

## FCC GETS UP STEAM FAST ON RETURN; DEINTERMIXTURE COMMENTS POSTPONED

After five-week hiatus, Commission takes big swipe at pending actions, grants two tvs, 12 ams, approves 18 sales and grants 51 renewals of which 21 are for educational outlets. Also an agenda: first discussion on revising multiple ownership rules.

IN its first meeting after a five-week summer recess, the FCC last Wednesday and Thursday hit some high spots touching policy questions as well as taking action on a number of pending cases.

In addition to making two tv grants, 12 new am grants, approving 18 station sales, granting 51 station renewals (of which 21 were for educational fm outlets), the full Commission—

- Postponed the deadline for comments on the deintermixture proposals from Sept. 10 to Nov. 15 (see story, this page).

- Discussed for the first time a revision of its multiple ownership rules.

- Agreed to set for hearing, the petitions of WWBZ Vineland, N. J., for reconsideration of its revocation order due to horse race broadcasts.

- Decided to permit Gordon McLendon to continue operating KTSA San Antonio, Tex., pending a protest hearing scheduled to start Sept. 10.

- Discussed the request of WSTV Inc. (WSTV-AM-TV Steubenville, Ohio) to enlarge the issues in the rehearing in the Pittsburgh ch. 11 case to include the question of economics, but came to no conclusions.

Quiescent since the Supreme Court handed down its ruling, last May, upholding the FCC's right to set maximum station ownerships, the subject came to life in the closing weeks of the 84th Congress with a number of bills introduced by various congressmen (led by Sen. John W. Bricker [R-Ohio]), to permit unlimited station ownership provided coverage of stations under single ownership does not encompass more than 25% of the population of the U. S.

It was understood Comr. John C. Doerfer broached the subject, suggesting that the Commission amend its rules to incorporate this policy, rather than have it forced on the Commission through legislation. Chairman George C. McConnaughey ventured agreement, reliable sources indicated. It was decided to discuss the subject further at subsequent meetings.

WWBZ had been ordered off the air last December—but has been given extensions since then—for purported "overemphasis" on horse-racing programs. Various pleadings filed by the station asked for reconsideration, charged that the FCC had communications from the Department of Justice about which it was not told, and suggested that the Commission hold a full-scale inquiry regarding whether and to what extent the broadcasting of horse race results might be in the public interest.

The decision on the WWBZ matter was understood to have been related to the Commission's action in July in approving the purchase of WQAM Miami by Todd Storz' Mid-Continent Broadcasting Co. In that case some commissioners wanted a hearing to investigate the promotional activity of Storz stations.

The McLendon purchase of KTSA San Antonio was approved by the FCC last May. This approval was stayed when KITE San Antonio protested the sale. The Commission ordered that KTSA be retransferred to its original owner, O. R. Mitchell Motor Co., and set the sale for hearing beginning Sept. 10. Last week's decision, not yet issued, is to permit the transfer approval to stand pending the outcome

of the protest hearing. This obviates the necessity of returning the station to the Mitchell company.

In the Pittsburgh ch. 11 situation. WSTV was granted permission to intervene in the hearing on the grant of that vhf channel to WWSW Inc. (WIIC [TV]). The hearing already had been held, with WENS (TV) Pittsburgh the objector, and the examiner issued an initial decision recommending reaffirmation of the grant. With WSTV's entry the hearing has been ordered reopened Sept. 17, when the Steubenville outlet will have the opportunity to enter its objections to WWSW Inc.'s proposal to increase power and antenna height. WSTV has asked that the issues be enlarged to take into account the economic effects of greater power and antenna height by WWSW Inc. on the Steubenville-Wheeling market. No clearcut opinion was discernible at last week's FCC meeting, it was understood.

### DEINTERMIXTURE COMMENTS POSTPONED UNTIL NOV. 15

THE FCC last week postponed to Nov. 15 the deadline for comments on its 13 deintermixture proposals.

These involve either moving existing, single vhf allocations from present cities or moving the educational reservation from uhf channels to the single vhf channel there.

The previous deadline was Sept. 10.

Last week's action does not affect the Oct. 1 deadline for comments regarding the Commission's discussion of the possibility of changing all or part of television to the uhf band and its request for ideas on how to undertake a "crash" program to upgrade uhf transmitting and receiving equipment.

The extension of the Sept. 10 deadline was due, it was understood, to the discovery that some of the engineering details set forth by the Commission in determining tv station coverage were based on new data.

It has been charged that the Commission changed the ground rules on coverage formulas without conferring with consulting engineers. Instead of using formulas derived from curves already in the rules, it was understood FCC engineers established new curves and then used these as the basis for computations. Since the present rules contain the old curves, it is believed by many engineers and attorneys that the Commission could be legally attacked if it made any decisions on the comments based on the new, suggested formulas.

