

MERE FORMALITY • While FCC plans to meet next Wednesday to decide its posture on pay tv in light of House Committee "sense" resolution that no tests be conducted until Congress acts definitively on public policy, it's foregone conclusion that Commission, in one fashion or another, will honor House Committee mandate [LEAD STORY, page 31]. More than likely FCC will seek some deadline on postponement of tests from House Committee, but odds are that there won't be any tv tests in 1958 anyway.

Cleveland Plain Dealer's WHK on verge of being sold, although no deal signed at week's end. Prospective buyer said to be DuMont Broadcasting Corp. (WNEW-WABD [TV] New York, WTTG [TV] Washington). Price understood to be more than \$1 million. WHK is 5 kw on 1400 kc with NBC affiliation. In addition to WHK, sale will include WHK-FM and grant for ch. 19.

SCHWARTZ'S FUTURE • Open antagonism of perhaps majority of members of seven-man Moulder Committee toward Chief Counsel Bernard Schwartz has reached point where one or two things might happen: (1) dismissal of New York U. law professor or (2) retention of associate counsel to balance representation. There's ample precedent for latter in FCC investigations. In Senate Commerce Committee inquiry into network operations in 1954-55, former FCC Comr. Robert F. Jones represented Republican members of committee, and former FCC Asst. General Counsel Harry M. Plotkin represented Democratic members.

NBC's "put out the fire" appraisal of tv costs (substance of which is that tv is better buy than ever and that costs are neither unreasonable nor unjustified) is due for exposure to ad row. Part of NBC's appraisal (see ADVERTISERS & AGENCIES, page 34) has been smoothed out and bundled into presentation for agencies and advertisers (some showings to agencies by NBC-TV sales development unit have been reported). It's understood that originally NBC did not intend its research probing as formal pitch, but once figures were in, network turned them over to sales development.

TOGETHERNESS • It's probably only coincidence. But Bernard Schwartz, Moulder Committee chief counsel whose charges against FCC have repeatedly "leaked" to *New York Times*, is *New York Times* contributor. In past year he's sold three pieces to *Times* Sunday magazine—one on Chief Justice Warren last June 30, one on Supreme Court last Aug. 25 and one on states rights last Nov. 17.

Preliminary agreement for acquisition of KOMA Oklahoma City by McLendon Corp., headed by Gordon McLendon, for \$600,000 reached last Friday, subject to FCC approval. Station, operating on 1520 kc with 50 kw, was established in 1927 and is CBS affiliate. Sellers include Burton Levine, Myer Feldman, Arnold S. Lerner, Donald Rubin and Harold Thurman. Partnership group acquired station from John T. Griffin interests in 1956 for \$300,000. McLendon Corp. stations are KLIF Dallas and KILT Houston. Through subsidiary, corporation owns KTSA San Antonio and KEEL Shreveport.

REPAIR JOB • Best Monday morning guess: NAB will act fast to pacify tv film companies, angered by association's failure to consult them before board voted to allow only heavy broadcast equipment exhibitors at annual convention starting in 1959. NAB board forgot highly important detail—its by-laws—in voting to confine film exhibitors to autumn regional conferences. Under terms of by-laws, associate members are entitled to exhibit at conventions and this right can only be removed by referendum vote of membership.

While NAB would miss dues of film members if they pulled out of association, there's even more serious side to problem. This centers around money received from film exhibitors who display at spring conventions. And film dues aren't only worry. There's also problem centering around loss of income from some large radio stations, not entirely offset by numerous new affiliations of smaller stations.

BRITISH AISLES • Great Britain will cope with its movie-tv problem through establishment of new central agency comprising exhibitors, producers and distributors, already tentatively agreed to. Designed to control use of tv film in Britain, organization would purchase all of feature film, financing operation through levy of one-fourth of pence per seat; this to bring in equivalent of about \$1 million per year. Super distribution agency would release feature films both for theatre exhibition and tv; would stipulate price and time of day for showing. Agreement would not apply to American feature film, already limited under Post Office Dept. control to about one hour per day. Because of cross-ownership by American and British interests, there presumably would be repercussions here on new film plan which awaits only formal ratification of four of five groups involved.

Latest British Gallup poll on commercial vs. state tv programming in Great Britain (ITV vs. BBC) shows that 47% prefer commercial operation as against

22% for BBC; 28% saw no difference and 3% didn't know. On question whether there is "too much violence" on ITV in feature films, notably American product, 46% felt there was not; 41% thought there was and 13% didn't know. As to BBC, 43% felt there was too much; 39% that there was not, 18% didn't know.

RATE MAKING • FCC has now received all replies to its inquiries sent out last month about alleged network-station affiliate conniving on spot rates, time clearances, etc., as cited in Barrow Network Report [LEAD STORY, Jan. 6]. Staff now begins analysis, comparing network answers with affiliates'. Then report goes to commissioners for action. If action is taken, matter becomes public; if not correspondence remains in "not for publication" file. Note, however, that Commission sent out interrogatories to only 25 stations; about 90 stations are ostensibly involved. Remaining 65 will get letters of inquiry as their licenses come up for renewal.

Advance registration for first Pop Music Disc Jockey Convention and Programming Seminar in Kansas City, March 7-8-9, being conducted under auspices of Storz Stations, has surpassed all expectations, according to President Todd Storz. Last week registrations had passed 1,200, with prospects that 1,800-2,000 will attend convention.

EPIC SHIFT • Insiders won't talk, but report persists that Lever's Pepsodent Div. is considering spot tv nationally for its Pepsodent toothpaste and may cut back part or drop all of its spot radio. Significance: Pepsodent scored outstanding success with its "where the yellow went" spot radio campaign starting in 1956, continuing since, and campaign generally is conceded to have had important role in post-1954 radio revival. Pepsodent last year put estimated 80% of its ad budget in spot radio, now runs schedules in as many as 200 markets. Pepsodent's spot tv tests understood to have included New York and few West Coast major markets with good results. To all queries, executives at Pepsodent and its agency, Foote, Cone & Belding, New York, come back with unqualified "no comment."

Plans for that series of regional meetings of ABN affiliates, indicated by network when it decided to cut back on its all-live programming policy [NETWORKS, Jan. 27], should be announced shortly. Schedule is tentatively set this way: San Francisco's Fairmont Hotel Feb. 17; Chicago's Drake Hotel Feb. 20; New York's Waldorf-Astoria Feb. 25, and New Orleans' St. Charles Feb. 28. President Robert E. Eastman will head ABN delegation.