



# Broadcasting

THE BUSINESSWEEKLY OF TELEVISION AND RADIO®

FCC puts out the rules, if not the fire, on cable's future  
Special section: 16 pages of key rules in CATV package  
Prime-time access to be prime-time subject for NATPE conclave  
Court stems tide in fairness flood, holds President not fair game

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NEWSPAPER  
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A U LIBRARY  
SERIAL ACQ SECTION  
PROMOTORY AL 36112

NEWSPAPER

# Screen Gems has five new series in development for first-run syndication for 1972-1973.

three situation comedies,  
one animated situation comedy,  
& one action/adventure series.

## We're ready to talk.



# Screen Gems

# **“Let’s Make A Deal” The No. One Primetime Access Show**

**This season’s hottest syndicated entry has captured first place in ratings and shares in all of these markets:**

New York  
Los Angeles  
Chicago  
Philadelphia  
Boston  
Detroit  
Cleveland  
Dallas/Ft. Worth  
Atlanta  
Miami  
Buffalo  
Cincinnati  
Milwaukee  
New Orleans

Birmingham  
Greenville/Asheville  
Orlando/Daytona Beach  
Salt Lake City  
Greensboro/Winston Salem  
Alexandria, La.  
Little Rock  
Flint/Saginaw/Bay City  
Shreveport  
Hattiesburg, Ms.  
Wilkes Barre/Scranton  
Knoxville  
Raleigh/Durham  
Bellingham

Omaha  
Springfield/Champaign  
Green Bay  
Spokane  
Montgomery  
Chattanooga  
Waco/Temple  
Sioux City  
Salisbury  
Lafayette, La.  
Joplin  
Harrisonburg, Va.  
Rochester, Mn.  
Greenville/Washington

SOURCES: NIELSEN, November 1971; ARB November 1971; TRENDX, November 11-12, 1971

Monty Hall



The definitive November sweeps are now in for all markets and are conclusive... LET'S MAKE A DEAL is the number one primetime access show in the country.

Both ARB and Nielsen have determined that LET'S MAKE A DEAL is a runaway winner in city after city, consistently attracting some of the largest audiences ever recorded for primetime programming—both network and local (Philadelphia, 52% share; Cleveland, 51% share; Cincinnati, 51% share; Atlanta, 48% share; New Orleans, 62% share; Salt Lake City, 46% share.)

In fact, LET'S MAKE A DEAL with an

average of a 21 ADI rating and 35% share in an 82 station line-up, is proving in many cities to be the highest rated local entry on all stations for the entire week. And of course, it attracts the right demographics, too... the young women.

Furthermore, according to a pilot Trendex study of all syndicated primetime access programs in the country's top 26 markets, LET'S MAKE A DEAL rates

number one with all adults.

LET'S MAKE A DEAL's February line-up is over 100 stations. It may be available for first-run, primetime programming in your market.

**"LET'S MAKE A DEAL is racking up impressive numbers as a syndie nighttime entry...the one unqualified rating success in New York among the o & o's prime-access efforts, consistently getting 30 shares and up."**

**VARIETY**

**"With virtually all of the rating books now out, it is quite apparent that with respect to first run syndicated programming designed for "McGannon Rule" time periods, ABC Films is the stand out winner.**

**We don't know of any station that was sorry that they purchased LET'S MAKE A DEAL...as it turns out, how can you argue with a winner."**

**THE BIB TV NEWSLETTER**

ATPE Members: We'll be at the convention in San Francisco. Hope you'll stop in to see us and to meet Monty Hall.

**abc ABC  
FILMS**

NEW YORK: (212) LT 1-7777  
CHICAGO: (312) 263-0800  
HOLLYWOOD: (213) NO 3-3311  
ATLANTA: (404) 255-0777

Our new telephone  
can save you money on remote broadcasts.



The Bell System's new phone is the simplest equipment yet for originating remote broadcasts.

This set, called the Portable Conference Telephone, plugs directly into a standard telephone jack installed at the broadcast site. It is equipped with two broadcast-quality microphones.

No amplifier is needed. No pre-amp. In fact none of your station's equipment is needed at the site—and that means no technician need be sent to operate it.

Your reporter simply carries the 19-pound set with him, plugs it into the jack and an AC outlet, dials your studio and is ready to go on the air. By using regular telephone lines, you avoid the expense of special audio channels.

Between remotes, this phone won't loaf on the shelf. For staff meetings, its built-in speaker allows as many as 30 people to listen to a telephone conversation—and the microphones allow them to join in. On an executive's desk, it can permit hands-free talking and listening.

Call your local Bell Telephone representative for details of how this new phone can work for you.

The American Telephone and Telegraph Company and your local Bell Company are continually working to improve service and help you do your job better.

In this case, when you have to broadcast from remote locations.



The FCC's blueprint for expansion of cable television is finally completed and released, all 500-plus pages of it, to the relief and jubilation of the cable industry. The question now is whether it will stick. See . . .

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### Broadcasting

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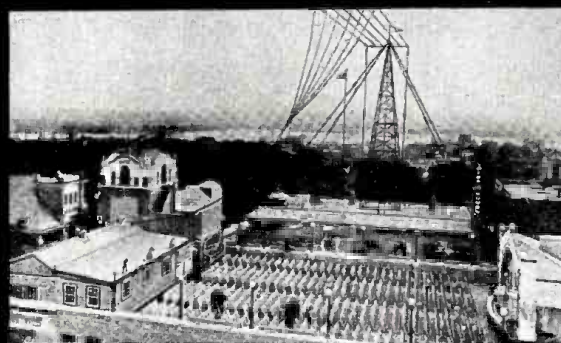
We pause  
for station identification —

**WOC, Davenport, Iowa**

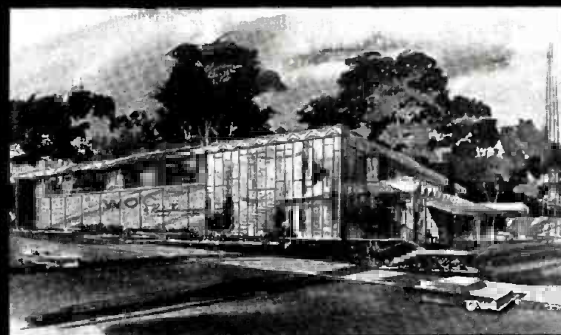
as we note

**FIFTY  
YEARS**

of service  
in broadcasting



It started on a rooftop 1922



WOC-AM-FM-TV 1972

On February 18th, WOC will complete fifty years of service to an ever-growing Quad-Cities area. We are proud of our years of broadcasting under the American tradition of a free enterprise system — all under one family ownership.

As one of the first stations to reach a power of 500 watts in 1922 and 5000 watts in mid-1924, WOC provided news, information and entertainment and became known throughout the world. "WOC, Davenport, Iowa . . . where the West begins . . . in the State where the tall corn grows."

In looking back to those early pioneer years, WOC

can take pride in its participation in the founding of the NAB; in being a part of the first coast-to-coast chain hook-up; in becoming an NBC "basic Red" affiliate.

But in our second half-century we still look forward to the challenge of the future. WOC, the first station to serve this area, is *still* first — in broadcasting the kind of news, information and entertainment more people want.

The WOC family has had many "greats." Its roots go deep into tradition. Age has only strengthened our original purpose — to uphold the highest criteria in broadcasting.

**WOC -AM-FM-TV The Quad-Cities' First Station**

A Division of Palmer Broadcasting Company, David D. Palmer, President

An NBC Affiliate: Represented by Blair Radio, Inc., Peters, Griffin, Woodward, Inc.

## Matter of time

Question is when—not if—House Commerce Committee plans to take up license-renewal legislation. Committee Chairman Harley O. Staggers (D-W. Va.) says he is “sympathetic” to problem of licensees being “bulldozed or knocked around” by renewal challengers. But, he said, committee is burdened with host of nonbroadcast matters this session, and renewal hearings may not be held until “the first of next year.” At same time, he has assured broadcasters in his district he will go to their aid “immediately” if their licenses are contested. West Virginia stations are up for renewal Oct. 1.

Meanwhile, Senate Communications Subcommittee Chairman John O. Pastore (D-R.I.) is said to be holding firm to position that “administration” should voice need for renewal legislation before he charts course of action. Subcommittee spokesman said subject may be in for extensive colloquy when FCC oversight hearing continues this week (see page 67).

## Demotion

To replenish campaign funds (debt is now \$9.3 million) Democratic National Committee is shopping for weekend telethon clearances, to consternation of TV networks, let alone their affiliates once they learn facts. Inquiries are for block timebuy from 10 p.m. Saturday to noon Sunday prior to Democratic convention in Miami Beach July 10-13. (Presumably quest is for July 8-9, since event would originate in Miami, where delegates plus big-name talent would be on hand.)

But clearance, if it evolves, would be only beginning of what could become incredible chain of events. Would new political-spending bill, by then law, apply? If so, lowest unit rates would prevail. What if some affiliates, unprepared to operate around clock, refused “reasonable access”? Would Pearson Amendment providing for revocation proceedings for “willful” violations come into play? Networks shudder to think of repercussions to pre-emption of Sunday-morning religious programing that has been locked in for years. As of Friday no network had reached formal decision.

## Touching the bases

Judge Ben L. Hooks, of Memphis, latest to be mentioned as contender for upcoming FCC vacancy (BROADCAST-

ING, Jan. 24), was in Washington last week, doing things those interested in appointment to commission often do. He visited at National Association of Broadcasters, said hello to representatives of networks and AT&T, checked in with FCC Chairman Dean Burch and with Clay T. Whitehead, director of Office of Telecommunications Policy, as well as at number of Senate offices. And on Tuesday he sat in at FCC oversight hearing of Senate Communications Subcommittee (see page 67).

Ranking Republican member of that subcommittee, Howard Baker, of Tennessee, is booming Democrat Hooks for vacancy to be created when Commissioner Robert T. Bartley, Texas Democrat, retires, June 30. Judge Hooks, who journeyed to Washington to attend testimonial for White House aide Bob Brown and President's prayer breakfast, was escorted around town by Senator Baker's aides. Other blacks still in running for FCC post are Revius Ortique, New Orleans Democrat, and possibly Ted Ledbetter, independent from Washington.

## Almost, not quite

Extent of J. C. Penney's sponsor participation next November in CBS-TV's election-night coverage has been resolved. Retailer will sponsor one-quarter, as result of intense negotiations in which CBS reportedly resisted Penney's desire—through McCaffrey & McCall, New York—to obtain major advertising position. Earlier, Penney, marking its entry into network television, had indicated that it would sponsor all of NBC's election-night TV coverage and half of ABC's, decisions that are now firm. Had Penney succeeded with CBS, it would have achieved major identification with election coverage on all three TV networks.

## Reducing plan

Without flag-waving, FCC is getting into full-scale re-evaluation of its broadcast rules and standards, hopefully to cut out fat and unwieldy time-consuming habits (some call it regulatory “overkill”) that have built up over several decades. Headed by Broadcast Bureau Chief Wallace E. Johnson, project has enthusiastic support of Chairman Dean Burch, and includes department heads in legal, engineering and administrative phases of all broadcast regulation.

Last week, delegations representing National Association of Broadcasters and Association of Federal Communications Consulting Engineers met with

Mr. Johnson, Harold L. Kassens, 30-year FCC veteran who has just been promoted to assistant chief of Broadcast Bureau from Rules and Standards chief, and others on staff. Federal Communications Bar Association also has pledged cooperation in reappraisal and will meet shortly with Johnson unit. Project is expected to take about six months.

## Options

If John P. Gwin decides to decline presidency of National Cable Television Association, he can return to Cox Cable, probably to headquarter in Atlanta and work under President Henry Harris. Mr. Gwin, chairman of NCTA, is being urged to accept paid presidency. He is now vice president of Cox Cable and stationed at Robinson, Ill. NCTA presidency is said to entail about \$65,000 annual salary, as part of \$100,000 package, including expenses.

## Fall-back bill

Sleeper among legislative proposals being discussed for public broadcasting is simple one-year extension of present funding proposed late last year by Senators Warren G. Magnuson (D-Wash.) and John O. Pastore (D-R.I.). It wasn't even discussed at last week's House hearings on more complicated legislation (see page 62); but, although spokesmen for noncommercial media came forward to support long-range funding plan offered by Representative Torbert H. Macdonald (D-Mass.), their real goals are considerably more modest in this troubled year. Holding action, not dramatic advance, is byword right now.

Magnuson-Pastore bill—perhaps augmented by slight increase in funds and legislated minimum on local station support—is not only more practical possibility than any other offered so far (except administration bill), but also likely to appear increasingly attractive if legislative battle sharpens as it may.

## Slow mover

*New York Times* has called in acquisitions specialist to help find buyer for its WQXR-AM-FM New York, which have been on market for months. He is James Bennenson of New York investment banking firm bearing that name. Mr. Bennenson declines to discuss status of sale situation, but other sources say asking price for combined operations, reportedly \$6 million few months ago, has been dropped to \$5.5 million.

# *Already sold...\**

<b>WCBS-TV</b>	New York	<b>KTLA</b>	Los Angeles
<b>WBBM-TV</b>	Chicago	<b>KTVI</b>	St. Louis
<b>WHDH-TV</b>	Boston	<b>WSYR-TV</b>	Syracuse
<b>KCMO-TV</b>	Kansas City	<b>WAPI-TV</b>	Birmingham
<b>WOW-TV</b>	Omaha	<b>WTPA</b>	Harrisburg, Pa.
<b>WNEM-TV</b>	Bay City	<b>KLAS-TV</b>	Las Vegas
<b>KPHO-TV</b>	Phoenix	<b>KRDO-TV</b>	Colorado Springs
<b>KGMB-TV</b>	Honolulu	<b>KSL-TV</b>	Salt Lake City
<b>KREM-TV</b>	Spokane	<b>KOCO-TV</b>	Oklahoma City
<b>KGW-TV</b>	Portland, Ore.	<b>WTTV</b>	Indianapolis
<b>KING-TV</b>	Seattle	<b>WUAB-TV</b>	Cleveland
<b>WBAY-TV</b>	Green Bay	<b>KARK-TV</b>	Little Rock
<b>WAVE-TV</b>	Louisville	<b>KFMB-TV</b>	San Diego
<b>KTRK-TV</b>	Houston	<b>KLZ-TV</b>	Denver

*\* as of January 25, 1972*

# **VOLUME 17**

*from Warner Bros. Television*



## Next the guidelines for editorial ads

FCC on Friday (Feb. 4) moved to implement U.S. Court of Appeals decision that broadcasters may not impose flat ban on editorial advertising. It issued a further notice of inquiry in ongoing fairness-doctrine inquiry, seeking help in development of guidelines for editorial advertising.

Commission asked comment on such issues as licensee limitations on available time for editorial advertising, licensee regulation of scheduling of such ads, how licensee may prevent small number of groups from monopolizing station facilities, and grounds for rejecting ads.

Appeals court, in declaring ban on editorial advertising by commercial broadcasters unconstitutional, said commission and licensees should develop and administer reasonable procedures and regulations to govern sale of such advertising time.

Commission has appealed case to Supreme Court. Issuance of further notice followed high court's refusal to stay order of lower court during pendency of appeal (BROADCASTING, Jan. 31).

Commission noted that editorial advertising is important aspect of fairness inquiry's part IV and that it had deferred comment on that part because of appeal. But, it noted, it was seeking comments from all parties at interest to comply with court's instruction to develop guidelines.

Comments are due by March 8, replies by March 23.

## Scrutiny team for NAB

Committee to determine goals and direction of National Association of Broadcasters was named Friday (Feb. 4). Chairman is Richard D. Dudley, Forward Communications Corp., Wausau, Wis.

NAB joint board ordered establishment of goals committee last month in response to criticism of NAB accomplishments last few years (BROADCASTING, Jan. 24).

Mr. Dudley, who entered broadcasting in 1947, is president of group-owner Forward Communications. He is serving third two-year term on NAB radio board, of which he was chairman 1967-69. He is president of Wisconsin Network and past officer of Wisconsin Association of Broadcasters.

Other members of committee: Wil-

liam D. Shaw, Golden West Broadcasters, San Francisco; Philip Spencer, WCSS(AM) Amsterdam, N.Y.; Andrew M. Ockershausen, Evening Star Stations, Washington (all current members of NAB radio board of which Mr. Ockershausen is chairman); Peter Storer, Storer Broadcasting Co., Miami Beach, and Earl W. Hickerson, WCEE-TV Rockford, Ill., both members of TV board; Clayton Brace, KOGO-AM-FM-TV San Diego and Richard Barron, WSJS-AM-FM-TV Winston-Salem, N.C.

## CBS reverses decision on IDC film encoding

CBS has elected to "temporarily withdraw" its decision to refuse film commercials that have been visually encoded for monitoring purposes. Network's action comes in wake of FCC decision two weeks ago that said, in effect, that licensees would not be held responsible for coded transmissions that do not comply with appropriate interim standards (BROADCASTING, Jan. 31).

Sources at International Digisonics Corp., pioneer and sole proprietor of visual-encoding system authorized by FCC, have expressed happiness with commission's decision, hailing it as "a most positive and progressive step."

CBS had earlier notified advertisers that it would not run coded film commercials because it felt associated coded transmissions could not meet FCC's standards. Commission's action alleviates most need for concern in this area, since agency has said broadcasters would not be penalized for transmitting coded information that does not meet its interim standards.

CBS spokesman stipulated that network was dropping its "embargo" conditionally. It will retain its right to refuse coded material that is considerably

## All in the family

Close friend of evangelist Billy Graham has followed on his heels as designee of award for distinguished service to broadcasting. Virginia Association of Broadcasters presented one last Friday (Feb. 4) to President Nixon, citing his "conspicuous efforts in furtherance of understanding between the executive branch of government and the American broadcasting industry and his manifest appreciation of the indispensable contribution of an unrestricted flow of information to a free society."

out of compliance, or to black out coded patterns in these commercials, he said. He said CBS will not accept IDC reports as proof of performance in view of CBS study that showed 20% of IDC-coded transmissions of film did not comply with commission standards.

IDC spokesman said last week that in light of FCC ruling and its own findings, it was "quietly" stressing electronic tape over film for coding purposes with advertisers, while at same time alerting broadcasters that it would not guarantee compliance with FCC standards on coded film material. Company will continue to use film product, however, he said.

## By way of explanation

National Cable Television Association is conducting series of regional briefings this month to discuss provisions of FCC's new cable rules (see page 17). Six half-day meetings throughout country will be held, featuring NCTA General Counsel Gary Christensen and Assistant General Counsels Charles Walsh and Stuart Feldstein, who will outline regulations and answer questions. Meetings will be held Feb. 15 in Chicago; Feb. 16 in Tulsa, Okla.; Feb. 17, San Francisco; Feb. 22, New Orleans; Feb. 23, Charlotte, N.C., and Feb. 24, Philadelphia.

## Meeting the policy maker

FCC Chairman Dean Burch's first appearance before cable industry since issuance of new CATV rules (see page 17) will be at national college conference on cable television, to be held this Friday (Feb. 11) in Washington. Conference is designed to expose young people, particularly communications students, to practical problems of cable development and regulation, and to give them opportunity to express their views (BROADCASTING, Jan. 17). Mr. Burch joins list of participants that includes Amos B. (Bud) Hostetter, vice president of Continental Cablevision Inc.; Sol Schildhouse, chief of FCC's Cable Television Bureau, and Ted Ledbetter, president of Urban Communications Group.

## Pay cable out West

Optical Systems Corp., Los Angeles, plans to begin pay-television operations on cable TV in California cities of Santa Barbara, San Diego and Bakersfield this year. Announcement of project is being made today (Feb. 7) by Godfrey M. Nathanson, Optical Sys-

tems president, who said company has made agreement to lease CATV channels from Trans Video Corp. in three cities. Trans Video is division of Cox Cable Communications Inc. Mr. Nathanson said Optical Systems will offer current motion pictures and live sporting events at approximate cost of \$1.25 to \$1.50 each. He said company has developed technology which can receive and unscramble signals transmitted over virtually any CATV.

### No jail for Johnstown officials

Former Johnstown, Pa., Mayor Kenneth Tompkins and former City Councilman J. Howard Deardorff received suspended sentences last Friday (Feb. 4) for conspiring to award exclusive cable-television franchise in Johnstown to Teleprompter Corp. in 1966. Messrs. Tompkins and Deardorff earlier had pleaded guilty to conspiracy and bribery charges and testified for prosecution against former Teleprompter Chairman Irving Kahn, who was convicted and received five-year sentence but has filed appeal.

### One nonexempt news show

Stations instituting ongoing news interview program shortly before political elections which involve incumbent candidates cannot be assured that such program will be excluded from equal-time provisions of Section 315. FCC made that indication last week in notifying WIICTV Pittsburgh that it did not believe it could provide Section 315 exemption for *Know Your Congressman* program, planned to begin on station Sunday (Feb. 6). Program would present several area congressmen in interview/telephone format.

Under amendment to Communications Act in 1959, bona fide news interview shows featuring candidates were provided waiver of equal-time provisions.

WIICTV had asked commission for declaratory ruling that its proposed program would fall under this waiver. Commission replied, however, that it has in past only applied waiver to such programs that are "regularly scheduled." Noting that "Congress was concerned about news interview programs created and/or scheduled shortly before an election," commission said WIICTV's request cannot be granted, since program is scheduled to begin only 11 weeks before Pennsylvania primaries.

### Added problem for Newhouse

Controversy surrounding Mount Hood Broadcasting's KOIN-AM-FM-TV Portland, Ore., intensified last week with filing of second petition to deny stations' license renewals at FCC. Petitioner this time

was Portland Black Caucus, local group working to strengthen "black solidarity" in Portland area. It complained that KOIN-TV had failed to "adequately or in any meaningful way" ascertain needs of minority community, carried insufficient minority programming, and was remiss in seeking out and hiring blacks and other minority group members.

Last month publisher of monthly Portland publication, *The Oregon Times*, and United Indian Action Center asked commission to deny stations' renewal on same grounds. They also alleged concentration of media control on part of Newhouse Broadcasting Corp., which owns 50% of Mount Hood and has received FCC authorization to acquire other half from local voting trust (BROADCASTING, Jan. 10). Transaction has been held off because of pressure against it locally and from Justice Department's antitrust division.

### CBS wants L&N clients to pay off their debts

CBS, biggest creditor in Lennen & Newell's bankruptcy proceeding (see page 78), said Friday (Feb. 4) that "consistent with our contractual arrangements, we expect those advertisers who have used the agency to purchase our facilities as an advertising medium will discharge the debts they have incurred."

According to agency's petition in bankruptcy proceeding, CBS is owed over \$800,000. Asked for comment on CBS statement, Lennen & Newell spokesman said that this was CBS's interpretation of contracts and that "given 12 lawyers, you will have 12 interpretations [as to responsibility]." CBS deferred further comment other than to point out that its contracts consider dual liability on part of agent and principal for business placed with CBS.

It was pointed out that CBS, along with ABC and NBC (three biggest creditors), had representatives on informal creditors' committee which has agreed with L&N to accept payment of 50 cents on dollar on accounts receivable, pending assurances from L&N's staff and existing clients that they will continue to support agency for immediate future. It was learned that representatives of all three networks and of *New York Times* resigned from creditors' group when bankruptcy petition was filed. It was reported they still support initial understanding on pay-out.

There were 16 media representatives serving as creditors' group, all with publication companies with the exception of networks, General Electric Broadcasting and Metromedia Inc. Latter two members continue on committee.

Meanwhile, L&N client defections

continued with loss of \$2-million Jackson Brewing (Jax beer and Fabacher Brau) to Ketchum, MacLeod & Grove. Jackson Brewing had named L&N only recently (on Dec. 20) as its agency. Lennen & Newell executive said Friday (Feb. 4) that agency was close to obtaining final client assurances of continuing with agency, thus opening way to initiation of agreement acceptable to creditors.

### Out of that closet

In hopes of capitalizing on nostalgia trend, Charles Michelson Inc., New York, intends to place into syndication 52 half-hours of original *Fibber McGee and Molly* radio programs during upcoming National Association of Broadcasters convention. Michelson obtained rights to programs from NBC, which carried series for 14 years, starting in late 1930's. Radio program distributor also has obtained rights to selected episodes of two other radio series, *Superman* from National Periodical Inc. and *The Goldbergs* from estate of late Gertrude Berg, but has not set release dates for either series.

### Retail rises

Department-store high-volume users of television—excluding such national chains as Sears, Roebuck and Ward—are increasing TV investments substantially. According to figures available to Television Bureau of Advertising, top-20 stores spent 41% more as group in first nine months of 1971 than in comparable 1970 period (from \$4.5 million in 1970 to \$6.4 million in 1971). Leading store is New York-based Korvette, which increased its TV volume by 548%. Jordan Marsh (Boston) spent 27% more, and J. L. Hudson (Detroit) was up 29%.

### But still looking for more

Reasons for increasing use of radio and television by retail advertisers were outlined in speech to be delivered last Saturday (Feb. 5) by Howard Abrams, retail specialist for Cox Broadcasting Corp. and special consultant to Belk Stores. Mr. Abrams was to tell Retail Advertising Conference in Chicago that strategy of many retailers over past year is multimedia usage, placing as much as 20% of their budgets in broadcast, along with investments in newspapers. Reasons for more extensive use of TV-radio by retailers, he said, are continuous movement of affluent customers to suburbs; continuous decline in reading habits and increase in radio listening and TV watching; need to reach young market with its own medium of radio and realization that media mix can increase sales.

# Why “The Price Is Right”!

One of television's all-time favorite game shows is coming back in a fresh new format for once-a-week first-run syndication. An ideal entry for your 7:30 time period.

Here's why “The Price Is Right” is right for you:

**1** It was a time-period winner in its network format at 7:30 on NBC. With a 25.3 rating and a 40% share.

**2** Today, great game shows still work well at 7:30. Ratings for the best of this year's syndicated product prove it.

**3** Game shows that succeed in syndication are those that have a strong network history, in their original form.

**4** For six prime-time years at 7:30 and other time periods and for seven daytime years at 11am on NBC, “The Price Is Right” was a strong network performer.

**5** “The Price Is Right” is a product of the premier game show producers, Goodson-Todman.

New color tape half hours of “The Price Is Right” can start on your station in September 1972. Sign up right away.

## Viacom

NEW YORK, CHICAGO, SAN FRANCISCO, ATLANTA, DALLAS

# R

The only  
new  
prime-time  
access  
dramatic  
series.

see pgs. 50-51

## Books for Broadcasters

### Audio Control Handbook

3rd Edition  
by Robert S.  
Oringel



Now expanded and brought up to date, this standard text-handbook explains every phase of audio control in easy-to-understand, non-technical language.

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## Datebook © A calendar of important meetings and events in communications

### This week

Feb. 7-8—Management conference, sponsored by *Radio Advertising Bureau*. Regency Hyatt House-O'Hare, Chicago.

Feb. 8—Deadline for filing comments on FCC's proposed rule amendment concerning inclusion of program identification patterns in visual TV transmissions (Doc. 19314).

Feb. 8—*Senate Constitutional Rights Subcommittee* continues hearing on application of First Amendment to broadcast and print journalism. 10 a.m., Room 1318, New Senate Office building, Washington.

Feb. 8-10—Winter convention, *South Carolina Broadcasters Association*. Featured speakers will be Herb Klein, White House director of communications, and Walter Johnson, chief, Broadcast Bureau, FCC. I-95 Holiday inn, Florence.

Feb. 8-11—Ninth conference, *National Association of Television Program Executives*. Fairmont hotel, San Francisco.

Feb. 10—*Senate Consumer Subcommittee* hearing on aspects of cigarette regulation. 9:30 a.m., Room 5110, New Senate Office building, Washington.

Feb. 10—Annual meeting of stockholders of Kinney Services Inc. Americana hotel, New York, 2:30 p.m.

Feb. 10-11—Third annual *Abe Lincoln Awards* honoring broadcasters chosen nationally for outstanding community service. Awards are presented by Southern Baptist Radio and Television Commission. Speaker at awards dinner will be Elmer Lower, president of ABC News. Fort Worth club, Fort Worth.

Feb. 10-11—Management conference, sponsored by *Radio Advertising Bureau*. Hilton inn-airport, San Francisco.

Feb. 11-12—Annual convention, *New Mexico Broadcasters Association*. Hilton hotel, Albuquerque.

Feb. 13-15—Annual convention, *Illinois-Indiana Cable Television Association*. St. Nicholas hotel, Springfield, Ill.

### Also in February

Feb. 14—*International Tape Association* seminar on "What's Happening and What Will Happen in the World of Tape Communications." Sheraton-Universal hotel, North Hollywood.

Feb. 14—New deadline for program entries for *Major Armstrong Awards*. Contact: Kenneth K. Goldstein, 510 Seeley W. Mudd building, Columbia University, New York 10027.

Feb. 14-15—Management conference, sponsored by *Radio Advertising Bureau*. Hilton inn, Dallas.

Feb. 15—Deadline for entries in 38th annual *Headliners* competition. Competition covers any material printed or aired during 1971 and is open to all newspapers, magazines, television and radio outlets in U.S. Contact: Elaine Frayne, National Headliners Club, 2300 Pacific Avenue, Atlantic City 08401.

Feb. 15-16—Membership meeting, *Mid-America CATV Association*. Hilton inn, Tulsa, Okla.

Feb. 16-18—Faculty-industry seminar, sponsored by *International Radio and Television Society*. Subject will be "The Business of Broadcasting." Harrison House, Glen Cove, Long Island, N.Y.

Feb. 17—*Senate Constitutional Rights Subcommittee* continues hearing on application of First Amendment to broadcast and print journalism. 10 a.m., Room 318, Old Senate Office building, Washington.

Feb. 17-18—Management conference, sponsored by *Radio Advertising Bureau*. Cherry Hill inn, Cherry Hill, N.J.

Feb. 17-19—Winter meeting, *Colorado Broadcasters Association*. Cherry Creek inn, Denver.

Feb. 18-13th annual Close-Up dinner, dance and show, sponsored by *New York Chapter of The National Academy of Television Arts and Sciences*, honoring ABC-TV host Dick Cavett. Americana hotel, New York.

Feb. 18-19—Second annual convention, *South Carolina Cable Television Association*. Thunderbird motor inn, Florence.

Feb. 19—15th District Conference, *American Advertising Federation*, featuring dialogue with legislators. Newporter inn, Newport Beach, Calif.

Feb. 22-23—Annual convention, *Alabama Cable*

*Television Association*. Parliament House motor hotel, Birmingham.

Feb. 24—Joint luncheon meeting of *Federal Communications Bar Association* and *Association of Federal Communications Consulting Engineers*. Speaker: FCC Commissioner Charlotte T. Reid. Army-Navy Club, Washington.

Feb. 26—Full day conference on "CATV and Broadcast Television—A Positive Approach to Co-existence," sponsored by Hollywood chapter, *National Academy of Television Arts and Sciences*. Speakers include Sol Schildhouse, chief, CATV task force, FCC; and John Gwin, president, National Cable TV Association. Beverly Hilton hotel, Beverly Hills.

Feb. 28-March 3—Seminar conducted by *Eastman Kodak's* motion picture and education markets division focusing on techniques of producing color film specifically for use in commercial, public and cable television. The "Videofilm Seminar" is designed for television management, cameramen and those dealing with film. Registration fee is \$150 and each seminar is restricted to 12 participants. Kodak's Marketing Education Center, Rochester, N.Y.

Feb. 29—Annual Mike Award dinner of *Broadcast Pioneers* in behalf of *Broadcasters Foundation*, honoring WDSU(AM) New Orleans as winner of 12th annual award. Hotel Piere, New York.

### March

March 1—Deadline for the regional and international radio news awards made each year by *Radio-Television News Directors Association*. Awards will be made in four categories: Edward R. Murrow Radio Documentary Award; editorializing by radio; reporting of an on-the-spot news story by radio, and best series reports for an ongoing news story. Entries must be accompanied by a typewritten presentation and audiotape. Contact regional awards directors: Washington State University, western region; Iowa State University, midwestern region; University of Georgia, southeastern region, and Pennsylvania State University, northeastern region.

March 1—*Advertising Club of Los Angeles* luncheon meeting, with Mrs. Virginia H. Knauer, White House special assistant for consumer affairs speaking about "The Future of Advertising." Sheraton-West hotel, Regency room, Los Angeles.

March 1-3—Annual convention, *Florida CATV Association*. St. Petersburg Ramada Inn, St. Petersburg.

March 3-4—*Georgia Cable Television Association* annual convention. John Gwin, chairman of National Cable Television Association will be banquet speaker (March 3). Also on agenda as speakers: Don Elliott, WSB-TV Atlanta, and Robert W. Coll, associate in McKenna, Wilkinson & Kiltner, Washington. Regency Hyatt House, Atlanta.

### Major meeting dates in 1972

Feb. 9-11—Ninth conference, *National Association of Television Program Executives*, Fairmont hotel, San Francisco.

April 6-9—*National Association of FM Broadcasters* annual convention. Palmer House, Chicago.

April 9-12—Annual convention, *National Association of Broadcasters*. Conrad Hilton hotel, Chicago.

May 4-7—Annual convention, *American Women in Radio and Television*. Stardust hotel, Las Vegas.

May 14-17—Annual convention, *National Cable Television Association*. Conrad Hilton hotel, Chicago.

July 10-13—*Democratic national convention*. Miami Convention Center, Miami Beach.

Aug. 21-24—*Republican national convention*. San Diego Sports Arena, San Diego.

Oct. 29 - Nov. 1—Annual convention, *National Association of Educational Broadcasters*. Hilton International, Las Vegas.

Nov. 12-16—Annual seminar, sponsored by *Broadcasters Promotion Association*. Statler Hilton hotel, Boston.

Nov. 14-16—Annual meeting, *Television Bureau of Advertising*. Waldorf-Astoria hotel, New York.

Nov. 15-18—*Sigma Delta Chi* national convention. Statler Hilton, Dallas.



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# Broadcasting

THE BUSINESSWEEKLY OF TELEVISION AND RADIO

## TELEVISION

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CHICAGO: Midwest advertising sales representative, Bailey & Co., David J. Bailey, *president*, P.O. Box 562, Barrington, Ill. 60010.  
Phone: 312-381-3220.

TORONTO: John A. Porteous, *contributing editor*, 3077 Universal Drive, Mississauga, Ontario, Canada. Phone: 416-625-4400.

LONDON: Dudley D. Carroll Jr., *advertising sales representative*, c/o American Magazine Group, 27 Maddox Street, London, W1.

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\*Reg. U.S. Patent Office.

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## OpenMike

### The Graham award

EDITOR: Of all the irresponsible journalism I've read and heard to date, I think your editorial "Crusade In Chicago" in the Jan. 24 issue must be awarded the bottom prize. Having known and been associated with Billy Graham personally for over 30 years, I, along with millions of others in this country and elsewhere, highly resent this editorial . . .

Whether you like or approve of Billy Graham or not, there are literally millions of people in this country and elsewhere who admire and respect him and his work. The fact that I happen to be one of them is irrelevant. The point is that this man to these millions and millions of people uses our facilities frequently to bring his messages into these homes of appreciative audiences. In other words, in their minds at least (if not in yours) this is something *good* the broadcasting industry does for the people—something very good in their opinion in the midst of all the *bad* we are accused of pumping through the tube; so why shouldn't this 10-man selection committee of the NAB choose him for the distinguished service award, and why shouldn't we, and particularly the "bible" of our industry, *applaud* this decision publicly and otherwise?

I feel so strongly about this whole thing that I sincerely suggest that you consider a retraction.—Charles Crutchfield, *president, Jefferson Standard Broadcasting Co., Charlotte, N.C.*

(The editorial stated no position on Dr. Graham's character or work. It simply questioned whether he was the appropriate choice for an award that is intended to be given for distinguished service to broadcasting.)

### Black backlash

EDITOR: We at Third World Media News take strong exception to the segment [of BROADCASTING's special report on black radio, Jan. 24] that calls Black Audio Network the only black news service. TWMN is owned and operated by third world people. At the present time it is a funded organization, as the result of seed money of \$30,000 from the United Presbyterian Church. TWMN was officially launched July 24, 1971, but did not become operational until Aug. 26. . . .

Furthermore, we feel that the practice of whites evaluating the attitudes and trends of black and third world people should be viewed within the context from which that white evaluation comes. Our reference here is to [a statement by Jay Levy, president of Black Audio Network] that "Black radio is tending to lose its identity. More and more black

stations are trying to outdo their downtown competition instead of striving to retain black identity while at the same time trying to reach the general-market community." We have no objections to Mr. Levy operating a black news service, despite the fact that he is white, but Third World Media News will do all in its power to overcome the horrendous imbalance of third world reporting as practiced by the establishment media and all others up to this time.—Hugh Morgan, *news director, Third World Media News, New York City*.

### Flap over fairness

EDITOR: The ridiculousness of the FCC's so-called fairness doctrine should now be apparent to everyone. It has ruled that TV comedian Pat Paulsen is a bona fide candidate for the Republican presidential nomination on a national basis, thus TV stations airing *The Mouse Factory*, in which Mr. Paulsen appears, must provide equal time to other candidates who demand it [BROADCASTING, Jan. 31]. I suggest that those commissioners who favor such foolishness also be given starring roles in *The Mouse Factory*, for that's obviously where they belong.—Robert E. Smith, *president, WIXK(AM) New Richmond, Wis.*

### Out and down

EDITOR: The special report in the Jan. 17 issue relative to the transfer of stations in 1971 was well done and read with much interest here. I must confess some disappointment in not seeing ours included . . .

We formed a new corporation, State Telecasting Co., as a subsidiary of The State-Record Co. (newspaper publisher) for its debut into broadcasting . . .

Our group acquired KCBD-TV Lubbock, Tex., and its satellite, KSWB-TV Roswell, N.M., and channel 2 Charleston, S.C., changing the call letters there from WUSN-TV to WCBD-TV. Purchase prices totaled \$8 million.—W. Frank Harden, *president, State Telecasting Co., Columbia, S.C.*

(The \$8-million price was counted in totals reported in the special report, but mention of the transfers was inadvertently left out of the story.)

### Formerly

EDITOR: In your Jan. 24 issue, you reported: "Stan Major, with the staff of WRIT(AM)-WFWO(FM) Milwaukee, has announced he will run for Illinois state senator." Mr. Major has not been affiliated with either of our two stations since Aug. 30, 1971.—Bernie Stachota, *president, WRIT(AM)-WFWO(FM) Milwaukee*.

## Follow the bouncing ball for advertising success

For years now, friends have been asking why the Midwest Federal Savings and Loan Association has become so heavily involved in sports-oriented advertising in the Twin Cities.

The answer is a relatively simple one. Since Midwest Federal first became involved in using radio and television sports sponsorship on a saturation, long-term basis, the identification factor of our company has risen tremendously and revenues have increased in even greater proportion.

To a great extent, our rapid growth has been intertwined with our increased accent on sports advertising—whether it be Twins baseball, Vikings football, or Minnesota Gophers college basketball and hockey, which we also sponsor.

Marshall McLuhan said, "The medium is the message." In our case he is absolutely right. Our messages have created a reaction that has enabled the Midwest Federal to become one of the fastest growing savings-and-loan associations in the country. It has enabled the company to increase its annual revenues from about \$300 million in 1965 to well over \$700 million today.

Today we're big business, and we owe much of our success to the magic mirror that radio and television advertising holds up for us. It's interesting to note the public reactions to our exposure on sports events in the Twin Cities areas. Long before we started calling ourselves the Twin Cities' number-one sports fan, our customers and friends were referring to us as "that bank that's always on radio and television sport shows." People came in off the streets to ask our tellers for schedules of upcoming sporting events, or even in some cases, for tickets. That's identification.

It isn't always easy to define just exactly what "community involvement" is. Midwest Federal is involved in hundreds of good-will and civic projects annually, but to our customers, our continued sponsorship of the major sports events in the Twin Cities is ample evidence of our community interest.

Sponsorship of sports programing is more relevant to today's climate than many people realize. Sports are fast-moving, fast-acting and fast-changing and our society reflects this mercurial activity. In cities such as Minneapolis-St. Paul, sports are a way of life, and our close identification with all kinds of sports on radio and television translates almost directly to new activity in

our business via new customers, many of whom are aware of us solely from our sports advertising on radio, television and in newspapers.

Today's buyer, whether it's for a house or a new bank account, is more sophisticated than ever before, particularly our young. To reach the young you have to cater to their interests, which is one of our major purposes in sponsoring University of Minnesota basketball and hockey games. We don't market just to the affluent middle American, but to all classes, particularly the young couples just starting out who need us the most.

Through our advertising agency, M. R. Bolin Co., we have created a multilevel, multimedia campaign covering most of the major sports activities with a wide variety of publics as our targets.

Our campaign is planned to reach the young and the old; middle income and lower income, college student and laborer. We utilize the local sports celebrities whose names are household words in the Twin Cities and find, once again, that this type of personalized sports-oriented commercial has an extremely high identification factor for our company.

This year for instance, we will present such well-known Twin's baseball players as Harmon Killebrew, Curt Blyleven and Tony Oliva to carry our advertising messages. The message itself, woven throughout the entire campaign, will stress one of the most important segments of sports activities—teamwork.

The parallel importance of teamwork as a "must" ingredient in success—whether it be in sports or business—has been and will be a prime facet of our over-all commercial theme to the public. And, win, lose or draw, the public is the final arbiter in anything we do.

Our commitments to radio and television in the past have more than

justified our confidence in the media. Two years ago Midwest Federal purchased the rights to the Minnesota Twins radio and television broadcasts. Skepticism was the main reaction of our colleagues in the banking business.

This year, 1972, will see the largest radio and TV network ever put together in the Midwest to carry Twins baseball games and our "gamble" in making this major commitment seems to have paid off. Starting from scratch in 1971, the network consisted of a total of 60 stations spread throughout eight states. This year we anticipate an expansion in this Twins coverage, possibly surpassing 100 stations.

To sustain the central theme of our commercial campaign, Midwest Federal uses a great deal of supplemental promotion in other media. One of our most talked-about promotions of this type is a billboard we use in the Twins ball park. It sports a huge tree, which is our emblem, topped by a baseball cap. The first ball player that hits it receives \$20,000. It's a great conversation piece and it has brought us national recognition.

In all of our spots, and we use largely 30-second spots for radio and minute spots for TV, we translate the theme "teamplay" into service to the public. Service that they can expect from Midwest Federal in every phase of bank business. Service which is generated from the teamwork that is one of our most valuable assets because our employes have been trained to deal with the public as people, not as customers or accounts.

The versatility of radio and television has been one of the major reasons for our continuing growth; it has brought us widespread acceptance and identification. It has done a fine job for us and will continue to be a major factor in our campaigns in the future. It's where the people are.



*Harold W. Greenwood Jr. has been in the banking business for the past 16 years. He joined Midwest Federal Savings and Loan Association of Minneapolis in 1955, became operational manager in 1959, was elected first vice president and general manager in 1963 and its president in 1965. Mr. Greenwood's extensive banking and community activities include service as treasurer and vice president of the Savings and Loan Association of Minnesota and as member of the Governor's Advisory Committee on Savings and Loan.*

## **THE SPECIAL LONDON BRIDGE SPECIAL**

Starring Tom Jones, Jennifer O'Neill  
with guest stars Rudolf Nureyev,  
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## **ONCE UPON A WHEEL**

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# Phil Donahue really rates with women.

In any size  
market,  
any time  
of the day.

In market after market (44 of them), The Phil Donahue Show has proved it really gathers in the gals.

In cities as big as New York (where Donahue is #1 in ratings, homes, all women, and women 18 to 49) or as small as Wilkes Barre (#1, just like New York), The Phil Donahue Show is proving itself daily, Monday through Friday.

And it pulls as well in the afternoon (check Toledo,



Milwaukee or Cincinnati, for example) as it does in the morning! And as a half-hour or hour-long show.

Let The Phil Donahue Show rate with women in your market. To find out how, see us at the N.A.T.P.E. Convention, or contact:

Don Dahlman  
or Bill Rhodes,  
Syndicated Division,  
Avco Broadcasting  
Corporation,  
4590 Avco Drive,  
Dayton, Ohio 45401  
(513) 293-2102

Note: Information based on November, 1971 ARB. Audience and related data are based on estimates provided by the source indicated and are subject to the qualifications issued by this service. Copies of such qualifications are available on request.



From coast to coast, Phil Donahue really rates with women.



## The FCC delivers on cable

**After years of debate and quarrel, CATV gets blueprint for expansion; question now is whether it will stick**

In appearance, it is impressive, the FCC's magnum opus on CATV—some 500 pages of report and order, rules and appendices, separate opinions of the commissioners, plus collateral items including notices of proposed rulemaking dealing with issues not treated in the main document. But it was uncertain last week, when it was finally issued, more than three years after the rulemaking project was undertaken, whether the document is to be the rock on which a major new industry—cable television—is to be built, or so many pounds of sand destined to be eroded by the elements of time, resistance and events.

FCC Chairman Dean Burch, who since joining the commission over two years ago has made it his mission to bring forth a package of CATV rules that would permit the industry to develop side by side with broadcasting, described the commission's action as "historic," one that he hoped "will regularize and validate an industry that never knew what its future was."

The statement of John Gwin, chairman of the National Cable Television Association, reflected the relief and jubilation of an industry that has considered itself chained ever since the commission began regulating it, in 1966. "The freeze is over," Mr. Gwin said. "The FCC's adoption of new rules for cable makes this a most significant day in the history of communications. This

is the watershed from which all progress of cable television will be measured."

The rules for the first time permit CATV systems to operate with distant signals in the top-100 markets as a matter of right, thus providing cable with the economic base its operators say is needed if it is to deliver the benefits that broadband wires make possible. The rules also specifically require the delivery on those promises, at least to a limited extent: CATV systems in the major markets, for instance, will be

obliged to make channel capacity available to the public, educators and local government at no cost. ("The rules," said Chairman Burch, "will remove a bar to access for the public, so any member of the public can get on a television facility and communicate with other members of the public.") And they contain provisions designed to prevent cable from "jeopardizing the basic structure of over-the-air television" and to protect copyright owners.

The rules are to become effective



*Two of the principals involved in fashioning the cable TV rules released by the FCC last week were Chairman Dean Burch (top picture at right), who briefed the press Thursday noon, and Cable Bureau Chief Sol Schildhouse (bottom picture), who answered reporters' questions after the briefing. The gist of their reports is documented in the accompanying story and—in a special section on pages 21 through 36 of this issue—a full-text presentation of the most critical elements of the new rules.*

March 31, which will give interested parties more time than customary to file petitions for reconsideration. But Chairman Burch, who spoke at a news conference in connection with the release of the CATV document, indicated he did not expect the commission to change its mind. Considering the amount of time and the volume of material the commission has already consumed in reaching its decision, he said, "We don't anticipate anything new" in the way of comments.

However, Chairman Burch was the only one of six commissioners voting—H. Rex Lee is recovering from a coronary—who did not express considerable misgiving. Commissioner Robert E. Lee dissented, and Commissioner Nicholas Johnson concurred in part and dissented in part, while Commissioners Robert T. Bartley, Charlotte Reid and Richard E. Wiley simply concurred. And all but the chairman issued statements.

Commissioner Johnson teed off on the compromise agreement among broadcasters. CATV operators and copyright owners that made commission action possible, accusing Chairman Burch of engaging in "secret bargaining sessions designed to bind his fellow commissioners" and claiming that the resulting agreement would deny cable service to 40% of the American people. "those who live in the largest cities." (The report and order went to great pains to describe the commission's detailed discussions of the compromise agreement.)

Commissioner Lee, too, talked of "a serious procedural flaw," but his concern was the compromise agreement's impact on broadcasters, not the cable operators. He said the rules would result in a sharp reduction in the "quality and the quantity of local television broadcast service."

Commissioner Bartley, long a supporter of untrammelled CATV development, saw the action as "another freeze in many markets." But, he said, "There is enough thaw around the edges" to warrant adoption of the rules. And Commissioners Reid and Wiley felt the real choice was the rules under consideration, or none at all, although Mrs. Reid also labeled the rules "a step in the right direction."

In those statements there is material for court suits certain to be brought by broadcasters or CATV operators who feel aggrieved by the new rules. But those expected suits are not the only possible obstructions confronting the commission in its effort to implement its new rules.

A more critical problem involves congressional adoption of copyright legislation which affects CATV. Such legislation is regarded as essential to CATV's growth; indeed, the rules are keyed to it. The compromise agreement

pledges the parties who signed it to support legislation under which CATV operators would be given compulsory licenses for the signals the rules permit them to carry.

Chairman Burch, at a news conference held in connection with the release of the CATV document, expressed the hope that adoption of the rules would facilitate passage of copyright legislation. Copyright legislation is also regarded as essential in eliminating the uncertainty that impairs the cable industry's ability to attract the capital needed for substantial growth.

And Senator John L. McClellan (D-Ark.), chairman of the Senate Subcommittee on Copyrights, has indicated the panel would resume its consideration of the subject "upon the imple-

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### Stocks get shot in arm

Cable television stocks tended upward last Thursday (Feb. 3) in response to the FCC's issuance of the new CATV rules (see accompanying story).

Stock prices for CATV showed perceptible gains on the date of the formal FCC action. Teleprompter went from 133¾ on Feb. 2 to 135¼ on Feb. 3—a rise of 2½ in one day. In the same period Viacom climbed 2½ to 22¾. Communications Properties 1 to 14½, Cypress Communications ¼ to 14¾, LVO Cable Inc. ⅝ to 14½, American TV & Communications ⅞ to 39¾, and Cox Cable ⅝ to 31¾, among others. Analysts expressed the view that since many of the new rules were anticipated it will take a few days before the real effects will be evidenced on cable stocks.

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mentation of the commission's new cable rules."

But a subcommittee source said last week he "cannot conceive of copyright legislation getting through both houses in this session of Congress." He said Senator McClellan appears likely to have a primary battle on his hands when he seeks renomination this spring—Representative David Pryor is the expected challenger—and that preoccupation with the primary could cause Senator McClellan to postpone consideration of the copyright measure until May or June. By that time, the source noted, Congress will be concerned with adjourning ahead of the Democratic and Republican national conventions.

Chairman Burch said last week that, if Congress does not act on copyright matter, "our problem is acute." Besides drawing the linchpin from the commission CATV rules it would give parties to the compromise agreement grounds for abandoning it. National Association of Broadcasters President Vincent T. Wasilewski last week made a point of

emphasizing that an agreement on draft copyright legislation is essential "to the implementation of the compromise agreement."

And Richard W. Jencks, CBS Washington vice president, flatly predicted: "The copyright bill will not be passed in my lifetime." CBS is pressing a copyright suit against Teleprompter Corp., which it is confident of winning. If it does—and should Teleprompter be held liable for full copyright compensation—broadcasters might decide they would have more protection under existing copyright law than under the proposed legislation. And, as Chairman Burch has noted, CATV copyright legislation cannot be enacted without the support of broadcasters and CATV operators as well as copyright owners.

There is no certainty that the compromise agreement—engineered by Office of Telecommunications Policy Director Clay T. Whitehead—will not fall apart for other reasons. The parties signed with the understanding that the rules would reflect the agreement accurately and fairly. And Chairman Burch conceded last week that, "if anyone wants to fancy up a reason for walking away from the agreement, he can find one." He noted that the agreement was "a bare-bones" statement that the commission had to interpret and implement.

And lawyers for broadcasters and CATV operators were reviewing the voluminous documents with meticulous care last week, to determine just what it was that the commission had wrought—and how close it had come to the provisions of the compromise agreement. The board of the Association of Maximum Service Telecasters (one of the parties to the compromise) will hold a special meeting in Dallas Friday (Feb. 11) to review that question.

The future of the commission's CATV policy, as spelled out in its rules and report and order, is threatened, also, by work now being done by a presidential committee that is formulating the administration's long-range CATV policy. Mr. Whitehead, who is chairman of the committee, endorsed the commission's proposals. But he has also told Congress that it must establish the guidelines for CATV development, and should do so before the character of CATV is set by the commission's rules. The committee is preparing legislation for submission to Congress.

In general, at least, the rules do follow the proposals the commission outlined to Congress in an Aug. 5 "letter of intent," as modified by the compro-

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Full text of FCC's cable rules, less sections on relay stations, is reproduced on pages 21 through 36; story continues on page 40



# Television transmitter users tell it better than we can.

"Color quality on our two new 18 kW Gates TV transmitters is greatly improved, with especially low distortion, differential gain and phase."

"If we had to buy another transmitter, we would buy Gates again because we are very pleased and have received excellent transmitter installation assistance."

Gene Napier  
Chief Engineer  
WJCT-TV, Jacksonville, Florida

"To replace our 16-year-old equipment, we looked for a transmitter with superior color performance, solid state design, built-in reliability, and one which could be backed by a company with solid reputation for service."

"Our new Gates 35 kW transmitter not only met these four points, but as easy to install and took up less space than our old Du Mont 5 kW transmitter."

Jim Martens  
Chief Engineer  
WGEM-TV, Quincy, Illinois

"We unpacked our 5 kW Gates transmitter, hooked it up, applied power, and it operated with an excellent color picture. It has been going ever since. We can even run it up to 140% visual output—it is very solidly built. We recommend it very highly, and I don't see how you can find anything better."

William B. Nielsen  
Executive Vice President  
KUAM-TV, Agana, Guam

"I feel our 35 kW Gates unit represents a state of the art transmitter. It puts us in the field of leadership. Compared to our transmitter at KXLF, the Gates unit is one-third more powerful, considerably smaller, and much more versatile. Yes, I would buy another Gates transmitter."

Weldon B. Paulsen  
Chief Engineer  
KPAX-TV, Missoula, Montana

What Gates VHF-TV transmitters have done for others, they can do for you.



Quincy, Illinois 62301



KUAM-TV, Agana, Guam



WGEM-TV, Quincy, Illinois



WJCT-TV, Jacksonville, Florida



KPAX-TV, Missoula, Montana



## ***Still one too many.***

With the new long holiday weekends, more concern is being voiced over traffic death tolls and the Fetzer television stations in Nebraska decided to do something about it. They produced thirteen spots on highway safety and distributed them for use across the state during a recent three-day holiday weekend. The stations ran these spots in saturation during the weekend and also produced two special programs for that period. The weekend toll? Only one death was reported—a 75% reduction in traffic fatalities. This is another example of how communications can help.



## *The Fetzer Stations*

<b>WKZO</b> Kalamazoo	<b>WKZO-TV</b> Kalamazoo	<b>KOLN-TV</b> Lincoln	<b>KGIN-TV</b> Grand Island	<b>WJEF</b> Grand Rapids
<b>WWTV</b> Cadillac	<b>WWUP-TV</b> Sault Ste. Marie	<b>WJFM</b> Grand Rapids	<b>WWTV-FM</b> Cadillac	<b>WWAM</b> Cadillac
				<b>KMEG-TV</b> Sioux City



# In full text: The FCC's basic rules for CATV

## APPENDIX A

Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

### A. Part 1 - Practice and Procedure.

- In § 1.1116, the headline and paragraphs (a) and (c) are revised to read as follows:

§ 1.1116 Schedule of Fees for Cable Television and Cable Television Relay Services.

(a) Applications and petitions filed in the Cable Television and Cable Television Relay Services shall be accompanied by the fees prescribed below:

#### Applications in the Cable Television Relay (CAR) Service:

For a construction permit.....\$50  
 For a license or renewal..... 15  
 For a modification of construction permit or license..... 15

Applications for certificates of compliance, pursuant to § 76.11...\$35

NOTE: If multiple applications for certificate of compliance are filed by cable television systems having a common baseband and identical ownership but serving or proposing to serve more than one community, the full \$35 fee will be required only for one of the communities; \$10 will be required for each of the other communities.

Petitions for special relief, pursuant to § 76.7.....\$25

\* \* \* \* \*

(c) Fees are not required in the following instances:

- Petition for special relief filed pursuant to § 76.7 by a noncommercial educational broadcast station.

### B. Part 15 - Radio Frequency Devices.

#### § 15.4 [Amended]

- In § 15.4, paragraph (e) is deleted.  
 §§ 15.161 - 15.165 [Deleted]
- Subpart D of Part 15 (§§ 15.161 - 15.165) is deleted.

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### C. Part 21 - Domestic Public Radio Services (Other Than Maritime Mobile).

- In § 21.713, the headline and text are revised to read as follows:

§ 21.713 Applications for authorizations involving relay of television signals to cable television systems.

An application in this service for authorization to establish new facilities or to modify existing facilities to be used to relay television signals to cable television systems shall contain a statement by the applicant that, to the best of his knowledge, each cable television system to be served has, on or before the filing date of the application, filed any necessary application for certificate of compliance, pursuant to §§ 76.11 and 76.13 of this chapter. Such statement by the applicant shall identify the application for certificate of compliance by the name of the cable television system for which the certificate is sought, the community and area served or to be served, the date on which the application was filed, and the file number (if available).

### D. Part 74 - Experimental, Auxiliary, and Special Broadcast, and Other Program Distributional Services.

§§ 74.1001 - 74.1083 [Deleted]

- Subpart J of Part 74 (§§ 74.1001 - 74.1083) is deleted.

§§ 74.1101 - 74.1131 [Deleted]

- Subpart K of Part 74 (§§ 74.1101 - 74.1131) is deleted.

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### E. Part 76 - Cable Television Service - is added to read as follows:

#### Part 76 CABLE TELEVISION SERVICE

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Subpart A - General

§ 76.1 Purpose.

The rules and regulations set forth in this part provide for the certification of cable television systems and for their operation in conformity with standards for carriage of television broadcast signals, program exclusivity, cablecasting, access channels, and related matters.

§ 76.3 Other pertinent rules.

Other pertinent provisions of the Commission's rules and regulations relating to the Cable Television Service are included in the following parts of this chapter:

- Part 0 - Commission Organization.
- Part 1 - Practice and Procedure.
- Part 21 - Domestic Public Radio Services (Other Than Maritime Mobile).
- Part 63 - Extension of Lines and Discontinuance of Service by Carriers.
- Part 78 - Cable Television Relay Service.
- Part 91 - Industrial Radio Services.

§ 76.5 Definitions.

(a) Cable television system (or CATV system). Any facility that, in whole or in part, receives directly, or indirectly over the air, and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more television or radio stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service, but such term shall not include (1) any such facility that serves fewer than 50 subscribers, or (2) any such facility that serves only the residents of one or more apartment dwellings under common ownership, control, or management, and commercial establishments located on the premises of such an apartment house.

