Hooks opts for NAACP; it's wide open at FCC
Essential reading from family viewing decision

WWJ-TV Detroit
Joins
MMT SALES INC.
November 15, 1976
THE "NEW 4" AND MMT
COMMITTED TO EXCELLENCE TOGETHER
50 YEARS OF BROADCASTING LEADERSHIP
1926 - 1976

Chief Executive Officers
NATIONAL BROADCASTING COMPANY

WGAL TV 8
LANCASTER • HARRISBURG • YORK • LEBANON
PIONEER IN CENTRAL PENNSYLVANIA
EANUTS GANG □ Wary is the word as broadcasting watches President-elect Carter pick ex-Naderite to head regulatory-reform unit. PAGE 19.

OLDEN OPPORTUNITY □ TVB meeting emphasizes that next year can't possibly live up to this year's record, but it will be a great chance for television to broaden its business base, especially among retailers. PAGE 19.

NOT GUILTY, HE SAYS □ FCC Chairman Richard E. Wiley, in talk to TVB gathering, "totally rejects" charges made by judge in family-viewing decision. PAGE 22.

TRIAL □ FCC sets up experimental monetary assistance program to help needy members of public and licensees in license proceedings. PAGE 23.

HOOKS FAREWELL □ His resignation from the FCC in January to become the executive director of the NAACP is being greeted by blacks with demands that the Carter administration name a black to succeed him. PAGE 26.

POSTMORTEM □ Ford and Carter people comment on the role television played in their campaigns—the debates, advertising and news coverage. PAGE 27.

OPENING THE DOORS □ Broadcasters file complaints with the FCC on its proposals on what programing records radio stations should keep and make available for public inspection. PAGE 33.

THREE-WAY BLOCK □ Citizen group opposes three-way station transfer in San Francisco to prevent the loss of "unique" program formats. PAGE 35.

MONEY, MONEY □ The CPB board allocates its $103-million fiscal 1977 budget to public television and radio. PAGE 36.

A FAMILY AFFAIR □ Broadcast industry is trying to determine what effects the family-viewing decision will have; CBS and ABC and the government say they will appeal, while NAB says it will not enforce its code pending the outcome of appeals. PAGE 38. Key excerpts of Judge Warren J. Ferguson's decision declaring the family-viewing restrictions of NAB to be a violation of the First Amendment are presented. PAGE 40.

BROADCASTING'S MUSEUM □ CBS Chairman Paley formally opens institution that will primarily present both memorable and representative programing since the beginning of radio and TV. He is funding the first five years of its operation. PAGE 54.

NAB-TV SCORES □ The network's "Gone With the Wind" blows ABC-TV out of first place in Nielsen. PAGE 56.

EEO WORD FROM CABLE □ NCTA, commenting on revision of FCC rules concerning equal-employment policies of cable systems, cites extensive efforts of the industry in that area. The association also expresses some concern about the commission's authority. PAGE 57.

BACK INTO THE BLACK □ Teleprompter, which hadn't posted profits in more than three years, makes its comeback in the third quarter. PAGE 57.

MONEY FOR CABLE □ Comcast obtains $5.3-million loan for additions in Michigan. Eastern Telecom gets $3 million for Pennsylvania construction. PAGE 57.

NO SHACKLES □ UNESCO draft resolution that would have recommended greater government control of mass media is voted down in Nairobi. The vote followed threat of Western nations to quit organization. PAGE 58.

RTND'S AGENDA □ Finishing touches are being put on the organization's plans for its Miami Beach convention. Carter has been invited. PAGE 58.

RS. ON SCHORR-CIA □ Justice Department says it's still checking out some aspects of the celebrated leak case but won't elaborate. PAGE 60.

NAB'S LEGAL EAGLE □ Communications law is Erwin Krasnow's passion. The new general counsel practices it, writes about it, and in a roundabout way, he even paints it. PAGE 81.
One of the industrial giants in Dauphin County in the WGAL-TV coverage area is Hershey enterprises, engaged in food and candy manufacture, resort hotel and amusement activities. Shown, an exterior view of Hershey's Chocolate World, a new complex designed to help Hershey tell its story of chocolate to hundreds of thousands of visitors every year.

WGAL-TV delivers strong buying power in a diversified area

This pioneer TV station effectively covers the entire Lancaster-Harrisburg-York-Lebanon ADB. One of the country's fastest-growing areas, this prosperous market is outstanding for its economic and business diversity and resultant stability. Consider the facts: manufacturing production $6,603,130,000; agricultural production $365,294,000; retail sales $3,865,093,000. Cash in on this outstanding buying power - include WGAL-TV in your planning.

WGAL-TV
LANCASTER-HARRISBURG-YORK-LEBANON, PA.

* 1976 Sales Management Survey of Buying Power
1975 Pennsylvania Abstract

WTEV Providence, R.I./New Bedford-Fall River, Mass.
Stet the news
CBS officials weren’t talking, but best bet late last week was that they intend to tell their TV affiliates, in effect, to relax—that they don’t plan to try to expand CBS Evening News any time soon and that if they decide to try later on, affiliates will get plenty of notice—interpreted to mean it won’t happen even year from now. If CBS affiliates can relax, ABC’s and NBC’s can too, since those networks are already on record that they don’t plan to expand. Word on CBS’s intentions is to be delivered to CBS-TV Affiliates Board meeting this week in Palm Springs, Calif.

Supply and demand
If newscast expansion is no longer issue between TV networks and affiliates (see above), another has risen to take its place—long-simmering question of expanding number of network commercial minutes in prime time. Although some station reps on hand say that’s what they heard, CBS sources deny reports that CBS-TV President Robert Wussler told closed meeting of agency people that more commercial minutes are “inevitable.” What he said, according to CBS people, is that there will be more only if there’s enough pressure from advertisers and agencies to enlarge inventory—and pressure isn’t strong enough now.

Possibility of networks’ expanding commercial inventory was also one of main topics at brief, unscheduled Station Representatives Association meeting held at close of Wednesday session of Television Bureau of Advertising’s annual meeting (also see page 19). Prime purpose was to review for broadcasters on hand SRA’s extensive and critical analysis of network practices and possibilities, including expansion of commercial time (BROADCASTING, Nov. 1). Stations were warned to be on watch lest networks add minutes, as one rep leader said, “little by little so no one will notice.” SRA analysis estimated one extra minute per each prime-time half-hour could add $500 million to networks’ annual take, most of it at spot TV’s expense.

Spin of wheel
FCC Chairman Richard E. Wiley’s plan to substitute lottery for comparative hearings as means of choosing among competing applicants for broadcast frequencies may be given trial in another field. Some thought is being given to testing scheme in new—and burgeoning—multipoint distribution service.

More than 400 applications for authority to provide multipoint service are pending, and many of them are mutually exclusive. Success in that service might make it easier for commission to accept lottery in broadcast area.

Where’d everybody go?
Among some influential members there was grumbling about timing of Television Bureau of Advertising annual meeting in Washington last week. TVB delegates were about only folks in town—what with Congress out of business and political figures scattered for post-election rest and recuperation. Sense of isolation was compounded when not one of TVB’s award winners, Walter Cronkite, John Chancellor and Harry Reasoner, appeared in person at banquet presentation. One substitute, however, brought down house. Audience agreed that Tom Pettit could make living as comedian if job as NBC Washington correspondent paled.

V hunting
With three VHF’s in operation, General Electric Broadcasting is reaching for maximum quota of five. Quest is on for two outlets in growth markets (preferably top 50) which it would acquire on tax-free exchange of stock. In addition to TV outlets in Schenectady, N.Y., Denver and Nashville, GE also owns three AM’s and five FM’s. Reid L. Shaw, president, headquarters in Schenectady.

Business as usual?
Shift in ownership of WMAL-AM-FM Washington from Star Broadcasting Co. to ABC Inc., isn’t likely to change outlets’ way of doing business. Andrew M. Ockershausen, executive vice president and operating head under Joe L. Albritton ownership, is being asked to stay on by ABC after FCC approval of transfer (for $16 million), and chances are he will.

Holdout
Whether ABC Sports President Roone Arledge will remain at ABC is subject of recurrent speculation, lately intensified. It’s known that he wants to be entertainment program producer (witness short-lived Saturday Night Live With Howard Cosell which he produced, briefly, last year). But it’s so well known is that he has been working for almost year on expired contract, which suggests difficulty in getting what he seeks in new one. There’s been talk that NBC wants him to give its sports schedule new life and might offer something extra to get him. And NBC confirms discussions with Arledge representatives.

Meanwhile, Hollywood columnist Rona Barrett reported on ABC’s own Good Morning, America last week that ABC, to keep him, had offered him presidency of ABC News. ABC spokesmen denied that one totally and without reservation.

FCC jackpot
Many names are being suggested in wildest speculation ever for two vacancies upcoming at FCC to be filled by incoming President Jimmy Carter. In addition to Ben Hooks’s replacement, President must select successor (Democratic or independent) for incumbent Republican Chairman Richard Wiley, who completes his term June 30 and will enter law practice here or in his native Chicago or both.

Insiders see need for engineer on FCC in light of upcoming international telecommunications conferences. First mention is Wally Johnson, 30-year FCC engineering veteran and incumbent chief of Broadcast Bureau. Also suggested is George Jacobs, who has just moved from chief of frequency division of Voice of America, where he served 23 years, to newly created post of director of research and engineering on Board for International Broadcasting. Ted Ledbetter, engineer identified with black station operations, had been candidate in past and is again mentioned. Other names heard, but with no appraisal of political clout are: Wayne Coy Jr., son of late FCC chairman, now with noncommercial WETA-TV Washington; Joseph Zias, member of FCC review board; Henry Geller, former FCC general counsel, and Al Kramer, former head of Citizens Communications Center. Losers among Democrats in Congress are also suggested: Utah Senator Frank Moss, New York Representative Bella Abzug, and Iowa Representative Edward Mezvinsky.

Update on radio
FCC this week will consider mixed bag of proposals in staff draft of order revising radio network rules. Number of existing rules will remain basically unchanged. For instance, rule barring station from limiting itself by contract to one network would remain substantially as is. On other hand, staff is recommending elimination of rule barring network from affiliating with more than one station in market and feeding its affiliates simultaneously. If adopted, this would ease pain UPJ Audio and AP Radio might feel as result of adoption of new network definition that would include them.

Broadcasting Nov. 15 1978
Ralston-Purina □ Promotion budget of about $10 million will be allocated to introduce Fit & Trim, low-calorie, low-fat dog food product. Wells, Rich, Green, New York, is agency for new product, which will be advertised nationally without going into test marketing, starting in late November. Network television will be used extensively at outset of campaign to reach target audience, women, 21-54.

Montgomery Ward □ CB radio sets will be showcased in spot TV flights to begin in late November for one week and in mid-December for one week. Lee King & Partners, Chicago, is seeking time slots to reach men and women, 21-49.

Eastman Kodak □ EK-4 film projector will be promoted in TV spots beginning Nov. 22 and continuing until Dec. 11. J. Walter Thompson, New York, is taking aim at men and women, 18-34, via buys in daytime, early and late fringe and prime periods.

Procter & Gamble □ Company will test an undisclosed product for nine weeks on television beginning this week in limited number of markets, with day, fringe and prime-time 30's and 60's to women, 18-49. Doyle Dane Bernbach, New York, is agency.

Oldsmobile □ Company has begun 13-week sponsorship of half-hour Green Hornet vintage radio mystery series, in New York and is scheduled to sponsor program in eight other major markets within next several weeks (program distribution via Charles Michelson, Beverly Hills, Calif.). Program sponsorship supplements spot radio drive begun by Oldsmobile in early November in 158 markets. Commercials resemble dialogue from Green Hornet and The Shadow (another Michelson-distributed property). Leo Burnett, Chicago, is directing its appeal to men, 21-54.

Sara Lee and Standard Brands □ Companies will sponsor 13-week flight beginning Dec. 27 featuring various products. TV 30's in fringe, day and prime time are geared to women, 18-49. Benton & Bowles, New York, is agency.

Volkswagen □ Porsche Audi gets four-week television run beginning this week. TV 30's in news and sports time are targeted to men, 18-49. Doyle Dane Bernbach, New York, is agency.

John Hancock □ Two-week flight for Mutual Life insurance begins Dec. 6. TV 30's in fringe, access and sports time will be geared to men, 18-49; Rosenfeld, Sirowitz & Lawson, New York, is agency.

Swift □ Brown 'n Serve rolls are subject of a nine-week television campaign to start Dec. 27. Women, 25-54, are targets of TV 30's in fringe time. William Esty, New York, is agency.

Eastman Kodak, Coca-Cola, Travelodge and Kelly-Springfield □ All are sponsors of 42-part weekend special on CBS Radio Network, Portraits of These United States, anchored by Charles Kuralt, which will air during four-day Thanksgiving holiday, Nov. 25-28.

Campbell □ Radio spots are scheduled for soup to start in late November for four weeks in large number of markets, including Atlanta, Dallas, Los Angeles, New York and Milwaukee. Needham, Harper & Steers, Chicago, is seeking to reach women, 18-49.

Western Auto □ Retail chain is slated to touch off spot TV drive on Jan. 10 and continue through early May. Barickman Advertising, Kansas City, Mo., is aiming to reach men and women, 18 and over.

Van Heusen □ Men's shirts will be showcased in spot TV drive to coincide with holiday season and to begin Nov. 22 for about five weeks. Scal, McCabe, Sloves, New York, is seeking time slots to reach men and women, 18-49.

A&P □ Various A&P products will be spotlighted in four-week campaign beginning Nov. 29 to air in TV day, fringe and prime-time 30's. Women, 25-49, are targets. McCann-Erickson, New York, is agency.

Sunbeam □ Smoke and fire director for home use is set for four-week flight to start next week. Prime-time and late fringe TV 30's are aimed to reach adults, 25-54. Foote, Coone & Belding, Chicago, is agency.

Star-Kist □ Various products will be displayed on spot TV starting in late November for one month. Leo Burnett, Chicago, is concentrating on time slots to reach all women and women, 18-49.

Kiplinger □ Changing Times magazine will be accentuated in spot TV drive to begin in early December for 10 to 12 weeks. Clinton E. Frank, Los Angeles, is setting its sights on men, 21-54.

Hunt-Wesson □ Various products of Clorox division will be accentuated in spot TV drive starting in early December and continuing until early June. Botsford-Ketchum, San Francisco, is focusing on women, 18-49.

Coors □ Eight-week campaign to

BAR reports television-network sales as of Oct. 24

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<th>Total dollars week ended Oct. 24</th>
<th>1976 total dollars year to date</th>
<th>1975 total dollars year to date</th>
<th>% change from 1975</th>
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Total 2,277 $75,009,400 93,423 $2,293,111,200 $1,896,229,000 +20.9

Source: Broadcast Advertisers Reports

Broadcasting Nov 15 1978
introduce new Press-Tab cans of Coors beer will begin Dec. 6. Fringe and sports TV 30's will air for men, 18-49. Cadco is house agency for Adolph Coors, Golden, Colo.

Sureka □ Vacuum cleaner will be showcased in two campaigns, one for two days beginning Nov. 22 and another for three days starting Dec. 2. TV 30's in day and fringe time are targeted to women, 18-49. Young & Rubicam, New York, is agancy.

Sunshine Biscuits □ Division of American Brands will feature Hydrox cookies in nine-week flight beginning this month. TV 30's in fringe time are aimed for children, 2-11, and women, 25-49. SSR&B, New York, is agency.

Independent Life & Accident Insurance □ Spot TV campaign for insurance will begin Dec. 11. Cecil West & Associates, Jacksonville, Fla., is aiming to reach men, 18-49.

Dannon □ Yogurt gets television promotion beginning Dec. 6 for 12 weeks, using fringe, access and news 10's and 30's. Targets are adults, 18-49. Marsteller, New York, is agency.

Rimmel □ Cosmetics line will get month-long television campaign next spring beginning May 1. Day and fringe TV 30's will aim for women, 18-34. Keenan & McLaughlin, New York, is agency.

Fotomat □ Retaller of photographic services is readying spot radio effort for late February to run 38 to 40 weeks. Markets include Dallas, Chicago, Milwaukee, Nashville, Norfolk, Va., and Omaha.

Cumberland Packing □ Sweet & Low artificial sweetener will get six-week push beginning Jan. 10. Day, fringe and news TV 30's are targeted to adults, 18-49. The Mediators, New York, is agency.

Nissin Foods □ Oodles of Noodles is product to get four-week push beginning Jan. 10. TV 30's in day, fringe and access time are targeted to women, 18-49. Hall & Levine Advertising, Los Angeles (division of Foote, Cone & Belding), is agency.

North American Systems □ Company’s Mr. Coffee will be featured on network TV throughout remainder of year and not on spot TV, as previously reported (Broadcasting Nov. 1). Agency for client is Ted Bates, New York.

Godchaux-Henderson □ Two spot TV flights for sugar are planned to begin in early part of 1977. First is projected for a start in early January for two to three weeks and second for unveiling in early February, also for two to three weeks. About 35 markets, primarily in South but in some areas of Midwest, will be tapped, once go-ahead is given. Noble-Dury & Associates, Nashville, will be aiming to reach women, 18-49.

Rich Products □ Coffee Rich (frozen non-dairy creamer) will be spotlighted in spot TV drive to begin in mid-January in 12 markets for four to five weeks. Heatty-Schutte Advertising, Buffalo, N.Y., is aiming to reach women, 25-64.

Pfizer □ Coty division of Pfizer is putting together pre-Christmas spot TV campaign on behalf of Emeraude perfumes to run from Dec. 6 through Dec. 19. SFM Media Service, New York, is gearing its buys toward men and women, 18-34.

Van Raalte □ Panty hose promotion will begin Dec. 6, using TV 30's in day and fringe time. Women, 18-49, are targets. Chalk, Nissin, Hanfl, New York, is agency.

Zwicher Knit Mills □ Hanson knit division will spotlight accessories for winter in three-week flight beginning Dec. 1. Day and fringe TV 30's will aim for women, 25-49. Mort Keshin, New York, is buying service.

Tony’s □ Frozen pizza will be promoted in five-to-six-week spot TV and radio drive starting in late January in 86 markets, including Atlanta, Boston, Houston and Syracuse, N.Y. Carmichael-Lynch, Bloomington, Minn., is zeroing on women, 18-49.

City Products □ Los Angeles-based company’s Barker’s division, administrator of T.G.&Y. stores, is getting three-day radio flight in selected markets beginning Dec. 1. Markets include Houston and Kansas City. Agency is Grey Advertising, Chicago, and is aiming for adult men and women.

St. Croix □ Company’s Fishing Machine, described as “a telescoping fishing rod with patented depth lock,” is using TV for first time in spot TV campaign in 29 markets for five weeks, starting this month. Product will be showcased as Christmas gift on early and late fringe periods to reach adults, 18-54. Agency is David Singer Associates, New York.

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Rep appointments
□ WTVW(EV) Evansville, Ind.: Blair Television, New York.
□ KVET(FM) and KASE(FM) Austin, Tex.: Katz Radio, New York.
□ WPAE(FM) Bangor, Maine: Herbert E. Groskin, New York, for national; and New England Spot Sales, Boston, for regional.
Movies. The best insurance you can buy.

Epic dramas like 'QB VII' and 'Oklahoma Crude.'
Oscar-winning films like 'Lawrence of Arabia,' 'Funny Girl,' 'The Last Picture Show.'
Action films like 'Shamus' and 'The Wrecking Crew.'
Moving movies like 'Five Easy Pieces' and 'Butterflies are Free.'

There are 30 great films in Volume 3 from Columbia Pictures Television. And as home insurance, there is no better investment.

FEATURES FOR THE '70'S VOLUME 3

COLUMBIA PICTURES TELEVISION
The right time for a radio renaissance

I've been fortunate in that my work allows me at least one yearly trip abroad. Naturally, I look forward to examining what's going on in my field there. But it's also the ideal time for me to reflect on the directions and activities of the media back home, given the stimulus of a foreign counterpart.

By the end of a trip, my outlook usually has been rather mixed. There are many things in the European media that I end up liking and I hope we'll be able to do such things here. In London, for example, I am always impressed with the inventiveness of outdoor advertising. In Paris, I am always impressed with the quality of transit ads. On the negative side, I have little patience for the quality of Sunday newspaper magazines in London, and I haven't been able to say on the majority of those movie house ads that seem to precede every film in Paris.

As for the broadcast media, I am often struck by a seemingly greater willingness to experiment with programing formats overall in Europe. It is not a secret of course that several recent and highly acclaimed films were originally produced for television. New York was recently treated to an entire week of British programing, including advertising, by one of its local stations. By many accounts, it was as enlightening as it was entertaining.

A recent personal experience with British radio was even more interesting. While in London, I felt ill and decided to stay in my hotel room for the day. That decision left me with my radio as sole companion. It offered what I considered brilliantly written and produced dramatic programs, both in the afternoon and evening prime time.

My conclusion, based on this experience, is that I am certain there is a special audience for dramatic radio programing in the U.S. There exists a core audience of people who are just too busy to sit down and watch television soap operas. But given the opportunity, I believe there are many who would readily turn to their radio if this kind of vehicle existed.

This type of programing, moreover, would not be merely another option for the light television viewer. It might create, in fact, a market for such programing. Many programs were properly developed and produced to give the listener something special.

I wanted to point out the circumstances under which I found myself listening to those radio shows in London because I think it's important for us in medium town to consider as often as possible what makes up an audience, what the varied lifestyles of that audience are like, as well as how both life style and audience may change over time. The daytime or evening audience at home for radio will probably never match the size of the TV audience. The point is that it is there. Moreover, it is significantly increased by other audiences—those listening to the radio at work, or at play or in the car.

With few exceptions, radio's over-all programing picture continues, as if changes were not occurring in the listening audience. We have recently seen the development of the single-format station (all-news, all-country or all-rock music) in addition to 24-hour classical music stations) with far too few stations venturing to offer anything inconsistent with their particular formats. Worse, many stations simply copy the ideas of their competitors.

The hesitancy of radio programers may, in part, be due to the long struggle to recover from the impact of television. What recovery has occurred is probably a result of the music explosion in this country and no one connected with the medium is about to forget that. Young listeners have shaped this as much as they have been shaped by it and, in all probability, we are likely to have a lot of radio devoted to the young sound for a long time to come.

Young adults, however, and particularly the college-aged, have a much wider range of interests than the wall-to-wall music programing would suggest. Radio could easily tap a great resource in this age group's interest in self-expression an mind improvement, not to mention programing addressing themselves to the various political and social issues.

In many ways, radio is the ideal forum for "public meeting" type programing. As even greater potential market is a result of the current self-improvement movement so much a part of contemporary life. For whatever reasons, new in-home activity have sprung up to take the place of expensive outside entertainment. The rising new interest in home sewing, gourmet cooking, fitness, health and beauty foods could suggest one of the kind of service shows that used to exist on radio in far greater quantity. The format of these service shows offer excellent opportunities for merchandising tie-ins and program sponsorship.

The appeal of radio for many is in its selectivity. It is a medium where the listener knows where to dial for the news, for country music, rock, classical, or even so-called "mellow" sounds. But given the scope of its potential audiences, it is my belief that, following our European counterparts, not to mention our own creative tradition, it can offer even more. More opportunities for new ideas, more involvement for listeners and more opportunities to provide a service would strengthen and expand the listening audience.

Production techniques must be right for radio, of course. Some British television programs have been enormously popular in this country, in part because they broke from established production norms. Innovation took place at many levels and resulted in a success that few would have originally predicted.

Radio can readily find this type of approach once again. Some awfully good people used to write and produce for the medium—and helped listeners use their imaginations to visualize both stories and products which could not literally be seen. I've no axe to grind for radio per se nor does my company. My remarks about radio are meant, rather, to exemplify the need for all media to meet the same test. I need to take an occasional fresh look at the media themselves—and be a little more venturesome in using them. With the tight TV availability situation, and the increase in cost-per-thousand, the time appears opportune for radio to seize this occasion and to do it with new aggressive programing and not just pick up orders as a result of the sold-out TV situation.
Film. The ideal low-light news medium. For fast-breaking news, dramatic documentaries, on-location commercials.

Real life isn’t always bright sunlight or floodlight. Sometimes, when you’re on a terrific assignment, the light situation may be not-so-terrific.

Eastman Ektachrome video news film is capable of providing broadcast quality images down to 5 footcandles (with forced processing).
And this can make the difference between picking up a good story beautifully—or having no story at all.
EASTMAN EKTACHROME Video News Film 7240 (tungsten), 7239 (daylight).

Film is good news.
"Prejudice is the child of ignorance"

It is ironic that prejudice, one of democracy's greatest evils, still flourishes widely in the very society that clearly proclaims that all men are indeed created equal.

Ironic. Yet understandable. For freedom of speech—that granite foundation of democracy—cannot be selective. It must guarantee the bigot the same rights guaranteed to all citizens.

But if we must allow the voice of prejudice to be heard, we must be sure it does not go unanswered.

For this we not only have democracy's formidable weapon of free speech, but the ideal means of using it. A free press, a free radio and television, that can present news and information accurately and honestly. Provide forums for different viewpoints. Help us understand our neighbors better.

Unhappily, the challenges and responsibilities for combatting prejudice and ignorance are sometimes neglected, subordinated, forgotten.

But the battle must be far-reaching and unremitting. And who can wage that kind of battle better than broadcasting?
Prejudice is the child of ignorance.

William Hazlitt
**Datebook**

**This week**

Nov. 14-20 - Fall meeting of CBS-TV Affiliates Board. La Quinta Country Club, La Quinta, Calif.

Nov. 15 - Public hearings begin in Washington on first phase of Federal Trade Commission's proposed trade regulation regarding information and claims in food advertising. FTC. 8th and Pennsylvania Avenue, Washington.


Nov. 15-16 - National Association of Broadcasters regional conference. Representative Louis Hayslett (R-Fla.) will be second-day luncheon speaker. Omni International hotel, Atlanta.

Nov. 15-17 - First International Videodisc Programming Conference, sponsored by Videodisc Corp. Agenda will include discussions about software likely to be distributed on the new video-disc format. McGraw-Hill Conference Center, 1221 Avenue of the Americas, New York.


Nov. 17 - Advertising Club of Los Angeles luncheon meeting. Speaker will be Jerry Delia Femia, president, Delia Femia, Traviso & Partners. Whirtey Hyatt House, Los Angeles.

Nov. 18-19 - National Association of Broadcasters regional conference. Representative Lionel Van Deerrin (D-Calif.) will be second-day luncheon speaker. Hyatt Regency O'Hare hotel, Chicago.

Nov. 18-19 - Institute of Broadcasting Financial Management/Broadcast Credit Association quarterly board of directors meeting. Hyatt Regency, Atlanta.

Nov. 19 - Accuracy in Media Conference. International Inn, Washington. Sessions may be expanded to Nov. 20 or switched entirely to that day, according to final agenda requirements.

Nov. 19-22 - Federal Communications Bar Association annual seminar. Carribean Beach hotel, Ft. Lauderdale.

Nov. 21-23 - Sixth annual symposium on children's television, held by Action for Children's Television in cooperation with Harvard Graduate School of Education, University Law School, Science Center and German Conference Center, Cambridge, Mass.

**Also in November**

Nov. 22 - FCC's new deadline for comments on AM clear channel proceedings to allow 1-A clear to operate with greater than 50 kw (Docket 20642). Replies are now due Jan. 24, 1977. FCC, Washington.

Nov. 22 - PCC's new deadline for comments on petition filed by Westminster Broadcasting Co. to inquire into TV network practices (RM-2749). Replies are now due Dec. 7. FCC, Washington.


Nov. 29-30 - Board meeting, National Cable Television Association. Disneyland hotel, Anaheim, Calif.

**December**

Dec. 1-3 - Western Cable Show, sponsored by the Arizona Cable Television Association, California Community Television Association and Hawaii Cable Television Association. Speakers will include FCC Chairman Richard E. Wiley, FCC Commissioner Benjamin Hooks, Representative Lionel Van Deerrin (D-Calif.) and Representative John Rhodes (R-Ariz.). Disneyland hotel, Anaheim, Calif.


Dec. 2-3 - Arizona Broadcasters Association winter meeting. Speakers will include John Simmons, National Association of Broadcasters; Senator Barry Goldwater (R-Ariz.); FCC Commissioner James H. Quello and Bill Simms, KOJO(AM) Laramie, Wyo. McCormick Ranch Inn, Scottsdale.

Dec. 2-4 - Fifth annual general assembly of LINDA/LBSA (national Catholic association for broadcasters and allied communicators). Eleventh annual Gabriel Awards banquet will be held Dec. 2. Assembly: Galt Ocean Mile hotel, awards banquet: Pier 66 hotel, Fort Lauderdale, Fla.


Dec. 3-7 - Eleventh Hollywood Festival of World Television, featuring award-winning programs from 31 countries. Seminar on pay television will be held all day Dec. 4. FCC Chairman Richard E. Wiley will present. Dr. Lee deForest award at Dec. 3 opening dinner. Contact: HFWT, PO. Box 2430, Hollywood 90026.

Dec. 5 - Fall seminar of the Association of New Broadcasting of Kansas. Ramada Inn, Manhattan.


Dec. 8 - PCC's new deadline for comments on reopened rulemaking proceeding on program records to be maintained by broadcast licensees, including listing of letters received by licensee from public for three years after program and disclosure of transcript, tape or disk of all programs except entertainment or sports (Docket 19667). Replies are now due Dec. 27. FCC, Washington.


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### January 1977

**Jan. 3—** FCC's new deadline for comments on amendment of noncommercial FM broadcast rules (Docket 20735). Replies are now due Feb. 24, FCC, Washington.

