Talk's the new tack at license renewal
Broadcasters start winning a few on fairness

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Bad reporting. Reports of million-viewer decline in network TV news audiences have cropped up in newspapers so often — usually along with speculations that it's all because viewers are tired of Watergate-related news — that decline of those proportions is beginning to be taken as a fact. But it isn't. Although some reports have cited Nielsen ratings as basis, Nielsen figures for year to date (through first June report) show combined average rating of ABC, CBS and NBC evening newscasts is 37.4 versus 38.2 a year ago. That’s 2% decline, which mathematicians say is not enough to be statistically significant — although programers do not like even insignificant declines. Even if decline is accepted as real, audiences are up, not down: Because of growth in TV homes, 37.4 rating this year translates to 24.76 million homes as against 24.75 million for last year’s 38.2 rating.

Year-to-date ratings show ABC’s Smith-Reasoner report down two-tenths of point from year-ago average, CBS’s Cronkite newscast down six-tenths, NBC’s Chancellor report holding even. Rank order is as it’s been most of time: CBS 13.7, NBC 13.2, ABC 10.5.

FCC’s front forty. With hardly ripple of excitement FCC will observe 40th anniversary this week. Agency, created by Communications Act of 1934, held its first meeting July 11, 1934, taking over functions of Federal Radio Commission and of State Department and Interstate Commerce Commission in telephone, telegraph and cable areas. Chairman Richard Wiley will highlight FCC’s history and accomplishments at ceremony Wednesday (July 10) in FCC’s lobby.

Highlighting Wednesday activity will be swearing in of two new commissioners (Abbott Washburn and Glen O. Robinson) plus Robert E. Lee, who begins fourth seven-year term, by Supreme Court Associate Justice Harry A. Blackmun, at 10 a.m. in FCC hearing room. Invited to events by Chairman Richard E. Wiley will be past FCC chairman resident in Washington.

DST outlook. Abandonment of year-round daylight saving time is viewed as distinct possibility before Congress adjourns this year. Growing sentiment that fast time has done little to alleviate power shortages as reflected in attitude of Department of Transportation, is calculated to stimulate support for modifications — possibly to limiting DST to eight months. Nation went on DST for two years last Jan. 6 by congressional mandate. Opinion among states is expected to crystallize as this year’s elections heat up.

Early to bed. TV networks’ blue-sky plans for programming further into wee hours of morning have pretty much gone by boards. ABC is concentrating all its efforts on 11:30 p.m.-1 a.m. Wide World of Entertainment and has “no plans, even for the distant future,” according to one source, of programming beyond 1 a.m. Same is true of CBS, which is encountering station resistance in clearing for its late-night network movies, which start at 11:30 p.m. and usually run to about 1:30 a.m. NBC’s Tomorrow show (Monday-through-Thursday, 1-2 a.m.) is also having clearance problems and is not getting sponsor support NBC would like, although network officials insist show will improve in these areas.

Caveat emptor. Broadcasters in South and Southwest are concerned about pitches for advertising being made to them as “equal opportunity employers” in which solicitors infer they are acting for Equal Employment Opportunity Commission. Follow-up, however, invariably is for space in black-owned newspapers usually identified with local or nearby organizations.

Up for vote. Controversial agreement that Metromedia Inc.’s KTTV(TV) Los Angeles signed in October with National Association for Better Broadcasting and other local citizen groups is expected to be up for FCC consideration this week. Under agreement, station is bound not to air 42 specific children’s programs running on ground they are unduly violent, and to broadcast caution warning before airing episodes of 81 live-action series if episodes are shown before 8:30 p.m. At issue is whether station illegally delegated its program responsibility to groups, which had threatened to petition to deny station’s renewal. Commission staff feels agreement is ambiguous, but would recommend approval on basis of its interpretation — that Metromedia is not foreclosed from programing station as it sees fit. Commission itself, staff says, is barred by no-censorship provision of Communications Act from enforcing agreement. Staff also has recommendation for handling other station-group agreements raising same kind of knotty problems: Hold evidentiary hearing to resolve issues.

Peril point. Public TV’s new National Station Cooperative stands to be biggest loser if Congress fails to appropriate Corporation for Public Broadcasting’s full $65 million authorization for fiscal 1974. Although only $5 million separates that figure from $60 million appropriated by House (Senate action is expected later in summer), most of difference would go to individual stations through CPB community service grants — money stations would likely use for co-op purchases. At $60 million funding level, CPB is obligated to put $24 million into CSG’s. At $65 million, allocation would increase to $27.623 million. Stations put $4.1 million into co-op this year. Public Broadcasting Service officials are expected to emphasize that point in seeking higher allocation before Senator Warren Magnuson’s (D-Wash.) Appropriations Subcommittee Wednesday (July 10).

Mitigating factor. Thing to remember, in assaying impact of new Screen Actors Guild contract that boosts minimum wages by 25% (story page 32), is that few actors work for scale; most negotiate and get well over minimums. Although it’s obvious some upward adjustment will have to be made for all actors’ wages, it’s apparent too that producers will try to work around excessive hikes in costs — by using one actor plus extras, for example, instead of two or three actors in scene. Cost to networks of buying programs is bound to go up to degree, since new prime-time rerun payment schedule calls for 70% of compensation in 1975-76 season, 100% in 1976-77 season. Normally, networks buy show for initial broadcast and one rerun.
Bargainers. Indications are that, when it comes to renewal proceedings, citizen groups are doing more talking and less stalking. While 18 Texas stations are hit with petitions to deny, 10 others have either finalized or are near agreements with prospective challenging to iron out differences at home. Development coincides with FCC desire to abdicate middleman role. Page 16.

Back to basics. FCC’s controversial fairness doctrine, scored in recent past by commission as “chaotic mess” and by broadcasters as constitutional infringement, is becoming a quieter, more traditional animal in wake of newest court decisions and of new FCC report designed to calm its rampaging ways. A Broadcasting perspective on the news. Page 17.


Mixed bag. Half of Senate Judiciary Committee’s membership becomes vocal over copyright bill it constructed. Senators Scott, Hart lament absence of sports blackout, applaud royalty provision; six others say latter raises constitutional questions necessitating its demise. Timetable for full Senate action remains cloudy. Page 19.

Onward. UHF television is finally finding its way into the black, NAB survey reveals, although venture has a long way to go. Annual report finds median U’s profit at $27,700 – against the “typical” (V and U combined) station’s $343,100. Page 21.

It’s official. The same NAB TV board that had told the code authority to do something about children’s ad standards last week approved what the code board did the week before. At same time, board labels FTC premium ad restriction “discriminatory,” vows opposition. Page 24.

Enterprising. Democrats spend 21 hours at CBS in attempt to alleviate financial distress, come out minus a problem and plus $4.5 million. Page 25.

Small family. Analysis of NCTA subscriber counts for top 50 cable firms reveals that group’s lock on market isn’t getting any weaker. They now serve 74% of all subscribers; top 10 have 47%. Subscriber total increases by nearly 30%. Page 27.


Adjustments. SAG, producers, avert another work-out, come to terms on new contract. Terms include 100% actor compensation for prime time reruns; 25% increase in minimum scale; end to 10-time limit for suppression residuals. Page 32.

Clean sweep. CBS is four-time victor in challenges to its product before National News Council, Unit sides with broadcasters in several other cases; defers judgment in Mutual matter. Page 34.

Impatient. Time is a commodity near and dear to TVAR’s Steve Seymour. He finds his conservationist ways are paying off. Page 51.

Before and after. CBS News correspondent Marvin Kalb was one of several network newsmen cut off by Soviet TV authorities. He was saying: “Tonight there are a couple of interesting developments at the TV studios here. The State Committee on Radio and Television, which controls all facilities,” when the screen went blank and silent.

Soviet censorship made dramatically clear as plugs are pulled on U.S. network feeds

Soviet apology for last Tuesday’s (July 2) censorship of U.S. network satellite feeds dealing with Russian Jewish dissidence proved lame as second censorship incident occurred next day (July 3). CBS News Moscow correspondent Murray Fromson, in last network TV satellite feed from 10-day coverage of President Nixon’s summity, said technicians at Moscow TV control center “walked out” and refused to transmit his July 3 piece on Russian Jewish hunger striker, physicist Andrei Sakharov. Technicians were dissatisfied with “anti-Soviet” nature of story and “refused to come back” to control room.

Walk-out followed official apology from Central Committee of Soviet Broadcast Group for previous day’s censorship of three networks’ attempts to broadcast pieces on Russian Jewish dissidence. Plugs were also pulled on network correspondents’ subsequent attempts to explain dissidence censorship, for total of two feeds cut off from each network. Moscow apology stated promise of no further censorship, and maintained interruptions were responsibility of satellite technicians.

However, according to CBS News correspondent Dan Rather, it was not technicians but Soviet “supervisory personnel” who pulled transmission plugs. Mr. Rather, in July 3 CBS Morning News piece, said first censorship incident happened “behind closed doors” and without walk-out by technicians. Mr. Rather’s story was only complete feed dealing with censorship to come out of Moscow TV studio. Explanation from ABC Newsman Harry Reasoner was filmed and flown to London for transmission on July 3 ABC Evening News.

Russian apology was perfectly timed: July 2 was last day of official network coverage of Mr. Nixon’s summit talks. No network stories on talks themselves were censored. White House was informed of Soviet displeasure with extra-summit material, but “did nothing” to prevent plug-pulling, said Mr. Rather. After first censorship incident, White House press secretary Ron Ziegler offered to lodge official complaint with Soviet government. Offer – made to three networks – was rejected unanimously. Comment from Richard Salant, CBS News president, was: “There it is, for everyone to see: what happens when a government controls the news.”

Network contracts with Soviet TV operations – some $300,000 for total satellite transmission for presidential trip – had stipulated no Russian intervention. Sources at ABC News, pool network for Moscow coverage, indicated networks might alter fee arrangements because of incident. ABC’s rejection of White House “complaint” offer was because of concern for future Moscow news coverage, and because “censorship is not unusual from our Russian bureau.”

Radio network coverage was unhampered, except for erratic circuitry from 7-8 p.m. July 2.
Access is Hook’s answer to ad fairness
FCC Commissioner Benjamin L. Hooks says only way commission can avoid “ceaseless disputes” as to whether commercials can cause bill to raise fairness doctrine issue is to put them beyond doctrine’s reach. He would use system of government-mandated public access to media to assure balancing of arguments that might be contained in commercials. (“Closed Circuit,” June 24).
Commissioner expressed his views in separate opinion on commission’s fairness report (see page 17). He concurred in most of report but dissented to section in which commission said doctrine would not apply to standard commercials but would to those not designed to sell products but “obvious and meaningful” discussions of public issues.
Commissioner Hooks’s access system would require broadcasters to set aside 2% of their commercial time for members of public who would express views in opposition to those expressed in commercials. Time would be made available on nondiscriminatory basis, and could be edited by licensee only for removal of “libelous, indecent, profane or patently scurrilous material.”
Commissioner Hooks apparently was not only member of official Washington unhappy with manner in which commission dealt with fairness doctrine in connection with advertising. Senator Philip A. Hart (D-Mich.), member of Senate Commerce and Judiciary committees, is said to have written FCC Chairman Richard E. Wiley, expressing opposition to commission’s newly stated policy on doctrine’s applicability to product advertising.

Healthy surge for network billings in May
Network TV billings in May rose 17.3% above May 1973 for biggest monthly gain thus far this year, reaching $181.5 million, Television Bureau of Advertising reported last week on basis of estimates compiled by Broadcast Advertisers Reports. Biggest day-part gainer was weekday daytime, up 31% (to $44.1 million) in part because network preoccupation with coverage of Senate Watergate hearings and Skylab mission kept May 1973 investments down. Nighttime spending was up 13.9% to $121.4 million, weekend daytime up 10.2% to $15.9 million. May figures raised networks’ five-month total to $922,604,700 for gain of 9.5%, with total distributed among networks as follows: CBS-TV $336,952,200; NBC-TV $306,549,000; ABC-TV $279,028,400.

In Brief
Freed. William Lewis, general manager of KPFK(FM) Los Angeles, who has been in jail since June 29 for refusing to turn over to FBI originals of Symbionese Liberation Army tape and Weather Underground letter as well as refusing to answer questions from federal grand jury (see page 34), was released from federal penitentiary Friday (July 5) on his own recognizance following order of U.S. Supreme Court Justice William O. Douglas pending outcome of appeal from contempt-of-court citation.

All or nothing. Administration has restated its opposition to legislation that would repeal equal-time law only for presidential and vice-presidential candidates. Clay T. Whitehead, director of Office of Telecommunications Policy, expressed administration’s view in letter to Senator Warren G. Magnuson, chairman of Senate Commerce Committee, commenting on S 3463, which provides for that kind of limited repeal. Mr. Whitehead said administration does not disagree with purposes of proposed legislation (to allow broadcasters to offer free time to major party candidates without being legally compelled to offer “equal opportunities” to minor party candidates). But because bill is limited to presidential and vice-presidential candidates, he said, “adverse effects of Section 315(a) may be much more pronounced with respect to candidates for other federal offices.” Mr. Whitehead said he sees no reason why bill should be so limited in its scope.

Radio at the oasis. Gates Broadcast Equipment Division of Harris Corp. awarded $5.6 million contract — its largest ever — by Iranian government to supply and install 27 transmitters plus associated control and antenna systems, all part of Middle East nation’s broadcast expansion project.

Concern over cable. Approximately half of more than 800 FM stations responding to special survey expressed concern over cable TV’s potentially detrimental effects on their growth, according to preliminary results released last week by National Association of FM Broadcasters, which conducted study through questionnaire to all FM stations. Other preliminary findings: More than 60% of FM respondents said there is CATV system in their principal market, in most cases owned by “out-of-town, non-broadcast affiliated groups”; almost 80% said their local CATV’s carry one or more FM signals, 20% said local cables originate commercial audio programing, primarily music.

Not that way either. FCC proposal to return to old waiver policy used before January revision of prime-time access rule drew strong protest last week from National Association of Independent Television Producers and Distributors, initial appellant in suit that won federal court injunction of revision (Broadcasting, June 24). After court delayed implementation of rule for at least year, FCC indicated it would return to old waiver policy for interim. But in letter to Chairman Richard E. Wiley, association said court, in enjoining new rule accommodating waiver needs, ruled out such waiver policy altogether. Further, it said, since commission itself had found old “Topsy-like” policy “offensive” in setting new rule, return to it would be both bad policy and contrary to public interest.

Court rules for ABC. ABC’s right to show on network four ABC-produced films was affirmed by U.S. Court of Appeals in New York last week. Court, in 2-1 decision, upheld ruling of lower court denying request by seven major motion-picture companies for order barring ABC from showing those films (Broadcasting, Feb. 11). Companies have filed antitrust suit against ABC and CBS in connection with their airing of movies they produce, and said they would be irreparably damaged if ABC were permitted to go ahead with its plans for airing four films.

Appeals court affirmed District Judge Edmund L. Palmieri of Southern District Court of New York that issues in case were complex and could not be resolved short of trial, and that plaintiffs did not show that burden of hardships tipped in their favor. However, court made it clear that opinion dealt only with films at issue — “Lovers and Other Strangers” (shown on Feb. 11), “For the Love of Ivy,” “Charly” and “Krakatoa/East of Java” — not to any of 35 other ABC-produced films in network’s library.

Talkathon. Forty-five parties are scheduled to appear in oral argument before FCC on its proposed rule to bar multimedia holdings in individual markets. Apparent opponents of proposal outnumber those expected to support it by margin of almost 3 to 1, and will consume about twice as much time. Proceeding is to begin at 9:30 a.m. on July 24, to conclude by noon on July 26. Justice Department, whose suggestion led to rulemaking, will lead off, in 30-minute presentation. Opponents will include American Newspaper Publishers Association (60 minutes) and National Association of Broadcasters (60 minutes).

Cole splits. Barry Cole, consultant to FCC on license renewal procedures, will leave agency later this month to
undertake study for Office of Education on role of federal government in children's television. Dr. Cole, who arrived at FCC four years ago from University of Indiana, where he is still adjunct professor of mass communications, will be associated in project with two other Indiana faculty members, Keith Mielke, who is consultant to Children's Television Workshop, and Roland Johnson. Study, to include federal government's activities in research as well as in funding programs, is to be completed in nine months. Professor Johnson himself is would-be broadcaster; he is applicant for FM in Bloomington, Ind., where university is located.

Second stage. IBM is set to become Communications Satellite Corp.'s new associate in domestic communications satellite venture. IBM and Comsat General Corp., Comsat subsidiary, will buy out one-third interests held by Lockheed Aircraft and MCI Communications for total of $5 million. Comsat General now holds other third and, after purchase of former associates' stock, will own 45%; IBM will hold 55%. IBM is paying $1.6 million each to Lockheed and MCI; Comsat General, $900,000 each. Corporation's name, CML Satellite Corp., is expected to be changed to reflect new ownership.

Talking about Teleprompter. FCC will hold oral argument Sept. 24 on whether it should or legally could disqualify Teleprompter Corp. from holding cable television franchises in Johnstown, Pa., and Trenton, N.J. Company was fined and its president, Irving Kahn, sent to jail for bribery in connection with Johnstown grant, and company officials were involved in similar bribery case in Trenton. Question had been raised as to whether ex parts rule required FCC Chairman Richard E. Wiley to disqualify himself, as he was general counsel at time of commission investigation leading to April 1973 order asserting that Teleprompter had cleansed itself following its troubles in Johnstown and Trenton but asserting that commission would examine company's applications for certificates of compliance for franchises in those cities in light of those troubles (Broadcasting, April 23, 1973). However, general counsel has informally advised chairman his participation would be proper. Order designating oral argument is expected to be issued this week, following final changes in phrasing issue to be resolved.

Spent. U.S. Office of Education has announced grants totaling $11,759,657 to 58 public broadcasting stations, thus expending all remaining fiscal 1974 money appropriated for educational broadcasting facilities program. Total for year was $15,675,000, given to 74 stations. Breakdown of new grants: $11,079,916 to improve or expand TV facilities; $2,533,372 to establish five new TV stations; $1,212,214 to improve 19 radio stations; $355,860 to add four new radios. Average grants for year: $270,242 to improve TV; $479,134 to establish TV; $60,192 to improve radio; $83,965 to establish radio.

Seeking specificity. National Association of Broadcasters last week joined ABC in asking FCC for updated rulemaking on sports carriage, pay cable and pay cable in transmit-
For the first time, New England will have a live entertainment television network!

This September, people all over New England will be able to watch WCVB-TV's GOOD MORNING show... live! Every weekday morning at 9:00 am, John Willis and Janet Langhart, hosts of Boston's number one morning program, will entertain and inform New Englanders from Maine to Rhode Island. Joining WCVB-TV's Good Morning network are stations WABI-TV Bangor, WAGM-TV Presque Isle, and WMTW-TV Poland Springs—Portland, in Maine...

Beginning in September, it'll be a Good Morning all over New England!

WCVB-TV Burlington, Vermont... WJAR-TV in Providence, Rhode Island.

Five months after GOOD MORNING premiered in the fall of 1973, it took the number one position in its time period and continues to outshine established competition. Now, almost all of New England will be able to enjoy the excitement of live television entertainment. Plus, WCVB-TV's remote facilities will span the network coverage area to present remote broadcasts of interest to all New Englanders.

Source: NSI May 1974 sweep: women 18-34, 18-49
ARB May 1974 sweep: rating, share, households
women: 18-49, 18-34, men: 18-49, 18-34
All data subject to qualifications of the reports quoted.

represented nationally by HRP
It won't sell in Peoria because it won't play in Peoria

It is probably too much to expect that the continuous criticism of television in general, and of the networks in particular, will ever cease. It is also unlikely that those doing the criticizing will ever acknowledge that their choice of targets is in error, or that their indictments are faulty.

A case can certainly be made for the proposition that television is, in Newton Minow's phrase, a "vast wasteland." There is also some support for the view that television programming is geared to the "lowest common denominator." The same charge can be made against book publishers, motion pictures, the "lowest common denominator." The art, music, opera-going public is estimated at about 2% of the total population, and there is not a symphony orchestra, an opera company, or a dance company in the country which is not chronically a deficit operation.

Now if anyone thinks that this estimate of the popular taste is too gloomy, let him conduct his own survey among his peers, starting with himself. Let him ask:

* When did you last read a "classic" work of literature?
* When did you last buy (for yourself) a record or tape of classical music?
* When were you last in an art museum, a library, a concert hall?
* Who really gives a damn?

The results of this survey will, I am confident, bear out my conclusion.

That this is so is not surprising. There has never existed in America (or anywhere else, for that matter, except Periclean Athens) any mass market for what might be called "cultural material." Whether this is traceable to the strong strain of anti-intellectualism or anti-elitism that has characterized the American experience, or whether it is a uniform trait of all human-kind, its existence, and the inevitable results thereof, can't be denied. We not only insist on mediocrity, we thrive on it.

I suspect part of the reason is that most of us are as flabby intellectually as we are physically. We won't exercise for the sake of exercise, but only if the effort can be made entertaining as with golf or tennis. Similarly, we are loathe to make the effort to exercise our intellect. It's much too easy to let our emotions alone become engaged by books, movies and the television screen. We will not make the effort and we are suspicious of those who do.

And so, in New York, the "cultural capital" of America, we see the Daily News vastly outselling the New York Times, the latest three-basic-chords rock group outdrawing the New York Philharmonic, and the Metropolitan Opera in a state of continuing imminent collapse. And again, who gives a damn? No one.

Therefore, when well-intentioned but ill-informed "critics" castigate television for not being what it should or could be, I turn wearily aside despairing of their ever serving any useful purpose. The country's founders said "all men are created equal," which inevitably leads to the celebration of and domination by "the lowest common denominator." In popular entertainment, especially television, as in political leadership, we get what we deserve.
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**Datebook**

- Indicates new or revised listing.

**This week**

July 7-9—South Carolina Broadcasters Association summer convention. Landmark Inn, Myrtle Beach.

July 7-10—National Association of Farm Broadcasters summer meeting. Spokane, Wash.

July 9—TFF Broadcasting Co. annual stockholders meeting. Kings Island, Kings Mills, Ohio.