NOTE: In general, each separate and distinct community or municipal entity (including single, discrete, unincorporated areas) served by cable television facilities constitutes a separate cable television system, even if there is a single headend and identical ownership of facilities extending into several communities. See, e.g., Telereps, Inc., 3 FCC 2d 585 (1966); Mission Cable TV, Inc., 4 FCC 2d 236 (1966).

(b) Television station; television broadcast station. Any television broadcast station operating on a channel regularly assigned to its community by § 73.606 of this chapter, and any television broadcast station licensed by a foreign government: Provided, however, That a television broadcast station licensed by a foreign government shall not be entitled to assert a claim to carriage or program exclusivity, pursuant to Subpart D or F of this part, but may otherwise be carried if consistent with the rules.

(c) Television translator station. A television broadcast translator station as defined in § 74.701 of this chapter.

(d) Principal community contour. The signal contour that a television station is required to place over its entire principal community by § 73.685(a) of this chapter.

(e) Grade A and Grade B contours. The field intensity contours defined in § 73.683(a) of this chapter.

(f) Specified zone of a television broadcast station. The area extending 35 air miles from the reference point in the community to which that station is licensed or authorized by the Commission. A list of reference points is contained in § 76.53. A television broadcast station that is authorized but not operating has a specified zone that terminates eighteen (18) months after the initial grant of its construction permit.

(g) Major television market. The specified zone of a commercial television station licensed to a community listed in § 76.51, or a combination of such specified zones where more than one community is listed.

(h) Designated community in a major television market. A community listed in § 76.51.

(i) Residual television market. The specified zone of a commercial television station licensed to a community that is not listed in § 76.51.

(j) Substantially duplicated. Regularly duplicated by the network programming of one or more stations in a week during the hours of 6 to 11 p.m., local time, for a total of 14 or more hours.

(k) Significantly viewed. Viewed in other than cable television households as follows: (1) for a full or partial network station - a share of viewing hours of at least 3 percent (total week hours), and a net weekly circulation of at least 25 percent; and (2) for an independent station - a share of viewing hours of at least 2 percent (total week hours), and a net weekly circulation of at least 5 percent. See § 76.54.

NOTE: As used in this paragraph, "share of viewing hours" means the total hours that non-cable television households viewed the subject station during the week, expressed as a percentage of the total hours these households viewed all stations during the period, and "net weekly circulation" means the number of non-cable television households that viewed the station for 5 minutes or more during the entire week, expressed as a percentage of the total non-cable television households in the survey area.

(l) Full network station. A commercial television broadcast station that generally carries in weekly prime time hours 85 percent of the hours of programming offered by one of the three major national television networks with which it has a primary affiliation (i.e., right of first refusal or first call).

(m) Partial network station. A commercial television broadcast station that generally carries in prime time more than 10 hours of programming per week offered by the three major national television networks, but less than the amount specified in paragraph (l) above.

(n) Independent station. A commercial television broadcast station that generally carries in prime time not more than 10 hours of programming per week offered by the three major national television networks.

(o) Network programming. The programming supplied by a national or regional television network, commercial or noncommercial.

(p) Syndicated program. Any program sold, licensed, distributed, or offered to television station licensees in more than one market within the United States for non-interconnected (i.e., non-network) television broadcast exhibition, but not including live presentations.

(q) Series. A group of two or more works which are centered around, and dominated by the same individual, or which have the same, or substantially the same, cast of principal characters or a continuous theme or plot.

(r) Off-network series. A series whose episodes have had a national network television exhibition in the United States or a regional network exhibition in the relevant market.

(s) First-run series. A series whose episodes have had no national network television exhibition in the United States and no regional network exhibition in the relevant market.

(t) First-run, non-series programs. Programs, other than series, that have had no national network television exhibition in the United States and no regional network exhibition in the relevant market.

(u) Prime time. The five-hour period from 6 to 11 p.m., local time, except that in the Central Time Zone the relevant period shall be between the hours of 5 and 10 p.m., and in the Mountain Time Zone each station shall elect whether the period shall be 6 to 11 p.m. or 5 to 10 p.m.

NOTE: Unless the Commission is notified to the contrary, a station in the Mountain Time Zone shall be presumed to have elected the 6 to 11 p.m. period.

(v) Cablecasting. Programming (exclusive of broadcast signals) carried on a cable television system. See paragraphs (aa), (bb), and (cc) (Class II, III and IV cable television channels) of this section.

(w) Origination cablecasting. Programming (exclusive of broadcast signals) carried on a cable television system over one or more channels and subject to the exclusive control of the cable operator.

(x) Access cablecasting. Services provided by a cable television system on its public, educational, local government, or leased channels.

(y) Legally qualified candidate. Any person who has publicly announced that he is a candidate for nomination by a convention of a political party or for nomination or election in a primary, special, or general election, municipal, county, State, or National, and who meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate, so that he may be voted for by the electorate directly or by means of delegates or electors, and who:

(1) Has qualified for a place on the ballot, or

(2) Is eligible under the applicable law to be voted for by sticker, by writing his name on the ballot, or other method, and (i) has been duly nominated by a political party which is commonly known and regarded as such, or (ii) makes a substantial showing that he is a bona fide candidate for nomination or office.

(z) Class I cable television channel. A signalling path provided by a cable television system to relay to subscriber terminals television broadcast programs that are received off-the-air or are obtained by microwave or by direct connection to a television broadcast station.

(aa) Class II cable television channel. A signalling path provided by a cable television system to deliver to subscriber terminals television signals that are intended for reception by a television broadcast receiver without the use of an auxiliary decoding device and which signals are not involved in a broadcast transmission path.

(bb) Class III cable television channel. A signalling path provided by a cable television system to deliver to subscriber terminals signals that are intended for reception by equipment other than a television broadcast receiver or by a television broadcast receiver only when used with auxiliary decoding equipment.

(cc) Class IV cable television channel. A signalling path provided by a cable television system to transmit signals of any type from a subscriber terminal to another point in the cable television system.

(dd) Channel frequency response. The relationship within a cable television channel between amplitude and frequency of a constant-amplitude input signal as measured at a subscriber terminal.

(ee) Subscriber terminal. The cable television system terminal to which a subscriber's equipment is connected. Separate terminals may be provided for delivery of signals of various classes.

(ff) System noise. That combination of undesired and fluctuating disturbances within a cable television channel that degrades the transmission of the desired signal and that is due to modulation processes or thermal or other noise-producing effects, but does not include hum and other undesired signals of discrete frequency. System noise is specified in terms of its rms voltage or its mean power level as measured in the 4 MHz bandwidth between 1.25 and 5.25 MHz above the lower channel boundary of a cable television channel.

(gg) Terminal isolation. The attenuation, at any subscriber terminal, between that terminal and any other subscriber terminal in the cable television system.

(hh) Visual signal level. The rms voltage produced by the visual signal during the transmission of synchronizing pulses.

§ 76.7 Special relief.

(a) Upon petition by a cable television system, an applicant, permittee, or licensee of a television broadcast, translator, or microwave relay station, or by any other interested person, the Commission may waive any provision of the rules relating to cable television systems, impose additional or different requirements, or issue a ruling on a complaint or disputed question.

(b) The petition may be submitted informally, by letter, but shall be accompanied by an affidavit of service on any cable television system, station licensee, permittee, applicant, or other interested person who may be directly affected if the relief requested in the petition should be granted.

(c) (1) The petition shall state the relief requested and may contain alternative requests. It shall state fully and precisely all pertinent facts and considerations relied on to demonstrate the need for the relief requested and to support a determination that a grant of such relief would serve the public interest. Factual allegations shall be supported by affidavit of a person or persons with actual knowledge of the facts, and exhibits shall be verified by the person who prepares them.

(2) A petition for a ruling on a complaint or disputed question shall set forth all steps taken by the parties to resolve the problem, except where the only relief sought is a clarification or interpretation of the rules.

(d) Interested persons may submit comments or opposition to the petition within thirty (30) days after it has been filed. For good cause shown in the petition, the Commission may, by letter or telegram to known interested persons, specify a shorter time for such submissions. Comments or oppositions shall be served on petitioner and on all persons listed in petitioner's affidavit of service, and shall contain a detailed full showing, supported by affidavit, of any facts or considerations relied on.

(e) The petitioner may file a reply to the comments or oppositions within twenty (20) days after their submission, which shall be served on all persons who have filed pleadings and shall also contain a detailed full showing, supported by affidavit, of any additional facts or considerations relied on. For good cause shown, the Commission may specify a shorter time for the filing of reply comments.

(f) The Commission, after consideration of the pleadings, may determine whether the public interest would be served by the grant, in whole or in part, or denial of the request, or may issue a ruling on

the complaint or dispute. The Commission may specify other procedures, such as oral argument, evidentiary hearing, or further written submissions directed to particular aspects, as it deems appropriate. In the event that an evidentiary hearing is required, the Commission will determine, on the basis of the pleadings and such other procedures as it may specify, whether temporary relief should be afforded any party pending the hearing and the nature of any such temporary relief.

(g) Where a petition for waiver of the provisions of §§ 76.57(a), 76.59(a), 76.61(a), or 76.63(a), is filed within fifteen (15) days after a request for carriage, a cable television system need not carry the signal of the requesting station pending the Commission's ruling on the petition or on the question of temporary relief pending further proceedings.

Subpart B - Applications and Certificates of Compliance

§ 76.11 Certificate of compliance required.

(a) No cable television system shall commence operations or add a television broadcast signal to existing operations unless it receives a certificate of compliance from the Commission.

(b) No cable television system lawfully carrying television broadcast signals in a community prior to March 31, 1972, shall continue carriage of such signals beyond the end of its current franchise period, or March 31, 1977, whichever occurs first, unless it receives a certificate of compliance.

(c) A cable television system to which paragraph (b) applies may continue to carry television broadcast signals after expiration of the period specified therein, if an application for certificate is filed at least thirty (30) days prior to the date on which a certificate would otherwise be required and the Commission has not acted on the application.

§ 76.13 Filing of application.

No standard form is prescribed in connection with the filing of an application for a certificate of compliance; however, three (3) copies of the following information must be provided:

(a) For a cable television system not operational prior to March 31, 1972 (other than systems that were authorized to carry one or

more television signals prior to March 31, 1972, but did not commence such carriage prior to that date), an application for certificate of compliance shall include:

(1) The name and mailing address of the operator of the proposed system, community and area to be served, television signals to be carried (other than those permitted to be carried pursuant to § 76.61(b)(2)(i) or § 76.63(a) (as it related to § 76.61(b)(2)(i))), proposed date on which cable operations will commence, and, if applicable, a statement that microwave radio facilities are to be used to relay one or more signals;

(2) A copy of FCC Form 325 "Annual Report of Cable Television Systems," supplying all applicable information;

(3) A copy of the franchise, license, permit, or certificate granted to construct and operate a cable television system;

(4) A statement that explains how the proposed system's franchise and its plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of §§ 76.31 and 76.251;

(5) A statement that explains, in terms of the provisions of Subpart O of this part, how carriage of the proposed television signals is consistent with those provisions, including any special showings as to whether a signal is significantly viewed (see § 76.54(b));

(6) An affidavit of service of the information described in (a)(1) above on the licensee or permittee of any television broadcast station within whose predicted Grade B contour or 35-mile zone the system will operate, the licensee or permittee of any 100-watt or higher power television translator station licensed to the community of the system, the franchising authority, the superintendent of schools in the community of the system, and any local or state educational television authorities;

(7) A statement that the filing fee prescribed in § 1.1116 is attached.

(b) For a cable television system that was authorized to carry one or more television signals prior to March 31, 1972, but did not commence such carriage prior to that date, an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served or to be served, television signals authorized to be carried but not carried prior to March 31, 1972, and, if applicable, a

statement that microwave relay facilities are to be used to relay one or more signals;

(2) A list of all television signals already being carried;

(3) A statement that explains how the system's plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of § 76.251.

NOTE: The provisions of this subparagraph are applicable only to systems located in a community that is wholly or partially within a major television market.

(4) An affidavit of service of the information described in (b)(1) above on the parties named in paragraph (a)(6) of this section;

(5) A statement that the filing fee prescribed in § 1.1116 is attached;

(c) For a cable television system proposing to add a television signal to existing operations, an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served, television signals to be added (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it relates to § 76.61(b)(2)(ii)), and, if applicable, a statement that microwave relay facilities are to be used to relay one or more signals;

(2) A list of all television signals already being carried;

(3) A statement that explains, in terms of the provisions of Subpart D of this part, how carriage of the proposed television signals is consistent with those provisions, including any special showings on the question whether a signal is significantly viewed (see § 76.54(b));

(4) A statement that explains how the system's plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of § 76.251;

NOTE: The provisions of this subparagraph are applicable only to systems operating in a community located in whole or in part within a major television market.

(5) An affidavit of service of the information described in (c)(1) above on the parties named in paragraph (a)(6) of this section;

(6) A statement that the filing fee prescribed in § 1.1116 is attached.

(d) For a cable television system seeking certification of existing operations in accordance with § 76.11(b), an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served, television signals being carried (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it relates to § 76.61(b)(2)(ii))), date on which operations commenced, and date on which its current franchise expires;

(2) A statement that explains how the franchise under which the system will operate upon Commission certification is consistent with the franchise standards specified in § 76.31;

(3) An affidavit of service of the information described in (d)(1) above on the parties named in paragraph (a)(6) of this section;

(4) A statement that the filing fee prescribed by § 1.1116 is attached.

NOTE: As used in § 76.13, the term "predicted Grade B contour" means the field intensity contour defined in § 73.683(a) of this chapter, the location of which is determined exclusively by means of the calculations prescribed in § 73.684 of this chapter.

§ 76.15 Public Notice.

The Commission will give public notice of the filing of applications for certificates of compliance. A certificate will not be issued sooner than thirty (30) days from the date of public notice.

§ 76.17 Objections to applications; related matters.

A petition challenging the service proposed in an application for certificate of compliance shall be filed within thirty (30) days of the public notice described in § 76.15. The procedures specified in § 76.7 shall be applicable to such petitions and to oppositions and replies. Controversies concerning carriage (Subpart D) and program exclusivity (§ 76.91) will be acted on in connection with the certifying process if raised within thirty (30) days of the public notice; any other objection will be treated as a petition for special relief filed pursuant to § 76.7.

Subpart C - Federal-State/Local Regulatory Relationships

§ 76.31 Franchise standards.

(a) In order to obtain a certificate of compliance, a proposed or existing cable television system shall have a franchise or other appropriate authorization that contains recitations and provisions consistent with the following requirements:

(1) The franchisee's legal, character, financial, technical, and other qualifications, and the adequacy and feasibility of its construction arrangements, have been approved by the franchising authority as part of a full public proceeding affording due process;

(2) The franchisee shall accomplish significant construction within one (1) year after receiving Commission certification, and shall thereafter equitably and reasonably extend energized trunk cable to a substantial percentage of its franchise area each year, such percentage to be determined by the franchising authority;

(3) The initial franchise period and any renewal franchise period shall be of reasonable duration;

(4) The franchising authority has specified or approved the initial rates which the franchisee charges subscribers for installation of equipment and regular subscriber services. No changes in rates charged to subscribers shall be made except as authorized by the franchising authority after an appropriate public proceeding affording due process;

(5) The franchisee shall specify procedures for the investigation and resolution of all complaints regarding the quality of service, equipment malfunctions, and similar matters, and shall require that the franchisee maintain a local business office or agent for these purposes;

(6) Any modifications of the provisions of this section resulting from amendment by the Commission shall be incorporated into the franchise within one (1) year of adoption of the modification, or at the time of franchise renewal, whichever occurs first.

Provided, however, That, in an application for certificate of compliance, consistency with these requirements shall not be expected of a cable television system that was in operation prior to March 31, 1972, until the end of its current franchise period, or March 31, 1977, whichever occurs first.

(b) The franchise fee shall be reasonable (e.g., in the range of 3 - 5 percent of the franchisee's gross subscriber revenues per year from cable television operations in the community (including all forms of consideration, such as initial lump sum payments)). If the franchise fee exceeds three percent of such revenues, the cable television system shall not receive Commission certification until the reasonableness of the fee is approved by the Commission on showings, by the franchisee, that it will not interfere with the effectuation of federal regulatory goals in the field of cable television, and, by the franchising authority, that it is appropriate in light of the planned local regulatory program. The provisions of this paragraph shall not be effective until the end of a system's current franchise period, or March 31, 1977, whichever occurs first.



Subpart D - Carriage of Television Broadcast Signals

§76.51 Major television markets.

For purposes of the cable television rules, the following is a list of the major television markets and their designated communities:

(a) First fifty major television markets:

- (1) New York, N.Y. - Linden-Paterson, N. J.
- (2) Los Angeles-San Bernardino-Corona-Fontana, Cal.
- (3) Chicago, Ill.
- (4) Philadelphia, Pa. - Burlington, N.J.
- (5) Detroit, Mich.
- (6) Boston-Cambridge-Worcester, Mass.
- (7) San Francisco-Oakland-San Jose, Cal.
- (8) Cleveland-Lorain-Akron, Ohio
- (9) Washington, D. C.
- (10) Pittsburgh, Pa.
- (11) St. Louis, Mo.
- (12) Dallas-Fort Worth, Tex.
- (13) Minneapolis-St. Paul, Minn.
- (14) Baltimore, Md.
- (15) Houston, Tex.
- (16) Indianapolis-Bloomington, Ind.
- (17) Cincinnati, Ohio-Newport, Ky.
- (18) Atlanta, Ga.
- (19) Hartford-New Haven-New Britain-Waterbury, Conn.
- (20) Seattle-Tacoma, Wash.
- (21) Miami, Fla.
- (22) Kansas City, Mo.
- (23) Milwaukee, Wis.
- (24) Buffalo, N. Y.
- (25) Sacramento-Stockton-Modesto, Cal.
- (26) Memphis, Tenn.
- (27) Columbus, Ohio
- (28) Tampa-St. Petersburg, Fla.
- (29) Portland, Ore.
- (30) Nashville, Tenn.
- (31) New Orleans, La.
- (32) Denver, Colo.
- (33) Providence, R. I. - New Bedford, Mass.
- (34) Albany-Schenectady-Troy, N. Y.
- (35) Syracuse, N. Y.
- (36) Charleston-Huntington, W. Va.

- (37) Kalamazoo-Grand Rapids-Muskegon-Battle Creek, Mich.
- (38) Louisville, Ky.
- (39) Oklahoma City, Oklahoma
- (40) Birmingham, Ala.
- (41) Dayton-Kettering, Ohio
- (42) Charlotte, N. C.
- (43) Phoenix-Mesa, Ariz.
- (44) Norfolk-Newport News-Portsmouth-Hampton, Va.
- (45) San Antonio, Tex.
- (46) Greenville-Spartanburg-Anderson, S. C. - Asheville, N. C.
- (47) Greensboro-High Point-Winston-Salem, N. C.
- (48) Salt Lake City, Utah
- (49) Mikee Barre-Scranton, Pa.
- (50) Little Rock, Ark.

(b) Second fifty major television markets:

- (51) San Diego, Cal.
- (52) Toledo, Ohio
- (53) Omaha, Neb.
- (54) Tulsa, Okla.
- (55) Orlando-Daytona Beach, Fla.
- (56) Rochester, N. Y.
- (57) Harrisburg-Lebanon-Lancaster-York, Pa.
- (58) Texarkana, Tex.-Shreveport, La.
- (59) Mobile, Ala.-Pensacola, Fla.
- (60) Davenport, Iowa-Rock Island-Moline, Ill.
- (61) Flint-Bay City-Saginaw, Mich.
- (62) Green Bay, Wis.
- (63) Richmond-Petersburg, Va.
- (64) Springfield-Decatur-Champaign-Jacksonville, Ill.
- (65) Cedar Rapids-Waterloo, Iowa
- (66) Des Moines, Iowa
- (67) Wichita-Hutchinson, Kan.
- (68) Jacksonville, Fla.
- (69) Cape Girardeau, Mo.-Paducah, Ky.-Harrisburg, Ill.
- (70) Roanoke-Lynchburg, Va.
- (71) Knoxville, Tenn.
- (72) Fresno, Cal.
- (73) Raleigh-Durham, N. C.
- (74) Johnstown-Altona, Pa.
- (75) Portland-Folard Spring, Me.
- (76) Spokane, Wash.
- (77) Jackson, Miss.
- (78) Chattanooga, Tenn.
- (79) Youngstown, Ohio
- (80) South Bend-Elkhart, Ind.
- (81) Albuquerque, N. Mex.
- (82) Fort Wayne-Roanoke, Ind.
- (83) Peoria, Ill.

- (84) Greenville-Washington-New Bern, N. C.
- (85) Sioux Falls-Mitchell, S. D.
- (86) Evansville, Ind.
- (87) Baton Rouge, La.
- (88) Beaumont - Fort Arthur, Texas
- (89) Duluth-Superior, Minn.
- (90) Wheeling, W. Va. - Steubenville, Ohio
- (91) Lincoln-Hastings-Kearney, Neb.
- (92) Lansing-Onondaga, Mich.
- (93) Madison, Wis.
- (94) Columbus, Ga.
- (95) Amarillo, Tex.
- (96) Huntsville-Decatur, Ala.
- (97) Rockford-Fresport, Ill.
- (98) Fargo-Grand Forks-Valley City, N. D.
- (99) Monroe, La. - El Dorado, Ark.
- (100) Columbia, S. C.

§76.53 Reference points.

To determine the boundaries of the major and smaller television markets (defined in §76.51), the following list of reference points for communities having licensed television broadcast stations and/or outstanding construction permits shall be used. Where a community's reference point is not given, the geographic coordinates of the main post office in the community shall be used.

STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
ALABAMA	Aniston	33	39	49	87	49	47
	Birmingham	33	31	01	86	48	36
	Decatur	34	36	35	86	58	45
	Demopolis	32	30	56	87	50	07
	Dothan	31	13	27	85	23	35
	Dozier	31	29	30	86	21	59
	Florence	34	48	05	87	40	31
	Huntsville	34	44	18	86	35	19
	Louisville	31	47	00	85	33	09
	Mobile	30	41	36	88	02	33
	Montgomery	32	22	33	86	18	31
	Mc. Cheaha State Park	32	29	06	85	48	30
	Selma	24	24	26	87	01	15
	Tuscaloosa	33	12	05	87	33	44
	ALASKA	Anchorage	61	13	09	149	53
College		64	51	22	147	48	38
Fairbanks		64	50	35	147	41	31
Juneau		58	18	06	134	25	09
Sitka		57	02	58	135	20	12

STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
ARIZONA	Flagstaff	35	11	54	111	39	02
	Mesa	33	24	54	111	49	41
	Nogales	31	20	14	110	56	12
	Phoenix	33	27	12	112	04	28
	Tucson	32	13	15	110	58	08
	Yuma	32	43	16	114	37	01
ARKANSAS	El Dorado	33	12	39	92	39	40
	Fayetteville	36	03	41	94	09	38
	Fort Smith	35	23	10	94	25	36
	Jonesboro	35	50	14	90	42	11
	Little Rock	34	44	42	92	16	37
CALIFORNIA	Bakersfield	35	22	31	119	01	16
	Chico	39	44	07	121	49	57
	Concord	37	58	46	122	01	51
	Corona	33	52	35	117	33	56
	El Centro	32	47	25	115	32	43
	Eureka	40	48	08	124	09	46
	Fontana	34	05	45	117	26	29
	Fresno	36	44	12	119	47	11
	Geesti	34	03	48	117	35	10
	Hanford	36	19	51	119	38	48
	Los Angeles	34	03	15	118	14	28
	Modesto	37	38	26	120	59	44
	Monterey	36	35	44	121	53	39
	Oakland	37	48	03	122	15	54
	Palo Springs	33	49	22	116	32	46
	Redding	40	34	57	122	23	34
	Sacramento	38	34	57	121	29	41
	Selinas	36	40	24	121	39	25
	San Bernardino	34	06	30	117	17	28
San Diego	32	42	53	117	09	21	
San Francisco	37	46	39	122	24	40	
San Jose	37	20	16	121	53	24	
San Luis Obispo	35	16	49	120	39	34	
San Mateo	37	34	08	122	19	16	
Santa Barbara	34	25	18	119	41	55	
Santa Maria	34	57	02	120	26	10	
Stockton	37	57	30	121	17	16	
Tulere	36	12	31	119	20	35	
Ventura	34	16	47	119	17	22	
Visalia	36	19	46	119	17	30	

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>COLORADO</b>							
	Colorado Springs	38	50	07	104	49	16
	Denver	39	44	58	104	59	22
	Durango	37	16	29	107	52	25
	Grand Junction	39	04	06	108	33	54
	Montrose	38	28	44	107	52	31
	Pueblo	38	16	17	106	36	33
	Sterling	40	37	29	103	12	25
<b>CONNECTICUT</b>							
	Bridgport	41	10	49	73	11	22
	Hartford	41	46	12	72	40	49
	New Britain	41	40	02	72	47	08
	New Haven	41	18	25	72	55	30
	Norwich	41	31	36	72	04	31
	Waterbury	41	33	13	73	02	31
<b>DELAWARE</b>							
	Wilmington	39	44	46	75	32	51
<b>DISTRICT OF COLUMBIA</b>							
	Washington	38	53	51	77	00	33
<b>FLORIDA</b>							
	Clearwater	27	57	56	82	47	51
	Daytona Beach	29	12	44	81	01	10
	Fort Lauderdale	26	07	11	80	08	34
	Fort Myers	26	38	42	81	52	06
	Fort Pierce	27	26	48	80	19	38
	Gainesville	29	38	56	82	19	19
	Jacksonville	30	19	44	81	39	42
	Large	27	54	54	82	47	32
	Leesburg	28	48	43	81	52	30
	Melbourne	28	04	41	80	36	29
	Miami	25	46	37	80	11	32
	Ocala	29	11	34	82	08	14
	Orlando	28	32	42	81	22	38
	Panama City	30	09	24	85	39	46
	Pensacola	30	24	51	87	12	56
	St. Petersburg	27	46	18	82	38	19
	Sarasota	27	20	05	82	12	20
	Tallahassee	30	26	30	84	16	56
	Tampa	27	56	58	82	27	25
	West Palm Beach	26	42	36	80	03	07

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>GEORGIA</b>							
	Albany	31	34	36	84	09	22
	Athens	33	57	34	83	22	39
	Atlanta	33	45	10	84	23	37
	Augusta	33	28	20	81	58	00
	Chatsworth	34	46	08	84	46	10
	Cochran	32	23	18	83	21	18
	Columbus	32	28	07	84	59	24
	Dawson	31	46	33	84	26	20
	Macon	32	50	12	83	37	36
	Pelham	31	07	42	84	09	02
	Savannah	32	04	42	81	05	37
	Thomasville	30	50	25	83	58	59
	Waycross	31	12	19	82	21	47
	Wrens	33	12	21	82	23	23
<b>GUAM</b>							
	Agaña	13	28	23	144	45	00
<b>HAWAII</b>							
	Hilo	19	43	42	155	05	30
	Honolulu	21	18	36	157	51	48
	Waikuku	20	53	21	156	30	27
<b>IDAHO</b>							
	Boise	43	37	07	116	11	58
	Idaho Falls	43	29	39	112	02	28
	Leviaton	46	25	05	117	01	10
	Moscow	46	43	58	116	59	54
	ocatello	42	51	38	112	27	01
	Twin Falls	42	33	25	114	28	21
<b>ILLINOIS</b>							
	Aurora	41	45	22	88	18	56
	Bloomington	40	28	58	88	59	32
	Carbondale	37	43	38	89	13	00
	Champaign	40	07	05	88	14	48
	Chicago	41	52	38	87	38	22
	Decatur	39	50	37	88	57	11
	Elgin	42	02	14	88	16	53
	Freeport	42	17	57	89	37	07
	Harrisburg	37	44	20	88	32	25
	Jacksonville	39	44	03	90	13	46
	Joliet	41	31	37	88	04	52
	La Salle	41	19	49	89	05	46
	Moline	41	30	31	90	30	49
	Mc. Vernon	38	18	29	88	54	26
	Olney	38	43	47	88	05	00
	Peoria	40	41	42	89	35	33
	Quincy	39	55	59	91	24	12

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>ILLINOIS (cont'd)</b>							
	Rockford	42	16	07	89	05	48
	Rock Island	41	30	40	90	34	24
	Springfield	39	47	58	89	38	51
	Urbana	40	06	41	88	13	13
<b>INDIANA</b>							
	Bloomington	39	09	56	86	31	52
	Elkhart	41	40	56	85	58	15
	Evansville	37	58	20	87	34	21
	Fort Wayne	41	04	21	85	08	26
	Gary	41	35	39	87	20	07
	Hammond	41	35	13	87	27	43
	Indianapolis	39	46	07	86	09	46
	Lafayette	40	25	11	86	53	39
	Marietta	40	33	17	85	39	49
	Muncie	40	11	28	85	23	16
	Richmond	39	49	49	86	53	26
	Roanoke	40	57	50	85	22	30
	St. John	41	27	00	87	28	13
	South Bend	41	40	33	86	15	01
	Terre Haute	39	28	03	87	24	26
	Vincennes	38	40	52	87	31	12
<b>IOWA</b>							
	Ames	42	01	36	93	36	44
	Cedar Rapids	41	38	48	91	39	48
	Des Moines	41	31	24	90	34	31
	Des Moines	41	35	14	93	37	00
	Dubuque	42	29	55	90	40	08
	Fort Dodge	42	30	12	94	11	05
	Iowa City	41	39	37	91	31	52
	Mason City	43	09	15	93	12	00
	Sioux City	42	29	46	96	24	30
	Waterloo	42	29	40	92	20	20
<b>KANSAS</b>							
	Ensign	37	38	48	100	14	00
	Garden City	37	54	54	100	52	20
	Goodland	39	20	53	101	42	35
	Greaz Bend	38	22	04	98	45	58
	Hays	38	52	16	99	19	57
	Hutchinson	38	03	11	97	55	20
	Pittsburg	37	24	50	97	42	11
	Salina	38	50	36	97	36	46
	Topeka	39	03	16	95	40	23
	Wichita	37	41	30	97	20	16

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>KENTUCKY</b>							
	Ashland	38	28	36	82	38	23
	Bowling Green	36	59	41	86	26	33
	Covington	39	05	00	84	30	29
	Elizabethtown	38	41	38	85	51	35
	Hazard	37	14	54	87	11	31
	Lexington	38	02	50	84	29	46
	Louisville	38	14	47	85	45	49
	Madisonville	37	19	45	87	29	54
	Morehead	38	10	53	83	26	08
	Murray	36	36	35	88	18	39
	Newport	39	05	28	84	29	20
	Owensboro	37	46	27	87	06	46
	Owenton	38	32	11	84	50	16
	Paducah	37	05	13	88	35	56
	Pikeville	37	28	49	82	31	09
	Somersat	37	05	35	84	36	17
<b>LOUISIANA</b>							
	Alexandria	31	18	33	92	26	47
	Baton Rouge	30	26	58	91	11	00
	Houma	29	35	34	90	43	09
	Lafayette	30	13	24	92	01	06
	Lake Charles	30	13	45	93	12	52
	Monroe	32	30	02	92	06	55
	New Orleans	29	56	53	90	04	10
	Shreveport	32	30	46	93	44	58
	West Monroe	32	30	51	92	08	13
<b>MAINE</b>							
	Augusta	44	18	53	69	46	29
	Bangor	44	48	13	68	46	18
	Calais	45	11	04	67	16	43
	Orono	44	53	15	68	40	12
	Poland Spring	44	01	42	70	21	40
	Portland	43	39	33	70	15	19
	Presque Isle	46	40	57	68	00	52
<b>MARYLAND</b>							
	Baltimore	39	17	26	76	36	45
	Cumberland	39	39	D1	78	45	45
	Hagerstown	39	38	39	77	43	15
	Salisbury	38	21	56	75	35	56

STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>MASSACHUSETTS</b>							
	Adams	42	37	30	73	07	05
	Boston	42	21	24	71	03	25
	Cambridge	42	21	58	71	06	24
	Greenfield	42	35	15	72	35	54
	New Bedford	41	38	13	70	55	41
	Springfield	42	06	21	72	35	32
	Worcester	42	15	37	71	48	17
<b>MICHIGAN</b>							
	Allen Park	42	15	12	83	12	57
	Battle Creek	42	18	58	85	10	48
	Bay City	43	36	04	83	53	15
	Cadillac	44	15	10	85	23	52
	Choboygen	45	38	38	84	28	38
	Detroit	42	19	48	83	02	57
	Escanaba	45	44	45	87	03	18
	Flint	43	00	50	83	41	33
	Grand Rapids	42	58	03	85	40	13
	Jackson	42	14	43	84	24	22
	Kalamazoo	42	17	29	85	35	14
	Lansing	42	44	01	84	33	15
	Marquette	46	32	37	87	23	43
	Mount Pleasant	43	16	12	84	46	31
	Muskegon	43	14	17	86	15	02
	Onondaga	42	26	41	84	33	43
	Saginaw	43	25	52	83	56	05
	Sault St. Marie	46	29	58	84	20	37
	Traverse City	44	45	47	85	37	25
	University Center	43	33	31	83	59	09
<b>MINNESOTA</b>							
	Alexandria	45	53	06	95	22	39
	Appleton	45	12	00	96	01	02
	Austin	43	39	57	92	58	20
	Duluth	46	46	56	92	06	24
	Hibbing	47	25	43	92	56	21
	Mankato	44	09	49	94	00	09
	Minneapolis	44	58	57	93	15	43
	Rochester	45	01	21	92	28	03
	St. Cloud	45	33	55	94	09	38
	St. Paul	44	56	50	93	05	11
	Walker	47	05	57	94	35	12
<b>MISSISSIPPI</b>							
	Biloxi	30	23	43	88	53	08
	Bude	31	27	46	90	50	34
	Columbus	33	29	40	88	25	33
	Greenwood	33	31	05	90	10	55

STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>MISSISSIPPI (Cont'd)</b>							
	Gulfport	30	22	04	89	05	36
	Jackson	32	17	56	90	11	06
	Laurel	31	41	40	89	07	48
	Meridian	32	21	57	88	42	02
	Oxford	34	22	00	89	31	07
	State College	33	27	18	88	47	13
	Tupelo	34	15	26	88	42	39
<b>MISSOURI</b>							
	Capo Girardeau	37	18	29	89	31	29
	Columbia	38	57	03	92	19	46
	Hannibal	39	42	24	91	22	45
	Jefferson City	38	34	40	92	10	24
	Joplin	37	05	26	94	30	50
	Kansas City	39	04	56	94	35	20
	Kirksville	40	11	37	92	34	58
	Poplar Bluff	36	45	20	90	23	38
	St. Joseph	39	45	57	94	51	02
	St. Louis	38	37	45	90	12	22
	Sedalia	38	42	08	93	13	26
	Springfield	37	13	03	93	17	32
<b>MONTANA</b>							
	Anaconda	46	07	40	112	57	12
	Billings	45	47	00	108	30	04
	Butte	46	01	06	112	32	11
	Gladstone	47	06	42	104	43	02
	Great Falls	47	29	33	111	18	23
	Helena	46	35	33	112	02	24
	Kalispell	48	11	45	114	18	44
	Miles City	46	24	34	105	50	30
	Missoula	46	52	23	113	59	29
<b>NEBRASKA</b>							
	Albion	41	41	23	97	59	53
	Alliance	42	06	04	102	52	08
	Bassett	42	35	00	99	32	10
	Grand Island	40	55	33	98	20	23
	Hastings	40	35	21	98	23	20
	Hayes Center	40	30	36	101	01	18
	Hay Springs	42	41	03	102	41	22
	Kearney	40	41	58	99	04	53
	Lexington	40	46	30	99	44	41
	Lincoln	40	48	59	96	42	15
	McCook	40	12	02	100	37	32
	Mettrian	42	55	07	101	42	02

STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>NEBRASKA (cont'd)</b>							
	Norfolk	42	01	56	97	24	42
	North Platte	41	08	14	100	45	43
	Omaha	41	15	42	95	56	14
	Scottsbluff	41	51	40	103	39	00
	Superior	40	01	12	98	04	00
<b>NEVADA</b>							
	Elko	40	50	00	115	45	41
	Henderson	36	02	00	114	58	57
	Las Vegas	36	10	20	115	08	37
	Reno	39	31	27	119	48	40
<b>NEW HAMPSHIRE</b>							
	Berlin	44	28	20	71	10	43
	Durham	43	08	02	70	55	35
	Hanover	43	42	03	72	17	24
	Keene	42	56	02	72	16	44
	Lebanon	43	38	34	72	15	12
	Littleton	44	18	22	71	46	13
	Manchester	42	59	28	71	27	41
<b>NEW JERSEY</b>							
	Atlantic City	39	21	32	74	25	53
	Burlington	40	04	21	74	51	47
	Camden	39	56	45	75	07	20
	Glen Ridge	40	48	16	74	12	14
	Linden	40	37	57	74	15	22
	Newark	40	44	14	74	10	19
	New Brunswick	40	29	38	74	26	49
	Paterson	40	54	51	74	09	51
	Trenton	40	13	16	74	45	28
	Vineland	39	29	13	75	01	17
	Wildwood	38	59	18	74	48	43
<b>NEW MEXICO</b>							
	Albuquerque	35	05	01	106	39	05
	Carlsbad	32	25	09	104	13	47
	Clovis	34	24	11	103	12	08
	Portales	34	10	58	103	20	10
	Roswell	33	23	47	104	31	26
<b>NEW YORK</b>							
	Albany	42	39	01	73	45	01
	Binghamton	42	06	03	75	54	47
	Buffalo	42	52	52	78	52	21
	Carchage	43	58	50	75	36	26
	Elmira	42	05	26	76	48	22

STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<b>NEW YORK (Cont'd)</b>							
	Garden City	40	43	26	73	38	03
	Ithaca	42	26	33	76	29	42
	Jamestown	42	05	45	79	14	40
	New York	40	45	06	73	59	39
	North Pole	44	23	59	73	51	00
	Norwood	44	45	00	75	59	59
	Oneonta	42	27	21	75	03	42
	Patchogue	40	45	56	73	00	42
	Plattsburgh	44	42	03	73	27	07
	Riverhead	40	55	06	72	39	51
	Rochester	43	09	41	77	36	21
	Schoenectady	42	48	52	73	56	24
	Syracuse	43	03	04	76	09	14
	Utica	43	06	12	75	13	33
	Watertown	43	58	30	75	54	48
<b>NORTH CAROLINA</b>							
	Asheville	35	35	42	82	33	26
	Chapel Hill	35	54	51	79	03	11
	Charlotte	35	13	44	80	50	45
	Columbia	35	55	06	76	15	04
	Concord	35	24	29	80	34	45
	Durham	35	59	48	78	54	00
	Fayetteville	35	03	12	78	52	54
	Greensboro	36	04	17	79	47	25
	Greenville	35	36	49	77	22	22
	Hickory	35	43	54	81	20	20
	High Point	35	57	14	80	00	15
	Jacksonville	34	45	00	77	25	54
	Linville	36	04	06	81	52	16
	New Bern	35	06	33	77	02	23
	Raleigh	35	46	38	78	38	21
	Washington	35	32	35	77	03	16
	Wilmington	34	14	14	77	56	58
	Winston-Salem	36	05	52	80	14	42
<b>NORTH DAKOTA</b>							
	Bismark	46	48	23	100	47	17
	Devils Lake	48	06	42	98	51	29
	Dickinson	46	52	55	102	47	06
	Fargo	46	52	30	96	47	18
	Hiot	48	14	09	101	17	38
	Pembina	48	58	00	97	14	37
	Valley City	46	55	31	98	00	04
	Williston	48	08	47	103	36	59
<b>OHIO</b>							
	Akron	41	05	00	81	30	44
	Athens	39	19	38	82	06	09
	Bowling Green	41	22	37	83	39	03

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<u>OHIO (cont'd)</u>							
	Canton	40	47	50	81	22	37
	Cincinnati	39	06	07	84	30	35
	Cleveland	41	29	51	81	41	50
	Columbus	39	57	47	83	00	17
	Dayton	39	45	32	84	11	43
	Kettering	39	41	22	84	10	07
	Lima	40	44	29	84	06	34
	Lorain	41	27	48	82	10	23
	Marion	40	35	14	83	07	36
	Marion	40	03	35	82	24	15
	Newark	39	30	28	84	44	26
	Oxford	38	44	06	82	59	39
	Portsmouth	39	55	38	83	48	29
	Springfield	40	21	42	80	36	53
	Staubenville	41	39	14	83	32	39
	Toledo	41	05	57	80	39	02
	Youngstown	39	56	59	82	00	56
	Zanesville						
<u>OKLAHOMA</u>							
	Ada	34	46	24	96	40	36
	Ardmore	34	10	18	97	07	50
	Lawton	34	16	27	98	23	41
	Oklahoma City	35	28	26	97	31	04
	Sayre	35	17	34	99	38	23
	Tulsa	36	09	12	95	59	34
<u>OREGON</u>							
	Coos Bay	43	22	02	124	13	09
	Corvallis	44	34	10	123	16	12
	Eugene	44	03	16	123	05	30
	Klamath Falls	42	13	32	121	46	32
	La Grande	45	19	47	118	05	45
	Madford	42	19	33	122	52	31
	Portland	45	31	06	122	40	35
	Roseburg	43	12	34	123	20	26
	Salem	44	56	21	123	01	59
<u>PENNSYLVANIA</u>							
	Allentown	40	36	11	75	28	06
	Alltoona	40	30	55	78	24	03
	Bethlehem	40	37	57	75	21	36
	Clearfield	41	01	20	78	26	10
	Erie	42	07	15	80	04	57
	Harrisburg	40	15	43	76	52	59
	Hershey	40	17	04	76	39	01

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<u>PENNSYLVANIA (cont'd)</u>							
	Johnstown	40	19	35	78	55	03
	Lancaster	40	02	25	76	18	29
	Philadelphia	39	56	58	75	09	21
	Pittsburgh	40	26	19	80	00	00
	Ruding	40	20	09	75	55	40
	Scranton	41	24	32	75	39	46
	Wilkes-Barre	41	14	32	75	53	17
	York	39	57	35	76	43	36
<u>PUERTO RICO</u>							
	Aguadilla	18	25	53	67	09	18
	Arecibo	18	28	26	66	43	39
	Caguas	18	13	59	66	02	06
	Fajardo	18	19	35	65	39	21
	Mayaguez	18	12	16	67	08	36
	Ponce	18	00	51	66	36	58
	San Juan	18	26	55	66	03	55
<u>RHODE ISLAND</u>							
	Providence	41	49	32	71	24	41
<u>SOUTH CAROLINA</u>							
	Allendale	33	00	30	81	18	26
	Anderson	34	30	06	82	38	54
	Charleston	32	46	35	79	55	53
	Columbia	34	00	02	81	02	00
	Florence	34	11	49	79	46	06
	Granville	34	50	50	82	24	01
	Spartanburg	34	57	03	81	56	06
<u>SOUTH DAKOTA</u>							
	Aberdeen	45	27	31	98	29	03
	Brookings	44	18	38	96	47	53
	Florence	45	03	14	97	19	35
	Lead	44	21	07	103	46	03
	Mitchell	43	42	48	98	01	36
	Pierrre	44	22	06	100	20	57
	Rapid City	44	04	52	103	13	11
	Ruiliance	43	52	45	99	36	18
	Sioux Falls	43	32	35	96	43	35
	Vermillion	42	46	52	96	55	35
<u>TENNESSEE</u>							
	Chattanooga	35	02	41	85	18	32
	Jackson	35	36	48	88	49	15
	Johnson City	36	19	04	82	20	56

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<u>TENNESSEE (cont'd)</u>							
	Kingsport	36	32	57	82	33	44
	Knoxville	35	57	39	83	55	07
	Lexington	35	38	58	88	23	31
	Memphis	35	08	46	90	03	13
	Nashville	36	09	33	86	46	55
	Sneedville	36	31	46	83	13	04
<u>TEXAS</u>							
	Abilene	32	27	05	99	43	51
	Amarillo	35	12	27	101	50	04
	Austin	30	16	09	97	44	37
	Beaumont	30	05	20	94	06	09
	Belton	31	03	31	97	27	39
	Big Spring	32	15	03	101	28	38
	Bryan	30	38	48	96	21	31
	Collago Station	30	37	05	96	20	41
	Corpus Christi	27	47	51	97	23	45
	Dallas	32	47	09	96	47	37
	El Paso	31	45	36	106	29	11
	El Paso	32	44	55	97	19	44
	Ft. Worth	29	18	10	94	47	43
	Galveston	26	11	29	97	41	35
	Harlingen	29	45	26	95	21	37
	Houston	27	30	22	99	30	30
	Laredo	27	30	22	99	30	30
	Longview	32	28	24	94	43	45
	Lubbock	33	35	05	101	50	33
	Lufkin	31	20	14	94	43	21
	Midland	31	59	54	102	04	31
	Monahans	31	35	16	102	53	26
	Macgdoches	31	36	13	94	39	20
	Odessa	31	50	49	102	22	01
	Port Arthur	29	52	09	93	56	01
	Richardson	32	57	06	96	44	05
	Rosenberg	29	33	30	95	48	15
	San Angelo	31	27	39	100	26	03
	San Antonio	29	25	37	98	29	06
	Sweetwater	32	28	24	100	24	18
	Temple	31	06	02	97	20	22
	Toxarkona	33	25	29	94	02	34
	Tyler	32	21	21	95	17	52
	Victoria	28	48	01	97	00	06
	Waco	31	33	12	97	08	00
	Weslaco	26	09	24	97	59	33
	Wichita Falls	33	54	34	98	29	28

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STATE	COMMUNITY	LATITUDE			LONGITUDE		
		Deg.	Min.	Sec.	Deg.	Min.	Sec.
<u>UTAH</u>							
	Logan	41	46	03	111	50	11
	Ogden	41	13	31	111	58	21
	Provo	40	14	07	111	39	34
	Salt Lake City	40	45	23	111	53	26
<u>VERMONT</u>							
	Burlington	44	28	34	73	12	46
	Rutland	43	36	29	72	58	56
	St. Johnsbury	44	25	16	72	01	13
	Windsor	44	28	38	72	23	32
<u>VIRGINIA</u>							
	Bristol	36	35	48	82	11	04
	Charlottesville	38	01	52	78	28	50
	Goldvein	38	26	54	77	39	19
	Hampton	37	01	32	76	20	32
	Harrisonburg	38	27	01	78	52	07
	Lynchburg	37	24	51	79	08	37
	Norfolk	36	51	10	76	17	21
	Norton	36	56	05	82	37	31
	Petersburg	37	13	40	77	24	15
	Portsmouth	36	50	12	76	17	54
	Richmond	37	32	15	77	26	09
	Roanoke	37	16	13	79	56	44
	Staunton	38	09	02	79	04	34
<u>VIRGIN ISLAND</u>							
	Charlotte Amalie	18	20	36	64	55	53
	Christiansted	17	44	44	64	42	21
<u>WASHINGTON</u>							
	Bellingham	48	45	02	122	28	36
	Kennewick	46	12	28	119	08	32
	Lakewood Center	47	07	37	122	31	15
	Pasco	46	13	50	119	05	27
	Fullman	46	43	42	117	10	46
	Richland	46	16	36	119	16	21
	Seattle	47	36	32	122	20	12
	Spokane	47	39	32	117	25	33
	Tacoma	47	14	59	122	26	15
	Yakima	46	36	09	120	30	39
<u>WEST VIRGINIA</u>							
	Bluefield	37	15	29	81	13	20
	Charleston	38	21	01	81	37	52
	Clarksburg	39	16	50	80	20	38
	Grandview	37	49	28	81	04	20
	Huntington	38	25	12	82	26	33



STATE	COMMUNITY	Deg.	Min.	Sec.	Deg.	Min.	Sec.
WEST VIRGINIA (cont'd)	Morgantown	39	37	41	79	57	28
	Oak Hill	37	58	31	81	08	45
	Parkersburg	39	15	37	81	33	46
	Weston	39	02	19	80	28	05
	Wheeling	40	04	03	80	43	20
WISCONSIN	Eau Claire	44	48	31	91	29	49
	Fond Du Lac	43	46	35	88	26	52
	Green Bay	44	30	48	88	00	50
	Janesville	42	40	52	89	01	39
	Kenosha	42	35	04	87	49	14
	La Crosse	43	48	48	91	15	02
	Madison	43	04	23	89	22	55
	Milwaukee	43	02	19	87	54	15
	Rhineland	45	38	09	89	24	50
	Superior	46	43	14	92	06	07
Wausau	44	57	30	89	37	40	
WYOMING	Casper	42	51	00	106	19	22
	Cheyenne	41	08	09	104	49	07
	Hawkins	41	47	23	107	14	37
	Riverton	43	01	29	108	23	03

§ 76.54 Significantly viewed signals: method to be followed for special showings.

(a) Signals that are significantly viewed in a county (and thus are deemed to be significantly viewed within all communities within the county) are those that meet the test of significant viewing (see § 76.5(k)) according to the 1971 American Research Bureau "Television Circulation Share of Hours" survey, for counties in which there is less than 10 percent cable television penetration, and the 1971 American Research Bureau "Non-CATV Circulation and Share of Viewing Hours Study for ARB CATV-controlled Counties," for counties in which there is 10 percent or more cable television penetration.

NOTE: The relevant information from these surveys is available from the Commission.

(b) On or after March 31, 1973, significant viewing in a cable television community for signals not shown as significantly viewed under paragraph (a) of this section may be demonstrated by an independent professional audience survey of non-cable television homes that covers at least two weekly periods separated by at least thirty (30) days but no more than one of which shall be a week between the months of April and September. If two surveys are taken, they shall include samples sufficient to assure that the combined surveys result in an average figure at least one standard error above the required viewing level. If surveys are taken for more than two weekly periods in any 12 months, all such surveys must be submitted and the combined surveys must result in an average figure at least one standard error above the required viewing level.

§ 76.55 Manner of carriage.

(a) Where a television broadcast signal is required to be carried by a cable television system, pursuant to the rules in this subpart:

(1) The signal shall be carried without material degradation in quality (within the limitations imposed by the technical state of the art), and, where applicable, in accordance with the technical standards of Subpart K of this part;

(2) The signal shall, on request of the station licensee or permittee, be carried on the system on the channel number on which the station is transmitting, except where technically infeasible;

(3) The signal shall, on request of the station licensee or permittee, be carried on the system on no more than one channel.

(b) Where a television broadcast signal is carried by a cable television system, pursuant to the rules in this subpart, the program broadcast shall be carried in full, without deletion or alteration of any portion except as required by this part.

(c) A cable television system need not carry the signal of any television translator station if (1) the system is carrying the signal of the originating station, or (2) the community of the system is located, in whole or in part, within the Grade B contour of a station carried on the system whose programming is substantially duplicated by the translator station.

(d) If the community of a cable television system is located, in whole or in part, within the Grade B contour of both a satellite and its parent television station, and if the system would otherwise be required to carry both of them pursuant to the rules in this subpart, the system need carry only one of these signals, and may select between them.

§ 76.57 Provisions for systems operating in communities located outside of all major and smaller television markets.

A cable television system operating in a community located wholly outside all major and smaller television markets, as defined in § 76.5, shall carry television broadcast signals in accordance with the following provisions:

(a) Any such cable television system may carry or, on request of the relevant station licensee or permittee, shall carry the signals of:

(1) Television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(2) Television translator stations, with 100 watts or higher power, licensed to the community of the system;

(3) Noncommercial educational television broadcast stations within whose specified zone the community of the system is located, in whole or in part;

(4) Commercial television broadcast stations that are significantly viewed in the community of the system. See § 76.54.

(b) In addition to the television broadcast signals carried pursuant to paragraph (a) of this section, any such cable television system may carry any additional television signals.

§ 76.59 Provisions for smaller television markets.

A cable television system operating in a community located in whole or in part within a smaller television market, as defined in § 76.5, shall carry television broadcast signals only in accordance with the following provisions:

(a) Any such cable television system may carry or, on request of the relevant station licensee or permittee, shall carry the signals of:

(1) Television broadcast stations within whose specified zone the community of the system is located, in whole or in part;

(2) Noncommercial educational television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(3) Commercial television broadcast stations licensed to communities in other smaller television markets, within whose Grade B contours the community of the system is located, in whole or in part;

(4) Television broadcast stations licensed to other communities which are generally considered to be part of the same smaller television market (Example: Burlington, Vermont - Plattsburgh, New York television market);

(5) Television translator stations, with 100 watts or higher power, licensed to the community of the system;

(6) Commercial television broadcast stations that are significantly viewed in the community of the system. See § 76.54.

(b) Any such cable television system may carry sufficient additional signals so that, including the signals required to be carried pursuant to paragraph (a) of this section, it can provide the signals of a full network station of each of the major national television networks, and of one independent television station. Provided, however, That, in determining how many additional signals may be carried, any authorized but not operating television broadcast station that, if operational, would be required to be carried pursuant to paragraph (a)(1) of this section, shall be considered to be operational for a period terminating 18 months after grant of its initial construction permit. The following priorities are applicable to the additional television signals that may be carried:

(1) Full network stations. A cable television system may carry the nearest missing full network stations or the nearest in-state full network stations;

NOTE: The Commission may waive the requirements of this sub-paragraph for good cause shown in a petition filed pursuant to § 76.7.

(2) Independent station. A cable television system may carry any independent station: Provided, however, that if a signal of a station in the first 25 major television markets (see § 76.51(a)) is carried pursuant to this subparagraph, such signal shall be taken from one of the two closest such markets, where such signal is available.

NOTE: It is not contemplated that waiver of the provisions of this subparagraph will be granted.

(c) In addition to the noncommercial educational television broadcast signals carried pursuant to paragraph (a) of this section, any such cable television system may carry the signals of any non-commercial educational stations that are operated by an agency of the state within which the system is located. Such system may also carry any other noncommercial educational signals, in the absence of objection filed pursuant to § 76.7 by any local noncommercial educational station or state or local educational television authority.

(d) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (c) of this section, any such cable television system may carry any television stations broadcasting predominantly in a non-English language.

(e) Where the community of a cable television system is wholly or partially within both one of the first fifty major television markets and a smaller television market, the carriage provisions for the first fifty major markets shall apply. Where the community of a system is wholly or partially within both one of the second fifty major television markets and a smaller television market, the carriage provisions for the second fifty major markets shall apply.

§ 76.61 Provisions for first fifty major television markets.

A cable television system operating in a community located in whole or in part within one of the first fifty major television markets listed in § 76.51(a) shall carry television broadcast signals only in accordance with the following provisions:

(a) Any such cable television system may carry, or on request of the relevant station licensee or permittee, shall carry the signals of:

(1) Television broadcast stations within whose specified zone the community of the system is located, in whole or in part: Provided, however, that where a cable television system is located in the designated community of a major television market, it shall not carry the signal of a television station licensed to a designated community in another major television market, unless the designated community in which the cable system is located is wholly within the specified zone (see § 76.5(f)) of the station, except as otherwise provided in this section;

(2) Noncommercial educational television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(3) Television translator stations, with 100 watts or higher power, licensed to the community of the system;

(4) Television broadcast stations licensed to other designated communities of the same major television market (Example: Cincinnati, Ohio - Newport, Kentucky television market);

(5) Commercial television broadcast stations that are significantly viewed in the community of the system. See § 76.54.

(b) Any such cable television system may carry sufficient additional signals so that, including the signals required to be carried pursuant to paragraph (a) of this section, it can provide the signals of a full network station of each of the major national television networks, and of three independent television stations: Provided, however, that in determining how many additional signals may be carried, any authorized but not operating television broadcast station that, if operational, would be required to be carried pursuant to paragraph (a)(1) of this section, shall be considered to be operational for a period terminating 18 months after grant of its initial construction permit. The following priorities are applicable to the additional television signals that may be carried:

(1) Full network stations. A cable television system may carry the nearest missing full network stations, or the nearest in-state full network stations;

NOTE: The Commission may waive the requirements of this subparagraph for good cause shown in a petition filed pursuant to § 76.7.

(2) Independent stations. (i) For the first and second additional signals, if any, a cable television system may carry the signals of any independent television station: Provided, however, that if signals of stations in the first 25 major television markets (see § 76.51(a)) are carried pursuant to this subparagraph, such signals shall be taken from one or both of the two closest such markets, where such signals are available. If a third additional signal may be carried, a system shall carry the signal of any independent UHF television station located within 200 air miles of the reference point for the community of the system (see § 76.53), or, if there is no such station, either the signal of any independent VHF television station located within 200 air miles of the reference point for the community of the system, or the signal of any independent UHF television station.

NOTE: It is not contemplated that waiver of the provisions of this subparagraph will be granted.

(11) Whenever, pursuant to Subpart F of this part, a cable television system is required to delete a television program on a signal carried pursuant to paragraph (b)(2)(i) or (c) of this section, or a program on such a signal is primarily of local interest to the distant community (e.g., a local news or public affairs program), such system may, consistent with the program exclusivity rules of Subpart F of this part, substitute a program from any other television broadcast station. A program substituted may be carried to its completion, and the cable system need not return to its regularly carried signal until it can do so without interrupting a program already in progress.

(c) After the service standards specified in paragraph (b) of this section have been satisfied, a cable television system may carry two additional independent television broadcast signals, chosen in accordance with the priorities specified in paragraph (b)(2) of this section: Provided, however, that the number of additional signals permitted under this paragraph shall be reduced by the number of signals added to the system pursuant to paragraph (b) of this section.

(d) In addition to the noncommercial educational television broadcast signals carried pursuant to paragraph (a) of this section, any such cable television system may carry the signals of any non-commercial educational stations that are operated by an agency of the state within which the system is located. Such system may also carry any other noncommercial educational signals, in the absence of objection filed pursuant to § 76.7 by any local noncommercial educational station or state or local educational television authority.

(e) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (d) of this section, any such cable television system may carry any television stations broadcasting predominantly in a non-English language.

(f) Where the community of a cable television system is wholly or partially within both one of the first fifty major television markets and another television market, the provisions of this section shall apply.

§ 76.63 Provisions for second fifty major television markets.