**Jan. 7-10—** Missouri Broadcasters Association winter convention. Friday-Sunday cruise from Miami to Nassau, Bahamas.

**Jan. 9-11—** Association of Independent Television Stations (INTV) fourth annual convention. Fairmont hotel, San Francisco.

**Jan. 9-11—** California Broadcasters Association meeting. FCC Chairman Richard Wity and Representative Lionel Van Deerin (D-Calif.) will speak. Del Coronado hotel, San Diego.


**Jan. 16-18—** Illinois-Indiana Cable Television Association convention, Indianapolis Hilton hotel, Indianapolis.


**Jan. 25-27—** Georgia Association of Broadcasters 32nd annual Radio-TV institute. Speakers will include Herbert Schlosser, president, NBC-TV; Representative Lionel Van Deerin (D-Calif.), Bill Ray FCC, and Keith Jackson, ABC Sports. University of Georgia, Athens.

**Jan. 25-28—** National Association of Broadcasters winter board meeting. Royal Lahaina hotel, Maui, Hawaii.

**Jan. 26—** Ohio Association of Broadcasters legislative dinner. Columbus Sheraton, Columbus.

**Jan. 26-29—** Society of Motion Picture & Television Engineers 11th annual winter television convention. Theme topics will be "Beyond EEN" and "Digital Television." St. Francis hotel, San Francisco.

### February 1977


**Feb. 6-8—** Public Broadcasting Service annual membership meeting. Hyatt Regency hotel, Atlanta.


**Feb. 12-15—** National Association of Television Program Executives 14th annual conference. Fontainebleau hotel, Miami.

**Feb. 14—** FCC's deadline for comments on notice of inquiry into cable television syndicated program exclusivity rules (Docket 20988). Replies are due March 16, FCC, Washington.

**Feb. 18-19—** International Conference on film, theater, video of Center for Twentieth Century Studies. The University of Wisconsin, Milwaukee. Contact: Michael Benamou, director, CICS, PO. Box 413, Milwaukee 53201.

### March 1977

**March 1—** Deadline for entries in 13th annual Armstrong Awards program for excellence and originality in FM broadcasting, administered by the Armstrong Memorial Research Foundation. Entry forms: Executive director, Armstrong Awards, 510 Mudd building, Columbia University, New York 10027.


**March 27-30—** National Association of Broadcasters annual convention. Stouffer's Atlanta, Atlanta.


### April 1977


**April 27-May 1, 1977—** American Women in Radio and Television 26th annual convention. Radisson Downtown hotel, Minneapolis.


**June 2-4, 1977—** Associated Press Broadcasters annual meeting, Chase-Park Plaza, St. Louis.


**Sept. 18-21, 1977—** Institute of Broadcasting Financial Management 17th annual convention. Hyatt Regency hotel, Chicago. 1978 convention will be held Sept. 17-20 in Las Vegas.


### May 1977


- **May 25-27—** Ohio Association of Broadcasters spring workshops. Kings Island Inn, Ohio.

### June 1977

- **June 2-4—** Associated Press Broadcasters annual meeting, Chase-Park Plaza, St. Louis.

- **June 2-6—** Missouri Broadcasters Association spring meeting. Rock Lane Lodge, Table Rock Lake.


- **June 14-15—** Iowa Broadcasters Association convention. The New Inn, Lake Okoboji.


### July 1977

- **July 10-13—** National Association of Farm Broadcasters summer meeting, Le'Enfant Plaza hotel, Washington.
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| WAPI AM/FM | KMBZ/KMBR | KFAB/KGOR | WSYR |
| WSOC AM/FM | KFI/KOST | WIOD/WAIA | WTIC AM/FM |
| WHIO AM/FM | | | WSM AM/FM |
Regulatory reform is assigned to ex-Nader aide now with Carter

He's in advance guard now planning next President's staffing, policy

Jimmy Carter's transition team began taking shape last week. Top officials were being named and were moving into temporary quarters in Washington (more permanent offices will be available in a Department of Health, Education and Welfare building this week). The group is perhaps two months away from focusing on such matters as regulatory reform (for FCC Commissioner Benjamin L. Hooks, for instance (see page 26). But communications industry observers with sensitive antennae were already beginning to pick up disturbing signals.

For openers, a former executive director of Ralph Nader's Center for the Study of Responsive Law will be in charge of government organization and regulatory reform, and a former head of the Cable Television Information Center is playing a prominent role in coordinating the work of a budget analysis group.

The ex-Nader man is Harrison Welford, 36, who in 1969-70 was with the Center for Responsive Law. He was later a legislative assistant to Senator Philip Hart (D-Mich.).

During the transition, he will head a team that will maintain liaison with all of the regulatory agencies and will make recommendations for reforming them. His group will also have transition responsibility in connection with parallel organizations, such as the Office of Telecommunications Policy.

The former head of the Cable Television Information Center (for three and a half years) is W. Bowman Cutter, 34, who before joining the Carter team in Atlanta last summer served as a special assistant to the president of the Washington Post Co., Larry Israel. And although Mr. Cutter's responsibility does not include regulatory and communications matters, officials at transition headquarters say a "collegial" relationship exists, in which individuals contribute whatever they can from their experience to the work of the various teams.

Besides the Welford team, another group will have an impact on communications matters. This group, responsible for policy development, is headed by Alfred Stern, a professor at Wayne State University, who was deputy director of Carter's issues staff during the campaign, Bruce Kirschenbaum, 36, a former Washington lobbyist for New York City, and Curtis Hessler, 33, a Los Angeles attorney and former law clerk to Supreme Court Justice Potter Stewart. Communications policy is within this group's assignment, an official said.

One member of the transition organization known to have worked on communications is William Drayton, of the Kennedy School of Government, at Harvard. He said his work, in the pre-election period, involved opinion papers for the Carter team designed to be "as balanced as possible."

The transition also includes a man long active in public broadcasting—Matt Coffey, 35, who is one of three men heading a hunt for talent to staff the government. Mr. Coffey, who was a staff assistant for personnel matters in the Johnson administration, was a top official at the Corporation for Public Broadcasting for four and a half years before becoming president of the Association of Public Radio Stations, a job from which he has taken a leave of absence.

Filling jobs on the regulatory agencies is part of his assignment. But with the group concentrating on filling the top 200 jobs, beginning with cabinet officers, he does not expect a decision on an FCC appointment soon. "We won't get to that kind of appointment until late December," he said.

Words from Wall Street. Sharing their financial expertise with TVB were Ellen Sachar, of Mitchell, Hutchins, and William Suter of Merrill Lynch Pierce Fenn & Smith, shown here with TVB President Roger Rice (r).
pares to TVB's estimates of 19%, 32% and 25%, respectively, for this year (Broadcasting, Aug. 16).

The network business and price increases are quite firm, and if total national advertising up by 10% and TV up by slightly more, the network increase indicates a smaller increase for television... I hope that I am wrong, but I am concerned that sometimes the stations can be their own worst enemies in terms of pricing their valuable service," Mr. Suter said. In preparing his address, Mr. Suter said, three descriptive phrases came to mind: "underpriced in the first half of the 1970's; catch-up and adjustment in 1976; more adjustment, leadership and cooperation in 1977 and beyond." He said that buyers will adjust to "the tremendous upward movement in prices" by going after shorter commercials, more syndicated product, by entering fewer markets and eliminating inefficient ones and by testing other media, particularly radio.

In 1976, he said, the number of commercial minutes should rise 7-8%, amounting to the largest yearly gain since 1968. Since it is going into what he calls the Olympics, political coverage and the Bicentennial will not factor in next year, he expressed concern as to whether that level can be maintained. "Hopefully," he said, "the spreading of demand over the whole daypart and year will enable the industry to maintain the current base of inventory sellout, which for 1976, I am estimating will produce gains in station advertising revenues of 26-27%, based on a 7-8% increase in minutes sold and an 18-20% advance in average prices.

He expects first-quarter 1977 to be a good one, "especially since some of the big price increases are expected to take hold until the second quarter of this year." Mr. Suter said a key question is the "magnitude" of the first-quarter increase since spot and local revenues "moderated" in the fourth quarter of 1976.

He said the industry is now brought back "to the normal month-to-month basis for watching and projecting trends in station revenues, after having had the luxury in 1976 of knowing that increases would be significant and the main question was: 'How high was up?'"

Another trend he noted was the "unprecedented high level of sellout at the networks—extending through the summer of 1977." He added that although the bid was refused, one major advertising agency offered a network $90 million for time during the 1977-78 season. Because of a spillover effect, he said, the network sellout should be beneficial to national spot. "My concern however," Mr. Suter said, "is that normal spot money may have to be diverted to pay higher network prices."

He concluded that "the bottom line and the end result depend on each of you and all of you in terms of your pricing policies and decision...... Hopefully, the buyers and sellers can work together to adjust to the 1976 experience as much as possible.

...Then, maybe, a year from now we can look back on my forecasts as being realistic, but hopefully conservative."

But the price of television time was defended by TVB. "It seems the increased cost of television has still not caught up with the costs of most products we advertise," Roger Rice, TVB president, said in his address.

That argument was explained in a TVB position paper distributed at the convention. In it, Mr. Rice concludes: "While some agency media people and buyers are voicing complaints about television's rates, agency research people have been explaining it... and convincing their clients that television is the place for near- and long-term growth. In the final analysis, television continues to be the under-priced advertising medium."

Mr. Rice claimed that while spot television "outsells the cost-per-thousand than other media," it doesn't have that rate. He cited a Ted Bates study that said that spot television's cost-per-thousand for various dayparts ranges from $1.35 to $3.30 as opposed to magazines at $6.77, newspapers at $7.35 and Sunday supplements at $7.12. A McCann-Erickson study was also cited and said to be "equally impressive."

Ms. Sachar's attention was primarily devoted to local television advertising, for which she expressed "our continued optimism." One reason for a bright outlook, she said, is the potential inroads that can be made into the "huge disparity between the retail dollars spent in newspapers versus those spend on television. She cited statistics from a variety of sources showing that: In Los Angeles, the second ADI, the Los Angeles Times outsells the 13 TV stations by just over 60%; In Minn., with six ADIs, the major two newspapers carry almost 200% more retail advertising than the six TV stations in the market, and in Charlotte, N.C., the 34th ADI, the two daily newspapers nearly double the four TV's in retail advertising.

"To some of you," Mr. Sachar said, "this may only point up the futility of trying to sell against newspapers. We would argue the case differently. The low market penetration of television versus newspapers, in our view, presents the local television salesman with a tremendous opportunity for growth."

Another reason for optimism, she said, "relates to certain already discernible changes in retailers' media spending patterns." The information she presented showed that the percentage of total company sales spent on newspaper advertising by department stores continued to decline—from 2.06% in 1968 to 1.72% in 1975. She said newspaper advertising has also declined for specialty stores. "Total advertising media costs, on the other hand, as a percent of total company sales... appears to have remained relatively stable," Ms. Sachar said. "This would imply, then, that a greater percentage of company sales is being spent on media other than news-

Satisfied customers. Among those describing creative techniques and advertising success stories were (l-r) Alan Banks, director of media planning, Dancer Fitzgerald Sample (for Toyota Motor Sales), William R. Johnson, director of marketing services, J.C. Penney Co.; Grant C. Gentry, president, A&P and Jack Noble, VP sales promotion and public relations, J.W. Robinson Co.
papers, namely television and, no doubt, radio, than in years past.

She added that “changes in the media spending patterns of chain stores, namely Sears, Ward and Penney, similarly favor television” with “a growing percentage of their ad budgets.” Newspapers, however, still had the “lion’s share” in 1975, she said, $464 million for newspapers, $95 million for television and $24 million for radio.

Ms. Sachar said that over-all the dollar difference between newspaper and TV advertising “remains enormous—and has, in fact, widened in the last few years.” She showed figures that estimate newspapers will receive $5.7 billion in local advertising and television $1.7 billion in 1976. In 1974, the difference was $3.4 billion and in 1975, $3.7 billion.

She suggested that one way to increase local advertising would be to increase local news commitments. “Local news coverage is the hook by which they [newspapers] draw their audiences, and so it should be for local television station owners.”

“To narrow the gap, she concluded, “may require some additional expenditure on local improvements in news coverage or better research into retailers’ merchandising problems. The rewards, however, will be well worth the effort.”

TVB’s contributions to broadening television’s base were also reported.

During the first six months of 1976, Robert D. Severance, TVB vice president/director of national sales, reported more than 2,800 additional advertisers bought television in the top-75 markets alone. In the same markets, he said, local advertisers bought almost 13,000 additional commercials each week.

As for national spot, more than 700 brands were said to have been brought into television in the same markets and over the same period, with 15,000 more commercials each week.

The past year’s work of the TVB National Sales Advisory Committee was outlined by its chairman, Alfred M. Masini of Tele-Rep. Among the accomplishments that he cited: organizing a sales program to bring more money into spot as well as switch dollars from network to spot and opposing proposals to expand the present ratings survey period from four to eight weeks. He also explained the work of the NSAC committees, among them the sales committee, which assigned specific TVB salesmen to key accounts, bringing in 62 more stations to TVB and over $270,000 in yearly income.

TVB’s budget was projected on the upswing in 1976. After a net loss $68,000 in 1975, net profit of $85,000 on revenues of $2.4 million is expected by year-end.

The National Sales Advisory Committee presentation centered on a video tape by KSL-TV Salt Lake City showing effective ways to improve sales operation and use TVB materials. Sales committee recommendations, such as an in-house promotion project on ways to sell television to advertisers and viewers, were also heard.

TVB’s plans for 1977 were given by President Rice. Among TVB’s new projects will be quarterly sales management reports on individual markets; a new target-selling kit aimed at increasing advertising by local Sears stores, “newspaper’s largest single advertiser”; increased amounts of data on cooperative advertising; 12 more Sterling Institute sales training seminars; five Sterling sessions following up 1976 seminars; a new personal communications course; more video tapes; eight one-day regional sales meetings, and new half-day sessions sponsored by TVB and stations in specific markets.

Advertising success stories along with demonstrations of commercial spots were also offered. Grant C. Gentry, president of A&P, explained how the “Price and Pride” television campaign contributed not only to increased sales but “has significantly strengthened essential communications with stockholders, the financial community and influential persons in government and business.” Mr. Gentry noted that in 1975, A&P led all supermarket chains in TV advertising and that spending in the first half of this year is up over the same period in 1975.

William R. Johnson, director of marketing services for J.C. Penney Co., discussed his firm’s fashion-image commercials and added that his stores have been redistricted according to television markets. He called upon the audience to position the advertisements “away from much of the violence and poor programming” and in proper time slots. “I am constantly amazed in my travels across the country to different markets how many of our local spots seem to show up after midnight and
Wiley pleads his innocence on family time

He tells TVB court was wrong to say he triggered code provision

FCC Chairman Richard E. Wiley, still smarting from the decision of U.S. Judge Warren J. Ferguson in the family-viewing case, used a forum provided by the Television Bureau of Advertising's convention in Washington last week to talk back to the judge. But he also had some other things on his mind, like the equal-time law and the importance of local service to the survival of the broadcasting system.

As for Judge Ferguson's decision asserting that the commission and its chairman coerced the broadcast industry into accepting the plan to limit the first two hours of prime time to progrmimg suitable for the entire family, Chairman Wiley said, "I totally reject" those findings.

He insisted, as he has before (see page 38), that the commission acted responsibly and said that view was supported at the trial by industry and government witnesses. Then, addressing a point that disturbs him and other commission officials, he said he could not understand how the judge could ignore that testimony and rely instead on "Nick Johnson's interpretation of events he neither witnessed nor participated in." The former FCC commissioner, now chairman of the National Citizens Committee for Broadcasting, testified for the plaintiffs, the Hollywood writers, producers, directors and actors who claim the family-viewing concept violated their First Amendment rights.

If he couldn't erase the judge's words, Chairman Wiley could express the hope that those who know him will have a more sympathetic view of him—that he is "not a censor" and does not believe in government threats and that his record "bespeaks a desire and interest to lessen regulation," particularly in progrmimg.

The commission, he noted, has no authority to enforce family viewing. And, he said, it should not. But that is not to say—

"If I still have any First Amendment rights to say that—broadcasting does not have great moral responsibility to the listening and viewing public of this country," he said. "After all, yours is a unique medium, one which pierces the very heart and soul of American life: the family and the home."

As for the equal-time law, Chairman Wiley said that the time has come for Congress to seriously consider scrapping it. "In actual practice, equal-time has clearly had the net effect of reducing rather than enhancing the volume and quality of debate." He noted that the Supreme

In Brief

- NBC, unlike CBS and ABC, will not appeal main thrust of federal court ruling against family-viewing concept because, it said, NBC agrees with decision's "clear and strong prohibition against government interference with broadcast program content and scheduling." NBC also saw decision as "reaffirmation of broadcasters' independence to make program determinations," and disagreed with any who think it dismantles NAB code itself. NBC will appeal, however, portion of decision which "appears to impose liability on all networks for damages that might be claimed by Tandem Productions in connection with CBS's scheduling of All in the Family," because "NBC believes that no liability for damage exists."

- Speculation that President-elect Jimmy Carter may impose wage/price controls after he's in office is beginning to worry number of broadcasters and station reps. One result: It seems increasingly unlikely that spot TV rates—or network or local, for that matter—will decline in fourth quarter or next year's first. There's been some pressure on rates—but primarily, according to rep sources, from fact that, unlike year ago, most of fourth-quarter selling has already been done and it's too early to sell first quarter (which is normally slow anyway), with result that, as one rep put it, "there's little to do right now and some stations are getting antsy."

- FCC is expected this week to stay March 31, 1977, refranchising deadline for cable television systems operating before 1972 cable rules were adopted. Stay would remain in effect pending conclusion of inquiry and rulemaking aimed at examining federal interest in franchise standard and at whether standards should be modified or eliminated. (Officials note, however, that proceeding would leave open possibility of new standards being adopted.) Proceeding will also involve review of certification requirements, and whether any should be amended. Question not yet resolved is whether commission will also stay requirement that systems report signal-carriage and access-channel information due in March and whether systems that have already renegotiated franchises will be permitted to file them for approval. Commission cable staff says no to former, yes to latter. Chairman Richard E. Wiley hoped to be able to act on matter last week, was blocked by lack of quorum.

- Commissioner Margita White, in first speech since joining commission, says she thinks FCC should approach decision on use of automated transmitters with caution. Because of "extreme complexities of automated operation," she said (in appearance before Oregon Association of Broadcasters in Portland), "phasing in" plan might be in order, one that would permit broadcaster and commission to gain "real world experience with this technique which can then be used as a basis for further expansion in the future." Commissioner White also made it clear she favors liberalizing political broadcasting laws: "Current laws in some respects not only do not encourage an open and robust dialogue of the issues during political campaigns, but in specific instances actually inhibit broadcast coverage and public discussion."

- Effect of transition to Carter administration was evident last week when Office of Telecommunications Policy abruptly canceled news conference scheduled for Thursday to announce date for Pacific Telecommunications Conference, on which work has been under way for year. Officials of agencies involved in planning—ORT State Department, FCC and Executive Office of President, among others—decided Friday to let Carter administration decide on whether to call conference. Original plans were to hold conference in Hawaii in May and to invite countries of Asia-Pacific region.

- CBS News anchor switches: Ed Bradley, correspondent travelling with Carter campaign, named White House correspondent and Sunday Evening News anchorman, 11 p.m. edition, succeeding Morton Dean, who moves to anchor 6:30 p.m. Sunday Evening News. Mr. Bradley thus becomes first black to anchor network

Broadcasting Nov 15 1976
news. Mr. Dean succeeds Bob Schieffer, who will anchor Saturday Evening News, replacing Dan Rather, who takes on co-anchor duties on new Who's Who news magazine. Phil Jones, White House correspondent, leaves that beat to cover Congress.

Morgan M. Moulder, chairman of House Oversight Subcommittee when it began investigations that led to revelations of TV quiz scandals in 1959, resignations of President Eisenhower's chief of staff, Sherman Adams, and FCC appointee, Commissioner Richard Mack, and withdrawals of number of television station grants tainted by ex parte contacts with FCC members, died Nov. 11 in home town, Camdenton, Mo., at 72, after long illness. Before subcommittee attended center stage on news scene, Mr. Moulder was shunted out of chairmanship by Oren Harris (D-Ark.), chairman of parent Commerce Committee (now federal judge in native Little Rock, Ark.). Mr. Moulder, Democrat, later served briefly as chairman of Communications Subcommittee before retiring from Congress in 1962.

ABC-TV President James Duffy said that "a great deal has been done about the incidence of violence on television" and went on to outline steps ABC has taken in recent years to bring about reduction. In speech before Sales Management and Executives Club of Little Rock, Ark., Mr. Duffy noted that although federal judge has handed down decision against family-viewing policy and that ABC will appeal, network still will maintain "fundamental responsibility for everything that goes out over ABC-TV.


Participants for FCC's latest en banc meeting set for today (Nov. 15) in Washington are: Cable Television Information Center, National Gay Task Force, and National Federation of Local Cable Programmers.

Representative Harley O. Staggars (D-WVa.), chairman of House Committee on Interstate and Foreign Commerce, told NAB Executives' Seminar in New York last Friday (Nov. 12) that Los Angeles U.S. District Court decision holding family hour unconstitutional "is not the law word on the subject." He expressed view that First Amendment "does not give people the right to do anything they want to do." He felt that there is "too much violence, robberies and bombings" on TV and contended policing of this area should be by TV industry itself. On same subject, FCC Commissioner James H. Quello agreed that self-regulation was "best way" to deal with violence on TV and "found court decision incomprehensible.

Radio stations' rate for Broadcast Music Inc. repertory, now 1.7%, will drop to 1.64% on Jan. 1, 1977, and should result in at least $700,000 saving for radio next year, Elliott M. Sanger, chairman of All Industry Radio Music License Committee, announced last Friday (Nov. 12). But he reminded stations that they won't be eligible to get their part of saving until they file 1977 annual reports in 1978. Drop in rate stems from incremental fee formula worked into last BMI contract, applicable only in 1977, year of that contract ("Closed Circuit." Oct. 25).

Reporters who covered Jimmy Carter's campaign forecast tough, if bloodless, adversary relationship developing quickly between news media and Carter White House. "We're headed for a stormy relationship," ABC's Sam Donaldson said, in appearance before Washington Press Club, on Friday. He said Jody Powell, Mr. Carter's news secretary, regards criticism of his boss "that hurts as an attack worthy of a Pearl Harbor label." But, he said, Carter aides do not try to "punish reporters"; they try to "even handed" in their treatment of them. Mr. Donaldson shared platform with Helen Dewar, of Washington Post, and Al Hunt, of Wall Street Journal, who also indicated they thought relationship between media and White House under President Carter would be rocky.

Court, upholding the fairness doctrine in 1969, reserved the question as to whether a regulation could be upheld if experience indicated that it would have such an effect. The chairman's warning regarding the importance of local service reflected an awareness of the emergence of such new technologies as cable, satellite and fiber optics. "What will sustain conventional broadcasting, as we know it, will be its tie to the local community—its responsiveness, if you will, to local needs," he said.

"When I hear broadcasters griping about the requirement to do local news and public affairs, I sometimes wonder if they recognize that this is their birthright and, perhaps, their ultimate salvation.

"Among the bad things that happened to him recently—not excluding the election of a Democratic president, which will probably mean his removal as chairman—Chairman Wiley found one "good" thing: the selection of FCC Commissioner Benjamin L. Hooks as executive director of the National Association for the Advancement of Colored People (see page 26). "He will be sorely missed at the FCC," the chairman said. "But I am confident that he will serve with great effectiveness and distinction as the leader" of the NAACP.

FCC moves to ease financial burdens for needy cases

Paperwork requirements will be reduced for outsiders and for licensees if necessary

The FCC said last week that it is instituting a trial program in which it will make less costly, in special cases, for individuals, groups and licensees to participate in hearing cases.

The commission action, based on a petition for rulemaking filed by the Federal Communications Bar Association, involves rule amendments that establish a monetary assistance program. The program, however, is described as experimental and will involve payment of attorneys' fees or other out-of-pocket expenses, or payments to expert witnesses.

Basically, the aid will involve provision of free copies of transcripts and commission documents, and relaxation of requirements regarding the number of copies of pleadings that must be filed, as well as other procedural rules the administrative law judge involved believes would be helpful.

Under the program, which will become effective Dec. 6, licensees facing loss of license through denial of renewal or revocation could seek the relief available through a showing that loss of a license would threaten their livelihood, if they are not financially able to prepare a proper defense.

Relief would be available to intervenors in hearing cases who are able to introduce testimony of probable decisional significance, which is a matter of substantial public interest and importance, which would otherwise not be introduced in the proceeding. The ruling says that individuals or groups granted relief would not be allowed any financial gain.

With the exception of Commissioner Robert E. Lee, who was absent, all of the commissioners supported the order, at least in part. Commissioners Benjamin L. Hooks and Joseph Fogarty, who dissented in part, were preparing a statement expressing their view that the commission could have gone further than it did.

They believe the commission should have issued a notice of inquiry to explore the possibility of adopting a whole range of other options, including reimbursement of attorney fees.

They also said a rulemaking could collect information that could be used to persuade Congress to make available the funds—which the commission says it now lacks—necessary for reimbursement.

Commissioner James H. Quello, who concurred in the action, added a cautionary word on the subject. He said that providing indigent relief, "while justifiable in some instances, may and should only serve as an encouragement to additional or unnecessary litigation, particularly if monetary reimbursement may be obtained."
They called it first.
You watched them most.

It was a great night for the winning candidates. And NBC News had a pretty fair night itself.

For it was NBC News that attracted the largest audience on Election Night—seven per cent more than the second network and 65 per cent more than the third.*

What's more, NBC News was the first to signal victory for Jimmy Carter. Its projection—at 3:30 a.m. EST—of his win in Mississippi gave Carter the clincher. Attracting the largest audience and serving that audience with fast, accurate projections was a demonstration of a news organization functioning at its very best. That's the way the press saw it, too:

"NBC had the best national coverage of the election... Chancellor and Brinkley managed a cohesive style of reportage that was television at its best."
Bill Granger, Chicago Sun-Times.

"NBC...seemed to best achieve the often elusive marriage of the verbal and the visual that was needed Tuesday night."

"The team of John Chancellor and David Brinkley easily outshone their counterparts at the other two networks... the NBC News physical setup was also far superior to that of the competition."
Bill Hickey, Cleveland Plain Dealer.
With Hooks gone, who's to be new FCC chief?

Member who had been likely choice leaves to head NAACP—giving Carter fast start on agency remodeling

Along with all of his other problems in taking over the U.S. government, President-elect Jimmy Carter now faces a decision on his first appointment to the FCC. Commissioner Benjamin L. Hooks, the agency's first black member, will resign in January to paint on a broader canvas—that offered to the executive director of the National Association for the Advancement of Colored People.

The NAACP announcement of the selection of Commissioner Hooks to succeed Roy Wilkins, who will retire in July, came as a surprise on Nov. 6, only a day after the President-elect was continuing to tell anyone who asked that he was interested in the chairmanship of the FCC under a Carter administration and was hoping someone from the Carter camp would broach the subject to him.

Although Commissioner Hooks knew he was of several individuals under consideration for the NAACP post, he was not counting on being tapped. "I've been through that sort of thing before," he said. Actually, the NAACP selection committee is said to have settled on him, at least tentatively, two weeks earlier but had managed to keep its decision secret, even from Commissioner Hooks, until the NAACP board met in New York to make the decision.

The Hooks resignation is being greeted by blacks with demands that the new administration name another black to the FCC vacancy. Commissioner Hooks himself noted it clear last week in an interview and in a press conference, that the NAACP called in Washington to introduce him to the media, that he will urge the Carter administration to name a black to succeed him. Commissioner Hooks noted that his own selection, by President Nixon in 1977, was made from a pool of several individuals brought to bear by blacks, including William Wright, of the old Black Efforts for Soul in Television, and added: "I feel an obligation to do the same."

Commissioner Hooks said he had not yet talked to the President-elect. "But," he said with a smile, "I will, and in my new administration, I may talk to the President sooner than I would otherwise." Commissioner Hooks may do more than urge the selection of a black; he says he might recommend a number of individuals for consideration.

Although speculation is risky when a new administration is involved, it seems likely that whomever the new Democratic President chooses to succeed Commissioner Hooks will also be designated as chairman to replace the present chairman, Richard E. Wiley, who is a Republican. This would enable the new President to place his mark on the FCC to a greater degree than he would by naming one of the present Democratic members, James H. Quello or Joseph Fogarty. The lure of the chairmanship would also make it easier for the President to attract a high-quality nominee. Thus, Commissioner Hooks' departure does not eliminate the possibility that a black will be the next FCC chairman.

However, another seat will be available for a Democratic appointment on July 1, when Chairman Wiley's term expires. That would offer the President another opportunity to name a black and/or a new chairman. But in any case that appointment will provide the commission with its first Democratic majority since 1969.

Commissioner Hooks, whose background includes service as a Baptist minister in Memphis and Detroit, as the first black judge in the South (he was a criminal-court judge in Shelby county, Tenn.) and as a lawyer and businessman, will not actually take over as operating head of the FCC until he has held the post for 22 years, had made it clear he intends to remain in office until the association's convention in St. Louis in July. In the meantime, Commissioner Hooks says, he will familiarize himself with the organization and its policy, which go on salary at $50,000 annually, $10,100 more than he earns at the FCC.