July 10-13—District of Columbia, Maryland, Delaware Broadcasters Association annual summer meeting. Sheraton-Fountainbleau Inn, Ocean City, Md.


July 11-12—Institute of Broadcasting Financial Management/Broadcast Credit Association quarterly board meeting. Sheraton Boston hotel, Boston.


July 14-16—The New York State Broadcasters Association 13th annual executive conference. Otesaga hotel, Cooperstown, N.Y.


**Also in July**

July 15—Extended deadline for comments to FCC on network program exclusivity.

July 18-19—Wisconsin Broadcasters Association summer meeting. Pioneer Inn, Caledonia.


July 20—Motion Picture Laboratories-SMPTE-Memphis State University 17th annual motion picture seminar. M.S.U. Center; Contact: SMPTE, Box 1758, Memphis, Tenn. 38101.

July 22-Aug. 2—National Association of Regulatory Utility Commissioners annual regulatory studies program. Michigan State University, East Lansing.

July 24-26—Oral argument on FCC's proposed rulesmaking on multiple ownership of newspaper and broadcast properties. FCC, Washington.

July 31-Aug. 3—Rocky Mountain Broadcasters Association annual convention. Speakers: FCC Chairman Richard Wiley; Miles David, Radio Advertising Bureau. Park City, Utah.

**August**

Aug. 4-16—National Association of Broadcasters ninth annual management development seminar, Harvard University Graduate School of Business Administration, Cambridge, Mass.


Aug. 9-11—Seventh annual Atlanta International Film Festival with competition in features, shorts, documentary, TV commercial, experimental and TV production categories. Atlanta.

Aug. 12—Extended deadline for reply comments to FCC on network program exclusivity.

Aug. 13-15—Cable Television Information Institute annual seminar for local CATV regulators. Fairleigh Dickinson University, Teaneck, N.J.


**September**

Sept. 7-9—Southern Cable Television Association annual convention, Disney World, Orlando, Fla.


Sept. 12-15—American Women in Radio and Television northwest area conference. Lodge on the Green, Painted Post, N.Y.

Sept. 14-16—Maine Association of Broadcasters annual meeting, Sebasco Lodge, Sebasco Estates, Me.

Sept. 15-17—Nebraska Broadcasters Association annual convention. Holiday Inn, Columbus.


Sept. 16-21—VIDCOM, International Market for Video Communications. Palais des Festival's, Cannes, France.

Sept. 16-20—Minnesota Broadcasters Association fall conference, Hibbing, Minn.

Sept. 18-24—Electronic Industries Association of

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*The record was made by Zige Azzar in Sydney, Australia, November 20-21, 1969. He "rested" on a bed of needle-sharp 6-inch nails, 2 inches apart, for 25 hours and 9 minutes. We figure he didn't sleep a wink all night.*

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Record speaks for itself

Error: A repetitive note in all the criticism of the license renewal legislation concerns the fact that the FCC has denied license renewals or set for hearing a very low percentage of renewal decisions. That's like saying that the House of Representatives has been derelict in its duty because it has impeached a very low percentage of Presidents.

Perhaps one should draw the conclusion that by and large the broadcasting industry has rendered an immense public service, and in most cases rightfully deserves renewals of license without harassment.—D. P. Campbell, vice president-general manager, WMAR-TV Baltimore.

The mighty pen

Editor: I was astonished to note that only seven broadcasters wrote the eight senators who voted against deleting the section 114 royalty rip-off (in the pending copyright legislation). Since I was one, I congratulate the other six. If we consider the number of radio stations in Michigan alone, it's a sorry record on our part.

I feel that the National Association of Broadcasters has become an aggressive and articulate organization for our interests in Washington. I have not always felt that way. However, the NAB, as they keep telling us, needs our active support. Can't we, all of us, write a letter and say we are concerned and would appreciate our senators considering our point of view? An individual senator may or may not support our position. However, he will think more seriously about it if we all...everyone...each...collectively...etc. let him know.—William J. Hart, general manager, WIX-TV Onondaga, Mich.
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David N. Whitcombe, director of marketing.
Doris Kelly, secretary.

ADVERTISING
Winfred R. Levin, general sales manager (New York).
John Andre, sales manager—equipment and engineering.

David Berlyn, Eastern sales manager (New York).
Bill Wirtz, Western sales manager (Hollywood).

Lynda Dorman, classified advertising.

CIRCULATION
Bill Giger, circulation manager.

Kwesi Keenan, subscription manager.

Stephen Brown, Odell Jackson, Patricia Johnson,
Jean Powers, Juliet Rollet.

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Renewal time: Is diplomacy replacing confrontation?

Deadline is up in Texas, and many stations are hit with petitions to deny by citizen groups, but several reach agreements with activists that head off trouble

The citizen movement in broadcasting is showing signs of a change of emphasis, if the Texas experience is any guide. Taking their cue from the FCC, which has been urging groups and stations to iron out their difficulties without involving it, groups began seeking out stations several months ago to express their concerns and complaints—and wound up with agreements with 10 stations (some of which signed with two groups), renewals of agreements reached three years ago with three others, and the prospect of an agreement with yet another.

That’s not to say, of course, that the petition to deny has been abandoned. For by close of business on Monday, the deadline for filing petitions to deny against Texas renewals, petitions had been filed against 18 radio and television stations, all but one of them filed by a citizen group.

But public interest lawyers hope that negotiated agreements between groups and stations, rather than petitions to deny, become the norm. Frank Lloyd, director of Citizens Communications Center, who is more often a critic than a booster of the FCC, says it is “absolutely right” in urging citizens and stations to engage in dialogues. “It’s in everybody’s self-interest,” he said.

Robert Thompson, of the Austin Television Action Council, which reached an agreement with KTBC-TV Austin, put it this way: “We’re all better off if licensees can put their money into programming at home rather than send it to Washington to fight petitions to deny—that’s literally passing the buck to Washington.”

Women’s Advisory Council, which is to advise the station “on the problems, needs, and interests of women and of programming related to those needs.”

The black organization, which was active also in filing petitions to deny, hopes to reach an agreement with KTRK-TV Houston. The group asked the commission for a one-week extension of the deadline for filing a petition to deny agreements in late June to complete an agreement. The group said it and the station have engaged in a “stimulating and mutually beneficial dialogue” over the past three years and, as a result, are “near to a resolution of the issues which presently separate them.”

KTBC-TV reached agreements with two groups—the Austin Television Action Council and the Austin Black Media Coalition (Broadcasting, July 1). The agreements call for a second daily half-hour newscast to be co-anchored by a black woman, production of additional half-hour documentaries, and a commitment to seek women or minority group members to fill two new jobs.

KTV (TV) Austin also reached agreement with the Austin Black Media Coalition. It provides for the production of six programs dealing with issues of concern to the black community, the establishment of a advisory group composed of a cross-section of blacks in the community and the hiring of one full-time black reporter.

In the Rio Grande area, where Mexican-Americans account for 79% of the population, the Rio Grande Valley Coalition on the Media reached agreements with KGBT-AM-TV Harlingen, KHRD(A.M.) McAllen and KERO-TV Weslaco, Tex—reflecting that fact, in terms of provisions dealing with special programs and efforts to employ Mexican-Americans. KGBT-TV, for instance, has agreed to present a half-hour Spanish-language news program daily at 6:30 a.m., to include in the program public-affairs material of interest to farm workers, and to present Spanish-language movies at least six times a year. It will also “make every effort to hire qualified Mexican-Americans or women for each job opportunity.” On the other hand, the coalition, in dealing with KGBT(A.M.), withdrew proposals for entertainment and children’s programming in deference to the station’s views in those areas.

And in El Paso, the Committee for the Development of Mass Communications reached an agreement with KTXM-AM-FM-TV and renewed agreements with KUKC-TV (the prospective purchaser of the station, Portal Communications Inc., a subsidiary of the Evening Post Publishing Co., of Charleston, S.C., has agreed to assume the commitments of the present owner, Doubleday Broadcasting Co.) and KELP-AM-FM.

The KTXM agreement provides the establishment of a chicano advisory committee to aid the station in determining and meeting the problems, needs and interests of the Mexican-American community: the production of four prime-time programs produced with chicano input, and the broadcast of weekly, locally produced Spanish language program oriented to the El Paso Mexican-American community.

The agreement may have headed off a petition to deny by the committee, but KTXM-TV was confronted with a challenge to its license anyway, in behalf of a former newsman at the station who said he was fired as a result of commercial and political pressure. The peti-
Perspective on the News

Tightening the reins on fairness

Put together a string of court decisions with the FCC's new policy statement and you have—a new deal in communications law: all signs point to waning of momentum toward media access.

Three years ago, the FCC's fairness doctrine seemed, to broadcasters and to the commission itself, to be out of control. It was being invoked by groups and individuals who felt broadcasters had been unfair in treating typically controversial issues of public importance. It was being used more creatively by public interest groups claiming that commercials, too, raise controversial issues that obliged broadcasters to present contrasting views. It was being used by groups seeking access to the microphone and camera to present their views to the public directly. And the courts, at least in some cases, were ready to accommodate this "creative" approach with a new, expansive reading of the doctrine and the First Amendment.

Where, commission members were asking themselves and each other, would it end?

Now, all that seems long ago. There is no sign that members of the public or public interest groups have lost interest in seeking access to the media, either for themselves or their points of view. But the courts seem to be taking a more cautious, more traditional approach where the fairness doctrine and the First Amendment are concerned. And the FCC, three years after then-Chairman Dean Burch determined that the commission "should do something about the 'chaotic mess,'" which is how he described the doctrine at one point, has now restated it in a manner designed to assure its application in a conservative, traditional manner—to bring it back under control. (Broadcasting, May 20, July 1.)

The reconstruction of government and judicial policy has been underway for some time. But within the last two weeks, the signs of the new direction have been dramatic.

First, there was the decision in the Miami Herald (or Tornillo) case declaring unconstitutional a Florida statute requiring newspapers to grant a right of reply to political candidates they attack. This sharply jolted public interest groups, who were concerned about the case's possible impact on efforts to gain access to broadcast media. Albert H. Kramer, president of National Citizens Committee for Broadcasting, criticized the opinion as one that failed to provide any insight into the court's thinking on the issue, "except that it's viscerally convinced the statute is wrong."

Then there was the decision by the U.S. Court of Appeals in Washington affirming the commission opinion rejecting the argument that commercials promoting Chevron F-310 gasoline as an air improvement device raised a fairness doctrine issue. Mr. Kramer does not regard that opinion as significant precedent: "It's neither a plus nor a minus." But at a minimum it indicated that the court is not disposed to expanding the reach of the doctrine and的规定.

(The court held initially that the complainants—two law school students at the time the complaint was filed in 1970—had failed to articulate the issues clearly enough. But then it went on to discuss the arguments in light of the doctrine and found them wanting.)

But it is the commission's own fairness doctrine report, of course, that provides the clearest and most authoritative indication of the direction the doctrine is to take. Concerned about the manner in which the doctrine was being shaped by its ad hoc opinions and the courts, the commission had drawn back, reviewed the doctrine in the light of its 25-year history and of comments filed by the industry, public interest groups and other interested parties, and then drafted a document designed to state its policy clearly, not only for the benefit of those it regulates and their critics, but for the courts' benefit, as well.

Indeed, the exercise was intended to permit the commission to return to first principles, and in particular to regain control of the doctrine from the courts. The courts might overturn the commission on the ground that it had failed to follow its own precedents, but reversal of decisions grounded in considered policy was less likely. (Or, as Chairman Burch said in January 1971, in initially discussing his idea for an inquiry into the fairness doctrine, the commission would be in a better position to defend a fairness decision before the courts "if it had engaged the industry and could demonstrate it had agonized over the decision, instead of reaching it on an ad hoc basis."

There is much in the new statement that is familiar. The broadcaster is required to devote a reasonable percentage of time to the discussion of public issues, and to present contrasting views on them. (What is reasonable? That is left to the licensee's discretion, but with the commission reserving the right of review.) Fairness is required of individual programs but in over-all programming. And the responsibility for program selection is the licensee's.

But one of the key elements of the report is its excision of the commission's 1967 cigarette ruling as fairness doctrine irrelevent. It was a major negative response to what the commission considered a moral as well as public interest problem—that helped divert the development of the doctrine down paths Mr. Burch considered dangerous. The ruling requiring cigarette commercials to be tracked by antismoking spots, may have
His baby, FCC Chairman Richard E. Wiley, who headed the staff unit that did the spade work on drafting the commission's new fairness doctrine report last week reviewed the product of those labors, and found them satisfying.

Some concepts—that balance is required in individual programs rather than in over-all programming, that fairness could be used to accommodate a system in which self-appointed spokesmen would be given the floor—

rejected the Federal Trade Commission's proposal that broadcasters be required to provide time for members of the public to respond to various types of commercials. The FTC listed four categories of advertisements—commercials that raise controversial issues in the public interest, (1) commercials that clearly take sides; (2) commercials that bear on the immediate consumer-decision-making context; (3) commercials that make claims based on scientific premises that are in dispute; and (4) commercials that are silent about negative aspects of the advertised products.

In discussing the first two categories, the report notes, the fairness doctrine applies. But as an over-all comment, the report says that adoption of the FTC proposal—"apart from a predictable adverse economic effect on broadcasting"—might deter broadcasters' attention and resources from the traditional purposes of the fairness doctrine.

The commission expects broadcasters to discuss consumer affairs, the report says. But, it adds, the decision to cover such matters lies within the licensee's discretion and "should not grow out of a tortured or distorted application of fairness doctrine principles to announcements in which public issues are not discussed." And as for resolution of claims of deceptive advertising, the report notes, a congressionally mandated remedy for deceptive advertising exists—"in the form of various FTC sanctions."

The report is also designed to close the door to requests for government-managed access on the part of the public to the broadcast media. It notes that the Supreme Court in the BEM case held that access is not a matter of constitutional or statutory right but suggested that the commission, along with Congress and broadcasters, might devise "some kind of limited right of access that is both practicable and desirable." But it adds: "Our studies during the course of this inquiry have not disclosed any scheme of government-dictated access that we would consider both practicable and desirable."

The BEM case arrived in the Supreme Court on appeal from the FCC on an appeals court decision which had contributed to the commission's sense of uncertainty regarding the direction in which the courts were steering the commission—it had held that the public did have a limited First Amendment right of access to the broadcast media.

Moreover, the report says, the commission believes the public's interest in free expression through broadcasting "will be served and promoted through continued reliance on the fairness doctrine, which leaves questions of access and the specific handling of public issues to the licensee's journalistic discretion."

The report rejects free as well as paid systems of government-managed access. But it encourages broadcasters to voluntarily establish systems of affording access to the public. It states that the Supreme Court in BEM affirmed the commission's position that licensees are forbidden from "excluding partisan voices and always ... presenting views in a bland, inoffensive manner."

For all this calculated building of bul-
works against the expansion of the doctrine, the commission's report seems, in the climate created by the Supreme Court in the Miami Herald case, almost hand-nosed. For instance, the commission re-affirms its view of the constitutionality of the fairness doctrine, but on the basis of the scarcity of the spectrum. (The high court found no basis for a government-enforced right of access in the disappear-ance of newspapers from major markets.) And although the high court felt concern that enforcing a right of reply might cause newspapers to avoid controversy, the commission said its experience with the fairness doctrine does not support the contention that its policies have reduced rather than enhanced the volume and quality of broadcast news coverage.

However, adoption of the report probably does not answer all questions as to how the fairness doctrine is to develop. Mr. Kramer, as well as commission officials, expect challenges to be filed, either in the form of court appeals from the report itself or from cases decided under it. The issue, all sides agree, would be the withdrawal of the cigarette ruling as fairness-doctrine precedent. In Mr. Kramer's view, questions are bound to arise as to whether or not a commercial is a stand-alone one or one that takes one side of a controversial issue of public importance; the distinctions are sometimes hard to make, he said.

Although talk of challenges indicates that, as Mr. Kramer says, the citizen movement "is not dead," it is clearly not enjoying the best of times. Mr. Kramer feels there is "a reluctance" on the part of the courts to extend the fairness doctrine. "I get signs," he said, "are not good." But then, he observed, a few years ago they were. "Signs," he said, "shift.

mass media in Columbus (the Wolfe family owns two daily newspapers and a Sunday newspaper as well as the stations), that the FM's past programming was inadequate and its programming proposals unsatisfactory, and that the station discriminated against blacks in employment.

The court, in a unanimous opinion written by Judge Edward A. Tamm, held that none of the allegations warranted a hearing. Judges Harold A. Leventhal and Spottswood W. Robinson III joined in the opinion.

The court accepted the assertion by the commission that it preferred to deal with the concentration-of-control issue within the rulemaking now pending. And "while four years might be characterized as an excessive period for a rulemaking," Judge Tamm wrote, "we realize that concentration of control is an extremely complex question." Furthermore, he said, the coalition did not allege bad faith on the part of the commission. He also said there was no basis for charges of anticompetitive practices.

The coalition had charged that the past record of WBNZ-FM did not meet the needs and interests of the substantial black population in the area. Judge Tamm noted that the station relied primarily upon news and public service announcements to meet community needs, but also rebroadcast public affairs programs originating on the AM station. In all, he said, 7 1/2 hours of its time to public affairs. Then he said: "Programming is a matter left largely in the discretion of the licensee and can never be measured by a simple percentage test. . . . Furthermore, public affairs broadcasts cannot be broken down into 'black points of view' versus "other points of view."

Therefore, he said, the commission was correct in finding that the past-programming issue did not warrant a hearing. Judge Tamm reached the same conclusion in assessing the validity of the coalition's claim that the commission erred in not holding a hearing on the black-music format issue. He said there was no evidence supporting a charge that the station discriminated against blacks for that reason. He also said ascertainment and programming are normally evaluated on the basis of community affairs, not music format. Since most communities are served by the station, he said, "problems shared by the community provide the current standard by which to review past performance."

The coalition argued that proposed reductions in the amount of time the FM was to devote to news and public affairs programming constituted a prima facie case for denial of renewal. But the court supported the commission in rejecting that contention. Judge Tamm cited an earlier court decision holding that "the test for discrimination is mathematical equality but the public interest."

And in disposing of the employment-discrimination issue, the court agreed with the commission's conclusion that the "uncontested evidence showed that the [stations] had an active minority recruiting program which had resulted in blacks accounting for 20% of all licensees' new hires during the past license term." The coalition's argument "of an erratic hiring policy," Judge Tamm added, "is more than met by the strong evidence of a very positive, result-pro-" producing minority-recruitment program.

Judiciary members stand divided on blackout royalty provisions of copyright bill

Scott comes out especially strong for two aspects of legislation broadcasters feel are discriminatory

The Senate's ranking Republican feels his colleagues on the Judiciary Committee erred when they voted to remove the controversial CATV sports blackout provision from the pending copyright revision bill (S. 1361). Further, Senator Hugh Scott of Pennsylvania "very firmly supports" the scaled down performance royalty provision (Section 114) that remains in the bill.

Senator Scott was one of several Judiciary Committee members who submitted individual comments on the copyright bill when it was reported out by special consent during the congressional recess last Wednesday (July 3). The committee held its mark-up session in mid June (Broadcasting, June 17). In another appendix to the committee report, six of the eight committee members who had opposed the inclusion of Section 114 made their feelings publicly known and re-emphasized that the royalty provision should be eliminated when the Senate votes on the entire copyright measure.

Committee sources last week were still anticipating a floor vote on the bill in early August, despite the fact that the bill seems destined to be referred to the Senate Commerce Committee for further study and possible hearings (Broadcasting, July 1). The key question last week was how long Commerce intends to spend with the legislation. In agreeing with Communications Subcommittee Chairman John McClellan (D-R.L.) that the bill should be briefly referred to Commerce as "a matter of comity," Copyright Subcommittee Chairman John McClellan (D-Ark.) had indicated that he would be agreeable to a 10-day to two-week study period. Some sources in-dicated last week, however, that Senator Pastore and fellow subcommittee member Howard Baker (R-Tenn.) (who made an initial unsuccessful move to have the bill referred prior to Judiciary's study) had a longer period in mind. That could pose some problems for Senator McClellan, who has emphasized his interest in seeing expeditious floor action. "Senator McClellan had indicated that he would not object to a brief referral," an aide said. "But if they

Court boosts licensee discretion in programming

In upholding FCC renewal of WBNS stations, appeals panel cites public interest, not percentages, as deciding factor

Four years after the Wolfe family's WBNS-AM-FM-TV Columbus, Ohio, filed for renewal of their licenses, the U.S. Court of Appeals in Washington affirmed the FCC's action in renewing the licenses without a hearing. In the process, the court held that a station's public affairs program cannot be broken down into "black points of view" versus "other points of view." Nor, it said, can a station be held to have failed to ascertain needs on the basis of the kind of music it provides.

The Columbus Broadcasting Coalition in August 1970 had petitioned the commission to deny the stations' license-renewal applications, filed a month earlier. It charged that renewal would lead to excessive concentration of control of

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wish to have a longer referral there has to be further discussion." Senators McClellan and Pastore will re-examine the matter when the Senate reconvenes this week, the aide said.

In his comments last week, Senator Scott made clear his displeasure with the absence of the sports blackout provision (Section 111). Noting that the bill contains language acknowledging that sports blackout is an issue over which the FCC has authority "if it wishes to exercise it," he stated: "If Congress is not going to settle the issue, the FCC should act within its own authority."

Senator Philip Hart (D-Mich.), one of the opponents of the Judiciary Committee's move to kill the sports provision, joined with Senator Scott in his comments.

Mr. Scott emphasized that due to sports' "unique" status as programing which is of particular value only the first time it is televised, both amateur and professional teams "deserve some special consideration" when it comes to cable carriage, forcing a home team to compete with several other games of the same sport on cable could clearly hurt attendance," Senator Scott asserted. A proliferation of cable sports importation, he added, could "reduce drastically" the value of a broadcaster's exclusive coverage contract with the home team. But the primary issue, Senator Scott contended, "is not protection of television contracts but rather an attempt to ensure the financial health of sports teams so they are not put out of business."

