

Cable's home free on copyright — Judge Motley
Flood gates open on New York area petitions to deny

Broadcasting May 8

The newsweekly of broadcasting and allied arts

Our 41st Year 1972

177

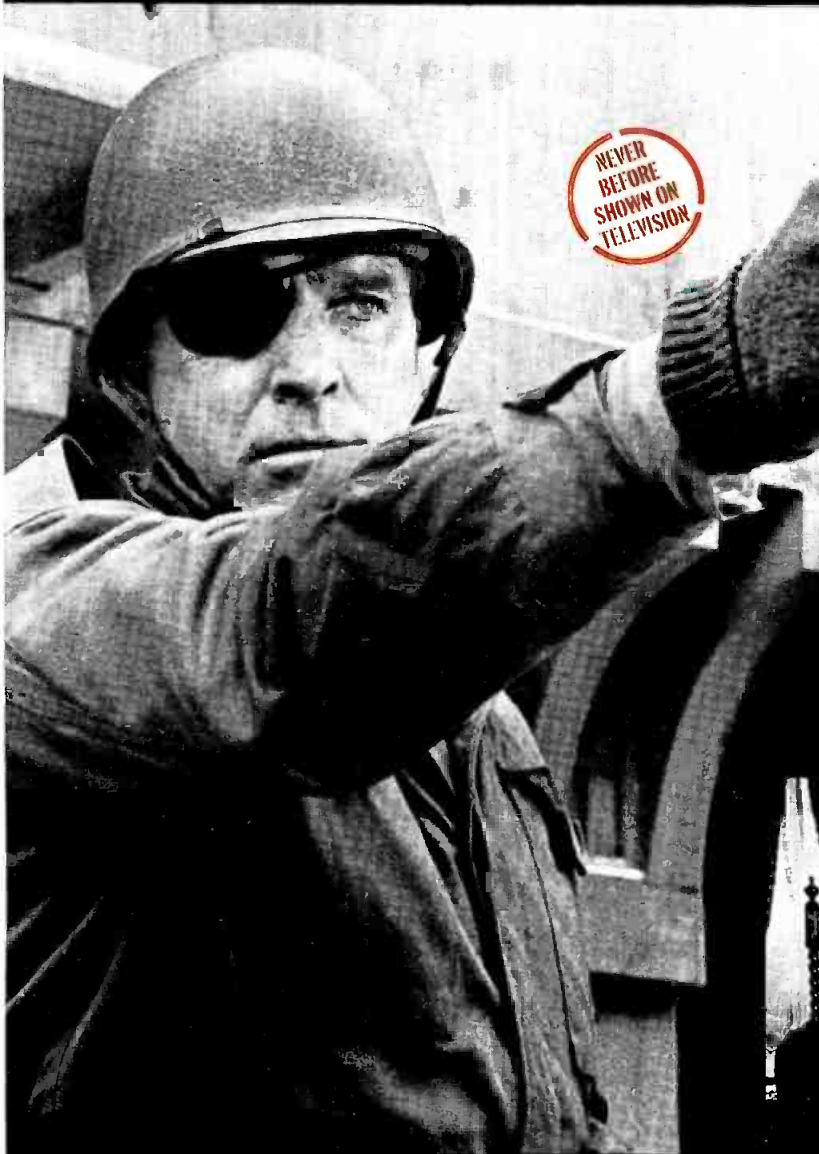
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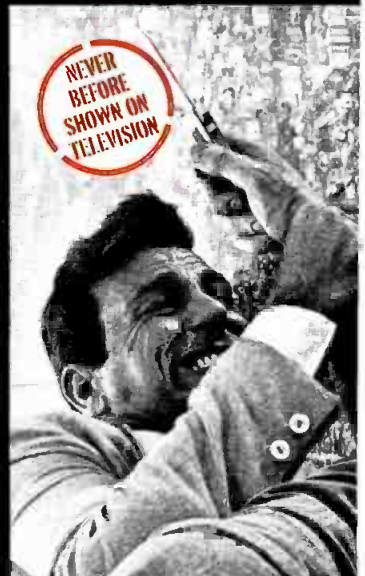
Never before shown on TV

Volume VI Prime Time Features



NEVER BEFORE SHOWN ON TELEVISION

Castle Keep
 Never before was a 10th Century castle in a 20th Century war filled with so many princes of adventure... BURT LANCASTER, PETER FALK, PATRICK O'NEAL and JEAN-PIERRE AUMONT.

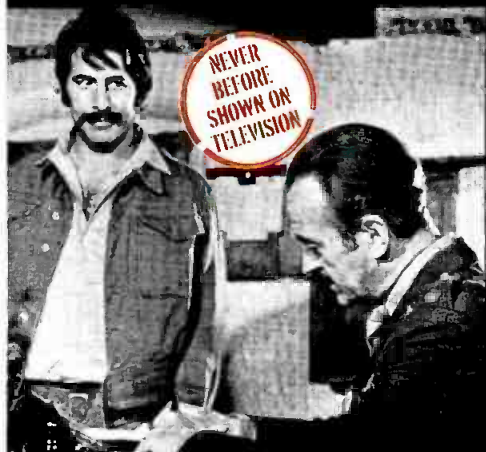


NEVER BEFORE SHOWN ON TELEVISION

Kiss The Girls And Make Them Die
 Never again will CIA agent MIKE CONNORS get involved in a fiendish plot to sterilize the world... especially after meeting beautiful blonde agent DOROTHY PROVINE.

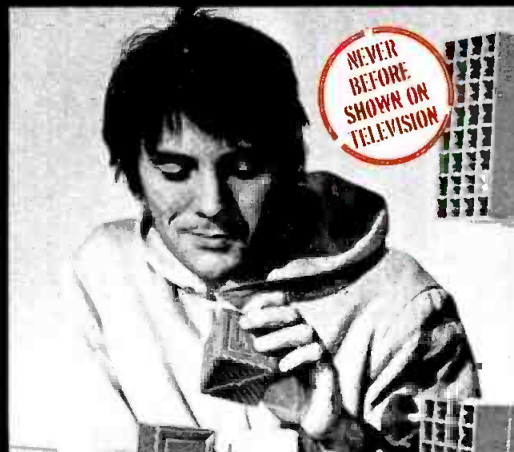


The Cardinal
 Never once did TOM TRYON suspect he would rise to great heights in the church, nor did his sister, CAROL LYNLEY, and beautiful friend, ROMY SCHNEIDER.



NEVER BEFORE SHOWN ON TELEVISION

Before Winter Comes
 Never has the Cold War been so hot as when DAVID NIVEN, TOPOL and ANNA KARINA occupy Austria along with the Russian and British armies.



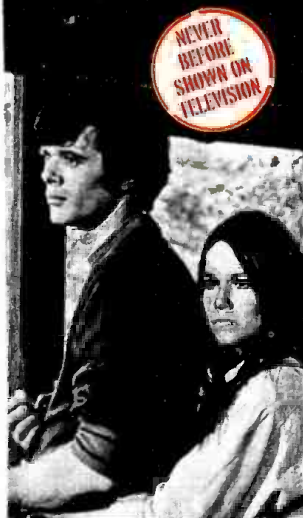
NEVER BEFORE SHOWN ON TELEVISION

The Mind Of Mr. Soames
 Never mind the fact that TERENCE STAMP gives the most chilling performance of his career, ROBERT VAUGHN and NIGEL DAVENPORT have the brains to do likewise.

Heroes of Telemark
 Never give KIRK DOUGLAS a stick of dynamite to fight the German army... not when the explosive ULLA JACOBSONN is around.



V plus 1st-run off network.



NEVER BEFORE SHOWN ON TELEVISION

The Pursuit of Happiness

Never have two of today's most popular young stars — MICHAEL SARRAZIN and BARBARA HERSHEY — rebelled against the Establishment in such an entertaining fashion.



Loving

Never underestimate the power of a woman. And when the woman is EVA MARIE SAINT married to philanderer GEORGE SEGAL, don't underestimate the power of this movie.

NEVER BEFORE SHOWN ON TELEVISION



NEVER BEFORE SHOWN ON TELEVISION

The Mad Room

Never believe anyone as beautiful as STELLA STEVENS can't flip her wig and resort to a brutal killing. SHELLEY WINTERS believed and lost her head.



Casino Royale

Never invite PETER SELLERS, DAVID NIVEN, ORSON WELLES, WILLIAM HOLDEN, CHARLES BOYER, WOODY ALLEN and a raft of gorgeous girls to the same movie... unless you want bright and exciting things to happen.



Anzio

Never trust ROBERT MITCHUM to rout the Germans in Italy without PETER FALK, ARTHUR KENNEDY and ROBERT RYAN. It's more exciting that way.

In addition to the audience-getters mentioned above, Screen Gems Volume VI also includes such outstanding films as: DIVORCE AMERICAN STYLE, ADVISE & CONSENT, DON'T RAISE THE BRIDGE, LOWER THE RIVER, THE COMIC, DUFFY, PENDULUM, BERSERK, INTERLUDE, SHADOW ON THE LAND, THE FEMINIST AND THE FUZZ, THE SHERIFF, FURY ON THE BOSPHORUS, MASSACRE AT GRAND CANYON and SEVEN FROM TEXAS.

Screen Gems Volume VI



We'd like to thank the British (Broadcasting Corporation) for starting the second American Revolution.

It's a revolution in quality programming.
BBC-TV productions and co-productions have
received no less than 24 Emmy nominations:

THE SIX WIVES OF HENRY VIII (CBS)

OUTSTANDING SERIES—DRAMA

Ronald Travers and Mark Shivas, Producers.

OUTSTANDING SINGLE PROGRAM—
DRAMA OR COMEDY

"Jane Seymour." Ronald Travers and
Mark Shivas, Producers.

OUTSTANDING NEW SERIES

Ronald Travers and Mark Shivas, Producers.

OUTSTANDING SINGLE PERFORMANCE,
ACTOR IN LEADING ROLE

Keith Michell, "Catherine Howard."

OUTSTANDING CONTINUED PERFORMANCE,
ACTOR IN LEADING ROLE IN
DRAMATIC SERIES

Keith Michell.

ELIZABETH R (PBS)

OUTSTANDING SERIES—DRAMA

Masterpiece Theatre. Christopher Sarson,
Executive Producer;
Roderick Graham, Producer.

OUTSTANDING SINGLE PROGRAM—
DRAMA OR COMEDY

"The Lion's Cub." Masterpiece Theatre.
Christopher Sarson, Executive Producer;
Roderick Graham, Producer.

OUTSTANDING NEW SERIES

Masterpiece Theatre. Christopher Sarson,
Executive Producer;
Roderick Graham, Producer.

OUTSTANDING SINGLE PERFORMANCE,
ACTRESS IN LEADING ROLE

Glenda Jackson, "The Lion's Cub."
Masterpiece Theatre.

OUTSTANDING SINGLE PERFORMANCE,
ACTRESS IN LEADING ROLE

Glenda Jackson, "Shadow in the Sun."
Masterpiece Theatre.

OUTSTANDING CONTINUED PERFORMANCE,
ACTRESS IN LEADING ROLE IN
DRAMATIC SERIES

Glenda Jackson. Masterpiece Theatre.

OUTSTANDING ACHIEVEMENT COSTUME
DESIGN

Elizabeth Waller, "The Lion's Cub."
Masterpiece Theatre.

The Snow Goose (NBC)

(A co-production of BBC-TV and UNIVERSAL-TV)

OUTSTANDING SINGLE PROGRAM—
DRAMA OR COMEDY

Hallmark Hall of Fame. Frank O'Connor, Producer.

OUTSTANDING SINGLE PERFORMANCE,
ACTOR IN LEADING ROLE

Richard Harris. Hallmark Hall of Fame.

OUTSTANDING PERFORMANCE, ACTRESS
IN SUPPORTING ROLE IN DRAMA

Jenny Agutter. Hallmark Hall of Fame.

OUTSTANDING DIRECTORIAL ACHIEVEMENT,
DRAMA

Patrick Garland. Hallmark Hall of Fame.

OUTSTANDING WRITING ACHIEVEMENT,
DRAMA, ADAPTATION

Paul W. Gallico. Hallmark Hall of Fame.

OUTSTANDING ACHIEVEMENT, MUSIC
COMPOSITION

Carl Davis. Hallmark Hall of Fame.

OUTSTANDING ACHIEVEMENT,
FILM EDITING,

ENTERTAINMENT PROGRAMMING

Ken Pearce. Hallmark Hall of Fame.

OUTSTANDING ACHIEVEMENT CINEMA-
TOGRAPHY, ENTERTAINMENT PROGRAMMING

Ray Henman. Hallmark Hall of Fame.

OUTSTANDING ACHIEVEMENT,
ART DIRECTION OR SCENIC DESIGN

Stanley Morris. Hallmark Hall of Fame.

The Search for the Nile (NBC)

(A co-production of BBC-TV and
TIME-LIFE FILMS)

SPECIAL CLASSIFICATION, OUTSTANDING
PROGRAM—DOCU-DRAMA

Christopher Ralling, Producer.

SPECIAL CLASSIFICATION—INDIVIDUAL
ACHIEVEMENT

Michael Hastings and Derek Marlow, Writers.

SPECIAL CLASSIFICATION—INDIVIDUAL
ACHIEVEMENT

Brian Tufano and John Baker, Cinematographers.

TIME-LIFE FILMS is pleased to be in the thick of
this second American Revolution. (As co-producers and
distributors of "The Search for the Nile," and
as distributors of "The Six Wives of Henry VIII" and
"Elizabeth R.") And we think our pleasure is only
natural. After all, the second American Revolution
is the first revolution in history where everybody wins.

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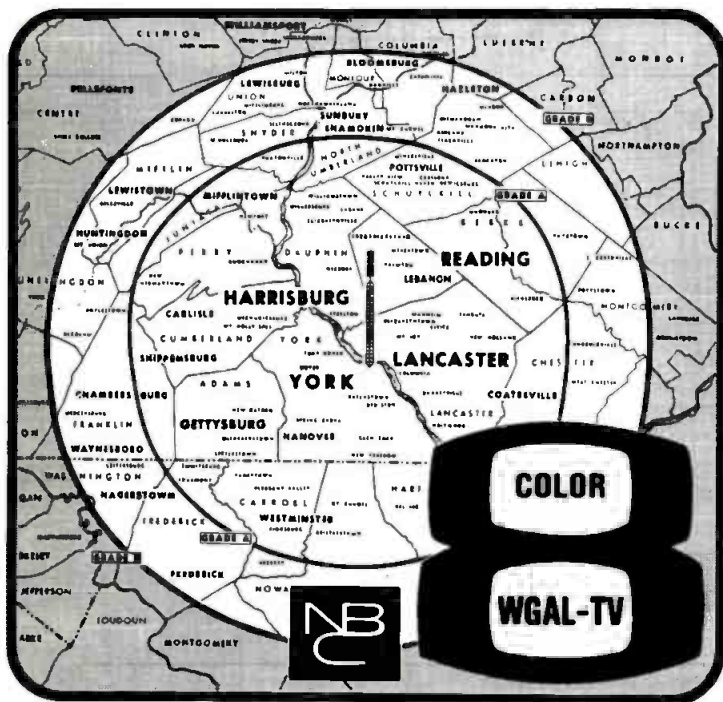
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WGAL-TV programming designed for varied interests of its audiences

The thriving market area reached by this pioneer television station is marked by great diversity. Heavy and light industry, service organizations, local and regional businesses, and agriculture all contribute to its stability and prosperity. WGAL-TV programs serve the best interests of all facets. An example, the interesting coverage of the recent great annual Pennsylvania Farm Show.



WGAL-TV

Channel 8 • Lancaster, Pa.

Representative: The MEEKER Company, Inc.
 New York • Chicago • Los Angeles • San Francisco

STEINMAN TELEVISION STATIONS • Clair McCollough, Pres.
 WGAL-TV Lancaster-Harrisburg-York-Lebanon, Pa. • WTEV Providence, R. I./New Bedford-Fall River, Mass.

Closed Circuit®

Price of pacification

McGraw-Hill reportedly has come to terms with groups opposing its acquisition of five Time-Life television stations, and concessions far exceed those in any earlier settlement between challenger and challenged. Word is that WOOD-TV Grand Rapids, Mich., one of four T-L stations in top-50 markets, will be spun off to third party to satisfy demand by Albert H. Kramer, of Citizens Communications Center, Washington, that no more than three top-50 VHF's pass to McGraw-Hill. In addition there are said to be extensive guarantees of minority programming and employment. It's long leap beyond Mr. Kramer's pioneering deal with Capital Cities Broadcasting, which committed \$1 million to minority programming in exchange for his withdrawal of protests against Capcities' acquisition of Triangle stations (BROADCASTING, Jan. 11, 1971).

Next step in McGraw-Hill and Kramer accommodation is to get FCC to agree to Mr. Kramer's withdrawal of appeal he filed in U.S. Court of Appeals against FCC approval of McGraw-Hill purchase. To get court to release case quickly, both Mr. Kramer as appellant and FCC as appellee must ask out. Last week Mr. Kramer sought and got extension—to May 11—of deadline for submission of his appellate brief.

Corner

Delegates to last week's convention of NBC-TV affiliates in Los Angeles were beginning to talk of Julian Goodman, NBC president, as destined to succeed to broadcast leadership now generally accorded to Frank Stanton, CBS vice chairman, who is scheduled to retire next year. Mr. Goodman made hit with strong speech urging resistance to government incursions (see page 36). Mr. Goodman, whose 50th birthday was last Monday (May 1), was making his seventh appearance at annual station convention as NBC president. His background in news, station management and general administration was cited by affiliates as qualifying him for broadcast-spokesman's role.

Second look

FCC today (Monday) begins digging into questions raised by petitions for reconsideration of its CATV rules, with all signs indicating there will be no major changes. And one issue that has some broadcasters exercised—date when cable systems' grandfather rights ran out—may turn out to be less controversial than expected. Date is now March 31, when rules became effective; some broadcasters want date moved back to Feb. 2, when adoption of rules was announced. (Others have asked for date in November 1971 when consensus agreement was reached.)

Preliminary staff check indicates that, at least in core cities, every proposal by CATV system to add new signals since beginning of January has been opposed by broadcasters and, thus, stymied.

Other issues likely to cause debate are small-market broadcasters' demands for more protection than rules now afford them, and question of whether significant viewing test might work two ways—to require systems to drop as well as add signals. Betting is that commission will not finish work on reconsideration issue this week.

Helping hands

NBC-TV affiliates at Los Angeles convention last week did much more than adopt formal resolution backing NBC President Julian Goodman's announced intention of litigating antitrust suits against networks. In private session they unanimously voted to retain Washington counsel and intervene in NBC case on grounds of life-and-death economic interest. Upon motion of Jack Harris, KPRC Inc., Houston, affiliates pledged initial contribution of \$200 per station to underwrite intervention.

Affiliate board chairman, Robert W. Ferguson, WTRF-TV Wheeling, W. Va., named committee of Mr. Harris; Harold Grams, KSD-TV St. Louis; A. Louis Read, WDSU-TV New Orleans, and Doug Manship, WBRZ-TV Baton Rouge, to implement legal intercession.

Accidental bonuses

Spot television discrepancies can work both ways. As told by Benton & Bowles, New York, whose clients include some of biggest spot users, agency often gets more than its money's worth. B&B conducts elaborate audits, taking single week out of spot schedules of individual clients, using data compiled in Broadcast Advertisers Reports (BAR) monitoring in 75 major markets.

In reporting on latest audit—1,395 spots run in one week for client that B&B would not identify—Robert Lyman, agency's senior vice president-finance, told closed workshop held last week in Hershey, Pa., by Association of National Advertisers, that more spots were run than scheduled and paid for.

Phase II

TV stations are up in arms over renewal prices demanded by syndicators on number of made-for-syndication programs that were successful in prime time this past season and are legally eligible for return next season when off-network series will be disqualified by FCC access rule. Station executives claim syndicators initially sought 200% to 300% increases over current prices for 1972-73, and some

say they reluctantly paid as much as 100% boost to retain programs. Among shows mentioned are *What's My Line?*, *Let's Make a Deal*, *To Tell the Truth* and *Truth or Consequences*. There's also complaint about prices sought for *Ironside*, being offered for future syndication though it's still on network. Syndicators say that their prices were beaten down by stations last year and substantial boosts are justified. Stations claim that since they cannot use off-network series in prime positions next fall, some syndicators are exploiting situation.

At least one station, WJW-TV Cleveland, has complaint pending with federal Price Commission. It charged ABC Films raised per-episode price of *Let's Make a Deal* from \$900 to \$2,400 for renewal of 52 episodes. Price Commission referred complaint to its New York office.

Readying the stage

Harley O. Stagers (D-W. Va.) says his House Investigations Subcommittee will hold hearings on news staging and that various dates are being talked about, but he declines to be more specific. Insiders point to lack of time remaining in session, problem of getting members together and press of other subcommittee matters as factors that could be making it difficult to nail down hearing dates.

When hearing is held, it's expected to involve those who have voluntarily given information to subcommittee on news staging. Such was case last year when employees at CBS News, Los Angeles, provided information to subcommittee investigator who also refused to talk to bureau executives (BROADCASTING, Aug. 9, 1971). It's also known that hearing will involve more than that one network.

Washington residents

There was talk some time ago that Frank Shakespeare, director of United States Information Agency, would quit to take active role in Nixon campaign of 1972, as he did in 1968. Word now is that Mr. Shakespeare, who just won hard fight for Senate approval of his budget (see page 41), will stay where he is—unless he opts for return to private business. There's some doubt he will go back to CBS and career he left to join Mr. Nixon.

Another broadcaster, Kenneth Giddens, director of USIA's Voice of America, is also staying put, at least for now. He says his business interests, which include WKRG-AM-FM-TV Mobile, Ala., are running well without his supervision, and he's under no compulsion to go home. With fight for budget won, after bloody and prolonged encounter with Senator J. W. Fulbright (D-Ark.), chairman of Foreign Affairs Committee, Mr. Shakespeare went on vacation last week. Mr. Giddens was still on job in Washington.

At Deadline

Cypress to TVC for \$58.7 million

Acquisition of cable systems will make purchaser second only to Teleprompter in size

Television Communications Corp. has agreed in principle to acquire Cypress Communications Corp. in estimated \$58.78-million stock deal that would make TVC nation's second largest cable-TV operator.

Agreement, announced by Alfred R. Stern, president of TVC, and Burt I. Harris, president of Cypress, calls for Cypress stockholders to receive approximately 1,375,000 shares of common stock of Warner Communications Corp., TVC parent company. At \$42.75 price for Warner shares, on which deal was said to be based, indicated value would be \$58,781,250. Agreement is subject to approval by directors and stockholders of Cypress and directors of Warner Communications.

Announcement said Cypress cable systems serve approximately 170,000 subscribers and that acquisition would push TVC's total to about 360,000, making it second largest in U.S. Teleprompter Corp. is largest with approximately 620,000 subscribers.

TVC President Stern expressed confidence that "Cypress management team and TVC's experienced management slate will complement each other, thereby increasing our capability for continued growth in the future."

Warner shares, traded on New York Stock Exchange, rose \$1 to \$43.75 on day deal was announced, while Cypress stock, in over-the-counter market, rose more than \$3 to \$18.50.

Frost opts for change

Will terminate his syndicated show in July, announces plans for ambitious projects in TV, movies

David Frost Show, one of most widely acclaimed programs in TV syndication past three years, will cease production about July 1, officials said Friday (May 5). Instead, Mr. Frost and Group W, whose Group W Productions is producer of show, have reached new agreement under which Mr. Frost will do six worldwide public-affairs specials over next two years and 26 new editions of *David Frost Revue*, launched last fall by Group W as weekly half-hour designed for prime-time scheduling.

Donald H. McGannon, president and chairman of Group W, said move was initiated by Mr. Frost, who felt this was time "to change direction and move on to something new." Mr. McGannon said

he was "truly sorry" to see show end, calling it "one of the few genuine innovations in the past decade, whether in bringing serious issues before a mass audience or in creating new forms such as the 90-minute interview."

Frost currently is in about 70 markets. It runs 90 minutes in length, five times per week, and is generally regarded as expensive production.

Mr. Frost meanwhile is announcing plans today (May 8) for additional TV and also motion-picture productions, with budgets said to total more than \$10 million, by his David Paradine group of companies. He and his managing director, Richard Armitage, said TV plans include series of four major films by Howard Fast entitled "The Revolutionaries," for ABC-TV; new James Michener project already under way; deal with author Georges Simenon for series of Maigret detective films for U.S. television and production of six TV series in Britain during current year.

There's a clean Dean, and a lot of politics in NBC-TV's future

Goodman, Ervin, Frank face affiliates behind doors at Los Angeles convention

In closed-door session between TV affiliates and NBC management at affiliates convention in Los Angeles (see page 36), most important subjects covered were questionable taste of *Dean Martin* program, political broadcasting and news coverage.

Affiliates were told that standards VP Herminio Traviesas and corporate information VP Robert D. Kasmire had discussion last month with producer Greg Garrison about blue material on Martin show and that now there's confidence that problems will be eliminated in new season, with writers particularly being on good behavior.

Sale of political time in presidential campaign was outlined by Executive VP Thomas Ervin. Network will rely primarily on minutes, but will make 30-second positions available when requested. Extra minutes will be added to programs that will be specified for political sales, namely one minute added to 60 and 90-minute programs, and two minutes added in feature film programs. These minutes will be sold at 50% of card rate. From mid-September on NBC will make five minutes per week available for local or station use on noncoop basis.

Network made it understood that on half-hour programs, if orders are received for political sale, they would be moved into prime access time because NBC this year effectively only has three non-access period prime time half-hours available, as compared to eight half-hours per week

available in 1968. Network also will make five-minute periods available for political broadcasting in daytime schedule, most of them by shortening *Today* program by five minutes when needed.

Several questions were raised about news coverage, including excessive length of time that seems to be devoted to coverage of live events such as moon shots, how problems of convention coverage of 1968 are to be avoided, and allegation that NBC slants its documentary and news reports. NBC News President Reuven Frank affirmed that network's philosophy about live events is to continue to provide full and complete coverage but with indication that possibly more selectivity may be exercised in future.

On charge that network slants news, NBC President Julian Goodman expressed belief "that the generalized complaint of bias is dropping." He added: "In general I think that it is not a problem that should be of serious concern."

Mr. Frank defended NBC newsmen John Chancellor and Garrick Utley from question that intimated they slanted news via raised eyebrows technique. Mr. Frank said his people were "professional, careful reporters" who have "inexpressive eyebrows."

FCC hears misgivings about programing proposal

Broadcast attorneys last week gave mixed reviews to FCC proposal for establishing percentage of programing as standards for judging performance of renewal applicant in comparative hearing.

Some, in day and half of oral argument that ended Friday (May 5), said they had "reluctantly" concluded that standards—not necessarily as prescribed by commission—were necessary to restore "stability and predictability" to industry they said had lost both as result of WHDH Inc. decision.

"There is merit in letting the broadcaster know what you're doing," said Thomas Wall, speaking in behalf of several broadcast clients. But he offered caveat: "They are guides, nothing more—not inflexible standards."

Percentages proposed are 10-15% over-all of local programing; 8-10% news for network affiliates and 5% for independents, and 3-5% public affairs.

Other attorneys took more traditional view that government has no role in programing. "It's wrong for the government to decide the type and quantity of programing that public will receive," said Ralph Goldberg, counsel for CBS Inc. He suggested that commission use its 1960 policy statement on programing as guide in determining value of service stations are providing.

Number of attorneys made it clear

A sheriff with an arresting record.



**Adults make up a majority
of Andy Griffith's audience.**

**Let him lock up these
prime prospects for you.**

Another great sitcom from Viacom.

what they really would prefer is congressional enactment of pending bills aimed at providing broadcasters some protection at license-renewal time. National Association of Broadcasters' John Summers, who also opposed percentages, said: "Changing composition of commission could result in changing criteria, and courts can second-guess FCC on criteria it establishes."

Toughest talk came from Edward P. Morgan, counsel for number of applicants seeking to displace incumbents; his firm last week filed new competing application, in behalf of New York area group, against renewal of RKO General Inc.'s WOR-TV New York (see accompanying "Deadline" story).

