

FEDERAL COMMUNICATIONS COMMISSION

**MASS MEDIA BUREAU
POLICY AND RULES DIVISION
WASHINGTON, D.C. 20554**

The Effect of Preemption on Children's Educational and Informational Programming, 1997-1998 Television Season



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I. Introduction

1. This staff report by the Mass Media Bureau's Policy and Industry Analysis Branch, Policy and Rules Division, provides information to the Commission regarding the effect of preemption on children's educational and informational, or "core" programming, and the impact of promotion and other steps taken by broadcast television stations to make children's educational programming a success. This report fulfills a commitment the Bureau made in July 11, 1997 letter rulings to *ABC, Inc. (ABC)*, *CBS Corporation (CBS)* and *National Broadcasting Company, Inc. (NBC)*, in response to their separate requests for clarification of the children's television educational and informational programming regulations that became effective on September 1, 1997.¹

2. The networks asked that local broadcast stations be given the flexibility to reschedule the episodes of core programs that are preempted by live network sports events without adversely impacting the program's status as "regularly scheduled." We considered each of the networks' specific proposals regarding the rescheduling and promotion of "core" programming for the 1997-1998 television season, and specifically accepted their proposals to commit to certain promotional and preemption notification efforts in exchange for a limited amount of preemption flexibility of children's educational and informational programming.

3. The Bureau found the networks' proposals to be consistent with the Commission's goals and appropriate while the Commission and broadcasters gain experience with the new children's programming rules. However, the Bureau said that it would revisit its conclusions, based on the experience gained during the 1997-1998 television season, and report to the Commission regarding the effect of its decision on children's educational and informational programming.

4. The information in this report provides the basis for the Bureau's conclusion regarding the future interpretation of "regularly scheduled" children's core programming for the 1998-1999 television season. This report is based on information obtained from the networks and data as reported by individual stations in their FCC Form 398 (Children's Television Programming Report) submissions. The Bureau notes that these forms were not examined by staff for compliance with the children's educational and informational processing guidelines described in the *Children's Television Report and Order*.²

5. The Bureau recognizes that the initial year of operation under the children's educational programming rules adopted in 1996 was necessarily an experiment for those

¹ See letters dated July 11, 1997, from Roy J. Stewart, Chief, Mass Media Bureau to: Martin D. Franks, Senior Vice President, Washington, *CBS, Inc.*; Alan Braverman, Senior Vice President & General Counsel *ABC, Inc.*; Rick Cotton and Diane Zipursky, *NBC, Inc.*

² *Policies and Rules Concerning Children's Television Programming, Revision of Programming Policies for Television Broadcast Stations*, Report and Order, 11 FCC Rcd 10660 (1996) (*Children's Television Report and Order*).

charged with complying with our rules. Under these circumstances, the Bureau believes that areas of needed improvement can be identified without making any actionable "findings" pertaining to the 1997-1998 television season.

6. It is in that spirit the Bureau makes the following general observations:

- * Most network children's core program episodes were not preempted at all. The national average preemption rate for the big three network owned and operated stations (O&Os) for core programs was less than seven percent.³ In almost every instance, the network O&Os rescheduled preempted shows in a consistent pattern, either to a fixed "second home" or adjacent to other core children's programming.⁴
- * Certain program series were preempted more often in particular quarters depending on the live sports obligations of each network, the regularly scheduled time period of the program series and the geographic location of the station.⁵
- * Network O&Os in the Pacific and Mountain Time Zones preempted core programs more frequently than O&Os in the Eastern and Central Time Zones. Across the three networks, programs were, on average, preempted nearly three times more often in the West than in the East (13.4 percent *vs* 4.8 percent).⁶
- * All three networks have taken measures to promote the children's television schedule, including promotions in primetime and within the children's hours.⁷
- * The networks (with the cooperation of their O&Os and affiliates) made efforts to notify viewers of upcoming preemptions with on-air notifications and notifications given to publishers of program guides.⁸
- * Based on the data before us, the ratings of network children's programs did not appear to have been adversely affected by the limited rescheduling due to live sporting events and news events.⁹

³ See Appendix, Chart 3.

⁴ See page 12.

⁵ See Appendix, Charts 6a-6c.

⁶ See Appendix, Charts 4-4d.

⁷ See pages 14-17.

⁸ See pages 17-19.

⁹ See pages 13 and 19.

7. With respect to the specific performance of each network during the 1997-1998 television season, the Bureau makes the following observations:

* *ABC* should be commended on its performance during the 1997-1998 television season, and no areas of improvement need to be identified.

* *CBS* should be commended on its relatively low average preemption rate. However, we caution that *CBS's* performance during the 1997-1998 television season does not appear to fully satisfy *CBS's* promotional commitments and notification conditions of last year.

* *NBC* should be commended on its preemption notification efforts during the past year. However, we caution that it appears that *NBC's* performance during the 1997-1998 television season did not fully satisfy *NBC's* promotional commitments. Additionally, we caution that it appears that *NBC's* O&Os experienced a relatively high average preemption rate as compared to the other networks.

8. Since the stations' overall children's educational and informational programming effort has not been unduly affected by the limited preemption flexibility granted them, we have informed the networks that we will continue to allow the same flexibility for the 1998-1999 television season.¹⁰ However, we note that this is the first year in which we have reviewed requests for extension of the limited preemption flexibility granted to the networks, and, as a result of the experience we have gained in this year's review, we have decided that other interested stakeholders should be given the opportunity to comment on any future requests for extension of the limited preemption flexibility we are granting here. Moreover, we believe the public interest would best be served by developing a complete, comprehensive record on which the Bureau may base future decisions to grant any preemption flexibility extension requests. Accordingly, we have informed the networks that if any of them decides that they would like the Bureau to extend the limited preemption flexibility recently granted, we seek their cooperation in submitting their extension requests early in the summer of 1999 (preferably June) to allow sufficient time for public notice and comment to be completed prior to the beginning of the 1999-2000 television season. Additionally, in response to any extension requests, we have indicated to the networks that we would seek their continued assistance in providing information concerning their preemption, promotion and rescheduling practices during the 1998-1999 television season.

II. Background

9. In the *Children's Television Report and Order* adopting new regulations concerning children's television educational and informational programming, the Commission required that, among other things, a children's program must be "regularly scheduled" to be

¹⁰ See letters dated October 28, 1998, from Roy J. Stewart, Chief, Mass Media Bureau to: Sam Antar, Vice President, *ABC, Inc.*; Mark Johnson, Associate General Counsel, *CBS, Inc.*; Diane Zipursky, Washington Counsel, *NBC, Inc.*

counted as core programming for purposes of meeting the three-hour-per-week processing guideline for educational and informational programming, *i.e.*, -- a core children's program must "be scheduled to air at least once a week" and "must air on a regular basis." The Commission stated that television series typically air in the same time slot for 13 consecutive weeks, although some episodes may be preempted for programs such as breaking news or live sports events. Programming that is aired on a regular basis is more easily anticipated and located by viewers, and can build loyalty that will improve its chance for commercial success. The Commission noted that qualifying core programming should be regularly scheduled in view of the Commission's emphasis on improving the flow of information to parents through published program guides and other means to enable them to select educational and informational programs for their children. Finally, the Commission stated that it would leave to the staff to determine, with guidance from the full Commission as necessary, what constitutes regularly scheduled programming and what level of preemption is allowable.

10. Subsequent to the adoption of these new regulations, the *ABC*, *CBS* and *NBC* networks each requested that local television stations be given the flexibility to reschedule the episodes of core programs that are preempted by live network sports events without adversely impacting the program's status as "regularly scheduled." They set forth separate proposals for advising viewers of scheduling changes, promoting the educational block and minimizing the disruptive impact of rescheduling on viewers.¹¹

11. On July 11, 1997, the Mass Media Bureau issued separate letters to each of the three networks.¹² Referring specifically to the limited circumstances requiring preemption cited by the networks, and based solely on the facts each presented to the Commission regarding anticipated preemption levels for the 1997-1998 television season, the Bureau concluded that the networks' proposals for promoting and rescheduling preempted programming that otherwise meets the core programming definition, if followed by owned and affiliated stations, would not run afoul of the children's television rules during this first year of implementation of the new children's programming rules.

¹¹ See Letter to Roy J. Stewart, Chief, Mass Media Bureau from Martin D. Franks, Senior Vice President, Washington, *CBS*, Inc. (June 6, 1997); see also Letter to Chairman and Commissioners, Federal Communications Commission, from Martin D. Franks, Senior Vice President, Washington, *CBS*, Inc. (June 27, 1997). See Letter to Reed Hundt, Chairman, and Susan Ness, Rachelle Chong, and James Quello, Commissioners, Federal Communications Commission from Alan Braverman, Senior Vice President & General Counsel *ABC*, Inc. (May 8, 1997); see also Letter to Reed Hundt, Chairman, and Susan Ness, Rachelle Chong, and James Quello, Commissioners, Federal Communications Commission from Alan Braverman, Senior Vice President & General Counsel *ABC*, Inc. (June 26, 1997). See Letter to Roy J. Stewart, Chief, Mass Media Bureau from Rick Cotton and Diane Zipursky, Washington Counsel, *NBC*, Inc. (June 6, 1997) see also Letter to Roy J. Stewart, Chief, Mass Media Bureau from Rick Cotton and Diane Zipursky, Washington Counsel, *NBC*, Inc. (June 26, 1997).

¹² See letters dated July 11, 1997, from Roy J. Stewart, Chief, Mass Media Bureau to: Martin D. Franks, Senior Vice President, Washington, *CBS*, Inc.; Alan Braverman, Senior Vice President & General Counsel *ABC*, Inc.; Rick Cotton and Diane Zipursky, *NBC*, Inc.

12. In particular, with respect to *ABC*, the network indicated that when core programming is preempted it would: (1) provide publishers of program guides with the alternate date/time in advance of any core programming preemption for live network sports events and notify viewers during the previously scheduled episode and at the time of preemption with respect to the alternate date/time when the preempted show will air; and (2) promote aggressively the Saturday morning educational programming during primetime on Friday evenings, through the purchase of paid media and in a preview guide in the "Disney Adventure" magazine. In our July 11, 1997 letter to *ABC*, we accepted these commitments and allowed *ABC* the flexibility: (1) to count a preempted children's core program toward a station's core programming obligation if the program is rescheduled during the Saturday morning children's block of programming, either earlier that day or the next Saturday (and a few instances in the Pacific Time Zone rescheduled to a subsequent Saturday when accompanied by adequate publication and promotion), or, in isolated circumstances, at any time during core hours during the week of preemption; and (2) to exempt from the above provisions core programming that is preempted for breaking news, though we encouraged stations to reschedule programming in these circumstances.

13. With respect to *CBS*, the network indicated that when core programming is preempted it would: (1) provide publishers of program guides with the alternate date/time in advance of any core programming preemption for live network sports events; and (2) promote aggressively the Saturday morning educational programming during primetime on Friday evenings. In our July 11, 1997 letter to *CBS*, we accepted these commitments and indicated that we would also expect *CBS* to notify viewers during the previously scheduled episode and at the time of preemption with respect to the alternate date/time when the preempted show will air. Additionally, we allowed *CBS* the flexibility: (1) to count a preempted children's core program toward a station's core programming obligation if the program is rescheduled within one week to a fixed "second home" of the station's choice for each broadcast season, or, in isolated circumstances, at any time during core hours within two weeks before or after the preemption; and (2) to exempt from the above provisions core programming that is preempted for breaking news, though we encouraged stations to reschedule programming in these circumstances.

14. With respect to *NBC*, the network indicated that when core programming is preempted it would: (1) provide publishers of program guides with the alternate date/time in advance of any core programming preemption for live network sports events, notify viewers, in the week preceding the rescheduling, of the time and day on which the program will be broadcast the following week, and prepare and make available to affiliates promotional spots which notify the viewers of any necessary rescheduling; and (2) promote its Saturday morning educational programming (which *NBC* refers to as "*Teen NBC*" or "*TNBC*") in a number of ways, including through on-air promotions during premier network sports programming and during primetime hours, through "theme days" and the appearance of well-known professional athletes on *TNBC* shows, through the intensified efforts of two dedicated director-level employees whose responsibility is to promote the *TNBC* lineup throughout the electronic/print media and to develop a broad variety of promotional events designed to increase the audience

for the *TNBC* shows (which would include airing promotional spots on teen-oriented cable programs and placing ads in teen-oriented magazines) and through promotional spots to be made available to affiliates. In our July 11, 1997 letter to *NBC*, we accepted these commitments and allowed *NBC* the flexibility: (1) to count a preempted children's core program toward a station's core programming obligation if the program is rescheduled to a fixed "second home" during the "core" time period (*i.e.*, between 7:00 a.m. and 10:00 p.m.) within the same day or week, or to the following week to a time period adjacent to other regularly scheduled children's programs, or, in isolated circumstances, at any time during core hours during the week of preemption; and (2) to exempt from the above provisions core programming that is preempted for breaking news, though we encouraged stations to reschedule programming in these circumstances.

15. The Bureau found the networks' proposals to be consistent with the Commission's goals of maintaining scheduling continuity and predictability for the children's audience, and appropriate while the Commission and broadcasters gain experience with the new children's programming rules. However, the Bureau said that it would revisit its conclusions, based on the experience gained during the 1997-1998 season and report to the Commission regarding the effect of preemption on children's educational and informational programming, and the impact of promotion and other steps taken by the stations to make children's educational programming a success. While having addressed the specific requests regarding network scheduling, the Bureau also noted that it remains the duty of each television broadcaster to comply with the requirements of the *Children's Television Report and Order*, and that the Commission would continue to review each licensee's performance to ensure compliance with the rules.

16. In preparing this report to the Commission, the Bureau stated that it would be based, in part, on information obtained from the networks, with their cooperation. In June, 1998, the Bureau sent letters to *ABC*, *CBS* and *NBC* requesting the following information regarding their O&Os: FCC Form 398 Children's Television Programming Report for the first quarter, 1998, and summaries of their promotion, preemption and rescheduling practices for children's programming for the 1997-1998 television season.¹³ The Bureau also asked the networks to estimate the extent to which the preemption levels and promotional efforts of their O&Os is reflective of their affiliated stations as well.