Mr. Scott noted that he had supported two moves within the Judiciary Committee to keep the sports provision intact in some form. One, originally pushed by Senator McClellan, would have specifically instructed the FCC to implement a rulemaking proceeding on the matter with guidelines imposed by Congress. A second, introduced by Senator Hart, would have created a "definition of rights" for pro and amateur sports teams in the bill, modified blackout requirements. As the bill now stands, Senator Scott maintained, the mere mention that the FCC has the authority to act on the blackout issue "did not go far enough."

Regarding Section 114, Mr. Scott expressed his continuing opposition at attempts to kill the royalty provision, maintaining that artists and record companies are "entitled to some compensation" from broadcasters. "Although I realize that the broadcasters, especially, have objections to paying fees to artists," he said, "I believe the principle is important and should be supported."

That view was vigorously opposed by the six senators who lined up in favor of removing Section 114 from the bill on the floor. The group included the two legislation leaders, the Judiciary Committee expected to introduce amendments on the floor that would achieve that objective—Senators Sam Ervin (D-N.C.) and Edward Gurney (R-Fla.). The anticipated Ervin approach would remove the royalty provision entirely. Senator Gurney's method would exempt broadcasters from the section but would retain royalty obligations for juke box manufacturers and background music firms.

Senators Ervin and Gurney were joined in their objection by Senators Quayle (R-IN), Roman Hruska (R-Nebr.), Strom Thurmond (R-S.C.) and Judiciary Committee Chairman James Eastland (D-Miss.), all of whom had voted for the motion to kill the royalty provision. The two other committee members who had opposed Section 114—Marlow Cook (R-Ky.) and Robert Byrd (D-W Va.)—were silent last week.

"We remain committed to the position," the senators said, "that the performance royalty is economically unwise and constitutionally unsound." They asserted the provision "will result in an extreme hardship" to all broadcasters and "potential disaster" to some.

The principal argument against Section 114, the senators noted, is that the 1909 Copyright Act "does not recognize any intellectual property right in sound recordings." Further, the senators claimed that "it is inappropriate" that broadcasters should be forced to pay any record royalties beyond those composers' fees mandated by Public Law 92-140.

The senators also relied on an argument echoed repeatedly by broadcasters—that airplay "significantly helps to popularize" recorded product, thus invoking a reciprocal arrangement in which neither the broadcaster nor the record manufacturer should be further aided by legislative edict. If the amount broadcasters are currently paying to music interests (through ASCAP, BMI and SESAC) is not large enough, the senators claimed, it would "seem more amenable" to resolve the issue through interindustry negotiations.

Under the existing bill, they claimed, additional benefits "would accrue to an industry that has not adequately demonstrated a need." Under such an arrangement, they suggested, "it may well become cheaper for broadcasters to revive studio orchestras and be content to pay the musicians' union scale."

An increase in royalty payments, the senators added, could "force a reduction in the non-revenue-producing news and public affairs programming in order to meet the additional costs." In such a situation, they claimed, "the listening public would be the ultimate loser."

Issue added in WOR-TV comparative proceeding

In response to a petition from RKO General Inc. the FCC review board last week added an issue against Multi-State Communications Inc., challenger for RKO's WOR-TV New York, for misrepresenting its ascertainment survey.

RKO had presented in its petition a "significant number" of community leaders who either denied or could not recall being interviewed by Multi-State, as claimed by Multi-State in its ascertainment report, the commission said. Multi-State attributed the problem to the passage of time since the survey, but the commission rejected that argument and the affidavits of Multi-State principals that the interviews had been conducted.

In granting the additional issue, the review board denied RKO requests for issues regarding stock subscriptions, staffing proposals and financial qualifications.

On second thought

The FCC has reconsidered an earlier decision and it will add an integration-of-ownership issue to the comparative hearing involving Belo Broadcasting's WFAA-TV Dallas and challenger Wadeco Inc.

The commission had ruled out that issue when it originally set issues on May 24, 1973, but it took a second look after a federal appeals court, to which Wadeco had gone for review, sent the case back to the commission. Last year's order set for hearing issues relating to Belo's past performance with WFAA-TV—which it said is the sole factor to be considered in evaluating a renewal applicant—and denied questions by Wadeco concerning integration of ownership and management. The commission had earlier, over Wadeco's protest, approved an ownership shuffle at Belo that improved the company's integration posture.

In allowing the additional issue, the commission said the action is in line with past policy, with which it said it did not wish to tamper before Congress takes a position on competing applications in the pending renewal bill. In the meantime, the inquirer's committee is to consider integration and diversification of ownership in comparative hearings, the commission said, primary emphasis will still lie on past performance "as the most reliable indicator of future performance."

Johnson heads back to his farm

Nick Johnson has officially lost the Democratic primary for a House seat from Iowa. In a court-ordered special election in Iowa's third district, the former FCC commissioner was the winner on the Mesquaki Indian reservation, but he lost in all three surrounding precincts to 26-year-old state legislator Stephen Rapp.

The vote brought to a conclusion, finally, an election that originally took place on June 4 but dragged on for a month after the Indians complained that they had been disenfranchised. The special election was set by the federal court two weeks ago for the Indian precinct and the three surrounding precincts. An unofficial count last Tuesday night showed Johnson losing 114-335. He won on the reservation, 73-18. In the official count at the earlier vote, Mr. Johnson lost by 62 votes.

A spokesman said Mr. Johnson probably would return to his farm at Kesley, Iowa, where he would tend his garden and work on a book about the FCC.
From renewals to ratings: N.Y. broadcasters take a look at the business

Some 300 members and guests of the New York State Broadcasters Association are expected to be on hand to explore subjects ranging from rating to license renewal at broadcasting and management planning at the association's 12th annual conference, opening Sunday (July 14) at Cooperstown, N.Y.

A panel on license renewals is scheduled Monday morning (July 15) with participants including John Summers, National Association of Broadcasters general counsel; Richard Shiben, chief of FCC's license renewal bureau; Bruce Wilson, deputy assistant U.S. attorney general, and Frank Fletcher, Washington communications attorney.

Other Monday sessions will include a presentation on management planning and a panel on labor relations.

Senator Jacob Javits (R-N.Y.) will also address the Monday morning session, New York Governor Malcolm Wilson the Monday luncheon.

Senator James Buckley (C-N.Y.) and Commissioner Jack Sable of the New York State Human Rights Division will speak at the Tuesday morning session, which will also feature three panels. One on women in broadcasting, moderated by Marie Murray of General Electric Broadcasting, area vice president of American Women in Radio and Television, will include Marion Stephenson, NBC vice president, planning; Mary Jean Parsons, ABC director of employe relations, and Wyoma Best, reporter for WHEC-TV Rochester.

Hugh M. Beville, executive director of the Broadcast Rating Council, will lead a discussion of ratings, and news coverage will be explored by a panel including Caryl Rivers of the communications department of Boston University; Bruce Herschensohn, deputy special assistant to President Nixon, and Aaron Shepard, news director of WRON-AM-FM Albany, N.Y.

Representative Hugh Carey (D-N.Y.) will speak at the annual awards dinner Tuesday night.

New Jersey man files against WNET New York

Noncommercial WNET(TV) New York last week found itself the object of a second petition in recent weeks to have its license lifted. The latest petition came from a New Jersey resident who complained that the station had not fulfilled obligations to New Jersey that were promised when its license was granted in 1962 and renewed when it applied for its present license, granted in 1973. John Cervase says the station has been drawn further and further away from its agreement "to give special coverage to New Jersey in general and Newark in particular," and now it relies on a "radical chic" New York audience for financing.

Mr. Cervase asked the commission to require WNET to show cause why its license should not be revoked.

Earlier, a Puerto Rican group had filed against the station, charging it with discrimination in programming and employment (Broadcasting, July 1). WNET replied that it has provided Latinos with superior programming and job opportunities, despite the fact that they make up only 5% of the station's total potential audience. WNET sought dismissal of the petition, noting that many of the charges predate its 1973 renewal grant. It also questioned the credentials of the group filing against it, saying it had not indicated its membership size and, said WNET, it "could be limited to the two individuals listed as petitioners, one of whom is a former employe of WNET."

NAB again finds UHF's profitable

Annual survey of TV stations' finances shows 'typical' U making money, 'typical' TV's revenues continuing to rise at an accelerating rate

The financial trend for UHF stations is into the black, according to the National Association of Broadcasters' annual television survey. For the second year in a row, that study has shown the "typical" U registering a net profit—albeit a small
than category increased any pinch. The median TV station (VHF one. And the typical station’s profit margin also rose after figures com-
pared with the 12.4% figure for all reporting stations.) Gross revenue for U’s climbed 13.7%—equaling the percentage increase chucked up by the typical TV station (UHF and VHF combined). Typical

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Selected expense items

- Total salaries: 489,700 $451,000 8.6
- Depreciation and amortization: 118,300 $114,000 3.8
- Film and tape rental: 122,100 $105,200 16.4

Fulltime AM in solid market of more than 600,000 population. Combined operation includes extremely valuable real estate. Profitable history under absentee ownership. Price is approximately twice gross. Cash preferred.

Broadcasting Jul 8 1974 22
WFTN (AM) Selinsgrove, Pa. Mr. Kuehn is announcer and engineer at KSVL and is former engineer at WSEW (AM). Principals in seller are Michael R. and Flora E. Freeland. Principals in buyer are William R. Vogel and others. Mr. Vogel has interests in WONS (AM) Murfreesboro, Tenn., WAMA (AM) Selma, WBLO (AM) Evergreen, WULA (AM) Eufaula, WTCA (AM) Flomotan and WHOQ (AM) Jackson, Ala., and WBUF (AM) Franklin, Ind. WFTN is on 103.9 mhz with 3 kw and antenna 300 feet above average terrain.

WENV (AM) Walnut, Wis.: Sold by Wisconsin Broadcasting Corp. to June L. and James H. Miller for $115,000. Principals in seller are Ronald E. and Dorothy H. Porter. Principals in buyer are Jeffrey E. Fisher, president, Richard D. Walsh and others. Mr. Fisher is business news director at WKVL (AM) Cleveland. Mr. Walsh has interest in WQRG (FM) Barnstable and is producer engineer at WEEJ (AM) Boston, both Massachusetts. WENV is on 1240 khz with 250 w.

Approved

The following transfers of station ownership were approved last week by the FCC (for other FCC activities, see page 42):

* WNOF (FM) Flora, Ill.: Sold by Flora Broadcasting Co. to Vogel-Flora Corp. for $115,000. Principals in seller are Michael R. and Flora E. Freeland. Principals in buyer are William R. Vogel and others. Mr. Vogel has interests in WONS (AM) Murfreesboro, Tenn., WAMA (AM) Selma, WBLO (AM) Evergreen, WULA (AM) Eufaula, WTCA (AM) Flomotan and WHOQ (AM) Jackson, Ala., and WBUF (AM) Franklin, Ind. WNOF is on 103.9 mhz with 3 kw and antenna 300 feet above average terrain.

* WFTN (AM) Franklin, N.H.: Sold by WFTN Inc. to Northeast Communications Corp. for $110,000. Principals in seller are Ronald E. and Dorothy H. Porter. Principals in buyer are Jeffrey E. Fisher, president, Richard D. Walsh and others. Mr. Fisher is business news director at WKVL (AM) Cleveland. Mr. Walsh has interest in WQRG (FM) Barnstable and is producer engineer at WEEJ (AM) Boston, both Massachusetts. WFTN is on 1240 khz with 250 w.

Radio Longview to Stereo 105 for $120,000. Principal in seller, H. A. Bridge Jr., has interests in KLUE (AM) Longview and KMHT (AM) Marshall, both Texas. Principals in buyer are J. D. Osborn and Kenneth R. Reynolds. Mr. Osborn owns and operates KAMC (FM) Arlington, Texas. Mr. Reynolds is 20% owner and general manager of KMKO (AM) Conroe, Texas. KHER is stereo on 105.7 mhz with 100 kw and horizontal, 57 kw vertical and antenna 260 feet above average terrain.

FCC's AT&T documents remain confidential

The FCC has denied a reporter's request for "confidential" information supplied to it by AT&T. The request came from Stephen M. Aug of the Washington Star-News, who had sought to inspect the minutes of AT&T's executive policy committee. The Bell System has furnished the information to the FCC trial staff for its use in studying interstate telephone rates. Mr. Aug said he needed it to understand the decision-making process regarding rate changes and market competition, but Bell opposed disclosure on the grounds that the information was "highly privileged and confidential.

The commission denied Mr. Aug's request under the investigations exemption of the Freedom of Information Act, saying that while the information may or may not be confidential, it saw "no immediate need for disclosure." Such disclosure would not be in the public interest, it said, because it might impair the commission's ability to obtain similar materials for future investigations.
NAB’s TV board, by 8-to-4 vote, ratifies code’s restrictions on children’s ads

Limit will be 10 minutes per hour in 1975, ½ minutes thereafter under new standards; companion statement takes sharp issue with FTC ban on premium advertising

By an eight-to-four vote last Monday (July 1), a conciliatory television board of directors of the National Association of Broadcasters ratified recommendations of its code review board (Broadcasting, July 1) restricting both advertising time and content in children’s programming.

At the same time, and in a separate action, an adament TV board issued a statement opposing the Federal Trade Commission’s guide banning premium advertising, calling it a “discriminatory” move that threatens self-regulatory machinery that has attempted to deal with the issue.

The new regulations, essentially those the code board recommended, reduce nonprogram material for code subscribers in Saturday and Sunday children’s programming to 10 minutes per hour in 1975 and nine and a half minutes in 1976, and limit weekday nonprogram time to 14 minutes per hour in 1975 and 12 minutes the next year. The board also approved provisions requiring that program and advertising content be “clearly” separated by an “appropriate device” other than a fade to black and banning the advertising of nonprescription drugs and vitamins.

Another revision will broaden the provision stating that “advertisements shall be consistent with generally recognized standards of safety” to include the products advertised as well.

Some members who voted against the code changes were reacting not so much against the specific revisions themselves as the manner in which they came about. Sentiment among the dissenters centered on a desire not to cave in to government pressure—the NAB action followed by little more than a month FCC Chairman Richard Wiley’s call for a reduction in time standards and by less than a week the Federal Trade Commission’s proposed guide banning television advertising of premiums to children.

Robert Gordon, vice president and general manager of WCPO-TV Cincinnati, called the move “hasty” and said the time standard reduction was made in the absence of research that indicated that “12 minutes is exploitative and nine and a half is not.”

Eugene B. Dodson, executive vice president of WTVT-TV Tampa, Fla., voiced fears of the financial impact of the time standard cut, saying its greatest effect will be felt by independent and UHF stations that rely most heavily on children’s TV programming. Also opposing the revisions were A. James Ebel, KOLN-TV Lincoln, Neb., and Ray Johnson, KMED-TV Medford, Ore.

Despite the fears that independent outlets may end up drawing the short straw as a result of code changes, leaders of the Association of Independent Television Stations (INTV) were reported to be preparing to follow NAB’s lead in tightening children’s advertising standards.

Initial indications were that the association would reach a result “very close” to NAB’s, at least where weekday daytime programming is concerned. Most of their discussions thus far were said to have centered on the daytime area. The entire subject of children’s advertising is expected to be taken up formally when the INTV board meets, probably later this month.

The desirability of such a move was expressed by a number of NAB members. Because a large number of independents do not subscribe to the code, their attempt to do so of the major problem. Children’s advertising issues is seen as a way of forestalling further government intervention.

But, according to one NAB spokesman, the independent stations could play the same role in which the NAB’s advertising issues were to become subscribers to the NAB code. And discussions of the independents at Monday’s meeting were limited to increasing their participation in the NAB structure.

An FTC spokesman said that the degree to which self-regulation can be exercised by the industry as a whole will determine the need for further government action; the FTC “would prefer self-regulation,” according to J. Thomas Rosch, director of the Bureau of Consumer Protection. He also said the FTC was “pleased” with the NAB’s ban on vitamin and over-the-counter drug advertising—two areas Chairman Lewis Engman had pinpointed for action in a speech before the American Advertising Federation (Broadcasting, June 10).

The FTC staff is studying one other issue detailed by Mr. Engman in that speech—the use of program hosts and personalities to deliver product pitches. The NAB has assigned its children’s advertising committee to review NAB standards in that area, but Mr. Rosch said the FTC “is not waiting for the NAB” to act on that problem and is “moving on its own track.”

The TV board’s unanimously approved statement opposing the FTC’s proposal to ban premium advertising to children on television noted that TV is the only medium that has dealt with the problem “on a responsible self-regulatory basis.” The statement opened with a review of 10 separate TV code restrictions that prohibit the misrepresentation of a premium’s characteristics, performance or use and limit the amount of time in a commercial that can be devoted to premiums (half the commercial or 20 seconds, whichever is less).

The NAB’s approach is “realistic and reasonable” and “effective,” the statement said; it argued that the proposed FTC action “can only undermine and weaken the self-regulatory machinery.”

Not only would that ban be “discriminatory” when applied only to TV, the statement continues, but it would, in addition, be ineffective. The statement compares the premium ban to the cigarette advertising law which took cigarette commercials off the air and “resulted only in driving cigarette advertising to other media” without reducing cigarette consumption. In a similar way, the statement contends, premium ads will blossom in other media “and the problem that the FTC is pretending to solve will continue to exist. If such advertising is wrong—and the FTC has not proved that contention—then it is wrong for all media,” the TV board concluded.

New kid on block near sellout

The TVS Television Network has announced that, with the addition of Sears (through Foote, Cone & Belding), Warner-Lambert (J. Walter Thompson) and Toro (Ogilvy & Mather), its 1974 World Football League telecasts are now 80% sold out.

These new sponsors join the previously signed Chevrolet (Campbell-Ewald), Fireman’s Fund Insurance (Cunningham & Walsh), American Express (Ogilvy & Mather) and the Savings and Loan Associations (McCann-Erickson), said Alan Lubell, TVS sales VP.

He added that more than 110 stations

Still carrying his stick, FCC Chairman Richard E. Wiley allowed himself a few words of cheer last week following the action of the National Association of Broadcasters television board endorsing the code board’s proposals for limiting commercials on children’s television programming. But he is not yet ready to say whether or to what extent he still feels it necessary for the commission to act in the area of children’s programming.

"I think the TV board’s action is a step that’s definitely in the public interest," he said. "It’s a meritorious thing." He said that although he had seen only press reports of the board’s action, it appeared to deal with some of the problems he had discussed in his speech in Atlanta in May (Broadcasting, May 27).

In that speech, he had said the government would act because the industry had failed to do so. That led NAB officials to meet with him in an effort to develop proposals for self-regulation that would head off government action.

With the NAB action virtually completed, the chairman is now awaiting word on whether stations that do not belong to the NAB code—and 40% of the nation’s stations do not—will also accept self-regulation as an alternative to government action. Independent operators, through their Association of Independent Television Stations, are expected to inform the chairman of their position in a matter of weeks. But he is “hopeful” INTV will follow NAB’s lead.

Broadcasting Jul 8 1974 24
Democratic party's overnight stay on CBS-TV brings in $7.1 million, nets $4.5 million

Abstinence of two Group W stations only hitch in telethon's funding coup

The 21-hour Democratic telethon on CBS-TV June 29-30—reportedly the longest in either network or political party history—netted over $4.5 million for the National Democratic Committee.

Answer America, the Democrat's third network telethon, brought in more than $7.1 million in pledges, $2.5 million of which went for time and production costs. Of these, $1.1 million represented air time on CBS—all but two of whose affiliates cleared the telethon.

Those two, KDKA-TV Pittsburgh and KPIX(TV) San Francisco, are Westinghouse-owned stations, whose decision to refuse the network telethon was attributed to a concern for "fairness" and "balance." Donald H. McGannon, Group W president, said the fairness situation "is particularly critical because it involves the third such Democratic telethon in an elapsed period of two years. The Republican party has not had any, hence a very serious problem of fairness has already arisen and will confront stations in the future."

Mr. McGannon flatly rejected an earlier statement by Democratic National Committee Chairman Robert Strauss that the Group W stations declined to carry the telethon for financial reasons. "We are genuinely concerned that the nature of the compensation formula from the network can be construed as a contribution by a corporation licensee being in violation of the federal statutes," he stated. In addition, Mr. McGannon warned that the presence of politically controversial material in previous Democratic telethons "raised a strong notice and warning concerning obligations under the FCC's fairness doctrine for this year's effort." The recent telethon "is highly insensitive to many serious problems facing our country which include the deliberation of the House Judiciary Committee on a Bill of Impeachment, the Moscow detente trip, inflation, etc."

The Democrats refuted the fairness anxieties, however, by summing up the telethon as "very low key" and "all humor" which contained "no heavy-handed Watergate" material. "We decided to leave that where it belongs—in the Judiciary Committee," a national committee

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source said. "The Answer America theme was different, in that it was for educational purposes. It was supposed to articulate what the party stands for, show what the party has done."

One thing the party has done, through its telethons, is to virtually retire its party debts—which tallied less than $2.5 million before the latest telethon. Of the party's profits, two-thirds go back to state Democratic organizations, leaving the national party with about $2 million to spend however it pleases. The Democrats' first telethon, during the July 1972 convention, netted over $2 million—all of which went to the national committee—in 19 hours on ABC-TV. Production costs that year were about $1.8 million. The second telethon, on NBC-TV, brought in $2.2 million, net, after eight hours, half of which went to state party organizations. (Production costs for the second telethon, which aired Sept. 15, 1973, amounted to $2.2 million; the broadcast carried through network prime time, from about 5 p.m. to 1 a.m.)

Increasing the amount returned to state organizations provided an incentive for party workers, who used "every grass roots technique" to prepare for the telethon, which was the "television culminating" of "a lot of local work that built the audiences."

A raft of movie and TV stars and party regulars made pleas, performed in skits and musical numbers, and presented political and comic-political monologues. Among those participating were Paul Newman, Helen Reddy, Groucho Marx, Bette Davis and Senators Ted Kennedy, Hubert Humphrey, Henry Jackson and George McGovern.

Mr. McGovern's appearance—and that of Alabama Governor George Wallace and Minnesota Governor Wendell Anderson—raised a second fairness-related complaint because the three are candidates in upcoming November elections. All CBS affiliates in those states were notified of the candidates' scheduled appearances—and only South Dakota, Senator McGovern's home state, chose not to carry the portions of the telethon featuring its candidate. Alabama and Minnesota affiliates carried the entire broadcast, and are open to equal-time requirements if such requests are made, national committee spokespeople said.