"This whole problem is wrapped up in the problem of saving the capital-gain picture of the industry," he said. But, he said, that is no problem, since station profits are adequate to insure industry stability. In any case, he added, that is not matter for commission to consider in making its judgment.

Oral argument was part of further inquiry commission instituted after U.S. Court of Appeals in Washington declared illegal Jan. 15, 1970, policy statement designed to assure incumbent he would be favored in comparative hearing if he had provided "substantial service." Statement had been issued in wake of concern created by commission decision denying renewal to WHDH-TV Boston and granting competing application.

Midway through afternoon session of oral argument Thursday, commission was informed of further court decision in that proceeding. It had just denied request of Citizens Communications Center and Black Efforts for Soul in Television that it direct commission to hold rulemaking to determine what constitutes "superior service." CCC and BEST, along with clients of Mr. Morgan, brought suits that led to invalidating 1970 policy statement.

However, court, in response to request for clarification, said it had used "superior" as dictionary defines term—meaning "far above average." Although court's discussion of "superior service" was offered in form of suggestion, it could mean trouble for commission in future. In issuing further inquiry, commission rejected definition of superior under which only stations in top rank would merit "plus." Commission said it would not serve public interest "artificially to require ever advancing amounts."

Former Chairman Rosel H. Hyde, who sat through oral argument, had last word. Invited by Chairman Dean Burch to offer comment, Mr. Hyde did not address percentages issue. Rather he urged commission to review policy statement it issued in 1965 setting forth criteria to be used in comparative hearings involving new applicants only but which commission relied on in WHDH case.

Criteria are designed to give advantage to local applicant with no other media interests. But Mr. Hyde, who had voted against statement, said criteria have come to be regarded as absolutes although they

were designed as guides. And if they are applied in hearings involving renewal applicant, he said, effect is to "cut off its hearing rights."

WOR-TV joins that list of challenged stations

Group of 24 New York City area residents, organized as Multistate Communications Inc., are challenging RKO General Inc. for occupancy of New York channel 9, on which WOR-TV operates.

Competing application was only one filed against major New York or New Jersey station last week, when deadline for such applications passed. One other competing application was filed against WLIR(FM) Garden City, N.Y., by local group, which also filed petition to deny station's license.

Week's Headliners



Mr. Rierson



Mr. Nugent



Mr. Lipsen

Robert L. Rierson, director of broadcasting, WCBS-TV New York, named to newly created post of president, Telcom Associates Inc., New York, programing consultant and buying service with station clients in more than 100 markets. Mr. Rierson has been in broadcasting for 23 years and earlier was director of programs for WTOP-TV Washington and program manager of WJBK-TV Detroit. **Herb Jacobs** continues as Telcom chairman.

Burns Nugent, 47, VP and general manager, Blackhawk Broadcasting Stations, Waterloo, Iowa, named executive VP for station relations, National Association of Broadcasters, Washington (see page 44).

Charles B. Lipsen, Washington attorney, named vice president for government relations, National Cable Television Association (see page 58).

For other industry developments see "Fates & Fortunes," page 67

But in all, late check Friday revealed that total of 30 stations in those states face petitions to deny filed by 15 groups; some stations face number of petitions. Most had become available for inspection at commission earlier in week (see page 32).

President and 10% owner of Multi-state is Charles O. Blaisdell, attorney and director and officer in number of corporations, including several that own producing oil property. His son, Charles O. Blaisdell, III, also attorney, is secretary-treasurer and 2% owner.

Other principals are R. Leslie Cizek and Thompson Shea, who are officers and directors in an insurance brokerage, and John J. Deering. Each owns 10%.

RKO General now is being challenged for occupancy of three channels—channel 9, Los Angeles (KHJ-TV), channel 7, Boston (WNAC-TV) are others. And in all cases, law firm for competing applicants is same, Welch and Morgan.

Petition filed Friday, as extended deadline for filing was about to expire (normal deadline was Monday) was directed against WCBS-TV, making it most filed-against station in May 1 renewal group.

Petition was filed in behalf of Black Citizens for Fair Media and said that, although WCBS-TV "has recognized" it has responsibility to city's 1.6 million blacks, it has "blackened out blacks from its programming and has excluded them from meaningful or decision-making positions at the station."

Station's vice president and general manager, Robert L. Hosking, said station and BCFM had held series of meetings in effort to resolve differences but that no agreement could be reached. Result of bowing to "all the demands of pressure groups," he said, "would be a highly fragmented program schedule appealing to no one, a station management that could not effectively function, and employment and training practices which are not based on a person's qualifications."

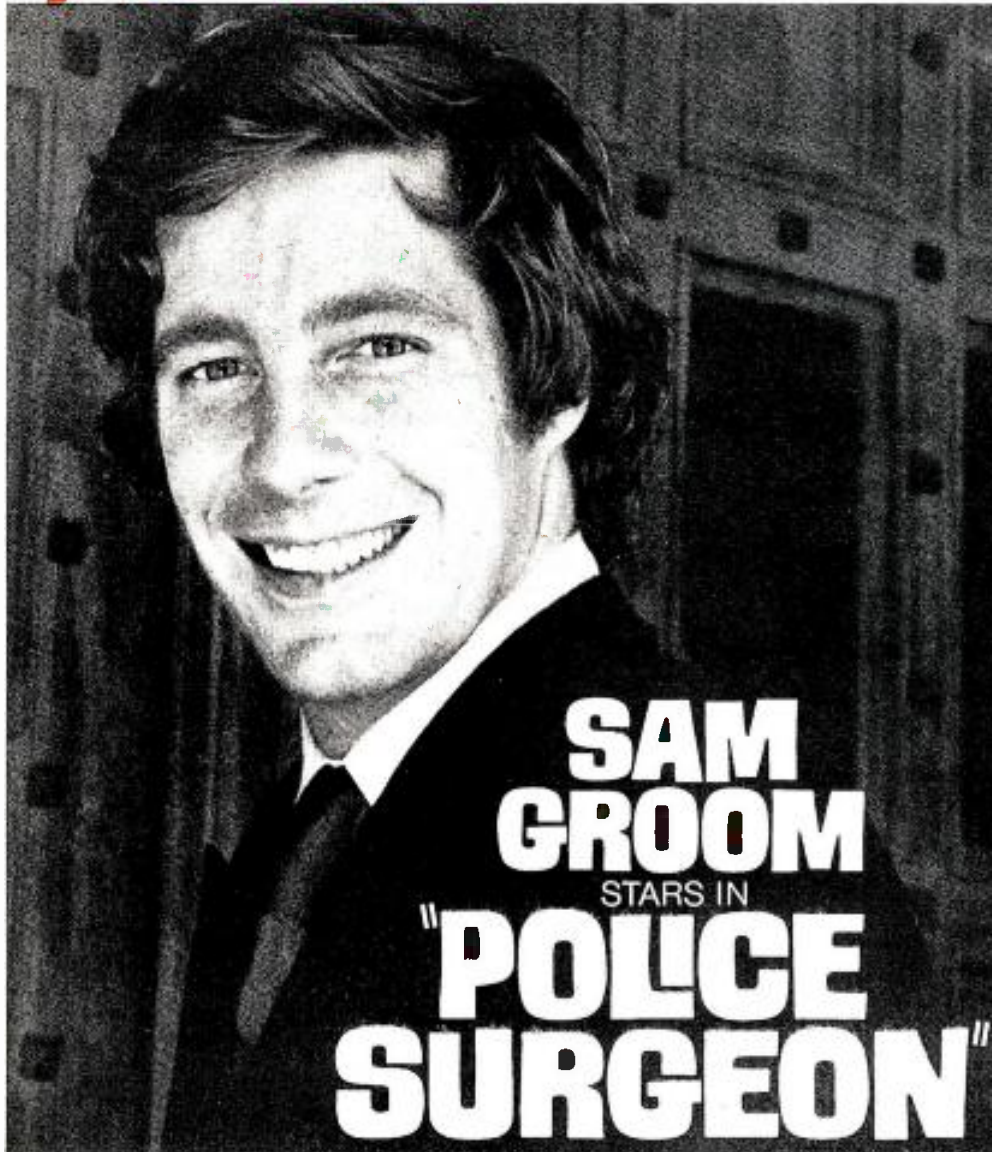
ARB on TV homes: 55% have color, 81% UHF

Color-TV penetration in U.S. has reached 55%, or 34.5 million out of 63-million TV households, according to estimates being released today (May 8) by American Research Bureau. This is gain of 4.8 million color households between February/March 1971 and February/March 1972, when latest ARB nationwide survey was conducted. In individual ADI markets (area of dominant influence), ARB said, penetration ranged up to 73% in Lima, Ohio, and 72% in Las Vegas, Nev.; was between 60% and 69% in 43 other markets, and in all but 59 of approximately 170 remaining ADI markets was between 50% and 60%.

UHF penetration was put at 81% by ARB with 3.3-million new UHF households added in year to bring total to 51.2 million.

Multi-set TV homes also increased by 1.8 million homes to 26 million, or 41% of all TV homes, according to ARB.

Colgate's new, primetime once-a-week, half hour syndicated TV series....



**SAM
GROOM**
STARS IN
**"POLICE
SURGEON"**

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Fanfare for format

EDITOR: I like it, I like it. The book now has the quality look our industry deserves.—*F. Van Konyenburg, WCCO-TV Minneapolis.*

EDITOR: The new BROADCASTING allows faster reading and will be more valuable than ever. BROADCASTING continues to set a standard for others to follow.—*Peter Bardach, VP and director of broadcast, Foote, Cone & Belding, New York.*

EDITOR: BROADCASTING has always been a leader—in fast, accurate reporting and in-depth coverage of our industry. Your new look reflects that leadership. It's clean, arresting and impressive. Congratulations.—*Miles David, president, Radio Advertising Bureau, New York.*

EDITOR: The new format is alert, modern—and I like it. Good luck—*John S. Hayes, broadcast consultant, Washington.*

EDITOR: I just picked up the May 1 issue of BROADCASTING. Congratulations on the "new" look. It's a delightful change which will be welcomed throughout the industry. Please allow me to commend you on the outstanding job you have done reporting to broadcasters for the past 40 years. The best is yet to come and I will look forward to seeing the future unfold each week in BROADCASTING. Please convey my regards to your staff for a job well done.—*Paul M. Stevens, director, Southern Baptist Radio-TV Commission, Fort Worth*

EDITOR: I do like your new look. The change slowly registered with me as I got to about page 20. I then wondered whether this was the first week of the change and went back to the beginning to see if you had an explanation. You certainly did.

And I also like what is old about BROADCASTING.—*Glen A. Wilkinson, Wilkinson, Cragun & Barker, Washington.*

EDITOR: In mod parlance, the cosmetology performed on BROADCASTING is "cool." Most important was your promise to fiercely perpetuate the editorial product, universally acclaimed as the industry "bible." Actually, I'd read BROADCASTING if it were cryptographically printed on rice paper.

Congratulations on a job superbly done.—*Herb Jacobs, chairman of the board, Telcom Associates, New York.*

EDITOR: I just read the May 1 issue—and I like it. If I'd known you were jiggering, this is exactly the way I'd done it—clear, black and readable, physically and literally. There, I have spoken, and

whether you engrave my sentiments in granite, here's my pat on the back for all concerned.—*Lewie Gilpin, Hill & Knowlton Inc., Washington.*

EDITOR: Terrific. I didn't imagine that the changes would be so dramatic and contemporary in style. The editorial material and the ads have been enhanced so as to be more readable, organized and appealing. Congratulations.—*Scott Moger, director of advertising and public relations, ABC Films, New York.*

EDITOR: I think your new caption "The newsweekly of broadcasting and allied arts" is just right. Another milestone.—*James A. McKenna Jr., McKenna, Wilkinson & Kittner, Washington.*

New look, old problem

EDITOR: Congratulations on the fine new look of your magazine. [But] this letter is not really to comment on your new look; but to call your attention to comments made by Miles Kirkpatrick [chairman of the Federal Trade Commission] as reported in the May 1 issue. He treated a question of why the FTC had not pursued counterads in print media by noting there is a "limitation of access in broadcast" that is not applicable to print.

How, in the name of reason, are we going to convince Washington officials that "limitation of access" is properly used only to describe the print media of this country? How many more Look magazines must go out of business, how many more newspapers must be swallowed up by their competitors, how many times must we repeat that not a single major newspaper has been established in the past 10 to 15 years before somebody in Washington will understand that the radio and television stations of this country—now numbering almost 8,000—provide the only real hope of access for political groups, minority groups and opinions of all kinds?

You know that broadcasting is growing daily. You have seen hundreds and hundreds of stations go on the air. You know that hundreds of TV stations will be built in the coming decade in the UHF band to provide still more diversification. You know that broadcasting is truly the *people's medium* when you consider the number of stations vs. the number of newspapers and magazines; the number of people who listen and watch daily; the tremendously low cost of local broadcasting. When will Washington officials lose their incredible fascination with national network TV and look at the rest of this great country—and the rest of the broadcast industry?

In the current musical play "1776," one of the founding fathers (John Adams)

sings: "Is anybody there? Does anybody care?" Perhaps you could ask some of our regulation-minded, counteradvertising advocates the same questions.—*Robert W. Stroh, general manager, WELK-AM Charlottesville, Va.*

Better times

EDITOR: Inasmuch as I have been out of the city, I have been unable to respond to a comment in an April 17 BROADCASTING editorial.

I have been active in broadcasting for 30 years. Most of my broadcasting experience has had to do with news, either directly or indirectly. I am completely in agreement with your concern regarding broadcasters "using their facilities to curry favor."

My comments at the National Association of Broadcasters convention specifically stated that broadcasters giving congressmen better times is strictly a matter of stewardship. Some of the "dog times" given to elected representatives do more harm than good. Were I a member of Congress, I, too, would resent such treatment.

It seems to me that an individual broadcaster is doing the same thing for his congressman as the networks do for the President when he has a matter to discuss with the nation. To my way of thinking, this simply strengthens the democratic process; it builds a bridge of understanding between the people and their elected representatives.

I share your concern about "currying favor." Reporting the news, investigative reporting, should be pursued to the fullest. I do not believe that because President Nixon is allowed air time any of the networks pull their punches when it comes to reporting the news.—*Mark Evans, vice president, director of public affairs, Metromedia, Washington.*

(BROADCASTING is glad to present Mr. Evans's amplification of a speech that made no mention of the broadcasters' journalistic mission while exhorting broadcasters to give more congressmen unedited access to more air time at hours commanding larger audiences.)

Access advocate

EDITOR: Regarding "Open Access: What Happens?" [BROADCASTING, May 1]. The "need" which many segments of the public feel for access to television and television's audience is part hunger and part objective fact. Where a conversation has, for too long, been so one-sided, the other person feels the need to say something in reply. Where working-class people have been discussed at length, they may wish to say something themselves, and so it is for blacks, chicanos, women's liberation people, and so on.

The early days of television, remember, please, were not without their ungraceful moments, and we are not yet so practiced that we do not make slips in taste, errors of judgment, and confusions of opinion with fact. So it must be with the new, perhaps occasional, "broadcasters" who have, until recently, had no possible way—short of joining the profession—in which they could get on the air.

And many of these people have sought access more out of frustration, perhaps even rage, than out of any desire to become professionals. Where one has been, as one sees it, denied the chance to speak, there is the strong possibility that one's maiden speech will be a bit shrill and disorganized.

We can hope, we can expect, that with time will come moderation and the development of considerable skill and talent among those choosing television as a means of expression. It is wonderful that one may, in some parts of this country, now choose TV as a means of expression, just as one has been able to print a leaflet. It will go a long way towards demythologizing television, and it will also, perhaps, force us to do a better job, now that we may have competition on a neighboring public access channel. The audience may find the comparison between our words and theirs enlightening. Now that people can talk back not only to but on their TV sets, we have a new ball game, and it ill behooves us to be snide about the new competition, our audience.—*David Bates, ex-broadcaster now audio-visual director, American Friends Service Committee, Philadelphia.*

Pro-ACT, anti-Raine

EDITOR: Happy Raine is all wet. Miss Raine's criticism of Action for Children's Television and her suggestion that the National Association of Broadcasters' Code Authority conduct a "thorough investigation" of ACT's founders [BROADCASTING, April 24] are both intemperate at best. Miss Raine believes that children's personalities should be given the right to serve as pitchmen for every cause and product they find profitable and that only by allowing such profiteering will children's programming be financed. That's like saying that Walter Cronkite must sell Excedrin to insure the continuance of CBS News. Broadcasters have long established the necessary separation between newscasts and the commercials that sponsor these adult-oriented programs. Shouldn't they be willing to do the same for our less sophisticated children?—*Norman Felsenthal, assistant professor of communication, Purdue University, Lafayette, Ind.*

More on minorities

EDITOR: BROADCASTING's [April 24 report] of the New York chapter of the National Academy of Television Arts and Sciences forum on "Television and the Minorities" omitted an important aspect of my comments. I called attention to the efforts that individual stations and groups are making to train and to absorb minorities personnel into their staffs in cities through the country.—*Roy Danish, director, Television Information Office, New York.*

(BROADCASTING's story reported Mr. Danish's affirmative remarks about network efforts in minority hiring and his statement that "Today's TV executive is learning to think black," but did not specify he meant to include station executives in this description.)

M&H

TENTH ANNIVERSARY

We're pleased that this year we are celebrating our tenth anniversary as consultants to television and radio stations in this country, Canada and the Caribbean.

It's been a fast ten years, a decade that has seen major improvements in television news presentation, and placed new demands on management's knowledge of programs and people. A great burst of new problems related to the industry has been seen at both local and government levels.

Social Research and Analysis have improved significantly. It's possible today for management to have available far finer tools for solving its audience problems than ever before. Computers alone can't tell you why things happen the way they do.

Our company, that stood almost alone in its use of the social scientist and the idea of an annual working relationship with its clients ten years ago, now has a variety of competitors. This is healthy. It makes the broadcast media conscious of the feelings of its audience and, able to produce a far better program product.

We feel our success as a company is due to keeping not only abreast, but well ahead of what's going on in our particular field. We believe we are still unique, and we have been able to prove the value of our service many times over.

We are proud that our first five clients are still with us, that we've helped 61 clients in almost as many markets, and that 85% of our clients from last year have already renewed for another year—many on two year contracts.

Maybe we can help you—we'd like to. For a presentation with no obligation on your part, just give us a call.

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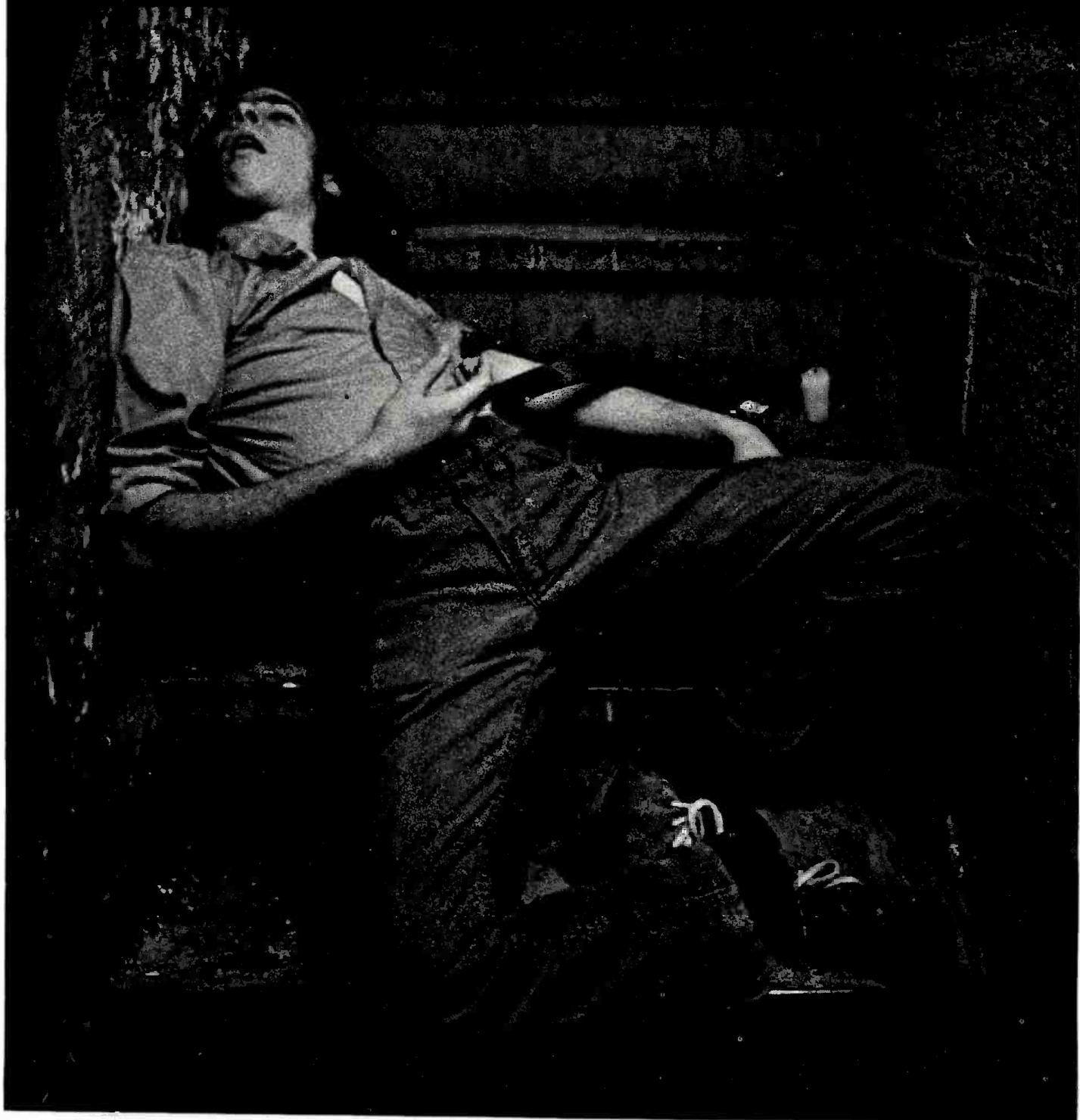
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Drugs are death. Literally.

In 1967 and 1968 in New York City, heroin overdose became the leading cause of death in the 15 to 35 age group. By 1970, heroin OD's totalled over 1,000, with about one-third of the victims under 20!*

That's just New York City. And just heroin.

But what about America's other cities? And the other drugs our children are smoking, pill-popping or mainlining?

No experts in the field can calculate the extent of this national tragedy—the crimes of violence, the suicides, the minds and the genes destroyed. Or the untold anguish of hundreds of thousands of families.

A New Jersey schoolteacher sums it up. "In the last two years in our community more young people have died from drugs than from auto accidents and the Vietnam war combined."

America's broadcasters are not standing idly by as this terrible epidemic claims more of our young. The Storer-owned radio and television stations are committed to help eradicate this killer. We can do no less.

WSBK-TV shows Boston how former addicts are working to fight drug abuse.

TV 38's "Cracker Barrel" is a weekly hour-long panel show that focuses on vital public issues. During the past 12 months over fourteen "Cracker Barrel" sessions were devoted to the drug problem. Many of these shows featured ex-addicts who are now active leaders in "half-way house" rehabilitation programs in the Greater Boston area.

WAGA-TV exposes Atlanta's drug problem.

TV 5 is taking vigorous leadership in the fight against drug abuse. Examples—a special "For Parents Only—a Primer on Drug Abuse" was an eye-opener. A seminar prior to school re-opening brought 150 of the state's top educators to



Atlanta and told them where—and how seriously—the drug problem is increasing. And a brochure—"The Most Frequently Asked Questions About Drug Abuse"—pulled over 5,000 requests in less than a month.

These and other public service efforts helped TV 5 win the Georgia Association of Broadcasters "TV Station of the Year Award" for the third time since 1965.

WJW Cleveland, takes a long, hard look into the drug scene.

When Clevelanders want to hear a vital question thoroughly explored, they tune in WJW's "Town Hall."

Last year, "Town Hall" did a five-part series on "Drugs, Users and Drug Abuse." Other regular discussion shows covered such subjects as the international drug traffic, the West Side Free Clinic for treatment of drug victims, and church drop-in centers.

In addition, WJW aired many specials on the drug scene, and has taken a strong editorial stand in favor of stricter penalties for pushers.

WHN, New York, comments regularly on every aspect of the drug culture.

"Comment" is a 5-minute show broadcast many times daily in which WHN speaks its mind on community issues. Dozens of Comment shows have dealt with drugs in school and on campuses,

GI's and drugs, methadone treatment for heroin addicts, and the work of therapeutic communities like New York's Odyssey House. WHN has also aired many specials, including "Waiting Around to Die"—a documentary featuring drug users and the voices and music of such drug-culture heroes as Jimi Hendricks, John Lennon, Mick Jagger.

KGBS, Los Angeles, airs the drug-rock controversy.

No one is more aware than broadcasters are of the link between

many rock music lyrics and drugs.

That's why KGBS on a recent "Inquiry" show, featured the president of a major recording company who discussed the music world's reactions to his strong condemnation of drug-oriented lyrics.

On "Education '70," KGBS did a two-part series on the nation's first college campus drug information center, at California State College.

Detroit's WJBK-TV raps on drugs.

One of last year's most successful specials was "The Drug Rap"—an informal studio discussion session emphasizing what can be done—and what is being done—to educate the community and to rehabilitate addicts.



TV 2 has also aired many other specials, and has proposed editorially that Detroit consider adopting the "TIP—Turn in a Pusher" plan which has been operating in Tampa, Florida.

Concerned stations—talking to concerned citizens.

Storer stations get involved in the vital affairs of the communities they serve. It's a matter of policy with us, and a matter of pride for the people who staff our stations.

That's why our stations often do as routine, things that community leaders consider rather special.

We look at it this way. The more effective we are in our communities, the more effective we are for our advertisers, and the more effective we are for ourselves.

*"Overcoming Drugs," Donald B. Louria, M.D. McGraw-Hill, New York, 1971.

Broadcasting that serves.

THE **STORER STATIONS**
STORER BROADCASTING COMPANY

WAGA-TV Atlanta / WSBK-TV Boston / WJW-TV Cleveland / WJBK-TV Detroit / WITI-TV Milwaukee / WSPD-TV Toledo
WJW Cleveland / WDEE Detroit / KGBS Los Angeles / WGBS Miami / WHN New York / WSPD Toledo

Monday Memo

A broadcast advertising commentary from Charles R. Stuart Jr., director of marketing services, Bank of America, San Francisco

'Compliments of a friend' is a nice clean ad that defies challenge, but it won't sell much

No commentary on advertising is meaningful without an appraisal of the times. Social conditions provide the climate for advertising, so let's examine the contemporary scene.

Consumerism is on the rise. It is being legislated and put into practice. Many of the complaints bringing on these changes are valid. But I wonder if the causes of the rise of consumerism are not much deeper than a lament over imperfect merchandise.

We live in a society that professes to have a high degree of efficiency. Yet we discover the computer can't remember our new address after six letters to headquarters. Or our car conks out on the freeway after its fourth visit to the shop. Or we find direct long-distance dialing works only one out of three times. What's the reaction? An understandable frustration results.

Landing a man on the moon leads us to expect one thing, while down on earth the toasters are shorting out. We've been taught to love and cherish technology, but we forget the old aphorism that love is blind. We suffer from a loss of a sense of proportion. Consequently we feel short-changed when things are not perfect.

There's another thing that aggravates consumer response: Mass media are so adept at dramatizing and circulating the new and the exciting that we have become disenchanted with the commonplace.

The more you read about heart transplants, the more disgruntled you are when your nose becomes stuffed up. Rampant love of new things appears to be the malaise of our times. And here again, we're brought up short. Not everything new—because it is new—is necessarily good, although we've been conditioned to think it is. In the same way, we thought for years that growth would cure all economic ills. Now we find there is a price to be paid—pollution and a lack of privacy.

I'm riding this point pretty hard. But I'm convinced the major challenge we face as advertising and marketing people is more a question of buyer-seller relations than a matter of discovering ways to market new products. One involves a point of view. The other is the matter of technique. And we already have the techniques. What's been lacking is a durable rapport between advertiser and consumer.

