

Free TV push focusing on sports

INTV argues case in Washington, elsewhere, that without vigilance, cable will take over sports

The Association of Independent Television Stations has kicked off with letters to Congress and a speech what it promises will be a vigorous campaign to warn the public about the migrations of popular sports programming from broadcast to cable television—or, as it likes to put it, from free to pay television.

The campaign is part of a broader broadcast industry effort to promote the benefits of "free" television and, not incidentally, strengthen the industry's hand in Washington.

INTV may also be using the so-called siphoning issue to gain some leverage in its current battle with cable over channel positioning. The cable industry has agreed to accede to must-carry legislation that would require cable systems to carry local broadcast signals, but not to provisions demanded by INTV that would require them to continue carrying UHF signals on low cable channels.

INTV Chairman John Serrao, in a July 21 speech at the Black Exposition in Indianapolis, warned that sports could disappear from "free screens" if cable is allowed to continue buying up rights to sports. Because broadcast television is taken for granted, he said, "the newer forms of TV that can be watched only by paying a price—a monthly rate for cable service, or a per-program price for an event—now threaten the future and very existence of free television."

In letters to Senators Albert Gore (D-Tenn.) and Arlen Specter (R-Pa.), Serrao, who is vice president-general manager of Outlet Communications' WTAL-TV Atlanta, said: "If the current trends continue—and we have every reason to believe they will actually accelerate—by the mid-1990's, the majority of the most popular professional and collegiate sporting events will be available only to those who can afford cable."

INTV President Preston Padden said last week that in the weeks ahead the association will be working with Gore, Specter and other sympathetic lawmakers to forge legislation that would somehow stem the flow of sports to cable.

"My own personal view is that the cable system should not be allowed to simultaneously live off of broadcasting through the compulsory license and seek to undermine broadcasting by siphoning off events," Padden said.

Padden said Congress holds considerable clout with the rightsholders. Congress has granted Major League Baseball and the National Football League antitrust immunity,

he said. And the colleges and universities receive federal funds in one form or another, he said.

Independent broadcasters have a vested interest in limiting cable's ability to bid for sporting events, Padden said. Many independents count on sports to compete effectively against other broadcasters and cable, he said.

But the independents' interest and the public interest are one, he said. Without action, many people will have to start paying for sports programming they now receive for free, he said. Some elected officials see siphoning as having the potential of becoming "the leading consumer issue of the 1990's," he said.

INTV laid out what it perceives to be the problem in the Gore-Specter letter: "Already 13 NFL games have migrated to cable, and there is little doubt that this number will increase when the contract is renewed. In 1991, all New York Yankee baseball games will be the property of a cable-only program service. Cable has siphoned off most of the Big 10, PAC 10 and Southeast Conference football games this fall. Next summer, ESPN will have the exclusive rights to Major League Baseball on Sunday and Wednesday evenings (except for those games on pay-cable services)."

Serrao, in the Black Expo speech, added that Notre Dame football and basketball were also disappearing from local broadcast television this fall. "Last year, WGN-TV in Chicago televised four Notre Dame football games and 10 basketball contests," he said. "Starting this fall, all of those non-network games will migrate to pay cable sports service, The Sports Channel."

Serrao said cable enjoys several advantages over broadcast television, including a dual revenue stream (advertising and subscription fees), no regulation and no competition.

Despite the advantages, however, cable programming has largely been a "bust," Serrao said. "But sports is cable's saving grace," he said. "It is the one area in which cable delivers original programming that is both live and compelling to a segment of viewers. Without sports, cable-originated programming is just a lot of old shows and old movies at \$25 a month or more."

Anticipating the anti-siphoning effort, the National Cable Television Association released a study of baseball on television that found that broadcast coverage of baseball increased 40% over the past 15 years from 1,190 games in 1975 to 1,647 games in 1989. "Moreover, while a few individual teams have reduced the number of games they distribute via local over-the-air

television, local broadcast coverage has on the whole not declined with the emergence of cable coverage in the same market."

Referring to the study, Serrao suggested that the increase in broadcast baseball games is a result of the increase in the number of major league teams since 1962 from 16 to 26. "At the same time, all indications point to a steady decline in the number of free over-the-air games in the future."

(Only two teams—the Seattle Mariners and the Toronto Blue Jays—were added to the major league roster during the 15 years covered by the NCTA study.) —H.I

Making WTBS 'blackout-free'

Superstation adds programming that will not subject systems to any action under new syndex rules

Turner Broadcasting System backed up its claim last week that its superstation WTBS(TV) is "100% blackout-free" under the FCC's new syndicated exclusivity rules, announcing that it has indemnified cable systems against any syndex-related action brought by broadcasters or the FCC.

Because TBS will have secured national rights to all of WTBS's programming by the time the rules go into effect Jan. 1, 1990, said Bert Carp, TBS vice president, government affairs, the indemnification program "is not going to cost us anything." The program, he said, "is a way of showing cable operators that we are blackout-free."

The syndex rules, which were finalized by FCC action last February, require cable systems to delete any programming on distant broadcast signals like WTBS that duplicate programming for which local broadcasters have exclusive local rights. It is up to the broadcast stations to demand exclusivity, and incumbent on cable systems under penalty of FCC fines and civil damages to grant it by blacking out the programming.

Rather than going to the expense and trouble of blacking out programming on distant signals, some operators have indicated that they will take the easy way out and simply drop the signals. WTBS's efforts are aimed at making sure none of its affiliates drop it. It is the most pervasive of the superstations, reaching 49 million cable homes.

WTBS's national rights and its protection plan give it a leg up on its superstation competitors. A representative of Tribune Broadcasting's WGN-TV Chicago said the station is not yet blackout-proof but that Tribune is working toward making it so.