CBS-TV jumped in to the telethon's plans when the Democrats "suddenly" announced that "a few more" 1974 candidates would appear on the broadcast; after discussions some two weeks before the telethon, the party agreed that only Senator McGovern and Governors Wallace and Anderson would appear. "They felt that they were essential to the fund raising, and CBS reluctantly agreed to their appearance," a CBS spokesman said, "but they were the only candidates that did appear." CBS had advised the party that "serious Section 315 problems were ahead if candidates were allowed to cut in."

The telethon began at 10 p.m. (EDT) Saturday, June 29, and ended 21 hours later, at 7 p.m. (EDT) Sunday, June 30. As the broadcast wound up on the West Coast—where there were three extra daylight hours until 10 p.m. eastern time—some $6.2 million had already been pledged, party sources confirmed. In the last three hours, it was noted, about $700,000 was pledged. Democrats were elated at the last pledge figure because it represented not merely West Coast participation, but the "momentum" from the rest of the country, that was reportedly "still calling in" last week days after the telethon ended. "We raised at least twice as much as we did last year, and there were no presidential candidates to boost interest," one party source said. "That shows you something about the so-called political apathy the polls talk about. The people were so enthusiastic, they kept on pledging even after everything was tuned off."

The party had nothing but praise for its dealings with CBS—and with the other two networks. "All three are just super to work with," the source beamed. The committee made bids to all three networks this year, but chose CBS because it offered "the best bid"—and furthermore, "we were looking forward to working with CBS. It has more affiliates than the others, for one thing, and for another, we felt we were ready for them."

**Business Briefs**


Honda's radio buy. America Honda Motor Co., Gardena, Calif., has signed as participating sponsor for its Honda Civic cars in new series of 90-minute radio specials to be carried first and third Thursday of each month on all 34 ABC-FM Spot Sales reps. Program, titled Sunday Stereo Special, is produced by Alto Communications Inc., Hollywood, in association with ABC Owned FM Radio Stations.

No lone stars. Goodwin, Dannenbaum, Littman & Wingfield Inc., Houston-based public relations/adVERTISERS, has acquired Cullerton, Heller & Norton Inc. Agency says it's Houston's first to surpass $10 million mark in capitalized billings.
NCTA figures reflect cable's emphasis on subscribers

Rise of nearly 30% is reported over year ago; top 10 most active

Three out of every four cable television subscribers in the U.S. today are served by one of the top 50 multiple system operators. And, according to a Broad-casting analysis of the latest top-50 MSO subscriber counts compiled by the National Cable Television Association, the nation's 10 largest cable firms serve nearly half (47%) of all American CATV households.

The NCTA figures show a healthy growth in subscribers at the 50 largest cable firms, despite an otherwise depressing year for the industry.

Since April 1973, when the previous NCTA accounting of the top 50 MSO's was issued (then latest was being distributed to NCTA members and press last week), those firms have enjoyed a collective increase of 1,397,435 subscribers—a 29.6% rise. Approximately 61.4% of that increase was accounted for by the 10 largest firms, which together attracted a total of 858,000 subscribers in the past year.

Also this past year, the top 50 MSO's increased slightly the already extensive hold they enjoyed over the cable market-place. In 1973, the top 50 accounted for 4,716,800 of the industry's then 6.5 million subscribers (72.5%). As of June 1974, the top 50 collectively served 6,114,235 subscribers, or 74% of the current industry total (8.1 million).

The latest NCTA tabulations indicate significant subscriber increases for a number of the industry's largest firms. The development is in accord with an industry-wide shift in corporate emphasis away from obtaining new franchises and toward increasing subscriber penetration in existing franchise areas. Teleprompter Corp., with more than twice as many subscribers (1.02 million) as any other cable firm, enjoyed a 37.8% increase in customers in the past year. Midwest Video Corp. and Telecable Corp., respectively ranked 14th and 15th in the top 50 in the new listing, saw respective increases of 67.1% and 66.2%, further down the list, American Cable Television (32d) saw its subscriber count more than double from 21,000 a year ago to 44,000. Other significant increases: Cox Cable Communications, 49.6%; American Television & Communications Corp., 43.3%; Continental Cablevision, 48.6%; Athena Communications, 73.6%.

Three individual cable systems are now so large that they rank higher on the top 50 listing than several multiple owners. They include Sterling Manhattan's New York system, a subsidiary of Time Inc. (63,335 subscribers); Gill Industries' San Jose, Calif., operation (38,000) and Rollins Inc.'s Wilmington, Del., system (38,000). All three are controlled by firms which also own broadcast properties.

One of the few conspicuous changes in ranking among the major MSO's involved a switch between Tele-Communi-

<table>
<thead>
<tr>
<th>Cable's top 50 (companies)</th>
<th>Subscribers</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company</td>
<td>April 1973</td>
<td>June 1974</td>
</tr>
<tr>
<td>1. Teleprompter Corp.</td>
<td>740,000</td>
<td>1,020,000</td>
</tr>
<tr>
<td>2. Warner Cable Corp.</td>
<td>400,000</td>
<td>570,000</td>
</tr>
<tr>
<td>3. Amer. TV &amp; Communications</td>
<td>350,000</td>
<td>490,000</td>
</tr>
<tr>
<td>4. TCI Communications</td>
<td>302,000</td>
<td>428,000</td>
</tr>
<tr>
<td>5. Cox Cable Communications</td>
<td>230,000</td>
<td>344,000</td>
</tr>
<tr>
<td>6. Viacom Communications</td>
<td>226,000</td>
<td>290,000</td>
</tr>
<tr>
<td>7. Sammons Communications</td>
<td>211,000</td>
<td>258,000</td>
</tr>
<tr>
<td>8. Communications Properties</td>
<td>202,000</td>
<td>244,000</td>
</tr>
<tr>
<td>9. Cablecom General</td>
<td>178,000</td>
<td>189,000</td>
</tr>
<tr>
<td>10. UA-Columbia Cablevision</td>
<td>145,000</td>
<td>186,000</td>
</tr>
<tr>
<td>11. LVO Cable</td>
<td>118,000</td>
<td>146,000</td>
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<tr>
<td>12. Service Electric</td>
<td>115,000</td>
<td>136,000</td>
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<tr>
<td>13. Storer Cable TV</td>
<td>92,000</td>
<td>121,000</td>
</tr>
<tr>
<td>14. Midwest Video</td>
<td>70,000</td>
<td>117,000</td>
</tr>
<tr>
<td>15. TeleCable Corp.</td>
<td>66,000</td>
<td>113,000</td>
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<tr>
<td>16. Video Gulf</td>
<td>85,000</td>
<td>106,000</td>
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<tr>
<td>17. Continental Cablevision</td>
<td>70,000</td>
<td>104,000</td>
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<tr>
<td>18. Athena Communications</td>
<td>53,000</td>
<td>92,000</td>
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<tr>
<td>19. Liberty Communications</td>
<td>82,000</td>
<td>90,000</td>
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<tr>
<td>20. GE Cablevision</td>
<td>62,000</td>
<td>85,000</td>
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<tr>
<td>21. Sterling-Manhattan Cable*</td>
<td>55,000</td>
<td>63,000</td>
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<tr>
<td>22. Western Communications</td>
<td>57,000</td>
<td>63,000</td>
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<td>23. TM Communications</td>
<td>43,000</td>
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<tr>
<td>Cablevision Properties</td>
<td>31,000</td>
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<tr>
<td>25. Newchannels Corp.</td>
<td>45,000</td>
<td>59,000</td>
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<td>26. Colony Communications</td>
<td>37,000</td>
<td>59,000</td>
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<tr>
<td>27. Twin Community Video</td>
<td>41,000</td>
<td>52,000</td>
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<tr>
<td>28. Texas Community Antenna</td>
<td>38,000</td>
<td>40,000</td>
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<td>29. Communications Services</td>
<td>37,000</td>
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<td>30. Westinghouse</td>
<td>39,000</td>
<td>46,000</td>
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<td>31. Telesis Corp.</td>
<td>40,000</td>
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<tr>
<td>32. American Cable Television</td>
<td>21,000</td>
<td>44,000</td>
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<tr>
<td>American Finance Management</td>
<td>42,000</td>
<td>44,000</td>
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<tr>
<td>Comcast Corp.</td>
<td>34,000</td>
<td>44,000</td>
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<td>35. Rollins Cablevision*</td>
<td>26,000</td>
<td>38,000</td>
</tr>
<tr>
<td>Televets</td>
<td>—</td>
<td>38,000</td>
</tr>
<tr>
<td>Gill Industries*</td>
<td>14,500</td>
<td>39,000</td>
</tr>
<tr>
<td>38. Cable Information Systems</td>
<td>38,000</td>
<td>35,000</td>
</tr>
<tr>
<td>39. Central Cable Communication</td>
<td>35,000</td>
<td>35,000</td>
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<tr>
<td>40. Davis Communications</td>
<td>28,000</td>
<td>34,000</td>
</tr>
<tr>
<td>41. Calif.-Or. Broadcasting</td>
<td>28,000</td>
<td>33,000</td>
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<tr>
<td>42. Palmer Broadcasting</td>
<td>28,000</td>
<td>32,000</td>
</tr>
<tr>
<td>Vision Cable</td>
<td>25,000</td>
<td>32,000</td>
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</table>

*—Denotes Individual system

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Cable's top 25 (systems)

<table>
<thead>
<tr>
<th>Location</th>
<th>Company</th>
<th>Subscribers</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Diego</td>
<td>Mission Cable (Cox)*</td>
<td>74,154</td>
</tr>
<tr>
<td>New York</td>
<td>Sterling Manhattan Cable</td>
<td>53,335</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>Theta Cable</td>
<td>56,572</td>
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<tr>
<td>New York</td>
<td>Teleprompter</td>
<td>53,410</td>
</tr>
<tr>
<td>Allentown, Pa.</td>
<td>Service Electric</td>
<td>52,000</td>
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<tr>
<td>Allentown, Pa.</td>
<td>Twin County</td>
<td>52,000</td>
</tr>
<tr>
<td>Suffolk County, N.Y.</td>
<td>Viacom</td>
<td>52,000</td>
</tr>
<tr>
<td>Wilmington, Del.</td>
<td>Rollins</td>
<td>38,521</td>
</tr>
<tr>
<td>San Jose, Calif.</td>
<td>Gill</td>
<td>38,000</td>
</tr>
<tr>
<td>San Rafael, Calif.</td>
<td>Viacom</td>
<td>36,000</td>
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<tr>
<td>Eugene, Ore.</td>
<td>Teleprompter</td>
<td>35,322</td>
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<tr>
<td>Santa Barbara, Calif.</td>
<td>Cox</td>
<td>33,583</td>
</tr>
<tr>
<td>Harrisburg, Pa.</td>
<td>Sammons</td>
<td>33,580</td>
</tr>
<tr>
<td>San Francisco</td>
<td>Viacom*</td>
<td>33,000</td>
</tr>
<tr>
<td>Toledo, Ohio</td>
<td>Buckeye Cablevision</td>
<td>30,860</td>
</tr>
<tr>
<td>Austin, Tex.</td>
<td>Midwest Video</td>
<td>29,000</td>
</tr>
<tr>
<td>Bakersfield, Calif.</td>
<td>Warner</td>
<td>29,000</td>
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<td>Altona, Pa.</td>
<td>Warner</td>
<td>27,248</td>
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<td>Utica, N.Y.</td>
<td>Mid N.Y. Broadcasting</td>
<td>27,000</td>
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<td>Harlingen, Tex.</td>
<td>Sammons</td>
<td>25,072</td>
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<td>San Antonio, Pa.</td>
<td>Teleprompter</td>
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<td>Santa Cruz, Calif.</td>
<td>Teleprompter</td>
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<td>Martinez, Calif.</td>
<td>Televents</td>
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<td>Seattle</td>
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<tr>
<td>Elmirta, N.Y.</td>
<td>Teleprompter</td>
<td>23,397</td>
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*—Includes contiguous systems serving San Diego, San Diego county, Chula Vista, El Cajon and Imperial Beach, all California.
‘Scapino...if you miss it, you will be crazy, and if you let your kids miss it, you will be simply inhuman. Scapino is a delightfully silly evening of intrigue and slapstick. The heart of Scapino is Jim Dale. Frank Dunlop is astonishingly adroit and deft in his staging. Everything has an air of improvisation to it, but everything has also been measured out to the last millimeter. This is by no means a one-man show. Indeed, the whole point of Mr. Dale’s performance is that it has to bounce off brilliant and confident actors. The others are all splendid. Gavin Reed is the purest delight, as is Ian Trigger. The lovers are sweet, the waiters and waitresses superbly comic, a male nurse in drag (a horrified Ian Taylor) is a delight, and I commend to you a naughty tramp called Raymond Platt. Carl Tom’s setting is magnificent. That is it. Mr. Dunlop, Mr. Toms, Mr. Dale and Mr. Moliere — and as they used to say, Hellzapoppin!”
—Clive Barnes, New York Times

‘Jim Dale...another Danny Kaye’

—John L. Hess, New York Times

“An evening of sheer delight! It is rarely, if ever, that I’ve seen a first-night audience embrace an actor with the affection it bestowed on Jim Dale in the Young Vic’s wonderful production of ‘Scapino’. It was a mass crush that enveloped him and it would be difficult to think of a case when it was more richly deserved. It isn’t just a brilliant portrayal he offers; it is nothing less than an inspired one. It is good to have slapstick comedy back again. Mr. Dale is a master of that virtually forgotten comic art. ‘Scapino’ is a hilarious comedy. I don’t believe any of us in the first night audience including the reviewers wanted to leave and go home”.
—Richard Watts, New York Post

‘Frank Dunlop...astonishingly adroit and deft.’

—Clive Barnes, New York Times

“The funniest romp on Broadway! You should make every effort to see ‘Scapino’ and take the children with you because they will teach you how to laugh!”
—Alan Burke, WPIX-TV

“A mad romp with zest and style. Jim Dale is incredible. He is both star and wizard. He practically hypnotizes his audience with unbounded energy and charm. The Young Vic people are utterly charming in this riotously funny romp, brimming over with vitality and style. A macaroni masterpiece brings joy to the Circle. All of Broadway seems that much brighter for it. A big bravol!”
—William Raidy, Newhouse Newspapers

“The dazzling company is back with their delightful, free-wheeling comedy. A phenomenal performer, Jim Dale has a rare gift for criss-crossing all comedy strains. This subtle conniver of classic farce, the goofy clown, the physically agile, slapstick buffoon, the character satirist—with his ferocious energy, Dale manages to incorporate them all in a single dazzling performance. He is a marvel!”
—Marilyn Stasio, Cue Magazine

“A high-spirited, music hall comedy. Delicious, performed with style and spirit. The number one delight is Jim Dale. Don’t miss it. Buy tickets for yourselves and your kids. You will thank me!”
—Leonard Harris, WCBS-TV

“One of most joyous events of the season. Jubilant! Jim Dale is supreme”.
—Brendan Gill, The New Yorker

“The British have invaded Broadway with a stageful of brilliant clowns. It is a merry-go-round of mirth. Anything can happen in this wild production, and indeed it does!”
—Emory Lewis, The Record
"Absolutely delightful production with a mixture of outrageous gags, knockabout farce and scraps of pseudo-Neapolitan melodies. An almost indispensable example of how beautifully comedy can work in the theatre, combining ingenuity, a talented cast and audience willing to be captivated."

—A. Wallach, Newsday

"Entire company performs with verve"

—T. E. Kalem, Time Magazine

"The Young Vic's 'Scapino' is a Circle hit! Go, go, go, if you want to laugh, laugh, laugh!"

—Michael Jachetta, Daily News

"A cinch for laugh honors. A wild farrago of mod movie nonsense, burlesque puns and sprinting action. Jim Dale keys the merriment as a scamp of superhuman Agility."

—William Glover, Associated Press

“A hilarious high! The wildest and funniest bit of monkey-shine farce seen on Broadway in recent memory. A triumphant season finale for the Circle."

—Hobe, Variety

Our television version of "Scapino" is now in final edit in London, where it was taped for TV with Jim Dale and the original cast as produced by Frank Dunlop. It will be available worldwide—the first of eight Young Vic/Post-Newsweek television presentations. We and the Young Vic are determined to bring young people better television programs.

Even when we have to do it ourselves.
Such opposed an needed ciently complex The prospect of additional cable complaint with continued cations Inc. and American Television & Communications Corp. TCI dropped to fourth place and ATC moved to third by virtue of the latter's impressive 43.3% subscriber gain.

A separate NCTA listing of the nation's largest individual cable systems showed a number of changes from the previous count, although Cox Cable's Mission CATV subsidiary in San Diego continued as the largest operation (now with 74,154 subscribers). Sterling's New York system remained second, now with 63,335 subscribers. Theta Cable's Los Angeles system moved from sixth to third place and now claims 56,572 subscribers.

Untangling the tangle in cable gripes
NCTA, local authorities claim FCC's complaint officer plan would only add to the bureaucratic jungle; consumers contend it would cut a path to the top

The prospect of additional cable subscriber complaint mechanisms drew vehemence last week from franchising authorities and cable operators, who agree that the procedure is sufficiently complex as it is. But interest groups argued that a new approach is needed to untangle the complexity created by current complaint procedures.

Operators and franchisers specifically opposed an FCC proposal to require local authorities to designate officials to receive complaints about cable service. Such a requirement, asserted the National Cable Television Association, would be "regulation for regulation's sake, rather than responding to an existing problem or need." No need has been shown for such an official, NCTA said, noting that cable systems are already required to maintain complaint offices. Indeed, the association said, the proposal could be counterproductive in that franchisers could use the requirement as an excuse to boost franchise fees. In any case, it said, the addition of another complaint officer "merely presents the cable industry with another regulator, another questionnaire and another duty to consume the CATV operator's time and money."

Similarly, a group of nine operators filing jointly saw the proposal, coming just two years after the present complaint procedures were established, as "premature and burdensome." Noting that the FCC has its own subscriber complaint service, the systems said that to add still another one "is to jerk the system operator hither and yon among federal, state and local complaint offices by any disgruntled subscribers or local politician with some ax to grind or looking for some cause to ride."

Local authorities, too, felt that the proposal was unnecessary and further, that it could never be sufficiently flexible to meet varying circumstances. "Neither the naming of a specific government official to handle complaints nor the definition of a procedure should be required . . . as both are always subject to local change," the city of Portland, Ore., observed. In addition, the city of San Diego noted, a franchise is both a municipal ordinance and a contract. To change the ordinance, it said, would require a long process involving committee hearings, formal introduction of legislation, adoption and an extended period. On top of that, it added, the city would still have to have the consent of the franchisee to change the contract. If there is to be a federal requirement, it said, it should only be that the franchise contain a provision that "alludes to" the subscriber complaint process available to citizens. Other cities said complaints should be handled through existing government mechanisms.

Public interest groups agreed that there is already a confusing plethora of complaint offices available, but they said that only argues the more for the establishment of a specific authority to handle such complaints. But, said the National Citizens Committee for Broadcasting, "even though authority over subscriber complaints should be centralized, the commission should affirmatively encourage the development of a local cable agency in each franchise territory." And at each of those agencies, it added, should be a set of "comprehensive public files" that would include: correspondence with the FCC, oppositions to franchising, transcripts or summaries of public hearings on cable applications, access and leased channel program logs, cable system annual reports and correspondence with subscribers. The availability of such files would encourage citizen participation in cable development and would assist the franchiser in his regulation of the operator, NCCB said.

Concern for nonsubscribers was voiced by the Philadelphia Community Cable Coalition, which cited examples of property owners in disagreement with cable installers over the planting of poles and stringing lines. There is simply no agency of government with any central responsibility to handle complaints from citizens whose attempts to protect their property are being thwarted," the coalition said. It urged the establishment of a "local oversight agency," with technical expertise and provision for citizen input, to handle "everything, including citizen complaints." Further, it said, the commission should require that subscribers be notified of the existence of such an agency.

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Trans World Attractions Corp., New York, a theatrical and industrial film company of which he is president, will probably get into the pay-cable software business too. Mr. Roberts is a former station manager of TeleGuide, closed-circuit TV service to New York hotels and buildings.

**How long the line in cable debated in FCC rulemaking**

System operators and municipalities want the control left local, while interest groups opt for federal hand

In comments on line extension policy, one of two early rulemakings to come up under the FCC's cable clarification process (for the other, see facing page), cable operators, franchising authorities and public interest groups were unanimous in lauding the inclusion for its good intentions. But whereas the operators and franchisers warned the commission against going too far, the public interest groups urged even more intervention in local cable regulation.

The greatest concern of operators and franchisers was that the commission would try to insert itself into the franchising process through specific line extension requirements, such as setting a homes-per-mile floor. While it might be appropriate for the FCC to set such specific standards, in the city of San Diego, they cannot practically be set from above.

The city of Knoxville, Tenn., however, did recommend standards—that service be provided at a density of 50 homes per mile and when 10 subscribers within 1,500 feet of an existing line ask for an extension.

When the commission issued its clarification notice, it noted that experience had reassured its earlier concern that operators would be too naive or blase to administer line extension effectivley, urged the imposition of strong standards from the federal level. The Selma Project and Civil Liberties Union of Alabama, which regularly file together on public interest questions, proposed that operators be required to submit detailed schemes of line construction for the entire franchise area over a given number of years. The Alabama groups would also have the FCC require franchisers to show that no area has been left out of the franchise before granting a certificate of compliance and, in the case of a multiple franchise, require each franchisee to guarantee the performance of all others.

The National Citizens Committee for Broadcasting was also concerned about the franchiser-franchiser relationship. NCCB argued that, by delegating cable monitoring authority to franchisers which must in turn rely on operators to determine line extension policy, "the commission has in effect adopted a policy that allows the cable operator . . . to dictate the substance of the criteria for line extension."

Noting that franchisers also must rely on operators for information and expertise for determining extension rates, NCCB urged the commission to require "at the very least" that construction be completed within a specified period and to provide "guidelines and expertise to facilitate the monitoring of subscriber rates."

**ATC wins in Norman**

The Oklahoma state supreme court has dismissed a suit challenging the results of a public referendum in which the cable franchise for Norman, Okla., was approved.