Advertising people are guardians of the consumer viewpoint, a role that keeps our work interesting. If we lose the



Charles R. Stuart Jr. is head of the marketing services department in Bank of America's San Francisco headquarters. As vice president he assumed these duties in December 1970 after heading Bank of America's advertising department since 1957. Mr. Stuart's current responsibilities include direction of advertising, marketing research, area development and the bank's corporate identification. A veteran of 19 years with the bank, Mr. Stuart is a past president of the San Francisco Advertising Club and of the Milline Club of San Francisco.

human touch, we can't make meaningful ads that will evoke a friendly response. The need for the inviting and the ingratiating is going to become greater and greater, because the more dehumanized and impersonal our society becomes, the more the individual reaches out for the spark of life.

This is probably what the consumer revolution is all about. It's a plaintive appeal for recognition. The consumer quite rightly wants to be loved. When the merchandise or service proves something less than perfect, he feels like a stepchild and petitions the great federal father. But what he doesn't know is that the cure may be worse than the disease. Increasing the regulation of the content of ads, while it may have a

worthy motive, may also have undesirable side effects. The more stringently factual an advertising message becomes, the more impersonal and dehumanizing it becomes.

The consumer may be over-protected to insure against false claims, but he runs the chance of being bored silly. The ultimate may be an ad that reads "Compliments of a friend." It's nice and clean. The sentiment is impeccable. The content unassailable and the anonymity defies improvements. But it won't contribute much to the culture. Antisepsis is vital to brain surgery; I doubt that it does very much for advertising.

There is one final comment about social forces at work in the economy. My remarks are really in the nature of a projection—and most assuredly are open to challenge.

In the banking business we have an obligation to ourselves to predict trends and act accordingly. At the moment, we're caught up in the youth culture and the importance of the youth market. This is quite rightly so. They are the customers of tomorrow. But you know it's quite probable that this preoccupation could undergo a reversal in the next 10 to 20 years.

It may sound a bit diabolical but, according to experts, we are on the threshold of being able to slow down the aging process. And not simply to prolong life as measured by years, but to extend the middle years.

Mercifully, rapid decline would hit somewhere around age 120. There would not be much point in extending life unless the vigorous portion could be lengthened. What they have in mind is that middle age, the prime of life, would last 40 or 50 years.

Think what this would mean. The group we now regarded as the elderly would cease to be thought of as second-class citizens. Youth-centered styles would give way to age-centered styles. Men would no longer be in a frantic hurry. They would know time was on their side. Agreements to allow premature aging would be worked out with select members of the young since the only function of the young would be to become elderly. Because this is where the power and the glory would be. There would be a thriving black market among underprivileged youths for the special hormones that would bring about accelerated aging.

The prospect raises disturbing questions. The great moments of history—and undoubtedly the worst—have been presided over by middle-aged men. The question we might ask is whether or not the world could take four times as much of this. The ramifications of these new discoveries on the aging process are as fascinating as they are profound.

Thanks, Senators. It's just about the nicest birthday card we ever got.

Picking a birthday card for a radio station isn't easy. Just look through the racks at the drugstore. Grandmother, nephew, friend, yes. But a card for a radio station? Even Hallmark doesn't have one.

And "fifty years old." Do you congratulate or commiserate? Emily Post is strangely silent on this point.

So we really appreciate the solution of the Michigan State Legislature. Designing your own card is getting popular again, but we're sure we won't get another one as distinctive. And that Senatorial filigree is a knockout.

WJR/760
A CAPITAL CITIES STATION

Fifty Years of Unique Radio



All signals, local or far, up for grabs by CATV's

Court rules out copyright liability for cable retransmissions off the air; heat's on now for copyright legislation

Modern cable-TV systems are as free to pick up and retransmit broadcast programming without copyright liability as the Supreme Court said less advanced systems were four years ago. Indeed, there may be "little limit to what can be done with broadcast signals by CATV's."

So said a federal district judge last week in a decision that dashed, at least temporarily, broadcasters' and copyright owners' hopes of establishing copyright equities in the programs cable systems take off the air. They had wanted cable liability established both to give them leverage in negotiations looking toward new copyright legislation and to serve them as a backstop if they failed to get legislation.

The decision gave them neither leverage nor backstop. Some broadcasting representatives professed to see some hope that if CATV operators in the future carried some practices to greater extremes—if they sold a great deal of time, for instance, or engaged in extensive interconnection—the outcome next time might be different. But the outcome this time was down the line for CATV.

Immediately attention turned to the Senate Copyright Subcommittee which, under the chairmanship of Senator John McClellan (D-Ark.), has been working on a new copyright bill. The chairman, busy campaigning for re-election, was reported to be firm in his intention to turn out a bill. There was doubt, however, that he would get to it this year, in view of his political distractions (see story, page 20).

The fateful court decision was handed down Tuesday (May 2) by Judge Constance Baker Motley of the U.S. Southern District Court in New York in the copyright infringement suit brought by CBS and three program packagers against Teleprompter Corp. involving five of Teleprompter's cable systems.

Despite claims by CBS and the other plaintiffs that much had happened to cast CATV operators more in the role of broadcasters than the Supreme Court found them to be in its 1968 "Fortnightly

case" decision—which held them to be more like "viewers" than like broadcasters and therefore not subject to copyright liability on retransmission (BROADCASTING, June 24, 1968)—Judge Motley held that Fortnightly still applied.

She did note, however, that courts' construction of the copyright law in the course of developing technology over the years has been built on one basic analogy—that the producers of a stage play "perform" the play, the audience does not—and suggested that "perhaps the time has come to cease piling analogy on analogy and to await word from Congress."

Nevertheless, she added, "taking the law in its present state, we find that the CATV's before us do not function as broadcasters within the meaning of the Fortnightly test, that they therefore do not 'perform' plaintiffs' works and hence do not infringe their copyrights."

CBS and the other plaintiffs, Judge Motley noted, contended that the Teleprompter systems engage in activities different from those in the Fortnightly case and that these different activities put the systems on the "broadcaster" rather than the "viewer" side of the line. The activities: program origination, importation of distant signals, selection of programs, microwave transmission, interconnection with other CATV systems, advertising and sale of commercials.

Of these seven activities, Judge Motley accorded greatest importance to "transmittal of broadcast signals from stations hundreds of miles away and program origination."

As to signal importation, she held that

even in the Fortnightly case the systems "brought in stations from which usable reception could not be had at all." Thus, she said, the chief difference in the Teleprompter case was that "in a number of the systems the antenna tower receiving the signals is located not on a hill over the city [where the system is located] but many miles away in the vicinity of the broadcasting station" whose signals are being picked up.

She said the Supreme Court in the Fortnightly decision gave "no indication that it intended to imply a geographical limit." Quoting the Fortnightly decision's assertion that "essentially a CATV system no more than enhances the viewer's capacity to receive the broadcaster's signals: It provides a well-located antenna with an efficient connection to the viewer's set," Judge Motley added: "What Teleprompter has done is to make its antenna even more 'well-located' and even more 'efficiently' connected to a viewer's set than in Fortnightly."

She also rejected arguments that importation of distant signals makes CATV operators more like broadcasters than like viewers because it gives them greater latitude in program selection: "Though Teleprompter has greater freedom of choice than Fortnightly, its latitude is not comparable to that of a broadcaster, which controls program content and scheduling."

Judge Motley agreed with the plaintiffs, however, that program origination is a broadcaster-like function:

"We do not doubt that Teleprompter's program origination is similar to that done by broadcasters. These CATV's select the programs, propagate them and have control over program content and arrangement. Teleprompter's New York system sells commercials for a portion, albeit small, of its original schedule. Certainly New York originates at least as many hours of programming as many local broadcast stations. With respect to its program origination Teleprompter is functioning as a broadcaster."

But this, she continued, does not affect CATV's copyright position in picking up and retransmitting broadcast programs. "It is true," she said, "that the originated programs and the received programs are sold to subscribers as a package; nobody buys one without the other. But the nature of the functions of a CATV with respect to received shows is not changed by the presence of original material on other channels or at other times.

"What Teleprompter is doing to plaintiffs' copyrighted material, and other over-the-air broadcasts, is the same whether the CATV's originate programs or not. The 'function' of the reception

Judge Motley



service is not changed by simultaneous sale of original shows, just as it would not be changed by Teleprompter's simultaneous delivery of free ice cream or candy to every subscriber."

The decision acknowledged that in the five Teleprompter systems involved in the case—chosen, she noted, as representative of the issues raised in the suit—"it often cannot fairly be said" whether the "dominant function" is retransmitting or originating programs. "The service sold by Teleprompter is the combination of these functions, not either in isolation."

Perhaps, she added, "the lesson" of *Fortnightly* may be—aside from the "functional test" it prescribed—that, as an appeals court said "in another context" in the *Midwest Video Corp.* case, "broadcast signals are dedicated to the public."

She continued: "Certainly, that is one conclusion that can be drawn from the Supreme Court's first finding that the range of a viewer is determined by the equipment of both the broadcaster and the viewer, and then analogizing a CATV to a viewer's antenna. For if a CATV is like a viewer, and a viewer by his choice of equipment can determine the range of a broadcast, then there seems to be little limit to what can be done with broadcast signals by CATV's. The result indeed may be that [as the appeals court said in the *Midwest Video* case, currently awaiting Supreme Court review as to whether the FCC may re-

quire originations by CATV] 'the right to receive and distribute [signals] may be exercised by anyone with the capacity to capture the signals.'"

Use of microwave, interconnection, advertising and the sale of commercials were dismissed by Judge Motley as "minor features" that did not significantly change the function of the Teleprompter systems. Microwave, she said, is point-to-point, not broadcasting, and the advertising Teleprompter did in promoting its program originations did not in itself alter the function of the systems.

The interconnections involved, linking systems to closed-circuit theater-showings of two Sonny Liston/Mohammed Ali fights, occurred only on "two separate, temporary and special occasions" and, "whatever this brief interconnection may portend for the future, it does not transform [the present system] into a broadcast network as plaintiffs suggest." As for the sale of commercials, she held this factor was "small in both the amount of money involved and in relation to the amount of programing carried," and was, moreover, confined to programs Teleprompter originated, not involved in broadcast programs relayed.

Legal and other authorities at CBS declined to comment on the 40-page decision pending further study. Nor would they speculate on whether they would appeal, though other sources tended to think they would.

The case was filed more than seven

years ago (*BROADCASTING*, Dec. 14, 1964). The *Fortnightly* case—a suit brought by United Artists against *Fortnightly Corp.*, which then operated systems in Fairmont and Clarksburg, W. Va., picking up stations in Pittsburgh, Wheeling, W. Va., and Steubenville, Ohio—was already pending. When efforts to consolidate the two suits failed, it was agreed that the CBS-Teleprompter case would be stayed pending the outcome of *Fortnightly*. Subsequently, the plaintiffs were allowed to file supplemental complaints including allegations concerning events up to March 31, 1971.

The Teleprompter CATV systems involved in the case were in New York and in Elmira, N.Y., Farmington, N.M., Great Falls, Mont., and Rawlins, Wyo. Co-plaintiffs with CBS were Calvada Productions, which produced the *Dick Van Dyke Show*, Jack Chertok Television (*My Living Doll*) and Dena pictures (*Danny Kaye Show*).

The consensus of reaction among broadcasters after the decision was that it probably strengthened the position of the cable operators in their negotiations with copyright holders. At the same time, it was stressed that the National Cable Television Association is a signatory to the compromise agreement, worked out by the Office of Telecommunications Policy last November, and that the agreement contains promise that all parties will work for copyright legislation.

John Summers, general counsel of the

Eyes now on McClellan and copyright

But no action seen soon on pending bill while he campaigns hard for re-election

Now that CBS has lost its suit against Teleprompter (see page 19), attention shifts to the copyright revision bill (S. 644) now pending before Senator John L. McClellan's Subcommittee on Patents, Trademarks and Copyrights.

But, according to a subcommittee spokesman, there is little chance that the subcommittee will have time to consider the legislation this year. For the past six weeks Senator McClellan (D-Ark.) has been in his home state campaigning for re-election (the primary is May 30); there is a Senate recess from June 30 to July 17 for the July 4th holiday and for the Democratic national convention and another recess Aug. 18 to Aug. 28 for the Republican national convention. In the time remaining in the session, the spokesman said, Congress is likely to work in earnest only on high-priority matters, such as appropriations bills. Any subcommittee action on copyright this year would be only "going through the motions," he said.

The copyright bill, introduced last year by Senator McClellan (*BROADCASTING*, Feb. 15, 1971), is nearly identical to the measure the subcommittee approved in 1969, but which had been held in abeyance until the FCC's cable rules became effective, March 31.

It is a complete revision of the 1909

Copyright Act that—as it now stands—would impose copyright liability on all CATV systems and establish two classes of carriage of TV stations. Systems in the top-50 markets would be limited to carriage of three network signals, three independents and one noncommercial; in other markets to three network, two independent and one noncommercial.

The bill also sets quarterly fees under a compulsory license provision, based on gross receipts from subscribers.

The fees are: 1% of receipts up to \$40,000; 2% of receipts exceeding \$40,000 but not more than \$80,000; 3% of receipts exceeding \$80,000 but not more than \$120,000; 4% of receipts exceeding \$120,000 but not more than \$160,000; 5% of any gross receipts above \$160,000; an additional 1% of gross receipts for each distant signal authorized by the FCC.

Excluded from copyright liability are master-antenna systems or other secondary transmissions for which there is no charge.

Another section of the bill provides royalties to recording artists for use of their records on TV and radio. Stations would have to pay either an annual fee of 2% on net receipts or a prorated fee based on the proportion of their programing occupied by records.

The bill would also create a Copyright Royalty Tribunal to periodically re-

view copyright fees and adjust them.

In a letter late last year to broadcasters, cable interests and other parties, soliciting their comments on the copyright bill, Senator McClellan's subcommittee said that it expects to delete provisions on signal carriage, which define broadcast markets and provide exclusivity rules. (*BROADCASTING*, Dec. 20, 1971). These items are already covered in the FCC regulations that resulted from compromise agreement reached by copyright owners, CATV operators and broadcasters. The modified bill, the subcommittee said, would grant copyright licenses for carriage of programs and provide for payment of royalties.

In answer to the subcommittee's letter, the National Association of Broadcasters, the Association of Maximum Service Telecasters and ABC said they are ready to support the legislation. CBS at the time declined to comment because it was opposed to the CATV compromise and was assuming a favorable outcome of the suit against Teleprompter (*BROADCASTING*, March 20).

The music-licensing organizations (American Society of Composers, Authors and Publishers; Broadcast Music Inc. and SESAC) contended that the licensing system used in broadcasting must be expanded to cover CATV.

Spokesman for professional baseball, football, basketball, hockey and golf and for the National Collegiate Athletic Association stressed the need to protect gate receipts by extending to cable the re-

National Association of Broadcasters, noted the two points, and added: "We are assuming that the cable people have integrity and the outcome of the CBS-Teleprompter lawsuit has no bearing on the agreement."

Mr. Summers said that the NAB acceptance of the agreement, at a special board meeting during the Las Vegas regional meeting last fall, was not conditioned on the outcome of the lawsuit—although CBS urged that course.

Mr. Summers expressed the hope that some sort of draft legislation can be put together, in conjunction with the NCTA and others, for submission to Senator McClellan and his subcommittee in the next 90 days or before.

At the FCC, officials saw the decision as giving the cable industry new leverage in its negotiations with copyright owners over a fee schedule to be incorporated in new copyright legislation. Adoption of such legislation is critical to the implementation of the commission's new CATV rules.

"I would suppose the decision would urge the copyright owners to come down in their demands and put them closer to the cable industry's position," the commission source said.

"But the decision has no effect on the commission," he added. "We never said the suit would have any impact on the commission's decision on the CATV package."

And at the Office of Telecommunica-

tions Policy, which worked hard to bring contending parties into the compromise agreement that paved the way for adoption of the FCC's new CATV rules, a spokesman said that the decision "graphically demonstrates the need for an early resolution" of the copyright bill. He said OTP's conversations with cable-industry representatives do not indicate they have any less interest than they expressed previously in adoption of copyright legislation.

"We hope those who have been discussing the problem and trying to resolve the fees question complete their work in time for Congress to adopt a bill this year," he said.

However pleased they may have been by victory in court, cable representatives said the decision didn't change the basic issues or the ultimate goal of the copyright debate. Their talks with copyright owners will continue, and their desire to get new copyright law on the books still stands.

One factor, of course, is the cold political reality represented by the cable compromise. As an observer on the copyright side put it: "They can't get out of that. They might regret having made a deal predicated on copyright, but they're stuck with it." And more than one cable observer said simply: "We committed ourselves."

But there is more involved. In the interest of its own stability, the cable industry wants the whole copyright de-

bate out of its hair—and as long as cablemen get to use enough signals to make their future relatively secure, they're ready to assume copyright liability. Given that condition, "we want to pay for what we use," said Stuart Feldstein, vice president and general counsel of the National Cable Television Association.

They also want to be able to plan ahead; it's now established that every relevant arm of government favors copyright liability for cable, but nobody has agreed yet on what the specific fees will be. "You can't factor in what copyright is going to cost you," Mr. Feldstein said, "until you know what the factor is."

That question of fees is the key one facing cable and copyright negotiators. Representatives of the cable industry have been meeting an average of once a week with one copyright group or another—film, music, broadcast, whatever. Whichever way last week's court decision had gone—and whatever may happen to the case on appeal—the same issues and forces will confront both sides.

Last week's court decision was not without a trace of irony. Judge Motley, who found for Teleprompter, is the same judge who a few months ago found Teleprompter—and its former chairman, Irving B. Kahn—guilty on bribery and conspiracy charges, fined Teleprompter \$10,000 and sentenced Mr. Kahn to five years in prison (BROADCASTING, Dec. 6, 1971). Cases are on appeal.

restrictions now applied to TV sports broadcasts.

In its comments two weeks ago, the National Cable Television Association told the subcommittee that it supports the fee proposals of the bill. But it asked that independent systems with fewer than 3,500 subscribers be exempt from copyright payments (BROADCASTING, April 24). This provision is contained in the CATV compromise, but not in S. 644.

The motion-picture interests which have been meeting with NCTA on the question of copyright fees, have not as yet filed their comments with the subcommittee.

Will Senator McClellan be in office to make good on his promise to consider the copyright bill without additional hearings? Sources in Little Rock, Ark., indicated last week that the senator will have little difficulty in his primary re-election bid on May 30.

Senator McClellan's opponents are Representative David Pryor (D-Ark.); Ted Boswell, a Little Rock attorney who four years ago was narrowly defeated in a bid for the Democratic nomination for Arkansas governor; and Foster Johnson, a Little Rock real-estate agent who unsuccessfully ran against Senator McClellan six years ago.

Senator McClellan is campaigning hard, using public-works projects and his seniority (he ranks fourth in the Senate) as key campaign issues, according to a newsman for KARK-TV. He said a runoff election, which would be held June 13, is



Senator McClellan campaigning in Arkansas

likely because the senator must take over 50% of the vote to avoid it.

A news executive for the *Arkansas Democrat* described the senator's chances as "excellent" and predicted there would be no runoff. He pointed out that Senator McClellan has the support of local politicians ("the court house crowd") all

over the state and said that the other candidates do not seem to be capturing public attention.

A source at KTHV(TV) also predicted a McClellan victory, pointing to the senator's broad-based support and well-financed campaign.

Polls give the senator a strong lead.

McGovern's media buys pay off in Ohio

Over \$125,000 spent on TV-radio spots helps him cut into Humphrey margin

While heavy use of the broadcast media is not the sole factor needed to lift a political candidate into office—or into contention for a party's presidential nomination—the Ohio primary has proved it can be a major one.

The proof came in the form of the heavily funded broadcast campaign staged by Senator George McGovern (D-S.D.) in Ohio which brought him to within a few thousand votes of the favored Senator Hubert H. Humphrey (D-Minn.). Prior to the primaries on April 25, McGovern people showed little interest in the Ohio primary. But the senator's victory in Massachusetts and strong showing in Pennsylvania encouraged the McGovern campaign forces to try for an all-out victory in Ohio. So they threw all but the kitchen sink into a broadcast-based campaign.

In all, McGovern people spent more than \$125,000 in broadcast ads (two-thirds in TV, one-third in radio) produced by Charles Guggenheim, a Washington media specialist. The buys were made in an eight-market area needed to cover the state.

The expenditure marks the second heavy buy made by McGovern forces—the first being in New Hampshire. According to an agreement signed last year (BROADCASTING, Dec. 6, 1971), Democratic presidential contenders agreed to limit spending for broadcast, print and billboards to five cents per registered voter. For each candidate, 5% of the

limit, or approximately \$142,000, was put into a contingency fund from which a candidate could draw, a third at a time. With the Ohio campaign complete, two-thirds of the McGovern reserve has, therefore, been depleted.

According to Elizabeth Stevens, media director for the McGovern campaign, the third major effort will come in California on June 6.

In the Ohio race Senator Humphrey's media people placed little more than \$17,000 in broadcast (\$8,595 in TV, \$8,800 in radio). Television advertising consisted of half-hour live call-in shows on which the senator answered viewers' questions and an hour-long networked program, broadcast in three states, which followed the Q-and-A format. Radio advertising was limited to 60-second spots featuring the candidate. Newspaper placement (totaling only \$700) was devoted to television tune-in ads.

But while Senator McGovern's campaign advisers maintain that the Guggenheim commercials are naturalistic and serve only to identify the senator to a new public, they are pleased with the results.

The McGovern material follows what has come to be called "the Ottinger Rule" which states that there can be only a minor charisma gap between the candidate's broadcast commercials and his live appearances, or else voters will reject not only the ad but the candidate. (The "rule" bears the name of former Representative Richard L. Ottinger, who lost his bid in the New York senatorial race when his ads proved more articulate than his live appearances.)

In keeping with this rule, the McGovern spots were edited from conversations the senator has held with groups of voters. While the meetings were planned, the general topics and individual questions were not. And it is hoped that these low-key dialogues—in which the candidate does not "sell" the candidate—will sell the man.

While apparently not as sold on the idea of a media campaign as the McGovern forces, advisers to Senator Humphrey feel they are getting a fair

return for their money. D. J. Leary, media director for the campaign, said that his people were making only enough broadcast buys to counter other candidates' moves, and "only enough to win."

Political on their minds

The movement to persuade broadcasters to institute a code of ethics for political broadcasting—including a minimum length of five minutes for political commercials—will get a hearing by the radio code board of the National Association of Broadcasters. On the agenda for a May 10 meeting in Washington is Charles Benton, president of the National Citizens Committee for Broadcasting, who earlier had asked the NAB to establish a political-advertising code during the association's convention in Chicago last month (BROADCASTING, April 17).

Also to be reviewed at the code board meeting will be proprietary-drug advertising, particularly in light of recent moves to ban such products from being advertised on the air (BROADCASTING, Feb. 28); the advertising of R- and X-rated movies, and procedures to make membership in the code more attractive to radio broadcasters.

Longer political spots: no FCC action now

Burch sees merit in five-minute limit but says study should be private affair

FCC Chairman Dean Burch sees proposals to limit the length of political commercials to a minimum of five minutes as "well worth sober consideration," but not until 1973 because a study now—in a political year—could easily become "a partisan issue."

He also suggests a study of political ads would be "best conducted under private, impartial auspices," and that perhaps the Twentieth Century Fund might wish to organize a "preliminary" conference early next year.

Chairman Burch's view of an issue that has been subject recently to much

Senator McGovern's massive TV campaign in Ohio (left) paid off importantly last week in votes taken from his rival, Senator Humphrey.



When you're involved, people notice.

Commercial TV at Its Best

Rarely would our list of ways-to-spend-a-constructive-evening include three solid hours of staring at the living room TV, but last Wednesday night we found it impossible to take our eyes off the tasteful commercial presentation offered on Channel 7. Henry Mitchell, in a preview piece appearing that morning in *The Washington Post*, had described the program—"King: A Filmed Record . . . Montgomery to Memphis" as a TV must, and he was right.

As you may recall, this was the gripping documentary that was shown simultaneously in 700 movie theaters in 1970, as a nationwide benefit for the Martin Luther King Jr. Special Fund. Our main misgiving about watching it on television (promptly dispelled once the film got under way) was that this collection of old black-and-white news-film clips might lose its impact on the small screen, especially if interrupted regularly for commercial messages.

To its great credit, however, WMAL, which was high bidder for the television rights to the film here, cleared the prime-time air from 8 to 11 p.m. And the program had a sponsor who chose not to interrupt the program with commercials. Only after an hour and a half did Pepco quietly inform us of its sponsorship, presenting a brief message from Mayor Washington about Dr. King. After the film, there was another message from Coretta Scott King.

In the highly competitive world of commercial television, where the term "public service" has been stretched to glorify all sorts of claptrap, the tastefulness with which this splendid film was shared with the community ought not to go unpraised. And if it's not too much to ask, we would hope that station and sponsor would consider a future rerun of this important remembrance of a great American.

Reprinted from Washington Post, April 9, 1972.

WMAL TV
Washington D.C. 

Liz & Richard & Katharine &
Marilyn & Clark & Hedy & Re
Jeanette & Nelson & Joanne
Gina & Red & Doris & David
Laurence & Olivia & Laurence
Charles & Kim & Karl & Marg
Ronald & June & Gregory & E
Yul & Lauren & Montgomery
Cyd & Sidney & Judy & Micke
Marlon & Angela & Van & Ing
Kirk & Lucille & Dirk are ava

The

Spencer & Grace & Cary &
& Deborah & Cedric &
& Paul & Shelley & Orson &
& Lana & Lee & Vivien &
& Greer & Walter & Elsa &
& Margaret & Roddy & Raquel &
& Ethel & Lionel & Leslie &
& Jennifer & Anthony &
& Ava & Frank & Sophia &
& José & Laraine &
& table.



MGM Library of Great Films.
MGM-TV

debate in broadcasting and advertising councils, came to light with disclosure last week of correspondence between Mr. Burch and Newton N. Minow, Chicago attorney and former FCC chairman.

Mr. Minow, in advocating a "fuller discussion of issues" than can be presented in the limited time of a spot commercial, suggested in a letter sent Feb. 21 that Mr. Burch assume leadership in convening a "conference of citizens, the political parties, advertising agencies and academic authorities" that would examine political commercials.

In his reply, April 5, Mr. Burch said he preferred an impartial sponsor of a study because he doubted that the FCC, "operating always with an implied threat of ultimate regulation, should take the lead." Mr. Burch and Mr. Minow served together on a Twentieth Century Fund commission that in 1969 proposed that periods of prime time be set aside for candidates at cut price.

In Chicago, Mr. Minow said he had forwarded Mr. Burch's suggestion to the fund. The fund's director, M. J. Rossant, said in New York that the proposal, though under consideration, was "on the back burner just now."

Push on anticar ads

N.Y. TV's given spots by city agency

New York City's Environmental Protection Agency has distributed to six TV stations there a series of antiautomobile commercials. The spots were produced in response to a court ruling that automobile and leaded gasoline advertising were subject to fairness-doctrine requirements.

Three commercials, 60-, 30- and 10-seconds in length, were produced at cost by volunteer talent organized and directed by Sweda Enterprises, a New York commercial and film production company. The spots attack indiscriminate use of the automobile in the city and urge viewers to use mass transit and to drive their cars only in nonurban environments.

A "test" spot featuring actor Eli Wallach, has been running on TV stations since December 1971. One of the three new commercials, in the guise of an automobile ad, praises the attributes of the vehicle and its low price. The commercial ends, however, with a take-off on anti-cigarette ads: "Medical experts have determined that automobile emissions are dangerous to your health. Maybe you can't afford it."

C&W's Nichols endorses Bell's call for unity

Urges major ad factions to join hands in counteroffensive on over-regulators

The proposal for the formation of an advisory council on advertising was backed last week by Cunningham & Walsh's chairman, Carl Nichols.