(a) A cable television system operating in a community located in whole or in part within one of the second fifty major television markets listed in § 76.51(b) shall carry television broadcast signals only in accordance with the provisions of § 76.61, except that in paragraph (b) of § 76.61, the number of additional independent television signals that may be carried is two (2).

(b) Where the community of a cable television system is wholly or partially within both one of the second fifty major television markets and one of the first fifty major television markets, the carriage provisions for the first fifty major markets shall apply. Where the community of a system is wholly or partially within both one of the second fifty major television markets and a smaller television market, the provisions of this section shall apply.

§ 76.65 Grandfathering provisions.

The provisions of §§ 76.57, 76.59, 76.61 and 76.63 shall not be deemed to require the deletion of any television broadcast or translator signals which a cable television system was authorized to carry or was lawfully carrying prior to March 31, 1972: Provided, however, that if carriage of a signal has been limited by Commission order to discrete areas of a community, any expansion of service will be subject to the appropriate provisions of this subpart. If a cable television system in a community is authorized to carry signals, either by virtue of specific Commission authorization or otherwise, any other cable television system already operating or subsequently commencing operations in the same community may carry the same signals. (Any such new system shall, before instituting service, obtain a certificate of compliance, pursuant to § 76.11).

Subpart E - (Reserved)

Subpart F - Program Exclusivity

§ 76.91 Stations entitled to network program exclusivity.

(a) Any cable television system operating in a community, in whole or in part, within the Grade B contour of any television broadcast station, or within the community of a 100-watt or higher power television translator station, and that carries the signal of such station shall, on request of the station licensee or permittee, maintain the station's exclusivity as an outlet for network programming against lower priority duplicating signals, but not against signals of equal priority, in the manner and to the extent specified in §§ 76.93 and 76.95.

(b) For purposes of this section, the order of priority of television signals carried by a cable television system is as follows:

(1) First, all television broadcast stations within whose principal community contours the community of the system is located, in whole or in part;

(2) Second, all television broadcast stations within whose Grade A contours the community of the system is located, in whole or in part;

(3) Third, all television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(4) Fourth, all television translator stations with 100 watts or higher power, licensed to the community of the system.

(c) If the signal of a television broadcast station licensed to a community in a smaller television market is carried by a cable television system, pursuant to § 76.57(a)(4), such signal shall, on request, be afforded network program exclusivity. This provision shall not be applicable to any signal authorized or lawfully carried by a cable television system prior to March 31, 1972.

§ 76.93 Extent of protection.

(a) Where the network programming of a television station is entitled to program exclusivity, the cable television system shall, on request of the station licensee or permittee, refrain from simultaneously duplicating any network program broadcast by such station, if the cable operator has received notification from the requesting station of the date and time of its broadcast of the program and the date and time of any broadcast to be deleted, as soon as possible and in any event no later than 48 hours prior to the broadcast to be deleted. On request of the cable system, such notice shall be given no later than the Monday preceding the calendar week (Sunday-Saturday) during which exclusivity is sought.

(b) On petition filed pursuant to § 76.7, the Commission will afford additional, limited program exclusivity to a network-affiliated station where, because of the time-zone situation, the affording of simultaneous program exclusivity would result in duplication of a substantial amount of such station's network programming. Where a station is currently receiving same-day program exclusivity and files for such relief within fifteen (15) days of the effective date of this rule, it shall continue to receive same-day program exclusivity pending the Commission's ruling on the petition. During such period, and if same-day program exclusivity is required thereafter, the following provisions shall be applicable:

(1) A cable television system need not delete reception of a network program if, in so doing, it would leave available for reception by subscribers, at any time, less than the programs of two networks (including those broadcast by any stations whose signals are being carried and whose program exclusivity is being protected pursuant to the requirements of this section);

(2) A system need not delete reception of a network program which is scheduled by the network between the hours of 6 and 11 p.m., eastern time, but is broadcast by the station requesting deletion, in whole or in part, outside of the period which would normally be considered prime time for network programming in the time zone involved.

§ 76.95 Exceptions.

Notwithstanding the requirements of § 76.93:

(a) A cable television system need not delete reception of any program which would be carried on the system in color but will be broadcast in black and white by the station requesting deletion.

(b) The Commission will give full effect to private agreements between operators of cable television systems and local television stations which provide for a type or degree of network exclusivity which differs from the requirements of §§ 76.91 and 76.93.

§ 76.97 Waiver petitions.

Where a petition for waiver of the provisions of §§ 76.91 and 76.93 is filed within fifteen (15) days after a request for program exclusivity is received by the operator of a cable television system, such system need not provide program exclusivity pending the Commission's ruling on the petition or on the question of temporary relief pending further proceedings.

§ 76.151 Undeleted program exclusivity: extent of protection.

Upon receiving notification pursuant to § 76.155:

(a) No cable television system, operating in a community in whole or in part within one of the first fifty major television markets, shall carry a syndicated program, pursuant to § 76.61(b), (c), (d), or (e), for a period of one year from the date that program is first licensed or sold as a syndicated program to a television station in the United States for television broadcast exhibition;

(b) No cable television system, operating in a community in whole or in part within a major television market, shall carry a syndicated program, pursuant to §§ 76.61(b), (c), (d), or (e), or 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)), while a commercial television station licensed to a designated community in that market has exclusive broadcast exhibition rights (both over-the-air and by cable) to that program: Provided, however, that if a commercial station licensed to a designated community in one of the second fifty major

television markets has such exclusive rights, a cable television system located in whole or in part within the market of such station may carry such syndicated programs in the following circumstances:

(1) If the program is carried by the cable television system in prime time and will not also be broadcast by a commercial market station in prime time during the period for which there is exclusivity for the program;

(2) For off-network series programs:

(i) Prior to the first non-network broadcast in the market of an episode in the series;

(ii) After a non-network first-run of the series in the market or after one year from the date of the first non-network broadcast in the market of an episode in the series, whichever occurs first;

(3) For first-run series programs:

(i) Prior to the first broadcast in the market of an episode in the series;

(ii) After two (2) years from the first broadcast in the market of an episode in the series;

(4) For first-run, non-series programs:

(i) Prior to the date the program is available for broadcast in the market under the provision of any contract or license of a television broadcast station in the market;

(ii) After two (2) years from the date of such first availability;

(5) For feature films:

(i) Prior to the date such film is available for non-network broadcast in the market under the provisions of any contract or license of a television broadcast station in the market;

(ii) Two (2) years after the date of such first availability;

(6) For other programs: one day after the first non-network broadcast in the market or one year from the date of purchase of the program for non-network broadcast in the market, whichever occurs first.

NOTE 1: For purposes of § 76.151, a series will be treated as a unit, that is:

(1) No episode of a series (including an episode in a different package of programs in the same series) may be carried by a cable television system, pursuant to §§ 76.61(b), (c), (d), or (e) or 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)) while any episode of the series are subject to exclusivity protection.

(ii) In the second fifty major television markets, no exclusivity will be afforded a different package of programs in the same series after the initial exclusivity period has terminated.

NOTE 2: As used in this section, the phrase "broadcast in the market" or "broadcast by a market station" refers to a broadcast by a television station licensed to a designated community in the market.

§ 76.155 Parties entitled to exclusivity.

(a) Copyright holders of syndicated programs shall be entitled to the exclusivity provided by § 76.151(a). In order to receive such exclusivity, the copyright holder shall notify each cable system of the exclusivity sought in accordance with the requirements of § 76.155.

(b) Television broadcast stations licensed to designated communities in the major television markets shall be entitled to the exclusivity provided by § 76.151(b). In order to receive such exclusivity, such television stations shall notify each cable system of the exclusivity sought in accordance with the requirements of § 76.155.

(c) In order to be entitled to exclusivity for a program under § 76.151(b) a television station must have an exclusive right to broadcast that program against all other television stations licensed to the same designated community and against broadcast signal cable carriage of that program in the cable system community: Provided, however, that such exclusivity will not be recognized in a designated community of another major television market unless such community is wholly within the television market of the station seeking exclusivity. In hypedated markets, exclusivity will be recognized beyond the specified zone of a station only to the extent the station has exclusivity against other stations. It shall be presumed that broadcast rights acquired prior to March 31, 1972 are exclusive for the specified zones of all stations in the market in which the station is located.

§ 76.155 Notification.

(a) Syndicated program exclusivity notifications shall include the following information:

(1) For purposes of § 76.151(a):

(i) The name and address of the copyright holder requesting exclusivity;

- (ii) The name of the program or series for which exclusivity is sought;
  - (iii) The date of first sale or license of the program for television broadcast as a syndicated program in the United States.
- (2) For purposes of § 76.151(b):
- (i) The name and address of the television broadcast station requesting exclusivity;
  - (ii) The name of the program or series for which exclusivity is sought;
  - (iii) The dates on which exclusivity is to commence and terminate;
  - (iv) As to programs to be deleted from signals regularly carried by the system pursuant to §§ 76.61(b), (c), (d), or (e) and 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)): the name of the program; the call letters of the station from which the deletion is to be made; and the date, time, and duration of the deletion. Information, once supplied pursuant to p. r. parts (2)(i), (ii), (iii) or (iv) of this section, need not be repeated in any notification supplying the information required by this subparagraph.
- (3) For purposes of § 76.151(b) (as it relates to television stations licensed to designated communities in the second fifty major television markets), the following information shall be supplied in addition to that required by paragraph (a)(2) of this section:
- (i) Whether the program will be broadcast in prime time by the station requesting exclusivity during the period of protection provided in § 76.151(b);
  - (ii) The specific rule pursuant to which exclusivity is requested (e.g., § 76.151(b)(2)--off-network series, § 76.151(b)(3)--first-run series);
  - (iii) For off-network series programs, the number of showings contracted for, including the number of repeat presentations, if any, and the date when the first run is to end.
- (b) Subject to the provisions of paragraph (c) of this section, notifications given pursuant to § 76.151 must be received no later than the Monday preceding the calendar week (Sunday-Saturday) during which exclusivity is sought.

- (c) Direct notice of a change in the schedule of a television station against which exclusivity is sought, given to a cable television system by a television station seeking exclusivity, shall, if given more than 36 hours prior to the time a deletion is to be made, supersede prior notifications containing the information required by paragraph (a) of this section and any information otherwise relied on pursuant to paragraph (d) of this section.
- (d) In determining which programs must be deleted from a television signal when such information is not required to be provided pursuant to paragraph (a) of this section, a cable television system may rely on information from any of the following sources published or made available during the week the deletion is to be made or during the prior week:
  - (i) newspapers or journals of general circulation in the service area of a television station whose programs may be subject to deletion;
  - (ii) a television station whose programs may be subject to deletion;
  - (iii) any television station requesting exclusivity.

**§ 76.157 Exclusivity contracts.**

With respect to each program as to which a television broadcast station licensee or permittee requests exclusivity pursuant to § 76.151, such licensee or permittee shall maintain in its public file an exact copy of those portions of the exclusivity contract, such portions to be signed by both the copyright holder and the licensee or permittee, setting forth in full the provisions pertinent to the duration, nature, and extent of the exclusivity terms concerning broadcast signal exhibition (whether over-the-air or by cable) to which the parties have agreed.

**§ 76.159 Grandfathering.**

The provisions of § 76.151 shall not be deemed to require a cable television system to delete programming from any signal that was carried prior to March 31, 1972, or that any other cable television system in the same community was carrying prior to March 31, 1972: Provided, however, that if carriage of a signal has been limited by Commission order to discrete areas of a community, any expansion of service will be subject to the appropriate provisions of the subpart.

**Subpart C - Cablecasting**

**§ 76.201 Origination cablecasting is nonexclusive with carriage of broadcast signals.**

- (a) No cable television system having 3500 or more subscribers shall carry the signal of any television broadcast station unless the system also operates to a significant extent as a local outlet by origination cablecasting and has available facilities for local production and presentation of programs other than automated services. Such origination cablecasting shall be limited to one or more designated channels which may be used for no other purpose.
- (b) No cable television system located outside of all major television markets shall enter into any contract, arrangement, or lease for use of its cablecasting facilities which prevents or inhibits the use of such facilities for a substantial portion of time (including the time period 6 - 11 p.m.) for local programming designed to inform the public on controversial issues of public importance.
- (c) No cable television system shall carry the signal of any television broadcast station if the system engages in origination cablecasting, either voluntarily or pursuant to paragraph (a) of this section, unless such cablecasting is conducted in accordance with the provisions of §§ 76.205, 76.209, 76.213, 76.215, 76.217, 76.221, and 76.225.

**§ 76.205 Origination cablecasts by candidates for public office.**

- (a) General requirements. If a cable television system shall permit any legally qualified candidate for public office to use its origination channel(s) and facilities therefor, it shall afford equal opportunities to all other such candidates for that office: Provided, however, that such system shall have no power of censorship over the material cablecast by any such candidate; and Provided, further, that an appearance by a legally qualified candidate on any:
  - (1) Bona fide newscast,
  - (2) Bona fide news interview,
  - (3) Bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or
  - (4) On-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto),

shall not be deemed to be use of the facilities of the system within the meaning of this paragraph.

NOTE: The fairness doctrine is applicable to those exempt categories. See § 76.209.

- (b) Rates and practices. (1) The rates, if any, charged all such candidates for the same office shall be uniform, shall not be related by any means direct or indirect, and shall not exceed the charges made for comparable origination use of such facilities for other purposes.

(2) In making facilities available to candidates for public office no cable television system shall make any discrimination between candidates in charges, practices, regulations, facilities, or services for or in connection with the service rendered, or make or give any preference to any candidate for public office or subject any such candidate to any prejudice or disadvantage; nor shall any cable television system make any contract or other agreement which shall have the effect of permitting any legally qualified candidate for any public office to cablecast to the exclusion of other legally qualified candidates for the same public office.

(c) Records, inspections.

Every cable television system shall keep and permit public inspection of a complete record of all requests for origination cablecasting time made by or on behalf of candidates for public office, together with an appropriate notation showing the disposition made by the system of such requests, the charges made, if any, and the length and time of cablecast, if the request is granted. Such records shall be retained for a period of two years.

(d) Time of request.

A request for equal opportunities for use of the origination channel(s) must be submitted to the cable television system within one (1) week of the day on which the first prior use, giving rise to the right of equal opportunities, occurred: Provided, however, that where a person was not a candidate at the time of such first prior use, he shall submit his request within one (1) week of the first subsequent use after he has become a legally qualified candidate for the office in question.

(e) Burden of proof.

A candidate requesting such equal opportunities of the cable television system, or complaining of noncompliance to the Commission, shall have the burden of proving that he and his opponent are legally qualified candidates for the same public office.



§ 76.209 Foreign Activities: personal attacks political candidates.

(a) A cable television system engaging in origination cablecasting shall afford reasonable opportunity for the discussion of conflicting views on issues of public importance.

NOTE: See public notice, Applicability of the Foreign Doctrine in the Handling of Controversial Issues of Public Importance, 29 F. R. 10415.

(b) When, during such origination cablecasting, an attack is made upon the honesty, character, integrity, or like personal qualities of an identified person or group, the cable television system shall, within a reasonable time and in no event later than one (1) week after the attack, transmit to the person or group attacked: (1) notification of the date, time, and identification of the cablecast; (2) a script or tape (or an accurate summary if a script or tape is not available) of the attack; and (3) an offer of a reasonable opportunity to respond over the system's facilities.

(c) The provisions of paragraph (b) of this section shall not be applicable: (1) to attacks on foreign groups or foreign public figures; (2) to personal attacks which are made by legally qualified candidates, their authorized spokesmen, or those associated with them in the campaign, on other such candidates, their authorized spokesmen, or persons associated with the candidates in the campaign; and (3) to bona fide news casts, bona fide news interviews, and on-the-spot coverage of a bona fide news event (including commentary or analysis contained in the foregoing programs, but the provisions of paragraph (b) of this section shall be applicable to editorials of the cable television system).

(d) Where a cable television system, in an editorial, (1) endorses or (2) opposes a legally qualified candidate or candidates, the system shall, within 24 hours after the editorial, transmit to respectively (1) the other qualified candidate or candidates for the same office, or (1a) the candidate opposed in the editorial; (a) notification of the date, time, and channel of the editorial; (b) a script or tape of the editorial; and (c) an offer of a reasonable opportunity for a candidate or a spokesman of the candidate to respond over the system's facilities: Provided, however, that where such editorials are cablecast within 72 hours prior to the day of the election, the system shall comply with the provisions of this paragraph sufficiently far in advance of the broadcast to enable the candidate or candidates to have a reasonable opportunity to prepare a response and to present it in a timely fashion.

§ 76.213 Lotteries.

(a) No cable television system when engaged in origination cablecasting shall transmit or permit to be transmitted on the origination cablecasting channel or channels any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes.

(b) The determination whether a particular program comes within the provisions of paragraph (a) of this section depends on the facts of each case. However, the Commission will in any event consider that a program comes within the provisions of paragraph (a) of this section if in connection with such program a prize consisting of money or thing of value is awarded to any person whose selection is dependent in whole or in part upon lot or chance, if as a condition of winning or competing for such prize, such winner or winners are required to furnish any money or thing of value or are required to have in their possession any product sold, manufactured, furnished or distributed by a sponsor of a program cablecast on the system in question.

§ 76.215 Obscenity.

No cable television system when engaged in origination cablecasting shall transmit or permit to be transmitted on the origination cablecasting channel or channels material that is obscene or indecent.

§ 76.217 Advertising.

A cable television system engaged in origination cablecast programming may present advertising material at the beginning and conclusion of each such program and at natural intermissions or breaks within a cablecast: Provided, however, that the system itself does not interrupt the presentation of program material in order to intersperse advertising; and Provided, further, that advertising material is not presented on or in connection with origination cablecasting in any other manner.

NOTE: The term "natural intermissions or breaks within a cablecast" means any natural intermission in the program material which is beyond the control of the cable television operator, such as time-out in a sporting event, an intermission in a concert or dramatic performance, a recess in a city council meeting, an intermission in a long motion picture which was present at the time of theatre exhibition, etc.

§ 76.221 Sponsorship Identification.

(a) When a cable television system engaged in origination cablecasting presents any matter for which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, such system, the system shall make an announcement that such matter is sponsored, paid for, or furnished, either in whole or in part, and by whom or on whose behalf such consideration was supplied: Provided, however, that "service or other valuable consideration" shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, such cablecasting unless it is so furnished as consideration for an identification in a cablecast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the cablecast.

(b) Each system engaged in origination cablecasting shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program matter for origination cablecasting, information to enable it to make the announcement required by this section.

(c) In the case of any political program or any program involving the discussion of public controversial issues for which any films, records, transcriptions, talent, script, or other material or services of any kind are furnished, either directly or indirectly, to a cable television system as an inducement to the origination cablecasting of such program, an announcement to this effect shall be made at the beginning and conclusion of such program: Provided, however, that only one such announcement need be made in the case of any such program of five (5) minutes' duration or less, either at the beginning or conclusion of the program.

(d) The announcements required by this section are waived with respect to feature motion picture films produced initially and primarily for theatre exhibition.

§ 76.225 Per-program or per-thermal charges for recovery of cablecast.

(a) Origination or access cablecasting operations for which a per-program or per-thermal charge is made shall comply with the following requirements:

(1) Feature films shall not be cablecast which have had general release in theatres anywhere in the United States more than two (2) years prior to their cablecast: Provided, however, that during one week of each calendar month one feature film the general release of which occurred more than ten (10) years previously may be cablecast, and

more than a single showing of such film may be made during that week; Provided, further, that feature films the general release of which occurred between two (2) and ten (10) years before proposed cablecast may be cablecast upon a convincing showing to the Commission that bona fide attempt has been made to sell the films for conventional television broadcasting and that they have been refused, or that the owner of the broadcast rights to the films will not permit them to be televised on conventional television because he has been unable to work out satisfactory arrangements concerning editing for presentation thereon, or perhaps because he intends never to show them on conventional television since to do so might impair their respective box office potential in the future.

NOTE: As used in this subparagraph, "general release" means the first-run showing of a feature film in a theatre or theatres in an area, on a nonreserved-seat basis, with continuous performances. For first-run showing of feature films on a nonreserved-seat basis which are not considered to be "general release" for purposes of this subparagraph, see note 56 in Fourth Report and Order in Docket No. 11271, 15 FCC 2d 466.

(2) Sports events shall not be cablecast which have been televised live on a nonsubscription, regular basis in the community during the two (2) years preceding their proposed cablecast: Provided, however, that if the last regular occurrence of a specific event (e.g., summer Olympic games) was more than two (2) years before proposed showing on cable television in a community and the event was at that time televised on conventional television in that community, it shall not be cablecast.

NOTE 1: In determining whether a sports event has been televised in a community on a nonsubscription basis, only commercial television broadcast stations which place a Grade A contour over the entire community will be considered. Such stations need not necessarily be licensed to serve that community.

NOTE 2: The manner in which this subparagraph will be administered and in which "sports," "sports events," and "televised live on a nonsubscription regular basis" will be construed is explained in paragraphs 288-305 in Fourth Report and Order in Docket No. 11271, 15 FCC 2d 466.

(3) No series type of program with interconnected plot or substantially the same cast of principal characters shall be cablecast.

(4) Not more than 90 percent of the total cablecast programming hours shall consist of feature films and sports events combined. The percentage calculations may be made on a yearly basis, but, absent a showing of good cause, the percentage of such programming hours may not exceed 95 percent of the total cablecast programming hours in any calendar month.

(5) No commercial advertising announcements shall be carried on such channels during such operations except, before and after such programs, for promotion of other programs for which a per-program or per-channel charge is made.

**§ 76.251 Minimum channel capacity; access channels.**

(a) No cable television system operating in a community located in whole or in part within a major television market, as defined in § 76.5, shall carry the signal of any television broadcast station unless the system also complies with the following requirements concerning the availability and administration of access channels:

(1) **Minimum channel capacity.** Each such system shall have at least 120 MHz of bandwidth (the equivalent of 20 television broadcast channels) available for immediate or potential use for the totality of cable services to be offered;

(2) **Equivalent amount of bandwidth.** For each Class I cable channel that is utilized, such system shall provide an additional channel, 6 MHz in width, suitable for transmission of Class II or Class III signals (see § 76.5 for cable channel definitions);

(3) **Pay-as-you-go communications.** Each such system shall maintain a plant having technical capacity for nonvoice return communications;

(4) **Public access channel.** Each such system shall maintain at least one specially designated, noncommercial public access channel available on a first-come, nondiscriminatory basis. The system shall maintain and have available for public use at least the minimal equipment and facilities necessary for the production of programming for such a channel. See also § 76.201;

(5) **Educational access channel.** Each such system shall maintain at least one specially designated channel for use by local educational authorities;

(6) **Local government access channel.** Each such system shall maintain at least one specially designated channel for local government uses;

(7) **Leased access channels.** Having satisfied the origination cablecasting requirements of § 76.201, and the requirements of paragraph (a)(4), (a)(5) and (a)(6) of this section for specially designated access channels, such system shall offer other portions of its nonbroadcast bandwidth, including unused portions of the specially designated channels, for leased access services. However, these leased channel operations shall be undertaken with the express understanding that they are subject to displacement if there is a demand to use the channels for their specially designated purposes. On at least one of the leased channels, priority shall be given part-time users;

(8) **Expansion of access channel capacity.** Whenever all of the channels described in paragraphs (a)(4) through (a)(7) are in use during 80 percent of the weekdays (Monday - Friday) for 80 percent of the time during any consecutive three-hour period for six consecutive weeks, such system shall have six months in which to make a new channel available for any or all of the above-described purposes;

(9) **Program content control.** Each such system shall exercise no control over program content on any of the channels described in paragraphs (a)(4) through (a)(7) of this section; however, this limitation shall not prevent it from taking appropriate steps to insure compliance with the operating rules described in paragraph (a)(11);

(10) **Assessment of costs.** (i) From the commencement of cable television service in the community of such system until five (5) years after completion of the system's basic trunk line, the channels described in paragraphs (a)(5) and (a)(6) of this section shall be made available without charge.

(ii) One of the public access channels described in paragraph (a)(4) of this section shall always be made available without charge, except that production costs may be assessed for live studio presentations exceeding five minutes. Such production costs and any fees for use of other public access channels shall be consistent with the goal of affording the public a low-cost means of television access;

(11) **Operating rules.** (i) For the public access channel(s), such system shall establish rules requiring first-come nondiscriminatory access; prohibiting the presentation of any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information; and obscene or indecent matter (modeled after the prohibitions in §§ 76.213 and 76.215, respectively); and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting access time. Such a record shall be retained for a period of two years.

(ii) For the educational access channel(s), such system shall establish rules prohibiting the presentation of any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information; and obscene or indecent matter (modeled after the prohibitions in §§ 76.213 and 76.215, respectively); and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting access time. Such a record shall be retained for a period of two years.

(iii) For the leased channel(s), such system shall establish rules requiring first-come, non-discriminatory access; prohibiting the presentation of lottery information and obscene or indecent matter (modeled after the prohibitions in §§ 76.213 and 76.215, respectively); requiring sponsorship identification (see § 76.221); specifying an appropriate rate schedule; and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting time. Such a record shall be retained for a period of two years.

(iv) The operating rules governing public access, educational, and leased channels shall be filed with the Commission within 90 days after a system first activates any such channels, and shall be available for public inspection at the system's offices. Except on specific authorization, or with respect to the operation of the local government access channel, no local entity shall prescribe any other rules concerning the number or manner of operation of access channels; however, franchise specifications concerning the number of such channels for systems in operation prior to March 31, 1972 shall continue in effect.

(b) No cable television system operating in a community located wholly outside of all major television markets shall be required by a local entity to exceed the provisions concerning the availability and administration of access channels contained in paragraph (a). If a system provides any access programming, it shall comply with paragraph (a)(9), (a)(10), and (a)(11).

(c) The provisions of this section shall apply to all cable television systems that commence operations on or after March 31, 1972 in a community located in whole or in part within a major television market. Systems that commenced operations prior to March 31, 1972 shall comply on or before March 31, 1977; provided, however, that, if such systems begin to provide any of the access services described above at an earlier date, they shall comply with paragraph (a)(9), (a)(10), and (a)(11) of this section at that time; and provided, further, that if such systems receive certificates of compliance in new television signals to their operations at an earlier date, they shall comply with paragraph (a)(4) through (a)(11) of this section at the time of such addition.

**Subpart H - General Operating Requirements**

**§ 76.301 Copies of rules.**

The operator of a cable television system shall have a current copy of Part 76, and is expected to be familiar with the rules governing cable television systems. Copies of the Commission's rules may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at nominal cost.

**§ 76.305 Licensing and record-keeping requirements.**

(a) **Carriage of certain television signals.** (1) A cable television system operating in a community located in whole or in part within a major television market shall keep and permit public inspection of a record of all television signals carried pursuant to §§ 76.61(b), (c), (d), or (e) or 76.63(a) (as it refers to §§ 76.61(b), (c), (d), or (e)). Such record shall include the call letters and location of each such station whose signals are carried, the date and specific starting and ending time of such carriage, and the names of the programs scheduled to be shown. This record shall be retained for a period of two years.

(2) This paragraph shall be applicable only to television signals whose carriage commenced on or after March 31, 1972.

(b) **Origination cablecasts by municipalities for public office.** See § 76.205(c).

(c) **Public access channels.** See § 76.251(a)(11).

(d) **Educational access channels.** See § 76.251(a)(11).

(e) **Leased access channels.** See § 76.251(a)(11).

Subpart I - Forms and Reports

§ 76.401 Annual report of cable television systems.

An "Annual Report of Cable Television System" (FCC Form 325) shall be filed with the Commission for each cable television system, as defined in § 76.5, on or before March 1 of each year, for the preceding calendar year.

§ 76.405 Cable television annual (financial) report.

A "Cable Television Annual Financial Report" (FCC Form 326) shall be filed with the Commission for each cable television system, as defined in § 76.5, on or before April 1 of each year, for the preceding calendar year: Provided, however, that a cable television system which commences operations prior to December 1, 1971, may report on a fiscal year basis, in which case Form 326 shall be filed annually no more than ninety (90) days after the close of the system's fiscal year.

§ 76.406 Computation of cable television annual fee.

A "Computation of Cable Television Annual Fee" (FCC Form 326-A) shall be filed with the Commission for each cable television system, as defined in § 76.5, on or before April 1 of each year, for the preceding calendar year, to accompany payment of the cable television annual fee. See §§ 1.1101 and 1.1116.

Subpart J - Diversification of Control

§ 76.501 Cross-ownership.

(a) No cable television system (including all parties under common control) shall carry the signal of any television broadcast station if such system directly or indirectly owns, operates, controls, or has an interest in:

- (1) A national television network (such as ABC, CBS, or NBC); or
- (2) A television broadcast station whose predicted Grade B contour, computed in accordance with § 73.684 of this chapter, overlaps in whole or in part the service area of such system (i.e., the area within which the system is serving subscribers); or
- (3) A television translator station licensed to the community of such system.

NOTE 1: The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

NOTE 2: The word "interest" as used herein includes, in the case of corporations, common officers or directors and partial (as well as total) ownership interests represented by ownership of voting stock.

NOTE 3: In applying the provisions of paragraph (a) of this section to the stockholders of a corporation which has more than 50 stockholders:

- (a) Only those stockholders need be considered who are officers or directors or who directly or indirectly own 1 percent or more of the outstanding voting stock.
- (b) Stock ownership by an investment company, as defined in 15 U.S.C. Section 80a-3 (commonly called a mutual fund), need be considered only if it directly or indirectly owns 3 percent or more of the outstanding voting stock or if officers or directors of the corporation are representatives of the investment company. Holdings by investment companies under common management shall be aggregated. If an investment company directly or indirectly owns voting stock in an intermediate company which in turn directly or indirectly owns 50 percent or more of the voting stock of the corporation, the investment company shall be considered to own the same percentage of outstanding shares of such corporation as it owns of the intermediate company: Provided, however, that the holding of the investment company need not be considered where the intermediate company owns less than 50 percent of the voting stock, but officers or directors of the corporation who are representatives of the intermediate company shall be deemed to be representatives of the investment company.

(c) In cases where record and beneficial ownership of voting stock is not identical (e.g., bank nominees holding stock as record owners for the benefit of mutual funds, brokerage houses holding stock in street name for the benefit of customers, trustees holding stock as record owners for the benefit of designated parties), the party having the right to determine how the stock will be voted will be considered to own it for the purposes of this section.

(b) The provisions of paragraph (a) of this section are not effective until August 10, 1973, as to ownership interests proscribed herein if such interests were in existence on or before July 1, 1970 (e.g., if a franchise were in existence on or before July 1, 1970): Provided, however, that the provisions of paragraph (a) of this section are effective on August 10, 1970, as to such interests acquired after July 1, 1970.

Subpart K - Technical Standards

§ 76.601 Performance tests.

(a) The operator of each cable television system shall be responsible for insuring that each such system is designed, installed, and operated in a manner that fully complies with the provisions of this subpart. Each system operator shall be prepared to show, on request by an authorized representative of the Commission, that the system does, in fact, comply with the rules.

(b) The operator of each cable television system shall maintain at its local office a current listing of the cable television channels which that system delivers to its subscribers and the station or stations whose signals are delivered on each Class I cable television channel, and shall specify for each subscriber the minimum visual signal level it maintains on each Class I cable television channel under normal operating conditions.

(c) The operator of each cable television system shall conduct complete performance tests of that system at least once each calendar year (at intervals not to exceed 14 months) and shall maintain the resulting test data on file at the system's local office for at least five (5) years. It shall be made available for inspection by the Commission on request. The performance tests shall be directed at determining the extent to which the system complies with all the technical standards set forth in § 76.605. The tests shall be made on each Class I cable television channel specified pursuant to paragraph (b) of this section, and shall include measurements made at no less than three widely separated points in the system, at least one of which is representative of terminals most distant from the system input in terms of cable distance. The measurements may be taken at convenient monitoring points in the cable network, provided that data shall be included to relate the measured performance to the system performance as would be viewed from a nearby subscriber terminal. A description of instruments and procedure and a statement of the qualifications of the person performing the tests shall be included.

(d) Successful completion of the performance tests required by paragraph (c) of this section does not relieve the system of the obligation to comply with all pertinent technical standards at all subscriber terminals. Additional tests, repair tests, or tests involving specified subscriber terminals may be required by the Commission in order to secure compliance with the technical standards.

(e) All of the provisions of this section shall become effective March 31, 1972.

§ 76.605 Technical standards.

(a) The following requirements apply to the performance of a cable television system as measured at any subscriber terminal with a matched termination, and to each of the Class I cable television channels in the system:

(1) The frequency boundaries of cable television channels delivered to subscriber terminals shall conform to those set forth in § 73.603(a) of this chapter: Provided, however, that an special application including an adequate showing of public interest, other channel arrangements may be approved.

(2) The frequency of the visual carrier shall be maintained 1.25 MHz  $\pm$  25 kHz above the lower boundary of the cable television channel, except that, in those systems that supply subscribers with a converter in order to facilitate delivery of cable television channels, the frequency of the visual carrier at the output of each such converter shall be maintained 1.25 MHz  $\pm$  250 kHz above the lower frequency boundary of the cable television channel.

(3) The frequency of the aural carrier shall be 4.5 MHz  $\pm$  1 kHz above the frequency of the visual carrier.

(4) The visual signal level, across a terminating impedance which correctly matches the internal impedance of the cable system as viewed from the subscriber terminals, shall be not less than the following appropriate value:

Internal impedance	Visual signal level
75 ohms	1 millivolt
300 ohms	2 millivolts

(At other impedance values, the minimum visual signal level shall be  $\sqrt{0.133 Z}$  millivolts, where Z is the appropriate impedance value).

(5) The visual signal level on each channel shall not vary more than 12 decibels overall, and shall be maintained within

- (i) 3 decibels of the visual signal level of any visual carrier within 6 MHz nominal frequency separation, and
- (ii) 12 decibels of the visual signal level on any other channel, and
- (iii) A maximum level such that signal degradation due to overload in the subscriber's receiver does not occur.

(6) The rms voltage of the aural signal shall be maintained between 13 and 17 decibels below the associated visual signal level.

(7) The peak-to-peak variation in visual signal level caused by undesired low frequency disturbances (sum or periodic transients) generated within the system, or by inadequate low frequency response, shall not exceed 5 percent of the visual signal level.

(8) The channel frequency response shall be within a range of  $\pm 2$  decibels for all frequencies within -1 MHz and 4 MHz of the visual carrier frequency.

(9) The ratio of visual signal level to system noise, and of visual signal level to any undesired in-channel television signal operating on proper offset assignment, shall be not less than 36 decibels. This requirement is applicable to:

(i) Each signal which is delivered by a cable television system to subscribers within the predicted Grade B contour for that signal, or

(ii) Each signal which is first picked up within its predicted Grade B contour.

(10) The ratio of visual signal level to the rms amplitude of any coherent disturbances such as intermodulation products or discrete-frequency interfering signals not operating on proper offset assignments shall not be less than 46 decibels.

(11) The terminal isolation provided each subscriber shall be not less than 18 decibels, but in any event, shall be sufficient to prevent reflections caused by open-circuited or short-circuited subscriber terminals from producing visible picture impairments at any other subscriber terminal.

(12) Radiation from a cable television system shall be limited as follows:

Frequencies	Radiation Limit (microvolts/meter)	Distance (feet)
Up to and including 54 MHz	15	100
Over 54 up to and including 216 MHz	20	10
Over 216 MHz	15	100

(b) Cable television systems distributing signals by using multiple cable techniques or specialized receiving devices, and which, because of their basic design, cannot comply with one or more of the technical standards set forth in paragraph (a), may be permitted to operate provided that an adequate showing is made which establishes that the public interest is benefited. In such instances the Commission may prescribe special technical requirements to ensure that subscribers to such systems are provided with a good quality of service.

(c) Paragraph (a)(12) of this section shall become effective March 31, 1972. All other provisions of this section shall become effective in accordance with the following schedule:

	Effective date
Cable television systems in operation prior to March 31, 1972. . . . .	March 31, 1977
Cable television systems commencing operations on or after March 31, 1972. . . . .	March 31, 1972

§ 76.609 Measurements.

(a) Measurements made to demonstrate conformity with the performance requirements set forth in §§ 76.701 and 76.605 shall be made under conditions which reflect system performance during normal operations, including the effect of any microwave relay operated in the Cable Television Relay (CTR) Service intervening between pickup antenna and the cable distribution network. Amplifiers shall be operated at normal gains, either by the insertion of appropriate signals or by manual adjustment. Special signals inserted in a cable television channel for measurement purposes should be operated at levels approximating those used for normal operation. Pilot tones, auxiliary or substitute signals, and non-television signals normally carried on the cable television system should be operated at normal levels to the extent possible. Some exemplary, but not mandatory, measurement procedures are set forth in this section.

(b) When it may be necessary to remove the television signal normally carried on a cable television channel in order to facilitate a performance measurement, it will be permissible to disconnect the antenna which serves the channel under measurement and to substitute therefor a suitable resistance terminator. Other antennas and inputs should remain connected and normal signal levels should be maintained on other channels.

(c) As may be necessary to ensure satisfactory service to a subscriber, the Commission may require additional tests to demonstrate system performance or may specify the use of different test procedures.

(d) The frequency response of a cable television channel may be determined by one of the following methods, as appropriate:

(1) By using a swept frequency or a manually variable signal generator at the sending end and a calibrated attenuator and frequency-selective voltmeter at the subscriber terminal; or

(2) By using a multi-burst generator and modulator at the sending end and a demodulator and oscilloscope display at the subscriber terminal.

(e) System noise may be measured using a frequency-selective voltmeter (field strength meter) which has been suitably calibrated to indicate rms noise or average power level and which has a known bandwidth. With the system operating at normal level and with a properly matched resistive termination substituted for the antenna, noise power indications at the subscriber terminal are taken in successive increments of frequency equal to the bandwidth of the frequency-selective voltmeter, summing the power indications to obtain the total noise power present over a 4 MHz band centered within the cable television channel. If it is established that the noise level is constant within this bandwidth, a single measurement may be taken which is corrected by an appropriate factor representing the ratio of 4 MHz to the noise bandwidth of the frequency-selective voltmeter. If an amplifier is inserted between the frequency-selective voltmeter and the subscriber terminal in order to facilitate this measurement, it should have a bandwidth of at least 4 MHz and appropriate corrections must be made to account for its gain and noise figure. Alternatively, measurements made in accordance with the NCTA standard on noise measurement (NCTA Standard 005-0669) may be employed.

(f) The amplitude of discrete frequency interfering signals within a cable television channel may be determined with either a spectrum analyzer or with a frequency-selective voltmeter (field strength meter), which instruments have been calibrated for adequate accuracy. If calibration accuracy is in doubt, measurements may be referenced to a calibrated signal generator, or a calibrated variable attenuator, substituted at the point of measurement. If an amplifier is used between the subscriber terminal and the measuring instrument, appropriate corrections must be made to account for its gain.

(g) The terminal isolation between any two terminals in the system may be measured by applying a signal of known amplitude to one and measuring the amplitude of that signal at the other terminal. The frequency of the signal should be close to the mid-frequency of the channel being tested.

(h) Measurements to determine the field strength of radio frequency energy radiated by cable television systems shall be made in accordance with standard engineering procedures. Measurements made on frequencies above 25 MHz shall include the following:

(1) A field strength meter of adequate accuracy using a horizontal dipole antenna shall be employed.

(2) Field strength shall be expressed in terms of the rms value of synchronizing peak for each cable television channel for which radiation can be measured.

(3) The dipole antenna shall be placed 10 feet above the ground and positioned directly below the system components. Where such placement results in a separation of less than 10 feet between the center of the dipole antenna and the system components, the dipole shall be repositioned to provide a separation of 10 feet.

(4) The horizontal dipole antenna shall be rotated about a vertical axis and the maximum meter reading shall be used.

(5) Measurements shall be made where other conductors are 10 or more feet away from the measuring antenna.

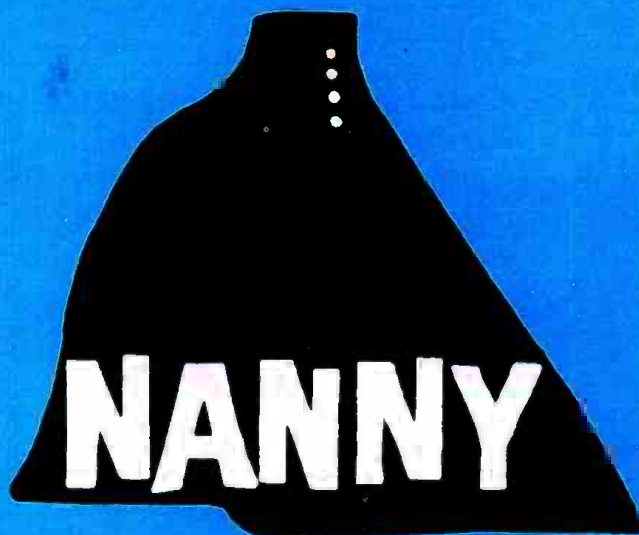
§ 76.613 Interference from a cable television system.

In the event that the operation of a cable television system causes harmful interference to reception of authorized radio stations, the operator of the system shall immediately take whatever steps are necessary to remedy the interference.

§ 76.617 Responsibility for receiver-generated interference.

Interference generated by a radio or television receiver shall be the responsibility of the receiver operator in accordance with the provisions of Part 15, Subpart C, of this chapter: Provided, however, that the operator of a cable television system to which the receiver is connected shall be responsible for the suppression of receiver-generated interference that is distributed by the system when the interfering signals are introduced into the system at the receiver.





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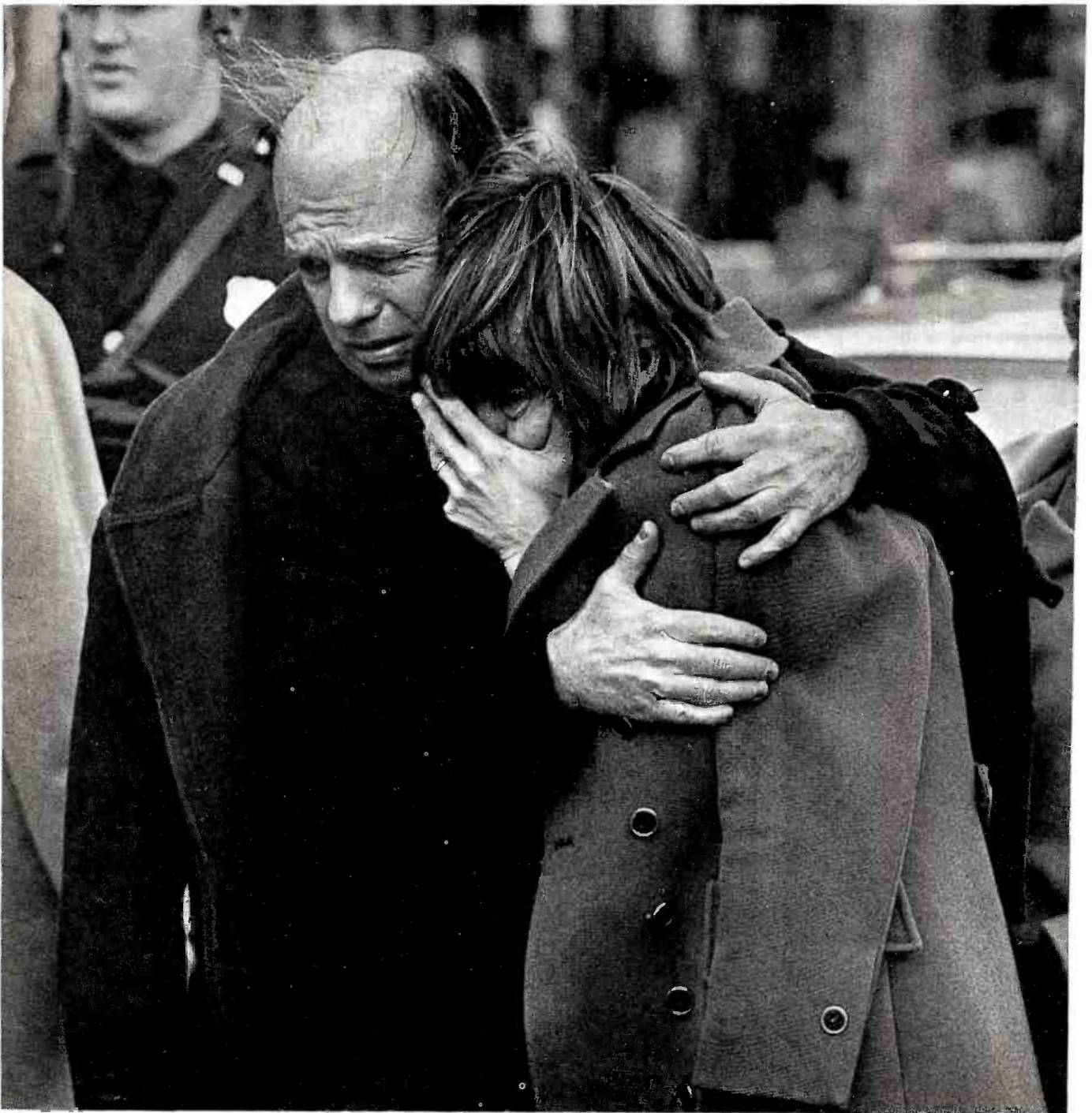
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**CARS AND THEIR DRIVERS  
KILL MORE CHILDREN EVERY YEAR  
THAN ALL ILLNESSES COMBINED.**

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**Broadcasters are concerned  
and are doing something about it.**





Not too long ago, it was disease — polio, diphtheria, measles, whooping cough — that was the chief killer of children.

No more. Modern medicine has all but wiped out these scourges. Today the motor vehicle and the driver reign supreme as the leading destroyers of children.

According to the National Safety Council, of the 54,800 traffic deaths in 1970\*, 6,000 or 11% were children under 15! And 30% were youths between 15 and 24.

Not only do traffic accidents claim a disproportionate number of young lives, but they rank fourth overall—behind only heart disease, cancer and stroke—as a cause of all deaths.

Survival on our roads and highways is literally a life and death issue for every American. Which is why broadcasters spare no effort to keep the public from falling into apathy.

And why Storer-owned television and radio stations devote a large percentage of their programming and public service time to the struggle against slaughter on our highways.



**WAGA-TV, Atlanta, backs stiff legislative package.**

Georgia kills more people per vehicle mile than 36 other states in the nation. So WAGA-TV has joined with other safety-minded organizations in an all-out editorial campaign to help lower this figure.

At issue is a four-part legislative package including state funding for state-wide driver education, periodic license re-examination, a stiff habitual offender law, and minimum training and equipment standards for ambulance services. The goal—to push the package through the legislature for 1972.

**Toledo's WSPD and WSPD-TV win top awards for highway safety editorials.**

1971 marked the fifth year in a row WSPD television and radio won top prize (the Governor's Award) in Ohio's Department of Highway Safety annual media awards competition, and second place for overall safety programming.

In addition, the Storer-owned Toledo stations won awards of honor

for both editorials and programming from the Toledo-Lucas County Safety Council.

**WGBS, Miami, attacks mini-bike as maxi-menace.**

The recent rash of mini-bikes on public thoroughfares—mostly driven by youngsters—has prompted a strongly cautionary series of editorials.

WGBS warns parents and children that driving these bikes in public is not only dangerous to the children—and to other drivers—but strictly illegal.

**WDEE, Detroit, portrays a "bad driver."**

"Assignment: Detroit" is a weekly 90 minute public affairs program produced by the WDEE News Department. Traffic safety is a frequent subject on this show.

A striking recent show was "Portrait of a Bad Driver" in which a motor news editor and a safety engineer described typical behavior and attitudes of drivers who cause accidents.

**Milwaukee's WITI-TV crusades for vehicle inspection and against jumbo trucks.**

Although Wisconsin boasts "an unusually good" highway safety program, TV 6 sees two soft spots that need improvement.

One is lack of a proper vehicle inspection program, and the other is a move by truckers to permit 65-foot trucks to use the highways.

Regular editorials push the benefits of inspection and urge that the oversize truck controversy be put to public referendum.

**Cleveland's WJW keeps an eye on traffic.**

Monday through Friday, during morning and evening drive times, WJW Radio airs seven traffic reports a day from the Cleveland Police Department.

On long holiday weekends, WJW Traffic Central goes on the air at least once an hour, giving traffic conditions on all approaches to the city, as well as on major arteries of the state.

**In Detroit, WJBK-TV focusses on accidents and survival.**

TV 2 News Special Reports are a regular series of in-depth looks at prob-

lem areas in and around Detroit.

Recently a 4-part series, "The Accident," analyzed the many factors that can contribute to a fatal accident. Also detailed were the rising costs of auto insurance and repairs.

"Survival," another in the series, covered all the new and proposed safety devices—such as air bags—by which government and the auto industry hope to cut casualty rates.



**Drinking and driving are analyzed on Cleveland's WJW-TV.**

On a recent segment of "Cleveland Caucus," a discussion fixture of TV 8, the supervisor of the Ohio Highway Department's alcohol division showed how drinking affects the accident rates.

Particularly striking was the correlation of alcohol and fatalities in the 18-24 age group, where inexperienced drinking and inexperienced driving go together to push up the death rate.

**Concerned stations—talking to concerned citizens.**

Storer stations get involved in the vital affairs of the communities they serve. It's a matter of policy with us, and a matter of pride for the people who staff our stations.

That's why our stations often do as routine, things that community leaders consider rather special.

We look at it this way. The more effective we are in our communities, the more effective we are for our advertisers, and the more effective we are for ourselves.

\*latest figures available.

**Broadcasting that serves.**

THE **STORER STATIONS**  
STORER BROADCASTING COMPANY

WAGA-TV Atlanta / WSBK-TV Boston / WJW-TV Cleveland / WJBK-TV Detroit / WITI-TV Milwaukee / WSPD-TV Toledo  
WJW Cleveland / WDEE Detroit / KGBS Los Angeles / WGBS Miami / WHN New York / WSPD Toledo

*Continued from page 18*

mise that Mr. Whitehead negotiated:

A key provision, one lifted from the compromise agreement—and one that triggered Commissioner Johnson's contention that the rules would deny cable service to the major markets—provides for exclusivity for nonnetwork programming. (The same-day exclusivity protection that had been afforded network programming is reduced to simultaneous duplication.)

The new rules will prohibit cable systems in the top-50 markets from carrying any syndicated programming for one year after its first appearance in any market and then for the life of the contract under which it is sold to a local station. In markets 51-100, different kinds of nonnetwork material would be protected for varying periods of time up to two years. Chairman Burch rejected the suggestion that exclusivity was a new idea thrust upon the commission. "No one had the vaguest idea that the Aug. 5 letter indicated that cable could go into the big markets without exclusivity," he said. "The question is whether we do it or whether it's done in copyright legislation."

But while the exclusivity provisions may tend to hamper CATV's growth in the major markets, the distant-signal rules are designed to permit cable operators at least to operate there. They will permit CATV systems in the top-50 markets to carry signals of at least three network and three independent stations; those in markets 51-100, the signals of at least three network and two independent stations. All of the systems in those markets, in addition, will be entitled to carry two distant signals, regardless of whether they are needed to provide the specified minimums.

The commission said it was permitting the importation of two distant signals not available in the community to enable CATV to attract large amounts of investment capital for the construction of new systems and to open the way for the "full development of cable's potential."

Systems in markets below the top 100 will be limited to the carriage of three network signals and one independent. And those outside any definable market will not be limited in the number of signals they can carry. In response to expressions of concern of Rocky Mountain broadcasters, who feel rural-area stations are not being given adequate protection, new systems will be required to carry those smaller stations so long as they can demonstrate a significant audience in the cable system's area, regardless of whether they put a grade-B signal into it.

In addition, cable systems will be re-

quired to carry all local educational stations and will be authorized to carry as many foreign-language stations as they wish, except in markets where there is a foreign-language outlet.

Leapfrogging rules lifted largely from the compromise agreement will require systems importing distant independent signals from the top-25 markets to choose from one or both of the two closest such markets. Systems carrying a third independent signal will be required to pick up a UHF station within 200 miles or, if such a station is not available, a VHF from the area. Where network affiliates are concerned, a system must afford priority of carriage to the closest one or, at the system's option, to the closest one within the state.

The new carriage rules will not apply to signals a system was authorized to carry prior to March 31, 1972. However, grandfathered systems may add signals permitted under the new rules, and signals authorized or grandfathered to one system in a community may be carried by other systems there.

The report and order and the rules make it clear the commission is proceeding cautiously in the area of nonbroadcast services, even though it says, "We envision a future for cable in which the principal services, channel uses, and potential sources of income will be from other than over-the-air signals."

The commission does not want to impose "unreasonable economic burdens on cable operators," so it sets minimal channel standards only for systems in the top-100 markets—a minimum capacity of 20 channels. The rules require affected systems to divide their capacity evenly between broadcast and nonbroadcast service, and to:

- Make available a public-access channel at no cost on a first-come, first-served basis. "We believe there is increasing need for channels for community self-expression," the commission says. Cable operators will be required to maintain production facilities for those using the access channel, but will not be permitted to censor any of the material presented. The rules prohibit advertising (including political spots) on the access channel, as well as lotteries or obscene or indecent matter.

- Reserve a channel for educational use and another for local government. These channels would be available at no cost for at least a "developmental period" of five years.

The remaining nonbroadcast channels will be available for leased use. Operators will also be permitted to lease channels blacked out to comply with the exclusivity rules, but they will also

be required to expand channel capacity as demand for it increases.

Systems will be required to incorporate a capacity for return communications on "at least a non-voice basis." The commission said it was "premature" to require two-way capacity for each subscriber.

The commission also sets up technical standards for CATV systems and creates a "structured dualism," under which it and state and local governments will share in the regulation of cable systems. The commission says that licensing cable systems would be an "unmanageable burden," that it lays down the standards local jurisdictions are to follow in issuing franchises. Among other things, it says franchise fees should be between 3% and 5% of gross subscriber revenues; the commission expresses concern over the practice of some communities setting fees as high as 36% as revenue-raising measures which are an "indirect and regressive tax on cable subscribers." The commission also suggests a 15-year limit on franchises.

The commission, in addition, established advisory committees on federal-state relations and on technical matters. Chairman Burch will head both committees with Sol Schildhouse, chief of the Cable Television Bureau, serving as vice chairman.

The rules do not include one provision that was in the compromise agreement, and another that was promised in the letter of intent. The first was intended to afford radio stations some protection against the importation of distant radio signals.

The other looked to the adoption of a sports-blackout rule for CATV along the lines of those in effect for professional sports. Each was the subject of a notice of proposed rulemaking issued last week.

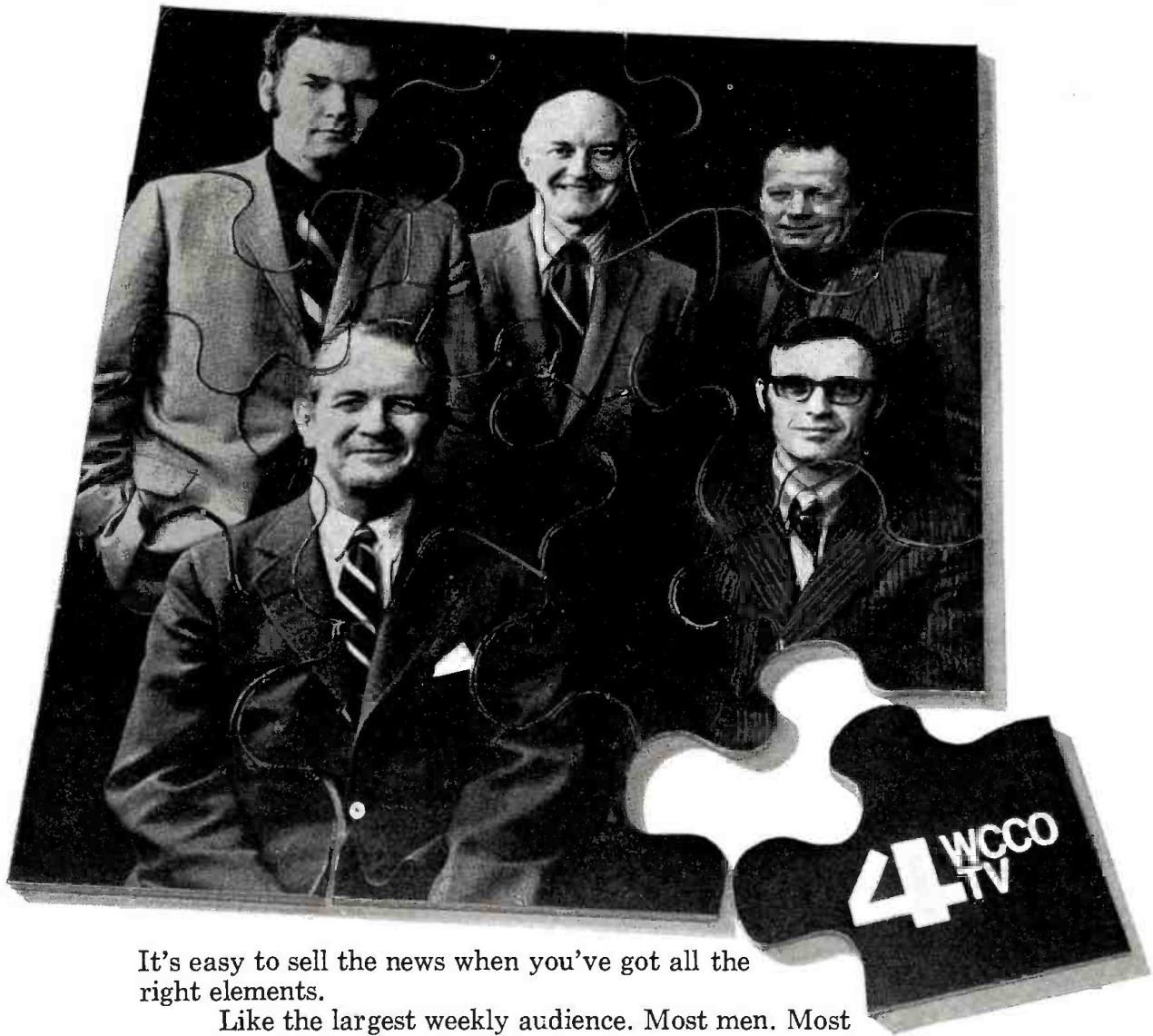
The commission, in the radio rule-making, raised a number of questions: going beyond the proposal in the compromise agreement, which would have required a CATV system to carry all local AM or FM stations respectively when they import distant AM or FM signals.