The ruling upheld a December 1973 district court decision denying a challenge to the election returns by two University of Oklahoma students—Larry Woods and Diane Jackson—who had previously waged a local newspaper campaign to discredit the intentions of the eventual franchisee, American Television & Communications Corp. (Broadcasting, Dec. 31, 1973).

The Norman referendum evoked national interest due to the nature of the unsuccessful campaign by the students, who were financed with $10,000 by an unidentified source. Several local advertisements placed by the two alleged that cable, by virtue of its bi-directional capability, has the potential to serve as a Big Brother in subscribers' homes. "Cable TV Can Be a Spy in Your Bedroom" was the theme of the campaign.

In their pleadings to the supreme court, Mr. Woods and Ms. Jackson asserted that the Norman election returns were incorrectly transcribed to indicate that the final tally was 2,835 in favor of the CATV ordinance and 2,715 opposed. The actual count, they contended, was 2,776 to 2,774—thus raising questions as to the propriety of local officials in administering the election.

The court ruled, however, that a common law such as the cable ordinance is not subject to the challenge rights customarily afforded a candidate for public office absent a finding of "fraud, misconduct or mistake." No such evidence had been demonstrated, the court ruled.

**Cable Briefs**

Turned down. FCC has denied certificate of compliance to Florida applicant whose proposed franchise fee was less than that offered to franchiser. Applica-
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SAG, producers agree on new three-year pact

By 1976, actors will receive 100% compensation for reruns in prime time; minimum scale goes up by 25%; residuals for syndicated shows will no longer end after 10 airings

Screen and TV actors and TV and movie producers agreed on a new contract just one day before the end of the existing three-year contract, with actors getting more money, but at the same time the settlement assures there will not be any strike to impair TV program production in Hollywood and elsewhere for the coming fall season — as there was during last year's 16-week writers' strike.

The agreement, reached June 29, is between the Screen Actors Guild and the Association of Motion Picture and Television Producers, and is being hailed in some quarters as "landmark" in some of its provisions: namely, that providing for 100% compensation to actors for reruns in prime time effective in 1976-77 season. Also considered consequential breakthroughs are the erasure of long-standing的不同ials between film and tape, and the inclusion of a cost-of-living clause that becomes operative in the third year of the new contract.

And the fact the negotiations were conducted by SAG in conjunction with the American Federation of Television and Radio Artists is seen as heralding a potential amalgamation of the two unions.

The agreement, already approved by the SAG board, has been submitted for ratification to SAG's 29,000 members. Among the major provisions of the new contract:

- Increase minimum scale by 25%. For day actors, for example, the minimum goes up from $138 to $172.50; for weekly actors, minimums go up from $483 to $604.
- For prime-time reruns, 50% of compensation the first year; 70% the second

Void. A 1968 agreement whereby the Association of Motion Picture and Television Producers recognized the Producers Guild of America as a collective bargaining agent was declared invalid last week by a California court of appeals. The PGA-AMPTP contract was voided, because, the court said, "uncontradicted facts" established that PGA is dominated and controlled by employers. It noted among other things that 10 of PGA's 13 member negotiating committees were employer-producers (they owned or held offices in producers' companies). The court decision came from a 1968 suit filed by five writer-producers and the Writers Guild of America, West.
year and 100% in the third year of the new contract, provided, however, these payments are in excess of $1,000 per episode for a half-hour show, $1,100 per episode for a one-hour show, and $1,200 per episode for any show longer than one hour. In the old contract, rerun charges were based on scale payments, not action and stood at 50% for the first re-run and 40% for the second, and so forth downward, although few shows were rerun more than twice in prime time. Initially, SAG had asked for ceilings that ran from $2,500 per episode-hour program up to $12,500 for a two-hour show. Where a rerun is outside the fall-winter season (17 weeks of spring and summer are considered off season), rerun payments are to be 80% of the in-season rates.

In syndication, residual payments that had ended after 10 reruns in the old contract were continued indefinitely. The rates, based on course of a 25% boost in minimums, require payments of 40% for the first syndication run, 30% second, 25% third, and scaled down for subsequent runs to 5% for those after 12 runs—all based on minimums, not actual compensation.

Other highlights of the new contract include actual compensation for theatrical exhibition of TV shows, whether domestic or foreign; 25% boost in minimum payments for foreign telecasts of shows; increased payments to SAG's pension and welfare fund, up from 6.5% to 8.5% of wages, with ceilings of $4,500 to $12,500 depending on the length of the program, with higher insurance coverage.

Program Briefs

Exceptions. FCC has waived prime time access rule to permit CBS showings of pre-season football game and, if necessary, delayed broadcast of Miss Universe contest. Further, football game will permit CBS affiliates in mountain zone top-50 markets to carry Aug. 30 game from 7-10 p.m. with regular network programing from 6-10. Miss Universe waiver would permit broadcast of show on Sunday, July 21 only if live broadcast on previous day is prevented by transmission problems or is pre-empted by "extraordinary and unforeseen event."

MPC overseas. Metromedia Producers Corp. reports sales of its features, series and specials in overseas markets in first six months of 1976 rose by almost $1 million over comparable period last year. Kenneth Joseph, executive vice president for world-wide syndication, said sales growth was led by Jane Goodall's World of Animal Behaviour: The Baboons of Gombe, sold in 19 countries; Spelling-Goldberg feature films, sold in 16 countries, and Chopper One and Firehouse series, each sold in 13 countries.

Sales sizzling. Worldvision Enterprises, New York, reports record sales during June, with 16 stations added to Mod Squad line-up, including KTVI-TV St. Louis; WVTI-TV New Orleans; wtvv (TV) Charlotte, N.C. and krtv-TV Tulsa, Okla., raising total to 63. Ten stations have bought Let's Make a Deal, increasing total markets sold to 163.

'Surgeon' surgeries. Ted Bates & Co., New York, reports its half-hour Police Surgeon series has been acquired by stations in 98 markets, 31 of which plan to schedule series in prime-access time. Series is barred to stations for Colgate-Palmolive by Bates. Stations committed include KYW-TV Philadelphia, WNBC-TV Boston, KDKA-TV Pittsburgh and WAGA-TV Atlanta.

Three more. Altec Communications Inc., Los Angeles, announces three new radio formats: Rock Unlimited, featuring contemporary rock music with five disk jockeys as hosts: Something to Love, popular love songs by contemporary artists, and Gentle Persuasion, easy listening.

Postgame. Sperry Rand Corp. (Young & Rubicam) will again sponsor The Sperry NFL Report, 15 National Football League post-game roundups (with taped highlights of key games) on NBC-TV. Howard Cosell and Don Meredith will call.

Golden on golden. California Golden Seals and Golden Pacific Network have signed two-year contract to broadcast full 80-game schedule of Bay Area pro hockey club. KEEN(AM) San Jose will originate with feeds to KNBS(AM) Pittsburgh, KRDY(AM) Monterey and KSKR(AM) Santa Rose, all California.

Hoosier rights. WTTV-TV Indianapolis has reached three-year agreement with Indiana Pacers (basketball) and Indians Racers (hockey). Pro contract augments station's earlier basketball pacts with Indiana University and Purdue.

Service spots. Thirty- and 60-second radio and TV spots featuring Celeste Holm have been released by American Revolution Bicentennial Administration, Washington. Message concerns stamp and medal package, which went on sale July 4.

House call. Consultation, health-oriented TV series, is available free from University of Illinois Medical Center, Chicago. It is available to stations and cable systems in color on two-inch quadruplex and one-inch IVC and 3-1/2 inch cassette.

Oriental. Japanese film series of contemporary classics is being produced for public TV by kro(TV) San Francisco and the Pacific Film Archive of the University of California at Berkeley, with a $448,000 grant from the National Endowment for the Humanities, plus $57,000 from the Bank of America. There are 15 films in series, ranging from one produced in 1951 to two made in 1969. Broadcasts will include English subtitles.

Incentive. Edward L. Bernays Foundation Award of Emerson College, Boston, has been established to give $1,000 to writers or writers of "most socially significant nationally televised program broadcast during 1974." Award is co-sponsored by Mr. Bernays, pioneer public relations practitioner, and Emerson College. Seymour N. Siegel, president of Broadcasting Foundation of America, will be chairman of awards jury.

Liberty Lobby's radio commentary under attack for anti-Jewish bias

ADL, adman Jack Geller criticize

126 stations, Mutual network for broadcasting daily series

A daily five-minute radio broadcast, This Is Liberty Lobby, was attacked by the Anti-Defamation League of B'nai B'rith last week as anti-Jewish in tone and sponsored by an organization set up and controlled by "an outspoken anti-Semite" as "a money-raiser and front for his seamier operations."

The attack was contained in an ADL announcement that it had found in a survey that 126 radio stations are carrying the program, most on a paid basis but some as "public service." ADL also reported that Liberty Lobby, sponsor of the broadcasts, had arranged with Mutual Broadcasting System to distribute the program to Mutual's approximately 600 affiliated stations.

A Mutual official confirmed that MBS is distributing the series but said it is acting only as "a carrier" and that this program is one of several, representing a wide variety of viewpoints, that are made available to Mutual affiliates through the network's facilities. He said Mutual has no count of station clearances. The 126 stations listed by ADL apply...

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33
CBS gets home free on four complaints before news council

The National News Council has dismissed four complaints against CBS News, another against Black Journal and still has pending a sixth case involving Mutual.

Two University of Chicago graduate students who said that the CBS News Jan. 17 documentary, The Mysterious Alien, was biased in its challenging of administration motives for the October worldwide military alert of U.S. troops during the Arab-Israeli war. The council found the documentary to be a "legitimate journalistic inquiry on a subject of continuing public interest and controversy" and not "advocacy journalism" (with particularly reference to the "credibility gap" of CBS correspondent Dan Rather) as the complainants suggested.

Three other complaints against CBS also were dismissed. A morning's discussion by the council's grievance committee: (1) that CBS News had not produced enough information programming on antigun control lobbying and legislation—the council found the complaint "too sweeping and generalized"; (2) that the description on the CBS Evening News of Bebe Rebozo and Robert Alplanalp as President Nixon's "millionaire friends" was "deliberately provocative"—the council acknowledged that the two could just as well be described as "bankers" or "industrialists," but that, considering the same "millionaire" label had been fastened to friends of previous Presidents, the term should be considered "journalistic" rather than pejorative; (3) that CBS correspondent Daniel Schorr's report on information released last summer by the Senate Watergate Committee on the existence of alleged milk fund "deals" was distorted—dismissed because the council found Mr. Schorr's reporting to be accurate coverage of the day's committee findings.

In another action, the council dismissed an earlier complaint of bias against a Black Journal program on a housing debate in New York (BROADCASTING, May 13). The Corporation for Public Broadcasting, which previously funded Black Journal, at first declined to cooperate with council proceedings, maintaining that the issue was "not within the council's jurisdiction," the grievance committee noted. The original complaint was submitted Aug. 19, 1973, and a response from PBS was not received until Feb. 15, the committee noted. After deliberation, the council determined the program "adequately researched.

The council is still investigating a complaint from a former newscaster with Mutual Broadcasting System concerning the first Black College All-American Football team selection, sponsored by MBS and Chevrolet, and covered extensively over Mutual's hourly newscasts (BROADCASTING, May 13). Because Mutual has declined to participate in the council's study, the news arbiters decided not to take their public unless it was deemed impossible to gather some response from the network after sending along its initial views. "We want to give Mutual some opportunity to respond before we take a stand," a council spokesman said. A Mutual executive told BROADCASTING the network probably would "not do anything" about the complaint, which was termed "ridiculous.

Farr stays out, Lewis stays in

Los Angeles Timesman William Farr won't go to jail a second time for refusing to reveal his sources for stories on the Manson murder case, but KPFT(FM) General Manager Will Lewis is still behind bars for refusing to yield tapes in the Patty Hearst-SLA case. Thus went two California court developments involving print and broadcast journalism last week.

Mr. Farr, last Tuesday (July 2), was relieved of a second citation for contempt of court under California newsman's rights law. Farr was cited for contempt of court because he refused to answer questions in a lawsuit involving the play's "Black Journal." The lawsuit was brought by the publisher of the play's copyright. Farr gave his sources for stories on the Manson case, but the court's order was for the "classic contempt." The court then sentenced Farr to jail for contempt until he parted with the names of his sources. Farr was served with a second contempt citation on May 13.

Mr. Lewis, vice president and publisher of the Evening News, Southbridge, Mass., is serving a sentence in a New York City prison for contempt of court. The court has ordered him to turn over the tapes and records of a radio program he conducted in New York in 1973. Lewis' station is KPFT(FM) the free radio station in New York.

Lawrence Peirez, chairman of ADL's national civil rights committee, said "the contract [with Mutual] hardly came as a surprise since Mutual's principal owners, Mr. and Mrs. Benjamin D. Gilbert, have contributed thousands of dollars to Liberty Lobby since 1966."

ADL said "the unpunished force" behind This Is Liberty Lobby is Willis A. Carto, who it said began to work full time as a "professional bigot and organizer" in 1954, founded the Washington-based Liberty Lobby 16 years ago and helped build it into a propaganda and lobbying organization that is "one of the most active and best financed groups on the American far right."
Thirty. Robert McFadden Menaugh, 69, who as superintendent of the House Radio and TV Gallery since its inception in 1939 had led the way in achieving recognition for broadcast newsmen on equal footing with print journalists on Capitol Hill, retired June 30, primarily for reasons of health. He had served under eight speakers, and had seen the galleries’ membership grow from a charter 26 to the present 565.

A native of Indiana, Mr. Menaugh had served on the Hill since 1931. And as authority on congressional procedures and personalities, he had indoctrinated scores of newsmen on the techniques of hill coverage and parliamentary procedures. Running the radio and television galleries of Congress (he was also instrumental in setting up the Senate Radio Gallery) entailed more than service on Capitol Hill. It meant accreditation, cooperation, and supervision of broadcast newsmen and coverage of national political conventions. Mr. Menaugh was in the thick of these quadrennial assignments and in 1948 found himself handling not only the conventional GOP and Democratic conclaves but also those of the Progressive and Dixiecrat parties.

Mr. Menaugh spent four years in the Army during World War II as executive officer of the War Intelligence Division of the War Department Bureau of Public Relations. He left the service as a colonel. A year ago he was presented the distinguished John W. McCormack award as the outstanding employee of the House. Many members of Congress, including Speaker Carl Albert (D-Okl.), paid tribute to his stewardship.

Mr. Menaugh and his wife, Helen, live In Alexandria, Va. A married daughter lives In Michigan. His successor has not been named.

Journalism Briefs

In memory of, Michigan Associated Press Broadcasters Association has renamed its First Amendment Award as Richard E. Cheverton Award for late news director of WXYZ(TV) Grand Rapids. And Louisiana APBA has designated its top honor as Fred Hammond Memorial Award for the late news director of WWL(AM) New Orleans.

Two-way. Seventeen-hour siege June 28 by police of two hold-up men with two hostages inside Los Angeles bar had TV not only covering event, but being used by police to communicate with gunmen. KTLA’s telemobile unit was used to make personal appeal to men, who tuned to channel 5 inside bar. They surrendered later in day.

McLaughlin on Chancellor. Rev. John McLaughlin, presidential advisor and Jesuit priest, has attacked Washington news media for creating atmosphere “reminiscent of Joe McCarthy.” Chastising journalists for falling prey to “the sneaky leak and blackmailer,” he urged congressmen and senators at Overseas Press Club to retain “sense of history” as they write it. Father McLaughlin directed particular criticism at NBC’s John Chancellor for his assessment of the “Saturday night massacre.” Special Prosecutor Archibald Cox was fired and Attorney General Elliot Richardson resigned, as “the most serious constitutional crisis in the country’s history.” No such crisis, Father McLaughlin noted, resulted from similar firings of top aides by Harry Truman and other Nixon predecessors.

Equipment & Engineering

FAA-FCC tower-lighting proposal is criticized

An aeronautical consultant and former Federal Aviation Administration employee claims that the FCC’s proposed lighting standards for broadcast towers may be impossible to meet. However, the FAA, which recommended the standards to the FCC, says the new rules, if misinterpreted, may cancel the proposal, and possibly does not understand the standards.

The FCC proposal, now being considered in a rulemaking, would permit tower owners to replace paint jobs with high-intensity lighting as a warning to aircraft pilots. In a “special notice” to the FCC, the FAA, the National Association of Broadcasters and others, Washington consultant Joseph Vivari warned that the standard “is absolutely impossible because no satisfactory high intensity light is available.” He said that use of the lights would be a waste of money and could leave broadcasters legally open to damages resulting from collisions.

But a spokesman at the FAA who is familiar with the standards and knows Mr. Vivari suggested that the consultant “doesn’t understand where the difference between the specifications and the standards’ set by the FAA. ""There is a lot of misinformation in some of the special notice. Five manufacturers have made lights meeting FAA standards, he said, and although there have been problems with the lights in the past, he foresees no difficulties with the FCC proposal. Likewise, an FCC officials saw no insurmountable problems with the proposal, although he said the commission is looking into questions about emission and transmission interference from the lighting, and he expected some action on the proposal in about six months. Of Mr. Vivari’s notice, which he had seen but not studied, the official said “we’ll consider all relevant issues when they arise.”

As for the legal issue raised by Mr. Vivari, John Summers, general counsel for the NAB, said he felt that broadcasters in compliance with FCC standards would not be liable for any damages, regardless of the technical effectiveness of the lighting.

Technical Briefs


Readying for Olympics. Ampex Corp., Redwood City, Calif., announced $2.4 million contract with the Canadian Broadcasting Corp. for the delivery of 35 AVR-2 modular video-tape recorders for use during the 1975 Olympic games in Montreal. The contract calls for 19 of the recorders to be purchased with the remainder leased through the period of the games.

For automation. ESE-Digital, Englewood, Calif., offers line of automatic sequencers-programmers, using thumbwheel settings, ranging from free-standing units with from two to eight digits to rack-mounted devices to work with clocks and timers at prices ranging from $125-$200 for first and from $305 to $403 for second.

Dolby gets a go-ahead

Dolby Laboratories Inc. has received FCC permission for employment of its new FM encoder using a reduced pre-emphasis time constant.

The FCC has noted, however, changed the 75 microsecond pre-emphasis rule regulating the degree high frequencies are boosted during transmission. What it has done, on an “unofficial” basis, is to permit FM stations to reduce pre-emphasis to 25 microseconds only in combination with a Dolby 324 B-type encoder.

Neal McNaughten, chief of FCC Rules and Standards Division, expressed concern that permitting across-the-board pre-emphasis reduction would not insure all listeners high quality audio reception. The connection between reduced pre-emphasis and B-type reduction is acceptable, he says, because the two effects together allow for compatibility for home receivers.
Here are the top songs in air-play popularity on U.S. radio, as reported to "The Broadcasting" by a nationwide sample of stations that program contemporary, "top 40" formats. Each song has been "weighted" in terms of its national audience ratings for the reporting station on which it is played and for the part of the day in which it appears. (') indicates an upward movement of 10 or more chart positions over the previous Playlist week.

