

June 23, 1999

Mr. Roy J. Stewart
Chief, Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W., #2C-337
Washington, DC 20554

Dear Mr. Stewart:

I am writing to correct two minor errors in my June 17th letter concerning the preemption and rescheduling of ABC educational children's programming.

On page 1, paragraph 1, on the second line from the bottom, the word "provided" should read "provide."

Also, on page 4, paragraph 2, line 3, the phrase "Big Ten Football" should be corrected to read "Big East Football."

I apologize for any inconvenience.

Very truly yours,

Sam Antar

SA/akp

cc: Ms. Barbara Kreisman
Ms. Renee Licht

June 17, 1999

Hand Delivery

Mr. Roy J. Stewart
Chief, Mass Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W., #2C-337
Washington, DC 20554

Dear Mr. Stewart:

In your letter dated October 28, 1998, the Mass Media Bureau granted flexibility to the ABC Television Network to preempt and reschedule children's educational and informational programs during the 1998-1999 season for network coverage of news and live sports events without affecting the programs' "regularly scheduled" status. Your letter suggests that if the ABC Network wishes to seek an extension of that limited preemption flexibility for the 1999-2000 television season, ABC should submit the request in early summer 1999. We are making such a request herein on behalf of the ABC Television Network and its affiliated stations, and we are providing the Commission herein the same information it requested and we supplied last year concerning the preemption, promotion and rescheduling practices of the ABC-owned television stations.¹ We believe the information supplied below, like the record we provided in 1998 that was deemed worthy of commendation by the Mass Media Bureau, shows that ABC's owned and operated stations maintained a low average preemption rate and continued to provide consistent and effective program promotion and viewer preemption notification.²

¹ We are supplying herein information for the last quarter of 1998 and the first quarter of 1999. Last year we supplied information for the last quarter of 1997 and the first quarter of 1998.

² ABC owns ten television stations. Five -- WABC, New York; WPVI, Philadelphia; WTVD, Durham; WTVG, Toledo; and WJRT, Flint -- are in the Eastern time zone. Two -- WLS, Chicago, and KTRK, Houston -- are in the Central time zone. And three -- KABC, Los Angeles, KFSN, Fresno; and KGO, San Francisco -- are in the Pacific time zone.

A. Broadcast and Non-Broadcast Promotion of ABC's
Children's Educational and Informational Programming

ABC has aggressively promoted its three and one-half weekly hours of educational and informational programming during the 1998-99 television season.³ The promotion has been accomplished with on-air spots primarily in ABC prime time and during the Saturday morning children's program block, national cable and radio spots, and nationally-distributed print and home-video media.

During September 1998 through April 1999, the ABC Television Network ran 91 prime-time promotional spots for ABC educational and informational programs, from 10 seconds to 30 seconds long. All but 20 of those promotions ran during ABC's "TGIF" family-oriented programming on Friday nights. The balance ran during "The Wonderful World of Disney," made-for-TV movies oriented to family audiences, and prime-time programs with family audiences (such as "Home Improvement"). On average there were 2.7 prime-time promotional spots for ABC's educational programs each week from September 1998 through April 1999.

During the same September through April period, ABC ran 300 promotional spots, from 5 to 20 seconds long, for educational and informational programs during the Saturday morning children's block (an average of 8.8 spots per week). ABC also ran more than 130 voice-over mentions of educational and informational programming during the Saturday children's block (an average of 3.8 per week).

ABC's educational and informational programming was regularly promoted on national cable and radio. The Disney Channel and Toon Disney ran over 120 spots promoting "Disney's One Saturday Morning" between October 1998 and May 1999 (an average of 3.5 promotional spots on cable per week). Radio Disney ran a six-week flight of promotional spots for "One Saturday Morning" during January and February 1999.