Pending completion of the rulemaking, the commission is banning the importation of distant radio signals (from a community more than 75 miles from the cable community into communities that are served by local stations and that have populations of less than 50,000, unless all local radio stations of the same type (AM or FM) are also carried.

Chairman Burch said the proposed sports-blackout rule caused the commission considerable difficulty. There was some feeling the issue should be



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Maybe that's why everybody wants a piece.**



It's easy to sell the news when you've got all the right elements.

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For specifics, call Peters, Griffin, Woodward or the WCCO-TV sales staff. **The Scene at 6 The Scene Tonight (at 10)**

\*See any ARB or Nielsen for the last two years! Audience ratings are estimates only, based on data supplied by indicated sources and are subject to the limitations thereof.

**Program Schedule**

**Monday**

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filling out this form  
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**Friday**

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left to Congress, he said. The proposed rule would prohibit a CATV system from relaying the broadcast of a professional sports event into an area where it is blacked out on local TV.

Also missing from the CATV package was an order exempting educational broadcasters from the rule prohibiting the crossownership of CATV and television properties in the same market. The order had been drafted, but the issue became entangled in the over-all question of whether the rule should be repealed in its entirety after Commissioner Robert E. Lee last week reportedly sought to extend the proposed exemption to UHF commercial licensees. The commission will consider the crossownership question sometime prior to the effective date of the new rules—"around March 15," according to one staffer.

The commission's CATV package last week was the subject of intense study on the part of communications lawyers, members of the broadcasting and CATV industries and Capitol Hill aides specializing in communications. It is bound to loom large when the commission returns to Capitol Hill Tuesday (Feb. 8) for a resumption of the Senate Communications Subcommittee's oversight hearing (see page 67).

## A meeting of cable, broadcaster minds

The Hollywood chapter of the National Academy of Television Arts and Sciences will hold a day-long conference on cable television Feb. 26 at the Beverly Hilton hotel, Beverly Hills, Calif. The conference, entitled "CATV and Broadcast Television—a Positive Approach to Coexistence," will feature leaders in broadcasting and in CATV.

Speakers for the morning session will be Sol Schildhouse, chief of the FCC Cable Television Bureau, and John Gwin, president of the National Cable Television Association. They will be followed by two cross-discussion panels.

The broadcast panel will include Thomas Sarnoff, staff executive vice president, NBC West Coast; Harry Ackerman, executive producer, Screen Gems; John Gavin, president, Screen Actors Guild; John Reynolds, vice president and general manager, KTLA(TV) Los Angeles, and Robert Lewine, president, NATAS.

The CATV panel will include Paul Klein, president, Computer Television Inc.; Geoffrey Nathanson, president, Optical Systems Inc.; William Daniels, president, Daniels Associates; Leland Johnson, Rand Corp.; Theodore Ledbetter, Urban Communications, and Mr. Gwin.

## Happy talk from the cable side, reservations from the broadcasters' mark reaction to FCC rules

Cable TV spokesmen were—well, almost—ecstatic, but broadcast sources were hanging tight, following the issuance of the CATV rules last week.

John Gwin, chairman of the National Cable TV Association, expressed the CATV consensus when he commented in his official statement: "... a most significant day in the history of communications. This is the watershed from which all progress of cable television will be measured."

Broadcasters' reaction was more sober. Vincent T. Wasilewski, president of the National Association of Broadcasters, noted that his organization was studying the document and would have a comment after that inspection was completed. But, he added, "We emphasize, however, that an agreement on draft copyright legislation is an essential element to the implementation of the compromise agreement."

Jack Harris (KPRC-TV Houston), president of the Association of Maximum Service Telecasters, announced that organization would hold a special board meeting in Dallas Friday (Feb. 11) to review and discuss the FCC's new cable TV rules. He commented:

"In view of the great importance of this question, I have asked our staff and attorneys to prepare an analysis for the board as soon as possible . . . With that analysis the board will be in a position to decide whether or not the FCC has adopted both the letter and the spirit of the compromise as we understand it."

CBS had no comment, awaiting study of the full text of the decision. But a spokesman noted that if the commission had hewed to the spirit of the FCC's original statement of intent, as amended by the compromise, then CBS Vice Chairman Frank Stanton's position still stands. Dr. Stanton early last month tagged the projected CATV rules as posing a serious threat to the viability of TV stations (BROADCASTING, Jan. 10). His letter to congressional leaders was followed two weeks later by a similar protest from C. Wrede Petersmeyer, chairman and president of Corinthian Broadcasting Corp., who asked that Congress step in. Otherwise, Mr. Petersmeyer said, the FCC's prospective rules would cripple TV stations and "launch the nation on a path of no return to a system of pay cable that eventually will be dominated by a handful of program distributors in New York, Chicago and Los Angeles" (BROADCASTING, Jan. 24).

A comment by FCC Chairman Dean Burch, that even if CBS were successful in its lawsuit against Teleprompter Corp. the decision would be "retrospec-

tive," was seen by another Washington broadcast official as "ingenuous." If CBS wins, he said, the pressure for copyright law will be lessened considerably.

Mr. Gwin's statement was an expression of the upbeat attitude by cable TV operators. "The commission," he said, "has abandoned its overly protective attitude toward broadcasting in favor of encouragement of a broadcasting cable telecommunications system that can better serve the public's need for more and better communications services."

With a nod in the direction of some of his members who favored waiting for more favorable and extensive CATV rules, he commented: "We sincerely believe the public interest is better served by having definite rules in hand now . . . [because] the commission's action . . . boosts the economic viability of the existing manufacturing and operating companies . . . cable TV can now be brought to millions of additional people in many cities heretofore barred . . . the next several years of cable's growth will provide the commission and the industry with experience upon which additional relief can be based . . ."

Privately, Mr. Gwin expressed concern with the implementation of the exclusivity provisions in the rules. This, he said, "is going to be a big job for everybody." He noted that the burden for notification is on the broadcaster.

Other CATV comments:

Hubert J. Schlafly, president of Teleprompter Corp.:

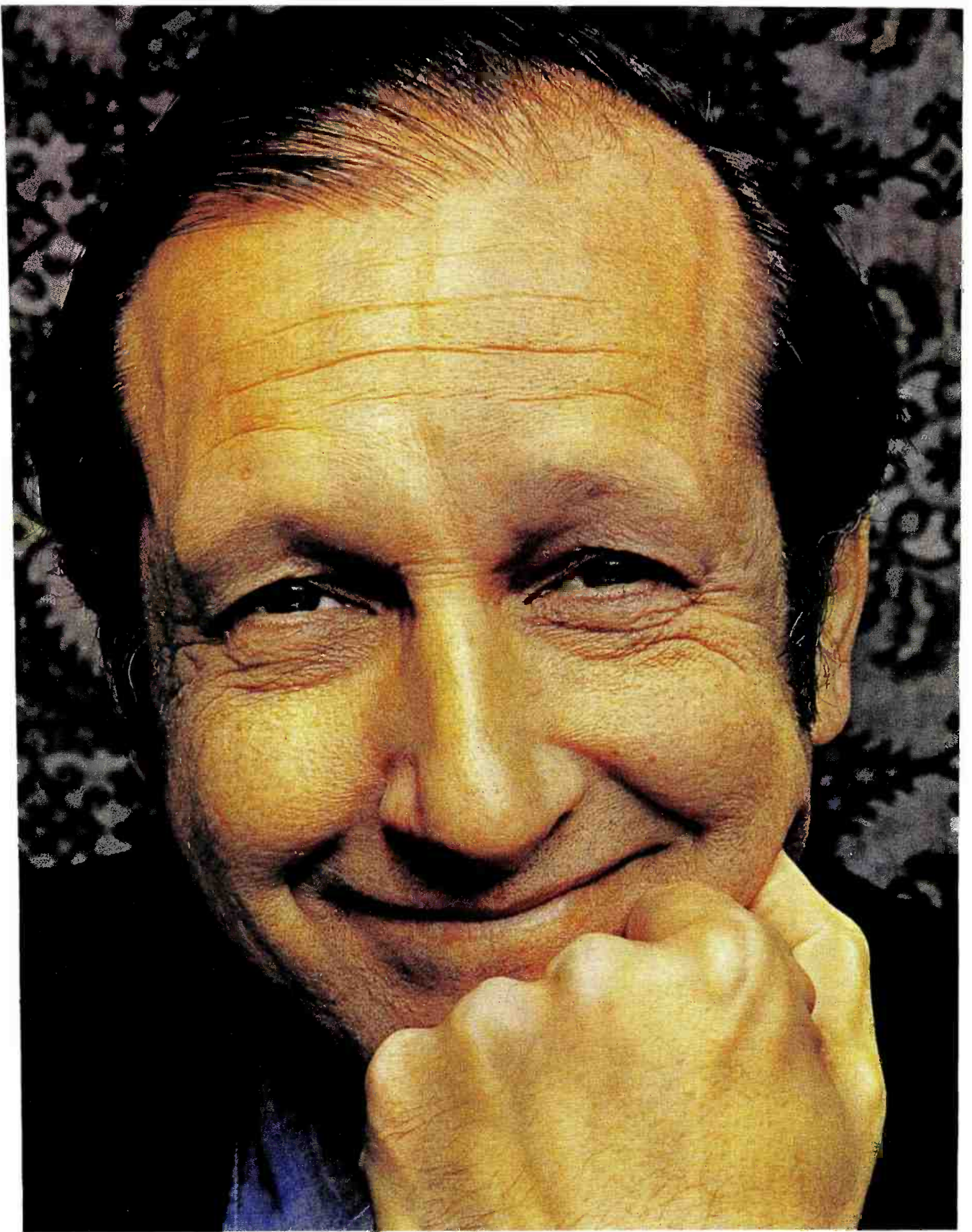
"After all these years of pulling itself up by its own bootstraps, the cable television industry finally is getting some encouragement from the FCC. We have to agree with Commissioner Johnson that this package is not all our new communications medium might feel entitled to receive, but it represents an important step forward . . ."

"As we have stated many times in the past, Teleprompter Corp. places less importance in the long run upon the controversial distant-signal rules than upon some other far-reaching provisions of the regulations that will provide a basis for development of broadband communications services."

Alfred E. Stern, chief executive officer of Television Communications Corp. (a subsidiary of Kinney Services), lauded the FCC action, calling it "a vote on the side of progress."

He said the FCC package, particularly the permission to import some distant signals in markets below the top 50, will give cable operators "the wherewithal to provide a service sufficiently exciting to attract subscribers."





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*\*One Day in the Life of Ivan Denisovich*—Starring Tom Courtenay as a political prisoner in Siberia—one of the most fascinating depictions of man's will to survive ever put on film. Based on the best-selling novel by Nobel Prize winner, Alexander Solzhenitsyn.



*\*Eagle in a Cage*—Starring Sir John Gielgud, Sir Ralph Richardson, Billie Whitelaw, and Kenneth Haigh as Napoleon—who, even in exile, still thought himself an Emperor.



*The Ravine*—Starring David McCallum as a young soldier who makes the tragic mistake of falling in love with his enemy. Premiered at the 1970 Venice Film Festival.



*The Violent Enemy*—Starring Ed Begley, Susan Hampshire and Tom Bell in a tale of the IRA in a structure that is Page One news today. Based on the best-selling novel, *A Candle for the Dead*, by Hugh Marlowe.

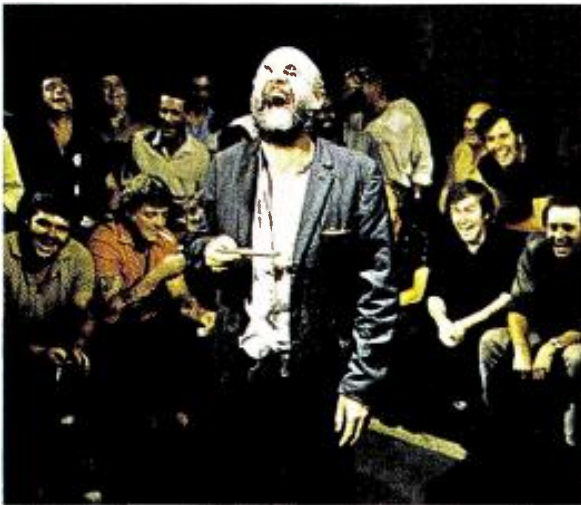
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*Madigan's Million*—Starring Dustin Hoffman in his first film, as a zany Treasury agent sent to Rome to recover a "hot" million dollars.



*The Man Outside*—Starring Van Heflin as a deposed CIA agent involved in murder and espionage.



\**Outback*—Starring Donald Pleasence, Chips Rafferty and Gary Bond in a story of a city-bred school teacher's struggle against raw humanity in the primitive Australian outback country. Based on the best-selling Australian novel, *Wake in Fright*, and selected for the 1971 Cannes Film Festival.

**The Stars:** Dustin Hoffman, Van Heflin, Tom Courtenay, Sir John Gielgud, and Sir Ralph Richardson; Academy Award winners Ed Begley, Anne Baxter and Jack Albertson; Emmy Award Winner Susan Hampshire; Actor of the Year Donald Pleasence plus TV Stars David McCallum and Craig Stevens.

**The Productions:** All the Golden 20's are available for television for the first time. All are in full color. And all have been produced for theatrical distribution in the past five years. There are no limited audience appeal subjects, no dubbing and no continuity acceptance problems.

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*The Tall Women*  
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## What's the word at the NATPE?

Programing, naturally: children's fare, bartered and syndicated shows, and the FCC prime-time access rule

More than 500 TV programers, associates and guests are expected to gather in San Francisco this week for a studied look at the FCC's prime-time access rule, syndicated and barter programing, children's programs and ascertainment of community needs at the ninth conference of the National Association of Television Program Executives.

Officials said the attendance, including some 400 station delegates, was sure to set a NATPE conference record. Others at the sessions, scheduled Tuesday through Friday (Feb. 8-11) at the Fairmont hotel, are to include government officials, educators, clergymen, news directors and editors, program packagers and distributors and advertising executives.

Meetings of the executive committee and board of directors on Tuesday will be followed by a news conference led by NATPE President John Comas of WJS-TV Winston-Salem, N.C.

A three-hour seminar on the prime-access rule and related subjects, moderated by Larry Einhorn of KABC-TV Los Angeles, conference chairman, will dominate Wednesday's proceedings, following opening remarks by President Comas. William Schafer of the American Research Bureau and James Shoemaker of A. C. Nielsen Co. will kick it off with an analysis of local program performance, especially in the 7:30-8 p.m. EST periods, during the current season.

They will be followed by a panel on first-run syndication, with participants including Dean McCarthy of ABC-owned stations, Harry Francis of Meredith Broadcasting, Burt Rosen of Winters/Rosen Productions, Ray Hubbard of Post-Newsweek stations and John Haldi of WBNS-TV Columbus, Ohio.

An analysis of programs available for next season will be presented by Harvey Seslowsky and Avra L. Fliegelman of Broadcast Information Bureau.

Another outgrowth of the access rule, the resurgence in barter programing, will be examined in a presentation by Howard Eaton of Ogilvy & Mather and in a report by Gerald Carrus of Metro-media on proposals he helped develop for the Institute of Broadcast Financial

Management as recommendations for FCC policy on the reporting of barter transactions (BROADCASTING, Jan. 31).

Hilbert Slosberg, FCC associate general counsel, also will participate in the access sessions.

San Francisco Mayor Joseph Alioto is scheduled to address the Wednesday luncheon. Carroll O'Connor, star of CBS-TV's *All in the Family*, will receive the space clock that goes annually to NATPE's man of the year. He was named in balloting conducted last month under the direction of James Ferguson of WAGA-TV Atlanta.

The fifth annual program excellence awards will also be presented Wednesday, with excerpts shown from winning entries in eight categories: variety, performing arts, public affairs, interviews, children, religion, instructional, and public-service and promotion announcements.

Assessing community needs will be explored Thursday by a panel composed of William Jackson of KPIX(TV) San Francisco; James Bradley of KWVL-TV Waterloo, Iowa; Joseph Varholly of WKYC-TV Cleveland; Richard Thrall of Avco Broadcasting, and the FCC's Mr. Slosberg. Moderator will be Ian Harrower, WPVI-TV Philadelphia.

Another session, on "Today Program Director, Tomorrow the World," will present three former program managers in reviews of their own careers: Alvin Flanagan, president and general manager of KBTU(TV) Denver; Robert Lemon, vice president and general manager of WMAQ-TV Chicago, and George Resing, station manager of WQXI-TV Atlanta. Chairman of this session will be Harry Trigg of WMAQ-TV.

An early-bird breakfast forum on Thursday will find Mike Dann of the Children's Television Workshop; Les Brown, author of "Televi\$ion: The Business Behind the Box," and Dwight Newton, TV editor of the *San Francisco Examiner*, taking "A Critical Look at the Future." Barry Thurston of Kaiser Broadcasting will preside.

Howard Cosell, ABC-TV sports commentator, will speak at the Thursday luncheon, which will also include a showing of the Chuck Braverman film, "Tee Vee Land," a capsule history of

the industry, and a report on the annual NATPE university scholarships.

The annual associate members' reception, with 27 producers and distributors as co-hosts under the chairmanship of Keith Godfrey of MCA-TV, is scheduled Thursday evening at the Top of the Mark.

A seminar on children's programing is scheduled Friday, with panelists including Evelyn Sarson, executive director of Action for Children's Television (ACT), and Larry O'Daly of Tomorrow Syndication Inc. C. Derk Zimmerman of Kaiser Broadcasting will preside.

Representative Samuel Stratton (D-N.Y.), himself a former TV personality (as Sagebrush Sam in a children's program in Schenectady, N.Y., in the 1950's, and later as a TV newsman), will also address the Friday-morning session.

Other conference features include an "innovation" workshop conducted by Allen Sternberg of WCKT-TV Miami. This will include a 35-minute tape on "tricks of the trade," plus reports on new forms of on-air announcements and new uses of existing technical equipment.

### 'Wild Kingdom' strip receives rule waiver

Mutual Insurance Co. of Omaha has been granted a waiver of the FCC's prime-time access rule in connection with the syndication of its *Wild Kingdom* program.

The waiver granted by the commission last week covers only the 1972-73 season and is conditioned on the provision that Mutual of Omaha, which owns all rights to the program, include at least 12 newly produced segments during the season.

In addition to limiting network prime-time programing to three hours per evening in the top-50 markets, the prime-time rule, which went into effect last October, will bar the inclusion of "off-network" rerun programs in prime time after October 1972. Since NBC-TV dropped the show this season, Mutual has placed *Wild Kingdom* into syn-



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No. 1 in Chicago of all prime-time  
access shows in women 18-49\*

No. 2 in Washington of all prime-time  
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Sig: One brand-new ½-hour episode  
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dication on 214 stations—including 43 of the top-50 markets. Ordinarily, *Wild Kingdom* would have been precluded from prime-time showing because of its heavy schedule of segments that had been previously shown over NBC-TV. In requesting the waiver, Mutual noted

that if the program is barred from prime time, it would be forced to cease sponsorship and production. It cited high production costs and the "uncertainties" of producing programs involving wild life as being responsible for the fact that Mutual will produce only 12

new shows for the upcoming season.

The commission said a waiver in this case would be appropriate, but would be limited to the 1972-73 season. It said that a re-evaluation will be in order when more new programs become available.

## Blur in the prime-time vision

Ogilvy analysis indicates that many came, few were chosen in first season under new rule

The FCC's prime-time access rule in its "first season" has proved to be "a mixed blessing": It prodded stations into widespread program experimentation but has produced few original hits.

That is the characterization offered last week by Ogilvy & Mather, New York, based on its own extensive analysis of the ratings of local prime-time programs (7:30-8 p.m. EST) in the top-100 markets as measured by the American Research Bureau in its November 1971 sweep.

"We must remember this is the first year of the rule and everybody is just getting his feet wet," Art Topol, vice president and associate director of broadcasting for the agency, said in releasing results of the study to BROADCASTING. Nevertheless, he and his associates have drawn some basic conclusions as to programing going into the network-released periods. Among them:

- Each TV market is different, and a program that works in one may not work in another—in syndication as well as in network programing.

- To work, programs must serve a purpose. They don't have to be different, or be stereotypes of successful network programs, or have a star or name host. In fact, many that tried one or more of those approaches were not particularly successful.

- Programs should be familiar in subject matter, have family appeal and be uncomplicated in content. "Original" concepts had trouble getting station clearances.

- Local news, in the relatively few instances where it was introduced into the network-vacated periods, appeared to attract respectable audiences. So did other local shows having community flavor.

Mr. Topol emphasized that Ogilvy's evaluation concentrated on network-affiliated stations and on their 7:30-8 p.m. EST weekday schedules only (Monday through Friday except Tuesday, which the networks are continuing to open at 7:30 this season).

On the "plus" side, he said, 54% of the 150 affiliates in the top-50 markets



Authors of BROADCASTING's special analysis of prime-time access programing are Charles Bachrach (l), account executive, and Art Topol, vice president and associate director of broadcasting for Ogilvy & Mather Inc. Ogilvy is the agency for Campbell Soup's *Lassie* and Lever Bros.' *This Is Your Life*, both on the syndication rounds.

did schedule a different program on the four available nights. The agency's breakdown shows that in these markets 82 stations carried a different program each night; 37 others slotted off-network strip shows (not to be permitted next season, under current FCC rules); 20, across-the-board game series; seven, news programs, and four, motion pictures. (Whereas this phase of the analysis was limited to the top-50 markets, Ogilvy's compilation of average ratings and coverage for individual shows was based on the top-100 markets.)

On the "minus" side, he said, programs with "original" concepts had difficulty in obtaining station clearance and in scoring well in ratings. He cited *Electric Impressions* coverage representing 9% of the nation's TV homes and an average rating of 4.6; *Norman Corwin Presents*, with 11% and 6.3; *Tom Smothers*, 12% and 10.1; *Jerry Visits*, 18% and 9, and *Story Theater*, 18% and 4.3.

By contrast, "familiar" series tended

to generate extensive station acceptance and audience support. Mr. Topol cited *Lassie* with 86% coverage and an ARB rating of 14; *This Is Your Life*, 85% and 12.1; *Lawrence Welk*, 81% and 17.1, and *Wild Kingdom*, 79% and 17.9.

Reinforcing the conclusion that "familiar" programs rate highly, Ogilvy's analysis points out that only one entirely new series, *Primus*, edged into the bottom of the syndicated top 10 of the November ARB, with an 11.2 rating. The leader was *Let's Make a Deal* with 18.3 (for complete list, see box page 53).

"What we can deduce so far is that the more successful series on a national basis are those that are familiar in subject matter, have family appeal and are uncomplicated in content," Mr. Topol observed. "Of the new programs available, *Circus* and *This Is Your Life* meet these criteria, along with the programs continued after network cancellation, such as *Let's Make a Deal*, *Lawrence Welk*, *Hee Haw* and *Lassie*."

The Ogilvy study underlined one point dramatically: no syndicated program equalled the rating level of successful network shows at 7:30 p.m. Using Nielsen Television Index figures for November 1970, when networks filled the 7:30-8 p.m. slot, the agency analysis showed that the top 10 network programs in that time period ranged from the first half-hour of *Gunsmoke* with a 27.5 rating down to the first half-hour of *High Chaparral* with an 18.2. Only *Let's Make a Deal* of the top 10 syndicated series would have competed effectively with the network offerings, the Ogilvy analysis indicated. *Deal* had an 18.3 rating, a fraction of a point above the 10th network show. The rest ranged downward to *Story Theater's* 4.3.

The study turned up one significant sidelight: Only seven stations in the top 50 markets scheduled news programing in the 7:30 access time period. Mr. Topol said "all seem to have decent numbers [with average ratings ranging from 7.0 and 18.0] and are salable items." And, Mr. Topol also added,



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Primary heart of the system is the camera (DBM-64B) which uses compressed air to pull down and stabilize the film in less time than the television vertical blanking period. Result is full

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"there have been some stations that have tried locally produced vehicles with community flavor and interest that have attracted local advertiser support. Two programs produced by WBNS-TV Columbus, Ohio, are *Traffic Court* and *The Judge*, both re-enactment shows. They are both top-rated in their time periods and both locally oriented."

Mr. Topol ventured that there are opportunities still to be exploited by stations in the local production sector and suggested that "the fear of experimentation, of taking a chance" prevented some outlets from taking this route in the first year of the access rule.

The Ogilvy study concludes that advertiser-supplied shows "satisfy a need." Among the top 10 syndicated shows, five fall in this category—*Wild Kingdom* (Mutual of Omaha), *Hee Haw* and *Lawrence Welk* (various advertisers), *Lassie* (Campbell Soup) and *This Is Your Life* (Lever Bros.).

Mr. Topol and a close associate in the syndication sector, Charles (Chuck) Bachrach, broadcast account executive, keep in close touch with stations. Mr. Topol said a source of station discontent is the lack of technical quality" in some prime-time syndicated offerings.

"A game show or a quiz program can be produced in a studio satisfactorily with a minimal amount of equipment and scenery," he explained, "but action and musical programs often require outdoor and location shooting and multiple cameras that can run up the expense. And many of these syndicated shows simply cannot afford this type of production, resulting in a skimping on technical quality."

Mr. Topol said he could not project the program trends likely to develop for the 1971-72 season in the 7:30-8 p.m. slot, saying each television market is "unique."

"I am sure that stations are watching closely what is going on in their markets this season," he remarked. "Each station must evaluate its position in the market, the type of competition it faces, its geographical location and other circumstances, and then make a decision."

## Fair game

The latest contender in the 7:30 p.m. prime-access race is *Parent Game*, unveiled Feb. 3 by Chuck Barris Productions, Los Angeles, at a news conference in New York.

Mr. Barris said the new, weekly half-hour series is an outgrowth of his company's *The Newlywed Game* and *The Dating Game*, both on ABC-TV. The format of *Parent Game* is similar, with teams of parents vying with each other on questions relating to family life. Sandy Frank Program Sales Inc., New York, will handle distribution.

## How 27 made out

*Ratings and coverage of the 27 leading syndicated programs in 7:30-8 p.m. EST periods on network-affiliated TV stations in the top 100 markets, as compiled by Ogilvy & Mather from the American Research Bureau's November 1971 sweep:*

	Rating (PSB)*	Coverage** (%)
Let's Make a Deal	18.3	66
Wild Kingdom	17.9	79
Hee Haw	17.5	63
Lawrence Welk	17.1	81
National Geographic	16.4	43
Circus	14.7	39
Lassie	14.0	86
Jeannie (strip)	13.7	69
This Is Your Life	12.1	85
Primus	11.2	72
David Frost Revue	11.0	40
Hogan's Heroes (strip)	10.9	43
Doctor in the House	10.7	47
Juvenile Jury	10.4	32
Stand Up & Cheer	10.2	53
Tom Smothers	10.1	12
Dr. Simon Locke	9.8	38
Goldiggers	9.5	67
Jerry Visits	9.0	18
Rolling on the River	7.9	75
Monty Nash	7.5	37
Norman Corwin Presents	6.3	11
Sports Illustrated	5.7	50
Safari to Adventure	5.6	43
NFL Game of the Week	4.8	51
Electric Impressions	4.6	9
Story Theater	4.3	18

\* Per stations broadcast.

\*\* Maximum coverage attainable is 86.95% for top 100 markets.

## Murphy keeps after the violence report

Representative John Murphy (D-N.Y.) has called on the House Commerce Committee to investigate the surgeon general's report on TV violence, and has asked to testify at a Senate Communications Subcommittee hearing on the report next month.

In a letter Jan. 27 to House Commerce Committee Chairman Harley O. Staggers (D-W. Va.), Mr. Murphy repeated the concern he expressed publicly several weeks ago that the TV industry was allowed to veto several of the scientists under consideration for appointment to the surgeon general's Scientific Advisory Committee on Television and Social Behavior, which conducted the study that showed a causal relationship between TV violence and aggressive behavior—but only in children disposed to such behavior (BROADCASTING, Jan. 17, 24).

When the report was officially released, Dr. Eli Rubinstein—who directed the study—said that ABC, NBC and the National Association of Broadcasters recommended deletion of seven proposed advisory committee members. CBS, he said, made no recommendations, he said. (BROADCASTING, Jan. 24).

In his letter, a copy of which was sent to House Communications Subcommittee Chairman Torbert H. Macdonald (D-Mass.), Mr. Murphy asked Mr. Staggers to "conduct a full-scale investigation of the history, make-up, methodology, and reporting" of the advisory committee.

In another letter to Senate Communications Subcommittee Chairman John O. Pastore (D-R.I.), Mr. Murphy said he would like to testify at the subcommittee's hearing on the report because "I feel I can make a contribution and provide information and documents of which you may not be aware." The hearing is scheduled for March 21-24.

## Trying to level scales of political commentary

Clergy and Laymen Concerned (CALC), a nationwide antiwar group claiming some 41,000 members, has announced it is assuming sponsorship of a national radio program designed to counterbalance conservative commentary.

*American Report* had been sponsored by the Businessmen's Educational Fund (BEF) since February of last year under the title, *In The Public Interest*. BEF is a coalition of liberal businessmen opposed to the Vietnam war.

According to Robert Maslow, producer of the four-minute radio spots, "there are 10,000 right-wing and ultra-conservative radio broadcasts" each week. "There is nothing comparable [on the left] to what the right wing has done on the radio," Mr. Maslow said.

Harold Willens, co-founder of BEF, said that the decision to turn the program over to CALC was precipitated by the desire to reach a larger public through a grass-roots organization that shared a common belief about the war.

The program is currently being fed free of charge to 300 radio stations around the country, plus the 555 stations of the Mutual Broadcasting Network. Cost of production is estimated at about \$68,000 per year.

Commentators in the series are the Rev. William Sloan Coffin, John Henry Faulk and John Gardner.

## A rebirth for 'Secret'

Cognizant that modernized versions of old network favorites have scored well in the 7:30-8 p.m. station period this season (see page 52), Goodson-Todman Productions announced last week it is resurrecting *I've Got a Secret* for syndication. The weekly, half-hour series will start in September. Art Linkletter will serve as host for the show, which was carried for 15 years on CBS-TV until 1966. Firestone film syndication, New York, will handle distribution.

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HAS A BABY:**

**"THE PARENT GAME"**

**Next season's prime-time access syndicated hit!**

Chuck Barris, Father of the "Dating Game" and the "Newlywed Game" (The Number One Network Game Show) presents the "Parent Game".

Chuck Barris invites you to meet with the exclusive distributor of "Parent Game"—Sandy Frank—who will be in San Francisco at the Fairmont Hotel for the N.A.T.P.E. Convention.

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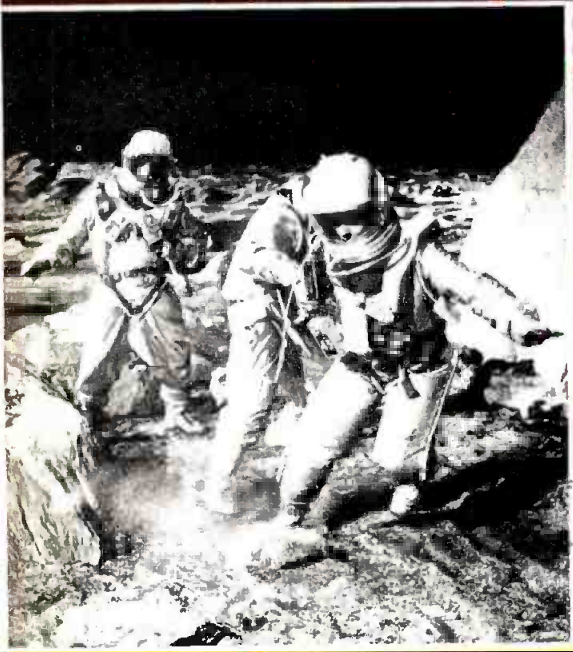
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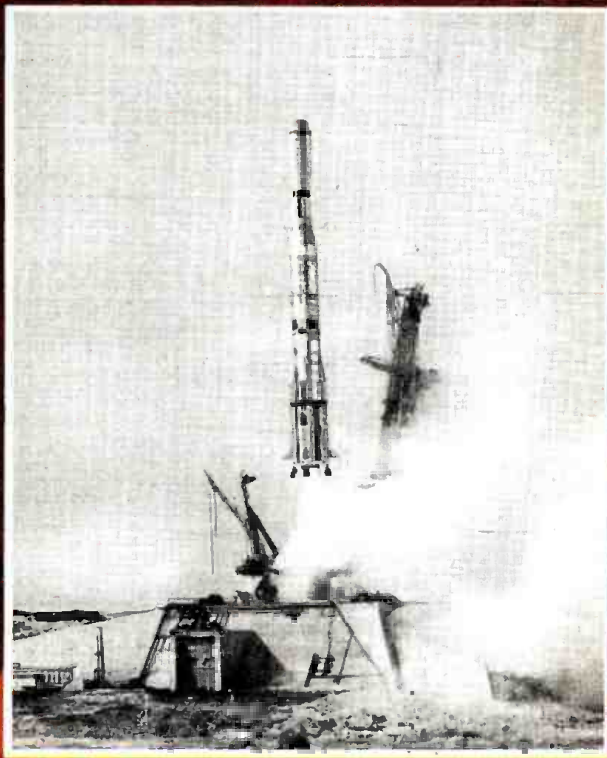
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What are they?

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# Shooting the moon as an independent

Douglas Cramer's first-year firm arrives with nine entries in the sweepstakes for those coveted network slots

Douglas S. Cramer and the production company of the same name are awaiting the impending network decisions on next season's schedules with high hopes. The 40-year-old Mr. Cramer, previously an executive in such corporate organizations as Procter & Gamble, ABC, 20th Century-Fox and Paramount Pictures, resigned last April as executive vice president in charge of production for Paramount Television, determined to create a sort of mini-studio. He unfurled his own banner, The Douglas S. Cramer Co., but, financially unable to do it entirely on his own, affiliated with Columbia Pictures and Screen Gems as an autonomous producer of motion pictures and television programs.

Mr. Cramer wanted to produce at least one comedy and one drama for each of the networks. It was an ambitious plan to begin with, and has become even more so. He currently has nine shows in development for the 1972-73 season. Six of the nine will go on the air even if they are not bought as series.

In keeping with his desire to be as diversified as a studio, Mr. Cramer is doing action-adventure, slapstick comedy, contemporary satire, serials, soap opera and a star vehicle. And he's doing all three parts of an upcoming NBC-TV *World Premiere: Triple Play* presentation.

The nine contending Cramer shows are: "Call Holme," comedy-mystery series for NBC-TV with Arte Johnson, part of *World Premiere: Triple Play* and a candidate for a half-hour series.

"Call Her Mom," 90-minute comedy for ABC-TV's *Movie of the Week* airing Feb. 15, with Connie Stevens in what could be a half-hour series.

"Code 3," an emergency-ward drama for ABC-TV and a projected half-hour series.

"Help Inc.," a half-hour slapstick comedy for ABC-TV with Avery Schreiber.

"Man on a String," a projected hour for CBS, to show first as a 90-minute *CBS New Friday Night Movie* on Feb. 18.

"Movin' On," an hour pilot for NBC-TV, to be shown as a segment of *World Premiere: Double Play*.

"Bridget Loves Bernie," half-hour situation comedy for CBS-TV.

"Keeping up with the Joneses," possible half-hour comedy for NBC-TV, to be shown as video-taped segment of Mr. Cramer's *World Premiere: Triple Play*.

"Wednesday Night Out," another possible half-hour and the third segment



Doug Cramer, Hollywood hopeful

of *World Premiere: Triple Play* for NBC-TV, filmed before a live audience.

In all, Mr. Cramer has five-and-a-half hours of potential series material in development, seven half-hours and two hour programs. The breakdown shows three Cramer programs pending with ABC-TV, two with CBS-TV and four with NBC-TV. At ABC-TV there are three half-hours, at CBS-TV one half-hour and one hour, and at NBC-TV three half-hours and one hour.

In addition, Mr. Cramer has two years of storylines and two sample scripts based on the theatrical motion picture, "Diamond Head." Until recently it was in contention as an hour program in continuing serial form as a possibility at CBS-TV for the 1972-73 season. But now it has been deferred until a future season. Still, Mr. Cramer, whose extensive production background includes stints as TV supervisor for Procter & Gamble and broadcast supervisor on Lever Bros. and General Foods accounts at Ogilvy & Mather, has more

## 'Sanford' holds its own

NBC's *Sanford and Son* midseason replacement series placed 13th in the Nielsen rankings for the Fast Report covering the week ended Jan. 23. Other second-season shows did not fare so well. Two—CBS's *Don Rickles Show* and ABC's *Sixth Sense*—tied at 42d and ABC's *Comedy Hour*, CBS's *Me and the Chimp* and NBC's *Emergency* were below the 50th ranking. In average ratings for the period, CBS and NBC were tied at 20.7 and ABC had 18.9. In nights of the week, ABC and NBC tied Sunday; NBC won Monday, Wednesday and Thursday; CBS Tuesday and Saturday, and ABC Friday.

than just a passing interest in the serial form. By July, he intends to come out with three variations on serials for daytime network presentation—a comedy anthology, a dramatic anthology, and *Doctor's Wives*, which is more in the pure soap-opera style.

Perhaps the juiciest plum in the Cramer basket is "QBVII," which will be presented on ABC-TV, perhaps by early 1973, as a multipart adaptation of Leon Uris's best-selling novel of the same title. The initial shooting script is 440 pages in length and would take eight-and-a-half hours to play. It's likely to run on television over five or six hours of evening time, spanning several nights. By the time it's completed, Mr. Cramer figures it will have required between two- and three-million dollars.

All of the Cramer productions, including "QBVII," are in association with Screen Gems. Mr. Cramer owns the various productions on a 50/50 basis with the studio. Distribution rights also are divided evenly between Screen Gems and the Cramer organization.

"Now I would be happy to get three shows on the air on a regular basis," Mr. Cramer says. "Then, figuring the averages, one would be a hit." It doesn't seem to be too much to ask for, given nine potentials to start with, but Mr. Cramer knows that the averages and odds depend on just how many new shows the networks decide to schedule for the 1972-73 season.

## Warner and Filmation to do cartoon classics

Warner Bros. Inc. and Filmation Inc. are joining forces to produce a series of animated classic features to be released theatrically and subsequently to TV.

Under an arrangement announced last week, Filmation will produce the features, with Warner financing and distributing them on a worldwide basis. The 10 titles selected for development and subsequent production are "Oliver Twist," "Cyrano de Bergerac," "Swiss Family Robinson," "Don Quixote," "From the Earth to the Moon," "Robin Hood," "Noah's Ark," "Knights of the Round Table," "Arabian Nights" and "Call of the Wild."

A Warner spokesman said production budgets will vary but will be "upwards of \$1-million each." Warner's plans to offer the features as network specials following theatrical showing, and eventually make them available in the U.S. and abroad in syndication.

Filmation, located in Reseda, Calif., is a subsidiary of the Teleprompter Corp., New York. It is a producer of animated TV series and features, and is represented on the ABC and CBS Saturday television schedules.



# No easy answers in violence study

## That's BBC's conclusion as its researchers find little public concern

Several seeming paradoxes were turned up in that massive study of TV violence conducted by the BBC and made public in London 10 days ago (BROADCASTING, Jan. 31).

▪ "No close relationship between the number of violent incidents in a program and the proportion of viewers who think it is violent."

▪ "The ones with most violence were, if anything, more likely to be considered 'U' certificate material [the British rating for theatrical motion pictures deemed suitable for viewing by anyone, regardless of age] than were those with few incidents."

▪ "No consistent connection between the number of violent incidents and what viewers think is believable or justifiable."

▪ "No connection between the number of violent incidents and emotions aroused."

The study turned up "no simple definition of what constitutes violence for the viewer," BBC reported. "Realism almost certainly enters into it, but the other elements seem likely to be idiosyncratic. There is a real sense in which it can be said that violence is in the eye of the beholder."

The report also said that "one of the outstanding features of the discussions with the families was the infrequency with which violence was mentioned in any context whatsoever. It simply did not seem to be an important issue with more than a few."

These findings and conclusions were drawn from the perception phase of the study, based on discussions with 50 families, questionnaires to 600-900 households on 12 evenings when selected programs had been screened, and in-depth interviews with a subsample of almost 100 viewers.

The other phase, a content analysis that BBC said it believed is the most exhaustive of its kind in Britain and possibly in the world, was conducted over a 21-week period with 1,558 programs carried between 4:30 p.m. and sign-off on BBC-1, BBC-2 and Independent Television (ITV) monitored by 105 specially trained ex-members of BBC's audience-research viewing panel.

Violence was defined as any act that may cause physical or psychological "injury, hurt or death" to persons, animals or property, whether intentional or accidental, visual or verbal."

Of the 1,558 programs, half contained no major incidents of violence, one-eighth contained four or more and the average was 1.3 per program or 2.2 per hour.

As disclosed earlier, American-produced shows included more than twice as many major incidents as those produced in Britain (but in British dramas, it was noted, a higher proportion of major characters were "killed").

What does it all mean? BBC conceded the findings were "largely unsensational," perhaps looking like "nothing more than common sense," but it obviously also considered them an important contribution to worldwide research on the violence question.

Brian Emmett, BBC's head of audience research, who directed the study, said it aimed at getting facts, not answers, and added: "It would be a mistake to try to read into this report, for instance, either that those who criticize television for showing too much violence are justified or that there's no cause for concern. There must be some violence in news reporting and fictional programs. The problems are in deciding what to include and how to present it honestly."

## ABC to spend \$27 million for college football

ABC-TV will be spending \$27 million for a new two-year contract to carry National Collegiate Athletic Association football games, it was announced last week.

The exclusive-rights contract, which will cost the network \$3 million more than the last two-year extension (1970-71), will be split evenly over the contract period. ABC has been covering the Saturday afternoon games for six years.

Under the terms of the contract, ABC will choose the first six games to be televised six months before the start of the season. The remaining telecasts may be chosen as late as five days before each game. The contract also provides for a "wild card" game, in which ABC has the option to choose one extra game for telecast during the season.

## Fox leaves N.Y., except TV

The board of 20th Century-Fox Film Corp. has approved a management proposal to consolidate a number of the company's New York-based operations in Los Angeles (BROADCASTING, Dec. 20, 1971). The move is expected to come this summer. Involved in the shift will be Fox's motion-picture marketing and financial operations, including domestic and international distribution, advertising and public relations and the office of treasurer and controller. Certain

marketing, publicity, domestic sales, and legal operations will remain in New York. A spokesman said that "it looks as if" the company's television activities would stay in New York.

Fox will dispose of its home-office building in New York and lease space in mid-Manhattan for its remaining operations.

## Old favorites for a new station

The owners of a new daytimer in Portsmouth, Va., are gambling \$300,000 and more on the hunch that nostalgia will be a winning format in modern radio. The \$300,000 is how much they say they have spent on physical plant from which to broadcast music of the 1920's, 30's and 40's and reruns of such pre-television standards as *Lum 'n Abner*, *The Shadow*, *Green Hornet* and *Lights Out*.

The station, WPMH(AM), went on the air Jan. 9 on 1010 khz with 5 kw. Its owners are Ralph D. Epperson and Dan D. Cameron, who originally filed competing applications for the facility but later combined.

Public response to the station has encouraged management. Since the station began operation, it has received more than 1,200 phone calls—most favorable—and hundred of letters from people of all ages. Like many new stations, WPMH faces initial financial difficulties, but Jack Walters, the station's general manager, is confident that advertisers will be attracted to that old-time sound.

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## ProgramNotes

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**Frost revisited** ▪ Group W Productions has placed into syndication 26 selected 90-minute programs of *The David Frost Show*, reissuing them under the title, *David Frost's Finest Hour . . . and a Half*. Group W will continue to produce and distribute new programs of the daily, 90-minute *The David Frost Show*. Group W's WBZ-TV Boston, KDKA-TV Pittsburgh and KYW-TV Philadelphia are scheduling the repeat programs on Sunday, 11:30 p.m.-1 a.m., started Jan. 17.

**Andrews on ABC** ▪ ABC-TV has signed Julie Andrews for the 1972-73 season. The network said last week that a one-hour weekly-variety series, starring Miss Andrews, will originate at the ABC television center in Hollywood under the aegis of Sir Lew Grade, deputy chairman and chief executive of Associated Television Corp.

**TV development arrangement** ▪ Tracy Productions and Four Star International

al, both Beverly Hills, Calif., have agreed to a joint effort for the development of television properties. Principle in Tracy Productions is Seymour Berns, TV producer and former vice president in charge of television production for National General Television Productions Inc., Beverly Hills. Mr. Berns currently is in charge of production for *Dr. Simon Locke*, syndicated medical-adventure series. Four Star currently is represented in the syndication market by *Monty Nash*.

**Visual clearinghouse** ■ WGN Continental Productions Co. has opened a new office in Chicago for the sale of film and tape products. The office, under the direction of WGN Continental Executive Producer Dale Juhlin, features a one-inch video tape machine and monitor and other equipment capable of mixed-media programming of up to 16 projectors. The office will also be used for pre-production conferences between producers and other creative people. Address: Suite 1929 Tribune Tower, 435 North Michigan Avenue, Chicago.

**Churchill's 'History' to TV** ■ Universal Television and the British Broadcasting Corp. will co-produce a series of 26 hour dramas based on Winston Churchill's work "History of the English-Speaking Peoples." Plans call for the series to be presented on the BBC in 1974 to commemorate the centennial of Mr. Churchill's birth. Eventually the TV series will be distributed on an international basis by MCA-TV.

**For the blind** ■ WHN(AM) New York began on Jan. 9 a weekly half-hour Sunday-morning series for the blind entitled *Out of Sight*. The program, designed to provide information and education for the sightless and to give the general listening audience an insight into blindness, will be aired from 8 to 8:30 each Sunday morning and will be moderated by Al Sperber.

**Health shows** ■ Corinthian Broadcasting Corp. has produced short *Stay Healthy and Live Longer* features (two to three minutes in length) to be seen beginning this month in news broadcasts on the company's five stations: KHOU-TV Houston; KOTV(TV) Tulsa, Okla.; KXTV(TV) Sacramento, Calif.; WANE-TV Fort Wayne, Ind., and WISH-TV Indianapolis. Dr. Harry J. Johnson, chairman of the medical board of the Life Extension Institute, which like Corinthian is a member of the Dun & Bradstreet group, will be host on the series.

**Autry sidekick on radio** ■ Harry O'Connor, Hollywood-based radio program producer, is producing and distributing a new radio comedy feature, *The Pat Buttram show*. The series consists of 260 one-minute programs. It is designed

primarily for use by middle-of-the-road and country music stations. Mr. Buttram, Gene Autry's comic partner in some 130 TV films and 40 motion pictures, provides humorous topical comments about various subjects. The program is currently carried on KLAC(AM) Los Angeles.

**Women's month** ■ February is to be women's month at KPFK(FM) Los Angeles. The Pacifica Foundation's listener-supported station has scheduled more than 60 special programs concerned with female identity and achievements. Among the subjects to be discussed in programs during the month are "sexual slavery," women's liberation and the arts, women in politics, non-sexist child bearing, divorce, feminism in the high schools, professional sex objects, and women in prisons. In addition to the special programming, various operational duties at the station will be taken over by female staff members and volunteers, including announcing and production of programs.

**Three for gossip** ■ The Metromedia Television group has acquired three new hour television specials featuring gossip columnist Rona Barrett. The programs—*Rona Barrett Looks at Hollywood*, *Rona Barrett Looks at Sex Symbols* and *Rona Barrett Looks at Oscar*—are scheduled for presentation on the Metromedia stations early in 1972. Stations carrying the specials will be KTTV(TV) Los Angeles, WNEW-TV New York, KMBC-TV Kansas City, Mo., and WTTG(TV) Washington. In addition, Metromedia Producers Corp. will handle syndication of the programs.

**NTA distribution arm** ■ National Tele-Film Associates Inc., Beverly Hills, Calif., has formed NTA Programs Inc. as a wholly owned subsidiary to distribute company-held syndicated TV series, cartoons and short subjects, as well as future productions made for television. John N. Heim Jr., former vice president of Warner Bros. Television, has been named executive vice president of the new company. At the same time, NTA Programs has opened offices in Chicago, Los Angeles and New York. Mr. Heim will be based in Chicago, where he also will direct Midwest sales for the parent company.

**Many for 'Moment'** ■ *One Moment Please*, a series of 60-second commentaries by former ABC newsman Mort Crim, has been placed into syndication in more than 70 markets since its inception last November. Graphic Eleven, Louisville, Ky., producer and distributor of the series, says it expects to place it on more than 150 radio stations by the end of the year. Pyramid Press, New York, will publish the next of 125 segments in paperback form this March.

Mr. Crim is also anchoring newscasts on WHAS-TV Louisville.

**Rock revisited** ■ Programming Devices, a newly established Los Angeles program producer, has announced a radio series based on the background of rock and roll. *The Authentic History of Rock and Roll*, will be offered for syndication for an initial 13-week period, and Programming Devices hopes that it will expand that to a year-long run. The Coca-Cola Co. and Thom McAn shoes firm have interest in sponsoring the series nationwide. The two were sponsors of Allen Freed's early rock programs on WINS(AM) New York. In addition to the rock history, the firm is planning the revival of a number of early radio series for syndication. Programming Devices is located at 128½ South Elm Street, Beverly Hills, Calif. 90212.

**Free Film** ■ Association-Sterling Films, New York, has announced availability of the 1972 television catalog of free-loan, 16mm films. There are approximately 500 titles in the series, which includes films on travel, consumerism, sports, social evolution and inventive genius and others. The films range from three-minute shorts to half hours and special-length features. Catalogs may be obtained by contacting Association-Sterling's regional television centers in Los Angeles, Dallas, Atlanta, New York and La Grange, Ill.

**Triumvirate pact** ■ An amalgam of Oden Productions, Hollywood; Universal Television, North Hollywood, and Talent Associates/Norton Simon Inc., New York, are joining to produce "Brock," a motion picture-type production for NBC-TV's *World Premiere* programming. The film also will be the basis for a projected prime-time series for NBC-TV. Richard Widmark will portray a New York policeman in "Brock," involved in a series of murders. Oden Productions is Mr. Widmark's own company.

**Here's Ed** ■ *Ed McMahon and His Friends . . . Discover Wet at Cypress Gardens*, a one-hour special with Mr. McMahon as host, will be presented on NBC-TV March 12 from 5 to 6 p.m., NYT. The special will be sponsored by the Johnson Motors Division of Outboard Marine Corp., through Baker/Johnson & Dickinson Inc., and the Champion Spark Plug Co. through J. Walter Thompson.

**Syndicated saucers** ■ Independent Television Corp. said last week it will offer a new science-fiction series, *UFO*, to stations for showing next fall. ITC said it is guaranteeing stations the commitment of 26 one-hour filmed episodes in color. The series will be set in the space age of the 1980's, ITC said.



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## Showdown begins on public broadcasting

**CPB funding, related issues tackled in House hearings; Whitehead comes up with a bill, faces tough questions**

Public broadcasting came under the closest political scrutiny of its short life last week, emerging with the hope of somewhat more money and the certainty of many more skirmishes over its structure and programming.

During three days of hearings before the House Communications Subcommittee, no fewer than four different funding bills were discussed. The immediate expectation is that subcommittee Democrats will be able to push through at least a scaled-down version of the bill (H.R. 11807) introduced by their chairman, Torbert H. Macdonald (D-Mass.), calling for a multiple-year authorization and generous increases in funding.

What will happen after that is anyone's guess (although the most likely

outcome is for an interim bill with a slight increase in funds). At issue is not only the question of funding levels but that of the proper role and structure of public broadcasting. The broadcasters have begun to resolve those questions among themselves, as indicated by the relatively united front that a diverse group of them were able to present last week. The politicians have not.

The different shades of opinion, and the kinds of power struggles they are producing, can be seen in the bills that have been proposed:

▪ The Macdonald bill (BROADCASTING, Nov. 22, 1971, et seq) would establish a Public Broadcasting Fund in the Treasury, from which increasing amounts (beginning with up to \$65 million in 1973) would be provided for five years. The money would all go to CPB, which would have to distribute at least 30% of it to local stations, under a formula determined in consultation with those stations.

▪ A similar bill (H.R. 7443) introduced by Representative Robert O. Tierman (D-R.I.) would also establish a special fund and a five-year authorization, with not more than \$60 million to be distributed in 1973, but contains no instructions to CPB regarding distribution of the funds. (BROADCASTING, April 12, 1971 et seq). The money provided in both bills is based to a considerable degree upon matching of nonfederal contributions.

▪ The Nixon administration's bill emerged last week. As contained in a letter from Clay T. Whitehead, director of the Office of Telecommunications Policy, to the Speaker of the House and president of the Senate, it calls for the \$45 million recommended in the President's budget (BROADCASTING, Jan. 24) for the Corporation for Public Broadcasting, but with conditions. \$15 million would have to go directly to stations—\$13 million for television, \$2 million for radio. The TV funds would be distributed in accordance with a statutory formula. Each television licensee would get a minimum of \$50,000 or an amount equal to 25% of its nonfederal budget in fiscal 1971, whichever is less; a supplemental grant would be pegged to the proportion that the licensee's nonfederal

budget bore to all nonfederal funds in public TV. Radio funds would be distributed at CPB's discretion.

▪ A new bill from Representative Clarence J. Brown (R-Ohio) goes even farther. The bill (H.R. 12808) would drastically overhaul the present Public Broadcasting Act by placing authority for operating support grants in the Department of Health, Education and Welfare; taking the interconnection function away from CPB; specifically prohibiting "the coverage, presentation, discussion or analysis of current news events or current issues that are the subject of partisan political controversy"; prohibiting advertising, promotion and lobbying; establishing that 10 of the 15 CPB board members must be station managers; and increasing facilities money to \$40 million annually. The purpose, Mr. Brown said, was to restore educational broadcasting to its proper role as a local, educationally oriented service ("Closed Circuit," Jan. 31).

Mr. Whitehead didn't support the Brown bill, although he was sympathetic to some of its provisions—but it did have the effect of making the administration bill look less troublesome to public broadcasters by comparison. Even so, the administration bill won little support except from Mr. Whitehead himself; its real mark will be made later. Last week, it served to frame principal issues surrounding public broadcasting: support for local stations, news and public affairs, the programming role of non-commercial media and the question of independence.

The subcommittee, whose majority has been relatively sympathetic to public broadcasting, was tougher on Mr. Whitehead than it was during most questioning of public broadcasting spokesmen; Chairman Macdonald, for one, accused him of "trying to drive a wedge" between CPB and station people with charges of overcentralization and eagerness to compete with the networks. Mr. Whitehead played some familiar themes—too little money for stations, too much emphasis on fixed-schedule networking, too little program diversity and too much news and public affairs. On the subject of controversial issues, Mr. Whitehead questioned whether the



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see pgs. 50-51





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Exchanging greetings prior to opening of hearings on public broadcasting are (l to r) House Communications Subcommittee Chairman Torbert H. Macdonald (D-Mass.), Representative Hastings Keith (R-Mass.), and Frank Pace, board chairman of the Corporation for Public Broadcasting.

taxpayer's money ought to be used to advance a variety of positions with which he's in disagreement, instead of for the betterment of cultural and educational programming.

He was rewarded with sharp questioning from Democratic Representatives Fred Rooney (Pa.) and Lionel Van Deerlin (Calif.). Both said they regarded alternative forms of news and public affairs as entirely consistent with the purposes of Congress in passing the Public Broadcasting Act. Mr. Rooney had favorable words for the new half-hour program *A Public Affair/Election '72*, with Sander Vanocur and Robert MacNeil—a source of controversy before it was ever aired—which began last week with an examination of the delegate selection process by Iowa Democrats. "This is the sort of thing commercial broadcasters couldn't afford to place before the public because they wouldn't have the audience to do it," he said. "It looks as if the administration opposes this because they don't want this kind of information going back to the American people." Mr. Whitehead denied that, and said the public broadcasting controversy had begun long before Messrs. Vanocur and MacNeil were hired, but acknowledged that he questions whether taxpayer-supported media are a proper forum for controversial issues.

The issues of "localism" and independence from federal control were raised repeatedly, but not in a way that shed much new light on the subject. As far as increasing station support is concerned, the subcommittee found itself beating a dead horse: There is absolutely no one who questions the

need for dramatic increases in support; only the mechanisms—CPB or HEW, discretion or statutory formula—remain in question. The advocacy was carried to a new extreme when Dr. Frederick Breitenfeld, executive director of the Maryland Center for Public Broadcasting, suggested that the amount of station support might some day go as high as 70% of available funds. Few others, including station managers, would support that. But the principle of greater station support was uncontested, as it has been for months (BROADCASTING, Nov. 8, 1971).

On the subject of possible government influence, Chairman Macdonald chipped away but was unable to find anyone who would admit to having encountered it. On this subject and most others, the hearing record on balance was inconclusive and shed little new light on the complicated problems of public broadcasting.

During Mr. Whitehead's testimony, there was almost as much interest in OTP as in CPB or any other aspect of public broadcasting. Mr. Van Deerlin questioned, as he has in the past, the need for OTP's large staff (65); Chairman Macdonald wondered openly whether such an agency is needed at all. "Who do you speak for?" Chairman Macdonald kept asking. "I speak for the President," Mr. Whitehead kept responding. "How can you say that when you admit you haven't talked to the President personally about this bill?" Mr. Macdonald would ask. "There are standard executive-branch procedures for determining who speaks for the President," the OTP director would reply. "Well, who do you talk to?" Mr.

Macdonald would ask. "A wide variety of people," Mr. Whitehead would say. This exchange, and other similarly enlightening ones, were repeated over and over.

Although the administration bill will obviously be a key part of future deliberations, most of the witnesses supported the thrust of the Macdonald bill, from FCC Chairman Dean Burch (who delivered a brief statement, after which he was asked whom *he* spoke for); to CPB President John Macy; to an assortment of local managers, who were consistent in their general support of CPB and its role in public broadcasting.

During the first two days of hearings, the administration bill might as well not have existed, for all the direct attention it received. Its presence was felt mainly in the equivocations of public broadcasting's leading spokesmen, who were apparently determined to make their case, yet offend no one.