Commissioner Hooks' selection to head the NAACP disturbed some blacks who were reluctant to see the departure from the commission of a man they feel has done much to sensitize the agency to the needs of blacks and other minorities. The commissioner made it clear that he was aware of that concern but that he felt his change in status would result in a net gain for blacks. "Although I believe my presence at the commission has had an important impact on making broadcasters more responsive to the tastes, needs and interests of all elements of their respective communities and that I have been able to be a voice for those previously not heard, I also feel that I can do so much more, for so many more people, in my new post," said Mr. Hooks at his press conference.

He was speaking of the opportunity he would have as head of the nation's oldest and largest civil rights organization to try to influence all levels of government in a variety of fields—unemployment, penal reform and the like. He would seek, also, the Selection of the new chairman will be made in a meeting of the commission's executive committee, which will consist of the other minorities as well as women for appointment to all government agencies, he said.

And he was speaking, too, of carrying on efforts begun at the commission with, in some cases, fewer restrictions. He would continue to press networks and broadcasters generally to hire more blacks—a proposal that some stations had introduced court suits as well as jawboning. And he would press them too, on programing—without, he noted, the First Amendment problems that such conversations might raise if he were still with the government. (He feels today almost as strongly as he did when he held the NAACP post.) He said that broadcasters portray a false image of blacks by focusing on them principally as athletes or entertainers. "We don't get serious black people on Meet the Press and the Today Show," he said last week.

What's more, he is likely to appear at congressional hearings on legislative proposals of interest to broadcasters and cable operators—and not always on the side broadcasters or cable operators might like. He would testify, he said, on license-renewal legislation (to oppose extending the three-year license to five years), and if legislation dealing with comparative matters was introduced he would oppose provisions to bar challenges to renewal applicants and thus "remove the competitive spur" he feels such challenges provide. As for cable legislation likely to surface, he would support proposals to authorize the commission to fine cable operators and, in inter-attachment agreements between cable systems and utility companies. And if the House Communications Subcommittee goes forward with its plans to rewrite the Communications Act, NAACP Executive Director Hooks will be on hand.

For all of the work he has done, Commissioner Hooks is not unimpressed with the advances the commission has already made in EEO matters. At the news conference, attended by all of his colleagues with the exception of Commissioner Robert E. Lee, who was representing the commission at an interagency conference, said the commission was the only government agency implementing the EEO law. He frequently notes that broadcasting has far outstripped the print media in the percentage of minority workers employed. And he credited the other commissioners, former Chairman Dean Burch and the present chairman, Richard E. Wiley, with improving the minority-employment picture at the FCC. But he was careful to say there is still room for improvement, both in the in-
Ford gaffe in debate, Carter ads cited as telling points in campaign

TV could have been what tipped scales to Mr. Carter in winning squeaker, say pundits

Monday-morning quarterbacking of the presidential election is focusing on television as possibly the decisive factor in this year’s presidential election—winning the contest for Jimmy Carter as much as it lost it for President Ford.

The President-elect saw in TV the potential for his undoing. In a post-election session with reporters, in his home town of Plains, Ga., he said the debate between him and President Ford, the major TV event of the campaign, was a critical factor in enabling him to make his case to the public. “I have a feeling that, had it not been for the debates, I would have lost,” he was quoted as saying.

On the other hand, he called the television news coverage “a crippling thing” because it hurt his efforts while at the same time it was “overly deferential” to President Ford. “Every time I made a mistake it was news, and Mr. Ford’s news was that he came out of the Rose Garden and signed a bill and he was in charge of things, very authoritative, very sure of himself, no problems, no squabbles, no mistakes.”

Mr. Carter said the second TV debate was particularly important in his campaign because it “established myself in the people’s mind as a more respectable person.”

Mr. Carter was credited with winning the second debate in public opinion polls and in the media even though the subject matter, foreign relations and military affairs, was supposed to be Mr. Ford’s, rather than Mr. Carter’s, strong suit. It was during that debate that Mr. Ford asserted that Eastern Europe is not dominated by the Soviet Union.

Mr. Ford later publicly regretted the remark, but it was judged by commentators to have done perhaps fatal damage to his election campaign. Pollster George Gallup, for one, said last week that the second debate was “the most decisive moment” in the campaign. At the time Mr. Ford had drawn even in the Gallup poll with the Democratic challenger, a remarkable comeback from a deficit at one time as high as 33 percentage points. Mr. Gallup said there is no data to lay the blame solely on the President’s East Europe comment, but after that debate, the President’s momentum was “fatally stalled.”

Mr. Carter, despite assertions that the debates were “an excellent thing for the country,” has repeatedly refused to commit himself to doing them again in 1980. “I just don’t want to commit myself four years ahead of time,” he said.

In searching for weak spots in President Ford’s campaign, the experts are not looking, however, at the Ford TV advertising, which is judged as a successful element. Douglas Bailey of the agency Bailey, Deardorff & Eyre, and a director of Campaign ’76, the Ford campaign’s in-house advertising agency, said he has received “a lot of compliments” for the Ford media work. That is little consolation to him, however: “I wish that I could pile up all the compliments in a basket and trade them in for votes,” he said last week.

If he had it to do again, Mr. Bailey said, he would not do anything differently. It is possible to look at the electoral map and figure out where money was wasted and where it should have been spent, he said, “but if we can do that, the other side can do that, too.” His conclusion was that “I don’t really believe for a more or less stereotypical Republican ticket that it was possible to do better than we did. That doesn’t mean we couldn’t have won. We could have won. But I don’t know what we could have done different.”

Mr. Bailey said the Ford campaign strategists were pre-empted from the start that the best Mr. Ford could do in the election race was to meet Mr. Carter at the end in a photo-finish. The advertising strategy was carefully crafted to preserve a question mark in the minds of voters who had doubts about Jimmy Carter. “From our standpoint, the theory we were following was that there would be very substantial numbers of voters who would be making up their minds at the last minute,” Mr. Bailey said.

The campaign fed those doubts with a series of commercials released three weeks before the election composed of man-on-the-street interviews with people who questioned Mr. Carter’s abilities. It stressed doubts about his record as Georgia governor.

The remarkable thing about those commercials is that although they were anti-Carter, they were not perceived by viewers as being negative. In pre-tests by the agen-

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cy, viewers said they thought the ads were designed simply to show that Mr. Ford would make the better President. And in public opinion polls in key states 10 days after the commercials were released, more people said they preferred Mr. Ford than had run a positive campaign than had Mr. Carter, even though the Carter campaign never ran any negative ads against Mr. Ford.

The man-on-the-street ads were "remarkably successful," Mr. Bailey said. "We could have used them more of them.

In trying to explain the Ford campaign's need to resolve the question marks in the minds of the undecided with a final series of ads stressing the positive attributes of Mr. Ford—his honesty, openness, humility, and the warmth of his family.

The only flaw in the Ford advertising strategy was that there were no flaws in the final days of the Carter campaign. For Mr. Ford to win over the greatest number of undecideds, who, according to Mr. Bailey, were three to one Democratic, Mr. Carter had to make some mistakes. But he did not, and ended pulling in about 60% of those still uncertain, Mr. Bailey said.

(Mr. Carter's victory was perhaps foretold in the ratings of the half-hour commercials both candidates ran on the television networks the night before the election. All of the Carter ads had higher viewership, but in each instance, the Carter ad preceded the Ford ad. Using Nielsen data, the ratings were as follows: On ABC the Carter commercial had a 9.1 rating and 14% share at 8 p.m., compared to an 8.1 rating and 13% share for the Ford commercial at 8:30 p.m. On NBC, the Carter ad drew a 10.8 rating and 16% share at 9 p.m., the Ford ad a 7.1 rating and 11% share at 9:30 p.m. The Carter ad on CBS at 10 p.m. had a 14.3 rating and 25% share and the Ford ad at 10:30 p.m. had a 10.1 rating and 21% share.)

What impact advertising had on the presidential campaign, Mr. Bailey cannot say. He suspects it was "significant," but added that there were three vehicles generally by which impact was made on the public broadcasting, the debates and news coverage. "To try to draw a distinction between the three—I can't do that," he said. Furthermore, he said, people really know, because people will never admit to being influenced by advertising.

The Ford campaign spent about $8.5 million altogether on television, comparable to the $8 million the Carter campaign spent. A major difference in the respective expenditures, however, was that the Ford campaign spent about $6 million in the last two weeks. The Carter campaign spent $2.5 million. Gerald Rafshoon, head of the Atlanta-based agency that handled the Carter work, said before the election that the giant last-minute Ford expenditure was "overkill." Mr. Bailey disagreed, however, saying last week that "what breaks we did get were as a result of having advertising dollars when we needed them—at the last minute.'

If the Ford campaign had had more, it undoubtedly would have spent more on advertising, Mr. Bailey said, but he does not think this would have made the difference.

"After the second debate, the Ford campaign did as good a job of reaching the public as it could. I don't think there were more votes to squeeze out of it."

Another member of the Campaign '76 team, Malcolm MacDougal of the advertising firm Humphrey Browning MacDougal, Boston, told advertising executives last week that the final push in the Ford ad campaign was thwarted by a reliance on politicians and by the underestimating of the black vote. Speaking at a meeting of the Advertising Club of Greater Boston, Mr. MacDougal said, "We handled Texas badly. We had some special black media material, but it was in the wrong places." He also said, "We handled Texas badly. We went with John Connally commercials when we should have had Ronald Reagan live."

Mr. Bailey complimented his adversary, Mr. Rafshoon, for successfully "shifting gears" in the middle of the campaign. The early Carter ads were technically competent, but did not help to meet the campaign's principal problem, he said: that is, answering the question: "Can people trust Jimmy Carter?" The early Carter ads put stress on character traits, promoting Mr. Carter's competence and compassion, and that, said Mr. Bailey, is "right on target... It's important, however, to talk about issues, especially the candidate's priorities." Indeed, some of Mr. Carter's early commercials did touch on issues, but usually in the context of speeches or interviews. Late in the campaign the Carter campaign produced a new batch of commercials with Mr. Carter addressing specific issues and priorities—and looking directly into the camera, as if in quiet discussion. In a separate interview last week, Mr. Rafshoon agreed that the move to the new commercials proved "smart," and so did the decision to run a half-hour commercial in some 25 markets the week prior to the election. In that ad, the same one that ran on the networks that night, the candidate, men and women on the street in various cities told interviewers what they would ask Mr. Carter if they met him. Mr. Carter, in his study in Plains, answered them one by one. In Mr. Rafshoon's opinion, the commercial effectively addressed the question marks that Mr. Bailey said the Ford campaign worked so hard to maintain.

Mr. Rafshoon said he thinks the Ford campaign's negative ads may have backfired toward the end of the campaign. "Look at the solid South," he said. It was there, in his opinion, that the Ford attacks on Carter's credibility did the least good. Like Mr. Bailey, Mr. Rafshoon said there is nothing significant he would do differently if given a chance to begin again. Given more money, "we might have started earlier with radio." In some areas, he said, the Ford campaign was using as much as three times as much radio adver-  }
Broadcasters oppose 
FCC's proposals on public access 
to radio records

Small-market operators say additional expense is not justified in retaining program tapes; CBS agrees that burden would be impossible for most stations

An FCC rulemaking proposal on what programming records radio stations should keep and make available for public inspection has drawn strong opposition from broadcasters, particularly small-market operators.

In comments received in advance of the Dec. 8 deadline, nearly 20 small-market owners were strongly against proposed rules requiring: (1) retention and transcription of tapes or disks of news and public affairs programming; (2) accessibility of stations' program logs to the public; (3) stations be required to supply copies of material in the station's public file, and (4) stations be required to keep written comments from the public for three years in the public file (BROADCASTING, Oct. 11).

The main objection was to the first proposal. The comments agreed with the remarks of the Nebraska Broadcasters Association which said, "There is nothing in the record to warrant the additional expense." The matter of additional expense was also mentioned by KKUB(AM) Brownfield, Tex., which said the rules would "take hundreds of thousands of dollars in time and effort from the industry without a comparable benefit to the general public."

Other stations estimated that the cost to them in tape, personnel and storage space would be at least $3,000 per year.

CBS Inc. agreed that the burden would be impossible for most stations and would be "overwhelming" for all-news and talk formatted stations.

The other matters, whether the public should have access to program logs and whether stations should keep public letters in the public file, were also seen as unnecessary. Many broadcasters said that there has never been a request from the public to see logs. CBS added that the need to have transcripts available of automatic logging methods would "deter stations from utilizing exclusively, as permitted under FCC rules, automatic methods for logging."

One comment in favor of the proposals came from the New York citizen group, WNCN Listeners' Guild, which said the stations should not be made to keep transcripts of the tapes but to "make such

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records available for transcription" by the public. The guild said transcriptions and availability of letters in public files were of use to it in its recent petition to deny sale and format change of the classical music station in New York.

Changing Hands

Announced
The following broadcast station sales were reported last week, subject to FCC approval:

- WLOK(AM) Memphis: Sold by Starr Broadcasting Group to Gilliam Communications Inc. for $725,000. Seller (Peter H. and Michael F. Starr and William F. Buckley Jr. are largest stockholders in publicly traded group owner) reported negotiations for this sale at time it announced sale of its wcbv-TV Bristol, Va. (BROADCASTING, Aug. 16). Financially troubled Starr said deal is “part of its program to reduce senior indebtedness and to meet current obligations.” Buyer is owned by H.A. Gilliam Jr., former vice president of Universal Life Insurance, Memphis. WLOK is on 1340 kHz with 1 kw day, 250 w night. Broker: Blackburn & Co.

- KDEO(AM) El Cajon, Calif.: Sold by Metro Communications Inc. to Lee Bartell & Associates for $700,000. Seller is principally owned by Mortimer W. Hall who has no other broadcast interests. Buyer is owned by Lee Bartell (40%) and his children, Richard (20%), Michael (20%) and Roberta Weiss (20%). Senior Bartell is San Diego attorney and, with his sons, has various motel interests. He also, with other members of Bartell family, has minority interest in holding company of five stations licensed to Bartell Broadcasters, which he will dispose of prior to consummation of this application. Richard is El Cajon attorney, Michael is vice president of New York leasing and insurance firm and Mrs. Weiss is San Diego school teacher. KDEO is on 910 kHz full time with 1 kw.

- WMVG-AM-FM Milledgeville, Ga.: Sold to M.T. Landy to WMVG Inc. for $450,000. Seller has no other broadcast interests. Principal in buyer is John W. Davidson who also owns wdaix(AM) McMae, Ga.; 90% of wdkd-AM-FM Kingstree, S.C., and 80% of wlopa(AM)-WFIO(FM) Jessup, Ga. WMVG is 1 kw daytimer on 1450 kHz. WMVG-FM is on 107.3 mhz with 3 kw and antenna 160 feet above average terrain.


- WCER-AM-FM Charlotte, Mich.: Sold by Roy W. McLean and Craig E. Davids to Mid-America Broadcasting Inc. for $288,000. Mr. Davids has 90% interest in KCKY(AM) Coolidge, Ariz. Buyer is owned by Ralph S. Gregory (70%) and Charles S. Hayes (30%). Mr. Gregory is account executive at wcco-FM Minneapolis and has 60% interest in application for new FM in Little Falls, Minn. Mr. Hayes has interest in Chicago investment firm, WCER is 5 kw daytimer on 1390 kHz. WCER-FM is on 92.7 mhz with 3 kw and antenna 160 feet above average terrain. Broker: John D. Stebbins.

- WFFG(AM) Marathon, Fla.: Sold by WHO Radio Inc. to WFFG Inc. for $200,000. Seller is subsidiary of Bluegrass Broadcasting, owned by Central Bank & Trust of Lexington, Ky., executor of estate of Garvice D. Kincaid, with control vested in advisory committee. Bluegrass also owns WLVK-AM-FM and WKYT-TV Lexington; WHO-AM Orlando, Fla., and WNN(AM) Louisville, Ky. Buyer is owned by brothers, Emil and James Lockwood, and Francis J. Coomes (33-1/3% each). Emil Lockwood and Mr. Coomes are chairman and president, respectively, of Lansing, Mich., legislative consulting firm. James Lockwood is branch manager of investment firm in St. Louis, Mich. WFFG is on 1300 kHz with 500 w day, 250 w night.

- Other sales reported by the FCC last week include: wauc(AM) Wauchula, Fla. (see page 65).

Approved
The following transfers of station ownership were approved last week by the FCC:

- WFMV-TV Greensboro, N.C.: Sold by Landmark Communications to Harte-Hanks Newspapers for $19 million. Seller also owns Greensboro Daily News and Record, wtar-AM-TF and WKEZ(FM) Norfolk, Va., two Norfolk newspapers and two Roanoke, Va., papers. Buyer also owns WTVT(AM) Jacksonville, Fla., and KENS-TV San Antonio, Tex., and operates 25 daily newspapers and 39 weeklies in 27 markets. WFMV-TV is CBS affiliate on channel 2 with 100 kw visual, 20 kw aural and antenna 720 feet above average terrain.

- WRAW(AM) Reading, Pa.: Sold by Rust Communications Group to Camelot Communications for $840,000 plus $10,000 noncompetition covenant. Seller, William F. Rust Jr., principal, also owns WHAM(AM)-WHFM(FM) Rochester and WFLY(FM) Troy, both New York; WAE(AM)-WWKN(FM) Allentown and WNOA(AM)-WO(A) York, both Pennsylvania; WMKX(AM) Portsmouth and WRLA(AM)-WRXL(FM) Richmond, both Virginia, and has 34.5% interest in Buena Vista, Va., cable system. Principals in buyer are brothers, Jeffrey and Stephen Levin, who are secretary and general man-
Opponent to sale of S.F. FM’s may encounter paradox

Citizen group’s concern over format change could run counter to desire for minority ownership

On a number of occasions over the past several years, citizen groups have petitioned the FCC to deny the sale of a station in order to prevent the loss of a “unique” program format. Frequently, an additional principal goal of citizen groups is to promote minority ownership of broadcast properties.

Those goals may be in conflict in a complicated, three-way station-transfer case now pending before the FCC.

The stations involved—all in San Francisco—are CBS’s KCBS-FM, Family Stations’ KEAR-FM and National Science Network’s KMPX-FM. CBS plans to buy KEAR (more powerful than its own KCBS-FM) for $2 million; and Family Stations will buy KMPX, for $1 million. To make those sales possible, CBS would sell its FM to Golden Gate Radio Inc. for $350,000 (Broadcasting, Sept. 6).

The potential hang-up in the matter is that Family Stations would continue its present programming on KEAR-FM—religious—on its new frequency while Golden Gate Radio would begin broadcasting “adult contemporary” music over the former KCBS-FM frequency. CBS would continue its present “mellow sound” programming.

The net effect, says the KMPX Listeners Guild, in a petition to deny the KMPX sale that was filed with the commission, would be the elimination of KMPX’s current “unique” format—“retrospective ‘Big Band’ and jazz music of the 1920’s, 30’s and 40’s—and further duplication of existing programming.”

The guild contends that court cases in format-change situations in the past make it clear that the FCC must hold hearings where there are substantial questions of fact as to the uniqueness of the format involved in a protested station sale or its continued financial strength. And the guild says that there is no question as to the uniqueness of the format and that NSN’s primary reason for selling the station appears to be a desire to settle the estate of the network’s founder, not to dispose of a money-losing enterprise.

Furthermore, there is sufficient “public grumbling” about the proposed sale to meet the standards of previous format change cases considered by the courts, according to the petition. It says the guild has collected more than 1,000 signatures on its petitions. (One of the signers is a star of the Big Sound era, Bing Crosby.)

However, the guild’s success would block the sale of KCBS-FM to Golden Gate.

KGGM-TV passes first test

An FCC administrative law judge has renewed an initial decision New Mexico Broadcasting Co. ’s license for KGGM-TV Albuquerque, N.M.

Petitions to deny the renewal were filed in 1971 by Alleanza Federal de Pueblos Libres and William L. Higgs and the Coalition for the Enforcement of Equality in Television and Radio Utilization of Time and Hours which said the station was not responsive to the needs and problems of the area, especially those of the Mexican-American community. The petitions also said the station misrepresented the percentage of local and regional news broadcast during the 1968-71 license period and that it had violated the commission’s EEO rules.

ALJ Joseph Stirmer’s decision said that the evidence produced at hearings showed that the station’s programing, over-all, was reasonably responsive to the general needs of the community. The misrepresentation claims, he found, resulted from a misinterpretation of information called for on the renewal form. As for the EEO matters, he said that KGGM-TV had achieved significant minority employment and afforded employment opportunities to members of minority groups and women.
whose owners, Lloyd Edwards and his wife, Barbara, are black. As a result, Marcus Garvey Witcher, who over the past several years has been active in citizen group efforts to persuade the FCC to deny license renewals to San Francisco Bay area stations, is likely to emerge in a new role.

He has expressed support of the sale of Golden Gate as a means of increasing minority ownership of broadcast properties. And he has indicated he will file a pleading with the commission in opposition to the petition to deny.

**CPB divvies up dollars for 1977**

**Board allocates money along same lines as this year; it also reaffirms decision to fund BBC Shakespeare effort**

The Corporation for Public Broadcasting board, meeting last week in Denver, spelled out how its $103-million fiscal 1977 budget will be distributed.

From the $103 million, $77.32 million will go for the support of public television, with $15.38 million for public radio. Ten percent of the total budget—the remaining $10.3 million—goes to common broadcast services such as CPB operations, research and training CPB’s $78.7 million budget for fiscal 1976 was divided in similar proportions.

Public television’s share breaks down as follows: $51.5 million for community service grants which are given to the individual stations; $12.5 million for the satellite interconnection project, and $13.32 million for production. The radio breakdown: $6.38 million for National Public Radio and other production efforts; $1.83 million for radio expansion grants; $300,000 for the satellite interconnection, and $350,000 for a membership awareness program.

Among other actions last week, the CPB board reaffirmed its plans to participate in the funding of a BBC production of 36 Shakespearean plays. The American Federation of Television and Radio Artists had criticized use of U.S. money to support foreign production (Broadcasting, Nov. 1), and last week further criticism came from the AFL-CIO, the American Federation of Musicians and Lawrence Grossman, president of the Public Broadcasting Service.

The CPB board said again it would fund the BBC project at $200,000 a year for six years. It cited the “long, residual educational value” of the programs.

The CPB board also:

- Reaffirmed its authorization of $1 million in CPB support to establish a revolving documentary fund
- Authorized a study by Yankelovich, Skelly & White Inc. on public participation in public broadcasting
- Adopted statements of general mission, goals, tasks and responsibilities for CPB

The afternoon session of the board meeting was open to public participation. The turnout: Vine Deloria, an American Indian author who expressed program concerns; Frank Blythe, chairman of the Native American Public Broadcasting Consortium, who asked for funding for his organization and expressed training and employment concerns, and Bill Brazel of Telecommunications Inc., a Denver-based multiple system operator, who recommended more national attention on ways cable operators can work with public broadcasters.

**FCBA seminar this week**

The Federal Communications Bar Association’s annual communications seminar will be conducted Nov. 19-22 at Cerramar Beach, Puerto Rico. Howard Eaton, senior vice president, Ogilvy & Mather, will be the banquet speaker on Nov. 21.

Two panels are scheduled for the seminar. “Competition in Telecommunications Services,” will be moderated by Peter Tannenwald of Arent, Fox, Kintner, Plotkin & Kahn. Panelists will be Henry M. Boet-
Sonderling pays, splits. Board of directors of Sonderling Broadcasting Corp., Miami, has declared 12-cent per share cash dividend and three-for-two common stock distribution. Dividend, first ever paid by company, and stock distribution will be payable on Jan. 14, 1977, to shareholders of record on Dec. 15, 1976. Stock split will increase outstanding shares to more than 1,101,000 compared to 734,240 shares now outstanding. Cash will be paid in lieu of fractional shares.

Almost an MCA record

MCA Inc. reported the second highest net income and earnings per share in the company's history for the three months and nine months ended last Sept. 30. Only the same periods in 1975, which included results from the domestic release of the blockbuster motion picture, "Jaws," exceeded these levels. Net income for the nine months was $69,123,000 ($3.96 per share) on revenues of $574,509,000, as against $71,462,000 ($4.12 per share) on revenues of $575,622,000 in the record period of 1975. Television revenues in the first nine months of 1976 outpaced the 1975 figure by 46%, rising to $172,505,000 from $118,104,000.

This RCA option substantially improves signal-to-noise ratio, reduces moiré, and corrects banding errors. Master recordings look better than ever so that all your tapes can be produced with consistent high quality.

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It takes a great VTR to accommodate versatile options. That's the TR-600A. We designed in all-modular electronics. Included desirable features that cost up to $20,000 to add to other VTRs. The TR-600A offers a raft of options, such as exclusive integral on-line Time Code Editing, AE-600. All housed in a smart cabinet that fits in 7 sq. ft. of van or studio floor. In short, the complete quad at a surprisingly low price.

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Industry still in disarray after decision on family viewing

There’s no consensus as to ruling’s eventual impact on broadcasting, although major entities still intend to appeal; at minimum, says Burch, ‘jawboning’ will change

Lawyers and principals among the defendants in the family-viewing case emerged last week from a study of the 223-page court opinion issued in the case (BROADCASTING, Nov. 8), some shaking their heads, others simply shaken and still others actually showing signs of a smile. It was that kind of opinion. About the only thing certain was that the National Association of Broadcasters would not seek to enforce the family-viewing provision of its code pending the outcome of appeals.

The opinion, in the suit brought by guilds representing television writers, producers, directors and actors, went against the NAB, the networks and the FCC. The defendant’s actions leading to the adoption of the family-viewing concept by the networks and the NAB code, U.S. Judge Warren J. Ferguson said, were “lawless” and constituted a violation of the First Amendment.

Judge Ferguson was referring primarily to FCC Chairman Richard E. Wiley, the speeches he gave and the meetings he held with network and NAB officials preceding the adoption of the plan under which the hours between 7 and 9 p.m. were reserved for programing suitable for the entire family. The defendants, Judge Ferguson said, permitted the NAB television code review board to act “as a national board of censors for American television.”

And yet, harsh as that judgment was, much of the language running through the opinion is of the kind that broadcasters would ordinarily be delighted to hear from a judge: Broadcasters must make individual judgments as to what programing is in the interest, and cannot delegate the authority for such decisions to anyone else.

Former FCC Chairman Dean Burch who is practicing law in Washington and who is one of the few lawyers not involved in the case to have read the lengthy document, said of the decision, “It’s good for broadcasters. Any time the First Amendment is honored, it has to be good.”

And that kind of thinking is evidently current at NBC, which has yet to announce whether it will appeal the decision. An NBC spokesman said, “We regard the basic point of this decision to be a declaration that government may not constitutionally interfere with programing. We have to examine the opinion further to see if there are other elements that justify appeal,” the NBC spokesman said, “but we agree with the basic principle…” The “other elements” being studied presumably include the question of whether NBC would be liable for damages.

The NAB will not make a final decision on whether to appeal until its executive committee considers the matter at a meeting on Nov. 23. However, an appeal is a virtual certainty. NAB officials contend they did nothing wrong and, therefore, should not be required to pay the damages to which the court said the private defendants were liable. Furthermore, “at its worst,” according to John Summers, NAB executive vice president, “the opinion might result in the code being unenforceable in terms of program standards.”

But while its decision on an appeal is pending, the NAB issued a statement asserting the view it had done nothing wrong but that it will, “of course, comply with the decision pending any appeal.” The decision directed the NAB not to enforce the code provision dealing with family viewing.

CBS and ABC said they will appeal, and
government also plans to appeal. But the case finds CBS in an unfamiliar posture. Normally the most outspoken of broadcasters in matters even indirectly raising First Ammendment issues, it is in the forefront of those defending family viewing and the NAB code provision requiring code members to comply with the concept. John Schneider, president of the CBS/Broadcast Group, remarked that "no one said we disagree with every word of the opinion. But we do disagree with the conclusion that we cannot band together as an industry for self-regulation."

Denying broadcasters that right, when it is granted to other industries and associations, is unfair, he said.

Although Judge Ferguson said the NAB could adopt codes of conduct, "including codes which contain the family-viewing policy," he also said that the NAB has "no constitutional right to set up a network board to censor and regulate American television." To CBS, the opinion means that sanctions may not be employed to enforce programing provisions of the code.

CBS had taken the lead in advancing the family viewing concept as an NAB code provision under the leadership of its then president, Arthur Taylor. Mr. Taylor became the industry's leading spokesman for the plan, and last week he said: "I would like to think that family viewing would continue without the support of the NAB code. But I believe it does need the support of the NAB code in order to be effective."

Among all those involved, the decision appeared to have been felt most deeply, certainly most personally, by Chairman Wiley. His anguish showed through a formal statement denying that he had issued threats and asserting that his conduct and that of his colleagues were proper.

A comment by Judge Ferguson during the trial in his Los Angeles courtroom last May led commission attorneys to believe the plaintiffs had failed to persuade him that the commission had used improper means to induce the broadcasters to adopt the family-viewing plan. He had said all the evidence was in and the lawyers were engaging in what would be a pointless hunt for a "smoking gun" (Broadcasting, May 10).

Accordingly, the judge's references in the opinion to "lawless" action and "threats" stunned commission officials, particularly Chairman Wiley. "My only hope, the only thing that sustains me, is that people who know me well judge for themselves whether this [opinion presents] an accurate picture of how I operate," he said. "I disagree with the court's opinion, but it would be inappropriate for me to say more."

One of Chairman Wiley's colleagues was not so reticent. Commissioner Abbott Washburn issued a statement calling the opinion "wrong-headed"—"one which undercuts the right of an industry to take responsible self-regulatory action in the public interest."

