

INTEROFFICE MEMO



FOX TELEVISION STATIONS, INC.

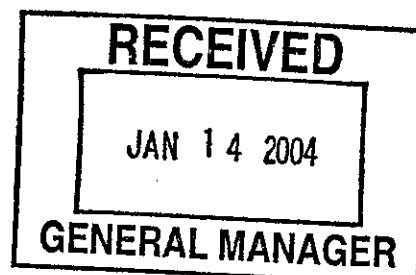
A Unit of Fox Entertainment Group

TO: Distribution
FROM: Molly Pauker *mp*
cc: GMs
DATE: January 13, 2004
SUBJECT: FCC Inquiry—Billboard Music Awards

Please put the attached letter in the "Materials Relating to FCC Investigations or Complaints" section in your station's Public File. Thank you very much.

Attachment

To: Judy Womack-WNYW
Ken Foote-KDFW
John Hirsch-KDVR
Jeannie DeRemer-KMSP
Lisa Whitlock-KRIV
Jennifer Meehall-KSAZ
Janet Gray-KSTU
Holly Morrison-Breaux-KTBC
Jolisa Jones-Corey-KTTV
Elaine Claspill-KTVI
Jane Gay-WAGA
Rhonda Masters-WBRC
Kim Stripling-WDAF
Lisa Cross-WFLD
Linda DiStefano-WFXT
Susan Davis-WGHP
Penny Chrestman-WHBQ
Kelly Skindzelewski-WITI
Clare Giblin-WJW
Jerry Lesz-WJBK
Kim Strickland-WOFL, WOGX
Nancy Krantz-WTTG
Brian Fields-WTVT
Jennifer Best-WTXF





FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, S.W., Suite 3-B443
Washington, D.C. 20554

January 7, 2004

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND FACSIMILE (202) 824-6510

Fox Television Stations, Inc.
5151 Wisconsin Avenue, N.W.
Washington, D.C. 20015

Re: EB-03-IH-0617

Dear Licensee:

The Enforcement Bureau is investigating allegations from numerous complainants that Fox Television Stations, Inc. may have broadcast certain indecent material on December 10, 2003, described in Attachment A, between approximately 8:00 and 10:00 p.m., during the program "Billboard Music Awards," over a number of its owned and operated stations, in violation of Title 18 United States Code, section 1464, 18 U.S.C. § 1464, and section 73.3999 of the Commission's rules, 47 C.F.R. § 73.3999. Complainants have also alleged that the Licensee, as defined herein, scripted the material at issue. We direct the Licensee, pursuant to sections 4(i), 4(j), 308(b) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 308(b), 403, to provide the information and documents specified herein, within fourteen (14) calendar days from the date of this letter.

Instructions

Each requested Document, as defined herein, shall be submitted in its entirety, even if only a portion of that Document is responsive to an inquiry made herein, unless the Document is a recording or transcript, in which case it should be provided only for the period of time of the broadcast specified in the pertinent inquiry herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be submitted.

If a Document responsive to any inquiry made herein existed but is no longer available, or if the Licensee is unable for any reason to produce a Document responsive to any inquiry, identify each such Document by author, recipient, date, title, and specific subject matter, and explain fully why the Document is no longer available or why the Licensee is otherwise unable to produce it.

With respect only to Documents responsive to the specific inquiries made herein and any other Documents relevant to those inquiries, the Licensee is directed to retain the originals of those Documents for twelve (12) months from the date of this letter unless (1) the Licensee is directed or informed by the Enforcement Bureau in writing to retain such Documents for some shorter or longer period of time or (2) the Enforcement Bureau or the Commission releases an item on the subject of this investigation, including, but not limited to, a Notice of Apparent Liability for Forfeiture or an order disposing of the issues in the investigation, in which case, the Licensee must retain all such Documents until the matter has been finally concluded by payment of any monetary penalty, satisfaction of all conditions, expiration of all possible appeals, conclusion of any collection action brought by the United States Department of Justice or execution and implementation of a final settlement with the Commission or the Enforcement Bureau.

The specific inquiries made herein are continuing in nature. The Licensee is required to produce in the future any and all Documents and information that are responsive to the inquiries made herein but not initially produced at the time, date and place specified herein. In this regard, the Licensee must supplement its responses (a) if the Licensee learns that, in some material respect, the Documents and information initially disclosed were incomplete or incorrect or (b) if additional responsive Documents or information are acquired by or become known to the Licensee after the initial production. The requirement to update the record will continue for twelve (12) months from the date of this letter unless (1) the Licensee is directed or informed by the Enforcement Bureau in writing that the Licensee's obligation to update the record will continue for some shorter or longer period of time or (2) the Enforcement Bureau or the Commission releases an item on the subject of this investigation, including, but not limited to, a Notice of Apparent Liability for Forfeiture or an order disposing of the issues in the investigation, in which case the obligation to update the record will continue until the release of such item.

For each Document or statement submitted in response to the inquiries below, indicate, by number, to which inquiry it is responsive and identify the person(s) from whose files the Document was retrieved. If any Document is not dated, state the date on which it was prepared. If any Document does not identify its author(s) or recipient(s), state, if known, the name(s) of the author(s) or recipient(s). The Licensee must identify with reasonable specificity all Documents provided in response to these inquiries.

Definitions

For purposes of this letter, the following definitions apply:

“Any” shall be construed to include the word “all,” and the word “all” shall be construed to include the word “any.” Additionally, the word “or” shall be construed to include the word “and,” and the word “and” shall be construed to include the word “or.” The word “each” shall be construed to include the word “every,” and the word “every” shall be construed to include the word “each.”

“Broadcast,” when used as noun, shall mean any visual images or language transmitted or disseminated over a television station licensed to the Licensee during the course of a television broadcast.

“Broadcast,” when used as a verb, shall mean the transmission or dissemination of a television signal intended to be received by the public. The verb broadcast may be used interchangeably with the verb “air.”

“Document” shall mean the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any broadcast, radio program, advertisement, book, pamphlet, periodical, contract, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minute, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form).

“Identify,” when used with reference to a person or persons, shall mean to state his/her full legal name, current business address, phone number and position and/or other relationship with the Licensee as of December 10, 2003, and as of the date of the Licensee’s response to this letter. “Identify,” when used with reference to a document, shall mean to state the date, author, addressee, type of document (*e.g.*, the types of document, as described above), and a brief description of the subject matter, its present or last known location and its custodian. “Identify,” when used with reference to an entity other than a person, shall mean to state its name, current or last known business address, and current or last known business telephone number.

“Licensee” shall mean “Fox Television Stations, Inc.” and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, or other affiliated company or business, and all owners, including but not limited to, partners or principals, and all directors, officers, employees, or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the period covered by this letter.

Inquiries: Documents and Information to be Provided

1. State whether the Licensee broadcast the material described in Attachment A over any station licensed to it on December 10, 2003, between 8:00 and 10:00 p.m., and/or on that and/or any other date between 6:00 a.m. and 10:00 p.m. If answered in the affirmative, for each such broadcast and station, provide the following:
 - a. The call sign, community of license and licensee;
 - b. The date(s) and time(s) of the broadcast(s);
 - c. If only a portion of the material was broadcast, describe the material so broadcast.
 - d. Any and all DVDs, tapes, transcripts, or other Documents reproducing, discussing or otherwise relating to the material in the broadcast. Provide, for each broadcast, a recording that includes the material described in Inquiry 1, above, and 15 minutes of the broadcast aired before and after that material. Also provide a written transcript of the material contained in each such recording.
2. If the programming described in Inquiry 1, above, and in Attachment A does not accurately reflect the material actually broadcast by Licensee, describe any inaccuracies.
3. Describe, with specificity, the process by which the remarks of each individual who spoke during the broadcast of the material described in Attachment A were prepared. If such remarks were prepared in advance of the broadcast, identify each person involved in the preparation, revision, review and/or approval of the remarks and, for each such person so identified, describe his or her role in that process.
4. Identify each person employed by or otherwise associated with the Licensee who prepared, revised, reviewed, approved and/or otherwise had knowledge of the remarks described in Inquiry 1, above, prior to the broadcast. For each such person, describe, with particularity, his or her role in that process.

5. Did any or all of the broadcast remarks described in Inquiry 1, above, deviate from the remarks that were prepared, reviewed and/or approved prior to the broadcast pursuant to the processes described in the Licensee's responses to Inquiries 3 and 4, above? If so, describe any such deviation.
6. If the Licensee's response to Inquiry 5, above, is that some deviation occurred, identify each person who made, or influenced the decision to so deviate and, if so, how, when and for what reason. For each such person, describe his or her role in that process.
7. Describe all procedures employed by the Licensee on December 10, 2003, to ensure that the broadcast of the Billboard Music Awards program did not contain any indecent or otherwise offensive language. Identify each person employed by or otherwise associated with Licensee involved in establishing those procedures and/or their implementation and, for each such person, describe with particularity his or her role with respect to establishing and/or implementing such procedures. Explain, despite the existence of any such procedures, how and why the material contained in Attachment A was, in fact, broadcast.
8. Provide copies of all Documents that support the Licensee's responses to Inquiries 1-7, above.
9. If the Licensee believes that a defense to the subject allegations exists, state concisely the nature of the defense.

We direct the Licensee to support its responses with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of the Licensee with personal knowledge of the representations provided in the Licensee's response, verifying the truth and accuracy of the information therein and that all of the Documents and information requested by this letter which are in the Licensee's possession, custody, control or knowledge have been produced. If multiple Licensee employees contribute to the response, in addition to such general affidavit or declaration of the authorized officer of the Licensee noted above, provide separate affidavits or declarations of each such individual that identify clearly to which responses the affiant or declarant is attesting. All such declarations provided should comply with section 1.16 of the Commission's rules, 47 C.F.R. § 1.16, and be substantially in the form set forth therein. To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment. *See* 18 U.S.C. § 1001; *see also* 47 C.F.R. § 1.17.

The Licensee should direct its response, via facsimile to (202) 418-2080 and hand-delivery, to the attention of Melanie Godschall, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, c/o Natek, Inc., 236 Massachusetts Avenue, NE, Suite 110, Washington, DC, 20002. The Licensee should also send its response, via electronic mail, to the extent practicable, to Melanie.Godschall@fcc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. Freedman". The signature is fluid and cursive, with a long horizontal stroke at the end.

William D. Freedman

Deputy Chief
Investigations and Hearings Division
Enforcement Bureau

Attachment

EB-03-IH-0617

ATTACHMENT A

Excerpt from December 10, 2003, Billboard Music Awards Program

Paris Hilton: Now, Nicole, this is a live show. Watch the bad language.

Nicole Ritchie: Okay. God.

Paris Hilton: It feels so good to be standing here tonight.

Nicole: Yeah, instead of standing in mud and cow[expletive deleted].

.....

Nicole: Why do they call it 'The Simple Life?' Have you ever tried to get cow shit out of a Prada purse? It's not so fucking simple.

FILE COPY

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January 30, 2004

Via Hand Delivery

Federal Communications Commission
Enforcement Bureau
Investigations and Hearings Division
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED

JAN 30 2004

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ATTENTION: Melanie Godschall

RE: EB-03-IH-0617

Dear Ms. Godschall:

On behalf of Fox Television Stations, Inc. ("FTS"), enclosed herewith please find FTS' response to the letter, dated January 7, 2004, from William D. Freedman, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, with respect to the above-referenced matter. This submission is timely filed pursuant to the January 20, 2004 letter from Mr. Freedman to the undersigned granting FTS an extension to January 30, 2004 to file a response.

Should you have any questions concerning this submission, please contact the undersigned.

Respectfully submitted,



John C. Quale
Counsel to FTS

Enclosures

RESPONSE OF FOX TELEVISION STATIONS, INC.
TO FCC LETTER OF INQUIRY

1. **State whether the Licensee broadcast the material described in Attachment A over any station licensed to it on December 10, 2003, between 8:00 and 10:00 p.m., and/or on that and/or any other date between 6:00 a.m. and 10:00 p.m. If answered in the affirmative, for each such broadcast and station, provide the following:**

ANSWER: Fox Television Stations, Inc. (the "Licensee") objects to the scope of the LOI insofar as it requests information regarding multiple television stations without identifying any specific complaint against any particular station. The FCC's request conflicts with its mandate to proceed cautiously and with appropriate restraint. The LOI conflicts directly with Commission precedent limiting indecency inquiries to entities about which the FCC has received a documented complaint.

The Commission has historically emphasized that "it does not independently monitor broadcasts for indecent material."¹ Rather, "its enforcement actions are based on documented complaints of indecent broadcasting received from the public."² Similarly, the section of the Commission's Internet site dedicated to indecency information instructs interested parties that "[e]nforcement actions in this area are based on documented complaints of indecent or obscene broadcasting received from the public."³

The Commission's reluctance to enforce the indecency rules absent a documented public complaint is inextricably linked to the FCC's longstanding recognition that indecent speech is protected by the First Amendment – "a critical Constitutional limitation that demands we proceed cautiously and with appropriate restraint."⁴

* See Letter, Dated January 7, 2003, to Fox Television Stations Inc., from William Freedman, Deputy Chief, Investigations and Hearings Division, Enforcement Bureau ("LOI").

¹ In Re Industry Guidance on the Commission's Case Law Interpreting 18 U.S.C. § 1464 and Enforcement Policies Regarding Broadcast Indecency, 16 FCC Rcd 7999, 8015 (2001) ("Indecency Policy Statement").

² Id. See also In Re Infinity Broadcasting Operations, Inc., Licensee of Station WKRK-FM, Detroit, Michigan, FCC 03-71 (rel. April 3, 2003) at para. 6 ("Infinity") ("The Commission's indecency enforcement is based on complaints from the public").

³ See <http://www.fcc.gov/eb/broadcast/obscind.html> (last visited January 28, 2004).

⁴ Infinity, at para. 4 (citing Action for Children's Television v. FCC, 852 F.2d 1332, 1344 (D.C. Cir. 1988) ("ACT I") ("the FCC may regulate [indecent] material only

Indeed, in upholding the Commission's indecency rules, both Justice Powell in the Supreme Court's Pacifica decision and the D.C. Circuit in ACT I specifically relied upon the Commission's assurances that it would act cautiously in pursuing indecency issues.⁵

By relying on a complaint driven process, the FCC appropriately limits governmental interference with licensees' program decision-making. The more active the role that government plays in monitoring programming content, the more likely the danger that licensees will engage in self-censorship, sacrificing their First Amendment rights.

Nonetheless, in the interest of bringing this matter to a prompt conclusion (yet subject to the objections identified in this Response and to the response of the Licensee to Inquiry 2 below) attached as Exhibits 1 and 2 hereto are two lists of the stations licensed to Fox Television Stations, Inc. and other wholly-owned subsidiaries of Fox Television Holdings, Inc. that broadcast the material described in Attachment A to the LOI on December 10, 2003. Exhibit 1 contains a list of stations located in cities in the Eastern and Central time zones; Exhibit 2 contains a list of stations located in cities in the Mountain and Western time zones.

a. The call sign, community of license and licensee;

ANSWER: Subject to the foregoing and to the response of the Licensee to Inquiry 2 below, the stations listed in Exhibits 1 and 2 hereto broadcast the material described in Attachment A to the LOI on December 10, 2003 at the times listed in Exhibits 1 and 2.

b. The date(s) and time(s) of the broadcast(s);

ANSWER: See Exhibits 1 and 2.

with due respect for the high value our Constitution places on freedom and choice in what people say and hear").

⁵ See FCC v. Pacifica Foundation, 438 U.S. 726, 761, n.4 (1978) ("[S]ince the Commission may be expected to proceed cautiously, as it has in the past, I do not foresee an undue 'chilling' effect on broadcasters' exercise of their rights.") (Powell, J., concurring); ACT I, 852 F.2d at 1340, n.14 ("[T]he FCC has assured this court, at oral argument, that it will continue to give weight to reasonable licensee judgments when deciding whether to impose sanctions in a particular case. Thus, the potential chilling effect of the FCC's generic definition of indecency will be tempered by the Commission's restrained enforcement policy.")

- c. **If only a portion of the material was broadcast, describe the material so broadcast.**

ANSWER: Subject to the foregoing and to the response of the Licensee to Inquiry 2 below, the stations listed in Exhibits 1 and 2 aired the corrected versions of the material described in Attachment A to the LOI; see the response of the Licensee to Inquiry 2 below.

- d. **Any and all DVDs, tapes, transcripts, or other Documents reproducing, discussing or otherwise relating to the material in the broadcast. Provide, for each broadcast, a recording that includes the material described in Inquiry 1, above, and 15 minutes of the broadcast aired before and after that material. Also provide a written transcript of the material contained in each such recording.**

ANSWER: See the attached Declaration of Molly Pauker, Vice President of Fox Television Holdings, Inc., the parent of Fox Television Stations, Inc. and the other licensees of the stations listed in Exhibits 1 and 2. The Licensee has produced Documents responsive to Inquiry 1(d) to the extent that the Documents are not protected by the First Amendment and/or the attorney-client privilege. See Licensee's objections, contained in its responses to Inquiries 3-7.

2. **If the programming described in Inquiry 1, above, and in Attachment A does not accurately reflect the material actually broadcast by Licensee, describe any inaccuracies.**

ANSWER: The description of the programming contained in Attachment A to the LOI does not accurately reflect the material aired by the stations listed in Exhibits 1 and 2. Provided below are two corrected copies of Attachment A to the LOI (the first is applicable to the stations located in cities in the Eastern and Central time zones and the second is applicable to stations located in cities in the Mountain and Western time zones). Inaccuracies are bracketed and noted in italicized text.

Corrected Version of Attachment A to the LOI for Stations Listed in Exhibit 1

Paris Hilton: Now, Nicole, [*remember*] this is a live show. Watch the bad language.

Nicole Richie [*There is no "i" in Richie*]: Okay. God.

Paris Hilton: It feels so good to be standing here tonight.

Nicole: Yeah, instead of standing in mud and [*dropped audio*].

..... [*There is no reason for an ellipses; there was no intervening dialog between the line that appears above the ellipses and the one that appears below it.*]

Nicole: Why do they [*even*] call it 'The Simple Life?' Have you ever tried to get cow shit out of a Prada purse? It's not so fucking simple.

Corrected Version of Attachment A to the LOI for Stations Listed in Exhibit 2

Paris Hilton: Now, Nicole, [*remember*] this is a live show. Watch the bad language.

Nicole Richie [*There is no "t" in Richie*]: Okay. God.

Paris Hilton: It feels so good to be standing here tonight.

Nicole: Yeah, instead of standing in mud and [*dropped audio*].

. . . . [*There is no reason for an ellipses; there was no intervening dialog between the line that appears above the ellipses and the one that appears below it.*]

Nicole: Why do they [*even*] call it 'The Simple Life?' Have you ever tried to get [*dropped audio*] out of a Prada purse? It's not so [*dropped audio*] simple.

3. Describe, with specificity, the process by which the remarks of each individual who spoke during the broadcast of the material described in Attachment A were prepared. If such remarks were prepared in advance of the broadcast, identify each person involved in the preparation, revision, review and/or approval of the remarks and, for each such person so identified, describe his or her role in that process.

ANSWER: The Licensee objects to Inquiry 3 to the extent that it seeks to inquire into the process by which the Licensee creates and acquires content. The creative process and the creation of content lie at the heart of the First Amendment's protections.⁶ The FCC's requests in Inquiries 3-7 seriously impinge upon the Licensee's First Amendment rights and conflict with the FCC's obligation to proceed cautiously when enforcing indecency regulations.⁷

The FCC has long recognized that indecent speech is protected by the First Amendment – "a critical Constitutional limitation that demands we proceed cautiously and with appropriate restraint."⁸ The investigation represented by Inquiries 3-7 is wholly inconsistent with the notions of caution and restraint. The government's effort to compel a licensee to divulge information about the creation of content threatens to chill the speech of both broadcasters and members of the creative community.

⁶ See Zachini v. Scripps-Howard Broadcasting Co., 433 U.S. 562, 578 (1977) ("There is no doubt that entertainment, as well as news, enjoys First Amendment protection. It is also true that entertainment itself can be important news").

⁷ See Infinity, at para. 4 (citing ACT I, 852 F.2d at 1344 ("the FCC may regulate [indecent] material only with due respect for the high value our Constitution places on freedom and choice in what people say and hear"))).

⁸ Id.