<table>
<thead>
<tr>
<th>Over-all rank</th>
<th>Last week</th>
<th>Title (length)</th>
<th>Label (city)</th>
<th>Rank by day parts</th>
<th>6:00-10:00</th>
<th>10:00-3:00</th>
<th>3:00-7:00</th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
<td>42</td>
<td>Feel Like Makin' Love (2:55)</td>
<td>40 40 43 47</td>
<td>Roberta Flack—Atlantic</td>
<td></td>
<td></td>
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<tr>
<td>54</td>
<td>43</td>
<td>Hang On In There Baby (3:23)</td>
<td>44 43 42 41</td>
<td>Johnnie Bristol (MGM)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>50</td>
<td>44</td>
<td>Workin' at the Car Wash Blues (3:20)</td>
<td>43 44 44 46</td>
<td>Jim Croce—ABC/Dunhill</td>
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<tr>
<td>34</td>
<td>45</td>
<td>Star Baby (2:37)</td>
<td>42 48 45 42</td>
<td>Guess Who—RCA</td>
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<td></td>
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<td>48</td>
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<td>Keep on Smiling (3:25)</td>
<td>47 49 49 43</td>
<td>Wet Willie—Capricorn</td>
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<td>36</td>
<td>47</td>
<td>I'm Coming Home (3:22)</td>
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<td>Spinners—Atlantic</td>
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<td></td>
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<td>49</td>
<td>48</td>
<td>Finally Got Myself Together (3:05)</td>
<td>46 49 56 53</td>
<td>Impressions—Custom</td>
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<td>50</td>
<td>49</td>
<td>Coming On Strong (2:57)</td>
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<td>Jimmy Buffett—ABC/Dunhill</td>
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<td>Don't Want to Be a number (3:40)</td>
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<td>Redbone—Epic</td>
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<td>47</td>
<td>51</td>
<td>The Show Must Go On (3:29)</td>
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<td>Three Dog Night—ABC/Dunhill</td>
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<tr>
<td>53</td>
<td>52</td>
<td>Wild Thing (2:56)</td>
<td>56 56 47 51</td>
<td>Frankie &amp;蜱i—Big Tree</td>
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<td></td>
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<tr>
<td>56</td>
<td>53</td>
<td>This Heart (3:26)</td>
<td>60 51 42 58</td>
<td>De Franco Family—20th Century</td>
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<td></td>
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<td>46</td>
<td>54</td>
<td>Wildwood Weed (2:40)</td>
<td>58 53 54 55</td>
<td>Jim Stafford—MGM</td>
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<td>40</td>
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<td>Don't You Wonder 'bout a Thing (3:40)</td>
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<td>Stevie Wonder—Tamla</td>
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<td>Sure I'm Sitting Here (3:35)</td>
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<td>Three Dog Night—ABC/Dunhill</td>
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<td>59</td>
<td>57</td>
<td>Fish Ain't Bitin' (3:36)</td>
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<td>Lamont Dozier—ABC/Dunhill</td>
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<td>66</td>
<td>58</td>
<td>Rub It In (2:12)</td>
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<td>Billy &quot;Crash&quot; Craddock—ABC/Dunhill</td>
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<td>70</td>
<td>59</td>
<td>You're Having My Baby (2:32)</td>
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<td>Paul Anka—United Artists</td>
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<td></td>
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<td>62</td>
<td>60</td>
<td>Oh Very Young (2:33)</td>
<td>54 64 59 71</td>
<td>Carl Stevens—ABC</td>
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<td>63</td>
<td>61</td>
<td>If You Go Away (2:30)</td>
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<td>Terry Jacks—BET</td>
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<td></td>
<td></td>
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<tr>
<td>64</td>
<td>62</td>
<td>I'm Leaving You (All) Up to You (2:46)</td>
<td>68 63 67 68</td>
<td>Donny &amp; Marie Osmond—MGMT</td>
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<td></td>
<td></td>
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<tr>
<td>65</td>
<td>63</td>
<td>My Mistake Was To Love You (2:55)</td>
<td>64 69 65 75</td>
<td>Dino Ross &amp; Marvin Gaye—Motown</td>
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<td>64</td>
<td>I've Had It (2:59)</td>
<td>73 71 60 75</td>
<td>Fanny—Casablanca</td>
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<td>67</td>
<td>65</td>
<td>Ballero (3:25)</td>
<td>63 74 64 72</td>
<td>War—United Artists</td>
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<td>Put Out the Light (3:07)</td>
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<td>Joe Cocker—ABC</td>
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<td>Hate (3:15)</td>
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<td>Razzzy—ABC</td>
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<tr>
<td>70</td>
<td>68</td>
<td>King of Nothing (2:56)</td>
<td>65 68 72 67</td>
<td>Seals &amp; Crofts—Warner Brothers</td>
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<tr>
<td>71</td>
<td>69</td>
<td>You &amp; Me Against the World (3:08)</td>
<td>70 66 73 18</td>
<td>Helen Reddy—Capoil</td>
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</tr>
<tr>
<td>72</td>
<td>70</td>
<td>Come On Say (7:00)</td>
<td>70 66 73 19</td>
<td>Henry Gross—A&amp;M</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>73</td>
<td>71</td>
<td>Making The Best of a Bad Situation (2:46)</td>
<td>66 * * *</td>
<td>* * *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>74</td>
<td>72</td>
<td>Won't Last a Day Without You (3:47)</td>
<td>75 75 75 79</td>
<td>Carpenters—ABC</td>
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<tr>
<td>75</td>
<td>73</td>
<td>The Bitch Is Back (3:50)</td>
<td>69 74</td>
<td>Elton John—MCA</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Alphabetical list (with this week's over-all rank): The Air That I Breathe (13), Already Gave (38), Andy's Song (5), Ballero (67), Band on the Run (4), Be Faithful (For What You Got) (10), Billy Don't Be a Hero (2), The Bitch Is Back (75), Call On Me (31), Come and Get Your Love (50), Come Monday (46), Come On Say (12), Dancing Machine (18), Don't Let the Sun Go Down On Me (15), Don't You Worry 'bout a Thing (57), The Entertainer (23), Feel Like Makin' Love (42), Finally Got Myself Together (48), Fish Ain't Bitin' (59), For the Love of Money (22), Hang on In There Baby (43), Haven't Got Time for the Pain (16), I'm Leaving You (24), I'm Reaching For the Pleasure of Your Love (71), I'm Leaving You Up to You (64), I'm the Leader of the Gang (30), I've Had It (66), I'm Steppin' Out of This Thing (71), It's Not Unusual (29), Keep On Smiling (49), King of Nothing (25), Lentil's Leg (32), Loco-Motion (34), Machine Gun (40), Making the Best of a Bad Situation (73), Midnight Hour (25), Miss America (35), My Girl Bill (52), My Mistake Was To Love You (65), The Night Chicago Died (28), Oh Very Young (62), On and On (17), One Hell of a Woman (33), You Call Me Baby (36), You Don't Lose That Number (9), Rock Me Genetically (37), Rock Your Baby (11), Rock & Roll Heaven (12), Rub It In (60), Save the Last Dance for Me (54), The Show Must Go On (3:29), Sideshow (21), Star Baby (43), The Streak (24), Sundown (33), Sure as I'm Sitting Here (58), Talking Care of Business (27), Tell Me Something Good (38), This Heart Must Go On (22), Thought of You (25), Traffic (6), Waterbed (50), Workin' at the Car Wash Blues (44), You Make Me Feel Brand New (8), You Won't See Me (19), You & Me Against the World (71).
I'm Leaving It (All) Up To You—Donny and Marie Osmond (MGM) * Not long after Donny Osmond's voice changed, his sister Marie debuted on record with Paper Roses, a country-oriented single that quickly crossed to pop and became a solid hit. A duet was inevitable.

And here it is. I'm Leaving It (All) Up To You is a redo of an early sixties hit by Dale and Grace. It received immediate country play and has rapidly crossed to MOR and pop stations. Jim Lloyd of wip(AM) Philadelphia cites the "mass appeal" of the record. He also says it's the best the Osmonds have done singly or collectively. MGM is also impressed; it won't say when, but admits there are definite plans for a Donny-Marie album.

Besides wip, other top-40 outlets reported playing the new Osmonds: WMAK(AM) Nashville; WBBQ(AM) Augusta, Ga.; KLIF(AM) Dallas; KSYO(AM) Fresno, Calif.; and KSOF(AM) Salt Lake City.

Sugar Baby Love—The Rubettes (Polydor) * Marie and Donny Osmond redid an early sixties classic; the Rubettes have created a completely new early sixties single, replete with bop-shoo-wah-di vocals.

The Rubettes didn't even exist as a formal group before this record. Although the name conjures up a black female group, these are four white singers and musicians: Paul da Vinca and Alan Williamson on vocals, Tony Thorpe on lead guitar, Mick Clarke on bass, John Richardson on drums and Bill Herd and Peter Arnisson on keyboards.

Several stations are high on this record, especially WRKO(AM) Boston, where it was charted at 25 last week and headed higher. At WORC(AM) Worcester, Mass., music director Dick Smith says the single's uptempo sound is perfect for summer, with a mid- to upper-teens audience. Tom Vance, music director at KXOL(AM) Fort Worth, reports many requests for the 16-year-olds and younger.

Other stations reported on Sugar Baby Love last week included WXYX(AM) Cleveland and KLWW(AM) Cedar Rapids, Iowa.

Walk On—Neil Young (Reprise) * Canadian border station CKLW(AM) Windsor, Ont. (Detroit), has designated this Canadian native's newest single as "hit bound." Walk On may be just that, for new Neil Young product has been eagerly awaited since his last top-40 hit, Heart of Gold, over two years ago.

Walk On is off his new album, On the Beach, due to be released at the end of this week. Young wrote and co-produced this single—in his characteristic under-produced fashion. It is typical Young in its introspective lyrics, atypical in its rhythm-and-blues based music.

It may be that R&B flavor that helped Walk On onto CKLW, and among other stations reported last week, KLIF(AM) Dallas, KON(AM) Omaha and WTX(AM) New Orleans.

Extras. The following new releases, listed alphabetically by title, are making a mark in Broadcasting's "Playlist" reporting below the first 75:

- AIR DISASTER, Albert Hammond (Mums).
- BEACH BABY, First Class (U.K.).
- CAPTAIN HOWDY, Simon Stokes (Casa-blanca).
- DANCE PARTY MUSIC, Carl James & Jackie Irvin (GRC).
- GET OUT OF DENVER, Bob Seger (Reprise).
- IT COULD HAVE BEEN ME, Sami Jo (MGM South).
- OLD HOME, FILLER-UP keep on a 'trucking' cafe, C. W. McCall (MGM).
- REBEL REBEL, David Bowie (RCA).
- ROOM FULL OF ROSES, Mickey Gilley (Playboy).
- SHININ' ON, Grand Funk (Capitol).
- SICK CITY, Elton John (MCA).
- SILLY MILLY, Blue Swede (EMI).
- SONG FOR ANNA, Herb Ohta (A&M).
- SWEET HOME ALABAMA, Lynard Skynyr (MCA).
- THAT SONG IS DRIVING ME CRAZY, Tom T. Hall (Mercy).";
- WAKE UP AND LOVE ME, April (A&M).
- WHAT'S YOUR NAME, Andy and David Williams (Barnaby).
- WHEN I NEED YOU MOST OF ALL, Tommy Leonetti (Epic).
- WHEN THE MORNING COMES, Hoyt Axton (A&M).

Tracking the 'Playlist.' This week's chart is fairly active with 12 dolted singles. Among them are Elton John's Don't Let the Sun Go Down On Me (15), which continues a relentless climb to top-10 status; Blue Magic's Sideshow (21), another rapid climber; Paper Lace's The Night Chicago Died (28); Andy Kim's Rock Me Gently (37), making a strong mid-chart jump; the Commodores' Machine Gun (40), Johnnie Bristol's Hang on in There, Baby (43), the Impressions' Finally Got Myself Together (48), and Jim Stafford's Wildwood Weed (56), moving up quickly from the bottom of the "Playlist." Coming on the chart, high enough to merit bolts are Three Dog Night's Sure As I'm Sitting Here (58), Lamont Dozier's Fish Ain't Bitin (59), Terry Jacks's If You Go Away (63) and Marie and Donny Osmond's remake of I'm Leaving It (All) Up To You (64), see "Breaking In," this page. Breaking top 10 is Steely Dan's Ricki Don't Lose That Number (nine); breaking top 40 are Chicago's Call on Me (31), Rock Me Gently, Rufus's Tell Me Something Good (38) and Machine Gun.

Music Briefs

Copyright revival. Senators Howard Baker (R-Tenn.) and Bill Brock (R-Tenn.) and Senator Jacob Javits (R-N.Y.) and Senator Jacob Javits (R-N.Y.) have introduced bill (S-3672) designed to protect copyright for sound recordings released after Jan. 1, 1975, when present legislation expires. Bill would make tape/recording piracy and counterfeiting a felony.

Regrouping. Internal reorganization has resulted in merging of two Warner Communication companies, Elektra-Asylum-Nonesuch Records and Atlantic Records. Ahmet Ertegun and David Geffen head new company as co-chairmen with Jerry Wexler as vice chairman. Headquarters for Atlantic-Elektra-Asylum will be 75 Rockefeller Plaza in New York; Mr. Geffen will retain his main offices in Los Angeles. Elektra brings to merger such artists as Carly Simon and Harry Chapin; Asylum has Bob Dylan, Joni Mitchell and Eagles; Atlantic has Eric Clapton, Aretha Franklin, Robert Flack and Bee Gees.

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Week's worth of earnings reports from stocks on Broadcasting's index

### CURRENT AND CHANGE

<table>
<thead>
<tr>
<th>Company</th>
<th>Period/Ended</th>
<th>Revenues</th>
<th>Change</th>
<th>Net Income</th>
<th>Change</th>
<th>Per Share</th>
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<tr>
<td>Avco</td>
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<td>845,226</td>
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<td>A. C. Nielsen Co.</td>
<td>9 mo 5/31</td>
<td>123,612,221</td>
<td>+ 13.3%</td>
<td>8,005,329</td>
<td>— 8.9%</td>
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<td>Rust Craft</td>
<td>3 mo 5/31</td>
<td>18,371,000</td>
<td>+ 7.1%</td>
<td>320,000</td>
<td>— 35.1%</td>
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<tr>
<td>San Juan Racing</td>
<td>yr 4/30</td>
<td>22,164,000</td>
<td>+ 23.5%</td>
<td>3,140,340</td>
<td>+ 36.7%</td>
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### YEAR EARLIER

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<td>San Juan Racing</td>
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1 Includes extraordinary credit of $2,702,000 from tax benefits.
2 Includes extraordinary charge of $41 million from write-off investments and costs applied to Cartridge Television Inc.

### Broadcasts' index of 137 stocks allied with electronic media

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<th>Exch.</th>
<th>Closing June 28</th>
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<th>P/E ratio</th>
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<td>25 1/8</td>
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**TOTAL** | 80 024 | 1 894 645 |

### Broadcasting with other major interests

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Broadcasting Jul 8 1974 38
Management changes at Taft Broadcasting Co. continue with appointment of Robert C. Wiegand, VP-general manager, to succeed R. Grignon, named VP-general manager, Taft’s WDAF-TV Kansas City (Broadcasting, July 1). Mr. Wiegand will continue to oversee WTAF-TV operations until successor is named. Nick Bolton, VP and general manager, WDAF-TV named VP and general manager, WGBK-TV Birmingham, Ala. He replaces Robert Schinkert, who is on leave of absence for health reasons. Willard Lochridge, general manager of WRRF(FM) Detroit, appointed VP and general manager, WPLO(FM) New York, replacing Louis Severine, named director of American FM Network sales for ABC Radio (Broadcasting, July 1).

Larry Stockline, agribusiness director, KPRM(FM) - KCT(FM) Wichita, Kan., named general manager.

James M. Robinson, general sales manager, WIZE-FM Cincinnati, named general manager.

Terry Edger, automation consultant, Gates Radio, division of Harris-Intertype, Quincy, Ill., named president and general manager, WWOY(AM) Charlevoix, Mich., station scheduled to begin broadcasting this month.


Douglas F. Bodwell, formerly with American Council on Education, joins Corporation for Public Broadcasting, Washington, as director of educational activities.

Carl Hallberg, VP-general manager, WBOB(AM) Orlando, Fla., elected president of Florida Association of Broadcasters. Also elected: Robert Olson, WVTY(TV) Tampa-St. Petersburg, president-elect; Duane McConnell, WVFM (FM) Lakeland, secretary-treasurer; Doug Duperrault, program director, WPFL-AM-FM Tampa, VP for television, and Kenneth F. Small, general manager, WRUP-AM-FM Gainesville, named executive VP in honor of his 12 years as executive director.

George Allen, president and general manager, KLGA(AM) Algona, Iowa, elected president of Iowa Broadcasters Association. Also elected: Robert Harter, executive VP and general manager, WOAM(AM) Des Moines, VP; Forrest Mitchell, president and general manager, KGRN(AM) Grinnell, treasurer.

David J. Shurtleff, VP and general manager, WSTR-TV-AM-FM Syracuse, N.Y., named assistant to the president, parent...
Ruth Letowsky, director of publicity and public relations, WXIA-TV Atlanta, resigns to serve station on consulting basis.

Broadcast Advertising

Peter J. Spengler, director of public relations and advertising services, Bristol-Myers Co., New York, elected VP with responsibility for programing, media purchase and planning and corporate market research.

Richard T. Harris, formerly director of sales, KOA-TV Denver, Colo., named manager of marketing, KOA-TV. David Walstrom, manager-sales, KOA-TV, named manager of marketing, KOA(AM)-KOAA(AM) Denver.

John J. Riedl, account executive, ABC-TV Spot Sales, New York, named national sales manager, ABC-owned KABC-TV Los Angeles. Michael B. Berman, manager, ABC-TV Spot Sales, Detroit, named national sales manager, WXYZ-TV Detroit.

Gerald P. Noonan, national sales manager, KCmo-TV Kansas City, Mo., named general sales manager.

Tom Flanagan, national sales manager, KYTV(TV) Springfield, Mo., named general sales manager.

H. Dean Hinson, VP-accounts, Dennyberg Advertising, Washington, joins WRDW-TV Augusta, Ga., as general sales manager.

Bruce G. Normandin, general manager, KWWL(AM) Waterloo, Iowa, named general sales manager, KCFI(AM) Cedar Falls, Iowa.

Roger F. Stockton, local sales manager, WSJS(AM) Winston-Salem, N.C., named sales manager.

Ronald M. Gilbert, formerly with WHN(AM) New York, joins WICC(AM) Bridgeport, Conn., in newly created post of general sales manager.

Lake Si. Praytor, with Fort Collins (Colo.) Coloradoan, joins KEK(AM) Portland, Ore., as national sales coordinator/merchandising director.


Kenmore Emerson, account supervisor, Cunningham & Walsh Inc., New York, elected VP.

Robert L. Faust and Robin A. K. Smith Jr., account supervisors, D'Arcy-MacManus & Masius, St. Louis, elected VPs.

Joseph Gerard, treasurer of SFM Media Services Corp., New York, media buying-planning service, named VP.


Eldon Campbell, VP-general manager of WFBM-TV (now WRTV-TV) Indianapolis from 1957 to 1972, and more recently director of economic development and acting director, Indiana State Department of Commerce, joins Hook Drugs Inc., Indianapolis, as VP, director of advertising.

O. J. Reiss, manager, retail sales and development, WUAAB(TV) Cleveland, named director, creative retail sales and development, KTVU(TV) San Francisco.

Murray Klein, senior VP of Smith-Greenland Inc., New York, named director of creative services, replacing co-creative directors Faith Popcorn and Stuart Pittman, who have resigned to do free-lance creative consulting.

John Cramer, manager, sports sales administration, NBC-TV New York, appointed to newly created position of manager, regional sales administration.

Robert L. Levenstein, assistant sales manager, Katz Television's continental team, New York, named sales manager. He replaces Mike Raounas, who has been named sales manager of Katz Television's national team.

David E. Hoxeng, network sports program production, named account executive, Blair Television market division, New York.

Michael Klepper elected VP, Marge Warder promoted to associate director, radio/television department, Burson-Marsteller Inc., New York.

Gerald Troxell, formerly with WBBT-TV Richmond, Va., named manager of new Richmond office of Kal, Merrick & Salan, Washington.

Programing

Phil Mayer, president, Mayer Co., Los Angeles-based production, packaging and consulting firm, named program manager of NBC-owned KNBC(TV) Los Angeles. Mayer Co. remains in consulting field.

Rene Schlesinger, assistant program director, KCOF(TV) Los Angeles, named program director.

Paul T. Berry, program operations manager, WYEP-TV Saginaw, Mich., named program director, WBBJ-TV Columbus, Ga.

Denis Burke, producer/director, KIRO-TV Seattle, named production manager.

Stephanie B. Gray, production and film supervisor, KPIX(TV) San Francisco, named executive producer. She succeeds Alan Frank, who has been promoted to program director of WBZ-TV Boston, another Group W station.

Lynne Forbes, associate producer, Paramount Television, Los Angeles, named executive, children's programing, same company.

Emory F. Greene, assistant supervisor of Public Broadcasting Service technical operations, appointed manager.

Lorna Adolph, operations clerk, WBAL-TV Baltimore, and Brent Guts Jr., operations director, WBAL-TV, named producer-directors. Mr. Guts is son of former VP-general manager Brent O. Guts, who retired in January.

Richard B. Ettinger, assistant promotion manager, KDKA-TV Pittsburgh, named producer-director, WTVF-TV Nashville.

Milton Clipper, director of news graphics, WTOF-TV Washington, named art director, WJXT(TV) Jacksonville, Fla.

William D. Brackett, operations and program manager of WRAU-TV Peoria, Ill., appointed to newly created position of VP and managing director, Olympic Broadcasting Service, subsidiary of Olympic Savings & Loan Association. OBS is TV rights holder to road games of Chicago Bulls (basketball), Chicago Cougars (hockey) and is involved in other TV production work.

Eric Riback, public relations manager, noncommercial WNYU-FM New York, named program director.

Broadcast Journalism

Elden A. Hale Jr., senior news producer, WKCT-TV Miami, named news director, WNEP-TV Scranton-Wilkies Barre, Pa.

John Butte, news producer and anchorwoman, WLOS-TV Asheville, N.C., named news director.

Paul R. Jeschke, news producer, KPIX(TV) San Francisco, named assistant news director. Jenny Crimm, reporter-anchorwoman, WLS-TV Chicago, joins KPIX as action line reporter.

Pete Greer, chief news photographer, WBAL-TV Baltimore, named unit manager of news department. Jennifer Siebens, associate at Columbia School of Journalism, joins WBAL-TV as weekend news producer.

Robert E. Page, VP and general manager for Asia, UPI, Hong Kong, named superintendent of bureau operations, UPI, New York. Frank W. Beatty, manager of UPI's Pennsylvania and West Virginia regional unit, Pittsburgh, succeeds Mr. Page in Hong Kong.

Carole Simpson, general assignment reporter, NBC-owned WMAQ-TV Chicago, joins NBA News, Chicago, as correspondent.

Ron Jackson, reporter, WXLTV Saratoga, Fla., named sports director. He succeeds Andrea Kirby, who joins WJZ-TV Baltimore as weekend sportscaster.

Jack Gates, reporter, WKR-C TV Cincinnati, named KPHO-TV Phoenix, Ariz., as reporter-photographer. Duane Brady, executive director of communications, Good Samaritan Health Services, Phoenix, named anchorman, KPHO-TV.

Equipment & Engineering

Kenneth V. Spitzer, VP Ampex Electronic Corp. and general manager, electro-optic and active device divisions, elected president, Philips Broadcast Equipment Corp., Montvale, N.J.


Cable

Robert J. Miron, operations manager, Newchannels cable systems in New York and Alabama, appointed executive VP of Newchannels and Eastern Microwave Co., both Newhouse Broadcasting Corp. companies. Albert J. Eichholzer, chief engineer of Newhouse's WSYR-TV Syracuse, N.Y., and general manager, Eastern Microwave, elected first VP, Eastern Microwave. Joel Welsh, VP-general manager, Newchannels, elected first VP.

Robert B. Classen, director of student services, Bowling Green (Ohio) State University, named manager, Continental Cablevision of Ohio, Findlay.

John S. Moore, customer service representative, Superior Cable Division of Superior Continental Corp., Hickory, N.C., named supervisor of customer service.

James O. Robbins, general manager, Monachussett Cable Televison, named manager, Continental Cablevision of Ohio's Wayne Township system.

S. M. (Sill) Aston, general manager, Greater Lafayette TV Cable Co., retired July 1 after 40 years in broadcasting and cable.

Allied Fields

Marvin J. Rothenberg, director of marketing services, Westinghouse Broadcasting Co., elected to national board of directors, American Marketing Association.

As compiled by Broadcasting, June 24 through July 1 and based on filings, authorizations and other FCC actions.

Abbreviations: Alt.—altitude; ann.—announced; ant.—antenna; aux.—auxiliary; CARS—community antenna relay station; CH—critical hours; CP—construction permit; D.—day; DA—di rectional antenna; ERP—effective radiated power; HAAT—height of antenna above average terrain; kwt—kilotoneter; kw—kilowatts; LS—local sunset; MEOV—maximum expected operation value; mbe—megahertz; mod.—modifications; N.—night; PSA—preservice service authority; SCA—subcommunity communications authorization; SHA—specified hours; SPA—special service authorization; STA—special temporary authorization; T—transmitter power output; U—unlimited hours; vis.—visual; w—watts; *—noncommercial.