They got some help from the subcommittee. Although some complex issues were raised and some irritation shown by the members, the witnesses rarely faced really hard questioning.

CPB President John Macy and Chairman Frank Pace set the tone of the early hearings with their endorsements of the Macdonald bill, and reaffirmation of the corporation's resolve to channel more money into stations.

"Although we still believe that some type of permanent financing for public broadcasting is necessary," Mr. Macy said, "[the Macdonald bill] offers a major step toward that goal by providing a substantial improvement over the annual appropriation process of the past four years. I cannot stress enough the importance of public broadcasting's knowing where its next year's dollars are coming from."

Representative Tiernan later ripped into both CPB officials for failing to come up with such a proposal for permanent financing. Two years ago, he noted, the same officials listed permanent financing as their "top priority" and pledged to produce a plan. "Why do you come before us again without one?" Mr. Tiernan snapped.

Neither Mr. Macy nor Mr. Pace gave anything that added up to a direct answer ("We're still at it," Mr. Macy commented), but the unstated reality was that permanent financing is a practical impossibility at this time, with an uncertain economy and a critical administration.

Mr. Macdonald's principal concern was political pressure on the system, or the threat of it. Time after time he asked witnesses whether they felt pressure from Washington; time after time they responded negatively. When he asked about the practical effects of Mr.



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## Scripps-Howard hits home.





Local station managers and their representatives came forward to support CPB and its role in public broadcasting. Panel above (l-r) comprises Dr. Frederick Bretienfeld, executive director of Maryland Center for Public Broadcasting; Lloyd Kaiser, WQED(TV) Pittsburgh, chairman of the board of the National Association of Educational Broadcasters; NAEB President William G. Harley, and Kenneth Kager, KUOW(AM) Seattle, chairman of NAEB's radio board.

Whitehead's speech last fall to the National Association of Educational Broadcasters convention, in which the OTP director charged that public broadcasting has become overcentralized and too interested in competing with commercial media—Mr. Macy answered that the speech was cause for reflection but not a form of intimidation.

There followed an exchange in which Mr. Macdonald tried to establish whom public broadcasting really "listens to" in government above all others. After that one had gone around the barn a few times, Mr. Macdonald said: "Your proper answer to me should be that you listen to everyone but you're not swayed by anyone. That's why we set you up—to be an independent system. If you're not, you're not doing what Congress set you up to do."

But these were basically friendly criticisms. A stickier moment came when Representative William Springer (R-Ill.), the parent Commerce Committee's ranking minority member, dropped in long enough to raise questions about the hiring of Sander Vanocur as a public-television newsman.

Mr. Springer took as his text for the day a seldom-discussed but thorny section of the Public Broadcasting Act, requiring "strict adherence to objectivity and balance in all programs or series of programs of a controversial nature." He offered the view that Mr. Vanocur—a source of controversy both for his \$85,000 salary and what some in the administration consider an excess of liberalism—is unlikely to aid public television's pursuit of that goal.

As evidence, the congressman cited what he said was an excerpt from a speech Mr. Vanocur gave at Duke Uni-

versity, between his departure from NBC and his association with public television. "President Johnson lied," he quoted Mr. Vanocur as saying. "President Kennedy lied. But not as blatantly as Nixon. Nixon lies all the time. Lies are his version of the truth—lies. . . . I think we have to get back to the cantankerous, Menckenesque position that the only way to look at a politician is down your nose."

Mr. Springer told the CPB officials that they ought to exercise a firmer hand over hiring and program balance if they intend to conform to the spirit of the law as it relates to objectivity. It was ironic: The same corporation that has been attacked for centralist tendencies was in effect being urged to centralize. But Mr. Pace assured the subcommittee that CPB and its board are "determined to take a more active role" in enforcing standards of balance. Of the Vanocur statement, Mr. Pace said only that he "certainly wouldn't share that point of view."

Later a public broadcaster, Ralph Rogers of KERA(TV) Dallas, was more direct about the "objectivity" requirement itself than either CPB official had been. The provision should refer to a general standard of fairness rather than program-by-program objectivity, he said. "It isn't possible to find some Solomon who can determine the objectivity of every program," Mr. Rogers said. "To put it in the context of a single program is utter rubbish."

In other testimony, NAEB President William G. Harley presented the association's previously announced four-point plan for increased federal support (BROADCASTING, Jan. 31); it calls for vastly increased appropriations for

CPB and facilities grants, new program of grants for instructional programing, and a consistently increasing slice of available money for local stations.

Every witness from the public-broadcasting field made some reference to the need for increased support at the local level. The generally accepted position was that with the establishment of interconnection and national programing, funds for those activities can remain relatively stable while station support rises.

As stated by Mr. Harley: "Educational broadcasting is not a national system," he said, "but a community-oriented service that is nationwide. This is not to say that educational broadcasting can do without strong national interconnection, program and promotion services. Indeed, it must have them as well as strong community services if it is to succeed. However, it is to say that the work of the national organization will be successful only to the extent that it energizes local capacities and services."

## Tunney lines up behind Broyhill bill

Owning a radio or television station in the U.S. today has become "a game of craps," Senator John Tunney (D-Calif.) told the California Broadcasters Association at its midwinter meeting in Palm Springs. Emphasizing the nature of the gamble, Senator Tunney noted that 17 California stations currently have license renewals pending.

Addressing the concluding luncheon session of the two-day meeting (Jan. 27-28), the senator said he was "wholeheartedly" in support of HR 12018, a license-renewal bill introduced by James Broyhill (R-N.C.), and supported by the National Association of Broadcasters. Senator Tunney made it clear, however, that he was not in favor of stations being granted licenses in perpetuity. But he is in favor of granting renewals if stations do not show "callous disregard" for laws and FCC regulations or if they at least make "a good-faith attempt" to serve the public interest.

The burden of proof should not be on the broadcasters, Senator Tunney pointed out. He does not believe there should be "complete parity" between the license challenger and the station owner. Senator Tunney said that unless station owners are given added protection they are going to have a difficult time getting bank financing. "Clearly," he stressed, "the Congress has got to act."

The state association meeting was the best attended in CBA's history. More than 210 broadcasters registered for the scheduled activities.



# The FCC talks to Pastore, Part I

## In first day of oversight hearings, Burch tells subcommittee that 'fundamental' satellite policy is due in two months

After some seven years of debate and study, the FCC appears on the verge of basic decisions in the establishment of a domestic communications-satellite system. And Chairman Dean Burch, at least, appears to favor some form of an open-entry system.

The chairman indicated as much last week as he began a wide-ranging review of the commission's activities at a hearing of the Senate Communications Subcommittee. The hearing, which is to be resumed tomorrow (Feb. 8), occupied only a morning, but that was long enough for Senator John O. Pastore (D-R.I.) to attempt to figure out—without much apparent success—Clay T. Whitehead's role as director of the White House Office of Telecommunications Policy as it relates to the FCC, and for Commissioner Nicholas Johnson to insert into the record a statement which came out sharply critical of what he said was the commission's failure to establish national communications policy.

Chairman Burch told the communications subcommittee that the commission's "realistic target" in the domestic-satellite proceeding "is a decision on fundamental questions within 60 days." The commission has already received one staff briefing and is scheduled to meet on the domestic-satellite issue this week, at which time, officials said, the commission will discuss "hard policy questions" and the various options it might choose.

Chairman Burch was not pressed for details of his or the commission's views, but he did discuss the question in terms of the White House recommendation for a policy under which anyone technically and financially qualified could establish a domestic system. And he has in the past appeared to favor competition, where feasible, over a chosen-instrument concept in common-carrier matters. Before the White House issued its recommendation, in January 1970 (BROADCASTING, Jan. 26, 1970), the commission appeared to be moving toward a pilot program under which the Communications Satellite Corp. would serve as a chosen-instrument carrier's carrier.

"The open-entry question will be resolved within 60 days," Chairman Burch said. But if that particular approach is adopted, he indicated, it might well be necessary to bar some applicants in their present form. "Companies could



Senator Pastore



Chairman Burch

go back to restructure their proposals" once the issue is decided, he said.

And the resolution of questions raised by pleadings received in the proceeding could result in the disqualification of some applicants. Questions have been raised about Comsat participating both as an independent entry and as a partner of AT&T, about the wisdom of permitting the giant AT&T to expand into satellite service and about the anticompetitive implications of allowing manufacturers like Lockheed, Hughes Tool Co. or RCA to own systems.

The White House proposal for open entry was drafted by Mr. Whitehead when a member of the White House staff, and has been reaffirmed by him as OTP director. Perhaps with that in mind, Senator Pastore asked Mr. Burch how the new OTP was working out in relation to the FCC.

"Quite well," the chairman said. He said OTP had provided some "input" on trans-Atlantic cable policy and in the satellite proceeding, but that the commission, under the law, has "the final responsibility" in those areas.

But what about Mr. Whitehead's role in arranging the compromise among broadcasters, CATV operators and copyright owners that paved the way for commission action on its package of CATV rules (see page 17)? "We've been asking Whitehead for a long time to make recommendations, and he says agreement has been reached," the senator said.

Chairman Burch was quick to note that he had worked with Mr. Whitehead in arranging the compromise. And he was successful in avoiding any suggestion of criticism of OTP or its director without, at the same time, indicating that the FCC had given up any of its independence to the White House office. But he acknowledged that OTP's role as adviser to the President "impacts quite heavily on what we do."

Mr. Whitehead has spoken out on a long list of activities under the commission's jurisdiction — the fairness doctrine, radio de-regulation, license-renewal procedures, as well as satellite and CATV policy. As Mr. Burch said, Mr. Whitehead's "writ runs wherever he wants it to."

Senator Pastore tried once more with respect to CATV. "You say you're ready to unfold the [CATV] package," he said. "Do you have Whitehead straightened out? Is he going to come up here and ask for something else?" He was referring to Mr. Whitehead's letter to members of the Senate and House on the compromise agreement; it raised questions about the commission's authority to adopt its CATV proposals and expressed hope Congress would adopt basic policy before the CATV industry's character is set by the commission's rules (BROADCASTING, Nov. 22, 1971).

Chairman Burch simply held on to another statement in the letter—one which expressed Mr. Whitehead's support of the commission's proposals. "I have no reason to disbelieve that statement," the chairman said.

The discussion on CATV policy was diffuse, since the commission had not yet adopted its package; a closer examination is likely when the hearing resumes this week. But it was clear, from remarks of Senators Pastore and Ted Stevens (R-Alaska) that small-market broadcasters have been busy on Capitol Hill, as they have been at the commission, expressing concern about the CATV competition they feel the proposed rules would make possible in their areas.

But Chairman Burch rejected the suggestion that the interests of small-market stations had been ignored in the compromise agreement. He said, in his prepared statement, that the commission has "given particular attention to the

## Upcoming: Baptist's Abe Lincoln awards

Ten broadcasters will be honored at the third annual Abe Lincoln awards, sponsored by the Southern Baptist Radio and Television Commission Feb. 10-11 in Fort Worth.

The awards are made in recognition of significant contributions by broadcasters to the improvement of the moral and spiritual life of their communities and the nation.

One of the ten honorees will receive the major Abe Lincoln award, an 11-inch bronze statuette of the Civil War president. The remaining nine will be merit award winners.

Guest speaker at the awards presentation dinner will be Elmer W. Lower, president of ABC News. At that time Mr. Lower will also receive one of seven special awards being given—the distinguished communications award for promoting “excellence, truth and hon-

esty” in the news field. Also scheduled to receive distinguished communications awards are Vincent T. Wasilewski, president of the National Association of Broadcasters, and Robert E. Lee, FCC commissioner, for outstanding performance in their respective fields, and Bill Gavin, publisher of his own weekly radio music tip sheet. Stan Wilson, president and general manager of KFJZ(AM) Fort Worth, will receive the special public service award and Dale Evans Rogers will receive the Christian service award.

Special guests at the two days of activities will be Richard W. Chapin, chairman of the board of directors, NAB; A. Louis Read, chairman of the NAB's TV board; Andrew M. Ockershausen, chairman of the NAB's radio board, and Sol Taishoff, chairman and editor, BROADCASTING magazine.

effect of cable penetration” in sparsely populated areas, such as the Rocky Mountain region, and will be prepared to offer “special relief” if that appears necessary. Furthermore, he told the subcommittee, “there's nothing in the package that is a matter of concern that Congress has not had before it since Aug. 5.” That was when the commission submitted its “letter of intent” to Congress, outlining the proposals it planned to adopt.

Commissioner Johnson's statement sounded a theme the commissioner has expressed a number of times in his five-and-a-half years on the commission. It asserted that the agency is the only institution in the country with the authority, potential resources and seeming impartiality to establish a national communications policy. But, he said, “it has failed miserably.”

He was not completely critical, even though he said the commission lacked an over-all view of the goals and problems. He said Chairman Burch and “especially Executive Director John Torbet have started a little motion.” But he said he does not see the commission on its way to solving its problems.

“I believe the FCC, the nation's communications policy, is in serious trouble,” he said. “In the five-and-a-half years I have been there I have never seen the plans, personnel, or public-interest representation to do the job. I do not see it now.”

Whether equipped to deal with them adequately or not, these were some of the other matters on which Chairman

Burch reported, in his prepared statement last week:

▪ Children's television. The commission will meet next week with Dr. Jesse Steinfeld, the surgeon general, for a briefing on the report of the surgeon general's committee on the impact of televised violence on children, and will meet with the committee itself in March to consider its findings in detail. The study was precipitated by Senator Pastore two years ago.

The commission's own children's television unit has been gathering information from other government agencies, from program producers and advertisers, and from educators and child psychologists, in preparation of optional courses of action the commission might adopt—“all within the context, of course, of constitutional strictures.”

▪ Fairness inquiry and political broadcasting. The inquiry into the fairness doctrine—the first overview attempted since it was adopted in 1949—has been “a huge job, a vitally important one, and very, very tough.” Commissioner Richard Wiley is overseeing the proceeding as “fairness inquiry commissioner,” and the commission is planning to convene public panels on the subject in the spring. The inquiry will be completed this year, the chairman said, with some aspects disposed of by late spring or early summer. The commission staff is now considering actions that will be required to implement the recently adopted political-spending bill (“Closed Circuit,” Jan. 31). And Commissioners Robert T. Bartley, Robert E. Lee and Wiley have been asked to suggest a

means by which the commission can respond instantly to the flood of equal-time and fairness-doctrine complaints it expects to receive in this election year.

▪ Spectrum-management and land-mobile developments. The commission's plan for sharing use of one or two UHF television channels with land-mobile-radio operators in the 10 largest urban centers is now partially in effect. The commission is considering extending the plan to other urban centers (but the staff is “not very close” to developing a plan for submission to the commission).

▪ The AT&T rate proceeding. The commission, which dropped phase II of its hearing on AT&T rates in December, claiming it lacked the resources to do the job, reconsidered that action two weeks ago, after a sharp public outcry. The President's fiscal 1973 budget calls for “a solid increase in common carrier staff—some 20 new positions.”

Chairman Burch also reported that the commission has felt the economic pinch along with everyone else. He noted that last year he had said the goal of the commission's fees-collection program was to recover (for the Treasury) 100% of the commission's fiscal-year 1972 budget. But the lagging economy, he said, has made it necessary to revise the estimated return downward—to about 81%, or \$25 million. The commission collected 59% of its budget in fiscal year 1971, the first year the new, 100%-return fee schedule was in effect.

## Academics, broadcasters and ad men to touch base

Some 50 deans and professors from colleges and universities across the country will meet with leaders of broadcasting, advertising and related fields next week in a three-day conference that sponsors of the event hope will help both groups understand each other better.

The event is the International Television and Radio Society's second annual faculty-industry seminar, to be held Feb. 16-18 at Harrison House conference center, Glen Cove, Long Island, N.Y.

“Broadcasting is probably more criticized, more subject to attack and more ‘un-understood’—as opposed to ‘mis-understood’—than any business of comparable size,” Gene Accas, vice president of Leo Burnett Co. and chairman of this year's seminar, said in explaining the conference's objectives. “Part of that is our fault, we don't ‘tell it like it is,’ often enough, to the right people,” he said.

Industry executives will produce the four major sessions: Phil Howert of Grey Advertising, the one on programing; Aaron Cohen of NBC-TV, one on



distribution; Richard N. McHugh of Needham, Harper & Steers, one on marketing, and Tom Leahy of CBS-TV stations division, one on external relations, including those with regulators and critics. Key industry figures will make up each session's panel. There will be small group discussions as well as plenary question-and-answer periods.

In the final session the roles will be reversed, with a panel of professors addressing industry executives on the "academic view" of broadcasting.

## Poor report card on minority hiring

**Ben Holman of Justice calls broadcasters' record 'horrendous . . . one of worst'**

The head of the Justice Department's community-relations service, who a few years ago was praising the broadcasting industry for the changes it was making in its programming and employment practices, now says it has "one of the worst records in hiring minorities."

Ben Holman, a former broadcast newsman and producer, still feels radio and television networks and stations have made "significant progress" in programming aimed at minorities. But in terms of hiring members of those minorities, he now says, "very few industries in the country have such a horrendous record" as does broadcasting.

Mr. Holman expressed his views at a meeting two weeks ago of the San Francisco chapter of the National Academy of Television Arts and Sciences. Last week, he noted that he had praised broadcasters three years ago for progress in meeting the needs of minorities in terms of both programming and hiring.

"But then," he said, "stations were starting at zero. Now they should go beyond the token black or brown face. That's the problem."

And that, he said, is the problem his agency would like to help stations solve. CRS has worked with stations and with community groups in a number of cities, in an effort to help them resolve their differences. It does not, however, become involved in litigation.

He said he has been conferring with national officers of the television academy on a plan for establishing programs in a number of cities to recruit minority-group members. San Francisco is one of the cities being considered for a program.

Two weeks ago, a citizen group there asked the FCC to conduct an "open hearing" into alleged wrongdoing on the part of the area's stations, including



*Policy planners for the IRTS faculty-industry seminar (l to r): Robert Boulware, IRTS executive director; R. N. McHugh, senior vice president-programing, Needham, Harper & Steers; Tom Leahy, vice president-sales, CBS Television Stations, and Gene Accus, vice president, Leo Burnett Co., chairman of the session.*

their employment practices (BROADCASTING, Jan. 31). Mr. Holman said he was familiar with the group, the Community Coalition for Media Change, but had not been in contact with it for some time.

## WHDH-TV still has cards left

**It deals one in petition for FCC review, another in Boston court**

There may be some who believe that the Boston channel 5 case ended three weeks ago when the FCC ordered WHDH-TV off the air, and authorized Boston Broadcasters Inc.'s WCVB-TV to replace it on March 19 (BROADCASTING, Jan. 24). But the Boston Herald-Traveler Corp., parent firm of WHDH-TV, is obviously not among them, as witness its actions last week.

Having lost its bid to have the FCC reverse its termination order earlier last week, the Herald-Traveler Corp. bounced back with pleadings on two fronts. First, it petitioned the commission to stay its termination order and second, it asked the U.S. Court of Appeals for the First Circuit, in Boston, to review that order.

At its regular meeting last Wednesday (Feb. 2), the commission voted to deny the Herald-Traveler Corp.'s request for revocation or suspension of the commission's Jan. 21 order granting BBI program test authority on channel 5, and simultaneously ending WHDH-TV's tenancy on that facility. In a petition filed two weeks ago, WHDH had contended that the Jan. 21 order was "arbitrary, capricious, an abuse of the commission's discretion and contrary to the

public interest" (BROADCASTING, Jan. 31).

The commission's response to that request was abrupt and unquestionably final, as far as WHDH was concerned. It said: "WHDH submits no new contentions in support of its request." Pointing out that WHDH had noted that it had already stated the grounds upon which the commission should revoke its termination order in previous filings, and that no useful purpose would be served in repeating them, the FCC said: "We agree, and we reaffirm our order of Jan. 21."

WHDH's main hope now, provided that the court does agree to review the FCC decision, is a reversal on the basis of its contention that the commission washed its hands of the case without addressing itself to WHDH allegations of wrongdoings on the part of certain BBI principals. Those allegations were made in a series of pleadings to the commission over a course of several months late in 1971. Those charges are independent of the controversy surrounding Nathan David, BBI stockholder and general counsel, who has been indicted in Massachusetts for alleged securities-exchange violations. The commission said it would consider the David case after BBI put its station on the air.

WHDH's decision to pursue litigation in the Boston court is an unusual one. Ordinarily, a review of a decision by a federal agency is sought from the Washington appellate body. But in this case, WHDH felt it had the alternative to take its pleadings to the appeals court in its home district. The U.S. Court of Appeals in Washington has already ruled in effect that the FCC's grant of a construction permit for WCVB-TV must stand, when it refused to remand the channel 5 proceeding back to the commission last month (BROADCASTING, Jan. 10).

# Beyond fairness and the First Amendment

## Black Caucus appeal to FCC for regular network access by congressional spokesmen is based on separation of powers

It started a year ago as an effort on the part of the congressional Black Caucus to obtain a half hour or hour of prime time from the three networks, free of charge, to present their views on racial and other matters they felt President Nixon had treated inadequately in his State of the Union message, on Jan. 22, 1971. Now it has escalated into an effort to establish a general right of access for members of Congress to network facilities, on a regular basis and in prime time, to "initiate" debate, not merely to participate in it.

And where previous efforts to establish rights of access to the broadcast media have relied on the FCC's fairness doctrine and the First Amendment, the 13 members of the Black Caucus—the total black membership (all Democrats) of the House of Representatives—add a third round. They say such access is required by the "separation of powers" doctrine in the U.S. Constitution.

The networks last year rejected the Black Caucus's request for time to present a documentary over which the House members would exercise complete control. The networks said that as a matter of policy they do not present programming on controversial issues that has not been subjected to their supervision. They also said they had presented programming that balanced the President's presentation.

Because of its inability, through letters and personal meetings, to change the networks' minds, the Black Caucus last week petitioned the FCC to:

- Outlaw policies that deny access to broadcast facilities for programming that is produced by members of Congress and that deals with "important and current national interests of the day."

- Rule that the three television networks must make "available an appropriate number of prime-time hours," generally comparable to the amount given the members of the executive branch, "for direct, unfiltered political speech under the exclusive control" of members of the Senate and House.

The petition also asked for an order directing the networks to grant the request the Black Caucus members made last year, "or to show cause why they are not the appropriate congressmen to speak directly to the nation on a topic over which they exercise complete content control, and in a format of their own choosing."

The petition, prepared by the Stern Community Law Firm, adds a new

dimension to the controversy over access that has grown out of the fairness doctrine, one that goes beyond the question of presenting the public with a balanced view of controversial issues—even beyond the Democratic National Committee's effort to establish the party's right of reply to addresses by President Nixon. At stake, they say, is the constitutional principle of a separation of powers between the executive and legislative branches of government.

Many senators and House members are given time on radio and television stations in their home states and districts to report to their constituents. The Black Caucus does not discuss that kind of access. Rather, the petition says that "when national television networks extend a right of access to the President, yet at the same time deny that same right to the Congress, the power of Congress to function as an equal and coordinate branch of government is seriously impaired."

The petition also says the networks incorrectly interpreted the fairness doctrine as permitting them to deny requests for programming produced by the House members. The doctrine, the petition says, requires broadcasters to seek out appropriate spokesmen to discuss controversial issues—and not merely to respond to arguments already made but to "initiate debate on particular topics." Members of Congress, like the President, must be allowed to perform that function, the debate says.

And the petition argues that the networks' rejection of the Black Caucus's program violated the House members' "limited" First Amendment right of access to the networks' facilities. The petition cites the decision of the U.S. Court of Appeals in the BEM (Business Executives' Move for Vietnam Peace) case, which held that WTOP(AM) Washington erred in pursuing a policy of banning the sale of spot time for the discussion of controversial issues.

That decision held that "vigorous, free expression is promoted when members of the public have some opportunity to take the initiative and editorial control into their own hands on the broadcast media." And the complainants—who plan to appeal to the courts if their FCC petition is denied—argue that they, as "the highest elected black congressmen in the House of Representatives, should have no lesser right to present some documentary programming than the networks themselves."

The petition does not argue that the

networks must honor all congressional requests for time. It suggests that each of the networks make available "at least one hour a month" of prime time "for direct and unfiltered speech, apportioned between congressional speakers on a reasonable and nondiscriminatory basis." The petition adds that the networks have been able in the past to perform "this allocative function for presidential addresses and their own documentary programs."

The Black Caucus members are Democratic Representatives William L. Clay (Mo.), Shirley Chisholm (N.Y.), George W. Collins (Ill.), John J. Conyers Jr. (Mich.), Ronald V. Dellums (Calif.), Charles C. Diggs Jr. (Mich.), Augustus F. Hawkins (Calif.), Ralph H. Metcalf (Ill.), Parren J. Mitchell (Md.), Robert N. C. Nix (Pa.), Charles B. Rangel (N.Y.), and Louis Stokes (Ohio) and District of Columbia Delegate Walter E. Fauntroy.

## Further words on fairness

### 'Second-guessing' by FCC of licensee equal-time decisions is decried by the networks

Opposite sides in the FCC's fairness-doctrine inquiry have been fairly well drawn up to now and last week's reply comments on phases two and five of the inquiry (the doctrine generally and fairness in political broadcasts) were no exception.

As in past comments in this proceeding, the broadcast camp voiced opposition to increased government role in fairness matters, while the nonbroadcast faction claimed that a public right to be informed was the principal issue, regardless of the economic implications that bringing about such a right would have on broadcasters.

The fundamental broadcast argument was expressed by the three networks, which filed separate briefs last week.

ABC said that while it did not disagree with those parties who, in comments filed a month ago (BROADCASTING, Dec. 27, 1971/Jan. 3, 1972), had called for more clearly defined standards for applying the fairness doctrine, it could not condone such standards that would gradually work to phase out licensee discretion in fairness matters. The greatest contemporary problem with the fairness doctrine, ABC claimed, is not its day-to-day application by the individual station, but rather the need for determining what constitutes a fairness violation. The criteria for making such a determination, ABC said, should be: (1) Whether there is extrinsic evidence

that the licensee has acted in bad judgment, and/or (2) Whether a questionable interpretation of law on the part of the licensee is involved. If neither criterion can be applied to a particular fairness complaint, it said, the commission should not take further action.

Similarly, NBC said the commission must return to the original criteria for accepting fairness complaints set up at the doctrine's inception two decades ago. That is, the commission should not attempt to "second guess" the licensee's judgment, or substitute its own, but should determine only whether the licensee's judgment was reasonable. A station's judgment would only be set aside, NBC said, when it is found to be "arbitrary or capricious" and without rational basis. But the mere existence of a contrary conclusion is no basis for judging the licensee's conclusion as unreasonable, it said.

CBS also urged the commission to "abandon any effort to hold broadcasters to a commission-devised standard of balanced exposure" and to limit the instances when licensee judgment is taken to task.

On the opposite side, Environmental Action, a conservationist group, argued that the public right to be informed, not the matter of licensee discretion, is the main consideration the FCC should take in mapping out future fairness regulation. What's more, it said, the "clear indication" from broadcasters has been that their "willingness to serve the public interest is defined by their economic concerns." This attitude cannot justify the "emasculatation" of the fairness doctrine any more than the preservation of basic constitutional rights can depend on the economic interests of those charged with protecting those rights, it said.

Of particular interest in the political broadcasting inquiry was the reply of the Republican National Committee. RNC said it was responding to initial comments filed a month ago by the Democratic National Committee and the American Civil Liberties Union, both of which advocated a proposal that all presidential broadcasts should automatically invoke a right of reply from the party out of power. Such a proposal, RNC said, is "unnecessary, undesirable and highly impractical." Presidential appearances on radio and television, it said, have not worked against the public right of information. On the contrary, RNC asserted, the content of such broadcasts are always principal national issues that receive balanced treatment in other programming. If the President's views comprised a "monolithic force," the Republican National Committee said, the right of information might be in danger, but such is obviously not the case.

## Denver attorney buys broadcasting school

The Columbia School of Broadcasting has been acquired by a Denver attorney and business consultant.

Sullivan Barnes purchased the school through Broadcast Training Inc., a new California corporation of which he is president and chief executive officer. Broadcast Training purchased all of the assets of Telfon Communications Corp., San Francisco, the corporate parent of the Columbia school.

Telfon went into Chapter 11 proceedings, Dec. 10, 1971, and Broadcast Training acquired the Columbia school

with the approval of the bankruptcy court.

Founded in 1964, the school has offices in 35 cities in the U.S. and Canada and currently offers two courses—radio announcing and radio-TV commercial writing. The new management has plans for additional courses.

Mr. Barnes worked for Senator Allen Ellender (D-La.) for six years in the 1940's, and subsequently served for four years in the South Dakota legislature. From 1953-55 he was national chairman of the Young Republican National Federation, and for the last eight years he has worked as a business consultant in Denver.

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## FCC rules 'clipping' is fraudulent billing

### ABC-TV affiliate is fined for admitted practice, but defends it as necessary

A station accused of engaging in a practice it says is widespread among network affiliates, and a matter of economic survival for some, found itself faced with a \$10,000 fine last week.

The FCC notified Channel 13 of Las Vegas Inc., licensee of KSHO-TV Las Vegas, an ABC affiliate, that it has 30 days to contest the forfeiture or pay the fine, as a result of "clipping" ("Closed Circuit," Jan. 31).

The commission said the practice involved violation of the rules prohibiting fraudulent billing and requiring announcements that payment has been received for including certain material in programs.

However, in separate actions, the commission granted the transfer of negative control (50%) of the licensee and granted the station's renewal application. The negative control was transferred from C. R. Pat Clark and William R. Morse and other principals to

Arthur Powell Williams Family Group, for \$390,596.

The commission, in disclosing the proposed fine, said that an inquiry indicated that on a number of occasions KSHO-TV had joined the network after a sponsored program had begun and had left it before conclusion in order to insert additional local commercial material during station breaks. ABC, however, was informed the programs were being carried in full and was paying the station accordingly, the commission said.

ABC finally contacted the station after being notified of the alleged practice by a local viewer, and the station, both orally and in a June 21, 1971, letter, said its operation had been cleaned up and the deviations eliminated.

But the commission said its check of the station's logs indicated that the station had failed to carry many programs in their entirety before and after the assurances ABC received last June. "Although the delays were usually of only a few seconds duration," the commission said, "in a few instances they were as extensive as 20, 30 and even 40 seconds."

KSHO-TV conceded that it had been inserting local commercials in network programming, though "without abridging entertainment content" and in "such a

manner as not to be objectionable to the viewer." Its defense was that the commission had never made "a clear announcement that the practice was improper."

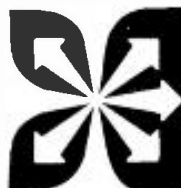
Furthermore, it claimed that the practice was widespread among affiliates in small markets, "tolerated (if not expressly condoned) by the networks" and was, for many small stations, "a matter of economic survival." The plight of KSHO-TV, it added, is well documented to the commission.

But the commission was unmoved. It said the station had offered no evidence that ABC had condoned KSHO-TV's clipping—and that it was no defense, in any case, to argue that the practice was widespread and accepted by the networks.

"Failure to broadcast sponsored programs in full," the commission said, "constitutes a deceptive practice with respect to the sponsors of network programs, unless the network advises the sponsors that the programs are not being carried in full, and the commission expects the network and affiliates alike to make sure that advertisers are not deceived."

The commission notice of apparent liability was adopted by a vote of 5-to-1, with Commissioner Nicholas Johnson dissenting and Commissioner H. Rex Lee absent.

The KSHO-TV case is one of two involving alleged clipping the commission is investigating. The other is said to involve three stations owned by the Donrey Media group, including one in Las Vegas, KORK-TV. The others are KOLA-TV Reno and KFSA-TV Fort Smith, Ark. The commission reportedly is deferring action on the license renewal and sale of KVOA-TV Tucson to Donrey until the matter is resolved, possibly through a hearing ("Closed Circuit," Jan. 31).



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72-4

### *ChangingHands*

#### **Announced**

The following sales of broadcast stations were reported last week, subject to FCC approval:

■ **KSIB-AM-FM** Creston, Iowa: Sold by Mrs. Jeane Horning to Maurice F. Dunne Jr. and Charles Earls for \$300,000. Buyers have an interest in **KBOA-AM** Kennett, Mo., and **KTHS(AM)** Berryville, Ark. **KSIB** operates on 1520 khz with 1 kw day. **KSIB-FM** is on 101.7 mhz with 3 kw and an antenna 250 feet above average terrain. Broker: Hamilton-Landis & Associates.

■ **KFTW(AM)** Fredericktown, Mo.: Sold by Robert F. Neathery to Mr. and Mrs. Jack Gale for \$100,000. Mr. and Mrs. Gale are residents of Jacksonville, Fla.



Mr. Gale was formerly program director of WPDQ(AM) Jacksonville. KFTW operates on 1450 khz with 1 kw day and 250 w night. Broker: Ralph E. Meador, Lexington, Mo.

### Approved

The following transfers of station ownership were approved by the FCC last week (for other FCC activities see "For the Record," page 92).

▪ **KTTS-AM-FM** Springfield, Mo.: Sold by Radio 14 Inc. to F. F. Mike Lynch and Michael C. Oatman for \$350,000. Sellers also own KTTS-TV Springfield and said they were divesting of the radio properties in light of the FCC's proposed rulemaking that would bar cross-ownership of co-located radio-TV facilities. Buyers have an interest in KFBI(AM) Wichita, Kan. The commission also dismissed a petition to deny the sale filed by the local chapter of the International Brotherhood of Electrical Workers. The union had complained that the buyers were attempting to negate a contract it had with Radio 14 covering seven of the stations' employes. The commission claimed lack of jurisdiction over such collective bargaining matters. KTTS(AM) is on 1400 khz with 1 kw day and 250 w night. KTTS-FM operates on 94.7 mhz with 10 kw and an antenna 660 feet above average terrain.

▪ **KBRC(AM)** McCook, Neb.: Sold by Leroy Lenwell to Edwin S. Towle III for \$155,000. Mr. Towle is also president of Southeast Nebraska Broadcasting Co., applicant to buy KTNC(AM) Falls City, Neb. KBRL operates on 1300 khz with 5 kw day.

▪ **WTRS-AM-FM** Dunnellon, Fla.: Sold by Rainbow Communication Services Inc. to Tri-County Broadcasters Inc. for \$115,000. Principals of Tri-County are David S. Arthurs and Charles E. Bell. Mr. Arthurs owns the *Dunnellon Press*, the town's only newspaper. Mr. Bell has interests in WDOG(AM) Allendale, WSIB(AM) Beaufort and WPUB(AM) Camden, all South Carolina. WTRS is on 920 khz with 500 w day. WTRS-FM operates on 102.3 mhz with 3 kw and an antenna 300 feet above average terrain.

### CORE to tackle 'charlatans'

The Congress of Racial Equality has taken a lead role in forming a so-called 'coalition against charlatans,' preying upon people seeking broadcasting, modeling or movie careers. The new organization, the California Communications Coalition, seeks to encompass professional organizations, trade associations, federal officials, business leaders, clergymen, consumer-protection guilds and civil rights groups. Its objective is to eliminate "the gross exploitation" by

"phony" schools, commercial model agencies and movie producers.

Conrad Smith, deputy Western regional chairman of CORE, in announcing the formation of the coalition, said that his organization has received more than 300 complaints about "charlatan activities." CORE also announced a 10-point "racket riddance" program. This campaign will include boycotts, pickets and legal action against offenders.

## Incumbency counts on NAB radio board

### Seven eligibles re-elected, one is defeated and four new members are chosen

Only one upset occurred in the election of 12 directors to the radio board of the National Association of Broadcasters: Sidney King, KVOC(AM) Casper, Wyo., was elected to represent district 14 (Rocky Mountain states), defeating incumbent William A. Merrick, KBMN(AM) Bozeman, Mont.

Mr. Merrick said last week that he felt his stand supporting the CATV compromise, as well as his outspokenness regarding the NAB leadership were responsible for his defeat. Rocky Moun-

tain broadcasters have been unhappy with the cable compromise since it makes no distinction between small TV markets out West and the remainder of the country. He also was one of the leaders in the abortive revolt against the leadership of NAB President Vincent T. Wasilewski and the association's government-relations department. Mr. Wasilewski, in fact, received a unanimous vote of confidence at the board meeting in Florida last month (BROADCASTING, Jan. 24).

All other incumbents who were running were re-elected. In four categories, however, incumbent directors were ineligible to run, each having served the maximum two consecutive two-year terms.

All the electoral districts and the four at-large directorships had two candidates as required by NAB by-laws. In the race for the class A market representative, however, there were three candidates, with Harold R. Krelstein, Plough Stations, Memphis, being re-elected.

The NAB's radio board consists of 29 members, including representatives of the four networks who are appointed. Last year, 17 directors were chosen for two-year terms.

Results, announced last week, were as follows (losing candidate in parentheses): District 2, Philip Spencer, WCSS(AM)

25

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Amsterdam, N.Y. (William F. O'Shaughnessy, WVOX-AM-FM New Rochelle, N.Y.); district 4, Robert R. Hilker, WCGC-AM-FM Belmont, N.C. (Jack B. Prince, WTAR-AM-FM Norfolk, Va.); district 6, J. Kenneth Marston, WDXI(AM) Jackson, Tenn. (J. A. [Sonny] West, KDMS[AM] and KRIL[FM] El Dorado, Ark.).

District 8, George A. Foulkes, WAAC(AM) Terre Haute, Ind. (Raymond A. Plank, WKLA-AM-FM Ludington, Mich.); district 10, Robert E. Thomas, WJAG-AM-FM Norfolk, Neb. (Dale Cowle, KASI-AM-FM Ames, Iowa); district 12, V. Kay Melia, KLOE(AM) Goodland, Kan. (Robert L. Pratt, KGGF[AM] Coffeyville, Kan.); district 14, Sidney King, KVOC(AM) Casper, Wyo. (William A. Merrick, KBMN[AM] Bozeman, Mont.); district 16, Dan McKinnon, KSON(AM) and KSEA(FM) San Diego (Jack William, KHFP-AM-FM Phoenix).

Class A, Mr. Krelstein (Elmo Ellis, WSB-AM-FM Atlanta, and Kenneth Harwood, WRTI[FM] Philadelphia); class B, Thad M. Sandstrom, WIBW-AM-FM Topeka, Kan. (Robert Crager, WWBZ[AM] Vineland, N.J.); class C, Tom Harrell, WSTP(AM) and WRDX(FM) Salisbury, N.C. (Walter Rubens, KOBE[AM] Las Cruces, N.M.); class D, Clint Formby, KPAN-AM-FM Hereford, Tex. (Ben B. Sanderson, KICD-AM-FM Spencer, Iowa). Mr. Formby had been the class C director, but last June the NAB board changed these market classifications, putting Hereford into class D.

Going off the board because of ineligibility are Dan C. Dailey, KGBX(AM) Springfield, Mo., district 10; Allan Page, KGWA(AM) Enid, Okla., district 12; Ben A. Laird, WDUZ-AM-FM Green Bay.

## Graham says yes

The Rev. Billy Graham has informed the National Association of Broadcasters that he will accept the distinguished service award of the association at its annual convention in Chicago. Custom has it that the presentation of the award is made on the first full day of the convention, following the keynote address by the NAB president. This would be April 10; this year's convention runs April 9-12. Mr. Graham was voted the award by the NAB convention committee at the board meeting last month in Florida (BROADCASTING, Jan. 24).

Wis., class B, and Edward D. Allen Jr., WDOR-AM-FM Sturgeon Bay, Wis., class D.

The new radio directors take office for two-year terms on April 12, the closing day of the NAB's annual convention (April 9-12 in Chicago).

## NAB picks 7 to work with FCC on radio

Campaign by Richard W. Chapin (Stuart Enterprises, Lincoln, Neb.), chairman of the joint boards of the National Association of Broadcasters, to get the FCC to do something about radio regulation moved another step forward last week.

NAB President Vincent T. Wasilewski named a seven-man group to work with the FCC on new procedures to handle uniquely radio problems. Mr. Chapin is chairman.

The NAB committee was named in

response to a suggestion last month by FCC Chairman Dean Burch that this be done to identify problems that are unique to radio and to provide the FCC with information and recommendations on simplifying existing requirements (BROADCASTING, Jan. 24).

Hopefully, broadcasters feel that this could eventuate in steps toward deregulation of radio as suggested by Clay T. Whitehead, director of the Office of Telecommunications Policy, in a speech to the International Radio & Television Society last fall (BROADCASTING, Oct. 11, 1971).

Other members of the task force: Sam W. Anderson, KFFA(AM) Helena, Ark.; Harold R. Krelstein, Plough Stations, Memphis; Stanley W. McKenzie, KWED-AM-FM Seguin, Tex.; Dick Painter, KYSM-AM-FM Mankato, Minn.; Lee Allan Smith, WKY(AM) Oklahoma City; and Joseph F. Tennesen, KFKA(AM) Greeley, Colo.

## Line-ups presented for GOALS teams

Names of executives making up two GOALS task forces to work with the American Research Bureau and The Pulse Inc. for improvement in radio-audience measurements are being announced today (Feb. 7).

The ARB task force co-chairmen are Pierre Megroz, vice president, Cristal Co., and Kathryn Lenard, director of research, Metro Radio Sales. The members are Russell Barry, CBS-owned AM stations; Richard Harris, Radio Advertising Representatives; Harold Neal, ABC-owned radio stations; Deborah Gonderil, KFI(AM) Los Angeles; Robert Henaberry, ABC-owned radio stations; Claire Horn, Radio Advertising Representatives; Ellen Hulleberg, McGavren-Guild-PGW Radio; Carol Mayberry, Robert E. Eastman & Co.; Sam Paley, Avco Radio Sales; William Schrank, Katz Radio, and Linda Stern, wCBS(AM) New York.

Co-chairman of the Pulse task force are William Kelley, director of nation-sales, Storer Broadcasting, and Robert Galen, vice president, director of research, Blair Radio. Members are Frank Boyle, Robert Eastman & Co.; Elmo Ellis, WSB(AM) Atlanta; Ross Taber, RKO Radio division; Terry Drucker, WNBC(AM) New York; James Landon, Cox Broadcasting; Marvin Roslin, RKO Radio Representatives; Riele Tack, Major Market Radio; Maddy Schreiber, WBS-FM New York, and Alan Tobkes, H-R Representatives.

The formation of these task forces had been proposed by the Radio Advertising Bureau. GOALS stands for goals for operation, administration, logistics and stability of radio rating services.



The Nixon administration's increasingly publicized "secret agent" took time out from diplomatic pursuits to attend NBC-TV's Washington gala celebrating the 20th anniversary of the Today show. He lost none of his reputation as an international swinger in the process, as witness this moment with (l to r) Julian Goodman, NBC president; Henry Kissinger; Barbara Walters, Today's distaff host, and Charlotte Ford Niarchos.

## Is a little cigar a cigarette?

### Moss hearings cast shadow on exemption of Winchester, others from ad ban

A potential revenue source for broadcasters—the advertising of little cigars—has been placed in jeopardy, with the tobacco industry fighting hard to stave off the health-hazard onus—the factor that caused Congress to bar cigarette advertising from TV and radio.

The implication that little cigars may be considered cigarettes, and thus banned from the air, was raised last week by Senator Frank E. Moss (D-Utah) at a hearing by the Senate Consumer Subcommittee of the Senate Commerce Committee. That hearing, which resumes Thursday (Feb. 10), was focused primarily on Senator Moss's S. 1454, a bill that would require the Federal Trade Commission to establish maximum levels of tar and nicotine content in cigarettes.

The eligibility of little cigars to advertise on the air was put in question by Senator Moss because of the appearance and TV advertising techniques of

Winchester, a new little cigar now being test marketed by R. J. Reynolds Co., Winston-Salem, N.C., in six markets (Boston and environs; Dayton, Ohio; New York and northern New Jersey; Sacramento, Calif.; Des Moines and Sioux City, Iowa).

Senator Moss's concern is that Winchester looks like a cigarette, filter included, is sold in soft-packs of 20 and in some cases in vending machines, that it seems to be "inhaleable," and its TV advertising is similar to cigarette advertising on the air before the congressional ban that went into effect on Jan. 2, 1971.

Opposition to this viewpoint came from James F. Hind, Reynolds's marketing supervisor for that company's first cigar. Mr. Hind stressed that the product has been classified as a cigar by the Internal Revenue Service and through agreement by the Department of Justice. He also stressed that Win-

chester's cigar tobacco ingredients and wrapper differentiated it from cigarettes.

Winchester, he said, is designed to appeal primarily to men; therefore the broadcast advertising contains many of the same elements used by other male-oriented products—such as beer, men's toiletries, motorcycles, cigars.

Winchester's theme of taste and mildness is common to regular cigar advertising, Mr. Hind said, although he admitted that these same words may also have been used in the promotion of some cigarettes. He stressed that in both broadcast and print advertising, it is repeatedly stated that Winchester "is not a cigarette." All TV commercials, he said, have superimposed at the conclusion the phrase "20 Little Cigars."

And, he responded at one point in the questioning, Winchester is never shown being inhaled.

Reynolds spent \$143,800 in spot TV in its test markets from September through November 1971 in promoting Winchester little cigars. Among other little cigars (Erik, Omega, Trend, Between-the-Acts), only Lorillard spent any sizable sums in TV; for its Erik it spent \$561,800 in the first 11 months

## Mixed reviews for network sales

### TVB sees prospects for '72 as good, but reports business off in '70

For the network-television business, the news is both good and bad, according to a Television Bureau of Advertising report out Monday (Feb. 7). TVB's emphasis, however, is more on the good.

The positive side: There is a move-up of advertiser investments in network TV for the first and second quarters of 1972—a business development reported recently by both advertising agencies and networks (BROADCASTING, Jan. 31).

The negative: Advertiser investments dropped 6.1% in 1971 vs. 1970. TVB said that network-TV investments last year totaled \$1,627,500.

Harvey Spiegel, TVB vice president, sales and marketing, said that despite the sluggish economy and cutback in network prime time, the investments would have registered a gain last year were it not for the absence of cigarette billings.

"The difference," he said, "was the

\$152-million loss of cigarette revenues. As of January 1971, advertiser investments in network television rose sharply and this will be reflected in solid monthly gains throughout the first and second quarter."

All time segments posted declines during 1971, TVB found, noting that nighttime fell from \$1.2 billion to \$1.1 billion; weekday daytime from \$372.3

million to \$353.3 million, and weekend daytime from \$181.4 million to \$178.4 million.

According to the TVB report, based on figures supplied by Broadcast Advertisers Reports (BAR), CBS's billings were the highest of the networks. CBS billed \$606.65 million, NBC \$553.11 million and ABC \$467.95 million in 1971.

### Network Television Time and Program Billing Estimates By Day Parts and By Network (Add 000)

	December			January-December		
	1970	1971	% chg.	1970	1971	% chg.
Daytime	\$ 48,892.5	\$ 47,331.6	- 3.2	\$ 553,704.7	\$ 531,745.1	- 4.0
Mon.-Fri.	26,729.3	26,896.2	+ 0.6	372,340.5	353,311.0	- 5.1
Sat.-Sun.	22,163.2	20,435.4	- 7.8	181,364.2	178,434.1	- 1.6
Nighttime	108,511.4	100,387.2	- 7.5	1,180,012.2	1,095,967.4	- 7.1
<b>Total</b>	<b>\$157,403.9</b>	<b>\$147,718.8</b>	<b>- 6.2</b>	<b>\$1,733,716.9</b>	<b>\$1,627,712.5</b>	<b>- 6.1</b>

	ABC	CBS	NBC	TOTAL
January	\$ 36,905.5	\$ 50,029.2	\$ 52,027.2	\$ 138,961.9
February	38,478.7	48,852.4	45,322.3	132,653.4
March	39,946.5	54,338.1	48,506.9	142,791.5
April	36,949.8	49,261.3	46,792.6	133,003.7
May	33,701.5	48,611.8	42,148.5	124,461.8
June	32,039.4	41,929.6	38,183.1	112,152.1
July	27,310.3	38,270.3	36,043.8	101,624.4
*August	29,605.5	39,039.1	35,359.7	104,004.3
*September	40,669.9	49,653.5	45,644.4	135,967.8
*October	53,292.6	63,643.0	62,054.5	178,990.1
*November	56,628.1	64,251.5	54,503.1	175,382.7
December	42,423.5	58,770.7	46,524.6	147,718.8
<b>Year-to-date</b>	<b>\$467,951.3</b>	<b>\$606,650.5</b>	<b>\$553,110.7</b>	<b>\$1,627,712.5</b>

\*Revised.



of 1971, with \$454,600 placed in spot.

Other tobacco industry witnesses also objected to the attempt to categorize little cigars as cigarettes. And they, as well as tobacco state senators, registered their opposition to Senator Moss's bill to set permissible levels of tar and nicotine in cigarettes.

In fact at one point, a government official expressed regret with the 1969 act that removed cigarette advertising from the air. He was Dr. Marlin K. DuVal, assistant secretary for health and scientific affairs of the Department of Health, Education & Welfare. Testifying in favor of the Moss bill, he noted at one point:

"The most probable reason for the leveling out of cigarette consumption [he noted that per capita consumption of cigarettes in 1971 was 3,965 compared to 3,989 in 1970] is the Public Health Cigarette Smoking Act of 1969—a long-term victory for the public health, but one whose immediate consequences has been less fortunate. By removing cigarette advertising from television, it has also severely reduced the public's exposure to anti-cigarette advertising."

Earlier last week, the FTC announced that six major cigarette manufacturers have agreed to include health warnings in all print advertising.

Under the consent order, provision-

ally accepted by the FTC, all cigarette advertising would bear two lines of "clear and conspicuous" warning of health dangers in all copy in specified type size based on the size of the advertisement (10-point in a *TV Guide* size page size to 2 inches tall for billboards). The black on white warning must also be contained separately at the bottom of each ad and must be enclosed in a black border.

The companies signing the order: American Brands Inc., New York; Brown & Williamson Tobacco Corp., Louisville, Ky.; Liggett & Myers Inc., New York; Lorillard, division of Loews Theaters Inc., New York; Philip Morris Inc., New York, and R. J. Reynolds Tobacco Co., Winston-Salem, N.C.

## Improvements claimed in ARB radio books

A series of changes in the American Research Bureau's radio reports, hailed by ARB as major improvements to make the buying and selling of radio time easier, will go into effect with issuance of the January-February reports.

William T. McClenaghan, vice president for radio sales, who made the announcement, also said all clients will now receive both the regular radio market report and the radio demographic buyer report.

Among the changes:

To facilitate comparisons involving weekend data, Saturday and Sunday time periods will be the same as those used for Monday-Friday; the 25-49 age group for men and women will be included; a special breakout of weekend, 6 a.m. to midnight, will be included along with another new day-part, Monday-Friday, 6 a.m. to midnight; five new cume day-part combinations will be included to reflect Monday-through-Saturday listening patterns, and a new cume day-part featuring weekday drive-times in combination with total weekend will be added.

ARB said hour-by-hour estimates will appear only in the demographic buyer report but have been expanded to include Monday-Friday 5 a.m. to 6 a.m. listening to reflect rural and early-rising commuter audiences; Monday-Friday midnight to 1 a.m. to reflect late-night listening, and a breakout of the 25-49 age group for both men and women.

New Monday-Friday estimates were said to include 6 a.m. to 7 p.m. to reflect typical daylight hours for daytime stations; away-from-home estimates for housewife and for evening time periods to supplement current out-of-home drive-time estimates; cume estimates for 5 a.m. to 10 a.m., to show 5-6 a.m.'s addition to the 6-10 a.m. period, and two additional cume day-parts to show the contribution of nighttime listening

when combined with other day-parts.

Total-week cume estimates include 10 a.m. to 3 p.m., 3 p.m. to midnight and 7 p.m. to midnight

## Muskie aide bristles at McGovern spot

A radio commercial placed on New Hampshire stations by supporters of Senator George McGovern (D-S.D.) has drawn criticism from the camp of an opponent, Senator Edmund S. Muskie (D-Me.).

Tony Podesta, Mr. Muskie's New England coordinator, last week complained that a commercial placed by McGovern supporters in the New Hampshire Democratic presidential-primary campaign was "in poor taste and quite unfair." Without identification, it used the voice of the late Senator Robert F. Kennedy (D-N.Y.), praising Mr. McGovern for his early stance against the war in Southeast Asia.

The tape of Mr. Kennedy's voice was made at a 1968 address in South Dakota during Mr. Kennedy's presidential campaign that ended in his assassination. Mr. Kennedy was responding to an introduction by Mr. McGovern.

Mr. Podesta objected that the voice could be mistaken for that of Senator Edward Kennedy (D-Mass.) and the assumption drawn that he was endorsing Mr. McGovern for the 1972 presidential campaign. Mr. Kennedy has endorsed no one.

A McGovern spokesman in Washington said the voice was unmistakably Robert Kennedy's. He called the Muskie contention "nonsense."

## Escrow accounts set for media payments

Media Corp. of America, New York, an independent buying and planning service, has developed a plan aimed at concentrating control of payment of media bills in the hands of its advertising clients. Explaining the approach, Albert B. Shepard, president of the media service, said the client maintains an account in escrow at its bank into which it transfers funds just before receipt of media invoices. Media Corp. prepares checks made out to the media and submits them to the client for payment from the escrow account.

Mr. Shepard said under this system media bills will be paid by the advertiser without any possibility of the client's money being used for other purposes. He called this approach "a protection" for the advertiser and the media.

He said all clients of Media Corp. of America have been notified of the escrow program and said their reaction has been "most favorable."



A tonic  
for tired  
prime-time  
access  
programming.

see pgs. 50-51

## More caught in FTC's documentation net

**A big haul: 16 makers of cold and cough medicines asked to back up ad claims made primarily on television**

The nation's cold and cough remedy advertisers were asked last week to substantiate some of their advertising claims. The order was issued by the Federal Trade Commission, which, beginning last summer, has called for advertising documentation from the automobile, electric-shaver, TV-set, air-conditioner, and toothpaste and dentifrice industries.

The 16 manufacturers at which the FTC order was aimed, constitute virtually 99% of the cold and cough remedy market, according to Gerald J. Thain, assistant director of the FTC's Bureau of Consumer Protection. Their 1970 annual sales amounted to \$400 million, he said. He also noted that the preponderance of claims quoted in the orders are from TV commercials, but, he added, he did not think this is significant; only that these products are heavily advertised in television and radio.

Television advertising for cold and cough remedies in 1971 amounted to about \$65 million for both network and spot, according to the Television Bureau of Advertising. In radio the figure for the first nine months of last year was \$1.5 million, according to the Radio Advertising Bureau.

Two of the firms cited announced they were sure their advertising is fully documented. Warner-Lambert Co. said it was confident that its documentation will clearly support its product claims. Peter Godfrey, president of Menley & James Laboratories, a subsidiary of Smith, Kline & French, said: "Our advertising claims have always been supported by documented scientific and medical fact."

The firms were given 60 days to submit substantiation of such claims as: "Dristan, the remarkable cold medication, works in your sinuses, the critical area of colds infection, helps drain and dry all eight sinuses. Helps shrink swollen membranes. Relieves congestion pressure and pain. Opens airways so you can breathe easier."

Or "It's got 50% more cough suppressant than the leading lozenge. In fact, one Listerine cough control lozenge has as much cough suppressant as a teaspoon of the leading cough syrup. . ."

The information from the advertisers is made public, and at the same time the FTC combs the documentation and acts on any false or misleading advertising claims that it discovers.

The advertisers and the products involved:

American Home Products Corp., New York (Dristan Nasal Mist, Dristan Vapor Spray, Dristan tablets); Bristol-

Myers Co., New York (Congespirin, 4-Way nasal spray, Silence is Golden); Chesebrough-Pond's Inc., New York (Pertussin 8-Hour cough formula, Pertussin Plus); F&F Laboratories Inc., Chicago (F&F cough drops); Father John's Medicine Co., Lowell, Mass. (Father John's medicine).

Also: Hoffman-LaRoche Inc., Elkhart, Ind. (Romilar III); Mentholatum Co., Buffalo, N.Y. (Mentholatum ointment); Merck & Co., Rahway, N.J. (Screts cold decongestant formula lozenges, Screts sore throat lozenges); Miles Laboratories Inc., Elkhart, Ind. (Alka Seltzer Plus cold tablets); Pfizer Inc., New York (Ben-Gay); Revlon Inc., New York (Liquiprin nighttime cold medicine for children).

And, Richardson-Merrell Inc., New York (Victors cough drops, Vicks Formula 44 cough discs, Vicks Formula 44 cough mixture, Vicks NyQuil, Vicks Sinex nasal spray, Vicks VapoRub, Vicks VapoSteam, Vicks cough drops); Schering-Plough Corp., Bloomfield, N.J.

(Aspergum, St. Joseph cough syrup for children); Smith, Kline & French Laboratories, Philadelphia (C-3, Contac); Sterling Drug Inc., New York (Neo-Synephrine nasal spray, Neo-Synephrine nose drops); Warner-Lambert Co., Morris Plains, N.J. (Hal's Mentho-Lyptus, Listerine antiseptic throat lozenges, Listerine antiseptic throat lozenges for children, Listerine cough control lozenges).

### *BusinessBriefly*

**Hallmark Cards Inc.**, Kansas City, Mo., through Foote, Cone & Belding, New York, will sponsor *Hallmark Hall of Fame* special, "Love! Love! Love!" on NBC-TV Tuesday, Feb. 8 (7:30-8:30 p.m. NYT).

**Kraft Foods**, Chicago, through J. Walter Thompson Co., New York, will sponsor an NBC-TV special, "Johnny Carson Presents Sun City Scandals '72," Monday, March 13 (10-11 p.m. NYT). Musical variety special starring Bette Davis, Eddie Foy Jr., Jack Oakie, Molly Picon and Ethel Waters is a sequel to the December 1970 "Sun City Scandals," also hosted by Mr. Carson.

### Success story over Louisville

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# L&N hoists a distress flag

## Three major account losses pave way for bankruptcy filing; three major networks are biggest creditors

Lennen & Newell—for years a leading advertising agency with its base solid in New York—was in financial trouble last week. Beset by hard times, weakened management, acquisitions that went sour and client defections, the troubled agency filed in New York under Chapter 11 of the Federal Bankruptcy Act.