ABC also aggressively promoted its 1998-99 children's educational and informational programs in print and home-video media. Over 600,000 copies of the September 1998 "Disney Adventure Magazine," released at the start of the fall television season, included a special insert promoting the programs, as well as features related to "Recess" and "Doug." "Disney Adventure" is distributed free at Disney theme parks and at Disney stores throughout the United States. Beginning in the fall of 1998, 400,000 "One Saturday Morning Fun Books" were distributed free at Walt Disney World, Disneyland and Disney Stores. Over 600,000 "One Saturday Morning" fliers were also distributed at Disney Stores. ABC's educational programs were also promoted in advertisements and features in the Winter 1999, March 1999, April 1999 and May 1999 issues of "Disney's Adventure" magazine; and in national magazines, including

³ During the 1998-99 season, ABC's regularly scheduled core educational and informational programs were "101 Dalmatians" (30 minutes), "Disney's One Saturday Morning" (two hours), "Winnie the Pooh" (30 minutes), and "Squigglelevision" (30 minutes).

“Nickelodeon,” “People,” “Sports Illustrated for Kids” and “TV Guide.” In addition, as part of the fall launch of the 1998-99 season, “Disney’s One Saturday Morning” was promoted with video promotions in over 16 million home videos (“The Little Mermaid” and “The Rescuers”), and on package inserts in 9 million video tapes of “Lion King II.”

B. Notification to Program Guides of Children’s Educational and Informational Programming Schedules and On-Air Preemption Announcements

Each week of the 1998-99 season the ABC Television Network 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). 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. When feasible, information about last-minute changes in the network schedule was sent to those publishers.

The ABC Television Network also put in place a regular and extensive system to supply all its affiliated stations, including its owned stations, advance program schedules including information on live sports preemptions and rescheduling. This information enabled ABC stations to regularly notify their local program guides. In addition, the ABC Television Network 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 the information provided by the ABC Television Network described above, the ABC owned stations regularly aired the required on-air announcements and sent information to program guides about preemptions and reschedulings in accordance with the Commission’s guidelines.⁴

C. Live Sports Preemptions of Children’s Educational and Informational Programs

The following section summarizes ABC owned station preemptions of network educational and informational programming during the fourth quarter of 1998 and first quarter of 1999. Because the stations’ scheduling of that programming varies by time zone, we present the information below by time zone for each quarter.

⁴ There were a few rare exceptions due to human error or oversight. Also, in at least one instance, a preemption/rescheduling announcement was itself preempted by breaking news.

1. Eastern Time Zone

(a) Fourth Quarter 1998

The network provided ABC's five owned Eastern time zone stations with 13 weekly episodes of three half-hour core programs and one two-hour core program, or a total of 91 half-hours of core programming for each station.⁵ None of this programming was preempted for live network sports.

There were, however, preemptions of network core programming for carriage of live local sports. WABC-TV preempted fourteen of its 91 half-hours (15.4% of that station's network core programming) for live coverage of Big East Football, all of which were rescheduled for earlier the same Saturday morning. In addition, WTVG preempted two half-hours (2.2% of its network core programming) for live coverage of the highly anticipated Ohio State University vs. University of Michigan football game (rescheduled in one case for another core time period the next morning and in the other case for a core time period the following Sunday morning). In sum, from a total of 455 (5 x 91) half-hours of core programming provided by the network to our East Coast stations, 16 half-hours were preempted for local sports (an average Eastern time zone station preemption rate for local sports of 3.5%). All of the programs preempted for live local sports were rescheduled for a core time period the same morning, the following morning, or – in the case of one preempted half-hour only – eight days later.

There were also three half-hour preemptions at WTVG to broadcast live news coverage of the 11th annual Foodtown Holiday Parade, a yearly Thanksgiving weekend parade in Toledo akin to New York's Macy's Parade that is regularly broadcast at the station to a significant audience. These preempted programs were rescheduled in a core time period the same day or the following day. In addition, at WJRT, the two-hour program "One Saturday Morning" was interrupted from 8:56 a.m. to 9:00 a.m. on one date to broadcast a live local news special report on the implosion of the Genesee County Jail. Finally, all five Eastern stations preempted their entire network educational children's line-up (7 half-hours at each station) on Saturday, December 19 for live ABC news coverage of the impeachment hearings, the Iraqi conflict and related matters. The preempted December 19 programs were not rescheduled.