¹³ See letters dated June 22, 1998, from Roy J. Stewart, Chief, Mass Media Bureau to: Martin D. Franks, Senior Vice President, *CBS* Corporation; Sam Antar, Vice President, Law and Regulation, Legal, *ABC*, Inc.; Diane Zipursky, Washington Counsel, *NBC*, Inc. The networks' responses to the Bureau's request are contained in the following submissions: letter dated July 17, 1998, to Roy J. Stewart from Sam Antar, *ABC*; letter dated July 17, 1998, to Roy J. Stewart from Martin D. Franks, *CBS*; letter dated September 16, 1998, to Barbara Kreisman from Mark W. Johnson, *CBS*; and, letter dated July 20, 1998, to Roy J. Stewart from Diane Zipursky, *NBC*. The networks subsequently submitted the FCC 398 Forms for their O&Os for the second quarter, 1998. In preparing this report, the Bureau also analyzed all fourth quarter, 1997 Form 398 submissions, which were required to be filed by all commercial television stations.

III. Analysis

A. Preemption Rates

17. Table 1 below presents the national average for core hours and preemption rates for all the O&Os of the three networks for the 1997-1998 television season, as well as for all television broadcast stations for the fourth quarter of 1997, as reported in their FCC Form 398 submissions.¹⁴ The stations' data was used to determine national averages.

Table 1
Average Core Hours and Preemption Rates
(3 Quarters - October '97-June '98)

	Core Hours	Overall Preemption Rate
ABC O&Os	4.4	5.7%
CBS O&Os	3.0	4.1%
NBC O&Os	3.1	10.7%
All Stations	4.0	4.4%

18. *ABC*. *ABC* O&Os reported, on average, 4.4 core hours of children's educational and informational television programming per week, and their overall preemption rate for such programming was 5.7 percent. *ABC* O&Os' overall preemption rate was influenced, in part, by higher west coast preemptions, and because they air one additional hour of children's programming.

19. We are pleased to report that it appears that *ABC's* O&Os experienced a relatively low average preemption rate (5.7 percent), which is only slightly higher than *CBS's* average preemption rate (4.1 percent) and significantly lower than *NBC's* average preemption rate (10.7 percent). We also note that *ABC's* relatively low average preemption rate is even more meaningful in light of the fact that *ABC's* O&Os reported broadcasting over 40 percent more core hours children's programming than *NBC*, and almost 50 percent more core hours than *CBS*.¹⁵ Overall, it appears that *ABC's* preemption rate is consistent with the proposed

¹⁴ The average preemption rates for *ABC*, *CBS* and *NBC* are based on data reported by the three networks' O&Os (37 stations) in their FCC Form 398 (Children's Television Programming Report) submissions for the fourth quarter, 1997, the first quarter 1998 and the second quarter 1998. Form 398 forms were analyzed for 1,160 stations for the fourth quarter of 1997.

¹⁵ We emphasize, however, that stations are only required to broadcast three "core" hours of programming to fall within the "safe harbor" provisions of the Commission's children's educational and informational programming rules. See *Children's Television Report and Order*, 11 FCC Rcd at 10718-75.

preemptions the Bureau conditionally approved last year.¹⁶

20. CBS. *CBS* O&Os reported, on average, 3.0 core hours of children's educational and informational television programming per week, and their overall preemption rate for such programming was 4.1 percent. *CBS* O&Os had the lowest overall preemption rate of all three networks, which was due, in part, to the fact that much of their core programming is aired early in the day and, is, therefore, less susceptible to sports preemption.

21. We are pleased to report that it appears *CBS's* O&Os experienced a relatively low average preemption rate (4.1 percent), which is slightly lower than *ABC's* average preemption rate (5.7 percent) and significantly lower than *NBC's* average preemption rate (10.7 percent). Overall, it appears that *CBS's* preemption rate is consistent with the proposed preemptions the Bureau conditionally approved last year.¹⁷

22. NBC. *NBC* O&Os reported, on average, 3.1 core hours of children's educational and informational programming per week, and their overall preemption rate for such programming was 10.7 percent. *NBC* O&Os have the highest overall preemption rate of all three networks, which was due, in part, to the fact that much of their core programming block starts later in the morning to attract the target teen audience, and is, therefore, more susceptible to sports preemption. In addition, *NBC* O&Os often chose to move the entire children's block to accommodate sports preemptions, in order to maintain the integrity of the block. This practice led to a higher preemption rate than if the *NBC* O&Os had preempted and rescheduled only those programs directly affected by the sporting event.

23. We note our concern, though, that it appears that *NBC's* O&Os experienced a relatively high average preemption rate (10.7 percent), which amounted to more than double the average preemption rate of *CBS's* O&Os (4.1 percent), and almost double the average preemption rate of *ABC's* O&Os (5.7 percent). However, overall, it appears that *NBC's* preemption rate is consistent with the proposed preemptions the Bureau conditionally

¹⁶ In *ABC's* 1997 letters to the Commission *ABC* listed the dates and sporting events that it expected would conflict with the networks' core children's programming. See Letter to Reed Hundt, Chairman, and Susan Ness, Rachelle Chong, and James Quello, Commissioners, Federal Communications Commission from Alan Braverman, Senior Vice President & General Counsel *ABC*, Inc. (May 8, 1997); see also Letter to Reed Hundt, Chairman, and Susan Ness, Rachelle Chong, and James Quello, Commissioners, Federal Communications Commission from Alan Braverman, Senior Vice President & General Counsel *ABC*, Inc. (June 26, 1997).

¹⁷ In *CBS's* 1997 letters to the Commission and Roy Stewart, Chief of the Mass Media Bureau, *CBS* listed the dates and sporting events that it expected would conflict with the networks' core children's programming. See Letter to Roy J. Stewart, Chief, Mass Media Bureau from Martin D. Franks, Senior Vice President, Washington, *CBS*, Inc. (June 6, 1997); see also Letter to Chairman and Commissioners, Federal Communications Commission, from Martin D. Franks, Senior Vice President, Washington, *CBS*, Inc. (June 27, 1997).

approved last year.¹⁸

24. Tables 2 through 4, below, present the average preemption rate for each of the three network's O&Os. The information was derived from FCC Form 398 submitted by each O&O.

Table 2
ABC O&Os Average Preemption Rate
(3 Quarters - October '97-June '98)

Market Rank ¹⁹	Call Sign	Channel #	Time Zone	Average Preemption Rate
1	WABC	7	Eastern	4.4%
2	KABC	7	Pacific	14.4%
3	WLS	7	Central	2.2%
4	WPVI	6	Eastern	0%
5	KGO	7	Pacific	15.4%
11	KTRK	13	Central	2.2%
29	WTVD	11	Eastern	0%
55	KFSN	30	Pacific	15.1%
63	WJRT	12	Eastern	2.2%
66	WTVG	13	Eastern	1.0%

Table 2, above, presents the average preemption rates reported by each ABC O&O. The East Coast and Central Time Zone stations generally had the lowest preemption rates. West Coast stations had the highest preemption rates.

¹⁸ In NBC's 1997 letters to Roy Stewart, Chief of the Mass Media Bureau, NBC listed the dates and sporting events that it expected would conflict with the networks' core children's programming. See Letter to Roy J. Stewart, Chief, Mass Media Bureau from Rick Cotton and Diane Zipursky, Washington Counsel, NBC, Inc. (June 6, 1997) see also Letter to Roy J. Stewart, Chief, Mass Media Bureau from Rick Cotton and Diane Zipursky, Washington Counsel, NBC, Inc. (June 26, 1997).

¹⁹ ABC owns and operates stations in New York (1), Los Angeles (2), Chicago (3), Philadelphia (4), San Francisco (5), Houston (11), Raleigh-Durham (29), Fresno-Visalia (55), Flint-Saginaw (63) and Toledo (66).

Table 3
 CBS O&Os Average Preemption Rate
 (3 Quarters - October '97-June '98)

Market Rank ²⁰	Call Sign	Channel #	Time Zone	Average Preemption Rate
1	WCBS	2	Eastern	1.3%
2	KCBS	2	Pacific	10.3%
3	WBBM	2	Central	2.1%
4	KYW	3	Eastern	11.1%
5	KPIX	5	Pacific	9.4%
6	WBZ	4	Eastern	1.7%
9	WWJ	62	Eastern	0.9%
14	WCCO	4	Central	2.1%
16	WFOR	4	Eastern	0.9%
18	KCNC	4	Mountain	12.6%
19	KDKA	2	Eastern	0%
23	WJZ	13	Eastern	0.4%
36	KUTV	2	Mountain	3.4%
70	WFRV	5	Central	1.3%

Table 3, above, presents the average preemption rates reported by each *CBS* O&O. The East Coast and Central Time Zone stations generally had the lowest preemption rates, with the exception of *KYW*. The West Coast stations had the highest preemption rates, with the exception of *KCNC* in the Mountain Time Zone.

²⁰ *CBS* owns and operates stations in New York (1), Los Angeles (2), Chicago (3), Philadelphia (4), San Francisco (5), Boston (6), Detroit (9), Minneapolis (14), Miami (16), Denver (18), Pittsburgh (19), Baltimore (23), Salt Lake City (36) and Green Bay (70).

Table 4
NBC O&Os Average Preemption Rate
(3 Quarters - October '97-June '98)

Market Rank ²¹	Call Sign	Channel #	Time Zone	Average Preemption Rate
1	WNBC	4	Eastern	9.4%
2	KNBC	4	Pacific	12.8%
3	WMAQ	5	Central	16.2%
4	WCAU	10	Eastern	10.4%
7	WRC	4	Eastern	12.0%
8	KXAS	5	Central	8.9%
16	WTVJ	6	Eastern	11.2%
26	KNSD	39	Pacific	15.0%
27	WVIT	30	Eastern	10.7%
29	WNCN	17	Eastern	4.5%
34	WCMH	4	Eastern	11.1%
49	WJAR	10	Eastern	11.1%
51	WVTM	13	Central	8.1%

Table 4, above, presents the average preemption rates reported by each *NBC* O&O. The East Coast stations generally had lower preemption rates than the West Coast stations. However, the difference in preemptions rates is not as pronounced as with the other two networks' O&Os. WMAQ in the Central Time Zone had the highest preemption rate. Additional data regarding the provision of core hours and preemption rates is contained in the Appendix.

²¹ *NBC* owns and operates stations in New York (1), Los Angeles (2), Chicago (3), Philadelphia (4), Washington, D.C. (7), Dallas (8), Miami (16), San Diego (26), Hartford (27), Raleigh-Durham (29), Columbus, OH (34), Providence (49) and Birmingham (51).

B. Preemptions and Rescheduling

25. We asked the networks to provide us with information on the number and percent of core program episodes their O&Os preempted and rescheduled to a fixed "second home," to a place other than a fixed "second home," and those they did not reschedule. We also asked them to include a summary of the reasons for the preemptions, an assessment of the impact of the rescheduling practices on the children's audience for educational and informational programming and an estimate of the extent to which the preemption levels of their O&Os is reflective of their affiliates. On the basis of the information the networks have presented, which is summarized below, we believe that all three network O&Os and affiliates have generally complied with the rescheduling commitments.

26. ABC. *ABC* indicates that many preempted episodes were rescheduled to earlier times the same Saturday morning, for the fourth quarter of 1997 and the first quarter of 1998.²² *ABC* states that its O&Os did not reschedule 0.4 percent of program episodes that were preempted for either live, national or local sports or storm coverage.

27. CBS. *CBS* indicates that 98 percent of core programs were aired in their regularly scheduled time period or rescheduled to their "fixed second home."²³ Of the two percent of programs that were not rescheduled to their second home, *CBS* notes that most were program preemptions that occurred only once during the quarter. *CBS* states that some preemptions (0.7 percent) were necessitated by breaking news.

28. NBC. *NBC* states that its O&Os ran the "Teen *NBC*" or "*TNBC*" programs in their regularly scheduled time, in a fixed "second home" or adjacent to other core programs no less than 98 percent of the time for the entire 1997-1998 television season.²⁴ (Nine of their stations met this goal 100 percent of the time.) Thus, *NBC* indicates that only two percent of its O&O's total core programming was rescheduled to a time other than a fixed "second home or adjacent to other core programs." *NBC* states that one of its O&Os was unable to reschedule two preempted episodes because of the live broadcast of the French Open Tennis Championship (0.1 percent of programs).

²² See Letter to Roy J. Stewart from Sam Antar, *ABC* (July 17, 1998).

²³ See Letter to Roy J. Stewart from Martin D. Franks, *CBS* (July 17, 1998).

²⁴ See Letter to Roy J. Stewart from Diane Zipursky, *NBC* (July 20, 1998).

Assessment of O&O rescheduling practices on the children's audience.

29. The networks indicate that there was no significant adverse effect from the preemption and rescheduling of some program episodes.²⁵ In particular, *ABC* states that the rescheduling did not cause viewers to have any difficulty locating the programs. By way of example, *ABC* indicates that "Disney's One Saturday Morning" consistently ranked number one with its target audience and "Disney's 101 Dalmatians" and "Winnie the Pooh" increased viewing percentages from the same time period last season.

30. *CBS* states that the ratings of its children's programs did not suffer as a result of the limited rescheduling to which they had been subjected. For each of the core network programs broadcast by *CBS* O&Os in metered markets, *CBS* compared the ratings the program received in its rescheduled time period (in each market where it was rescheduled) against the ratings the program received in its regularly scheduled time period in the same market. This market-by-market analysis showed that in the majority of cases the programs received higher ratings in the rescheduled time period than in the regularly scheduled period.²⁶

31. *NBC* indicates that the rescheduling of the "*TNBC*" shows to accommodate live sports events did not appear to have had an impact on viewership for the shows. *NBC* states that the ratings data for the shows fluctuated slightly from one week to the next even when the schedule remained the same. In the instances when a show had been rescheduled, *NBC* states that there was no significant change in ratings. In fact, *NBC* states that in some local markets, the rescheduled show received a higher rating at its rescheduled time than in its original time slot.

²⁵ See letter dated July 17, 1998, to Roy J. Stewart from Sam Antar, *ABC*; letter dated July 17, 1998, to Roy J. Stewart from Martin D. Franks, *CBS*; letter dated September 16, 1998, to Barbara Kreisman from Mark W. Johnson, *CBS*; and, letter dated July 20, 1998, to Roy J. Stewart from Diane Zipursky, *NBC*.