In a talk at the San Francisco Advertising Club, Mr. Nichols in effect gave his blessing to the proposal—made by

Howard Bell, president, American Advertising Federation (BROADCASTING, May 1)—that all elements of the advertising industry unify in their efforts to combat the onslaughts of government, consumerists and other attackers.

"Cunningham & Walsh," he said, "strongly supports any forward step that can take advantage of the existing resources and brainpower which exist among these three powerful associations and all other media-related associations."

His reference to three associations was

No sure way to agency-client accord

That's conclusion of Price Waterhouse in study that recommends concessions that must be made in pricing ad services

There are some do's and don'ts in the advertiser and advertising-agency work relationship that could affect the pricing of advertising agency services.

But the client, or the agency, shouldn't expect any independent study to come up with a "magic formula" for developing an immediate solution in pricing that would satisfy all.

Such were the observation and the confession of the accounting firm of Price Waterhouse & Co., New York, delivered last week to an Association of National Advertisers workshop held in Hershey, Pa.

For some time, the firm has concerned itself with what has to be one of the hottest subjects among agency managements ("Closed Circuit," Jan. 10). For years, the traditional basis for pricing agency services has been the 15% commission. This method of compensation has been under fire. Some would raise the percentage; others would abandon it altogether in favor of a fee arrangement. ANA itself also is preparing an analysis of the 15% commission.

At ANA's advertising financial management workshop in Hershey, the Price Waterhouse report was presented in closed session—and later made available—by two of its officials, Henry Gunders and Frederick A. Loesing.

The report included a number of recommendations, some technical, on the basis of studies and interviews with advertisers and advertising agencies.

Agencies and clients were cautioned in the report that a method of pricing be determined only after a "detailed analysis of work requirements" by both parties, and "a translation by the agency of its work requirements into estimated costs and pricing value."

Both must be aware of the extent of the work to be performed, the report said. "Otherwise, neither can have reasonable assurance that the agreed upon method of pricing the agency's services is fair to either party, or knowledge of the risks involved."

Fees, the report said, should be negotiated with this in mind. Moreover, warned Price Waterhouse, "arbitrary adoption" of any single pricing arrangement—the standard 15% commission or a

in line with Mr. Bell's recommendation that an advisory council be composed of the chairmen and presidents of the American Association of Advertising Agencies, the Association of National Advertisers and his own organization.

Mr. Nichols said: "Frankly, we are appalled at how little has really been done to forcefully unite our industry—not only to defend against government over-regulation—but to go on the offensive to explain advertising to government, to consumers, to students, to our critics."

cost-plus fee method—can only subject the client or the agency, or both, to unknown risks which can prove "exceedingly costly" and harm the professional quality of the work.

Also recommended was advance agreement on "advertiser's rejection privileges of creative work." This would apply also to arrangements for reimbursements of substantial costs incurred by the agency on that portion of the ad budget that is subsequently cancelled. At the same time, the report suggested that consideration be given to a reduced commission rate on additional advertising when the advertiser substantially increases his ad budget without causing a comparable increase in the agency's work load.

Additionally, the report recommended that both parties continue detailed studies of alternative pricing methods, and that in cost-plus arrangements the determination of costs be under "acceptable costing procedures" and the principles followed be uniform.

In one recommendation, which is certain to commend the full attention of agencies, Price Waterhouse said: "Recognition must be given to the fact that the advertiser marketing decisions are becoming more intimately involved with the advertising process and are responsible for the results achieved by it.

"Thus, they are absorbing, and will continue to absorb, certain functions previously or presently performed by agencies."

It suggested that this change be considered in planning agency operations and in pricing its services.

In its other recommendations, the report said business and financial planning and "performance measurement techniques" were a must, regardless of an agency's size, and that return on investment was the best basis to appraise relative profitability performance of "agencies, media and advertisers," while gross revenue earned, as opposed to gross billings, provide the best basis for measuring profitability of individual agency accounts.

The report noted that agency business profits were often referred to in terms of a percentage of gross billings, that is, space and time costs billed to advertisers plus capitalized fees. This method was judged somewhat artificial, in that figures are derived by multiplying gross revenue



Who's visiting the folks in Tulsa tonight? A porno peddler? Nader's Raiders? Or the Grand Dragon?

For sure, it'll be somebody controversial. Because the folks in Tulsa are watching Oklahoma Forum on KTEW-TV. A show designed to give the local community deeper insights and longer looks at the topics and people shaping their world.

We could have used a professional interviewer to put the weekly subject on the verbal pan. But we think local

folks would rather watch their neighbors doing the grilling. So we assemble well-qualified people from the community . . . teachers, lawyers, civic leaders . . . representing opposing points of view to probe the controversial issues.

Scripps-Howard believes in bringing viewers closer to issues by bringing the issues closer to home. By involving

the guy next door. That's why, in Tulsa too, Scripps-Howard hits home.

The Scripps-Howard Broadcasting Co., WEWS (TV) Cleveland, WCPO-TV Cincinnati, WMC, WMC-FM, WMC-TV Memphis, KTEW (TV) Tulsa, WPTV (TV) West Palm Beach, WNOX Knoxville.



Scripps-Howard hits home.

(commission or fees, etc.) by a factor of 6.6 to arrive at total billings. But some agencies, it was stated, have as much as 20% of gross revenue derived from production cost mark-ups (possibly 40% from fees determined on a cost-plus basis).

Price Waterhouse said it preferred the use of gross revenues earned as a basis for figuring the profitability percentage and the percent of return on equity as "even more meaningful."

Applying this yardstick to all agency groupings, Price Waterhouse found that the return on investment in general did not differ from that earned by U.S. industry "in spite of possible inequities that may or may not exist in the pricing arrangements between individual advertisers and agencies."

Also at the workshop, the role of the "house" or "corporate" agency was described by Philip Agisim, president, Parkson Advertising, which is owned by the J. B. Williams Co. He explained the house agency concept as it operates at Parkson: called it "successful" but warned it could falter if the parent company is not staffed with top executives versed in advertising.

Among the "accomplishments" of or "innovations" by Parkson cited by Mr. Agisim: It was one of the first agencies to use piggyback commercials in network TV programs and on radio; it pioneered the use of tape commercials and was among the first agencies to realize the economy of transferring film to tape for color correction.

John C. Rennels Jr., vice president and treasurer, Ketchum, MacLeod & Grove, offered advertisers suggestions on auditing the agency's handling of their accounts. For the future, he raised the possibility that advertisers might use public accountants following a standardized audit program, rather than subject agencies to numerous individual audits.

Price controls or no, supply and demand still call the shots in broadcast advertising

Some stations have already hiked rates in wake of new government rulings, and some had even before, but rules or no rules, none can get more than the traffic will bear

"Why doesn't somebody tell President Nixon that broadcast sales are one area left in the U.S. where competition really controls the business?" asked one station-rep president in reacting to the exemption for small businesses (story page 47). His point: Station rates, at least those quoted to national spot advertisers, are really regulated by the marketplace.

According to the station reps questioned, there would appear to be this rule-of-thumb: Where the market is large, the competition is greatest. Moreover, it is more likely that stations in the larger markets are owned by station group operators, are subsidiaries of large

BAR reports: television-network sales as of April 23

CBS \$205,617,500 (36.5%); NBC \$186,843,300 (33.1%); ABC \$171,731,600 (30.4%)*

Day parts	Total minutes week ended April 23	Total dollars week ended April 23	1972 total minutes	1972 total dollars	1971 total dollars
Monday-Friday Sign-on-10 a.m.	81	\$ 469,800	1,100	\$ 6,892,400	\$ 6,892,500
Monday-Friday 10 a.m.-6 p.m.	965	6,888,400	14,904	109,558,900	101,958,700
Saturday-Sunday Sign-on-6 p.m.	373	4,056,000	5,082	70,045,200	55,271,700
Monday-Saturday 6 p.m.-7:30 p.m.	106	1,860,500	1,459	29,497,800	24,776,900
Sunday 6 p.m.-7:30 p.m.	21	451,800	233	5,745,400	9,878,200
Monday-Sunday 7:30 p.m.-11 p.m.	399	18,228,900	6,343	314,367,000	308,392,100
Monday-Sunday 11 p.m.-Sign-off	156	2,466,100	2,170	28,085,700	19,205,200
Total	2,101	\$34,421,500	31,291	\$564,192,400	\$526,375,300

* Source: Broadcast Advertisers Reports network-TV dollar revenues estimates.

corporations or are themselves large in size, and are thus disqualified from exemption.

But one radio rep reported that a few radio station clients had already informed him by Wednesday (May 3) that they had revised rate cards upward (from 10% to 25%), effective June 1. A top executive with one of the largest station representation firms in New York said he fully expected some TV stations to decide on rate revisions. "It ought to break open a little bit," he said. "There are stations struggling with the problem of the rate situation. I would expect that many stations, which qualify under the exemption, would make adjustments where they see fit but these, particularly in television, will be limited by competitiveness."

Other reps noted that many stations have already revised spot rates during Phase II. They said broadcasters did this according to the interpretations of their attorneys by including, for example, "the structuring in of new expenses (new equipment, etc.) and/or the stations' track record of cost-per-thousand efficiencies" in justification of rate revisions.

It was noted that in today's "tight marketplace," advertising agencies in effect contribute to the imposition of rate ceilings based on demographic considerations—"They will pay no more than a certain figure for, say, men between the ages of 18 and 49 in certain program schedules."

The president of a radio rep said that a number of stations, "inhibited at the time of the freeze, will want to get in rate increases which are long past due." He said he had been exhorting some of his stations to consider rate increases on the basis of improved audience performances, "well before this latest exemption was announced."

A TV-rep president said that a few stations may be chafing to raise their rates but "most are living with it [price control]. The problem is not so severe in the spot business, at least not now. Rate cards have sections and they are seasonal.

There is generally [rate] growth room in the card. There is no particular hardship."

Said another TV rep: "It is supply and demand, still. Stations can go back to the higher rate in the price spread when business is better. Come this summer, nobody will be particularly concerned with raising prices."

RAB plays Johnny Appleseed

Stuffs best ideas for selling in a bag, goes wandering cross country in radio promotion called 'Idearama'

A new salesman with a small-market radio station plunked down \$25 at a Radio Advertising Bureau "Idearama" in Fredericksburg, Va., one day last month. The price of admission entitled him to a series of "money-making ideas" sessions that ran from 9 a.m. to 3:30 p.m., and also included lunch and a collection of materials that could prove useful in generating new sales.

That \$25 got his station \$500 to \$1,000 worth of additional business only 24 hours later. The salesman sold a local retailer on the basis of an idea he got at Fredericksburg. (The idea was taken from a larger-market station in another part of the country that ran a similar campaign for a drive-in restaurant.)

This story of a quick sale, as related by RAB officials in New York last week, is what Idearamas are supposed to be about. The one-day stands—61 of them—started April 13 and will run through June 11. They are handled by RAB's five regional field managers, who divided up the country, each handling a specific number of sessions.

Idearama was created this year to disseminate ideas for quick local sales; ideas that salesmen can quickly adapt in their routine calls and contacts. There are three sections to each session. The first deals with general ideas; How a bank tied in

**Guess which station
in the top five markets
has the highest rated
12+ metro audience in
combined drive times.**

Good guess.

Radio 720  is Chicago

Source: ARB, Chicago, New York, Los Angeles, Philadelphia, Detroit, JAN.-FEB. 1972, combined 6-10 am. & 3-7 pm. MON.-FRI. Metro Drive Time audience estimates. Data subject to qualifications listed in reports.

has appointed Foote, Cone & Belding, New York, to handle its \$2-million account (includes TV and radio), effective Sept. 1. Account leaves Compton Advertising, New York. Change does not affect company's Howdy beefburger advertising and other special projects, which continue to be handled by Hill, Holiday, Connors and Cosmopolous, Boston. ■ Zayre Corp., national department store chain, Framingham, Mass., appoints Ingalls Associates, Boston.

Rep appointments. WVEZ(AM) Cincinnati, WRC-AM-FM Washington, WNAP(AM) Indianapolis: Blair Radio, New York. ■ WCFL(AM) Chicago: McGavren-Guild-PGW Radio Inc., Chicago. ■ WSAM-AM-FM Saginaw, Mich.: Grant Webb & Co., New York. ■ WJIB(FM) Boston: Katz Radio, New York.

A pep talk to print media

RAB's David solicits their support in battle against FTC proposals

Miles David, president of the Radio Advertising Bureau, is urging newspapers and magazines "to put their formidable resources into the struggle" against the Federal Trade Commission's counterad proposal.

Acknowledging that broadcasting at present is on the receiving end (and that "clearly advertisers and agencies have a vested interest in maintaining free and effective broadcasting advertising"), Mr. David warned last week that "for too long many newspapers and magazines have let us fight this battle ourselves."

In urging all segments of the advertising industry to regard the fight as a common cause, Mr. David noted that Virginia Knauer, the President's adviser on consumer affairs, had startled a meeting of newspaper publishers with remarks about a program of "FTC-type" control over print advertising.

Mr. David's remarks were made before ad clubs in El Paso and San Diego.

A vote for Bromo ads

A stockholders' challenge to commercials for Bromo-Seltzer fizzled last week.

Spokesmen for the Project for Corporate Responsibility appeared at a stockholders' meeting of Warner-Lambert Pharmaceuticals, which makes Bromo, to charge that the product's campaign—"Take it when you don't have time to feel bad"—might contribute to the abuse or overuse of certain drug products.

Dr. David Lewis, a physician who appeared for the project, offered a proposal that would have directed Warner-Lambert to initiate a study of the effect of its advertising. Stuart K. Hensley, W-L chairman and chief executive officer, said the company would be willing to take part in a study only if it involved the pharmaceutical industry as a whole.

The proposal was then put to a stockholders' vote. It won the support of 3.2%. PCR owns one share of W-L stock.

Challenges from all sides in New York renewals

For first time women's lib appears in new wave of coalitions and causes opposing applications of 26 stations

The citizen-group movement aimed at making use of the license-renewal process to press demands on broadcast licensees has spread to New York and New Jersey, and is livelier than ever. Twenty-six AM, FM and TV stations—including 14 of the 18 outlets in Rochester and some of the richest VHF's in New York City—were hit last week with petitions to deny their renewal applications, some with more than one.

And there may be more. Several letters were filed with the FCC advising the agency that citizen groups and stations were still attempting to negotiate their differences and that both sides had agreed to extensions of the May 1 deadline for filing petitions to deny.

The grounds on which the petitions are being filed are becoming increasingly varied. Most petitions still cited the now-traditional grievances of allegedly inadequate ascertainment-of-needs surveys, irrelevant programing and defective or nonexistent minority-employment programs. But there were these new allegations: sexism, failure to discharge fairness obligations in connection with ecological issues, neglect of the programing needs of a sizable portion of a station's audience despite specific promises (in this case, some 5 million residents of northern New Jersey), and religious discrimination in programing.

The new batch of petitions threatens to jam still further the commission's license-renewal machinery. The commission staff is currently attempting to work its way through a mountain of 90 cases of renewals deferred as a result of petitions to deny, some dating back more than two years. The time needed to process a case—three weeks of uninterrupted work, according to one official—plus inadequate manpower (the renewal-branch staff of lawyers was increased in the past year from four to eight, but is still said to be short-handed) are cited as factors in the failure to reduce the backlog. However, a slight dent may be made soon; a half-dozen cases are said to be ready for submission to the commission, with several more nearly ready.

Among the petitions filed last week, one by the New York chapter of the National Organization for Women against ABC's WABC-TV constituted the first use

of the renewal process to call attention to complaints about programing that women liberationists have been expressing over the past several years.

The 128-page petition, based on studies and monitoring begun 18 months ago, said the station had failed to deal meaningfully with issues of concern to women and had instead presented programing portraying women as "unintelligent, irresponsible, dominated by men, defined by their anatomy and incapable of independent thought or action."

Breaking down its complaint in terms of the station's legal obligations, NOW said the station, in determining community problems, had failed to ascertain the needs and interests of women and had violated the commission's fairness doctrine. NOW also said the station violated commission rules by its failure to hire and promote women "equally with men."

Environmental groups have in the past used the commission's complaint procedure to seek redress from stations they felt did not balance the impact of advertising they said presented only one side of the argument concerning the air-polluting effects of gasoline and automobiles. The Friends of the Earth won a court decision asserting that such commercials raise fairness-doctrine questions.

But last week FOE and the Citizens Committee for Clean Air filed similar complaints in the form of petitions to deny the renewal applications of WABC-TV, RKO-General's WOR-TV, CBS's WCBS-TV and Metromedia's WNEW-TV. (FOE two weeks ago dropped its complaint against NBC's WNBC-TV, the station involved in the court case [BROADCASTING, April 24].) This method of dissent has only been employed once before—last November, when Alan F. Neckritz petitioned to deny the renewal of KPX(TV) San Francisco on grounds that the station violated the fairness doctrine in its broadcast of commercials for Chevron F-310 gasoline.

The FOE-CCCA petitions said the four stations had failed to comply with their fairness-doctrine obligation, particularly as outlined in the FOE court decision, which they said requires stations "to present the environmentalists' viewpoint" on the automobile-related air-pollution issue in New York City "on a regular basis."

The petitions said the presentation of such programing was needed to counter "the large numbers of gasoline and automobile advertisements" that the stations broadcast. According to "all available evidence," the petitions said, the stations failed to present the other side, either through spot announcements "or other programing" on a regular basis.

A New Jersey group—the New Jersey Coalition for Fair Broadcasting, which describes itself as concerned about the lack of VHF television service tuned to New Jersey's needs and which includes in its members Senator Harrison A. Williams (D-N.J.)—expressed its members' frustrations in two petitions, and left it the option of filing three more.

The petitions that it filed were directed

San Mateo has a BOYPOWER film, Poker Car Rallyes, visiting firemen & KVEZ-FM

When you're a station in a highly competitive market with over six million people, your best bet is to carve out a special niche and do an extra-special job to command the loyalty of your listeners. That's why KVEZ-FM took its cue from the people of San Mateo and the San Francisco Bay Area and got *involved!* KVEZ takes extra steps to communicate with the community, and we've become a vital force in our area. KVEZ responds to the people's needs and the people respond to KVEZ:

"... without such generous and public-spirited cooperation effective police recruiting would be virtually impossible... I wish to convey the gratitude and highest esteem of the San Francisco Police Department to you."

ALFRED J. NELDER
Chief of Police
City & County of San Francisco

"... The current 'Bomberos de Mexico' program, being hosted by the San Mateo County Fire Chiefs' Assn., has been termed a success. I would be remiss not to single out KVEZ for its cooperation and concern..."

WAYNE ALEXANDER
Assistant Chief
San Mateo Fire Department

"... it is a pleasure to express our sincere gratitude for the valuable cooperation we have received from you..."

SILVANO MENDOZA, PRES.
Council of Spanish Speaking Organizations
Oakland, California

"... merely to say 'thank you' seems inadequate for the help KVEZ-FM has given us in presenting the CARE story to the public..."

MOLLY FARMIN
Regional Director CARE
San Francisco

"... we wish to thank KVEZ for your help during our recent shortage of materials. Thanks to your concern, we are back to a fairly steady flow of the materials needed to keep our rehabilitation facility functioning..."

W. E. SKEELS
Goodwill Industries
San Francisco

"... thank you for your support of Scouting as noted by the work done to produce the sound track for the film presentation on the BOYPOWER Campaign. We are especially appreciative of your efforts and talent in the production and narration of the film..."

VINCENT G. BRADLEY, JR.
Director, BOYPOWER Campaign
Boy Scouts of America

"... The support you gave us is greatly appreciated and I am sure that is contributed to the success of our Poker Car Rallye... a special thanks for responding in such short notice..."

MAUREEN KIRWIN
Student Body Secretary
South San Francisco High School

"... we appreciate your giving your time to make such a memorable event for the boys..."

MRS. L. DeMORS, DEN MOTHER
Cub Scout Den 9, Pack 106
Belmont, California

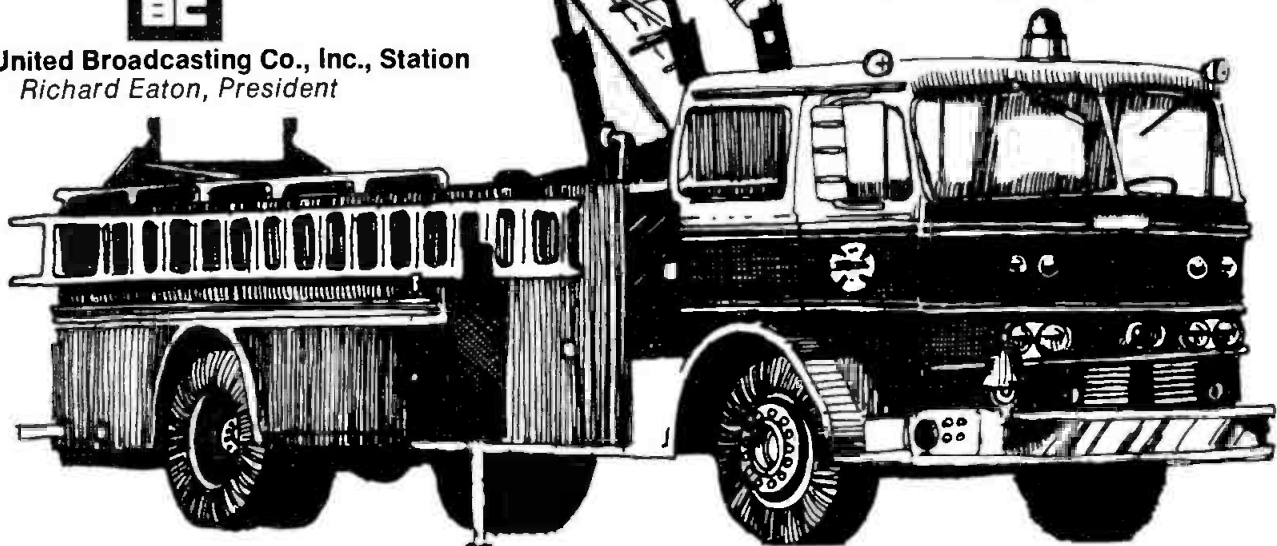
"... we wish to thank you very much for your contribution to our unit... both the patients and the staff will benefit..."

JUDY TAYLOR
Department of Psychiatry
Stanford Univ. Medical Center

Request Radio... Dial 107.7



Another United Broadcasting Co., Inc., Station
Richard Eaton, President



at the renewals of WCBS-TV and WNEW-TV. Both stations, it said, had promised to ascertain and serve the needs of northern New Jersey, which is within their service area. But both, the petitions said, have failed to meet New Jersey's needs, to cover events in New Jersey, or to include perspectives or personalities from the state in their public-affairs programming. The coalition also said that the proposals in WCBS-TV's 1972 renewal application are insufficient to meet New Jersey's needs.

The coalition obtained extensions of the deadline to continue negotiations with WNBC-TV, WOR-TV, WABC-TV and WNET-TV, the noncommercial outlet in New York, concerning their service for northern New Jersey. The group apparently reached a settlement with the NBC station, however, since the deadline of May 3 to which the two sides had agreed passed without the filing of a petition.

The petition alleging religious discrimination in programming was filed against WOR-TV, and grew out of the station's cancellation, last year, of the program,

NOW's charge against WABC-TV:

"Women are consistently shown as unintelligent, irresponsible, dominated by men, defined by their anatomy and incapable of independent thought or action."

The Passover, after complaints had been received from Jewish groups. The petition was filed by the American Board of Missions to the Jews Inc., which had offered to pay \$5,000 for the station time to present the program, which depicts the Jewish seder as a forerunner of holy communion. The American board is a New York-based Protestant group that seeks to convert Jews to Christianity.

The American Board said that the cancellation of the program and WOR-TV's "refusal or failure to otherwise air the beliefs of Christian Jews constitute as gross an injustice as has been brought before the commission." The petition also asks the commission to determine whether the station bowed to outside pressure in canceling the program and whether it violated the fairness doctrine in refusing to present "the other side" of the "controversial issue" as to whether Passover "is an entirely Jewish service."

The renewal applications of the 14 Rochester stations were the object of a single petition filed by 36 residents of the city, for themselves and as members of a number of community groups representing the city's poor. The petition charges that "nearly all" of the stations' surveys of community needs were inadequate, in that they discriminated against participation of the poor and minority groups and that the stations' public-affairs and news

programming bears no "identifiable relationship" to the needs that were ascertained in surveys. ("More local news was available to the 87,000 citizens of Aristotle's Athens than is available to the city which is black Rochester today—a communications disaster area," the petition said.) The petition also said that none of the stations had implemented an affirmative hiring and promotion program.

The stations involved are WNYR(AM) and WEZO(FM), WBBF(AM) and WBBF(FM), WSAY(AM), WHAM(AM) and WHFM(FM), WROC-AM-FM-TV, WAXC(AM) and WHEC-TV, WOKR-TV and WVOR(FM).

WHEC-TV, in its last renewal period, was one of the first stations to reach an agreement with a citizens group that headed off a petition to deny a renewal application (BROADCASTING, Sept. 9, 1969). The petition last week noted that the agreement, with a group called Metro-Act of Rochester, provided for an advisory council to be selected by WHEC-TV with Metro Act's concurrence. The record of that council, the petitioners said, "strongly suggests that WHEC-TV has exploited it as a free consulting service with no real input into station policy at all."

Other petitions to deny were filed by:

■ Thirteen community groups in Syracuse, organized into the Syracuse Coalition for the Free Flow of Information in the Broadcast Media, against two of the city's three television stations—WSYR-TV and WNYS-TV. The coalition, which is being aided by the United Church of Christ, alleges that the stations have discriminated against women and minority groups in their employment practices. The groups also say WSYR-TV has failed to ascertain community needs and has ignored the needs of women and minority groups in its programming. And they say that WNYS-TV, whose sale by W. R. G. Baker Co. to the Outlet Co. is pending, has not filed an ascertainment-of-needs survey or proposed programming—omissions, they say, that impair their right to participate in the license-renewal process.

■ The Paterson Coalition for Media Change, against Capital Cities Broadcasting Co.'s WPAT-AM-FM Paterson, N.J. The coalition asserts that the stations, the only ones in Paterson, are not serving its needs, that they provide little local programming that is meaningful, that they ignore the blacks and Spanish-surnamed elements who account for more than half the city's population, and that they lack an effective policy for employing minority-group members. The coalition also notes that the stations' office and transmitter are in New York City and that although a new studio is to be built, it will be located in Clifton, N.J.

■ The Mid-Hudson Valley Broadcasting Group, against WSPK-FM Poughkeepsie, N.Y. The group, a coalition of individuals and groups representing blacks, accused the station of misrepresentation; the group said the station did not survey all of those individuals it said it contacted during its ascertainment of community needs. It also charged that the station

had failed to provide programming to meet the needs of its community and that it discriminated against blacks and Puerto Ricans in its employment. The group, which is represented by a local law firm, also indicated that if the commission denies the station's renewal application, some or all of those involved in the petition "may" apply for a permit to operate on the vacated frequency "for a trial period of at least three years to insure the objectives of this petition."

■ The National Association of Broadcast Employees and Technicians, against WGR-AM-TV Buffalo, N.Y. Although it is directed at both stations' renewal applications, the petition alleges only that the television station has performed inadequately as a vehicle for local self-expression and for developing local talent. It asserts that the station provides no local live programming between the hours of 6 and 11 p.m. The union, which once served as bargaining agent for employees at the stations, had petitioned the commission in 1966 to deny the renewal applications then pending; that petition was denied.

Still to be heard from is a New York group called the Black Citizens Committee for Fair Media. It was still conferring last week with officials of WNBC-TV and WCBS-TV. Both stations had agreed to a May 5 extension of the deadline for filing petitions to deny.

Another round for KAYE(AM)

FCC orders further hearings on charges by opponents of station's renewal

The FCC has ordered further hearings on the case of KAYE(AM) Puyallup, Wash., so that the station may rebut charges by a group that is challenging its license renewal.

The commission remanded the case to Hearing Examiner Ernest Nash after hearing a pleading by Benedict Cottone, KAYE counsel. In oral argument before the commission last month, he said Mr. Nash ended the hearing late in 1970 without permitting him to answer charges made by the opponents, the Puget Sound Committee for Good Broadcasting. Mr. Cottone had asked for a three-month delay to prepare a rebuttal, but Examiner Nash denied the request, calling it "unreasonable."