He said that the family viewing provision in the NAB code resulted from a "voluntary agreement on the part of the broadcasters involved," and added: "It is the first and only cooperative action in 20 years to control the level of televised violence for the protection of our nation's children. This important progress should not be upset, nor should the ability of an industry to effect voluntary reforms be interfered with.

"I know of absolutely no 'threats' on the part of the chairman or anyone else at the commission. Such a finding is contrary to the facts."

Nevertheless, to former Chairman Burch, "the most significant point" in the decision "is that it sets forth ground rules that all parties—the bar, the commission, broadcasters—should know" as to the limits of permissible government action in the first Amendment area. The decision, he said, addressed such questions as "What is government coercion?" The significance in practical terms? "The days of FCC jawboning," he said, referring to a tactic to which he was not a stranger, "are going to change."

Excerpts from Judge Ferguson's family-viewing decision begin on the following page.

The new TR-600A is great VTR with a dramatic "first": AE-600, an integral on-line Time Code Editing option with built-in microprocessor control. The TR-600A with AE-600 is an editing system capable of operating one record and up to 8 playback TR-600A VTRs, plus three other sources.

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More than half a century ago, Secretary of Commerce Herbert Hoover warned that, "We cannot allow any single person or group to place themselves in a position where they can censor the material which shall be broadcast to the public, nor do I believe that the government should ever be placed in a position of censoring this material." The plaintiffs in this case have exposed a joint agreement on the part of the three major television networks, the Federal Communications Commission and the National Association of Broadcasters to permit one group—the NAB television code review board—to act as a national board of censors for American television. The plaintiffs have evidenced a successful attempt by the FCC to pressure the networks and the NAB into adopting a programing policy they did not wish to adopt. The plaintiffs have proved that the FCC formulated and imposed new industry policy without giving the public its right to notice and its right to be heard.

The parties, of course, characterize the factual circumstances leading up to the adoption of the family-viewing policy quite differently. None of the defendants are prepared to accept the plaintiffs' position that Chairman [Richard E.] Wiley and the commission staff, acting on behalf of the commission, pressured the networks and the NAB into adopting the family viewing policy thereby causing injury to the plaintiffs. The government defendants maintain that Chairman Wiley merely made suggestions and they deny that he threatened anyone...

The private defendants, on the other hand, equivocate as to the proper characterization of the chairman's advocacy or lack of it. In their post-trial brief, they suggest that the record "evinces the total lack of coercion or pressure on the networks by the FCC and its chairman..." Instead they write that "[T]he chairman's role was merely to suggest..." At oral argument, however, the private defendants conceded that the chairman had clearly done more than offer suggestions. How much more they were unable to say. Whatever differences there may be between the government defendants and the private de-
fendants as to the nature of the chairman’s conduct, they are united in their approach to characterizing its results. They contend that the adoption of the family viewing policy was not caused by Chairman Wiley. In fact, they maintain that Wiley’s proposals were rejected. Instead, the private defendants suggest that the adoption of the policy is best viewed as “a continuation of the industry’s response to public concern over televised violence and other offensive material.” The family-viewing policy, they claim, is “a direct outgrowth of the work of ICBS President Arthur Taylor, and not the result of pressure or suggestions by Chairman Wiley.”

Such post hoc rationalizations, however, cannot be squared with the evidence accumulated by the plaintiffs. They especially are difficult to reconcile with the writings of the defendants made at the time of the decision making process. Based on the totality of the evidence accumulated in this case the court finds that Chairman Wiley, acting on behalf of the commission (and with the approval of the commissioners) in response to congressional committee pressure, launched a campaign primarily designed to alter the content of entertainment programming in the early evening hours.

The evidence discloses, as former Commissioner [Nicholas] Johnson put it, that the government activities involved amounted to “a virtually unprecedented orchestration of regulatory tools by the FCC.” The evidence confirms his conclusion that “What you have before you in this case is really unprecedented in my experience in terms of the totality of the force brought to bear on the industry . . .” The court finds that Chairman Wiley in the course of his campaign threatened the industry with regulatory action if it did not adopt the essence of his scheduling proposals. On some occasions, when the persuasive demands of the situation so dictated, he would withdraw his threats or assume a low profile. But the commission’s pressure in this case was persistent, pronounced, and unmistakable. Chairman Wiley’s actions were the direct cause of the implementation of the family-viewing policy; Were it not for the pressure he exerted, it would not have been adopted by any of the networks nor by the NAB. The threat of regulatory action was not only a substantial factor leading to its adoption but a crucial, necessary, and indispensable cause . . .

The basic proposals of the [FCC] staff were presented in a meeting with the chairman on Oct. 4, 1974, but some preliminary moves were made prior to that date. Some time in August 1974, acting at the request of Chairman Wiley, Lawrence Secrest, legal and administrative assistant to the chairman, requested the NAB to strengthen its position on televised violence by reinstalling language which had earlier existed in the code. The proposal, which had been reduced to writing, was delivered by Secrest to John Summers, the NAB general counsel, and was considered by the NAB television code review board at their Oct. 1-2 meeting in San Antonio, and was rejected. At that same code board meeting, the question of violence on television was discussed in some detail. The topic, of course, had been the subject of numerous discussions over the years at board meetings . . .

Six days after the Oct. 4 meeting Wiley took the first in a series of steps designed to bring commission pressure to bear on the industry. In a speech delivered to the Illinois Broadcasters Association, he focused on “the question of violence and obscenity on television—particularly as to the effect of such presentations on our children.” The speech reminded broadcasters of their “public accountability” and “special” responsibilities as licensees. It stated that “[I]f self-regulation does not work, government action to protect the public may be required—and you like it or whether I like it” and stressed that the issue involved was on the “front-burner of a rather ‘well-heated’ chairman’s desk at the FCC.” Specifically it called for “intelligent scheduling, appropriate warnings, and, perhaps, even some kind of industry-administered rating program . . .” In the process, it referred to a speech delivered in Atlanta by Wiley proposing a reduction in children’s commercials, and it applauded industry code amendments which had followed that speech, stating that “I am frankly optimistic that the combined effect of government en-

Our new quad includes these desired features that would cost up to $20,000 to add to other machines: Chrominance Amplitude Corrector, Color Dropout Compensator, Automatic Color Framing, Automatic Control Track Phasing, LED diagnostic systems, vacuum guide and reel servos, a presettable tape timer with LED timer display. And more.

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In short, the family hour may or may not be desirable. Censorship by government or privately created review boards cannot be tolerated.”

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He'd better not ask me to work late tonight. "Medical Center's" on.

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couragement and enlightened self-regulation will bring about constructive change in this very important aspect of public service.

The import of the speech was unmistakable and the industry press was quick to say so. Broadcasting, the major industry journal, in its Oct. 21, 1974, issue stated:

“Chairman Wiley, who is loath to delve into the area of program content under any conditions, appeared in his Illinois speech to be embarking on the same course that proved successful in connection with children’s television programing. A tough speech in Atlanta in May resulted several months later in the kind of self-regulation . . . .”

After referring to the questionable ability of the commission to regulate in this area, a problem which the chairman had conceded, the article continued: “However, Chairman Wiley apparently has not quit on jawboning. He is understood to be planning to confer with senior network officials on the matter . . . .”

On Nov. 7, 1974, Chairman Wiley and members of the FCC staff met with the Washington vice presidents of CBS, NBC and ABC. At that meeting, Wiley proposed that each network issue a statement of policy on violence and obscenity, that the policies include cautionary warnings, and that programs requiring warnings be scheduled later in the evening. He further hoped . . . that “the NAB code would be amended with exhortatory language urging members to follow the suggestions.” [Richard Jenks] [CBS] memo of Nov. 8, to Taylor discusses the scheduling proposal:

“Chairman Wiley also asked consideration of an agreement that programs bearing such a warning would not be scheduled before a certain time which, for discussion purposes, he identified as 9 p.m. local time, although in the discussion he conceded that time zone difficulties might make the selection of such a time impracticable.”

On Nov. 22, the chairman and members of the FCC staff met for two hours with the presidents of the networks and other network executives in the chairman's office in Washington. Wiley opened the meeting by referring to the fact that there was a serious problem with “unusual violence” and “fairly explicit sexual material” on television and that complaints from a variety of sources had been received by the commission. He indicated that, “The commission was reluctant, for legal and policy reasons, to try to lay down specific program rules, but something had to be done . . .” (emphasis added). The chairman was concerned with the lack of public visibility of network standards with respect to sex and violence and concerned about their substantive inadequacy as well. He mentioned an effort on his part to get the NAB code standards on this subject strengthened, and said this had been rejected, with network representatives—particularly ABC’s—opposing such a move. Not all of the network people at the meeting knew what he was talking about.” Wiley proposed a joint network statement on the subject of sex and violence and suggested that the Code might want to express a new position in this area. . . .

NOR did the chairman confine his comments to approving the goal of industry-wide compliance and offering to help bring it about. As [David] Adams [of NBC] recorded:

“[Chairman] Wiley led Chairman Wiley, later in the meeting, to make some not very veiled threats, as a response to Taylor’s point: that perhaps the FCC could deal with the ‘separate station problem’ by including in the license renewal forms new questions on stations’ policies regarding the acceptance and scheduling of programs with sex and violence. We asked what the commission would do with the information it obtained, since it was dedicated not to intrude on programing, and could not comprehend the chairman’s response. He said the commission might also consider issuing a general statement, via policy statement, along the lines of how the one on children’s programing/advertising, outlining what it expected of licensees in guarding against sex and violence, particularly when there were significant numbers of children in the audience.”

Thus the chairman threatened action which he himself believed to be unconstitutional . . . .

Within three days of the meeting in the chairman’s office, ABC forwarded two policy statements to the FCC which represented its existing policies. They did not address the chairman’s specific proposals. The activities at NBC and CBS were more complicated.

The FCC staff met in New York with NBC executives having program standards responsibilities in the morning of Dec. 10, with CBS in the afternoon of the same day, and with ABC on Dec. 11. The meetings served a number of purposes. The FCC sought to clarify its position, to achieve an understanding of how the networks would apply a new scheduling policy to specific programs, and to learn more about the program practices of each of the networks.

Gene Mater, assistant to John A. Schneider, president of CBS/Broadcast Group, summarized the FCC position in a Dec. 10 memo: “Basically, here is what they want: Some sort of policy statement of principles issued by the three networks, in which he would, in effect, recognize our ‘responsibility’ with regard to children. We would state that, in implementation of this responsibility, all programming before 9 p.m. (New York time) would be of a type that parents could generally rely on as being suitable for viewing by the young audience. This responsibility factor would presumably apply to the problems of violence, sex and language.

‘Recognizing that there might be exceptions to that approach, we need an effort on our part to get some type of warning notice or disclaimer, both audio and visual, to be carried at the beginning of any program aired earlier than 9 p.m. that might be considered questionable . . . . The disclaimer would be standardized for the entire industry. The idea of a visual dot or triangle has been discarded.’

Mater also commented on the point of how industry-wide compliance was achieved. During an FCC staff meeting of Dec. 17, Les Brown, a reporter for the New York Times, contacted the chairman and interviewed him over the telephone. In the course of that interview, the chairman indicated in response to questions that public hearings on the question

“Broadcasters daily are forced to make ad hoc subjective decisions as to what should and should not be broadcast. Those excluded from the airwaves, this censorship.

Those permitted to participate call it visionary editorial decision making.”
of sex and violence were always a possibility and conceded that the networks would not like that possibility. The next day a Les Brown column appeared in the New York Times headlined "Head of FCC Weighing Hearing on TV Violence." The article stated that Wiley "made no secret of the fact that he might use the prospect of hearings as negotiating leverage to spur the networks into adopting policies on their own to protect the young from adult-oriented programs." The chairman was quite concerned about the article, first, because he thought it imported a threatening tone to his remarks which he did not believe had been present and, second, because it would appear as though he were deliberately using the press at this late hour to put additional public pressure on the networks.

On the same day that the Brown article appeared Wiley had telephone conversations with [Everett] Erlick of [ABC] and Taylor in which he told them he had been misquoted. He placed a call with [Herbert] Schlosser of [NBC] on the same day, could not get through, and after a series of missed returned calls talked to him on Dec. 20.

The first telephone conversation was with Taylor. According to [Kidder] Meade, a CBS vice president, Taylor in essence told Wiley, "We are not going to send you this letter right now. We are working on something much more important and we need a lot of support. We don't want to muddy the waters with this. We don't want you in the act. Be patient and bide your time." Moreover, Meade continued:

"He admonished Mr. Wiley to—I don't like to be rude—but to keep his mouth shut in terms of throwing his weight around, that he was having this lawboning and so forth ... and the essence of what Taylor said is, 'You are making it much more difficult for us, because it has to be an industry-regulated thing. We cannot have the government breathing down our neck, and, furthermore, if you continue in your present tone, you are going to make it impossible to get anything through the code ...'"

On Dec. 20, Wiley and Schlosser finally were able to reach each other on the telephone. Schlosser prepared a memo for the file on Dec. 24. The memo summarized the "principal points" Wiley made. In pertinent part, the memo paraphrases the chairman's position as follows: "The Les Brown article in the New York Times on the sex and violence issue was not correct. Wiley did not intend to threaten the networks with public hearings. He would rather work with us to achieve a result. However, there would be a notice of inquiry leading to some kind of policy statement if some kind of agreement cannot be reached with the networks. If the networks and the commission 'agree to disagree' then he, Wiley, would go to the 'court of public opinion.' He referred me to his speech before the 'Dr. Parker group.'"

The episode richly illustrates the general approach taken by the chairman throughout. He did not want to "threaten" anyone. At the same time he wanted the networks to know that if something constructive in the eyes of Congress, the FCC, and the public were not done, the FCC would be compelled to take some sort of action. He felt that FCC action of any type at the very least raises serious constitutional questions and would strongly prefer as a matter of policy that the FCC do nothing. But if the networks were to be so unwise as not to act, the commission (probably but not necessarily with his support) would be forced by the circumstances (which he had created) to take action.

Thus Wiley could offer "suggestions" initially caring little about the specifics of the response but requiring that something constructive with public visibility be accomplished. On some occasions, he viewed himself not as personally threatening anyone but rather as offering advice as a friend concerning the consequences which would follow if constructive action were not taken. On other occasions in the heat of the campaign, he would deliberately threaten. Sometimes he would repudiate "threats." The bottom line, however, remained the same, in substance if not in tone—"Do something to curb 'offensive' material or we, the FCC, will be forced to take action."

Thus the chairman called Schlosser to reassure him that the Brown article which pictured him as threatening the networks was inaccurate. Before the conversation had ended, ironically, he had delivered in substance the same threats he had called to disavow. The difference was that he had delivered them as a friend, not as a foe ...

[Judge Ferguson's opinion continues to recount the history of family-viewing development until adoption by the NAB television code board on ...]
April 8, 1975, Luter, after establishing the facts to his satisfaction, he addressed the consequences.

Much of the energy associated with this case has been generated because the plaintiffs and defendants disagree about the wisdom of the family viewing policy. In the last analysis, however, this is not the family hour case. The desire of the plaintiffs to deprive the broadcast licensees of the right to program television in a manner of their own choosing is not the issue. Rather the question is who should have the right to decide what shall and shall not be broadcast and how and on what basis such decisions would be made. This court will not evaluate the family viewing policy except to say that individual broadcast licensees have the right and the duty to exercise independent judgment in deciding whether or not to follow that policy. This court has no authority to declare an end to the family hour. At the same time, however, neither the FCC nor the NAB has the right to compromise the independent judgments of individual station owners. The court will formulate remedies designed to let those with the right and the duty to make programming decisions make them without improper interference from government or other broadcasters. If the family hour continues, it should continue because broadcasters in their independent judgment decide that it is desirable policy, not because of government pressure or NAB policy. Government intervention in the future to control entertainment programming on television, it shall do so not in closed-door negotiating sessions but in conformity with legislatively mandated administrative procedures. If the government has any power to regulate such programming, it must be exercised by formal regulation supported by an appropriate administrative record, not by informal pressure, either self-serving or unconvincing denials of responsibility. In short, the family hour may or may not be desirable. Censorship by government or privately created review boards cannot be tolerated...

The liability of the private defendants turns on four questions. First, does broadcaster adoption of the family viewing policy constitute a violation of the First Amendment even in the absence of government encouragement or pressure? Second, assuming it does not, does the presence of government encouragement without more vary the result? Third, assuming it does not, does broadcaster adoption of the family viewing policy violate the First Amendment when the decision to do so is substantially motivated by a desire to defuse the consciously exploited threat of government regulation? Fourth, assuming such adoption is contrary to the public interest, is there a valid reason, or NAB and government-network-NAB agreement to compromise licensee program decision making violate the First Amendment?

As will be discussed in detail infra, the answers to the first two questions are no. Whether or not broadcaster adoption in either context is considered to be governmental, the answers to the last two questions are yes. Analysis of these questions, however, would light on the degree of private autonomy afforded to broadcasters and expected of them which in turn assists analysis both of the state action question and the remedy question.

In short, broadcasters are free to adopt the family viewing policy even if the source of the idea is governmental, and even if government officials have encouraged the policy. Federal officials' adoption of the policy is based on their independent judgment that the particular programming policy is best suited to promote the public interest. Broadcasters retain this freedom whether or not their actions are considered to be governmental. They are not free, however, to program on any basis other than their own independent judgment of what constitutes good programming, and they have no right to interfere with the independent judgment of other broadcasters....

The analytical starting point must be the Supreme Court's decision in CBS v. Democratic National Committee, supra, 412 U.S. 94. There the plaintiff committee sought a declaration that a flat ban imposed by broadcasters against editorial advertising was in violation of the First Amendment and the Communications Act of 1934. Although the court did not decide the question of whether or not broadcaster action was the equivalent of state action for First Amendment purposes, it held that even "assuming governmental action," neither the First Amendment nor the Communications Act was violated by broadcaster refusals to carry editorial advertisements. In so holding, the court reaffirmed the constitutionality of the Federal Communications Act of 1934. See, e.g., National Broadcasting Co. v. United States, 319 U.S. 190 (1943). Supreme Court sanction, then, has again been given to a system in which the government excludes everyone from access to the media unless the approval of governmentally appointed caretakers (i.e., the licensees), is first secured. Moreover the discretion afforded to these licensees is purposely broad. As the court stated in CBS, "Congress intended to permit private broadcasting to develop a system of freedom consistent with its public obligations...."

The government can make some types of editorial decisions when the particular circumstances make it necessary for it to do so. Viewed in perspective this conclusion is not remarkable. The government must act as an editor in a wide variety of contexts, making decisions on the basis of content as to what should or should not be included. One need only contemplate the operations of public libraries, public school local licensees has been affirmed again and again by the FCC. In its Network Programming Inquiry, 25 Fed. Reg. 7291, 7295 (1960) the commission proclaimed that, "the broadcasting licensee shall assume responsibility for all material which is broadcast through their facilities. This includes all programs which they present to the public..."

In short, the NAB has no constitutional right to set up a network board to censor and regulate American television.

"In short, the NAB has no constitutional right to set up a network board to censor and regulate American television."
ing policy was caused substantially by government pressure. The adoption of the policy was not the kind of independent decision required by the First Amendment. Instead the networks served in a surrogate role in achieving the implementation of government policy...

... the chairman (Richard E. Wiley of the FCC) threatened the networks at the very least with actions that would impose severe economic risks and burdens. By indicating that a policy statement might be issued on the matter, the chairman impliedly threatened the networks with the burden of a full-fledged administrative proceeding together with necessary appeals therefrom. Moreover since a policy statement would outline responsibilities of licensees, the networks' 15 stations could be held accountable in the licensing process for their adherence to the policy. In addition, the chairman's use of the "public interest" standard as the rubric with which to clothe his proposals and his continual references to the "public trustee" status of the broadcasters again subtly but unmistakably indicated that the FCC could employ formal regulatory mechanisms to burden the networks if they did not go along. That the networks might have successfully resisted the government actions is no call for the conclusion that the burdens were absent. The economic hardships involved in "success" and the risks involved in possible failure were sufficiently onerous that the defendants here "voluntarily" deprived themselves of a flexibility which they would not otherwise have relinquished...

Additionally, each of the defendants is liable for a First Amendment violation with respect to the NAB adoption of the family viewing policy. As discussed earlier, the purpose of using the NAB code was to undermine independent licensee decision making, to transform the system of decentralized and concentrated decision making as to programming into a system where one board would have the power to control the early evening programming of most television stations in the United States. Clearly this joint attempt to monopolize the nation's airwaves is in direct conflict with the central philosophy of the First Amendment and the Communications Act...

The defendants suggest, however, that their conduct is immunized by a line of cases which cause them to conclude that "no one can doubt citizens have the right to engage in concerted action designed to influence legislative or regulatory actions." Indeed no one does doubt the right of citizens, regardless of motive, to engage in publicity campaigns to influence legislative and/or executive action, to personally contact executive officials in an effort to influence policy or, in the absence of sham, to use the processes of the courts and the agencies to eliminate competition.

No one doubts the right of broadcasters to gather together to form a trade association which has a goal of lobbying on behalf of the industry, nor the right of broadcasters to share ideas about programming, nor the right of the NAB to promote what it believes to be high standards by adopting a code. What is in "doubt" is the "right" of the NAB to influence the legislature or the FCC by interfering with the public's right to independent program decision making. The First Amendment's protection of legislative or executive action or inaction are constitutionally protected does not mean that all means to influence conduct or policymakers is similarly sanctioned. In short, the NAB has no constitutional right to set up a network board to censor and regulate American television... Even when station managers are willing to abdicate their responsibilities by delegating their programming authority in exchange for membership in the NAB (with the convenient advantages of access to

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obeying and informational services together with whatever prestige attaches to membership), the First Amendment requirement of diversity in decision making does not protect such tie-in arrangements. Broadcasters who join forces with government officials to bring about industry-wide adherence to a government plan to suppress offensive materials in the early evening hours cannot rightly complain when their actions are characterized as state action.

And there is no merit to the idea that the broadcasters have a right to deter legislation by programm- ing to prevent it or by compromising other broadcasters' independent judgments. Taylor testified that:

"Now, certainly, the whole aspect of congressional pressure was part of that motivation...[t]he must be concerned, as every business man is in America today of what the Congress may do. And the fact of the matter is that the best way...to prevent congressional action which may take a form that is extremely disruptive or it may be very, very salutory, is that when you think you have a problem and you're worried about that problem, to try to get to some kind of correction before that correction is fostered upon you as legislation in the form that is urged by the commission..." Adoption of the family viewing policy in order to avoid government reaction and delegation of programming authority to the NAB may have been good "business," but it was not consistent with the broadcaster's status as public trustee. NAB counsel tells the court that we would live in a better world if the NAB could control access to the nation's airwaves. Counsel may be right, but the First Amendment has committed us to a different course, a course which reflects the wisdom of Judge Learned Hand: "For myself it would be most irksome to be ruled by a bevy of Platonic guardians, even if I knew how to choose them, which I assuredly do not."...

The more that government is permitted to interfere in programming by way of pressure, threats, and intimidation, the less independent broadcasters will be or appear to be. If broadcasters face liability for responding to government pressure (or risk by appearing to do so), it is critical that inappropriate government pressure be terminated.

At the outset, therefore, it is important to establish why the FCC has been able to apply pressure effectively. The root of the problem is the uncertainty of the relicensing process and the vagueness of the standards which govern it. Significantly, the commission has not disclosed any power to use the licensing process to curb abuses in this area. Indeed in its brief currently on file before the Seventh Circuit Court of Appeals in The Polite Society, Inc. v. FCC, No. 75-2044, the commission intimated that it was without power to formulate rules regulating the portrayal of violence, but specifically maintained that, "[t]he commission may evaluate past programming to determine if the license has met the obligation to serve the public interest, but otherwise the commission will not interfere with licensee programming discretion." Government Brief at 20 (emphasis added). Moreover, the commission continued, "The consideration of past programming in connection with grant of license has not received judicial acceptance...and is not considered censorship. This is consistent with the reasoning that "no one has a

"NAB counsel tells the court that we would live in a better world if the NAB could control access to the nation's airwaves. Counsel may be right, but the First Amendment has committed us to a different course."
The root of the power [of the FCC to pressure broadcasters] is the uncertainty of the relicensing process and the vagueness of the standards which govern it.

hours, it is claimed, would restore the status quo ante . . .

Tandem's request for relief on these lines must be denied. The court cannot restore the status quo. Previous decisions involve many variables, not the least of which is the nature of the programs on the programming network and the nature of their appeal to audiences vis-a-vis the programs of other networks. Changing line-ups each season, therefore, are the rule. The scheduling considerations in 1976, therefore, cannot be equated with those prevailing in the fall of 1975. If only the plaintiffs’ licensing renewals were at issue, the balance of equity would tip to the plaintiff. But the rights of viewers are at stake, and they are entitled to independent broadcaster decisions. The evidence does not otherwise "program" family viewing on.

The court cannot assume that the decision would have been different in the absence of NAB pressure. Beyond declaring CBS's duty to make independent decisions, the court will not go . . .

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Broadcasting Nov 15 1976

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The plaintiffs are entitled to a declaration that the government defendants violated the First Amendment by issuing threats of government action should industry not adopt the family viewing policy or the equivalent thereof. This declaration does not imply that the FCC cannot make suggestions to broadcasters to consider. It does make clear that more than suggestions were involved in this case.

The plaintiffs are entitled to a declaration that the FCC may not enforce the family viewing policy and in the absence of valid statutes or regulations, may not use the licensing process to prevent programming which it regards as offensive. This declaration does not prevent the FCC from acting against “offensive” material which is already validly prohibited. For example, by statute broadcasters are prohibited from presenting obscene material.

Nonetheless the court will not enjoin the commission from enforcing the family viewing policy or the commitments associated with it. If the commission attempts to enforce this policy through the relicensing process, those aggrieved will have means to redress the grievance in the courts. Moreover this court does not believe that the commission will soon venture again on a lawless course.

The plaintiffs are entitled to a declaration that the government defendants violated the Administrative Procedure Act by imposing policy on the industry without resort to the protections afforded by that act.

Tandem, but not Writers Guild, asks for damages. The damages requested are apparently confined to a reduction of earning potential and fair market value resulting from the exclusion of All In The Family from the early prime-time hours. Of principal concern to Tandem is the loss of value in the syndication market which is alleged to be the most important source of revenue for a successful entertainment series originally broadcast by one of the networks.

The private defendants (or at least CBS) argue that even if the First Amendment affords a damage remedy for aggrieved plaintiffs against federal officials, it will not permit such a remedy against broadcasters who are part of the press protected by the First Amendment. This argument, of course, is purely semantic. If the press has acted as press, it is protected from liability. If the press has acted as surrogates for the government, no immunity is conferred.

More to the point, the private defendants argue that “the rationale of ‘state action’ in the broadcasting area if it is ever to be recognized must be that the broadcasters were coerced against their will into doing what the FCC wanted. A damage award assumes culpability; ‘state action’ assumes the broadcasters were victims.” The culpability of the private defendants cannot be so easily minimized. Their argument erroneously assumes that the defendants were without free will. To be sure, the FCC imposed burdens upon the exercise by the broadcasters of First Amendment rights. The broadcasters had the right and the duty to make independent decisions. Instead of doing so, they took the easy road and capitulated to FCC pressure. No one doubts that the networks could have resisted if they had chosen to do so. They chose not to quiver or powerless institutions. Instead they freely chose to abdicate the burdens of independent decision making.

Moreover the networks willingly entered into a partnership with the FCC for competitive reasons to use the medium of the NAB in order to interfere with the independent judgments of other licensees.

Although Tandem asks for damages against the government defendants, it cannot escape the doctrine of sovereign immunity insofar as it seeks damages against the defendants in their official capacities nor the requirement of personal jurisdiction insofar as it addresses its damages claim against the government defendants in their personal capacities... Clearly, to the extent the defendants are sued for damages in their official capacity, the judgment would depend on the public treasury... It is ordered, adjudged and decreed that:

1. Each of the plaintiffs' requests for injunctive relief is denied.

2. The plaintiffs' action under Section 326 of the Communications Act of 1934 does not state a claim upon which relief can be granted.

3. The adoption of the family viewing policy by each of the networks constituted a violation of the First Amendment. The networks are free to continue or discontinue the policy or any variant of the policy provided that such programming decisions are made independent of concern for government reaction.

4. The adoption of the family viewing policy by the NAB involved a First Amendment violation by each of the defendants.

5. NAB attempts to enforce the family viewing policy in any way would violate the First Amendment.

6. The networks are required to independently program and may not without violating the First Amendment enter into agreements with the NAB which condition their membership on adherence to the family viewing policy or enter into any other agreements which delegate their programming authority over family viewing matters to the NAB. Their delegation of authority in this case violated the First Amendment.

7. Each of the government defendants violated the First Amendment by issuing threats of government action (through Chairman Wiley) should industry not adopt the family viewing policy or the equivalent thereof.

8. FCC enforcement of the family viewing policy for commitments associated with the policy through the relicensing process would violate the First Amendment.

9. Each of the government defendants has violated the Administrative Procedure Act.

10. The private defendants are liable for any financial damages which Tandem has suffered resulting from the adoption of the family viewing policy.

11. The plaintiffs' request for attorneys' fees is denied.

"If the First Amendment has any meaning at all, it is that broadcasters, not FCC officials or judges, have the authority to make programming decisions. Prior restraints on freedom of expression become no less offensive when imposed by judicial order instead of by executive intimidation."
Paley opens broadcasting's own museum

CBS chairman funds first five years; institution will house primarily programs, will be open to public

A Museum of Broadcasting that will collect, catalogue and display representative, outstanding and in many cases historic radio and television programs from broadcasting's past, present and future was opened in New York last week by William S. Paley, chairman of CBS and founder and chairman of the museum.