²⁶ Ratings vary from week to week and small measurement differences can result in large percentage differences depending on the size of the rating. Also, total audience levels generally increase as the day progresses so that programs rescheduled to later in the day are likely to have a larger audience. These factors may lead to higher ratings for rescheduled program episodes, in spite of, rather than due to, the rescheduling. For additional information, see Chart 6 in the Appendix which provides the premier-to-date average national ratings for various core children's programs for the 1997-1998 television season and their preemption rates during this same period. Furthermore, staff has confirmed that there appeared to be little difference between the 1996-1997 television season's overall audience ratings for the networks' children's programs and the past season's overall ratings (*i.e.*, the premier-to-June television season national audience ratings averages for *ABC*'s, *CBS*'s and *NBC*'s children's programs for the 1996-1997 season was 2.0 compared to 1.9 percent for the 1997-1998 season).

Extent to which the preemption/rescheduling of the O&Os are reflective of affiliates.

32. The networks state that the experience of their O&Os in preempting and rescheduling was generally reflective of the experience of their affiliated stations.²⁷

C. Promotions and Notifications

33. We asked the networks to provide us with information on the broadcast and nonbroadcast measures they and their O&Os have taken to promote children's educational and informational programming, including their proposals to notify program guide publishers of preemptions and to promote their Saturday morning educational programming schedule and whether, and to what extent, these promotional efforts have succeeded in attracting the children's audience. We also asked them to estimate the extent to which the promotional efforts of their O&Os is reflective of their affiliates.

Promotions.

34. All three networks describe the various measures they have taken to promote their children's educational and informational programming. As summarized below, the networks stated that they promoted their children's programs within the children's block, during primetime, and throughout other programming such as sports specials. The networks have also used computer websites and the print media to promote their children's programming schedules.

35. *ABC*. *ABC* states that it promoted its children's programming with on-air spots primarily in primetime and during the Saturday morning children's program block, and in nationally-distributed print advertisements.²⁸ From September, 1997 through May, 1998, *ABC* reports running 166 promotional spots for educational and informational programs, which ran from 10 seconds to 30 seconds, during primetime. *ABC* indicates that all but 33 of those promotions ran during *ABC*'s "TGIF" family-oriented programming on Friday nights, and the balance ran during "The Wonderful World of Disney," made-for-TV movies oriented to family audiences, and primetime programs with family audiences (such as "America's Funniest Home Videos" and "Home Improvement"). *ABC*'s data indicate that, on average, there were 3.4 primetime promotional spots for *ABC*'s educational programs run each week from September, 1997 to May, 1998.

36. During the same September through May period, *ABC* states that it ran 677 promotional spots, from 10 to 15 seconds long, for educational and informational programs during the Saturday morning children's block (an average of 17 spots per week). *ABC* also

²⁷ Staff analysis of the fourth quarter, 1997, Form 398s indicates that the preemption rates for affiliates are generally equal to or lower than the O&O's preemption rates.

²⁸ See Letter to Roy J. Stewart from Sam Antar, *ABC* (July 17, 1998).

ran more than 400 voice-over mentions of educational and informational programming during the Saturday children's block (an average of 10 per week).

37. *ABC* also states that it promoted its 1997-1998 children's educational and informational programs in print. The October, 1997 "Disney Adventure Magazine," released in September, 1997, at the start of the season, included a special, six-page insert promoting the programs.²⁹ During the 1997-1998 season, *ABC* reports that its educational programs were promoted in several subsequent "Adventure" issues (December, 1997, and January, February, March, and June, 1998); in national magazines, including "People," "Sports Illustrated for Kids" and "TV Guide;" and in radio and cable television spots.

38. Given *ABC's* large number of both primetime and Saturday morning promotional efforts, as well as its numerous promotions in the print media, including "Disney Adventure Magazine," we are pleased to report that it appears that *ABC* fully satisfied its promotional commitments of last year.

39. *CBS*. During the first half of the 1997-1998 television season, *CBS* states that it broadcast a number of promotions for its children's programs during Friday night primetime programs designed to appeal to families (e.g., "Family Matters" and "Meego").³⁰ In particular, *CBS* states that, between September and December, 1997, it broadcast 14, ten-second promotions for its children's programming during Friday night primetime programs (an average of approximately one promotional spot per week). *CBS* also indicates that throughout the 1997-1998 season, it heavily promoted its children's programs within that programming itself. Between September and June, an average of five minutes and 40 seconds per week of promotion for the network's children's programming aired within that programming (over four hours of promotion over 43 weeks).

40. In addition, beginning in the fall of 1996, and continuing throughout the 1997-1998 television season, *CBS* indicates that the *CBS*-owned radio stations in markets in which *CBS* also owns a television station aired many thousands of announcements promoting *CBS's* children's educational and informational programming.

41. Given *CBS's* low number of primetime promotions (less than one promotional spot per week), we caution that it appears that *CBS* did not fully satisfy its promotional commitments of last year. We would also like to underscore here, as we did in our July 11, 1997 ruling, our belief that *CBS's* commitment to aggressively promote its Saturday morning educational programming during primetime on Friday evenings will help ensure the success of children's educational and informational programming by focusing the attention of viewers on

²⁹ "Disney Adventure Magazine" is distributed free at Disney theme parks and at Disney stores throughout the United States.

³⁰ See Letter to Roy J. Stewart from Martin D. Franks, *CBS* (July 17, 1998); Letter to Barbara Kreisman from Mark W. Johnson, *CBS* (September 16, 1998).

the network's core programming.³¹

42. *NBC*. *NBC* indicates that it promoted its core educational and informational programming - the *TNBC* lineup - through on-air promotions, notices to listing services, a *TNBC* Website, and outreach with the community.³² *NBC* states that, in addition to the numerous promotional spots it ran every weekend during the *TNBC* schedule, it aired special *TNBC* spots that ran during *NBC* sports programming to help launch the 1997-1998 *TNBC* season and *TNBC* spots aired during *NBC* primetime programming throughout the season. In particular, *NBC* indicates that it broadcast 22 special *TNBC* promotional spots during primetime on Friday nights, from mid-September through April (an average of less than one promotional spot per week), and four *TNBC* promotional spots in August, 1997, during Saturday *NBC* sports programming.

43. *NBC* states that a variety of special promotional efforts were made in connection with the *TNBC* shows. *NBC* indicates that it designated specific Saturdays as "theme days" in which all of the programs in the three-hour *TNBC* block were dedicated to a specific message. In November, *NBC* reports having a "Drug Free Saturday" when the shows addressed anti-drug, tobacco and alcohol issues. That same month *NBC* also reports having a "Family Saturday," when the shows promoted communication with family members. *NBC* also indicates that in February, *TNBC* provided a "Team Up/Community Service Saturday," in which all the shows promoted community service activities.

44. In addition, to supplement and enhance the educational value of *TNBC* programs, *NBC* indicates that it launched a dedicated website - "At the Max" - in the fall of 1997. *NBC* states that the design of this site brought teens to the website for entertainment, but also provided a valuable means of amplifying the educational content of the shows by bringing teens to a new level of exploration for the subjects presented in the show.

45. We note that, although *NBC* did provide a limited number of on-air promotions during premier sports programming and during primetime hours, these promotions amounted to less than one on-air promotion per week. In addition, there is no indication that *NBC* intensified the efforts of two dedicated director-level employees whose responsibility is to promote the *TNBC* lineup throughout the electronic/print media and to develop a broad variety of promotional events designed to increase the audience for the *TNBC* shows (to include airing promotional spots on teen-oriented cable programs and placing ads in teen-oriented magazines). Similarly, there is no indication that *NBC* made *TNBC* promotional spots available to its affiliates. Given *NBC's* low number of on-air promotions and the lack of evidence that *NBC* met some of its other promotional commitments, we caution that it appears that *NBC* may not have fully satisfied its promotional commitments of last year. We

³¹ See Letter from Roy J. Stewart, Chief, Mass Media Bureau, Federal Communications Commission, to Martin D. Franks, Senior Vice President, Washington, *CBS* (July 11, 1997).

³² See Letter to Roy J. Stewart from Diane Zipursky, *NBC* (July 20, 1998).

would also like to underscore here, as we did in our July 11, 1997 ruling, our belief that these promotional commitments will help to ensure the success of children's educational and informational programming by focusing the attention of the viewers on the entire "core" block of *TNBC* programming.³³

Notifying publishers and viewers of preemptions.

46. The networks state that they notified publishers of program guides in advance of upcoming preemptions of regularly-scheduled programs. They also indicated that they provided on-air notifications of preemptions using video crawls and voice overs.

47. ABC. *ABC* states that in each week of the 1997-1998 season it supplied program schedules of network programs to "TV Guide," Tribune Media Services and TV Data (the latter two are both distributors of information to newspapers and magazines nationwide).³⁴ *ABC* indicates that the schedules were released about four weeks in advance of broadcast, and included all scheduled network preemption and rescheduling information then available about children's educational and informational programs. *ABC* states that, when feasible, information about last-minute changes in the network schedule was also sent to those publishers.

48. *ABC* also indicates that it put in place a system to supply all its affiliated stations, including its O&Os, advance program schedules including information on live sports preemptions and rescheduling. *ABC* reports that this information enabled *ABC* stations to regularly notify their local program guides. In addition, *ABC* reports that it supplied all its affiliated stations on a regular basis with the text of weekly on-air announcements to be inserted during the broadcast of educational programming to notify viewers of live sports preemptions and rescheduling. With this information, *ABC* states that, with minor exceptions, its O&Os regularly aired the required on-air announcements and sent information to program guides about preemptions and rescheduling.

49. Given that *ABC* routinely provided three program guide publishers with rescheduling information, and its O&Os, with minor exceptions, regularly aired preemption and rescheduling announcements, we are pleased to report that it appears that *ABC* fully satisfied its preemption notification commitments of last year.

50. CBS. *CBS* states that it has also taken a variety of steps to ensure that the public is alerted to the rescheduling of children's programming.³⁵ *CBS* states that all its O&Os have notified, in advance, the publishers of programs guides of alternative dates and

³³ See Letter from Roy J. Stewart, Chief, Mass Media Bureau, Federal Communications Commission, to Rick Cotton and Diane Zipursky, Washington Counsel, Washington, *NBC* (July 11, 1997).

³⁴ See Letter to Roy J. Stewart from Sam Antar, *ABC* (July 17, 1998).

³⁵ See Letter to Roy J. Stewart from Martin D. Franks, *CBS* (July 17, 1998).

times on every occasion in which a core program was preempted for network sports programming. *CBS* states that all 14 *CBS* O&Os were instructed to broadcast on-air notification of preemptions and rescheduling information both the week prior to preemption and the week of preemption in the preempted program's regularly scheduled time period. *CBS* indicates that the great majority of *CBS* stations that preempted core programs for network sports provided on-air notification through crawls and/or announcements of preemption and rescheduling information during the regularly scheduled episode of the program the week prior to preemption and during the regularly scheduled time period of the program during the week of preemption. In particular, *CBS* states that, of the 13 O&Os that preempted core programming for network sports, nine stations provided on-air notification through crawls and/or announcements during the regularly scheduled episode of the program the week prior to preemption. Of the seven stations that aired preempted programming in a time period later than its regularly scheduled time period, *CBS* reports that five provided on-air notification through crawls of preemption and rescheduling information during the regularly scheduled time period of the program during the week of preemption.³⁶ *CBS* also indicates that some stations took additional steps for providing preemption information on their web sites and/or through telephone services for viewers.

51. We note that, although *CBS* did provide publishers of program guides advance notice of rescheduling, nearly one-third of the *CBS* O&Os did not provide on-air preemption notifications. While we acknowledge that *CBS* did not initially propose to provide on-air notifications, we explicitly granted *CBS* limited preemption flexibility based on our expectation that *CBS* would provide such notification. Accordingly, we caution that it appears that *CBS* did not fully satisfy the on-air notification conditions included in our July 11, 1997 ruling.

52. *NBC*. *NBC* states that its 13 O&Os have notified viewers of schedule changes.³⁷ *NBC* reports that in each instance of rescheduling, each *NBC* station contacted its local listing service notifying them of the change. *NBC* also indicates that in almost every instance of rescheduling, in the week immediately prior to the schedule change, the stations aired several promotional announcements within the *TNBC* block (the format was provided by the network and specifically tailored by each station) advising viewers of the upcoming schedule change. In some cases, *NBC* reports that its stations also aired promotional announcements on the Saturday in which the rescheduling occurred. In addition, *NBC* states that the majority of *NBC* O&Os also posted this schedule change on their own websites.

53. Given that *NBC's* O&Os routinely provided local listing services with rescheduling information, and, in almost every instance, provided on-air announcements of the

³⁶ *CBS* indicates that the other six stations rescheduled the programs at an earlier time and so it would have been pointless to run an on-air notification of the preemption in the regularly scheduled time period during the week of preemption.

³⁷ See Letter to Roy J. Stewart from Diane Zipursky, *NBC* (July 20, 1998).

change using format provided by the network, we are pleased to report that it appears that *NBC* fully satisfied its preemption notification commitments.

Success of these efforts in attracting the children's audience.

54. *ABC* and *NBC* indicate that their promotional efforts have been successful.³⁸ *CBS* makes no specific reference to the success of its promotional efforts. (Staff notes that early in the 1997-1998 television season *CBS* announced that it would launch a new schedule of children's programming in the Fall, 1998 because the children's program ratings of the past season were below expectations.)

55. *ABC* indicates that the ratings for the *ABC* educational and informational programs for the 1997-1998 season to date leads *ABC* to conclude that its promotional efforts have encouraged viewing. *ABC* reports that "Disney's One Saturday Morning" -- a new two-hour program including three long-form educational elements, "Doug," "Recess" and "Pepper Ann," and short-form educational elements such as "Great Minds Think for Themselves" -- was a hit in the 1997-1998 season, consistently ranking as the number one program for kids aged two to eleven among broadcast networks.³⁹ *ABC* also indicates that the program increased viewership 44 percent from the same time period in the 1996-97 season. *ABC* also reports that other *ABC* educational and informational programs have shown notable improvement this season as well. *ABC* states that "Disney's 101 Dalmatians" increased viewing 40 percent from the same time period the previous season, and the 1997-1998 ratings for "Winnie the Pooh" were 24 percent above the ratings for the same program in the same time period the year before.