If broadcasters are faced with governmental interference in the creative process, they will undoubtedly engage in self-censorship. The intrusive questions posed by Inquiries 3-7 thrust the government into the inner workings of the creative process; threatening to stifle creativity while breeding an atmosphere of mistrust. Rather than expose themselves to governmental interference, broadcasters may sacrifice their First Amendment rights and avoid taking the risks necessary to produce innovative and interesting programming. In addition, members of the creative community will shun broadcasting for unregulated media – particularly cable. The threat is especially great where, as here, the government attempts to insert itself into the creative realm *even though there has been no finding of indecency*. Indeed, as the Licensee's response to Inquiry 9 makes clear, there can be no finding of indecency with regard to the programming described in Attachment A to the LOI. The FCC's invasive approach stands in direct conflict with the Supreme Court's admonition that the government's "exercise of the power of compulsory process be carefully circumscribed when the investigative process tends to impinge upon such highly sensitive areas as freedom of speech or press, freedom of political association, and freedom of communication of ideas"⁹

Moreover, Inquiries 3-7 are entirely unnecessary. The FCC can fulfill its duty to respond to indecency allegations simply by asking licensees for a properly supported explanation of the facts surrounding a particular broadcast. Broadcasters can respond to a less intrusive inquiry without fear that the government is invading the realm of content creation, just as the Licensee has done in this case (see the attached Declarations and the Licensee's response to Inquiry 7). In contrast, when the government launches a fishing expedition into the creative process, it poses a far more severe threat to free speech.

In sum, if the government is permitted to scrutinize the creative process, the negative effect on programming will be profound. The ultimate harm will be felt by viewers of free, over-the-air television, who will have fewer options and less diversity in broadcast programming.

Nonetheless, in the interest of bringing this matter to a prompt conclusion (yet subject to the foregoing objections), the Licensee has attached hereto the Declarations of Bob Bain, executive producer of the 2003 Billboard Music Awards, and Kevin Spicer, Executive Director of Broadcast Standards at Fox

⁹ See Sweezy v. New Hampshire, 354 U.S. 234, 245 (1957); see also Federal Election Commission v. Machinists Non-Partisan Political League, 655 F.2d 380, 389 (D.C. Cir. 1981) (cert. denied, 454 U.S. 897 (1981)) ("[B]efore a state or federal body can compel disclosure of information which would trespass upon first amendment freedoms, a 'subordinating interest of the State' must be proffered, and it must be 'compelling.'") (citing NAACP v. Alabama, 357 U.S. 449, 463 (1958)).

Broadcasting Company ("FBC"). The Declarations confirm that the dialog contained in Attachment A to the LOI did not appear either in the script or on the TelePrompTer for the 2003 Billboard Music Awards.¹⁰ The Declarations further confirm that the dialog contained in Attachment A to the LOI was "spontaneously delivered" by Nicole Richie, and that no producer or writer working on the 2003 Billboard Music Awards "suggested, encouraged or influenced Nicole Richie to deviate from the script in her spoken remarks at the 2003 Billboard Music Awards."¹¹

4. **Identify each person employed by or otherwise associated with the Licensee who prepared, revised, reviewed, approved and/or otherwise had knowledge of the remarks described in Inquiry 1, above, prior to the broadcast. For each such person, describe, with particularity, his or her role in that process.**

ANSWER: See Licensee's response to Inquiry 3.

5. **Did any or all of the broadcast remarks described in Inquiry 1, above, deviate from the remarks that were prepared, reviewed and/or approved prior to the broadcast pursuant to the processes described in the Licensee's responses to Inquiries 3 and 4, above? If so, describe any such deviation.**

ANSWER: For the reasons set out in its response to Inquiry 3, the Licensee objects to Inquiry 5 to the extent that it inquires into the process by which the Licensee creates and acquires content. As to that portion of Inquiry 5 that asks whether the remarks contained in Attachment A to the LOI differed from the script for the 2003 Billboard Music Awards, the Bain and Spicer Declarations demonstrate that the dialog contained in the attachment deviated from the script.¹²

In particular, the script did not call for Paris Hilton to make any reference to "bad language." Her first scripted words were "It feels so good to be standing here tonight." Furthermore, Nicole Richie's first scripted line read "Yeah - instead of standing in mud and pig crap." Finally, the script called for Nicole Richie to say: "Have you ever tried to get cow manure out of a Prada purse? It's not so freaking simple."

¹⁰ See Declaration of Bob Bain, President of Bob Bain Productions, Inc. and executive producer of the 2003 Billboard Music Awards (the "Bain Declaration"); see also Declaration of Kevin Spicer, Executive Director of Broadcast Standards for Fox Broadcasting Company (the "Spicer Declaration").

¹¹ Id.

¹² See id.

6. **If the Licensee's response to Inquiry 5, above, is that some deviation occurred, Identify each person who made, or influenced the decision to so deviate and, if so, how, when and for what reason. For each such person, describe his or her role in that process.**

ANSWER: For the reasons set out in its response to Inquiry 3, the Licensee objects to Inquiry 6 to the extent that it inquires into the process by which the Licensee creates and acquires content. As to that portion of Inquiry 6 that asks who made the decision to deviate from the script for the 2003 Billboard Music Awards, the Bain and Spicer Declarations confirm that, to the Licensee's knowledge, the decision was made solely by Nicole Richie and Paris Hilton.¹³

7. **Describe all procedures employed by the Licensee on December 10, 2003, to ensure that the broadcast of the Billboard Music Awards program did not contain any indecent or otherwise offensive language. Identify each person employed by or otherwise associated with Licensee involved in establishing those procedures and/or their implementation and, for each such person, describe with particularity his or her role with respect to establishing and/or implementing such procedures. Explain, despite the existence of any such procedures, how and why the material contained in Attachment A was, in fact, broadcast.**

ANSWER: For all of the reasons set out in its response to Inquiry 3, the Licensee objects to Inquiry 7 to the extent that it inquires into the process by which the Licensee creates content. The Licensee's procedures for ensuring that its content complies with its own standards and with the Commission's indecency and obscenity rules necessarily implicate the creative process. Indeed, these procedures – including hiring production and writing teams to oversee the composition of scripts; reviewing, commenting upon and ultimately approving scripts and their drafts; and putting scripts into a TelePrompTer so as to provide performers with a real-time transcript of their lines – are all inseparable components of the creative process. In addition, Licensee objects to Inquiry 7 insofar as it implies that the material contained in Attachment A was indecent. As the Licensee's response to Inquiry 9 makes clear, the material contained in Attachment A to the LOI was not indecent.

To the extent that Inquiry 7 asks the Licensee to describe its time delay procedures for editing objectionable content from live broadcasts, the Licensee is providing the attached Declaration of Roland McFarland, the Vice President of Broadcast Standards for FBC.¹⁴ The McFarland Declaration describes the technical procedures employed by FBC to ensure that indecent material did not

¹³ See id.

¹⁴ See Declaration of Roland McFarland, Vice President of Broadcast Standards for Fox Broadcasting Company (the "McFarland Declaration").

appear in the broadcast of the 2003 Billboard Music Awards. As the McFarland Declaration makes clear, FBC takes very seriously its commitment to ensure that offensive, indecent and obscene material does not appear in any FBC-produced programming.¹⁵

With the immediacy of live television comes the possibility that performers will spontaneously deviate from the script and do or say something that is offensive to some viewers. Accordingly, FBC has utilized a five-second delay during the production of live entertainment programming. In addition, FBC ensures that a member of its Broadcast Standards division monitors all live broadcasts for offensive, indecent or obscene material. The Broadcast Standards employee has access to a "delay button" that enables the employee to edit out objectionable content before it appears on viewers' televisions. FBC also ensures that an additional Broadcast Standards representative is assigned to all live entertainment events. This representative remains involved in an event throughout its production. He or she reviews in advance the script, attends dress rehearsals and is physically present at the site of the live event.¹⁶

Although the above-described procedures have been effective for a number of years in preventing objectionable material from appearing during live entertainment broadcasts, the system relies on human beings and it therefore remains imperfect. During the broadcast of the material described in Attachment A to the LOI, the above-described procedures proved insufficient to permit the editing of two objectionable words that occurred immediately following an objectionable word that had been deleted. Although the Broadcast Standards employee working during the 2003 Billboard Music Awards succeeded in editing out the first expletive spoken by Nicole Richie, he failed to act quickly enough to catch the remaining expletives during Ms. Richie's spontaneous dialog.¹⁷

FBC acted swiftly to correct this error. First and foremost, it immediately edited the tape of the 2003 Billboard Music Awards to remove the expletives before the material aired on tape delay in the Mountain and Western time zones. In addition,

¹⁵ The Licensee emphasizes, however, that its response to Inquiry 7 does not in any way constitute an admission that the material described in Attachment A to the LOI was indecent or violative of any other Commission rule or policy. The procedures discussed in the response to Inquiry 7 are designed to deal not only with indecent programming, but also with programming that FBC feels may be offensive to some viewers. FBC's effort to eliminate or edit certain aspects of the material described in Attachment A to the LOI are a reflection of its belief that some of the dialog described in the attachment was offensive – even though none of it was indecent.

¹⁶ See McFarland Declaration.

¹⁷ See id.

FBC has suspended the Broadcast Standards employee who made the error during the live broadcast shown to viewers in the Eastern and Central time zones.

FBC has implemented several significant changes to its time delay procedures in an effort to reduce the risks associated with human error during live entertainment broadcasts. First, whenever possible, FBC intends to air live entertainment programming using a five minute delay in which the event would actually start five minutes before the broadcast begins. This will allow far more effective editing of potentially objectionable content. Second, FBC will increase its time delay from five to 10 seconds to provide its Broadcast Standards employees with additional time to catch and remove objectionable content before it airs. Moreover, FBC is adding a second delay button to all live broadcasts of entertainment programming. Equally significant, this second button will be physically located at the site of the live event and will be under the control of the Broadcast Standards representative assigned to the event. Because he or she will work on the program throughout its production (including attending dress rehearsals) and will monitor the live broadcast while physically present at the site, he or she will be familiar with the content and likely will have a more instinctive feel for the flow of the program. Ultimately, having two employees with access to the delay button will enable each to serve as a back-up set of eyes and ears in case the other person fails to react quickly enough to edit objectionable content.¹⁸

Finally, FBC recognizes that certain performers may present more risk of spontaneous objectionable content during live performances than others. Where feasible, FBC intends to tape in advance certain performances to air during otherwise "live" broadcasts. In fact, given its experience during the 2003 Billboard Music Awards, FBC taped in advance an appearance by Paris Hilton and Nicole Richie and aired the tape during a New Year's Eve celebration that otherwise was broadcast live on December 31, 2003.¹⁹

In sum, FBC has been responsible and conscientious when broadcasting live entertainment programming. It has utilized a time delay system that has generally been quite effective at keeping objectionable material off the air. Nonetheless, FBC is now working diligently to improve its system to further reduce the risks associated with broadcasting events live.

8. Provide copies of all Documents that support the Licensee's responses to Inquiries 1-7, above.

ANSWER: The Licensee has produced Documents that support its responses to Inquiries 1-7 to the extent that the Documents are not protected by the First Amendment and/or the attorney-client privilege. See the attached Declaration of

¹⁸ See id.

¹⁹ See id.

Molly Pauker, Vice President of Fox Television Holdings, Inc., the parent of Fox Television Stations, Inc. and the other licensees of the stations listed in Exhibits 1 and 2.

9. **If the Licensee believes that a defense to the subject allegations exists, state concisely the nature of the defense.**

ANSWER: The material described in Attachment A to the LOI is not actionably indecent. The Licensee submits that the LOI is improper and violative of its First Amendment rights. In the interest of bringing this matter to a prompt conclusion, but without waiving its objection to the inquiry, the Licensee hereby demonstrates why the material described in Attachment A to the LOI is not indecent.

The Indecency Rules

The Commission's indecency rule states: "No licensee of a radio or television station shall broadcast on any day between 6 a.m. and 10 p.m. any material which is indecent."²⁰ The FCC has indicated that its evaluation of indecency involves two fundamental determinations:

First the material alleged to be indecent must fall within the subject matter scope of our indecency definition, that is, the material must describe or depict sexual or excretory organs or activities. . . .

Second, the broadcast must be *patently offensive* as measured by contemporary community standards for the broadcast medium.²¹

The Commission has a long and uninterrupted history of emphasizing that "[t]he use of specific potentially offensive words is not per se indecent."²² Rather, a fundamental prerequisite of an indecency finding is that the language must depict or describe sexual or excretory organs or activities. Thus, "speech that is indecent must involve more than an isolated use of an offensive word."²³ The Supreme Court, in affirming the FCC's limited authority to regulate indecency, relied upon the fact that the Commission's definition of indecency requires a sufficient nexus between content and a

²⁰ 47 C.F.R. § 73.3999.

²¹ See Indecency Policy Statement, at 8002 (emphasis in original) (citation omitted).

²² Id.; see also Peter Branton, 6 FCC Rcd 610 (1991) (subsequent history omitted) ("[n]o terms are per se indecent").

²³ In Re The Regents of the University of California, 2 FCC Rcd 2703 (1987) (citing In Re Pacifica Foundation, Inc., 2 FCC Rcd 2698, 2699 (1987)).

sexual or excretory description or depiction.²⁴ Indeed, the Supreme Court specifically emphasized the narrowness of its holding: "We have not decided that an occasional expletive . . . would justify any sanction"²⁵

The Commission has repeatedly embraced this limited approach. When confronted with words that can serve both as an expletive and as a sexual reference, the FCC has analyzed the context to determine whether it can make the threshold finding required by the indecency definition.²⁶ For example, the Commission found that a radio station had not broadcast indecent material where the word "prick" was "not used to 'describe or depict' a sexual activity or organ, but was instead used as a vulgar insult."²⁷ In short, offensive words, if wholly detached from any sexual or excretory meaning, cannot possibly be characterized as indecent.

Even when the FCC is satisfied that content meets the threshold definition of indecency, the Commission has made clear that "the determination as to whether certain programming is patently offensive is not a local one and does not encompass any particular geographic area."²⁸ The Commission reviews the content from the perspective of the average broadcast viewer – not the sensibilities of any individual complainant.²⁹ In determining whether material is patently offensive, the FCC has laid out three principal factors for evaluation: (1) the explicitness or graphic nature of the description or depiction of sexual or excretory organs or activities; (2)

²⁴ See FCC v. Pacifica Foundation, 438 U.S. at 745 (the "question in this case is whether a broadcast of patently offensive words *dealing with sex and excretion* may be regulated because of its content") (emphasis added). In its decision below, the Commission had made clear that the "concept of 'indecent' is intimately connected . . . to language that describes . . . sexual or excretory organs or activities" Citizen's Complaint Against Pacifica Foundation Station WBAI(FM), 56 F.C.C.2d 94, 98 (1975).

²⁵ FCC v. Pacifica Foundation, 438 U.S. at 750.

²⁶ See, e.g., In Re Entercom Buffalo License, LLC, 17 FCC Rcd 11997, 11999 (2002).

²⁷ Id.

²⁸ Indecency Policy Statement, at 8002 (citation omitted).

²⁹ See id. at n.15. Indeed, the "purpose of 'contemporary community standards' was to ensure that material is judged neither on the basis of a decisionmaker's personal opinion, nor by its effect on a particularly sensitive or insensitive person or group." Id. (citing Hamling v. United States, 418 U.S. 87, 107 (1974), reh'g denied 419 U.S. 885 (1974)).

whether the material dwells on or repeats at length the descriptions or depictions; and (3) whether the material appears to pander or is used to titillate, or whether the material appears to have been presented for its shock value.³⁰ The Commission has emphasized that, as part of any determination of whether material is patently offensive, the "full context in which the material appeared is critically important."³¹ None of the three principal factors alone is controlling. Rather, these criteria, and other case-specific factors, are reviewed in the aggregate.

Furthermore, the Commission has held that even when speech meets the threshold definition of indecency (i.e., it depicts or describes sexual or excretory organs or activities), it is not actionably indecent if the speech is only a "fleeting and isolated utterance" – especially if the speech occurs within the context of live and spontaneous programming.³² In fact, in its reconsideration decision in the Pacifica case that established the current indecency definition, the Commission pointed out that, under circumstances in which "public events likely to produce offensive speech are covered live," it would be "inequitable for us to hold a licensee responsible for indecent language."³³

Analysis

First and foremost, the Licensee emphasizes that the objectionable dialog contained in Attachment A to the LOI aired only on stations in the Eastern and Central time zones (identified in Exhibit 1 hereto). As demonstrated in the Licensee's response to Inquiry 2, stations in the Mountain and Western time zones (identified in Exhibit 2 hereto) aired an edited version of the material contained in Attachment A to the LOI. With regard to stations in the Mountain and Western time zones, no material was broadcast that meets the threshold definition of indecency.

Stations in the Eastern and Central time zones did air the expletive "fucking." However, in the context of its use as described in Attachment A

³⁰ See Indecency Policy Statement, at 8003.

³¹ Id. at 8002 (emphasis in original).

³² See, e.g., L.M. Communications of South Carolina, Inc., 7 FCC Rcd 1595 (1992); see also Steve Bridges, 9 FCC Rcd 1681 (1994) ("given the brief, live and unscripted nature of the material as well as its outside source, we will take no further action with respect to this broadcast").

³³ In Re "Petition for Clarification or Reconsideration" of a Citizen's Complaint Against Pacifica Foundation, 59 F.C.C.2d 892, 893, n:1 (1976). The Supreme Court in Pacifica took specific note of the Commission's decision in this regard. See FCC v. Pacifica, 438 U.S. at 732-33 & n.7.

to the LOI, the word "fucking" does not depict or describe sexual or excretory organs or activities and therefore does not fall within the subject matter scope of the Commission's indecency definition. At most, the word constitutes a vulgar expletive used to express emphasis. The word was not used to convey any type of sexual meaning whatsoever.

Because the word "fucking" was not used to depict or describe sexual or excretory organs or activities, the factors for considering whether the broadcast was patently offensive are inapposite. Even assuming that the Commission were to conclude, and it should not, that the word did constitute a description or depiction of sexual or excretory activity, none of the three factors weighs in favor of a finding of patent offensiveness. Similarly, the phrase "cow shit" (which also aired only on stations in the Eastern and Central time zones) was not used in a patently offensive manner under any of the three factors.

As to the first factor (explicitness or graphic nature), the dialog contained at most a passing reference to an excretory by-product (i.e., "cow shit") and an expletive used for emphasis. As to the second factor (whether the material dwells on or repeats at length depictions or descriptions), the dialog lasted only 22 seconds out of a two-hour program. Finally, the Licensee did not use the dialog to pander to or titillate the audience, nor did it present the dialog for "shock value." To the contrary, the Licensee diligently attempted to edit out all of the offensive language during the live broadcast of the 2003 Billboard Music Awards shown to viewers in the Eastern and Central time zones. Moreover, the Licensee immediately edited the offensive language out of the tape delayed broadcast of the 2003 Billboard Music Awards shown to viewers in the Mountain and Western time zones.

As the Commission has noted, the *full context* in which the material appeared is critically important.³⁴ The language contained in Attachment A to the LOI constitutes fleeting and isolated utterances delivered during live programming. Moreover, the expletives were not scripted but rather were spontaneous outbursts by Nicole Richie.³⁵ Thus, the material contained in Attachment A to the LOI is not actionably indecent.

³⁴ See Indecency Policy Statement, at 8002.

³⁵ See Steve Bridges, 9 FCC Rcd at 1681 ("given the brief, live and unscripted nature of the material as well as its outside source, we will take no further action with respect to this broadcast").

Conclusion

The First Amendment is a critical constitutional limitation that demands that the Commission "proceed cautiously and with appropriate restraint."³⁶ Indecency determinations are difficult as evinced by the Commission's struggles in recent cases to define what is in fact indecent.³⁷ Ultimately, however, the outcome of this case is clear: Commission precedent and the Constitution require that the Commission deny the complaints filed against the Licensee and take no further action.

Dated: January 30, 2004

³⁶ In Re KBOO Foundation; Licensee of Noncommercial Educational Station KBOO-FM, Portland, OR, 18 FCC Rcd 2472, para. 5 (2003) ("KBOO") (citing United States v. Playboy Entertainment Group, Inc., 529 U.S. 803, 813-15 (2000); Action for Children's Television, 852 F.2d 1332, 1344 (D.C. Cir. 1988)).

³⁷ See, e.g., KBOO, 18 FCC Rcd at 2472 (rescinding a Notice of Apparent Liability for willfully broadcasting indecent language); In Re Citadel Broadcasting Co.; Licensee of Station KKMGM(FM), Pueblo, Colorado, 17 FCC Rcd 483 (2002) (rescinding a Notice of Apparent Liability for willfully broadcasting indecent language).

EXHIBIT 1

In the Eastern and Central time zones, the following television stations, all of which are licensed to Fox Television Stations, Inc. ("FTS"), a wholly-owned subsidiary of FTS, or a wholly-owned subsidiary of Fox Television Holdings, Inc., aired the material described in Attachment A to the LOI (subject to the Licensee's response to Inquiry 2) on December 10, 2003.