The commission in effect granted the attorney those three months. It said that the new hearing is not to commence for 90 days, so that KAYE will have a "full opportunity to make a rebuttal showing." After the hearing, Examiner Nash is to prepare "on an expedited basis" a cumulative initial decision based on the entire record.

In his initial decision last year (BROADCASTING, June 7, 1971), Examiner Nash recommended denial of KAYE's renewal application on the ground that its licensee, KAYE Broadcasters Inc., did not fulfill its fairness obligation. The examiner also said that KAYE attempted to "intimidate and harass" those who complain-

A Spanish Radio News Network? ¡Si!

Now, for the first time, advertisers can reach the U.S. Spanish market on a national basis with *network radio*. On May 1, MUTUAL SPANISH NETWORK began reaching out to serve 11 million Spanish-speaking Americans with once-hourly newscasts and additional drive time sportscasts, delivered simultaneously to Spanish stations coast to coast.

Spanish speaking newscasters and sportscasters report all the news, with the perspective on items of special interest to the Spanish-speaking communities, with the full use of the world-wide news-gathering facilities of the Mutual Broadcasting System. With MUTUAL SPANISH NETWORK it's easy to buy the U.S. Spanish audience . . . one order, one billing covers outstanding Spanish radio stations in all the important U.S. Spanish markets.

A new day of simplicity has come to Spanish radio . . . interconnected, simultaneous, with your advertising message completely under your control.

For complete details, contact Bill Stiles, Vice President, Mutual Spanish Network, 135 West 50th Street, New York, New York 10020. Area code 212-581-6100



A service of Mutual Reports, Inc., a subsidiary of the Mutual Broadcasting System, Inc.

ed to the FCC about its activities. And he held that Mr. Cottone attempted to disrupt the due process of the hearing by calling witnesses whose testimony was irrelevant.

Mr. Cottone, in turn, has said that the hearing was "a shambles" and asked the commission to expunge from the hearing record all comments—by Mr. Nash and by the opposing attorney—that he considered damaging to his reputation. (As an example of the discord of the hearings, Mr. Cottone said last week that he irately walked out of the hearing room after one exchange with Mr. Nash; on another occasion the examiner ordered him out.) However, the commission made no mention of these disputes in remanding the case for further hearing.

CPB starts huddles with local stations

The desire of public broadcasters to participate more actively in the decisions of their national organizations became reality two weeks ago with the first formal consultation between local station representatives and staff members of the Corporation for Public Broadcasting.

The meeting was a result of a CPB board action earlier this year, establishing mechanisms for regular consultations of this kind. The April 28 session was preliminary and organizational; it will be followed by a more detailed consideration of the budget at regular intervals.

Managers, selected by boards of the Public Broadcasting Service and the educational TV stations division of the National Association of Educational Broadcasters, are: James Loper, KCET(TV) Los Angeles; Lloyd Kaiser, WQED(TV) Pittsburgh; Frank Barreca, KUAT(TV) Tucson, Ariz.; John McBride, Nebraska ETV Commission; Frederick Breitenfeld, Maryland Center for Public Broadcasting, and Leonard Press, Kentucky Educational Television.

Schweiker renewal measure goes further than Moss's

Five-year license period would be established by new Senate bill

License-renewal legislation supported by the National Association of Broadcasters was introduced in the Senate April 27 by Richard S. Schweiker (R-Pa.).

The bill (S. 3551) amends the Communications Act to provide that the performance of an existing licensee will be a primary factor for the FCC to consider in license-renewal proceedings. It also extends the licensing period for TV and radio stations from three years to five years.

The measure is identical to legislation introduced in the House last year by Representative Jamts Broyhill (R-N.C.). It was also introduced in the Senate by Frank Moss (D-Utah), but that version did not contain the five-year renewal provision (BROADCASTING, Dec. 20, 1971).

Julian Goodman on the offensive

NBC president, delivering keynote speech to affiliates, blasts government's many-sided 'invasion' of broadcasting

NBC-TV affiliates were told last week of "a large-scale invasion of broadcasting by government." The report came not from a detached observer, but from one of the walking wounded.

NBC President Julian Goodman, the keynote speaker of the three-day affiliates convention in Los Angeles (May 3-5), confronted the spearhead of the government invasion—the Justice Department's antitrust suit against the three networks—with a point-by-point counterattack. The suit, he said, "is ill-conceived, unnecessary and based on obsolete information"; it "assumes a situation that is unreal" because the networks get 90% of their entertainment programs from outside producers, seek to diversify sources of supply, no longer demand financial interests in outside-produced programs and encourage program sponsorships instead of—as charged—forcing participation buying on advertisers, he said.

"We do not believe this suit will be successful," Mr. Goodman said, "but if it ever should be, the ability of networks to serve audiences, stations and advertisers will be gravely impaired."

Picking up where ABC Inc. President Elton H. Rule left off in his speech a week earlier to the ABC-TV network affiliates (BROADCASTING, May 1), NBC's president told stations of other notable examples of impending threats to broadcasters ("a threat to one of us is a



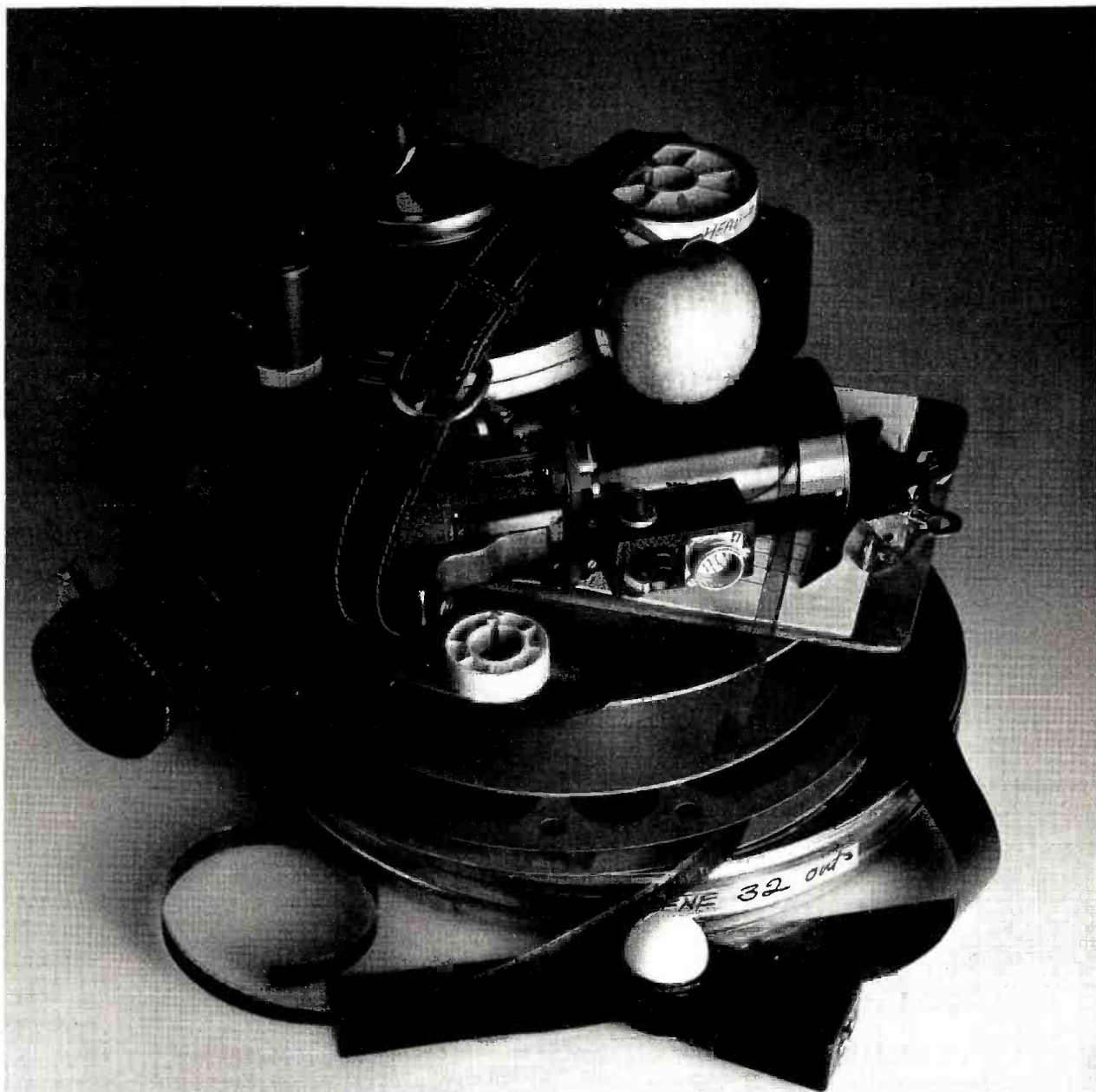
Mr. Goodman

threat to all of us"). The FCC's prime-time access rule has "injured most stations and most program producers," he contended, and also has limited the ability of networks to develop innovative and varied program formats. He said that generally, the rule "has not offered the offsetting benefits that were contemplated."

Mr. Goodman revealed that NBC last week petitioned the FCC to rescind the rule (see page 49), an action he first gave word of earlier in the year in an address to the International Radio and Television Society in New York (BROAD-

Not all the moments at NBC-TV's affiliates meeting in Los Angeles last week were somber ones. Here, at a Wednesday night reception opening the affair, President Goodman (l) shares one of the lighter ones with A. Louis Read, president of WDSU-TV New Orleans (c), and Michael Landon, a star of *Bonanza*.





Curricular Activity

If you want to direct, Direct.
If you want to produce,
Produce. If you want to write,
edit, or film, Do it.

That is the idea behind the new, non-academic Master's program at Carnegie-Mellon University. You learn TV/Film/Filmmaking from scripts and cameras and microphones.

Not books. So Carnegie-Mellon University, in cooperation with Public Broadcasting Station WQED, developed a professional apprenticeship program. Students participate in the production of local and network television, specializing in an area of interest—like

editing, cinematography, directing. You earn a Masters of Fine Arts. And two years on-the-job experience.

If you want to learn from books, major in Lit. If you want to learn TV/Film, call or write: Carnegie-Mellon University, Pittsburgh, Pa., 15213. (412) 621-2600.

CASTING, March 13). He pointed out that the commission is being asked in the NBC petition to reach a decision on the validity of the rule early next year so that the 1973-74 night-time schedules could reflect any change.

Mr. Goodman reserved perhaps his toughest remarks for the threat of counteradvertising, which he characterized as the "illegitimate offspring" of the fairness doctrine. "We regard the possibility of forced countercommercials as the most dangerous single threat broadcasting is facing," Mr. Goodman emphasized. "It would reduce the medium's advertising effectiveness to the point of undermining its whole economic base, together with the great information and entertainment services built on that base," he added.

The price for satisfying the theory that every advertising claim deserves a counterclaim is too high for the public to pay, Mr. Goodman argued, and the FCC should not be permitted to "allow the mainstream of television information and entertainment to be blocked for such narrow and abstract purposes."

Concluding his talk, Mr. Goodman pointed out that broadcasting's problems are clearly indicative of its overwhelming impact. "I believe our problems can be met and solved," he said. The key to the solution, he suggested, is for broadcasters to intensify their concentration on problems in direct proportion to the impact broadcasting is having on society.

ANPA has a bone to pick with FCC

Meeting gets report from task force exploring proposed crossownership ban

Newspaper executives have been urged to step up the fight against the FCC's proposed ban on crossownerships of newspapers, broadcasting stations and cable systems within the same communities.

Harold W. Andersen of the *Omaha World-Herald* (KETV-TV Omaha), chairman of the American Newspaper Publishers Association's task force on broadcast/CATV ownership, made the appeal April 27 at the ANPA's annual meeting in New York. He asked all newspapers, regardless of their present electronic media relationships, to urge members of Congress and others to support a system wherein licensing would be on the basis of performance rather than ownership.

"We don't expect much to happen in 1972," he said. "The solution to the problem must lie in Congress with revisions of the Communications Act. We are directing our planning in 1973 toward that end."

Also at the closing session, H. Bruce Palmer, president, Council of Better Business Bureaus, highlighted plans for the proposed national consumer information center to be headquartered in Washington. Discussions are now under way, Mr. Palmer said, for financing the center, which he estimated will cost some \$2.3 million.

Reagan pulls punch on media criticism

California governor tells NBC affiliates he's all for the free enterprise system in broadcasting, but doesn't like bias he sees in news and public affairs; delivered remarks fall short of text they came from

California Governor Ronald Reagan had good news and bad news for NBC-TV affiliates in Los Angeles last week. All of the good news he spoke about. Much of the bad news—in his prepared remarks—was omitted from the speech he delivered.

The good news was that he agrees that the free enterprise system is currently under assault. The bad news was not only that he doesn't find commercial television without fault, but also that he's convinced there is bias in television and its presentation of news and public affairs. In person, he urged station management to prevent bias from occurring. In his text he went further—to recommend that the industry police irresponsible broadcasters.

Elaborating on the areas where he's in agreement with the broadcaster's cause, Governor Reagan said "it doesn't take a PhD to foresee that counteradvertising could literally destroy the private, independent broadcasting industry in America." The result, he indicated, would be "a totally government-sponsored, government-run and government-controlled broadcast industry."

As an example of his stated belief that the free economic system in this country will be lost because "those who had the most to lose did the least to prevent its happening," Governor Reagan, to ringing applause, cited the banning of cigarette advertising on stations as an injustice. "How in heaven's name does a govern-

Governor Reagan



ment ban cigarette advertising while that same government continues to subsidize the growing of tobacco?" he asked.

But these supportive remarks were but preamble to the thrust of the governor's primary intention—to impress upon broadcasters the awesome responsibility they have to keep bias out of television. He stressed that the responsibility for maintaining objectivity cannot be delegated by station management. More emphatically, he pointed out that the bias that does exist in television, "in too many cases," may exist because management does not make its voice heard.

Mr. Reagan assured that he was not suggesting that news be used to further personal political opinions or for commercial gain. But he again called attention to the responsibilities of management. Particularly in the text of his speech the governor pointed out to station managers that "if someone down the line is slanting things you are not being neutral simply because you keep hands off."

Governor Reagan came out strongly in support of the Broyhill bill that would extend the station licensing period to five years. But in his text, the governor tied in this support with admonishment for stations "that pander to the drug culture, allow obscenity on the air and turn over their facilities to those who shout 'revolution' at every turn." His written speech contended that such stations continue to operate seemingly "without official concern," and he suggested that the situation should deeply concern all broadcasters.

"If you are unable to find a way to use your influence to police the irresponsible broadcaster," he cautioned in his prepared remarks, "you may not have an industry left to police—at least, not the independent, private commercial system we know today."

Again, in his delivered remarks, he pointed out that modern totalitarian regimes invariably come to power through control of mass broadcasting and he used this rationale to explain why he was against a totally centralized, government-owned and government-operated public broadcasting system. Instead, he favors a funding policy in public broadcasting on the local level.

Mr. Reagan closed his speech by urging broadcasters to sell the American way of life. Noting that television has been the most effective medium for selling products, he told the affiliates "you can be just as effective selling free enterprise to those who benefit most from economic freedom—the people."

In a prolonged question and answer session that followed his delivered speech, Mr. Reagan recounted a personal experience of how balance in television is sometimes tilted. He recalled that when he was an actor appearing for eight years on the *G.E. Theater* TV series, the preponderance of material submitted was of an antibusiness nature. He claimed that writers told him that there was no market for pro-American or pro-free-enterprise stories.

Still solid: ABC, affiliates

Talk of late nights without Cavett, football without compensation, Democrats for 19 hours fails to rattle relationship

An upcoming Democratic party fund-raising telethon, the new National Collegiate Athletic Association college football package and the fate of late-night performer Dick Cavett evidently were the major subjects of discussion when the board of governors of the ABC Television Network Affiliates Association met with network executives in a closed session as the last official piece of business of the three-day ABC-TV network affiliates meeting in Los Angeles (April 27-29).

At a news conference immediately after the affiliates meetings, Robert K. King, chairman of the board of governors, said that the Democratic National Committee is coming on ABC-TV with "a substantially different kind of network program"—a national telethon to run for 18½ hours over a 19-hour span and aimed at raising funds for the Democratic party. The telecast, scheduled as a direct lead-in to the Democratic national convention in Miami Beach July 9, will be carried by ABC-TV starting at 10 p.m. on Saturday, July 8, and, with the exception of a break from 11 to 11:30, run continuously until the following day at 5 p.m. The program will originate in Los Angeles and feature well-known entertainers. Estimates placed the cost of network time for the telethon at \$600,000.

"It would appear," said Mr. King, who is executive vice president for television for Capital Cities Broadcasting Corp., "that the Democratic National Committee is coming on ABC with a telethon that raises the normal questions in the minds of the affiliates as regards their obligations under the law to discharge equal time demands if such are made." But it was later said that the Republican party had been offered equal time by the network and turned the offer down.

Network officials, including ABC-TV President James E. Duffy, his assistant, Frederick Pierce, and Richard L. Beesmyer, vice president in charge of affiliate relations, said that the Democrats asked for submissions from the three networks before choosing ABC-TV, that the party organization is paying for the television time, that the order has been accepted by the network subject to unspecified "certain conditions" and that stations will be compensated for the time, most of which is in class C periods.

Concerning the NCAA football, Mr. King said that affiliates have agreed to carry the package without compensation "in realization that the tremendous escalating rights fees made it a very difficult package for the network to continue on any other basis." The affiliates will this year surrender compensation for four night games and for four NCAA-related prime-time bowl games.

During the past two years, all of the day games in the NCAA package, which

represented 14 out of a total of 18 games, had been carried without compensation but with the affiliates having expanded station-break times inside the telecasts of these games. No longer part of the network-affiliate deal is the hour of class C compensation that stations were receiving for carrying four NCAA night games. ABC-TV affiliates are having to forego the compensation for these night games in the upcoming season. In addition, four college-related prime-time bowl games, for which affiliates were formerly getting an hour of class C compensation, no longer will be fed on a compensation payment basis.

In justifying the concessions affiliates made, Mr. King said: "This thing is rooted in principle. There's a basic network-affiliate relationship that we would prefer not be changed or drastically modified. We would like to be paid for the things that are carried on the network, but we recognize that there are some special situations and, I guess, this is one of the most special."

Fred Pierce said that to offset the increase in rights fees for the NCAA package, ABC-TV has received the right to add a 19th game to the over-all schedule of telecasts and the right to place a 19th commercial minute in each of the games for network sale. ABC-TV, in its Monday-night telecasts of National Football League professional games, is permitted to run 20 commercial minutes for network, but until now the precedent in NCAA football has been a maximum of 18 commercial minutes for the network.

Mr. Pierce also said that there is now a great deal more flexibility in the NCAA package. Under the terms of the new two-year contract, ABC-TV has pre-selected the games to be televised on only the first six dates (Sept. 9-Oct. 14), and now has the right to select the game or games for the remaining dates as late as the Monday before each Saturday of

That lonely feeling

Dick Cavett, on notice from ABC-TV that his late-night show will be dropped if its ratings don't pick up in the next 90 days (BROADCASTING, May 1), told his audience last Tuesday night (May 2) that the network had not done everything it could have done to make the show succeed and that he had "told them so." More than that, he said, some of the help he was supposed to get from the network had been ineffective—"and to that I would add sometimes lazy, inept and incompetent."

Otherwise, his remarks were relatively restrained, for the most part cast as answers to questions he thought viewers might ask. He said he liked doing the show and didn't want it to go off but that network people didn't think the ratings were high enough—and he promised to say more about that "at a later date." Was there a basic disagreement about the show? "Yes," he answered his own question. "I want it on and, uh, they aren't sure."

play. Formerly, with the exception of two wild-card games, the network had to preselect the entire schedule.

Mr. King said that the affiliates board of governors did discuss ABC's decision to give *The Dick Cavett Show* a 90-day period to revitalize (BROADCASTING, May 1). "I think we have a sentiment on the affiliate body to do everything to continue to work with the network in achieving the parity that has been achieved in literally every other profit center on the network," Mr. King said in indicating that affiliates will go along with ABC-TV's decisions in the late-night period.

Explaining the network action, Jim Duffy said, "Cavett has made a very, very definite contribution to this medium, there's no question about it, but things have happened that have made us re-evaluate the late-night area. We are concerned about the talk-show form."

Mr. Duffy added that he hoped Mr. Cavett's circulation tripled but that for the next three months the network has to proceed with a development project for other forms of late-night programming. He made it clear that thought is not being given to merely replacing Mr. Cavett as host of the show or replacing him with a feature-film program.

Mr. King said that beyond the three major areas of discussion—late night programming, NCAA football and the Democratic telethon—the affiliates asked the network to give serious and early consideration to a morning news service.

Fall and politics on CBS-TV agenda

Affiliates head for L.A. convention for briefing on what's ahead; Stanton plans major address

The 1972 general conference of CBS-TV network affiliates will be held in Los Angeles tomorrow and Wednesday (May 9-10), with approximately 500 executives from 200 stations expected to attend.

A high spot of the conference is expected to be a major speech during luncheon tomorrow by Dr. Frank Stanton, vice chairman, CBS Inc. Also prominent on the agenda are discussions of fall programming and plans for coverage of the 1972 political scene.

The opening day's events include remarks by Charles Brakefield, WREC-TV Memphis, chairman of the CBS-TV Affiliates Association, and Robert D. Wood, president of the network. Other speakers that day will include Jay Eliasberg, director, CBS Television Network research; Fred Silverman, vice president in charge of programming, and Oscar Katz, vice president, programs, New York.

The affiliates will hold a closed-session discussion Tuesday afternoon. A reception and buffet are scheduled for that evening at the Century Plaza hotel.

Wednesday's agenda consists of a panel discussion of "The Broadcaster and

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the Justice Department," featuring John D. Appel, deputy general counsel, CBS Inc., and Mr. Wood, and a description of the fall 1972 promotion and publicity campaign, presented by John P. Cowden, vice president, information services, CBS-TV.

Rounding out Wednesday morning will be a question-and-answer session, moderated by Mr. Wood. The panel will consist of Richard S. Salant, president, CBS News; Mr. Cowden; Mr. Silverman; Perry Lafferty, vice president, programs, Hollywood; Irwin B. Segelstein, vice president, program administration; Mr. Appel; Richard W. Jencks, vice president, Washington, CBS Inc.; Frank M. Smith Jr., vice president, sales; William C. MacPhail, vice president, sports; Thomas W. Swafford, vice president, program practices; Carl S. Ward, vice president, affiliate relations, and Mr. Eliasberg.

Mr. Salant will make a presentation on behalf of CBS News on Wednesday afternoon. The annual banquet will be held that evening.

The sessions tomorrow will be held at CBS Studio Center, Studio City, and those on Wednesday at Television City, Hollywood.

McCormick for blue chips

Veteran New England broadcaster gets solid backing in new firm that plans to get a string of stations

Formation of a new broadcast company that aims to acquire multiple broadcast properties—initially radio in the Boston area—has been announced.

President of McCormick Communications Inc. will be 25-year-veteran broadcaster William M. McCormick, New England area vice president for RKO General Inc., who is resigning that post as of June 1.

Controlling interest in McCormick Communications will be held by Technical Operations Inc., Burlington, Mass., a research and scientific instruments firm that acquired Vappi & Co., Cambridge, Mass., a general construction firm, at the end of last year. President of Technical Operations is Marvin G. Schorr, who said of his company's interest in McCormick Communications: "Broadcasting is an exciting medium with a tremendous noncyclical growth record . . ." Technical Operations reported sales of over \$32 million and net income after taxes of \$491,000 (35 cents a share) for the six months ended March 31. For the same period last year, sales were over \$31.5 million with a net loss of \$550,000.

Technical Operations also holds a 40% interest in Abto Inc., New York, which sells a system of broadcasting color from black-and-white film. Abto is headed by former ABC engineering chief Frank Marx. It is 40% owned by ABC, with 20% owned by public stockholders.

Mr. McCormick has spent his career with RKO General, starting on the sales staff. From 1956 to 1960 he was director of sales for WOR-AM-FM New York; from

1960 to 1970, he was vice president and general manager of WNAC-TV Boston (and of WNAC-AM-FM from 1960 to 1964). He became RKO General area vice president for WNAC-TV and WHCT(TV) Hartford, Conn. (which was donated by RKO General to Faith Center, California), in 1970.

Senate votes to give USIA full \$200 million

McGee concedes Fulbright's point on right to examine records, but says cut would cripple agency too much

Overriding objections by Foreign Relations Committee Chairman J. William Fulbright (D-Ark.) the Senate voted Monday (May 1) to restore nearly \$45 million the committee had cut from the 1973 budget request for the U.S. Information Agency. The vote was 57 to 15.

The action followed an amendment proposed by Senator Gale McGee (D-Wyo.), a member of the Fulbright committee, authorizing the full \$200-million agency budget.

Senator McGee said the cuts called for in the agency's overseas activities would have created an "imagery problem" for the U.S. abroad and would have handicapped USIA efforts to tell people abroad "what we think we mean [by U.S. policy actions], rather than what others say we mean."

Protesting the restoration of the budget cut, Senator Fulbright again cited the refusal by the agency—on grounds of "executive privilege"—to provide certain working papers requested by the senator's committee (BROADCASTING, April 10, et seq.). The senator claimed that the Congress's right to examine USIA policy moves, and not the size of the budget cut itself, was at issue. He argued that unless this right were maintained—and the budget cut—Congress would lose its ability to oversee agencies in the executive branch of government.

Senator McGee agreed in principle that "the Foreign Relations Committee is justified in receiving a great deal more information than it does," but he maintained that the proposed cuts were just too large and would have brought about massive reduction in the size of the agency's staff and its effectiveness.

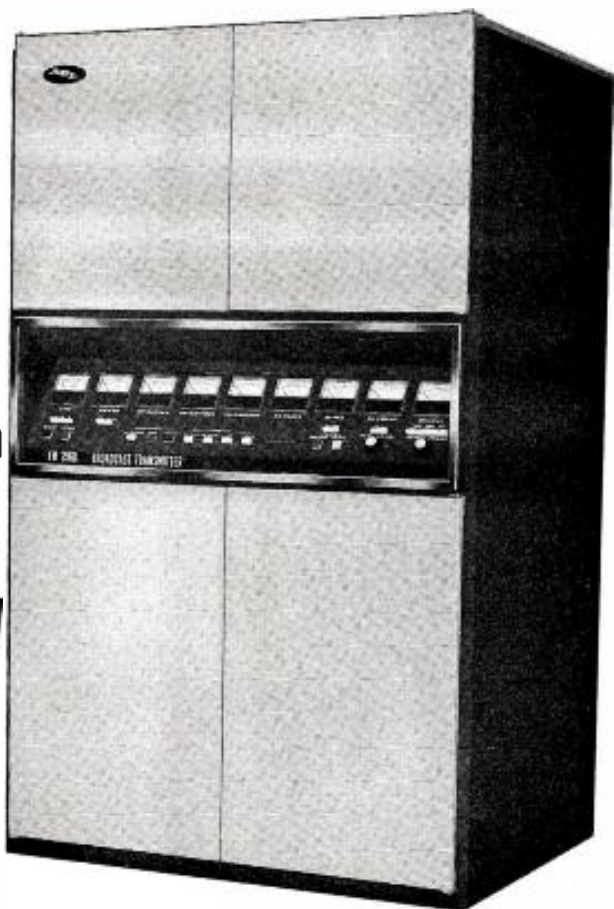
Public-radio audience: lean but loyal

College graduates, blacks, city dwellers form its main audience, survey finds

Public radio reaches less than half of the nation's listeners—and of those who receive it, less than 10% listen as much as once a week—according to a survey by Louis Harris & Associates.

The Harris survey, conducted for the Corporation for Public Broadcasting, found that noncommercial radio stations reach 46% of the country (compared to 72% for public television). Of this potential audience for public radio, 9% say they have listened at least once in the last

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week; 15% have listened at least once within the last six months.