The museum, believed to be the only one of its kind in the world, has the support of all the major networks, many independent station operators and the National Association of Broadcasters. Mr. Paley, said, thus enlarging its potential to industry-wide dimensions. It already has collected, indexed and taped 718 broadcasts, going back virtually to the beginning of radio, and expects to have 2,000 by the end of this year and to reach 18,000 by the end of 1980.

Mr. Paley said he had personally guaranteed the museum's financing for the first five years and expected this cost to reach a minimum of $2 million. He hoped, he said, that additional financing would come from other sources including foundations, the broadcasting industry, government and the public.

Robert Saudek, well-known producer and former broadcast executive, currently visiting lecturer on visual studies at Harvard University, has been named president of the museum. He has a staff of eight, including Mary V. Ahern, TV and documentary film producer, as curator; Gwendolyn Sloan, former head of McKinsey & Co.'s world-wide information storage and retrieval systems, as librarian, and James R. Rieser, associated with the production of a wide range of films and TV programs, as technical director.

The museum's trustees, in addition to Chairman Paley and President Saudek, are Leonard H. Goldenson, president of ABC Inc.; Julian Goodman, chairman of NBC; Katharine Graham, chairman of the Washington Post Co.; Henry Loomis, president of the Corporation for Public Broadcasting; Donald R. Osborn, a partner in the New York law firm of Sullivan & Cromwell (and a member of the CBS board); Barbara Cushing Paley, Mr. Paley's wife; Charles A. Ryskamp, director of the Pierpont Morgan Library and professor of English at Princeton University; Robert W. Sarnoff, former chairman of RCA; Arthur B. Tourjelet, vice president and general executive of CBS, and Vincent T. Wasilewski, president of NAB.

Though there had been no fanfare, the museum had been actively under development for most of this year, and its origins go back a decade.

Mr. Paley said he began thinking about the need for such an institution some 10 years ago, as a result of which the William S. Paley Foundation in 1967 commissioned field studies "to determine how many broadcast materials of the past had been saved, what they were and where they were."

The studies, also supported by the National Endowment for the Humanities, lasted four years but produced "reassuring" results, Mr. Paley said, by showing that "despite some losses, a great deal of meaningful material still existed: at the networks, in universities and in private collections."

With that word, the Paley Foundation in 1971 convened a seminar of historians, museum directors, librarians and other specialists to consider the feasibility of setting up a broadcasting museum. Their report was "strongly affirmative." Mr. Paley said, and after "many problems" were resolved the go-ahead decision was reached.

"Now," he said, "in 1976, on the 50th anniversary of network broadcasting," radio and television "have become a major resource and a cornerstone of our national life" and "it is time that we take stock of our past, so that we can know and understand the heritage of the broadcast media in building our future."

"It is imperative that we do this now, for the precious body of broadcasting history that is still in existence—disks, kinescope film and audio and video tapes—must be preserved. Otherwise, it will simply, by neglect, disintegrate or disappear."

"The Museum of Broadcasting," he said, "will collect, preserve and present the programs and historical materials of radio and television. Its purpose will be both to give scholars and students an insight into broadcasting and to serve as a public resource for all interested people to visit for enjoyment and for information about broadcasting. The museum will aid and encourage the study of broadcasting, it will give recognition to broadcasting's creative people and it will serve as a major instrument to advance the broadcasting arts."

"The museum's main collection will be composed of radio and television broadcasts, put into tape and video form. It will be a selective collection, representative of different periods and different categories of programming. It is designed to give a good indication of what broadcasting was doing in a particular field at a certain time. The museum has sophisticated audio-video equipment for visitors to view and study this material. It also will contain a library, with materials about broadcasting, including books, manuscripts, scripts and so forth."

The museum currently occupies three floors at 1 East 53d Street—next to Paley Plaza, the mini-park that Mr. Paley developed and gave to New York in memory of his father. It has "an initial capacity" of 20,000 programs, but Mr. Paley said that "in the near future" it would need additional space, including an auditorium for large groups and seminars, and an exhibition area in which "to show the tools of our trade as they have developed over the years."

Broadcasts already collected, catalogued and put into cassettes include radio speeches by each President from Warren G. Harding on; 38 speeches by Franklin Roosevelt and Herbert Hoover during the 1932 presidential campaign; a broad range of Roosevelt broadcasts started with one in 1920; a full day of broadcasting at the start and another at the end of World War II; rare musical, comedy and dramatic material from the 1920's including the...
Rhythm Boys with Paul Whiteman's orchestra, Walter Damrosch's Music Appreciation Hour and, among items from the 1930's, Judy Garland's first broadcast (at age 12, introduced by the late actor Wallace Beery).

The radio collection also includes a full catalogue of the Columbia Workshop and One World Flight series, the earliest version of Amos 'n' Andy, Graham McNamee's coverage of Charles Lindbergh's return to the U.S. after his trans-Atlantic flight in 1927 and a broad sampling of popular comedy and musical variety programs of the 1930's and 1940's.

TV acquisitions thus far are primarily from the first five years of large-scale TV broadcasting. They include the first transcontinental TV broadcast (President Truman's signing of the Japanese peace treaty in 1951), the first presidential tour of the White House on TV (by President Truman in 1952) and the first televised congressional hearing (Kefauver crime hearings in 1951). There are also samplings of Edward R. Murrow's See It Now series, the pioneering Studio One series and the Ed Sullivan Toast of the Town shows.

Thus far about 34% of the museum's collection represents public affairs, 20% major drama, 12% musical variety, 10% comedy variety, 7% daytime drama, 6% performing arts, 5% adventure, 3% children's, 2% sports and 1% religious broadcasts.

When the museum reaches its five-year goal of 18,000 broadcasts, about 7,000 are expected to be from television, 11,000 from radio. The intended acquisitions are programs that have won prizes or popularity or achieved artistic merit.

There will also be one full day's programming by one station every eight months; the stations will vary by geographic area and by network, and the eight-month interval makes it possible to include, in time, programs for all seasons of the year.

Three episodes of each of the 15 highest rated programs of each year will also be included. The three will be the first episode, the highest-rated episode and one episode chosen at random.

Mr. Saudek said the museum has signed agreements with NBC and CBS—and has reached agreements in principle with ABC, the Public Broadcasting Service and National Public Radio—for access to their program archives.

Mr. Saudek also said that if the selected programs contained commercials, the commercials are included on the tapes. And he suggested that later there may be a collection of TV and radio commercials.

Exhibition copies of TV broadcasts are transferred to half-inch tape cassettes, with master copies on three-quarter-inch tape stored separately, in climate-controlled, fireproof vaults. Audio cassettes of radio programs are stored in the same way.

The museum has eight custom-designed consoles which may be used—by up to three persons each—for both listening and viewing. Officials said that from the moment a specific broadcast is requested by its medium identification code, it takes less than two minutes, on the average, to have the cassette ready for viewing or listening.

Mr. Paley said that all of the museum's acquisitions thus far had come from donors "on a give basis," but that it would consider purchasing a particularly valuable broadcast if that should be necessary.

Programs in the museum's collection may not be taken out of the museum or duplicated for outside use. But Mr. Paley said thought was being given to the possibility of setting up "a traveling museum."

The museum will formally open to the public this week. At the outset it will be open from noon to 5 p.m., Tuesdays through Fridays, and no admission fee will be charged. Eventually, Mr. Saudek said, "modest" membership rates will be established, probably in the range of, say, $20 a year for students, $30 for resident members and on up to $1,000 or $1,500 for patrons.

Mr. Paley and Mr. Saudek fielded a wide range of questions at the news conference announcing the opening. One of those directed at Mr. Paley was whether it was entirely coincidence that CBS's headquarters and the Museum of Modern Art (of which he is chairman), Paley Park and now the Museum of Broadcasting are all on 53d Street.

"Well," he replied, "if you want to change the name of this street, it's OK with me."

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Broadcasting Nov 15 1976 55
'GWTW' knocks ABC out of first for week, sets modern Nielsen record

Part one, on Sunday, hits rating of 47.6, gives NBC weekly win; part two, on Monday may put network on top second time

The first telecasts of the classic film, "Gone With the Wind," went through the ratings roof last week and in the process carried NBC-TV to its first—and conceivably also its second—weekly prime-time win of this season.

Part one of "GWTW," on Sunday (Nov. 7), scored a 47.6 Nielsen rating and 65 share of the audience, a record for modern television. Part two, the following night, was close behind—and still higher than anything previously—with 47.4 and 64.

The all-time high up to that point, according to NBC record-keeping, was the 46.6 rating scored by the Bob Hope Christmas Show on Jan. 15, 1970. And because there were fewer TV sets in use in 1970, the audience then would have been more than proportionately smaller.

One of Nielsen's computers broke down Sunday night, stowing the compilation (but not affecting the tune-in count, according to Nielsen). On the basis of preliminary figures, however, NBC researchers estimated that 110 million viewers had watched some or all of "GWTW," making it the most widely viewed movie ever on TV. Closest runner-up, they said, was 85,820,000 for "Ben Hur," another five-hour movie, telecast Feb. 14, 1971, to a 37.1 average rating.

Only part one of "GWTW" fell in the Nov. 1-7 rating week, but it was enough to help edge ABC-TV out of first place for the first time in the first seven weeks of the current season. The score for the week was NBC 20.8 rating and 32.4 share, ABC 19.9 and 31, and CBS 19.0 and 29.7.

For the season to date ABC remained in front with a 20.9 rating and 33.5 share, to NBC's 19.7 and 31.6, and CBS's 18.3 and 29.3.

The ratings runaway of the second part of "GWTW" could possibly carry NBC back into first place for the week ended Nov. 14, but the movie got a healthy assist from at least one nonrecurring event: election coverage, which wiped out ABC's normally strong Tuesday night numbers and left it a weak third for the evening (story this page). NBC won Tuesday in addition to Sunday; CBS took Monday, Thursday and Saturday and ABC took Wednesday and Friday.

"GWTW," on top of Wonderful World of Disney, gave NBC a Sunday night average rating of 40.7 with a 57.2 share. ABC's two-hour movie, "21 Hours at Munich," came in with a 13.8 rating and 19 share, which after Six Million Dollar Man's 22.6-rating, 32-share lead-in left ABC with a Sunday-evening average of 18.3 and 25.9. CBS managed only a 12.0 rating and 16.7 share; its best performer of the evening was pre-"GWTW" 60 Minutes, which scored 18.7 rating and 28 share.

CBS's The Waltons was the week's second highest rated show at 34.7 rating and 56 share. ABC's Charlie's Angels was third with 33.7 and 59, while CBS's Maude was fourth with 29.0 and 44, and ABC's Bionic Woman fifth with 28.4 and 43.

Big Event, the showcase for "GWTW," and Charlie's Angels and CBS's All's Fair, which ranked sixth, were the only newcomers to make the week's top-30 programs.

And on into the night

NBC-TV, which led the 7-11 p.m. ratings for prime-time election night coverage (Broadcasting, Nov. 8), led them for the rest of the night as well. Nielsen figures covering the complete span of election coverage, which started uniformly at 7 p.m. NYT but ended at various early-morning hours, showed NBC-TV with an average rating of 14.5, CBS-TV with 12.9 and ABC with 10.6. NBC's coverage extended to 4:43 a.m., CBS's to 4:49 a.m. and ABC's to about 5 a.m. but ABC's ratings shut off at 1:33 because, authorities said, commercial sponsorship of its coverage stopped then and Nielsen does not normally report ratings on sustaining programs. For the period when ratings for all three networks were available (7 p.m. to 1:53 a.m.), NBC had a 17.7 rating and 39 share of the three-network audience and CBS had a 16.4 and 37, as compared with ABC's 10.6 and 24.

NBC-TV signs SAL for seven specials

NBC-TV has signed Survival Anglia Ltd., specialist in nature programs, to produce seven one-hour actuality specials for presentation during the next three years, officials of the two companies announced last week.

Two of the seven are to be presented next spring: Kangaroo, a study of that animal which is currently being filmed by SAL in Australia, and Bringing Up Baby, a look at the relationships between animals and their young, which is being filmed in various parts of the world.

Subjects of the remaining five were not disclosed but all will deal with real-life events, focusing in some cases on men and women and in others on wildlife while recounting true stories of man and his environment. They are to be broadcast by the end of the 1978-79 season.

Aubrey Buxton, head of Anglia Television, London, who also founded Survival Anglia some 18 years ago, was in New York for last week's announcement luncheon at which the agreement was disclosed by Irwin Segelstein, NBC-TV executive vice president, programs, and John F Ball, president of SAL.

ABC says CBS violated rights to auto race

ABC Sports has threatened CBS with a lawsuit for allegedly excerpting two minutes of coverage of the Japanese Grand Prix during half-time of a pro football game on Oct. 24.

ABC claims exclusive television rights in the U.S. for the Japanese event. Third parties are, by mutual agreement, allowed to televise up to three minutes of the event, but only in regularly scheduled newscasts, according to ABC.

A spokesman for CBS Sports said the two-minute segment was obtained through a reciprocal agreement with Tokyo Broadcasting System and aired in CBS's "sports news magazine show." The problem arises, he said, from "a jungle of formal and informal agreements" among television networks.

CBS gives boot to soccer

CBS has decided not to pick up its option for telecasting soccer games in 1977 and 1978—after only one year and two games. CBS made the three-year agreement last May with teams in the North American Soccer league to telecast two games this year, six in 1977 and nine in 1978. The first contest CBS carried on June 6 attracted a rating of 4.7 and a share of 19, while the second, a championship game, received even lower figures—a 2.8 rating and an 11% share.

Herbert Gross, director of sports for CBS, said "we still think soccer will do well as a television attraction, but it hasn't arrived yet." CBS-TV originally carried a soccer series in 1967-68 and dropped it then because of low ratings.

Programing Briefs

New country sound. Radio Arts Inc., Los Angeles, whose initial format, The Entertainers, was introduced and bought by 55 stations last year, is now offering new major country programing service, Easy Country. President Larry Vanderveen said Easy Country features only "cream of the crop" in mix of selected MOR country recordings by traditional and modern artists to appeal to broadest base of today's adult country audience.

Movie money. U.S. District Court for central district of California has issued notice of intended ruling in favor of tax credit claims by MCA Inc. for theatrical and television films from 1962-1970. If final judgment in case upholds notice and other issues, MCA could receive refunds of approximately $12.8 million plus interest.
NCTA says cable is working itself to better EEO, questions FCC authority in area

Revisions of the FCC’s rules concerning equal employment policies of cable-TV systems were the subject of a comment filed last week at the commission by the National Cable Television Association.

NCTA cited the efforts of the cable industry to better its employment record through the establishment of an industry EEO committee, regional seminars and workshops, and the development of an EEO primer for cable operators.

Since the industry is committed to improving its EEO performance, NCTA asked “that a reasonable period should be given to demonstrate its commitment” before any rules are adopted.

It then questioned the FCC’s authority to adopt and enforce EEO proposals since, it said, “a commission determination to impose equal employment obligations on cable operators cannot be justified on either the limited spectrum rationale, or a statutorily prescribed all-encompassing licensing grant of authority.”

In response to specific suggestions of the FCC, NCTA said that while the proposed three-year filing requirement for EEO programs is not intolerable, a five-year standard might be more appropriate to reduce the paperwork by making the filing correspond with the renewal period of the cable operators’ CARS licenses.

NCTA expressed concern over the commission’s proposed enforcement, monitoring and complaint procedures since, it said, “the criteria proposed for commission action are undefined and the extent of its jurisdiction is questionable.”

It suggested that the FCC’s role “should be limited to educating cable operators,” maintaining records and monitoring the resolution of complaints. “If called upon,” NCTA continued, “the commission could refer complaints to the appropriate state, local or federal entity specifically charged with their resolution.”

Teleprompter reports third-quarter profit

Company in the black for first time since 1972

Teleprompter Corp., which hasn’t posted profits in more than three years, last week reported that it did make it into the black in the third quarter of this year.

Russell Karp, Teleprompter’s president and chief operating officer, cited these encouraging developments in the company’s journey to profitability: 1976 pre-tax income of $1,644,000 compared with a pre-tax loss of $339,000 in the 1975 period; net income up to $910,000 (five cents per share) from a net loss of $665,000 in last year’s third quarter and revenues of $34,681,000 in the 1976 quarter, up from $27,333,000 last year. The last time the firm showed a profit was in fourth-quarter 1972.

Even the nine-month figures were heartening, relatively speaking. The net loss for the period was reduced to $1,166,000 from $3,576,000 in 1975, an improvement of $2,410,000.

Mr. Karp injected another optimistic note. He pointed out that Teleprompter now is in discussion with Hughes Aircraft Co. concerning the formation of a joint venture to operate their northern Manhattan and Los Angeles (Theta) cable systems. Mr. Karp observed: “If the proposal being discussed is adopted, Manhattan and Theta would cease to be a significant cash and earnings drain on Teleprompter—without any dilution in Teleprompter’s equity interest in the system.”

The plan under discussion contemplates that the Manhattan and Los Angeles systems (each of which are jointly owned by Teleprompter and Hughes) will be contributed to a newly formed joint venture. This latter company would be owned 50% by Teleprompter and 50% by Hughes Aircraft. The proposal still is contingent on the satisfactory conclusions of talks, approval of the respective boards of directors, and the execution of a definitive agreement.

Theta has approximately 79,000 subscribers, of which 37,000 also take the pay cable service. Teleprompter Manhattan serves 47,000 homes, of which 9,000 are pay cable subscribers. Neither system is now operating profitably, according to Teleprompter.

Money to build

Comcast obtains $5.3 million for additions in Michigan; Eastern Telecom lands $3 million for Pa. construction

Comcast Corp., a Bala Cynwyd, Pa.-based multiple-cable-system operator, has closed a 15-year, $5.3-million loan agreement with a consortium of lenders including John Hancock Mutual Life Insurance Co., Home Life Insurance Co. and the Pittsburgh National Bank.

The loan, made to the firm’s Michigan subsidiary, Comcast Cablevision Corp., conditioned further for the earlier acquisition of systems in Flint, Hillsdale and Jonesville, from Lamb Communications Inc. (BROADCASTING, Feb. 23). It will also be used to finance 280 miles of system extensions in the greater Flint market. A portion of the loan was arranged by TA Associates, Boston.

When required from Lamb Communications, the Flint system served 20,240 subscribers, and the Hillsdale-Jonesville system, said to be fully saturated, some 2,800. Aside from obtaining a rate increase from $5 to $6.50 for the Flint system, Comcast has added about 2,500 subscribers.

Construction plans call for the first phase of the Flint addition, 120 miles, to be completed by Feb. 1, 1977. The remaining 160 miles are expected to be added at 20 miles per month.

Another Pennsylvania-based MSO has also announced a loan agreement that will allow new construction. Eastern Telecom Corp., Monroeville, has completed a 15-year, $3-million loan with Home Life Insurance Co. Some $2.2 million will be used to refinance the company. However, the remaining $800,000 will be on a line of credit for construction. Acting as financial adviser to ETC was Communications Equity Associates, Minneapolis.

Early next year ETC plans to begin construction of a 60-mile system in Plum borough and Upper St. Clair, both Pennsylvania. Eventually it expects to construct 200 miles of system there.

Falcon buys KOR

Los Angeles-based Falcon Communications has entered into a purchase agreement that would add another 10,000 cable subscribers to its current 13,000 count. The multiple-system operator plans to buy 80% of Cable KOR Communications, Redwood City, Calif., for a price reported to be over $3 million including liabilities. The...
Third-world effort at greater control over mass media is defeated in Nairobi

UNESCO draft declaration is voted down after Western nations threaten to quit organization

The United States and its allies at the UNESCO conference in Nairobi, Kenya, were rubbing their hands in satisfaction last week over a victory over the Communist bloc in what the West called a "widest possible consensus." "The Russians got clobbered," said one U.S. media representative who has followed the contest closely.

But George Beebe, associate editor of the Miami Herald, and chairman of the World Press Freedom Committee, was not taking too much for granted. "It's only round one," he said.

The issue involved a draft declaration on principles "governing the use of mass media" which was backed by the Soviet Union and a number of third world countries. But after intense lobbying on the part of the Western lobby which had been on in national capitals for the past three months—the proposed declaration was shelved and, presumably, killed, by a vote of 78 to 15, with six abstentions.

The vote, by a UNESCO commission, referred the draft to a negotiating committee, which is expected to recommend rewording the document with the aid of consultants from the media. The process will last until the next general conference, to be held in two years.

The provision in the declaration that drew the most opposition from the West says that "states are responsible for the activities in the sphere of all mass media under their jurisdiction." If the declaration had been adopted, that provision, opponents said, would have given the color of moral sanction to governmental actions asserting control over news media and the flow of news between countries.

The conflict became one of the bitterest in UNESCO history. Spokesmen for the U.S., the Nordic nations and the European Economic Community were said to have warned that passage of the resolution would mean the withdrawal of their countries—UNESCO's major contributors—from the organization. And that would mean the death of UNESCO. Accordingly, Africans, loathe to see the international body die in its first meeting on their continent, urged other third-world nations to oppose the draft resolution.

Indeed, the Senegalese who is director general of UNESCO and Robert Schmidt, Mr. M'Bow, said after the vote that mass media proposals should not be adopted without the "widest possible consensus." However, Mr. Beebe, who was on hand in Nairobi for the vote, was cautious about the result after returning to Miami. "We don't think the Soviets will stop here," he said. "They and unaligned nations will try to raise the issue in other forums in the future."

Although representatives of the Western media opposed the draft declaration, they are not unsympathetic to feelings that led some third-world nations to support its tentative adoption at a conference in Paris last year. Those nations complain about what they see as distortion of news emanating from Western and the dominance of Western organizations in the dissemination of news in the third world. Mr. M'Bow said "it is urgent that [developed nations] help developing countries build up their own means" of communication.

The U.S., the Nordic nations and the West Europeans have agreed to help third-world countries to modernize their radio, television and print equipment and to train their journalists. Leonard Marks, the former director of the U.S. Information Agency who is now chairman of the Advisory Commission on International, Educational and Cultural Affairs, has suggested that broadcast and print media in the U.S. raise $10 million for such an effort. However, a major collection drive is not yet under way.

Mr. Beebe indicated that support for an effort which the U.S. hopes to improve its means of mass communications would not necessarily be entirely altruistic. "Everyone agreed we have to help the third world" in that regard, he said. "They're resourceful. If we don't, the Russians will."

Top network newsmen on RTNDA's agenda

Association is also hopeful of getting Carter to speak at Florida convention next month

Some 600 registrants are expected at the Radio Television News Directors Association's International Convention Dec. 13-15 at the Americana hotel in Bal Harbour (Miami Beach), Fla. Keynoting the 31st annual event will be CBS News' Walter Cronkite. Other top speakers scheduled are NBC News' David Brinkley; Sam Donaldson, ABC News Capitol Hill correspondent, and Connie Chung. (KNXT-TV) Los Angeles anchor.

Invitations also had been extended to President Ford and President-elect Jimmy Carter who prior to last week chose to withhold a decision until after the election.

Eight workshops and five special sessions have been planned thus far. Workshops are entitled: "Radio All News"; "Small Market Radio"; "ENG Hardware"; "Newspaper Budgets and Cost Control"; "Radio Format News"; "Radio Audience Research"; "Better Broadcast Writing"; and "ENG Problems—Ethics, Unions etc." Special ses-
304. AUDIO CONTROL HANDBOOK—for radio and television broadcasting, 4th edition. Revised and Expanded by Robert S. Cringle. Closely following the format of the three earlier editions, the fourth has been almost entirely rewritten. Reflects changes in equipment and techniques, while digging deeper into all technical and electronic aspects of audio operation. 192 pages, illustrated, index. $10.00

305. BROADCAST JOURNALISM, An Introduction to News Writing by Marx W. Hall. Covers all basics of radio-television news writing style, techniques—for students and practicing professionals. 160 pages. 6 1/8 x 9 1/4. $6.95.

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338. THE BROADCAST COMMUNICATIONS DICTIONARY edited by Lincoln Bianard. Pulls—at your fingertips—some 2,000 technical common and slang words in daily use on both sides of the Atlantic...many coined during last decade. Including familiar words that mean the same thing (and the same words that mean different things) in English-speaking countries everywhere. An extremely useful tool. 128 pages. $8.95.


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VN-UPI, Virginia Network, Charlottesville, and UPI have formed combined state, national and world news network to serve stations throughout Virginia. Scheduled to begin Dec. 6, VN-UPI service will offer stations, via broadcast lines, choice of hourly state newscasts or combination of Virginia Network's state newscasts plus hourly national/international newscasts of UPI's regular all-news Audio Service. VN will provide 10 state newscasts per day, 5 minutes each, transmitted on half hour beginning at 6:30 a.m. UPI Audio provides 22 five-minute broadcasts per day, transmitted on half hour beginning at 6 a.m.

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Mr. Schorr resigned from CBS News after the House Ethics Committee closed its investigation of the leaked report, which Mr. Schorr acknowledged receiving and passing on to the Village Voice.

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Petry people meet in N.Y.

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Computerized system introduced for advertisers

Golden West Broadcasters, Los Angeles, is offering advertisers and agencies a computerized media audience measurement system that aims to provide audience reach, frequency, distribution of frequency and cost efficiency analysis.

The system, called Market By Market, was developed by Goldman, Waterman & Major; Market Radio Inc., New York, a Golden West-owned radio representative company. There is an initial fee of $200 for the service, a $20 monthly charge and an additional charge for computer time.

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NAD in October.

Seven challenges to national TV advertising were resolved during October by National Division of Council of Better Business Bureaus. Agreeing to discontinue TV spots were Coastal Industries (Is Clor Chlorine), Coca-Cola Co. (Hi-C fruit drink) and Volvo automobile. Reviewed and found acceptable were TV commercials Du Pont's Rainier and Rally Cream car waxes; Parker & Best's Vivitar pocket camera; Sears, Roebuck's Lady Kenmore washing machine and Marvin's frankfurters.

An answer to Carter

CBS News's Salant takes issue with report that President-elect criticized N.Y. rally coverage

CBS News President Richard Salant intends to set the record straight and to let the Jimmy Carter entourage know "from the start that we don't like these totally inaccurate charges," Mr. Salant said. "So far as CBS News is concerned, Carter was 180 degrees wrong by President-elect Carter about television news coverage of his campaign—specifically about a New York rally on Oct. 27. Mr. Carter was quoted by UPI as saying: '... the evening news was not anything of the size of the rally or the response to me or the potential support for me. The evening news coverage was almost completely dominated by [reporting] the fact that the truck with the TV cameras was a block and a half too far in front of my car.'

Mr. Salant said, "So far as CBS News is concerned, Carter was 180 degrees wrong. I am attaching a transcript of our Oct. 27 piece on the New York rally. We did have Carter saying that 'I'm very grateful for this tremendous crowd.' Ed Bradley (correspondent with the Carter campaign) said that 'Estimates of people at the rally in the Garment Center and along the parade route ranged as high as 200,000... We said absolutely nothing about the alleged 'fact' that the truck for the TV cameras was a block and a half in front of Carter's car.'

Journalism Briefs

Another look, NBC has asked full FCC review of FCC staff ruling that Socialist Workers Party presidential candidate, Peter Camejo, was entitled to time equal to that of appearance by Communist party candidate, Gus Hall, on NBC's tomorrow program (Broadcasting, Oct. 4). NBC said that, contrary to staff decision, Mr. Hall's appearance was bona fide news interview and that Mr. Camejo did not establish that he and Mr. Hall were legally qualified candidates for same office at time of appearance. NBC said it plans to alter rulemaking with respect to latter point at future time.

Conversion. National Bureau of Standards is offering four (no more than 25 per request) of its "Metric Style Guide for News Media" to assist during the transition period from English (customary) system to metric under act signed by President last December. "Guide" is three-fold, six-page pamphlet. Office of Information Activities, room A821, Administration Building, National Bureau of Standards, Washington 20234.