<u>Station</u>	<u>Community of License</u>	<u>Licensee</u>	<u>Time Aired¹</u>
WNYW	New York, NY	FTS	9:08 p.m.
WFLD	Chicago, IL	FTS	8:08 p.m.
WTFX	Philadelphia, PA	Fox Television Stations of Philadelphia, Inc.	9:08 p.m.
WFXT	Boston, MA	FTS	9:08 p.m.
KDFW	Dallas, TX	KDFW License, Inc.	8:08 p.m.
WTTG	Washington, DC	FTS	9:08 p.m.
WAGA	Atlanta, GA	FTS	9:08 p.m.
WJBK	Detroit, MI	FTS	9:08 p.m.
KRIV	Houston, TX	FTS	8:08 p.m.
WTVT	Tampa, FL	TVT License, Inc.	9:08 p.m.
KMSP	Minneapolis, MN	FTS	8:08 p.m.
WJW	Cleveland, OH	WJW License, Inc.	9:08 p.m.
WOFL	Orlando, FL	FTS	9:08 p.m.
KTVI	St. Louis, MO	KTVI License, Inc.	8:08 p.m.
WITI	Milwaukee, WI	WITI License, Inc.	8:08 p.m.

¹ All times are approximate local times for the station listed.

WDAF	Kansas City, MO	WDAF License, Inc.	8:08 p.m.
WBRC	Birmingham, AL	WBRC License, Inc.	8:08 p.m.
WHBQ	Memphis, TN	FTS	8:08 p.m.
WGHP	High Point, NC	WGHP License, Inc.	9:08 p.m.
KTBC	Austin, TX	KTBC License, Inc.	8:08 p.m.
WOGX	Ocala, FL	FTS	9:08 p.m.

EXHIBIT 2

In the Mountain and Western time zones, the following television stations, all of which are licensed to Fox Television Stations, Inc. ("FTS"), a wholly-owned subsidiary of FTS, or a wholly-owned subsidiary of Fox Television Holdings, Inc., aired the material described in Attachment A to the LOI (subject to the Licensee's response to Inquiry 2) on December 10, 2003.

<u>Station</u>	<u>Community of License</u>	<u>Licensee</u>	<u>Time Aired²</u>
KTTV	Los Angeles, CA	FTS	9:04 p.m.
KSAZ	Phoenix, AZ	KSAZ License, Inc.	8: 08 p.m.
KDVR	Denver, CO	FTS	8: 08 p.m.
KSTU	Salt Lake City, UT	FTS	8: 08 p.m.

² All times are approximate local times for the station listed.

EXHIBIT 3

Case Number	Station	Complainant	Respondent	Date	Resolution
FCC-X01-001	KMSP	Mary Morrisette	fox9@kmsp.com	December 10, 2003	viewer e-mail
FCC-X01-002	KMSP	Mary Morrisette	fox9@kmsp.com	December 10, 2003	viewer e-mail
FCC-X01-003	KMSP	Julie Mueller	fox9@kmsp.com	December 11, 2003	viewer e-mail
FCC-X01-004	KMSP	Gail Engblom	fox9@kmsp.com	December 10, 2003	viewer e-mail
FCC-X01-005	KMSP	Bonnie Hagen	fox9@kmsp.com	December 11, 2003	viewer e-mail
FCC-X01-006	KMSP	Tracy Lallak	fox9@kmsp.com	December 13, 2003	viewer e-mail
FCC-X01-007	KDVR	Robert Wiswell	Bschm603@foxtv.com	January 12, 2004	viewer e-mail
FCC-X01-008					
FCC-X01-009	KRIV	George Hall	Bebel D'Artagnan	December 12, 2003	viewer letter
FCC-X01-010	KTBC	Kim Bucklew	KTBC Programming Dept.	December 11, 2003	viewer e-mail
FCC-X01-011	KTBC	KTBC Programming Dept.	Kim Bucklew	December 11, 2003	response to viewer e-mail
FCC-X01-012	KTBC	Kim Bucklew	KTBC Programming Dept.	December 11, 2003	viewer e-mail
FCC-X01-013	KTBC	KTBC Programming Dept.	Kim Bucklew	December 12, 2003	response to viewer e-mail
FCC-X01-014					
FCC-X01-015	KTBC	Holly Breaux	Mark Lipps	December 11, 2003	e-mail correspondence re: viewer e-mail
FCC-X01-016	KTBC	Mark Lipps	General Managers et al.	December 11, 2003	Fox intranet cyber-mailer
FCC-X01-017	KTBC	Jamie Robles	Danny Baker	January 13, 2004	viewer e-mail
FCC-X01-018					
FCC-X01-019	WFLD			December 11, 2003	WFLD Archives - 7am news report
FCC-X01-020	WFLD			January 13, 2004	WFLD Archives - 9pm news report
FCC-X01-024					
FCC-X01-025	WFLD	Stangmom86@aol.com	comments@foxchicago.com	December 11, 2003	viewer e-mail
FCC-X01-026	WFLD	nyhojohm@aol.com	comments@foxchicago.com	December 10, 2003	viewer e-mail
FCC-X01-027	WFLD	Thomas LaJeone	comments@foxchicago.com	December 10, 2003	viewer e-mail
FCC-X01-028	WGHP	EasyLink	General Managers et al.	December 11, 2003	Fox intranet cyber-mailer
FCC-X01-029	WGHP	Connie Green	programming@wgtp.com	December 11, 2003	viewer e-mail
FCC-X01-030	WGHP	Karen Adams	Connie Green	December 31, 2003	response to viewer e-mail
FCC-X01-031	WGHP	Wendy Butler	programming@wgtp.com	December 10, 2003	viewer e-mail
FCC-X01-032	WGHP	Allen Holloman	Karen Adams	December 31, 2003	response to viewer e-mail
FCC-X01-033	WGHP	Sue Fisher	Karen Adams	December 31, 2003	response to viewer e-mail
FCC-X01-034					
FCC-X01-035	WHBQ	tables@mail.iced.net	whbq-RandyAdams@foxtv.com	December 11, 2003	viewer e-mail

FCC-X01-124	1(d)	Fox Broad-casting Co.			Videotape of material for Eastern and Central time zones
FCC-X01-125	1(d)	Fox Broad-casting Co.			Videotape of material for Mountain and Western time zones

-----Original Message-----

From: upn9
Sent: Wednesday, December 10, 2003 8:19 PM
To: Public File
Subject: FW: Billboard Awards

From: Bill BILL MORRISETTE[SMTP:UNBELIEVERGUY@MSN.COM]
Sent: Wednesday, December 10, 2003 8:19:43 PM
To: fox9@kmsp.com
Subject: Billboard Awards
Auto forwarded by a Rule

I know this is not the fault of KMSP, but I would appreciate it if you would pass on my intense opinion of the Billboard Awards and Nicole Ritchie. We teach our kids that people like her have a potty mouth. My children were watching part of this program and happened to catch her vulgarity. We will not finish watching the awards nor will we continue to watch fox network in this household.

Whatever happened to the 7-second delay. There should be no reason an announcer needs to come on and "remind" the personalities they are on live TV. They obviously know that.

We are extremely irritated that performers have to talk poorly to think they are cool. This surely took her down a peg in our household. My kids know better than to talk like that and they are still young. Who does she think she is? Or, better yet, does she think at all?

FCC-X01-001

.....Original Message.....

From: upn9
Sent: Wednesday, December 10, 2003 8:20 PM
To: Public File
Subject: FW: Billboard Awards

.....
From: Bill BILL MORRISETTE(SMTP:UNBELIEVERGUY@MSN.COM)
Sent: Wednesday, December 10, 2003 8:20:29 PM
To: fox9@kmsp.com
Subject: Billboard Awards
Auto forwarded by a Rule

Sorry, I forgot to include my name on the previously sent e-mail.

Mary Morrisette
Oakdale, MN

FCC-X01-002

-----Original Message-----

From: upn9
Sent: Wednesday, December 10, 2003 11:11 PM
To: Public File
Subject: FW: billBORED awards

.....
From: Trublu4@aol.com[SMTP:TRUBLU4@AOL.COM]
Sent: Thursday, December 11, 2003 5:40:21 AM
To: fox9@krisd.com
Cc: askbb@billboard.com
Subject: billBORED awards
Auto forwarded by a Rule

I am a 38 year old female and I am by no means a prude. But I have to tell you that I was disgusted with the awards. What is it about FOX, that sensationalized antics and vulgarities (bleeped or otherwise) are so common?

In the same show, Fox had a stage full of children singing along with Shania. I wonder what the children thought of the F-word and every other curse word broadcast to millions. There are kids that are watching and waiting for their Idol to perform or accept an award, who really got an earful. It was obvious in the crowd shots that the same old tired "jokes" about gays and sex and whatever, were offensive to the audience.

This was a show to celebrate music and its diversity. Yet Clay Aiken, Kelly Clarkson, Sting, Michael Jackson (whom I don't care for), and others were slammed. I'm sure Clay's mother sitting next to him really appreciated the hundredth gay joke about he and Ruben. I wish I could be as cool as Nicole Richie and swear like a trucker.

I was disappointed with the show. It could have been so much better. The culture at Fox needs to change.

Sincerely,

Julia Mueller
St Paul, MN
trublu4@aol.com

FCC-X01-003

-----Original Message-----

From: upn9
Sent: Wednesday, December 10, 2003 8:31 PM
To: Public File
Subject: FW: 2003 Billboard Music Awards

.....
From: Daniel and Gail Engblom [SMTP:DENGBLOM@SHERBTEL.NET]
Sent: Wednesday, December 10, 2003 8:35:20 PM
To: fox9@kmsp.com
Subject: 2003 Billboard Music Awards
Auto forwarded by a Rule

Dear Sir/Madam:

My husband and I are watching the Billboard Music Awards on your station. I can't believe what I just heard one of the presenters say "Cow shit" and "it's not so fuckin simple". I asked my husband what she said and he confirmed that I had heard it correctly. Why are you allowing that kind of language at 8:00 p.m. for all ages of people to hear? I thought that were rules about what could be said during primetime TV. I'm just glad that there were no small children or teenagers in the room. I think that you should have checked this show before you showed it on TV. I thought that your station had better values than that. It was disgusting and very disturbing. I plan to report this to the organization that governs these things.

Sincerely,

Gail Engblom
dengblom@sherbtel.net <<mailto:dengblom@sherbtel.net>>

FCC-X01-004

....Original Message....

From: upn9

Sent: Thursday, December 11, 2003 1:32 PM

To: Public File

Subject: FW: Billboard Awards Show

>

>.....

>From: Bonnie Hagen[SMTP: [BONNIE.HAGEN@NWA.COM](mailto:Bonnie.Hagen@NWA.com)]

>Sent: Thursday, December 11, 2003 1:26:55 PM

>To: fox9@kmsp.com

>Subject: Billboard Awards Show

>Auto forwarded by a Rule

>

Hope FOX thinks twice about airing a "program" the likes of what was on last night. I found it to be one of the most disgusting awards shows ever, and the fact that it was live and prime time concerns me. Many younger viewers were exposed to the lude behavior and vulgar language.

FCC-X01-005

-----Original Message-----

From: upn9
Sent: Saturday, December 13, 2003 12:34 AM
To: Public File
Subject: FW: Billboard.music awards

From: Lallak, Tracy [SMTP:TLALLAK@CO.SCOTT.MN.US]
Sent: Saturday, December 13, 2003 12:34:46 AM
To: fox9@kmsn.com
Subject: Billboard music awards
Auto forwarded by a Rule

Hello. I would like to comment about the Billboard Music Awards which aired at the beginning of this week.

I was watching the event with my 12 and 13 y/o daughters. I would like to say that I was very disappointed with the content of these awards. I am an open minded person however, the fact that Jessica Simpson and her husband were allowed to talk about their sex life was sickening. Also, the amount of swearing that was done and the severity of some of the words was horrible. The only reason we continued watching it is because we wanted to see certain performers.

Watching TV has become very unpredictable these days and people on TV are allowed to speak too freely. I do not feel it is a safe source of entertainment for our children. Even during the minimal amount of time my daughters are allowed to watch TV, they are subject to things they should not be hearing on regular TV (ex. Billboard Music Awards).

I sincerely hope that these issues were addressed and will not happen again next year.

Thank you for your time in this matter.

Sincerely;

Tracy Lallak
tlallak@msn.com

FCC-X01-006

From: "Robert L. Wiswell" <rwiswell@ix.netcom.com>
To: <bschn603@foxtv.com>
Date: 1/12/04 5:32PM
Subject: Obscene words

Sir
Since I don't watch TV other than sports and a few news shows on Fox (cable channel 42), I would not have seen the show mentioned in the following complaint. However, I agree with it totally.
Sincerely,
Robert Wiswell

Federal Communications Commission
445 12th St, S.W.
Complaints and Political Programming Branch
Enforcement Division, Mass Media Bureau
Washington, DC 20554

This is a formal COMPLAINT of indecency on broadcast television.

My complaint concerns the PROGRAM ON:

NETWORK: Fox
PROGRAM TITLE: The 2003 Billboard Music Awards

which was broadcast on:

BROADCAST DATE: December 10, 2003
BROADCAST TIME: 8:00 PM Eastern

Following is the material on which my COMPLAINT is based:

During Fox-TV's live broadcast of the "2003 Billboard Music Awards," "Simple Life" star Nicole Richie said:

"Why do they even call it the Simple Life? Have you ever tried to get cow sh't out of a Prada purse? It's not so f'cking simple."

Video tape of the "2003 Billboard Awards" broadcast is available from the Parents Television Council.

COMPLAINANT believes that such material is:

- (a.) Clearly offensive according to the standards of my community; and
- (b.) Especially offensive because it was broadcast at an hour when millions of children were watching.

COMPLAINANT urges the Commission to exercise its responsibility to enforce the existing law against indecency on broadcast TV between the hours of 6 a.m. and 10 p.m. (Title 18, U.S. Code, Section 1464) by levying severe sanctions against the Fox stations which, by broadcasting this program, violated community standards of decency.

I am also at this time joining the Parents Television Council's APPEAL of the FCC Enforcement Bureau's ruling in File No. EB-03-IH-0110, that an earlier broadcast of the "F-word" was not indecent. THIS RULING WAS

AN OPEN INVITATION TO BROADCASTERS TO ALLOW THE "F-WORD," and the Fox "Billboard Awards" program on December 10 proved that some broadcasters will be all-too-happy to accept the FCC's invitation.

Enforcement responsibility under the law is your obligation as an appointed Commissioner of the FCC. I want to see a formal, public vote by the five Commissioners on the Enforcement Bureau's ruling, and I call upon you to do your duty under the law by voting to **OVERRIDE** the Enforcement Bureau's reckless opening of the floodgates to obscenities like the "F-word."

Finally, I hereby request that you **PLEASE KEEP ME INFORMED OF THE PROGRESS AND RESULTS OF YOUR INVESTIGATION INTO THIS COMPLAINT, AND OF YOUR REVIEW OF THE ENFORCEMENT BUREAU'S EARLIER RULING.**

Sincerely,



December 12, 2003

Bebel D'Artagnan
General Manager
4261 Southwest Fwy
Houston, TX 77027-7201

Dear Ms. D'Artagnan

Fox's blatant and total disregard of the most basic level of community standards was evident during last night's broadcast of the "2003 Billboard Music Awards." These egregious utterances were not some inadvertent mistake by an enthusiastic award winner, they were scripted. They were premeditated and they were wholly indecent for members of this community, particularly innocent children who heard "fuck" and "shit" on your broadcast.

As a concerned viewer, I am informing Fox that I will not tolerate this inexcusable abuse of MY airways. I remind you that to always consider the interests of the local "owners" of the airways, and that you, as a broadcaster, are borrowing them from us for free. The airing of such inexcusable and inappropriate language on the "Billboard Music Awards" does not represent our community values.

I hereby put this station on notice that I will diligently monitor your actions. I will loudly complain when you do not respect our community values when making programming decisions. And should you violate those standards by airing inappropriate programs, I will call on the FCC to take appropriate action including license revocation.

I expect, no I demand, better of Fox.

Sincerely,

George L. Hall
Houston Chapter Director
P.O. Box 590632
Houston, TX 77259

programming

From: <pepperrockdrive@austin.rr.com>
To: <programming@fox7.com>
Sent: Thursday, December 11, 2003 8:14 AM
Subject: Comments from the Fox 7 Web Site

email: pepperrockdrive@austin.rr.com

name: Kim

zip: 78717

comment: Why didn't FOX7 "bleep" *all* of the vulgar words used by N. Ritchie on the Billboard Music Awards? It looked like you bleeped the "shit" part of her first utterance of "chicken-shit", but then she went on to say it again (no bleep) and then she said the biggest and baddest word of all - "fuck" - with no "bleep". What gives?

FCC-X01-010

12/15/2003

programming

From: "programming" <programming@fox7.com>
To: <pepperrockdrive@austin.rr.com>
Sent: Thursday, December 11, 2003 10:09 AM
Subject: Re: Comments from the Fox 7 Web Site

Thank you for your email. I have forwarded it to the FOX BROADCASTING COMPANY.

Sincerely,
KTBC Programming Dept.

----- Original Message -----

From: <pepperrockdrive@austin.rr.com>
To: <programming@fox7.com>
Sent: Thursday, December 11, 2003 8:14 AM
Subject: Comments from the Fox 7 Web Site.

- > email: pepperrockdrive@austin.rr.com
- > name: Kim
- > zip: 78717
- > comment: Why didn't FOX7 "bleep" *all* of the vulgar words used by N. Ritchie on the Billboard Music Awards? It looked like you bleeped the "shit" part of her first utterance of "chicken-shit", but then she went on to say it again (no bleep) and then she said the biggest and baddest word of all - "fuck" - with no "bleep". What gives?
- >
- >

FCC-X01- 011

1/14/2004

programming

From: "Kim Bucklew" <pepperrockdrive@austin.rr.com>
To: "programming" <programming@fox7.com>
Sent: Thursday, December 11, 2003 10:24 AM
Subject: RE: Comments from the Fox 7 Web Site

You are welcome. It will be interesting to see what they say if they actually do respond. :-)

-----Original Message-----

From: programming [mailto:programming@fox7.com]
Sent: Thursday, December 11, 2003 10:10 AM
To: pepperrockdrive@austin.rr.com
Subject: Re: Comments from the Fox 7 Web Site

Thank you for your email. I have forwarded it to the FOX BROADCASTING COMPANY.

Sincerely,
KTBC Programming Dept.

----- Original Message -----

From: <pepperrockdrive@austin.rr.com>
To: <programming@fox7.com>
Sent: Thursday, December 11, 2003 8:14 AM
Subject: Comments from the Fox 7 Web Site

> email: pepperrockdrive@austin.rr.com
> name: Kim
> zip: 78717
> comment: Why didn't FOX7 "bleep" *all* of the vulgar words used by N.
> Ritchie on the Billboard Music Awards? It looked like you bleeped the
> "shit" part of her first utterance of "chicken-shit", but then she
went on
> to say it again (no bleep) and then she said the biggest and baddest
word
> of all - "fuck" - with no "bleep". What gives?
>
>

FCC-X01-012

12/15/2003

programming

From: "programming" <programming@fox7.com>
To: "Kim Bucklew" <pepperrockdrive@austin.rr.com>
Sent: Friday, December 12, 2003 9:22 AM
Subject: Re: Comments from the Fox 7 Web Site

Dear Kim:

FYI, FOX released the following statement last night regarding profanity during the Billboard Music Awards:

The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

Thank you,
KTBC FOX 7 Programming Dept.

----- Original Message -----

From: "Kim Bucklew" <pepperrockdrive@austin.rr.com>
To: "programming" <programming@fox7.com>
Sent: Thursday, December 11, 2003 10:24 AM
Subject: RE: Comments from the Fox 7 Web Site

> You are welcome. It will be interesting to see what they say if they
> actually do respond. :-)

> -----Original Message-----

> **From:** programming [mailto:programming@fox7.com]
> **Sent:** Thursday, December 11, 2003 10:10 AM
> **To:** pepperrockdrive@austin.rr.com
> **Subject:** Re: Comments from the Fox 7 Web Site

> Thank you for your email. I have forwarded it to the FOX BROADCASTING
> COMPANY.

> Sincerely,
> KTBC Programming Dept.

> ----- Original Message -----

> **From:** <pepperrockdrive@austin.rr.com>
> **To:** <programming@fox7.com>
> **Sent:** Thursday, December 11, 2003 8:14 AM
> **Subject:** Comments from the Fox 7 Web Site

FCC-X01- 013

11/4/03

>
>
>
>> email: pepperrockdrive@austin.rr.com
>> name: Kim
>> zip: 78717
>> comment: Why didn't FOX7 "bleep" *all* of the vulgar words used by N.
>> Ritchie on the Billboard Music Awards? It looked like you bleeped the
>> "shit" part of her first utterance of "chicken-shit", but then she
> went on
>> to say it again (no bleep) and then she said the biggest and baddest
> word.
>> of all - "fuck" - with no "bleep". What gives?

