m.; A&E's is 8 a.m.-4 a.m.; Nickelodeon's is 6 a.m.-8 p.m.; Nick at Nite's is 8 p.m.-6 a.m.; MTV's is 6 a.m.-3 a.m.

HEAD ENDINGS

New bird for All News

The 24-hour news service All News Channel last week switched its feed from Satcom 2R to Galaxy 1, a move that owners Viacom and Conus Communications said represents the channel's increased emphasis on reaching viewers in the cable marketplace. All News Channel, currently seen in about 30% of the United States, primarily via full-power TV stations, is among the services that might be offered next year via United States Satellite Broadcasting.

Ad revenue up at A&E

A&E reported a 35% boost in ad revenue in the first quarter of 1993 compared with the same period last year. The network began the 1992-93 season with a 50% increase in upfront sales over the previous year, according to Ronald M. Schneider, A&E ad sales vice president. Schneider would not release specific dollar figures.

TVN signs home dish deal

TVN Entertainment Corporation has reached a deal with Showtime Satellite Networks Inc. to provide TVN's 11-channel pay-per-view programming service to new, annual prepaid home-dish subscribers to Showtime, the Movie Channel and the 25-channel Ultraview or the 17-channel Extraview packages.

Golf on Galaxy

The Golf Channel, a 24-hour network dedicated to the sport, has leased a transponder on Hughes Communications' Galaxy I-R satellite. The channel is set to launch in April 1994.

Smothers Brothers marathon

E! Entertainment Television has scheduled a *Smothers Brothers Comedy Hour* marathon for Saturday-Sunday, April 17-18. The slate features 24 of the best episodes of the classic variety series.

**Top Cable Programs****March 22-28**

The following are the top 40 basic cable programs, ranked by total number of households tuning in. Ratings are based on each network's total coverage households at the time of the program. Data are supplied by outside sources based on Nielsen Media Research.

	HHs. (000)	Rtg.	Program	Time (ET)	Network
1.	2,640	4.6	<i>Stolen Babies (movie)</i>	Thu. 9-11p	Life
2.	2,148	3.6	<i>Murder She Wrote</i>	Wed. 8-9p	USA
3.	2,110	3.6	<i>Ren & Stimpy</i>	Sun. 11-11:30a	Nick
4.	1,998	3.3	<i>WWF Wrestling</i>	Sun. 8-10p	USA
5.	1,919	3.2	<i>Murder She Wrote</i>	Fri. 8-9p	USA
6.	1,913	3.2	<i>Murder She Wrote</i>	Tue. 8-9p	USA
7.	1,877	3.0	<i>Auto Racing</i>	Sun. 1-5p	ESPN
7.	1,877	3.1	<i>National Geographic Explorer</i>	Sun. 9-11p	TBS
9.	1,823	3.1	<i>Ren & Stimpy</i>	Sat. 9-9:30p	Nick
10.	1,798	3.0	<i>9 to 5 (movie)</i>	Sun. 2-4p	USA
11.	1,777	2.9	<i>Pro Boxing</i>	Tue. 9-11p	USA
12.	1,758	2.9	<i>Meatballs 3 (movie)</i>	Sat. 3-4:45p	USA
13.	1,702	2.8	<i>Monday Night Raw</i>	Mon. 9-10p	USA
14.	1,672	2.8	<i>Clarissa Explains It All</i>	Sun. 12-12:30p	Nick
15.	1,651	2.8	<i>Are You Afraid of the Dark?</i>	Sat. 9:30-10p	Nick
16.	1,646	2.7	<i>Saved by the Bell</i>	Mon. 5-5:30p	TBS
17.	1,626	2.8	<i>Salute Shorts</i>	Sun. 11:30-12n	Nick
18.	1,598	2.6	<i>Murder She Wrote</i>	Mon. 8-9p	USA
19.	1,566	2.7	<i>Guts</i>	Sun. 6:30-7p	Nick
20.	1,553	2.6	<i>World Championship Wrestling</i>	Sun. 6-7p	TBS
21.	1,552	2.6	<i>Blind Vengeance (movie)</i>	Wed. 9-11p	USA
22.	1,536	2.5	<i>Saved by the Bell</i>	Wed. 5-5:30p	TBS
23.	1,534	2.5	<i>Andy Griffith Show</i>	Wed. 6:30-7p	TBS
24.	1,517	2.6	<i>Clarissa Explains It All</i>	Sat. 8-8:30p	Nick
25.	1,502	2.5	<i>Andy Griffith Show</i>	Tue. 6:30-7p	TBS
26.	1,497	2.5	<i>Salute Shorts</i>	Sat. 5:30-6p	Nick
27.	1,487	2.6	<i>Statter Brothers</i>	Sat. 9-10p	TNN
28.	1,480	2.4	<i>All-American Wrestling</i>	Sun. 12-1p	USA
29.	1,465	2.4	<i>Airport 1975</i>	Sat. 2-4p	TBS
30.	1,462	2.4	<i>Unforgiven (movie—1960)</i>	Sun. 10:30a-1p	TBS
31.	1,447	2.4	<i>Zapped Again (movie)</i>	Sat. 1-3p	USA
32.	1,431	2.4	<i>Crash of Flight 401</i>	Sat. 4-6p	TBS
33.	1,428	2.4	<i>Andy Griffith Show</i>	Thu. 6:30-7p	TBS
34.	1,415	2.3	<i>Saved by the Bell</i>	Thu. 5-5:30p	TBS
35.	1,401	2.3	<i>Beverly Hillbillies</i>	Wed. 7-7:30p	TBS
36.	1,400	2.4	<i>Rugrats</i>	Sat. 7:30-8p	Nick
37.	1,378	2.3	<i>Andy Griffith Show</i>	Mon. 6:30-7p	TBS
38.	1,367	2.3	<i>Roundhouse</i>	Sat. 8:30-9p	Nick
39.	1,366	2.3	<i>Wild & Crazy Kids</i>	Tue. 6:30-7p	Nick
40.	1,356	2.3	<i>Looney Toons</i>	Tue. 7-7:30p	Nick

Number please

The Educational Foundation of NATPE International has slated a "tele-workshop" satellite conference on Monday, April 12 (2-4 p.m. ET), a discussion session dealing with the FCC's pending implementation of the Cable Reregulation Act of 1992. NATPE will be introducing an interactive element to the teleconference in which station and cable participants will be able to call an 800 number to question panelists on aspects of the S. 12 bill. The panel will include Sandy Wilson, special assistant to the chief of the FCC's Mass Media Bureau; NATPE's Washington legal counsel, Mickey Gardner, and Frank W. Lloyd, a law partner with Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C., Washington, D.C. Television stations and cable operators will be able to take the live satellite feed off Galaxy 7, transponder 16.

Reinvention

Samuel Goldwyn Television reports that freshman first-run weekly *Why Didn't I Think of That?* has been renewed in 48 markets representing over 50% U.S. coverage for next season. Sold in eight of the top 10 markets, the wacky invention series has been reupped by such stations as WABC-TV New York, KABC-TV Los Angeles, WMAQ-TV Chicago, WGBS-TV Philadelphia, WUSA-TV Washington, D.C., WFXT(TV) Boston and WJBK-TV Detroit. During the most recent February sweeps, the Wil Shriner-hosted series averaged a 2.3 national rating (NTI).

Picking the winners

Interactive television provider NTN Entertainment Network took advantage of ABC's telecast of the 65th Academy Awards last Monday (March 29) to test its handheld Playmaker interactive television devices with 200 television viewers nationally. NTN instantaneously measured the predictions of the film enthusiasts for the Oscar awards. NTN claimed that 78% of the participants accurately predicted that "Unforgiven" would win in the best picture category; 65% picked Clint Eastwood for best director,

and 63% chose Al Pacino as best actor for "Scent of a Woman."

Firm go

Buena Vista Television has proclaimed its weekly investigative magazine, *Crusaders*, a firm go for fall 1993 with 98 clearances representing 80% of the country. The show is cleared in 47 of the top 50 markets, with six NBC O&O's leading the list of top market takers. BVT officials also claim 40% of the coverage list has committed to prime time or prime access. *Crusaders* is being offered on an even six-minute local/national barter split.

Kids grants

The National Endowment for Children's Educational Television is accepting applications from producers of children's TV programming who may be eligible for \$3 million in federal production grants appropriated by Congress as a result of the Children's Television Act of 1990. NECET, which is administered by the National Telecommunications and Information Administration, estimates that the endowment will finance up to 10 grants for nonprofit and commercial producers of kids programming intended for PBS. Applications can be obtained by contacting Dennis R. Collins, associate administrator, National Endowment for Children's Educational Television, NTIA, Department of Commerce, 14th St. and Constitution Ave. N.W., Room 4625, Washington, D.C. 20230.

Going 'North'

Turner Program Services reports that "North by Northwest," the classic Alfred Hitchcock-directed theatrical thriller, has been cleared in 172 markets for its May 1993 syndication launch as part of TPS's Legends II movie package.

Package deal

ACI (Allied Communications Inc.), a Los Angeles-based distribution consortium representing eight

independent TV production companies, reports that its FilmLeader I package of made-for-television movies has been sold in 86% of the U.S. The telefilm package, which has no prior cable or syndication exposure, is sold in 47 of the top 50 markets.

New producer for 'Crusaders'

Buena Vista Television has named John A. Butte, formerly news director at WFLA-TV Tampa, as executive producer of its fall 1993 consumer/social advocacy weekly, *Crusaders*. Butte will oversee the day-to-day production of *Crusaders*, which has been sold in 110 markets representing 83% of the country. Prior to joining WFLA-TV in October 1987, Butte served news director stints at WMAR-TV Baltimore (1981-87) and WLOS-TV Asheville, N.C. (1978-81). He also worked as a reporter for WDIV-TV Detroit from 1977-78 and news producer for KPIX-TV San Francisco (1975-77).

High on 'Heroes'

GGP's *Heroes of the Earth* public affairs special, which has an April 21 May 23 broadcast window to tie in with the 23rd annual Earth Day celebration on April 22, has been sold in 100 markets including WABC-TV New York. The program, hosted by Ed Begley Jr. (formerly of *St. Elsewhere*), focuses on six recipients of this year's Goldman Environmental Prizes, \$60,000 cash awards presented to individuals who have made efforts to preserve or enhance the environment. GGP is offering the special on an even six-and-a-half-minute national/local barter basis.

'Wild Justice' window

Tribune Premiere Network has slated a four-hour, first-run miniseries, *Wild Justice*, for a May 24-June 13 window. Based on the bestseller by Wilbur Smith, the series stars Roy Scheider and Sam Wanamaker in a story about a former NATO antiterrorist commander hired to track an international terrorist through "boardrooms and bedrooms."

Radio

Westwood sells KQLZ for \$40 million

Viacom doubles up in Los Angeles but will sell KIKK-AM-FM Houston

By Peter Viles

Westwood One last week officially put an end to its once-ambitious plan to build a station group by selling its last station, KQLZ-FM Los Angeles, to Viacom International for \$40 million.

In announcing the sale, Westwood restated its interest in reducing its debt and concentrating on its network business. "This sale, plus the previously announced \$50 million sale of WYNY-FM New York, represents a significant step forward in reducing debt and improving the company's capital structure," said Westwood Chairman/CEO Norm Pattiz.

Viacom, meanwhile, spent the week shedding some light on its new station-ownership strategy. The Los Angeles purchase will make Viacom the first company to own two FM stations in the market: KQLZ and KYSR-FM. At the same time, however, Viacom announced plans to sell KIKK-AM-FM Houston, a powerhouse country combo that should draw a high price.

"Having two full signals in the number-one radio market in the country isn't a bad thing," joked Bill Figenshu, president of Viacom's radio division. "One of the reasons we pursued this deal is that we don't believe there are going to be too many stations for sale in L.A."

KQLZ, which until recently billed itself as "Pirate Radio," came to symbolize Westwood's bold but unsuccessful bid to establish itself as a station operator.

The station's mix of Scott Shannon and other high-profile personalities, hard rock and top 40 music never quite caught on, and the station's ratings lagged (see box). The station produced an estimated \$11 million-\$12 million in annual revenue, with cash flow estimated by industry sources at



"It's just another case of 1980's deals not standing up in the 1990's."

Westwood's Norm Pattiz

Pirate Radio signs off

Arbitron ratings for KQLZ-FM Los Angeles:

Fall '90.....	2.7
Winter '91.....	3.0
Spring '91.....	2.0
Summer '91.....	2.2
Fall '91.....	2.4
Winter '92.....	2.2
Spring '92.....	2.3
Summer '92.....	2.3
Fall '92.....	1.7

Source: Arbitron surveys. AQH share, 12-plus.

\$2.5 million-\$3.0 million.

"On an operating basis, the station made money," Pattiz said. "However, once you factor in repaying debt and principal, it clearly wasn't getting the job done. It's just another case of

1980's deals not standing up in the 1990's."

Westwood paid \$95 million for the two FM stations, including \$56 million for KQLZ in 1988, and has now made agreements to sell them for a total of \$90 million. It also sold its half interest in WNEW(AM) New York. When those deals are final, Pattiz said, Westwood's debt will stand at roughly \$80 million, down from a high of \$215 million in 1990.

Pattiz expressed some disappointment at moving out of the station business, but he said the decision essentially had been made some time ago.

"We never set out to build a three-station radio group. We intended to have a much larger presence than that," he said, adding, "those plans have not been a reality for the last couple of years."

Pattiz said several factors stalled the development of a group: the economic downturn, the credit crunch and the inability of "Pirate Radio" to become a ratings success.

The agreement to sell KQLZ contains several twists. Westwood will retain the station's assets, the building housing the station and KQLZ will remain a Westwood affiliate, giving the network advertising clearance in Los Angeles.

Much industry speculation focused on what Viacom will do with the KQLZ format, which has dropped the "Pirate Radio" slogan for an alternative rock format. Two formats mentioned were a "Young Country" or "Hot Country" format to challenge Shamrock's KZLA-FM, or soft adult contemporary to complement Viacom's existing station, KYSR, which has a "star" format that showcases hot adult contemporary artists.

"Everybody wants to know those things, and that's exactly why we won't tell," Figenshu said. ■

Evergreen files initial public offering

Estimates stock price at \$14-\$16 per share; hopes to raise \$64 million

By Peter Viles

Evergreen Media Corp., the quickly growing group with 11 stations in seven markets, has announced plans for an initial public offering to raise as much as \$64 million.

In a prospectus filed with the Securities and Exchange Commission, Evergreen estimates the initial offering price at between \$14 and \$16 per share for some 3.5 million shares of class-A common stock.

Evergreen said proceeds will be used to pay for the company's proposed \$51 million acquisition of KTRH-AM and KLOL-FM Houston.

In the prospectus (see box), Evergreen says its strategy is to buy and operate stations in large or fast-growing markets, and that, in general, it plans to buy underperforming stations that have strong signals.

The prospectus also discloses prices Evergreen paid for stations it bought last year: \$82.1 million for WASH-FM and WTOP-AM Washington and KASP-AM and WKBQ-FM St. Louis, and \$36.3 million for KMEL-FM San Francisco. ■

Evergreen at a glance

Stations: KKBT-FM Los Angeles, WLUP-AM-FM Chicago, KMEL-FM San Francisco, WTOP-AM, WASH-FM Washington, KTRH-AM, KLOL-FM Houston, WVCB-AM Miami, WAPE-FM, WFYV-FM Jacksonville.

Gross revenues: \$55.0 million in 1991, \$61.9 million in 1992. Pro forma gross revenues (incorporating newly purchased stations): \$115.8 million in 1992.

Station operating income: \$15.2 million in 1991, \$19.0 million in 1992. Pro forma station operating income in 1992: \$38.2 million.

Net loss: \$4.1 million in 1991, \$6.8 million in 1992.

Pro forma net loss in 1992: \$8.4 million.

Total long-term debt: \$165 million.

Shares offered: 3.5 million of class-A common stock.

Shares outstanding after offering: 7.95 million of class-A common stock, 2.11 million of class-B common stock.

Principal stockholder: Chairman/CEO Scott Ginsburg owns all outstanding shares of class-B common stock.

Voting power: Ginsburg will have 78.8% of voting power.

Executive salaries: Chairman/CEO Scott Ginsburg, \$425,000; President/COO James deCastro, \$500,000.

Underwriters: Donaldson, Lufkin & Jenrette, Lehman Brothers, Smith Barney, Harris Upham & Co.

Proposed NASDAQ symbol: EVGM.

RIDING GAIN

Landau to leave Unistar

David Landau plans to step down as president, sales, Unistar Radio Networks, after a decade as one of the network's top sales executives. Unistar President Bill Hogan says Landau's departure, effective April 15, is "totally voluntary." Landau and Hogan made joint sales calls to clients last week to assure them that there will be a smooth transition at the network, now managed by Infinity Broadcasting. Landau, 41, reportedly chose to take advantage of an option in his contract that allowed him to resign with a favorable benefits package upon a change in the network's ownership.

Premiere earnings

Premiere Radio Networks reported 1992 earnings of \$1.16 million, up 33% over 1991, and total revenues

of \$10.1 million, up 5.4%. Earnings per share were constant at \$0.44. "The company had its most profitable year ever, continuing the upward performance trend since Premiere's inception," said Chief Executive Officer Steve Lehman. The 6-year-old company, which produces 14 programs and counts 1,500 station affiliates, recently announced plans to enter the wired network radio market.

'Print' radio

Here's a new idea for the AM band: a Pensacola, Fla., station, WKGT-AM, plans to unveil a format this week consisting of readings from such publications as *People* magazine, *Reader's Digest* and local newspapers. The programming targets listeners who are blind, vision-impaired or functionally illiterate. Reading will be done by volunteers. WKGT believes

it is the first commercial station to attempt such a format.

Stern trending down in Los Angeles

Arbitron trend reports from Los Angeles indicate that Howard Stern and KLSX-FM will likely lose their market-leading position in morning drive in the upcoming winter Arbitron survey. More Stern news: At a recent news conference in New York to announce his plans for a book to be published by Simon & Schuster, Stern said he thinks the FCC will treat him more kindly under President Clinton than it did under President Bush. "I think Bill Clinton understands that there are priorities in this country," Stern said. "There are higher priorities than getting Howard Stern off the radio."

Business

A write-down at hand for NBC?

Analyst thinks network's fate may be timed to GE financial maneuvering

By Geoffrey Foisie

A securities research analyst for New York-based investment banking firm Lehman Brothers thinks a write-down of NBC by General Electric could be in the offing. Robert Cornell, the Lehman Brothers analyst following GE, said reducing, for accounting purposes, the value of the network would enable NBC to be sold for a price below its current book value, without GE having to report an embarrassing "loss." In the meantime, the write-down would also reduce the amount of NBC's amortization "cost," thereby increasing the network's reported earnings.

The catalyst for such a write-down is at hand, Cornell said. In a recent research report, he said GE expects to report a gain of \$1 billion or more from the sale of its aerospace division and certain other businesses to Martin Marietta. GE has already indicated, Cornell added, that it "will offset any gain with restructuring.... Part of such a restructuring could be a significant goodwill write-off. But should such a search for goodwill stop at just the book value of aerospace? We think not. This might be a good time to revalue all the assets purchased in the RCA acquisition, including NBC.... If NBC's goodwill were written off, not only would earnings improve but book value would drop, increasing the feasibility of an NBC sale."

Cornell's colleague at Lehman Brothers, Ray Katz, noted that part of the consideration for GE's aerospace unit will include convertible preferred stock in the acquiror, Martin Marietta. Similarly, Katz said, GE could obtain part ownership in NBC's acquiror, or even keep a piece of the network.

Katz has expressed interest in the idea that a studio such as Paramount could buy some or all of NBC's enter-

Television station revenue: more than meets the eye

Television station revenues declined in February, but the numbers were better than they looked. According to the monthly time survey issued by the Television Bureau of Advertising, local advertising was strong, while national advertising continued to be weak.

Although the February total showed a 1.7% decline in February from a year ago—a 4.4% decline for affiliates versus a 5.7% gain for independents—the bad news was concentrated among CBS affiliates who were having difficulty making comparisons with the Olympic telecasts of February 1992.

One confirmation of this analysis was the fact that publicly reporting station groups which had only some CBS exposure showed revenue gains. Multimedia said its broadcasting revenue was up 6% in February; Pulitzer inched ahead 1.4% and Gannett was up 4.2%.

Also providing a better outlook on the numbers were comparisons with two years ago, which, similarly, had no Olympics spending. Versus the 1991 numbers, affiliates in February 1993 were up 7.6% and independents were up 3.5%.

Even using that better perspective, national revenue continued to be weak. Against two years ago, affiliates' national spot was up less than 1%; for independents the gain was only 1.5%. —GF

Capcities/ABC's bearish investment

Capital Cities Capital says it completed its first ad-time-for-equity swap with an advertiser last week. The Capital Cities/ABC unit said it would become the largest outside investor in YES! Entertainment, a Pleasanton, Calif., startup company, in exchange for giving it ABC TV network advertising time valued at \$4.75 million.

The investee has developed a line of children's interactive toys that it intends to begin advertising on the network beginning "in late summer this year through the holidays." Products to be advertised include "TV Teddy, a teddy bear who interacts with specially encoded children's videotapes or network television broadcasts," books whose characters read stories aloud to children and "the first pop-up books to include sound effects technology."

Capital Cities Capital expects to make several more announcements in the next few months (BROADCASTING & CABLE, March 22). —GF

tainment division: "I think that Paramount's view of the world is that they want to buy access to markets." Paramount's entertainment division, said Katz, can obtain "access" to the TV station market by buying NBC's 22-hour prime-time schedule (or 15 hours of it if the fin-syn rules are still in place). General Electric would then

have to decide, said Katz, what it would do with its news and sports operations and its TV stations.