Its three biggest creditors were the networks and their owned stations: CBS \$812,395, NBC \$498,931 and ABC \$460,145, a total of \$1,771,471 owed these three networks.

The agency had closed 1970 at the \$140-million billings level. By 1971, despite the acquisition of Geyer-Oswald, billings had receded to a little over \$100 million (about half in broadcast) and in October of last year the agency was finding it difficult to meet payments owed media. Following corporate reorganization late last year, the agency assured media that it would not default on payments on business handled at that time (BROADCASTING, Dec. 6, 1971). It has been reported that the agency froze accounts receivable last Oct. 31 in an attempt to keep current on payments.

In its petition, Lennen & Newell listed \$10,993,000 in liabilities; \$6,384,000 in assets, of which \$4,843,000 were accounts receivable. Listed was \$117,000 in cash on hand; furniture, fixtures and aircraft (acquired from Geyer-Oswald) were valued at \$156,000. The agency said it expected \$85,000 in profits over and above \$93,000 in expenses in the 30-day period following date of the petition (Feb. 2).

Most of the billings loss at L&N

occurred in a relatively brief span. Soon after the Florida Citrus Commission notified L&N of the loss of the \$7-million oranges account on Jan. 19 (see this page), Lorillard and National Distillers terminated their account relationships.

▪ L&N's petition put current billings at \$25 million, and, according to the agency, clients it can count on are Sterling Drug's Glenbrook Laboratories, and the advertising for Hubert H. Humphrey (through L&N's Campaign Planners). Other clients, Best Foods division of C.P.C. International, Stokley-Van Camp and Jackson Brewing Co., reportedly were to make known their plans.

Over several weeks, Lennen & Newell held meetings with an informal group of creditors who apparently agreed to agency payments of 50 cents for each dollar owed over a three-year period. The other 50 cents would be forgiven by creditors. The creditors group stipulated, however, that assurances must be given by agency staff and clients that they would remain with Lennen & Newell for at least the immediate future. The agency last week awaited definitive word on clients' plans, after reportedly obtaining assurances in writing from 75% of its staff.

In addition to the networks, Storer Broadcasting was among the 10 biggest creditors listed in the bankruptcy petition filed by Lennen & Newell. Total owed Storer: \$81,545.

Among others owed were:  
WSB(TV) Atlanta, \$28,113; WBT(TV) Charlotte, N.C., \$23,273; KPIX(TV) San

Francisco, \$22,822; KSD-TV St. Louis, \$13,980; WVON(AM) Chicago, \$13,597; KOA-TV Denver, \$12,180; WMAR(TV) Baltimore, \$11,483; WGR-TV Buffalo, \$10,797. Documents filed showed the J. Walter Thompson Co. is owed \$43,443.81 and two commercial production firms, MPO Vidotronics Inc. and Hal Tulchin Productions, both New York, are owed \$16,071 and \$11,342.39, respectively.

## Citrus picks Dancer in L&N defections

A smooth takeover by Dancer-Fitzgerald-Sample of the Florida Citrus Commission's \$7-million oranges account from Lennen & Newell was predicted last week.

D-F-S spokesmen noted that as one of three finalists in the competition for the account, Dancer had emphasized plans to build on what L&N had already accomplished for the client. D-F-S was visited by commission representatives on Jan. 24 and named the winner four days later. Other finalists also visited that week were Leo Burnett, Chicago, and J. Walter Thompson, New York.

The \$1.25-million grapefruit portion of the citrus business remains with Tinker, Dodge & Delano.

Vernon S. Mullen, the commission's advertising director, said the citrus industry had allocated about \$1.7 million to network television for the orange account this winter and will spend another \$1.5 million in network TV in the spring.

Lennen & Newell, which was notified of the account's cancellation on Jan. 19, will continue to bill on the business until April 18. The commission said it will retain Anita Bryant as TV-commercial spokeswoman.

Meantime, at financially troubled Lennen & Newell, the client list continued to shrink. Among major accounts giving notice were the Lorillard division of Loew's Corp. (some \$12 million in billing) and National Distillers (\$4 million to \$5 million). Lorillard's business was assigned to Grey Advertising and Foote, Cone & Belding; Distillers to Young & Rubicam and BBDO.

## Crichton points a finger at the media

John Crichton, president of the American Association of Advertising Agencies, following last week's bankruptcy filing by Lennen & Newell (see above), said that the whole thing might not have happened if media had acted more cautiously in extending credit to agencies.

Said Mr. Crichton: "There is only one point at which credit loss can absolutely be prevented or limited—and that is the point at which credit is granted.

"Advertising media and suppliers, in extending credit to agencies, run a credit risk, as do sellers in any business. Some have not recognized this fact.

"Running the risk, they must appraise agency credit. They alone make the decision as to whether to extend credit and how much. Before granting credit, they

are in a position to demand figures, references or other assurance. And only they possess the best indicator of all the information as to whether their bills are being paid by the agency currently.

"When bankruptcy occurs, it is usually clear that it would have been better for all concerned, including the debtor, if credit had been cut off sooner."

He also said that over the 20-year period between 1952 and 1971, "during which time AAAA agencies' volume totaled some \$80 billion, losses by media and suppliers were only \$1.5 million, a minuscule fraction of a percent." Member agencies during the same period, he said, took credit losses themselves from clients' failures to pay of about \$8 million—losses, he said, which were not passed on to media and suppliers.

## RepAppointments

▪ KLAQ(AM) and KJAE(FM), both Denver, and KAYQ(AM) Kansas City, Mo.: H-R/Stone Inc., New York.

▪ WKID-TV Miami - Fort Lauderdale, Fla.: Adam Young Inc., New York.



## Outside fame for insider's artist

Harry Nilsson, musicians' and cult taste favorite, winning popular success with an album for everyone

During an interview with John Lennon several years ago, a reporter asked the name of his favorite American songwriter. "Nilsson" was the reply.

"Who?" the reporter said, never having heard the name.

"Harry Nilsson," said Lennon.

Until John Schlesinger picked Nilsson to do the "Everybody's Talking" theme for "Midnight Cowboy," Nilsson remained an unknown except to those relatively few people who took the trouble to look for his *Pandemonium Shadow Show* album after the Lennon endorsement. Today, more than three years since his last hit and almost a year and a half since his last album, Nilsson has a new hit single, "Without You," and an album, *Nilsson Schmilsson*, that looks earmarked for gold.

(Exact sales figures on the album and single are not yet available from RCA, but sources in the company say that both are "near to gold." Margie Frank, music director for the ABC's WDAI-FM Chicago, said last week that "the album is selling so well, we're planning to go on another song on the album sometime next week." KDAY(AM) Santa Monica, Calif., has been playing "Without You" for several weeks now (program director Bob Wilson predicted it would go to number one) as well as two other cuts from the album, "Driving Along" and "Gotta Get Up.")

In eight weeks, "Without You" has climbed to number five on the over-all *Billboard* charts and number three on its MOR charts. But *Nilsson Schmilsson* has more than one hit single. It has something for every format.

For the MOR's, *Nilsson Schmilsson* provides "Driving Along" (up-tempo, but nongrating), "The Moonbeam Song," "Without You" and "I'll Never Leave You." For the FM progressives, there's the re-creation of the Shirley & Lee standard "Let the Good Times Roll," "Down," and a song that RCA believes could be as big a hit as "Without You": "Jump into the Fire." (RCA plans to release either that cut or "Cocanut" as another single from the album.) For the R&B audience, there's the raunchy "Down." Top 40's can take their pick of almost any.

In Detroit, at WABX-FM, a progressive station, disc jockeys have been "jump-

ing all over the album," according to John Detz, general manager, with good response—especially during the afternoon. "Nilsson has always been very important in this market and we've always played his albums. We feel that there isn't a bad cut on the album, which allows us to play everything on it," he said.

Nilsson's forte is love songs. They are sometimes compelling and dramatic, as in the case of "Without You" (written by two members of Badfinger, by the way). Others are sardonic or humorous, as in "Early in the Morning." His lyrics are neither complicated nor obtuse.

From "Early in the Morning": "Went to your girlfriend's house, but she was out. Went to your father's house, but he began to shout. He said it was early in the morning . . ."

"Moonbeam Song" offers a good ex-



ample of lyrics written more for their phonic value than poetic sense: "Have you ever seen a moonbeam, as it slid across your window pane, or struggled with a bit of rain, or danced about a weathervane, or settled on a moving train, or wonder where the train's been." (Both lyrics copyright Dunbar Music-BMI.)

A new Nilsson seems definitely to have emerged. "Nilsson has a rock al-

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bum" is the way the RCA ads put it. He and producer Richard Perry went to England expressly in search of the kind of musicians they thought right for the *Nilsson Schmilsson* concept. They found Jim Gordon, Jim Price (both formerly with Delaney and Bonnie, Joe Cocker, Derek and the Dominos, George Harrison, et al.), Klaus Voorman (sideman for John Lennon and George Harrison) as well as Garry Wright (of Spooky Tooth).

Nilsson is above all an album artist. He has refused to make concert appearances and has done only a couple of television guest spots in recent years. His work does not depend heavily on the spontaneity or showmanship that is needed to support a live act. In a recording studio, he creates artifacts, as all good pop artists do, that can be played over and over but seem ever expanding in the number of chords they strike in the listener.

No one near the music business is likely to wonder "Nilsson Who?" any more.

### Music Richmond-style

Candyapple, a new company in Richmond, Va., has been formed to produce original music for commercials and films.

The firm will utilize the new 16-track Richmond recording studios of Alpha Audio under a working agreement with Alpha and will also employ staff composers and musicians. Address: 11 Foushee Street, Richmond.

## Upcoming in March: the Grammy Awards

### Rock is the standout in 15 categories of nominees for honors

Nominations for the 14th annual Grammy awards were announced last week by the National Academy of Recording Arts and Sciences. As in the past several years, rock—but this year in its softer versions—dominated several categories. The Grammy ceremonies will be broadcast live by ABC-TV on March 14 (8:30-10 p.m. EST).

The nominations appear below:

■ Record of the year: "It's Too Late," Carole King; "Joy to the World," Three Dog Night; "My Sweet Lord," George Harrison; "Theme from Shaft," Issac Hayes; "You've Got a Friend," James Taylor.

■ Album of the year: *All Things Must Pass*, George Harrison; *Carpenter*, The Carpenters; *Jesus Christ Superstar*, original cast; *Tapestry*, Carole King, *Shaft*, Issac Hayes.

■ Song of the year: "Help Me Make it Through the Night," Kris Kristofferson; "It's Impossible," Sid Wayne, Armando Manganero; "Me & Bobby McGee," Kris Kristofferson-Fred Foster; "I Never Promised You a Rose Garden," Joe South; "You've Got a Friend," Carole King.

■ Best new artist: Chase; Emerson, Lake and Palmer; Hamilton, Joe Frank and Reynolds; Carly Simon; Bill Withers.

■ Best female pop performance: "Gypsies, Tramps, and Thieves," Cher; "Me & Bobby McGee," Janis Joplin; "The Night They Drove Old Dixie Down," Joan Baez; "Tapestry," Carole King; "That's the Way I've Always Heard It Should Be," Carly Simon.

■ Best male pop performance: "Ain't No Sunshine," Bill Withers; "I Am, I Said," Neil Diamond; "If You Could Read My Mind," Gordon Lightfoot; "It's Impossible," Perry Como; "You've Got a Friend," James Taylor.

■ Best pop performance by group: "All I Ever Need is You," Sonny & Cher; "Carpenters," The Carpenters; "How Can You Mend a Broken Heart," Bee Gees; "Jesus Christ Superstar," original cast; "Joy to the World," Three Dog Night.

■ Best pop instrumental performance: "Burt Bacharach," Burt Bacharach; "Smackwater Jack," Quincy Jones; theme from "Love Story," Henry Mancini; theme from "Summer of '42," Michel Legrand; theme from "Summer of '42," Peter Nero.

■ Best R&B female vocal performance: "Bridge Over Troubled Waters," Aretha Franklin; "(I Love You) Call Me," Diana Ross; "Contact," Freda Payne; "Mr. Big Stuff," Jean Knight; "Pearl," Janis Joplin.

■ Best R&B male vocal performance: "Ain't Nobody Home," B.B. King; "Inner City Blues," Marvin Gaye; "A Natural Man," Lou Rawls; "Never Can Say Goodbye," Issac Hayes; "We Can Work it Out," Stevie Wonder.

■ Best country female vocal performance: "Good Lovin'," Tammy Wynette; "Help Me Make It Through the Night," Sammi Smith; "He's So Fine," Jody Miller; "How Can I Unlove You," Lynn Anderson; "Joshua," Dolly Parton.

■ Best country male vocal performance: "Easy Lovin'," Freddie Hart; "I Won't Mention It Again," Ray Price; "Kiss An Angel Good Morning," Charley Pride; "She's All I Got," Johnny Paycheck; "When You're Hot, You're Hot," Jerry Reed.

■ Best comedy recording: "Cheech & Chong," Cheech & Chong; "Ajax Liquor Store," Hudson and Landry; "Flip—The Flip Wilson Show," Flip Wilson; "This is a Recording," Lily Tomlin; "When I was a Kid," Bill Cosby.

■ Best jazz performance by big band: "Afrique," Count Basie; "A Different Drummer," Buddy Rich; "Maynard Ferguson-M.F. Horn," Maynard Ferguson; "New Orleans Suite," Duke Ellington; "Woody," Woody Herman.

■ Classical album of the year: *Berlioz: Requiem*, Colin Davis, conductor, London Symphony Orchestra; *Boulez Conducts Boulez: Pli Selon Pli*, Pierre Boulez, conductor, BBC Symphony Orchestra; *Crumb: Ancient Voices of Children*, Jan DeGaetani & Michael Dash, Arthur Weisberg, conductor, Contemporary Chamber Ensemble; *Haydn: Symphonies Nos. 65-72*, Antal Dorati, conductor, Philharmonia Hungarica; *Horowitz Plays Rachmaninoff*, Vladimir Horowitz; *Janacek: Sinfonietta/Lutoslawski; Concerto for Orchestra*, Seiji Ozawa, conductor, Chicago Symphony Orchestra; *Mahler: Symphony No. 1 in D Major*, Carlo Maria Giulini, conductor, Chicago Symphony Orchestra; *Penderick: Utrunju. The Entombment of Christ*, Eugene Ormandy, conductor, Philadelphia Orchestra; *Shostakovich: Symphony No. 14*, Phyllis Curtin, Simon Estes; *Tippett: The Midsummer Marriage*, Colin Davis, conductor, Royal Opera House Orchestra.

## Broadcast Journalism

### Pressure on the broadcast press

#### It's seen in different ways by CBS's Schorr, Whitehead of the White House, NBC's Monroe

Was the Federal Bureau of Investigation's check last summer on CBS newsman Daniel Schorr intimidation of a broadcast reporter who had been critical of the administration? Or was it made in connection with a legitimate government-job offer Mr. Schorr was to receive but never did?

Those questions may never be answered to the satisfaction of Senator Sam J. Ervin Jr. (D-N.C.). But the senator gave the subject close scrutiny as his Constitutional Rights Subcommittee resumed its hearing last Tues-

day (Feb. 1) and Wednesday (Feb. 2) on freedom of the press.

Mr. Schorr, the first witness, recounted the incident and made a number of observations on its possible implications.

Other witnesses—including Clay T. Whitehead, director of the Office of Telecommunications Policy—addressed themselves to broader issues relating to First Amendment guarantees. NBC News correspondent Bill Monroe deplored a double standard which he saw developing in journalism, with print

media free and broadcasting fettered.

The controversy over the Schorr investigation arose last year when the White House ordered the FBI to run a check on the newsman on grounds it was considering him for a government post. But no job was ever offered him (BROADCASTING, Nov. 15, 1971).

Senator Ervin said last week that he had invited Charles Colson and Fred-eric Malek, White House aides who reportedly ordered the investigation, to appear and use the hearing as "a forum for setting the record straight." But he

said the only administration response came from John W. Dean III, counsel to the President. Mr. Dean, the senator said, bypassed specific questions of his letter, and stated "there are no indications of any intent on the part of anyone on the White House staff to harass or intimidate Mr. Schorr by initiating an investigation into his background."

Senator Ervin also revealed the contents of a letter that FBI Director J. Edgar Hoover sent him in response to a letter of inquiry on the Schorr matter.

Mr. Hoover said the investigation began on Aug. 20, 1971, included interviews with 25 persons and ended that same day because of objections by Mr. Schorr and by CBS officials. Mr. Hoover said the White House requested no particular type of information—that it was "a routine background investigation for possible federal appointment." Mr. Hoover added that the results were "entirely favorable" to Mr. Schorr.

After recounting the story of the investigation from his vantage point Mr. Schorr said the prime issue of the FBI's investigation is not whether there really was a job offer. "Job or no job," he said, "the launching of such an investigation without consent demonstrates an insensitivity to personal rights."

President Nixon is said to have ordered an end to the practice, Mr. Schorr said, but "I think most Americans would feel more comfortable if there were legal safeguards" against it.

It is the employers of newsmen who feel the real pressure of intimidation, he said, "especially in the regulated broadcast industry, where networks can be subjected to pressure in many direct ways, and in indirect ways through the affiliates which give the networks existence."

And, he concluded: "As for me, I should like to think that I have not been affected by the whole episode. The insidious thing about it is that I do not know what subtle effects it may have on me, or on my colleagues."

After listening to Mr. Schorr, Senator Ervin said: "You've got to draw one of two conclusions. Either they really had you under consideration for a high government position or they were trying to intimidate you, harass you."

The senator said he was "further confounded" by the inconsistency between a letter he had from the White House saying the job for which Mr. Schorr was supposedly considered had since been filled, and a story in Monday's *Washington Post* quoting an unnamed White House official as saying the post was still vacant.

White House Press Secretary Ronald L. Ziegler said last Tuesday that Mr. Schorr had been considered for a job as assistant to the chairman of the



Senator Ervin (top left) and three of his key witnesses: CBS correspondent Daniel Schorr (top right), whose investigation by the FBI is a cause of concern; Edith Efron (lower left), whose book, "The News Twisters," brought her to the committee's attention, and OTP Director Clay T. Whitehead.

Council on Environmental Quality. Mr. Schorr is no longer in the running for the post, he said, but the administration still plans to fill the job. He did not indicate why Mr. Schorr was not picked for the position.

Mr. Whitehead testified on the application of the First Amendment to cable television and noncommercial broadcasting.

"The basic premises which we have used to reconcile broadcasting regulation with the First Amendment do not apply to cable," he told the subcommittee, since there is no need to license its use of the spectrum and "there are various ways of dispersing any monopoly control over what is programed on cable channels."

Mr. Whitehead said cable television "is now confronting our society with the embarrassing question: Are the reasons we have given in the past 40-odd years for denying to the broadcast media the same First Amendment freedom enjoyed by the print media really reasons—or only rationalizations."

Are government regulations "made unavoidable by oligopoly control of media content or by the need to decide who is a responsible licensee?" he asked, or, has society determined that such requirements are good? If the last is the case, he said, there is the question of whether this is in accord with the First Amendment "which . . . forbids the government from determining what it is 'good' and 'not good' to say."

Mr. Whitehead told the subcommittee that the President's cabinet-level

committee is examining these concerns in its deliberations on cable regulation.

As to the application of the First Amendment to noncommercial broadcasting, Mr. Whitehead said the primary question is how successful the Corporation for Public Broadcasting has been in "avoiding the pitfalls of centralization and thereby of government 'establishment.'"

Noting the "strong tendency" toward centralization, he said it is the administration's objective "to recall us to the original purposes of the [Public Broadcasting] Act," which envisioned "variety and diversity" rather than the "fourth network" approach.

In answer to a question from a subcommittee member, Roman Hruska (R-Neb.), Mr. Whitehead said the OTP is opposed to the Federal Trade Commission's recommendation to the FCC that broadcast access be given to counteradvertising. There is the problem of who will oversee the process and who will run counterads, he said. Advertising practices should be handled by regulation of the advertiser through the FTC, not by regulation of broadcasters through the FCC, he contended.

Senator Ervin adjourned the hearing before schedule on both days to attend to duties on the Senate floor.

NBC News correspondent Bill Monroe was one of those deprived of a scheduled oral presentation. But in a prepared statement he expressed the fear that "this country is already on the road, without realizing it, to a dual system of mass media: a printed press that



is free but shrinking and an electronic press that is growing but unfree."

He said that "if press freedom is to mean freedom for all the press, I believe the newspapers will have to become engaged in the struggle for broadcast freedom. The courts will have to reverse decisions they're now making, some of them unanimous. The Congress will have to reform the licensing procedure and, if the courts don't do it first, forbid any imposition of government concepts of fairness or equal time on any media."

Aryeh Neier, executive director of the American Civil Liberties Union, called the subcommittee's attention to a report prepared for ACLU last fall by freelance writer Fred Powledge. The report, "The Nixon Administration and the Press: The Engineering of Restraint," noted a "subtle tendency" of the broadcast and print press to engage in self-censorship to avoid criticism (BROADCASTING, Oct. 4, 1971).

Also testifying was Edith Efron, staff writer for *TV Guide* and author of "The News Twisters," a book published last year and charging network news is "strongly biased in favor of the Democratic-liberal-left axis of opinion" (BROADCASTING, Sept. 27, et seq.). Miss Efron called on government "to acknowledge that it has no business regulating" broadcasting, "an intellectual and artistic medium," and to get out of broadcasting lock, stock and barrel and let CATV, pay TV, and cassette technology rip, uncontrolled, unlicensed, unregulated, uncensored, and uninhibited," regulated only by the law of supply and demand.

The hearing will resume tomorrow (Feb. 8) and wind up Feb. 17.

## How to get into political conventions

The House Radio-TV Gallery is accepting applications for accreditation for the 1972 Democratic and Republican national conventions.

Credentials are restricted to working broadcast newsmen who are certified by their news directors. Applications should include the name and title of the applicant and indicate the amount of work space required in headquarters press rooms and convention-hall work areas. Housing requests are to be handled by the parties' national committees.

Applications are to be addressed to Joseph F. McCaffrey, chairman, 1972 Political Conventions Committee, House Radio-TV Gallery, Room H-320, U.S. Capitol, Washington 20515. The deadline for filing is March 17.

The Democratic convention will be held in Miami Beach beginning July 10; the Republican in San Diego beginning Aug. 21.

## Sudden braking at appellate court

### Against the trend toward widening access, it upholds rejection of replies to President

The FCC last week got unaccustomed support from a usually antagonistic source for decisions imposing limits on the application of the fairness doctrine. The commission was sustained by the Washington-based U.S. Court of Appeals in rulings denying the Democratic National Committee time to answer three broadcasts by President Nixon and the Republican National Committee time to answer the Democrats in an appearance granted them by one network, ABC-TV.

The affirmations came from a court that has more often than not reversed the FCC in recent years, in fairness cases as well as others (see "Broadcasting's Pre-Emptive Court," BROADCASTING, Aug. 30, 1971, et seq.).

It was the same court (though a different panel of judges) that last August instructed the FCC, contrary to a decision it had made, to prohibit broadcasters from refusing to sell time to the same Democratic National Committee, or to anyone else, for the expression of opinion. The Supreme Court only two weeks ago refused to stay that decision (BROADCASTING, Jan. 31).

It was also the court (with one judge, Edward A. Tamm, on that panel and the one making the decision last week) that last November rebuked the FCC for according time to the Republican National Committee to balance an appearance by Lawrence F. O'Brien, Democratic National Committee chairman, on what was to have been the first of a *Loyal Opposition* series on CBS-TV (BROADCASTING, Nov. 22, 1971). At that time Judge Tamm—in a concurring opinion—accused the FCC of playing politics by stretching the fairness doctrine to give the Republicans time.

Last week it was Judge Tamm who wrote the unanimous decision upholding the FCC's rejection of both the Democrats' and Republicans' appeals for time. The other panelists were Judge George E. MacKinnon and a U.S. district judge from Utah, A. Sherman Christensen, who was temporarily sitting on the appellate bench.

Aside from its apparent departure from the recent trend at the court, the decision last week drew attention for its benchmark approach to a definition of the fairness doctrine's application to broadcast appearances by a President of the U.S. The President, the court ruled, occupies a special status that does not entitle others to a right to reply whenever he goes on the air.

"No matter who the man living at

1600 Pennsylvania Avenue is," the court said, "he will be subject to greater coverage in the press and on the media than any other person in the free world. The President is obliged to keep the American people informed and as this obligation exists for the good of the nation this court can find no reason to abridge the right of the public to be informed by creating an automatic right to respond in the opposition party."

There is a difference between the President acting in his official role and in the role of political candidate. In the latter, the court said, a President must be treated as any other candidate under the equal-time law.

"Some will proffer that a first-term President is involved in his political reelection campaign from the date of his inauguration," the court said. "However, we believe that adoption of this view would only serve to frustrate the ability of the President and the licensees to present authoritative presidential reports to the public.

"The burden is, of course, to distinguish between the President *qua* President and the President in his political capacity," said the court. "This burden must fall to the commission in ruling on requests such as that filed by the DNC."

The three presidential appearances that precipitated the Democrats' demands for time to reply were ruled out by the court as types requiring it. The first, an interview by Barbara Walters on NBC-TV's *Today*, centered on Mr. Nixon's family life in the White House. "We can find no justification for granting DNC, or any other spokesman, a right to reply to this type of personal interview of a noncandidate," the court said.

In a footnote, it added, however, that some remarks of the President asserting achievements of his administration as compared to those of previous administrations "unquestionably are subject to the traditional requirements of the fairness doctrine."

The second program arousing Democratic requests for time was an hour interview with ABC's Howard K. Smith. To the extent that this interview dealt with controversial issues of public importance, the court said, it was encompassed in the fairness doctrine.

"It is not, however, for either the commission or this court to encroach upon the discretion of the licensee in absence of an apparent abuse of this discretion," the court said. It is up to the licensee to decide, in good faith,

whether there has been balance in the presentation of conflicting views.

The third presidential appearance was an address on all networks. Mr. Nixon spoke on the Southeast Asian war. ABC granted the Democrats a response two weeks later, but CBS and NBC asserted that their general coverage of the war had provided adequate balance. "Again," said the court, "in the absence of a clear showing of abuse of discretion we have no justification for compelling reversal of these positions."

As to the Republican demand for time to reply to the Democrats on ABC, the court held it to be "somewhat naive." The Republican view on the war had already been stated by the President as titular head of the party, the court assumed. Beyond that, the court said, "the requirement of mathematical equality is nonexistent in this situation."

The court also disposed of a DNC argument that the party had a First Amendment right to reply to the President.

A profusion of media cover the President daily, the court said. "A citizen desiring to be informed need only pick up a newspaper or news magazine, or tune in his radio or television. Information is available merely for the seeking. We see no need for supplementation based on some theoretical right in the First Amendment."

## FCC issues warning on FAA broadcasts

In light of the increasing occurrence of airline hijackings, the FCC last week warned broadcast licensees that stations that monitor and subsequently divulge in live, taped or paraphrased form, the air-to-ground communications of the Federal Aviation Administration without due authorization could be subject to criminal prosecution and other commission sanctions.

In a public notice sent to all licensees, the commission said that the FAA has notified it there had been unauthorized monitoring and playback of FAA communications.

An FAA spokesman said the agency had monitored such broadcasts on WCBS(AM) and WINS(AM), both New York, during the hijacking of a TWA flight on Jan. 29. He added that the FAA believes that similar broadcasts had been made in various forms last month on all New York stations and the three networks, although it has no evidence to support this. And, he continued, there were similar reports earlier in the month about KRLD-TV and KLIF(AM) Dallas.

The FCC said the broadcast transmissions from an accosted aircraft could "seriously hamper" law enforcement activities and "therefore jeopardize the

lives of passengers and crew." What's more, the commission said, the FAA feels that such broadcasts could alert potential hijackers to methods of law enforcement during the course of actual hijackings and "provide blueprints for future hijackings with increased danger to the public."

The commission said it "recognizes that there is a strong public interest in the free gathering and dissemination of news" and emphasized that it does not wish to "discourage broadcast stations or other news media in their proper efforts to serve such public interest." It cautioned, however, that the divulgence of public-safety communications in newscasts, or in related formats, is "contrary to law unless authorized."

The commission said that licensees should obtain clearance from the proper FAA sources before using material contained in the agency's air-to-ground transmissions, and "give all due consideration" to any conditions the FAA places on the broadcast of that material.

Unauthorized use of these transmissions, the commission said, is a violation of Section 605 of the Communications Act and could result in criminal prosecution of a licensee and others involved in the broadcast, as well as sanctions on the station provided for under the Communications Act.



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## Stockholder sues Ampex; Chairman Roberts resigns

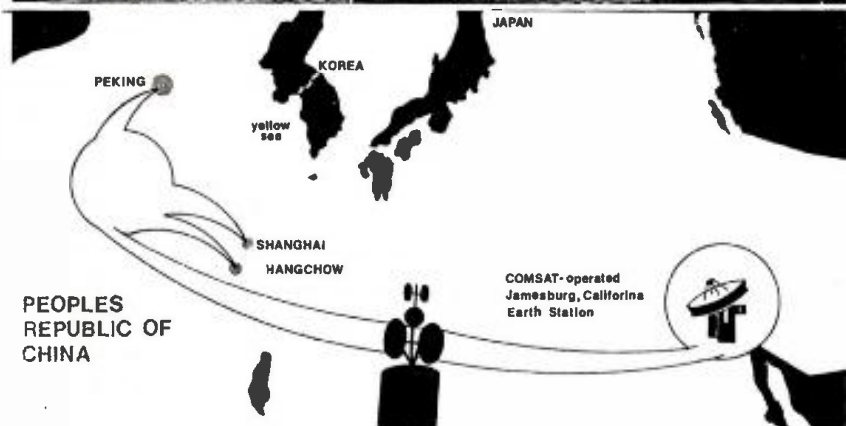
Trouble-plagued Ampex Corp. has been accused by shareholder Sylvia Barrack of Philadelphia, in a class action suit, of conspiring to violate securities laws by concealing material facts about the electronic firm's financial condition.

On the heels of the suit, filed in U.S. District Court in Philadelphia, William E. Roberts resigned as chairman of the board and director of Ampex. Mr. Roberts and 11 other board members, as well as Ampex and Touche, Ross & Co., the firm's auditors, were named in the suit. Ampex's statement announcing the resignation offered no explanation for Mr. Roberts's move. No successor was named.

The suit charges Mr. Roberts benefited from inside information in the sale of about 16,000 Ampex shares last December. Last month Ampex announced that it expected a record loss of about \$40 million for the fiscal year ending April 29 (BROADCASTING, Jan. 17). Mr. Roberts, who joined Ampex in 1961, was named chairman of company in August 1970. Last November, he relinquished the offices of president and chief executive officer to Arthur E. Hausman, while retaining the chairmanship (BROADCASTING, Nov. 15, 1971).

## Goldmark's new quest: population shift

Dr. Peter S. Goldmark, who retired as president of CBS Laboratories last December and now leads Kinney Services subsidiary Goldmark Communications Corp., says he plans to devote much of his time to the development of new applications of telecommunications



*These are three links in the technical chain that will make possible China-to-U.S. coverage of President Nixon's trip this month. At top left, Western Union International's transportable earth station (WUI-2), to be emplaced near Peking on the China mainland. At top right, some of the more than 40 tons of TV gear the three-network U.S. pool will use in covering that historic event—a package delivered by air (with 61 technicians) last Tuesday (Feb. 1). At bottom, a schematic showing Comsat's Intelsat IV commercial satellite, stationed 22,300 miles above the mid-Pacific in a 24-hour stationary orbit, that will relay TV signals from China to Jamesburg, Calif., and on to the networks and their viewers.*

as a solution to social problems. Dr. Goldmark, 65, told a meeting of the International Radio and Television Society in New York last week that his first project will be a study of the broad

uses of communications technology in a 10-town area of rural Connecticut. The study will be to find an impetus for this country's largely urbanized population to relocate to rural areas.

The first phase of the study, Dr. Goldmark said, will investigate typical office procedures, primarily in service industries. The study will also explore the use of telecommunications in expanding health services through mobile teleclinics; improving education opportunities by interconnecting larger institutions with small satellite campuses, and bringing entertainment sources to rural areas through an ENTSAT (entertainment satellite) system.

The study will be funded through a nearly \$400,000 grant from the U.S. Department of Housing and Urban Development and the National Science Foundation, Dr. Goldmark said. It will be conducted under the aegis of Fairfield University, Fairfield, Conn.

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## Kinney-TVC deal closed; Stern finances fare well

The closing of Kinney Services Inc.'s acquisition of the cable-TV business of Television Communications Corp. occurred on schedule last Monday (BROADCASTING, Jan. 31). Based on the closing price of Kinney stock on the New York Stock Exchange that day (\$38), the approximate 1,210,500 Kinney shares to be issued for TVC stock gave the deal an indicated market value of \$46 million.

Alfred R. Stern, chairman and president of TVC, who will be the chief executive officer of Kinney's CATV operations, stood to get Kinney stock worth more than \$8.7 million at Monday's closing price, and members of his family were to get about \$806,000 worth. These estimates are based on a proxy statement issued by Kinney in preparation for a stockholders meeting next Thursday (Feb. 10), which says that as of Oct. 31, 1971, Mr. Stern owned 717,494 shares of TVC stock, and his wife and children owned 66,300 shares. Under the exchange rate in the Kinney-TVC deal (0.32 share of Kinney stock for each TVC share), these would translate to 229,598 shares of Kinney for Mr. Stern and 21,216 shares for his family, worth together—at Monday's Kinney stock price—more than \$9.53 million.

Kinney did not acquire TVC's TV and radio interests. These were spun off to TVC stockholders through the issuance of 0.2 share of stock in Federated Media Inc., a TVC subsidiary formed to acquire these operations, for each TVC share. Mr. Stern, who will be president and chairman of FMI, would get about 143,500 shares of FMI (18% of outstanding shares) and his family 13,260. With FMI stock trading over the counter at about \$3.50 last Monday, these together would be worth \$548,653.

The stations are WKJG-TV Fort Wayne, Ind.; WBNB-TV St. Thomas, Virgin Islands, and KNWA(FM) Fayetteville, Ark.

Mr. Stern, who has been getting \$77,000 a year in direct remuneration from TVC, gets a new and better contract with Kinney. According to a TVC proxy statement, he has signed a five-year agreement that will pay him \$100,000 the first year, with annual increments of \$10,000 in each of the second, third and fourth years and \$20,000 in the fifth year, subject to ap-

plicable government wage-increase limitations.

Based on experience, the proxy said, it is expected that he will devote about 85% of his time to the cable interests (Kinney) and the rest to the stations (FMI).

Neither he nor any other present FMI officer or director will receive direct pay from FMI except for John F. Dille Jr., FMI vice president and executive committee member who headed WKJG-TV prior to its acquisition by TVC last April.

The proxy statement said Mr. Dille was paid \$10,000 directly during the fiscal year ended last July 31 but that upon completion of the FMI spinoff Mr. Dille plans to resign as an officer and his five-year contract with TVC will be replaced by an agreement with FMI. Under the new agreement he will render part-time executive services to FMI and receive annual salary at the rate of \$25,000 until March 31 of this year, \$30,000 for each of the next three years and \$35,000 for the last year. In addition he is to receive \$10,000 a year under a separate consulting agreement for the same period. His total annual compensation under the new agreements, according to the proxy, will equal what he would have received under his original five-year contract with TVC.

The FMI spin-off, like all license transfers or changes in control of stations, is subject to FCC approval.

The Kinney stockholders meeting on Thursday will consider, among other things, a proposal to change the company name to Warner Communications Inc. (Warner Bros. Inc. is a subsidiary) and will vote on a new slate of directors.

## Radio-TV boosts earnings of Washington Post Co.

The Washington Post Co., diversified company with broadcast interests, expects to report a 13.5% increase in 1971 earnings and an 8.2% gain in revenues, partially as a result of improved radio and television billings, according to Frederick S. Beebe, board chairman.

Mr. Beebe, who appeared before a group of security analysts in New York, said the firm expects to report earnings of \$6.7 million, or \$1.51 per share (fully diluted), on \$191.7 million in revenues. This is compared to \$5.9 million in earnings and \$1.41 per share (fully diluted), on revenues of \$178 million for 1970.

A company spokesman said that during the first 11 months of 1971, the company's broadcast subsidiary, Post-Newsweek Stations, realized a "significant increase" in revenues and earnings and contributed heavily to the company's over-all gains. He cited, in particular, growth in the Miami and Washington markets. According to the spokesman, television billings for the Miami market dropped an estimated 11% during the first 11 months of 1971, whereas Post-Newsweek's WPLG-TV there recorded increased billings of more than 23%. In the Washington market, the spokesman noted that while the total 1971 TV-advertising revenues there were down 8% over the same 11-month period of the preceding year the company's WTOP-TV registered a 6% revenue gain.

Cited also as a reason for the company's improved financial outlook, was a "stringent cost containment" program instituted among the stations in 1970.

In addition to the estimated rise in

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1971 financial levels, the Washington Post Co. will also show two extraordinary credits, one directly involved in broadcasting—that being a \$393,000 tax credit for its donation of WTOP-FM Washington to Howard University.

Although not related to the company's broadcast interests, the installation of a new accounting system also figured considerably in the increased 1971 levels.

While final financial figures for 1971 will not be released for several weeks, Mr. Beebe looked ahead saying that even though it would be difficult to speculate on current first-quarter earnings, he expected the Washington Post Co. to benefit from a 6% increase in advertising rates that will go into effect next month.

## Teleprompter, Hughes turn to Eurodollar

Teleprompter Corp. and Hughes Aircraft Co. announced last week a \$30-million eight-year Eurodollar financing by Western American Bank (Europe) Ltd. for construction of their jointly-owned New York and Los Angeles area CATV systems.

The arrangement provides for immediate availability of \$20 million and additional drawdowns of \$10 million during the next 12 months. Repayment will commence in 1976. In addition, further financing in the same format is being discussed by the two companies with Western American Bank. A spokesman for Teleprompter said the company is seeking—over the long term—dollar amounts approaching \$200 million.

The financing will be used to spur continuing development of the Teleprompter Manhattan Cablevision and Theta Cable of California franchises as well as for existing plant.

Teleprompter's systems in New York and Los Angeles serve approximately 78,000 subscribers.

## FCC rules spur UA Cablevision buying

UA Cablevision Inc., Dallas, offered its shares to the public for the first time last Wednesday (Feb. 2) and an offering of 300,000 shares was sold quickly at \$15 per share—and the price kept rising. Shares in UA Cablevision, a unit of United Artists Theatres Inc., New York, were being quoted by dealers that day—when speculation about the imminence of FCC's CATV rules was widespread—at \$23 bid and \$23.75 asked.

Thursday, when rules were announced, dealers quoted the stock (over-the-counter) as \$22 bid, \$22.75 asked.

Oppenheimer & Co., New York, led

the underwriting group on the offering. UA Cablevision operates 17 cable TV systems in eight states. A spokesman said proceeds from the offering will be used to repay debt and for working capital.

## WRG: a comer in the stock market?

W. E. Hutton & Co., New York stock brokerage firm, issued an analysis last week of publicly held Wells, Rich, Greenc Inc., New York-based advertising agency, noting that "we consider the stock attractive for aggressive accounts." WRG is listed on the New York Stock Exchange.

WRG, according to the Hutton analysis, had a profit margin of 16.2% after taxes, a level, it said, that is the highest in the advertising industry. Hutton said the advertising industry as a whole currently has a margin of 4.7% net profits after taxes.

According to this report, WRG's management anticipates earnings to increase 20% and approach 50 cents a share for the fiscal first quarter ended Jan. 31 as opposed to 40 cents a share a year ago. The report noted that WRG's billings are currently running at the rate of \$130 million or more, and that an estimate of \$2.05-\$2.10 per-share earnings would seem reasonable for fiscal 1972.

Hutton said that much of the agency's success can be attributed to "the impact of increased billings on a fairly constant staff level." It said that WRG employs 300 people, "about half the number employed by most agencies with comparable billings" and that the agency believes that between \$30-million and \$50-million in new billings can be handled with few additions, if any, to the staff.

In discussing WRG's clients list, Hutton said they either produce packaged products or provide services, areas in which growth and new products can be expected in a resurgence of economic activity. It noted that projections of advertising outlays in 1972 are for a 6.5% increase and that WRG "is in a strong position to secure a favorable share of these expenditures."

## Financial Notes

▪ Gross Telecasting Inc., Lansing, Mich., has declared a quarterly dividend of 17½ cents per share on class A and B common stock payable Feb. 10 to shareholders of record Jan. 25.

▪ Foote, Cone & Belding Communications, New York, has declared a regular

quarterly dividend of 15 cents per share of common stock, payable on March 10 to stockholders of record Feb. 17.

▪ Communications Satellite Corp., Washington, has declared a regular quarterly dividend of 12½ cents per share payable March 13 to shareholders of record Feb. 11.

▪ Combined Communications Corp., Phoenix, is now trading on the American Stock Exchange; it was formerly traded over the counter. The stock closed at 33⅞ on Jan. 27, 10 days after it started trading on Amex at 32⅞. The broadcast division of the company consists of KTAR-AM-FM-TV Phoenix; KBLU-AM-TV Yuma, Ariz.; KOCO-TV Oklahoma City; Combined Cinegraphics, a film production company based in Phoenix, and the Musak franchise for Arizona.

▪ Group broadcaster Chris Craft Industries Inc., New York, has filed a statement with the Securities and Exchange Commission seeking registration of 575,000 shares of common stock issuable consequent to the settlement of litigation that arose out of the 1968 merger of Chris-Craft and Baldwin-Montrose Chemical Co.

▪ American Television & Communications Corp., Denver, a multiple-cable TV operator, has amended its three-year revolving credit agreement with five banks. ATC now has increased its credit line from \$7 million to \$17.5 million. The company at the same time has decreased its interest rate from three quarters to one half of one per cent over the fluctuating prime rate. ATC has an option to convert the credit line to a term loan at the end of the three-year period. The revolving credit agreement is with Morgan Guaranty Trust Co. of New York, First National Bank of Chicago, The First National Bank of Boston, The Industrial National Bank of Rhode Island, and The Bank of America.

## Company Reports

▪ The 3M Co. has reported record sales and earnings for 1971. Net income was up 12% and sales up 8% over 1970. It was the company's 20th consecutive year of new highs.

For the fiscal year 1971 ended Dec. 31:

	1971		1970	
Earned per share	\$	3.75	\$	3.35
Revenues	1,829,000,000		1,687,000,000	
Net income	210,700,000		187,500,000	

▪ Meredith Corp., Des Moines, Iowa, group broadcasters, reported increases in revenues and earnings for the six months of fiscal 1972 over the comparable year-before period. Net earnings and revenues were up 77.7% and 15.7%, respectively. However, broad-

casting division profits were about even with last year, despite slightly higher revenues.

For the six months ended Dec. 31, 1971:

	1971	1970
Earned per share	\$ 0.76	\$ 0.43
Revenues	76,069,324	65,737,181
Net income	5,353,000	5,183,000
Shares outstanding	2,783,659	2,748,764

■ Taft Broadcasting Co., Cincinnati, reported increased net income for the nine months ended Dec. 31. Taft also declared a regular quarterly cash dividend of 15 cents per common share, payable March 15 to stockholders of record Feb. 15.

For the nine months ended Dec. 31:

	1971	1970
Earned per share	\$ 1.60	\$ 1.55
Revenues	38,570,611	38,594,352
Net income	8,101,127	5,737,185

■ Walt Disney Productions, Burbank, Calif., reported considerably higher revenues and slightly higher net income for the first quarter of its current fiscal year. Announcement was made at company's annual meeting, at which stockholders voted to increase the authorized number of shares of \$1.25 par value common stock from 20 million shares to 75 million shares. The board of direc-

tors declared a quarterly cash dividend of five cents per share, payable April 1 to stockholders of record March 13.

For the three months ended Jan. 1:

	1972	1971
Earned per share	\$ 0.40	\$ 0.42
Revenues	58,433,000	37,500,000
Net income	421,000	44,700
Shares outstanding	14,256,000	12,363,000

Notes: Share earnings based on average common and common equivalent shares. Assuming full dilution, per-share earnings were 38 cents in 1972 and 42 cents in 1971.

■ Multimedia Inc., Greenville, S.C., reported that preliminary net income for 1971 was up 28% over 1970. Earnings per share and operating revenues also increased 25% and 9%, respectively.

For the year ended Dec. 31, 1971:

	1971	1970
Earned per share	\$ 1.75	\$ 1.40
Revenues	36,690,000	33,700,000
Net income	4,600,000	3,600,000

■ Scripps-Howard Broadcasting Co., New York, reported an increase in revenues but a decline in net income for the year ended Dec. 31, 1971:

	1971	1970
Earned per share	\$ 1.57	\$ 2.01
Revenues	23,657,675	23,168,424
Net income	4,060,670	5,193,082

■ Cypress Communications Corp., Los Angeles, cable-TV firm, reported in-

creases in both revenues and earnings for the six months ended Dec. 31, 1971:

	1971	1970
Earned per share	\$ 0.15	\$ 0.02
Revenues	5,313,800	4,835,200
Net earnings	421,000	44,700
Shares outstanding	2,732,000	2,232,500

Notes: All totals include results for Kern Cable Co., acquired in December 1971, and accounted for on a pooling-of-interests basis. 1970 figures restated to reflect Kern Cable Acquisition. Per-share earnings include extraordinary items.

■ LVO Cable Inc., Tulsa, Okla., reported that revenues, income, and subscribers continued at record levels for the second quarter of fiscal 1972. Revenues and net income for the first six months of the fiscal year increased 14% and 78%, respectively. Total subscribers increased 24% to 98,500, up from 79,600 a year earlier.

For the six months ended Nov. 30, 1971:

	1971	1970
Earned per share	\$ 0.11	\$ 0.08
Revenues	3,013,000	2,654,000
Net income	100,000	90,000
Shares outstanding	1,465,800	1,100,000

■ Rahall Communications Corp., St. Petersburg, Fla., reported a 19% climb in revenues for the first six months of its fiscal year ended Dec. 31, 1972:

	1971	1970
Earned per share	\$ 0.69	\$ 0.34
Revenues	2,800,334	2,354,185
Net income	724,030	349,716
Shares outstanding	1,047,000	1,025,000

## Broadcasting Stock Index

A weekly summary of market activity in the shares of 112 companies associated with broadcasting.

	Stock symbol	Ex-change	Closing Feb. 2	Closing Jan. 26	Net change in week	1971-72		Approx. shares out (000)	Total market capitalization (000)	
						High	Low			
<b>Broadcasting</b>										
ABC	ABC	N	58½	54½	+ 3%	58%	25	7,095	\$375,113	
ASI Communications	ASIC	O	3½	3¼	- ¼	4%	2½	1,815	5,209	
Capital Cities	CCB	N	53%	50%	+ 2%	53%	17¼	6,236	299,328	
CBS	CBS	N	54	48½	+ 6½	54	30%	27,858	1,312,669	
Cox	COX	N	40½	39¼	+ 1¼	41%	17%	5,802	214,674	
Gross Telecasting	GGG	A	14%	13½	+ 1%	16½	10%	800	11,400	
LIN	LINB	O	17	17¼	- ¼	17¼	6%	2,294	36,979	
Mooney	MOON	O	10¼	9%	+ ¾	10¼	4	250	2,218	
Pacific & Southern	PSOU	O	12½	—	—	17½	8	1,930	20,014	
Rahall Communications	RAHL	O	13	13¾	- ¾	29	8%	1,037	14,000	
Scripps-Howard	SCRH	O	22¼	22	+ ¼	25	18	2,589	53,722	
Sonderling	SOB	A	28	24%	+ 3%	34	17	997	25,792	
Starr	SBG	M	21%	19	+ 2%	21%	8%	691	10,966	
Taft	TFB	N	47¼	45½	+ 2¼	48%	23%	3,707	156,139	
								<b>Total</b>	<b>63,101</b>	<b>\$2,538,223</b>
<b>Broadcasting with other major interests</b>										
Avco	AV	N	18%	18	+ ¾	19%	12%	11,472	\$ 20,076	
Bartell Media	BMC	A	5%	4%	+ ¼	8	2%	2,254	10,413	
Boston Herald-Traveler	BHLD	O	15	15	—	28	15	577	9,232	
Chris-Craft	CCN	N	6¼	6	+ ¼	9%	5	3,974	23,844	
Combined Communications	CCOM	O	—	—	—	29½	10½	2,206	63,423	
Cowles Communications	CWL	N	10%	10%	—	13½	8	3,969	41,159	
Dun & Bradstreet	DNB	N	70	64	+ 6	70%	52%	12,838	831,261	
Fuqua	FOA	N	24%	22	+ 2%	26½	13%	7,896	180,582	
Gable Industries	GBI	N	28%	30%	- 1½	30%	9%	1,872	49,608	
General Tire	GY	N	26	25%	+ ¾	28%	21%	18,713	491,216	
ISC Industries	ISC	A	8	8%	- ½	9%	4%	1,646	11,720	
Kansas State Network Inc.	KSN	O	—	6%	—	7½	6%	1,621	11,136*	
Lamb Communications		O	4½	3%	+ ¾	4½	2	475	1,544	
Lee Enterprises	LNT	A	19¼	18%	+ ¾	20¼	16	2,936	54,316	
Liberty Corp.	LC	N	19¼	18%	+ ½	24	16%	6,744	134,880	
Meredith Corp.	MDP	N	26%	25%	+ ¾	29%	19%	2,772	67,221	
Vetromedia	MET	N	33%	29%	+ 3%	33%	17%	5,764	161,392	
Multimedia Inc.		O	35½	35½	—	37½	25	2,407	89,881	
Outlet Co.	OTU	N	17%	16%	+ ¼	22	13%	1,334	22,345	
Post Corp.	POST	O	23	22½	+ ½	23¼	9%	909	21,134	
Publishers Broadcasting Corp.	PUBB	O	3%	3%	—	4%	1%	919	3,446	
Reeves Telecom	RBT	A	2%	2%	- ½	3%	2	2,292	6,578	
Rollins	ROL	N	45%	45%	+ ½	50%	25%	8,087	388,176	
Rust Craft	RUS	A	28	28%	+ 1%	28%	18%	2,318	56,791	
Schering-Plough	PLO	N	89½	85%	+ 4%	90½	60%	25,174	2,209,019	
Storer	SBK	N	32%	31%	+ ¾	34	19	4,223	133,025	

(continued on page 88)



(continued from page 87)

	Stock symbol	Ex-change	Closing Feb. 2	Closing Jan. 26	Net change in week	1971-72		Approx. shares out (000)	Total market capitalization (000)	
						High	Low			
Time Inc.	TL	N	55½	57	- 1½	62%	40%	7,258	\$ 408,263	
Turner Communication		O	3½	3%	- ¾	4	2	1,328	3,147	
Washington Post Co.	WPO	A	28¼	25½	+ 2%	28%	19%	4,753	118,825	
Wometco	WOM	N	20%	18%	+ 1%	23%	14%	5,815	107,578	
								<b>Total</b>	<b>175,108</b>	<b>\$6,257,149</b>

### CATV

Ameco	ACO	O	4%	4%	- ½	12%	1½	1,200	\$ 5,244	
American Electronic Labs	AELBA	O	6%	7	- ½	10	3	1,668	11,459	
American TV & Communications	AMTV	O	38%	33%	+ 4%	38%	19½	2,434	78,180	
Burnup & Sims	BSIM	O	32%	26%	+ 5%	37%	20½	3,061	74,995	
Cablecom-General	CCG	A	17%	15%	+ 2½	17%	9%	2,485	38,518	
Cable Information Systems		O	2%	3	- ¼	4%	1%	955	2,628	
Citizens Financial Corp.	CPN	A	16%	14%	+ 2½	16%	11	1,590	22,053	
Columbia Cable	CCAB	O	17½	17%	- ¼	18%	9%	900	13,725	
Communications Properties	COMU	O	13%	13%	-	13%	7%	1,906	22,148	
Cox Cable Communications	CXC	A	31%	26%	+ 5	31%	15%	3,552	86,562	
Cypress Communications	CYPR	O	14½	12	+ 2½	14½	7	2,384	29,800	
Entron	ENT	A	6½	5½	+ ½	7%	2%	1,320	6,428	
General Instrument Corp.	GRL	N	26	22%	+ 3%	29%	13½	6,371	136,977	
LVO Cable Inc.	LVOC	O	13%	-*	-	13%	7	1,466	17,592	
Sterling Communications	STER	O	6%	6%	-	7%	3½	2,162	11,610	
Tele-Communications	TCOM	O	27%	-*	-	27%	12	2,856	70,315	
Teleprompter	TP	A	133%	123%	+ 9%	139%	36½	3,077	370,779	
Television Communications	TVCM	O	12%	11½	+ ½	12%	5%	3,804	39,942	
Viacom	VIA	N	20%	17%	+ 2%	21	9%	3,791	61,604	
Vikoa	VIK	A	13	10	+ 3	14%	4%	2,344	20,791	
								<b>Total</b>	<b>49,326</b>	<b>\$1,121,348</b>

### Programing

Columbia Pictures	CPS	N	12%	11%	+ ¾	17%	6%	6,342	\$ 61,835	
Disney	DIS	N	156	147	+ 9	163	77	13,111	1,769,985	
Filmways	FWY	A	7%	7	+ ¾	11%	4%	1,756	12,084	
Four Star International		O	¾	¾	- ½	1%	¾	666	500	
Gulf & Western	GW	N	36½	33%	+ 3%	36½	19	15,549	454,808	
Kinney Services	KNS	N	39%	35%	+ 4%	39%	25%	12,718	445,060	
MCA	MCA	N	29%	28%	+ 1%	30	17%	8,165	212,290	
MGM	MGM	N	21	20½	+ ½	26%	15½	5,895	110,531	
Music Makers	MUSC	O	1%	1%	+ ½	3%	1%	534	598	
Tele-Tape Productions		O	1%	1%	-	2%	1	2,190	3,548	
Transamerica	TA	N	20	18%	+ 1%	20%	14%	63,841	1,181,059	
20th Century Fox	TF	N	14%	14%	+ ¼	15%	7%	8,562	111,306	
Walter Reade Organization	WALT	O	1%	1%	- ½	5%	1%	2,414	4,828	
Wrather Corp.	WCO	A	13½	11%	+ 2½	13%	5%	2,164	23,804	
								<b>Total</b>	<b>143,905</b>	<b>\$5,392,216</b>

### Service

John Blair	BJ	N	17%	17%	+ ¼	24%	13	2,597	\$ 45,110	
Comsat	CQ	N	61%	62%	- ¾	84%	49%	10,000	630,000	
Creative Management	CMA	A	11%	11	+ ½	17%	7%	969	9,322	
Doyle Dane Bernbach	DOYL	O	25%	25%	+ ½	26%	20	1,934	48,350	
Elkins Institute	ELKN	O	3%	4	- ¼	16%	3	1,664	6,440	
Foote, Cone & Belding	FCB	N	10%	11%	- ½	13%	7%	2,196	25,254	
Grey Advertising	GREY	O	14%	14%	-	16%	9%	1,209	19,489	
Interpublic Group	IPG	N	28%	25%	+ 2%	28%	17%	585	4,680	
LaRoche, McCaffrey & McCall		O	7	-*	-	16%	7	1,407	2,983	
Marketing Resources & Applications		O	14	-*	-	18%	2%	557	2,295	
Marvin Josephson Assocs.	MRVN	O	8½	-*	-	12	5%	505	5,050	
MovieLab	MOV	A	2%	2%	+ ½	4	1%	5,299	229,182	
MPO Videotronics	MPO	A	5%	4%	+ ¾	8½	3%	1,096	45,210	
Nielsen	NIELA	O	45	44%	+ ¼	49%	38%	778	5,252	
Ogilvy & Mather	OGIL	O	43%	42%	+ 1%	43%	24	2,703	119,256	
PKL Co.	PKL	A	7%	8	- ½	10%	3%	1,602	36,237	
J. Walter Thompson	JWT	N	42	40%	+ 1%	60	34½	1,673	43,498	
Wells, Rich, Greene	WRG	N	27%	24%	+ 2½	27%	15%	825	7,013	
								<b>Total</b>	<b>38,134</b>	<b>\$1,784,621</b>

### Manufacturing

Admiral	ADL	N	20%	19%	+ 1	21½	8	5,163	\$ 96,806	
Ampex	APX	N	11%	11%	-	25%	10%	10,873	149,504	
CCA Electronics	CCAE	O	4	4	-	5%	2%	881	3,850	
Cottins Radio	CRI	N	17%	15%	+ 2	20%	9%	2,968	44,134	
Computer Equipment	CEC	A	3%	3%	-	7%	2½	2,394	7,781	
Conrac	CAX	N	32	31%	+ ½	35%	15%	1,259	35,252	
General Electric	GE	N	61%	60%	+ 1	66½	52%	181,607	11,441,241	
Harris-Intertype	HI	N	57	54½	+ 2½	69%	45	6,344	334,646	
Magnavox	MAG	N	45%	45%	-	55	37%	17,283	797,092	
3M	MMM	N	138%	130%	+ 7½	136%	95%	56,251	7,488,133	
Motorola	MOT	N	94%	85%	+ 9%	94%	51½	13,370	1,116,395	
RCA	RCA	N	39%	38%	+ 1%	40%	26	74,437	2,865,825	
RSC Industries	RSC	A	3%	4	- ½	6%	2½	3,500	11,375	
Telemation	TIMT	O	9	-*	-	13%	6	14,040	112,320	
Westinghouse	WX	N	45	43½	+ 1½	48%	41%	86,829	4,080,963	
Zenith	ZE	N	41%	42%	- ½	54%	36%	19,025	829,871	
								<b>Total</b>	<b>496,224</b>	<b>\$29,415,191</b>

Grand Total 966,323 \$46,514,214

Standard & Poor Industrial Average 116.03 113.30 + 2.73

A-American Stock Exchange  
M-Midwest Stock Exchange  
N-New York Stock Exchange  
O-Over the counter (bid price shown)

Shares outstanding and capitalization as of Jan. 5.  
Over-the-counter bid prices supplied by Merrill Lynch,  
Pierce Fenner & Smith Inc., Washington.

\* Prices not available.  
\*\* As of Jan. 26.

## Broadcast Advertising

**Frank A. Thornton**, executive VP, Barnes-Carey Advertising, San Diego, becomes president after purchasing controlling interest from Len Carey. Agency has been renamed Barnes-Chase Advertising.