Listening was found to be higher in cities than in more sparsely populated areas; higher among the 21-to-29-year-olds than other age groups; and slightly higher among blacks than whites. The most important variable, however, was education; 6% of the high-school graduates polled had listened within the last week, but the figure jumped to 18% among college graduates.

Although the Harris organization found that public radio "has a long way to go before it can be said to be reaching substantial portions of its potential audience," some hope was seen in the loyalty of the listeners it does have.

"There are some indications," Harris said, "that public radio listeners are more committed to the medium than are public television viewers." The public radio audience, Harris said, spends a "significantly higher" proportion of its listening time with the public station and devotes almost twice as many hours to the station as PTV viewers do to the public channel. "This would appear to be a solid base from which to build a larger audience," it said.

Iowa broadcaster to NAB hierarchy

Executive vice presidency is filled by manager of the Blackhawk stations

The new stations-relations chief at the National Association of Broadcasters will be Burns Nugent, 20-year Iowa broadcast veteran, who joins NAB May 22 as executive vice president. He succeeds Grover C. Cobb, now NAB executive vice president for government relations.

The station-relations post has been vacant since March when Mr. Cobb was named to head the government relations department following the resignation of Paul B. Comstock, effective Sept. 1. Mr. Comstock, who is recuperating from a gall-bladder operation, will teach at San Diego (Calif.) State College this fall.

For the last five years, Mr. Nugent has been vice president-general manager of the Blackhawk Broadcasting Co. stations (KWVL-TV Waterloo-Cedar Rapids, KWWL-AM-FM Waterloo, and KLWW[AM] Cedar Rapids, all Iowa). From 1953 to 1967, he was with the WMT-TV Inc. stations, becoming vice president of WMT-TV Cedar Rapids, general manager of WEBC(AM) Duluth, Minn., and vice president of WDIO-TV Duluth. He also was president of WMT-TV's cable-TV subsidiary with CATV systems in Iowa and Minnesota. The WMT-TV Inc. stations were sold in 1968 to the Orion Broadcasting group for \$10.5 million.

Mr. Nugent, 47, is a 1945 graduate of Harvard and received his law degree in 1948 from the University of Iowa. From 1945 to 1946, and again from 1950 to 1953 he served with the U.S. Navy. He is married to the former Joan Foster and they have two children.

Whitehead warns magazines on smugness

Sees regulatory ripple widening across all the pond; notes that publishers have technical future in communications

Clay T. Whitehead, director of the Office of Telecommunications Policy, last week took the themes he explored in his April 20 speech to the American Newspaper Publishers Association (BROADCASTING, May 1), put them in new garments and exposed them to a magazine publishers' group, meeting in Palm Beach, Fla.

One point was that government should not prohibit the publishers from joining the revolution in the communications technology. The other was that the publishers should be concerned about the expanding regulation of electronic communications because, whatever they think of those now subject to that regulation, the publishers may find that regulation applicable to them.

But last week, in his speech to the Magazine Publishers Association, Mr. Whitehead made the connection more direct than he had when he warned the newspaper publishers that the fairness doctrine and other regulation familiar to broadcasters might be extended to them. Then, he was theorizing about the law being extended to newspapers. Last week, he was talking about magazine publishers making themselves subject to the same kind of regulations when they adapt the electronic media to their own publishing purposes.

He said that magazine publishers should make use of the new technology the telecommunications industries were making available: indeed, he said, they would have to become part of the electronic media if they are to survive. He noted that cable television operators and producers of cassettes can become sources of serious competition for magazines, both as to their subscribers and their advertisers.

"Our policies should allow magazine publishers to use their skills, their talent, and their experience in such a way as to turn the new communications technologies to their own advantage," he said. "In doing so you can provide incalculable benefit to the public by increasing the range and variety of program services that can be offered in the new communications media."

He pointed out that the development of domestic communications satellites and of specialized common carriers employing long-haul microwave systems offers opportunities for reduced costs of transmitting magazines for printing at multiple locations. Publishers can also use the new cassette and cable technologies for distribution as well as production, he said, adding, "Why not consider a multimedia magazine, using print for presentation of detailed and systematically organized information and using audio or video to supplement this data?"

But against the possibility of the publishers being able to make that kind of use of the new technologies, Mr. Whitehead noted that government is responsible for establishing policies for determining who will use them. Two weeks ago, he criticized the FCC proposal to prohibit newspapers from owning CATV systems in their communities; last week he made it clear he would oppose the same proposal regarding magazine publishers. (The commission has not made such a proposal; but it has asked for comments on such a ban.)

The government, he said, should simply provide "the appropriate economic incentives so that the would-be viewer and the would-be programmer can interact as easily and as constructively as possible. Why should there be any artificial barriers imposed to preclude the use of the new communications technology by magazine publishers?"

But that was not the only reason for his concern about expanding regulations in the communications media. He said that unless vigilance was maintained to guard against the regulation of the content of broadband cable systems and other new technologies, "magazine publishers run the risk of losing their present freedom when they employ the electronic media to transmit their own messages.

"As future developments bring the print and electronic media closer together, your interests in unfettered journalistic responsibility and free expression become intertwined with those of the broadcast and cable-television industries," he said. "The broadcast regulation you applaud editorially today may become the cable programming regulation of tomorrow and, ultimately, the pattern of content regulation in all the media."

Praise the Lord, but pass the bias

FCC rebukes religious licensee for interrogating job applicant about his and his wife's beliefs

In what it said was a case of "first impression," the FCC last week held that King's Garden, licensee of KGDN(AM) and KBIQ-FM, both Edmonds, Wash., had violated the commission's rules barring discrimination in employment on the basis of religion.

The commission ruled that even stations licensed to religious organizations cannot consider religion in hiring a person for a job that would not involve him in advocating a particular religious viewpoint.

The commission's decision grew out of a complaint by Trygve J. Anderson, who had been seeking a job at the King's Garden stations as a newsman or announcer. He said he was asked if he were a Christian and if his wife were one, and directed to "give a testimony."

The licensee described itself as a Christian religious organization with a mission to "share Christ," and said it was neces-

sary to ask prospective employees whether they subscribe to its objectives. The AM's format was described as composed largely of "inspirational" programming; the FM's, of "good music" that serves to air "brief essays stimulating a desire for higher moral and spiritual values."

King's Garden hinged its defense of its employment practices on an exception in the Civil Rights Act of 1964, on which the commission's nondiscrimination rules are based. The exception permits a religious corporation to choose persons "of a particular religion to perform work" connected with the corporation's "religious activities."

But, the commission said, King's Garden does not exist as a licensee "solely to espouse a particular religious philosophy." It is required to operate in the public interest and to have a policy of making time available for other religious views, including those of non-Christians, the commission added.

Thus, while the stations may be exempt from the nondiscrimination rule in hiring persons to advocate a particular religious philosophy over the air, the commission said, that is as much as the exception to the 1964 act allows. It added that it saw no reason "for a broad interpretation that would permit discrimination in the employment of persons whose work is not connected with the espousal of the licensee's religious views."

Any other holding, the commission said, "would strike the word 'religion' from [its] rules as to any station licensed to a religious organization."

The commission said that since the case was one of "first impression," it would impose no sanction against the licensee. But it directed King's Garden to submit within 20 days a statement of its future hiring practices and policies in light of the commission's nondiscrimination rules.

CPB money bill moves on

It clears House Rules Committee, may reach floor by next week

The two-year funding bill for the Corporation for Public Broadcasting cleared the House Rules Committee last week, but the measure is not likely to come up for floor consideration until next week at the earliest.

The funding bill passed the House Commerce Committee in March (BROADCASTING, March 27).

Rules gave the bill (H.R. 13918) a one-hour open rule, meaning that amendments may be—and undoubtedly will be—offered on the floor. But a Rules spokesman said the bill was not on the House schedule for this week.

It was unclear last week who will manage the bill when it does reach the floor. A spokesman for Communications Subcommittee Chairman Torbert H. Macdonald (D-Mass.), principal sponsor of the legislation, said that decision would probably be made this week.

Mr. Macdonald, who has been absent for the past month, is recovering from an operation.

A plea for a broadcaster on the FCC

State presidents' resolution urges planning now for next vacancy in 1973; D.C. meeting also confers on regulatory problems, including scope of new consumer agency

A group of 90-odd broadcasters voted unanimously last week to ask the National Association of Broadcasters, state broadcasters associations and other elements of broadcasting to ask President Nixon to appoint a broadcaster as the next FCC commissioner.

The resolution, considered a first in the 17 years of NAB-sponsored state-presidents conferences in Washington, noted that FCC Commissioner Nicholas Johnson's term expires June 30, 1973, and urged "action now" to get an experienced broadcaster on the commission. It was recalled that the last broadcaster-commissioner was Robert Wells, Harris stations, Garden City, Kan., who served two years, from 1969 to 1971.

The resolution was introduced by Tom S. Whitehead Jr., KWHI-AM-FM Brenham, Tex., and seconded by Richard T. Laughridge, WNOK-TV Columbia, S.C., both presidents of their respective state organizations.

That was the only action taken by the assemblage that met last week in Washington. For the remainder of the one-day meeting, the state presidents and executive secretaries listened to a parade of speakers and NAB officials on the politi-

cal-spending law, license-renewal legislation, counteradvertising proposals, radio regulation, advertising taxes, and the pending Consumer Protection Agency bill.

The last required considerable explanation because the audience obviously was not familiar with the bill (H.R. 10835) passed by the House last year with the Senate version (S. 1177) under consideration by the Senate Committee on Government Operations.

So important do NAB officials consider the bill, particularly a provision that would permit the CPA to intervene as a matter of right in proceedings before other regulatory agencies, that the association sent out a plea for broadcaster opposition last month. This was followed two weeks ago by a special call sounded by Richard Chapin (Stuart Enterprises, Lincoln, Neb.) chairman of the NAB's joint board of directors.

In a speech at the University of Missouri, Mr. Chapin pointed out that the proposed agency if given authority to intervene in FCC proceedings could appeal an FCC decision to court, and it would have the power to demand that the FCC subpoena any information it feels it needs to fulfill its mission of representing the consumer.

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of the Consumer Protection Agency's activities," Mr. Chapin said.

Such a move, he added, would slow FCC proceedings, "already excruciatingly slow and complex in many cases." It would "confuse and muddy the waters," he said, "if the FCC were forced to include the views of yet another government agency in its deliberations."

During the session on government relations, the audience heard a discreet recommendation that broadcasters treat their congressmen more kindly. The suggestion that there be greater empathy between broadcaster and congressman came from T. Michael Barry, an NAB government relations staffer, who explained how difficult it is to get big-city broadcasters involved with their congressmen. One major problem, he said, is that the top management of major-market stations changes so frequently.

The broadcasters also heard R. William Habel, another government-relations staffer, forecast that problems with minorities will increase. Mr. Habel noted that many congressmen have expressed personal support for broadcast positions but have explained their inability to vote their convictions because of fear of political reprisals from minority blocs that are protesting license renewals or complaining about broadcast stations' hiring and programming policies.

Grover C. Cobb, executive vice president for government relations, told the

audience that the NAB was prepared to seek revision of the political spending law to eliminate discrimination against broadcasting after the elections "when candidates will have experienced the adverse features of the law."

All of this was in preparation for the next day's visit to Capitol Hill by the broadcasters.

They also heard Vincent T. Wasilewski, president of NAB, urge them to discuss various bills that would regulate the advertising of over-the-counter drugs on broadcast stations. One such bill is S. 2812, introduced last year by Senator Gaylord Nelson (D-Wis.). Others are various "memorials" pending in state legislatures asking Congress to prohibit the advertising of proprietary drugs over the air because, it is alleged, this leads to drug abuse (BROADCASTING, Feb. 28).

During the morning session on the political-spending law, a panel led by John Summers, NAB general counsel, answered questions regarding lowest unit rate charges and certification. Members of the panel were Arthur H. Bernstone, FCC; Robert Higgins, Office of the Comptroller General; and Edward W. Hummers Jr. and Martin Gaynes, both Washington lawyers.

In the more formal part of the proceedings, the state presidents heard John Pettit, FCC general counsel, call for more and better communications between broadcasters and the commission. Com-

menting on the fairness problems, Mr. Pettit said: "The fairness doctrine is in clear and present danger of becoming—like the internal revenue code—the intellectual plaything of lawyers and law professors, while at the same time becoming the scourge of broadcasters who have looked vainly to it for guidance in meeting their public-interest responsibilities."

Representative Hale Boggs (D-La.), majority leader of the House of Representatives, complained that the TV networks rarely covered the activities of the House. Broadcasters must learn, he said, to cover the significant and complex matters with which the House deals even though they may not be sensational or headline-making.

J. W. (Bill) Roberts, Washington bureau chief for Time-Life Broadcast Inc., asked broadcast management and ownership to keep a close watch on First Amendment violations in Washington, in their state capitals and in their local governments. And, he concluded, if something is happening "you should blow the whistle . . . and blow it loud and clear."

Changing Hands

Announced

The following sales of broadcast stations were reported last week, subject to FCC approval:

▪ **KAWA(AM)** Waco-Marlin, Tex.: Sold by Delwin W. Morton and others to Ronald J. Romanski, David C. Fricker, Roy Harris and William R. Parvin Jr. for \$300,000. Mr. Romanski is marketing manager and stockholder for ECC Corp., Euless, Tex., manufacturer of semiconductor components and control systems. Mr. Parvin is president and majority stockholder of Parvin Sales Co., Addison, Tex., manufacturer representative. Messrs. Fricker and Harris are also employees and stockholders of ECC Corp. In addition, Mr. Harris owns R&D Products, Euless, archery-equipment manufacturer. **KAWA** is a daytimer on 1010 khz with 10 kw.

▪ **KFKF-AM-FM** Bellevue, Wash.: Sold by F. Kemper Freeman, Elwell C. Case and Florence G. Hayes to A. S. Ballinger and others for \$300,000. Mr. Ballinger is a Seattle real-estate broker. **KFKF** is on 1540 khz with 1 kw full time. **KFKF-FM** operates on 92.5 mhz with 100 kw and an antenna 1,000 feet above average terrain.

▪ **WFRC(AM)** Reidsville, N.C.: Sold by Rockingham Broadcasting Inc., part of Statesville Stations group, to new corporation to be owned 60% by Mr. and Mrs. Eugene F. Smith (he is salesman for **WFMD(AM)** Frederick, Md.) and 40% by Dr. Gene Camp, Frederick dentist. Price is \$250,000. L. A. Parks is president and treasurer of Statesville group, which also owns **WSIC(AM)** and **WFMX-(FM)** Statesville, N.C.; **WIST(AM)** Charlotte, N.C., and **WQXL(AM)** Columbia, S.C. The company has about 50 stock-



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72-22

holders. WFRC operates full time on 1600 khz with 1 kw. Broker: William T. Stubblefield, Casanova, Va.

▪ **KBIS(AM)** Bakersfield, Calif.: Sold by Robert K. Straus to Edward G. Atsinger III and Stuart W. Epperson for \$237,500. Mr. Epperson owns **WKBX(AM)** Winston-Salem, N.C., and **WKBA(AM)** Vinton, Va. Mr. Atsinger owns **WKBQ(AM)** Garner, N.C. He is employed as a speech instructor at Los Angeles City College, KBIS operates on 970 khz with 1 kw.

▪ **WLRJ(FM)** Roanoke, Va.: Sold by Robert L. Hartman and others to Aylett B. Coleman III, Dr. Charles Crockett Jr., John J. Butler and Dr. John A. Martin for \$125,000. Mr. Coleman owns 50% of **CEBE Co.**, Roanoke real-estate firm, and has interest in a shopping center there. Dr. Crockett is assistant dean at University of Virginia Medical School, Charlottesville, and is physician-director at Roanoke Memorial hospital. Mr. Butler also has an interest in **CEBE Co.**, and has ownership interest in a Richmond, Va., petroleum firm. Dr. Martin is physician-employee at Radiology Associates, Roanoke. **WLRJ** is on 92.3 mhz with 2.7 kw and an antenna height of minus 54 feet.

Approved

The following transfers of station ownership were approved by the FCC last week (for other FCC activities see "For the Record," page 70).

▪ **WDLP(AM)** Panama City, Fla.: Sold by Denver T. Brannen and others to Ray L. Danner and Larry Edwards for \$400,000. Buyers own **WDVH(AM)** Gainesville, Fla. **WDLP** operates on 590 khz full time with 1 kw.

▪ **WEDO(FM)** McKeesport, Pa.: Sold by Edward Herschberg to Tom Feldman, Ralph Baron and George Lund for \$350,000. Mr. Feldman is the manager of **WCUM-AM-FM** Cumberland, Md. Mr. Baron has an interest in those stations, and owns **WENC(AM)** Highland Springs and **WWOC(AM)** Portsmouth, both Virginia. Mr. Lund is the manager of **WENC**. **WEDO** is a daytimer on 810 khz with 1 kw.

▪ **KRSA-AM-FM** Salinas, Calif.: Sold by Stanley Lichtenstein to David Rodgers for \$215,000. Mr. Rodgers owned a TV production firm in Cleveland. **KRSA(AM)** is a daytimer on 1570 khz with 250 w. **KRSA-FM** is on 100.7 mhz with 720 w and an antenna 2,370 feet above average terrain.

▪ **KBBB(AM)** Borger, Tex.: Sold by Charles S. Small to Dr. Orville Rippey for \$201,125. Dr. Rippey is a Stillwater, Okla., physician. **KBBB** is a daytimer on 1600 khz with 5 kw.

▪ **KCAW(AM)** Hamilton, Tex.: Sold by William E. Hobbs to George W. McClarin for \$120,000. Mr. McClarin was formerly with **WHLT(AM)** Huntington, Ind. **KCAW** operates daytime on 900 khz with 250 w.

The ice breaks on price-wage controls — but only slightly

Provided a broadcaster can meet all the 'ifs,' he may find relief in newest rules for small business

The first exemptions of the wage and price regulations to provide relief for broadcasters—or at least for some—were made last week by the Cost of Living Council. Announced last Monday (May 1) by council director, Donald Rumsfeld, they will affect only small stations and other small businesses.

How can broadcasters determine whether they fall into the "small business" category? According to a spokesman for the Cost of Living Council, the first consideration is over-all annual revenues of the parent company (including all subsidiaries and stations, whether partially or wholly owned). Companies with revenues of over \$50 million per year are not exempt; those with revenues under \$50 million are.

But, the spokesman said, that is only the first criterion. The second, he said, deals with employees. If the total number

in a broadcasting company—including those of all its stations and subsidiaries, and those in the corporate headquarters—totals less than 60, the company is exempt. If it has 60 or more, it's not.

And that's not all. If the first two criteria exempt a broadcasting company, it must then meet a third, the spokesman said. The explanation: If over half the company's employees belong to a union, it is not exempt from wage or price controls, regardless of the number employed.

The following provisions refer to wage controls only:

▪ If under half are unionized, under a master contract covering fewer than 60 employees, the company is exempt.

▪ If under half are unionized under a master contract covering 60 or more employees, the unionized employees are not exempt and the nonunion employees are exempt.

The exemptions became effective last Tuesday (May 2).

The National Association of Broadcasters and other elements of the broadcasting industry have informally asked the council to apply the exemption criteria to licensees instead of parent companies, the argument being that a licensee is a legally responsible entity to the FCC.

According to NAB figures, the exemptions in their present form would apply to slightly more than half of radio stations and, perhaps 10% to 15% of all TV stations.

NAB President Vincent Wasilewski, in

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a prepared statement last week, said: "We are continuing our dialogue with the Price Commission seeking relief for larger radio and television stations, and we are optimistic that some relief will be forthcoming shortly."

Annual election of NAB president recommended

That's most drastic of proposals to come out of by-laws committee's first meeting in Washington

Breaking sharply with past practices, a committee of broadcasters has recommended that the by-laws of the National Association of Broadcasters be amended to require that the president of the association be elected annually.

The proposal was one of several by the by-laws committee at its first meeting in Washington last week.

At present, the NAB president continues in office unless asked to resign by the board of the association. The only office that has been voted on yearly is that of secretary-treasurer, held since 1956 by Everett C. Revercomb.

The by-laws committee was named late last month following instructions by the NAB board at its January meeting that the by-laws be reviewed (BROADCASTING, Jan. 24). At that time also the board ordered that a compensation contract be drawn between Vincent T. Wasilewski, president of the NAB, and the association. Up to then Mr. Wasilewski never had a contract although two years ago he signed a letter agreement that specified he would give the association six-months notice if he decided to leave.

These actions took place when Mr. Wasilewski was under fire by some members of the radio board; despite this, he was given a vote of confidence by the entire board. Mr. Wasilewski's contract was approved by the NAB board last month at the convention in Chicago (BROADCASTING, April 17).

Among other changes the by-laws committee proposed is one that would require both the president and the chairman to select members of committees. At present the president chooses members of NAB committees, although commonly with the concurrence of the chairman. It was explained that this move was required because there is a feeling that the president could, if he desired, staff committees with friends and supporters. Mr. Wasilewski was never accused of this.

A third element in the proposed by-law changes would provide for the existence of an executive committee. At present the by-laws say nothing about an executive committee, although the association has been operating with one since 1966. The executive committee consists of the joint board chairman, the immediate past chairman, the chairmen and vice chairmen of the TV and radio

boards, and, recently added, a nonvoting network representative.

The recommendations of the by-laws committee were being drafted in proper language by John Summers, NAB counsel. This draft will be submitted to committee members and if acceptable will then be submitted for ratification to the joint board meeting in June in Washington.

Members of the by-laws committee are Harold R. Krelstein, Plough Stations, Memphis, chairman; Frank Balch, WJOY-AM-FM South Burlington, Vt.; Earl W. Hickerson, WCEE-TV Rockford, Ill. (who was absent last week); Daniel W. Kops, Kops-Monahan Communications, New Haven, Conn., and Wilson C. Wearn, Multimedia Broadcasting, Greenville, S.C. (also absent last week). Present at the first meeting also were Richard W. Chapin (Stuart Enterprises, Lincoln, Neb.), chairman of the NAB joint board; Andrew M. Ockershausen (Evening Star Stations, Washington), chairman of the NAB radio board, and Messrs. Wasilewski, Revercomb and Summers.

Spin-off in that merger of P&S, Globetrotters

Art McCoy to take Hawaiian V, Oregon AM for \$4 million

Pacific & Southern Broadcasting, group station owner currently planning a merger with Globetrotter Communications Inc., is selling its KHON-TV Honolulu and KYXI (AM) Oregon City, Ore., to Arthur H. McCoy, Pacific & Southern president, in cash and stock transactions totaling close to \$4 million.

The agreements are subject to approval by Pacific & Southern directors and stockholders and by the FCC. Mr. McCoy has resigned as president, chief operating officer and director of P&S, effective upon execution of the agreements, which would precede the P&S-Globetrotters deal.

For KHON-TV and its translator and satellites, Mr. McCoy would transfer to the company 180,000 shares of P&S. Based on recent over-the-counter quotations the market value would be about \$2.9 million. The proposed sale price of KYXI is \$1.12 million in cash plus assumption of certain liabilities.

Mr. Harrison said the sales would strengthen P&S because KHON-TV has not made "an appropriate profit contribution" and KYXI's contribution is "small." He added: "Arthur McCoy, concentrating on these stations alone, will no doubt make another forward step in his fine broadcasting career."

Other P&S stations are WQXI-AM-TV Atlanta; WQXI-FM Smyrna, Ga.; WSAI-AM-FM Cincinnati; WWDJ (AM) Hackensack, N.J.; KIMN (AM) Denver and KKDJ (FM) Los Angeles. Globetrotters Communications, which would acquire P&S in a stock transaction valued at \$32 million to \$35 million, owns WVON (AM) Cicero, Ill., and WIXY (AM)-WDOK (FM) Cleveland and the Harlem Globetrotters basketball team.



Friendship ■ The National Friends of Public Broadcasting held its second annual conference in New Orleans last week, with several leaders of the non-commercial media on hand. Shown above (l to r) is John W. Macy Jr., president of the Corporation for Public Broadcasting, with Mrs. Moise Denney, chairman of the conference, and William S. Hart, executive vice president and general manager of noncommercial WYES-TV New Orleans.

The National Friends—a nonprofit organization formed to build citizen support at the local level for public broadcasting—heard Mr. Macy say: "We must somehow convince every American that support of public television is fully as important as support of other educational and cultural institutions—maybe more so, since the pattern of support for other such institutions is firmly established, while the notion of supporting television—generally thought of as a 'free' benefit—has still not adequately been accepted."

Chalmers W. Marquis, executive vice president of the National Association of Educational Broadcasters, reviewed the progress of funding legislation to support the public broadcasting media. He urged the building of public awareness and support for the bill—in ways that would make an impression on Congress.

Radio in on mini-conferences

Radio broadcasters will be included in a new series of mini-conferences that were initiated in 1970 by William Carlisle, vice president for broadcast liaison, National Association of Broadcasters.

Originally, the meetings were limited to TV broadcasters. There have been 21 city-by-city meetings up to now.

The next mini-conference is scheduled for Louisville, Ky., on May 18. On May 19, a similar meeting will take place in Cincinnati, to be followed by a May 22 session in Greensboro, N.C., and a June 5 meeting in Syracuse, N.Y.

Attending from NAB on a regular basis will be Mr. Carlisle and John Summers, NAB general counsel. Other NAB executives who may attend one or more are Charles T. Jones, Radio Information Office director, and Roy Elson, vice president for government affairs.

NBC damns access rule as failure

It cites dwindling audiences as proof of worsening programming in station time and asks FCC to take it all back soon

NBC formally petitioned the FCC last week to rescind its prime-time access rule in time for the planning of the 1973-74 network-television season.

The petition was filed while NBC-TV and its affiliates were meeting in Los Angeles (see story page 36). In a major speech to the stations NBC President Julian Goodman solicited their support in the network's effort. He called the rule a "regulatory experiment [that] has failed at its purpose."

At the FCC, however, a different view prevailed. In response to another pleading the commission said it was determined to give the rule a chance to achieve its intended aim, the opening of prime time to nonnetwork programming by independent suppliers. In denying a request for modification, filed by MCA Inc., the FCC said the rule would remain intact for at least another year (see story this page).

The NBC petition asserted that the access rule "is not achieving its stated objective; is causing hardship to stations, particularly stations in small markets; and is not providing the high-quality programming to which the viewing public has been accustomed and which it should be entitled to receive."

The network added: "The over-all effect of the rule has been to drive a significant portion of the public away from television entirely in the time periods from which popular, quality network programming has been barred."

To document its assertion about the public reaction to nonnetwork programs now being shown in cleared-time periods has been generally unfavorable, NBC compared audience levels for the past season with those of 1970-71, before the prime-time rule went into effect. Among the findings:

- In the top-50 markets, audience levels during the 7:30-8 p.m. period decreased by 7% in 1971 from the preceding year. At the same time, NBC said, levels for periods not affected by the access rule showed no decline. And "perhaps even more striking," NBC asserted, was the fact that on Tuesday evenings from 7:30-8 last season, when network programming was offered due to a waiver, audience levels increased 7% over 1970. NBC claimed that these figures show that "at least" 10% of the viewing audience that would have watched television during the access periods, had network shows been available, "elected to tune out television entirely."

- In markets below the top 50, the

NBC study asserted, the levels for the 7:30-8 period were down 6% from the year before. In comparison, the levels were up in the two adjacent time periods—a 2% increase over 1970 in the 7-7:30 period and a 5% rise in the 8-8:30 slot.

To expedite reconsideration of the rule, NBC proposed a three-step plan of action. It asked the commission to:

- (1) Issue a notice of proposed rule-making "broad enough in scope to support rescission" of the prime-time rule.

- (2) Create a task force of staff members to compile data aimed at determining whether the rule has been effective and the impact of the restrictions upon licensees and the public.

- (3) Hold a conference that would include the commission's staff, industry representatives and knowledgeable members of the public, to aid the commission in obtaining all relevant information necessary to evaluate the impact of the rule.

NBC stressed the need for a speedy decision. While it proposed no deadline, it claimed that a delay in final commission action until the end of the next season would preclude any change in network scheduling until the fall of 1974, and "more likely" until the 1975 season.