"That is different from Paramount saying it wants to buy NBC in a traditional manner," Katz said. "I don't think they would do a large traditional acquisition which is dilutive to their earnings." ■

Changing Hands

This week's tabulation of station and system sales (\$250,000 and above)

KDFW-TV Dallas and KTBC-TV Austin, both Texas □ Sold by Times Mirror Co. to Argyle Communications for \$335 million in cash and securities. Sale is first of two-part transaction that will include remaining Times Mirror stations, KTVI(TV) St. Louis and WVTM-TV Birmingham, Ala. (BROADCASTING & CABLE, March 22). KDFW-TV is CBS affiliate on ch. 4 with 100

kw visual, 500 kw aural and ant. 1,680 feet. KTBC-TV is CBS affiliate on ch. 7 with 316 kw visual, 31.6 kw aural and ant. 1,261 feet. KTVI is ABC affiliate on ch. 2 with 100 kw visual, 20 kw aural and antenna 1,085 feet. WVTM-TV is NBC affiliate on ch. 13 with 316 kw visual, 47.4 kw aural and antenna 1,340 feet. *Broker: Communications Equity Associates.*

KQLZ-FM Los Angeles □ Sold by Westwood One Inc. to Viacom International for \$40 million (see page 33). KQLZ-FM has AOR format on ch. 100.3 mhz with 5.3 kw and ant. 3,005 feet.

KVOA-TV Tucson, Ariz. □ Sold by H & C Communications to Evening Post Co. for approximately \$13.25 million. Station sold in 1982 for \$30 million. **Seller** is headed by William P. Hobby and Jessica H. Catto and recently sold WESH(TV) Orlando and KCCI(TV) Des Moines to Pulitzer Broadcasting for \$165 million (BROADCASTING, Feb. 22) and is licensee of two other TV's and one AM. **Buyer** is headed by Ivan Anderson Jr. and is licensee of 5 TV's and publishes newspapers in South Carolina and Argentina. KVOA is NBC affiliate on ch. 4 with 35 kw visual, 18 kw aural and antenna 3,610 feet.

WERQ-AM-FM Baltimore □ Sold by United Broadcasting Co./The Eaton Estate to Radio One Inc. for \$9 million. **Seller** is headed by Gerald Hrobak and also owns two AM's and one

Falcon Cable TV consolidates

Falcon Cable TV has consolidated four of its eight partnerships with Falcon's parent company, Falcon Holding Group Inc. In connection with the consolidation, Falcon also recapitalized Falcon Holding Group LP, with \$375 million in senior bank debt from a syndicate managed by The First National Bank of Boston and The First National Bank of Chicago and also completed a \$175 million private placement of senior subordinated notes through Morgan Stanley & Co. and Lazard Freres & Co. Falcon said management and affiliates own approximately 38% of Falcon Holding Group LP.

Other partners include Hellman & Friedman Capital Partners I & II, Leeway & Co., Boston Ventures, DIS Investments, Mezzanine Lending Associates II & III, Toronto Dominion Investments and BancBoston Capital. Falcon Holding Group LP now owns and manages cable systems in 60 operating regions in 27 states.

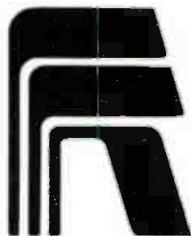
—GF

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FM. It recently sold WJMO-AM-FM Cleveland and WJZE-FM Washington. **Buyer** is headed by Cathy Hughes and Alfred Liggins and is also licensee of WIN-AM-FM Baltimore and WOL(AM)-WMMJ(FM) Washington. WERQ(AM) has CHR format on 1010 khz with 1 kw day. WERQ-FM has CHR format on 92.3 mhz with 37 kw and ant. 570 feet. *Broker: Star Media Group Inc.*

WKHI(FM) Ocean City, Md. □ Sold by Baltimore Radio Show to Benchmark Radio Acquisition Fund for \$2.2. million. **Seller** is headed by Harry R. Shriver and is also licensee of WBVP(AM)-WWKS(FM) Beaver Falls, Pa. **Buyer** is headed by Joseph L. Mathias IV and Bruce R. Spector and recently purchased WKOC(FM) Elizabeth City, N.C., and WTAR(AM)-WLTY (FM) Norfolk and WDCK(FM) Richmond, both Virginia ("Changing Hands," Jan. 25). It also owns WVGQ(FM) Richmond and WUSQ-AM-FM Winchester, both Virginia, WDOV(AM)-WDSO(FM) Dover, Del., and WZNY(FM) Augusta, Ga. WKHI has CHR format on 99.9 mhz with 50 kw and antenna 319 feet. *Broker: Bergner & Co.*

WXLN(FM) Baton Rouge □ Sold by San-Dow Broadcasting to Citywide Broadcasting for \$1.9 million. **Seller** is headed by J. Morgan Dowdy and C. Wayne Dowdy. **Buyer** is headed by Peter Moncrieff and also owns WXOK(AM)-KQXL-FM Baton Rouge. WXLN has CHR format on 94.1 mhz with 100 kw and ant. 981 feet *Broker: Bergner & Co.*

KONO(AM) San Antonio, Tex. □ Sold by Genesis Broadcasting Inc. to Gillespie Broadcasting Co. for \$1.125 million. **Seller** is subsidiary of Detroit-based Booth American, which recently sold KSRR(FM) to Tichenor Media Systems. Booth also owns six FM's, 12 FM's and cable systems. **Buyer** also owns KONO-FM, which is currently programed by seller under LMA agreement, scheduled to terminate in September. KONO(AM) has oldies format on 860 khz with 5 kw day and 1 kw night. *Broker: Barger Broadcast Transactions.*

WCLI(AM)-WZKZ(FM) Corning, N.Y. □ Sold by Group Six Communications Inc. to Pro Radio Inc. for \$780,000. **Seller** is headed by receiver William R. Rice, who also is serving as receiver for WZLB(AM)-WFRG(FM) Rome, N.Y., and WZOQ(FM) Wapakoneta, Ohio, which were recently sold. **Buy-**

Proposed station trades

By dollar volume and number of sales

This week:

- AM's □ \$1,125,000 □ 1
- FM's □ \$45,540,862 □ 9
- AM-FM's □ \$10,390,000 □ 4
- TV's □ \$348,350,000 □ 6
- Total □ \$405,405,862 □ 20

So far in 1993:

- AM's □ \$11,536,714 □ 49
- FM's □ \$177,674,530 □ 87
- AM-FM's □ \$233,040,200 □ 57
- TV's □ \$770,464,866 □ 22
- Total □ \$1,192,716,310 □ 215

For 1992 total see Feb. 1, 1993 BROADCASTING.

er is headed by Victor A. Michael Jr. and is licensee of WHTO(FM) Muncy, Pa. WCLI is fulltimer with MOR, talk format on 1450 khz with 1 kw. WZKZ has AC format on 106.1 mhz with 40 kw and ant. 532 feet *Broker: William R. Rice.*

KNFO(FM) Waco, Tex. □ Sold by HSA Service Corp., subsidiary of First Gibraltar Savings of Dallas, to Broadcasters Unlimited Inc. for \$610,000. **Seller** has no other broadcast interests. **Buyer** is headed by Don Chaney and also has interests in KNUE(FM) Tyler and KKYR-AM-FM Texarkana, both Texas. KNFO has country format on 95.5 mhz with 100 kw and antenna 1,100 feet. *Broker: Whitley Media.*

KDZA-FM Pueblo, Colo. □ Sold by MarTec Broadcasting Corp. to McCoy Broadcasting Co. for \$500,000. **Seller** is headed by Paul Jones and is also licensee of KGHF(AM) Pueblo, Colo. **Buyer** is headed by Craig W. McCoy and is licensee of KCCY(FM) Pueblo, Colo. KDZA has oldies format on 107.9 mhz with 100 kw and ant. 586 feet.

KUMA(AM)-KSXM(FM) Pendleton, Ore. □ Sold by Pendleton Broadcasting Co. Inc. to Round-Up Radio Inc. for \$340,000. **Seller** is headed by Greg Smith and has no other broadcast interests. **Buyer** is headed by David N. Capps who is licensee of KSRV-AM-FM Ontario, Ore. His wife, Claire-Marie Ferguson Capps, is licensee of KCMB(FM) Baker, Ore. KUMA is fulltimer with MOR format on 1290 khz with 5 kw. KSXM has oldies format on 27.5 kw with ant. 610 feet.

SOLD!

WYAY-FM, Gainesville/Atlanta, Georgia has been sold by NewCity Communications to Capital Cities/ABC for \$19,000,000.

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Washington

Telco entry bill back on Hill calendar

Legislation allowing telcos to own cable systems in their service areas reintroduced

By Harry A. Jessell

Confident of administration support, House Telecommunications Subcommittee members Rick Boucher (D-Va.) and Michael Oxley (R-Ohio) last week reintroduced legislation lifting the ban against telephone companies providing cable in their telephone service areas.

"The administration will lend its overall support," Boucher assured reporters at a Capitol Hill press conference.

And that support, coupled with the new willingness of House Telecommunications Subcommittee Chairman Edward Markey (D-Mass.) to consider repeal of the ban (BROADCASTING &

CABLE, Feb. 22), will likely lead to passage of the legislation by the end of 1994, Boucher said.

Oxley and Boucher expressed such optimism despite their failure to move such legislation in the past.

The United States Telephone Association, which generally supports so-called telco entry initiatives, was not quite so sanguine. But, said USTA lobbyist Ward White, "that there seems to be a consensus that something needs to be done is encouraging."

Boucher based his hopes for administration support on Vice President Al Gore, who is deeply involved in telecommunications policymaking for the administration and who, as a senator during the last Congress, sponsored

telco entry legislation.

What's more, Boucher said, permitting telcos into cable would provide an incentive for them to upgrade the nation's telecommunications infrastructure—one of the oft-stated goals of the administration.

The Boucher-Oxley bill contains a number of "consumer safeguards" aimed at preventing anti-competitive conduct by the telcos (see box).

Boucher said he expects the administration to develop a telecommunications policy by late this year or early next, calling for, among other things, repeal of the ban. "It would be hard to imagine the administration not enthusiastically supporting this bill," he said.

Lawmakers may choose to handle telco entry as part of a comprehensive legislative package, which would also address national standards for networks and other line-of-business restrictions on the telcos. Such a package would amount to the largest telecommunications legislation since the Communications Act of 1934, he said. "That's the big-enchilada theory and I subscribe to it," added Oxley.

As Boucher noted, the administration has committed itself to policies that will lead to improved telecommunications, but it has yet to formulate those policies.

Oxley said Commerce Secretary Ron Brown has told him he "very enthusiastically" supports their telco entry measure. But a Commerce Department spokesman told BROADCASTING & CABLE neither Brown nor the department has staked out a position.

Markey, once a strong advocate of the crossownership restriction, told telephone industry executives last month he would consider dropping or relaxing the ban under certain conditions. However, he said those conditions would include strict limits on

Also in the bill...

The Boucher-Oxley Communications Competitiveness and Infrastructure Modernization Act of 1993 would lift the prohibition against local telephone companies providing cable and other video services in their telephone-service areas. To protect consumers from anti-competitive conduct by the telcos, it would also:

- Prohibit telcos from subsidizing their cable operations with revenues from their monopoly telephone service. Telcos would have to set up a separate "video programming affiliate" with its own set of books.
- Prohibit telcos from jointly marketing telephone and video services.
- Require telcos to set aside 75% of their network capacity for a "video dialtone platform" over which unaffiliated video programmers could deliver their services to consumers on the same terms as the telcos' video affiliates.
- Prohibit telcos from purchasing existing cable systems, but allow them to obtain a noncontrolling interest in incumbent systems and to negotiate to use "for a limited period" the curb-to-home drops of the incumbent systems.
- Require telcos to obtain a municipal cable franchise, obligating them, at a minimum, to pay franchise fees and provide public and governmental access channels. (Telco representatives and municipal officials are already negotiating terms of the telco franchising requirements, Boucher said.)

—HAJ

their programing ownership and a prohibition against telcos' buying out cable systems in their markets rather than building competitive ones.

The National Cable Television Association (NCTA) opposes the new Boucher-Oxley measure. "We continue to believe crossownership restrictions serve an important purpose—protecting consumers against cross-subsidy, and competitors from unfair business practices," said an NCTA spokeswoman. "The nub of the problem is that there is no competition for local phone companies," she said.

National Cable Television Association President James Mooney and NCTA executive committee member

and Comcast President Brian Roberts have said they might be willing to drop their opposition if telco entry were restricted to markets where "real" or "effective" local telephone competition exists.

Roberts, in congressional testimony two weeks ago, said a test of whether there is real competition could be based on either market share or the availability of competitive services (BROADCASTING & CABLE, March 29).

The crossownership prohibition cuts both ways. Eliminating it would remove one major barrier to cable's offering telephone services. Because of that, said Boucher, some cable com-

panies may eventually come to support repeal. "I'm not saying that's going to happen, but I wouldn't be surprised if it does," he said.

Boucher and Oxley said permitting telcos into cable would provide the economic incentive they need to spend \$100 billion-\$400 billion over the next 20 years to bring broadband communications to every home and business.

And by overbuilding cable systems, they said, telcos will provide competition to cable. "Only truly effective competition will bring cable rates down," Boucher said, agreeing with Oxley that the 1992 Cable Act will fail to insure consumer access to cable programing at reasonable rates. ■

Home shopping defends must-carry status

Broadcast affiliates say stations serve public interest, advance interactive technology

By Joe Flint

The Home Shopping Network and its broadcast affiliates last week defended their right to exist and to receive mandatory must-carry status, telling the FCC their format serves the public as much as does any other station's.

"If home shopping stations carried the same type of entertainment programing as conventionally formatted stations—game shows, violent dramas and sexually explicit talk shows—there would be no question that their records of public service programing and operations complied with the public interest," HSN told the FCC.

HSN, cable operators, minority broadcasters—who operate many home shopping stations—and others are filing in response to the FCC's launching of a rulemaking last January to determine whether stations carrying a home shopping or mostly program-length commercial format meet public interest requirements and, if they do, whether they should be given mandatory carriage on cable systems.

The rulemaking is part of a provision in the Cable Act of 1992.

HSN argued that its format "embodies precisely the type of innovative experimentation which the commission hoped deregulation might stimulate.

"Indeed, home shopping represents the first successful application of in-

teractive television, and may serve as a model for additional consumer-oriented technological innovation."

Cable operators and the National Cable Television Association counter that the format does not serve the public interest in the same way that traditional broadcasters do. The industry opposes must carry for any station, but argues that carriage for home shopping in particular cannot be justified.

"There is scant evidence that home shopping stations provide much more locally originated programing beyond makeweight, de minimis interstitial material—much less an amount of local programing so that failure to carry any one of these stations would threaten localism at all," the NCTA said.

Cable operators and the NCTA did not comment on whether such stations should be granted license renewals.

But the Center for the Study of Commercialism did. The Andrew Schwartzman-led group argued that five minutes of public interest programing surrounded by 55 minutes of commercial matter should not merit a license renewal. "Plainly, limitations on home shopping programing and infomercials reasonably fit the government's interest in protecting the public's First Amendment rights."

Regardless of what the FCC decides, Schwartzman said, home shopping stations should not get the benefit of the doubt, or renewal expectancy, when their licenses are up for review

or in a comparative hearing, if they have provided only the minimum in public service requirements.

Forced carriage of the stations, the NCTA added, would also hurt cable channels. "If any entity is competitively disadvantaged by this arrangement, it is the cable programers. They do not have a governmentally granted pathway to the home. Their only access to their intended audience is by negotiating agreements for carriage on cable systems and other video programing distributors."

As for the constitutional question, HSN said: "That a station's entertainment programing is home shopping should not—and cannot under the Constitution—alter that conclusion."

The National Infomercial Marketing Association pointed to the U.S. Supreme Court's recent decision in *City of Cincinnati v. Discovery Network* as an example of how commercial speech is protected by the First Amendment.

In that case, the court rejected a local government's argument that its preferential treatment of newspapers over commercial publications in placement of news racks was permissible.

"The decision in *Discovery*, therefore, completely undermines the intellectual underpinnings of the argument made in the congressional hearings in favor of restrictive regulation of broadcast programing based on commercial versus noncommercial format considerations." ■

Broadcasters, cable clash over sports siphoning

By Joe Flint

Cable programers have not been siphoning sports away from broadcasters, but rather, broadcasters have abandoned sports, cable operators including Time Warner told the FCC last week.

The professional and college sports leagues also sided with cable. The National Hockey League said there has been little interest from the networks for a national contract, and Major League Baseball cited "growing reluctance" by broadcast networks to air games, although local broadcasts have increased over the last 13 years.

Perhaps hoping to calm fears of a pay-per-view Super Bowl, the NFL said that would not happen during the remainder of the decade. Congress will also be given advance notice if the NFL decides to put any playoff games to pay per view. As for the games now on cable, the NFL pointed out that those are games that used to air on the networks but were not picked up.

According to ESPN, ABC, NBC and CBS carried 19% more sports programming in 1992 than they did 12 years ago.

Local broadcasters countered that local college and professional sports are being pulled away from broadcast to cable. There is, the Association of Independent Television Stations (INTV) said, "a strong factual, statutory and constitutional basis for enactment of a provision under the Communications Act that would limit the cablecasting of sports events that were recently telecast on free TV."

The comments are in response to the FCC's inquiry on the migration of sports programming to cable. Time Warner said broadcasters have the ability to buy as much sports programming as they desire, "but they simply have chosen not to purchase all the sports programming available."

Cable, they and others argue, carries programming that the public otherwise would likely not see.

"Cable has expanded and enhanced televised sports beyond what has traditionally been available on broadcast television. And it has brought back to viewers sports and teams whose coverage had been abandoned by the broadcasters altogether," the National Cable Television Association said.

NCTA said cable has not competed

with broadcasters for the same baseball product. Baseball, NCTA said, sells home games to cable to protect ticket sales. "Thus, the Major League Baseball games shown on regional cable networks are games which would, in any event, typically be unavailable to local broadcasters."

Capital Cities/ABC and NBC also told the FCC there is no need to sound the alarm on sports migration. (The former is a majority owner of cable channel ESPN; the latter has partnered with cable on sporting events.)

"This is not to say that there could not at some future time develop a problem with sports siphoning. The most serious potential threat to the public interest would be the movement of high-interest, big-ticket events [such as the World Series, Olympic games and the Super Bowl] to cable," said Capcities/ABC.

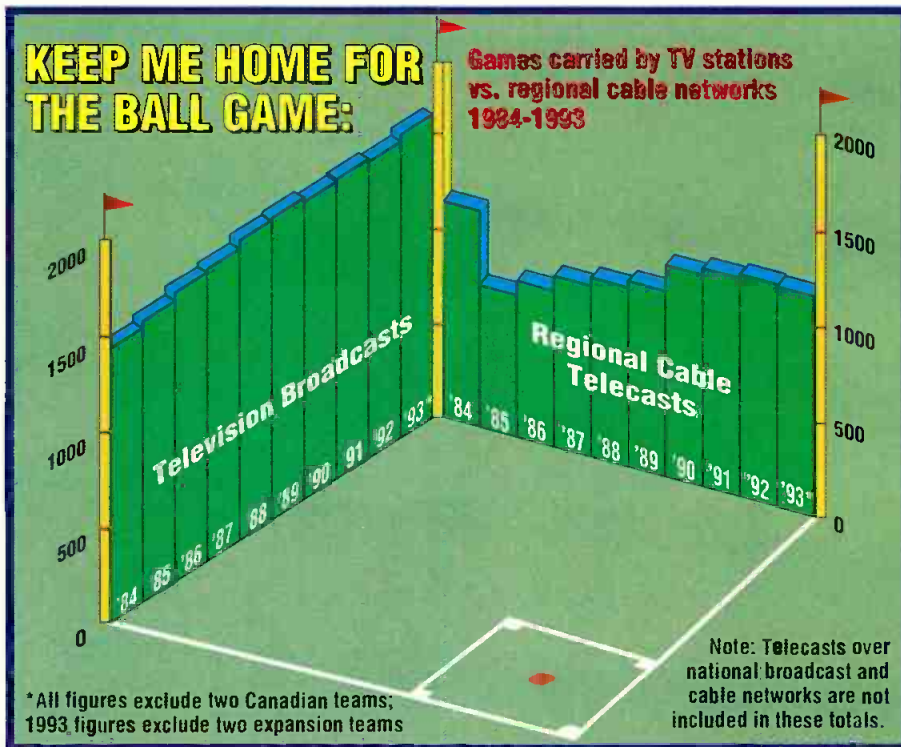
If that were to happen, it added, Congress "might wish to consider governmental intervention in this area, but we are not close to this situation yet."

But for local broadcasters, that time has already come, according to INTV. "There has been a discernible shift in local sporting events away from over-the-air television. Unless this situation is rectified, local sporting events will become the exclusive province of pay services, disenfranchising many Americans from local sporting events," it said.

Both INTV and the National Association of Broadcasters suggested there may be a need for rules limiting the so-called siphoning of sports to cable.

As examples, INTV pointed to ESPN's baseball contract, which prohibits all teams from allowing the over-the-air broadcast of any game on Wednesday nights. "Despite the fact that every major league team has a game on Wednesday night, there are no games on over-the-air television." The prohibition, INTV pointed out, applies only to TV stations, not cable channels. "Such discriminatory behavior places local television stations at a significant disadvantage."

