

**FEDERAL COMMUNICATIONS COMMISSION
BROADCAST LOCALISM HEARING
MONTEREY, CALIFORNIA
JULY 21, 2004**

**STATEMENT OF JOSEPH W. HESTON
PRESIDENT AND GENERAL MANAGER KSBW-TV**

Good evening. I'm Joe Heston, and I'm the President and General Manager of KSBW-TV—a local television station that serves Monterey, Salinas, Santa Cruz and many other wonderful communities that make up California's Central Coast region. I'm honored that for the past 50 years more Central Coast viewers have received their local news and information from KSBW-TV than any other local television station.

We realize, of course, that you don't become the top-rated local TV station by accident. Rather, our success stems directly from our overriding commitment to localism—our duty as stewards of the public broadcast spectrum to provide programming responsive to the specific needs and interests of the Central Coast communities we serve.

Earlier this month the FCC issued a "Notice of Inquiry" on localism that asks how broadcasters can best "determine the problems, needs, and interests of their communities." At KSBW-TV, we have invested significant financial, technological, and human resources to ascertain—and address—the problems, needs and interests of our Central Coast viewers. The success of our investment is reflected in our top-rated local news, our diverse community outreach initiatives, and our award-winning commitment to public affairs. Let me add that the public service formula we have followed might not necessarily be the best formula for all stations in all markets. Markets are different, stations are different, and each station's target audience is different.

It is both a privilege and a pleasure to share with you some of the public service initiatives of this station in this particular market.

Local News

Unlike our major-market neighbors to the north and south, we serve a small population spread over a very large geographic area. We must go the extra mile—literally—to cover the news in every corner of our market—whether it's a downtown redevelopment scandal in King City (two hours to our south), a meth lab bust in Hollister (an hour to our east), or a garlic festival in Gilroy (an hour to our north).

To cover this ground most efficiently, we've invested in three full news bureaus—one in Salinas, one in Monterey, and one in Santa Cruz. We also use three live vans and three separate ENG receive sites to provide our viewers with extensive on-the-spot coverage of events as they occur. When an earthquake rocked Paso Robles last year, we were the only station in our market providing live, on-the-spot coverage from the site on the day of the disaster. And on Friday

nights during the fall, we deploy a camera and crew to *every* high school football game in the Central Coast region as part of our “Operation Football” project. High school football games, as you know, are often the heartbeat of a local community, and we enlist virtually every member of our staff to collect highlights of each game for our popular Friday night newscast.

Our station also has enhanced our local news coverage with a top-tier compliment of state and national news specifically tailored to issues of particular importance to our local communities. Our Hearst-Argyle sister station, KCRA in Sacramento, provides interviews with our local State Senators and Assembly Representatives on issues such as local water control and the impact of proposed budget cuts. And our Hearst-Argyle Washington News Bureau provides us with similar localized coverage through regular interviews with our Congressman, Sam Farr, and just recently produced an exclusive profile of a local Salinas soldier selected for President Reagan’s honor guard.

Public Service

Our station has made enormous public service investments in our local communities. We provide \$2.6 million for local charities each year through television fund-raising initiatives and public service announcements. Our historic partnership with two local United Way chapters promotes “Success By 6”—an early childhood development initiative that uses informational TV spots and special news reports to offer tips on education, health, nutrition, safety, parenting, and quality family time. We also take an entire day of programming each December to assist the Salvation Army’s “Share Your Holiday” charity drive. Our entire staff pitches in to enable us to broadcast live from *seven different locations* simultaneously to help communities collect food, clothing, and contributions and to showcase a variety of local entertainers.

Public Affairs

KSBW engages its viewers on public affairs at the local, state and national level. Our “Feedback at Five” program—broadcast each Sunday at 5 p.m. before the NBC national news—tackles informative issues such as local gang violence, earthquake disaster preparation, and child abuse. We broadcast a weekly editorial on hotly-contested local topics ranging from a move to fire the Monterey School Superintendent, to the debate over medicinal marijuana, to the expansion of Gallo Vineyards in Monterey County. We invite, encourage, and broadcast responses from our viewers. We’re also especially proud of our contributions of free broadcast time to candidates for public office. As part of Hearst-Argyle’s award-winning “Commitment” initiative for political coverage, we dedicate a minimum of five minutes each night during the election season to broadcast issue or candidate-centered discourse to our viewers.

Our coverage of local news, public service, public affairs, and other local programming has been a hit with our viewers. We earned a local Emmy Award for the best newscast in 2004. And, recognizing that some viewers receive news from their computer screens as well as their television screens, we’re also proud that our station’s website—“the KSBWchannel.com”—is the most visited site for local news, weather, and information among all local print and electronic media outlets in our market.

But no matter how much money or manpower we invest to serve our local communities, we can't do it alone. Our corporate parent, Hearst-Argyle Television, has been an excellent partner in our commitment to localism. Hearst-Argyle enables and encourages us to share newsgathering resources with our sister station in Sacramento to improve the quality and depth of our local news coverage. Hearst-Argyle also created the "Commitment 2000" and "Commitment 2002" projects for political coverage—for which Hearst-Argyle stations, including KSBW, shared the Walter Cronkite Award from the Annenberg School at USC. Most important, Hearst-Argyle recognizes that the local managers of local stations know their local communities best, and it gives General Managers broad discretion to make programming decisions that reflect the specific needs and interests of the local communities we serve. Indeed, just last year, for example, I rejected NBC's "Maxim's Hot 100" for our station because it did not reflect local community standards for Saturday evening programming.

We also need cooperation and support from Washington. Our viewers cannot reap the benefits of our top-rated local programming unless they can receive our signal—particularly our full 19.4 megabit digital signal. Tonight we are carrying a live broadcast of this important hearing on KSBW-SD, adjacent to our normal digital signal on KSBW-DT. Unfortunately, only viewers watching us over-the-air on a digital TV can receive the signal because local cable companies and satellite carriers do not carry our digital signal. The FCC should require cable operators and satellite carriers to carry our full digital signal so Central Coast viewers can continue to enjoy our top-rated local programming as we complete the transition to digital television.

Finally, we are as concerned as anyone about indecency on television. We need the FCC, however, to clarify the ground rules governing indecent broadcasts—and for that matter, the right of local network affiliates to reject network programs and substitute programs of greater local or national interest. For all the time and money we have invested in providing top-tier local news coverage, we must be able to broadcast live—as *the events are unfolding*—without the fear of incurring a fine or losing our license simply because a bystander, spontaneously and without notice to our staff, utters an expletive or makes an obscene gesture in the background. Such unfortunate incidents cannot possibly be predicted—much less prevented—by a station broadcasting live from an emotionally-charged but highly newsworthy public event. The specific sentence in the March 18 ruling in the Golden Globe Awards case that has created so much uncertainty and confusion is the statement by the Commission that "[a]ny use of that [F] word or a variation, *in any context*," is unlawful. That leaves open the question whether *context* counts in these matters. We believe it does, and we respectfully urge the Commission to clarify the issue.

Our commitment to localism at KSBW is the hallmark of our success. No basic cable station, no public access channel, no premium or pay-TV service, no satellite delivery company, and no local or national website has been as steady or successful at addressing—in the FCC's own words—the "problems, needs, and interests" of our Central Coast communities.

Thank you.