56. *NBC* states that the continued high quality of their *TNBC* shows, supported by their broadcast and non-broadcast promotional efforts, has created a significant and growing loyal teen audience for these programs, and the shows' ratings have never been higher. *NBC* concludes that these educational shows have sustained viewership levels among its target teen audience that exceed the teen viewership level of any other individual show designed for this audience on Saturday morning - on cable networks as well as on broadcast stations.

Extent to which the promotion and notification efforts of O&Os are reflective of affiliates.

57. The networks state that the experience of their O&Os in promoting their programs and notifying program guides is generally reflective of the experience of their affiliated stations.

³⁸ See letter dated July 17, 1998 to Roy J. Stewart from Sam Antar, *ABC*; and, letter dated July 20, 1998 to Roy J. Stewart from Diane Zipursky, *NBC*.

³⁹ *ABC* states that season to date, "Disney's One Saturday Morning" generated an average 4.3 rating/19 share among children two to eleven, compared to Fox's average 3.6 rating/16 share and WB's 2.3 rating/10 share during the same time period.

IV. Conclusion

58. In general, it appears that the three networks have made many efforts to comply with the scheduling and promotional guidelines for children's educational and informational programming set forth in the July 11, 1997 letter rulings. Overall preemption rates are acceptable. For the network O&Os, over 90 percent of network children's core program episodes were not preempted. The network O&Os have generally rescheduled preempted shows in a consistent pattern, either to a fixed "second home" or adjacent to other core children's programming. Most stations have also notified viewers of these schedule changes and there has not been an adverse impact on these program's viewing levels as a result of rescheduling. While each of the networks promoted the children's core programming during primetime, some aired a very low number of primetime promotions.

59. The Bureau believes that the network O&Os have sustained a reasonably consistent schedule of core programming. Overall, the number of preemptions indicated is consistent with the proposed preemptions the Bureau conditionally approved last year. Since, based on the data before us, the stations' children's educational and informational programming effort has, overall, not been unduly affected by the limited preemption flexibility granted them for the 1997-1998 television season, and to enable the Commission and licensees to gain additional experience with these issues, we have informed the networks that we will continue to allow the same flexibility for the 1998-1999 television season.

60. Finally, as a result of the experience we have gained in this year's review, we have decided that other interested stakeholders should be given the opportunity to comment on any future requests for extension of the limited preemption flexibility we have granted. Moreover, we believe the public interest would best be served by developing a complete, comprehensive record on which the Bureau may base future decisions to grant any preemption flexibility extension requests. Accordingly, we have informed the networks that if any of them decides that they would like the Bureau to extend the limited preemption flexibility recently granted, we seek their cooperation in submitting their extension requests early in the summer of 1999 (preferably June) to allow sufficient time for public notice and comment to be completed prior to the beginning of the 1999-2000 television season. In response to any extension requests, we have also indicated to the networks that we would seek their continued assistance in providing information concerning their preemption, promotion and rescheduling practices during the 1998-1999 television season.

APPENDIX

61. The core hours and preemption rates depicted in Charts 1-6 are based on all core programs aired by the three network O&Os as reported in their Form 398 submissions for the fourth quarter, 1997, the first quarter, 1998 and the second quarter, 1998. The *ABC* filings include 10 O&Os in DMAs ranging in size from 1 to 66. The *CBS* filings include 14 O&Os in DMAs ranging in size from 1 to 70. The *NBC* filings include 13 O&Os in DMAs ranging in size from 1 to 51. Each of the three networks has nearly 200 affiliates in the 212 Nielsen DMAs. Some charts also include information for affiliates and other stations which are taken from the fourth quarter Form 398 submissions only. Some adjustments were made to standardize the responses. (No adjustments were made to either the number of preemptions or the number of core hours reported by licensees.) Station core hours and preemptions have not been examined by the staff for their compliance with the processing guidelines described in the *Children's Television Report and Order*.

62. Chart 1 shows the average number of core educational hours per week reported by *ABC*, *CBS*, and *NBC* O&Os from October, 1997 to June, 1998. The national average for all stations in the fourth quarter of 1997 was four hours per week. The *ABC* O&Os reported an average of over four core hours per week (4.4 hours/week) of children's educational programming. *NBC* O&Os reported just over three hours (3.1 hours/week) on average. The *CBS* O&Os reported three hours of core programming per week.

63. Chart 2 shows how the preemption rates reported by *ABC*, *CBS* and *NBC* affiliates compared to the newer networks and independents. This chart is based on data for the fourth quarter, 1997 only. To calculate preemption rates, all programs for each network affiliate were tabulated in minutes and totalled, for each network separately. All preempted episodes were similarly tabulated in minutes. The preemption rate is the preemption minutes of all core programs shown on each network's affiliates during the quarter divided by the total amount of core program minutes for the network's affiliates. The average preemption rate for all stations in the database is 4.4 percent. All three of the largest networks exceeded that average. *UPN*, *WB* and *Fox* affiliates all preempted fewer than one percent of their core programming. *UPN* and *WB* do not currently provide coverage of nationwide sporting events to their affiliates and *Fox* scheduled most of their educational programming during the weekday afternoons. These factors led to a below average preemption rate for the emerging networks. *Univision*, *PaxTV*, *HSN* and *Trinity* were summarized as other networks and preempted approximately seven percent of their core programming. Independents were stations that did not identify themselves as being affiliated with any network.

64. Chart 3 presents network O&O reported preemption rates. This chart is based on data from all three quarters. *NBC* O&Os preempted the most hours of any network with a preemption rate of just over ten percent. *CBS* O&Os had the lowest preemption rate of the three networks at four percent. Charts 3a-c present preemption rates for each of the three quarters to illustrate that seasonal sports events affect the network O&Os at different times of

the year. *ABC* had a higher than average preemption rate (14.7 percent) in the fourth quarter, 1997, but the *ABC* O&Os did not preempt many programs in the following two quarters. *CBS* O&O preemptions were highest in the first quarter, 1998, (8.0 percent). *NBC* O&Os had a higher than average preemption rate for each of the last two quarters (9.1 percent and 15.4 percent).

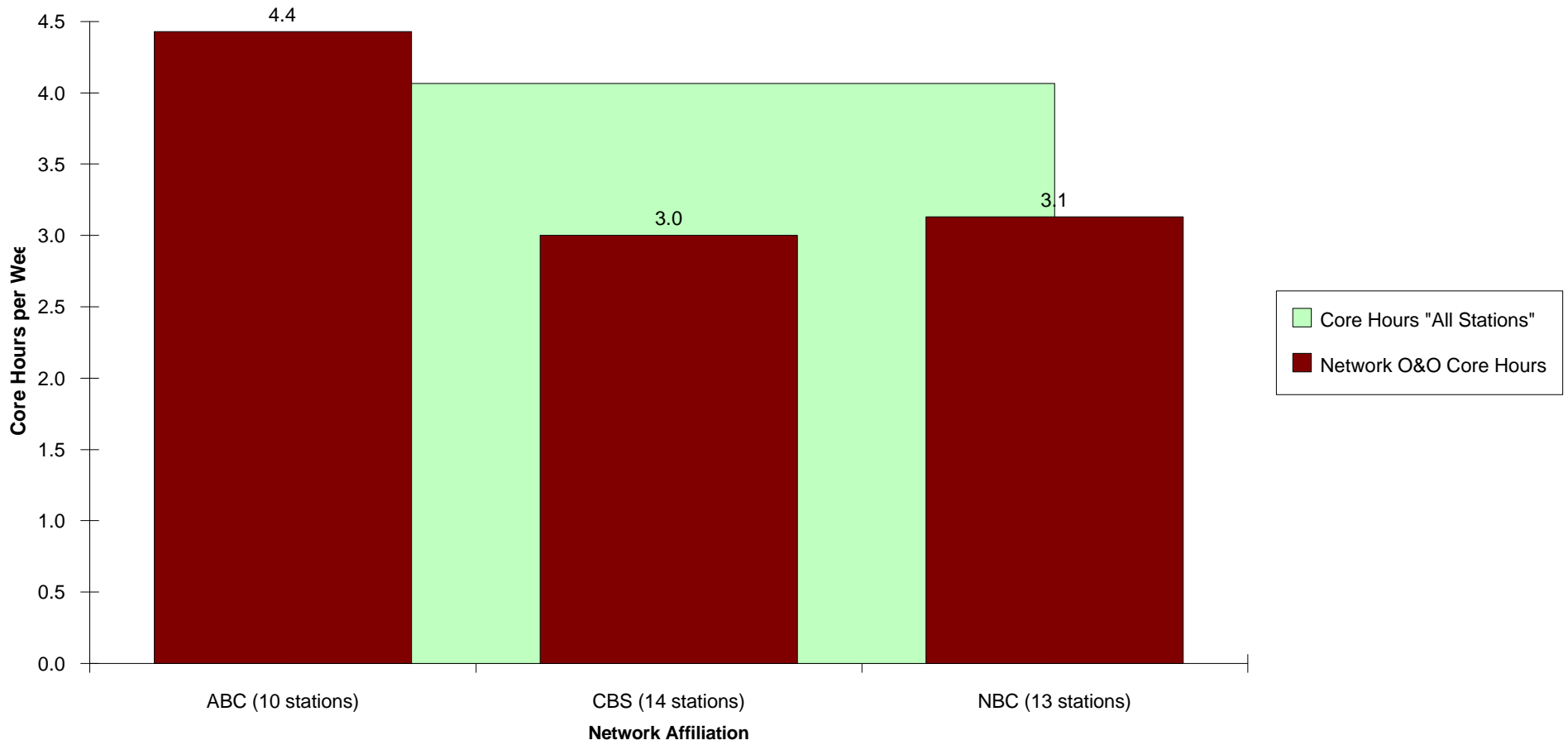
65. Chart 4 shows how the network preemption rates vary by time zone. This chart illustrates the impact of national sporting events across time zones. The data in this chart are based on O&O submissions for the three quarters ending June, 1998. Due to the changes in local time across the country, a live event that occurs at 1:00 PM in the Eastern Time Zone will occur at 10:00 AM in the Pacific Time Zone. Since most children's programs are scheduled on Saturday morning (for the three largest networks), the impact of live sports will generally affect Saturday morning programs the most in the Pacific Time Zone. Charts 4 a-d show how O&Os in different time zones have different preemption patterns for the same sports events. This was particularly true for *ABC* O&Os. *ABC* O&Os preempted 38 percent of their core programs on the West Coast (about 5 preemptions per program series) in the fourth quarter. This was the highest preemption rate for any network in any time zone. The *CBS* O&Os preempted nearly 20 percent of all program episodes in the Pacific Time Zone in the first quarter 1998. For all three quarters, *ABC* O&Os preempted 15 percent of West Coast programs and *NBC* O&Os preempted 14 percent of West Coast programs. *ABC* Sports broadcasts college football games on Saturdays in the Fall. College football broadcasts have been identified as the reason for most of the *ABC* O&O's preemptions. *ABC* does not have such extensive commitments for Saturday morning sports during other seasons. *NBC* Sports broadcasts the NBA playoff games, Notre Dame football and the Wimbledon tennis tournament. *CBS* Sports broadcasts college football, NCAA basketball and the U.S. Open tennis tournament but *CBS* O&Os have generally had fewer sports-related preemptions throughout this past television season.

66. Chart 5 shows network preemptions by time of day. The data in this chart are based on O&O Form 398 submissions for all three quarters. Early morning preemptions (preemptions of programs aired before 9:00 AM) generally only occurred in the Pacific Time Zone. Programs scheduled to air between 12 noon and 1:30 PM were preempted the most often (over 15 percent of the time). Programs aired between 9:00 AM and 11:00 AM are preempted approximately 10 percent of the time.

67. Chart 6 shows the preemption rates and season-to-date average national audience ratings of various core programs. This chart uses O&O Form 398 submissions for the past three quarters and cumulative national ratings data for children's programs as measured by Nielsen Media Research. "Science Court" and "Winnie the Pooh" are *ABC* programs that were generally scheduled near the end of their four hours of core programming. These programs were generally preempted at least once by *ABC* O&Os. The other *ABC* programs were generally only preempted in the Pacific Time Zone. *NBC* O&Os generally air their "teen block" of core programs later in the day than the other networks' core programming. "NBA: Inside Stuff", "Saved by the Bell II" and "Hang Time II" are often

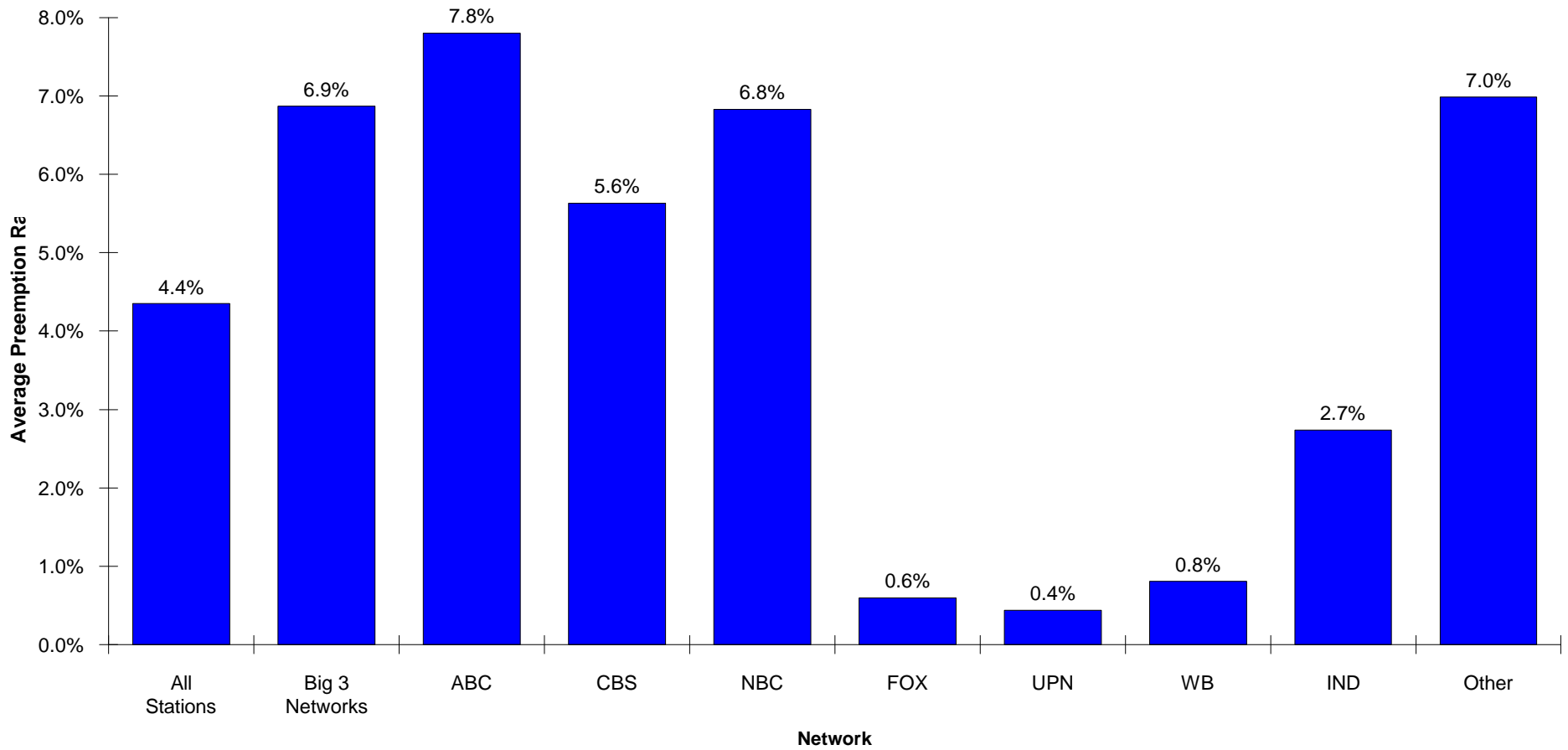
aired in the late morning or afternoon. Charts 6a-6c present the preemption rate for individual core program series on O&Os by quarter of the year, again, illustrating the effects of seasonal sports broadcast on the different networks. Most of *ABC's* preemptions occurred in the fourth quarter, 1997 due to NCAA football games. Most of *CBS's* preemptions occurred in the first quarter, 1998 primarily due to NCAA basketball games. Most of *NBC's* preemptions occurred in the second quarter, 1998 primarily due to NBA play-off games.