Major League Baseball argued (see chart) that the number of games carried on local television has risen over the last several years. While it is true that regional cable networks carry many more games than they did in 1980, "the increased availability of programming has been accomplished without diminution in the overall level of baseball telecasts on broadcast television." ■



Pa. governor wants HDTV job creation

Writes President supporting making U.S. jobs factor in picking broadcast standard

By Sean Scully

Pennsylvania Governor Robert Casey has weighed in on the future of high-definition television in the United States.

After touring a Thomson Consumer Electronics picture tube plant in Dunmore, Pa. (Thomson is a member of the Advanced Television Research Consortium). Casey on March 30 wrote President Bill Clinton expressing strong support for a suggestion by Labor Secretary Robert Reich that the FCC consider job creation when setting an HDTV broadcast standard.

Reich made his position public on Feb. 24, when he sent a letter to FCC Commissioner James Quello. The letter stirred a round of bitter recrimination among the three groups competing to create the broadcast standard.

Unlike Reich, Casey explicitly endorsed the ATRC, which is competing with Zenith and General Instrument in the FCC's HDTV study. GI's Government Affairs Director Quincy Rodgers said last week that he had not seen the letters and that GI would have no public comment on them in any event.

Quello has previously said he will make jobs a factor in the selection of an HDTV standard. An advisory committee is now testing the three systems to see which should be made the standard. "I told [the committee] that [job creation] isn't the determining factor," Quello said a week before Casey's letter, "but, all things being equal, that should be a factor."

The determining factor always has been which system will provide the best technical performance, Quello explained. In testing last year, the three systems turned out to be so close in performance that the advisory committee called for retesting this spring. "If it's a tie, the one that employs Americans should get it," he added.

Advisory committee chairman Dick Wiley said his group has no data on employment from the three compa-

nies, but such information could be collected fairly easily. "We never looked into that, but if the FCC wants us to look into that, that's something that may be accomplished," he said.

The jobs issue may well turn out to be moot if the HDTV developers come to a meeting of the minds. The three are negotiating to create their own compromise standard, combining the best elements of the competing systems. The alliance appeared to be in trouble after Reich's letter, but Wiley

and company officials confirmed last week that talks are continuing.

The committee is scheduled to begin retesting the systems in May. If there is no agreement among the companies by then, Wiley said, testing will proceed and the committee should have a recommendation by the end of the year. If there is agreement, the committee will postpone the tests and await development of a combined system, with a recommendation expected by early 1994. ■

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Bud Selig, owner of the Milwaukee Brewers and Major League Baseball's commissioner pro tem, last week defended baseball's antitrust exemption before the House Judiciary Committee, but the sport's regular Washington spokesman is newcomer Gene Callahan, who was a top aide to former Senator Alan Dixon (D-Ill.).

With the hiring of Callahan, baseball now has its own Washington office. Howard Paster had represented baseball out of the lobbying firm of Timmons & Co. Paster has since joined the Clinton White House as its chief lobbyist (assistant to the President for legislative affairs). According to Callahan, Timmons continues to work for baseball.

Bell Atlantic last week showed off for members of Congress the technology that will support the video-on-demand trial it plans for the Virginia

suburbs of Washington sometime in late April or May. In a corner of the small high-tech communications exhibition in the Rayburn House Office Building, Bell Atlantic's Daniel Konkle demonstrated the digital video "server," the computer that stores the programing; the video compression hardware that compacts it, and, perhaps most important, the ADSL system that delivers it over two thin copper wires—the famous "twisted pair" upon which the nation's local telephone networks are built.

For the trial, which will involve the homes of 100-300 company employees, Konkle said, Bell Atlantic will use comparable hardware. The computer, or server, will be larger, he said. The IBM RS/6000 workstations will have enough capacity to hold 30 feature-length films and will be able to deliver the same film to two or more homes, even if ordered at slightly different times, he said.

For the commercial roll-out, Bell Atlantic plans to load an expanded server with between 500 and 1,000 films. Although the FCC approved the service two weeks ago, the law still prohibits telcos from controlling programing, Konkle said. As a result, he said, the studios providing the films will select the titles, rotating them as they choose.

A large group of consumer advocates has called on President Clinton to clean house at the Federal Trade Commission, still chaired by Bush holdover Janet Steiger. "We...urge you to bring new leadership to the [FTC] by appointing commissioners, including a commissioner to serve as chair..., from the ranks of state and local consumer protection officials, consumer advocacy organizations and consumer affairs professionals," the group said in a letter to Clinton. "The FTC has a serious mission...and should not be entrusted to generalists, corporate lawyers, government bureaucrats or other individuals who are not recognized consumer leaders."

The letter was signed by Michael Jacobsen, executive director of the Center for Science in the Public Interest, "on behalf" of nearly 300 other consumer advocates who attached their names and many of whom presumably have an eye on one of those FTC seats.

Nat Hentoff's recent column—Censors of the Airwaves—decrying broadcasters' second-class First Amendment status and the FCC's tough anti-indecency regime stirred up some op-ed objections at the

Washington Post. Former Commissioners Benjamin Hooks and Abbott Washburn, in a joint letter to the editor, defended the FCC's enforcement of the indecency statute. "The FCC...has exercised the indecency rule with discretion and restraint," they said. "[I]t does not seek to censor." But confronted by the likes of Howard Stern, they said, "it has no alternative but to enforce the law. We believe that is what the overwhelming majority of the American public expects and wants it to do."

Former broadcaster and Elizabethtown College Professor Philip Eberly, in an op-ed column, said he asks two questions of students who rise to the defense of Howard Stern: "Would you want your 10-year-old son or daughter to go around mouthing what they heard Stern utter? Whom would you want to make First Amendment policy for you—Howard Stern or Tipper Gore? Hentoff should not be surprised by the answers."



Washington Watch

Edited By Harry A. Jessell

House Telecommunications Subcommittee Chairman Edward Mar-

key (D-Mass.) last week seconded the administration's call for auctioning new spectrum. Markey, speaking at a Center for Strategic and International Studies conference, said auctioning is far superior to lotteries, which tend to encourage people to chase spectrum as an investment rather than as the basis for a business.

The lottery "was a bad idea at its inception; it has proven to be a bad idea in practice, and it would be a bad idea if we didn't get rid of it now while we're at it," he said.

"Simply because we auction spectrum does not mean that we will be extending property rights to that spectrum," he added. "It should be perceived rather as a leasing of a valuable public resource that should be utilized for public benefit and good."

Jack Valenti, the president of the Motion Picture Association of America, has been awarded a two-year contract extension that will keep him on the job until Dec. 31, 1996. Valenti says he had more lucrative offers from entertainment companies, but was not sure "how much fun" those jobs would be. "I came down on the side of fun," he said. Valenti currently earns around \$800,000 a year, making him the highest-paid trade association chief in Washington.

Association for Maximum Service Television has published a review of current FCC rules for stations to convert to advanced television broadcasting. The book includes the guidelines and timetables for phased implementation of ATV, along with cost estimates for the first two phases. Copies are available at \$20 each from MSTV, 1400 16th Street N.W., Suite 610, Washington, D.C. 20036. MSTV is a national association of television stations and station-owning groups, dedicated to maximizing the technical quality of local TV service. The report was prepared by TV technology consultant Bernard Dickens, using current FCC decisions and proposals and information from the FCC's Advisory Committee on Advanced Television, which is working to create a national high-definition television broadcast standard. ■

Advertising & Marketing

USA to make first TV network buy

Move is part of \$3 million-\$5 million image campaign to include local stations, theaters

By Rich Brown

USA Network for the first time will purchase commercial advertising on national network television, nationally syndicated programs, local television stations and in movie theaters as part of a \$3 million-\$5 million multimedia consumer awareness image campaign set to kick off this spring.

Andrew Besch, senior vice president, marketing, USA Networks, said the company is launching its campaign with a tip of the hat to The Family Channel, whose aggressive "Accentuate the Positive" image campaign in 1991 resulted in ratings gains for the channel.

Buying broadcast spots has not exactly been easy for the basic cable networks. ABC last year decided to ban basic cable network advertising from its schedule, a policy that was already in place at CBS (BROADCASTING, March 23, 1992). Basic cable network marketing executives have also found it difficult to buy spots from local network affiliates.

With its new campaign, USA has purchased 30-second spots in a variety of dayparts on NBC, Fox, nationally syndicated series and local stations. Besch said stations might have been receptive to the campaign because it is an image campaign that does not promote the times of specific shows. "I probably would have had a helluva more difficult time if I tried to launch *Major Dad* on a spot basis," said Besch.

USA's newly acquired off-network series *Major Dad* and *Wings* will be promoted in an image spot during the campaign, but they will be part of a



Frame from USA Network's new image campaign

broader spot emphasizing the network's comedy lineup. The spot will run during the second wave of the image advertising campaign this fall.

As planned, the image spots will appear in a lineup of programming including *Cheers*, *Roseanne*, *Star Trek: The Next Generation*, *Saturday Night Live*, *Studs*, *Arsenio*, *A Current Affair*, *Full House*, *The Wonder Years*, *The Tonight Show*, *Cops*, *Late Night with David Letterman*, *Jeopardy!*, *Wheel of Fortune*, *Oprah* and *Crime Time*.

Besch said USA hopes the spots, which emphasize the action-oriented nature of the network's programming, will attract the 18-49 age group. The network is particularly interested in raising the visibility of USA's original movies, which he said tend to get lost in the sea of competitors doing their own original movies.

As part of the campaign, a 60-second spot highlighting USA's *World Premiere Movies* will run in Cineplex Odeon theaters in 17 markets from April 26 through May 24. USA Network affiliates will also receive customizable "Escape with US" marketing kits including billboard art, bill stuffers and advertising slicks. An image spot for USA's fledgling Sci-Fi Channel will also run in Cineplex Odeon theaters, and posters for the channel will be placed in theater lobbies. The four spots used in the campaign were created for USA by Messner Vetere Berger McNamee Schmetterer.

"Branding a network is an increasingly important and difficult task," said Besch. "We are rapidly moving toward the world of 500 channels where consumers will have a more difficult time discerning one network from another." ■

Proposed 900-number ad rules worry advertisers

FTC would require disclaimers and prohibit running of spots in kids programing

By Joe Flint

Broadcasters who rely for revenue on 900-number advertisements, particularly during children's programing, may have to look elsewhere. The Federal Trade Commission, acting on congressional legislation, has proposed rules on such advertising that could force advertisers to rethink their TV purchases.

The rules, part of the agency's implementation of the Telephone Disclosure and Dispute Resolution Act of 1992, would ban 900-number advertising directed at children under the age of 12; require all pay-per-call services that cost more than \$2 to begin with an oral message identifying the service provider and the costs of the call, and require a video disclaimer to be aired at the same time and in the same letter size as the number being advertised.

If implemented, the rules would mark the first time that an oral disclosure has been required for a television spot, according to the Association of National Advertisers (ANA).

The rules could severely hamper the 900-number advertising industry. Such oral disclosures could lengthen the running time of the commercial and raise the cost of the spot.

The oral disclosure requirement is "beyond what is required in the legislation," says ANA Executive Vice President Dan Jaffe. "It is particularly onerous and takes up a lot of time. Time is not cheap."

Advertising for 900-numbers has actually declined over the last few years, according to station reps, and most now runs after midnight. Longer spots may discourage advertisers because the concept relies on a consumer's impulse, which may dissipate as

the spot continues.

Stations are also being more cautious about what spots they will accept, according to Chickie Bucco, vice president, direct response sales, Katz Communications.

Indeed, while the rules would ban 900-number ads for children under 12, many stations already refuse to run such spots.

The ANA and other groups are concerned that if an oral disclosure requirement goes through, it could open

the door for similar requirements for mainstream advertisers.

A bill was introduced last week that would require five-second oral disclaimers on beer and wine advertising (see page 45). Similar bills have failed in the past, but there is concern that if the new administration lends its support to the effort (Vice President Gore supported such legislation as a congressman), it could have a chance, the result being a flight by beer and wine advertisers from TV and radio. ■

A channel, or more, divides black from non-black TV viewing

Advertisers seeking to reach black households will not necessarily find them watching the shows with highest total household numbers. In fact, according to a study by advertising agency BBDO, the difference in viewing tastes between black and non-black viewers is wide and, at least over the past three years, growing wider. The BBDO study is based on an analysis of Nielsen Media Research data for the first half of the 1992-93 television season.

The "Report on Black Television Viewing" found that only four of the top 20 most popular shows in black households were also in the top 20 among non-black households. Half of the top 10 most popular shows among black viewers were on Fox, four were on NBC and one was on ABC.

BBDO said black viewing is heavy enough to "add at least a full rating point to the total household ratings of 19 prime time shows," still not large enough "to make a prime time show a hit," said Doug Alligood, BBDO's vice president of special markets.

Viewing similarities were most noticeable among those 18-24 and men over 50. In the latter category, five of the 10 most popular shows among blacks and non-blacks were the same; four of those were on CBS. As for the younger demographic, Alligood said a factor "is the influence blacks have in the fashion, music and entertainment industries, which may mean that the current popular youth culture has a more significant component of black culture than that of previous generations."

BBDO cited a number of shows with black actors that did not have a large black audience: *Nurses*, *Angel Street*, *I'll Fly Away*, *L.A. Law*, *Matlock*, *Love and War*, *Law and Order*, *Going to Extremes*, *Designing Women* and *Evening Shade*. —GF

Different worlds of TV viewing

Network	Show	Black		Non-Black	
		Rank	Rating	Rank	Rating
Top 5 shows in black households					
NBC	Fresh Prince	1	35.9	36*	11.1
Fox	Roc	2	31.5	109	5.9
Fox	In Living Color	3	31.0	80*	7.9
Fox	Martin	4	28.9	80*	7.9
NBC	Blossom	5	28.1	36*	11.1
Top 5 shows in total households					
ABC	Roseanne	15	20.0	1	21.7
CBS	60 Minutes	22	18.0	2	21.0
CBS	Murphy Brown	64*	11.2	3	20.1
ABC	Coach	37	14.0	4	18.5
ABC	Home Improvement	47	12.8	5	18.0

Source: NTL 1992 *Tied for position

Bill requiring alcohol ad warnings introduced

Measure has bipartisan support; ad groups view current version as most dangerous yet

By John Gallagher

A bipartisan bill that would require TV, radio and print alcohol advertisements to include health and safety warnings was introduced last Tuesday amid strong protest from advertisers.

The bill is a first step in "changing the atmosphere that surrounds drinking," said Representative Joseph Kennedy (D-Mass.), a co-sponsor, at a Washington press conference. "If we can create at least a sense that there is a downside to taking a drink, it would be a very positive development," he said.

The Sensible Advertising and Family Education Act (SAFE) of 1993 has been endorsed by a coalition of roughly 100 organizations.

Kennedy rejected the idea that public service announcements by beer companies or increased taxes on alcohol are sufficient to alert the public to the dangers of alcohol or to prevent abuse. "It doesn't deal with the overall aura...of a fantasy existence" that advertisers create to sell alcohol, he said.

"Who can object to this bill, honestly, when we're merely trying to improve the health of our young people?" asked Senator Strom Thurmond (R-S.C.), another co-sponsor. "In my opinion, this bill ought to sail through [Congress] without any trouble."

Other co-sponsors include Senator Paul Simon (D-Ill.) and Rep. John Conyers (D-Mich.).

Different versions of the bill were introduced in the last two Congresses without success. In December, Kennedy aides were hopeful that a new Congress—and having Vice President Al Gore, a sponsor of the original bill, in higher office—would increase the chances of this bill's passage.

This year's version would require one of seven warnings to be attached to advertisements. Among them: "If you drink too much alcohol too fast, you could die of alcohol poisoning" and "Drinking increases your risk of high blood pressure, liver disease and cancer." For television spots, a voice-over would have to accompany the printed words.

SURGEON GENERAL'S WARNING:

If you are pregnant, don't drink alcohol.
Alcohol may cause mental retardation
and other birth defects.

The Food and Drug Administration would be charged with enforcing the warning guidelines. Current labeling requirements are enforced by the Federal Trade Commission.

The advertising community, which has opposed such legislation, views the latest bill as the most dangerous yet. "They've taken a bad bill and made it worse," said Daniel Jaffe, executive vice president of the Associ-

ation of National Advertisers (ANA).

ANA President DeWitt Helm said that if the bill becomes law, "television commercials could turn into talking encyclopedias of warnings about all sorts of products and services. Once you start down this road, there is no turning back."

John Kamp, vice president of the American Association of Advertising Agencies, said the legislation would have a huge impact on sports programming on TV. A commercial would be negated by the disclosures, he said, sending a mixed and therefore ineffective message to the consumer.

"I think the net result of that would be terrible, because it would mean sports programming on broadcasting would more quickly than ever migrate to pay TV," Kamp said. "Clearly the intent—not expressed—appears to me to be to get [beer] advertising off TV." ■

Paramount defends ads

Paramount issued a response to recent criticism about the company's use of ratings data in advertisements for its syndicated shows (BROADCASTING & CABLE, March 29). The studio said: "Gross average audience ratings, as supplied by Nielsen, have become the accepted basis upon which commercial advertising is bought and sold for national broadcast. New Nielsen data, reflecting ratings for the first quarter through the February sweep for the four networks' series and Paramount's three first-run hours, shows Paramount's programs continue to rank number two in men 18-49 as we stated in our previous advertising." —GF

Advertising interactively

The role of advertising in the interactive TV era was debated at a "multimedia" seminar in New York. Judy Black, senior vice president of strategic planning, Bozell Inc., said at the Kagan Seminars Inc. session "Interactive Multimedia Investments" that the interactive demonstrations presented had no ads in them and asked: "What happened to the advertising structure" in a multimedia environment?

In response, Richard Miller, group vice president, marketing for TV Answer, said that his particular system "works best as a direct-response medium. He added, however, that during an ad, viewers can designate, interactively, their interest in the product being advertised. Therefore, Miller said, the advertiser would know that customers were especially interested and could send them a brochure without fearing it would be wasted. David Reese, vice president, ACTV, said that customers of that interactive system can indicate personal characteristics through push buttons, allowing them to view specifically targeted ads. —GF

Classifieds

See last page of Classified Section for rate information and other details.

RADIO

HELP WANTED MANAGEMENT

Sales manager: We are a growing radio group who believes in training our people to be the best. As sales manager, you will recruit, train, and lead our successful stations to higher achievement. Looking for a sales manager who loves to work "in front of clients." Send resume to Box E-30. EOE.

Commercial projects manager sought by American Public Radio to develop new distribution opportunities and revenue sources complementary to the public radio market. Develops and implements activities to maximize use and revenue from programming distributed by APR, including sales and syndication to radio and television stations, cable, and other audio service providers. Researches and recommends cooperative ventures with other media, including ancillary product licensing. Develops and maintains relationships with commercial stations and networks. Five years experience in commercial broadcast and/or cable program marketing and sales; knowledge of the radio marketplace; ability to develop and implement business and marketing plans; awareness of new technologies; knowledge and understanding of public radio environment. Competitive compensation. Send letter, resume, salary requirements to Commercial Projects, APR, 100 North 6th St. #900A, Minneapolis, MN 55403 by April 9, 1993. EEO/AA.

General sales manager: Top rated AM/FM combo in Midwest medium market is looking for the best GSM in the world to take stations to next level. Excellent company, market and stations. An equal opportunity employer. Send your information to Box E-44.

Position available for mature, experienced general sales manager for radio stations, 5000 watt AM and 100,000 watt FM in South Georgia. Successful track record necessary, aggressive. Mark Shor, 912-246-1650. Equal opportunity employer.

General sales manager for Midwest News/Talk /AC combo, Bonneville's KMBZ/KLTH, Kansas City. Three to five years successful management record necessary to apply for this prime opportunity. Send letter and resume to Personnel Director, Box 1000, Mission, KS 66222. EOE.

Seattle sales manager: The Mountain is looking for a sales leader. Exciting product, hungry sales team, top-notch support. If you love the heat of the street and can teach good relationship selling, we might be the station you're looking for. Resumes only to: G. Michael Donovan - VP/GM, KMTT-A/F, 1100 Olive Way, Suite 1650, Seattle, WA 98101. The Mountain is an equal opportunity employer.

Immediate opening for GSM at stable, profitable FM in small but competitive rural New England market. Resume, references and salary expectations to Box L-1. EOE.

Small-mkt GM/GSM: Growing radio group seeking strong, stable GM/GSM, with interest in ownership, for top-rated, underperforming AM station with Expansion/LMA opportunities located in attractive, Mid-Atlantic small-mkt. General & sales mgt experience required with proven results in small mkts. \$33,000-\$35,000 initial salary range with excellent benefits plus incentive bonuses. Opportunity for equity upon achieving selected performance goals and management criteria. Please send resume & achievements to Box L-2. EOE.