New TV stations

Final action

*Washington—Howard University. FCC granted UHF ch. 32 (578-588 mhz); ERP 784 kw vis., 155.2 kw aur. HAAT 771 ft.; ant. height above ground 805 ft. P.O address 2600 4th Street N.W., Washington 20001. Estimated construction cost $597,000; first-year operating cost $400,000; revenue none. Geographic coordinates 38° 37' 49" north lat; 77° 06' 15" west long. Type trans; RCA TFU-600; Type ant. RCA TGU-301. Legal counsel Arnold and Porter, Washington; consulting engineer Cohen and Dippell, Washington. Principals: James E. Cheek is president of Howard University. Subject to condition that ant. structure be modified (BPET-488). Action June 25.

Action on motion

*Administrative Law Judge Forest McClenning in Anahiem, Calif. (Orange County Broadcasting Co., et al.), TV proceeding, granted petition by Voice of Orange Empire and dismissed its application with prejudice (Dctled. 1924-5, 1830). Action June 12.

Existing TV stations

Final actions

*WTCN-TV Minneapolis, Minn.—Broadcast Bureau granted motion of license covering change in studio location to 461 Boone Avenue North, Golden Valley, Minn. by removal of control from studio location (BRCT-194). Action June 14.


*KSTW (TV) Tacoma, Wash.—Broadcast Bureau granted tax certificate. Action June 18.

Initial decision

*KORK-TV Las Vegas—Denial of applications by Western Communications for renewal of license for KORK-TV, and by Las Vegas Valley Broadcasting Co. for CP for new TV in Las Vegas, has been proposed in initial decision by Administrative Law Judge Chester F. Naumovich. Judge Naumovich concluded that neither Western nor Valley had demonstrated that they possessed all basic qualifications necessary for grant (Dctled. 1919, 1958). Ann. June 25.

Actions on motions

*Administrative Law Judge Thomas B. Fitzpatrick in Miami (Post-Newsweek Stations, Florida (WPLG-TV and Traffic Flow Broadcasting Co.), TV proceeding, granted motion by WPLG-TV to file oppositions and denied motion by Tropical Florida to amend its application to show resignation of Sanford K. Bronstein as director of Tropical Florida, and substitution of G. Morton Good as stockholder (10.81%) and director (Dctled. 2000-9). Action June 21.

*Administrative Law Judge James F. Tierney in New York (WPIX Inc. WPIX) and Forum Communications), TV proceeding, granted motion by WPIX to amend its application to reflect its current ownership information concerning parent organizations (Dctled. 1871-2). Action June 12.

Other actions

*Jacksonville, Fla.—Amendments to application of St. Johns Television Co. for authority to operate on ch. 32. Jacksonville, in renewal proceeding of Post-Newsweek station WJXT, currently operating
New AM stations

Start authorized
- KPAL Pineville, La.—Authorized program operation on 1370 kHz, 500 w. Action June 13.

Final action
- Milledgeville, Ga.—Opposes Broadcasting Corp. Bureau grant of licenses to Milledgeville Municipal Communications to add issues relating to news broadcasting practices, as well as suburban (ascertainment of community needs), and comparative efforts of RKO General, applicant for renewal of its license for WQR-TV New York (Dockets. 1999-2). Action June 20.

New FM stations

Applications
- Brawley, Calif.—Campejon Idols (nonstock). Bldg. address: Box 203, Brawley 92227. Estimated construction cost $157,203; revenue $359,067. Principal: Adalberto Ramirez, executive director of applicant, chanoico farmwork- ers organization.

Other action

Call letter actions
- KTHS Inc., Berryville, Ark.—Granted KAAM.
- Genesis Broadcasting Corp., Geneseo, Ill.—Granted WVJJ.
- Radio Station WJRH, Brandon, Miss.—Granted WRJH.
- Arkansas College, Saratoga Springs, N.Y.—Granted WBBF-FM.

Existing FM stations

Starts authorized
- Following stations were authorized program operating authority for changed facilities on date shown:

Final actions
- WYCA Hammond, Ind.—Broadcast Bureau granted CP to change antenna. Action June 20.
- WIGS Houghton Lake, Mich.—Broadcast Bureau granted CP to change station location to Maple Valley Farm, Maple Valley, Mich.; operate by reno- wned radio engineer and retired min. for radio remote operation. Action June 19.
- WLUR Lexington, Va.—Broadcast Bureau granted CP to install new trans.; install new ant.; ERP 75 kw; ant. height 120 ft.; remote control permitted (BPED-1795). Action June 18.
- KYND Pasadena, Tex.—Broadcast Bureau granted CP to install new aux. trans. at main trans. loca- tion to be operated on 92.5 mhz; ERP 5 kw; ant. height 800 ft.; remote control permitted. Action June 13.

Rulemaking action

Call letter applications
- WWTO Peoria, Ill.—Seeks WWCT.
- KNLT Truckee, Calif.—Seeks KSML.
- KUKI-FM Ulaah, Calif.—Seeks KTUU.

Call letter actions
- WAFM Angola, Ind.—Granted WLKI.
- KGHH Houston—Granted KEYH.

Renewal of licenses, all stations

- San Francisco, Calif.—FCC granted renewal of license for stations KNBR(AM)-FM San Francisco, subject to conditions similar to conditions which result from Justice Department filed civil antitrust suit against network (BR-42, BB-43). Peti- tion for reconsideration of Bureau's decision to grant licenses to new owners and to deny license renewal petition for an additional station in its interest to prosecute its application and to file a departmental petition, was denied for failure to raise any sub- stantial or material issues warranting hearing. Action June 26.
- Topkaza, Kan.—FCC denied petitions of Cor- poration for Public Broadcasting Committee of Topkaza, to deny renewal applications for Topkaza stations KTOZ-FM, KTOZ-AM, WREX and WIBB-AM-FM-TV. Action June 19.
Modification of CP's, all stations

Broadcast Bureau granted following CP modifications;

• WWCFM(RC) Rockton, Ill.—Install new ant.; ant. height 300 ft. (BP-6076). Action June 19.

• WWFM(TV) Terre Haute, Ind.—Change transmission line (BMPH-1439). Action June 19.

• K66AFM Imlay, Nev.—Extend completion date for UHF TV translator, station to Dec. 20, 1974 (BMPPT-777). Action June 20.


• WMMW-FM Scammon, Pa.—Extend completion date to July 1 (BMPD-1277). Action June 19.

• WJIT San Juan, P.R.—Extend completion date to June 30 (BMP-13,904). Action June 19.


• WKKC(FM) Shell Lake, Wis.—Extend completion date to Dec. 29 (BMPH-1432). Action June 19.

Translators

Applications


• K66AFM Imlay, Nev.—Seeks to change trans. location to Toulon Peak, near Lovelock, Nev. Action June 24.

• W71A Stanford, N.Y.—Seeks to change trans. location to Toulon Peak, near Lovelock, Nev. (CH-114). Action June 24.

• Southern Huntingdon County School District, Johnstown, Pa.—Seeks ch. 9, rebroadcasting WJAI-TV Salt Lake City, ch. 3, rebroadcasting KUTV Salt Lake City, ch. 11, rebroadcasting KTVK-TV Salt Lake City. (CH-24). Action June 24.

Final actions

• K13MT Woody Creek and Pitkin county rural area, Colo.—Broadcast Bureau granted CP to change broadcast translator, on ch. 13, rebroadcasting KOA-TV Denver (BPTV-4904). Action June 10.

• KGOL-WM Martinsdale and Lennep, Mont.—Broadcast Bureau granted CP for new VHF translator on ch. 22, rebroadcasting KYTV Billings, Mont. (BPTV-4911). Action June 10.

• K10ET, change to KDKLX, Petan Ranches, Nev.—Broadcast Bureau granted CP to change frequency from ch. 10 to ch. 9, granted K12EJ, changed to K12MJ, Petan Ranches, CP to change frequency from ch. 12 to ch. 9, granted K12ET, principal community to YP Ranches, Nev.; change type, granted K20EL, increase output power (BPTV-4981). Action June 12.


Other actions, all services

• FCC granted requests by CBS for waiver of prime time access rule to present NFL pre-game show, Friday, Aug. 30 at 9 p.m. EDT, and possible delayed broadcast of Miami Dolphins game, Tuesday, Aug. 21, plus other network programming same evenings. Action June 27.

Application

• KSCHB-AM (Houston) (conclusion to June 17 item)—Considering: $31.1 million plus option to buy real estate for $150,000 (not $460,000). Action June 27.

Ownership changes

Applications

• KSCLV-AM (Show Low, Ariz.—($1450 kwh, 1 kw, 250 w-N): Seeks assignment of license from Robert T. dennier to KBW-AM, (BPTV-13,813), 100%. Mr. Zellner is selling because of poor health; he has CATV interests. Buyers: Hugh J. Zellner (5% each) or at Mr. Williams is an announcer, at KVIS, is a former chief engineer, at PM. Mr. Kuehn is announcer, at WSBA FM York, Pa. Action June 19.


• WFTN-AM (Franklin, N.H. (1240 kwh, 250 w): Seeks assignment of license from WFTN Inc. to Northern Communications Corp. for $100,000. Sellers: Ronald E. and Dorothy H. Porter. Buyers: Jeffrey E. Fisher, Richard D. Watson et al. Mr. Fisher is business news director at WAVL-AM (Cleveland) which has interest in WQRT-FM Barnstable and is production engi- neer at WEEI (AM) Boston, both Mass. Action June 26.

• WITC-AM (Warren, Ohio) (1750 kwh, 500 w): Seeks reassignment of control of Warren Broadcasting Corp. from John A. Baigler (50% before, none after) to Lennep-WLNN (amended) for $38,000. Mr. Baigler has been in- dividually of Warren. Action June 26.


• WGCAM (Chattanooga, Tenn. (1190 kwh, 10 w): Seeks new assignment of license to RCI Broadcasting Inc. to Mull Broadcasting Corp. for $50,000. Buyers: Eugene B. Neale and Elizabeth Mull (50%) each. Action June 26.

Actions

• KXOW-AM-FM Hot Springs, Ark. (AM-1420 kwh, 5 kw; FM-106.3 mhz, 310 w): Seeks assign- ment of license to Christian Broadcasting Corp. to Noalmark Broadcasting Corp. for $275,000 plus $5,000,000 to appeal decision. 6-9-74. (BALH-132). Action June 26.

• KB9U Stockton: KNTV, KGSC-TV, *KTEH San Jose; KFTY Santa Rosa; KCSM-TX San Mateo; KNOX Modesto; KCOY, KQED, KEMO TV, *KQED-KOY San Francisco; KCBF, KCBX, *KQED and KBBK-AM San Francisco; KCV-AM, CA-1901 Central California Educational Television (K Vie), City of Fairfield, Calif.; Fairfield-Suisun Unified School District; and Storer Cable TV, operator of cable system at Fairfield, were denied. Action June 19.

• FCC adopted first Illinois Cable TV waiver of the leapfrogging rules to allow First Illinois Cable TV Inc. program in Chicago on its five cable systems, conditioned on the sys- tems' refraining from deleting news and public affairs programs offered by WGN-TV. Action June 25.

• Sutherland, Or.—FCC denied application of Clear Vision TV, operated at Suther- linn, for certificate of compliance and petition for special relief, seeking authorization to carry KYGO- TV Salem, Ore. (CAC-2892). Action June 25.


• Other action

Please send

Broadcasting

The weekly newspaper of broadcasting and allied arts

Name

Position

Company

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Home Address

City State Zip

BROADCASTING, 1735 DeSales Street, N.W., Washington, D.C. 20036

SUBSCRIBER SERVICE

Please allow two weeks for processing; mailing labels are addressed one or two issues in advance. 

Address change: Print new address above and attach label from a recent issue or print old address including zip code. Please allow two weeks for processing; mailing labels are addressed one or two issues in advance.
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659-3707  
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5210 Avenue F.  
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**E. Harold Munn, Jr., & Associates, Inc.**  
Broadcast Engineering Consultants  
Box 230  
Coldwater, Michigan 49036  
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**DAWKINS ESPY**  
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(213) 272-3344

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**Oscar Leon Cuellar**  
Consulting Engineer  
1563 South Hudson  
(303) 756-8456  
DENVER, Colorado 80222  
Member AFCCE
Help Wanted Management

Ownership!! We have 2 suburban N.E. stations. Want to find an "on-the-street selling" manager for our new station. Will give help without any cash investment. Write Box G-20, BROADCASTING.

Part ownership available in good Oklahoma small market. Excellent working conditions. Family individual with small market experience. $7,000.00 cash required. Send resume to Box G-199, BROADCASTING.

Young hard worker for Manager or Assistant position. Must have sales and program experience. Philip Spencer, WCBS Amsterdam, NY.

Program/operations manager. Requirements—experienced professional for long established MOR in top 100 market. Must have several years of music, production, and program personnel. Send resume to Tom Greer, Manager, WNSD AM/FM, Peoria, IL 61602.

Help Wanted Sales


Salesperson-FM Group needs sharp, experienced salesperson for Northeast major market rocker. Must be ready to earn $25-30K plus, with "show me" track record. Outstanding management potential. Equal Opportunity Employer. Box G-88, BROADCASTING.

Wanted mature heavyweight salesperson who will stay and grow with one of our small market automated radio stations. If you are the right kind of person you can work for "the agency" on the air. Gene Newman KPXE Radio, Liberty, UT 77575 or WHRT Radio, Harrisville, NE 68734.

Salesperson with one or more years experience in radio sales who wants to bring up family in beautiful vacation country where there are no big city problems. Ideal for salesperson who wants to step up to slightly larger market or to get away from big city. Contact Charlie Persons, KVRR, Brainerd, MN 56401.


Looking for aggressive, sales oriented radio people to join our two stations. Accnt on sales, announcing, ability to help us do the best possible job, including references to Gene Newman, c/o WHRT Radio, Longhorn 8, TX 78640.

FM salesperson-manager, WJTN (Western New York) will have opening August 1st for salesperson for FM Stereo operation WSEW. Salary-comm. approx. $10,000.00 currently. Growing. One to two years radio sales experience, management potential essential. Williams, WJTN, Box 1139, Jamestown, NY 14701.

Experienced small market salesperson. If you can sell you will do well with us. We offer base, plus percentage plus excellent working conditions. Good facility with the tools to help you succeed. Contact William Shaw, Manager, WMXG, Oshkosh, WI.

Salesperson, picturesque Virginia suburbs to D.C., under-serviced nation's largest bons, AM top 40 station serving over 50 towns. Owned by chain operator. Salvar open. Phone collect 437-6690 or write WOHN, P.O. Box 666, Herndon, VA 22070.


Help Wanted Announcers


P.D. board shift morning or afternoon drive: must know music; experience EOE: New England Coastal. Send resume to Box G-55, BROADCASTING.

Help Wanted Technical

Technical help wanted. Radio coordinator for office of telecommunications in major metropolitan center. General working knowledge of local government two-way radio systems is desired and technical background in broadcast radio and television preferred. Send resume with references to Box F-134, BROADCASTING.

Wanted: Engineer first ticket: Must have computer background & news composing experience. Excellent salary plus com. Send complete information first letter. All replies answered. Box G-85, BROADCASTING.

Help Wanted Programing. Productions

P.D. open Sundays 2:00-7:00 P.M.: must have prior experience EOE: No exceptions. Send resume to Box G-70, BROADCASTING.

Wanted: P.D. for NC, C.B. Only experienced need apply. Responsible for announcing staff and production, latest timely and production aids. Prefer radio operation who's currently licensed. Starting salary $7940.00. Send resume to Box G-70, BROADCASTING.

Wanted: Program Director who likes challenges. We're a young, ambitious New England AM/FM in a attractive small/midsize market, determined to be both local market "No. 1" and going places. Submit a creative, experienced PD-personality who can put together an exciting new format. Box G-110, BROADCASTING.

Help Wanted Technical

Chief Engineer, New Jersey AM/FM. Strong transmitter and studio maintenance skills and ability Salary $15,000 depending on experience. Box G-98, BROADCASTING.

Opening immediately for experienced young Chief Engineer for AM/FM. Excellent P.O. Knowledge, FCC, General Sales, and Aircheck. Excellent opportunity for young man. Box 356, Wellington, FL 33411.

Looking for experienced Chief Engineer. We just bought a station and we are going to re-do it from mic to transmitter. We need a hard-working chief to help us through and live with it for a long secure future. The need is now, are you up to it? Call Gary Kneisley, group operations 216-352-3155.

Help Wanted News

I want a Broadcast Journalist for my News Department who knows how to do an authoritative sound and wants to be the News Director. Must have administrative ability, 50,000 watt station, metropolitan market, South. An equal opportunity employer. Send resume to Box G-77, BROADCASTING.


We're looking for an intelligent, ambitious, creative, but inexperienced reporter for New England AM/FM that does news right. Management, owners are national award winning newcomers satisfied only by the best. Box G-111, BROADCASTING.

Wanted: Experienced newswoman to move up to News Director, Iowa and adjacent states. Write for Bob Miller, Operations Manager, KSS & KSMN, P.O. Box 1466, Mason City, IA 50401.

KSD-Dickson has an opening for an experienced, dedicated newswoman. We're looking for an individual that knows news, gathering abilities, writing, reporting with a mature voice. We offer top salary and excellent fringe benefits. Resume and samples of recent photo to Perry John, KSD, Des Moines 50301.

News and Public Affairs Director for NPR-affiliated university station. BROADCASTING, BA in Broadcasting or Journalism, Professional experience. $5000 monthly. An equal opportunity employer. We encourage minority and women applicants. Resume and photo to Personnel Office, University of Montana, Missoula, MT 98910.

Half time news assistantship for public radio station. Send tape, writing samples, and resume to John chairman, Radio-TV Film, Oklahoma State University, Stillwater, OK 74074. Equal opportunity employer.

Newswoman—Take charge individual. Good salary. Talk, know potential, call 712-239-3100, ask for Rey or Bill.

Help Wanted Announcers Continued

Major Mid-Western Market M-O-R is in search of a creative disc jockey who can become involved in our city. We’re an equal opportunity employer. Please send resume to Box G-87, BROADCASTING.

Male & female DJ’s “Quiet” rock FM is staffing now. Send resume, photo to Box G-91, BROADCASTING.

Iowa’s outstanding stations of the year will hire outstanding MOR afternoon drive personality of the year for choice position. Heavy production ability is a must Iowa’s best opportunity. Send tape, resume, salary requirements to Jerry Larsen, Program Director KOTH Radio, Dubuque, IA 52001.

We need a good, experienced morning personality for solid midwest market. Should be mature with good commercial production. Good steering pay and plenty of opportunity. Contact General Manager, KOXK, Keokuk, IA. 52632.

Adult-FM MOR needs mature, good voice music personality who is also strong in news. Send audition with resume to George Taylor, WALE, Fall River, MA 2722.

Top-40 Jack needed for SKW AM/FM small market. Two years experience and编程. Must be a go getter. Send tape and resume to Dylan West, WKRC, Springfield, OH 45901.

College Broadcasters who need commercial experience: sales/announcer/news. Our staff stays one and then makes a major market move. The one you replace is in a major market. The one before him to Washington. We demand major market quality and pay we pay better than most, but it’s hard work in sales/news/airwork. We expect one and then we’ll hold the afternoons to make the big move, if you want. WKCM is an ABC net affiliate. “Clear Channel” station serving regionally western Kentucky and southern Indiana. Tape responses only to WKCM, New Albany, IN 47150.

Major market FM rocker seeking exciting, mature, big voice right lock. Rush tape and resume to P. D. WPLP, Baltimore, MD 21215.

Immediate opening 3rd phone, nights, easy listening FM, race and resume to WSPK, Box 1709, Poughkeepsie, NY 12601. E.O.E.

Jock needed pronto. Must be fast, tight and interested in working in a major market permanently. Send air samples and phone number to Gluck/AM, 1500 Canal St.—New Orleans, LA 70120. Minimum encouragement.

Presidential Black station seeks dependable, mature male/female staff of professionals. Send samples, and resumes. All phases of news, personality and production work. Quality of color experience and samples necessary length. Send non-returnable tape, resume and photocopy to Dick Edwards, Box 12764, Pensacola, FL 32575.

Experienced rock jock w/knowledge of music, promotion and production. Needed at flagship station of Midtown 21st Century Broadcasting in Anchorage, AK. Tape, etc., resume required. Salvar commensurate with experience. Must be stable. Write, Bob King PM, P.O. Box 1160, Anchorage, AK 99510. Please no calls.

Please Help Wanted Technical Continued

Technical help wanted. Radio coordinator for office of telecommunications in major metropolitan center. General working knowledge of local government two-way radio systems is desired and technical background in broadcast radio and television preferred. Send resume with references to Box F-134, BROADCASTING.

Wanted: Engineer first ticket: Must have computer background & news composing experience. Excellent salary plus com. Send complete information first letter. All replies answered. Box G-85, BROADCASTING.

Experienced chief announcer for leading Connecticut AM/FM. Excellent experience and references to Box G-99, BROADCASTING.

Classified Advertising

Effective August 1, 1974—New Classified Rates:
Situations Wanted—40¢ a word, 50¢ minimum. Send Washington Office with a $10.00 minimum. BROADCASTING Box Number—$2.00. Display: Situations Wanted—$22.00 an inch. 1 line $49-$495 an inch.
Immediate opening for an experienced Program Director in a market with a dominant medium market station. Board shift, production, planning. If you have a big voice, good head, great news, and have 50 or more years of experience in the media field, this is the perfect opportunity for you. Resume to Lyle Richardson, KUDE, 714-575-1320, Oceanside, CA.

Farming-Director—Eastern North Carolina's most powerful full-time radio station has an opening for a full-time farm director. This is a newly created position due to the important role that agriculture plays in the economy. Excellent salary, benefits, retirement, health insurance, and work environment. Resume to the General Manager, Jennings Blakley, WNTC, Greenville, NC 27834.

Program director for long established Michigan 5000 watt medium market MOR station. Send resume, tape, salary required to WPAG, Ann Arbor, MI.

