the Paramount case forbade package deals between movie companies and theaters that were entirely dependent on motion pictures to operate; tv stations are free to select other program fare if the terms offered by film distributors do not suit them.

National Telefilm Assoc. is the other distributor cited by Judge Dawson.

**FCC denies AMST pleas in vhf drop-in cases**

The Assn. of Maximum Service Telecasters lost two decisions to the FCC last week in the trade group's fight against reduced tv mileage separations. The commission denied a petition by AMST for reconsideration, deferral and withdrawal of rulemaking to add vhf channels in Oklahoma City, Johnstown, Baton Rouge, Dayton, Jacksonville, Birmingham, Knoxville and Charlotte.

In each of the cities the FCC has proposed to add a third vhf channel. Most of the channels would be dropped-in at mileage separations below minimum set by the FCC in 1952 (Broadcasing, July 31). Comments are due Dec. 5 the FCC said in denying AMST's request, and ample time has been given for their preparation.

Chairman Newton N. Minow and Commissioner Robert E. Lee dissented.

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**FCC MAY FINE KOMA $10,000**

Action against Storz station for violations of power, antenna rules is second under new law

KOMA Oklahoma City received a notice of "apparent liability" for a $10,000 fine from the FCC last week. The agency said the station has "willfully or repeatedly" violated the terms of its license by failure to directionalize during required hours and by transmitting a signal which "far exceeded" the maximum 50 kw.

KOMA is licensed on 1520 kc (Class I-B clear channel) with 50 kw unlimited, directional antenna at night. The license specifies for each month the hours during which KOMA may operate without its directional array.

During a January 1961 FCC inspection, seven KOMA violations of rules and two violations of the station's authorization were discovered, the commission stated in a notice of the fine liability. Paramount among the violations was use of the daytime non-directional antenna prior to 4:00 a.m., the commission said.

The FCC further charged that KOMA had operated in such a fashion for at least 10 days prior to the January inspection. The agency is authorized to fine a licensee $1,000 for each day a violation occurs, up to a maximum of $10,000. In addition, the FCC said that KOMA has operated up to the present time with a field strength that exceeds the licensed maximum at several monitoring points. It is apparent, the FCC said, that KOMA is liable for the maximum fine permitted "for willfully or repeatedly failing to operate station KOMA as set forth in its license."

The commission said its rules clearly negate any authority for KOMA to operate with daytime antenna prior to 4 a.m. The station, owned by Todd Storz, also was told that its reasons for continuing to exceed the authorized power are not a valid excuse "in view of an excessive period of approximately nine months" following the FCC's official notice of violation before corrective steps were submitted to the commission.

In its letter to KOMA, the FCC also expressed concern over the station's "apparent unawareness" of the serious problem until pointed out in the violation notice.

KOMA was given 30 days to reply to the forfeiture notice before the commission takes final action. This is the second forfeiture action taken by the FCC since it received such authority from Congress. KDWB Minneapolis was fined $2,500 last summer for operating at night with daytime facilities (Broadcasting, July 31). When action was first taken against the station last March, KDWB was informed that it was liable for a $10,000 fine but the amount was later reduced to $2,500.

**WOL to sue ball club**

WOL Washington President Henry Rau charged last week that the Washington Senators baseball team exerted behind-the-scenes pressure which caused cancellation of WOL's rights to broadcast the Baltimore Orioles games. Mr. Rau said the station will file suit against the Senators early in December in Washington federal court seeking an injunction and damages.

The Orioles' play-by-play has been carried in Washington by WOL for the past two years, accounting for approximately $50,000 in annual billing. National Bohemian beer has purchased the 1962 rights and Mr. Rau said the new sponsor stated Washington broadcasts were specifically excluded under terms of the contract.

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**THE COMMUNITY DEPENDS ON WOC FOR LEADERSHIP**

"The Buffalo Bill Council wishes to express its appreciation to the executive and program staff of WOC for their wonderful support of the Scouting Program in this area.

The sincere interest of WOC has contributed much to the goal of 'more boys in Scouting, and more scouting in boys'."

Joe Eckstein
Scout Executive
Buffalo Bill Council

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**WOC RADIO**

AM - FM

THE QUINT CITIES / DAVENPORT • BETTENDORF • ROCK ISLAND • MOLINE • EAST MOLINE

Dr. D. Palmer, President
Raymond S. Guth, General Manager
Donald L. Green, Sales Manager
Executives: National Representatives
Peters, Griffin, Woodward, Inc.

(60) (GOVERNMENT)

Broadcasting, November 27, 1961