HELP WANTED TECHNICAL

Broadcast engineer, senior (audio program engineer): Arizona State University seeks an individual to plan and execute the technical origination, recording or transmission and editing of live Classical music for broadcast on a new public radio station to serve the Phoenix, AZ metropolitan area. Duties include planning, scheduling, and production of programs for broadcast; operation of high fidelity audio recording and editing equipment; surveying of performance sites to plan recording and equipment needs; and editing and assembling prerecorded programs for broadcast. They also include maintaining, repairing, and installing audio recording, editing, and transmitting equipment and supervision of part-time staff. Requires lifting and carrying (up to 70 lbs.) up/down stairs and onto platforms. Minimum qualifications: Associate's degree in Electronics, Audio Engineering or related field and three years of experience in audio engineering, which includes repair and installation; or five years of experience in audio engineering which includes equipment repair and installation; or any equivalent combination of education, training or experience from which comparable knowledge, skills, and abilities have been achieved. Other experience required: Recording and editing Classical music concerts recording and mixing voice-overs for live Classical music concerts; and mixing and balancing microphones in order to produce stereo recordings. Desired qualifications: Skill in working with professional performers, conductors and managers of Classical music; knowledge of Classical music and ability to read scores; excellent skill in the use of computer-based digital editing systems, preferably using the Pro Tools system; skill in designing, developing, and modifying equipment and circuit systems to enhance recording equipment capabilities; knowledge of and skill working in a production-oriented environment and ability to create and organize schedules; excellent oral and written communication skills. Salary range is \$22,156-\$35,051 DOE, plus excellent benefit package including reduced ASU tuition. Direct letter of application to ASU Employment Section, Academic Services Building, Room 236, Arizona State University, Tempe, Arizona 85287-1403. Please attach resume which includes complete history of work experience including details of duties and responsibilities and inclusive dates of employment for each position. Provide name and address of three references who have directly supervised you or are qualified to evaluate your work performance. Please indicate in your letter of application the source of your referral for this position: i.e., specific media advertisement, employment agency, minority or women's organization, personal contact, or other source. Application deadline: 4/30/93. EOE/AA.

Radio chief engineer: Major market AM/FM combo seeks highly skilled broadcast chief engineer with top notch organizational, technical and communication skills. Individual must possess qualifications and abilities in all aspects of broadcast engineering including design, installation, maintenance and repair of studios for AM directional and FM transmission facilities. Minimum of Associates in Engineering, FCC General Telephone license, SBE certification and/or IEEE membership a plus, computer skills needed. Send letter and resume to Box L-3. EOE.

HELP WANTED SALES

Suburban Milwaukee station seeking experienced sales professional to handle exclusive upscale market. Competitive compensation, growing market shares, continual support. Regional sales management available for the right person. Interested candidates should forward their confidential resume and salary history to Box E-46. Equal opportunity employer.

Not looking for a job? Good! We don't have an opening. But, if you think you can persuade us as to why we should create one for you, send your resume to Steven Hatter, 812 Moorefield Park Drive, Richmond, VA 23236. No calls. EEOC.

Network sales account executive: Do you have station, rep or network sales experience? Do you know the New York agency community well? Do you live within daily commuting to New York City? If you can say yes to all of the above questions, there are opportunities with a growing radio network available. If you are intelligent, work smart, sell creatively and know how to dig, send your resume and a cover letter explaining why we should speak to: Vice President Sales, NSE Radio Network, 300 Park Avenue, Suite 1700, NY, NY 10022. EOE.

Shamrock Communications Group, WEZX FM, Scranton/Wilkes-Barre, seeks qualified, professional salesperson. WEZX/Rock 107, offers Northeastern Pennsylvania's exclusive AOR format, ratings research, support staff, salary, commission, gas plus a complete benefits package. Existing list, experience with beer and soft drink buyers preferred, internal growth potential and much more. Respond now to Gary Kurtz, GSM WEZX, 149 Penn Avenue, Scranton, PA 18503. EOE.

Radio sales position: Immediate opening, broadcasting's oldest media/merchandising-sales/promotion firm (40 years). Radio sales management experience required—full-time travel (Monday/Friday). Draw against generous commission. Six figure potential. Resume and recent picture to: John Gilmore, President, CCA, PO Box 151, Westport, CT 06881. EOE.

HELP WANTED NEWS

KSL Newsradio 1160 is looking for an energetic, contemporary news host for drive time segments who can effectively communicate to target audience and deliver ratings to meet company goals. KSL is located in Salt Lake City, Utah, a rapidly growing and exciting market. Qualified applicants will possess proven ability to effectively serve as host and team leader in a drive time segment, i.e., build synergism and maximize each team member's contribution to the on-air product. If interested, you will want to call 801-575-5777 for an application and further information. Return completed application and audition tape to Human Resources, KSL Broadcast House, PO Box 1160, Salt Lake City, UT 84110. Equal opportunity employer.

Immediate opening, news personality, entry level, good voice, writing skills, some sales required, females encouraged, near Phoenix. KQSS, 602-425-4378. EOE.

HELP WANTED PROGRAMING PRODUCTION & OTHERS

Looking for morning person and program director for AM/FM in western Oklahoma. Must like country music with people skills and management experience. Progressive college town. Salary negotiable. Send tapes and resume to Harold Wright, Box 587, Weatherford, OK 73096. EOE.

Program director: WASH 97.1 FM, The Sound of Washington, is seeking an experienced Adult Contemporary program director. Successful candidate must have five years of major market radio program director experience, a comprehension of research, and excellent marketing and communication skills. Candidate should be creative, able to think strategically, possess great people skills and have a proven track record. No calls please. Please send resume and cassette to: Mr. Tom McKinley, Executive Vice-President/General Manager, WASH 97.1 FM, Dept. BM, 3400 Idaho Avenue, NW Washington, DC 20016. Attn: PD1. EOE/M/F/H/V.

SITUATIONS WANTED MANAGEMENT

Controller/business manager. 12 year professional available immediately. Experience at station and group levels. Very strong hands-on manager of all financial, accounting, budgeting, control systems, banking relations, human resources and computer operations. Proven track record and solid references. Flexible about relocation. Call Ed 310-297-3068.

In 1992 I increased sales by almost \$3 MM at KFRG-FM. 25 years experience in management, sales, and programming. Startup and turnaround specialist. Interested in sweat equity deals. Gerry Cunningham 714-281-5105.

GM/GSM with sales formula for the 90's. 20 year major/medium markets includes program director and corporate with major group. Call 916-722-5500.

Successful major market CRMC seeks management opportunity. All markets considered. Reply to Box E-48.

Music licensing problems? Fees too high? Too much redtape? Call me for help. Former BMI VP. I'll save you money, time and aggravation. Bob Warner 609-395-7110.

Selling? Down-sizing? LMA? You need a mature, experienced, on-site, effective, temporary manager to get you thorough. Call Mark: 210-875-2555.

Let's build a winner! Experienced GM wants to help take your medium/small market Midwestern station to next level. Ext. experience in programming/sales/management. Reply to Box L-5.

GSM top-thirty market looking for great company, great people, career opportunity. Offering the "total package": 14 years station + rep experience. Successful at each opportunity. Sold some great ones including WBCN, KIKK, KVIL, etc. Managed, trained, and recruited a staff with motivation + vision. Achieved \$10 million in billings. Willing to relocate. Reply to Box L-4.

SITUATIONS WANTED SALES

Successful CRMC in top 50 market, 18 years in all size markets. Seeks major market opportunity. Reply to Box E-47.

SITUATIONS WANTED ANNOUNCERS

Licensed college graduate with strong work ethic, seeks an employment opportunity as a disc jockey. Would prefer opportunity in southern California or Chicago market. Available for immediate employment and relocation. Timothy C. King 215-759-4446.

Award winning eight year pro seeks full time with country radio station anywhere in the U.S. Personal appearances a must. Very dedicated, excellent references from. Call for package. Harrison Gasque 803-794-5217.

SITUATIONS WANTED TECHNICAL

Former chief engineer WFAN, WTEM, seeks projects by day, week, or month as contractual worker. Let me tackle your capital projects. Studio and transmitter installations, networks, directionals, proofs, emergency service, any market size. Supervisory experience, budget, bidding, subcontractors. Let me take over your headaches. Call Jim 301-540-2089 attending NAB.

SITUATIONS WANTED NEWS

Versatile, experienced & reliable sports director looking for same stable position. PBP, sales, AT, news, will relocate. Robert 319-524-5831.

TELEVISION

HELP WANTED MANAGEMENT

Director of operations & engineering: Expanding independent broadcast group looking for director of operations & engineering for their flagship television. Outstanding management and communications skills a must. Responsibilities include the supervision of union operation and technical staff. Knowledge of FCC rules and licensing requirements. Work with department heads and corporate office in establishing and maintaining operating and capital budgets. Computer and post production background a plus. Strong maintenance and operational experience essential. Must have 5 years experience in operating and maintaining television equipment along with a minimum of 3 years supervising union technical personnel. Reply to Box L-6. Equal opportunity employer.

Sales manager: WSMH-TV Fox 66 serving mid-Michigan is seeking a local sales manager. This demanding position requires a talented manager with a track record of success. Call in confidence 8am-10am EST David Wittkamp 1-800-733-2065. EOE.

HELP WANTED SALES

Local account executive: WXII-TV, the NBC affiliate in the Triad, is in search of an experienced and sales oriented account exec. Must have a minimum of two years television sales experience plus a strong aptitude for new business development. College degree preferred. Qualified applicants send resume to: Personnel Director, PO Box 11847, Winston-Salem, NC 27116. EOE. No phone calls.

Account executive to develop new business and service agencies for Twin Cities independent television station. Applicants will be hard working, energetic, and understand media. Minimum 1 year experience in media sales and documented business development required. Send or fax resume to: General Sales Manager, KLGT-TV, 1640 Como Ave., St. Paul, MN 55108 (fax 612-646-1220). EOE.

Account executive: Dominant ABC affiliate in Fort Wayne seeks self-motivated, aggressive individual with previous television experience. Individual must have good oral and written skills plus strong aptitude for new account development. College degree preferred. Qualified applicants send resume to: William McManus, Local Sales Manager, WPTA-TV, PO Box 2121, Fort Wayne, IN 46801. No phone calls, please. EOE.

HELP WANTED TECHNICAL

Experienced hands-on chief engineer Southeast network aff. Stable company. Reply to Box L-7. EOE.

Technical personnel for a major broadcast facility located in upstate New York. Producers, directors, videotape editors, ENG photographers and technicians. An equal opportunity employer. Send resume to Box L-8.

Studio engineer: Vacation relief: Position requires experience as an audio engineer and a thorough understanding of TV studio operations. Completion of accredited college or technical school desirable. Send resume to: Bill Beam, WABC-TV, 7 Lincoln Square, New York, NY 10023. No phone calls or faxes please. We are an equal opportunity employer.

Maintenance engineer: Vacation relief: Responsibilities include the maintenance of studio, video tape and electronic news equipment, including cameras, video tape recorders, video switchers, digital effects, editing and transmitting equipment. FCC license preferred. Send resume to: Bill Beam, WABC-TV, 7 Lincoln Square, New York, NY 10023. No phone calls or faxes please. We are an equal opportunity employer.

Media center engineer (video tape)-Vacation relief: Position requires operating knowledge of AMPEX VPR2/VPR3, Sony Betacart video tape machines and ability to edit with such equipment. Must be able to set up machines and adjust all associated equipment to required standards. Send resume to: Bill Beam, WABC-TV, 7 Lincoln Square, New York, NY 10023. No phone calls or faxes please. We are an equal opportunity employer.

Due to a career move to network, an opening as assistant engineering manager exists at one of our stations. The candidate for this job should have the following qualifications; SBE Certified as broadcast engineer or higher and/or FCC General Class license. Three years experience in maintenance, UHF transmitter experience a plus. Experienced with computers and 3/4" videotape machines. Resumes to Edwin Karl, Director of Engineering, Northstar Television Group, 645 Three Mile Road, Grand Rapids, MI 49504. EOE M/F.

Broadcast engineer: Innovative educational applied research and development program seeking experienced, technically sound individual who is a team player and hands-on worker for television engineering and operations. Must have experience with latest high end equipment, including full understanding of digital techniques/systems and emerging standards. Initial responsibility includes overall system design; subsequently, must have ability to specify, acquire, oversee installation, and fully maintain equipment in a new facility. Design will include: Satellite origination/reception, broadband distribution, microwave communication, full video production and post production, distance learning and interactive video systems. Should have at least three years experience in a responsible technical position, including supervision of technicians, maintenance programs, and equipment calibration/repair. Should possess an FCC General Class or SBE certificate and a BSEE or BEE degree. Review of applications to begin on April 30; Position begins July 1st. Send letter with salary history, resume, and three references (names, addresses, telephone number) to: Dr. C. Danfel Miller, Executive Director: NASA Classroom of the Future Program, Wheeling Jesuit College, 220 Washington Avenue, Wheeling, WV 26003. Affirmative action/equal opportunity employer.

ENG Personnel for a major broadcast facility in New York City. ENG field operations with camera (and microwave) experience, videotape editors, and ENG maintenance. Employment would commence Spring/Summer 1993. Out-of-town applicants accepted for these positions will be reimbursed for airfare, hotel and per diem expenses. Send resumes to TMS, Suite 137, 847A Second Avenue, New York, NY 10017 or fax to 914-352-3093. This employment would occur in the event of a labor dispute and would be of a temporary nature to replace striking personnel. This is not an ad for permanent employment. An equal opportunity employer.

Studio engineer (electronic graphics): Vacation relief. Position requires operating knowledge of Chyron IV character generator and Harris Iris Still Store System. Must be an accomplished typist and be able to work under extreme pressure created by live news shows. Previous professional operating experience is necessary. Send resume to: Bill Beam, WABC-TV, 7 Lincoln Square, New York, NY 10023. No phone calls or faxes please. We are an equal opportunity employer.

ENG editor (4 positions) vacation relief. Experience in television news operation required. Ability to operate Sony 800 system a must. Sony 600 system a plus. Must be able to work unsupervised under deadline pressure. Send resume to: Peter Menkes, WABC-TV, 7 Lincoln Square, New York, NY 10023. No phone calls or faxes please. We are an equal opportunity employer.

HELP WANTED NEWS

Co-anchor: Team up with a go-getter in presenting the most aggressive newscasts in town. Let your personality and experience work for you in busy coastal market. Resumes and photos to Box L-9. EOE.

TV director: Need someone with a good feel for directing live, quick-paced newscasts. Commercial and promotion directing as well. We're number one and want someone who won't settle for second best. Minimum three years experience. Send resume and references to: Steve Minium, WKRC-TV, 1906 Highland Avenue, Cincinnati, OH 45219. EOE.

Producer: Dominant #1 news operation in a southeast capital city seeking an aggressive producer for a new newscast. We're looking for a strong writer who is creative and competitive. We're not looking for a show-stacker. 1-2 years television news experience. Computer knowledge preferred. Send writing samples to Box L-10. EOE.

WVIL-TV and ABC affiliate, is seeking an experienced weatherperson. Please forward tapes and resumes to News Director, Jim Parisi, WVIL-TV, 371 Target Industrial Circle, Bangor, ME 04401. EOE.

News director: Aggressive news leader to develop talented staff. Must possess strong assignment skills and be able to motivate people. Send resume, news philosophy, and VHS tape to Dave Tillery, Station Manager, WICZ-TV, PO Box 40, Vestal, NY 13851. EOE.

Producer: WPSD seeks producer for 6:00 newscast. Will also assist desk in planning, and will fill-in produce other shows as needed. Strong news writing and production skills a must. Experience and degree preferred. Send resume and script example to: Terry Reeves, ND, WPSD News, 100 Television Lane, Paducah, KY 42003-5098. M/F/EOE/ADA.

HELP WANTED PROGRAMING PRODUCTION & OTHERS

Commercial production editor: Creative editor wanted for broadcast TV commercial production. Make miracles with producers + scripts with an Ampex Vista Switcher, ADO, Vista Tips Paint System, Ace Editor, ESS-5 Still Storer, Videotek Toaster, and 20K Dubner character generator. Send resume and tape to John Cannon, WMDT-TV, 202 Downtown Plaza, Salisbury, MD 21801 or call 410-742-4747. WMDT is an equal opportunity employer. M/F.

Strong local CBS affiliate in Las Vegas, Nevada is seeking a creative services director. Duties include writing and producing local television commercials, planning and coordinating special sales and marketing opportunities and events, supervising three entry level salespeople. Minimum two years commercial writing experience and demonstrate people and organizational skills a must. Send resume to PO Box 15047, Las Vegas, NV 89114, Attn: General Sales Manager. No phone calls!! EOE.

Television producer, newscast: Top 20. primary newscast. Great station at which to excel. Successful candidate must have 5 years experience. Flexible, creative, assertive and masterful tease writer. Send resume to Box L-11. EOE.

KABB-TV: San Antonio's fastest growing TV station has an opening for a director/editor. The position requires experience with a video switcher, computer editor, DVE, character generator, audio mixer, & Betacam field recorder. Send resume to Production Mgr., KABB-TV, 4335 NW Loop 410, San Antonio, TX 78229. An equal opportunity employer.

Senior producer: Top-rated CBS affiliate has opening on its management team for creative producer for 6pm show. Ideal candidate has superior writing, production and management skills. Minimum five years producing experience. Our company is rock solid and continues to grow; you can grow with us. Resume and salary history to Elliott Wiser, WTVR-TV, 3301 West Broad Street, Richmond, VA 23230. M/F/EOE.

Quantel artist & 3D artist wanted: Central Connecticut post production facility is looking for an experienced Quantel Paintbox artist (3 yrs. min.) and an experienced 3-D artist (3 yrs. min.) with extensive background in Silicon Graphics 4D20 Iris Workstations utilizing Alias 3.0 System Software. The salary for both positions is commensurate with your experience. Please fax resumes to: 203-659-4549 Attn: Production Manager. EOE.

Television director, broadcast design: Great opportunity, KSDK-TV 5, #1 St. Louis station. Will create graphic support for expanded local news and program commitments. Requires 5 years management experience, strong design skills, hands-on electronic graphic experience, self-starter, able to coordinate multiple on-going projects. Send resume and tape to Personnel, KSDK-TV 5, 1000 Market St., St. Louis, MO 63101. EOE. No calls.

Technical director/post-production editor wanted for Spanish Television Network. Must have live/live-on-tape and real computer editing experience. Excellent pay and benefits. I will be interviewing at the NAB in Las Vegas, so rush resumes and non-returnable tapes to Bill Press, Director of Operations, Telemundo Network, 2470 West 8 Avenue, Hialeah, FL 33010. EOE.

Production manager wanted for Spanish Television Network. Need experience to operate and schedule 5 studios and control rooms, along with 40-person staff. I will be interviewing at the NAB in Las Vegas, so rush resumes to Bill Press, Director of Operations, Telemundo Network, 2470 West 8 Avenue, Hialeah, FL 33010. EOE.

SITUATIONS WANTED MANAGEMENT

Cable television relations manager available. 19 years cable television management, 17 years broadcast sales and management. Thorough knowledge of cable and broadcast rules and regulations. Extensive background. Prefer southeast but will consider all locations. Reply to Box L-13.

SITUATIONS WANTED NEWS

Freelance correspondent with 2 years reporting experience for major international network returning from South Pacific region seeking general reporter/weekend anchor position with small to medium market station; prefer Rockies or West Coast region, but will consider every response. Available immediately. Reply to Box E-52.

TV photographer looking for employment. Award winning, ten years experience film and editing background, excellent lighting and shooting skills. Full time or freelance have own BVW 505. Call 212-689-5079 leave message. Will relocate. Let's talk.

Hungry—starving!—young sportscaster looking for on-air job. Five years TV/radio experience. Tired of the hypemaster "Chris Berman" clones? Contact me at Box L-12.

MISCELLANEOUS

Don't change managers! If your TV station is facing a lackluster future... and you are thinking of changing managers... don't do it! Share your problems with a management consulting firm that believes most managers can accomplish anything when they and their associates see a positive plan for the future. The cost of changing managers can be high. A fresh look at your business, through the eyes of a team of experts, can bring new ideas, innovative procedures and outstanding success. Broad Street and its team of professionals can help you. Call 203-281-0469 for more information.

Job hunting? We offer hundreds of listings in THE HOT SHEET— plus agent representation. Free referral with no placement fees, and much more! Now in our 9th year. Media Marketing, PO Box 1476— PD, Palm Harbor, FL 34682-1476. 813-786-3603. Fax/fax: 813-787-5808.

CABLE

HELP WANTED MANAGEMENT

Ad sales manager: Cable TV. Your strong advertising sales background, dynamic personality and demonstrated organizational ability are just what is needed to meet the challenges of this thriving ad sales department. Located in one of the fastest growing cities in the Southwest, this system serves the diverse community surrounding New Mexico State University. Beautiful climate, easy access to nearby historical and recreational areas and affordable housing make this one of the brightest opportunities in the industry. Qualified candidates will have 3-5 years experience in ad sales management. A proven track record in sales management, presentations, sales forecasts, and capital/expenditure budget responsibility is required. College-level courses in business administration, advertising and video production, or equivalent would be ideal. Salary negotiable. For consideration, send resume with salary history and requirements to: President, Las Cruces TV Cable, PO Box J, Las Cruces, NM 88004. We are an equal opportunity employer. Minority and female candidates are encouraged to apply.

ALLIED FIELDS

HELP WANTED INSTRUCTION

Graduate assistantships available in RTVF department for M.A. - communications students. Assignments include two public radio stations: television production; assisting announcing, production, filmmaking labs, etc. Tuition waiver plus \$4400/year. Contact Dr. William R. Ramin, Director, School of Communications, Northeast Louisiana University, Monroe, LA 71209. 318-342-1390. EOE/AA.

Bowling Green State University seeks instructor/assistant professor (possible upgrade to tenure track) to teach undergraduate and graduate courses in telecommunications systems, technologies, policies, and appropriate research methods to begin August, 1993. Candidates should have a demonstrated commitment to scholarly productivity and teaching excellence. Ph.D. required. Salary is competitive. Send letter of application, resume, three letters of recommendation and transcripts by 15 April 1993 to Dr. Bruce Klopfenstein, Department of Telecommunications, 322 West Hall, Bowling Green, OH 43403. AA/EOE employer.