Chart 1
Children's Educational Core Hours Reported by Network Owned Stations
(3 Qtrs - October '97 - June '98)



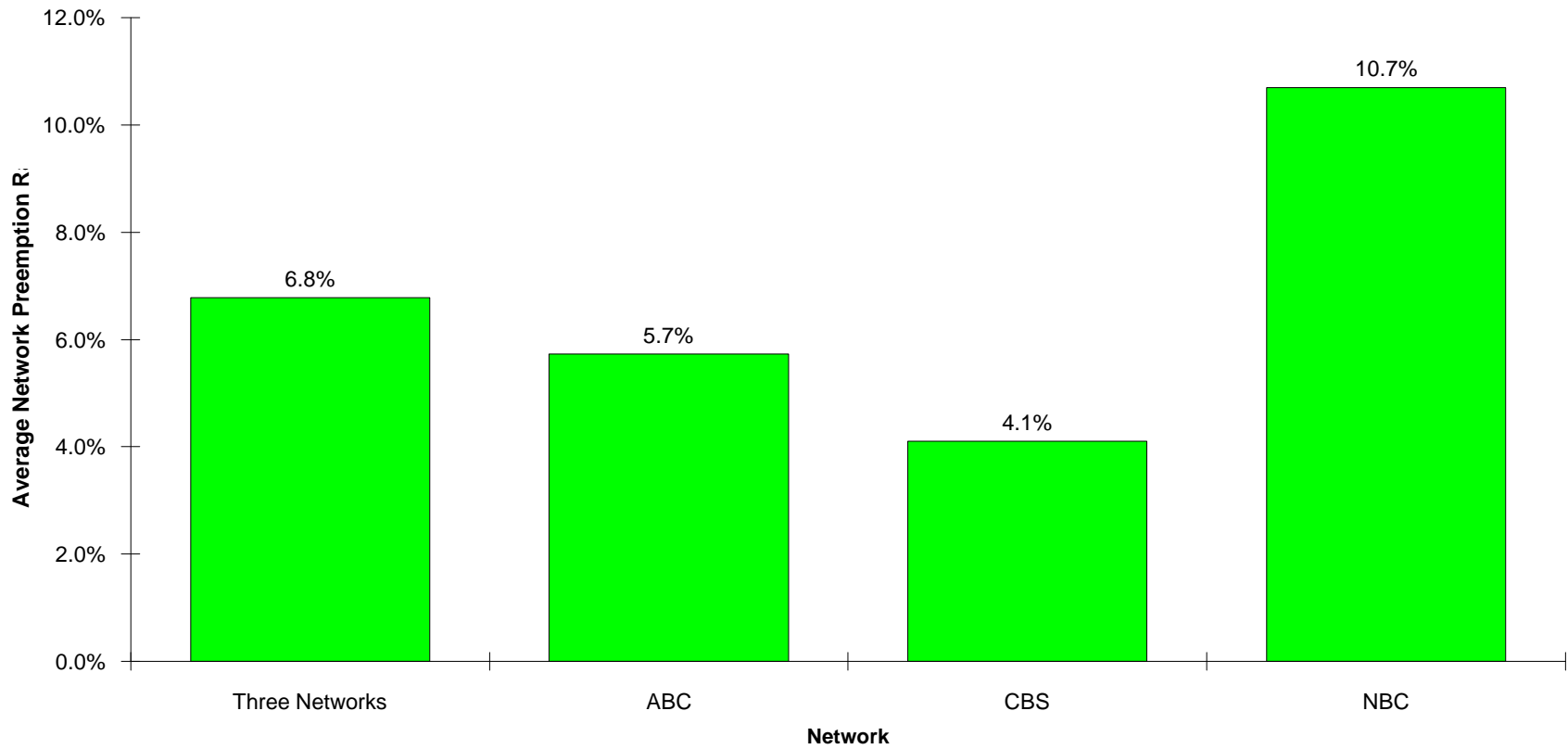
Note: "All stations" average from 4th Quarter '97 only; Owned and Operated station averages from 4th Quarter '97 and 1st and 2nd Quarters '98. Data from Form 398 filings. Some adjustments were made for tabulation purposes.

Chart 2
Nationwide Preemption Rate - All Stations
(Fourth Quarter '97 - October-December '97)



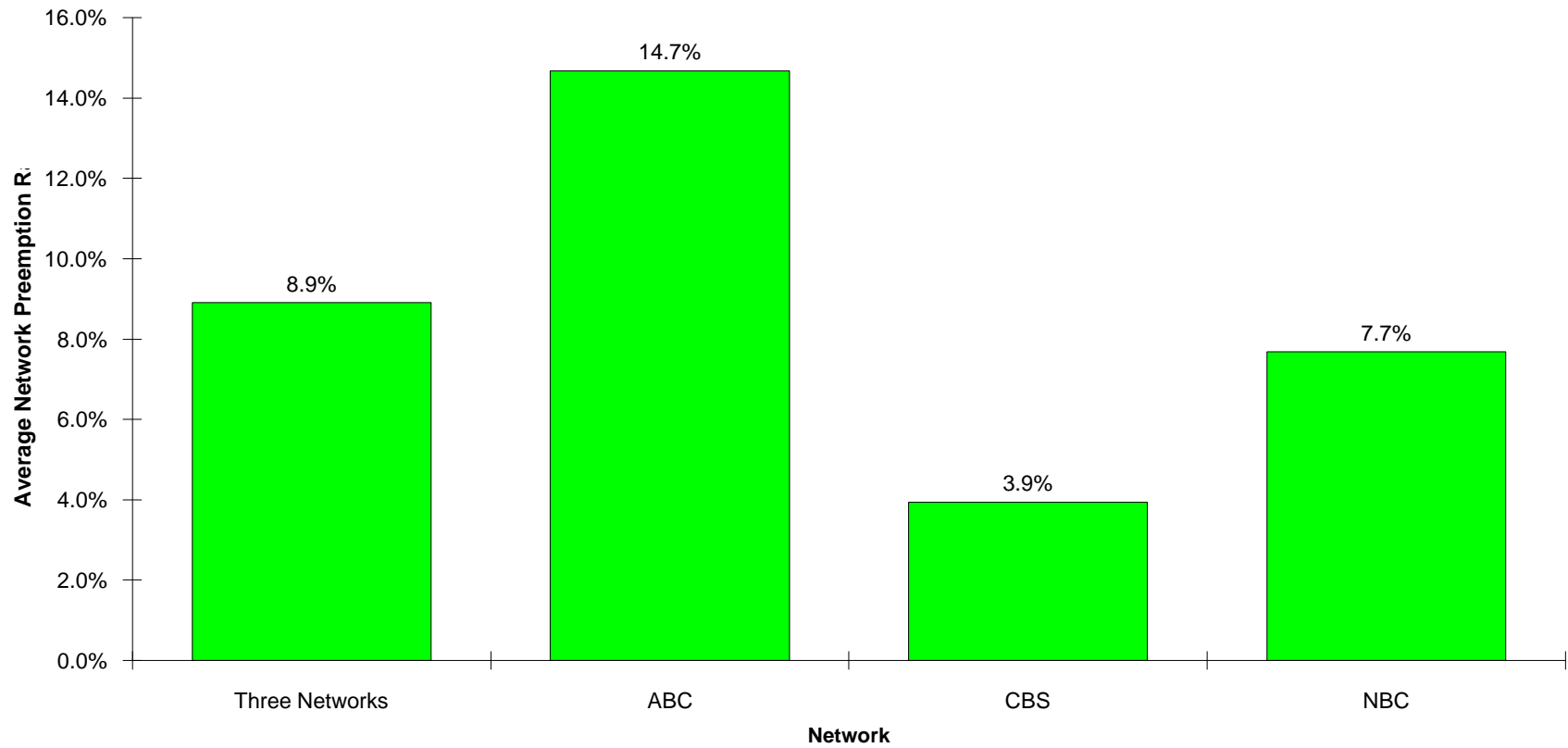
Note: All information from fourth quarter '97 Form 398 submissions. Network averages from all affiliates of each network. Some adjustments were made. "Other" category includes PaxNet, Univision, HSN and Trinity Broadcast Networks.

Chart 3
Nationwide Preemption Rate - ABC, CBS and NBC (Owned Stations)
(3 Qtrs - October '97-June '98)



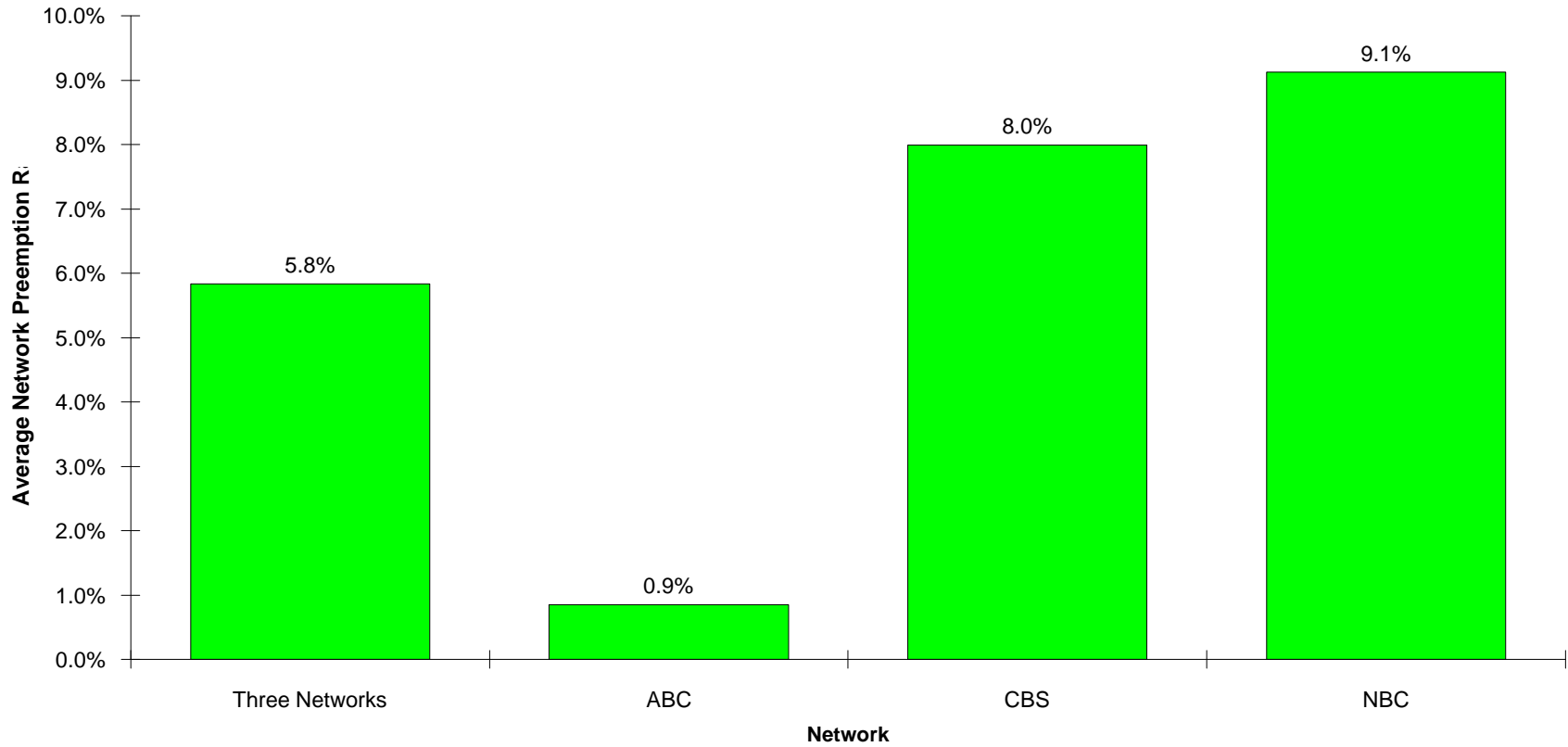
Note: All information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 3a
Nationwide Preemption Rate - ABC, CBS and NBC (Owned Stations)
(4th Qtr - October-December '97)