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<td>Muskrat Love (3:28)</td>
<td>Captain &amp; Tennille-A&amp;M</td>
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<td>30:30 Tonight's the Night (3:55)</td>
<td>Rod Stewart-Warner Bros.</td>
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<td>Rock'n Me (3:05)</td>
<td>Steve Miller Band-Capitol</td>
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<td>The Wreck of the Edmund Fitzgerald (5:57)</td>
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<td>If You Leave Me Now (3:40)</td>
<td>Chicago-Columbia</td>
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<td>Rubberband Man (3:30)</td>
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<td>1979's A Fifth of Beethoven (3:02)</td>
<td>Waller Murphy-Private Stock</td>
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<td>Magic Man (2:45)</td>
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<td>1979's Nights Are Forever Without You (2:52)</td>
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<td>Do You Feel Like We Do (7:19)</td>
<td>Peter Frampton - A&amp;M</td>
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<td>I Only Want to Be With You (3:20)</td>
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<td>(Don't Fear) The Reaper (3:45)</td>
<td>Blue Oyster Cult-Columbia</td>
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<td>You Don't Have to Be a Star (3:40)</td>
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<td>You Make Me Feel Like Dancing (2:48)</td>
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<td>Cliff Richard - Rocket</td>
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<td>Love Boogie Boogie (3:19)</td>
<td>See Gees-RSO/Polydor</td>
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<td>I Never Cry (3:43)</td>
<td>Alice Cooper-Warner Bros.</td>
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<td>Nadia's Theme (2:50)</td>
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<td>Engelbert Humperdinck- Epic</td>
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<td>Stand Tall (3:20)</td>
<td>Burton Cummings-Portrait</td>
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<td>I Wish I Were (6:21)</td>
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<td>One's for You (3:25)</td>
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<td>That'll Be the Day (3:22)</td>
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<td>A Little Bit More (2:56)</td>
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<td>Shake...Shake Your Booty (3:06)</td>
<td>K.C. &amp; Sunshine Band - TK Records</td>
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<td>37</td>
<td>Don't Go Breaking My Heart (4:23)</td>
<td>Elton John &amp; Kiki Dee-Rock/MCA</td>
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<td>38</td>
<td>I'd Really Love to See You (2:38)</td>
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**Playback**

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<tr>
<td>6</td>
<td>Cherokee Maiden (2:56)</td>
<td>Merle Haggard - Capitol</td>
</tr>
<tr>
<td>7</td>
<td>Baby Boy (3:04)</td>
<td>Mary Kay Place - Columbia</td>
</tr>
<tr>
<td>8</td>
<td>Her Name Is (2:17)</td>
<td>George Jones - Epic</td>
</tr>
<tr>
<td>9</td>
<td>Somebody Somewhere (3:00)</td>
<td>Loretta Lynn - MCA</td>
</tr>
<tr>
<td>10</td>
<td>Living It Down (3:20)</td>
<td>Freddy Fender - ABC</td>
</tr>
<tr>
<td>11</td>
<td>Thinking of a Rendezvous (3:22)</td>
<td>Johnny Duncan - Columbia</td>
</tr>
<tr>
<td>12</td>
<td>You &amp; Me (3:22)</td>
<td>Tammy Wynette - Epic</td>
</tr>
<tr>
<td>13</td>
<td>A Whole Lotta Things to Sing About (2:42)</td>
<td>Charlie Pride - RCA</td>
</tr>
<tr>
<td>14</td>
<td>I'm Gonna Love You (2:52)</td>
<td>Donny Osmond - RCA</td>
</tr>
<tr>
<td>15</td>
<td>9,999,999 Tears (3:00)</td>
<td>Dickey Lee - RCA</td>
</tr>
<tr>
<td>16</td>
<td>Good Woman Blues (2:50)</td>
<td>Mel Tillis - CMA</td>
</tr>
<tr>
<td>17</td>
<td>The Games Daddies Play (3:00)</td>
<td>Conway Twitty - MCA</td>
</tr>
<tr>
<td>18</td>
<td>Thank God I've Got You (2:17)</td>
<td>Stacker Bros - Mercury</td>
</tr>
<tr>
<td>19</td>
<td>Among My Souvenirs (2:32)</td>
<td>Marty Robbins - Columbia</td>
</tr>
<tr>
<td>20</td>
<td>Me &amp; My Man (3:53)</td>
<td>Bill Anderson - MCA</td>
</tr>
<tr>
<td>21</td>
<td>Variety Show Me a Man (2:59)</td>
<td>Tanya Tucker - MCA</td>
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<tr>
<td>22</td>
<td>I Don't Wanna Talk It Over (2:50)</td>
<td>Connie Smith - Columbia</td>
</tr>
<tr>
<td>24</td>
<td>Lawdy Miss Clardy (2:19)</td>
<td>Mickey Gilley - Playboy</td>
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<tr>
<td>25</td>
<td>Hillbilly Heart (2:55)</td>
<td>Johnny Rodriguez - Mercury</td>
</tr>
<tr>
<td>26</td>
<td>That Look In Your Eyes (3:33)</td>
<td>Freddie Hart - Capitol</td>
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<tr>
<td>27</td>
<td>All I Can Do (2:23)</td>
<td>K.C. &amp; Sunshine Band - TK Records</td>
</tr>
<tr>
<td>28</td>
<td>Come On In (2:40)</td>
<td>Sonny James - Columbia</td>
</tr>
<tr>
<td>29</td>
<td>Sweet Dreams (3:00)</td>
<td>Emmylou Harris - Reprise</td>
</tr>
</tbody>
</table>

These are the top songs in air-play popularity as reported by a select group of U.S. stations. Each has been "weighted" in terms of The Pulse Inc. audience ratings for the reporting station on which it is played and for the part of the day at which it appears. A [] indicates an upward movement of five or more chart positions.

**Contemporary**

**Assimilation.** The hillbilly-guitar-twanging sound is still there, says Colleen Cassidy of WMMS/Chicago, but country music is finally opening up to the masses. Such mass appeal artists as John Denver, Olivia Newton-John and Jessi Colter now vie for airplay with such "hard core" country singers as Conway Twitty and Merle Haggard. And country music playlists are tighter than they used to be, says Ms. Cassidy, because "country stations are paying more attention to what listeners are saying. We're playing what they like rather than a lot of junk." What do they like in Chicago? Baby Boy (Columbia) by Mary Kay Place (Loretta Haggard of TV's Mary Hartman, Mary Hartman) holds the No. 1 spot at WMMS for the third week in a row (bolting to No. 2 on "Playlist! "Seconding the Motion. "Modernized" country is on at WFLA/Orlando, WVA, too. Music director Charlie Cook says "this station would be more negligent by not playing Linda Ronstadt and Gordon Lightfoot than by sticking to traditional artists. Country music has to broaden its base." In fact, fastest movers at WMMS include Olivia Newton-John's Every Face Tells a Story (MCA) and Jessi Colter's I Thought I Heard You Call My Name (Capitol). 9,999,999 Tears (RCA) by Dickey Lee is on top in Wheeling and the fastest mover in Chicago.

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Media

John T. Dealy, assistant secretary of ABC Inc., named VP, corporate legal affairs, reporting to Everett H. Erlich, senior VP and general counsel. Jerome B. Golden, VP and secretary of ABC Inc., continues with that title but now reports to Elton H. Rule, president of ABC Inc., instead of Mr. Erlich. Richard R. Gitter, director, broadcast standards and practices, East Coast, ABC, named VP, broadcast standards and practices, ABC. He succeeds Grace M. Johnson, retired after 42 years with ABC. Thomas Kersey, director of broadcast standards and practices, West Coast, ABC, named VP.

Rocky Stone, general manager, WOUT(FM) Johnson City, Tenn., named president of parent, Tri-Cities Broadcasting there. He succeeds James C. Wilson, who becomes chairman.

Eric Hauenstein, VP/general manager, KDQK-AM-FM Mesa, Ariz., named president/general manager.

Robert A. Roberts, general manager, WAVS(AM) Fort Lauderdale, Fla., named VP/general manager.

W.A. (Art) Selley, consultant and formerly with Rounsaville Radio, Atlanta, joins WQKX(AM) Winter Garden (Orlando), Fla., as general manager.

Juanetta M. Bennett, executive secretary, CBS News, New York, named personnel placement counselor.

Ted Bair, director of public affairs and broadcast standards, WWIN(AM) New York, appointed operations director.

Julio Rumbaut, account executive, WOR(AM) Miami, named assistant general manager.

Fates & Fortunes

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Julio Rumbaut, account executive, WOR(AM) Miami, named assistant general manager.

Rayton Franko, senior management scientist, J.C. Penney Co., New York, appointed manager of forecasting, ABC-TV there.

Peter Herrndorf, head of current affairs programming, Canadian Broadcasting Corp., Ottawa, appointed VP, planning.

Sherman Harris, with Mutual Broadcasting Systems, Washington, joins WSYX(FM) London, Ohio, as VP/general manager.


Wes Croteau, traffic manager, WDCA-TV Washington, promoted to operations manager, succeeded by Chris Fuller, manager of sales services, WMAL-TV there.


Robert Harrison, business manager, KETV(AM) Omaha, appointed to same post, WTVN-AM-FM TV Columbus, Ohio. He is succeeded by Dick Spark, audior, Peter Kiewit Sons, Omaha, which owns KETV.

Ruth Whitmore, research coordinator and publicity/promotion coordinator, WXBD-TV Detroit, named promotion manager.

Mark Waxman, director of program development, noncommercial KGET-TV Los Angeles, assumes additional duties as director of presentations, responsible for coordination and production of on-air fund-raising events.

Broadcast Advertising


William D. Wells, VP and director of research, Needham, Harper & Steers, New York, named senior VP. Warren Stewart, from Douglas Turner agency, Newark, N.J., joins NH&S, Dayton, Ohio, as VP/general manager.


John Beasler, management supervisor/European business director, Frankfurt, Germany, office of Compton Advertising, appointed VP and transferred to New York headquarters.

Alan Torrance and Bob Wright, creative directors at J. Walter Thompson Co., New York, named VP’s.

Bruce Hoening, VP and manager of media operations, Kenyon & Eckhardt Advertising, New York, named VP and director of broadcast and programming, and Russell Gilsdorf, VP and associate media director, appointed VP and director of media planning.

Lynn Picadio, account executive in Los Angeles office of Selcom Inc. station representative, New York, named sales manager of firm’s San Francisco office.

William B. Peavey, manager, San Francisco office, Masla/Young, appointed executive VP/ West Coast operating head of M/Y and president of Broadcast Media Sales, M/Y radio representative subsidiary, succeeding William L. Wallace, retired. Stan Loughridge, account executive, M/Y Los Angeles office, named Los Angeles manager. Anthony W. Wrath, general manager, KGMQ(FM) and sales manager, KGBAMB Honolulu, joins Los Angeles office of M/Y.

Robert H. Bolte, associate manager of media services, Gillette Co., Boston, joins Campbell Soup Co., Camden, N.J., as director, advertising services.

Emanuel Rappaport, head of his own research firm, joins Chiat/Day advertising, Los Angeles, as director of market research.

Peggy Bell Masterson, creative supervisor on International Playtex and Pfizer accounts at Ted Bates & Co., New York, named VP.

Mike Schwartz, from New York Gold team of Harrington, Righter & Parsons, appointed sales manager of HR&P Chicago Blue team. He is replaced in New York by Barry David of Chicago Gold team.

Hager Patton, supervisor of business, technical and industrial account service group, Bozell & Jacobs, Dallas, named VP.

Claudeaylor, manager of network broadcast, and Walt Atkinson and Chris Miller, media supervisors, Tracy-Locke advertising/public relations, Dallas, promoted to associate media directors.

William C. Munro, VP/account supervisor, Benton & Bowles, New York, named management supervisor.

Robert R. Cappelli, partner/contact department manager, Tatham-Laird & Kudner, Chicago, promoted to management supervisor.

Thomas R. Erod, manager of national marketing, Walt Disney World, Lake Buena Vista, Fla., promoted to director of marketing.

James M. Casey, manager, collateral services, Murray and Chaney, Advertising, Hudson, Ohio, rejoins Meidrum and Fewsith, Cleve-

On the mend in Memphis. Harold Kreistiein, chairman of Phlog Broadcastin
g and twice chairman of the radio board of the National Association of Broadcasters and of the Radio Advertising Bureau, is at home in Memphis after having been hospitalized for exploratory chest surgery. He is undergoing radia
tion and chemotherapy and, according to his family, is making progress toward remission. Mr. Kreiestein, 87, has been with Phlog for 37 years.
and, as senior writer. Dennis Okerbloom, copy chief/radio-TV producer, Dix & Eaton here, joins M&F as senior copywriter.

Jory Lebrun, sales manager, WPTV-TV West Palm Beach, Fla., appointed director of sales. Bob Lawson, regional sales representative, named local sales manager.

Craig Bachman, senior account executive/assistant to general sales manager, WIND(AM) Chicago, joins WISS(AM) Columbia, S.C., as general sales manager.

Ed Brett, former merchandising director, WIFE(AM) Indianapolis, joins WIFE(AM) there in same capacity.

William Wheatley, account executive, WAV(AM) Fort Lauderdale, Fla., named general sales manager.

Larry Ryan, news photographer, WDTN-TV Dayton, Ohio, appointed executive producer/commercial development.

Dale M. Paul, account executive, WYRE(AM) Annapolis, Md., promoted to sales manager.

Richard S. Bentz, creative/production director, WROV(AM) Roanoke, Va., joins WLDS-TV Asheville, N.C., as creative director.

Dick Storck, newsmen/announcer, WPTF(AM) Raleigh, N.C., named creative services director.

Margaret Webb, copywriter/publicist, American Times Advertising there, joins WPTF as assistant creative director.

Pamela C. Singer, assistant traffic manager, WLW(AM) Cincinnati, joins noncommercial WCCI(TV) there as continuity coordinator, programming department.

Programing

Aubrey (Bud) Groskopf, president, Entertainment Corp. of America, Los Angeles, elected executive VP National Telefilm Associates there.


Douglas H. Grindstaff, supervisor of post audio production unit, Glenn Sound, Los Angeles, joins Columbia Pictures Television, Burbank, Calif., as supervising sound editor.

Bruce Macfariian, studio engineer, WLUM(AM) New Haven, Conn., joins Sound Concepts Inc., Woodbridge, Conn., as production engineer.

Darryl Hickman, executive producer, CBS-TV's Love of Life series, joins Norman Lear's T.A.T Communications, Los Angeles, aiding in development of new half-hour sitcom, A Year at the Top, scheduled as mid-season replacement on CBS.

Dale Hill, VP in charge of operations, PTL Television Network, Charlotte, N.C., producer of syndicated The PTL Club, six-a-week, two-hour religious program, named VP-general manager. Roger Flessing named PTL director of operations.

Robert Spicer, from WPOD(AM) Paducah, Ky., joins WORS(FM) Boston as production director.

Mike Salmen, production manager WRET-TV Charlotte, N.C., named producer/director, WFRV-TV Green Bay, Wis.

BILLY GREY HURT, music director, noncommercial WKMS-FM Murray, Ky., appointed program director. Robert Rinelle, joins WKMS-FM as production coordinator.

Annette Hall, producer/director, KDIA-TV Pittsburgh, joins WPSB-TV Hartford, Conn., as producer.

Susan Whiston, researcher, Mike Douglas Show, Group W Productions, Philadelphia, named talent coordinator, succeeded by Ernest Angstadt, production assistant.

Broadcasting Journalism

Rod MacLeish, chief commentator for Westinghouse Broadcasting since 1966, will join CBS News in late November as commentator with assignments on weekend and morning newscasts.


NBN selecting advisers. William E. Summers of WLOOM(AM) Louisville, Ky., was elected chairman of the newly formed affiliates advisory board of the National Black Network at a meeting of the board with NBN officials at Acapulco, Mexico. Stuart J. Hepburn of KNOX-FM Fort Worth-Dallas was named vice chairman and Elliott E. Franks of WOCZ(AM) Columbus, S.C., secretary. The group also formed a program advisory committee under Harvey E. Lynch of WJZJ(AM) Newark, N.J.; a research and analysis committee under James A. Reeder of KOKO-AM Shreveport, La., and a public affairs committee under H.E. Sonny Burns of WORN(AM) Cincinnati. The board and NBN officials, led by President Eugene Jackson, also expressed concern with what they said was failure of major radio rating services, specifically Arbitron Radio, to produce full counts of black radio listening. Black radio, they said, is losing hundreds of thousands of dollars in revenues as a result. FCC Commissioner Benjamin F. Hooks was a guest at the meeting, held Oct. 24-27.

Eleven members of the new affiliates advisory board are: front row (l-r) Paul Downs, Rollins Broadcasting; Mr. Franks; Mr. Hepburn; Chairman Summers; NBN President Jackson and Executive Vice Presidents Mr. Smal and Mr. Raycee. Second row: Alex Bowab, WWXT-FMajo, Miss.; Mr. Lynch; Mr. Burns; Mr. Reeder; William Manney, WPCH(AM) Chicago; Wendell Cox, WQAM(AM) Inskelt, Mich. (Detroit), and Sheldon Earl, WNNI(AM) Baltimore. Board members not present when picture was made were Pierre Sutton, WLBZ(AM) and WLS(AM) New York; Joseph B. Whalen, WOR(AM) Dayton, Ohio; Willie B. Martin, WDOM(AM) Jacksonville, Fla.; Richard Oppenheimer, Starr Broadcasting, and Ragan A. Henry, Broadcast Enterprises Network, Philadelphia.

John Pesh, reporter/co-anchor, WSM-TV Nashville, joins WBCS-TV New York as news correspondent.

Gerald R. Fricks, deputy press secretary to late Missouri congressman, Jerry Littton, joins Kansas State Network, Wichita, as news reporter/photographer.

Ray E. Willis, reporter, KOKY-Las Vegas, promoted to news director.

Pamela Wilsey, director of news and public affairs, WABM-FM Chicago, named field producer, WBMATV news department. Charles Gomez, reporter, WPLG(TV) Miami, joins WBMATV in same position.


Bob Bates, anchor/reporter, WECU(TV) Naples, Fla., joins WPST(V) Orlando, Fla., as reporter.

John Howell, news director/anchor, KSBY-TV San Luis Obispo, Calif., named reporter, KFSN-TV Fresno, Calif.

Stan Clark, news director, WPIS(AM) Evansville, Ind., joins WDTN-TV there as special assignment reporter. This corrects item in Oct. 25 "Fates & Fortunes" which had Mr. Clark leaving WVIS(AM) Owensboro, Ky., for WDTN.

Charlie Martin, meteorologist, KAMR-TV Amarillo, Tex., joins KEVITV-Omaha in same post.

Don Watson, news director, KPC(AM) Houston, was erroneously reported to be joining WSR(AM) Fall River, Mass., in Broadcast- ing, Oct. 25. The report was based on an announcement ostensibly issued by WSR but now
disavowed by WSAW management.

Kris M. Long, producer/anchor, WHO-TV Des Moines, Iowa, joins WDTN-TV Dayton, Ohio, as anchorman.

Fred K. Baur (Jay Fredericks), from KRLI(AM) St. Charles, Mo. (St. Louis), joins WHYTI(AM) Montgomery, Ala., as news coordinator.


Kevin Roberts, reporter, WMC-TV Memphis, and Karin Kelly, from news staff at WCHS-TV Charleston, W.Va., join KMGH-TV Denver as reporters.


Cable

Wayne R. Hausser, VP/general manager, Community Cablevision, Newport Beach, Calif., elected president.


Donald E. Anderson, head of San Francisco office, Home Box Office, appointed Western region general manager.

William E. Langedorf, general manager, Teleprompter cable system in Bradenton, Fla., named manager of Sarasota, Fla., system owned by Storer Cable TV of Florida.

Allen J. Lipp, consultant, Carteret, N.J., joins Magnavox CATV Division, Manlius, N.Y., as director of sales administration. George DuBois, mechanical engineer, Magnavox CATV, promoted to senior mechanical engineer.

Equipment & Engineering

Fred Benjamin, VP, industrial division, Christie Electric Corp., Los Angeles, promoted to senior VP.

James B. Sanders, corporate treasurer, Lynch Communication Systems, Reno, assumes additional duties as operations manager of Reno division.

Charles E. Barry, manager of sales-order/customer service, Philco-Ford Corp., Blue Bell, Pa., named customer service department manager, Jerrol Electronics, Horsham, Pa.

Tom Kitaguchi, director of engineering, Control Design Corp., Rockville, Md., joins Broadcast Electronics, Silver Spring, Md., as manager, systems engineering.

Raymond M. Poland, supervisor, broadcast technicians, WDTN(TV) Dayton, Ohio, named manager of engineering operations.

Allied Fields

Wes Gallagher, former AP president and general manager, elected to board of directors, Gannett Co., Rochester, N.Y.

Robert A. Beny, business manager, WWJ-TV Detroit, appointed to board of directors, Institute of Broadcasting Financial Management, Chicago.

James Koogh, director of U.S. Information Agency since 1972, resigned to become head of Business Round Table, New York.

Donald Haverson, client service VP, Menlo Park, Calif., office of A.C. Nielsen, named manager of Boston office.


Paul Miller, chairman of boards of AP and Gannett Co., received University of Southern California Journalism Alumni Association 1976 Distinguished Achievement Award for newspapers at awards dinner in Los Angeles Nov. 9.

Aaron Beckwith, founder and president, Beckwith Presentations, New York, firm specializing in TV programming for children, appointed instructor of radio and television, Elizabeth Seton College, Yonkers, N.Y.

Charles B. Kaufman, area director for 18 Illinois scout councils of central region of Boy Scouts of America, Oak Brook, Ill., named national director of communications for BSA.

Deaths

Theodore S. Reppier, 77, retired president, Advertising Council, Washington, died Nov. 7 at Washington Advenist hospital following coronary thrombosis. He retired in 1966 after 23 years as head of council. Survivors include his wife, Esmee, and three sons.

John S. Cross, 72, who was FCC commissioner from 1958 to 1962, died of heart attack Nov. 8 in Green Castle, Ind. He and his wife, Ruth, were on their way from Eureka Springs, Ark., where they spent summers, to their

For half a century. The Northeast Area Conference of American Women in Radio and TV opened last month with a dinner honoring AWRT’s first president, Edythe M. Meserand (second from left), for her 50th anniversary in broadcasting. On hand were AWRT officers (l-r) Mary Jean Parson, Northeast area vice president; Sadie Adown, national president, and Audrey Hunt, national president-elect.
winter home in Bethesda, Md. outside of Washington. Mr. Cross, an engineer, joined commission after 25 years of experience in regulatory and administrative work with other areas of government and service in private industry. He was appointed to fill unexpired term of Richard Mack, who had resigned after exposure of his ex parte contacts in adjudicatory matters involving television grants. He is remembered for his comments at Senate confirmation hearing: "I may not be awfully smart, but I’m as clean as a hound’s tooth." Besides his wife, Mr. Cross leaves his sister, Mrs. Elsie C. Wood, of Mullins, S.C., and two sons, John F. Cross, of Eureka Springs, and Navy Captain Claude C. Cross.

Edward J. Roth, 54, broadcast executive and communications consultant, died of cancer Oct. 26 at Massachusetts General Hospital in Boston. He was cable TV consultant for 21 cities and counties and was first director general of Ireland Radio and TV in Dublin. Member and consultant to U.S. Catholic Conference Communications Committee, he was former deputy managing director of Associated TV Ltd., London, and executive director of Public Broadcasting Satellite task force. Washington. Survivors include his wife, Kathleen, one son and three daughters.

Harry S. Hyett, 67, partner in Hyett/Ramsland, Inc., Minneapolis radio-TV station sales representative, died of cancer there Nov. 2. His broadcasting career began in 1935 when he signed on air WFMGAM (Hibbing, Minn.) as manager. From 1948 to 1955 he was manager of WEAU-Eau Claire, Wis. In 1955 he founded Harry S. Hyett Co. radio-TV station sales representative. Survivors include his wife, Rosemary, and two children, Robert and Amy.

Collis A. Young, former general manager and president, WCOL-AM-FM Columbus, Ohio, died of cancer Nov. 6 at Riverside Methodist Hospital there. He directed WCOL operations from 1957 until his retirement in 1981 and owned with his wife, Bernette, and daughter, Mrs. Frank Krembels.

Howard J. Haman, 54, veteran radio station owner/operator, died in Oakland, Calif., Oct. 10 after short illness. He had been executive VP/part owner of KXOA(FM) Sacramento, Calif., before founding his own media brokerage firm in 1972. He is survived by his wife, Peggy; son, James, and daughter, Trish.

As compiled by Broadcasting for period Nov. 1 through Nov. 5 and based on filings, authorizations, petitions and other actions announced by the FCC.

Abbreviations: ALJ—Administrative Law Judge; alt.—alternate; ann.—announced; anti.—antenna; aura.—auxiliary; CH—critical hours; CP—construction permit; D-day—daily; DA—directional antenna; Doc.—Document; ERP—Effective radiant power; HAAT—height of antenna above average terrain; khz—kilohertz; kw—kilowatts; MEOY—maximum expected operation value; mhz—megahertz; mod.—modification; N-night; PSA—presssure service authority; SH—specified hours; trans.—transmitter; TPO—transmitter power output; U—unlimited hours; vis.—visual; w.—waits; —noncommercial.

New stations

TV licenses

- Broadcast Bureau granted following licenses covering new stations: KDTV San Francisco (BLC5T-2506); KTSF-TV San Francisco (BLC5T-2507).

AM application

- Eddyville Broadcasting Co. of Iowa County Broadcasting seeks 990 khz, 250 w-D. PO. address: City Hall, Eddyville 42038. Estimated construction cost $50,000; first-year operating cost $52,000, revenue $84,000. Format: MOR, pop, country. Principals: Ten local business and professional people each with 10%.

AM starts

- WYMC Mayfield, Ky.—Authorized program operation on 1430 khz, 1 kw-U. Oct. Action. 15.

AM modifications


FM actions

- WACO Austin, Texas—Authorized program operation on 90.3 mhz, TPO 10 w-D. Oct. Action. 20.

FM stations

- WACC Arnold, Md.—Authorized program operation on 89.9 mhz, 9 kw-D. Oct. Action. 20.

Ownership changes

- KDEO(AM) El Cajon, Calif. (910 khz, 1 kw-U)—Seeks assignment of license from Metro Communications Inc. to Lee Bartell & Associates for $700,000. Seller is principally owned by Mortimer W. Hall (70.14%) who has no other broadcast interests. Buyer is owned by Lee Bartell (40%) and children, Richard (29%), Michael (29%) and Barbara (18%). Seller is Branch Va. San Diego attorney with motel interests; Richard is El Cajon, Calif., attorney also with motel interests; Michael is vice president of New York leasing and insurance firm; Mrs. Weiss is San Diego school teacher. Ann. Nov. 4.

For the Record

- WONN(AM) Lakeland - WPCV(FM) Winter Haven, both Florida (AM: 1230 khz, 1 kw-D, 250 w-N; FM: 97.5 mhz, 100 kw)—Seeks assignment of license from Joe and Audie Giangola to WONN Inc. for $1 million. Seller, Mr. Garaguso, Jr., is not sports personality; neither he nor his wife has other broadcast ownership. Buyer is owned by Herbert Stewart (51%), and Leonard H. Marks (49%). Mr. Stewart is president of MCA Canada Ltd., TV film producer and distributor, subsidiary of Calif.-based MCA Inc. Mr. Marks is Washington communications attorney. Ann. Nov. 2.

- WFFG(AM) Marathon, Fla. (1300 khz, 500 w-D, 250 w-N)—Seeks assignment of license from WHOO Radio Inc. to WFFG Inc. for $200,000. Seller is subsidiary of Bluegrass Broadcasting, owned by Central Bank & Trust of Lexington, Ky., executor of estate of Garvice D. Kincaid, with control vested in advisory committee. Bluegrass also owns WVLK-AM-FM Lexington; WHOO-AM-FM Orlando, Fla.; WINN(AM) Louisville, Ky.; WKY-TV-Lexington. Buyer is owned by James J. Coomes (33-1/3 %), Emil and James J. Coomes (33-1/3 % each). Mr. Emil Lockwood and Mr. Coomes are chairman and president, respectively, of Lansing, Mich., legislative consulting firm; Mr. James Lockwood is branch manager of investment firm in Saint Louis, Mich. Ann. Nov. 4.

- WAUC(AM) Wauchula, Fla. (1310 khz, 500 w-D)—Seeks assignment of license from Baro Inc. to Poucher Broadcasting for $112,400. Seller is owned by Richard C. Rosenberger (50%) and son, Samuel (50%) who have no other broadcast interests. Buyer is owned by Donald W. and Carol Poucher, Poucher, former radio-TV professor, is director of alumni affairs at University of Florida at Gainesville. Mr. Poucher is housewife. Ann. Oct. 28.

- KGMB-TV Honolulu (ch. 9)—Seeks assignment of license from Hefel Broadcasting Corp. to Lee Enterprises for $10 million plus assumption of about $2 million in liabilities. Seller (principal Cecil Hefel) owns two other Hawaii television stations and five radio stations in Hawaii and mainland U.S. Buyer, publicly traded, owes four TV stations and seven radio stations and 15 daily newspapers, mostly in Mid- West. Ann. Oct. 27.

- WHR(AM-WMGE-FM) Danville, Ky. (AM: 1270 khz, 1 kw-D, 250 w-N; FM: 90.5 mhz, 2 kw)—Seeks assignment of license from Joseph K. and Mary B. Beasley to John C. Farmer and Glen J. Goldenberg for $339,500. Seller: Sellers have no other broadcast interests. Mr. Farmer is manager of stations, and Mr.
Goldenberg is a Somerset, Ky., furniture store and real estate owner. Ann. Nov. 2.  

WOKW(AM) Brockton, Mass. (1410 kHz, 1 kw) — Seeks assignment of license from WOKW Inc. to Sidney Sanfil, Arlene Sanfil and Henrietta Masters for $300,000. Seller is owned by John T. Tindall and Kristin Solberg. Mr. Sullivan has no other broadcasting interests. Messrs. Tindall and Solberg also own WSPR(AM) Springfield. Messrs. Bell does not have any other broadcast interests. Mr. Sanfill is employed by federal government. Arlene Sanfill is his wife, and Henrietta Masters is his mother-in-law.

WCSM-AM-FM Celina, Ohio (AM: 1350 kHz, 500 w; FM: 97.6 MHz, 3 kw) — Seeks assignment of license from Johnstown Broadcasting to John Coe and WEMC(AM-FM). Seller is owned by Hugh Johnston, who has no other broadcast interests. Mr. Hayman, father-in-law of Mr. Coe, has no other broadcast interests. Mr. Coe’s father, Dee O. Coe, and family have interests in WLOU(AM), WCDE-FM, WVBA(AM) Ports and WWCA(AM) Guy, both Indiana, and have sold WQOR(AM) South Haven, Mich., for $200,000, subject to FCC approval (BROADCASTING, June 28, Ann. Nov. 2.

