

EXPANDING!

**\$150 MILLION
INVESTED IN NEW
INDUSTRY IN
METROPOLITAN MACON!**

Manufacturers know a good thing when they see it . . . and the booming economy of Middle Georgia has attracted them in droves. In the center of this prospering area stands Metropolitan Macon, where retailers last year moved nearly \$160 million worth of goods! Macon's sales growth tops all but three of the nation's top 25 markets—further proof that Macon is truly the *super-market* of fast-expanding Middle Georgia.



TWO STATIONS—AND TWO ALONE GIVE YOU OVER-ALL COVERAGE



WMAZ and WMAZ-TV continue to dominate Middle Georgia's broadcast audiences. Your audience surveys document this . . . time and time again. And there's a reason for this, too . . .

GOOD BROADCASTING MAKES THE DIFFERENCE

Add it up: Imaginative local programming. Top network offerings. Middle Georgia's finest facilities. Skillful promotion. Results *command* the attention of all Middle Georgia.

THESE STATIONS MOVE MERCHANDISE:



Represented
Nationally by:

AVERY-KNODEL, INC.

hearings where multiple ownership has been involved regarding the acquisition of stations.

The Commission's letter also made the point that in sending the McFarland letter to Mr. Storz it passed no judgment on any particular program or type of program.

Comr. Doerfer, in his 3½-page dissent, categorically stated that in his opinion the questions raised had not been answered.

"I can only conclude," he said, "that the majority has finally eschewed any responsibility for requiring well-balanced programming."

" . . . The opportunity to finally determine this doubt has this day been disposed of summarily. The essence of my dissent is that such responsibility has been sloughed off without a determination of the extent of our jurisdiction or lack of it. The net effect is to continue the confusion in the minds of the broadcasting industry, Congress and the public. It would be much better to essay definiteness, right or wrong, than to continue a state of uncertainty."

In referring to various court decisions which have been assumed to give the FCC jurisdiction over programming, Mr. Doerfer referred to Supreme Court Justice Felix Frankfurter's opinion in the 1941 Chain Broadcasting Rules case. "Whether this is dicta and inapplicable to renewal cases should have been fully probed. In any event, such responsibility, even though questionable, should not be summarily cast off."

Ground Rules Needed

Comr. Doerfer called for the Commission to establish "ground rules" for broadcasters on the meaning of well-balanced programming. "The present situation," Mr. Doerfer declared, "results in some broadcasters attempting to provide a service which they think the Commission will consider to be well balanced. Oftentimes this is done at considerable expense. In my opinion, today's decision will permit others to dispense entirely with any sustaining programs, the method commonly used to provide without cost local services for non-profit organizations . . ."

"This Commission, as well as all broadcasters, spends a good deal of time and money in compiling percentages of various program categories indicated above. All this is nonsense if the Commission has no actual sanctioning powers. At best its amounts to regulation by the lifted eyebrow—a wholly inappropriate basis for administrative action."

Discussing the promotional practices of the Storz stations, Mr. Doerfer held that it was of no concern to the Commission what stunts a broadcaster may employ to attain a large audience. Then he added:

"But the use of radio broadcasting to promote these stunts, taken in conjunction with the intent not to broadcast any educational, religious, talk or discussion programs (WTIX New Orleans) raises a serious question as to whether or not this pattern of conduct may not be 'an inducement to other broadcasters to adopt similar methods' to the end that all broadcasting frequencies are no longer to be regarded as a 'public trust' in the hands of licensees but solely a mercantile business operated for maximum profit. This is the crux of the problem raised in the instant application. In my opinion, the Commission should have taken this opportunity to determine first the extent of its powers to require a broadcast license to be used as a public trust, and if so then to determine whether or not this broadcaster and others may convert the 'public trust concept' into a pure business enterprise."

Mr. Doerfer in September 1955 dissented to the renewal of Mr. Storz' WTIX on the ground that it carried no educational, religious or talk and discussion programs.

FTC AD MONITORING WILL BE INCREASED

THE Federal Trade Commission is working on a plan to increase its monitoring of radio and television advertising in line with congressional intent.

A Senate Appropriations Subcommittee headed by Sen. Warren G. Magnuson (D-Wash.), also chairman of the Senate Commerce Committee, restored with Senate approval a \$100,000 cut made by the House in the Independent Offices Appropriations Bill (HR 9739) for fiscal 1957, plus \$50,000 more than the budget recommendation, to give the FTC a total of \$5,550,000. The House later agreed to the restored figures.

The appropriations subcommittee's report said the \$100,000 was being put back in the FTC budget with the understanding that agency would exert new efforts in increasing its monitoring of radio-tv commercials. The action followed various complaints in Congress about false and misleading advertising on radio and tv.

Alex Akerman Jr., executive director of the FTC, said last week the commission's plans still are in the "formative" stages, but that by the end of the first quarter of fiscal 1957 (Sept. 30) he feels the FTC's monitoring system will be "rolling."

Although no definite plans have been approved by commission members, Mr. Akerman said he envisages additions to the FTC's staff of attorney-investigators in its eight field offices.

Under the FTC's present system of guarding against misleading and fraudulent advertising a staff of three attorney-investigators study scripts of radio and tv commercials, he said. Sometimes the FTC, for a number of reasons, encounters delays in getting these scripts. The same three men also study advertising in printed matter.

Mr. Akerman feels that FTC's men in the field offices could do actual "part-time" monitoring of radio and tv stations everywhere. "We cover the whole country during a year" from FTC field offices, he said. He thinks that perhaps these men, when on other investigative business in a given city, might sit down and watch the local tv presentations or listen to local radio programs. He hasn't arrived yet at how the attorney-investigators may split up their time between daytime and evening programs.

The FTC presently has 97 such attorney-investigators, spread out in its field offices like this: Washington, 28; New York, 23; Chicago, 12; Cleveland, 9; San Francisco, 8; New Orleans, 8; Seattle, 5; Kansas City, 4. With the additional money given the FTC for fiscal 1957, he said, the commission might increase these men to 110-115 and make a slight increase of its regular script-studying staff of three.

NCTA Says Community Tv's Are Not Common Carriers

COMMUNITY television systems are not common carriers and, in fact, are adjuncts of television broadcasting, the National Community Television Assn. stated last week.

The statement was filed with the FCC by NCTA General Council E. Stratford Smith in answer to last April's complaint by a group of western television broadcasters asking the FCC to place community tv systems under the common carrier classification [B•T, April 9]. They asked the FCC to require that the antenna