>>
>>
>
>
>
>

programming

From: "programming" <programming@fox7.com>
To: <marklpps@fox.com>
Sent: Thursday, December 11, 2003 10:08 AM
Subject: Fw: Comments from the Fox 7 Web Site

Mark: I'm forwarding this message to you that was sent to KTBC Austin regarding language in the Billboard Music Awards last night.
Thank you. Holly Breaux

----- Original Message -----

From: <pepperrockdrive@austin.rr.com>
To: <programming@fox7.com>
Sent: Thursday, December 11, 2003 8:14 AM
Subject: Comments from the Fox 7 Web Site

- > email: pepperrockdrive@austin.rr.com
- > name: Kim
- > zip: 78717
- > comment: Why didn't FOX7 "bleep" *all* of the vulgar words used by N. Ritchie on the Billboard Music Awards? It looked like you bleeped the "shit" part of her first utterance of "chicken-shit", but then she went on to say it again (no bleep) and then she said the biggest and baddest word of all - "fuck" - with no "bleep". What gives?
- >
- >

FCC-X01-015

1/14/2004

From: "Mark Lipps" <Mark.Lipps@fox.com>
To: "Mark Lipps" <Mark.Lipps@fox.com>
Date: Thu, Dec 11, 2003 7:20 PM
Subject: STATEMENT FROM FOX REGARDING PROFANITY DURING BILLBOARD MUSIC AWARDS

EASYLINK #12.50

TO: OWNERS, GENERAL MANAGERS, GENERAL SALES MANAGERS, PROGRAM DIRECTORS,
PROMOTION MANAGERS, NEWS DIRECTORS

FR: NETWORK DISTRIBUTION

DT: DECEMBER 11, 2003

RE: STATEMENT FROM FOX REGARDING PROFANITY DURING BILLBOARD MUSIC AWARDS

The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

Please call your Network Distribution Representative with any questions.

From: "Danny Baker" <dbaker@fox7.com>
To: <Hbrea965@fox.com>
Date: 1/14/04 9:51AM
Subject: Fw: Cover your ears..

----- Original Message -----

From: "Janie Robles" <jrobles@nustats.com>
To: <dbaker@fox7.com>
Sent: Tuesday, January 13, 2004 1:51 PM
Subject: Cover your ears..

- > Federal Communications Commission
- > 445 12th St, S.W.
- > Complaints and Political Programming Branch
- > Enforcement Division, Mass Media Bureau
- > Washington, DC 20554
- >
- > This is a formal COMPLAINT of Indecency on broadcast television.
- >
- > My complaint concerns the PROGRAM ON:
- >
- > NETWORK: Fox
- > PROGRAM TITLE: The 2003 Billboard Music Awards
- >
- > which was broadcast on:
- >
- > BROADCAST DATE: December 10, 2003
- > BROADCAST TIME: 8:00 PM Eastern
- >
- > Following is the material on which my COMPLAINT is based:
- >
- > During Fox-TV's live broadcast of the "2003 Billboard Music Awards,"
- > "Simple
- > Life" star Nicole Richie said:
- >
- > "Why do they even call it the Simple Life? Have you ever tried to get cow
- > sh't out of a Prada purse? It's not so f'cking simple."
- >
- > Video tape of the "2003 Billboard Awards" broadcast is available from the
- > Parents Television Council.
- >
- > COMPLAINANT believes that such material is:
- >
- > (a.) Clearly offensive according to the standards of my community; and
- > (b.) Especially offensive because it was broadcast at an hour when
- > millions
- > of children were watching.
- >
- > COMPLAINANT urges the Commission to exercise its responsibility to enforce
- > the existing law against indecency on broadcast TV between the hours of 6
- > a.m. and 10 p.m. (Title 18, U.S. Code, Section 1464) by levying severe
- > sanctions against the Fox stations which, by broadcasting this program,
- > violated community standards of decency.
- >

- > I am also at this time joining the Parents Television Council's APPEAL of
- > the FCC Enforcement Bureau's ruling in File No. EB-03-IH-0110, that an
- > earlier broadcast of the "F-word" was not indecent. THIS RULING WAS AN OPEN
- > INVITATION TO BROADCASTERS TO ALLOW THE "F-WORD," and the Fox "Billboard Awards" program on December 10 proved that some broadcasters will be
- > all-too-happy to accept the FCC's invitation.
- >
- > Enforcement responsibility under the law is your obligation as an appointed
- > Commissioner of the FCC. I want to see a formal, public vote by the five
- > Commissioners on the Enforcement Bureau's ruling, and I call upon you to do
- > your duty under the law by voting to OVERRULE the Enforcement Bureau's
- > reckless opening of the floodgates to obscenities like the "F-word."
- >
- > Finally, I hereby request that you PLEASE KEEP ME INFORMED OF THE PROGRESS
- > AND RESULTS OF YOUR INVESTIGATION INTO THIS COMPLAINT, AND OF YOUR REVIEW OF
- > THE ENFORCEMENT BUREAU'S EARLIER RULING.
- >
- > Sincerely,
- > Jani Robles
- >
- >

2 SHOT/DAVID

[REDACTED]

IT APPEARS PARIS HILTON HAS OFFICIALLY COME OUT OF HIDING.

2 SHOT/NANCY

SHE MADE AN APPEARANCE WITH NICOLE RICHIE AT LAST NIGHT'S BILLBOARD AWARDS. AND TAKE A LOOK AT THIS MOMENT AS NICOLE OFFERS A RAUNCHY DESCRIPTION OF "THE SIMPLE LIFE."

SOI/VO
(BMA MOMENT)

[REDACTED]

[REDACTED]

:00

VO CONT: 34
NANCY READS

PARIS AND NICOLE CAN BE SEEN AGAIN TONIGHT.

THE FIRST TWO EPISODES OF THE SIMPLE LIFE WILL RE-AIR AT 7-30, RIGHT HERE ON FOX.

TRF: 1:00

12/11/2003 7am clip

MARK/E7169
(TV BAN)

ARE YOU A PARENT WHO TRIES TO SHIELD
YOUR CHILDREN FROM PROFANITY?
YOU CERTAINLY HAVE YOUR WORK CUT OUT
FOR YOU THESE DAYS.

WHETHER WATCHING TV, OR LISTENING TO
THE RADIO.. FINDING CLEAN AIRWAVES IS NO
EASY TASK.

BUT IF A CALIFORNIA CONGRESSMAN HAS
HIS WAY, THE FEDERAL COMMUNICATIONS
COMMISSION WILL HAVE TO TOUGHEN ITS
ENFORCEMENT OF FOUL LANGUAGE.

NANCY PENDER JOINS US WITH THE
STORY.

TAKE CK/NANCY

1/13/2004 9pm pkg Anchor toss

FD4 - 1 Slug: SEVEN DIRTY WORDS [WFLD]ARCHIVES.SHOW 1/14/04 13:01:45 User: Ward.Hook

NANCY AT CK

C7170: SEVEN DIRTY WORDS

MARK, as comedian george carlin once
aid...THERE ARE more than 400-THOUSAND
WORDS IN THE ENGLISH LANGUAGE.. AND SEVEN
OF THEM THAT YOU CAN'T SAY ON TV.. THAT
IS HOWEVER, UNLESS YOU USE THEM AS
ADJECTIVES AND NOT VERBS.. SOUND A LITTLE
CONFUSING.

EVEN RIDICULOUS.. THAT'S WHAT A
CALIFORNIA CONGRESSMAN DOUG OSE THINKS..
AND NOW HE TRING TO FORCE THE F-C-C INTO
REEVALUATING ITS DEFINITION OF PROFANITY.

TAKE PKG

1/13/2004 9pm pkg reporter intro

ECC-X01-021

1 Slug: SEVEN DIRTY WORDS [WFLD]ARCHIVES.SHOW 1/14/04 13:02:07 User: Ward Hook

WHEN BONO OF U2 FAME ACCEPTED A GOLDEN GLOBE AWARD LAST YEAR FOR BEST SONG IN A MOVIE...HE COULDN'T CONTAIN HIS DELIGHT.

[REDACTED]

AND WHILE SOME NETWORKS BLEEPED THE F-WORD, NBC DIDN'T. IT WAS A SLIP THAT INFURIATED MANY VIEWERS..AND PROMPTED AN FCC INQUIRY...BUT BECUASE THE WORD WAS USED AS AN ADJECTIVE ... AND NOT TO DESCRIBE A SEXUAL ACT ... THE F-C-C- DECIDED THE UTTERANCE WAS NOT PROFANE AND DIDN'T LEVY A FINE.

[REDACTED]

CALIFONRIA CONGRESSMAN DOUG OSE IS SPONSORING A BILL THAT WOULD REQUIRE THE F-C-C- TO DEFINE ANY USE OF THE SO-CALLED SEVEN DIRTY WORDS AS PROFANE.

[REDACTED]

BETWEEN 1998 AND 2002, A RECENT PARENTS COUNCIL STUDY FOUND A 75 PERCENT INCREASE IN DIRTY WORDS ON BROADCAST NETWORKS DURING PRIME TIME. AND JUST IN THE SEVEN O'CLOCK HOUR, FOUL LANGUAGE NEARLY DOUBLED. KEEPING UP WITH CABLE TV IS THE REASON MOST ANALYSTS GIVE...IT UNLIKE BROADCAST TELEVISION HAS BROADER FIRST AMENDMENT RIGHTS.

[REDACTED]

JIM SPETA IS AN ASSOCIATE PRFESSOR OF COMMUNICATIONS LAW AT NORTHWESTERN. HE DOESN'T SEE MUCH HOPE FOR CONGRESSMAN OSE'S CAMPAIGN.

[REDACTED]

1/13/2004 9pm pkg reporter script

F05 - 1 Slug: SEVEN DIRTY WORDS [WFLD]ARCHIVES.SHOW 1/14/04 13:01:48 User: Ward Hook

TAKE PKG/EN7171
(CURSING CRACKDOWN)

00:00

00:04

00:46

01:36

1/13/2004 9pm pkg reporter tech page

FCC-X01-023

NANCY ONSET

THE BILL WOULD HAVE NO IMPACT ON
CABLE TV, NOR WOULD IT REQUIRE TOUGHER
F.C.C. PENALTIES FOR BROADCASTERS.
FOR ITS PART THE F.C.C. HAS DECLINED
COMMENT ON THE PROPOSED LEGISLATION.
BUT A HOUSE SUBCOMMITTEE HAS
SCHEDULED A HEARINGS LATER THIS MONTH TO
INVESTIGATE THE F.C.C.'S RECORD OF
ENFORCING DECENCY STANDARDS.
walter and mark?

3SHOT

1/13/2004 9pm pkg reporter tag

CriticalPath.

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comments@foxchicago.com

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Asya

Inbox message 1 of 36

From: <Stangmom86@aol.com>
 Date: 11 Dec 06:57 (PST)
 To: <comments@foxchicago.com>
 Subject: Comments from the Fox TV Chicago Web Site

email: Stangmom86@aol.com
 zip: 60914

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comment: I'm am very angry with your broadcasting system. Last night I watched the Billboard Music Awards in which there were no Viewer Discretion warnings before the show. Being on at 7:00, a time when alot of children are still up, I am very shocked at what I heard on your station that was not bleeped out. When Paris and Richie came to present an award, she swofe her head off and said F... and S...!!!! Why do you broadcast live if you cannot control the behavior or language of these shows?? You are not a cable station, and I cannot believe I heard the F... word and nothing has been said about it today on the news like it is acceptable. Well I have a 3 year old son at home and i'm sure there are alot of other children who heard that word and are saying it today in school. I have contacted the FCC and I will do whatever it takes to make sure your station or any other one, never lets this happen again. What is the world coming to if this behavior is O.K. and our children are watching this crap?? If you want it to be live, then put it on after 10:00pm, not at 7:00pm. I fear for our future generation when they can't even sit down at night and watch a non-cable program without hearing such language. All you care about is your damn rating, but what about your morals and values for our children? I will do whatever it takes to see that whoever was supposed to bleep those words out and did not, gets a great big fine for it. I will also make sure that I never have your station on in my home again.

A Concerned Parent!!!!

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comments@foxchicago.com

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Inbox message 1 of 25

Copy

From: <nyhojohn@aol.com>
Date: 10 Dec 18:25 (PST)
To: <comments@foxchicago.com>
Subject: Comments from the Fox TV Chicago Web Site

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[Empty Trash](#)

email: nyhojohn@aol.com
name: John Nyhoff
street: 1325 Darien Club Drive
city: Darien
state: IL
zip: 60561

comment: Shortly before 8:10 p.m. the young "lady" appearing with Paris Hilton on the Billboard awards chose to use quite selective language, while the FOX producer(s) chose to let it go on air. When in the world did the word "Fuck" become acceptable language during the 8:00 p.m. timeslot on a major network broadcast. Allowing that word made the use of "shit" in the prior sentence quite anti-climatic. Why have the Fox Chicago standards for profanity during primetime broadcasts declined to such tolerant levels? What's next? Are you going to graduate to hard core porn during the 7:00 p.m. timeslot? Why don't you demonstrate respect for your audience and edit out profanity in a pre-teen/teen oriented program?

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12/11/03

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comments@foxchicago.com

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- [Write Mail](#)
- [Log Out](#)



Inbox message 1 of 21

Jeff

From: <tlajeone@hotmail.com>
 Date: 10 Dec 18:16 (PST)
 To: <comments@foxchicago.com>
 Subject: Comments from the Fox TV Chicago Web Site

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- [Report Junk](#)

- [Folders](#)
- [Inbox](#)
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- [Addresses](#)
- [Preferences](#)
- [Help](#)
- [Empty Trash](#)

email: tlajeone@hotmail.com
 name: Thomas Lajeone
 street: 1237 west Oakdale Avenue
 city: chicago
 state: il
 zip: 60657

comment: "Have you ever tried to get SHIT out of a FUCKING prada urse?" - Nicole Ritchie on your billboard awards.. that i'm watching with my two neices.. both 12 yrs old. How in the world does this happen?? I'm absolutely shocked that you would play this or not delay it... I know it's live, but come on!!! fucking ridiculous..

Tom

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<http://mail.foxchicago.com/mail/msg?fld=Inbox&id=23736>

EASYLINK #12.50

TO: OWNERS, GENERAL MANAGERS, GENERAL SALES MANAGERS,
PROGRAM DIRECTORS, PROMOTION MANAGERS, NEWS DIRECTORS

FR: NETWORK DISTRIBUTION

DT: DECEMBER 11, 2003

RE: STATEMENT FROM FOX REGARDING PROFANITY DURING
BILLBOARD MUSIC AWARDS

The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

Please call your Network Distribution Representative with any questions.

REC'D DEC 31 2003

FCC-X01-028

greencf@wfu.edu, Re: Fwd: language

X-Accept-Language: en,zh-TW,zh-CN,zh,ja,ko,tr,ru
To: programming@wghp.com, "News" <fox8@wghp.com>
Subject: language
X-SLUIDL-D75BB6E5-0CE1423C-AAF35561-030E3C90

Dear Local Fox Affiliate,

As a mother, Christian, and consumer, it is hard for me to believe that you would air The Billboard Music Awards without a moment's delay so that f*** and sh** couldn't be bleeped out. I was channel surfing and came across just in time to hear this. Fox has become the most offensive channel in regular broadcasting. I just want you to know that I will be contacting your advertisers later today when I compose myself and can think a bit clearer. I think they'll be interested in knowing that because they support you, I won't support them. I see on your schedule for Friday the "The Naughtiest Blunders" will be aired. I can guarantee that I won't be watching Fox again. There are many worth while choices--just not on Fox.

Connie Green
Wake Forest University
Winston-Salem, North Carolina

REC'D DEC 9 1 2003

FCC-X01-029

greencf@wfu.edu, Re: Fwd: language

To: greencf@wfu.edu
From: Karen Adams <kadams@wghp.com>
Subject: Re: Fwd: language
Cc:
Bcc:
Attached:

Dear Mrs. Green,

My apologies for this delayed response, but I was waiting for an answer from the Fox Television Network. The Fox Broadcasting Company apologizes to their station partners (WGHP) and viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive. Fox is working to ensure that it does not happen again and Fox sincerely regrets the error. Fox Broadcast Standards and Practices has installed a 10 second audio and video delay which will be used in all live broadcast entertainment programming. This will be utilized in the live New Year's Eve broadcast and all future live entertainment programs."

We were just as shocked here at WGHP and offer our apologies as well.

Sincerely,

Karen Adams, Vice President and General Manager, WGHP/Fox 8

At 10:24 AM 12/11/2003 -0500, Susan Davis wrote:
Karen - Thought you might want to see.... I'll answer if you like.

Susan

REC'D DEC 31 2003

X-Sender: news@mail.wghp.com
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2
Date: Thu, 11 Dec 2003 10:03:06 -0500
To: "Susan Davis" <sdavis@wghp.com>,
"Dick Daggett" <ddaggett@wghp.com>
From: "News" <news@wghp.com>
Subject: Fwd: language
X-SLUIDL: DA18005E-C9C949F3-8A8A3B0A-00F628CD

Date: Thu, 11 Dec 2003 09:00:53 -0500
From: Connie Green <greencf@wfu.edu>
X-Mailer: Mozilla 4.79 [en] (Windows NT 5.0; U)

FCC-X01-030

Printed for Karen Adams <kadams@wghp.com>

1

Wendy, 06:05 AM 12/10/2003 -0500, Music Awards

Page 1 of 1

From: "Wendy" <ivystone@northstate.net>
To: programming@wghp.com
Subject: Music Awards
Date: Wed, 10 Dec 2003 06:05:24 -0500
X-Mailer: Microsoft Outlook Express 6.00.2800.1158
X-SLUIDL: DA49BC2E-B0584BC6-8DD74175-293698F4

I would like to know why you put on music awards before 9:00 p.m. when you know children are watching T.V., specifically the little ones that don't go to bed before 9:00?

Specifically, the language from some of the attendees and sexual innuendo from supposedly innocent Jessica Simpson is ridiculous! I don't appreciate sitting there with my 8 and 10 year olds and having to explain to them why they shouldn't use the "F" word because one of the artist on the show does it.

Please pass this along to your affiliates. I am disgusted that the artists can't clean their mouths up on national television and I'm sick of Hollywood's "run at our children". Enough is enough!

Sincerely, W. Butler

REC'D DEC 31 2003

FCC-X01-031

Allen Holloman, Re: Billboard Music Awards

To: "Allen Holloman" <AHolloman@starrelectric.net>
From: Karen Adams <kadams@wgHP.com>
Subject: Re: Billboard Music Awards
Cc:
Bcc:
Attached:

Dear Mr. Holloman,

I understand how you feel. I was delayed in responding because I was awaiting word from Fox on what they intended to do to prevent this from happening ever again. Fox has installed a :10 second audio and video delay that will be used in all live entertainment programming beginning with the New Year's Eve special. We were just as shocked here at WGHP. Fox Broadcasting apologizes to their station partners (WGHP) and to viewers on the East coast who were subjected to the profanity. You have my apologies as well. Sincerely, Karen Adams, Vice President and General Manager, WGHP

At 08:44 AM 12/11/2003 -0500, you wrote:

To Whom It May Concern,

I am VERY shocked and disappointed that you would choose to air the Billboard Music Awards last night. At the very least you could delayed it until 9:00 p.m. when not so many young children would be watching. I allowed my daughter to watched a few minutes of it (until PINK came on) before I had to switch channels. I did switch back a couple of times to see if it would get any better...it didn't! I am not some rigid fundamentalist who wants to sensor everything on TV. I do, however, think that if people like you would use a little common sense, there would be no fuel for the fire.

As an adult, I choose to not watch that type of programming. As an 8 year old, my does not have that choice. I refuse to let her watch it. Your response to this may be for me to monitor my own child and what she watches and you would be correct. I can and will restrict what my child watches when necessary. If I feel that I cannot trust FOX to air appropriate programming before 9:00 p.m., I will have no other choice but to remove FOX & WGHP from my list of programmed channels. My family enjoys many of your shows but if I have to choose, I will choose family EVERY TIME.