Writer/producer or PD-type—we have a Midwest AM/FM operation in need of a writer/producer who can turn out exciting, creative commercial spots—and PD-type sales as good as they come. Excellent growing opportunity for person with proven track record and strong sales background. Rush tape, resume, salary requirements and phone number to Mel Bailey, Ray-Smith Radio, P.O. Box 22106, Portland, OR 97222.

Producer for 100 kw public FM. Duties include feature and news production. Requires BA plus two years experience. Prefer tape and first letter to personnel officer, G-1 Parker Hall, Univ. of MO, Rolla, MO 65401. UMR is an equal opportunity employer and encourages applications from women and minority groups.

Graduate Assistantship position available for person with broad broadcast production ability who is interested in working on master's degree. Equal Opportunity Employer. Contact: Department of Mass Communication, Central Missouri State University, Warrensburg, MO 64093.

Immediate opening for a Program Director in a medium market western radio station. Send resume to Chairman, Currie, WKNL, 200 W. Market St., Bowling Green, KY 42101.

Situations Wanted Management

Ambitious, driving, recent graduate, ready to put station on top. Sales/train for management. Relocate anywhere. Box G-2, BROADCASTING.

1974 graduate of Wharton School of Finance and Business, previous graduate of St. Lawrence University, Utica, New York. 37 years old. Wants to make career of radio. Has radio and sales experience. Salary negotiable. Will consider any area in medium or major market. Interested in sales and business management. Will appear for interview. Reply to: Box G-26, BROADCASTING.

18 years experience all phases radio now available—management-sales-news farm director. Wisconsin-Minnesota location preferred. For resume write Box 624, Haywood 14, S. Carolina.

Situations Wanted Sales

Not looking for "break." My combination of professional and real world work experience might be an asset to the promotion department of any medium market station. Box G-113, BROADCASTING.

Situations Wanted Announcers

DJ, tight board, good news and commercial delivery, can follow directions, willing to go anywhere. . . . NOW. Box A-134, BROADCASTING.

Need that break! Radio school, two college stations, automation, news, air personality. Top-fourth preferred! Box F-182, BROADCASTING.

Experienced radio personality desires weekend part-time within 150 miles of Cincinnati. Write Box F-194, BROADCASTING.

DJ, tight board, good news, commercials, looking for first break, willing to go anywhere, ready now. Box F-210, BROADCASTING.

23, married, dependable, 7 years experience MOR, Q, oldie,/'s. Production coordinator, currently top-50 market announcer. Will relocate. Box F-225, BROADCASTING.

South Florida. First phone MOR/Modern Country announcer—newsman, 29, three yrs. exp. Experience includes TV announcing, VTR and camera operation. Box G-25, BROADCASTING.

Announcer, music director seeks western U.S. (especially Northern California/Oregon) MOR station. Community or larger market, experienced in every aspect of on-air experience. All replies considered. Box G-66, BROADCASTING.

Situations Wanted Technical

Station Managers: Blow whistle on traffic (jams) Contact "Traffic Cops" to unravel traffic problems. Over 50 years experience. Excellent contact skills. First Rate BC teams work on consultant basis or provide full service. Media Services Unlimited, Inc., 1215 Cole, Suite 200, St. Louis, MO 63105.

Situations Wanted News

Aggressive reporting earned listener confidence for medium market station with TV affiliate. A Top-50 news position. I have the kind of experience to help you reach the next level. Look forward to hearing from you before they're too deep. College PBX and call the horses at the box. Box G-71, BROADCASTING.

Looking for position with station that wants young man interested in sports. Excellent experience in play by play, color analyst, commercials, and in studio. Send resume on request. Box G-78, BROADCASTING.

Percipient, experienced family man, college seeking position in aggressive, thorough news operation. Gathers, writes, report with integrity and top references. Major market in Midwest or East. Self starter but follow directions. Very good delivery. Box G-28, BROADCASTING.

A good woman is hard to find. 2 years major market newswoman, both air and outside reporting. Sharp, experienced, creative, young. Also have broadcast degree. Send resume and tape to Susan McKeen, 3400 Live Oak, Riverdale, IL 60413-2140.

Situations Wanted Programming, Production, Others

College graduate with thirteen years experience in announcing and managing. Desires program director or PD type with some open spots. Minimum requiree is Box G-15, BROADCASTING.

Program director with solid record all phases including widely diversified air experience in radio and television. Box G-41, BROADCASTING.

Producer director, young, bright, hard worker, 5 years' experience in radio, former college still hold first place Degree from Syracuse University in radio and TV with concentration in production. Must have salary open, will relocate. Box G-49, BROADCASTING.

FM rock PD. Involved in several number one stations. One of the leading program directors in the market. Has operated a station that teaches anywhere. Complete knowledge of FM radio, production, and advertising, with number one rating in top ten market. Send resume on request to: Box G-10, BROADCASTING.

Program Mgr./Operations: Medium market. Mature, reliable, new work, Proven w/contact formats. Salary open. If you are looking for a fresh start and a dynamic voice, respond Box G-86, BROADCASTING.

TELEVISION

Help Wanted Management

General manager, strong sales background for major southern VHF net affiliate. Excellent benefits, 45K to 50K. Send resume to Box G-38, BROADCASTING.

Help Wanted Management Continued

Centerfield for group broadcasting company with medium to major market TV stations. Prefer station business manager or assistant strong on accounting with TV. Must have excellent opportunity for innovative person interested in systems development. Send resume and salary requirements to Box G-89, BROADCASTING.

Experienced, innovative, aggressive communicator to serve as promotion manager. Send resume to Business Manager WJXT, P.O. Box 2520, Jacksonville, FL 32207.

Help Wanted Technical

Chief Engineer. Top 50 southeastern station. Good opportunity for experienced operating administrator. Salary $20,000 to $25,000. Submit resume to Box G-37, BROADCASTING.

TV engineer, Midwest UHF station expanding hours, looking for hard working 1st phones that want to grow with the company. Box G-107, BROADCASTING.

Help Wanted News

Railroad news director with a successful track record in direct community programming. Experience with com-mercials or large TV station required. Salary $10,000, plus benefits. Need resume, references and samples. Box G-53, BROADCASTING.

Producer/ director. Attractive position available in TV at the Pennsylvania State University. On assigned projects responsible for production and coordination of all phases of production, including performance on TV, camera, recording, and studio moderation. A Bachelor's degree or equivalent experience in news broadcasting is required. Box G-92, BROADCASTING.

Immediate opening for weather person, for medium market VHF, Midwest. Early evening and late weather. In contemporary format. Other production--programming duties. Salary open. Equal opportunity employer. Box G-97, BROADCASTING.

Television development director--Head fund-raising position for university public TV station. Minimum annual salary $15,000. Send resume, academic record transcript to Duane Tucker, WGBU-TV, Bowling Green, OH 43403, an equal opportunity employer.

Cinemagapher/Editor and Film Sound Engineer positions available at Midwest TV station. Send resume to Film and sound department. Equal opportunity employer.

Situations Wanted Management

General manager—Sales manager-program director group, etc., for large-medium market station or group. Thorough familiarity experienced industry person with all levels, including station ownership. Professional experience appreciable. Group is seeking a man to manage a network or local affiliate, programming, film, buying, production, production programming. Completed work experience. I have practical training 16 years old. I was 45. Past 20 years management responsibility have had several leaders into very profitable, prestigious winners. Accustomed to form. Strongly challenge oriented. Aggressive, quality competitor ready for new challenge, offers opportunity to be consumed. I can increase, substantially, your profits and prestige. Box G-114, BROADCASTING.

🚀 Broadcasting Jul 8 1974 47 🚀
Help Wanted Technical

CATV Chief Technician, willing and able to work long hours for good wages in nation's fastest growing country. Must have knowledge of system design, layout, maintenance and construction. Drafting and personnel responsibilities. Must have strong knowledge of head end gear and ability to perform FCC approved Phone license, or equivalent knowledge required. Contact Walter Watch, Vice President-Manager, South Florida Cable TV, Bonita Springs, FL 813-463-6145.

WANTED TO BUY EQUIPMENT

Religious broadcast facility desperately in need of 2 inch quad tape recorder--fully tax deductible gift preferred. Box G-84, BROADCASTING.

FOR SALE EQUIPMENT

50 KW-AM transmitter, WE407-A4, dismantled ready to move, ideal for spare parts, reasonable. Box G-96, BROADCASTING.

COMEDY

Djeevas: New, sure-fire comedy! 11,000 classified one-liners, $8.95, send check or money order, Orinol, 2786-B West Roberts, Fresno, CA 93705.

Contemporary Comedy! Sample issue $5. Library, 5804 Twining St., Los Angeles, CA 90026.

One liners! Joke! Topical humor exclusively for jocks. Sample issue $.01. 44-111, Box 15-11, Newington, N.H.

Political One-Liners. 40 Carson-type originals every ten days. 3 month trial $10. Jack Posner, 220 Madison Ave., New York, NY 10016.

MISSOURISOUS

Prizes! Prizes! Prizes! National brands for promotions, contests, program trade, $3.95 per thousand. For fantastic deal, write or phone: Television & Radio Features, Inc., 166 E. Superior St., Chicago, IL 60611, call collect 312-633-3340.

"Free Catalog..." everything for the dealmaker! Custom I.D.'s, Promos, Airchecks, Wild Tracks, Books, F.C.C. tests, Comedy, and more: Write: Command, Box 26348, San Francisco, CA 94126.

Biographies on hundreds of rock groups. Free samples. Write Rock Bio's Unlimited, Box 2967, Beloit, WI 53511.

Commentators and Newscasters, know your subject today! Economical voiceovers, world monopoly problems and international development are vital public interest issues. Get the information and wise service you need with professional knowledge and precise writing. Our services are tailored to your needs: Phone or write for information: System International, 1815 N. Fort Meyer Drive, Arlington, VA 22209.

Announcers, engineers: Increase your income, job benefits; information free, Scepter, 4812 Imperial Terrace, Leucadia, CA 92037.

Situations Wanted Technical

In Chicago, Omega Services has the best price for a first Class License. Day or evening, Guaranteed results! Omega Services, 333 East Ontario. 312-649-9225.

Job opportunities and announcer-deejay--1st class F.C.C. license training at Announcer Training Studios, 25W 43rd St., N.Y.C., licensed and W.A. benefits.

First Class FCC License: 5 weeks, Veterans approved. Day and Evening Classes, Ervin Institute (formerly Ekins Institute) 8010 Blue Ash Road, Cincinnati, OH 45236, Box 917, 513-781-7701.

No tention, res Vitimn, study--Command's "Tests and Answers" for FCC first class license.--plus--"Self-Study Ability Test" Proven! Moneyback guarantee. Command Productions, Box 26348, San Francisco 42126. (Since 1967)


FCC license the right way, through understanding, at a price you can afford. Home study, free brochure. G-11, 5540 Hollywood, Hollywood, CA 90028.

Need a 1st phone and practical training? The DM's intensive theory course will provide you with both. Add your income potential with your 1st phone and the capability to maintain station equipment. Don't write for Q&A courses. Our next class starts on July 29th 1974. For information call or write Don Martin School of Communication, 317 West Quay, Artesia, N.Y. 88621, 505-748-2757.

Enter America's most unique and practical broadcast announcer school. Three months training on two commercial radio stations! Three months actual experience that counts when you apply for your first job. Third radio telephone license with broadcast endorsement training. Placement assistance. Small classes! Broadcast College is approved by the New Mexico State Board of Educational Accreditation. Approved for Veterans. Classes year around: San Antonio, TX; Phoenix, AZ; Denver, CO; San Diego, CA; and now in New York City at the 1st. Entertainment Center! Can you afford not to? Write Dave Burton, Mgr., School of Broadcast Training, 317 West Quay, Artesia, N.M. 88621. 505-748-2757.


RADIO

MY BOSS IS ELATED

Since station went automated, I'm deserted cause I'm rejected. Five years last station—afternoon drive. San Diego, CA, 1st phone. Wish to relocate to Commercial West, Calif., Ore., Wash. M.O.R.—good music—C & W, Tape—Resume—References.

Box G-92, BROADCASTING

Situations Wanted Technical

I am 28, male, experienced and dependable, M/S in radio & TV/Audiovisual. Have done radio/TV engineering, radio announcing, interviews with celebrities, TV production, documentaries, slide/tape presentations, audio and video recordings of musical tape and general audiovisual work. 3rd Class ticket/ broadcast endorsement. Can I relocate? Could you use any of my talents? Box G-73, BROADCASTING
Situations Wanted Programing, Production, Others

Dear General Managers & Owners:
The most dynamic programming to come in radio, the past 5 years, is available for your market as on the air program director and assistant program director!
Currently super successful at major market rocker! Track record is second to none! Excellent references guaranteed! Top 30 market stations need only reply!
Ratings, sales increase information, tape, and complete resume available upon request.

Box G-24, BROADCASTING

TELEVISION
Help Wanted Technical

The Grass Valley Group needs a regional sales manager for the Chicago-midwest area. A strong technical background in broadcasting is essential. Please send resume and salary requirements to:

Robert E. Lynch
The Grass Valley Group, Inc.
P.O. Box 1114
Grass Valley, CA 95645

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TVAR's Steve Seymour: rapidly upwardly mobile

Steve Seymour gives every impression of being a young man in a hurry. He doesn't like to waste time. A couple of weeks ago, when he and his family were in the process of moving from Baltimore to New Canaan, Conn., one of his subsidiary concerns was what the daily commute to his New York office would be like. He hoped the trains would work out; he just couldn't see squandering a couple of hours a day driving back and forth when, on the train, he could spend them working or reading. But he also wanted to be sure of reaching his office at a decently early hour because, he explained, "I like to hold staff meetings at 8:30 or 9."

The trains have sufficed, at least thus far. Considering that their reputation for whimsical performance is well earned, however, they are sure to raise his frustration level from time to time by prolonging his working/reading opportunities beyond anything he had counted on. This appearance of impatience has been evident in other ways, too. When he was six weeks or so into the Westinghouse Broadcasting Co. training program, normally a 12- to 18-month undertaking, he is said to have told associates he felt ready to move on to a regular assignment. But that showed determination to match the impatience by remaining in the program after being assured, friends say, that although he might not need more time in training, Westinghouse needed a little more time to see what he could do best.

What he could do best, Westinghouse obviously decided, was sell. After training in special projects at the company's Television Advertising Representatives (the TV sales arm, which he now heads) and in programming, sales service and accounting at its KPIX(TV) San Francisco, he was sent to KDKA-TV Pittsburgh as an account executive.

What has happened since leaves no room for doubt that his sense of drive is well founded. One does not get promoted to seven important jobs at three of the country's major TV stations and a leading rep company, all in less than eight years, merely on the strength of being a good traveler.

But it should be emphasized, friends and associates say, that even being a good traveler had more to do with his progress, if it was any factor at all, than did his family connections. Steve Seymour is the son of Dan Seymour, chairman and chief executive officer of J. Walter Thompson Co., but there is no detectable evidence on either his side or Westinghouse's that the relationship has affected his career in any way. "Naturally I'm proud of my father and owe him a lot for creating the kind of atmosphere when I was growing up that stimulated my interest and growth," says Steve Seymour, "but my record is my own."

It's been a record of steady as well as swift progress that brought him to the presidency of TVAR two months ago at the age of 32. Westinghouse officials have a ready answer if anyone suggests that's pretty young for the job. As one put it, "So it's pretty young. The important question is how did he do in his last job? He was even younger then."

Mr. Seymour has his own explanation for his progress: "You're as good as the people around you. I'd rather have the best people around and have to beat them away from my door than have to open the door and shout for an idea."

He is moving into the TVAR presidency at a time when that organization is in transition back to representing only the Westinghouse-owned TV stations, having dropped the Post-Newsweek stations formerly on its list. In his opinion it is also a time of change in TV sales, with regional and local business having replaced national as television's biggest growth area, and he feels that a station-owned rep firm such as TVAR can play a role in regional/local sales that is essentially denied to conventionally structured independent reps. After all, he says, when stations and rep firms are all in the same company, the money "all goes into the same cash register."

Television itself, he feels, must respond to increasing pressures. "The demands on television today are much greater than they have ever been," he says. "The challenge that confronts us in the near future is not only to disseminate information to the public but to listen to the public, not only to entertain but to inform."

That two-way communication between television and the public is, in Mr. Seymour's opinion, critically important. He speaks with special satisfaction of a weekly series that WJZ-TV Baltimore had while he was general manager in which members of the station's news department answered questions from a studio audience about why news is handled in the way it is, as well as how it's handled, trying to impart a better understanding of what TV news is all about.

Mr. Seymour got into broadcasting by acquisition. He was working for the 7-Up Bottling Co. of Norwalk, Conn., when the franchise was bought by Westinghouse Broadcasting Co. and shortly thereafter accepted an invitation to join the company's broadcast training program. When he graduated from college, he says, he wanted eventually to go into business for himself, and had four fields staked out to explore with that objective in mind: The automobile business, soft drinks, real estate and broadcasting. He was able to write off the automotive urge from outside observations of that business, but, having earned his MBA degree, he wanted to see what real estate listing was and landed a job with the Norwalk 7-Up company by walking in off the street and applying for it. The job: driving a truck.

He sharpened his marketing skills in this fashion for close to a year, then went to Bayamon, Puerto Rico, to help the company build a new plant. It was shortly after his return to Norwalk that Westinghouse bought the franchise and diverted him to broadcasting. "But," he says, "I would have left the soft drink industry and tried broadcasting in any event."

"I still haven't tried real estate," he adds, thinking back to the four fields he originally planned to scout. Is he so thoroughly entrenched in broadcasting that he's given up on real estate? "I never give up on anything," he says, "but broadcasting has been very productive for me."
Editorials

So far so fair
For a while there, it seemed that every step toward First Amendment status for broadcasting was accompanied by two steps back. Not so of late. Indeed, in one week alone (Broadcasting, July 1) one could count three steps forward, and none to the rear.

First there was the landmark action of a unanimous Supreme Court in the Tornillo case, reaffirming that the First Amendment intended no right of reply in the printed press. Never mind that the court was silent on the broadcast media; had the court ruled otherwise for newspapers, it would have been a companion and perhaps even worse disaster for broadcasters. So count one for our side.

Then the FCC adopted a revised fairness doctrine report, rejecting its own precedent in the cigarette case and, of equal importance, holding that the concept of paid or free access to the media was no substitute for the fairness doctrine. Never mind that the FCC— as did Senator John O. Pastore (D-R.I.), in quizzing three FCC nominees that same week— reaffirmed faith in the validity of the doctrine itself, and with it the keeping of a governmental oar in the mainstream of communications. Count two.

And then, for good measure, came the appeals court decision upholding the FCC in Chevron F-310, and concluding that broadcasters had acted reasonably and in good faith in rejecting requests for counter commercials. Never mind that the court’s decision was made on the narrowest of grounds, and that it, too, did nothing to upset the doctrine’s efficacy. The effect of its decision, as of the FCC’s new policy statement, was to lessen the vulnerability of broadcasters to capricious application of bad law. Count three.

Still pending, of course, is that same court’s decision in the Pensions case, in which, this time, the FCC came down against the broadcasters (NBC), in holding that fairness obligations had not been satisfied. In this case, too, the most broadcasters can hope is to avoid disaster; even a favorable ruling will likely leave in place the root cause of it all.

But the portents are favorable, and this is a time for counting blessings. But lest it seem we are willing to settle for the birds in hand, it is also a time for stiffening resolve to go after those in the bush. The hard truth remains: You can’t have a First Amendment and a fairness doctrine, too.

The right to be wrong
It was perhaps coincidence that in the days immediately preceding Independence Day our attention was called twice to a radio program—a series of five-minute broadcasts sponsored by an organization called Liberty Lobby—that on its face defies the principles that Independence Day celebrates.

Jack Geller, vice president and media director of Weiss & Geller, wrote to protest that Liberty Lobby is “in the business of publishing anti-Jewish books, magazines and newsletters” that are promoted on the broadcasts. He expressed his “great shock” that “owners of radio stations will permit their facilities to be used for the peddling of Nazi type publications.” And the Anti-Defamation League of B’nai B’rith used even stronger terms in reporting that its own survey showed the series is carried on 126 stations (story page 33).

This magazine shares Mr. Geller’s dismay and the ADL’s outrage. Hate-mongering, whatever the target, is a contemptible practice for which there is no excuse. It would be easy to say that Liberty Lobby should be thrown off the air. But by whom? The First Amendment works the other way, too, protecting not only the ideas we favor but also those we despise. Nor can or should any private group set itself up as its own ultimate arbiter for everyone.

There are of course libel and slander laws, and these can be invoked whenever appropriate. Beyond that, it is no infringement of anybody’s rights to suggest that, in this as in all programing, the licensee is obligated to satisfy himself that what he presents is in the interest of the public he serves. But when he has done that, he cannot be required to do more. It may have been overlooked in a lot of last week’s Fourth of July oratory, but freedom of the press is not divisible.

“Red” letter day
July 2, 1974, is a day the Soviets should long remember—and regret. It was the day they allowed 200 million Americans to see for themselves the way in which “freedom” works under Communism. Before their very eyes America saw censorship invoked by the indelicate process of pulling the plug. Result: dead air.

News correspondents—names the American audience trusted and respected—were trying to do their jobs covering the summit. Each, in turn, was cut off on mere mention of one of the big stories of the day—the scientist dissidents who had been repressed because of the visit of President Nixon. (The Soviet explanation that technicians did the job because they were dissatisfied with the “anti-Soviet” nature of the feeds didn’t hold water.)

There’s nothing novel about Soviet censorship. It has been going on for decades. Untold millions of rubles have been spent in recent years in jamming Voice of America broadcasts. And in other times U.S. newspaper bureaus have been closed and correspondents, including those of the networks, expelled.

While there had been incidents at the first summit two years ago the entente cordiale atmosphere overshadowed them. And there was nothing like the spectacle of network correspondents being cut-off. The fact that all three networks carried off-the-tube reports of the plug-pulling added impact to the news story.

Richard Salant, president of CBS News, said it all immediately after the plug-pulling: “There it is, for everyone to see: what happens when government controls the news.”

“Go get me a roll ‘a friction tape...”

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