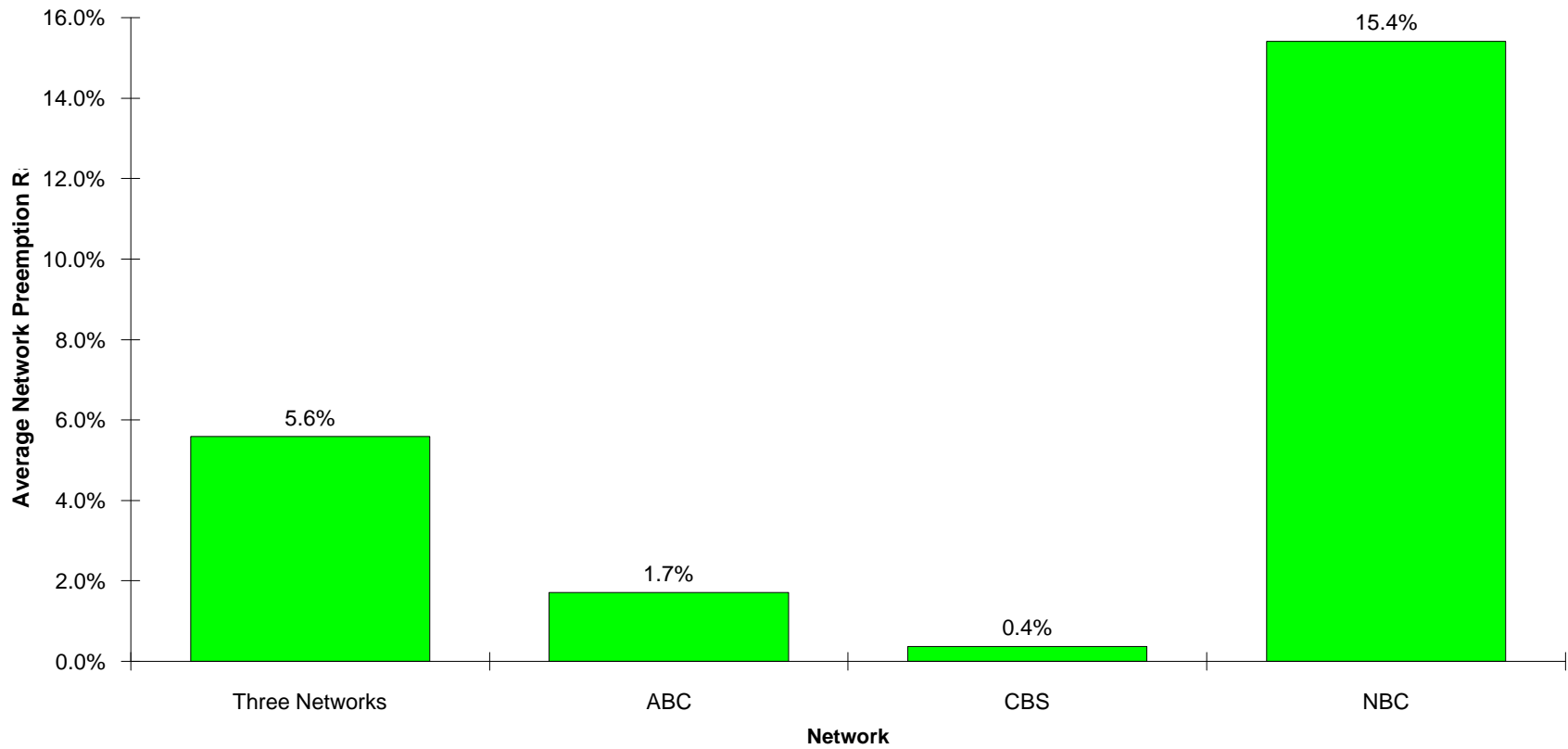
Note: All information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 3b
Nationwide Preemption Rate - ABC, CBS and NBC (Owned Stations)
(1st Qtr - January-March '98)



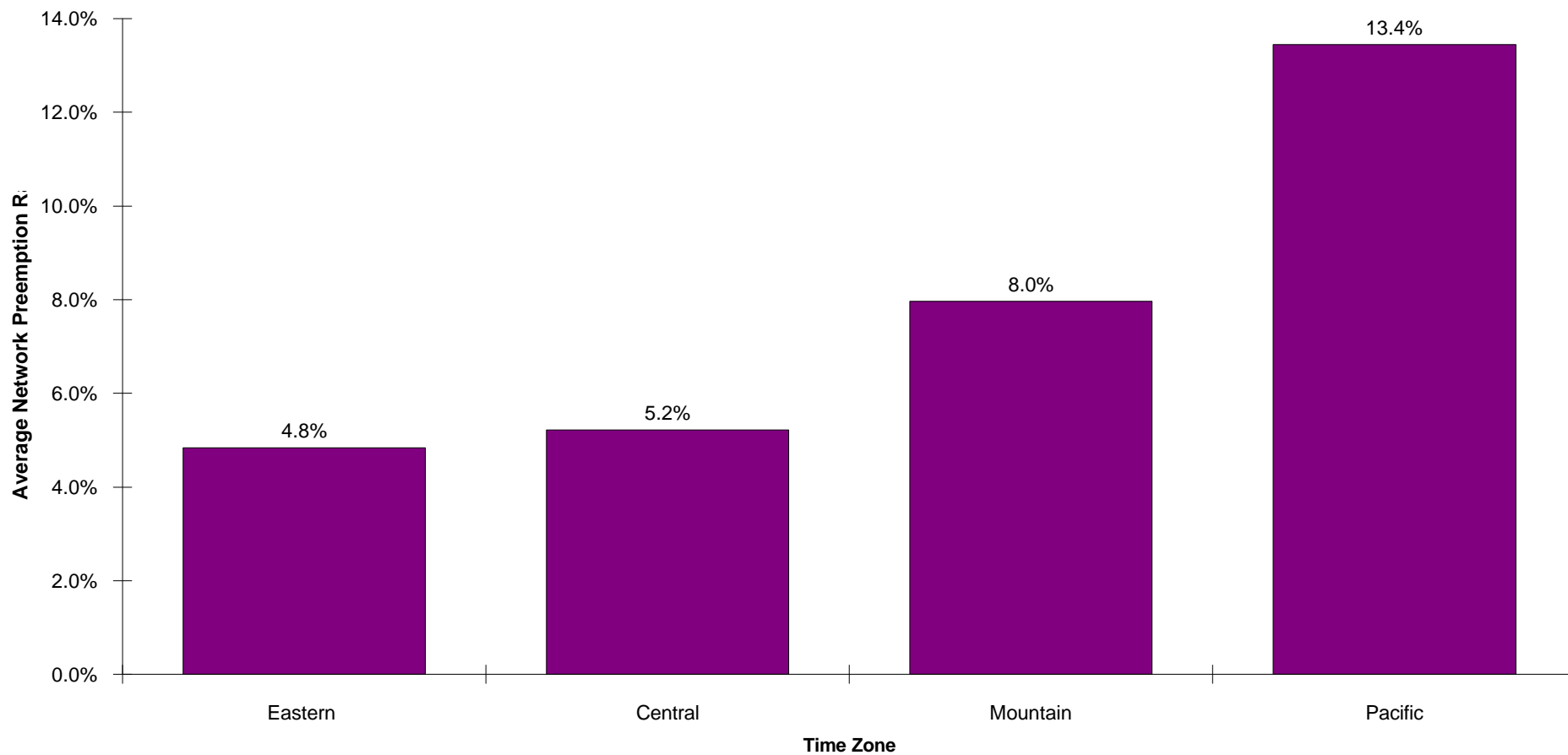
Note: All information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 3c
Nationwide Preemption Rate - ABC, CBS and NBC (Owned Stations)
(2nd Qtr - April-June '98)



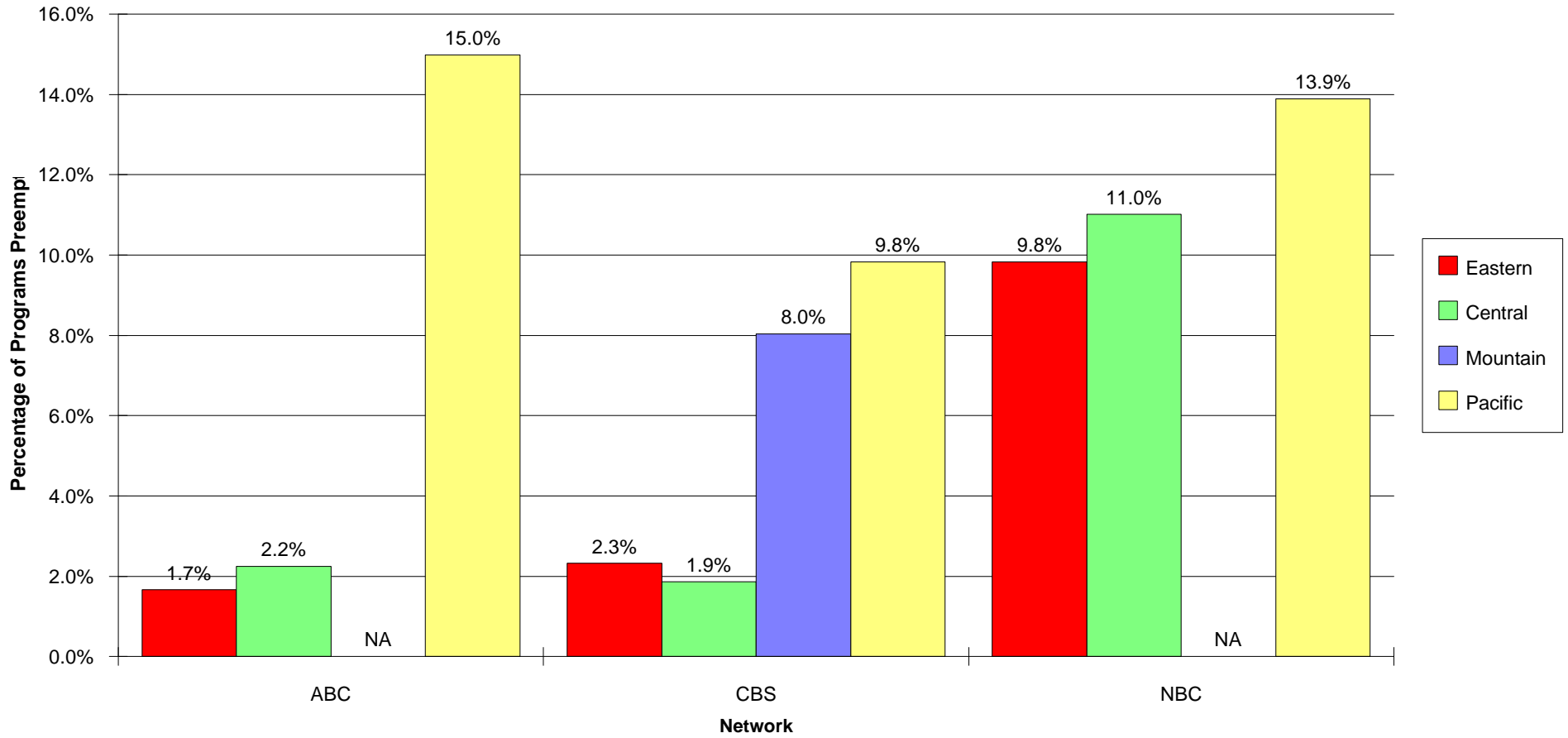
Note: All information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 4
Average Network O and O Preemptions by Time Zone
(3 Qtrs - October '97-June '98)



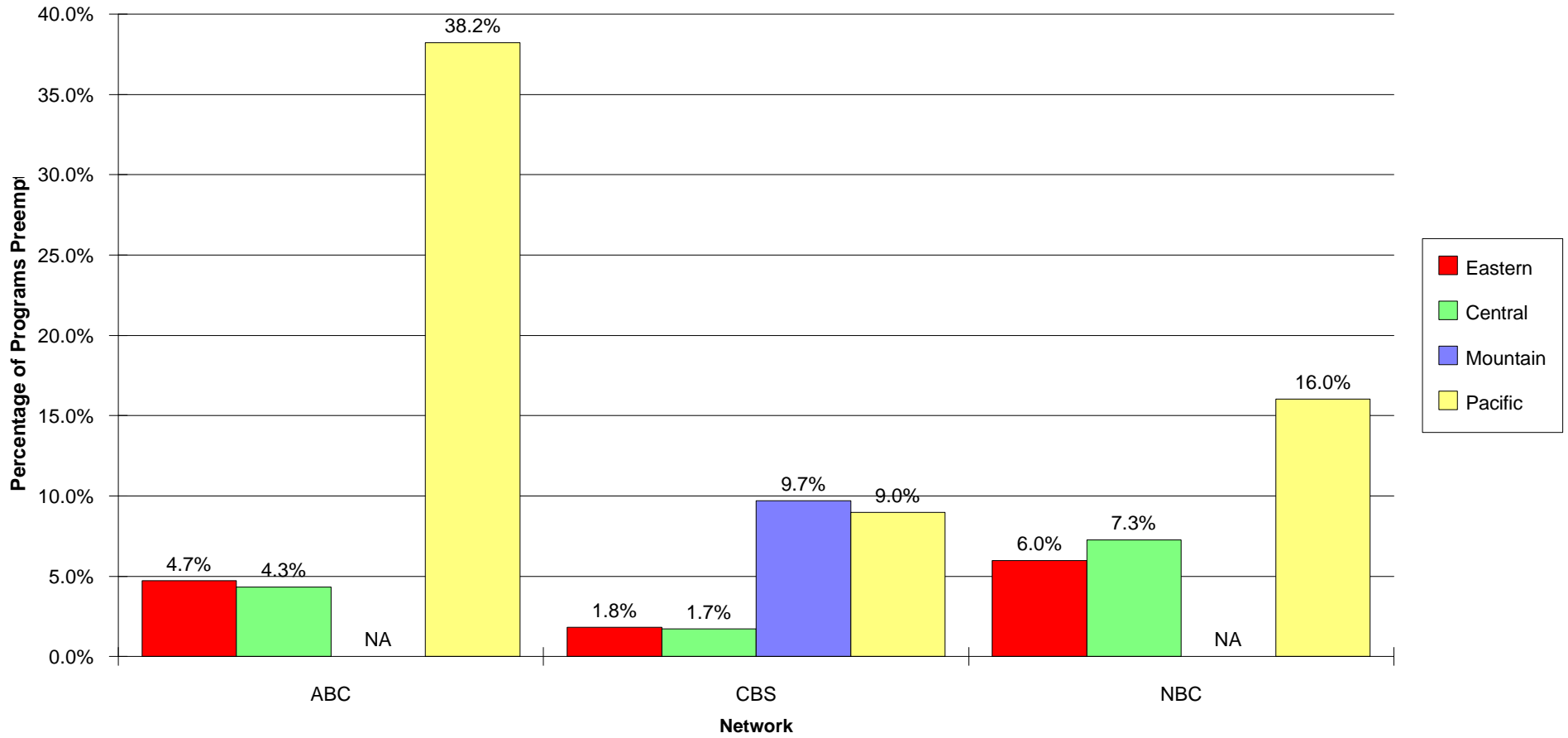
Note: Figures represent average preemption rate for all core programs shown in each time zone by network-owned stations in the past 3 quarters. All information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 4a
Network O and O's Average Preemptions by Time Zone
 (3 Qtrs - October '97-June '98)