HELP WANTED ADMINISTRATIVE

Executive assistant to the executive director of West Virginia Public Broadcasting, Charleston, West Virginia. Duties: Performs administrative tasks as assigned by, and makes recommendations to, the executive director on matters pertinent to the successful operation of the EBA and its divisions/stations; monitors all EBA-controlled sites and leases; coordinates all legal and technical counsel; acts as general resource person on administrative, personnel, and broadcasting matters; serves as senior officer for the headquarters division; performs other duties as assigned. Qualifications: MA or MS in Communications and/or Business Administration, or equivalent training and experience; five years' executive level experience in government, education, public broadcasting or a related field; familiarity with office procedures including computer operations; familiarity with personnel administration and requirements; ability to communicate clearly in writing and orally; ability to establish and maintain effective working relationships with superiors and associates. Salary: \$44,118 including excellent state benefits. To apply: Send or call for required application blank: Personnel, Educational Broadcasting Authority, 800 Capitol Street, Charleston, WV 25301. 304-558-3400. Deadline: Completed application blanks must be postmarked no later than April 30, 1993. The Educational Broadcasting Authority is the licensee of three public TV stations, eight public radio stations, and a statewide microwave interconnection system. The EBA is an equal opportunity employer and encourages minorities and women to apply.

HELP WANTED PROGRAMING PRODUCTION & OTHERS

Editor: Minimum three years experience with GV, CMX or similar system and DVE's. Commercials, corporate/industrials a plus. Need to demonstrate solid ability to edit creatively without supervision. Fast growing, iconoclastic, dynamic, employee owned communications/production company near Saratoga, NY, with superior lifestyle options. Has established Fortune 500 and international client base; profit-sharing; stock ownership opportunity. Resume, demo, salary requirements to: Peter J. Ross, President, Light & Power Productions, One Worden Road, Scotia, NY 12302. EOE.

FINANCIAL SERVICES

Immediate financing on all broadcasting equipment. If you need \$2,000-\$500,000. Easy to qualify, fixed-rate, long term leases. Any new or used equipment & computers. 100% financing, no down payment. No financials required under \$50,000, refinancing existing equipment. Call Mark Wilson at Exchange National Funding. 800-275-0185.

Lease purchase option. Refinance existing equipment. Lease purchase new equipment, no down payment. No financials up to \$70,000.00. Carpenter & Associates, Inc. Voice 501-868-5023. Fax 501-868-5401.

EDUCATIONAL SERVICES

On-camera coaching: Sharpen TV reporting and anchoring/teleprompter skills. Produce quality demo tapes. Critiquing. Private lessons with former ABC News correspondent. 914-937-1719. Julie Eckhart, Eckhart Special Productions.

WANTED TO BUY EQUIPMENT

Used videotape—cash for 3/4" SP, M2-90's, Beta-cam SP's. Call Carpel Video 301-694-3500.

FOR SALE EQUIPMENT

AM and FM transmitters, used, excellent condition, tuned and tested your frequency. Guaranteed. Financing available. Transcom. 800-441-8454. 215-884-0888. Fax 215-884-0738.

Harris MW50B, excellent condition, tuned and tested, lots of spares. Transcom. 800-441-8454. 215-884-0888. Fax 215-884-0738.

Broadcast equipment (used): AM/FM transmitters, RPU's, STL's, antennas, consoles, processing, turntables, automation, tape equipment, monitors, etc. Continental Communications, 3227 Magnolia, St. Louis, MO 63118. 314-664-4497. FAX 314-664-9427.

Used 340' ft. tower with lighting system. Includes new guy wires etc. 314-687-3932.

Videotape: Lowest prices, absolutely highest quality of evaluated videotape. 1", 3/4", M2, D2, Beta-cam, SP, etc. We will beat any price. Call for quote or catalog. Carpel Video 800-238-4300.

Comrex encoder and decoder broadcast remote transmission boxes. Excellent condition. Reasonably priced. Contact Roy 313-673-2805.

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Our seasoned sales and programing staff needs someone who is a proven winner, an innovative manager, and a leader who wants to build on a strong foundation.

You will be rewarded with an above market compensation package which could include a share of the Company's growth.

You can only take part in this opportunity by applying in writing to:

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HELP WANTED PROGRAMING PROMOTION & OTHERS

Willis Broadcasting Corp. is currently seeking a Program Director for it's Urban Adult FM in Norfolk, Virginia. Individual must have programing experience with a proven track record... Send tape and resume to L.E. Willis, Sr., 645 Church Street, 4th floor, Norfolk, VA 23510... Also, looking for General Mgrs. for small to medium size radio stations. Wonderful opportunity for successful salespersons and sales mgrs. to move up!

TELEVISION

HELP WANTED PROGRAMING PROMOTION & OTHERS

Supervising Writer

New York documentary production unit seeking experienced writer for staff position as Supervising Writer. Will have editorial responsibility over post-production of acquired, co-produced, and original films. Requires background as writer or writer/producer of documentaries. Four years experience in television production, as writer, producer or comparable work. Some experience supervising other writers desirable. Send resume to: Supervising Writer, Box L-16.

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If you're an idea person with great writing skills, join our team.

Must have at least 2 years experience writing and producing breakthrough on-air promos for broadcast or cable with a heavy emphasis on news promotion, including series, image and daily topicals.

College degree preferred.

Take your best shot. Send resume and demo reel to:

PROMOTION DEPARTMENT
WCIX-TV-6
8900 NW 18 Terrace
Miami, FL 33172

CBS is an Equal Opportunity Employer and encourages women and minorities to apply.

**HELP WANTED PROGRAMING
PROMOTION & OTHERS CONTINUED**

**PRODUCERS, WRITERS,
REPORTERS**

Nashville-based television production company seeks experienced Producers, Writers and Reporters for a variety of projects. Entertainment or feature news/program background desirable. No beginners. Send resume and salary history to: Jerry Fox, VP and General Manager, Jim Owens & Associates, 1525 McGavock St., Nashville, TN 37203. No phone calls. Jim Owens & Associates is an Equal Opportunity Employer.

Creative Services Director

We are looking for a seasoned creative services director to run our top-notch promotion and graphic design departments in a top 25, East Coast, network-affiliated station. Candidates must have proven managerial and creative skills and be well-versed in strategic planning. Interested applicants should send a resume, references and salary requirements to Box L-14.

Creative Services Manager

Network affiliate in top 40 market seeks individual to head Creative Services/Commercial Production departments. Responsible for all on-air promotion and commercial production. Must be aggressive, have good interpersonal skills, an ability to manage in a fast paced environment, and assume a leadership role in a vital and growing area of station. Extensive experience required. EEO employer. Please send resume and tape to

**Station Manager, WIVB-TV,
2077 Elmwood Avenue,
Buffalo, NY 14207**

No phone calls please.

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(212) 307-6824**

HELP WANTED TECHNICAL

**TECHNICAL
MAINTENANCE
MANAGER**

DirecTv, Inc., a subsidiary of GM Hughes Electronics, will soon launch North America's first high-power, direct-to-home satellite service, offering 150 channels of premium entertainment programming to small 18-inch satellite dishes installed in homes across the U.S. and Canada.

We are in the process of building our broadcasting facility in Castle Rock, Colorado (Denver area), and plan to begin on-air operations in early 1994. We are seeking an exceptional individual to immediately fill the key position of Technical Maintenance Manager. The successful candidate will work at the DirecTv corporate office in Los Angeles, California, before joining our Broadcast Center in Castle Rock later this year.

The Technical Maintenance Manager will hire and manage a staff of approximately 25 maintenance technicians that provide 24-hour coverage for a highly digital broadcast environment. In addition, the Manager will develop and implement a preventive and periodic maintenance program for technical equipment; provide support for LAN/WAN computer systems and equipment; and develop budgets, recommend equipment purchases and establish standard operating procedures for the maintenance department.

The successful candidate will have a minimum of 10 years experience in television/broadcast maintenance with wide-ranging experience encompassing functional design theory, operation, and repair of complex systems and equipment for video, audio, RF and analog/digital control. Position requires working knowledge of state-of-the-art techniques in electronic/technical equipment repair. Previous responsibility for maintenance of satellite and/or microwave video and audio transmission systems very desirable. Experience with implementation, administration, and maintenance of data systems and networks is a plus. Prior management experience and excellent interpersonal skills are a must.

DirecTv offers an exciting compensation and benefits package along with a rare opportunity to make a major impact in a developing industry. Please send your resume to: DirecTv, Inc., Attn: Employment-Broadcasting, P.O. Box 92424, Worldway Postal Center, Los Angeles, CA 90009 or fax your resume to (310) 364-4748. Proof of legal right to work in the U.S. is required. Equal Opportunity Employer.

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**ALLIED FIELDS
HELP WANTED TECHNICAL**



**United Nations Secretariat
CHIEF OF UNIT,
ELECTRONICS ENGINEER, P-4
New York City**

The Broadcast and Conference Engineering Unit, has an opening for the position of Chief of Unit, Electronics Engineer, reporting to the Chief of Section. Incumbent supervises the assignment and performance of contractual technicians and proposes improvements in related contractual matters; develops guidelines for the general planning and maintenance of technical facilities; provides engineering advice on the design of modifications or additions to the technical facilities and advises on the procurement of new equipment; evaluates, reviews and revises contract proposals and prepares related recommendations for review; recommends solutions to engineering problems in the broadcasting, telecommunications and conference electronic support fields; reviews and approves arrangements for the transmissions of UN radio and television programmes; reviews and establishes telecommunications requirements for meeting and conferences held overseas; responsible for administrative matters of the Unit i.e. budgetary proposals and management of staff; reviews and certifies weekly payroll of contractual staff.

Requirements: Advanced university degree in electronic engineering. At least 10 years of professional experience in the telecommunications/broadcast field at management level. Fluency in English, working knowledge of French or Spanish desirable.

Qualified women are encouraged to apply.

Remuneration: Depending on professional background and experience, annual net salary (tax-free) from US\$ 60,923 to US\$ 65,501 plus corresponding entitlements. Closing date for receipt of applications: 21 May 1993. Applications with full curriculum vitae, including salary history, birth date and nationality, should be sent to:

**Ms. Vivian Bernstein, Room S-2500,
Recruitment and Placement Division,
United Nations, New York, NY 10017,
USA. Fax: (212) 963-3134.**

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PUBLIC NOTICE

The National Program Policy Committee of the Public Broadcasting Service will meet at 1:00 p.m. on April 22, 1993 and at 9:00 a.m. on April 23, 1993 at the PBS offices, 1320 Braddock Place, Alexandria, Virginia, to discuss PBS's National Program Service activities and evaluation.

FOR SALE EQUIPMENT

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AND MEET THE JULY 1 STL DEAD-LINE WITH MARTI FCC APPROVED TRANSMITTERS. COMPOSITE STL-15C \$3500.00 MONO STL-10 \$1645.00. Guaranteed to work with your current system. Call Dan at (817) 645-9163.

Noticed of Proposed Standard Setting Activity

The National Radio Systems Committee (NRSC) will vote on beginning a new standard setting initiative on In-Band, On-Channel (IBOC) Digital Audio Broadcasting (DAB). The NRSC will consider whether to begin a standard setting process that, if successful, would result in the creation of a voluntary technical standard for IBOC DAB.

The NRSC will discuss proposed IBOC DAB standard setting at the next NRSC meeting. This meeting will be held at 2 pm on April 17, 1993 at the Las Vegas Hilton Hotel in Las Vegas, Nevada.

Companies or individuals interested in participating in this NRSC activity are invited to contact:

John Marino
Manager, Technical Regulatory Affairs
National Association of Broadcasters
1771 N Street, N.W.
Washington, DC 20036
Tel (202) 429-5391
Fax (202) 775-4981

or
Ralph Justus
Director of Engineering
Electronic Industries Association
2001 Pennsylvania Avenue
Washington, DC 20006
Tel (202) 457-8716
Fax (202) 457-4985

The NRSC is co-sponsored by the National Association of Broadcasters (NAB) and the Electronic Industries Association (EIA). Members of the NRSC include broadcasters, receiver manufacturers, and others with a business interest in improving radio broadcast technology.

CABLE

HELP WANTED PROGRAMING, PROMOTION & OTHERS

**TRAFFIC SUPERVISOR
TRAFFIC ASSISTANT**

CNBC/SPORTSCHANNEL AMERICA is seeking a Supervisor and an Assistant for their fast-paced Traffic Department.

Ideal candidate for Traffic Supervisor will prepare and revise program logs and program formats, interpret and schedule commercial instructions; assist in management and control of commercial inventory for both networks and generate JDS reports. A minimum of 3-5 years traffic manager experience is preferred.

A successful Traffic Assistant candidate will schedule commercial spots, prepare program logs, coordinate billboard production, handle log reconciliations and update program schedules.

Qualified candidates for both positions should have hands-on experience with JDS traffic system, program logs, program formats, timings and commercial copy.

CNBC/SPORTSCHANNEL AMERICA offers competitive salary and a comprehensive benefits package. Please fax your resume to Personnel Associate at 201-585-6275.



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Station Appraiser

Former broadcast facilities general manager with Appraisal Institute designations, is available for national assignments. Contact Paul Hoy, SRA, SRPA; Florida State General Certification #47. Naples, Florida. (813) 434-8449; Fax (813) 434-4621.

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50KW AM AND CLASS C FM, IN SOUTHWESTERN TOP 50 MARKET. SERIOUS BUYERS ONLY PLEASE. P.O. BOX 25670, HONOLULU, HAWAII 96825.

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Excellent tower site

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**BROADCASTING & CABLE'S
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All orders to place classified ads & all correspondence pertaining to this section should be sent to: BROADCASTING & CABLE, Classified Department, 1705 DeSales St., N.W., Washington, DC 20036. For information call (202) 659-2340 and ask for Mitzi Miller.

Payable in advance. Check, money order or credit card (Visa, Mastercard or American Express). Full and correct payment must accompany all orders. All orders must be in writing by either letter or Fax 202-293-3278. If payment is made by credit card, indicate card number, expiration date and daytime phone number.

Deadline is Monday at noon Eastern Time for the following Monday's issue. Earlier deadlines apply for issues published during a week containing a legal holiday. A special notice announcing the earlier deadline will be published. Orders, changes, and/or cancellations must be submitted in writing. **NO TELEPHONE ORDERS, CHANGES, AND/OR CANCELLATIONS WILL BE ACCEPTED.**

When placing an ad, indicate the **EXACT** category desired: Television, Radio, Cable or Allied Fields; Help Wanted or Situations Wanted; Management, Sales, News, etc. If this information is omitted, we will determine the appropriate category according to the copy. **NO make goods** will be run if all information is not included. No personal ads.

The publisher is not responsible for errors in printing due to illegible copy—all copy must be clearly typed or printed. Any and all errors must be reported to the Classified Advertising Department within 7 days of publication date. No credits or make goods will be made on errors which do not materially affect the advertisement.

Publisher reserves the right to alter classified copy to conform with the provisions of Title VII of the Civil Rights Act of 1964, as amended. Publisher reserves the right to abbreviate, alter, or reject any copy.

Rates: Classified listings (non-display). Per issue: Help Wanted: \$1.60 per word, \$32 weekly minimum. Situations Wanted: 80¢ per word, \$16 weekly minimum. All other classifications: \$1.60 per word, \$32 weekly minimum.

Word count: Count each abbreviation, initial, single figure or group of figures or letters as one word each. Symbols such as 35mm, COD, PD, etc., count as one word each. A phone number with area code and the zip code count as one word each.

Rates: Classified display (minimum 1 inch, upward in half inch increments). Per Issue: Help Wanted: \$138 per inch. Situations Wanted: \$69 per inch. All other classifications: \$138 per inch. For Sale Stations, Wanted To Buy Stations, Public Notice & Business Opportunities advertising require display space. Agency commission only on display space. Frequency rates available.

Blind Box Service: (In addition to basic advertising costs) Situations wanted: No charge. All other classifications: \$15 per ad per issue. The charge for the blind box service applies to advertisers running listings and display ads. Each advertisement must have a separate box number. **BROADCASTING & CABLE** will not forward tapes, transcripts, portfolios, writing samples, or other oversized materials; such materials are returned to sender. Do not use folders, binders or the like. **Replies to ads with Blind Box numbers** should be addressed to: Box (letter & number), c/o BROADCASTING & CABLE, 1705 DeSales St., NW, Washington, DC 20036.

Confidential Service. To protect your identity, seal your reply in an envelope addressed to the box number. In a separate note list the companies and subsidiaries you do not want your reply to reach. Then, enclose both in a second envelope addressed to **CONFIDENTIAL SERVICE**, Broadcasting & Cable Magazine, at the address above.

**For subscription information
call 1-800-554-5729.**

Datebook

APRIL

Now-June 13—*The Museum of Television and Radio* screens seven original *Honeymooners* sketches not seen publicly since first broadcast in 1951 and 1952. Museum, New York. Information: Diane Lewis, (212) 621-6685 or Dana Rogers, (212) 621-6705.

April 8—*The Caucus for Producers, Writers and Directors* general membership meeting. Chasen's, Los Angeles. Information: (818) 792-0441.

April 9-10—15th annual Black College Radio convention sponsored by *National Association of Black College Broadcasters*. Clarion Hotel, Atlanta. Information: Lo Jelks, (404) 523-6136.

April 13—*National Academy of Television Arts and Sciences* 1992 Sports Emmy Awards ceremony. Marriott Marquis Hotel, New York. Information: Robert Blake or Robert Christie, (212) 586-8424.

April 14—*International Radio and Television Society* gala dinner. Honoree: Louis Weiss, chairman emeritus, William Morris Agency receiving the 1993 Gold Medal. Waldorf-Astoria, New York. Information: Maggie Davis, (212)

867-6650.

April 15—1993 *Ohio State Awards* banquet and ceremonies. National Press Club, Washington. Information: Phyllis Madry, (614) 292-0185.

April 15—"An Evening with Siskel and Ebert," co-sponsored by *Museum of Broadcast Communications* and the *Central Michigan Avenue Association*. Museum, Chicago. Information: (312) 629-6026.

April 16—"TV/Radio Industry: Outlook for the Future," 13th annual conference sponsored by *American Woman's Economic Development Corporation*. Marriott Marquis Hotel, New York. Information: Karen Smith, (212) 688-1900.

April 18—*Association for Maximum Service Television* spring board of directors meeting. Alexis Park Hotel, Las Vegas. Information: (202) 462-4351.

April 18—"Representing Your Local Broadcaster," legal seminar sponsored by the *National Association of Broadcasters* and the *American Bar Association Forum on Communications Law*. Las Vegas Hilton, Las Vegas. Information: Barbara Smith-Bames, (312) 988-5500.

April 19—*National Association of Broadcasters* Crystal Radio Awards during the 71st annual NAB convention. Ballroom, Las Vegas

Hilton, Las Vegas. Information: (202) 429-5422.

April 19—*Association for Maximum Service Television* annual membership meeting. Las Vegas Hilton, Las Vegas. Information: (202) 462-4351.

April 20—*Association for Maximum Service Television* engineering breakfast. Las Vegas Hilton, Las Vegas. Information: (202) 462-4351.

April 24-25—Daytime Emmy Awards nomination screening conducted by the *National Academy of Television Arts and Sciences* (New York) and the Academy of Television Arts and Sciences (Hollywood). New York. Information: Trudy Wilson, for NATAS, (212) 586-8424 and Barbara Chase, for ATAS, (818) 754-2800.

April 26—"Women and Power—New Images and Realities," seminar sponsored by *Women in Cable*. Four Seasons Hotel, Beverly Hills, Calif. Information: Barbara Bellafiore-Sanden, (203) 637-2466.

April 29—*Society of Satellite Professionals International*, New York chapter, annual dinner. Kee Wah Yen Restaurant, New York. Information: Michelle Wallace, (212) 682-8300.

April 29-May 2—*Classical Music Broadcasters* annual conference. Omni Hotel, Houston. Information: George Stokes, (713) 651-0267.

MAJOR MEETINGS

April 16-21—*MIP-TV*, international television program marketplace. Palais des Festivals, Cannes, France. Information: (212) 689-4220.

April 16-19—*Broadcast Education Association* 38th annual convention. Las Vegas. Information: Louisa Nielsen, (202) 429-5354.

April 18-20—*Cabletelevision Advertising Bureau* 12th annual conference. New York Marriott Marquis, New York. Information: (212) 751-7770.

April 18-20—*Television Bureau of Advertising* annual marketing conference. Las Vegas Convention Center, Las Vegas. Information: Lynn McIntyre, (212) 486-1111.

April 19-22—*National Association of Broadcasters* annual convention. Las Vegas Convention Center, Las Vegas. Information: (202) 429-5300. Future convention: March 21-24, 1994, Las Vegas.

April 21-24—*American Association of Advertising Agencies* annual convention. Ritz-Carlton, Laguna Niguel, Calif. Information: (212) 682-2500.

May 5-9—*Public Radio* annual conference. Washington. Information: (202) 822-2000.

May 16-19—*NBC* affiliates meeting. Walt Disney World, Orlando, Fla. Information: (212) 664-2928.

May 16-19—*Broadcast Cable Financial Management Association* 33rd annual convention. Buena Vista Palace, Lake Buena Vista, Fla. Information: (708) 296-0200.

May 19-23—*American Women in Radio and Television* annual convention. Orlando, Fla. Information: (202) 429-5102.

May 25-27—*CBS* affiliates meeting. Waldorf Astoria Hotel, New York. Information: (212) 975-4321.

