

development of 'super stations.' "

Another broadcaster, Southeastern Ohio Television System, called the trend toward super stations "threatening." Southern told the commission that "every grant of an earth station to import a distant signal is unconstitutional" because it violates the FCC's "mandatory public interest dictates."

On the other side, the National Cable Television Association called the MPAA proposal an attempt to have the commission "return to the days when regulations were adopted to protect one communications entity against another."

And the two stations immediately involved in the imbroglio sided with the cable interests. Turner Communications, the licensee of WTCG, said the petition was an attempt "to restrict satellite distribution" of "stations that will ultimately be available." MPAA, said Turner, is seeking to get the commission "to tell viewers in certain parts of the country what they cannot view."

Christian Broadcasting Network, licensee of WYAH-TV, said MPAA's policy is "designed to give local stations a decided advantage, if not a monopoly, in expressing their views to cable television subscribers."

"To deny the public the availability of such signals," said CBN, "is to thwart the supreme public interest goal of programming diversity."

An anxious NAB goes on record against 45-day delay in trading

Association finds several reasons to oppose, none to support, quarantine period in sales

The National Association of Broadcasters couldn't wait to get on the record with its opposition to the FCC's proposal that a licensee be required to give 45 days advance notice of intent to sell a station (BROADCASTING, Aug. 1). Last week more than two weeks ahead of the comments deadline (Nov. 3) in the inquiry, NAB called the proposal "a classic example of regulatory overkill."

The proposal, which grew out of a suggestion by former Commissioner Benjamin L. Hooks, is designed to facilitate minority entry into station ownership. Mr. Hooks said that minority group members are excluded from what he said was a "good-old-boy network" of station owners, brokers and lawyers that privately arranges the sale of desirable properties.

But NAB said that assumption is groundless, that "minorities stand equal with everyone else in learning which stations are for sale." Accordingly, it said, the

commission's proposal "is unnecessary and unwise."

NAB said potential buyers do not lack help in finding properties. And, it added, minority group members are not unsophisticated in that regard. It said a check of 20 of the largest station brokerage houses showed that about 5% to 10% of the inquiries received are from minorities interested in purchasing a broadcast station. Blackburn & Co. and Chapman Associates each is said to have reported receiving about 100 such inquiries in the past 12 months. NAB also said sophisticated minority entrepreneurs scan the trade press for advertisements of stations for sale.

The proposal, NAB said, would do more harm than good. It would "encourage a bidding contest "in which many non-minority buyers would participate (thus making it more difficult for minorities to compete), adversely affect station morale, disrupt station operations, discourage advertisers and encourage the filing of petitions to deny. NAB also said that "a firmly negotiated transaction could dissolve during the running of the 45-day period."

NAB also recalled that the commission had attempted such a procedure once before. In October 1945 it adopted the so-called "Avco rule" which was designed to provide local notice to the public of the filing of assignment and transfer applications and to invite the filing of competing applications so that the commission might choose among them. That was abandoned, NAB noted, after "four years of confusion, economic hardship and administrative delay," and the Congress adopted legislation barring the commission from considering whether the public interest would be served in a sale by the assignment or transfer of the property to someone other than the proposed buyer.

The NAB said, in effect, that it has a better idea—two of them, in fact. One is its proposal, contained in a petition for declaratory ruling, that tax certificates be issued to sellers transferring stations to minority-owned or minority-controlled buyers (BROADCASTING, Sept. 5).

The second was to create an NAB task force on minority ownership, which the association has already set up and which is attempting to find various funding methods to assist minorities. "Virtually everyone agrees," NAB said, "that the main impediment to minority broadcast ownership today is lack of financing, not the inability to learn of potential station sales."



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10/24

Changing Hands

Announced

The following station sale was announced last week, subject to FCC approval:

■ WYNF(FM) Tampa-St. Petersburg, Fla. (formerly WLCY-FM): Sold by Harte-Hanks Communications to Taft Broadcasting Corp. for \$2 million. Sale is spin-off from Harte-Hanks's acquisition of Rahall Communication's WLCY(AM)-WYNF for \$6.5