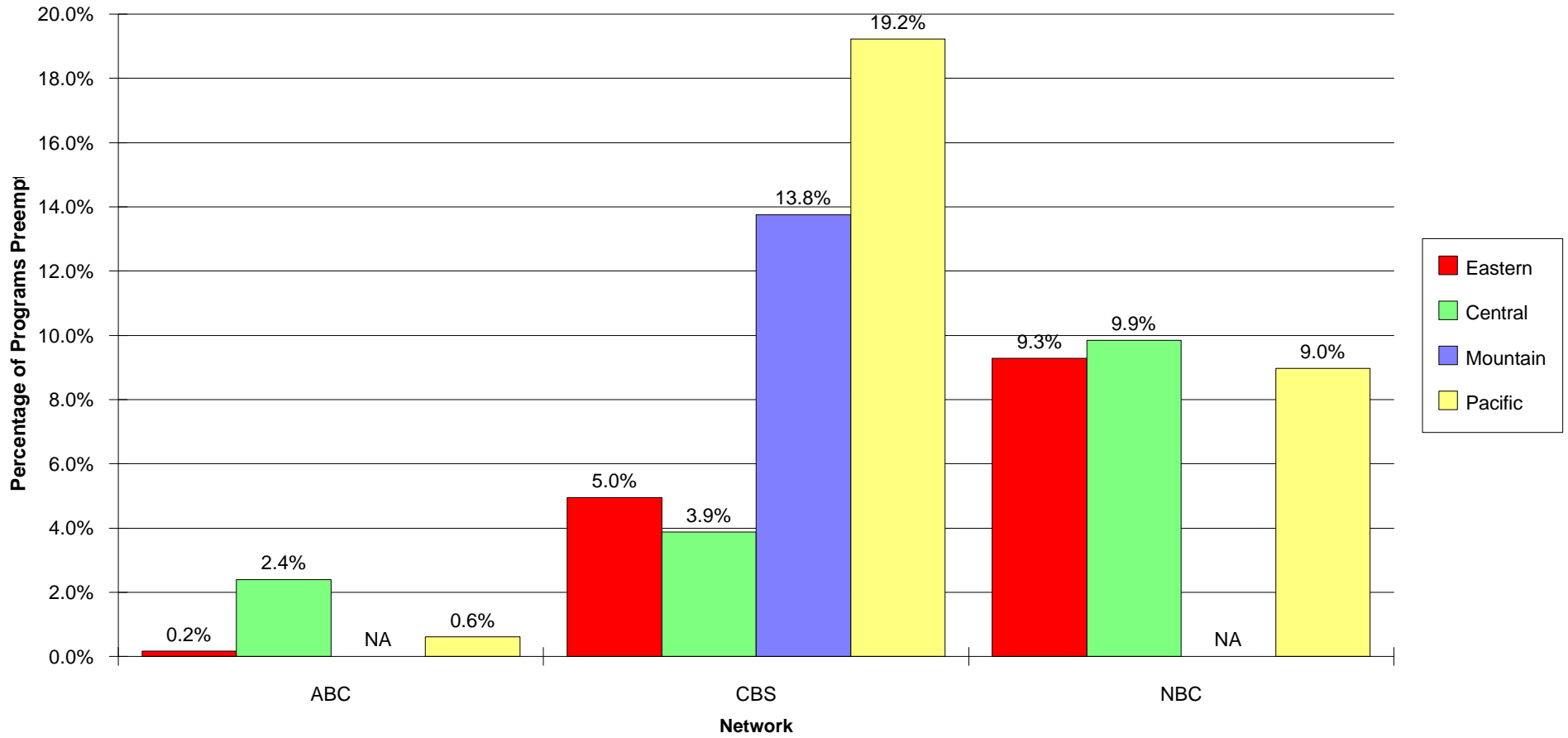
Note: ABC and NBC do not own any stations in the Mountain Time Zone.
 Information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 4b
Network O and O's Average Preemptions by Time Zone
 (4th Qtr - October-December '97)



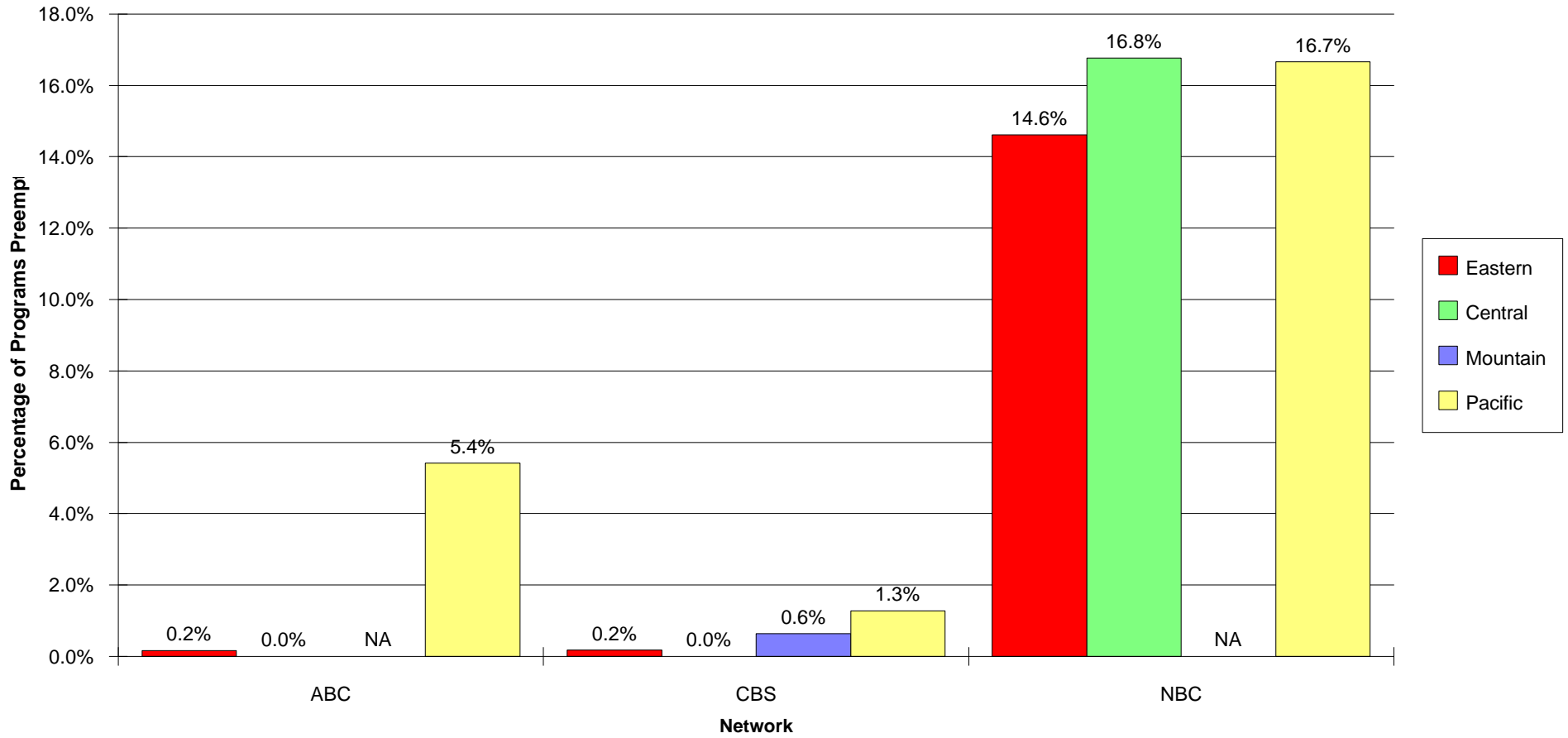
Note: ABC and NBC do not own any stations in the Mountain Time Zone.
 Information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 4c
Network O and O's Average Preemptions by Time Zone
 (1st Qtr - January-March '98)



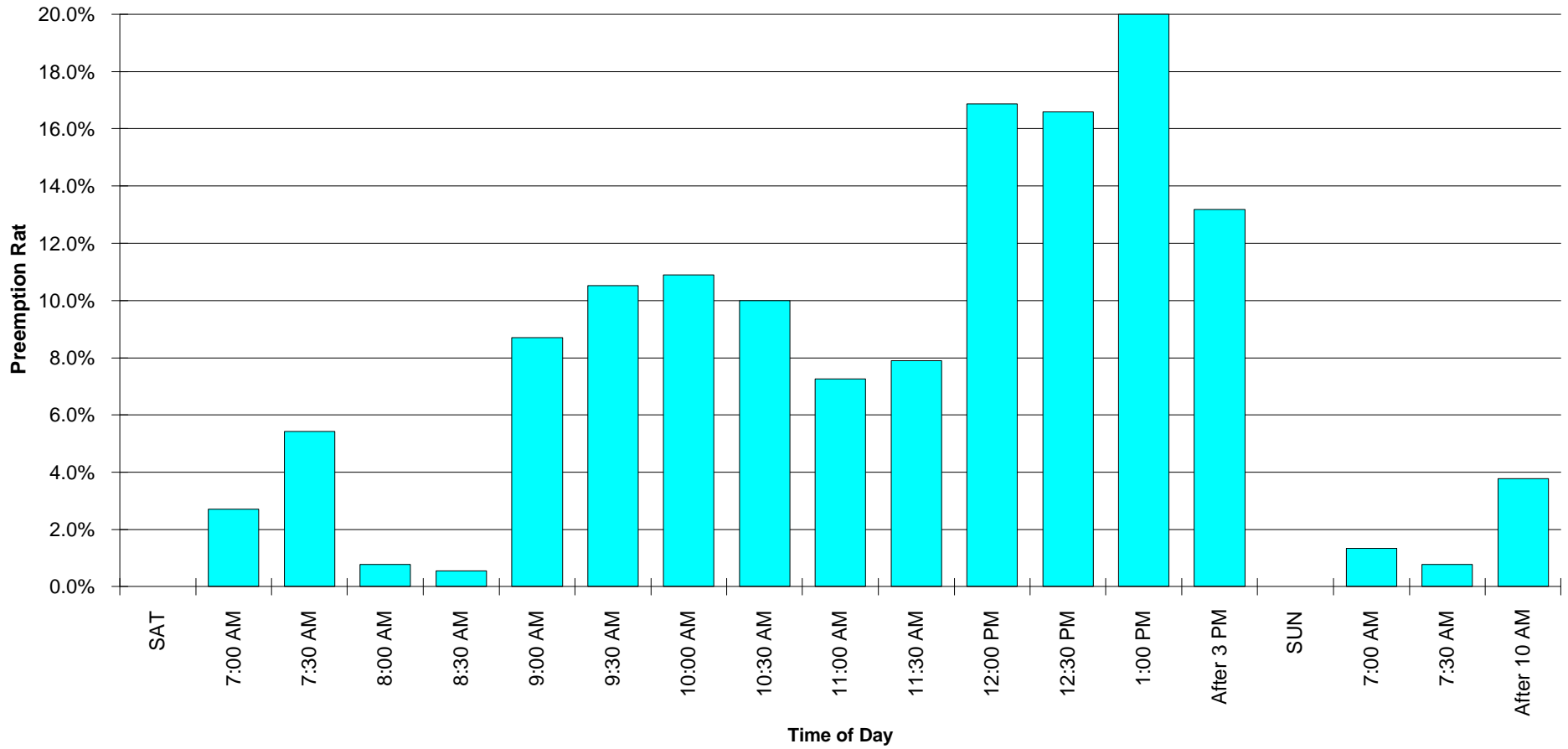
Note: ABC and NBC do not own any stations in the Mountain Time Zone.
 Information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 4d
Network O and O's Average Preemptions by Time Zone
 (2nd Qtr - April-June '98)



Note: ABC and NBC do not own any stations in the Mountain Time Zone.
 Information from Form 398 submissions. Some adjustments were made for tabulation purposes.