June 3-4—*Fox* affiliates meeting. Beverly Hilton Hotel, Beverly Hills, Calif. Information: (310) 203-3066.

June 6-9—*National Cable Television Association* annual convention. San Francisco. Information: (202) 775-3669.

June 9-10—*ABC* affiliates meeting. Century Plaza Hotel, Los Angeles. Information: (212) 456-7777.

June 10-15—*18th Montreux International Television Symposium and Technical Exhibition*. Montreux Palace, Montreux, Switzerland.

June 13-16—*Broadcast Promotion and Marketing Executives & Broadcast Designers Association* annual conference and expo. Walt Disney World Dolphin and Swan Hotels, Orlando, Fla. Information: (213) 465-3777.

June 22-25—*National Association of Broadcasters* board of directors meeting. Washington.

July 15-17—*Satellite Broadcasting and Communications Association* summer trade show. Opryland Hotel, Nashville. Information: (703) 549-6990.

July 18-21—*Cable Television Administration and Marketing Society* annual convention. Atlanta. Information: (703) 549-4200.

July 31-Aug. 3—*Wireless Cable Association International* annual exposition and convention. Marriott Orlando World, Orlando, Fla. Information: (319) 752-8336.

Aug. 25-27—Eastern Cable Show sponsored by *Southern Cable Television Association*. Atlanta. Information: (404) 255-1608.

Sept. 8-11—Radio '93 convention sponsored by *National Association of Broadcasters*. Dallas.

Sept. 16-20—*International Broadcasting Convention*. Amsterdam. Information: 44 71 240 3839

Sept. 29-Oct. 2—*Radio-Television News Directors Association* conference and exhibition. Miami. Information: (202) 659-6510.

Oct. 5-7—*Atlantic Cable Show*. Atlantic City Convention Center, Atlantic City, N.J. Information: (609) 848-1000.

Oct. 29-Nov. 2—*Society of Motion Picture and Television Engineers* 135th technical conference and equipment exhibition. Los Angeles Convention Center, Los Angeles. Information: (914) 761-1100.

Dec. 1-3—*Western Cable Show* sponsored by California Cable Television Association. Anaheim Convention Center, Anaheim, Calif. Information: (510) 428-2225.

For the Record

Compiled by BROADCASTING & CABLE for the period of March 22-March 26 and based on filings, authorizations and other FCC actions.

OWNERSHIP CHANGES

Applications

■ **KWKK-AM-FM Dardanelle, AR** (BAL930310EA; 980 khz; 5 kw-D; FM: BALH930310EB; 102.3 mhz; 200 w; ant. 1,227 ft.)—Seeks assignment of license from Ramsay Communications Inc. to Johnson Communications Inc. for \$270,000 (see "Changing Hands," p. 36). Filed March 10.

■ **KFAY(FM) Huntsville, AR** (BALH930312GE; 95.9 mhz; 3 kw; ant. 295 ft.)—Seeks assignment of license from Hendren-McChristian Communications to Vekony Communications Inc. for \$100,000. Seller is headed by general partner Kim Hendren, and is also licensee of KOLX(FM) Barling, AR; WMBH(AM)-KKUZ(FM) Joplin, MO, and KKID-AM-FM Sallisaw, OK. Buyer is headed by Istvan Vekony, who owns 11.5% of licensee of KVJY(AM)-KTEX(FM) Brownsville, TX; KMCK(FM) Siloam Springs, AR, and KHAT(AM)-KIBZ(FM) Lincoln, NE. Filed March 12.

■ **KRYT-FM Pueblo, CO** (BALH930315GE; 107.9 mhz; 100 kw; ant. 586 ft.)—Seeks assignment of license from MarTec Broadcasting Corp. to McCoy Broadcasting Co. for \$500,000. (see "Changing Hands," p. 36). Filed March 15.

■ **WKMI(AM)-WKFR-FM Kalamazoo-Battle Creek, MI** (AM: BAL930226GG; 1360 khz; 5 kw-D, 1 kw-N; FM: BALH930226GH; 103.3 mhz; 50 kw; ant. 500 ft.)—Seeks assignment of license from Hicks Broadcasting Corp. to The Air-Borne Group Ltd. to merge two companies; assignment has been dismissed (see "Actions," below). Seller is headed by David Hicks, and has no other broadcast interests. Buyer is headed by Edward J. Sackley III, and is licensee of WRKR(FM) Portage, MI. Filed Feb. 26.

■ **WWL(AM)-WLMG(FM) New Orleans** (AM: BTC930317GN; 870 khz; 50 kw-U; FM:

Abbreviations: AFC—Antenna For Communications; ALJ—Administrative Law Judge; alt.—alternate; ann.—announced; ant.—antenna; aur.—aural; aux.—auxiliary; ch.—channel; CH—critical hours.; chg.—change; CP—construction permit; D—day; DA—directional antenna; Doc.—Docket; ERP—effective radiated power; Freq—frequency; H&V—horizontal and vertical; khz—kilohertz; kw—kilowatts; lic.—license; m—meters; mhz—megahertz; mi.—miles; mod.—modification; MP—modification permit; ML—modification license; N—night; pet. for recon.—petition for reconsideration; PSA—presunrise service authority; pwr.—power; RC—remote control; S-A—Scientific Atlanta; SH—specified hours; SL—studio location; TL—transmitter location; trans.—transmitter; TPO—transmitter power output; U or unl.—unlimited hours; vis.—visual; w—watts; *—noncommercial. Six groups of numbers at end of facilities changes items refer to map coordinates. One meter equals 3.28 feet.

BTCH930317GO; 101.9 mhz; 95 kw; ant. 830 ft.; see WILK(AM)-WKRZ-FM Wilkes-Barre, PA, below).

■ **WDFX(FM) Cleveland, MS** (BAPH930318GJ; 98.3 mhz; 25 kw; ant. 100 ft.)—Seeks assignment of CP from Bolivar Broadcasting to American Family Association Inc. for \$6,150. Seller is headed by Dale A. Ganske, permittee of WYZM(FM) Waunakee, WI, who has 49% interest in permittee of new FM at Susanville, CA. Buyer is headed by Donald E. Wildmon, and has no other broadcast interests. Filed March 18.

■ ***KCOZ(FM) Point Lookout, MO** (BALED930318GF; 90.5 mhz; 40 kw; ant. 768 ft.)—Seeks assignment of license from School of the Ozarks to Southwest Missouri State University for \$10 and assumption of seller's obligation to National Telecommunications and Information Administration of approximately \$39,712. Seller is headed by Jerry Davis, and has no other broadcast interests. Buyer is headed by James P. Ferguson, and is licensee of KSMU(FM) Springfield, MO. Filed March 18.

■ **WWSS(FM) Meredith, NH** (BALH930310GG; 101.5 mhz; 3 kw; ant. 302 ft.)—Seeks assignment of license from Latchkey Broadcasting Inc. to Gary W. Hammond for \$185,000. Seller is headed by Gary Howard, and has no other broadcast interests.

Buyer has no other broadcast interests. Filed March 10.

■ **KZSS(AM)-KZRR(FM) Albuquerque** (AM: BAL930224EC; 610 khz; 5 kw-U; FM: BALH930224ED; 94.1 mhz; 100 kw; ant. 4,130 ft.)—Seeks assignment of license from Sandia Peak Broadcasters to Twin Peaks Radio for no cash consideration; assignment is merger between licensee and Progressive Radio Inc., headed by Peter Baumann and licensee of KLSK(FM) Santa Fe, NM (see below), to form Twin Peaks. Licensee is headed by Patrick M. Murphy; it provides through Joint Operating Agreement more than 15% of programming per week on KLSK(FM). Progressive Anchor Media Ltd., which is sole attributable stockholder of licensee, also has interests in WSYX(TV) Columbus, OH; WLOS(TV) Asheville, NC, and WAXA(TV) Anderson, SC. Filed Feb. 24.

■ **KLSK(FM) Santa Fe, NM** (BALH930224GK; 104.1 mhz; 100 kw; ant. 1,876 ft.; see KZSS(AM)-KZRR(FM) Albuquerque, NM, above).

■ **WCLI(AM)-WZKZ(FM) Corning, NY** (AM: BAL930310EF; 1450 khz; 1 kw-U; FM: BALH930310EG; 106.1 mhz; 40 kw; ant. 532 ft.)—Seeks assignment of license from Group Six Communications Inc. to Pro Radio Inc. for \$780,000 (see "Changing Hands," p. 36). Filed March 10.

■ **WWMG(FM) Shelby (Charlotte), NC** (BALH930317GI; 96.1 mhz; 100 kw; ant. 1,738 ft.)—Seeks assignment of license from Voyager Communications V Inc. to The Dalton Group Inc. for \$4.5 million ("Changing Hands," March 22). Filed March 17.

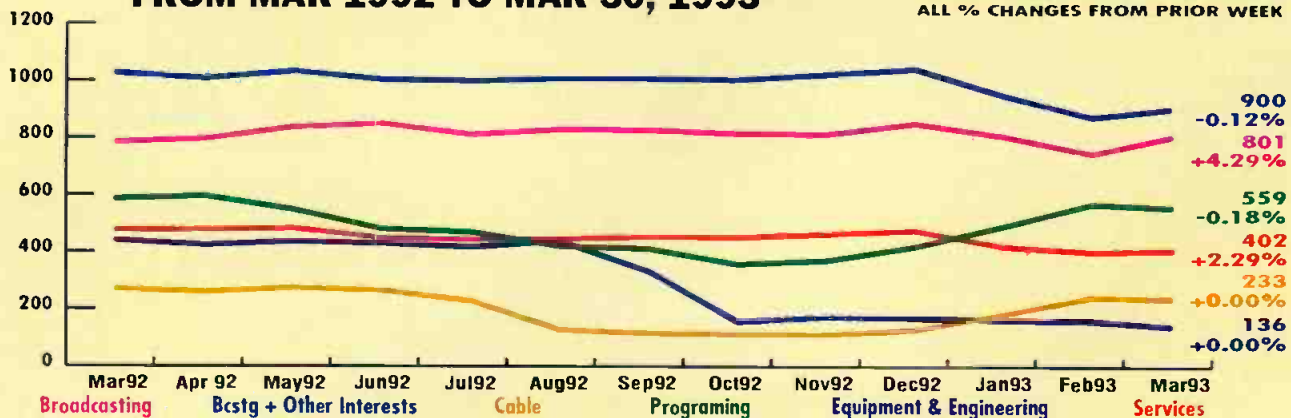
■ **KUMA(AM)-KSXM(FM) Pendleton, OR** (AM: BAL930311EC; 1290 khz; 5 kw-U; FM: BAPLH930311ED; 27.5 kw; ant. 610 ft.)—Seeks assignment of license from Pendleton Broadcasting Co. Inc. to Round-Up Radio Inc. for \$340,000 (see "Changing Hands," p. 36). Seller is headed by Greg Smith, and has no other broadcast interests. Buyer is headed by David N. Capps, who is licensee of KSRV-AM-FM Ontario, OR. His wife, Claire-Marie Ferguson Capps, is licensee of KCMB(FM) Baker, OR. Filed March 11.

■ **WILK(AM)-WKRZ-FM Wilkes-Barre, PA** (AM: BTC930317GG; 980 khz; 5 kw-D, 1 kw-N; FM: BTCH930317GH; 98.5 mhz; 8.7 kw; ant. 1,171 ft.)—Seeks transfer of control of Keymarket Com-

STOCK MARKET PERFORMANCE AVERAGES FROM MAR 1992 TO MAR 30, 1993

NASDAQ: 686.25 (+1.66%)
S&P Ind.: 518.54 (+15.54%)

ALL % CHANGES FROM PRIOR WEEK



FOR THE RECORD

munications. Licensee investors Mezzanine Capital Corp., Media-Communications Partners Ltd., Chestnut Street Partners Inc. and Milk Street Partners Inc. have offered to restructure indebtedness of shareholder Kirby Confer such that some management control of licensee will transfer to voting trustees Richard Churchill and Christopher S. Gaffney. Transfer includes licensee stations WEZI(AM)-WRVR(FM) Memphis, TN, and WWL(AM)-WLMG(FM) New Orleans (see above). Filed March 17.

■ **WMTT(TV) Cookeville, TN** (BALCT930311KG; ch. 28; 1,051.2 kw-V; 105.12 kw-A; ant. 427 ft.)—Seeks assignment of license from Steve Sweeney to Inavision Broadcasting Inc. for \$100,000. Seller has no other broadcast interests. Buyer is headed by Ed Gilgenbach, and has no other broadcast interests. Filed March 11.

■ **WEZI(AM)-WRVR(FM) Memphis, TN** (AM: BTC930317GL; 680 khz; 10 kw-D, 5 kw-N; FM: BTCH930317GM; 104.5 mhz; 100 kw; ant. 751 ft.; see WILK(AM)-WKRZ-FM Wilkes-Barre, PA, above).

■ **KNFO(FM) Waco, TX** (BALH930318GE; 95.5 mhz; 100 kw; ant. 1,100 ft.)—Seeks assignment of license from HSA Service Corp. to Broadcasters Unlimited Inc. for \$610,000 (see "Changing Hands," p. 36). Filed March 18.

■ **WXYU(AM)-WJJS(FM) Lynchburg, VA** (AM: BAL930317GJ; 1320 khz; 1 kw-U; FM: BAPLH930317GK; 101.7 mhz; 3.4 kw; ant. 300 ft.)—Seeks assignment of license from CRS Communications Inc. to Joyner Communications Inc. for \$325,000 ("Changing Hands," March 29). Filed March 17.

Actions

■ **WTVY(TV) Dothan, AL** (BALCT921014KE; ch. 4; 100 kw-V; ant. 1,670 ft.)—Granted assignment of license from Woods Communications Group Inc. to Dothan Holdings II Inc. for assumption of debt in form of 1986 credit agreement with Chemical Bank in amount of \$23.25 million ("For the Record," Nov. 9, 1992). Action March 16.

■ **WNPT(AM) Tuscaloosa, AL** (BAL930121EA; 1280 khz; 5 kw-D, 500 w-N)—Granted assignment of license from WANR Inc. to Lawson of Tuscaloosa Inc. for \$160,000 ("For the Record," Feb. 15). Action March 17.

■ **WRHC(AM) Coral Gables, FL (Miami)** (BAL930108EF; 1550 khz; 10 kw-D, 500 w-N)—Granted assignment of CP from Steven H. Friedman, Chapter 7 trustee for Radiocentro Broadcasting Co., to Jorge A. Rodriguez for \$525,000 ("Changing Hands," Feb. 8). Action March 16.

■ **WPBE(AM) Conyers, GA** (BAL930202EB; 1050 khz; 1 kw-D, 266 w-N)—Granted assignment of license from Perimeter Broadcasting Inc. to Midway Holiness Church Inc. for \$85,000 ("For the Record," March 1). Action March 17.

■ **WLMX-AM-FM Rossville, GA** (Chattanooga, Tenn.) (AM: BAL921117HY; 980 khz; 500 w-D; FM: BALH921117HX; 105.5 mhz; 3 kw; ant. 270 ft.)—Dismissed app. for assignment of license from BTM Inc., receiver, to MAK Broadcasting Inc. for \$7.7 million. Assignment includes WMFX(FM) St. Andrews, (Columbia) SC (see below and "Changing Hands," Dec. 21, 1992). Action March 12.

■ **KATZ-AM-FM St. Louis** (AM: BAL921211EE; 1600 khz; 5 kw-U; FM: BALH921211EF; 100.3 mhz; 50 kw; ant. 495 ft.)—Seeks assignment of license from Inter Urban Broadcasting of St. Louis Inc., debtor-in-possession, to Noble Broadcast of St. Louis Inc. for \$2.75 million ("Changing Hands," Feb. 1). Action March 16.

■ **WTVW(TV) Evansville, IN** (BALCT921110KK; ch. 7; 316 kw-V; 63.2 kw-A; ant. 1,013 ft.; see KDEB(TV) Springfield, MO, below).

■ **KARD(TV) West Monroe, LA** (BALCT921110KF; ch. 14; 5,000 kw-V; 500 kw-A; ant. 2,049 ft.; see KDEB(TV) Springfield, MO, below).

■ **WKMI(AM)-WKFR-FM Kalamazoo-Battle Creek, MI** (AM: BAL930226GG; 1360 khz; 5 kw-D, 1 kw-N; FM: BALH930226GH; 103.3 mhz; 50 kw;

ant. 500 ft.)—Dismissed app. for assignment of license from Hicks Broadcasting Corp. to The Air-Borne Group Ltd. (see "Applications," above). Action March 22.

■ **KLTI(AM) Macon, MO** (BAL930129EA; 1560 khz; 1 kw-D)—Granted assignment of license from KLTM Radio Inc. to Monroe City Broadcasting Inc. for \$35,000 ("For the Record," Feb. 22). Action March 17.

■ **KDEB(TV) Springfield, MO** (BALCT921116KI; ch. 27; 5,000 kw-V; 500 kw-A; ant. 1,690 ft.)—Granted assignment of license from Woods Communications Group Inc. to BANAM Broadcasting Inc. for assumption of debt. Seller will be released from all liabilities and obligations to Bank of America NT&SA. Assignment includes KARD(TV) West Monroe, LA; WTVW(TV) Evansville, IN, and KLBK-TV Lubbock, TX (see stations, above, and "For the Record," Nov. 30, 1992). Action March 16.

■ **WXXA-TV Albany, NY** (BALCT930122KF; ch. 23; 3,020 kw-V; 302 kw-A; ant. 1,200 ft.)—Dismissed app. of license from Heritage Broadcasting Company of New York to McKee Communications Inc. for \$25 million ("Changing Hands," Feb. 15). Action March 15.

■ **WZYB(FM) Fort Ann, NY** (BTCED930201HO; 91.7 mhz; 1 kw; ant. 364 m.)—Granted transfer of control of Christian Theater of the Air for no cash consideration; assignment reflects change of board of directors. ("For the Record," Feb. 22). Action March 17.

■ **WXVK(FM) Coal Grove, OH** (BALH930119HS; 97.1 mhz; 3 kw; ant. 328 ft.)—Granted assignment of license from Ohio Valley Communications Inc. to Adventure Three Inc. for \$260,000, plus exchange

of assets of WEEL(FM) Shadyside, OH (see below and "Changing Hands," p. 49). Action March 18.

■ **WEEL(FM) Shadyside, OH** (BALH930119HT; 95.7 mhz; 850 w; ant. -626 ft.; see WXVK(FM) Coal Grove, OH, above).

■ **KTRQ(FM) Tri City, OR** (BALH920511HT; 104.3 mhz; 5.6 kw; ant. 1,384 ft.)—Granted assignment of license from Gee Jay Broadcasting Inc. to Tri City Communications for \$65,000. Action March 12.

■ **WYCY(FM) Hawley, PA** (BAPH930122GQ; 105.3 mhz; 3 kw; ant. 328 ft.)—Granted assignment of CP from Susan T. LaRose to Banner Broadcasting Corporation for \$80,000 ("For the Record," Feb. 22). Action March 18.

■ **WMFX(FM) St. Andrews, SC** (BALH921117GF; 102.3 mhz; 3 kw; ant. 322 ft.; see WLMX-AM-FM Rossville, GA, above).

■ **KLBK-TV Lubbock, TX** (BALCT921110KL; ch. 13; 316 kw-V; 25.1 kw-A; ant. 880 ft.; see KDEB(TV) Springfield, MO, above).

■ **KWEL(AM) Midland, TX** (BAL930202ED; 1070 khz; 2.5 kw-D)—Granted assignment of license from KWEL Inc. to Faustino Quiroz for \$140,000 ("For the Record," March 1). Action March 17.

NEW STATIONS

Applications

■ **Liberal, KS** (BPH930309MF)—Seward County Broadcasting Co. Inc. seeks 102.7 mhz; 100 kw; ant. 142 m. Address: 1600 East 8th Street; P.O.

SUMMARY OF BROADCASTING & CABLE

BROADCASTING

Service	ON AIR	CP's*	TOTAL*
Commercial AM	4,960	182	5,142
Commercial FM	4,796	914	5,710
Educational FM	1,592	310	1,902
Total Radio	11,348	1,406	12,754
Commercial VHF TV	558	11	569
Commercial UHF TV	588	153	741
Educational VHF TV	124	5	129
Educational UHF TV	239	9	248
Total TV	1,509	178	1,687
VHF LPTV	465	141	606
UHF LPTV	841	1,014	1,855
Total LPTV	1,306	1,155	2,461
FM translators	1,966	377	2,343
VHF translators	2,529	86	2,615
UHF translators	2,436	414	2,850

CABLE

Total subscribers	55,786,390
Homes passed	89,400,000
Total systems	11,254
Household penetration†	60.6%
Pay cable penetration/basic	79%

* Includes off-air licenses.

† Penetration percentages are of TV household universe of 92.1 million.

† Construction permit.

Source: Nielsen, NCTA and Broadcasting & Cable's own research.

Box 3125; Liberal, KS 67905-3125. Applicant is headed by John C. Landon, and is licensee of KSCB-AM-FM Liberal, KS. Filed March 9.

■ **South Sioux City, NE (BPH930309MG)**—Chesterman Communications Sioux City Inc. seeks 107.1 mhz; 2.88 kw; ant. 146 m. Address: 4700 South Lewis Blvd., Sioux City, IA 51106. Applicant is headed by Cy W. Chesterman, and is licensee of KMNS(AM)-KSEZ(FM) Sioux City, IA. Filed March 9.