The FCC stands by its guns on access rule

Commission tells MCA it wants provision to undergo first year in full effect

The FCC has made it clear that it will not tamper with any provision of the prime-time access rule, at least for the upcoming new season. It said as much last week in denying a request by MCA Inc., Hollywood, for a rulemaking aimed at lessening restrictions on syndicated programming during time periods cleared for nonnetwork material under the access rule.

The commission said it is determined that the access rule should get "a full and fair test, something it has not had so far with stations still permitted to present 'off-network' material during the cleared portions of prime time."

During the past television season—first affected by the access rule—stations were permitted to run, in the freed periods, programs previously shown on the networks. Beginning with the 1972 season, off-network shows and feature films that have been broadcast in the market two years previously will be banned from these periods.

MCA, parent of Universal City Studios, made its request last February (BROADCASTING, Feb. 28). It asked that the commission permit the broadcast of series previously shown on the networks up to five years ago, provided that 25% of the package offered for syndication include new material never seen over the network.

MCA based its request on an FCC

action earlier in February, granting Mutual of Omaha authority to syndicate its *Wild Kingdom* series in prime time, under the condition that the series include a substantial amount of new programs (BROADCASTING, Feb. 7).

But the commission maintained last week that it would be inconsistent with the objective of the prime-time rule—namely, to encourage a market for independent program producers in prime viewing hours—to grant the MCA request.

"Tinkering with the ground rules" of the prime-time rule for the next year, when the rule will be in full effect for the first time, the commission said, could have "a most substantial impact" on the efforts of those intending to operate in compliance with the rule.

Academy has Emmy trouble

The television industry's biggest annual headache was scheduled to begin unfolding on May 6 when Emmy award winners in news and documentary, creative crafts, children's and daytime programming categories were to be revealed by the National Academy of Television Arts and Sciences at a luncheon in Los Angeles and a banquet, the same evening, in New York. These award ceremonies will not be televised. Additionally, for the first time, the award event in Los Angeles has been changed from the traditional evening banquet to a luncheon affair. It's a move that has some West Coast production people incensed, with threats of a boycott of this and other academy events voiced by many, particularly newsmen and program producers.

"We are being treated like second-class citizens," complained a leading Hollywood producer of game shows. "Our company is up for several awards, but we won't attend. The reason they have us scheduled for Saturday afternoon, a week before the national telecast of the awards to nighttime programs and performers is they want us out of the way."

Robert F. Lewine, stuck with one of the industry's most unenviable jobs as president of NATAS, agrees that Emmy awards events are both "our greatest asset and our greatest liability." He points out that the annual Emmy telecast has made the academy internationally famous and more important, is the organization's major source of income. According to Mr. Lewine, although the National Academy of Television Arts and Sciences has between 6,500 and 7,000 members, dues go to local chapters. Instead, the national academy relies for about 90% of its income on rights fees paid by the networks for the Emmy awards telecast.

The national telecast is rotated among the networks—this year CBS-TV, with ABC-TV in 1973 and NBC-TV in 1974—and rights fees are negotiated on an annual basis. This year the national academy, basking in ratings from last year's telecast of more than 40 with a share of

audience of 70%, is receiving \$300,000 for telecast rights.

"A disastrous telecast show," explains Mr. Lewine, "can seriously jeopardize the academy." That's why, he indicates, awards to the best-known performers and biggest program productions are given in the national spotlight on television in prime time, while daytime performers and producers and religious and sports and children's programming and performers as well as industry technicians are honored only among their peers at luncheons and dinners attended by at most 500 people.

"The telecast has to have entertainment value," Mr. Lewine says. "It cannot be a tedious parade of people. It's intended to be a glamorous evening, the television industry's showcase." He recognizes that some in the industry are vehemently in favor of achieving parity with nighttime performers and demand equal time on the May 14 telecast on CBS-TV. But Mr. Lewine feels that most of the self-styled "outcasts" are "damn good sports about it and realists."

Controversy over equal treatment is only part of the headache involved in the Emmy awards situation. Logistics in handling the more than 10,000 entries become overwhelming as presentation times draw near. At one point late last month, the national academy had 17 different so-called "blue-ribbon" judging panels operating at one time, encompassing some 275 people at four different locations in the Los Angeles area. The academy set up 138 separate screenings over a two-day period.

New things coming in small packages on two networks

ABC, NBC program chiefs outline plans to forge ahead with 'mini-series' idea; CBS's Silverman dissents, tells why

The mini-series is coming to prime-time television and ABC-TV and NBC-TV will use it more and more, but CBS-TV will rely principally on continuing program series with continuing talent. That was the chief message the three network television programming Muhammads brought to the Hollywood production community.

Speaking at a luncheon meeting of the Hollywood Radio and Television Society, Mort Werner, NBC-TV vice president in charge of programs and talent, said that the trend towards the mini-series "is going to grow and grow and grow." He compared it to the old theatrical concept of booking a theater for a specific engagement, but in television, he said, "you book a time period" for a limited engagement as was done with *The Search for the Nile* on NBC-TV and *The Six Wives of Henry VIII* on CBS-TV.

The trend will grow, Mr. Werner contended, "not only because of the diversity that the audience will get but because of



The three television network program chiefs were together in person if not in strategies last week in this appearance before the Hollywood Radio and Television Society. L to r: Mort Werner, NBC; Marty Starger, ABC, and Fred Silverman, CBS.

the great break the producer gets when he only has to do six shows or nine shows instead of 24 or 25—in which he has to shoot at least one script that he doesn't want to shoot at all."

Martin Starger, vice president in charge of programming for ABC-TV, also spoke about the limited series or novel for television ("when two people in our jobs talk about the same subject that's the beginning of a trend"). The mini-series, Mr. Starger indicated, "certainly is going to be a very active form on ABC." Explaining the reasons, Mr. Starger pointed out that some material demands more than merely a single program to tell the story properly, while, "God knows five years or even five months of some series sometimes stretch the material beyond endurance." Emphasized Mr. Starger: "The material should dictate the length."

He cited several examples of mini-series being prepared for the network. The most spectacular: a presentation in August of the seven-and-a-half-hour-long Russian feature film, "War and Peace," to be shown over four consecutive nights in prime time. "It will be the first step for us, and a big one, in the development of the novel for television," commented Mr. Starger.

Other mini-series upcoming on ABC-TV, as described by Mr. Starger, include: production in August of "QB VII," Leon Uris's best-selling novel which will be run in 1973 for five to six hours over several nights in network prime-time; Irwin Shaw's novel, "Rich Man, Poor Man," also to have a limited run of about eight hours; a limited series of 13 original hour dramas entitled *The Jurors*, to be written and supervised by Reginald Rose.

"We really believe in this area of limited series or novels for television," said Mr. Starger. He indicated that ABC-TV already has spent more than \$3-million in development of the mini-series.

Fred Silverman, CBS-TV vice president for programs, acknowledged that he was the "lone dissenter." He pointed out that the CBS-TV program philosophy "goes back to the days when the radio

network was an infant." Enunciating that philosophy, Mr. Silverman said, "the backbone of a network television schedule is the continuing program series with continuing talent." To back up this contention, Mr. Silverman noted that seven of the top 10 programs this season are in the category of continuing series.

Balance, Mr. Silverman made clear, is what CBS-TV is seeking. The network program schedule, he said, should comprise "a fair percentage of situation comedies, comedy-variety and musical-variety, anthology drama and the continuing long forms with recurring characters." He pointed out that next season in prime time, CBS-TV will be presenting a mix of five-and-a-half-hours of situation comedy, three hours of comedy-variety, five-and-a-half-hours of motion-picture programming, five hours of action-adventure and two hours of general drama.

See you in September

The three networks have firmed the week when they will premiere their new prime-time fall shows. The starting date is Sept. 11 for all three. The date was disclosed at the Hollywood Radio and Television Society meeting where the program chiefs of the three TV networks faced the film production community.

Ready for kick-off: NBC's football line-up

NBC-TV's professional football coverage this year will be the most ambitious in its history, the network reported last week. A record 93 games, including the Super Bowl and an American Football Conference schedule of seven double-headers (tentative), two Saturday afternoon games, divisional playoffs and the AFC championship game are on tap beginning Sunday, Sept. 17.

Regular-season play will be preceded by coverage of three preseason games, all



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In Broadcasting, June 12.

Broadcasting

Is FCC moving to advocacy of open-entry satellite plan?

That's not definitely known yet, but it looks as though the agency is cooling toward its own staff's plan

The FCC last week heard two days of oral argument on the staff's proposal for establishing a limited-entry domestic communications satellite system—and and then, reportedly, began moving away from it. But it was not clear whether the commission was moving toward the position of open entry advocated by the administration.

The commission, which spent all of Wednesday in a special meeting on what is regarded as one of the most significant and difficult issues ever to come before it, did not reach any conclusions.

But the vehemence of the arguments against the proposal, by companies that would be forced into consortiums in order to go into the new space business as well as by the Department of Justice and the Office of Telecommunications Policy, appeared to have had an effect. Even the staff was said to have suggested that its proposal required modifications.

Under the staff proposal, companies utilizing similar satellite technologies would be required to share a common space segment. Fairchild Industries Inc. and MCI Lockheed would be allowed to establish their own systems, as they have proposed. Hughes Aircraft Co. and GTE Service Corp., which filed jointly, and Western Union Telegraph Corp., would be required to own common space segment, with Western Telecommunications Inc. and two RCA companies were given the option of sharing that segment or proceeding independently.

The Communications Satellite Corp. and AT&T would constitute another system in a separate segment, in which Comsat would lease facilities to AT&T, or enter the field as a supplier of service to customers other than AT&T. In the latter case, however, it could share ownership of one or more satellites with AT&T and act as manager of the system. Comsat has proposed both to lease facilities to AT&T and to establish a second multipurpose system of its own to serve other customers.

In written pleadings filed in response to the proposal (BROADCASTING, April 24) and in the arguments last week, only the companies that would be free to operate independently supported the plan. And the staff was said to have been struck by the argument of the opponents that forcing them into consortiums would be no easy matter.

There was no indication last week the

under the lights, beginning Saturday, Aug. 19 (9 p.m. NYT) when the Oakland Raiders meet the Los Angeles Rams in California. The New York Jets will go against the Dallas Cowboys, Saturday, Aug. 26 (9 p.m. NYT) followed by the Baltimore Colts and the Detroit Lions, Friday, Sept. 1 (8:30 p.m.) in Tampa, Fla.

In addition to all AFC games, NBC will televise 16 interconference games. Under National Football League rules, interconference contests will only be broadcast when an American Conference team is the visiting team.

The Super Bowl, alternating each year between CBS-TV and NBC-TV, is scheduled for Sunday, Jan. 14, from the Los Angeles Coliseum.

NTA pays \$2 million for Cary Grant rights

Stock purchase in actor's own companies key factor in getting five major films

National Telefilm Associates, Los Angeles, has acquired for theatrical and TV distribution a number of motion pictures starring Cary Grant.

Films acquired by NTA through the purchase of the stock of three companies owned by Mr. Grant are "That Touch of Mink," "The Grass Is Greener" and "Penny Serenade." Buy of the actor's stock in his own companies also gives NTA participation rights to "Walk, Don't Run." In addition, NTA has purchased rights to "Operation Petticoat" and "Indiscreet" directly from Mr. Grant. In all, NTA is believed to have spent in excess of \$2 million for the Cary Grant films.

Children's fare stays animated on networks this fall

To the programers, it's a marketable way to slip information into Saturday's diet; to the reformers, it's a sad step backward

The trend in next fall's Saturday-morning children's schedule is for the three TV networks to sugar-coat the information they're eager to provide to youngsters by encasing it within the cartoon format.

ABC, for example, has moved its live-action *Curiosity Shop* from the cutthroat Saturday-morning competition to a placid Sunday-morning time period (where the program's only competition will be CBS's *Look Up and Live* and a locally produced show which will appear on NBC-affiliated stations).

"But we've got a new cartoon show called *Kid Power*, which will be set in an urban neighborhood made up of

blacks, browns, yellows and every other racial and ethnic group you want to name," says Brandon Stoddard, the director of daytime programming for ABC. "It'll deal with everyday problems like getting along in school and how to handle a bully and how to care for a pet. We expect subjects like ecology to come up in the new episodes of the *Jackson Five* series, and the premise of the new *Osmond Brothers* cartoon show is an international goodwill tour, which will speak to a hands-across-the-sea kind of brotherhood."

CBS has erased the live-action *You Are There* from its upcoming fall schedule because, as explained by Allen Ducovny, the head of children's programming at the network, "we wanted something new and with this show we felt that when you revive an old property that's lying around in the files you're not moving ahead but standing still." The replacement is *Fat Albert and the Cosby Kids*, a cartoon comedy series (with some interpolated live-action stuff featuring Bill Cosby), which, according to Mr. Ducovny, "will incorporate learning experiences for children in some of the situations it deals with."

"Owens-Illinois Glass brought *Mr. Wizard* to us and we're dropping the show next fall because the company bowed out," says George Heinemann, NBC vice president for children's programs, about one of his network's live-action information shows. "And we think that by compressing *Take A Giant Step* from its current hour to a tighter 30 minutes we'll make it a better show." Mr. Heinemann is running a straight format of half-hour cartoon shows from 8 a.m. to 11:30 a.m. "But we've diversified them," he says, "so that there's one pure situation comedy, one social-commentary show, one just-for-fun comedy, one that's fully dramatic, and so on."

For economic reasons, all three networks are liberally sprinkling their Saturday-morning schedules with repeats. Almost half of ABC's line-up will include rerun episodes of *H.R. Puf n Stuf*, *Bewitched*, *Funky Phantom* and *The Monkees* and there'll be only six new half-hours of *Jackson Five*. CBS is playing back *Bugs Bunny*, *Sabrina the Teen-Age Witch*, and *Archie's TV Funnies*, and NBC, whose Saturday-morning schedule is undergoing the most violent upheaval of the three (with a total of six new shows), is rerunning *Underdog* and *The Jetsons*.

The biggest Saturday-morning revenue loss for the networks is likely to come when (as of Jan. 1, 1973) they lop three minutes off their current 12 commercial minutes per hour. To fill the extra program minutes that will be freed by this voluntary cutback, ABC has picked up a series of 90-second scholastic rock films called *Multiplication Is* and CBS is bringing back *In the News*, which consists of two-and-a-half-minute reports on current events. NBC has filmed longer episodes of its new series designed for scheduling after Jan. 1.

commission would swing over to a plan of completely open entry. The Justice Department, which urged the commission to adopt a plan closer to the open-entry proposal offered by the White House in January 1970, suggested that some restrictions be imposed on entry; consideration by the commission last week, and these were given considerable consideration. So were restrictions suggested by OTP, the administration spokesman.

Justice, for instance, has suggested that, during the initial phase of domestic satellite system operations, both Comsat and AT&T be prohibited from transmitting television signals, if the networks choose to switch from their terrestrial system. This would be designed to assure important business for competitive space systems. (The staff would go further with respect to AT&T and limit it to the carriage of its monopoly services—message toll and wide area telephone service.)

Both the department and OTP suggested another limitation aimed at meeting one principal concern that led the staff to propose a limited-entry system—the possibility that excess space capacity would result in losses to some common carriers that would adversely affect their other services. Justice and OTP said the commission could require an applicant to demonstrate that its proposed investment would not jeopardize its other services. OTP would make this “the sole economic criterion for authorization.”

The range of options discussed by the commission appears to have been quite broad. At one end, Commissioner Nicholas Johnson was said to have expressed as his first choice the removal of AT&T and Comsat from consideration for satellite business; other commissioners, however, reportedly appeared to favor the Justice-OTP approach. There was also talk of barring Comsat from serving AT&T, as a means of assuring competition in the new field.

The staff will prepare a list of possible policy choices, concerning the central question of entry as well as other issues involved in the proceeding, for consideration by the commission at its next meeting on the subject. One staff proposal that seems likely to emerge intact involves service for public broadcasters. The staff would not require carriers to assure free or reduced rates for such service; it says the commission lacks the information on which to base such a requirement. But it said the commission should consider specific proposals by carriers for preferential rate classifications and believes that carriers who have offered free service to public broadcasting should implement those proposals.

The concern of companies that are seeking entry into the new domestic-communications satellite field but fear the consequences of unrestricted entry was expressed by a number of those who appeared before the commission last week. Michael Bader, counsel for MCI-Lockheed, said, “We couldn’t afford open entry.”

“Let qualified applicants in,” he said.

“But put some restrictions on so that there will be entry by companies other than AT&T and Comsat. Don’t give us the reward of a license that will be worthless if AT&T takes all the business. Private line business is petty cash to them. But it’s lifeblood to us.” The commission staff would prohibit AT&T from using satellites for its private-line service.

On the other hand, David Acheson, the general counsel of Comsat, warned that the restrictions the staff has proposed putting on that company—principally the requirement that it be forced to choose between leasing facilities to AT&T and serving other customers—would seriously affect its role in the international field. He noted that, under the new Intelsat agreement signed last summer, Comsat’s role as manager of that international consortium will diminish; as a result, he said, it is important for Comsat to expand into the domestic field.

“If you tell Comsat it is limited to any market that does not support the kind of team Comsat has, you’re going to lose that team, which is interested in development, as well as its investors, who are interested in growth. You’ll lose a resource created by Congress.”

“We ask the commission to reject the restrictive policies recommended by the staff and to adopt an open-entry policy.”

Zap, it’s pay TV

Telebeam Corp., New York, has announced the development of a pay-television system that uses a laser to establish a direct, instantaneous link between a central transmitting facility and hotels, institutions, apartment houses or CATV facilities.

A spokesman said the system will be used initially in hotels to show feature films and to provide guests with other services, including information and reservations for restaurants and airlines, train schedules, and security protection. He said that subsequently the system will be expanded to institutions, apartment houses and cable-TV installations.

Technical Briefs

Mini Recorder. Nagra Magnetic Recorders Inc. is offering the Nagra SN, Swiss-made broadcast-quality miniature tape recorder (5.8 x 4 x 1.02 inches) with two speeds (3¾ ips and 1½ ips) with running time 27 minutes and 54 minutes, respectively, and with frequency range from 80 Hz to 15,000 Hz under optimum conditions. Price: \$1,298. 19 West 44th Street, New York 10036.

Calibration tape. Maxell Corp., Magnetic Tape Division, New York, is introducing calibration-standard recording tape for professional use by broadcasters, duplicators, recording studios and manufacturers of tape equipment. Maxell said it is only quarter-inch tape of its kind offered for sale in North America.

New tube available. Rank Precision In-

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dustries Inc., Des Plaines, Ill., has introduced new flying-spot cathode-ray tube for use in color-slide scanners. Rank says it has 30-second warm-up time, 10db increase in signal-to-noise ratio and 100% increase in tube life.

Cutting up. Tapecaster TCM, Rockville, Md., producer of broadcast and CATV cartridge tape equipment has announced new and inexpensive device for locating splice in endless loop cartridge tape. TCM model SL-1 splice locator costs \$75. 12326 Wilkins Avenue, Rockville, Md.

Has Dolby. Advent Corp. has announced availability of model 202 stereo cassette player incorporating Dolby system of noise reduction, as well as special playback equalization switch to permit use of ferrite or chromium oxide tapes. With frequency range of 30 hz to 15,000 hz, plus or minus 2 db, machine uses standard 1 3/4-ips speed, contains fully automatic shut-off at end of reel. Device is consumer product that is capable of being used for over-the-air broadcast, according to manufacturer. Price is \$129.95. 195 Albany Street, Cambridge, Mass. 02139.

The 500. Slide projector that can hold up to 500 standard (2x2 inch) slides, that changes slides in half second, and that has two, 1,200-w tungsten halogen lamps, providing for virtually instantaneous lamp replacement, is to be announced soon by Spindler & Sauppe Inc. Called Selectroslide 900, unit delivers 3,500-lumen output with f/2.5 lens. Provision also is made for rear-screen projection. Late this year, film-chain version is due. Price is not yet set but is in neighborhood of \$1,400. 13034 Satcoy Street, North Hollywood, Calif. 91605.

8 Chicago TV's reject Sears plan

Say switch of antennas to new building is not satisfactory long-term solution to interference problem

Sears, Roebuck & Co. is encountering opposition from most of Chicago's television stations in its attempt to soften the potential effect of its new 110-story headquarters on TV reception in that city.

Seven broadcast operators representing eight of Chicago's 10 TV stations, joined last week in a statement criticizing Sears's latest proposal as "neither a temporary nor a long-term answer" to the problems that may be posed by the Sears tower.

Sears has proposed to reinforce its tower to permit the installation of 350-foot antennas on top, and has asked the Federal Aviation Administration to approve the plan (BROADCASTING, May 1). Two Chicago TV stations, WLS-TV and WCIV-TV, joined in that petition to FAA and would move to the Sears building if it's approved. The others are now situated atop the John Hancock building—which the Sears tower will surpass as the city's tallest.

Representatives of those stations said

last week that the Sears assertions concerning possible effect on reception have not been tested by station consultants; that raising of the present height maximum, as requested of FAA by Sears, would only lead to another taller structure and another request some time in the future; that the stations now on the Hancock building have each made a "substantial financial investment" and committed themselves to a long-term lease at that location; and that the use of translators to ameliorate potential problems, as proposed by Sears, is "not a practical solution."

Additionally, the stations said: "We believe the question of television reception in Chicago is of extreme, but equal importance to each station. Any solution that is beneficial to some, but not equally to all, cannot properly respond to the public interest."

The broadcasters proposed an alternative solution. They urged Sears to reduce the height of its building by 250 feet and proceed with its already announced plans to use special treatment of the upper floors to lessen the problem of reflection.

Joining in the statement were the licensees of WBBM-TV, WMAQ-TV, WGN-TV, WFLD(TV), WCFL-TV, WSNS(TV) and commonly licensed noncommercial stations WTTW(TV) and WXXW(TV).

Betty Boop in color

Feature House, New York, a TV program distributor, claimed last week that a new film process will enable it to release to TV shortly 100 Betty Boop cartoons in color, though they were originally produced in black and white.

A Feature House spokesman said a new company, Color Systems Inc., New York, has developed a film process that converts old black-and-white film to color. The Betty Boop cartoons were produced in the 1930's by Max Fleischer and released theatrically by Paramount.

The principals in Color Systems Inc. are veteran program executive Eliot Hyman and Donald Klauber, who are board chairman and president, respectively, of Feature House.

Hughes gets new life in argument with AT&T

The FCC has opened the door for further litigation in a lengthy proceeding involving a complaint and request for damages against AT&T by Hughes Sports Network over the phone company's tariff policies.

The commission granted the HSN appeal of an FCC review board 1970 decision in 1970 that dismissed HSN's pleading for damages totaling \$140,419.50 from AT&T (BROADCASTING, Sept. 7, 1970). The review board had ruled that while AT&T's tariffs for part-time users of its TV interchange channel service were "unjust, unreasonable and discriminatory"—and therefore illegal—there was no basis for awarding HSN monetary relief. HSN sought the recovery of five-eighths of the total amount charged it by

AT&T in 1964-65, claiming that while it was only using the service about three hours a day, it was being charged for the full eight hours—minimum AT&T charge for service at that time.

On appeal, HSN had argued that it is entitled to reparation because the rates had been determined illegal. The commission agreed. It ruled, however, that the amount of damages to be assessed still must be decided, and remanded the case back to the hearing examiner for further deliberation.

Programing power to the people

Quadrant Communications puts hopes for new source of children's shows in cable-less, sound-sync film system

A lightweight super-8mm synchronous sound-filming system, said to offer high-quality performance at low cost, has been developed by Massachusetts Institute of Technology scientists and will be the centerpiece of a new approach to children's TV programing by Quadrant Communications Inc.

Quadrant is a new organization formed by Jeremy Gury, formerly deputy chairman of the board in charge of creative services for Ted Bates & Co. and still a creative consultant to the agency. Mr. Gury is chief stockholder and executive director (there is no president or chairman) of Quadrant, in which MIT also has an ownership interest.

Quadrant has the exclusive franchise for distribution and sale of the new cable-less sync system and in addition will use it in a fellowship program to encourage student filmmakers to produce for children's television.

The new camera with its associated audio gear is expected to sell for approximately \$1,500, according to Mr. Gury, as compared with about \$12,000 for a standard hand-held Bolex with sound. Although he plans to use it first in association with universities to expand programing for children, Mr. Gury also sees widespread uses for the system in television news and other TV programing and in a variety of educational, scientific, medical and other contexts.

The hardware, in Quadrant's description of it, "is so lightweight, so simple to use, so inexpensive, yet so versatile in its adaptability to video tape, video cassettes, video disks, 16mm and 35mm film, that it will change the whole ethos of filmmaking."

The system was built to specifications developed by Richard Leacock, the noted film documentarian, who is now professor of cinema at MIT. It is said to use available equipment with minor modifications and quartz crystals providing the controls that eliminate the need for an umbilical cord connecting the camera (a standard Nizo in the prototypes) with the sound recorder (a Sony cassette recorder). Thus camera and recorder can operate at widely separated points and

remain in sync, or several cameras may be synchronized with a single recorder. Camera weight is put at four pounds. The editing system is said to be both simple and inexpensive, with sound matching picture exactly. Color quality is described as "brilliant."

Mr. Gury, known as one of the most creative men in the advertising business, compares the Leacock-MIT camera system to Eastern Kodak's introduction of the Brownie camera, in that "it takes filmmaking out of the hands of the professionals—the 'film elite,' in Richard Leacock's words—and puts it in the hands of the people."

Getting the equipment into the hands of the people—specifically, student filmmakers at first—is at the heart of Quadrant's approach to children's TV programming. Quadrant plans to offer fellowship grants, which Mr. Gury says will average about \$5,000, through colleges and universities having filmmaking courses. The Leacock-MIT camera will be awarded as part of the grants.

Student fellows will produce films varying in length from three minutes to 58 minutes on any subject they wish, from pure entertainment to pure education, the only condition being that it be suited to an audience of children aged 4 to 14 (from which parameters Quadrant takes its corporate name). Completed Quadrant fellowship films, if accepted, will then be edited and packaged professionally and released for sale to stations. Quadrant will market the films, and the filmmaker and his college will share in the royalties. And when a project is over, the college will keep the equipment, which Mr. Gury sees as a continuing source of new films as well as a major contribution to the filmmaking art, since lack of equipment of any kind is a major problem even at top universities.

Mr. Gury, having made his mark in commercial TV advertising, knows that the films thus produced will have to be good enough to compete with commercial packages. He is convinced that many of them will be, that they will provide "a steady infusion of fresh TV material" and that, over time, a "reservoir of film material [will be developed] which, through commercial means, will find its way to tens of millions of television screens across our nation."

In fact, Quadrant expects within its first two years to obtain a 10% share of the \$175 million it estimates is spent annually for children's TV programming. To cover the risk that some of its student fellows will not produce usable films, it plans to offer commissions to experienced film people too.

Quadrant recently distributed to TV stations a questionnaire seeking their views on children's fare and their interest in obtaining new material. "The response," according to Mr. Gury, "has been overwhelmingly favorable. Naturally, the networks and many forward-looking stations have created fascinating material of their own, which is all to the good. Our position is that the availability of more good stuff can only serve to



These are the two halves of MIT's prototype 8mm sync:sound system. The resulting pictures are said to have theater-sharp brilliance when used in TV transmission. Cost of both the sound unit (left) and the camera is expected to be under \$1,000. Below: Jeremy Gury of Quadrant Communications, an ex-advertising agency executive, whose company will market the system.



upgrade the quality of what ultimately will be shown. Thus we do not consider that we are in competition with any existing programming facility."

As a preliminary test of the talent potential among student filmmakers, Quadrant has set up an interim program for students at five New England universities this summer: Harvard, MIT, Boston University, Brandeis and Yale. This program will be more limited than the regular fellowship program to follow, and will not include use of the Leacock-MIT camera. It will also be limited to projects that appear to be salable to commercial TV stations.