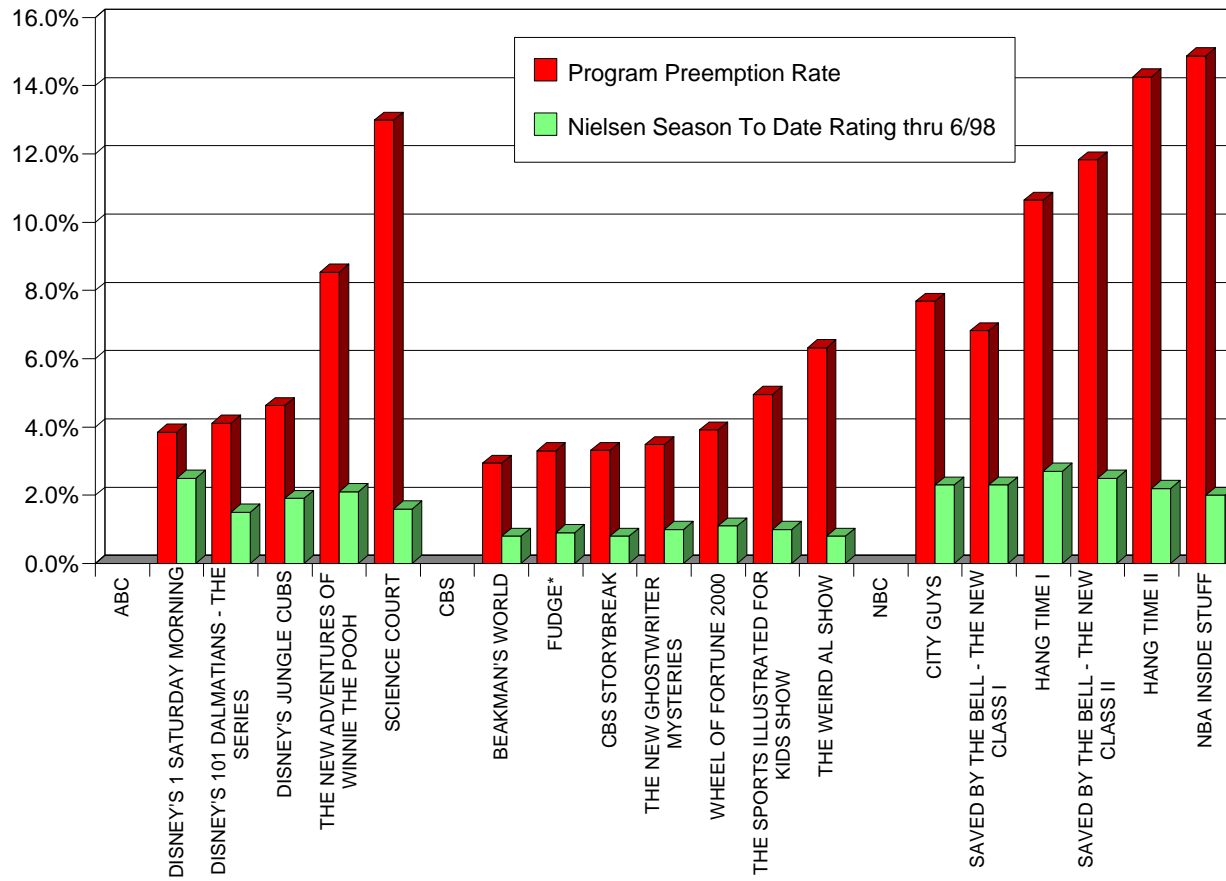
Chart 5
Network O and O's Average Preemption Rate by Time of Day
 (3 Qtrs - October '97-June '98)



Note: Local Time.

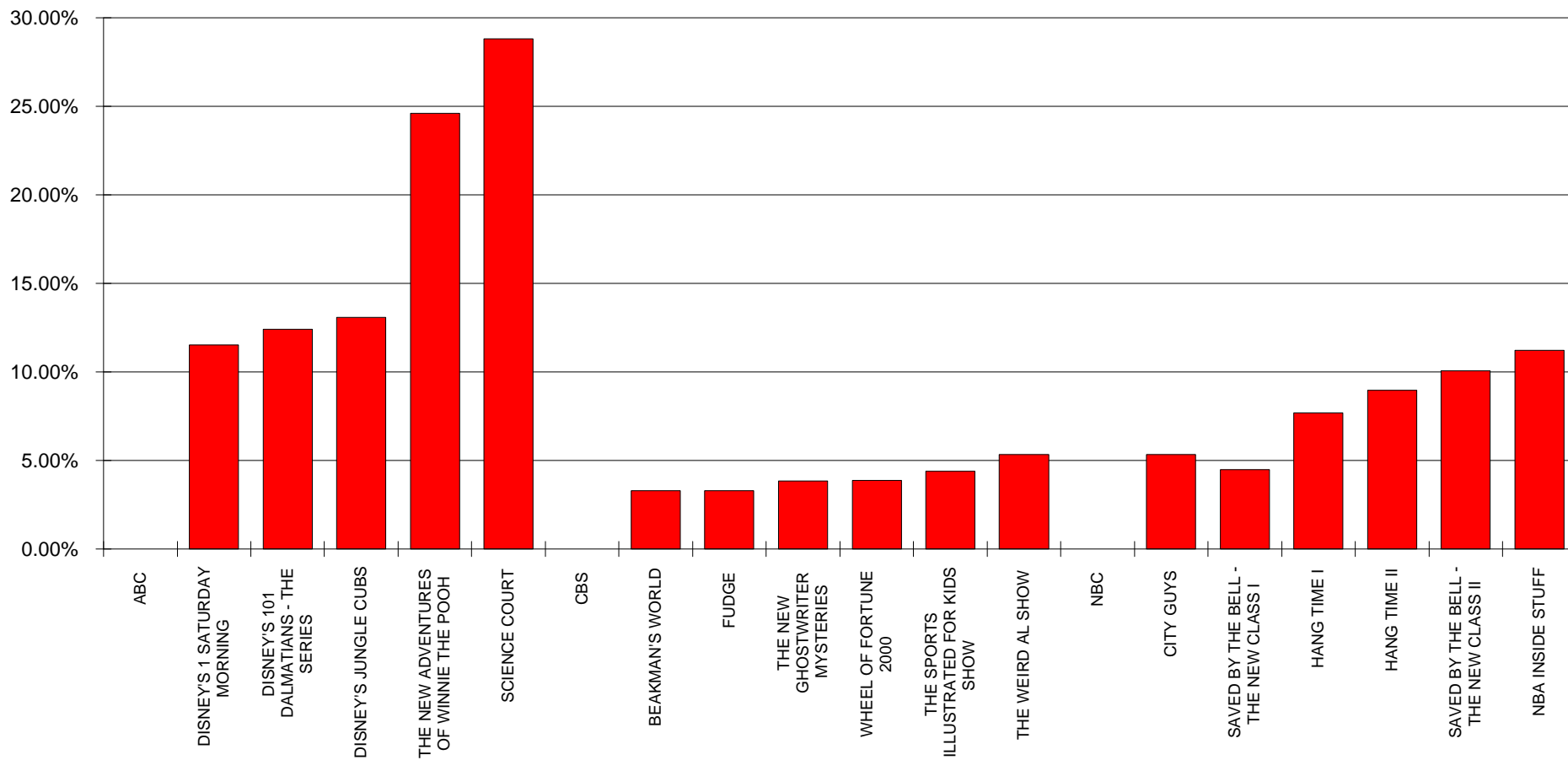
All information from Form 398 submissions. Some adjustments were made for tabulation purposes.

Chart 6
Preemption Rate and National Rating of Network O and O Core Programs
 (3 Qtrs - October '97-March '98)



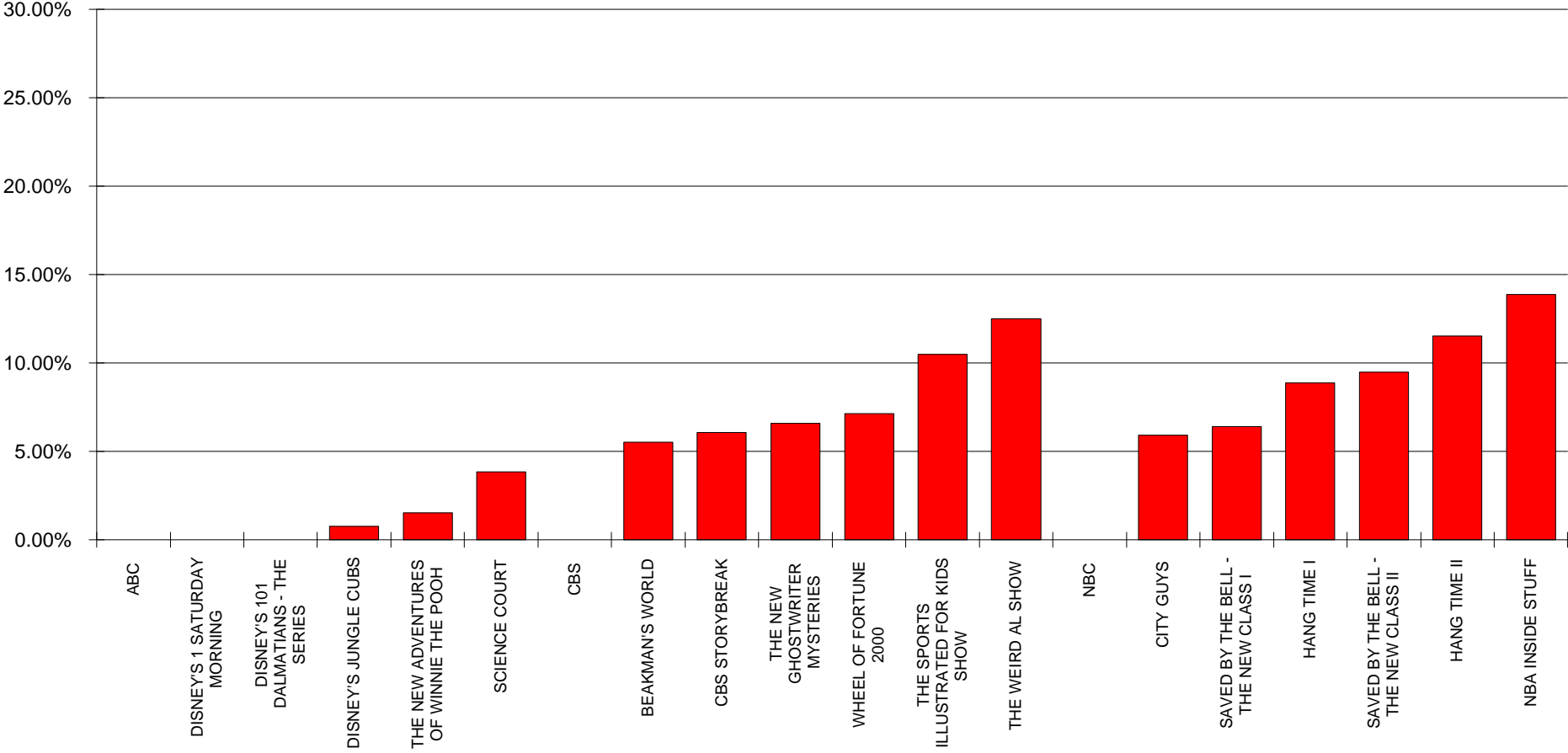
Note: Information from Form 398. Some adjustments made for tabulation purposes.
 All programs are 30 min. in length except for Disney's 1 Saturday Morning which is 2 hrs. CBS Storybreak replaced Fudge in 1998.

Chart 6a
Preemption Rate of Network O and O Core Programs
 (4th Qtr - October-December '97)



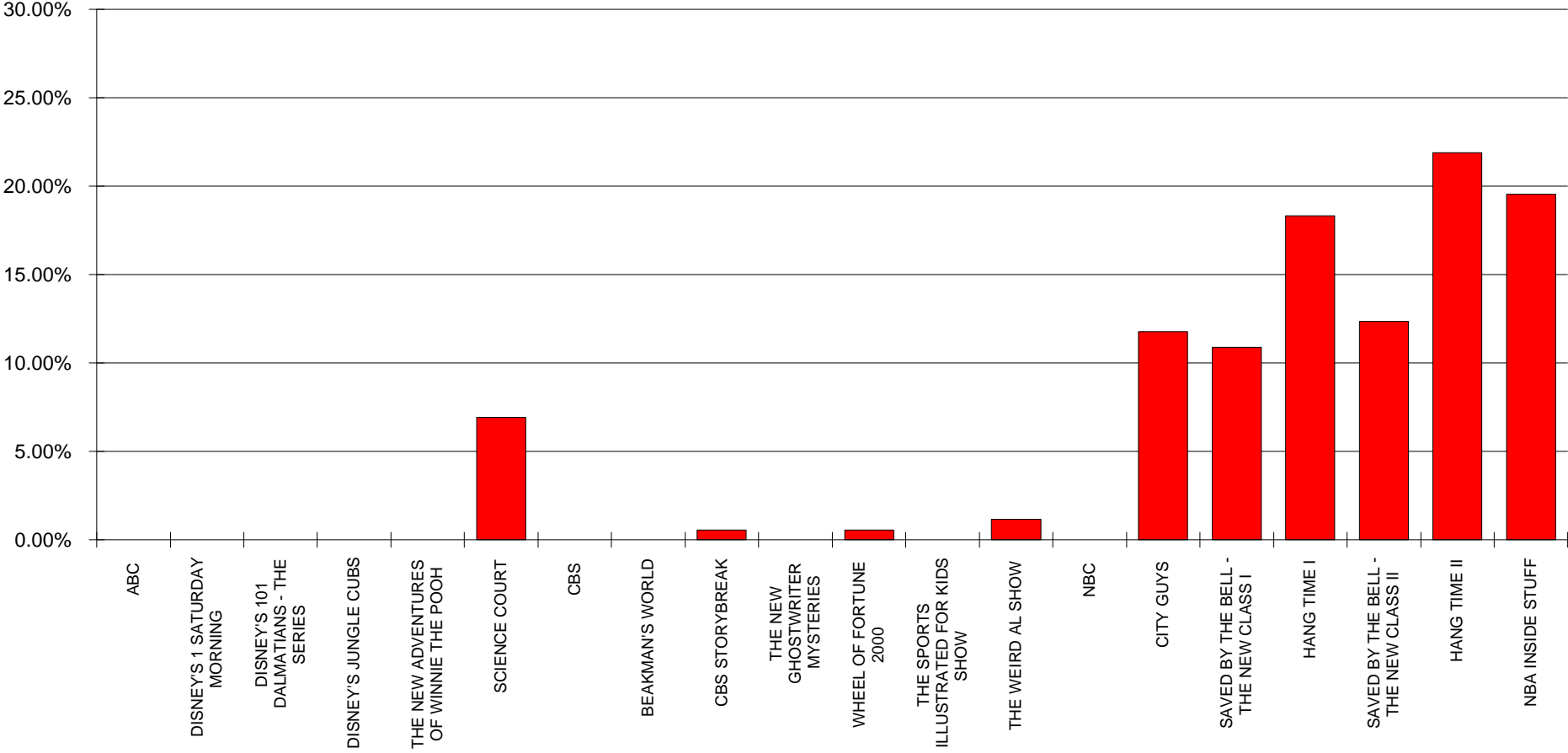
Note: Information from Form 398. Some Adjustments made for tabulation purposes.
 All programs are 30 min. in length except for Disney's Saturday Morning which is 2 hrs.

Chart 6b
Preemption Rate of Network O and O Core Programs
 (1st Qtr - January-March '98)



Note: Information from Form 398. Some Adjustments made for tabulation purposes.
 All programs are 30 min. in length except for Disney's 1 Saturday Morning which is 2 hrs.

Chart 6c
Preemption Rate of Network O and O Core Programs
 (2nd Qtr - April-June '98)



Note: Information from Form 398. Some Adjustments made for tabulation purposes.
 All programs are 30 min. in length except for Disney's 1 Saturday Morning which is 2 hrs.