⁵ In addition to the network core programs, each of ABC's owned stations broadcast between one and six additional half-hours a week of local and/or syndicated educational and information programs for children, some in regular "core" time periods. This report deals only with the network programs.

(b) First Quarter 1999

Again, each of our five Eastern zone stations received 13 weekly episodes of three and one half hours of core programming, or a total of 91 half-hours of core programming. The only preemption for sports was at WABC-TV, which preempted two of the 91 half-hours (2.2% of that station's network core programming) for live network sports.⁶ Taking the five stations together, of 455 half-hours (5 x 91) of network core programming, only two half-hours (well under 1%) were preempted. The episodes preempted by WABC were rescheduled for core time periods earlier the same Saturday morning. Also, due to a scheduling mix-up, WTVG also preempted one-half hour each of "Winnie the Pooh" and "Squigglevision" on one day, replaced them with two half-hour ABC Television Network "Doug" specials (which were themselves educational), and failed to reschedule the two preempted programs.⁷

2. Central Time Zone(a) Fourth Quarter 1998

The network provided ABC's two owned Central zone stations with 13 weekly episodes of three half-hour core programs and one two-hour core program, or a total of 91 half-hours of core programming for each station. Of these 91 half-hours, each station preempted 6 half-hours (6.6%) for live network college football coverage. Each station rescheduled all the preempted programs for a core time period earlier the same Saturday morning. In addition, each station preempted 7 half-hours on Saturday, December 19 for live ABC News coverage of the impeachment hearings, the Iraqi conflict and related coverage, and did not reschedule those programs.

⁶ Although all five East Coast stations generally carry the same live network sports programs, the effect on children's programming is not uniform. This is because WABC-TV runs the Saturday morning network children's schedule as fed by the network, while the other four ABC East Coast stations run the network children's programs on a seven-day delay in a different order than WABC; they air "Pooh" and "Squigglevision," which are fed at noon and 12:30, respectively, in an earlier Saturday morning time slot, in place of non-core programming.

⁷ Ordinarily, the ABC Television Network feeds "Pooh" and "Squigglevision" to our East Coast stations at noon and 12:30 p.m. Eastern time, respectively. To minimize the need to preempt network core programs for network sports programs, which begin at noon, WTVG ordinarily records these two programs when fed and airs them one week later in earlier time slots (10:30 and 11:00 a.m. Eastern time, respectively, in place of the non-core "Bugs 'n Tweety Hour"). However, on one date, during the 10:30-11:30 hour, while WTVG's Program Director was out of town, the network fed two educational children's specials -- special episodes of "Doug" -- in place of the "Bugs 'n Tweety Hour." The station employee handling program scheduling in the PD's absence erroneously assumed that due to this network change, the station should air the network "Doug" specials live rather than airing the pre-recorded "Pooh" and "Squigglevision" episodes originally slated for that hour. This caused WTVG to miss one episode each of "Pooh" and "Squigglevision."

(b) First Quarter 1999

The network again provided our two owned Central zone stations with 91 half-hours each of core programming. Each station preempted two of those 91 half-hours (2.2%) on January 2 for live network college football coverage and rescheduled the preempted episodes for earlier the same Saturday morning.

KTRK also preempted three half-hours of its network core programming for live coverage of the annual Houston Livestock Show and Rodeo Parade, which provides scholarships to children. Of those three half-hours, one was rescheduled for later in the children's program block time period that day, and two were rescheduled to non-core time periods six days later. Also, on January 2, WLS-TV interrupted its core programs a total of seven times for local breaking news cut-ins (ranging in duration from one minute to 13 minutes) dealing with the Chicago blizzard. The programs that were broadcast subject to such interruptions were not rescheduled.