**Don Wilde**, former VP and creative director, Grey Advertising, New York, joins SSC&B there as senior VP and creative executive.

**Dulany Smith**, former VP-marketing group head, Conahay & Lyon, New York agency, joins Warwick & Legler there as VP and management supervisor.

**Gerry Gawne**, station manager of KING-(AM) Seattle, appointed executive VP and director of Jacobsen Advertising Inc. there.

**Doreen Higgins**, former associate research director, McCann-Erickson, New York, joins Smith/Greenland agency there as VP in charge of research.

**Robert Savage**, marketing manager, Lever Bros.' Person Products Division, New York, named executive VP, Botsford Ketchum/Ketchum, MacLeod & Grove, San Francisco, West Coast subsidiary of KM&G.

**Dolores K. Gurr**, sales service representative in radio division of NBC, promoted to manager, sales, Western office, NBC Radio, Burbank, Calif.

**Thomas W. Alexander**, VP, Advertising Service Agency, Charleston, S.C., named president. He succeeds his father, **Bishop Alexander**, who continues as board chairman of agency he founded in 1931.

**Carl G. Torrey**, president, CRS Industries, Conshohocken, Pa., air-purification equipment manufacturer, joins Lewis & Gilman, Philadelphia agency, as VP-director of marketing.

**Robert G. Kranz**, former senior staff director, WOKY(TV) Milwaukee, and **Paul J. Toth**, formerly with staff, WTMJ-TV there, join to form KTI Advertising. Jewish advertising and PR firm will have offices in Neenah and West Allis, both Wisconsin. Mr. Kranz will head Neenah office, Mr. Toth, West Allis office.

**Iuston Simmons**, freelance cameraman and assistant director on both feature films and commercials in France, joins Young & Rubicam, Los Angeles, as a producer.

**Don Hoover**, with McCann-Erickson,

Milwaukee, joins Klau-Van Pietersom-Dunlap there as account executive.

**Bruce L. Small**, former media group head, Ross Roy Inc., New York agency, joins Herbert Arthur Morris Advertising there as media director.

**Larry McDermott** and **Bob Porter**, creative group supervisors, Hoefler, Dietterick & Brown, San Francisco-based agency, appointed associate creative directors.

**Robert D. Houston**, creative group head, Kincaid Advertising, Charlotte, N.C., appointed creative director, Lawler Ballard Little Advertising, Norfolk, Va.

**A. James Foley**, national-regional sales manager, wis-TV Columbia, S.C., joins WTOL-TV Toledo, Ohio, as national sales manager. Both are Cosmos Broadcasting stations.

**Al Parsons**, advertising and sales promotion director for Oklahoma City store chain, appointed sales manager, KOCO-TV there.

**Frank Tirico**, VP, Bahakel Broadcasting, Charlotte, N.C.-based group broadcasters, joins WRFT-TV Roanoke, Va., as sales manager.

**Jack Gale Garcia**, director of research and sales promotion for KPIX(TV) San Francisco, named to similar post at KGO-TV that city. He succeeds **Steven A. Murphy** who becomes account executive at KGO-TV.

## Kenney cops NAB post

First network member of executive committee of National Association of Broadcasters is **Peter B. Kenney**, NBC



Washington. He has been chosen by network group and will be eighth member of NAB steering committee. Network membership on executive committee was endorsed by NAB boards three weeks ago, but is limited to one year for each network and is without vote (BROADCASTING, Jan. 24). Mr. Kenney was instrumental in selling expansion of executive committee to NAB board members to help coordinate government relations activities of industry.

**Marvin S. Picard**, with WQXI-TV Atlanta, appointed general sales manager, WRCB-TV Chattanooga. **Victor Shaner** and **John Wiley**, VP's, Leo Burnett, Chicago, appointed management directors. **Alan Yurman**, account executive, appointed account supervisor. **Arlene Ruksza**, **Barbara Thomas** and **Stephen Weber**, all associate research supervisors, Leo Burnett, Chicago, appointed research supervisors.

**Ray Olson**, program director, WOW(AM)-KFMX(FM) Omaha, appointed director of public affairs and special programming for stations. **Norm Dennis** succeeds Mr. Olson as program director, WOW(AM).

**Chuck Betyeman**, with sales staff, WCRV-(AM) Washington, N.J., appointed sales manager.

**Peter Kadetsky**, sales manager, WEEI-(AM) Boston, appointed director of sales, WCAU(AM) Philadelphia.

**Peter S. Crawford**, with sales staff, WRKO(AM) Boston, appointed local sales manager.

**Michael Hayes**, with WBLI-FM Patchogue, N.Y., appointed assistant sales manager.

## The Media

**George F. Spring**, general manager, WGY(AM)-WGFM(FM)-WRGB(TV) Schenectady, N.Y., elected VP.

**Frederick P. Cook**, program director, and **Zack C. Hill**, general sales manager, WREC-AM-FM Memphis, named VP's of licensee, Cowles Tennessee Radio Properties. In addition, Mr. Cook assumes duties as station manager.

**George E. Shannon**, director of planning and administration of WCBS-TV New York, appointed director, financial analysis of CBS/Broadcast Group. He succeeds **William J. Flynn** who retires.

**Robert M. Hammer**, director of technical services, CBS-TV network operations, New York, appointed department's general manager.

**Don Eggebrecht**, manager, St. Joseph Cablevision Co., St. Joseph, Mo., named president, Missouri Broadband Communications Association, newly formed cable association. Other officers: **Dan Healey**, manager, International Telemeter Corp., Jefferson City, Mo., named VP; **Dean Petersen**, manager, Carthage Cablevision, Carthage, Mo., named secretary; **Jim Atkinson**, manager, Cable-

vision, Sedalia, Mo., named treasurer. Directors named: **Jack Chaney**, manager, Midwest Cablevision, Joplin, Mo.; **Jack Tyler**, manager, Nevada TV Cable Co., Nevada, Mo.; **Tom Legan**, manager, Kennett Cablevision Co., Kennett, Mo.

**Rick Firth**, accounting and financing manager for Westinghouse Broadcasting Co., New York, appointed business manager of its WIND(AM) Chicago.

**J. Paul Wilson**, manager of internal audit, Storer Broadcasting Co., Miami, appointed controller for its WJW-AM-TV Cleveland.

**John W. Conwell**, audit staff accountant, Price Waterhouse & Co., appointed controller for KOCO-TV Oklahoma City.

**Peter M. Schulte**, senior VP, Robert E. Eastman Co., New York-based radio representative, joins Rahall Communications Corp., as general manager of its WLCY-AM-FM Tampa-St. Petersburg, Fla.

**Dean Woodring**, local sales manager for KGW-TV Portland, Ore., appointed station manager of KGW(AM) there.

**Jim Kime**, station manager of KGW(AM) Portland, Ore., appointed station manager of KING(AM) Seattle. Both stations are owned by King Broadcasting.

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## Programing

**Ronald B. Sunderland**, formerly VP and general counsel, The Aldrich Studios, Hollywood, named to newly created post as VP in charge of business affairs for Tandem Productions Inc., Hollywood, producer of *All in the Family* and *Sanford and Son* TV series.

**Charles Boren**, executive VP, Association of Motion Picture and Television Producers, appointed vice-chairman of board. **Billy H. Hunt**, member of Beverly Hills, Calif., law firm of Mitchell, Silverberg & Knupp, succeeds Mr. Boren as executive VP, with primary responsibility for representing film industry in labor relations.

**Alvin Benedict**, director and board member of Frontier Fidelity Savings and Loan Association, Las Vegas, elected board member of Metro-Goldwyn-Mayer Inc., Culver City, Calif. Mr. Benedict was recently appointed president of Grand hotel that MGM has announced it will build in Las Vegas.

**Richard A. Harper**, former VP, Warner Brothers-Seven Arts Inc., New York, joins 20th Century-Fox Television there as director of international sales.

**Murray Horowitz**, former VP of creative services, Independent Television Corp., New York, joins Metromedia

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## Krolik to Macdonald staff



Mr. Krolik

**Richard Krolik**, Time-Life Broadcast executive, joins House Communications Subcommittee as staff expert on communications Feb. 14. He'll be special assistant to Chairman Torbert H. Macdonald (D-Mass.). For past

year Mr. Krolik has been managing director of Time-Life-owned venture negotiating for establishment of cable system in new city of Columbia, Md. Before that he was vice president, programming, of Time-Life station group. Earlier in his 30-year broadcasting career he was associate producer of NBC-TV's *Today* and producer for NBC Radio.

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Producers Corp. there as director of advertising and promotion.

**David Levy**, executive VP in charge of TV production, Four Star International, Beverly Hills, Calif., leaves to reactivate his David Levy Productions there.

**Richard M. Gillaspay**, VP, Ivan Tors Studios, North Miami, Fla., leaves to go into independent motion-picture production.

**Jim Hirschfeld**, executive producer-production manager, WCAU-TV Philadelphia, assumes additional duties as director of program services. **John Horstmann**, operations manager, WCAU-TV, appointed manager of broadcast operations services. **Inez Gottlieb**, director of community programming, WCAU-TV, appointed manager of community broadcast services.

**Jay Mitchell**, station manager-program director, WBLI-FM Patchogue, N.Y., assumes additional duties as program director, WGLI(AM) Babylon, N.Y. **Barry Neal**, music director, WBLI-FM, assumes additional duties as assistant program director. Both are Beck-Ross Communications stations.

**Fred Reed**, with WTLB(AM) Utica, N.Y., appointed assistant program director.

**Cerid Reed**, former newscaster, WNYS-TV Syracuse, N.Y., joins WCNF(FM) there as program manager.

**Rod Wolfe**, with WCRV(AM) Washington, N.J., appointed program director.

**Paul Feinstein**, production manager of S.F.I., national radio syndicator, New

York, and **Steve Vallensky**, executive producer, WOR(AM) New York, leave to form Uncle Ellis' Desk Ltd., New York-based radio-TV program production house.

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## Broadcast Journalism

**Max Robinson**, co-anchorman, WTOP-TV Washington, has been knighted by Liberian President William Tolbert Jr. Celebrating Liberia's sesquicentennial, Mr. Robinson was awarded Star of Africa. Presentation was made at executive mansion in Monrovia.

**Nancy Turck**, freelance writer and former staff aide to White House Press Secretary Ronald L. Ziegler, Washington, joins WTOP-TV there as associate news producer.

**Bob Stuart**, meteorologist, WKJG-TV Fort Wayne, Ind., joins WQAD-TV Moline, Ill., as reporter-meteorologist.

**Steve Douglas**, newsman, WLW(AM) Cincinnati, joins WLWT(TV), its TV affiliate there, as newsman and anchorman.

**Douglas C. White**, with news staff, WSMW-TV Worcester, Mass., joins WPRI-TV Providence, R.I., as anchorman.

**John Fullmer**, news reporter and sports director for KOVR(TV) Stockton-Sacramento, Calif., appointed anchorman, KHJ-TV Los Angeles.

**Jim Mitchell**, news director for KVEN(AM) Ventura, Calif., joins KFWB(AM) Los Angeles, as special field reporter.

**Rod Fritz**, newsman, WCRV(AM) Washington, N.J., appointed news director.

**Albert Rickis**, newsman, WPAC(AM) Patchogue, N.Y., appointed news director. **James Glascock**, news coordinator, appointed sports director.

**David R. Austin**, public affairs director WEEI(FM) Boston, appointed news and public affairs director.

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## Music

**Thomas J. Sprtel**, sales service director KFIZ-AM-FM Fond du Lac, Wis., appointed music director, WISN(AM) Milwaukee.

**Mike Botty**, with WGLI(AM) Babylon N.Y., appointed music director. **Ken Mitchell** appointed assistant music director. **Michael Riccio**, with WBLI-FM Patchogue, N.Y., appointed assistant music director. Both are Beck-Ross Communications stations.

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## Promotion

**John M. Pavlik**, assistant director of PR for Association of Motion Picture and Television Producers, appointed director of PR. He succeeds **Clarke H. Wales**, who retires April 15, after 2



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## business viewpoint

**FREE COLOR VIDEOTAPE** on loan. Tells all about inflation. Why it comes about. What will stop it. High band. Has cutaways for commercials. Narrated by Arch Booth, The Voice of Business, with visuals. Can be programed as 17-minute entity or extended with discussion of local impact. Limited number. First come, first served. Write Robert Moxley, Director of Promotion, U.S. Chamber of Commerce, Wash., D.C. 20006.

## edp—computer

**DIGITAL EQUIPMENT CORPORATION**—Information on small-, medium-, and large-scale digital computers and electronic circuit modules, the basic building blocks of automation. Contact Mark Nigberg, manager, public relations, Digital Equipment Corp., 146 Main Street, Lynn, Mass. 01754. Phone (617) 897-5111.

## free film

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To Seek . . . To Teach . . . To Heal," a suspense film about medical personnel fighting to save the life of a child. Won CINE Golden Angle plus three other top honors. Nominated for four additional festivals.

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Free loan films on a variety of educational, sports, and auto industry-related subjects. Many suitable for public service programming. 16mm. Color. Write for catalog. General Motors Film Library, 1-101 General Motors Bldg., Detroit, Mich. 48202.

## housing: manufactured

**FACTS, NEWS FEATURES, 13½-min. FILM** on mobile/modular housing. 48% of nation's new home sales were mobile homes. Write Jerry Bagley, PR Director, Mobile Homes Manufacturers Assn., 6650 Northwest Hwy., Chicago, Ill. 60631.

## humor

### ORIGINAL TOPICAL COMEDY LINES

for Disc Jockeys, Air Personalities, Newscasters, Program Directors, by Bob Orben, top TV comedy writer (Skelton, Paar, etc.). Mailed first class 24 times a year. To be Number One (or stay Number One) in your area, send for FREE SAMPLE OF CURRENT COMEDY, The Comedy Center, Inc., 1529-B East 19 St., Brooklyn, N.Y. 11230.

## insurance

### ALLSTATE INSURANCE COMPANIES

—Information on automobile, boat-owners, homeowners, health, life insurance; traffic safety, driver education, travel. Contact Raymond P. Ewing, Press Relations Director, Allstate Plaza, Northbrook, Ill. Phone (312) 291-5086.

## music library

Complete **PRODUCTION MUSIC LIBRARY** and **SOUND EFFECTS LIBRARY** on records or tape. Essential for the professional broadcaster. Write for free catalogue to: Thomas J. Valentino, Inc., 151 W. 46th Street, New York 10036.

## radio drama



Now available for local purchase. **CHARLES MICHELSON, INC.** 45 West 45th St., New York 10036 • (212) PL 7-0695

## recording tapes

**3M CO. CASSETTES**  
highlander & scotch 8 TRACK TAPES  
WE PAY POSTAGE! Order now!

SCOTCH TAPE CATALOG 18¢	C-60	1 to 11 = 12 or more	\$1.19	\$ .99
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90th Street, First & York Ave., NYC. 50' x 100' Sound Proof Studio and Offices. Air-cond. Stage 25' x 50'; 25' ceiling. Suitable Video School or Commercial Video business. Available immediately for sale or net lease. Mr. Greenberg, 540 Madison Avenue, NYC. 212-TE 8-8670.

## summer intern program

### SOCIAL SCIENCE AND MASS MEDIA PROGRAM

RUSSELL SAGE FOUNDATION announces a program to permit five advanced social science graduate students to spend the summer 1972 as intern reporters, researchers, or production assistants in a variety of media. Interested media organizations should contact Dr. Hugh F. Cline, Russell Sage Foundation, 230 Park Avenue, New York, New York 10017. The deadline for applications is March 15, 1972.

## timing instruments

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years with association and 22 years as director of PR.

**Jerome Bredouw**, director of special programs, ABC-TV program department, New York, appointed to newly-created post of director of broadcast promotion, Universal Television, North Hollywood.

**Arthur Badavas**, with promotion staff, NBC, New York, appointed administrator, station promotion, responsible for creating promotional projects associated with network's program schedule, as well as coordinating department's multimedia promotion activities with NBC-TV affiliation promotion managers.

### Equipment & Engineering

**Charles C. Ellis**, former executive VP and controller, Irving Trust Co., New York, joins RCA there as senior VP, finance.

**Raymond J. Raff**, VP, Kidder, Peabody & Co., New York-based investment banking firm which represents Collins Radio Co., named director of Collins. He fills vacancy created by departure of Arthur A. Collins, who has opened his own Cedar Rapids, Iowa research firm.

**James R. Glenn**, manager of customer services, Superior Continental Corp., Hickory, N.C., appointed manager of sales services for Cable and Equipment Group, which includes Superior Cable and Equipment Division, Whitney Blake Co., New Haven, Conn., and Republic Wire and Cable, New York.

### Allied Fields

**Richard H. Riggs**, owner, WCIT(AM)-

### MacIntyre remains

President Nixon signed an executive order last week continuing as a member of the Federal Trade Commission until Feb. 28, 1973, **Commissioner H. Everett MacIntyre** despite a federal compulsory retirement law that requires retirement at age 70. Mr. MacIntyre was 71 on Feb. 3. Last year, the President also extended the FTC member's term for one year. Mr. MacIntyre is serving a seven-year term that ends in 1975.

WLSR(FM) Lima, Ohio, has announced his candidacy for state representative.

**Thomas K. Bauer**, Des Moines bureau chief, WMT-AM-FM-TV Cedar Rapids, Iowa, leaves to join University of Iowa, Iowa City, as instructor of broadcast journalism.

**John R. Bittner**, news director, WAZY-AM-FM Lafayette, Ind., joins University of Oregon staff, Eugene, as assistant professor and director of university's media research center.

### Deaths

**Mahalia Jackson**, 60, well-known gospel singer, died Jan. 27 in Chicago of heart failure. She had performed many times on TV. Miss Jackson had been twice married, although at time of death was divorced and left no survivors.

**Jerome Cowan**, 74, stage, screen and TV character actor for more than 50 years, died Jan. 24 in Los Angeles after long illness. Mr. Cowan performed in several TV series including *The Tycoon* with Walter Brennan, and more recently in

*Alias Smith and Jones*. He is survived by his wife, Helen, and two daughters

**Al Laval Eck**, 58, manager of KXEL-AM FM Waterloo, Iowa, died Jan. 15 in St Francis hospital there following lengthy illness. He joined stations in 1949. He is survived by his wife, Christian, an three daughters.

**James Cantwell**, 66, artist for 30 years for KNX(AM) Los Angeles, died of double pneumonia Jan. 10 in Los Angeles. Mr. Cantwell first joined KNX in 1940 and retired last year. He continued, however, with station on part-time-consultant basis. He is survived by his wife, Fanny, and two sons.

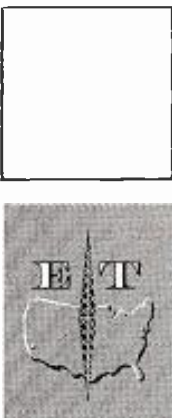
**Howard Barlow**, 79, well known "Voice of Firestone" on radio and TV from 1943 through 1961, died Jan. 21 at his home in Bethel, Conn. Mr. Barlow was conductor of popular symphonies on CBS Radio, starting in 1937 and continuing through early 1940. His fame spread nationwide when he became conductor of Firestone orchestra on weekly half-hour program in 1943, initially on NBC and then ABC. The Firestone program was simulcast on TV and radio, starting in 1947.

**The Rev. Alden Lee Hill**, 85, so-called "marrying parson" of *Bride and Groom* radio program in 1940's, died Jan. 21 in Los Angeles after long illness. Mr. Hill performed wedding ceremonies in air and also delivered radio sermons. He is survived by son, Merlin.

**Robert J. Van Abel**, 41, director of educational communications, University of Wisconsin, Green Bay, died Jan. 21, his home in Denmark, Wis., of accidental suffocation.

## ForTheRecord®

As compiled by Broadcasting, Jan. 25 through Feb. 1, and based on filings, authorizations and other FCC actions. Abbreviations: Alt.—alternate. ann.—announced.

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ant.—antenna. aur.—aural. aux.—auxiliary. C/—community antenna television. CH—cristal. hours. CP—construction permit. D—day. DA—direction antenna. ERP—effective radiated power. khz—kilohertz. kw—kilowatts. LS—local station. mhz—megahertz. mod.—modification. N—national. PSA—presunrise service authority. SCA—subcarrier communications authorization. SH—specified by SSA—special service authorization. STA—special temporary authorization. trans.—transmitter. U—ultra high frequency. U—unlimited hours. V—very high frequency. vis.—visual. w—watts. educational. HAAT—height of antenna above average terrain. CARS—community antenna station.

### New TV stations

#### Application

\*Grand Forks, N.D.—North Central Educational Television Inc. Seeks VHF ch. 2 (7.2 mhz); ERP 100 kw vis., 20 kw aur. Ant. h above average terrain 1,337 ft.; ant. height at ground 1,458 ft. P.O. address: 4500 South University Drive, Fargo, N.D. 58102. Estimated construction cost \$405,099; first year operating \$22,500; revenue none. Geographic coord: 48° 08' 24" north lat.; 97° 59' 38" west. Type trans. RCA. Type ant. RCA. Legal cos: Marmet and Webster; director of engineering: Geiken. Principals: Dennis L. Falk, et al.

## Actions on motions

■ Chief Hearing Examiner Arthur A. Gladstone in Anaheim, Calif. (Orange County Broadcasting Co., et al.), TV proceeding, having under consideration absence of presiding Examiner Millard F. French, canceled hearing conference scheduled for Feb. 3 subject to further order of presiding officer (Docs. 18295, 18297-8, 18300). Action Jan. 26.

■ Chief Hearing Examiner Arthur A. Gladstone in Norfolk, Va. (WTAR Radio-TV Corp. and Hampton Roads Television Corp.), TV proceeding, having under consideration disability of Jay A. Kyle because of continued illness, ordered that Hearing Examiner David I. Kraushaar shall serve as presiding officer (Docs. 18791-2). Action Jan. 25.

## Initial decision

■ \*Los Angeles—Hearing Examiner Chester A. Naumowicz Jr. proposed grant to Los Angeles Unified School District of UHF ch. 58 (734-740 mc); ERP 30 kw vis., 18 kw aur. Ant. height above average terrain 2,966 ft.; ant. height above ground 247 ft. P.O. address: 450 North Grand Avenue, Los Angeles 90012. Estimated construction cost \$372,500; first-year operating cost \$500,00; revenue none. Geographic coordinates 34° 13' 35" north lat.; 118° 03' 58" west long. Type trans. Townsend Associates TA30BT. Type ant. Jampro JZZ-404B. Legal counsel Marcus Cohn; consulting engineer George C. Davis, both Washington. Principals: Georgianna Hurdy, president, Los Angeles City Board of Education, et al. Ann. Jan. 19.

## Existing TV stations

### Final actions

■ WNDU-TV South Bend, Ind.—Broadcast Bureau granted mod. of license covering operation of trans. by remote control. Action Jan. 20.

■ KETV(TV) Omaha—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 27th and Douglas Streets, Omaha. Action Jan. 25.

■ WOW-TV Omaha—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 3501 Farnum Street, Omaha. Action Jan. 25.

■ KPYH(TV) Rochester, N.Y.—Broadcast Bureau granted mod. of CP to change ERP vis. 41.7 kw; aur. 8.32 kw; change trans. location: On Pinnacle Hill, approximately 2.1 miles south of center of Rochester, Brighton, both New York; change studio location to 180 East Main Street, Rochester; change type of trans.; make changes in ant. structure (height 510 ft.); conditions. Action Jan. 27.

■ KCPX-TV Salt Lake City—Broadcast Bureau granted license covering aux. ant. Action Jan. 25.

### Actions on Motions

■ Hearing Examiner Frederick W. Denniston in Dubuque, Iowa (Dubuque Communications Corp. [KDUB-TV]), TV proceeding, set certain procedural dates and postponed hearing to March 13 (Doc. 19339). Action Jan. 21.

■ Hearing Examiner Forest L. McClenning in Washington (United Television Co. Inc. [WFAN-TV], et al.), TV proceeding, reopened record; granted petitions by Washington Community Broadcasting Co. for leave to amend its application and to resubmit amendment showing changes in directors and limitation of liability of six specified stockholders subject to condition that participation of these stockholders as directors of corporation shall not be considered under factor of participation in station operation by owners; and scheduled further prehearing conference for Feb. 1 (Docs. 18559, 18561-3). Action Jan. 25.

■ Hearing Examiner Ernest Nash in Manchester, N.H., Baltimore and El Centro, Calif. (United Television Co. of New Hampshire [WMUR(TV)], et al.), TV proceeding, scheduled prehearing conference for Jan. 26 (Docs. 19336-8). Action Jan. 24.

■ Hearing Examiner Ernest Nash in Manchester, N.H., revocation of license of United Television Co. of New Hampshire for WMUR(TV), granted request by Carmine Patti for leave to intervene and be made party to proceeding (Docs. 19336-8). Action Jan. 21.

### Other actions

■ Chief, Broadcast Bureau, on request of International Digisomics Corp., extended through March 10, time to file comments and through April 10, time to file reply comments in matter of amendment of rules concerning inclusion of program identification patterns in visual transmissions of

## Summary of broadcasting

Compiled by FCC Jan. 1, 1971

	Licensed	On air STA*	CP's	Total on air	Not on air CP's	Total authorized
Commercial AM	4,335	3	17	4,355	56	4,411
Commercial FM	2,259	1	44	2,304 <sup>2</sup>	112	2,416
Commercial TV-VHF	503	2	5	510 <sup>3</sup>	17	527 <sup>2</sup>
Commercial TV-UHF	179	0	10	189 <sup>3</sup>	66	255 <sup>3</sup>
Total commercial TV	682	2	15	699	83	782
Educational FM	470	1	8	479	76	555
Educational TV-VHF	85	4	2	89	2	91
Educational TV-UHF	110	0	7	117	14	131
Total educational TV	195	4	9	206	6	222

\* Special Temporary Authorization.

<sup>1</sup> Includes 25 educational AM's on nonreserved channels.

<sup>2</sup> Includes 15 educational stations.

<sup>3</sup> Indicates four educational stations on nonreserved channels.

television broadcast stations (Doc. 19314). Action Jan. 28.

■ FCC granted request by Mutual Insurance Co. of Omaha for waiver of prime-time access rule through Oct. 1, 1973, in connection with syndicated *Wild Kingdom* series. Grant conditioned on programs presented in 1972-3 season including at least 12 newly produced programs. Action Feb. 2.

## Network affiliations

### ABC

■ Formula: In arriving at clearance payments ABC multiplies network's station rate by a compensation percentage (which varies according to time of day) then by the fraction of hour substantially occupied by program for which compensation is paid, then by fraction of aggregate length of all commercial availabilities during program occupied by network commercials. ABC deducts 2.05% of station's network rate weekly to cover expenses, including payments to ASCAP and BMI and interconnection charges.

■ KFYZ-TV Bismarck, N.D.—Meyer Broadcasting Co. Agreement dated Jan. 20 to replace one dated Dec. 2, 1971, effective Jan. 1 through Jan. 1, 1974. Programs delivered to station, network rate \$234; compensation paid at 30% prime time.

■ KMOT-TV Minot, N.D.—Meyer Broadcasting Co. Agreement dated Dec. 3, 1971, to replace one dated Dec. 2, 1971, effective Jan. 1 through Jan. 1, 1974. Programs delivered to station, network rate \$117; compensation paid at 30% prime time.

### CBS

■ Formula: Same as ABC.

■ KTXL-TV Sacramento, Calif.—Camellia City Telecasters Inc. Agreement dated Sept. 8, 1971 (received Jan. 21) effective Sept. 6, 1971, through Aug. 31, 1972. Network rate \$120; compensation paid at 30% prime time.

## New AM stations

### Designated for hearing

■ New London, Wis.—FCC set for hearing application by New London Enterprises Inc., New London, for new AM to operate on 1460 khz with 1 kw power, DA-1. U. Action Jan. 26.

### Other actions

■ Hearing Examiner Lenore G. Ehrig in Corpus Christi, Tex., and Brush, Colorado Springs and Boulder, all Colorado (A. V. Bamford, et al.), FM and AM proceeding, set certain procedural dates and scheduled hearing for April 18 (Docs. 19089, 19157-9). Action Jan. 25.

■ Hearing Examiner Isadore A. Honig in Humboldt, Tenn. (Communications Associates Inc.), AM proceeding, granted request by Communications Associates Inc. and extended to Jan. 31 time to file proposed findings of fact and conclusions of law and to Feb. 11 time to file replies (Doc. 18987). Action Jan. 21.

■ Hearing Examiner David I. Kraushaar in Midwest City, Okla. (M. W. Cooper) AM proceeding, granted petition by M. W. Cooper for leave to amend his application in order to present facts necessary to establish his financial qualifications (Doc. 13344). Action Jan. 20.

## Existing AM stations

### Final actions

■ WOKS Columbus, Ga.—Broadcast Bureau granted CP to change ant.-trans. location to northeast corner of Fourth Street and Jackson Avenue, Columbus. Action Jan. 20.

■ KRWC(AM) Buffalo, Minn.—Wright County Radio Inc., Broadcast Bureau granted 1360 khz, 500 w-D. P.O. address Box 132, Buffalo 55313. Estimated construction cost \$28,590.18; first-year operating cost \$38,000; revenue \$48,000. Principals: Wayne L. King, president and general manager, T. C. Appleby, vice president and Wilbur T. Tiller, treasurer (each 33⅓%). Messrs. King, Appleby and Tiller are employees with marketing representatives for U.S. Steel, Pittsburgh Plate Glass and other clients. Action Jan. 5.

■ WJMO and WLYT(FM) Cleveland Heights, Ohio—FCC designated for hearing applications by Friendly Broadcasting Co. for renewal of licenses for WJMO and WLYT(FM) Cleveland. Action Jan. 26.

■ KEAN Brownwood, Texas—Broadcast Bureau granted license covering use of former main trans. for aux. purposes only. Action Jan. 20.

■ KLIF Dallas—Broadcast Bureau granted licenses covering changes (nighttime operation; aux.-N; aux.-D). Action Jan. 26.

### Actions on motions

■ Hearing Examiner Basil P. Cooper in New York (City of New York Municipal Broadcasting System [WNYC]), AM proceeding, denied request by City of New York Municipal Broadcasting System [WNYC(AM)] for costs, and granted to extent that pleadings by Midwest Radio-Television Inc. [WCCO(AM)] and Chief, Broadcast Bureau requested denial of WNYC(AM) pleading (Docs. 11227, 17588). Action Jan. 18.

■ Chief Hearing Examiner Arthur A. Gladstone in Fargo, N.D. (Northwestern College [KFNW]), AM proceeding, having under consideration disability of Jay A. Kyle because of continued illness, ordered that Hearing Examiner David I. Kraushaar shall serve as presiding officer (Doc. 19313). Action Jan. 25.

■ Hearing Examiner Chester F. Naumowicz Jr. in Greenville, Farmville, Washington and Clayton, all North Carolina (Curtis & Associates Inc. [WPXY] et al.), AM proceeding, scheduled hearing for May 16 (Docs. 19362-5). Action Jan. 24.

## New FM stations

### Designated for hearing

■ Troy, Ala.—FCC set for hearing mutually exclusive applications of Troy Radio Inc. and Pike Broadcasting Inc. for CP's for new FM's to operate on ch. 289 at Troy. Action Jan. 26.

■ Lexington Park and Leonardtown, both Maryland—FCC set for hearing, mutually exclusive applications of Key Broadcasting Corp., Lexington Park and Sound Media Inc., Leonardtown, for new FM in Lexington Park and Leonardtown respectively. Both propose operation on ch. 249 with effective radiated power of 3 kw and HAAT of 300 ft. Action Jan. 26.

### Other actions

■ Review board in Bangor, Me., FM proceeding, enlarged issues against Bangor Broadcasting Corp., applicant for new FM on ch. 225 at Bangor, on request of Penobscot Broadcasting Corp., compet-



ing applicant for ch. 225 (Docs. 19165-6). Action Jan. 26.

■ Review board in Williamson and Matewan, both West Virginia, FM proceeding, dismissed as moot petition by Three States Broadcasting Co., for an extension of time in view of subsequent filings by Three States (Docs. 18456-7). Proceeding involves mutually exclusive applications of Harvit Broadcasting Corp. and Three States for new FM's at Williamson and Matewan. Action Jan. 26.

### Actions on motions

■ Hearing Examiner Basil D. Cooper in Bangor, Me. (Bangor Broadcasting Corp. and Penobscot Broadcasting Corp.), FM proceeding, granted motion by Penobscot Broadcasting Corp., and extended to Feb. 22 time to file proposed findings of fact and conclusions of law (Docs. 19165-6). Action Jan. 24.

■ Hearing Examiner Frederick W. Denniston in Corpus Christi, Tex. (A. V. Bamford), FM proceeding, received in evidence Bamford Exhibit No. 9-A and closed record (Doc. 19089). Action Jan. 25.

■ Chief Hearing Examiner Arthur A. Gladstone in Williamson and Matewan, W. Va. (Harvit Broadcasting Corp. and Three States Broadcasting Co.), FM proceeding, having under consideration absence of presiding examiner Millard F. French, canceled hearing scheduled for Jan. 25 subject to further order of presiding officer (Docs. 18456-7).

■ Hearing Examiner David I. Kraushaar in Las Vegas (James B. Francis and Quality Broadcasting Corp.), FM proceeding, granted motion by Quality Broadcasting Corp. and extended to Jan. 27 time to file replies to proposed findings (Docs. 18437-8). Jan. 24.

■ Hearing Examiner James F. Tierney in Washington (Pacifica Foundation and National Education Foundation Inc.), FM proceeding, scheduled further hearing conference for Feb. 8 and postponed evidential phase pending outcome of conference (Docs. 18634-5). Action Jan. 24.

### Rulemaking action

■ FCC has proposed amendment of FM table of assignments to assign ch. 276A to Tallahassee, Fla., in addition to presently assigned 235, 255 and 281; 221A to Hattiesburg, Miss., in addition to presently assigned 279 and 283; and 236 to Parkersburg, W. Va., in addition to presently assigned 257A and 276A. Action Jan. 26.

## Existing FM stations

### Final actions

■ KCBM(FM) Chico, Calif.—Broadcast Bureau granted CP to install trans.; condition. Action Jan. 20.

■ Broadcast Bureau granted licenses covering changes for following FM's: KNAC(FM) Long Beach, Calif.; KLOS(FM) Los Angeles; KOME(FM) San Jose, Calif.; WJJD-FM Chicago; \*WRHS(FM) Park Forest, Ill.; \*WTSC-FM Potsdam, N.Y.; \*WFC(FM) Miamisburg, Ohio; \*KOSU-FM Stillwater, Okla.; WIVE-FM Ashland, Va.; KERI(FM) Bellingham, Wash. Action Jan. 20.

■ KBOS(FM) Tulare, Calif.—Broadcast Bureau granted CP to relocate FM ant. to KMPH(TV) Tower; make changes in ant. system; ERP 770 w; ant. height 2,650 ft.; remote control permitted. Action Jan. 27.

■ WWRH(FM) Columbus, Ga.—Broadcast Bureau granted CP to change trans. and studio location to 1115 14th Street, Columbus; install new trans.; make change in ant. system; ERP 3 kw; HAAT 21 ft.; remote control permitted. Action Jan. 27.

■ WQXI-FM Smyrna, Ga.—Broadcast Bureau granted request for waiver of rules to identify as Smyrna-Atlanta. Action Jan. 24.

■ WEAU-FM Evanston, Ill.—Broadcast Bureau granted request for waiver of rules to identify as Evanston-Chicago. Action Jan. 24.

■ WGLD(FM) Oak Park, Ill.—Broadcast Bureau granted request for waiver of rules to identify as Oak Park-Chicago.

■ WKDO(FM) Henderson, Ky.—Broadcast Bureau granted license covering changes, trans.-studio location redesignated as: on east edge of Henderson, on State Highway 54. Action Jan. 20.

■ WLTJ(FM) Lowell, Mass.—Broadcast Bureau granted mod. of CP to change ant.; condition. Action Jan. 27.

■ WKXI(FM) Jackson, Miss.—Broadcast Bureau granted request for SCA on sub-carrier frequency of 67 khz. Action Jan. 31.

■ WRNW(FM) Briarcliff Manor, N.Y.—Broadcast Bureau granted renewal of license. Action Jan. 21.

■ \*WBFO(FM) Buffalo, N.Y.—Broadcast Bureau granted CP to install new trans.; new ant.; make changes in ant. system; ERP 770 w; ant. height 230 ft.; remote control. Action Jan. 31.

■ WRNW(FM) Mt. Kisco, N.Y.—Broadcast Bureau granted license covering changes; ERP 1.2 kw; HAAT 450 ft. Action Jan. 26.

■ WKNC-FM Raleigh, N.C.—Broadcast Bureau granted CP to change trans. and studio location to North Carolina State University, University Center Student Union building, Raleigh; install ant.; make change in ant. system; remote control permitted. Action Jan. 27.

■ KRAB-FM Seattle—Broadcast Bureau granted CP to change ant.-trans. location; operate trans. by remote control from studio location at 9029 Roosevelt Way, Seattle; make changes in transmitting equipment; install dual polarized ant.; increase ERP to 45 kw; increase ant. height to 1,190 ft. Action Jan. 28.

### Fine

■ KKMA(FM) Pryor, Okla.—FCC notified Lakes Area Broadcasting Co., licensee of KOLS(AM) and KKMA(FM) Pryor, that KKMA(FM) has incurred apparent liability in amount of \$2,000 for violation of rules (station identification—location, operation of trans. and associated equipment), and for failing to keep record of requests for broadcast time by political candidates and their disposition. Action Jan. 26.

## Renewal of licenses, all stations

■ Broadcast Bureau granted renewal of licenses for following stations and co-pending auxiliaries: KAOR(AM) Oroville; KAVR-AM-FM Apple Valley; KBAV(FM) San Jose; KDOL(AM) Mojave; KEZR(FM) Anaheim, all California; KHAT(AM) Phoenix; KJTV-TV Bakersfield; KKOK(AM) Lompoc, both California; KLIF(AM) Dallas; KLIV(AM) San Jose; KPAT(AM) Berkeley; KROY(AM) Sacramento, all California; KWCO(AM) Chickasha, Okla.; WMFD(AM) Wilmington, N.C.; WTRX(AM) Flint, Mich. Action Jan. 27.

■ KSHO-TV Las Vegas—Broadcast Bureau granted renewal of license. Action Jan. 26.

## Other actions, all services

■ Chief, Broadcast Bureau has granted extension of time to NBC to Feb. 9, to submit information on dates and times TV advertisements involved in Chevron P-310 fairness-doctrine case were carried. (Proceeding resulted from ruling in which commission declined to require certain broadcast licenses to stop carrying Standard Oil Co. of Calif.-sponsored gasoline ads and to alert public to alleged "deceptive nature" or to rule that fairness doctrine applied to airing of ads.) Action Jan. 26.

■ FCC notified Walt Disney Productions Inc., that TV comedian Pat Paulsen, who is scheduled to appear in episode of new Walt Disney TV series called *The Mouse Factory* is "bona fide" candidate under section 315 of Communications Act. Action Jan. 31.

## Translator actions

■ K06HH Chinle, Ariz.—Broadcast Bureau granted license covering new VHF translator. Action Jan. 21.

■ K07IH and K09HL, both Baker, California—Broadcast Bureau granted licenses covering changes in VHF translators. Action Jan. 19.

■ Point Arena, Calif.—Broadcast Bureau granted CP for new UHF translator to serve Point Arena, operating on ch. 77 by rebroadcasting programs of KTVU(TV) ch. 2 Oakland, Calif. Action Jan. 19.

■ Rico, Colo.—Broadcast Bureau granted CP for new VHF translator to serve Rico, operating on ch. 9 by rebroadcasting programs of KREZ-TV ch. 6 Durango, Colo. Action Jan. 26.

■ K10HZ Pony, Mont.—Broadcast Bureau granted license covering new VHF translator.

■ K07JX Sutherland, Sutherland rural area and Hershey, all Nebraska—Broadcast Bureau granted license covering new VHF translator. Action Jan. 25.

■ Coyote, N.M.—Broadcast Bureau granted CP for new VHF translator to serve Coyote, operating on ch. 2 by rebroadcasting programs of KOAT-TV ch. 7 Albuquerque, N.M. Action Jan. 26.

■ Gallina, N.M.—Broadcast Bureau granted CP for new VHF translator to serve Gallina, operating on ch. 12 by rebroadcasting programs of KOB-TV ch. 4 Albuquerque, N.M.; condition. Action Jan. 26.

■ K11AL Las Vegas, N.M.—Broadcast Bureau granted license covering changes in VHF translator. Action Jan. 19.

■ New York—FCC authorized Screen Gems Stations Inc. to construct 1-kw UHF translator

to rebroadcast programs of WNJU-TV ch. 47 Newark, N.J., to Spanish-speaking area of Bronx and Harlem. Action Jan. 21.

■ Perryton, Tex.—Broadcast Bureau granted CP for new UHF translator to serve Perryton and Booker, both Texas, operating on ch. 64 by rebroadcasting programs of KFDA-TV ch. 10 Amarillo, Tex. Action Jan. 20.

■ Sevier, Utah—Broadcast Bureau granted CP for new FM translator to serve Richfield and rural Sevier county, operating on ch. 221 (92.1 mhz) by rebroadcasting programs of KQMU ch. 231 (94.1 mhz) Salt Lake City. Action Jan. 19.

■ Sevier, Utah—Broadcast Bureau granted CP for new FM translator to serve Richfield and Monroe, operating on ch. 228 (105.5 mhz) by rebroadcasting programs of KSL-FM ch. 262 (100.3 mhz) Salt Lake City. Action Jan. 19.

## Modification of CP's, all stations

■ KCRI(FM) Helena, Ark.—Broadcast Bureau granted mod. of CP to operate studio from trans. site: Old Little Rock Road, 1.5 miles southwest of West Helena, Ark.; change trans.; change ant.; ERP 49 kw; ant. height 260 ft. Action Jan. 21.

■ Salem, Ill.—Broadcast Bureau granted Salem Broadcasting Co. mod. of CP to change ant.; ERP 2.90 kw; ant. height 150 ft. Action Jan. 24.

■ \*WDHS(FM) Gaston, Ind.—Broadcast Bureau granted mod. of CP to extend completion date to June 22.

■ KPLC-TV Lake Charles, La.—Broadcast Bureau granted mod. of CP to extend completion date to July 25. Action Jan. 25.

■ WCSG(FM) Grand Rapids, Mich.—Broadcast Bureau granted mod. of CP to extend completion date to Aug. 3. Action Jan. 21.

■ KDMB-FM Dillon, Mont.—Broadcast Bureau granted mod. of CP to change trans.; change ant. Action Jan. 21.

■ K80CU Winnemucca, Nev.—Broadcast Bureau granted mod. of CP to extend completion date for UHF translator to July 20. Action Jan. 20.

■ WMNY-FM Albany, N.Y.—Broadcast Bureau granted mod. of CP to change studio location to trans. site, 750 ft. northeast of King Road 6.47 miles southeast of Schenectady P.O. at N. 153° E., New York.

■ \*WNYU-FM New York—Broadcast Bureau granted mod. of CP to change trans. location: Technology 11 building, New York University Campus, 181st Street and University Avenue, Bronx, N.Y.; change trans.; change ant.; make change in ant. system; ERP 8.3 kw; ant. height 255 ft.

■ WCTM Eaton, Ohio—Broadcast Bureau granted mod. of CP to extend completion date to Aug. 1. Action Jan. 2.

■ Three Harrisburg, Pa.—FCC granted applications of Tele-Visual Corp. to modify CP's of translators W7BC, W72AS and W75AO at Harrisburg, Pennsylvania. Action Jan. 26.

■ WANS-FM Anderson, S.C.—Broadcast Bureau granted mod. of CP to extend completion date to March 1. Action Jan. 21.

■ KWMC Del Rio, Tex.—Broadcast Bureau granted mod. of CP to extend completion date to June 15. Action Jan. 21.

■ K13HF Vernal and Bonanza, both Utah—Broadcast Bureau granted mod. of CP to specify principal community of VHF translator as Vernal Redwash and Bonanza, all Utah; move trans. location approximately one mile from present site; change type of trans.; make changes in ant. system. Action Jan. 19.

■ WHBL-FM Sheboygan, Wis.—Broadcast Bureau granted mod. of CP to extend time to April 4. Action Jan. 21.

## Ownership changes

### Applications

■ WDLP(AM) Gainesville, Fla.—Seeks assignment of license from Dixie Radio Inc. to DAL Broadcasting Co. for \$400,000. Sellers: Denver T. Brannen, president, et al. Buyers: Ray L. Danne (90%) and Larry Edwards (10%). Mr. Danne, officer, director, has 52% interest in Shotney's Big Boy Enterprises Inc., restaurant business in Nashville. He also has 48% interest in Galatin Development Co. Inc., owner of shopping centers in Gallatin, Tenn. He is 90% owner of DAE Broadcasting Co. in Gainesville. Mr. Edwards has 10% interest in DAE Broadcasting Co. Ann. Jan. 21.

■ Will(AM) Homestead, Fla.—Seeks transfer of control of Seven League Productions Inc. from Richard S. Accursio, Paul Losner and O. Ralph

(Continued on page 96)

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Member *AFCCE*

(Continued from page 94)

Matousek (jointly 100% before, none after) to Clement L. and Helen L. Littauer (none before, jointly 100% after). Consideration: \$27,500. Principals: Mr. Littauer was formerly broadcast and public relations consultant in San Juan, Puerto Rico. He also had interest in Antilles Broadcasting Corp. licensee of WRSJ(AM) San Juan. Mrs. Littauer was secretary and director of corp. at this time. Ann. Jan. 21.

■ WAAM(AM) Ann Arbor, Mich.—Seeks assignment of license from Babcock Companies Inc. to John L. Sinclair Jr. for \$55,000. Sellers: Emanuel Berman, treasurer, et al. Buyers: John L. Sinclair (100%). Mr. Sinclair is sole owner of Old Dominion Broadcasting Co., licensee of WANT(AM) Richmond, Va. He is also half owner of WCVL Inc., licensee of WCVL(AM) in Crawfordsville, Ind. Ann. Jan. 10.

■ KOLT(AM) Scottsbluff, Neb.—Seeks transfer of control of The Hilliard Co. from L. L. and Ruth K. Hilliard (314 shares before, 92 shares after) as family group to Russell G. Hilliard, Leslie Phillip Hilliard and William K. Hilliard (jointly minority shares before, majority shares after). Consideration: \$700 monthly lifetime annuity for L. L. and Ruth K. Hilliard. Principals in Hilliard Co.: Russell Hilliard is sole owner of Metro Music, background music system serving business concerns. Leslie Hilliard is employed by Midland Implement Co., Billings, Mont. William Hilliard is sole owner and operator of own surveying company in Silsbee, Tex. L. L. and Ruth Hilliard have no other interests except Hilliard Co. Ann. Jan. 7.

■ WBER(AM) Moncks Corner, S.C.—Seeks transfer of control of Berkeley Broadcasting Corp. (jointly 81.81% before, none after) from Vincent M. French, Hazel M. French, Franklin R. Welch, et al. to Brissette Enterprises Inc. (none before, 81.81% after). Principals: Paul A. Brissette Jr. (100%). Mr. Brissette is general manager of New Hanover Broadcasting Corp., licensee of WAAV-FM) and WGNJ(AM) in Wilmington, N.C. He is also president of RA-Bar Advertising Agency in Columbia, S.C., and vice president of Cape Fear Cinema Corp. in Wilmington, N.C. Ann. Jan. 10.

**Actions**

■ KAAA(AM) Kingman, Ariz.—Broadcast Bureau granted assignment of license from Wallace E. Stone to Sun Mountain Broadcasting for \$225,000. Seller: Wallace E. Stone, sole owner. Buyers: Charles D. Langerveld (70%), president, and Robert S. Hamilton (30%), vice president. Mr. Langerveld is applicant for new FM at Lake Havasu City, Ariz. Mr. Hamilton is time salesman at station. Action Dec. 15, 1971.

■ KBHS-AM-FM Hot Springs, Ark.—Broadcast Bureau granted assignment of license from Tim Timothy Inc. to KBHS Broadcasting Co. for \$277,077. Sellers: Tim Timothy, principal stockholder and manager, et al. Buyers: KWHK Broadcasting Co. Principals of KWHK: Lyle Foy (25%), chairman; William Mitchell (25%), president; David Mackey (25%), vice president, and George Stuckey (25%), secretary-treasurer. KWHK Broadcasting is licensee of KWHK(AM) Hutchinson, Kan. and KTRC(AM) Santa Fe, N.M. Action Dec. 8, 1971.

■ KFMI(FM) Eureka, Calif.—Broadcast Bureau granted assignment of license from Eureka Broadcasting Co. to Danmour Broadcasting Corp. for \$45,750. Sellers: Wendell Adams, president, et al. Buyers: Seymour Sohn, president, (46 1/2%) Daniel T. Alvy, secretary-treasurer (46 1/2%), and Ted Alvy, vice president (7%). Mr. Sohn has 50% interest in land development construction, apartments and equipment leasing and service firms in West Los Angeles. Daniel Alvy has other 50%

interest in these firms. Ted Alvy is sole owner of Peninsula Academy of Music in Palos Verdes Estates, Calif. Action Jan. 9.

■ KGUD-AM-FM Santa Barbara, Calif.—Broadcast Bureau granted assignment of license from KGUD Inc. to Salomar Corp. for \$310,000. Seller: Dee Cee Productions Inc., which is wholly owned by Richard W. Clark. Buyers: Harold S. Greenberg, president (9.3%), Ronald H. Usein (70.1%), et al. Mr. Greenberg is stockholder in Kidder, Peabody & Co., Minneapolis investment banking and brokerage firm. Mr. Usein is director and legal adviser to Minneapolis antique, optical and investment companies. Action Dec. 17, 1971.

■ KEMO-TV San Francisco—Broadcast Bureau granted assignment of license from U.S. Communications of California Inc. to Leon A. Crosby for assumption of liabilities to \$278,820.36 per year plus assumption of promissory notes totaling \$11,058.19. Seller: U.S. Communications Corp. is subsidiary of AVC Corp. (86%), nondiversified investment firm. Buyer: Leon A. Crosby, sole owner. Mr. Crosby owns various business enterprises in San Jose, Calif. Action Jan. 19.

■ KKAM(AM) Pueblo, Colo.—Broadcast Bureau granted assignment of license from Southwest Broadcasters Inc. to KKAM Inc. for assumption of debt in amount of \$35,000. Sellers: Edward Shadok, president, et al. Buyers: Thomas T. Farley (70%), president, and W. Bret Kelly (30%), secretary-treasurer. Mr. Farley is attorney and has interest in CATV firm. Mr. Kelly is president, director and majority stockholder in insurance company. Action Dec. 21, 1971.

■ WOLI(AM) Ottawa, Ill.—Broadcast Bureau granted assignment of license from Wayne Hess, receiver to Van Schoick Enterprises Inc., for \$7,000. Seller: Wayne J. Hess. Buyer: George Van Schoick (100%). Mr. Van Schoick is owner of Aamco Transmission of Ottawa, Ill., franchised nationwide transmission service dealer, and is also engineer for Union Carbide Corp. Action Dec. 22, 1971.

■ WCKB(AM) and WQTI(FM), both Dunn, N.C.—Broadcast Bureau granted transfer of control of North Carolina Central Broadcasters from A. Lincoln Faulk and A. H. Campbell (two-thirds combined before, none after) to Alice T. Baggett (one-third before, two-thirds after) and Robie S. Butler (none before, one-third after). Consideration: \$100,000. Principals: Alice T. Baggett and Robie S. Butler. Mrs. Baggett is secretary and director of North Carolina Central Broadcasters Inc. She is also partner in Butler & Carroll Drug Co. in Dunn. Mr. Butler is director and announcer for North Carolina Central Broadcasters Inc. Action Dec. 15, 1971.

■ WRIO-FM Cape May, N.J.—Broadcast Bureau granted assignment of license from WRIO Broadcasters Inc. to Cape Christian Broadcasters Inc. for \$68,000. Sellers: Owen W. Hand, president, et al. Buyers: William C. Lamson Sr. (11.11%), William W. Dickinson (11.11%) and Larry Christy (11.11%), et al. Mr. Lamson is 51% owner and president of Lamson Furniture Inc., Cape May. Mr. Dickinson is 50% owner of Briarwood Trailer Park, Cape May. Mr. Christy is employed by Nationwide Washington Insurance Co., Pleasantville, N.J. Action Dec. 29, 1971.

■ KKAT(AM) Roswell, N.M.—Broadcast Bureau granted assignment of license from Southwestern Broadcasters Inc. (debtors in possession) to Pecos Valley Entertainment Inc. for \$33,771.42. Seller: Edward T. Shadok, president, et al. Buyers: Rosendo Caserez Jr. (49%), Nina Nelson (47%), et al. Mr. Caserez is rancher and farmer. Mrs. Nelson is retired. Action Jan. 12.

■ KFJZ(AM) and KWXI-FM, both Fort Worth—Broadcast Bureau granted assignment of license from Texas State Network Inc. and its subsidiary Fort Worth Inc. to First Illinois Cable TV Inc. Consideration \$3,800,000, which includes covenant

not to compete for nine years. Sellers: Stanley E. Wilson, president, et al. Buyers: Jack R. Crosby (8.2%), Robert W. Hughes (1.8%), et al. Mr. Crosby is vice president of CPI Telecommunications Inc., management services firm in Dallas. He also has 23% interest in Telesystem International, CATV firm in Jenkintown, Pa. Mr. Hughes is director of Crosswicks Industries, CATV firm in New Jersey. He is also vice president of CPI Telecommunications and of Communications Management Service Inc., CATV firm in Austin, Tex. Action Dec. 15, 1971.

■ KFDR(AM) Grand Coulee, Wash.—Broadcast Bureau granted assignment of license from Evergreen Broadcasting Corp. to William Y. Tankersley and Frank A. Del Vecchio for \$55,000. Sellers: Robert Douglas, vice president, et al. Buyers: William Y. Tankersley (50%) and Frank A. Del Vecchio (50%). Mr. Tankersley is 10% owner of Broadcast Electronics Co., Silver Spring, Md., and is engineer at WMAL(AM) Washington. Mr. Del Vecchio is sole owner of Broadcast Service Co., Grand Coulee, Wash. He is also owner of Maryland Telephone & Telegraph Co., common carrier and supply service company, Rockville, Md. Action Dec. 30, 1971.

■ KPQ-AM-FM Wenatchee, Wash.—Broadcast Bureau granted transfer of control of Westcoast Broadcasting Co. from Rogan L. and C. W. Jones (60% before, none after) to J. W. Wallace. Consideration: \$244,410. Principals: J. W. Wallace (40% before, 100% after). Mr. Wallace is president of Westcoast Broadcasting Co. He is also president and 66 2/3% owner of Midstate Electronics Co., wholesale parts firm in Wenatchee. Action Dec. 17, 1971.

**CATV**

**Final actions**

■ Citizens Development Corp., Lake San Marcos Calif.—Cable Television Bureau dismissed as moot petition for waiver of program exclusivity requirements of rules filed Nov. 2, 1971. Action Jan. 25

■ South Florida Cable Television Corp., North Fort Myers, Fort Myers Beach, Estero, Bonita Springs and North Naples, all Florida—Cable Television Bureau dismissed as moot request for waiver of rules filed July 6, 1971. Action Jan. 25

■ FCC issued tax certificates in accordance with Internal Revenue code, to Media Genera Inc., parent corporation of licensee of WFLA-TV Tampa, Fla. and Cosmos Cablevision Corp. wholly owned subsidiary of licensee of WIS-TV Columbia, S.C., in connection with sales of CATV systems. Action Jan. 26.

■ Green Mountain Television Corp., Burlington Vt.—Cable Television Bureau dismissed as moot petition for order to show cause filed by Rollir Telecasting Inc. on Feb. 28, 1968. Action Jan. 2

**Cable actions elsewhere**

The following are activities in community-antenna television reported to BROADCASTING through Feb. 1. Repor include applications for permission to install and operate CATV's, change in fee schedules and franchise grant Franchise grants are shown in *italic*

■ *Belleair Bluffs, Fla.*—Multiple-CATV own Teleprompter Corp. has been awarded 20-ye franchise.

■ Peoria, Ill.—Multiple-CATV owners Cox Cat Communications and Telecab Inc. of Norfolk Va., have applied to city council for franchise

■ Howard county, Md.—Multiple-CATV own Time-Life Cable Television has applied to ci council for franchise.

■ New Bedford, Mass.—International Telemet division of multiple-CATV owner Gulf & Weste Time-Life Cable Television has applied to cour council.

■ *North Henepin, Minn.*—North Suburban Cal Communication Inc. has been awarded franch to operate in communities of Robbinsdale, Cryst Brooklyn Center, Brooklyn Park, New Hoj Golden Valley, Osseo and Maple Grove.

■ Springfield, Ohio—Coaxial, Communication Telecab Corp. of Norfolk, Va., Cypress Co munications Corp. (multiple-CATV owners) a Continental Cable Vision have applied to c council for franchise.

■ Gladewater, Tex.—Multiple-CATV owner Cal Systems Inc., Cypress Valley Cable Televisi Service and CAS Manufacturing Co. have appli to city council for franchise.

■ *San Marcos, Tex.*—San Marcos TV Cable C has been awarded franchise by city council.

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Display ads. Situations Wanted (Personal ads)—\$25.00 per inch. All others—\$40.00 per inch. 5" or over billed at run-of-book rate.—Stations for Sale, Wanted to Buy Stations, Employment Agencies, and Business Opportunity advertising require display space. Agency commission only on display space.

Applicants: If tapes or films are submitted, please send \$1.00 for each package to cover handling charge. Forward remittance separately. All transcriptions, photos, etc., addressed to box numbers are sent at owner's risk. BROADCASTING expressly repudiates any liability or responsibility for their custody or return.

Address replies: c/o BROADCASTING, 1735 DeSales St., N.W., Washington, D.C. 20036.

## Radio Help Wanted

### Management

General manager for mid-western station in \$85 million sales market. Must have manager experience and be sales oriented. Man we want is now managing a station in the mid-west grossing \$100-\$250 thousand in sales. College education preferred but not necessary. Salary \$1,000+, company car and other fringes. Must be top producer who wants to move up. Equal opportunity employer. Box A-351, BROADCASTING.