REC'D DEC 31 2003

FCC-X01-032

Cowboy and Sue Fisher, Re: USE OF VULGAR LANGUAGE INCLUDING THE "F" WORD ON FOX

To: Cowboy and Sue Fisher <cfisher1@triad.rr.com>
From: Karen Adams <kadams@wghe.com>
Subject: Re: USE OF VULGAR LANGUAGE INCLUDING THE "F" WORD ON FOX
Cc:
Bcc:
Attached:

REC'D DEC 31 2003

Dear Mrs. Fisher,

My apologies in a delayed response to your concerns, I was awaiting word from Fox Broadcasting on what actions they were going to take to prevent this from ever happening again. We were just as shocked here at WGHP. Fox Broadcasting has installed a :10 second audio and video delay that will be used in all live entertainment programming beginning with the New Year's Eve Special and in all future live entertainment programming. Fox Broadcasting apologizes to their station partners and viewers on the East Coast who were subjected to the profanity. You have my apologies as well. Sincerely,
Karen Adams, Vice President and General Manager, WGHP/Fox 8

At 09:43 PM 12/11/2003 -0400, you wrote:

I CAN'T WATCH YOUR NETWORK because when I do I never know what kind of obscene language that I or, more importantly, my kids may be exposed to!

Isn't it ironic that the station with such great local community programs as WGHP Fox 8 News, Fox 8 On Your Side and Roy's Folks, turns around and exposes the children (and adults) in our community to vulgar, degrading language and activities? In protest, I will no longer watch any WGHP programming because I'm sick of having to have the remote in hand at all times to try to protect my children from the smut that can be seen at any time without notice as a promo for a fox show. Following is a portion of a letter I sent to Fox Broadcasting regarding this same concern:

"Do you not have any common sense or discipline to monitor what goes out over your network? You are like a spoiled child who has no idea of boundaries or where to draw the line between right and wrong. All you would have to do is bleep some of the filth that spews out of the mouths of the equally spoiled so-called stars who have their heads planted firmly in some fantasy world where they think is okay to be a negative influence on the masses of young kids who, unfortunately, look up to them."

Well I, for one, have had enough! I will no longer watch your network at all unless you grow up a little, put right & wrong before making the almighty dollar and have the decency to clean up your act even if the FCC is failing to do their jobs.

Are you really so immature as to not be able to monitor yourself without have some government agency babysit you?"

As you can tell, I'm sick of they continual slide into obscenity that I'm seeing on TV.

FCC-X01- 033

Printed for Karen Adams <kadams@wghe.com>

Cowboy and Sue Fisher, Re: USE OF VULGAR LANGUAGE INCLUDING THE "F" WORD ON FOX

And, I feel that it is particularly evident in your programming. Please make a stand locally to clean up your act!

Sue Fisher

FCC-X01-034

Jackie Riddle - Comments from the Fox TV Memphis Web Site

From: <tables@mail.lced.net>
To: <whbq-RandyAdams@foxtv.com>
Date: 12/11/03 12:59PM
Subject: Comments from the Fox TV Memphis Web Site

email: tables@mail.lced.net
name: Tonya
city: Halls
state: TN
zip: 38040

comment: The language on the Billboard awards were awful. I know it was live and couldn't be bleeped. But something should be done. I will never watch fox 13 again. I am also telling my co workers and friends. I really like 13 but this is ridiculous.

From: <kents@mail.iced.net>
To: <whbq-RandyAdams@foxtv.com>
Date: 12/11/03 8:50AM
Subject: Comments from the Fox TV Memphis Web Site

email: kents@mail.iced.net
name: Kim Lents
street: 536 Jaynes Drive
city: Halls
state: TN
zip: 38040

comment: I tried to watch the Billboard Awards last night and was appalled at the language used on network tv. My family was interested in watching that show and the language was terrible. When Paris Hilton and her friend got up there and she used the "F" word and it was not beeped out. I instantly turned the channel and will refuse to watch anything on this channel if this continues. I like alot of the shows that you show, but when you sit down with your children to watch tv, you expect the language to be appropriate. This is going way to far!!!!

From: <NH7FAWNN@aol.com>
To: <mrend588@fox.com>
Date: 1/13/04 3:21PM
Subject: Concerning the "F___" Word

Dear Manager,

I am a viewer in Cuyahoga Falls and found out today that "F___" was used and not bleeped out on a program on Fox in December. Whether it was aired at 8PM or 8AM or even 2AM - as a viewer of television, I have to write and tell you that FOX has stepped into the outer limits of decency. I ask that you do what you can and should do to stop/reverse the decision to allow this word to be aired on FOX. There really are things that just are plain wrong. This is one of them. I speak as head of my family of 4 teenage children. You have to stop making the job of parenting a living hell.

Hoping to hear back that you will support decency and omit every "F___" on Fox programming in the future.

With great sincerity,
Nancy Heston
Cuyahoga Falls, OH

CriticalPath

Welcome to Web Mail, where you can access your mailbox from anywhere in the world just by opening a convenient Web browser.

fox8programming@fox8cleveland.com

Inbox message 16 of 70

Check Mail
Write Mail
Log Out

Trash

Folders
Inbox
Sent
Trash

Filters

Addresses

Preferences

Help

Empty Trash

From: fox8programming@fox8cleveland.com
Date: 12 Dec 11:34 (PST)
To: tallega@webtv.net
Subject: Re: Comments from the Fox TV Cleveland Web Site

Save Address
Print View
Show Headers
Report Junk
Mail

On Wed, 10 Dec 2003 23:20:56 -0500, tallega@webtv.net wrote:

> The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

> email: tallega@webtv.net
> name: Roberta Orock
> street: 891 Berwin Street
> city: Akron
> state: Oh
> zip: 44310
> comment: Dear Sirs, I wish to thank you for one of my worst experience in television viewing ever. After watching the Music Billboard Awards (for the first and last time) I have to wonder how you choose your programs. Was this taped, did you view it? If you viewed it why in heavens name would you allow this on your station? I know you did not write or produce the show but without you they would not have had at least your station to expose us to the vile trash SOMEONE is calling entertainment. I am not into todays music and of course am older and watched only because of the appearance of Clay Aiken. After hearing the F word being used and then young children being brought on stage, the embarrassment of the performers being honored, the insulting > "dog" who was neither funny nor entertaining only

FCC-X01-038

CRASS

- > and vile, not to
- > mention the on going conversation about the hosts sex
- > lives I was
- > embarrassed and disgusted for you, myself and the
- person
- > I came to watch.
- > While I am hardly a prude and do find alot of things
- > funny that I'm sure
- > other people would find insulting and in bad taste I
- > feel this program
- > stepped way over the line of decency and good taste. I
- > believe that your
- > station should be above this kind of programming.
- > Thank you for allowing me the chance to voice my
- > opinion. Next year give
- > it a pass---please.
- >
- > Roberta Crook

Change message text width in Settings.



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FCC-X01-039

CriticalPath

Welcome to Web Mail, where you can access your mailbox from anywhere in the world just by opening a convenient Web browser.

fox8programming@fox8cleveland.com

Inbox message 16 of 67

Check Mail
Write Mail
Log Out

From: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]

Trash

Folders
Inbox
Sent
Trash

Filters

Addresses

Preferences

Help

Empty Trash

From: fox8programming@fox8cleveland.com
Date: 12 Dec 11:29 (PST)
To: DanceTheatrOhio@aol.com
Subject: Re: Comments from the Fox TV Cleveland Web Site

Save Address
Print View
Show Headers
Report Junk
Mail

On Thu, 11 Dec 2003 10:02:27 -0500,
DanceTheatrOhio@aol.com wrote:

> The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

> email: DanceTheatrOhio@aol.com
> name: Bobbie
> street: 8266 Findley Drive
> city: Mentor
> state: Ohio
> zip: 44060
> comment: I have watched Fox 8 news for years and our wonderful weatherman since I was a child, I've always preferred your news channel over all the others, but after last night's music awards show, I am NOT watching Fox 8 ever again, it is completely blocked on our TV. When I heard the "F" word the first time on that show I was in total shock thinking I didn't really hear what I did, then I heard it a second time and could not believe that Fox would give in to the way of our children today and not block it out. Needless to say, I changed the channel, blocked your channel and received several phone calls from friends asking if I was watching the program, they too are no longer Fox 8 fans. There is no respect, no morals any more in our world, and seeing as well as hearing this

FCC-X01-040

> awful show last
> night is just one more step in the wrong direction,
> especially that your
> station gave in. What happened to your compassion?
> Why would you allow this? You probably don't even
> care about this email,
> it's all about money and ratings. I'm sure you have
> heard from other
> families too, but our Fox 8 experience has ended.
> I hope you think about this and make some positive
> changes that all
> viewers can enjoy without worry.
> If the station doesn't help keep things as we all know
> they "should" be,
> then who? Another thing sad about this was, it
> happened around 9:00 so
> you know children were watching, since it was still
> "family time" and such
> a show pulls a younger audience.
>
> All I can say is shame on you,
> Bobbie Sovich.

Change message text width in Settings.



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FCC-X01-041

<http://mail.fox8cleveland.com/mail/msg?fid=Inbox&id=21351>

12/18/03

From: "Leona Thomas" <justlkt@hotmail.com>
To: <mrend588@fox.com>
Date: 1/18/04 10:03AM
Subject: What is being aired?

This an appalling notification of authorization to use obscene language on TV. Hasn't the violence gone far enough? I am not a radical and beleive some afiliations take things to extremes. I grew up with alot of the shows that people or groups are trying to ban and find that just as offensive as now allowing vulgarity on TV. To take shows off the air that teach our children good values, show moral good standing, and teach a worldview in the best interest of all is just appalling as allowing vulgarity on TV.

I beleive if the audience and those of positions do not change things or do not take action we as a society are going to pay the price.

Please put some thought and consideration into this and take any action that you can to help.

Responding to this link can help in one way.

<http://www.parentstv.org/ptc/action/bbas/main.asp>

Thank You

Mrs. Thomas

From: <BNSCJR@aol.com>
To: <smrand588@fox.com>
Date: 1/28/04 11:27PM
Subject: My complaint

Federal Communications Commission
445 12th St, S.W.
Complaints and Political Programming Branch
Enforcement Division, Mass Media Bureau
Washington, DC 20554

This is a formal COMPLAINT of indecency on broadcast television.

My complaint concerns the PROGRAM ON:

NETWORK: Fox
PROGRAM TITLE: The 2003 Billboard Music Awards

which was broadcast on:

BROADCAST DATE: December 10, 2003
BROADCAST TIME: 8:00 PM Eastern

Following is the material on which my COMPLAINT is based:

During Fox-TV's live broadcast of the "2003 Billboard Music Awards," "Simple Life" star Nicole Richie said:

"Why do they even call it the Simple Life? Have you ever tried to get cow
sh*t out of a Prada purse? It's not so f*cking simple."

Video tape of the "2003 Billboard Awards" broadcast is available from the
Parents Television Council.

COMPLAINANT believes that such material is:

- (a.) Clearly offensive according to the standards of my community; and
- (b.) Especially offensive because it was broadcast at an hour when millions
of children were watching.

COMPLAINANT urges the Commission to exercise its responsibility to enforce
the existing law against indecency on broadcast TV between the hours of 8 a.m.
and 10 p.m. (Title 18, U.S. Code, Section 1464) by levying severe sanctions
against the Fox stations which, by broadcasting this program, violated community
standards of decency.

I am also at this time joining the Parents Television Council's APPEAL of the
FCC Enforcement Bureau's ruling in File No. EB-03-IH-0110, that an earlier
broadcast of the "F-word" was not indecent. THIS RULING WAS AN OPEN INVITATION
TO BROADCASTERS TO ALLOW THE "F-WORD," and the Fox "Billboard Awards" program
on December 10 proved that some broadcasters will be all-too-happy to accept
the FCC's invitation.

Enforcement responsibility under the law is your obligation as an appointed
Commissioner of the FCC. I want to see a formal, public vote by the five
Commissioners on the Enforcement Bureau's ruling, and I call upon you to do your

FCC-X01-043

duty under the law by voting to OVERRULE the Enforcement Bureau's reckless opening of the floodgates to obscenities like the "F-word."

Finally, I hereby request that you PLEASE KEEP ME INFORMED OF THE PROGRESS AND RESULTS OF YOUR INVESTIGATION INTO THIS COMPLAINT, AND OF YOUR REVIEW OF THE ENFORCEMENT BUREAU'S EARLIER RULING.

Sincerely,

Carolyn J. Ries
Bedford Nursery School & Kindergarten
366 Center Road
Bedford, Ohio 44146
Phone: 440-232-4412
BNSCJR@aol.com
Fax: 440-232-0683

FCC X01-044

EASYLINK #12.50

TO: OWNERS, GENERAL MANAGERS, GENERAL SALES MANAGERS,
PROGRAM DIRECTORS, PROMOTION MANAGERS, NEWS DIRECTORS

FR: NETWORK DISTRIBUTION

DT: DECEMBER 11, 2003

RE: STATEMENT FROM FOX REGARDING PROFANITY DURING
BILLBOARD MUSIC AWARDS

The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

Please call your Network Distribution Representative with any questions.

FCC-X01-045

Date	Caller	Phone #	Comment
12/10/03	Fran	718-281-8658	Does 24 repeat?
	Linda	631-329-4112	The word "Coming" was spelled wrong on the 11:30 news
	Diana	201-906-2566	Question about UPN 9 news
		917-975-9051	Question about the news
		765-457-5042	Wanted the number for the Montel Williams show?
		201-348-0009	Had a question about Smackdown (UPN 9)
	Francis	646-458-2723	Wanted to know if Halle Berry had a mailing address
		212-633-0650	Wanted the number for the news department
			Needed the number for Human Resources
		973-586-25269	Had a question about UPN 9 News
	Jenny	201-823-1372	How can she donate a vehicle?
	Jenny	201-823-1372	Wanted to talk to Problem Solvers
	Linda	212-645-6486	"The two dogs and the constant slandering were a waste of time on the Billboard Awards"
	Dorris	201-651-0086	The dog segment on the Billboards were "disgusting"
	Ms. Almyer	732-741-0671	The Billboards were "Vulgar and Disgraceful" especially the dog segment
	Bill Shaye	646-865-6365	Billboards were "Raunchy and Crappy" it was appalling
	John Bazanno	212635-4669	"Billboards were filthy, Nicole and Paris were disgusting"
	Jamie	908-245-4091	Upset that Nicole and Paris were about to curse on-air
			Billboards: "that drug addict, Nicole, uttered nasty words"
	Mahoney	631-465-2082	NJ Devils and NY Islanders game was broadcasted in black and white
	Amato		Billboard comedian with dog was unnecessary and disgusting
	Elaine	718-953-3038	She missed the Billboards and wants a copy of it, her husband thought it was a fantastic show
12/11/03		718-633-3630	Where is Lynn Brown?
	Joan		GDNY had "XMAS bonus" graphic which should have been spelled out, it was offensive to religion
			Billboards were horrible, the sexual remarks and innuendo were disgusting
			"Billboards were a piece of garbage" he only watched it for Clay Aiken, then stopped
			Disliked Theresa today on GDNY, her comments were not necessary
		517-374-7505	Wanted a copy of the Billboard Awards

Date	Caller	Phone #	Comment
12/11/03		973-691-1496	Wanted the number for the news desk
			Needed the number for the FOX News Channel
			Disgusted by the vulgar language and gestures on the Billboards, kids should not be watching
		212-408-0100	Wanted the Billboard Awards to air again
		212-879-5500	Wanted the number for the news desk
		973-455-0006	Wanted the number for the news desk
		718-479-8331	Needed the number for Community Affairs
	Peter Graham		Upset with the Billboard Awards
		202-441-3514	Where is Wanda at Large?
			Wanted the Billboard Awards to air again
		609-729-1794	Had a question about the FOX News Channel
		212-581-5900	Had question about Paid Programming
	Robert	845-687-9807	Needed the number for Problem Solvers
		212-397-5771	Upset with the Billboard Awards, Nicole and Paris shouldn't have cursed on primetime TV.
	Pat	516-564-8210	Upset that Nicole and Paris used the F-word on a family channel at 9pm. FOX should apologize.
		212-242-6861	Wanted the Billboard Awards to air again
		718-805-8680	Wanted to know which football teams are going to play this Sunday
		201-886-0018	Question about Joe Millionaire
			Upset with the Billboard Awards
		718-849-9444	Wanted the number for the news desk
		908-898-8951	Wanted the number for the Maury Show
	Erica	212-767-6328	Wanted a copy of the Simple Life
		631-261-8346	Does 24 repeat?
			Wanted to write a letter to the O.C.
			Loves the news and the whole network in general
12/12/03		212-255-8236	Had an idea for a news story
			Had a question about UPN 9 News.
			Is Boston Public coming on tonight?

Date	Caller	Phone #	Comment
12/12/03		718-343-8107	Is Boston Public coming on tonight?
		718-875-1688	Wanted the number for Problem Solvers
		609-730-9395	Wanted the P.R. company for the Billboard Awards
		973-429-7697	Wanted a copy of GDNV
		212-244-4307	Had a question about a news segment
			Wanted the number for FOX Broadcasting Company
		718-252-4964	Loved the Simple Life
		212-907-4300	Wanted a copy of the Simple Life
		201-348-0009	Wanted to know when "James and the Giant Peach" came on
	Mr. King	402-517-9978	Wanted the number for Problem Solvers
	Pat Pollock	212-874-0789	Having a problem with reception
	John	212-541-4830	Wanted the number for FOX Sports
	Ms. Weincheck	954-568-3675	Wanted a copy of a news show
		732-356-7760	Doesn't want MAD TV to air tomorrow. The Postal segment should not air, it's a sensitive topic.
		212-695-5565	Had a question about a news segment
		201-348-0009	Wanted the number for the United Paramount Network
			Wanted the number for GDNV
		212-462-3300	Wanted the number for the P.R. firm for MAD TV
		937-837-3062	Wanted to know if the Billboards were going to air again
	Ray	718-792-7637	Does 24 repeat?
	George	718-731-6642	Wanted the number for Problem Solvers
	Sharon	718-579-5418	Where is Boston Public?
	Jim	267-408-4987	Too many Dallas games are shown. Doesn't like the NFL programming.
	Mary	212-586-2520	What happened to Boston Public
			What happened to Boston Public
12/13/03	Terry	516-526-1626	Wanted the number for Problem Solvers
		805-492-3163	Upset that COPS was broadcasted in Spanish
12/14/03	John	845-229-9991	Loves King of the Hill and wanted to see the whole thing. Mad that FOX aired the San Diego game


 **Mail Message**

From: Viewer Services
To: WNYW_DOMAIN-01:[netscape.net]jamesjbederka
Subject: Re: Comments from the Fox TV New York Web Site

Message: Thank you for your recent email. FOX 5 values the comments and concerns of our viewers and we are pleased that you have taken the time to write to us. The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error. Again, thank you for writing to us.

Sincerely,

Viewer Services

<<< <jamesjbederka@netscape.net> 12/11 9:00p >>>

email: jamesjbederka@netscape.net

name: Jim Bederka

street: 7 Garden Terrace

city: Milltown

state: NJ

zip: 08850

comment: The vulgar language used during the Billboard Awards only adds to the increasing coarseness of our society. Broadcast stations, unlike cable, should have higher, family-friendly standards.

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FCC-X01- 049



Mail Message

From: Viewer Services
To: WNYW_DOMAIN-01:[aol.com]:mkennedy50
Subject: Re: Comments from the Fox TV New York Web Site

Message: Thank you for your recent email. FOX 5 values the comments and concerns of our viewers and we are pleased that you have taken the time to write to us.
Sincerely,

Viewer Services

<<< <mkennedy50@aol.com> 12/13 11:10a >>>
email: mkennedy50@aol.com
name: martin kennedy
street: 38 spruce drive
city: e northport
state: ny
zip: 11731

comment: The other night, you aired a commentary from one of your news personnel responding to the complaints you received from viewers about the four letter word broadcast on Fox during a live broadcast of an awards show. He indicated that it was a double standard to tolerate this kind of language on cable but not on broadcast tv when they are both broadcast into the same homes.

I disagree. Broadcast tv should take pride in the fact that it has not, as yet, allowed its standards to slip, as have other media outlets, and allow such vulgar language. Broadcast frequencies are granted to the operators with the responsibility to adhere to community standards of acceptability. Broadcasting such foul language is outside of those standards.

Furthermore, you should not be broadcasting programming which does not censor such language.

</IF> found without matching <IF>

FCC-X01-050



 Mail Message

From: Viewer Services
To: WNYW_DOMAIN-01:[aol.com]:Tomdot2000
Subject: Re: Comments from the Fox TV New York Web Site

Message: Thank you for your recent email. FOX 5 values the comments and concerns of our viewers and we are pleased that you have taken the time to write to us. The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error. Again, thank you for writing to us.