■ **South Sioux City, NE (BPH930309MJ)**—South Sioux City Communicators seeks 107.1 mhz; 3 kw; ant. 100 m. Address: #2 Cottonwood Landing, South Sioux City, NE 68776. Applicant is headed by general partner Michael R. Newhouse (60%) and Cardinal Communications Inc. (40%); Cardinal is licensee of KWSL(AM)-KGLI(FM) Sioux City, IA, and KSFT(AM)-KKJO(FM) St. Joseph, MO. Filed March 9.

■ **South Sioux City, NE (BPH930308ME)**—Flagship Communications seeks 107.1 mhz; 6 kw; ant. 100 m. Address: 2000 Indian Hills Drive, Sioux City, IA 51104. Applicant is headed by general partner Spectrum Communications Inc. and limited partners Helen Jane Gleeson and John W. Gleeson, and is licensee of KSCJ(AM)-KSUX(FM) Sioux City, IA. Filed March 8.

■ **Manteo, NC (BPH930309MI)**—WOBR Inc. seeks 98.1 mhz; 50 kw; ant. 90 m. Address: P.O. Box 1151, Raleigh, NC 27602. Applicant is headed by William T. Smith Jr., and is licensee of WOBR-AM-FM Wanchese, NC. Filed March 9.

■ **Manteo, NC (BPH930309MM)**—Coastal Broadcasting Co. Inc. seeks 98.1 mhz; 50 kw; ant. 115 m. Address: 2402 Wrightsville Avenue, Nags Head, NC 27959. Applicant is headed by Kenneth L. Mann, and is licensee of WNHV(FM) Nags Head, NC. Filed March 9.

■ **Manteo, NC (BPH930309MP)**—Outer Banks Christian Radio Inc. seeks 98.1 mhz; 50 kw; ant. 137 m. Applicant is headed by Elmo H. Daniels, and has no other broadcast interests. Filed March 9.

■ **Warrenton, NC (BPH930309MK)**—Johnny Draper seeks 107.3 mhz; 150 kw; ant. 150 m. Address: 605 Sycamore St., Weldon, NC 27890. Applicant is

30% shareholder in licensee of WCBT(AM) Roanoke Rapids, NC, and 100% shareholder in licensee of WLQO(FM) Gaston, NC. Filed March 9.

■ **Aberdeen, SD (BPH930309MH)**—Alox Inc. seeks 106.7 mhz; 100 kw; ant. 109 m. Address: 405 8th Ave. NW, P.O. Box 306, Aberdeen, SD 57401. Applicant is headed by Allen D. Rau, and is licensee of KGIM(AM) Aberdeen, SD. Filed March 9.

■ **Aberdeen, SD (BPH930309ML)**—CD Broadcasting Corp. of Aberdeen seeks 106.7 mhz; 100 kw; ant. 103 m. Address: 5501 Excelsior Blvd., St. Louis, MN 55416. Applicant is headed by Christopher T. Dahl, and is subsidiary of holding company which owns 100% of stock of licensees of KJJQ(AM)-KKQQ(FM) Volga, SD; KNUI-AM-FM Kahului, HI, and KQHT(FM) Crookston, KKBK-AM-FM Bemidji and KLGR-AM-FM Redwood Falls, all Minnesota. Filed March 9.

■ **Jackson, TN (BPED930319MA)**—American Family Association seeks 88.1 mhz; .75 kw; ant. 41 m. Address: P.O. Drawer 2440, Tupelo, MS 38803. Applicant is headed by Donald E. Wildmon, and has no other broadcast interests. Filed March 19.

■ **Moab, UT (BPH930309MN)**—William S. Konopnicki seeks 96.7 mhz; 1.63 kw; ant. 379.9 m. Address: 1491 Thatcher Blvd., Safford, AZ 85546. Applicant is licensee of KLVJ-AM-FM Mountain Home, ID, and KHIL(AM)-KWXC(FM) Wilcox, AZ. Filed March 9.

Actions

■ **Howe, IN (BPED910320MA)**—Granted app. of Maranatha Radio for 91.9 mhz; 3 kw; ant. 91 m. Address: 6200 E State Rd. 120, Howe, IN 46746. Applicant is headed by Ronald L. Hyre, and has no other broadcast interests. Action March 20.

■ **Brainerd, MN (BPH920106MC)**—Granted app. of June A. Persons for 103.5 mhz; 6 kw; ant. 100 m. Address: 2437 Sylvan Birch Lane W, Brainerd, MN 56401. Applicant has interests in KVBR(AM) Brainerd, MN. Action March 15.

■ **Boonville, MO (BPH920715MA)**—Granted app. of Big Country of Missouri Inc. for 93.9 mhz; 6 kw; ant. 100 m. Address: Radio Hill Road, Boonville, MO 65233. Applicant is headed by Richard L. Billings, and is licensee of KWRT(AM) Boonville, MO.

Action March 17.

■ **Lake Ozark, MO (BPH920501MB)**—Granted app. of Herrin Broadcasting Inc. seeks 102.7 mhz; 6 kw; ant. 100 m. Address: 2279 Springs Landing Blvd., Longwood, FL 32779. Applicant is headed by Barbara Reichel, and is permittee of WVZA(FM) Herrin, IL. Action March 12.

■ **Lake Ozark, MO (BPH920507MC)**—Dismissed app. of RBM Broadcasting Inc. seeks 102.7 mhz; 6 kw; ant. 100 m. Address: 1200 East Woodhurst, Building P, Springfield, MO 65808. Applicant is headed by Robert B. Mahaffey, who is applicant for new FM at Doolittle, MO. Action March 12.

■ **Syracuse, NY (BPCT920911KG)**—Returned app. of Scholastic Information Network Inc. seeks ch. 56; 16.8 kw; ant. 210 m. (see Greenville, NC, below).

■ **Greenville, NC (BPCT920911KF)**—Returned app. of Scholastic Information Network Inc. for ch. 38; 50 kw; ant. 81.7 m. Address: Rd. 1, Box 222, Montgomery, PA 17752. Applicant is headed by William M. Smith, and has no other broadcast interests. Action March 12.

■ **Shawnee, OK (BPH851028MG)**—Granted app. of Bott Communications Inc. for 95.1 mhz; 100 kw; ant. 432 m. Address: 10841 E. 28th Street, Independence, MO 64052. Applicant is headed by Richard P. Bott Sr., and is licensee of KCCV(AM) Overland Park, KS; KQCV(AM) Oklahoma City and WFCV(AM) Fort Wayne, IN. Action March 15.

■ **Bucksport, SC (BPH920402MT)**—Granted app. of G & M Communications for 107.9 mhz; 36 kw; ant. 174 m. Address: 3428 Lakeshore Dr., Florence, SC 29501. Applicant is headed by general partners Harold T. Miller Jr., Fred C. Avent and R. Stuart Graham; he and Avent have interest in applicant for new FM at Clemson, SC. Graham also has interests in permittee of WEZO(FM) Fairfield, ME. Avent has interests in licensees of WJMX-AM-FM Florence and WSQN(FM) Scranton, both South Carolina. Action March 19.

■ **Baxter, TX (BPH920623MA)**—Granted app. of Joel R. Upton for 93.7 mhz; 25 kw; ant. 100 m. Address: P.O. Box 22 Hiham, TN 38568. Applicant has no other broadcast interests. Action March 15.

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"Americans with Disabilities Act requires all stations to be accessible to the disabled."

A blind listener arrives at your station and asks to inspect your public file. Must your staff assist him in reading the documents? An account executive on your station's 50-person staff is confined to a wheelchair after an accident. She can no longer use the stairs to your second-floor sales office. Must you install a ramp? Can you fire her?

The Americans with Disabilities Act (ADA) requires all stations—regardless of size—to be accessible to the disabled. And it makes employment discrimination against qualified workers with disabilities illegal. After July 1994, only companies with fewer than 15 employees will be exempt from the ADA's employment provisions, which now cover employers of 25 or more.

The ADA defines a disability as any physical or mental impairment that substantially limits major life activities. Wheelchair users, people with speech, hearing or vision impairments, AIDS or histories of alcoholism or drug addiction, the learning disabled, the mentally retarded and the mentally ill—all are protected.

FCC regulations give the public the right to inspect stations' public files. Under the ADA, offices, reception areas and rest rooms must be accessible to wheelchairs, and assistance must be available to those whose disabilities prevent them from reading the files. Stations that use the phone for contests, polls, call-in programs or call-out research should consider TDD numbers or phone relay systems that allow the deaf to participate. Disabled vendors and advertisers must be able to do business with broadcasters, and the disabled public must be able to monitor licensee performance.

Broadcasters, like other employers, may hire and promote the best qualified workers. They may not refuse to

hire or promote workers on account of disabilities. They may fire disabled workers who are not doing their jobs. They may not fire workers on account of disabilities.

Employers may not ask in application forms or interviews whether applicants are disabled. They may ask how applicants would perform specific tasks. Once an employer knows a worker needs a "reasonable accommodation" to do a job, the employer must try in good faith to meet that need.



By Lorna Veraldi, Florida International University

An employer need not provide exactly the accommodation a worker requests as long as the employer offers a reasonable alternative. Employers must pay for reasonable alterations in the workplace, but need not provide accommodations that are unduly costly, hazardous or disruptive.

What is "reasonable" under the ADA? The EEOC and the courts have yet to answer all the questions. Until they do, here are some guidelines:

■ In building, buying or renting offices, studios and transmitter facilities, make accessibility a priority. When investing in new phones, computers or production equipment, look for features that make the equipment adaptable for special needs.

■ Make sick leave and scheduling policies as flexible as possible. Treat disabled workers like other employees regarding benefits and insurance.

■ Educate managers and staff. Monitor and document ADA compliance just as you do FCC compliance.

The FCC does not enforce the ADA or inquire about employment of the disabled in broadcasters' annual employment reports. But broadcasters could take the lead, documenting innovative efforts to meet the needs of the disabled as evidence of meritorious service at license renewal. ■

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Fifth Estater

Cokie Roberts

There aren't many people who would risk offending the President of the United States by leaving the dinner table early. But for ABC's Cokie Roberts (Mary Martha Corinne Morrison Claiborne Boggs Roberts is the unabridged version), seated beside President Clinton at a correspondents' dinner, duty called. In what is becoming a more and more common occurrence, Roberts was pinch-hitting for ABC *Nightline* anchor Ted Koppel.

"He [Clinton] was a little miffed, I think, that I was leaving early, but a live broadcast is a live broadcast," Roberts recalls.

Since joining ABC News as a special correspondent in 1988, Roberts's visibility at the network has increased markedly. She joined ABC as a political correspondent for *World News Tonight* and *This Week With David Brinkley* and is now a regular on *Brinkley* and has added substitute anchor for *Nightline* to her resume.

On *Brinkley*, Roberts is becoming best known for representing the middle ground between conservative columnist George Will and liberal correspondent Sam Donaldson. "It's my natural home," Roberts explains.

Roberts is still doing double duty as National Public Radio's news analyst. She's been at NPR since 1977 and liked it too much to stop when ABC News chief Rooney Arledge recruited her. "I was resisting leaving radio and they finally said: 'Let's see what we can work out.'"

That she ended up covering Capitol Hill as a reporter usually comes as no surprise to those familiar with Roberts's family background. Her father was Congressman Hale Boggs, who served for 32 years before his death in a plane crash in 1972. Her mother, Lindy Boggs, took over his House seat until 1990, when she retired to be with Roberts's late sister, former Princeton, N.J. mayor Barbara Boggs Sigmund.

But 29 years ago, when Roberts graduated from Wellesley, neither



politics nor journalism was earmarked as a career path.

"It happened in the most pedestrian of ways—I married a journalist [Steve Roberts, senior writer, *U.S. News & World Report*], and it was easier to switch than fight. When we were married, I was anchoring a local TV show

on WRC-TV Washington, but I was not committed to journalism in any way. We kept moving around the country and the world, and it was by far the easiest thing to do—go out and report a story and come back and write it—because that is portable. That is how [my career] evolved."

While on the move, Roberts had stints at WNYW-TV New York, KNBC-TV Los Angeles and as a stringer in Greece for CBS News. After Greece, she returned to Washington and joined NPR. Her work there earned her notice from PBS, where she cohosted *The Lawmakers*. She then signed on as a contributor to *MacNeill/Lehrer* and started to appear

more frequently on *Brinkley* before officially joining ABC in 1988.

As for politics, Roberts never had an urge to go into the family business. "It is true that I am deeply admiring of politicians—of my parents and sister. But I am a more private person than that. I want to go home at night and not have the interruption of constituents who demand your time and have the right to demand your time. I know how hard that work is and how it never ends. I want my day to end."

It is a day that now frequently ends much later in the evening with Roberts's increased *Nightline* presence.

"I love it," Roberts says of *Nightline*. "It is incredibly intellectually challenging—not just in subject matter, but also in dealing with live TV. It's scary and challenging."

While many hark to a golden age of TV news, Roberts is not one of them.

"There is a sort of glorification of the longer sound bite versus the shorter one. That's because there was nothing else to put there. There were no pictures, there was no reporting going on. I'm not in any way denigrating the great broadcasters, but they were on the radio and eventually did radio work on TV."

As for the growing competition from cable and local broadcasters, Roberts cheers it. "The more, the better; it means more work for everybody."

For now, Roberts wants to continue dividing time among her various ABC and NPR duties and does not speculate on the future. "I'm never one to say, 'I would never do that.' Who knows what you will do?" ■

ABC News special correspondent and National Public Radio news analyst, both Washington; b. December 27, 1943, New Orleans; BA, Political Science, Wellesley College, 1964; producer and host, *Meeting of the Minds*, WRC-TV Washington, 1964-66; correspondent, *Insider's Newsletter*, 1967; producer, WNYW-TV New York, 1968; producer, Altman Productions 1969-71; KNBC-TV Los Angeles, 1971-74; stringer, CBS News, Athens, Greece, 1974-77; correspondent, NPR, 1977-present; co-host, PBS's *The Lawmakers*, 1981-84; congressional correspondent, *MacNeill/Lehrer Newshour*, 1984-88; current position since May 1988; married Steven Roberts, Sept. 10, 1966; children: Lee, 24; Rebecca, 22.

Fates & Fortunes

TELEVISION

Rick Gire, VP, business affairs, MGM/UA Telecommunications, Los Angeles, joins ACI there as VP, legal, business affairs.

Jim Packer, VP, eastern regional manager, Buena Vista Television,



Rick Gire
ACI



Jim Packer
Buena Vista Television



Jane McGregor
Universal



Suzie Peterson
Universal



James Ackerman
Hearst

New York, named VP/GSM, West, Buena Vista Television, Los Angeles.

Michael Russo, VP, western division, ITC Distribution, Studio City, Calif., named VP/GSM, domestic television.

Appointments at Universal Family Entertainment/Universal Cartoon Studios, Universal City, Calif.: **Jane McGregor**, VP, business affairs, administration, named senior VP; **Suzie Peterson**, VP, creative affairs, MCA Home Entertainment Group, there, joins in same capacity.

Appointments at Hearst Entertainment Distribution, New York: **Stephen Elsky**, VP, financial planning, Hearst Entertainment Distribution and Hearst Entertainment Productions, there, named senior VP, Hearst Entertainment Distribution; **James Ackerman**, director, original programming, The Family Channel, Virginia Beach, Va., joins as VP, development.

Andrea Stern, account executive, Varitel Video, Los Angeles, joins GRFX Productions there in same capacity.

Teri Everett, manager, news information, ABC News, New York, named associate director, news information.

Chris Smith, director, central sales, Warner Bros. Domestic Television Distribution, Chicago, named VP, central sales. **Andrew Weir**, director, eastern sales, Warner Bros.

Domestic Television Distribution, Los Angeles, named VP, eastern sales.

Barry Berk, supervising producer, Paramount Domestic Television's *Entertainment Tonight*, Hollywood, named senior producer.

Jay Genfron, director, legal affairs, Lorimar Television, Burbank, Calif., named VP.

David Kircheimer, senior VP, Republic Pictures, Los Angeles, named executive VP.

Brenda Clough, broadcast supervisor, Martin Agency, Richmond, Va., joins Katz Television Group, Charlotte, N.C., as sales executive.

Joe Dzialo, senior designer, L'Oreal, New York, joins Katz Communications there as designer, creative services department.

Wendy Ellis, news producer, WSMV-TV Nashville, joins WLWT-TV Cincinnati in same capacity.

Bradley Branch, freelance writer/producer, KNBC-TV Burbank, Calif., named senior writer/producer, promotion department.

Michael Wolff, director, market-

ing, WPGH-TV Pittsburgh, named director, marketing, advertising.

Marie Curkan-Flanagan, news director, KOCO-TV Oklahoma City, Okla., and **James Smith**, news director, KPLC-TV Lake Charles, La., appointed to the Radio-Television News Directors Association board of directors.

Lisa Sobalvarro, reporter/anchor, KLST-TV San Angelo, Tex., joins KSBW-TV Salinas, Calif., as general assignment reporter.

Greg Carroll, director, programming, Philips Air Vision, Santa Barbara, Calif., joins GGP there as director, West Coast syndication sales.

Kathy Vara, anchor, morning news, KARE-TV Minneapolis, joins WRC-TV Washington, D.C., as co-anchor, *News4 Today*.

Jane Adams, VP, media relations, Burson-Marsteller, Washington, joins Walt Disney World, Orlando, Fla., as manager, media relations.

Anne Linaberger, news producer/reporter, WTAE-TV Pittsburgh, named executive producer.

Tim Miller, VP, advertising, promotion, NBC Entertainment, New York, resigns to start his own production, design and promotion company.

Pat Kirk, anchor, CNN News, Atlanta, joins KPTV-TV Portland, Ore., as anchor.

Greg Armstrong, local sales man-

ager, WPWR-TV Chicago, named GSM.

Rich Costello, chief engineer, Editel, San Francisco, joins Varitel Video there in same capacity.

Rob Williams, tape room supervisor, Varitel Video, Los Angeles, named staff editor.

Jim Behling, VP/GM, KTNV-TV Las Vegas, joins Michiana Telecasting Corp., South Bend, Ind., as president/GM.

Appointments at Medialink, New York: **Michele Wallace**, operations manager, named associate VP, satellite operations; **Nicole Zuchetto**, di-

Appointments at WEAZ(AM)-FM Philadelphia: **Bonnie Hoffman**, programming, promotion manager, named programing, promotion director; **Nora Caruso**, marketing manager, Levy Organization, Chicago, joins as sales promotion director.

Chris Wooldridge, sports director, WMQA(AM)-FM Minocqua, Wis., assumes additional responsibilities as program director.

Appointments at KHOW(AM)-FM Denver: **Murphy Huston**, afternoon drive personality, assumes additional responsibilities as music director; **Jessica Cash**, midday personality, assumes additional

Dan Russell, senior coordinator, program scheduling, The Learning Channel, Bethesda, Md., named manager, program scheduling.

Tammy Shay, manager, local ad sales, Discovery Channel, Bethesda, Md., named senior manager, local ad sales.

Marva Smalls, chief of staff, Representative Robin Tallon (D-S.C.), joins Nickelodeon/Nick at Nite, New York, as VP, network relations.

Nancy Anderson, director, pay per view, Jones Intercable, Englewood, Colo., named VP.

Victoria Kent, director, affiliate



Larry Storch
CBS Radio Ntwks.



Traugott Keller
CBS Radio Ntwks.



Lyn Andrews
ABC Radio Ntwks.



Joan Cavanaugh
Discovery



Marva Smalls
Nickelodeon

rector, station relations, named associate VP, research.

RADIO

Larry Storch, account executive, West Coast sales office, CBS Radio Networks, Los Angeles, named western sales manager.

Traugott (Traug) Keller, New York sales manager, CBS Radio Networks, there, named eastern sales manager.

Lyn Andrews, senior partner, Veritas, Ltd., New York, joins ABC Radio Networks, Dallas, as senior VP, advertising sales, marketing.

Appointments at KINK-FM Portland, Ore.: **Laurie Dickinson**, retail sales manager, named retail/national sales manager; **Joel De Bruhl**, account executive, KFXX(AM)-KGON-FM Portland, Ore., joins in same capacity.

Jodi Long, sales manager, WZMX-FM Hartford, Conn., named GSM.

Pete Forester, senior account executive, KMGN-FM Flagstaff, Ariz., named GM.

responsibilities as production director; **Teri Landreth**, weekend talent, named night personality.

Dennis Sternitzky, senior account executive, Banner Radio, Chicago, named sales manager, Banner Radio, Minneapolis.

Joan McNamara, sales representative, Rolm, New York, joins Katz Radio, Dallas, as account executive.

CABLE

Appointments at Encore, Denver: **Yvonne Bennett**, associate, Cole Raywid & Braverman, Washington, joins as manager, business affairs; **Izzy Abbass**, special projects coordinator, named special projects manager; **Cynthia Carpenter**, sales analyst, named corporate marketing manager; **Tina Fletcher**, affiliate representative, named district manager, southeast region.

Joan Cavanaugh, consultant, Washington, joins Discovery Communications, Inc., Enterprises Group, Bethesda, Md., as director, program sales.

sales, marketing, NBC Olympics Triplecast, Los Angeles, joins Digital Music Express there as director, affiliate marketing.

Lee Heffernan, VP, marketing, Turner Broadcasting Sales, Inc., Atlanta, named senior VP, marketing, promotions.