Promotion manager. If you are number 2 and willing to try even harder, move up to the number 1 slot at WMC, WMC-FM, WMC-TV in Memphis. Nice people, warm climate, attractive city, and programs you'll be proud to talk about in public. Equal opportunity employer. Send complete background data and salary requirements to: Manager: WMC Stations, 1960 Union Avenue, Memphis, Tennessee 38104.

J.P. Michigan (St. Ignace) station manager wanted immediately. Must have experience in sales and announcing 5000 watt station. Call (517) 482-9695 and nights (517) 484-0702 or write 1005 Bank of Lansing, Lansing, Michigan.

### Sales

salesman-announcer, experienced, medium market with AM and FM. Emphasis sales. Guaranteed salary plus commission. Send information, snapshot and audition tape in strict confidence. Southeast. Box A-278, BROADCASTING.

sales position, Denver, Colorado. Top rated station, experienced man, at least five years. Ability to make 5,000 yearly. Good list available. Management possibilities in immediate future pending upon right man. References required. Must be ready to move soon. Box -68, BROADCASTING.

wanted "super-aware" salesman. If you are a conscious begin, young, aggressive, plugged into today's music and movements. If your goal is management through sales and related programming you can move head as rapidly as you let yourself. Send resume and complete information to: Wm. R. Varecha, General Manager, CHOM-FM, 1310 Greene Avenue, Montreal 15, Quebec, Canada.

we'll look till we find the right mature salesman eager to learn a new, powerful sales concept. Continuous sales training. Will guarantee what you are worth. Midwest background only. Furnish resume. No phone calls. Dale W. KLSS/KSMN, Mason City, Iowa.

opportunity of a lifetime with one of the nation's outstanding broadcast groups. We are seeking an aggressive young sales pro anxious to grow. Our opening is immediate. Please forward all information to John Enoch, general manager, KRSI AM/FM, 4500 Excelsior Boulevard, Minneapolis, Minnesota 55416.

sales manager—for separately programed AM/FM stations, top adult stations in growth market. Experience necessary. Send complete background, references, picture in complete packaged resume. Carl Hallberg, Manager, WDBO, Orlando, Fla. 32802.

senior sales announcer, intelligent, hardworking, cooperative. Some experience preferred. Mrs. Warren, WMCR, Oneida, N.Y. Phone (315) 363-6051.

experienced salesman with proven record for med. mkt. tremendous opportunity and top money for a man on the way up. Call (309) 346-2134. WSIV AM-FM, Pekin, Ill.

can you sell on the phone? New York salesman wanted to sell program to radio stations. Warm, persuasive, motivated, knowledgeable. Full or part time. Good commissions, draw. Opportunity for advancement. Call President, (212) 752-3840.

## Sales Continued

Three regional Sales manager(s) Community Club Awards (CCA), one of the broadcast industry's oldest most respected, radio/television promotional companies is replacing two men, adding another. Full time, (Monday/Friday) travel in restricted, protected territory. Salary/travel ninety-day training period. Permanence, salary, bonus, incentives, thereafter. Unlimited earning potential, ambitious, creative, organized, experienced broadcast sales executive with ability to sell stations on concept; address, motivate and sell large audiences of club-women. Personality, good grooming a prerequisite. Our staff aware of this ad. Apply by written resume, picture, references. All references checked. CCA station-sales considered but not necessary with strong radio/television background. Territories: Mid-west; central-mid-west; south west. State preferences, employment immediate. John C. Gilmore, CCA, Inc., P.O. Box 151, Westport, Connecticut 06880.

Opportunity knocks! Successful AM/FM/SCA operation requires two highly motivated and experienced salesmen to take over established lists. Generous compensation and fringe benefits. Growing organization with advancement potential for producers. Single station market near Chicago metro area. Excellent community of 60,000 with outstanding schools, hospitals and parks. Must be available by March 1. Send all details, including sales record and current earnings first letter. Richard Jakle—Managing Owner, Elgin Broadcasting Company, Box 117, Elgin, Illinois, 60120.

Excellent opportunity for solid, experienced salesman at northcentral Ohio station. Send resume to Box 461, Mansfield, Ohio 44901.

## Announcers

Top fifty market progressive MOR seeks dynamite jock for important air shift. Good pipes, top 40 background and aggressive, competitive spirit all assets. Long established station has top major market programming and management people and offers great fringe benefits too. Send complete resume with references that can be checked, air check (any format), and earnings history to program director. Box A-202, BROADCASTING.

Iowa MOR station needs experienced announcer. No beginners. Send tape and resume to Box A-239, BROADCASTING.

Mature young announcer for 5,000 watt eastern full-timer. Must be able to read well and do creative production. Send resume and tape to Box A-292, BROADCASTING.

Mature announcer for top 40 afternoon drive in medium size Virginia market. No screamers. Must be able to follow instructions, handle some production and get along with others. Life and hospitalization insurance, paid vacation. No beginners. EOE. Send tape, resume and recent picture to Box A-325, BROADCASTING.

Southern New England, good music station. Growing organization, licensed for second Southern New England station pending. Must be mature announcer with first phone. Tapes and resume to Box B-13, BROADCASTING.

Need 2 country pros with experience and 1st ticket in mid-western market, also one 3rd phone for night duty. Good voice, personality and neatness a must. Only stable, adult sounding persons need to apply. Box B-32, BROADCASTING.

AM—top 10 market, looking for young, bright, well-informed announcer for staff assignments including anchorman on daily, afternoon news block. Send tape, resume, photo, and salary requirements. Box B-52, BROADCASTING.

Mild sunny climate beckons a professional country broadcaster. Will consider jock/production or copy/production specialist. One of the top pulse-rated country stations. Send air and production tape immediately. Box B-67, BROADCASTING.

## Announcers Continued

Wanted: 5 professionals to round out all new staff in a million + southern market. New station-new quarters-new equipment-top 40 rock personality format-24 hours. Requirements: good pro background-3rd with broadcast requirements-1st welcome. Understand and dig top 40 rock radio-good voice and personality delivery-good commercial and promotional production. No hang-ups-willing to work hard with a big team destined for #1. Position: #1—production supervisor, dj. #2—Music Director, dj. #3—Promotion and contest supervisor, dj. #4 DJ, #5 News Director. Reward: good compensation package-excellent working conditions-Opportunity for group advancement. If you are in a med. mkt. and ready for that major move or already in the major league, send tape and resume to: Program Manager, Box B-63, BROADCASTING. Every application will be answered.

Rock Jock—more music format—WBUD, Trenton.

Opening soon for dependable C&W dj who can work board—write copy—service accounts. Send complete resume to: Keith Buck, WEZJ, Williamsburg, Kentucky.

If you're good, this small market station has a place for you. Air shift and take over account servicing. We pay better than most medium market stations. Young, progressive owners and your chance to get in on the ground floor of growing broadcast organization. Send tape and resume to George Clarke, General Manager, WKIK Radio, Leonardtown, Md. 20650. An equal opportunity employer.

Junior sales announcer, intelligent, hardworking, cooperative. Some experience preferred. Mrs. Warren, WMCR, Oneida, N.Y. Phone (315) 363-6051.

Young, progressive radio group seeks experienced versatile afternoon drive-time personality. Good salary, many benefits. Rush aircheck and resume to Earl Morgan, WNYR, 931 East Main Street, Rochester, New York 14605. Replies confidential.

Wanted: Top 40 rock personality, no time and temp. jock. Mature voice. Must have 1st. Send tape and resume to WJPS, Box 3636, Evansville, Indiana.

We have no openings—but we've got our eyes open for good people who know us and what we do in case of future openings. Only experienced people who know our operation need apply. E.O.E. WOBM; Box 927, Tom River, New Jersey 08753.

Wanted: Experienced personality. Heavyweights only. Send tape, resume and references to WQSN, P.O. Box 891, Charleston, South Carolina 29402. Equal opportunity employer.

Morning personality needed complete with humor, production ability and desire to meet the public. MOR background OK for this opportunity with top contemporary in beautiful, growing medium market. Rush tape, resume, photo to Dick Bentz, WROV, Box 4005, Roanoke, Virginia 24015.

Experienced dj, production, single station market, Wayne, Nebraska. Phone (402) 375-3700 or 375-2945 evenings.

## Technical

Major group broadcaster requires a young, competent chief engineer for an AM directional, FM stereo in a major market. Must be thoroughly experienced in all phases. Salary commensurate with experience. Box B-31, BROADCASTING.

Chief engineer for New Orleans radio station. Experience required. Box B-58, BROADCASTING.

First phone man for transmitter. WAMD Aberdeen, Maryland 21001.

Chief engineer: midwest. 5KW N/DA, 1KW D/N. Full responsibility. Excellent pay and benefits in this prosperous community. (812) 425-2221.

## Help Wanted

### Technical Continued

**Chief engineer** for major university stereo FM facility. Must be qualified in maintenance and trouble-shooting of 10 KW Collins FM transmitter, STL and all audio equipment. Must know how to use test equipment, do proof-of-performance and maintain stereo channel separation. Station has a fine arts format requiring an engineer with a discriminating ear and appreciation for quality sound. Send complete resume to WUOT, 232 Communications Building University of Tennessee, Knoxville, 37916. Salary open. References will be checked. An equal opportunity employer.

### News

**Small Ohio market.** Contemporary, not rock format. Community minded, with modern equipment. Needs news man-D.J. Must be news digger. Fringe benefits. Opening immediately available. Must be willing and capable of following established format. Send tape, resume and salary requirements. Box A-335, BROADCASTING.

**Wichita's most powerful AM/FM combination** is looking for a creative news man with the ability to deliver exciting "in The Field" reporting. The concept that we are building is new and different... just the thing for the Radio News man who wants to expand his personal ability in broadcast news. Send: Tape, resume, other information to... Joe Montgomery, News Director, KFDI-AM/FM, Wichita, Kansas 67201.

**Florida east coast.** 35 year old MOR network station. Small, growing community. Heavy on local news. Salary depends upon qualification and ability. Send tape and resume to WFOY, St. Augustine.

**Nome, Alaska 10 KW** Experienced newsman to be News Director. Man with ideals. Must be single. Audience 95% English speaking Eskimos in 100 remote villages. All new Collins equipment. Non-salaried positions. Travel and all living expenses paid. Minimum of one year service. Must have voice, delivery, personality, and great interest in helping others. Must have excellent work character references. Send "on-air" tape, resume, and photo. Contact Fr. Jim Poole, S. J., Box 101, Nome, Alaska 99762. 3rd class license with broadcast endorsement required. All varieties of popular music format with educational spot-type fill. Broadcast 7 AM to 11 PM. One hour of religious programming a day. Station sponsored by Catholic Bishop of Northern Alaska.

### Programing, Production, Others

**Assistant PD.** East. Up to \$22,000 start. Must be mature, reliable, good track record, willing to follow directions. Minimum last 3 years major market experience. Will train capable prospect. Minority group applicants positively given equal consideration. Send tape, resume and references. Box B-69, BROADCASTING.

### Situations Wanted

#### Management

**Renaissance man.** Engineer, programmer, sales. Ready for management. Box M-119, BROADCASTING.

**Experienced manager**... desires managers position in mid-east, mid-west or eastern small market. Handle all phases of operation. Box A-210, BROADCASTING.

**Red Ink?** I've changed it to black for one FM owner already in 20 station metro market. Highly qualified station manager seeks larger station and market. Proven record includes sales, programming, management. Expert in ratings and profits. Eleven years AM/TV/FM. Dedicated professional. B.A., M.B.A. Excellent references. Ownership participation preferred. Top 30 markets only. Box A-273, BROADCASTING.

**General manager** professional, uniquely qualified in business/financial and engineering areas desires greater challenge than current operation will allow... family man, civic oriented will relocate. Box A-309, BROADCASTING.

**Manager-SM,** Radio-TV, dedicated professional, desires challenge. Box A-331, BROADCASTING.

**Highly qualified.** 20-years experience all phases. Age 40. Recently sold station interest. Seeking challenging opportunity as General Manager in AM and/or FM, radio manager in AM/FM/TV. Sales Manager or assistant to President in large AM/FM/TV or group operation. Good references. Financially solid. Available now for interview. Box B-11, BROADCASTING.

## Management Continued

**Are you looking** for an experienced general manager with proven executive, programming, and sales organization ability? If you're willing to give me a "free hand" I will show you real results in boosting sales and ratings. Since I own my own advertising business, I'm willing to start at a modest salary for the right kind of opportunity. Send all replies to Box B-12, BROADCASTING.

**Thoroughly experienced.** Local/regional sales, station operation, programming. Box B-19, BROADCASTING.

**Program director**—basics are basic—subtle differences endemic to each city separate—successes from low rated—all formats not interested in an 8 month job—seek permanency—Box B-26, BROADCASTING.

**Position with corporate** or group broadcaster as General Manager or General Sales Manager desired. Top producer with experience as G.M., and G.S.M. of station in top 20 markets, and sales manager of national rep. firm. Can provide talent at local and national level. Strong on producing results and administration of operations. Will relocate. Excellent references. Box B-64, BROADCASTING.

**Successful VP GM** of #1 AM-FM in major market desires to make a career change. Present situation: Dead end. 20 years in radio, TV, agency and cable in management and promotion with heavy national, regional and local sales background. Will listen to any reputable group owner or individual who offers a challenge with a future. Age 41. Married. Box B-70, BROADCASTING.

**Eighteen years experience.** Skills include management, sales, programming, administration. Honest, dependable. Last station seven years. Charles Doll, (301) 781-0998. Available immediately.

### Sales

**Salesman**—double as announcer. First phone. Experienced all markets. Box B-34, BROADCASTING.

**Looking for hard working pro?** Twelve years experience... married... first phone... pilot... program director... music director... ready for step from programming to sales... desire station with secure future... with present employer ten years. Box B-50, BROADCASTING.

**1st phone chief** wants more sales and sports play-by-play, board shift OK, college, family man. Box B-60, BROADCASTING.

### Announcers

**OJ,** tight board, good news, commercials, 3rd phone. Box A-57, BROADCASTING.

**Luckier than most,** had breaks from big people! Doing now what others tried and failed! 1st phone, morning man, timber voice, this one's worth your time. Box A-85, BROADCASTING.

**No. 1 morning man** in medium market (adult top 40) seeks slot in large medium or major. Voice style, production, 3rd, all pro. Box A-201, BROADCASTING.

**Experienced graduate** of N.Y. school—willing to relocate—tight board—third—endorsed—seeks new, challenging position. Box A-261, BROADCASTING.

**Talented announcer,** experienced with news, production, D.J., sales, etc. Desire D.J. position. Third endorsed, married, 26, veteran. Presently working Ohio area. Will relocate. Box A-281, BROADCASTING.

**Announcer**—salesman! Prefer modern country format. Experienced professional. Box A-294, BROADCASTING.

**Personable pro engineer**—announcer seeks MOR station. East coast. Box A-300, BROADCASTING.

**Black professional** drive time jock heavy on production and copy writing, for tape and resume... Box A-315, BROADCASTING.

**Personality,** capable of handling a talk-entertainment-variety program. Strong on interviewing, ad lib and use of on-the-air telephone. Reply in confidence with resume, tape and salary requirements to Box A-333, BROADCASTING.

**Attention New York** or Philadelphia: Nostalgia, jazz, pop, music of the 30's, 40's, 50's and today. Knowledgeable, personable, stable broadcast veteran with enormous record and tape collection, interested in doing show in major market. Background includes all areas of radio-TV programming, air work, plus management. TV talk show host. Box B-2, BROADCASTING.

## Announcers Continued

**Available**—sports writer, major daily, also top football-basketball play-by-play man, wants radio full time. Write Box B-10, BROADCASTING.

**Attention Ohio region!** Are you looking for an experienced first phone (no maintenance) who is striving to build a reputation as a dedicated professional? Give me a chance and I'll prove it. Box B-16, BROADCASTING.

**First phone, D.J.**—five years experience—seeks position with C&W or MOR station. Box B-17, BROADCASTING.

**Experienced ann.**—DJ, tight board, third, married, vet. Box B-18, BROADCASTING.

**Experience dj,** newsman, versatile aggressive, creative 3rd endorsed, tight board, tape available. Will relocate. Box B-22, BROADCASTING.

**Los Angeles pro** (any format) first phone. \$300. min. Box B-37, BROADCASTING.

**Talented disc jockey,** announcer seeks experience of small AM or FM station. Heavy theatrical background. Excellent voice and diction. Tight board. Fully conversant with all types of music. Very dependable. Will relocate. Box B-38, BROADCASTING.

**Los Angeles country** personality (now employed) looking. Also MOR. Box B-40, BROADCASTING.

**Creative but inexperienced** 3rd phone desires permanent emergency employment to ward off the slings and arrows of outraged creditors. Box B-47, BROADCASTING.

**Five years experience** has taught me—that I can depend on my talent and you can too. Box B-48, BROADCASTING.

**Experienced pro**—presently employed looking for new challenge. Box B-49, BROADCASTING.

**Pro wants to implement** an innovative format with featuring guests & phone chatter—ad-lib humor-character voices—MOR. Solid background in politics entertainment, sports, and other human interest field. Great all-around host. Employed. 1st phone. Work towards business law degree. Box B-56, BROADCASTING.

**1st phone good music station** announcer wants MOR-classical board shift, interested in sales, sports play-by-play, engineering. Family man, college degree, Box 161, BROADCASTING.

**First phone,** 2 years, tight pro sound, MOR C&W, contemporary. Young and dynamic. (515) 432-8835.

**TYR college grad,** wants first job in either. Will relocate 3rd, play-by-play, talk, any format. Mike Scott, 1 Parkside Ave., Syracuse, N.Y. 13207.

**Wanted**—location in southern Wisconsin or northern Illinois. Hold 1st class, single, 25. Conscientious, ambitious and hard working. 4 years experience. Call daytime-414-642-5524 or at night-time, 414-642-3633.

**1st phone pro** desires southern Calif. contemporary scene. Backed by a one year guarantee, Bill Wa grad. Hire. Dean 213-781-5824, 15820 Vanowen, Van Nuys, Ca. 91406.

**1st phone tape** says it all. Prefer MOR or rock. I'll relocate anywhere to start. Excellent references. Dar Green, 532 N. Barbara, Azusa, Cal. 91702.

**1st phone Bill Wade** grad versatile knows formats news sales; prefers contemporary. North, south, east or west I'll stay a year. Richard Ut (213) 377-2774, 2316 Pa Verdes Drive-W, Palos Verdes Est., Ca. 90274.

**1st phone 5 yrs** rock BS degree HT C-305 Juneau, W. Milwaukie, (414) 273-8839.

**Ohio-midwest.** Talented conservative young married first phone. Some experience. Excellent MOR, uptempo MOR. Professional attitude. Minimum \$125. No night. Randy Swingle, 614-598-5093.

**First phone announcer,** 2½ years experience, 7 to 10 night rock music director, did production, some MC C&W, also am interested in production engineering. I news. Out of work, will relocate. Charles Kirkend (612) 367-2456 Minn.

**Looking for start** anywhere. Mitchell Peck, (212) 214104.

## Announcers Continued

**Attention!** Country stations—experienced, 3rd endorsed, married, willing to relocate. Clyde Bass, 446 Behney, Mishawaka, Indiana (219) 259-8115.

**I'm ready . . .** ready, willing and eager to start my career in broadcasting. I'm young, extremely willing to work . . . anywhere. 3rd en., broadcasting school grad. Contact James R. Gonzales, 1162 S. Marletta St., L.A., Calif. 90023 (213) 263-8113.

**Black announcer, heavy voice "second"**—Sam Fields, 1316 Masselin Avenue, Los Angeles, California 90019, (213) 936-2605.

**Ten years experience** in announcing, news and copy writing, all around inside man, college background. Country music, MOR, good music. small/medium market. Ray White, Box 61, Merry Hill, N.C. 27957 Phone (919) 482-2693.

**Have 1st will travel.** Mellow contemporary comb. man with smile and sell. Top training, all phases, news and sales experience. 10 years allied field. Looking for that first job, married. Michael Armstrong, 516 N. Normandie. #1, Los Angeles, Calif. 90004 (213) 666-0896.

## Technical

**Experienced first phone engineer.** Prefer Western or midwestern states but will consider other areas. Call 202-291-9140 after 6 or Box A-231, BROADCASTING.

**First phone:** desire little or no announcing. Experience with directional/automation. Want to learn maintenance under chief engineer, go anywhere. Box A-286, BROADCASTING.

**Engineer 20 years exp.** directional systems, FM, stereo, TV. No announcing. Family man. Box A-314, BRDADCASTING.

**Attention: N.Y., N.J., Conn.,** 1st phone. Black. 3 years experience: 4 channel recording, editing remotes, light board, transmitter, light maintenance. Box B-46, BROADCASTING.

**I need a challenge.** If you need help, want to work for you. Experienced, qualified AM, FM, automation, directional—SCA. Box B-53, BROADCASTING.

**1st phone chief engineer seeks opportunity** all phases radio, experienced maintenance, installation. Speech and drama degree, family, draft preferred, Keith Retzer, 4010 12th Street, Columbus, Nebraska 68601.

**Chief or supervisor. AM-FM-TV.** 20 years of know how. C.L. Sweet, 659 C Pusan Rd., Fort Lee, Va. 23801. (703) 734-4367.

## News

**Seeking play-by-play or sportscasting position.** Eight years one station. Opportunity more important than money. No small markets. Box A-280, BROADCASTING.

**Sportscaster.** Experienced. Knowledgeable. 3rd phone. College graduate. References. Box B-4, BROADCASTING.

**Experienced news & sports director and play-by-play man.** Desires job in mid east, mid west or eastern market. Box B-25, BROADCASTING.

**Director of news . . .** 13 years radio-TV. I am in a position to mold your news operation into #1 product. Just give me the toots and a decent salary and leave the rest to me. Available immediately. Box B-55, BROADCASTING.

**Trade:** Long hours, short pay for experience reporting local news. 1st ticket. Box B-59, BROADCASTING.

**I need a 20-year experienced** newsmen, announcer, NJ, PD, etc. that WSM, CBS, & NBC authorities say is one of the very best in the nation? . . . Contact Neil Overtt, Double Springs, Ala. 35553, PH. 489-50801

**People oriented creative newsmen.** Recent broadcast school plus B.A. speech. 3rd phone, Nick Isenberg 303) 322-2356, 2890 Elm Street, Denver, Colorado 80207.

**Experienced, dependable college grad,** 23, will relocate preferably north U.S. or Canada. Mark Ackerman, 4032 Verona, Cleveland, Ohio 216-382-8705.

**Graduating May.** Indiana University, journalism, political science. Strong school; radio writing, reporting, editing, announcing experience. Work hard. Resume, references, tape—request. Relocate anywhere. Evan Davis, 7A Walnut Grove Trailers, Bloomington, Indiana 47401 812) 336-1254.

## News Continued

**Sportscaster/announcer, 1st phone, early twenties,** college graduate (radio-TV major), 3½ years experience in play-by-play. Former sports director of Long Beach, Calif. station. Will relocate. Stuart Newman, 2971 Shakespeare, Los Alamitos, Calif. 90720, (213) 431-0894.

**Seeking board/prod/copy—29,** family, school trained, 3rd endorsed, some college, currently newsmen NW Ohio. Available now. Please call (419) 422-0212.

## Programing, Production, Others

**Creative, B.S. in Telecommunications.** 5 years experience. Seeking production or promotion. Also capable MDR jock. Small, medium market. Box B-5, BROADCASTING.

**Desire move up to program manager.** (MOR, classical). Have 1st phone. Black. 3 years engineering experience. Seek near NYC. \$200. Box B-9, BROADCASTING.

**P.D. with 1st—experienced in programing, news, sales.** Box B-24, BROADCASTING.

**Desire position as P.D. and or news.** Can do production. 8 years experience, 1st phone. Looking for well established station. Box B-27, BROADCASTING.

**Black P.D. looking.** Call R.J. 515-244-5008.

**Major market music director seeks relocation** as PD of progressive FM or AM. Seasoned pro with excellent references and credentials, leadership. 1st phone. Family man, 25. Box 157, Westmont, Ill. 60559.

## Television

### Help Wanted Management

**Established 147-mile cable system** in northeastern Illinois with 10,000 plus subscribers, fully computerized bookkeeping operation, doing local origination, has immediate opening for experienced cable manager with sales ability. Excellent starting salary, many fringe benefits. List age, education, references, detailed experience. Write Robert Hawkins, Kankakee TV Cable Co., 150 S. Dearborn, Kankakee, Ill. 60901.

## Announcers

**Announcer with good on-air presence, weather experience preferred, for successful southeastern VHF, CBS affiliate.** Send tape, resume, salary requirements. Box A-328, BROADCASTING.

## Technical

**Engineer wanted to run large CATV local origination dept.** In Northwest Ohio reply Box A-226, BROADCASTING.

**Wanted: Technician for transmitter maintenance** in UHF station with 18 years growth located in northwestern Pennsylvania. Experience desired but not a requirement. Box A-343, BROADCASTING.

**MCR operator experienced and first class license required** full color VHF contact chief engineer, WPRI TV, Providence, Rhode Island, 401-521-4000. An equal opportunity employer.

## News

**TV newsmen needed in expanding southeastern section** TV station. Applicants must be news oriented. Radio experience acceptable in lieu of TV potential. Self-starters only. Send video tape or request for personal audition to Box A-236, BROADCASTING.

**We need top news director for TV and radio.** Located in sunny southeast. Send full details. Box B-1, BROADCASTING.

**Reporter photographers journalism training or comparable experience.** Florida station. Send salary requirements with resume. Equal opportunity employer. Box B-20, BROADCASTING.

**California VHF net TV station needs two experienced people.** Continuity writer and an experienced photographer who can work with color film. Box B-43, BROADCASTING.

**Sports reporter—major market, group-owned, net affiliate** in East seeks aggressive sports reporter. Must know his games and know what makes good TV in this major league town. Box B-44 BROADCASTING.

## News Continued

**Reporter—major market, group-owned, net affiliate** in East seeks self-starting experienced reporter. Box B-45, BROADCASTING.

**News writer/reporter: strong on features.** Rush video tape, samples and resume to Irv Weinstein, WKBW-TV 1420 Main Street, Buffalo, N.Y. An equal opportunity employer.

## Programing, Production, Others

**Copywriter. Girl Friday for commercial producer/directors.** Flair for feasible, creative copy. Some clerical. Must type. Prefer shorthand. Major top 30 upper mid-west market. Send resume and sample of work. Box A-265, BROADCASTING.

**Program director—producers—directors: for a new television station.** WSWB-TV, now building in Orlando, Florida. Only top professionals need apply. Send full resume to Earl L. Boyles, President, Sun World Broadcasters, Inc., 1080 Woodcock Rd., Suite 259, Orlando, Florida 32803.

## Television

### Situations Wanted Management

**Television systems engineer seeks challenging position,** blending management and engineering having executive potential. Eight years with major network. Experience includes planning, design, and installation supervision of studio, plant, transmitter, and remote facilities. Background encompasses audio, video, RF, and control systems. Situated on east coast, however, relocation acceptable. Box B-15, BROADCASTING.

## Announcers

**Wanna good kids show! And a guy who can do anything?** Contact Box A-304, BROADCASTING.

**Experienced announcer.** Writing, production, newscasts, sports on cable-TV, San Francisco. Will relocate. Some college. Dave Caputo, 85 Ardmore, Kensington, Calif. (415) 368-2076.

**Experienced announcer.** Writing, production, re-writing and delivering news on cable-TV, San Francisco. Will relocate, 3 years college. Ben Voris, 1105 Larkin, San Francisco. (415) 673-7720.

## Technical

**First phone—studio operations—four years experience—full character references.** Box A-345, BROADCASTING.

**Family man, 1st phone, 12 years solid experience,** seeking assistant chief or supervisory position midwest or western U.S. Box B-23, BROADCASTING.

**Industry recognized executive wishes to use his 16 years of experience in TV broadcasting and manufacturing to secure a position as director of engineering or a line position with an equipment manufacturer.** Contact: Howard McClure, 2027 N. Wilmar Dr., Quincy, Illinois 62301 217-223-5921.

## News

**Asst. news director—medium market.** 8 years experience, 29, journalism grad, family. Looking for move up. Aggressive with full knowledge of TV news and administration. Interview a must. Box A-293, BROADCASTING.

**TV news position sought by young Black newsmen** with experience in major market radio news. College grad, married, veteran. Have ability and interest to make smooth transition to television. Excellent work record. Will relocate in western states only. Box A-296, BROADCASTING.

**News woman seeks better television reporting/anchor position.** Four years radio-television reporting experience. One year anchor. Box A-346, BROADCASTING.

**B.S. in Telecommunications.** 5 years radio experience. Want small-medium market television . . . weatherman, booth, floorman, Box B-6, BROADCASTING.

**Bull in "Broadcasting" ads is for guys with no experience or invalid credentials.** Facts—like a 17% news audience increase thanks to my contribution—get jobs. Contact one of top new east coast TV-newsmen for your operation at anchor, director, or preferably both. Box B-33, BROADCASTING.



## Television

### Situations Wanted

#### Continued

New York newscaster. Wants TV anchor. Pro, 33, with credentials. Box B-51, BROADCASTING.

Veteran broadcaster. Compelling personality. Politically savvy. Witty, unusual ad-libber. Key position metro area only. Box B-54, BROADCASTING.

Serious, news pro, bored with PR. Journalism degree, honors. Former TV newscaster, on-the-air experience—strong editorial background, print and broadcast. Fair with camera, good voice, versatile. Box B-62, BROADCASTING.

### Programing, Production, Others

Attention Florida! Recent college grad seeks first TV position. Will accept any work. Experience at college television center and radio station. Have third endorsed. Draft deferred. Box A-344 BROADCASTING.

College grad '70, experienced in CATV programing, looking for more extensive involvement in programing and management of CATV systems. Excellent references. Box B-35, BROADCASTING.

Allow me to list some information about myself which might be helpful to you: Single; 27; with a bachelors degree in politics from Princeton; military service as Army captain; with last duty as Chief of the Television Branch of the American Forces Vietnam Network; and have recently completed residency work for a masters degree in television and radio at Michigan State. For past six months, have been floor director with Time-Life station. Feel ready at this point for position as producer-director. If you have an opening from which we might both benefit, please contact me. Complete resume available. Box B-65, BROADCASTING.

Camerman/director, 30, Rumanian University degree in TV and film. 8 years experience, 16 MM and 35MM, b/w and color, TV and films, camera. News, documentaries, sports, features, etc. Able to relocate. Ille Aopiano, 1140 N. Heliotrope Dr., Los Angeles, Ca. 90029.

### Wanted To Buy Equipment

We need used 250, 500, 1 KW, 5 KW & 10 KW AM and FM transmitters. No junk. Guarantee Radio Supply Corp., 1314 Iturbide St., Laredo, Texas 78040.

Broadcast color film camera. Encoder. Optical colorplexer. Vectorscope. 3.58 Mc burst generator. 14" color picture monitor. Waveform monitor. Proposals send to: P.O. Box #387, Monterrey, N.L., Mexico.

Gates Dualux, Gateway, yard, or similar. Also two 16 inch turntables. Box 5161; Albany N.Y. 12205.

### For Sale Equipment

Hellax-styroflex. Large stocks-bargain prices-tested and certified. Write for price and stock lists. Sierra Western Electric, Box 23872, Oakland, Calif. 94623. Phone (415) 832-3527.

Television Transmitter—Ampex UHF TA15-BT bought new and used for tests only. Modify to your channel and higher power or for standby. With color and in perfect condition. Newsvision Company, 1016 Broad St., Bridgeport, Conn. 06603 or call evenings 203-378-9242.

1 1/2"-50 OHM Gas Filled Line. Complete w/"N" connectors; equipped for pressurization. Brand New, Phelps Dodge #STA 158-50. One length @ 1000 ft. one length @ 400 ft. \$1.60 per foot for all. Action Electric Sales 312-235-2830. Need Coax, bare copper, power cable?

RCA AVQ-10 Weather Radar system complete with Raydome, Heater, 400 cycle power supply, VJ-B monitors cabling and spare parts—excellent condition, ready to use. Priced at 1/2 original cost. Some installation assistance included. Box A-338, BROADCASTING.

"Rust" DC remote control unit, model #R1-108, 10 metering positions, 10 two-directional functions plus fail-safe. \$250.00. Reply to WEAW, 2425 Main St., Evanston, Ill. 60202.

Ampex 3200 duplicator master, 3 slaves. Ampex 300 & 350 in consoles. Ampex FR1100. Best offer. Navigators, Colorado Springs, Colorado 80901. Attention: Ken Metzger (303) 635-0622, 634-2861.

## For Sale Equipment

### Continued

RCA BTA-5F 5 KW AM transmitter excellent condition. Hy-Power Electronics, Dallas, Texas (214) 272-5567.

Fairchild compressor 663, 8 ft. rack, 2 Ampex 351 cabinets, 2 steel cabinets—7 ft., Ampex 351 remote controls. United Church of Christ, 289 Park Avenue South, New York, New York.

Broadcast Crystals: New or repairs for Gates, RCA, Billee, W.E. and JK oven holders. AM frequency monitors serviced, bought and sold. What have you, what do you need? Fastest service, reasonable prices. Over 25 years in business. Eidson Electronic Co., Box 96, Temple, Texas 76501. Phone 817-773-3901.

Ampex model 600/601 users—noise, heat, and flutter reduction kits available from VIF international, Box 1555, Mtn. View, Calif. 94040, 408—739-9740.

One stop for all your professional audio requirements. Bottom line oriented. F.T.C. Brewer, Box 8057, Pensacola, Florida 32505.

### Miscellaneous

Deejays! 11,000 classified gag lines, \$10.00. Unconditionally guaranteed. Comedy catalog free. Edmund Orrin, Mariposa, Calif. 95338.

Prizes! Prizes! Prizes! National brands for promotions, contests, programming. No barter or trade... better! For fantastic deal, write or phone: Television & Radio Features, Inc., 166 E. Superior St., Chicago, Illinois 60611, call collect 312-944-3700.

"Free" Catalog... everything for the deejay! Comedy, books, airchecks, wild tracks, old radio shows, FCC tests, and more! Write: Command, Box 26348, San Francisco 94126.

Bob Raleigh's Comedy Service, in our fourth year. More than jokes. Box 684, Galax, Virginia 24333.

Horse traders! We have waterbeds, hotels, cruises, insurance land, etc. What do you have? International Promotional Consultants, Inc., 915 W. Sunrise Boulevard, Ft. Lauderdale, Florida. Phone (305) 764-6424.

TV packager to sell program of outstanding Irish, Scottish documentaries as singles or series first-run United States. Write Sherman Films, Inc., P.O. Box 6, Cathedral Station, New York City, 10025.

On air talent, if you qualify, our National Coverage makes your work personally available (via direct phone line) to 2,000 broadcasting execs. Send tape to: Hollywood Audition Showcase, 6777 Hollywood Blvd., Hollywood, Calif. 90028.

## INSTRUCTIONS

Attention Broadcast Engineers: Advance yourself. Earn a degree in electronics engineering while you remain on your present job. Accredited by Accrediting Commission, NHSC. Course approved under G.I. bill. Be a real engineer—higher income, prestige, security. Free brochure. Grantham School of Engineering, 1505 N. Western, Hollywood, California 90027.

First Class FCC License theory and laboratory training in six weeks. Be prepared... let the masters in the nation's largest network of 1st class FCC licensing schools train you. Approved for veterans\* and accredited member National Association of Trade and Technical Schools.\*\* Write or phone the location most convenient to you. Elkins Institute in Dallas\*\*\*, 2603 Inwood Rd. 357-4001.

Elkins in Ft. Worth, 1705 W. 7th St.

Elkins in Houston\*\*\*, 3518 Travis.

Elkins in San Antonio\*\*, 503 S. Main.

Elkins in San Francisco\*\*\*, 160 S. Van Ness.

Elkins in Hartford, 800 Silver Lane.

Elkins in Denver\*\*, 420 S. Broadway.

Elkins in Miami\*\*, 1920 Purdy Ave.

Elkins in Atlanta\*\*\*, 51 Tenth St. at Spring, N.W.

## INSTRUCTIONS

### Continued

Elkins in Chicago\*\*\*, 3443 N. Central.

Elkins in New Orleans\*\*\*, 2940 Canal.

Elkins in Minneapolis\*\*\*, 4103 E. Lake St.

Elkins in St. Louis, 4655 Hampton Ave.

Elkins in Cincinnati, 11750 Chesterdale.

Elkins in Oklahoma City, 501 N.E. 27th.

Elkins in Memphis\*\*, 1362 Union Ave.

Elkins in Nashville\*\*\*, 2106-A 8th Ave. S.

Elkins in El Paso\*, 6801 Viscount.

Elkins in Seattle\*\*, 4011 Aurora Ave., N.

Elkins in Milwaukee, 611 N. Mayfair Rd.

Elkins in Colorado Springs\*, 323 South Nevada Ave.

Since 1946. Original six week course for FCC 1st class. 620 hours of education in all technical aspects of broadcast operations. Approved for veterans. Low-cost dormitories at school. Starting dates April 12, June 28. Reservations required. William B. Ogden Radio Operational Engineering School, 5075 Warner Ave. Huntington Beach, Calif. 92647.

Zero to first phone in 5 weeks. R.E.I.'s classes begin Mar. 13, April 17 and May 22. Rooms \$15-20 per week, call toll free: 1-800-237-2251 for more information or write: R.E.I., 1336 Main Street, Sarasota, Florida 33577. V.A. approved.

R.E.I., 3123 Gilham Road, Kansas City, Missouri 64109. (816) 931-5444.

R.E.I., 809 Caroline St., Fredericksburg, Virginia 22401. Call Ray Gill (703) 373-1441.

R.E.I., 825 E. Colorado St., Glendale, Calif. 91205. Call toll free, 1-800-237-2251.

Licensed by New York State, veteran approved for FCC 1st Class license and announcer-disc-jockey training. Contact A.T.S. Announcer Training Studios, 25 West 43 St., N.Y.C. (212) OX 5-9245.

First class F.C.C. license theory and laboratory training in five weeks. Tuition \$333.00. Housing \$16.00 per week. VA approved. New classes start every Monday American Institute of Radio, 2622 Old Lebanon Road Nashville, Tennessee 37214. 615-889-0469.

F.C.C. Type Exams... Guaranteed to prepare you for F.C.C. 3rd, 2nd, and 1st phone exams. 3rd class \$7.00; 2nd class \$12.00; 1st class, \$16.00; complete package, \$25.00. Research Company, 3206 Baile Street, Sarasota, Florida 33580.

Pennsylvania and New York. F.C.C. first phone in 11 8 weeks. Results guaranteed. American Academy of Broadcasting, approved for veterans, 726 Chestnut Street, Philadelphia, Pa. 19106. WA 2-0605.

FCC 1st phone in 6 weeks. Money back guarantee. Cost \$370. Announcer/disc-jockey training classes start every month. Graduates Nationwide. Nations Institute of Communications, 11516 Oxnard St., North Hollywood, Calif. 91606. (213) 980-5212.

Pass FCC exams with Ameco books. Each book contains FCC questions plus simplified answers plus FCC type exams and answers. 3rd class 75¢, 2nd class \$2.25, 1st class \$1.50. Free catalog, Ameco Publishing, 314B Hillside Avenue, Wilston Park, N.Y. 11596.

FCC first phone classes will begin March 6th and April 3rd at United Broadcasting College, 3217 Atlantic Blvd Jacksonville, Florida. Phone 904-396-1667.

See our display ad under instruction on page 102. Dr. Martin School of Radio & TV, 1653 N. Cherokee, Hollywood, California. HO 2-3281.

**Instructions Continued**

Are you interested in a professional announcing career in radio? Then enter America's most unique and practical broadcasting school... The School of Broadcasting in Artesia, New Mexico. Three months training in two commercial radio stations... KSVP-AM and SVP-FM stereo gives you three months actual commercial broadcasting experience that really counts when you apply for your first full time radio job. Third class radio-telephone license with broadcast endorsement included... needed at many radio stations for employment as a disc jockey. Room and board available and placement assistance after graduation. Class is limited to 12 only. Bonded! Approved by the New Mexico State Board of Education. Classes begin June 1st and Sept. 4, 1972. Enroll Now! Write... Dave Button, Manager... School of Broadcast Training, 317 West Quay, Artesia, New Mexico 88210. Telephone 505-746-2751 for reservations!

**Radio Help Wanted  
Management**

**MARKETING  
MANAGER  
BROADCAST  
EQUIPMENT**

Marketing Manager for major manufacturer of AM and FM transmitters. Must know industry, people and be technically sharp and up-to-date. Must know how to plan and implement marketing programs. Will require extensive nationwide traveling for contact with customers and reps. To discuss in detail this salaried position submit resume to

**BOX B-39, BROADCASTING**  
An Equal Opportunity Employer

**PRESIDENT**

Exceptional opportunity available to qualified radio executive capable of assuming total operating responsibility for 10-station group. Includes 5 AM stations and 5 FM stations with non-duplicated programming. Candidates must have radio management background in competitive markets. Age 30 to 40 preferred. Top East Coast location. Salary 35K-40K, plus incentive. Ownership possible. Send confidential resume to

**BOX B-41, BROADCASTING**  
for an interview

**LOCAL SALES MGR.**

Top-rated radio station in southeast. \$25,000 income level. Sales managers or salesmen may apply. Rush resume to

**BOX B-42, BROADCASTING**

**SALES MANAGER**

Radio sales manager needed for midwest broadcasting group. \$20,000 salary, plus incentive. Applicant is now a sales manager or experienced salesman ready to move up. Send complete resume to

**BOX B-71, BROADCASTING**

**Sales**

**SALESMEN FOR HIRE**

Three salesmen needed for major broadcast group. East coast, midwest, and west coast locations. \$16,000 to \$22,000 to start depending on experience. Call 312/693-6173.

**Sales continued**

**SALES MANAGER**

\$35,000 guaranteed first year. Experienced, dedicated pros only. Minority groups welcomed. Prefer devoted stable family man. Resume, references and current picture to

**BOX B-28, BROADCASTING**

**Announcers**

**AFTERNOON DRIVE PERSONALITY**

Needed by major station in southeast. Mature voice with something to say to dominate adult audience. Excellent opportunity with a major broadcast company in state capital city. Equal opportunity employer, M/F. Immediate opening. Send air check and resume.

**BOX B-29, BROADCASTING**

**News**

**CONTEMPORARY COMMUNICATOR!**

East Coast Major Market News and Information Station needs learned, light and listenable open forum host with head and voice to handle issue-oriented two-way talk. Must be able to entertain as well as inform. Golden opportunity with prestige employer. Rush detailed resume and tape.

**BOX A-349, BROADCASTING**

Applicants from all races desired.

**Situation Wanted, Management**

**RADIO STATION MANAGER**

needed for your NE property? I've over fifteen years "street" and top corporate experience, plus money to invest in ambitious organization. Let's explore personally if these basics match your goals. Please write

**BOX A-319, BROADCASTING**

**Television Help Wanted**

**Sales**

**TOP-FLIGHT SALES SERVICE MANGER**

Needed to Head  
Commercial Operations Department  
at  
Leading TV Station  
in  
Top 10 Eastern Market

Experience necessary. An equal opportunity employer. Mail resume, salary requirements and references to

**BOX B-30, BROADCASTING**

\*\*\*\*\*  
Are You Hiding Your Light Under  
a Bushel Barrel (Or a Sales Manager)?  
Are you ready to move up? We have an opening  
for an aggressive young man to take over the  
responsibilities of local-regional sales manage-  
ment. Group operator. Southeast market. Excel-  
lent opportunity for advancement.  
**BOX B-72, BROADCASTING**  
\*\*\*\*\*

**Technical**

**TV-MAINTENANCE ENGINEERS  
NEEDED ON WEST COAST**

Due to expansion program, a major west coast network television station has openings for qualified maintenance engineers. Send resume and salary requirements to:

**BOX B-57, BROADCASTING**

An Equal Opportunity Employer

**News**

**NEWSMAN/TALK HOST**

Must be experienced in on-the-spot reporting and writing. Send resume and VTR or film of on-air work to:

Joe Carney  
c/o KMSP-TV  
120 South 9th Street  
Minneapolis, Minn. 55402

An Equal Opportunity Employer

**Television Help Wanted**

**Programing, Production, Others**

**MAJOR TV PRODUCER-DISTRIBUTOR**

Experienced office manager for medium sized office, N.Y. Oversee personnel, stockroom, supplies. Allied exp. helpful, but not required. Salary open. All replies in strict confidence.

**BOX B-66, BROADCASTING**

**Television Situations Wanted**

**Management**

**TV-RADIO EXECUTIVE**

Top management pro available for new challenge. Experienced all phases of station and corporate management, with independent and group background. Specialist in sales-program-creative planning. Unbroken record of success, national reputation. Write full details of your needs. Prompt reply.

**BOX B-3, BROADCASTING**

**Instructions**

**BASIC RADIO ADVERTISING SALES SCHOOL**

Classes start the second Sunday of every month and end the following Friday. Licensed by State of Oklahoma Board of Private Schools. Contact . . .

**A Ω** THE ALPHA OMEGA COMPANY  
Post Office Box 18  
Sapulpa, Oklahoma 74066  
918-224-7455

**Instructions Continued**

**F.C.C. 1st PHONE  
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- F** **inest Instructors**
  - With years of practical experience
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  - Visual aids & Films
- R** **easonable Costs**
  - One charge to successful completion
- S** **electd Accommodations**
  - Student rates at best Hollywood Hotels
- T** **op Results**
  - All of our students earn their firsts

(Approved for Veteran training)  
(Low interest Bank financing available)

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and most respected

**School of Broadcast Training**

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(established 1937)

NEXT INTENSIVE THEORY CLASS  
starts

**February 28, 1972**

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Well capitalized group seeks full-time AM or FM  
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**FOR SALE Stations**

Midwest AM ethnic programed daytimer with  
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able to qualified buyer. Prefer black entrepre-  
neur.

**BOX B-7, BROADCASTING**

Midwest Class C FM license available to res-  
ponsible buyer. Market is in Top 25 and station  
can be up-graded to full 100 KW at maximum  
tower height. Asking price \$500,000. Responsible  
buyers only.

**BOX B-8, BROADCASTING**

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**PPI Introduces—  
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**FOR SALE**

Profitable 1 KW daytimer serving portions of 3  
Southeastern states. Expect to gross \$100,000.00  
this year. Price firm \$200,000.00 CASH. Qualified  
buyers only. No brokers.

**BOX A-295, BROADCASTING**

Middle Atlantic daytimer. Located in large growth  
area. Unlimited potential during next five to ten  
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Asking \$200,000 cash but will consider term  
arrangement at higher figure. All replies confi-  
dential.

**BOX B-36, ROADCASTING**

**STATIONS FOR SALE**

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3. **WEST NORTH CENTRAL.** Exclusive to  
market. Profitable. \$250,000. Terms.
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NE	Small	Day	\$225M	29%	SE	Small	Day	\$ 85M	\$20
MW	Small	AM-FM	550M	29%	Fla.	Small	Full-Time	85M	Ca
NE	Medium	Day	150M	Nego	NE	Medium	Full-Time	240M	Ca
N.Y.	Metro	FM	73M	Sold	SE	Medium	AM-FM	335M	29
MW	Major	Day	600M	Cash	NE	Metro	Day	525M	29



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Campbell-Ewald's top strategist in media, William Harold Kennedy, is a nimble quarterback when it comes to game plans in television advertising, as witness the signals he called in two unusual buys—one for Marathon Oil, the other for the Chevrolet Division of General Motors.

Marathon sought the audience-drawing power and prestige it believed came with sponsorship of local newscasts, but it was barred by oil competitors that had been in the marketplace longer and seemingly had covered all the possibilities—but for one Mr. Kennedy explored. He proposed and subsequently bought 40-second spots in prime time, 20 seconds for an announcer to present news headlines live at station breaks and the other 20 seconds to deliver Marathon's commercial. That coup eventually grew into a long-term, 52-week schedule on 25 stations.

Chevrolet had a similar situation. It wanted part of the action as a sponsor of professional football broadcasts, but other automobile companies had exercised prior options and there seemed no road for Chevy to travel—until his media strategists found one. Mr. Kennedy's team negotiated for and bought two 30-second announcements for all professional football games on the three networks, but by an end-run via spot. Announcements were purchased on stations in the client's top-50 markets, just before and after the network feeds on CBS-TV and NBC-TV Sunday afternoons and on ABC-TV Monday nights. Moreover, Chevrolet had a schedule in ABC-TV's Saturday college games.

As Bill Kennedy puts it, there's no reason to confine creativity in advertising to the creative department. He's found ample running room for his own brand as Campbell-Ewald's senior vice president and media director.

Bill Kennedy's clothes, carefully styled in the current fashion, and his lightly modish grooming are such as might be found in an agency office on Madison Avenue. But, although New Jersey-born, he has spent most of his early years and adult life in Detroit. He's considered a local, as is his wife, Mel. Only his speech betrays the Michigan years. His know-how and terminology, however, would be understood precisely in a network or media sales office anywhere.

Mr. Kennedy is tall and lanky—some associates describe him as "all bones and brains." He puts in a crushing day at his office. Unlike offices on Madison or Michigan Avenues, Detroit advertising operations start early. Mr. Kennedy is at his desk at 8 in the morning and often does not return home until 11 at night.

Part of those late hours relate to Mr.

## Campbell-Ewald's media letterman in Detroit

Kennedy's belief that his job entails keeping up and with others in the broadcast advertising field. Hence he often meets with out-of-town media people, finding the best way to accommodate such meetings at a night session at the end of a normal business day.

### Week's Profile



*William Harold Kennedy—senior vice president and media director, Campbell-Ewald Co., Detroit; B. Feb. 25, 1927, Carney, N.J.; with U.S. Army, Japan, 1944-46; University of Michigan, 1946-48; University of Detroit, 1948-50 (Bachelor of Science in marketing economics); with U.S. Air Force, Korea, as psychological warfare officer, 1950-51; sales representative in Detroit, Quaker Oats, 1951-54; senior timebuyer, Chicago office, J. Walter Thompson Co., 1954-58; media manager, Chicago office, McCann-Erickson, 1958-61; broadcast supervisor, Campbell-Ewald, Detroit, 1961-66; became assistant media director and subsequently a vice president, both 1966; VP, director of media buying in 1968; VP, associate media director in 1969; assumed present post on May 1, 1971; M. Mel Silvestri, 1953; children Pat, 17; Pam, 15; Beth, 14, and Scott, 6.*

In Detroit, it is common for media executives to talk about automobiles and automotive parts—such as the growth or status of the oil, gasoline and battery industries. Mr. Kennedy conforms to that norm, but adds a personal passion to the process. A sports car enthusiast, he'll alternate use of a Caprice station wagon with that of a bright Camaro SS. (Both, of course, Chevrolet products; the company is Campbell-Ewald's major client.) A homebody, nevertheless, Bill Kennedy putters around the garden and maintains that he "loves" golf, and not only from afar.

Mr. Kennedy expresses a direct media philosophy. "At Campbell-Ewald," he says, "the media planner is a member of the account group. He has access to the client. There is no such thing here as a version that is 'third hand.'" He notes that the agency makes use of specialists who buy programming, network and spot.

The Campbell-Ewald *modus operandi* under Mr. Kennedy's aegis affects other broadcast activities. He says, for example, that Chevrolet pioneered in and is perhaps one of the biggest advertisers in prime-time syndication. (Chevrolet's shows include *Sports Illustrated*, *Stand Up and Cheer* and *Goldiggers*.) The agency, for Chevrolet, was one of the first to enter into negotiations with stations to clear for advertiser syndication.

Another project generally credited to him is the agency's effort to develop computerized tabulation of broadcast media, a program Mr. Kennedy believes enables the agency to provide clients with the most sophisticated media evaluation possible. Among lesser known developments is the C-E media department's developed planning and buying services. (It performs, for example, on a fee basis on accounts in the U.S. for the Canadian agency, MacLaren Advertising).

Mr. Kennedy, along with others at the agency, are often out in the field. For Marathon Oil, for example, a C-E media team including him went on the road several times last year, visiting 14 markets. Similarly, stations and markets were visited in this manner for Chevrolet (on behalf of the Camaro at one time, more recently for Chevy trucks).

As head man of a 65-person department handling a full complement of clients, Mr. Kennedy appears conscious, too, of the desire to stress the broadening image of C-E beyond that of an "automotive agency." His own background exhibits—he earned his spurs in packaged-goods, having "grown up" with such products, at other agencies, as beer, soft drinks and packaged meats—exhibits the versatility for that role.

## CATV: the whole picture

A comprehensive understanding of the effects likely to flow from the new cable-television regulations issued by the FCC must await detailed study. Clearly, however, this will not be the last word, whatever its merits. There is certain to be legislative review and perhaps even court review if some of those who criticized the FCC package before its release persist in opposition.

A still-unfinished piece of business confronts the FCC: the decision on lines of jurisdiction between it and non-federal authorities in cable regulation. On principle we instinctively cheer the commission in its present disinclination to get into the sticky work of issuing franchises. Any time a federal bureaucracy talks *against* an enlargement of its functions it deserves encouragement.

In this case there may be an argument for expansion. If there is to be a significant development of cable television in this country, the opportunities, indeed inducements, for abuse by local officials will be expanded by at least the same degree. The Irving Kahn experience could be repeated, in spades.

A federal pre-emption of regulatory authority looks tidier than the multijurisdictional system that is developing. That is not, however, likely to emerge from the multijurisdictional committee the FCC has set up to deal with this problem.

## Who does what to whom

With its latest decision in an FCC case, reported here a week ago, the U.S. Court of Appeals in Washington has all but completed the usurpation of the FCC's authority to administer the regulatory policy established by the Congress. In its reversals of commission decisions over recent years, the court has been forcing the agency to remake its regulations according to the specifications of the court. The process is as effective as if the court itself were issuing the rules.

Its latest decision was an extension of the power the court assumed last June when, in reversing the FCC's 1970 policy statement on license renewals, it did everything but draft the new policy it wanted adopted. Now the court has added detail to its original instructions by telling the commission how to rewrite orders affecting nine hearing cases. It may next be telling the FCC how to regulate its office hours.

This sort of specific intervention in the process of FCC rulemaking was never intended by the Congress to be the role of the courts. Twenty years ago the Supreme Court explicitly identified the limitations it and lower courts were to observe: "Ours is not the duty of reviewing determinations of 'fact' in the narrow, colloquial sense of that concept," the high court wrote. "Congress has charged the courts with the responsibility of saying whether the commission has fairly exercised its discretion within the vaguish, penumbral bounds expressed by the standard of 'public interest.' It is our responsibility to say whether the commission has been guided by proper considerations in bringing the deposit of its experience, the disciplined feel of the expert, to bear."

That clear warning against the courts' assumption of the expert's function, which had been exclusively assigned to the FCC, has never been withdrawn, though it has been more and more ignored by the courts below. There are lawyers who think the appellate rush toward total subjugation of the commission could be arrested if the right case were found to take to the Supreme Court.

Maybe so, but on its recent record the Supreme Court itself looks like an uncertain refuge. In the same week the

appellate court was telling the FCC how to rewrite nine hearing orders, the Supreme Court denied the FCC's request for a stay of another appellate decision that enormously expanded the theory of access to the air. The Supreme Court has yet to say whether it will review that case, in which broadcasters were instructed by the court to accept all kinds of "editorial" advertising, however controversial, but its rejection of the stay is being read as a forewarning.

The more immediate remedy lies in legislative action. The model bill restoring order to the license-renewal process would also restore the courts to their original role in that important part of the FCC's work. It deserves all the missionary work that it is now getting.

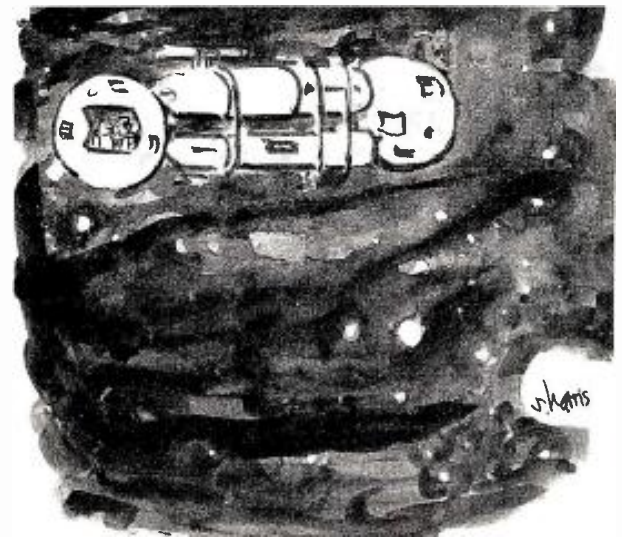
## Political abuse

In this election year broadcasters are stuck with the political-spending bill and all of the discrimination it heaps upon them. It is an incumbents' bill passed by legislators who understandably want to give no break (and perhaps a little disadvantage) to anyone from the outside who challenges their continuing in office.

By placing limits on the amounts that candidates may spend for advertising—a restriction working to the advantage of known incumbents and disadvantage of unknowns seeking to establish an identity—many congressmen who might otherwise have found unfairness in the special ceilings on radio and television opted for the other gain. Now some are having second thoughts.

Some feel they voted for more restrictions than they wanted. They bought an "access" amendment that had been smuggled in by Senator James Pearson (R-Kan.), who is said to have once felt slighted by a home-state broadcaster; this measure requires broadcasters to let any candidate on the air under threat of license revocation. And they went for rate ceilings that explicitly put radio and television at a lower level than any other medium.

It is now suggested that repairs can be effected at the next session of the Congress. They ought to be tried, though not at priority equal to that of the license-renewal bill. The opportunity for rational amendment of the political-spending act may be better in 1973, which won't be an election year.



Drawn for BROADCASTING by Sidney Han  
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We accept our responsibility to air all community viewpoints. In co-operation with The Youth Forum of Dayton, WHIO-TV has committed six prime time half hours for "Vocal Minority." Three area students question various members of the establishment on current issues. The students are fair but tough. Perhaps honest concern for **all** our viewers' opinions is one reason WHIO-TV is the area's leading station.

A reflection of Dayton  
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