Sincerely,

Viewer Services

<<< <Tomdot2000@aol.com> 12/12 2:15p >>>
email: Tomdot2000@aol.com
name: Thomas J. Kotinsky
street: 11 Kincaid Road
city: Boonton Twp
state: NJ
zip: 07005
comment: 12-10-03 8:00 - 10:00 PM EST Fox Broadcast ' Billboard Awards'

I was apalled and disgusted with the use of the F __ K word and ASSHOLE words being televised live when the ' Hilton Girls ' came on stage around 9:05 PM and used these words (live) without any censorship whatsoever. I believe it was specifically ' Nicole Hilton ' who used the ['F __ K __ g ' word and then Ass - - - - word(s) right on public TV. I believe FOX can be held both accountable and legally and be subject to both fine and possible sanctions by government agancies regulating TV. The Hilton brats should be made to publically apologize to both the live audience and Fox Studios for their stupidity and indecency. After all Fox TV we have young children watching such schools and such an example of unnecessary curse words on LIVE TV is both offensive as well as illegal. Look into it. I tried to call the studio that night - but your lines were jammed in Secaucus NJ. I wish for you to report this to top management. Thank you I Tom Kotinsky - Boonton Twp, NJ.

</IF> found without matching <IF>

FCC-X01- 051



Mailbox



Documents



Address



Help



Exit



Mail



Appointment



Task



Month



Security



Mail Message

From: Viewer Services

To: WNYW_DOMAIN-01:[aol.com]:vickiw204

Subject: Re: Comments from the Fox TV New York Web Site

Message: Thank you for your recent email. FOX 5 values the comments and concerns of our viewers and we are pleased that you have taken the time to write to us.

Sincerely,

Viewer Services

<<< <vickiw204@aol.com> 12/11 9:26a >>>

email: vickiw204@aol.com

name: Vicki Washington

street: 2034 7th Avenue #6D

city: New york

state: NY

zip: 10027

comment: In regards to the Billboard Music Awards which aired last night.

As a concerned parent I find it very disturbing that a station that is supposed to be family oriented would allow such vulgarity as was shown last night. I understand that when it is a live show anything can happen but a better job should have been done to try and block out certain things. My 11 year old child enjoys watching these type of award shows but I was very uncomfortable as was she. Maybe next time a show like this is to air you show it at a later time or give a viewer discretion warning.

Sincere regards,
Vicki Washington

</IF> found without matching <IF>

FCC-X01- 052



Mail Message

From: Viewer Services
To: WNYW_DOMAIN-01:[hotmail.com]:toneboogie1
Subject: Re: Comments from the Fox TV New York Web Site

Message: Thank you for your recent email. FOX 5 values the comments and concerns of our viewers and we are pleased that you have taken the time to write to us.

Sincerely,

Viewer Services

<<< <toneboogie1@hotmail.com> 12/10 9:16p >>>
 email: toneboogie1@hotmail.com
 name: Tony Monco
 street: J18C Pinetree Blvd
 city: Old Bridge
 state: NJ
 zip: 08857
 comment: You should sue Nicole Ritchie for cursing on live TV! I'm sure you're getting plenty of feedback about this, but I wanted to add to it. The girl should be banned from TV.

</IF> found without matching <IF>



 Mail Message

From: Viewer Services
 To: WNYW_DOMAIN-01:[MHIDARY.COM]:LANA
 Subject: Re: Comments from the Fox TV New York Web Site
 Message: Thank you for your recent email. FOX 5 values the comments and concerns of our viewers and we are pleased that you have taken the time to write to us.

Sincerely,

Viewer Services

<<< <LANA@MHIDARY.COM> 12/11 9:18a >>>
 email: LANA@MHIDARY.COM
 name: LANA WOLFTHAL
 street: 21.23 150 STREET
 city: WHITESTONE
 state: NY
 zip: 11357
 comment: WITH REGARD TO BILLBOARD AWARDS OF WEDNESDAY,
 12.10.03..HOW CAN
 YOU ALLOW SUCH A VULGAR SHOW TO BE BROADCAST. DO YOU
 ACTUALLY CONSIDER
 THAT ENTERTAINMENT -IT WAS TRASH. TRULY A SHAME THAT THESE
 ENTERTAINERS/HOSTS ARE ALLOWED TO SPEAK THE WAY THEY DID.
 THE HOST 'CATHY'
 THAT INTRODUCED CLAY AIKEN SHOULD HAVE BEEN PULLED OFF
 STAGE.

</IF> found without matching <IF>

FCC-X01- 054

EASYLINK #12.50

TO: OWNERS, GENERAL MANAGERS, GENERAL SALES MANAGERS,
PROGRAM DIRECTORS, PROMOTION MANAGERS, NEWS DIRECTORS

FR: NETWORK DISTRIBUTION

DT: DECEMBER 11, 2003

RE: STATEMENT FROM FOX REGARDING PROFANITY DURING
BILLBOARD MUSIC AWARDS

The FOX Broadcasting Company apologizes to both our station partners and our viewers in the Eastern and Central time zones for the profanity that was inadvertently broadcast during last night's live broadcast of the Billboard Music Awards. With the immediacy of live television comes the possibility of actions or dialogue that may be offensive to some viewers. We experienced a failure in the system designed to prevent such an occurrence and are working to ensure that it does not happen again. FOX sincerely regrets the error.

Please call your Network Distribution Representative with any questions.

FCC-X01-055

Sonya Long - Fwd: [fox5dc.com] News Feedback

From: <assignment.desk@wtg.com>
To: <slong103@fox.com>
Date: 12/11/03 11:03AM
Subject: Fwd: [fox5dc.com] News Feedback

----- Start of forwarded message -----

Date: Thu, 11 Dec 2003 10:50:04 -0500 (EST)
Subject: [fox5dc.com] News Feedback
From: mjones@osifederal.com
To: wtgnews@foxtv.com, assignment.desk@wtg.com

name = Melissa Jones
email = mjones@osifederal.com
address = 5519 Shallow River Rd.
city = Clinton
state = MD
zip = 20735

Message:

I just want to say that I am totally appauled at what I heard while watching the billboards last night. I can not believe that television has stooped to such low levels that they would even consider airing foul language such as the "F" word that was broadcast during that show. Are you that insecure and desperate for ratings? It is bad enough that our children will hear this in the streets they do not need to hear it on television. I just want you to know that as a mother you have lost one viewer I will never again nor anyone in my household watch this station for anything. I am emailing all of my friends and family to do the same and I know that they will ban your station because we do not want our children hearing such language on television.

Signed,

One disgusted Mom.

----- End of forwarded message -----

FCC-X01-036

From: <assignment.desk@wtg.com>
To: <slong103@fox.com>
Date: 12/11/03 7:57AM
Subject: Fwd: [fox5dc.com] News Feedback

----- Start of forwarded message -----

Date: Thu, 11 Dec 2003 00:24:58 -0500 (EST)
Subject: [fox5dc.com] News Feedback
From: dkowalski427@aol.com
To: wtgnews@foxtv.com, assignment.desk@wtg.com

name = denise kowalskiq
email = dkowalski427@aol.com
address = 5924 yates ford rd
city = manassas
state = va
zip = 20111

Message:

I have a comment and not a question concerning the
Billboard awards.... Great job on bleeping Hilton and
Richie!!!!!! I was so suprised to hear S#T and F##K
on prime time tv.

----- End of forwarded message -----

From: info@cfc-alert.com
To: <jandrew@fau.edu>
Date: 1/13/04 1:17PM
Subject: "F" word used again! This time by FOX

From: Christian Family Coalition

"F" word used again! This time by FOX
FCC'S STAND: WE APPROVE IT

We told you what was coming, and we were right. Wednesday night on the 2003
Billboard Music Awards, Fox allowed the use of the "F" word and two uses of
"cow sh-t."

Nicole Richey, talking with Paris Hilton, said: "Yea, instead of standing
in mud and cow--t. Why do they even call it the simple life? Have you ever
tried to get cow sh-t out of a Prada purse? It's not that fu--ing simple."

The FCC's Stand? Basically: We have already ruled, earlier this year, that
it is ok to use the "F" word anytime day or night except in sexual
situations. (But expect FCC's ok for that soon.)

The only way the FCC commissioners will change their ruling is by letting
them and others know that you want the filth gates closed! Now! Today! Send
the email. Then forward this to others.

It is time to take a stand for the future of our children.

Take Action - Send your letter now! click here or copy and paste the link
into your browser: http://mdccc.com/FCC_F_Word_0104.htm

P.S. Please forward this email to at least one friend.

(See FCC Enforcement Bureau Ruling, especially paragraph 5).
<http://www.fcc.gov/eb/Orders/2003/DA-03-3045A1.html>

Giving Families a Voice in their Government Again!

Click here to make a donation to help us Protect the Family or copy and
paste this link into your browser: <http://mdccc.org/Pages/Membership.asp>

If you would rather mail your donation, our mailing address is:

Christian Family Coalition
PO Box 650216
Miami, Florida 33265-0216
(305) 222-8196

Fax: (305) 222-8091

Visit our web site at: <http://www.mdccc.org>
email mailto: info@christian-family-coalition.org

to unsubscribe, mailto: remove@christian-family-coalition.org and put REMOVE in subject line.

=====

You are subscribed to our newsletter as: JANDREW@FAU.EDU

Billboard Music

Page 1

To: <programming@wvt.com>

From: "K Drake" <k.drake2@verizon.net>

Date: Wed, 10 Dec 2003 21:25:54 -0500 (Eastern Standard Time)

Subject: Billboard Music

I was flipping through the channels to see what I would watch this evening and just as I did, I was surprised to hear Paris Hilton and the Ritchie girl using profanity such as "S____" and "F_____". Since these were not bleeped out, I guessed that FOX is once again trying to push the envelope for indecency. I'm thankful that my 14 yr old daughter was not in the room since she is already bombarded with this lovely language at school (thanks in not small part to our country's media assisting in teaching and reinforcing immorality and foul language). Your station will not be viewed in our livingroom unless you begin to change your programming practices and remember that "Family Hour" used to mean something families could watch. Shame on you again!

K. Drake

Billboard Music Awards

Page 1

To: <programming@wvt.com>
From: "Debbie Faircloth" <debbie.faircloth@verizon.net>
Date: Thu, 11 Dec 2003 08:55:36 -0800
Subject: Billboard Music Awards

I am sure I am not the only person who has said this, and I know that your station personally was not responsible for that HORRIBLE excuse for a music award show last night, but as a mother I was appalled by what was allowed to be said, and shown on that show last night. I can, and do expect that when I am watching a MTV or VH1 music award show, and in fact don't let my 12 and 13 year old children watch it - I tape it, and then will edit it for them to view. I didn't think I had to do that with network television. Apparently whoever was in charge of editing last night forgot the meaning of the 3 second delay. Someone should have also reviewed what Pink was going to be doing in her performance (it doesn't help to blank out the screen if they are going to come back while the guy still has his face in her crotch!) and what was going to come out of the "mouth" of Triumph! I expected more from Fox. It amazes me that Jessica and Nick can actually fill up time to produce a half hour show - after listening to their stupid comments last night, that were only in competition with their sexual innuendos to each other. Debbie Faircloth

Public E-Mail

From: "Mike Love" <dadecitydude@earthlink.net>
To: <news@wtyl.com>
Sent: Wednesday, January 21, 2004 12:02 PM

Fox insults my ears and those of my wife and children with the "f" word, etc. and we leave you for good no 2nd chances except for public announcement policy change.

Mike Love

FCC-X01- 062

1/26/2004

Public E-Mail

From: "Anne Doss" <stix-n-stones@msn.com>
To: <news@wvt.com>
Sent: Saturday, January 24, 2004 10:34 AM
Subject: bad language

please delete bad language. I hear it on the street but I expect your station to be a cut above. you should be an example of good content and good grammar. our children are learning from t.v. thank you for reading my opinion. sincerely, Anne Doss.

FCC-X01-063

1/26/2004

TRANSCRIPT
2003 BILLBOARD AWARDS

(Partial Act Four, Complete Act Five & Partial Act Six)

East Coast Feed

OAD: 12/10/03

ACT 4

MANDY MOORE

More than any other music awards show, the winners tonight are determined by YOU, the fans. Billboard publishes the world's leading music charts, with real sales tracked at most U.S. music stores by Nielsen SoundScan and actual songs played on the leading radio stations monitored by Nielsen Broadcast Data Systems. So, when you buy music or listen to your favorite radio station, essentially you're voting for the Billboard Music Awards. But there's ONE award that is decided by the magazine -- the Century Award.

It's the magazine's highest honor for creative accomplishment. Here to present it is a living legend, the one and only STEVIE WONDER.

STEVIE WONDER

Thank you, thank you, what's up? Thank you so much, thank you! Now if you all can keep that up, if you can keep that happy, I promise you by March we'll give you something to listen to. Ok, maybe April. Shhhhh. Back in the 1970s, Gordon Mathew Sumner was a teacher in the northern British industrial town of Newcastle. He changed his career to musician... and he changed his name to Sting.

He truly writes songs and performs songs in the key of life: songs about philosophy, politics, religion, the environment, sex, love and death – and even songs about life after death.

Songs like "If I Ever Lose My Faith In You." "Fields of Gold." "Message in a Bottle." "Every Breath You Take." "Roxanne." And "If You Love Someone, Set Them Free." Free, free, set them free...

The list goes on and on, and the awards and accolades are huge. Fifteen Grammy's, a permanent spot in the Rock and Roll Hall of Fame – and millions and millions upon millions of records sold.

He's just released his eighth solo album: "Sacred Love" and once again, Sting takes us on an amazing journey of musical and emotional exploration.

Sting is the 12th Century Award winner and the first ever to perform as part of his acceptance. And that's why I'm gonna shut up, and stop all this talking and just say one more word: STING!

STING

(INTO: STING PERFORMANCE)

SEND YOUR LOVE
INTO THE FUTURE
SEND YOUR LOVE
INTO THE DISTANT DAWN
INSIDE YOUR MIND IS A RELAY STATION
A MISSION PROBE INTO THE UNKNOWING
WE SEND A SEED TO A DISTANT FUTURE
THEN WE CAN WATCH THE GALAXIES GROWING
THIS AIN'T NO TIME
FOR DOUBTING YOUR POWER
THIS AIN'T NO TIME
FOR HIDING YOUR CARE
YOU'RE CLIMBING DOWN
FROM AN IVORY TOWER
YOU'VE GOT A STAKE IN THE WORLD
WE OUGHT TO SHARE
YOU SEE THE STARS
ARE MOVING SO SLOWLY

BUT STILL THE EARTH IS MOVING SO FAST

CAN'T YOU SEE THE MOON IS SO LONELY

STILL TRAPPED

IN THE PAIN OF THE PAST

STING & BACKGROUND SINGERS

THIS IS THE TIME

OF THE WORLD'S COLLIDING

THIS IS THE TIME

OF KINGDOMS FALLING

THIS IS THE TIME

OF THE WORLD'S DIVIDING

TIME TO HEED YOUR CALL

STING

SEND YOUR LOVE

INTO THE FUTURE

SEND YOUR LO--VE

INTO SOME DISTANT TIME

AND FIX THAT WOUNDED PLANET

WITH THE LOVE OF YOUR HEALING

SEND YOUR LO--VE

SEND YOUR LO---VE

(INSTRUMENTAL BREAK)

-SEND YOUR LO--VE

STING & BACKGROUND SINGERS

THERE'S NO RELIGION

BUT SEX AND MUSIC

THERE'S NO RELIGION

BUT SOUND AND DANCING

THERE'S NO RELIGION

BUT LINE AND COLOR

THERE'S NO RELIGION

BUT SACRED TRANCE

THERE'S NO RELIGION

BUT THE ENDLESS OCEAN

THERE'S NO RELIGION
BUT THE MOON AND STARS
THERE'S NO RELIGION
BUT TIME AND MOTION
THERE'S NO RELIGION
JUST TRIBAL SCARS
I THROW A PEBBLE IN
AND WATCH THE OCEAN
SEE THE RIPPLES VANISH
IN THE DISTANCE
IT'S JUST THE SAME
WITH ALL THE EMOTIONS
IT'S JUST THE SAME IN EVERY INSTANCE
THERE'S NO RELIGION
BUT THE JOYS OF RHYTHM
THERE'S NO RELIGION
BUT THE RITES OF SPRING
THERE'S NO RELIGION
IN THE PATH OF HATE

NO PRAYER BUT THE ONE I SING

STING

SEND YOUR LOVE

INTO THE FUTURE

SEND YOUR PRECIOUS LOVE

INTO SOME DISTANT TIME

AND FIX THAT WOUNDED PLANET

WITH THE LOVE OF YOUR HEALING

SEND YOUR LO--VE

SEND YOUR LO---VE

(INSTRUMENTAL BREAK)

SEND YOUR LOVE

STING & BACKGROUND SINGERS

SEND YOUR LO--VE

(SEND YOUR LOVE)

SEND YOUR LO--VE

MUSIC: OUT

STEVIE WONDER

FCC-X01-071

It gives me, it gives me great pleasure to present the
2003 Century's Award, Century of, Century Award
winner... I wasn't looking at the cue cards again
(audience laughter). ...My very, very special friend, such
an incredible artist, and a wonderful human being...
Sting.

(AUDIENCE APPLAUSE & CHEERS AS STING MOVES TO STEVIE)

STEVIE WONDER

Hey, baby.

STING

Hey. Sweetheart.

STEVIE WONDER

Congratulations, congratulations.

STING

Thank you, Stevie, you are my teacher, my guru, my
inspiration. You are a higher being and I love you. So,
when I got a phone call telling me I was going to win the
Century Award I thought it a little presumptuous as it's
only 2003. But I'm thrilled anyway and only hope I can
live up to the acclaim. But I'd like obviously to thank
everyone at Billboard for this great honor and also want
to recognize and pay tribute to my good friend and
mentor, the former editor and co founder of this award,
the late Tim White.

Now if I've learned anything in the quarter century I've spent in the music business it's this:

You could sing for millions of people in your career.

Or maybe just one.

You could sell millions of records

Or none at all.

You could win Grammy awards or Century awards,

Or never win a damn thing.

It doesn't really matter.

But if you played music with passion and love and honesty, then it would nourish your soul. Heal your wounds, make your life worth living, whether you were successful or not at all.

So here's what I've learned. In five short words.

MUSIC IS ITS OWN REWARD. Thank you! Good night!

I love you!

MUSIC: PLAYOFF)

(INTO: NICK & JESSICA BIT #2)

JESSICA SIMPSON

Oh, we're back. I'm Jessica Simpson.

NICK LACHEY

And I'm Nick Lachey.

JESSICA SIMPSON

And I'm Jessica Simpson.

NICK LACHEY

Baby, you already said that.

JESSICA SIMPSON

Oh.

NICK LACHEY

Gosh, what a moment on stage. Do you believe that? I

mean, Stevie Wonder presenting Sting with an award.

That was incredible.

JESSICA SIMPSON

Sting is such a hottie! Right, ladies? (Audience Cheers)

NICK LACHEY

Really? And you know, rumor has it he can go all night in

the sack too.

JESSICA SIMPSON

Baby!

NICK LACHEY

I'm serious, maybe I should start doing some yoga or something.

JESSICA SIMPSON

Maybe, let's do that, baby.

NICK LACHEY

Do you think I can go all night?

JESSICA SIMPSON

Oh, you already do.

NICK LACHEY

Anyway, what about Chingy and Fabolous on stage? If you were ever a stage rapper, which God help us you'd never be, but what would your stage name be?

JESSICA SIMPSON

Uh... Fabulous Blondie? J-Simp.

NICK LACHEY

Well, here's hoping that never happens. Anyway, Jess, you never cease to amaze me. You're always coming up with something.

JESSICA SIMPSON

Thanks, babe, you amaze me too... in bed.

ANNOUNCER (VO) (LIVE)

Coming up next: performances from Beyoncé, R. Kelly,
Shania Twain, Evanescence, and Clay Aiken...

Appearances by Paris Hilton & Nicole Richie and The
Black Eyed Peas... Plus more whacky show updates
from Nick Lachey and Jessica Simpson.

a. Net Commercial	(2:15)
b. Net Promo	(:20)

ANNOUNCER (VO) (SOT)

Live from the MGM Grand in Las Vegas, the 2003
Billboard Music Awards will continue in a moment.

((NITEL: 00011111111111111111111111111111))

a. Local Commercial

(2:00)

b. Local ID

(:11)

ACT 5

VTPB: MGM BUMPER IN (MOS)

MUSIC: BUMPER IN (ATPB)

ANNOUNCER (VO) (LIVE)

To present the award for Top 40 Mainstream Track, here are two babes whose lives are anything but mainstream. From their hit TV series, "The Simple Life," please welcome NICOLE RICHIE and PARIS HILTON.

(Paris & Nicole walk down stairs to podium)

PARIS

Now, Nicole, remember this is a live show. Watch the bad language.

NICOLE RICHIE

Ok. God.

(INTO: MGM BUMPER IN)

PARIS HILTON

It feels so good to be standing here tonight.

NICOLE RICHIE

Yeah -- instead of standing in mud and (dropped audio).