WWEZ(AM) Cincinnati (92.5 MHz, 11 kw) — Seeks assignment of license from Suburban Broadcasting Inc. to Truth Publishing Co. for $2 million. Seller is owned by Robert W. (Woody) Sudbrink and his wife Marjatta, who are also principals of WLYF(AM) Miami and WUFN(AM) South Miami, both Florida; WLFJ(AM) Baltimore; WEWZ(AM) Wausau, Wis.; WLAK(AM) Chicago and WWIN(AM)-WIFI(AM) Milwaukee. Mr. Sudbrink and his wife also own WTRC(AM) - WREX(AM) Elkhart (Ind.-J Thuth, and Mr. Dille also owns WTRC(AM) - WREX(AM) Elkhart. Principals: Sudbrink owns 50% and Robert Tindy II owns WMEF(AM)-WMF(AM) Fort Wayne and WCUS(AM) Grand Rapids, Mich. Mr. Bealsbury has no other broadcast interests. Ann. Oct. 27.

Actions

KWIP(AM) Merced, Calif. (1580 kHz, 1 kw) — Broadcast Bureau granted transfer of control of K.W.I.P. Broadcast from Glenn H. Hlmer (100% before; none after) to Jack O. Koontse (none before; 100% after). Consideration: $34,000. Principals: Seller has no other broadcast interests. Buyer also owns KXEM(AM) McFarland, Calif. (BTC-8139). Action Oct. 28.

KKAR(AM) Pomona, Calif. (1290 kHz, 250 w) — Broadcast Bureau granted assignment of license from KYOR Inc. to JATO Communications for $17,500 plus assumption of $200,000 in debts and liabilities. Principals: Seller is owned by Joseph J. Bassett (80%) and Kenneth C. Reeth (20%) and is requesting waiver of FCC’s “three-year” rule for sale of financially troubled station which was purchased Sept. 28, 1973. Buyer is owned by Jack L. Siegal (49.99%). Allan Kaufman (49.99%) and two minority stockholders. Mr. Siegal is employed broadcast consultants in Los Angeles and Mr. Kaufman is president of La Jolla, Calif., investment firm (BAL-8774, BAL-3043). Action Aug. 18.

WKWF(AM) Key West, Fla. (1600 kHz, 500 w) — Broadcast Bureau granted assignment of license from Mary S. Sportwood to Key West Broadcasting for $25,000. Seller is executor of husband, John S. Sportwood. Buyer has no other broadcast interests. Buyer is owned by E. Straford

Summary of broadcasting

FCC tabulations as of Sept. 30, 1976

<table>
<thead>
<tr>
<th>Station</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
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<tr>
<td>KVOY(AM)</td>
<td>Henderson, Nev.</td>
<td>NV</td>
<td>89012</td>
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<tr>
<td>KTOO(AM)</td>
<td>Juneau, Alaska</td>
<td>AK</td>
<td>99801</td>
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<tr>
<td>WPTA(AM)</td>
<td>Port Angeles, Wash.</td>
<td>WA</td>
<td>98360</td>
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Bureau granted assignment of license from Northern Ws. Television Broadcasting to WBOY-TV Inc. for $750,000. Sellers: Max and Marion Ascolli and Nathan W. Levin who also own WBOY(AM) Clarksburg. Principal in buyer is Birney Imes Jr., who also has interests in WCBOM-FM Columbus, WDEL(AM) Tupelo, WNGA(AM) Granada, WONA(AM) Winona, and Wrox(AM) Clarksdale, all Mississippi (BALTCT-590, BALT-160, BALS-411). Action Nov. 5.

Facilities changes

TV action
- WCFE-TV Plattsburgh, N.Y.—Broadcast Bureau granted modification of CP to change ERP to 562 kw (max.); 145 kw (Hi); aut. 28.8 kw; change type trans.; type trans. make; changes in antenna structure (increase height); ant. height 2440 ft. (BMPET-877). Action Oct. 26.

AM action
- KMOO Mineola, Tex.—Broadcast Bureau granted CP to increase power to 500 w (BPB-20,115). Action Oct. 8.

AM start
- Following station was authorized program operating authority for changed facilities on date shown: WSGW Saginaw, Mich. (BHP-19,818). Action Oct. 15.

FM actions
- *WVJC Mt. Carmel, Ill.—Broadcast Bureau granted CP to change trans. location to on northwest side of Mt. Carmel: operate by remote control from studio site, 2206 College Dr., Mt. Carmel; install new trans. new ant.; make changes in ant. system (increase height); change TPO; ERP 50 kw (H/A); ant. height 330 ft. (H/V); remote control permitted (BPED-2179). Action Oct. 21.
- WIVK-FM Knoxville, Tenn.—Broadcast Bureau granted CP to install new trans.; new ant.; make changes in ant. system (increase height); change ERP 1970 ft. (H/A); ERP 100 kw (H/V); remote control permitted (BPED-9573). Action Oct. 22.
- KRKT Ozona, Tex.—Broadcast Bureau granted modification of CP to change trans. location, studio location and remote control to 605 12th St., Ozona; change trans.; make changes in ant. system (increase height); change TPO; add circular polarization in ERP; change ant. height 1970 ft. (H/A); ERP 100 kw (H/V); remote control permitted (BPED-9573). Action Oct. 22.

FM starts

In contest

Designated for hearing

Complaints
- Total of 3,119 broadcasting complaints from public was received by commission during September, increase of 1,108 over August. Other comments and inquiries to Broadcast Bureau for September totaled 2,000, increase of 342 from previous month. Commission sent 1,026 letters in response to comments, inquiries and complaints. Ann. Nov. 4.

Fines
- KNBY(AM) Newport, Ark.—Broadcast Bureau ordered licensee to forfeit $300 for attributing readings and entries of excessive power to faulty remote meter and denying that station was operated with power in excess of that authorized. Action Oct. 22.
- WDCI(AM) Glenwood, Va.—Broadcast Bureau ordered forfeit $20,000 for operating with daytime power commencing earlier than authorized by station license. Action Oct. 21.

Other actions
- KSD-AM-TV St. Louis—Commission conditionally renewed licenses for stations and denied application petition filed by St. Louis Broadcasting Co. Commission said grant is subject to formal determinations of proceedings in Equal Employment Opportunity Commission v. KSD-KSD-TV Inc., now before United States District Court and those of three employment discrimination complaints against stations pending before EEOC. Action Oct. 21.
- Commission renewed licenses. For 15 Mississippi broadcast stations for remainder of regular license term—June 1, 1979. Renewals were unconditionally granted for WHH(AM) Bay Springs, WVNM(AM), WOJD(AM) Blythe; WACR(AM) Columbus, WMAG(AM)-WSQF(AM) Forest; WSL(AM)-WJFR(AM) Jackson; WNT(AM)-WQZ(AM) Natchez; WJMS-FM Vicksburg. Renewals were conditioned on equal employment opportunity reporting requirements: WMPA(AM) Abbeville; WQSM(AM) Jackson; WLOT(AM) Laurel; WHNY(AM) McComb. These stations had been in petition to deny filed by Mississippi State board of National Association for the Advancement of Colored People and others against renewals of 86 Mississippi stations. Action Oct. 21.
- WOMP-AM-FM Beltaine, Ohio—Commission granted station’s short-term license renewal for pending December 1, 1977. Commission said that based on investigations conducted in September 1975 it found stations failed to conduct contest in accordance with FCC policy, broadcast program-length commercial and violated numerous technical rule requirements. Action Oct. 21.
- Commission denied petition by Associated Public-Safety Communications Officers Inc. for proposing minimum period of 60 days for filing comments and 45 days for filing replies in rulemaking proceedings. Action Oct. 27.

Allocations
- Petitions
  - Chadron, Neb.—Big Sky Company seeks assignment of FM chs. 248 or 249 in lieu of 234 at Chadron (RM-2779). Ann. Nov. 3.
  - Amherst, Va.—Amherst Broadcasting Associates seeks assignment of FM ch. 300 to Amherst
Grants

**Applications**

- The Plantation of St. John, St. John Plantation, Me.—Seeks ch. 12 rebroadcasting WAQM-TV Presque Isle, Me. (BP'TV-5714).
- Northern Cheyenne Communication Commission, Lame Deer, Busby, Ashland, Crow Agency, all Montana.—Seeks ch. 11 rebroadcasting KYUS-TV Miles City, Mont. (BP'TV-7509).
- Gila Center Recreation Association, Gila Center Housing Area, Gila Hot Springs, N.M.—Seeks ch. 3 rebroadcasting KOAT-TV Albuquerque, N.M. (BP'TV-5710).
- Green River City TV, Green River, Utah.—Seeks ch. 7 rebroadcasting KUED Salt Lake City (BP'TV-5711). Ann. Nov. 3.

**Actions**

- K9NNA Sheep Springs, Marshalls Schools, Coyote Canyon School, Tohatchi, Mexican Springs and area west of Doza Bluff, N.M.—Broadcast Bureau granted CP to change frequency of VHF TV translator station from ch. 11 to ch. 9; make changes in ant. system (BP'TV-5543). Action Oct. 6.
- KAZI-TX Tohatchi area, N.M.—Broadcast Bureau granted CP to change frequency of VHF TV translator station from ch. 9 to ch. 2; make changes in ant. system (BP'TV-5542). Action Oct. 6.
- KTOH-GC Garrison, Utah and Baker, Nev.—Broadcast Bureau granted CP for new VHF TV translator station on ch. 7 rebroadcasting KUED Salt Lake City (BP'TV-5597). Action Oct. 7.

**Translators**

**Cable**

**Applications**

Following operators of cable TV systems requested certific of compliance, FCC announced Nov. 2. (stations listed are TV signals proposed for carriage):

- Viacom International, for unincorporated area of Polk county, or (unincorporated areas of Marion county, both Oregon (CAC-07214; CAC-07378): CHAN-TV Vancouver, B.C.
- Television Cable Company of Brickettex, Tex. for Brickettex, Tex. (CAC-07411): Request certification of existing operations and to add: KLRN San Antonio, Tex.

**Actions**

- K9NNA Sheep Springs, Marshalls Schools, Coyote Canyon School, Tohatchi, Mexican Springs and area west of Doza Bluff, N.M.—Broadcast Bureau granted CP to change frequency of VHF TV translator station from ch. 11 to ch. 9; make changes in ant. system (BP'TV-5543). Action Oct. 6.
- KAZI-TX Tohatchi area, N.M.—Broadcast Bureau granted CP to change frequency of VHF TV translator station from ch. 9 to ch. 2; make changes in ant. system (BP'TV-5542). Action Oct. 6.

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Experience staff announcer. CW Format. Some production. Sales if desired. Good salary, fringe benefits. Send resume: Box Y-99, BROADCASTING.

Radio-comb/anchor/engineer. 10,000 W. 24 hour central California Radio Station, soon country rock. Grow with a company with four radio stations and two TV's. Need experienced country rock jocks. FCC 1/C License. $800 to $1,000 per month starting salary. Application for 50,000 non-directional covering six million population, pending before commission. 1 1/2 hours from San Francisco, 1 hour from High Sierra. An Equal Opportunity Station. Send resume to Box Y-100, BROADCASTING.

Expansion-created slot for warm, direct announcer. Successful station, excellent facilities. Box Y-108, BROADCASTING.

New England top-40 station has both parttime and fulltime position available immediately. Minorities and females strongly encouraged. Send resume Box Y-131, BROADCASTING.

Top-rated beautiful music FM looking for adult, mature-bounding, experienced morning announcer. Must be strong in production, news and community oriented. Also need a middy announcer with strong production and copy abilities. Southeast small to medium size market. Send resume, salary requirements. Box Y-139, BROADCASTING.

Modern country experience DJ-Music director, 1st phone, reliable and good morals for no. 1 ARB, 5 kw. Central California Medium Market. Send resume, tapes reflecting DJ, news & sports reading. KCEY-P.O. Box 170, Turlock, CA.

Expanding staff need experienced production/news person. If you have a good resistant voice, like news and production, want to live in beautiful southern California with good opportunity for advancement, contact Al DeVido, KUSD-KFJW Osceoda CA. 92054, 714-757-1320. Equal Opportunity Employer.

Good announcer, strong production for "All News" (NBC-NIS) AM and "Beautiful Music" FM. Both automated in Schafer 903's. Must have excellent references. Medium size market in the sunshine belt near Gulf Coast and Old Mexico. Write KURV-KESI, P.O. Box 1638, Edinburg, TX 78539.

Needed immediately: Experienced morning person plus good production. Competitive market close to ocean. Tape, resume and salary requirements to AI Kahn, WAGH, Lumberton, NC 28558.

Top rated country FM in S.E. wants FM drive jock. 3 years broadcast experience, 1 year in prime time. Send resume & tape to WCOS-FM, P.O. Box 748, Columbus, SC. 29202. EEO Employer. Deadline: November 30, 1976.

Florida classical station seeking creative personality for up tempo concert program. Thorough knowledge of repertoire required, experience in other formats advantageous. Call Alvis Sherouse, WTMI, Miami, 305-443-5251.

We are seeking a special caliber of person, who has some knowledge of the fundamentals of communicacion; a fast pace experience is not required, but a fast ticket is. for those of you who want to learn our brand of radio, call or write Broadcast Enterprises, 968, Powell, WV 28345.

Immediate opening for copy director for Black programmed Southern New England radio station. Ability to interact with local community a necessity. Salary negotiable. Liberal benefits. Send tape and resume to P.O. Box 309, Windsor, CT 06095.

HELP WANTED TECHNICAL

Chief engineer for AMFM automation Indiana. Box W-150, BROADCASTING.

Immediate opening for chief engineer who really cares about good audio. Three tower, night directional. 5,000,000 Midwest Continental AM station. New transmitter. Good pay and hours. EOE. Reply to Box Y-46, BROADCASTING.

Engineer/newsperson with 1st, Central New York Minority applicants welcome. EOE. Reply with full resume to Box Y-53, BROADCASTING.

Fast growing KINT FM/AM needs experienced Chief to grow with us. Join one of the radio leaders in the southwest. Call Rick Schwartz at 915-779-6454. EEO. P.O. Box 10243, El Paso, TX 79993.

Chief engineer for directional AM & Full Power FM. Microwaves, two Schaler 903's. Must be mature, experienced, with excellent references. Perfect working and living conditions with good income and benefits. Write to KURV-KESI, P.O. Box 1638, Edinburg, TX 78539.

Experienced first phone engineer. Chief's job available within twelve months to right person. 5 KW AM-100 KW stereo FM. KXXX, Colby, KS. 913-642-3305.

Chief engineer, North East Directional AM, requires strong background experience in Audio and DA's. Group ownership and excellent benefits. WAMS, P.O. Box 3677, Wilmington, DE 19807. 302-654-8861.

Contract engineer with good AM/FM experience. Maintenance, etc. for two independent operations about 25 miles apart. Will make annual guarantee to right person for 20 hours weekly with each operation. State experience, availability and financial requirements first letter. WEP/MWESEM, P.O. Box 767, Martinsburg, WV 25401.

Immediate opening for first phone engineer for Miami, Florida. AM Radio Station. Four tower directional. Combo plus solid experience in all phases transmitter and solid state studio equipment, isolated XMR site requires 4 days on duty. Good pay and benefits. Contact L. Shea, WRHC Radio, 2260 SW 8th Street, Miami, FL 33125 or phone 305-541-3300. An Equal Opportunity Employer.

Wanted: Chief engineer: Announcer for two-tower, full-time, 1 kw directional in Oregon's Willamette valley. Total population range 750,000. Good future, with progressive 8 station group. Opportunity to learn engineering from the ground up. Write A. Boyd, P.O. Box 590, Bend, OR 97701.
HELP WANTED TECHNICAL CONTINUED

Electronics engineers: Positions available as Chief, Engineering Division, and Staff Engineers, Voice of America, Washington, D.C. Position also available for Electronics Engineer at VOA Relay Station, Delano, California (applicant for this position must be willing to accept reassignment to Washington, D.C. if necessary) B.S. in Elect. Engineering or related field required. Knowledge of modern electronics design principles and practices as applied to high power broadcast systems, digital transmission, digital broadcast systems, related systems, microwave systems, audio control and speech processing devices is also required. For consideration, Chief, Engineering Division, general engineering knowledge of electrical power generation and distribution, mechanical and civil engineering, and experience in related field required. Knowledge of management, marketing, and large company benefits. Our station has a professional news attitude which we want new employees to share. We offer excellent living conditions in a historical college town. Minimum age 21. Salary range from $18,600 to $34,000, depending on experience and background. Salary range to be negotiated. Position requires for which training will be provided. Submit Standard Form 171 to: U.S. Information Agency, VOA Personnel Office, Washington, D.C. 20547. U.S. Citizenship required. An Equal Opportunity Employer. Box Y-7, BROADCASTING.

HELP WANTED PROGRAMMING, PRODUCTION, OTHERS CONTINUED

Operations director, take charge programming functions of Adult Contemporary AM in medium sized Midwest market. Requires excellent skills, advanced college degree and requirements to Box Y-83, BROADCASTING.

Western Oregon non-commercial station, KLCC-FM has openings for Operations Manager/Program Director, Public Affairs Director, and Music Director. Baccalaureate and 2 years experience required. Some teaching experience also desired. Must be interested in professional radio. Experience in KOIN, KPHN, and KOIN-AM in Eugene, Ore. Experience in Personnel Office, Lane Community College, Eugene, OR, 503-747-4501; EOE.

Program director with imagination interested in joining aggressive small market group contact: Tom W. Young, Youth, 31, Box 33609, 212-446-8649.

HELP WANTED NEWS

Wanted: experienced, professional morning news anchor person with the ability to write creatively and deliver copy, and a keen sense of professional and monetary values. An Equal Opportunity Employer. Box Y-7, BROADCASTING.

News Director, 2 man department, Midwest medium market. Must be able to dig, write, deliver. Strong local news and sound. Resume, and salary requirements first letter. EOE. Box Y-77, BROADCASTING.


KAKC, Tulsa is looking for the right person to fill out our news team. If that's you, contact Daryl Myer. Box 970, Tulsa 74101. EOE/M/F.

News director. Immediate. Contemporary Americus (GA), Self Starting Hustler able to take direction. Tapelessure: Joe Johnson, WOEC, Box 1307, 31709.

Reporter to handle radio newscasts in combined radio-TV operation must be experienced. Strong on interviews and actualities. Tape and resume to Git Bvettener, WERU, Box 47, Eau Claire, WI 54701.

Reporter, Broadcasting Journalism degree and/or radio news reporting experience required. Send tape and complete resume to Tom Taylor, News Director, WBN, Box 1280, Topeka, KS 66601.

Newscaster/reporter, experienced in field reporting and studio work. Will be responsible for news on daytime AM and 50,000 watt stereo FM. Excellent living conditions in historical college town. Send resume, tape, salary requirements and writing samples to Don Bentley, GM, P.O. Box 180, Williamsburg, VA 23185. EOE.

Small market broadcast news with one person department is an awesome task. Long hours, coolie wages, up at dawn (or before) to write, edit and air the news. Work all morning on the phone and on the air. Noon time news and interview program. Cover meetings three to four nights a week. Third string, phone, bionic legs, and wheels necessary. Still interested? It pays $10,000 to start, and will be open early '77. Send tape, resume, references, desired salary and current duties to POB 1, South Tamworth NH 03883.

HELP WANTED PROGR.ING, PRODUCTION, OTHERS CONTINUED

Creative? Cont. director/production manager needed for Midwest major market FM. Format: Adult contemporary. Must be able to write, produce and voice your own programming. 3rd required. Box X-158, BROADCASTING.

HELP WANTED MANAGEMENT CONTINUED

Experienced GM/SM. 20 year professional. Strong sales, bottom line oriented. Let me worry about profit and loss. Investment possible Box Y-149, BROADCASTING.

SITUATIONS WANTED SALES

Ind. & Ohio preferred. Salesman, 20 years experience, 1st ticket. Desires permanent sales position with opportunity to advance. Box Y-109, BROADCASTING.

Attention equipment manufacturers, High caliber 20 year professional broadcast. Strong sales/technical. Lot of drive will move your products. Midwest territory. Box Y-149, BROADCASTING.

College grad with bachelor's in radio-TV production looking for break into radio or TV sales. Retail management experience. Highly motivated, potential to become top notch closer. Marc Bodine, 27, Lansing, MI 48903. 313-559-158, 201-994-1652. Will relocate.

SITUATIONS WANTED ANNOUNCERS

DJ, 3rd phone, light board, good news and commercials, ready now! Anywhere. Box H-5, BROADCASTING.

Personality plus experience as music director, sports director, creative production. Presently employed. Box Y-45, BROADCASTING.

Female DJ, no experience, but well trained, good voice, looking for small market. Will relocate. Box Y-16, BROADCASTING.

Midnight Cowboy seeks daytime ride. Experienced Country jock/sports director, PBP, B.A., Third, Married. Box Y-133, BROADCASTING.

Number one market, Sportscaster, Play-by-play all sports, 9 yr exp, B.A., real pro, ready now. Box Y-136, BROADCASTING.


Eleven year veteran one to one personality. Adult MOR or beautiful format. Music director, production, writer. Box Y-147, BROADCASTING.

No. 1 in top 10 markets, Country & MOR. First phone. Box Y-153, BROADCASTING.

2nd phone offers stable station a personality and adaptable 23 yr. old worker. Will relocate. Box Y-154, BROADCASTING.

Jay Stevens, WBUS-FM looking for good progressive gig. Strong voice, production, music. Willing to relocate. 3028 Oak Ave, Miami, FL 33135. 305-442-1083.

DJ, 25, 3rd endorsed, 6 months pro, news production, copy, BSEE, college radio, seeks small MOR or adult contemporary anywhere. Resume, tape, Frank Cavallaro, 31-38 74 St. S.C. Jacksonville, N.Y. 11370. 212-446-8649.

Hello, I'm 26, single, with 3rd phone and 8 years experience, and want full-time air shift in MOR or easy listening format. Smooth voice and board, Good news, commercials, and production. Will relocate. Call or write Frank Cordell at 714-658-1094. 2635 Columbus Street, Hemet, CA 92343.


1st phone DJ wants job. Write or phone John Cook, 125 South 3rd East no. 501, Salt Lake, UT 84111. Phone: 801-322-4095. 1 yr. experience.

Experienced radio announcer, news caster available now. Call 213-874-7236.
SITUATIONS WANTED ANOUNCERS CONTINUED

Broadcast school graduate: Former actor/technician, good voice, strong audio background, 3rd, seeks entry level position with radio or TV station. Will relocate. Robert D’Aprile, 349 W. 86 St, No. 65 NYC 10024. 212-595-5623.

Humorous, first phone, air personality desires small market top 40 or contemporary. 213-377-1715. S.H. On.


8 yr pro, all formats, 1st phone family man will relocate for better support I know I’m worth. 904-761-6920.

Oldies expert. 1 yr experience, 3rd, endorsed, all offers, formats considered. Dave Eyven, 15375 Tropic Cl, San Leandro, CA 94579. 415-357-4045 after 6 pm.

SITUATIONS WANTED TECHNICAL

Frequency management spectrum analyst. 10 years experience major govt, agency, BA telecommunications and first phone. Box Y-155, BROADCASTING.

Assistant engineer seeking position as chief, BS degree, first phone license, strong on RF. Some direction, total experience. Will relocate. Dan Jones 305-841-1269.

SITUATIONS WANTED NEWS

I’m picky, Employed ND now looking for a station that counts good news operation as an asset. No one, management or listeners need reply, to Box Y-105, BROADCASTING.

Reporter-announcer, 2 years experience, BA, seeks middle-market position. Hard-working and dependable. Box Y-110, BROADCASTING.

Female looking for small to medium market. Experienced in radio and TV. Strong on local news. Box Y-146, BROADCASTING.

Professional returning to broadcasting, 22 yrs experience. Floridian, prefer South, Southwest. 609-883-8990.

Creative, conversational writing by experienced pro, in news, production, publicity and public affairs. 3rd, endorsed, Contact Stan, 212-526-1317 daily.
HELP WANTED TECHNICAL CONTINUED

Public television broadcast engineering, operations, maintenance, and production supervisor: salary: Mid-teens; write or call Don Smith, CE, O.U. Telecommunications Center, Athens, OH 45701. 614-594-6107.

Television technical engineer: First class FCC license, minimum 2 years technical experience in TV including CTC 100 & TR 70B. Salary negotiable. Contact: Penn Broadcasting, Dayton, OH 12000, Raleigh, NC 27605. An Equal Opportunity Employer.

HELP WANTED NEWS

Strong anchor/journalist needed by midwest net affiliate. Must have ability to: package accurate and attractive news stories; hold audience; and hold audience appearance, voice and credibility must. An Equal Opportunity station. Send resume and salary requirements to Box Y-510, BROADCASTING.

Active TV news department affiliated with major journalism school seeks news editor/faculty member this spring. Must have M.A. proven experience in TV news; know writing, film, tape, assignment desk. Must want to work with young people learning the business. EOE: Box Y-65, BROADCASTING.

Top 50 TV station looking for experienced energetic reporter. Resumes only. Tapes will be requested later. We are an Equal Opportunity Employer and encourage minority applicants. Reply to Box Y-112, BROADCASTING.

News director Gulf Coast location. Top rated ABC affiliate is expanding news coverage. Need seasoned news media pro to direct this expansion. EOE-MF. Send resume and present salary to Box Y-118, BROADCASTING.

Weekend anchor/producer for top-rated medium market station. Must also have strong reporting background. E&G knowledge helpful. An Equal Opportunity Employer. Box Y-128, BROADCASTING.

Television news director. Network affiliated group broadcaster in the top 40 markets is seeking an aggressive, creative television news director. Must be a professional broadcast journalist with experience in electronic news gathering. Position demands high organizational and leadership skills from an innovative contemporary manager with solid news judgement. New modern facility with the finest equipment and staff. Compensation commensurate with market and quality of experience. Excellent benefit programs. An Equal Opportunity Employer (M/F). Reply Box Y-137, BROADCASTING.

Reporter-photographer for expanding news operation in midwest medium market. Journalism graduate or 1-2 years experience desired. Some air work liked. S. Bill Beutner, news director, WEAU-TV, Box 47, Eau Claire, WI 54701.

Weekend anchor with street experience wanted for highly competitive medium market news operation on the move. Send resume and VTR or cassette to News Director, WOWK-TV, P.O. Box 1448, Huntington, WV 25716.

Assignment editors/weather casters needed to join dominate NBC news affiliate. Experience required. Send tape & resume to John Span, P.O. Box 2966, Baton Rouge, LA 70821. An Equal Opportunity Employer.

News Producers & reporters needed to join dominate NBC news affiliate. Experience required. Send tape & resume to John Span, P.O. Box 2966, Baton Rouge, LA 70821. An Equal Opportunity Employer.


HELP WANTED PROGRAMMING, PRODUCTION, OTHERS

Experienced journalist: anchor experience, experience in 16 mm filming and editing. Send resume, references, tape to: News Director, P.O. Box 100, Madison, WI 53701.

Sports reporter, strong aggressive sports-minded professional needed to cover everything from professional to local high school action. Film and editing experience a must plus on-air talent. Phone, 614-282-3021. An Equal Opportunity Employer.

HELP WANTED PRODUCING, PRODUCTION, OTHERS

Production manager, midwest net affiliate. Good news & commercial, producer-director, & work well with people. We need ideas, ability, organization & someone ready to move into management position. An Equal Opportunity Employer. Box Y-76, BROADCASTING.

Art director for major group telecaster. Imagination more important than experience. Emphasis on effective on-air graphics and sets. The total visual look of the station will be in your hands. You may be a number two position ready for a move up. An Equal Opportunity Employer. Send letter, resume, salary range to Box Y-78, BROADCASTING.

Promotion manager, position available in top 50 market. Knowledge of all media helpful. Creative on-air promotion ability top requirement. An Equal Opportunity Employer. Send resume to Box Y-108, BROADCASTING.

Video tape editor. Minimum 2 years experience with computer type VTR editing systems, (CMX experience preferred). Must be capable of setting up and performing minor maintenance on RCA and AMPFAX VTR's. Box Y-115, BROADCASTING.

Senior design artist: Top ten affiliate looking for artist with experience in TV set design and graphics, for challenging position which could lead to management. An Equal Opportunity Employer. Box Y-121, BROADCASTING.

Film director, south west medium market resort area desires person capable of handling film editing, shipping, records procedures, etc. of film department. Film Director may also be called upon to operate camera or shoot minicam for local news department so production ability is an asset. Applications from minorities and women welcome. Reply Box Y-140, BROADCASTING.

Director/Ramrod-ability to motivate crew, leadership, commitment to the job. Minimum 3 years experience. WABJ-TV, Bangor, ME. Urgent. Phone 207-947-8321.

Director, strong on all aspects of production. Minimum 3 years experience, & a solid technical background including coordination to Production Manager, WYES TV, 916 Navare Ave, New Orleans, LA 70124. An Equal Opportunity Employer. Help wanted, college teaching/administration. Chairperson, radio-television-film. Assistant, Associate or full professor, depending upon credentials presented. Teach part time with remainder (25 to 50%) devoted to administrative duties. Ph.D. or Ed.D. preferred: Master's with outstanding professional credentials considered. Must relate well with and inspire confidence in School's various publics. Responsible to School Director and the Director of Broadcasting. Assist Director in setting both short and long-range goals. Application deadline: February 1, 1977 for appointment Sept. 1, 1977. Contact: Harry Heath, School of Journalism and Broadcasting, Oklahoma State University, Stillwater, OK 74074. An Equal Opportunity/ Affirmative Action Employer.

TV Auction coordinator. Must have experience in volunteer-oriented fund raising, and should have some background in office management, records maintenance, merchandising, and volunteer training. Send resume and salary requirements to Director of Development, Box 1263, Buffalo, NY 14240. An Equal Opportunity Employer.