Appointments at ESPN, Bristol, Conn.: **Peter Filiaci**, marketing analyst, named marketing account executive, New York office; **Shirley Kredel**, accounts receivable clerk, named assistant affiliate revenue analyst; **Suzanne Cottone**, program pricing analyst, named senior program pricing analyst; **Donna LeBlanc**, human resources assistant, named human resources administrator; **John Heerd**, manager, database administration, named manager, production, financial systems; **Joseph Lion**, manager, information services, named manager, sales, marketing systems; **Mark Gross**, associate producer, named highlights supervisor; **Jason Kurtz** and **Mark Mayer**, production assistants, named associate producers; **Martin Maldonado**, promotions manager, Downtown Den-

ver Partnership, Denver, joins as account executive, Denver office; **Josephine Allevato**, customer service representative, United Illuminating Co., New Haven, Conn., joins as network operations/traffic coordinator; **John Valek**, associate director/producer, SportsChannel, Philadelphia, joins as network operations/traffic coordinator; **Shari Greenberg**, sports anchor/reporter, Financial News Network, Fort Lee, N.J., joins as assignment editor; **Catherine Yancy**, anchor/reporter, WTRF-TV Wheeling, W. Va., joins as producer; **Dan Davis**, part-time news anchor ESPN Radio, Bristol, Conn., named full-time news anchor; **Daniel Crouch**, remote operations manager, KWGN-TV Denver, joins as senior remote operator.

ADVERTISING

Appointments at Media Incorporated, New York: **James Putnam**, VP, Corinthian Media, New York, joins as chief of staff; **Gary Patrick**, VP, advertising, promotion, L.A. Gear, Los Angeles, joins as executive VP; **Grace Glatstein**, managing director, Golden Communications, New York, joins as senior VP, broadcast media buying; **James Zafiros**, VP, NBC Television Sales, New York, joins as VP, spot television pricing, inventory, packaging, station bartering.

Mark Schannon, senior VP/group manager, Ketchum Public Relations, Washington, D.C., named associate director.

WASHINGTON

Appointments at National Association of Broadcasters: **Lynn Claudy**, director, advanced engineering, technology, named VP, science, technology; **Brenda Helregel**, manager, financial, management research, named director, convention research, analysis.

TECHNOLOGY

John Hampton, executive VP, operations, services, INTELSAT, Washington, assumes additional responsibilities as COO.

Patricia Benton, VP, finance, administration, COMSAT World Sys-

Cable pioneer John Walson dies

John Walson, 78, recognized as one of the grandfathers of cable (BROADCASTING, May 17, 1974), died March 27 of liver cancer, at Sacred Heart Hospital, Allentown, Pa. In 1948 Walson (born John Walsonavich) was the owner of a General Electric distributorship in Mahanoy City, Pa., when he realized that the surrounding mountainous terrain was causing signal interference and cutting down on TV sales. Walson built a tower atop New Boston Mountain, one of several that surrounded Mahanoy City, and ran a strand of cable down to an adjoining shed in which he placed several TV receivers. With a few thousand dollars invested in cable and amplifiers, he decided to run the cable into his store. In the first year he wired 1,200 homes free of charge; by 1950, 1,500 subscribers were paying \$2 a month to view three Philadelphia channels, plus \$100 for installation. Today, Service Electric Cable TV Inc., operating out of Allentown, Pa., serves subscribers in eastern and central Pennsylvania and northwestern New Jersey. In 1972 his company became the first to offer Home Box Office; in 1979 Congress and the National Cable Television Association recognized Walson's pioneering efforts in television history.

Walson was chairman and chief operating officer of Service Electric at the time of his death. Survivors include his wife, Margaret, two sons and one daughter.



—MB

tems, Washington, named VP/GM, COMSAT World Systems, there.

DEATHS

Stephen Kelkowitz, 56, president/GM, Mt. Vernon Broadcasting, and GM, Mt. Vernon Cablevision, Mt. Vernon, Ohio, died March 21 following heart surgery at Mt. Carmel East Hospital, Columbus, Ohio. Kelkowitz was past president of the Ohio Broadcasters Association and was a member of the National Cable Television Association and the National Radio Advertising Guild. Survivors include his wife, Donna, a son and a daughter.

John Christ, 78, advertising executive, died March 22 from complications resulting from pneumonia, at St. Johns Hospital, Santa Monica, Calif. Christ joined J. Walter Thompson's New York office in 1930; he transferred to the agency's Los Angeles office in 1930, where he was responsible for *Lux Radio Theater*, *Abbott & Costello*, *Edgar Bergen* and *Charlie McCarthy*, *One Man's Family* and other radio shows. He remained with J. Walter Thompson until 1949, when he was recruited by Leo Burnett to take over its television department. While at Leo Burnett, he put the Miss USA and Miss

Universe beauty pageants on the air. He was a co-founder with Gene Autry of the Pioneer Broadcasters. Survivors include his wife, Jean, a son and a daughter.

Charles Britt Sr., 73, retired broadcaster and consulting engineer, died Feb. 4 of cancer, at his home in Arlington, Va. Britt was one of the first to create a multi-city TV market when he founded WLOS-TV Asheville, N.C., constructing the transmitter atop Mt. Pisgah. The station served the Asheville, Greenville and Spartanburg markets. After the family sold WLOS-TV, he purchased several radio stations including WBBB-AM-FM Burlington, N.C., and WFTR(AM) Front Royal, Va. He founded WWAY-TV Wilmington, N.C., and managed it from 1966-69. He worked with Jules Cohen & Associates, Washington, as a consulting engineer until his retirement in 1989. Survivors include his wife, Aurelia, two sons and two daughters.

Jergen Nash, 75, Minnesota radio personality, died March 16. Nash started as an announcer at WCCO(AM) Minneapolis in 1953. He retired from full-time work in 1980 but continued doing a weekly Sunday report for WCCO(AM) called *Life's Passing Parade*. Survivors include his wife and three children.

Closed Circuit

WASHINGTON

Consolation prize

Cable operators smarting from the FCC's tough rate regs can take some solace in this fact: it could have been worse. According to FCC sources, House Telecommunications Subcommittee Chairman Edward Markey (D-Mass.) called commissioners last Wednesday night as they were putting the final touches on the regs to demand a rollback of 30% or more. Commissioner Andrew Barrett also advocated 30%.

Nonetheless, Acting Chairman Jim Quello and Commissioner Ervin Duggan held the line at 10%. A letter from John Dingell (D-Mich.), chairman of Markey's parent Energy and Commerce Committee, urging the agency to resist political pressures was said to provide the cover Quello and Duggan needed to resist Markey.

LOS ANGELES

Picketing UPI

The Wire Service Guild, which represents both AP and UPI and which began informational picketing March 25 at UPI's Washington bureau, may next hit Chicago as early as this week. Negotiations for a contract between UPI employees and management shut down last January.

Marriage unmade in Washington?

Wall Street may now be discounting a network-studio merger. That would explain the gains of network stocks on Friday, following last Thursday's fin-syn ruling by the FCC. The remaining prohibition against network syndication is still seen by some, though not all, as a barrier to a Capcities/ABC-King World combination, or a Paramount-NBC combination, two marriages rumored in recent months. But others speculated it would now be possible to obtain a waiver from the syndication prohibition, and UBS Securities' Ed Hatch said a studio's syndication arm could be spun off. From an operating standpoint, last week's ruling was not all positive for the big three; Sanford Bernstein's Tom Wolzien noted the FCC permitted Fox to add more programming, and thus more advertising inventory, in a still struggling advertising marketplace. **-GF**

Everybody knows his name

President Bill Clinton will be among the patrons at *Cheers* for the series' last call, scheduled to air May 20. According to a source, Clinton has accepted Paramount's offer to participate in the 90-minute series wrap-up, most of which was filmed last Wednesday night. The producers still have a seven-minute segment left to film, which will be done secretly and without a studio audience so that several surprises can be included in the episode. In addition to Clinton, other recognizable faces—at least in the industry—to appear in the final show are those of John Pike, president, Paramount Network Television; Kerry McLuggage, chairman, Paramount Television Group; Warren Littlefield, president, NBC Entertainment, and Grant Tinker, former NBC chairman who was at the network when the series debuted in 1982. In other *Cheers* news, Paramount and the show's producers are still trying to decide what to do with the familiar bar set. Apparently the size of the bar prohibits inclusion in the Smithsonian, à la the *M*A*S*H* set that was included in the museum after that series ended its run. One consideration is for the set to be used in the lobby of a new theater building being built on the studio's lot. **-SC**

Guild negotiator Doug Levy, science reporter for UPI in Washington, is hopeful an agreement can be reached, but "we're running out of patience," he said. "We want to get on with the business of reporting the news." The radio network makes up about 15% of UPI's staff.

BOSTON

News expansion

NBC affiliate WBZ-TV Boston will increase its news presence in June by expanding its early weekday morning and noon newscasts each by a half-hour and adding two hours of news

on Saturday mornings. Gone from the schedule will be the long-running locally produced talk show *People Are Talking*, resulting in the elimination of seven full-time staffers.

NEW YORK

Diamond sharing

At least one other baseball team owner said last week that the leagues are seriously considering a revenue-sharing arrangement between baseball and the television networks (see "Top of the Week," March 29). At the very least, he suggested, Major League Baseball would like to get more control over its inventory, possibly selling radio, cable, network and game sponsorship all to the same advertiser. A network TV executive raised at least one concern about the revenue sharing idea. In post-season play, where over 90% of the revenue is generated, teams might be tempted to extend the series for longer than otherwise, since each additional game would generate additional advertising dollars. Temptation would be especially strong if players' own salaries were also a function of team revenue, a strategy owners are now trying to implement.

In Brief

Viacom's KIKK-AM-FM Houston, which went on the block last week (see page 33), **could sell for as much as \$50 million**, with in-market Gannett Broadcasting a possible buyer, according to industry sources. Media broker Charles Giddens of Media Venture Partners says KIKK-FM bills roughly \$15 million with cash flow of \$5 million.

Viacom announced Friday (April 2) that the **new format at KQLZ-FM Los Angeles will be soft adult contemporary** (see page 33). Viacom will program and sell the station through an LMA with Westwood One until Viacom takes ownership.

Proxy statement released by CBS shows that CBS/Entertainment

NSS POCKETPIECE

(Nielsen's top ranked syndicated shows for the week ending March 21. Numbers represent aggregate rating average/stations/% coverage)

1. Wheel Of Fortune	14.8/213/95
2. Jeopardy!	12.8/208/96
3. Star Trek:Deep Space	11.4/232/99
4. Star Trek	10.7/243/99
5. Oprah Winfrey Show	10.5/225/98
6. Entertainment Tonight	8.7/183/96
7. Married...With Children	7.8/189/97
8. Inside Edition	7.7/164/90
9. Roseanne	7.3/133/85
10. Current Affair	7.1/116/94
11. Baywatch	6.4/167/92
12. Designing Women	6.3/202/98
12. Donahue	6.3/213/97
12. Wheel Of Fortune-wknd	6.3/129/66
15. Hard Copy	5.9/154/92
15. Untouchables	5.9/199/96

President Jeff Sagansky received \$3.6 million in annual compensation

last year, plus \$2.5 million in "adjustments" to prior years' amounts, and options on 2,200 shares of stock. Howard Stringer, CBS/Broadcast Group president, received a \$1 million "signing bonus" with his new contract, \$982,000 in compensation plus options for 4,000 shares. Laurence Tisch, president/CEO, received \$1,573,000 in annual compensation and options for 8,500 shares. Peter Lund, executive VP, CBS/Broadcast Group, and president, CBS marketing, received \$661,000 plus options for 2,400 shares, and Eric W. Ober, president, CBS news, received \$632,400 in annual compensation plus options for 2,200 shares. The **proxy statement released by Capital Cities/ABC** shows that Daniel Burke, president/CEO/COO, was paid \$907,500 in annual compensation, was granted options for 10,000 shares and received \$2.3 million in long-term deferred compensation. Other annual compensation totals included \$786,000 for Michael P. Malardi, senior vice president and president of the broadcast group; \$784,000 for Ronald J. Doerfler, senior VP/CFO, and \$721,400 for Stephen A. Weiswasser, senior VP and executive VP of ABC News.

Winners of the 1992 Peabody Awards for excellence in broadcasting and cable were announced last Thursday, and will be presented May 17 at the Waldorf Astoria in New York. The breakdown of awards by network: PBS 7; ABC, CBS and National Public Radio 4; NBC 3; Fox 2, and CNN and C-SPAN each received one. Daniel Schorr of NPR and Fred Rogers of PBS's *Mister Rogers's Neighborhood* both won personal awards.

KEZQ-FM Little Rock, Ark., was sold by Omni Communications to GHB Broadcasting, headed by George H. Buck, **for \$1.3 million**. GHB also owns KURB-AM-FM Little Rock, forming a duopoly operation

Roper: public likes broadcast TV

As if the cable industry didn't get enough bad news last week, the latest Roper Study measuring public attitudes toward television concludes that three-quarters of those viewers who make a special effort to watch programs said their favorite shows are on ABC, CBS or NBC.

The Roper Study, co-sponsored by the National Association of Broadcasters and the Network Television Association, also concluded that among viewers with cable, 70% reported that most of the shows they make a special effort to watch are on one of the big three. The study also reported that 81% of those responding rejected the notion of their cable system dumping network affiliate signals for cable-originated channels. Roper said that 64% of respondents indicated they would cancel their cable subscriptions if the local operator dropped ABC, CBS and NBC, and 78% said they ought to pay less (about half) for cable if the big three were dropped.

The survey also reported that viewers believe cable-originated programming is a far bigger source of sex, profanity and violence than broadcast TV. About 55% of the viewers said they had found some recent programming on television either personally offensive or morally objectionable. Among those viewers, about three-quarters said they simply changed the channel or turned off the set, while only 1% said they responded by boycotting an advertiser. Three-quarters of the respondents said individual viewers should have the most to say about what they watch on TV, while 10% said the government should be involved in such decisions.

An NCTA spokeswoman responded that unlike previous Roper studies addressing television, the current study omitted questions about program quality, an area in which cable scored high marks in earlier studies. She suggested that perhaps broadcasters hoped to use the study as a "political vehicle" to help position themselves for retransmission-consent talks.

there; it is the licensee of 14 AM's and 2 FM's. Broker: Bergner & Co.

CBS was the most heavily nominated network as the nominations for the **20th annual daytime Emmy awards** were announced last Wednesday in Los Angeles and New York. The awards will be presented in New York on May 26 and the ceremony will be televised on ABC. CBS pulled in 74 nods, followed by PBS with 41, ABC with 39, syndicated fare with 35 and NBC with 18. Of the daytime soaps, CBS's *Guiding Light* garnered 18 nominations, followed by the network's *The Young and the Restless* with 13, ABC's *All My Children* with 11 and NBC's *Another World* with 10.

Advanced Television Testing Center Chairman Joel Chaseman announced April 1 that he would not seek re-election. Chaseman helped found the ATTC in 1987 and has been chairman ever since. He said Thursday he is stepping aside to pursue other projects through his Maryland-based cable and TV programming company. His likely replacement will be Warren Williamson III, a radio and TV station owner from Youngstown, Ohio.

In a report issued last week, the **FCC said it had been unable to clearly determine whether competition would be feasible in the business of satellite encryption.** The FCC report, issued April 1, said there were some outstanding technical questions about the security of scrambled signals if competing companies are sharing facilities and technology. The report specifically mentioned questions about the ability to respond to security breaches and to maintain reliability and integrity of scrambling equipment at a programmer's uplink site. The question of whether competition is feasible is largely moot, though, since the only company capable of challenging the existing de facto industry standard has apparently withdrawn from



PBS sponsored a forum on health care in association with a preview of its upcoming eight-hour series, *Medicine at the Crossroads*, last week at Washington's National Press Club. The show will air Mondays, April 5, 12, 19 and 26, at 9-11 p.m. and is described as offering an in-depth examination "of the social and scientific forces driving medical practice around the world." On hand were (l-r): George Page, executive in charge and narrator; Bill Baker, president of producing station WNET(TV) New York; Stefan Moore, the show's producer; Dr. Jo Leslie, physician's assistant at Johns Hopkins University; Dr. Jo Greer, founder of a Miami outreach clinic; Dr. Jay Blum, Signa Health Plan of Arizona, and Edward Howard, Alliance for Health Reform.

competition. Titan Corp. had planned to build its own version of General Instrument's Videocipher decoders, but in March Titan notified the FCC that it dropped those plans due to lack of interest from major satellite programming companies. Both Titan and General Instrument own patent

rights to the Videocipher technology. The FCC noted that, although there does not now appear to be any direct competition to GI's Videocipher, other competing technologies such as the DBS system could exert competitive pressure on the standard C-band encoder business.

ABC's of must carry/retrans consent

The FCC has released the ground rules for must carry/retransmission consent, including the schedule by which broadcasters must decide whether to opt for mandatory carriage on their local cable systems or try to negotiate a fee for carriage.

April 2—Cable operators will be required to give subscribers and the affected stations 30 days' notice of deletion or repositioning of any broadcast stations carried.

May 3—Cable systems must notify qualified noncommercial stations of the location of their principal headend and tell local stations that may not receive automatic must carry.

June 2—Cable systems must begin carriage of their must-carry complement of commercial stations.

June 17—Commercial broadcasters must choose between must carry and retransmission consent.

Aug. 1—Negotiations to be concluded.

Oct. 6—Retransmission and must-carry agreements go into effect.

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Editorials

Under their thumb

A press release made the rounds April 1 announcing that Jim Mooney had left the National Cable Television Association to join its crosstown rival, the Wireless Cable Association. The date and wording revealed it as an April Fool's prank. The FCC's new unabridged encyclopedia of rate regulation rules also came out last week, its press release dated April 1. Unfortunately for the cable industry, it was no joke.

The marching columns of seven-and-a-half-point type, absorbing three pages of this magazine attest to the potential morass of regulation disgorged from 1919 M Street last week. The new rate regulations (see story, page 6) will mean headaches for both the cable industry, which must live under the rules, and the FCC, which must struggle under the weight of a few more truckloads of paperwork. We're still not sure exactly how bad cable will have it—the FCC at press time was refusing to divulge the benchmark by which rates will be judged wanting—but it's bad enough to handicap a horse that is among the favorites to lead the charge into a multimedia future.

Cable created much of its own bad luck with an appar-

ent arrogance—born of monopolistic success—that translated into hefty rate hikes and inattention to customer service. To heap still further rate increases on customers' backs (after Congress passed the Cable Act) struck this page as suicidal; one newsroom wag gave cable the Senator Bob Packwood Prize for just not getting it. On the other hand, cable didn't deserve a national act of vengeance. Its contributions to the commonweal have far exceeded its excesses. Our own wonder that the FCC went so far in carrying out the congressional mandate is met by the reality that it could have been much worse. Representative Ed Markey (D-Mass.), chairman of the House Telecommunications Subcommittee, was pressuring the commission to cut cable's rates by 30%—a figure that sounded about right to Commissioner Barrett. There'll be an appeal, but in the long run we'd bet on the FCC's action to stand.

The ultimate tragedy will be if this punishment turns against the very television public it purportedly serves. Cut back by \$1.5 billion annually, and cut off from future revenue growth, cable could come to a standstill. That would give its challengers a leg up on the competition, but it should also give them pause. Draconian measures that arbitrarily check the growth of a thriving U.S. business are hardly a comforting precedent.

Unrush to judgment

This page has always had a sympathetic ear for the network dilemma with the financial interest and syndication rules, although we were never zealots on the subject. Just the idea of governmental intervention in what should be free enterprise occasioned an adverse reaction. Moreover, and especially in recent years, we have looked to the networks to champion free, over-the-air TV, and it seemed clear they could do a better job of it if they weren't denied participation in the total program marketplace.

Moreover, if the pendulum once favored the networks, it now clearly favors the Hollywood majors. The declining number of independent producers doing business with the studios may well welcome the networks as a counterbalance to widen their marketplace of opportunity.

There clearly were abuses when the networks had it all. There was indeed a day when they took advantage of their only-game-in-town status to acquire partnerships in production ventures that didn't want or need partners. And the warehousing rules came in response to network practices of the day. Given repeal, it would be unfortunate if the networks reverted to type in this regard. An FCC that has been torturously slow in taking back the fin-syn regulations could be counted on to speedily reimpose them in the face of abuse.

It's a hard call, but we cast our lot with the marketplace. The entire telecommunications landscape—the

multimedia landscape, they're starting to call it—is going to go through more upheaval in the next five years than in the past 25. The more level the playing field, the better.

That said, we must caution readers not to get ahead of the curve on the repeal of fin-syn. All depends on the court dismissing the consent decrees that codify the fin-sin rules, and it would be relatively easy for a new Clinton Justice Department to ask that such reconsideration be put off. Whether Hollywood has the clout with this White House that it did with the Reagan administration we don't yet know, but neither do we doubt the possibility. Jack Valenti shouldn't be counted out yet.



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On Native American team nicknames...

"If we called them the Blackskins or the Yellowskins or the Whiteskins, they would be raising hell!"

Tim Giago
Publisher,
Indian Country Today

Free minds don't always think alike!



"I don't think that newspapers shouldn't print something because it's offensive to one particular group. Those that do are putting blinders on the truth!"

Michael Gartner
former President,
NBC News

What's in a name? For some, it's more important than any sport, championship or national pastime. To show support, some news organizations have decided to omit all sports team names that might be perceived as racially offensive. Some feel the omission justified. Others see it as a "politically-correct inspired" infringement on First Amendment rights. The Freedom Forum decided to bring both teams of thought together for a major league discussion.

That's our role—to provide a forum for the free exchange of opinions and ideas about the media, journalism and free expression. A place where the movers and shapers of society can discuss and debate the issues to help propel all of us towards understanding and change. This is our way of making freedom work for everyone—even if we don't always think alike.