Why do they even call it "The Simple Life?" Have you ever tried to get cow shit out of a Prada purse? It's not so fucking simple!

PARIS HILTON

The simple life is HERE -- in Las Vegas! Because in one place, you've got the best shops, the best food, the best nightlife -- and the best music.

NICOLE RICHIE

Check out the countdown and see for yourself.

(INTO VIDEO TAPE PACKAGE)::

ANNOUNCER (VO) (SOT)

MAINSTREAM TOP 40 TRACK OF THE YEAR ...

NUMBER 4 - "BEAUTIFUL" - CHRISTINA AGUILERA

NUMBER 3 - "BRING ME TO LIFE" - EVANESCENCE FEATURING PAUL MCCOY

NUMBER 2 - "I'M WITH YOU" - AVRIL LAVIGNE

(VIDEO TAPE PACKAGE ENDS)

PARIS HILTON

And the number one Mainstream Top 40 Track of the Year is...

PARIS & NICOLE

"WHERE IS THE LOVE?" - THE BLACK EYED PEAS!

(WINNERS ENTER FROM AUDIENCE)

WILL.I.AM

What's up y'all? First of all I'd like to tank, tank, I said tank. Right, I said take, tank.

APL.DE.AP

That's all right.

WILL.I.AM

I'd like to thank, I'd like to thank everybody at Interscope Records. Brenda Romano in the top 40 radio department. Chris Slopes, Jimmy Iovine, of course, for believing in the Black Eyed Peas. My homey Rob Fair, David Saunderberg, Seth Friedman, and Das Communication, JT, Justin Timberlake. Everybody at blackeyedpeas.com, all the fans that, you know, always posting. I'd like to give a shout out to all the artists who chose positive messages to put in their music, and hopefully that can live on top 40 radio.

APL.DE.AP

Yeah, I'd like to thank my road manager Polo Molina, our band, Prince, Izzo, George and Keith Harris, and my band members Taboo, and God.

FERGIE

Gosh, this is my first award together in America. I'm really excited. I just want to thank radio for playing this song. Thank everyone out there, the fans, thank you. And we want to thank our families and the fourth member of our family, you know, taboo, he's at home because he tore a ligament b-boyin on stage, you know crazy.

WILL.I.AM

Touring is serious, you do get hurt. He busted his knee cap dancing. We the only hip hop dancers in hip hop. What's up to all the dancers and background dancers for all the artists! What's up? Thank you. Black Eyed Peas.

FERGIE

Thank you.

(EVERYONE EXITS STAGE)

RYAN SEACREST

All right, somebody explain to Paris and Nicole "live" means we're on television right now. But it was nice to see Paris Hilton...and without the 40-minute download, you know what I mean?

Um, all right, this is going to be good. I get to introduce the hottest female artist on the planet. She has had **FOUR** Top 40 singles this year, including **TWO** Number Ones.

That gives her six number one singles so far. Her album "Dangerously in Love" debuted at number one. It's been in the top 40 ever since. She's already walked off with **4 trophies tonight** and **6 Grammy nominations...**

In a word...Beyoncé...

BEYONCÉ

ALL THE LADIES IF YOU FEEL ME

HELP ME SING ALONG

LADIES, I WROTE THIS SONG FOR YOU.

THIS IS "ME, MYSELF AND I" RIGHT.

I CAN'T BELIEVE I BELIEVED

EVERYTHING WE HAD WOULD LAST

SO YOUNG AND NAIVE OF ME TO THINK

SHE WAS FROM YOUR PAST

SILLY OF ME-- TO DREA--M OF

ONE DAY HAVING YOUR KIDS

LOVE IS SO BLIND

IT FEELS RIGHT WHEN IT'S WRO--NG

I CAN'T BELIEVE I FELL FOR FOUR YEARS

AND I'M SMARTER THAN THAT

SO YOUNG AND NAIVE TO BELIE--VE

THAT WITH ME

YOU'RE A CHANGED MAN

FOOLISH OF ME TO COMPETE

WHEN YOU CHEAT WITH LOOSE WOMEN

IT TOOK ME SOME TIME

BUT NOW I MOVED ON

BEYONCÉ & BACKGROUND SINGERS

CUZ I REALIZED I GOT

ME MYSELF AND I

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

ME MYSELF AND I

I WANT Y'ALL TO CLAP

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

BEYONCÉ

CONTROLLING YOU SAY THAT YOU LOVE ME

BUT YOU DON'T

YOUR FAMILY TOLD ME ONE DAY

I WOULD SEE IT ON MY OWN

NEXT THING I KNOW I'M DEALING

WITH YOUR THREE KIDS IN MY HOME

I'VE BEEN SO BLIND

IT FEELS RIGHT WHEN IT'S WRO--NG

NOW THAT IT'S OVER

STOP CALLING ME

COME PICK UP YOUR CLOTHES

NO NEED TO FRONT LIKE

YOU'RE STILL WITH ME

ALL YOUR HOMIES KNOW

EVEN YOUR VERY BEST FRIEND

TRIED TO WARN ME ON THE LOW

IT TOOK ME SOME TIME

BUT NOW I AM STRON--G

BEYONCÉ & BACKGROUND SINGERS

BECAUSE I REALIZED I GOT

ME MYSELF AND I

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

ME MYSELF AND I

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

BEYONCÉ //(BACKGROUND SINGERS)

(ME MYSELF AND I)

I KNOW THAT I WILL NEVER DISAPPOINT MYSELF

(I GUESS I'VE CRIED A THOUSAND TIMES)

ALL THE LADIES IF YOU FEEL ME

HELP ME SING IT OUT

(I CAN'T REGRET MY TIME YOU)

YA YOU HURT ME

BUT I LEARNED A LOT ALONG THE WAY

(STILL I'M ABOUT TO MAKE IT THROUGH)

(NOW I GOT ME MYSELF AND I)

I KNOW THAT I WILL NEVER DISAPPOINT MYSELF

(I GUESS I'VE CRIED A THOUSAND TIMES)

I'VE CRIED

ALL THE LADIES IF YOU FEEL ME

HELP ME SING IT OUT

(I CAN'T REGRET MY TIME WITH YOU)

YEAH YOU HURT ME

BUT I LEARNED A LOT ALONG THE WAY

(STILL I'M ABOUT TO MAKE IT THROUGH

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

YEAHHHHHH

MUSIC: OUT

BEYONCE

Thank you.

ANNOUNCER (VO)

Still to come: Celine Dion, Kelly Clarkson and The Black Eyed Peas. Performances by Shania Twain, R. Kelly, Evanescence and Clay Aiken. Plus more marital bliss from Nick Lachey and Jessica Simpson. All on the Billboard Music Awards.

The 2003 Billboard Music Awards... brought to you... by Burger King. C'mon over. The fire's ready.

a. Network Commercial

(3:00)

b. Net.Promo

(1:20)

(INTO: MGM BUMPER IN)

ACT 6

VTPB: MGM BUMPER

(INTO: NICK & JESSICA BIT #2A)

NICK LACHEY

Hey, it's half-time here at the Billboard Awards; I'm Nick Lachey...

JESSICA SIMPSON

And me, Jessica Simpson. I mean, I'm Jessica Simpson.

NICK LACHEY

Ok.

JESSICA SIMPSON

Whoops.

NICK LACHEY

What an incredible performance by Beyoncé, huh?

JESSICA SIMPSON

I bet you wish I could shake my rump like that.

NICK LACHEY

Oh, baby, trust me, you can. You can.

JESSICA SIMPSON

Thank you.

PCC-211-021

NICK LACHEY

And, hey what about Paris Hilton? Do you think she can unseat you as the Queen of Reality TV blondes?

JESSICA SIMPSON

Who's Paris Hilton?

NICK LACHEY

Yeah, I think you summed that one up, I think.

JESSICA SIMPSON

I don't know who that is.

NICK LACHEY

I'm sorry... I'll leave that to you.

JESSICA SIMPSON

Back to you, Ryan.

RYAN SEACREST

Thank you, Jessica, I appreciate it. By the way, we had lights down here but they just went out. So can you see me at home? All right, thank you, guys, for the flashlights. Like many, this is how we know what we're going to say.

Like many before him, our next presenter went from Mouseketeer to Pop Idol. He's here with the only—slow down, you're killing me, Pam—he's here with the only

person who went from Texas Waitress to American Idol –
I got the rest by heart-- here's JC CHASEZ and KELLY
CLARKSON.

JC CHASEZ

Listen to these song titles currently on the Country
charts: "Drinkin' Bone." And, uh, what is that one? uh....
and something about Southern Comfort or something like
that.

KELLY CLARKSON

Oh yeah, I "Love This Bar"—that's great. And my
personal favorite, "Do You Still Want To Buy
Me That Drink (Frank)." That's great.

JC CHASEZ

Ok, you know, it just sounds like these people hang
around in bars all day and raise a little bit of hell.

KELLY CLARKSON

And you know what? (TEXAS ACCENT) You're
probably right. Hip-Hop's not the ONLY music in the
Dirty South, y'all. Now raise your glasses for our Top
Four hellraisers!

ANNOUNCER (VO) (SOT)

(INTO: B. VTPB: FINALIST COUNTDOWN)

COUNTRY ARTIST OF THE YEAR ...

NUMBER 4 - DIXIE CHICKS

NUMBER 3 - TIM MCGRAW

NUMBER 2 - TOBY KEITH

KELLY CLARKSON

The number one Country Artist of the Year is here to perform...it's **SHANIA TWAIN**,
EVERYBODY!

SHANIA

THANK YOU!

HOW YOU GUYS DOING TONIGHT?

PRETTY GOOD?

PRETTY GOOD? YEAH!

WHEW-THAT'S RIGHT!

SHE HOSTS A T.V. SHOW

SHE RIDES THE RODEO

SHE PLAYS THE BASS IN A BAN—D

SHE'S AN ASTRONAUT

A VALET AT THE PARKING LOT

(INTO: SHANIA TWAIN PERFORMANCE)

A FARMER WORKING THE LAN--D

SHANIA TWAIN & BACKGROUND SINGERS

SHE IS A CHAMPION

SHE GETS THE GOLD

SHE'S A BALLERINA

THE STAR OF THE SHOW

SHE'S NOT

JUST A PRETTY FACE

SHE'S GOT

EVERYTHING IT TAKES

SHE HAS A FASHION LINE

A JOURNALIST FOR "TIME"

COACHES A FOOTBALL TEA--M

SHE'S A GEOLOGIST

A ROMANCE NOVELIST

SHE IS A MOTHER OF THREE--

SHE IS A SOLDIER

SHE IS A WIFE

SHE IS A SURGEON

SHE'LL SAVE YOUR LIFE

SHE'S NOT

JUST A PRETTY FACE

SHE'S GOT

EVERYTHING IT TAKES

SHE'S MOTH-ER

OF THE HUMAN RACE

SHE'S NOT

UST A PRETTY FACE---

(GUITAR INSTRUMENTAL BREAK)

SHANIA TWAIN & BACKGROUND SINGERS

SHE IS YOUR WAITRESS

SHE IS YOUR JUDGE

SHE IS YOUR TEACHER

SHE IS EVERY WOMAN IN THE WORLD-(1-)

OH

TAPE ENDS

TRANSCRIPT
2003 BILLBOARD AWARDS

(Partial Act Four, Complete Act Five & Partial Act Six)

West Coast Feed

OAD: 12/10/03

ACT 4

MANDY MOORE

More than any other music awards show, the winners tonight are determined by YOU, the fans. Billboard publishes the world's leading music charts, with real sales tracked at most U.S. music stores by Nielsen SoundScan and actual songs played on the leading radio stations monitored by Nielsen Broadcast Data Systems. So, when you buy music or listen to your favorite radio station, essentially you're voting for the Billboard Music Awards. But there's ONE award that is decided by the magazine -- the Century Award.

It's the magazine's highest honor for creative accomplishment. Here to present it is a living legend, the one and only STEVIE WONDER.

STEVIE WONDER

Thank you, thank you, what's up? Thank you so much, thank you! Now if you all can keep that up, if you can keep that happy, I promise you by March we'll give you something to listen to. Ok, maybe April. Shhhhh. Back in the 1970s, Gordon Mathew Sumner was a teacher in the northern British industrial town of Newcastle. He changed his career to musician... and he changed his name to Sting.

He truly writes songs and performs songs in the key of life: songs about philosophy, politics, religion, the environment, sex, love and death – and even songs about life after death.

Songs like "If I Ever Lose My Faith in You." "Fields of Gold." "Message in a Bottle." "Every Breath You Take." "Roxanne." And "If You Love Someone, Set Them Free." Free, free, set them free...

The list goes on and on, and the awards and accolades are huge. Fifteen Grammy's, a permanent spot in the Rock and Roll Hall of Fame – and millions and millions upon millions of records sold.

He's just released his eighth solo album: "Sacred Love" and once again, Sting takes us on an amazing journey of musical and emotional exploration.

Sting is the 12th Century Award winner and the first ever to perform as part of his acceptance. And that's why I'm gonna shut up, and stop all this talking and just say one more word: STING!

STING

(INTO: STING PERFORMANCE)

SEND YOUR LOVE

INTO THE FUTURE

SEND YOUR LOVE

INTO THE DISTANT DAWN

INSIDE YOUR MIND IS A RELAY STATION

A MISSION PROBE INTO THE UNKNOWING

WE SEND A SEED TO A DISTANT FUTURE

THEN WE CAN WATCH THE GALAXIES GROWING

THIS AIN'T NO TIME

FOR DOUBTING YOUR POWER

THIS AIN'T NO TIME

FOR HIDING YOUR CARE

YOU'RE CLIMBING DOWN

FROM AN IVORY TOWER

YOU'VE GOT A STAKE IN THE WORLD

WE OUGHT TO SHARE

YOU SEE THE STARS

ARE MOVING SO SLOWLY

BUT STILL THE EARTH IS MOVING SO FAST

CAN'T YOU SEE THE MOON IS SO LONELY

STILL TRAPPED

IN THE PAIN OF THE PAST

STING & BACKGROUND SINGERS

THIS IS THE TIME

OF THE WORLD'S COLLIDING

THIS IS THE TIME

OF KINGDOMS FALLING

THIS IS THE TIME

OF THE WORLD'S DIVIDING

TIME TO HEED YOUR CALL

STING

SEND YOUR LOVE

INTO THE FUTURE

SEND YOUR LO-VE

INTO SOME DISTANT TIME
AND FIX THAT WOUNDED PLANET
WITH THE LOVE OF YOUR HEALING
SEND YOUR LO--VE

SEND YOUR LO---VE
(INSTRUMENTAL BREAK)

-SEND YOUR LO--VE

STING & BACKGROUND SINGERS

THERE'S NO RELIGION
BUT SEX AND MUSIC
THERE'S NO RELIGION
BUT SOUND AND DANCING
THERE'S NO RELIGION
BUT LINE AND COLOR
THERE'S NO RELIGION
BUT SACRED TRANCE
THERE'S NO RELIGION
BUT THE ENDLESS OCEAN

THERE'S NO RELIGION.

BUT THE MOON AND STARS

THERE'S NO RELIGION

BUT TIME AND MOTION

THERE'S NO RELIGION

JUST TRIBAL SCARS

I THROW A PEBBLE IN

AND WATCH THE OCEAN

SEE THE RIPPLES VANISH

IN THE DISTANCE

IT'S JUST THE SAME

WITH ALL THE EMOTIONS

IT'S JUST THE SAME IN EVERY INSTANCE

THERE'S NO RELIGION.

BUT THE JOYS OF RHYTHM

THERE'S NO RELIGION

BUT THE RITES OF SPRING

THERE'S NO RELIGION

IN THE PATH OF HATE

NO PRAYER BUT THE ONE I SING

STING

SEND YOUR LOVE

INTO THE FUTURE

SEND YOUR PRECIOUS LOVE

INTO SOME DISTANT TIME

AND FIX THAT WOUNDED PLANET

WITH THE LOVE OF YOUR HEALING

SEND YOUR LO--VE

SEND YOUR LO---VE

(INSTRUMENTAL BREAK)

SEND YOUR LOVE

STING & BACKGROUND SINGERS

SEND YOUR LO--VE

(SEND YOUR LOVE)

SEND YOUR LO--VE

MUSIC: OUT

STEVIE WONDER

It gives me, it gives me great pleasure to present the
2003 Century's Award, Century of, Century Award
winner... I wasn't looking at the cue cards again
(audience laughter). ...My very, very special friend, such
an incredible artist, and a wonderful human being...
Sting.

(AUDIENCE APPLAUSE & CHEERS AS STING MOVES TO STEVIE)

STEVIE WONDER

Hey, baby.

STING

Hey, Sweetheart.

STEVIE WONDER

Congratulations, congratulations.

STING

Thank you, Stevie, you are my teacher, my guru, my
inspiration. You are a higher being and I love you. So,
when I got a phone call telling me I was going to win the
Century Award I thought it a little presumptuous as it's
only 2003. But I'm thrilled anyway and only hope I can
live up to the acclaim. But I'd like obviously to thank
everyone at Billboard for this great honor and also want
to recognize and pay tribute to my good friend and
mentor, the former editor and co founder of this award,
the late Tim White.

Now if I've learned anything in the quarter century I've spent in the music business it's this:

You could sing for millions of people in your career.

Or maybe just one.

You could sell millions of records

Or none at all.

You could win Grammy awards or Century awards,

Or never win a damn thing.

It doesn't really matter.

But if you played music with passion and love and honesty, then it would nourish your soul. Heal your wounds, make your life worth living, whether you were successful or not at all.

So here's what I've learned. In five short words.

MUSIC IS ITS OWN REWARD. Thank you! Good night!

I love you!

MUSIC: PLAYOFF)

(INTO: NICK & JESSICA BIT #2)

JESSICA SIMPSON

Oh, we're back. I'm Jessica Simpson.

NICK LACHEY

And I'm Nick Lachey.

JESSICA SIMPSON

And I'm Jessica Simpson.

NICK LACHEY

Baby, you already said that.

JESSICA SIMPSON

Oh.

NICK LACHEY

Gosh, what a moment on stage. Do you believe that? I mean, Stevie Wonder presenting Sting with an award.

That was incredible.

JESSICA SIMPSON

Sting is such a hottie! Right, ladies? (Audience Cheers)

NICK LACHEY

Really? And you know, rumor has it he can go all night in the sack too.

JESSICA SIMPSON

Baby!

NICK LACHEY

I'm serious, maybe I should start doing some yoga or something.

JESSICA SIMPSON

Maybe, let's do that, baby.

NICK LACHEY

Do you think I can go all night?

JESSICA SIMPSON

Oh, you already do.

NICK LACHEY

Anyway, what about Chingy and Fabolous on stage? If you were ever a stage rapper, which God help us you'd never be, but what would your stage name be?

JESSICA SIMPSON

Uh... Fabulous Blondie? J-Simp.

NICK LACHEY

Well, here's hoping that never happens. Anyway, Jess, you never cease to amaze me. You're always coming up with something.

JESSICA SIMPSON

Thanks, babe, you amaze me too... in bed.

ANNOUNCER (VO) (LIVE)

Coming up next: performances from Beyoncé, R. Kelly,
Shania Twain, Evanescence, and Clay Aiken...

Appearances by Paris Hilton & Nicole Richie and The
Black Eyed Peas... Plus more whacky show updates
from Nick Lachey and Jessica Simpson.

a. Net Commercial	(2:15)
b. Net Promo	(:20)

ANNOUNCER (VO) (SOT)

Live from the MGM Grand in Las Vegas, the 2003
Billboard Music Awards will continue in a moment.

~~((NITC: COMMERCIALS/NET/REP/2))~~

a. Local Commercial

(2:00)

b. Local ID

(:11)

ACT 5

VTPB: MGM BUMPER IN (MOS)

MUSIC: BUMPER IN (ATPB)

ANNOUNCER (VO) (LIVE)

To present the award for Top 40 Mainstream Track, here are two babes whose lives are anything but mainstream. From their hit TV series, "The Simple Life," please welcome NICOLE RICHIE and PARIS HILTON.

(Paris & Nicole walk down stairs to podium)

PARIS

Now, Nicole, remember this is a live show. Watch the bad language.

NICOLE RICHIE

Ok. God.

(INTO: MGM BUMPER IN)

PARIS HILTON

It feels so good to be standing here tonight.

NICOLE RICHIE

Yeah -- instead of standing in mud and (dropped audio).

Why do they even call it "The Simple Life?" Have you ever tried to get (dropped audio) out of a Prada purse?

It's not so (dropped audio) simple!

PARIS HILTON

The simple life is HERE -- in Las Vegas! Because in one place, you've got the best shops, the best food, the best nightlife -- and the best music.

NICOLE RICHIE

Check out the countdown and see for yourself.

