

Testimony of Stephen Cannell, Member, Caucus of Television

Producers, Writers & Directors

October 3, 2006

Thank you very much, Commissioner Martin and Commissioners, for hearing us today. I want to start my story and tell you about a kid who was 30 years old at Universal Television who came up with a wild idea for a television show called "The Rockford Files." And it was about a guy who was sort of an iconoclastic character. He was very different from any private eye that was on television at the time. The character that quit every time he was threatened, if you pulled a gun on him he'd give you the keys to his car. And it was a very different and unique idea. And I had a mentor at Universal, Roy Huggins, and we sold this to ABC, and I wrote the script. And when I turned it in, it was abject hatred. They read the script, they hated everything about it. They said, well, you can't have a hero who's quitting every time he's threatened or runs credit checks on the beautiful client, you know, the audience will hate this guy. And they refused to make it.

But Universal was my partner in this project. They didn't own a network. They had similar interests to my own. So they said, you know what? Let's see if we can set

this up somewhere else. So we got Jim Garner in the project, took it to NBC, and the rest is history. It was a five year Emmy-winning hit, which I've recently read was -- TV Guide picked as the best detective show ever on television. It never would have been made had I tried to sell it to ABC, because they would have literally forced me to change the content that made it special.

After the "Rockford Files," I created other shows at Universal Television where I was under contract, "Baretta," "Ba Ba Black Sheep." But after five years there, I was starting to get a little bit -- I felt that I was constrained by the studio environment, and I wanted to live an American dream. I wanted to go out and form my own studio, which was a pretty cocky idea. But I thought, you know what? I can do this, my father was an entrepreneur. It was something I desperately felt. I went out and I formed the Cannell Studios.

At the very beginning, it was a struggle. We didn't kind of know what we were doing, but we -- as we struggled along, we finally became, in a matter of about four or five years, the third largest supplier of television in Hollywood. I had 2,000 employees there. We had \$15 million a year in overhead. We were doing about \$150 million in

volume -- gross volume. It was a big business. And I couldn't believe that I had been able to accomplish this.

And along the way, I had another demonstration of this situation of trying to get a network to make a program that they didn't quite understand. What happened was that I was doing a show called "The Commish" for CBS, it was about a friend of mine who was a commissioner of a police department in Rye, New York -- a kind of a cherubic, overweight guy with a pixy attitude. Steve Kronish and I wrote this pilot. CBS loved the pilot. We started to cast it, and here's where the problem came in. They had a completely different concept about who The Commish should be. They wanted a handsome Italian leading man, maybe 20 years younger than Steve Kronish and I had conceived him, and it became a huge argument, such a big argument, in fact, that we missed the development season and did not get the pilot cast.

We argued about it well into the second season, and finally, in order to preserve my relationship with CBS, I suggested that we not make the show. Since I owned the copyright on this script, I was able to move The Commish to ABC and I put Michael Chickliss (ph) in it, who was my initial choice that CBS had turned down, and we had another five-year hit. Again, the ability to move the program was

what protected its content.

I went on during the period of time that I was producing shows -- I saw this Fin Sin thing happening. I went to Washington in 1990 and I testified before the FCC. And during my testimony there, I was quite concerned because I was facing network presidents who really had my fate in their hands. But I knew that if I didn't speak up, that the chances of my studio surviving were slim. I was assured by all the presidents of the networks that there was no way that independent producers would be shut out of this process, that in fact, they wanted producers to flourish, they wanted more independent producers. I was told not to worry; have no fear.

I went back to Hollywood in 1993. I believed the rules were abrogated, and I did a pilot for CBS in 1994. It was called "Traps." It starred George C. Scott. I wrote and produced this through my own company. It was a two-hour pilot. I picked up about \$200,000 or \$300,000 in deficit to produce what I felt was a very lush looking pilot. I screened it for CBS. They loved it in New York. They loved it in L.A. It tested very high with the ASI audiences, and I've been doing this since 1968. I knew this show was on the air.

What happened? The schedule starts to come out, and the trade papers, as they do, were trying to figure out what the new schedule is going to be, and we weren't on the first rumor schedule. While I've had that happen before, we weren't on the second rumor schedule. I finally asked CBS what was going to happen. They told me that if I would transfer the ownership to CBS, they would program the show -- that was my protection.

So anyway, I thank you gentlemen for being here. I hope that you will preserve this so that other young dreamers, such as myself, could have companies and survive.