3. Pacific Time Period

(a) Fourth Quarter 1998

The network provided ABC's three owned stations with 13 weekly episodes of three and one half hours of core programming, or a total of 91 half-hours of core programming for each station.

On three different dates, all of the network core programs were moved from their normal time slots due to live network sports programs (college football). On each of those weeks "Disney's One Saturday Morning" was shifted from its normal time slot of 7:30 to 9:30 a.m. to a makegood time slot of 7:00 to 9:00 a.m. We count each of those preemptions of "One Saturday Morning" as a preemption of only one half-hour of core programming (one and one-half hours ran within the program's normal two-hour block, from 7:30 to 9:00 a.m.). Thus, a total of 12 half-hours (13.2%) of network core programming was preempted for network sports at each of our Pacific zone stations, for a total of 36 half-hours at the three stations combined.

Of those 36 half-hours, 34 were rescheduled in core time periods within one week of the live sports preemptions. Two half-hours were not rescheduled in core time periods; on December 5, at both KABC-TV and KFSN-TV, one half-hour episode of "101 Dalmatians" was rescheduled for 6:30 a.m.

Also on one date, December 19, all three stations preempted their entire Saturday morning line-up (7 half-hours of core programming each) due to live ABC News coverage of the impeachment hearings, Iraq conflict and related coverage. Those preempted programs were not rescheduled.

(b) First Quarter 1999

Of 91 half-hours of network core programming provided by the network to each of our three owned Pacific zone stations, all three stations preempted four half-hours (4.4% of their network core programming) for live network sports (again counting the movement of "Disney's One Saturday morning" from a 7:30 a.m. to a 7:00 a.m. start time as the preemption of only one half-hour at each station). All of these 12 preempted half-hours (4 half-hours each at 3 stations) were rescheduled for earlier or later the same Saturday, for the following day, or for one week earlier or later.

In addition, at KABC-TV alone, another three half-hours of network core programming were preempted for live carriage of a network regional basketball game, UCLA at Louisville, which was intended primarily for carriage on East Coast stations but was also picked up in the Pacific Time zone by KABC-TV due to the high degree of local interest in this game in Los Angeles. Those three preempted programs were rescheduled by KABC-TV for the same Saturday morning.

In combination, our three Pacific stations were fed 273 half-hours (3 stations x 91 half-hours) of network core programming. Of that combined total, 15 half-hours (5.5%) were preempted for live network sports. All but two of those half-hours were rescheduled in a core time period within seven days.

D. Impact of Promotion and Rescheduling

The ratings for the ABC educational and informational programs for the 1998-99 season to date lead us to conclude that that rescheduling did not cause viewers to have any difficulty locating the programs and that our extensive promotional efforts encouraged viewing. "Disney's One Saturday Morning" -- a unique 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" -- has consistently ranked as the number one program season to date in its time period for kids aged two to eleven among broadcast networks. In addition, the ABC educational and informational programs broadcast on Saturdays at 11:30 a.m. (ET) ("101 Dalmatians" from September 7, 1998 through April 24, 1999; "Winnie the Pooh" from May 1, 1999 to date) won the time period among broadcast networks season to date. In the recent May 1999 sweep period, "Winnie the Pooh" and "Squigglevision" both improved viewing in their time periods from the May 1998 sweep. The ABC five-hour Saturday morning program block beat all other Saturday broadcast children's programming for viewers two to eleven for the May sweep and season to date.

* * *

Mr. Roy J. Stewart

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June 17, 1999

Based upon the current ABC network sports schedule for the 1999-2000 season, we expect that the level of preemptions of children's educational and informational programs caused by live network sports coverage to be approximately the same as it was in the 1998-99 season. We respectfully request that the Commission extend the preemption flexibility set forth in your letter to Sam Antar dated October 28, 1998 to cover the ABC network schedule for the 1999-2000 season.

Very truly yours,

Sam Antar

SA/akp

cc: Ms. Barbara Kreisman
Ms. Renee Licht