(INTO. VIDEO TAPE PACKAGE)::

ANNOUNCER (VO) (SOT)

MAINSTREAM TOP 40 TRACK OF THE YEAR ...

NUMBER 4 - "BEAUTIFUL" - CHRISTINA AGUILERA

NUMBER 3 - "BRING ME TO LIFE" - EVANESCENCE FEATURING PAUL McCOY

NUMBER 2 - "I'M WITH YOU" - AVRIL LAVIGNE

(VIDEO TAPE PACKAGE ENDS)

PARIS HILTON

And the number one Mainstream Top 40 Track of the
Year is...

PARIS & NICOLE

"WHERE IS THE LOVE?" - THE BLACK EYED PEAS!

(WINNERS ENTER FROM AUDIENCE)

WILL.I.AM

What's up y'all? First of all I'd like to tank, tank, I said
tank. Right, I said take, tank.

APL.DE.AP

That's all right.

WILL.I.AM

I'd like to thank, I'd like to thank everybody at Interscope
Records. Brenda Romano in the top 40 radio
department. Chris Slopes, Jimmy Iovine, of course, for
believing in the Black Eyed Peas. My homey Rob Fair,
David Saunderberg, Seth Friedman, and Das
Communication, JT, Justin Timberlake. Everybody at
blackeyedpeas.com, all the fans that, you know, always
posting. I'd like to give a shout out to all the artists who
chose positive messages to put in their music, and
hopefully that can live on top 40 radio.

APL.DE.AP

Yeah, I'd like to thank my road manager Polo Molina, our band, Prince, Izzo, George and Keith Harris, and my band members Taboo, and God.

FERGIE

Gosh, this is my first award together in America. I'm really excited. I just want to thank radio for playing this song. Thank everyone out there, the fams, thank you. And we want to thank our families and the fourth member of our family, you know, taboo, he's at home because he tore a ligament b-boyin on stage, you know crazy.

WILL.I.AM

Touring is serious, you do get hurt. He busted his knee cap dancing. We the only hip hop dancers in hip hop. What's up to all the dancers and background dancers for all the artists! What's up? Thank you. Black Eyed Peas.

FERGIE

Thank you.

(EVERYONE EXITS STAGE)

RYAN SEACREST

All right, somebody explain to Paris and Nicole "live" means we're on television right now. But it was nice to see Paris Hilton...and without the 40-minute download, you know what I mean?

Um, all right, this is going to be good. I get to introduce the hottest female artist on the planet. She has had **FOUR** Top 40 singles this year, including **TWO** Number Ones.

That gives her six number one singles so far. Her album "Dangerously in Love" debuted at number one. It's been in the top 40 ever since. She's already walked off with **4 trophies tonight** and **6 Grammy nominations...**

In a word...Beyoncé...

BEYONCÉ

ALL THE LADIES IF YOU FEEL ME

HELP ME SING ALONG

LADIES, I WROTE THIS SONG FOR YOU.

THIS IS "ME, MYSELF AND I" RIGHT.

I CAN'T BELIEVE I BELIEVED

EVERYTHING WE HAD WOULD LAST

SO YOUNG AND NAIVE OF ME TO THINK

SHE WAS FROM YOUR PAST

SILLY OF ME-- TO DREA--M OF

ONE DAY HAVING YOUR KIDS

LOVE IS SO BLIND
IT FEELS RIGHT WHEN IT'S WRO--NG
I CAN'T BELIEVE I FELL FOR FOUR YEARS
AND I'M SMARTER THAN THAT
SO YOUNG AND NAIVE TO BELIE--VE
THAT WITH ME
YOU'RE A CHANGED MAN
FOOLISH OF ME TO COMPETE
WHEN YOU CHEAT WITH LOOSE WOMEN
IT TOOK ME SOME TIME
BUT NOW I MOVED ON

BEYONCÉ & BACKGROUND SINGERS
CUZ I REALIZED I GOT
ME MYSELF AND I
THAT'S ALL I GOT IN THE END
THAT'S WHAT I FOUND OUT
AND IT AIN'T NO NEED TO CRY
I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

ME MYSELF AND I

I WANT Y'ALL TO CLAP

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

BEYONCÉ

CONTROLLING YOU SAY THAT YOU LOVE ME

BUT YOU DON'T

YOUR FAMILY TOLD ME ONE DAY

I WOULD SEE IT ON MY OWN

NEXT THING I KNOW I'M DEALING

WITH YOUR THREE KIDS IN MY HOME

I'VE BEEN SO BLIND

IT FEELS RIGHT WHEN IT'S WRO--NG

NOW THAT IT'S OVER

STOP CALLING ME

COME PICK UP YOUR CLOTHES

NO NEED TO FRONT LIKE

YOU'RE STILL WITH ME

ALL YOUR HOMIES KNOW

EVEN YOUR VERY BEST FRIEND

TRIED TO WARN ME ON THE LOW

IT TOOK ME SOME TIME

BUT NOW I AM STRON--G

BEYONCÉ & BACKGROUND SINGERS

BECAUSE I REALIZED I GOT

ME MYSELF AND I

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

ME MYSELF AND I

THAT'S ALL I GOT IN THE END

THAT'S WHAT I FOUND OUT

AND IT AIN'T NO NEED TO CRY

I TOOK A VOW THAT FROM NOW ON

I'M GONNA BE MY OWN BEST FRIEND

BEYONCÉ //(BACKGROUND SINGERS)

(ME MYSELF AND I)

I KNOW THAT I WILL NEVER DISAPPOINT MYSELF

(I GUESS I'VE CRIED A THOUSAND TIMES)

ALL THE LADIES IF YOU FEEL ME

HELP ME SING IT OUT

(I CAN'T REGRET MY TIME YOU)

YA YOU HURT ME

BUT I LEARNED A LOT ALONG THE WAY

(STILL I'M ABOUT TO MAKE IT THROUGH)

(NOW I GOT ME MYSELF AND I)

I KNOW THAT I WILL NEVER DISAPPOINT MYSELF

(I GUESS I'VE CRIED A THOUSAND TIMES)

I'VE CRIED

ALL THE LADIES IF YOU FEEL ME

HELP ME SING IT OUT

(I CAN'T REGRET MY TIME WITH YOU)

YEAH YOU HURT ME

BUT I LEARNED A LOT ALONG THE WAY

(STILL I'M ABOUT TO MAKE IT THROUGH)

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

-I'VE GOT ME, MYSELF AND I

YEAHHHHHH

MUSIC: OUT

BEYONCE

Thank you.

ANNOUNCER (VO)

Still to come: Celine Dion, Kelly Clarkson and The Black Eyed Peas. Performances by Shania Twain, R. Kelly, Evanescence and Clay Aiken. Plus more marital bliss from Nick Lachey and Jessica Simpson. All on the Billboard Music Awards.

The 2003 Billboard Music Awards... brought to you... by Burger King. C'mon over. The fire's ready.

a. Network Commercial

(3:00)

b. Net Promo

(1:20)

(INTO: MGM BUMPER IN)

ACT 6

VTPB: MGM BUMPER

(INTO: NICK & JESSICA BIT #2A)

NICK LACHEY

Hey, it's half-time here at the Billboard Awards, I'm Nick Lachey...

JESSICA SIMPSON

And me, Jessica Simpson. I mean, I'm Jessica Simpson.

NICK LACHEY

Ok.

JESSICA SIMPSON

Whoops.

NICK LACHEY

What an incredible performance by Beyoncé, huh?

JESSICA SIMPSON

I bet you wish I could shake my rump like that.

NICK LACHEY

Oh, baby, trust me, you can. You can.

JESSICA SIMPSON

Thank you.

FCC-X01-118

NICK LACHEY

And, hey what about Paris Hilton? Do you think she can unseat you as the Queen of Reality TV blondes?

JESSICA SIMPSON

Who's Paris Hilton?

NICK LACHEY

Yeah, I think you summed that one up, I think.

JESSICA SIMPSON

I don't know who that is.

NICK LACHEY

I'm sorry... I'll leave that to you.

JESSICA SIMPSON

Back to you, Ryan.

RYAN SEACREST

Thank you, Jessica, I appreciate it. By the way, we had lights down here but they just went out. So can you see me at home? All right, thank you, guys, for the flashlights. Like many, this is how we know what we're going to say.

Like many before him, our next presenter went from Mouseketeer to Pop Idol. He's here with the only—slow down, you're killing me, Pam—he's here with the only

person who went from Texas Waitress to American Idol –
I got the rest by heart-- here's JC CHASEZ and KELLY
CLARKSON.

JC CHASEZ

Listen to these song titles currently on the Country
charts: "Drinkin' Bone." And, uh, what is that one? uh....
and something about Southern Comfort or something like
that.

KELLY CLARKSON

Oh yeah, I "Love This Bar"—that's great. And my
personal favorite, "Do You Still Want To Buy
Me That Drink (Frank)." That's great.

JC CHASEZ

Ok, you know, it just sounds like these people hang
around in bars all day and raise a little bit of hell.

KELLY CLARKSON

And you know what? (TEXAS ACCENT) You're
probably right. Hip-Hop's not the ONLY music in the
Dirty South, y'all. Now raise your glasses for our Top
Four hellraisers!

ANNOUNCER (VO) (SOT)

(INTO: B. VTPB: FINALIST COUNTDOWN)

FCC-X01-120

COUNTRY ARTIST OF THE YEAR ...

NUMBER 4 - DIXIE CHICKS

NUMBER 3 - TIM MCGRAW

NUMBER 2 - TOBY KEITH

KELLY CLARKSON

The number one Country Artist of the Year is here to perform...It's *SHANIA TWAIN*,
EVERYBODY!

SHANIA

THANK YOU!

HOW YOU GUYS DOING TONIGHT?

PRETTY GOOD?

PRETTY GOOD? YEAH!

WHEW-THAT'S RIGHT!

SHE HOSTS A T.V. SHOW

SHE RIDES THE RODEO

SHE PLAYS THE BASS IN A BAN--D

SHE'S AN ASTRONAUT

A VALET AT THE PARKING LOT

(INTO: SHANIA TWAIN PERFORMANCE)

A FARMER WORKING THE LAN--D

SHANIA TWAIN & BACKGROUND SINGERS

SHE IS A CHAMPION

SHE GETS THE GOLD

SHE'S A BALLERINA

THE STAR OF THE SHOW

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SHE'S GOT

EVERYTHING IT TAKES

SHE HAS A FASHION LINE

A JOURNALIST FOR "TIME"

COACHES A FOOTBALL TEA--M

SHE'S A GEOLOGIST

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SHE'S GOT

EVERYTHING IT TAKES

SHE'S MOTH-ER

OF THE HUMAN RACE

SHE'S NOT

UST A PRETTY FACE---

(GUITAR INSTRUMENTAL BREAK)

SHANIA TWAIN & BACKGROUND SINGERS

SHE IS YOUR WAITRESS

SHE IS YOUR JUDGE

SHE IS YOUR TEACHER

SHE IS EVERY WOMAN IN THE WORLD-(-1-)

OH

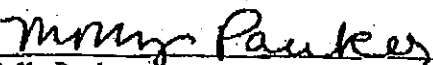
TAPE ENDS

DECLARATION

I, Molly Pauker, hereby state as follows:

1. I am Vice President of Fox Television Holdings, Inc. ("FTH"), parent of Fox Television Stations, Inc. ("FTS").
2. I have read the foregoing Response of FTS to FCC Letter of Inquiry, dated January 30, 2004 (the "Response"), which is responsive to the letter, dated January 7, 2004, to Fox Television Stations Inc. from William Freedman, Deputy Chief, Investigations and Hearings Division (the "LOI").
3. Except with respect to those portions of the Response that rely upon the other Declarations attached to the Response, I have personal knowledge of the facts contained in the Response and declare that such facts are true and correct.
4. I declare that the attached documents (which are listed in the production log attached to the Response as Exhibit 3) are in the possession, custody or control of FTH or its wholly-owned subsidiaries and are responsive to Inquiries 1(d) and 8 of the LOI.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 29, 2004.

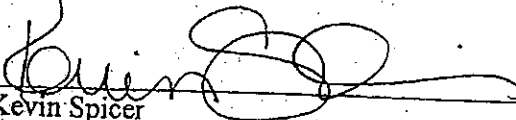

Molly Pauker
Vice President, Fox Television Holdings, Inc.
5151 Wisconsin Avenue, N.W.
Washington, D.C. 20015
(202) 895-3088

DECLARATION

I, Kevin Spicer, hereby state as follows:

1. I am Executive Director of Broadcast Standards for Fox Broadcasting Company ("FBC"). I personally attended the live broadcast of the 2003 Billboard Music Awards at the MGM Grand Garden Arena in Las Vegas, NV, as well as the dress rehearsal for the program. During the live broadcast, I was in the control room of a production truck located just outside the arena. As the FBC Broadcast Standards representative in attendance at the 2003 Billboard Music Awards, I was responsible for reviewing and approving the final script and for ensuring that all aspects of the program conformed to FBC's quality standards. I submit this Declaration in response to the FCC Letter of Inquiry, dated January 7, 2004, to Fox Television Stations, Inc. from William Freedman, Deputy Chief, Investigations and Hearings Division (the "LOI").
2. I personally reviewed Attachment A to the LOI, which contains an excerpt of dialog spoken by Paris Hilton and Nicole Richie at the 2003 Billboard Music Awards.
3. Neither the word "shit" nor the word "fucking" appeared in the script for the 2003 Billboard Music Awards or in any of its drafts. In addition, neither the word "shit" nor the word "fucking" appeared on the TelePrompTer during the 2003 Billboard Music Awards.
4. The words "shit" and "fucking" were spontaneously delivered by Nicole Richie. I did not suggest, encourage or influence Nicole Richie to deviate from the script in her spoken remarks at the 2003 Billboard Music Awards. To the best of my knowledge, none of the producers or writers working on the 2003 Billboard Music Awards suggested, encouraged or influenced Nicole Richie to deviate from the script in her spoken remarks at the 2003 Billboard Music Awards.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 28, 2004.

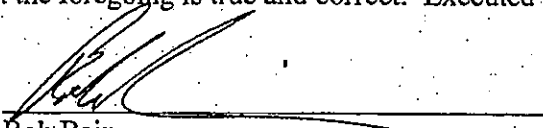

Kevin Spicer
Executive Director of Broadcast Standards
Fox Broadcasting Company
P.O. Box 900
Beverly Hills, CA 90213
(310) 369-3883

DECLARATION

I, Bob Bain, hereby state as follows:

1. I am President of Bob Bain Productions, Inc. and I served as the executive producer for the broadcast of the 2003 Billboard Music Awards. As the executive producer, I had ultimate responsibility for all aspects of the 2003 Billboard Music Awards, including reviewing and approving the final script (as well as all of the drafts) and approving the selection of talent that appeared on the program. The 2003 Billboard Music Awards was broadcast from the MGM Grand Garden Arena in Las Vegas, NV on December 10, 2003. I was seated in the control room of a production truck located just outside the arena throughout the entire broadcast. I submit this Declaration in response to the FCC Letter of Inquiry, dated January 7, 2004, to Fox Television Stations, Inc. from William Freedman, Deputy Chief, Investigations and Hearings Division (the "LOI").
2. I personally reviewed Attachment A to the LOI, which contains an excerpt of dialog spoken by Paris Hilton and Nicole Richie at the 2003 Billboard Music Awards.
3. Attached as Annex A hereto is a copy of the final version of the pages of the script for the 2003 Billboard Music Awards that contained Paris Hilton's and Nicole Richie's lines. The text of these pages was fed into the TelePrompTer in advance of the broadcast. Neither the word "shit" nor the word "fucking" appeared in the script for the 2003 Billboard Music Awards or in any of its drafts. In addition, neither the word "shit" nor the word "fucking" appeared on the TelePrompTer during the 2003 Billboard Music Awards.
4. The words "shit" and "fucking" were spontaneously delivered by Nicole Richie. I did not suggest, encourage or influence Nicole Richie to deviate from the script in her spoken remarks at the 2003 Billboard Music Awards. To the best of my knowledge, none of the other producers or writers working on the 2003 Billboard Music Awards suggested, encouraged or influenced Nicole Richie to deviate from the script in her spoken remarks at the 2003 Billboard Music Awards.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 28, 2004.


Bob Bain
President, Bob Bain Productions, Inc.
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ANNEX A
to the Declaration of Bob Bain

ACT 5

*(36A)

Rev. 12/9, PM - GREY 93A.

INTRO PRESENTER
(Announcer VO-LIVE)

ANNOUNCER (VO) (LIVE)

To present the award for Top 40 Mainstream Track,
here are two babes whose lives are anything but
mainstream. From their hit TV series, "The Simple
Life," please welcome NICOLE RICHIE and PARIS
HILTON.

MUSIC: PRESENTER PLAYON (ATPB)

(INTO: AWARD #7 - MAINSTREAM TOP 40 TRACK OF THE YEAR)

ACT 5

*(36B)

Rev.12/9, 6PM - GREY 93B.

AWARD #7
MAINSTREAM TOP 40 TRACK
OF THE YEAR

a. PRESENTER TALK
(Paris Hilton,
Nicole Richie)

LOC:

PARIS HILTON

It feels so good to be standing here.

NICOLE RICHIE

Yeah -- instead of standing in mud and pig crap. Why do they even call it "The Simple Life?" Have you ever tried to get cow manure out of a Prada purse? It's not so freaking simple!

PARIS HILTON

The simple life is HERE -- in Las Vegas! Because in one place, you've got the best shops, the best food, the best nightlife -- and the best music.

NICOLE RICHIE

Check out the countdown and see for yourself.

(INTO: B. VTPB: FINALIST COUNTDOWN (SOT))

DECLARATION


I, Roland McFarland, hereby state as follows:

1. I am Vice President of Broadcast Standards for Fox Broadcasting Company ("FBC"). I am a 33-year veteran in the field of network television broadcasting and have spent 30 years as a network standards executive. I have reviewed tens of thousands of hours of television programming to assess its accuracy, appropriateness for various audiences and potential for positive or negative impact. I have been employed by FBC for 11 years. In my position with FBC, I have ultimate responsibility for ensuring that the programming produced and aired by FBC meets FBC's internal standards and complies with the Federal Communications Commission's indecency and obscenity rules. One aspect of my responsibilities includes oversight of the time delay procedures employed by FBC to edit objectionable content from live broadcasts. I submit this Declaration in response to the FCC Letter of Inquiry, dated January 7, 2004, to Fox Television Stations, Inc. from William Freedman, Deputy Chief, Investigations and Hearings Division.
2. Historically, FBC has utilized a five-second delay during the production of live entertainment programming. During all live entertainment broadcasts, FBC has required that a member of its Broadcast Standards division monitors programs from its control center. This representative has access to a "delay button" that enables the employee to edit out objectionable content before it appears on viewers' televisions. FBC also has required that an additional Broadcast Standards employee reviews in advance the script for live entertainment broadcasts and attends dress rehearsals. FBC has utilized these procedures successfully to edit objectionable material during hundreds of hours of live programming.
3. During the live broadcast of the 2003 Billboard Music Awards on December 10, 2003, the above-described procedures proved insufficient to permit the editing of two objectionable words that occurred immediately following an objectionable word that had been deleted. At the same time, however, I believe that the procedures described above were adequate to catch and remove the material, and that the Broadcast Standards employee could have acted more quickly. The Broadcast Standards employee working in the control center on the night of the broadcast succeeded in editing out the first objectionable word spoken by Nicole Richie during the live broadcast of the program shown to viewers in the Eastern and Central time zones. The employee, however, failed to act quickly enough to catch the remaining objectionable words spoken by Ms. Richie during the live broadcast. FBC immediately edited the tape of the 2003 Billboard Music Awards to remove the objectionable content before the material aired on tape delay in the Mountain and Western time zones. In addition,

FBC has suspended the Network Standards employee that was working in the control center on the night of December 10, 2003.

4. As the result of its experience during the 2003 Billboard Music Awards, FBC has implemented several significant changes to its time delay procedures. First, whenever possible, FBC will air live entertainment programming using a five minute delay in which the event would actually start five minutes before the broadcast begins. Second, FBC will increase its time delay from five to 10 seconds. In addition, FBC will add a second "delay button" for editing during all live entertainment broadcasts. This second button will be located in a production truck at the site of the live broadcast and will be under the control of the same Network Standards employee assigned to review the script and attend dress rehearsals for the program.
5. Where feasible during otherwise "live" broadcasts, FBC will tape in advance the performances of certain performers that present a heightened risk of speaking spontaneous objectionable content. FBC utilized this approach recently when it taped in advance an appearance by Paris Hilton and Nicole Richie and aired the tape during a New Year's Eve celebration that otherwise was broadcast live on December 31, 2003.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 30, 2004.



Roland McFarland
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