Similarly, Grade B coverage equations were revised on the assumption that the noise level of receivers had been improved since 1952 when the present rules were promulgated.

Comr. T. A. M. Craven, newly-appointed engineering member of the Commission, has been given the task of compromising these difficulties, it is understood. He has already held one informal meeting with leading consulting engineers. This took place two Fridays ago. It is believed that an official informal engineering conference will be scheduled for sometime in the near future to go over these problems.

Some of the differences were officially brought to the attention of the FCC last month

by the Assn. of Federal Communications Engineers.

Deintermixture proposals involved in last week's action are:

Elmira, N. Y.—All uhf by deleting ch. 9 and adding ch. 30. This would give Elmira chs. 18, 24 and 30. Comrs. McConnaughey, Doerfer and Mack dissented. Ch. 9 had been allocated to Elmira Nov. 30, 1955.

Evansville, Ind.—All commercial uhf by switching the educational reservation from ch. 56 to ch. 7. This would give Evansville chs. \*7, 50, 56, 62. Comrs. Doerfer and Mack dissented.

Fresno-Santa Barbara, Calif.—Make Fresno all uhf by moving ch. 12 to Santa Barbara, adding ch. 30 from Madera, Calif., and moving ch. 59 into Madera. This would give Fresno chs. \*18, 24, 30, 47 and 53, and Santa Barbara chs. 3, 12, 20 and 26. Comrs. Doerfer and Mack dissented.

Hartford, Conn.-Providence, R. I.—Make Hartford all uhf by deleting ch. 3 and moving it to Providence, transferring ch. 61 from Easthampton, Mass., to Hartford, and deleting ch. 65 at Meriden, Conn. This would give Hartford chs. 18, \*24 and 61; Providence chs. 3, 10, 12, 16 and \*36. Comrs. McConnaughey, Doerfer and Mack dissented. Comr. Doerfer suggested that if ch. 3 is taken away from Hartford, ch. 13 from New York should be substituted.

Madison, Wis.—All commercial uhf by switching the educational reservation from ch. 21 to ch. 3. This would give Madison chs. \*3, 21, 27 and 33. Comrs. McConnaughey, Doerfer and Mack dissented.

Mobile, Ala.-New Orleans, La.—Make Mobile all commercial vhf by moving ch. 4 from New Orleans, moving ch. 42 (now educational in Mobile) to New Orleans (where it would be commercial). This would give Mobile chs. 4, 5, 10 and \*48. New Orleans would have 6 (WDSU-TV), \*8, 20, 26, 32, 42 and 61. Comrs. Doerfer and Mack dissented. Comrs. Webster and Bartley concurred, but would also propose the deletion of ch. 6 from New Orleans.

Peoria-Rock Island, Ill.—Make Peoria all uhf by deleting ch. 8 and adding ch. 25. Ch. 8 would be assigned to Rock Island. This would necessitate assigning ch. 77 in lieu of ch. 40 at Galesburg, Ill. This would give Peoria chs. 19, 25, \*37 and 43, and Rock Island chs. 4, 6, 8, \*30, 36 and 42. Comrs. Doerfer and Mack dissented.

Springfield, Ill.-St. Louis, Mo.—Make Springfield all uhf by deleting ch. 2 and moving it to St. Louis, and adding ch. 39 to Springfield. This would necessitate substituting ch. 49 for ch. 53 at Lincoln, Ill. This would give Springfield chs. 20, 39 and \*66, and St. Louis chs. 2, 4, 5, \*9, 11, 30, 36 and 42. Comrs. Doerfer and Mack dissented.

Albany-Schenectady-Troy, N. Y.—Make area predominantly uhf by deleting ch. 10 from Vail Mills, N. Y. (Albany area), and adding ch. 47. This would give Albany-Schenectady-Troy chs. 6 (WRGB [TV] Schenectady), \*17, 23, 35, 41 and 47. Comrs. McConnaughey, Doerfer and Mack dissented. Comrs. Webster and Lee concurred but would also propose the deletion of ch. 6 from this area. Ch. 10 had been assigned to Vail Mills Nov. 10, 1955.

Charleston, S. C.—Make Charleston predominantly vhf by adding ch. 4. This would give Charleston chs. 2, 4, 5, \*13 and 17.

Duluth, Minn.-Superior, Wis.—Make area predominantly vhf by switching educational reservation from ch. 8 to ch. 32. This would give Duluth-Superior chs. 3, 6, 8, \*32 and 38.

Miami, Fla.—Make area predominantly vhf