TV-Radio promotion. Experience in scheduling, scriptwriting and on-air promotion for TV and radio. Must be able to shoot and edit VTR's. Box Y-149, BROADCASTING.

SITUATIONS WANTED MANAGEMENT

Station manager in medium size market seeks management opportunity in large market or group. Proven track record in all areas, with emphasis on sales; references to be able to travel two-way communications, Radio Transmitters (AM and FM). CATV, and Color Television Transmitters. Bachelor of Science degree required plus significant work experience. This is a tenure track position. Apply to: M.R. Haley, Head, Electrical and Electronics Department, Ferris State College, Big Rapids, MI 49307. Equal Opportunity Employer. 

Broadcast journalist teacher starting Fall 1977 for developing professional program in integrating print, radio, and television. Communication, Black Mirage Film Company, Encinitas, CA. Experience in television and/or radio news reporting, public affairs programming, news film and videotape production and editing, broadcast law essential! Ph.D. and 3 to 5 years radio/TV experience necessary. Rank, salary, negotiable, but at least $45,000 to assistant professor (3 months). Equal Opportunity, Affirmative Action Employer. Contact Robert Ruggles, Chairman, Journalism, P.O. Box 14, Florida A&M University, Tallahassee, FL 32307.

SITUATIONS WANTED SALES

Professional television sales executive of nine years in local/national sales in major markets and agency background seeks position as local or national sales manager. Midwest preferred. 33. Family Degree. Box Y-144, BROADCASTING.

SITUATIONS WANTED ANNOUNCERS

A real pro-sports, news man. Looking for a real pro station to relocate 10 yrs exp. Play Anchor. News & weather plus talk show host. Top numbers. Box Y-91, BROADCASTING.

Anchorman, top 3 markets & movie experience. Box Y-151, BROADCASTING.

Marketing opportunity. Immediate opening for a marketing person with CATV or related marketing experience. Solid opportunity for right individual to grow with expanding MSO. Call or write: NewChannels Corporation, 3 Northern Commercial Street, Framingham, MA, 01702. An Equal Opportunity Employer.


Creative writers. Must demonstrate ability to write dialogue for innovative situational format adult education series. Equal Opportunity Employer. Send applications to E.S. Rodes, Mississippi Ent. P.O. Drawer 1101, Jackson, MS 39205.

Broadcast electronics faculty position: To teach the final year of a Bachelor of Science program. The subject is to be able to travel two-way communications, Radio Transmitters (AM and FM), CATV, and Color Television Transmitters. Bachelor of Science degree required plus significant work experience. This is a tenure track position. Apply to: M.R. Haley, Head, Electrical and Electronics Department, Ferris State College, Big Rapids, MI 49307. Equal Opportunity/ Affirmative Action Employer.
November 15, 1976

The end of NBC's News and Information Service will mean, for many radio stations, an end to an all news format. For many very talented news personnel, this will probably mean a change in employment.

We're a broadcasting company with major market radio facilities and a need for talented news and service personalities. Announcers are a dime a dozen, and that's about what we'd pay. But a real personality is worth his or her weight in gold.

If you have the sizzle we're seeking, your tape and resume will show it. No phone calls, please.

Sincerely,

Paul F. Neuhoff
President
PROGRAMING

30 synthesizer music tracks, each: 30 and 25 Mooi Bullets that can be used for contests, promos, weather, news intros and more. 55 cuts for $75.00.

Order now! Studio 4 Productions. P.O. Box 68, Grand Blanc, MI 48439.

INSTRUCTION

1st class FCC, 6 wks., $450.00 or money back guarantee. VA approved. Natl. Inst. Communications. 114-86 Oxnard St., N. Hollywood, CA 91606.


Free booklets demonstrate "Job Power" of our FCC 1st class license preparation, and/or performance training. Write Announcer Training Studios (A.T.S.) 152 West 42 St. New York City 10036 (Vets Benefits). 212-221-3700.

Announcing & radio production. Learn at Omega State institute.

FCC First Class license. Prepare for your test at Omega State institute.


REI teaches electronics for the FCC first class license. Over 90% of our students pass their exams. Classes begin Jan. 3 and Feb. 14. Studio rooms at each school.

REI 61 N. Pineapple Ave., Sarasota, FL 33577. 813-955-6922.

REI 2402 Tidewater Trail, Fredericksburg, VA 22401. 703-373-1441.


First Class FCC license in 6 weeks. Veterans approved. Day and evening classes. Evan Institute, 8010 Blue Ash Road, Cincinnati, OH 45226 Telephone 513 791-1770.


Don Martin School of Communications trains for television. Not a "workshop" or "seminar." Fully equipped school environment. 2-camera studio, color equipped. Control room with video switching, video tape, tele-cine, etc. Complete classroom facilities for lecture, News film and editing procedures. Tripod and hand held camera, News, commercial and script writing for TV, Audio, studio lighting, and set design. Technical and TV directing for TV news, commercial and dramatufc. VA approved classes start each month. Day or evening. Inquire now! Don Martin School of Communications, 7080 Hollywood Blvd., 5th Floor, Hollywood, CA 90028. 213-462-3281.

RADIO

Help Wanted Management

General Manager for pioneer and successful AM and FM radio stations which are operated with separate staffs and different formats in one of South's top and fastest-growing markets. Splendid opportunity for experienced and aggressive broadcaster to head up radio operation of company which also has successful network television station.

Send resume to Box Y-117, BROADCASTING.

Help Wanted Sales

ARE YOU READY?
Yes, ready to make more money and enjoy life as Sales Manager for top-rated adult contemporary station in Texas lake area. Fastest growing area in state.
Box Y-84, BROADCASTING.

Help Wanted Programming, Production, Others

MARKETING DIRECTOR. Presentable, personable aggressive but tactful person with a solid understanding of radio. Please send resume and references.
Box Y-97, BROADCASTING.

TALK SHOW PERSONALITY

PROGRAM DIRECTOR
We are seeking an outstanding individual who knows programming, systems and broadcast administration. Excellent salary and career growth opportunity with one of the South's outstanding radio stations. You will be joining a successful team and will be expected to manage people and produce with a great deal of independence. Send resume, with references and salary history to Box Y-135, BROADCASTING. M/F, EOE.

Help Wanted Programing, Production, Others Continued

DEAN MARTIN STARTED IN STEUBENVILLE...

...which is not all that formidable. But look where he is now.

We're a broadcasting company with major market facilities, and we're looking for great radio talent. It doesn't matter where it is now.

If your tape and resume have the spice that makes you a gourmet dish (radio-wise, that is) we'll come to your town by Pony Express if necessary to hear you cookin'.

Give it a shot. Small towns are nice to be from.

OLIVA-NEUHOFF BROADCASTING
1500 Chester Avenue
Cleveland, Ohio 44114

Situations Wanted Management

GENERAL MANAGER
34-year-old seasoned pro - Tops in producing REVENUE & RATINGS! Presently manager of extremely successful station in highly competitive market. Strong SALES and management background. Responsible for 100% increase in sales in previous sales management position. Present operation is showing similar sales gains, 18-years broadcast experience including 10-years in programming in Top-10 markets. Interested in GM position in medium to major market. I'll turn it around for you or keep it on top and growing as the case may be and in return I'm seeking an opportunity for real financial growth! Excellent credentials and nationally recognized references. If you need a GM who can get the job done, from sales to promotion, from programming to FCC compliance then please reply in STRICT confidence to Box Y-125, BROADCASTING.

Situations Wanted Announcers

POWERHOUSE AM PACKAGE Currently kicking *56%* on major 50kw East Coast facility. Voices, interviews, community involvement add up to cash in the bank for you. Proven money maker and audience grabber. This unique approach to AM Drive is available immediately. Call Capt. Crunch 617-267-2377.
HELP WANTED

HELP WANTED MANAGEMENT

GENERAL MANAGER
Now interviewing applicants with commercial or public television line management experience, with track record in programming. Contact: E.W. Ziebarth, Twin Cities Public Television, 1640 Como Avenue, St. Paul, Minn. 55108

FRANK N. MAGID ASSOCIATES
is looking for:

a news professional with managerial goals. This person should have extensive experience in television news and/or public affairs production, with strengths in program and story conceptualization, as well as experience in news management or on-air performance. This individual is seeking an upward move in television management. We are looking for a creative self-starter, who likes people, who is not afraid of hard work, and who can follow a project through to its successful conclusion. Send a resume to:

Mitch Farris
Frank N. Magid Associates
One Research Center
Marion, Iowa 52302

HELP WANTED TECHNICAL

ENGINEER/TECHNICIAN with at least 3 years active maintenance experience on TV studio equipment including Ampex ACR - vital switcher, character generator and digital remote control equipment. Central New York equal opportunity employer. Send complete resume and salary requirements to Box Y-56, BROADCASTING.

HELP WANTED SALES

SALES MANAGER
22 years television radio sales management with major market. Experienced aggressive, reliable knowledgeable in all phases of broadcasting. Seeks opportunity. Proven track record, raised total sales with major company, 1st quarter 400%, 700% second year. Can demonstrate abilities. Hardworking, tough competitor. Contact Ted Muller—Johnson Avenue Welles Beach, Maine 04090
1-207-848-2288

HELP WANTED NEWS

MAJOR MARKET ANCHOR/PRODUCER seeks medium or exceptional small market News Director or Combination. Degreed, 33, Married, 12 years as reporter, photographer, Producer and Anchor. Experienced in ENG techniques and editing. Stable. Best references. Box Y-123, BROADCASTING.

HELP WANTED PROGRAMMING, PRODUCTION, OTHERS


HELP WANTED CONSULTANTS

ATTENTION RADIO OWNERS AND MANAGERS: if we don't get ratings — you don't pay! At last a programming consultant service that guarantees results. Two of the sharpest programing minds in radio today are in Chicago and are now offering guaranteed results. What do you have to lose? If you are tired of being ripped-off by consultants that talk big and don't deliver, call now. — The Chicago Consultants (312) 869-8088.

HELP WANTED BROADCAST MARKETING SPECIALISTS

To accommodate a continuing growth pattern, RCA Broadcast Systems is seeking professional specialists in three areas of marketing operations:

BROADCAST SYSTEMS SALES. Experience in television station operations and engineering, and/or sales experience in radio, television or related technical fields. BSEE or equivalent is required.

BROADCAST SYSTEMS BID SPECIALISTS. To prepare bids and proposals in response to detailed customer specifications and requirements. Good technical knowledge of broadcast and teleproduction studio systems and AM-FM, TV, RF systems. BSEE or equivalent required.

FIELD TECHNICAL SPECIALISTS. Experience should cover maintenance and/or operation of cameras, video tape machines or RF products. Technically-oriented specialists willing to travel and expand their knowledge. BS or equivalent required.

Excellent compensation and related employee benefits. If you qualify, send your resume and salary requirement, in confidence, to: Mr. M.H. Kessler, Mgr. Empl., Dept. B-15, RCA Corporation, Bldg. 3-2, Camden, NJ 08102.

We are an equal opportunity employer F/M.

RCA

TELEVISION

HELP WANTED NEWS CONTINUED

News Photographer
Three years experience, as photographer, seeking a staff position in the S.W. or sun belt area. Car is radio equipped with 2 way Film and VTR available. Jo. L. Keener, 4337 Clyde Park, SW, Wyoming, Mich. 49509, 616-538-7744 before 3 PM Eastern time.

SMALL STATION OWNERS

Losing money? Marginal? You shouldn't be! 30-year Broadcast Pros now accepting new clients. Hear our plain-talk first survey if you like our ideas we'll work longer - your terms. Let's start talking — COMMUNICATIONS MANAGEMENT ASSOC. Box 4521, Arlington, Va. 22204.

WAYNE J. KESSLER

RCA CORPORATION

ARLINGTON, VA 22204

PROFESSIONAL RESEARCH SERVICES

"COMMUNITY NEEDS" SURVEYS
To satisfy FCC requirements for license renewals, ownership changes, and subscription TV applications.

Audience Research

"COMMUNITY NEEDS" SURVEYS
To satisfy FCC requirements for license renewals, ownership changes, and subscription TV applications.

Professional Research Services

290 S. TERRACE RD. TEMPLE, ARK. 72881 (501) 821-7302

Buy-Sell-Trade

CHARGE-A-TRADE
Top SO market stations! Trade advertising time (smaller stations trade other due bills or merchandise) for merchandise, travel and hundreds of business needs, FREE BOOKLET AVAILABLE CALL TOLL FREE 800-327-5555 (except Florida) 3001 S. Commerical Blvd. Ft. Lauderdale, FL 33308 (305) 770-7700

Broadcasting Nov 15 1978
**Radio Programming**

**REMEMBER ELVIS**
One hour musical documentary includes exclusive 20 year old interview with Elvis Presley, never before released. Narrated by noted Florida air personality, Ed Ripley. The right length... the right price. Perfect for rock, MOR and country formats. For demo and particulars write: Ripley Productions, Box 92367 Tampa, Florida 33612. (813) 949-3767

**THE BIG BANDS ARE BACK!**
★ GOODMAN ★ DORSEY ★ HERMAN ★ MILLER ★ and many others
One 55 minute program weekly.

**PROGRAM DISTRIBUTORS**
1001 SPRING STREET - LITTLE ROCK, ARKANSAS 72202
(501) 376-9252

**Television Programming**

**TV SLIDES: $6**

- *MERRY CHRISTMAS*
- *HAPPY NEW YEAR*
- *SUNDAY'S GREETINGS*
- *CHRISTMAS Greetings*

**BOB LE BAR FILM DESIGN**
240 EAST 55 STREET NYC 10022

**Employment Service**

**BROADCAST**
RADIO & TELEVISION
Jobs for West Coast
Over 143 Openings
Call Mike Lawrence 622-2020
Snelling & Snelling 2033 8th Ave.
Seattle, Washington 95121

Wanted To Buy Stations

**PRINCIPAL LOOKING** for full time AM, FM or combo, in small to medium size market $150-300K range.
Box Y-113, BROADCASTING.

Multi-station owner interested in inquiring AM or FM stations in the Southeast. All replies will be confidential. Write M.D. Smith, III, R.O. Box 551, Huntsville, Alabama 35804.

**For Sale Stations**

**NEW ENGLAND AM's**
Profitable collietown AM in single-station medium market. Excellent equipment and real estate. Terms negotiable with down payment as low as $75,000 considered for qualified buyer. Asking $500,000. Contact Bob Kimbel in our New England office at (802) 524-5963 or at RO. Box 270 St. Albans, VT 05478.

Small metro market AM is attractive buy at $340,000 with just $65,000 down. Only station in southern N.E. market. Excellent opportunity for owner-operator. Contact Dick Kozacko at our Elmira office.

**Brokers & Consultants to the Communications Industry**

**LARTON/WALKER & COMPANY**
Brokers, Consultants & Appraisers
Los Angeles
Washington

Contact: William L. Walker
Suite 508, 1725 DeSales St., N.W.
Washington, D.C. 20036
202-523-1683

**ANNOUNCING**

The opening of the Firm
THE TED HEpburn COMPANY
Business Brokers specializing in negotiations, sales and appraisals of radio and television properties.

Phone: 513/791-8730
Address: PO Box 42401
Cincinnati, Ohio 45242

**Midwest Daytimer**
1976 estimated gross
$165,000
Price $275,000

**MEDIA BROKERS**
**APPRAISERS**
RICHARD S. SHAHEEN, INC.
425 NORTH MICHIGAN - CHICAGO 60611
312-467-0040

**BROADCASTING'S CLASSIFIED RATES**
Payable in advance. Check or money order only.
When placing an ad indicate the exact category desired. Television or Radio, Help Wanted or Situations Wanted, Management, Sales, etc. If this information is omitted we will determine, according to the copy enclosed, where the ad should be placed. No make goods will be run if all information is not included.

The Publisher is not responsible for errors in printing due to illegible copy type or print clearly all copy!

Copy: Deadline is MONDAY for the following Monday's issue. Copy must be submitted in writing.

No telephone copy accepted.

Rates, classified listings ads:
--- Help Wanted, 50c per word - $10.00 weekly minimum. (Billing charge to stations and firms: $1.00)...
--- Situations Wanted, 40c per word - $5.00 weekly minimum...
--- All other classifications, 60c per word - $10.00 weekly minimum...
--- Add $2.00 for Box Number per issue...

Rates, classified display ads:
--- Situations Wanted (Personal ads) 25c per inch...
--- All other $4.00 per inch...
--- More than 4" billed at run-of-book rates...
--- Stations for Sale. Want ads to Buy Stations, Employment Agencies and Business Opportunity advertising requires display space...

Replies to ads with a box number should be addressed to Box Number c/o BROADCASTING, 1735 DeSales St., N.W., Washington, D.C. 20036.
### Broadcasting

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<th>Closing Wed. 3 Nov.</th>
<th>% change in week</th>
<th>% change in High 1975</th>
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### Broadcasting with major interests

### Cablecasting

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## Ancestral Stock Index

<table>
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<tr>
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### Standard & Poor's Industrial Average

<table>
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<th>Closing Wed. Nov 3</th>
<th>Net change in week</th>
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<th>Approx. price ratio (000)</th>
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<th>Net change in week</th>
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<td>6/3</td>
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<td>9/5/8</td>
<td>5</td>
<td>5,959</td>
<td>81,019</td>
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<tr>
<td>CETEC</td>
<td>1/5/8</td>
<td>1/5/8</td>
<td>0.00</td>
<td>16</td>
<td>9/5/8</td>
<td>5</td>
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<tr>
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<td>3/5/8</td>
<td>2</td>
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<tr>
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<td>14</td>
<td>1,281</td>
<td>34,328</td>
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<tr>
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<td>GE</td>
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<td>14</td>
<td>1,281</td>
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<tr>
<td>ICIFIC</td>
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<td>21/7/8</td>
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<td>59/1/2</td>
<td>4/7</td>
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<td>4.00</td>
<td>57/3/4</td>
<td>41</td>
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<td>NPH</td>
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<td>1/8</td>
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<tr>
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<td>7/1/4</td>
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<tr>
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<td>24/7/8</td>
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<tr>
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<td>32/2/3</td>
<td>5/8</td>
<td>8</td>
<td>31,200</td>
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<tr>
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<td>RSC</td>
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<td>2/1/2</td>
<td>1/3/8</td>
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<td>18/7/8</td>
<td>10</td>
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<td>7/4</td>
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<td>67</td>
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<td>1/4</td>
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<td>WX</td>
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<td>19/1/8</td>
<td>13</td>
<td>1</td>
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<tr>
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<td>27</td>
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### Programming

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<tr>
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**Stock did not trade on Wednesday, closing price shown is last traded price.

**No P/E ratio is computed, company registered net loss.

**Stock split.
Coming at communications law from all angles: NAB's Erwin Krasnow

Communications law is Erwin Krasnow's passion. He practices it, writes about it, teaches it and, in a roundabout way, even paints it.

Mr. Krasnow is the new general counsel for the National Association of Broadcasters. He stepped in six weeks ago as John Summers moved up to executive vice president and general manager. A prodigious worker, he usually keeps about "eight irons in the fire," as one of his colleagues says, and most of those irons relate in some way to his profession.

He joined the NAB from the Washington office of the Kirkland, Ellis & Rowe law firm, which he served as a communications specialist for 12 years.

His writings include some 20 articles appearing in law journals and trade publications on subjects ranging from communications legislation to copyright and antitrust law. He has also penned several monographs and is co-author of a book entitled "The Politics of Broadcast Regulation." That book, written with political scientist Lawrence Longley, is an effort to describe the limits of the FCC's power over radio and television, Congress's influence on the commission and the increasing impact of citizen groups on broadcasting. He says he is fascinated by whatever it is that propels the issues of broadcasting at the FCC, in Congress and in the courts.

The more Mr. Krasnow has written and researched, the more contacts he has made within academic circles, and he himself eventually wound up in the classroom. In recent years he has taught courses about communications law and politics at Ohio State University, at American University in Washington, and even now teaches at Temple University in Philadelphia a course on access to the media.

His painting is a leisure-time activity. But even in that he mixes in a little of his professional life. The trouble with most Sunday painters, he says, is that everything they do is different; they have no distinctive style, no theme. Mr. Krasnow has an idea for an ambitious series of 60 paintings. By the time he gets to the 60th, he figures, his style will be revealed. So far he has done only two, and one of those decorates a wall of his new office at NAB headquarters. The theme is immediately apparent. It shows a series of colored, concentric squares, and at their center: a yellow legal pad.

"I have a lot of energy," Mr. Krasnow says. "One of the ways I use my energy is in teaching and writing. A lot of these things sort of mesh together."

There is more on his crowded schedule, including his activities with bar associations in Washington. Currently, he is a member of the executive committee of the Federal Communications Bar Association and is vice chairman of the Communications Law Committee of the American Bar Association. Past posts include chairmanship of committees for the Federal Bar Association and chairmanship of the Capitol Hill Bar Association, an organization of congressmen and congressional aides who are lawyers.

The last affiliation points one of the more fascinating facets of Mr. Krasnow's past employment—his two years on Capitol Hill as administrative assistant to late Communications Subcommittee Chairman, Torbert Macdonald (D-Mass.).

Mr. Krasnow served Representative Macdonald in 1962 and 1963 when John Kennedy was President. Mr. Macdonald and the President were fast friends and spent a lot of time together socially. The frequent contacts with the White House made youthful Mr. Krasnow's job more interesting than most on Capitol Hill.

When Mr. Krasnow served him, Mr. Macdonald was not yet a member of the Communications Subcommittee. But Mr. Krasnow kept in touch after leaving to join Kirkland, Ellis & Rowe. "Over a period of time, I tried to convince him—unsuccessfully—that a broadcast license is not necessarily a license to print money," Mr. Krasnow says. "But deep down he always felt that."

Mr. Krasnow says he is "euphoric" about his new job at NAB. He finds much of his work fascinating, but not yet in the post. "All these years of teaching and writing and representing different types of clients—I've had a chance to use some of that and it's been interesting."

Mostly he likes the new job because it involves him in regulation and politics at a level he has written at just below a lot of fun," he says. "Instead of these narrow things where I file applications to re-license a remote pick-up station for a client or supplemental ownership reports to show a change in the trust of a particular estate, the issues here are just more general and more interesting."

He has had little time to get established in the job because three of his first six weeks have been spent on the road at NAB's fall regional meetings. His first chore, however, is to establish priorities. Topmost must be the pursuit of remedies to broadcasting's First Amendment problems, he says. "I think the courts are becoming increasingly sympathetic to broadcasters' First Amendment arguments."

For radio, the problem is program format changes. For TV, it is the fairness doctrine. Another obvious priority is the problems broadcasting confronts with cable television.

Mr. Krasnow is already well into a personal project for the association, a compilation he hopes to have out in book form in January of all the FCC rules and regulations affecting broadcasters. That information is available to broadcasters in pieces from several sources now, including the NAB legal department, but nowhere under a single cover.

Mr. Krasnow's other initial reaction to the new job is that it is bigger than he thought. He says he was surprised to learn how many issues the NAB legal department involves itself in at the FCC, but also the Federal Trade Commission, the Federal Election Commission the Office of Occupation, Safety and Health and others.

He thinks he will have to give up teaching. "I'm going to curtail. It turns out that NAB is a total commitment. There are so many things happening, so many things to keep up with." He frames his goal with that in mind: to do his best at writing pleadings, arguments and legal briefs. "I'm a lawyer," he says, "and I see my goal as just doing a good job as a lawyer."

Profile


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Unpredictable

The uncertainties of broadcast regulation under a Jimmy Carter Presidency have been accentuated by the decision of FCC Commissioner Benjamin Hooks to become executive director of the National Association for the Advancement of Colored People. Until he got the NAACP call on Saturday, Nov. 6, Mr. Hooks appeared to be in line for the FCC chairmanship, and indeed had done everything but accept it in comments he made during the week preceding the NAACP invitation. Now the chairmanship and Mr. Hooks's seat will be Mr. Carter's to fill as soon after his inauguration as he can get around to FCC appointments.

Conventional politics would suggest that Mr. Carter will select a black to succeed Mr. Hooks, who is the first of his race to serve as an FCC member. The pressures will be great to give the appointee not only the unexpired portion of the Hooks term but also the chairmanship, now held by Richard E. Wiley, a Republican without political claim to extended tenure. Among other Democrats now serving with Mr. Hooks on the FCC, there is none with ostensible ties to Jimmy Carter.

Mr. Carter, however, has defied political tradition throughout his unconventional career and shows no signs now of wishing to join the establishment. It is that characteristic that troubles businessmen who exist by FCC regulation. The apprehensions of the regulated are in no way eased by the recollection that Mr. Carter promised during his campaign to appoint regulators who would be congenial to Ralph Nader.

It may be difficult to predict who or even what kind of person will succeed Mr. Hooks on the FCC, but it is easier to appraise the meaning of Mr. Hooks's departure. If he had remained and been appointed to the chairmanship, Mr. Hooks would have been forced into positions of advocacy that would befoul a litigant more than a judge. As Mr. Hooks himself explained in talking with reporters last week, he will be freer to fight for black causes in his NAACP role.

That point ought not to be lost on Mr. Carter in his consideration of appointments to the FCC. The interests of the general public, as well as its components, must be served if the FCC is to fulfill its legislated mission.

As to Mr. Hooks himself, he is going to a job that looks ideal for his talents and experience. He is a political realist with an evangelical flair, and the combination could not be better suited to his new assignment. The prediction here is that the NAACP will flourish under his direction.

Living legacy

A resource having vast potential for broadcasting—and for Americans generally—came into being last week with the opening in New York of the Museum of Broadcasting by William S. Paley, its founder. The museum, described in more detail elsewhere in this issue, already has more than 700 radio and TV broadcasts from early years taped and indexed in its files and is well started toward becoming, as the announcement said, "a major facility for the storage, cataloguing and exhibition of thousands of priceless radio and television programs from many sources."

Mr. Paley, chairman of CBS, has personally guaranteed the funding for the museum's first five years—a commitment expected to total at least $2 million. No less important to the project's success, he has enlisted the support of other leading broadcasters including all the major networks and the National Association of Broadcasters. Robert Saudek, a long-known name in broadcasting and program production, has been hired full time as the museum's president, a staff is at work, viewing and listening equipment has been installed and the museum officially opens this week to scholars, historians and, indeed, all comers.

In addition to taped and filmed broadcasts old and new, which museum leaders hope to expand at the rate of 4,000 a year over the next few years, the museum expects in time to have equipment exhibits, hold seminars and workshops, issue publications based on its collections and in general "serve as a major instrument to advance the broadcast arts."

Those increments, as they come, will be bonuses. For the moment it is satisfying enough that broadcasting at last has a means of rescuing so much of its past from almost certain loss and for making it available, along with more recent but equally vital and representative examples, in one place where both this and future generations may look and listen.

Good try

It comes as a disappointment that NBC has decided to abandon its News and Information Service for radio. No one can say, however, that the venture failed for want of effort. No one could ask NBC to go on spending millions in the dwindling hope of eventual recovery—no one, that is, but the FCC if that agency were obeying court orders by the U.S. appellate court to get into format control.

NBC could not have introduced NIS and stations could not have subscribed to it if the commitment had been permanent. Yet that is the commitment that would have been risked if the FCC were literally observing court decisions that have revoked format changes upon protest by listeners, however few. If the NIS experience proves anything, it is that broadcasters must have the freedom to fail.

To its credit, the FCC has elected to challenge the court on the grounds that the government has no constitutional business in the repression of program innovation. Its case gets a piece of real-world evidence in NBC and NIS.

Foul

Isn't it about time for the free world to blow the Olympics whistle on the Communist bloc? The Soviet Union, with its ludicrous demands for $100 million for television rights to the 1980 summer games in Moscow (as against $25 million for last year's Montreal events) is only the beginning. It goes without saying that the Russians will want complete control of what is broadcast for propaganda purposes.

A thought for U.S. networks and sports officials to contemplate: What if Russia held the Olympics and nobody went?
If You Are Superlatively Popular And Prosperous—
Why Not Move to a Better Job?

Our broadcasting company is made up of people. We've never been particularly fond of transistors, tubes, or tape. Our preference for bright, creative people, in all fields of radio, has put us where we are today. The best group of stations on the Pacific Coast.

If you can be replaced easily and readily, don't bother to contact us. We've surrounded ourselves with men and women who are the best in the business. The kind of bright minds that can't be replaced...and won't be for as long as they want to be with us.

We want people with so much talent they have to have freedom to experiment, to grow bigger and better—or even goof from time to time. Brilliantly, of course. If you have this much ability, we'll encourage you, pamper you, respect you. We might even overpay you.

Are we interested in employing Big Shots from Big Town? Yes. But we also firmly believe that people of exceptional talent come from Podunk and Flyspeck.

This is not a message for on-air people alone. We want bright people to back up other bright people. So, if you are convinced that you are superior in any of the many kinds of positions related to radio, please convince us.

Interested? Okay, send us a tape...not more than ten minutes. Don't send us an air check. Of course, we're not asking for tapes from people who do not expect to be on the air. A letter and samples proving that we need you will do.

Above all, don't try to call us. Don't even come near us. But whether we're amazed by your evident talents or simply unamazed, you will hear from us. Confidentially, naturally.

No, we're not expecting to replace any of the people who work for us now. But all things change. So, when the time comes that we need an exceptional talent, we want to know exactly where to look.

Send your letters and/or tapes to: Bert S. West, President, Golden West Broadcasters, 5858 Sunset Boulevard, Los Angeles, CA 90028.

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Introducing the King of Kensington. An "Adult Comedy" for adults.

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Now your station can have an "adult comedy" for adults, because "The King of Kensington" is a little bit of everyman.

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