Just when the camera will be available in quantity is not exactly clear. The specifications are said to be complete—in

fact, they were described by Professor Leacock and associates at a technical conference of the Society of Motion Picture and Television Engineers in New York last week—and prototype models have been and are being used extensively by MIT students under Mr. Leacock's direction. MIT has not yet released the specifications for manufacturing cost estimates, however, presumably wishing first to make sure that patent protection has been established, or, in Mr. Gury's words, to "protect its property in every way possible."

Quadrant's offices are at 575 Madison Avenue, New York, in space provided by Paul Gaynor of Gaynor & Co., an early enthusiast of the Quadrant project. Telephone: (212) 688-6900.

CD shouldn't take charge

FCC reminds station of new EBS set-up, warning against relinquishing control of programing in emergency situation

Broadcasters are not to make private arrangements with civil defense authorities to turn over stations for the transmission of emergency warnings. That warning was expressed by John M. Torbet, FCC executive director, in a letter to Kenneth F. Small, WRUF-AM-FM Gainesville, Fla.

A county civilian defense office had proposed an arrangement with Mr. Small's station that would have placed a monitor receiver and a cassette-playback machine in the station with the understanding that, upon receipt of an emergency warning from the local civil-defense agency, the station operator would immediately broadcast the prerecorded cassette message.

Mr. Torbet told Mr. Small that broadcasters were withdrawn from the civil defense warning apparatus when the Emergency Broadcasting System was revised last month (BROADCASTING, April 10). And, he added, the Communications Act forbids a licensee from transferring or abdicating his responsibility for what is broadcast over his station.

John W. O'Connell of the national Office of Civil Defense in Washington agreed with Mr. Torbet's interpretation, but added that under the new plan, OCD will notify both the AP and UPI of the issuance of an official emergency warning notice which, presumably, will be received in the newsrooms of TV and radio stations. At which point, obviously, he said, they would be broadcast as news.

Four-channel FM: standards study to begin

EIA-sponsored committee will pass its recommendations to FCC

A National Quadraphonic Radio Committee meets for the first time tomorrow (May 9) in Washington with the objective of evaluating and recommending to the FCC a system of four-channel FM sound-broadcast transmission. The committee, sponsored by the Electronic Industries Association, is being organized along the same lines as that of the EIA

National Stereophonic Radio Committee that in 1960 developed proposals for compatible stereo broadcasting that was the basis for the FCC's stereo standards.

About 50 representatives of manufacturers and broadcasters are expected to be present for tomorrow's meeting, which has been organized by E. M. Tingley, EIA engineering aide.

Plans call for formation of six panels to work on system specifications, interconnecting facilities, broadcast transmitters, broadcast receivers, field tests and subjective aspects. Norman Parker, Motorola, has been named chairman of the system specifications panel. Compatibility will be one of the major issues.

Mr. Tingley said last week that he anticipated perhaps four or five quadraphonic systems will be under study, including those from CBS, Dorren and General Electric.

Class IV's after dark

FCC again refuses 1 kw power to locals, due to conflicts inside and outside U.S.

One month ago, the Community Broadcasters Association Inc. initiated its third campaign in a decade to convince the FCC that the class IV AM stations the organization represents should be permitted to boost their night-time power to 1 kw (BROADCASTING, April 10). It was a short-lived pursuit. The commission said—as it has twice before—that to schedule a rulemaking proceeding in this area at present would be a "futile action, which we will not undertake."

In 1964 and again a year later, the commission had denied CBA requests for a rule amendment to permit AM's on so-called local channels to operate with a maximum power of 1 kw full time. Present standards allow up to 1 kw during the day but only 250 w at night. On both previous occasions, the commission said that several factors—incompatibility of the CBA proposal with international agreements; interference to the signal of class IV stations that would be unable to increase their night-time signals, and insufficient support data—contributed to its decision to deny the request.

In its latest pleading, however, CBA had contended that these problems no

longer existed. It claimed that nearly all U.S. stations either now operate or are in the process of obtaining authority to operate with a daytime maximum of 1-kw, and that class IV stations with such an authorization would most likely have little difficulty converting their night-time patterns to that level. It also maintained that increased night-time power would improve the signal-to-noise ratio of each affected station's service area, thus enabling them to better compete with more powerful facilities in the market.

The commission agreed with CBA on those two issues, but rejected the group's argument that the international situation had changed since 1965 to an extent sufficient to enable all U.S. class IV's to increase their night-time power. The commission said that while an understanding might be reached through negotiations with Mexico on the CBA proposal, Canadian local-channel allocations are so inconsistent with the plan that that country's government could not be expected to agree to it. The commission also claimed that no understanding was likely with Cuba, the only other nation in the North American Regional Broadcasting Agreement affected by the proposal.

While the commission conceded that realization of the CBA proposal might be possible with the negotiation of a new North American agreement, it said it would be fruitless to pursue the matter at this time.

Newhouse loses case on media-control issue

Citing concentration-of-media-control grounds, the FCC's review board last week said that a subsidiary of the Newhouse Broadcasting Corp. should be denied authority to provide microwave relay service to WHMA-TV Anniston, Ala., and ruled in favor of a competing applicant.

The board's action overturned an initial decision of FCC Hearing Examiner Charles J. Frederick who proposed to grant authority to construct microwave facilities to serve the station to Newhouse Alabama Microwave Inc. The review board action now granted authority instead to Alabama Microwave Inc., an independent concern which had competed with Newhouse for the facilities in a comparative hearing.

The issues of that hearing—originally intended to judge the two applicants on a purely comparative basis—were subsequently enlarged to determine whether other media ownership by the Newhouse firm in the area (it owns WAPI-AM-FM-TV Birmingham, Ala., a CATV system at Anniston, the *Birmingham News* and *Huntsville [Ala.] News* and *Times*, and several magazines distributed in the area) involved a conflict of interest.

Mr. Frederick disposed of the concentration-of-control issue in ruling that Newhouse is entitled to the authorization on competitive grounds. On appeal of

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Alabama Microwave, however, the review board reinstated that issue and designated it as the deciding factor in awarding the grant to Alabama.

"While there are obvious distinctions between the broadcast and common-carrier services," the board said, "the numerous media of mass communications in north central Alabama with which Newhouse is affiliated and the dominant position enjoyed by those media places Newhouse, as a competitor and creditor of . . . WHMA-TV, in a position that is replete with possible, but nonetheless very real, conflicts of interest which could affect the reliability, effectiveness or reasonableness of its proposed microwave service."

Music

John Lennon's at it again, Pete Bennett's trying again, but it may not fly

New single, 'Woman Is Nigger of the World,' has set off more controversy than airplay in a cautious radio world

Pete Bennett, promotion manager for Apple Records, sat behind his desk staring at the label on the new John Lennon and Yoko Ono single. Slowly, he shook his head and muttered, "I just can't tell John nothin' any more, I just can't tell him nothin'."

It has been Mr. Bennett's job for the past two or three weeks to get radio stations to play that new record, a job he admits has been an uphill battle. How hard can it be to get a John Lennon record played? Plenty, when the title is "Woman Is Nigger of the World."

"John Lennon has always been the king of the Beatles," Mr. Bennett said, "the king of the industry. I've thought that all along." But, he continued, that prestige may not be enough to carry "Woman" to the almost two million sales Mr. Lennon enjoyed with "Imagine," his last single. So far, only five stations have added the song to their playlists: KDAY-AM) Los Angeles, WCFL(AM) and WBBM-FM Chicago, WPDQ(AM) Jacksonville, Fla., and WRNO(FM) New Orleans. (Although WCFL later withdrew it.) Massive college station mailings have been undertaken by Apple in hopes that increased sales to the college audience will help persuade the top 40's to go on it. Mr. Lennon has even gone on the stump himself, calling program directors with explanation and arguments for his controversial record. As of last Tuesday (May 3) Apple's records showed the single selling close to 100,000 copies, mainly in Chicago and New York.

The song, as the title portends, is about women and their sex roles. "Woman is nigger of the world" is the chorus. ("At

least with the [Bob] Dylan single, 'George Jackson,'" one program director said, "we could bleep out the one 'shit.' But on this one, it [the offending word] is in the chorus. Ain't nothing you can do here.")

And the last verse reads: "We insult her everyday on TV, and wonder why she has no guts or confidence. When she's young, we kill her will to be free. By telling her not to be so smart, we put her down for being dumb."

Obviously, most stations have felt that the wording was too offensive to use on the air. Jay Cooke, program director at WFIL(AM) Philadelphia, said "It's really



John Lennon

not so hard to imagine the song on the air. The difficult thing is trying to imagine the radio announcers saying the title."

"We're just not ready for it," explained WOR-FM New York program director Mel Phillips. "I think it will offend people and that's all there is to it. I tried it out on a couple of girls in the office, and they thought it was offensive."

Many program directors admit they are confounded by the new Lennon music. Chuck Dunaway, Program Director, WIXY(AM) Cleveland: "I think the record is just OK. And the word 'nigger' wouldn't deter us from playing it. I think Lennon's stuff has been very mediocre. He's just off by himself doing . . . God knows what he's doing."

Still other PD's feel there is no longer enough weight in the Lennon name to throw a new single on the air unchallenged. When KDAY first went on the record April 19, "the calls really poured in, mostly people who were outraged," says Bob Wilson, program director. "It got to the point that KDAY began taping the incoming calls and broadcasting them. "I got on the phone to New York," said Mr. Wilson and asked Pete [Bennett] if he could get John to call us. And he delivered for us. John and Yoko called at about 1:30 that first day and we taped about 15 minutes of the conversation, with John's explanation, and then aired it. From that point on, almost all the calls we got were positive."

Another positive response came from Representative Ronald V. Dellums of California, who wrote the Lennons after hearing the song: "If you define niggers as someone whose life style is defined by others, whose opportunities are defined by others, whose role in society is defined by others, then good news! You don't have to be black to be a nigger in this society. Most of the people in America are niggers." Congressman Dellums is black.

Musicians settle for less

The American Federation of Musicians has ratified a new contract with the phonograph recording industry, retroactive to April 1 when the old contract expired.

Due to wage-price regulations and increasingly stiff competition offered by foreign production, the union traded provisions for no raise in the basic scale rate for a contract of short-term duration. Scale for a three-hour session remains at \$90 in the contract, which runs for only 16 months. Previously, contracts were for three years.

In the area of classical and symphonic recordings, negotiators for AFM had expressed a willingness to cut present scales for a guarantee for increased U.S. and Canadian production. Spokesmen stated that such an agreement was "unattainable" and rates were held at the old levels.

The union was able to procure raises

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in the overtime rates, from \$25.07 for a half-hour to \$30; in employer contributions to the national pension and welfare fund from 8% to 9%, and to local funds from \$1 to \$2.

When the present contract expires on July 31, 1973, the union is expected to go after the much healthier raise some thought should have been negotiated for this contract.

Cable

Construction boom seen for cable

Expect take-off in next three years, Shapiro tells security analysts

A booming market for building and rebuilding cable systems over the next three years was projected last week by Moses Shapiro, board chairman of General Instrument Corp., New York.

Mr. Shapiro told a meeting of the New York Society of Security Analysts last Thursday (May 4) that he estimates "there will be a compounded annual growth rate of 21% for the building and rebuilding of CATV systems, going from a \$145-million market last year to \$255 million by 1974."

He reminded his audience that General Instrument is the parent company of the Jerrold Corp., which he said is "by far the largest CATV equipment designer and manufacturer and turnkey constructor." Noting that in 1971 CATV and related activities represented about 20% of General Instrument's total sales and is the second largest group, he predicted that within several years it will be "the biggest single element" because of the rapidity of its expected growth rate.

"We estimate that there were approximately 27,000 miles of system rebuilt during the year ended Feb. 29, 1972," Mr. Shapiro said. "We anticipate there will be about 31,000 miles built this fiscal year, about 37,000 next year, and approximately 45,000 miles the year after. That rate should continue for some years."

Mr. Shapiro stressed there is another

large market in the offing: equipment that will be required when two-way cable communication becomes a reality. He revealed during the meeting that Jerrold has developed a new digital responder or terminal that will be introduced at the National Cable Television Association's annual convention in Chicago next week.

"This digital transponder or terminal in the customer's home is the vital ingredient in any two-way system," he emphasized. "Without two-way communications, CATV has a wonderful future; with it, its potential is very, very heady stuff indeed."

Mr. Shapiro told analysts that General Instrument expects an increase in earnings for the first quarter, ending May 31, 1972, of 50% over the comparable quarter last year. General Instrument reported net earnings of \$1,177,174 in that quarter of 1971.

New alliance in Dayton

Cypress joins with citizen-owned firm in quest for franchise in that area

Cypress Communications Corp., Los Angeles, and Citizens Cable Corp., a newly formed organization owned by residents of a predominantly black area in Dayton, Ohio, will combine in equal ownership of a projected \$2-million cable TV system to be constructed in southwest Dayton, if the city commission approves their application.

Cypress Communications — working through a subsidiary, Cypress Cable TV of Dayton Inc.—also is asking the city commission to authorize the construction of a \$5.5-million cable system to other than the southwest portion of Dayton. The Cypress plan calls for dividing Dayton initially into two cable franchise areas, with an option to permit a future merger of the two Dayton cable systems. Minority citizens are guaranteed "full and equal participation" in the ownership of the southwest cable system, which would operate in a predominantly black area.

Cypress plans to invest as much as \$1.9 million in the southwest Dayton cable system to acquire its 50% interest. The remaining interest will be owned by Citizens Cable Corp., which hopes to

finance its participation through a registered public sale of its voting stock. The offering would be limited to citizens residing in the cable-TV service area.

Cypress is not the only firm to have looked into the Dayton market. The others presently taking an active interest are Continental Cablevision Inc., Boston-based multiple owner, and Montgomery CATV, a local firm.

Muscle building at the NCTA

Government relations gets beefed up with new chief, Charles Lipsen, and with more lawyers to come

Charles B. Lipsen, a Washington attorney with more than 20 years' experience in legal and legislative affairs, has been named vice president for government relations of the National Cable Television Association.

The appointment highlighted a week of organizational changes by the new NCTA president, David H. Foster. In his second week on the job, Mr. Foster filled all of the association's top-level vacancies and let it be known that additions are to come.

Mr. Lipsen, 46, served for 15 years as director of legislative and government relations for National Political Action of the Retail Clerks International Association, one of the nation's largest unions. Last year he entered the private practice of Washington representation.

While with the union, Mr. Lipsen also served as a political adviser and advance man for President Lyndon B. Johnson and his staff. The attorney was senior advance man for Mr. Johnson's visits to the Far East and Central America, and worked in his vice-presidential and presidential campaigns of 1960 and 1964.

NCTA's top government-relations slot has been vacant since last August when Herbert A. Jolovitz resigned. The special committee that was formed to find a successor interviewed Mr. Lipsen earlier this year and numbered him among its leading candidates, but he was initially lukewarm to the prospect.

Now, however, Mr. Lipsen—a driving, gregarious man who obviously relishes the Washington lobbyist's world—says NCTA "could be one of the organizations in this town. What really sold me on it was Foster, who's a tremendously bright guy."

Mr. Foster said last week in a statement that the appointment "signals a major strengthening and new emphasis by NCTA in the government-relations area." And there is evidence to support the comment. For one thing, his first meeting with Mr. Lipsen took place early in his first week as NCTA president. For another, NCTA will beef up its government-relations staff as never before. In addition to Mr. Lipsen—who will oversee all activities in his field, but will have primary responsibility for Capitol Hill—another lawyer was to be hired late last week to co-ordinate federal and state reg-

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ulatory matters. A third man will be named to work as "swing man" between the government-relations and legal departments.

Two other positions were filled last week by present staff members. Stuart Feldstein, acting general counsel since the resignation earlier this year of Gary Christensen, was named vice president-general counsel. Robert Stengel of the public-relations staff was named director of that department.

Additionally, there was an assortment of title changes. Wally Briscoe, managing director, was named senior vice president for association affairs; Don Andersson, director of membership services, becomes director of planning and statistical services; Delmer Ports, director of engineering, was made vice president-engineering; Charles S. Walsh, assistant general counsel, is now associate general counsel, and Beverly Murphy, convention coordinator, becomes both director of convention and special events and director of personnel and facilities.

Broadcast Journalism

Are licensing and free press compatible?

Salant urges professionals, citizens to find some 'sensible accommodation'

An adversary relationship between government and the press is natural and perennial, but it contains special dangers for media that are licensed by the government, the president of CBS News said last week.

Richard S. Salant told a meeting of the Journalism Foundation of Metropolitan St. Louis that there has been a tug-of-war between government officials—especially Presidents—and the press ever since the day of George Washington. But in the special case of broadcast journalism, he said, one of the adversaries—government—can exert specific, life-or-death pressure on the other.

The power of licensing, Mr. Salant said, "can be used, even if it has not been used, to chill broadcast owners and managers and the broadcast newsrooms." Citing "disturbing evidence" of how this power can be utilized, he urged print journalists, political scientists, teachers of journalism and concerned citizens to address themselves to this problem and try to find some "sensible accommodation."

He warned that if the public takes for granted that a free press and licensing are "perfectly compatible," the question might be raised that licensing might be a "good idea for print as well." The other difference between broadcast news and other forms, Mr. Salant said, is the degree to which modern Presidents use broadcasting, often for specific purposes. As an indication of the dimensions of growing broadcast use, Mr. Salant reported that President Roosevelt delivered

only seven "fireside chats" in his first four years in office, while President Nixon, in 39 months, has made 31 appearances on prime-time television, virtually all of them simultaneously on the three networks.

"The potential danger lies not only in the dominance of the 'ins' over the 'outs,' of the incumbent administration over the opposition," Mr. Salant ventured. "It is also a danger of an increasing dominance of the executive over the other two co-equal branches of our government, the legislative and the judicial, neither of which have the same ability to have the focus spotlight them, or to time and make news, or to speak with a single voice."

He noted that "these dangers of dominance fall short of total pre-emption and blackout." Mr. Salant pointed out that in regularly scheduled news, news interviews and documentary broadcasts, the views of the opposition and of members of the legislative branch are heard frequently.

"But these other broadcasts are themselves internally balanced—not skewed in one direction to offset the presidential direction," he acknowledged.

Mr. Salant suggested a step toward some restoration of balance among the three branches of government by proposing that both the arguments in the Supreme Court and the proceedings on the floor of the House of Representatives and Senate be open to radio and television.

Mr. Salant said cameras can be both inaudible and invisible and no extra

lighting is required. He voiced the view that coverage of the proceedings of Congress and the Supreme Court would prove to be extremely beneficial to the public in understanding the grave issues of today.

He conceded he had no simple or certain remedy to provide "greater assurance" of balance between the "ins" and the "outs." But he emphasized that the answer or answers should be sought and found by the public and the broadcasters and should not be mandated by the government.

Escape from besieged Hue

Networks charter plane, set up plan for eventual evacuation of newsmen

The danger to newsmen covering the stepped-up fighting in South Vietnam was pointed up last week in a cable to NBC News in New York reporting that the three TV networks have chartered a plane as an escape vehicle for their staffers in Hue.

Robert Toombs, manager of NBC News's Saigon bureau, said the plane will be based in Danang, and twice a day, at noon and at sunset, it will land at Phu Bai, an airfield seven miles from Hue, where it will wait 15 minutes with engines running.

"Dangers to newsmen are not only possible entrapment by enemy but also by refugees and deserters, who are desperate to get to Danang," Mr. Toombs said. "ARVN deserters yesterday pointed rifles at the [NBC correspondent] Jack Paxton

Trial by audience. WCCO(AM) Minneapolis-St. Paul not only covered a "murder" trial last Monday (May 1), but also provided the defendant. It was part of an elaborate promotion for Law Day, USA in conjunction with the Hennepin County Bar Association. The hour-long trial was based on an actual court records of a murder proceeding. The radio audience at home was empaneled by the presiding judge and will vote by postcard for the verdict. L-r: Hennepin county attorney George Scott, prosecutor; wcco announcer Charlie Boone, the "accused," Hennepin county Judge Donald Barbeau and St. Paul attorney Douglas Thompson, counsel for the defense.



crew demanding rides in our jeep. It now takes three hours to move the seven miles from Hue to Phu Bai because of refugees on the highways. And gasoline is running out."

Mr. Toombs reports that any network crews can elect to leave on the plane at any time. The plane will stand by in Danang 24 hours a day and can be moved up to Phu Bai, about 50 miles north of Danang, whenever a crew calls for it.

New network augments staff

Additional details on its two new network services, Mutual Black Network and Mutual Spanish Network, have been announced by Mutual Broadcasting System. Both went into service last week (BROADCASTING, May 1).

The black network, Mutual said, has approximately 40 affiliated stations, including the recent addition of WIGO(AM) Atlanta, and is broadcasting 100 five-minute news and sports programs weekly. Eight black newscasters and reporters have joined the staff: Shelton Lewis, newscaster and reporter, WPAT-AM-FM Paterson, N.J., has been appointed New York news director; Robert Nichols (formerly WUSN-TV Charleston, S.C.) and Gerald Bentley (KQV[AM] Pittsburgh) will serve as newscaster-reporters, and

Joe White, reporter and newscaster for the new network's key station, WNJR(AM) Newark, N.J., will serve also as weekend newsmen, all in New York; Ed Castleberry (WASH[FM] Washington), Larry Dean (WLIF[FM] Baltimore) and John Askew (WRVA[AM] Richmond, Va.), have become newscasters, and Abby Kendrick (National Public Radio talk-show hostess) has been named reporter, all in Mutual Black Network's Washington bureau.

The Spanish network, Mutual said, had 17 stations affiliated at start of service. It is broadcasting about 100 five-minute news and sports shows weekly and also occasional special-events coverage.

House divided on fairness

Dispute in Puerto Rico, now before FCC, involves senate, governor and agency

Two different branches of the government of Puerto Rico are sniping at each other over a fairness issue, with the FCC as battleground.

One is the senate, which wants time on noncommercial WIPR-TV Hato Bay to answer a "state of the commonwealth" address by Luis A. Ferro, governor of Puerto Rico. The other is the Department of Education, licensee of the noncommercial station.

In a fairness complaint earlier this year, the senate said WIPR-TV not only refused to present an opposing viewpoint in this case, but was guilty of a "pre-existing lack of balance" in its general coverage of politics there.

FCC Complaints and Compliance Chief William B. Ray said the complaint didn't warrant further consideration because no "detailed and specific evidence" was offered to support the charges. The senate then asked the FCC to reconsider that decision, and WIPR-TV responded last week.

It said the senate had erroneously postulated an automatic right of reply to answer a government official; had ignored "the well-settled principle" that licensees have the right to choose responding spokesmen; rested its complaint on an "impermissibly vague and legally insufficient base"; and had failed to meet the criteria required for valid fairness challenges.

Counsel for the senate in its fairness complaint is Joseph A. Califano, general counsel of the Democratic National Committee, which has filed similar petitions on national level—so far without success.

No proof in bias case

The New York City Commission on Human Rights has dismissed a complaint charging WNBC-TV New York with discriminating against Sherman Jackson, reporter who was discharged last December. Mr. Jackson had alleged he was dismissed because he is a Puerto Rican but the commission said there was insufficient evidence to support the charge.

Women fight lock-out at San Quentin prison

Two women journalists have filed a suit against San Quentin prison to prohibit it from barring females from a tour of the institution.

The suit was filed April 21 by Carolyn Craven of noncommercial KQED(TV) San Francisco and Elizabeth Coleman of the San Francisco office of *Newsweek* magazine. Both are covering the Angela Davis trial in San Jose, Calif.

According to John Thorn, the San Jose attorney representing the two women, the suit was brought as the result of a tour of the prison that was planned for reporters covering the Angela Davis trial. The prison would not allow women inside the prison, he said, and women make up about half of the 450 reporters covering the trial.

Mr. Thorn said the tour was canceled when he advised the prison that he was seeking a court order to restrain the prison from excluding women.

The suit, filed in superior court in Santa Clara county, Calif., also seeks \$10,000 in personal damages, Mr. Thorn said. He said the basis for the suit is a section of a California law that prohibits a state agency holding a meeting or other function from excluding persons because of sex.

To be reckoned with

Most broadcasters probably never heard of L. Patrick Gray III, the assistant attorney general, until his April 28 speech, attacking the news media (specifically including CBS and NBC) as biased (BROADCASTING, May 1). But President Nixon last week made it certain they will be hearing more about him in the months ahead. He named Mr. Gray, said to be a long-time friend, acting director of the FBI, to succeed the late J. Edgar Hoover.

Journalism Briefs

Reporting praised. Federal Aviation Administration and nation's scheduled airlines have commended WHN(AM) New York and WLS(AM) Chicago for editorial policies in treatment of airline security stories. WLS said station would no longer broadcast stories concerning aircraft crimes unless there is clear news value. WHN stated it would prefer missing air crime story, rather than "perhaps making other [such events] happen by glorifying the sickness."

TWA picks best. Trans World Airlines has announced winners of its 34th annual competition for excellence in aviation and travel reporting in 1971. Winners in broadcast category: KNX(AM) Los Angeles in local broadcast category for its series of editorials promoting air safety. In network broadcast, JEM Associates, New York, independent radio production company, for its broadcast over Mutual on international competition to build supersonic transport.

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Herald-Traveler in trouble

It lost WHDH-TV, it's losing money, and the newspaper may have to go

The management of the Boston Herald-Traveler Corp. has advised its stockholders that the future of the company is uncertain, now that it has lost its WHDH-TV Boston through reassignment of channel 5 to WCVB-TV Boston.

In recognition of this "uncertainty," President Harold E. Clancy reported unaudited first-quarter results showing an operating loss of \$1,040,477 for the 13-week period ended March 26, as compared with a loss of \$954,537 in the comparable period of 1971. Net loss, after recovery of income tax, was put at \$613,023 for the 1972 quarter and \$614,773 for last year's.

The report cautioned, however, that this year's first-quarter operating results are not indicative of the future because they include \$2,969,203 in television revenues through March 19, the date WHDH-TV ceased operating. For the same first quarter period, WHDH-AM-FM revenues were put at \$896,271 and the Boston Herald-Traveler newspaper's at \$6,135,889.

The 1971 annual report, which accompanied the first-quarter notice, said the company not only had lost WHDH-TV but had not received FCC action on its application to renew WHDH-AM-FM. The newspaper's losses, put at about \$5 million for 1971, "cannot be supported in its present form by our remaining resources," the report said.

"The loss of our right to operate channel 5 has necessarily resulted in large layoffs of employees in our broadcasting operation, has left us with a larger plant than we need and certainly one which our radio operation cannot be expected to support. These factors, and others, will adversely affect future results of operations."

Accordingly, the report continued, management is considering "courses of action which include not only the liquidation of television assets but also alternatives with respect to a major restructuring or liquidation of newspaper operations." Shareholders were told a special meeting would be called to submit management's recommendations, when set, for their ratification. In the meantime, the company's annual meeting that had been rescheduled to May 10 "will not be held."

The annual report said revenues contributed by television, radio and the newspaper in 1971 were approximately \$14.6 million, \$4.1 million and \$27 million respectively. The year's financial results—a net loss of \$309,971 as compared with profits of \$2,031,580 in 1970—had been announced earlier (BROADCASTING, March 13).



Among the elements of news given RCA stockholders last week was this demonstration of the company's new magnetic color video player system, designed to enable viewers to record and playback both broadcast programs and "home movie" video tapes through standard TV sets. RCA Chairman Robert W. Sarnoff (l) and President Anthony L. Conrad stand in as models for the demonstration.

No fires at RCA meeting

Uneventful stockholders' gathering is told company is recovering strongly after dumping profit-draining computers

RCA, in the wake of a surprising withdrawal from the general-purpose computer business and weighted with an overall loss of \$156 million for last year, still managed a hopeful, relatively placid annual meeting before some 350 shareholders in an NBC-TV studio in Burbank, Calif.

Robert W. Sarnoff, chairman and chief executive officer, immediately calmed what some industry observers felt may

become troubled waters ("Closed Circuit," May 1) with his opening remarks that indicated RCA's earnings are on an upward swing, coming in with a 10% profit gain over last year's first quarter, while sales set a new record for the period. In this year's first quarter, net profit from RCA's continuing operations was \$36.3 million, with earnings per share 47 cents, up from 42 cents in the first three months a year ago. First-quarter sales this year reached a record high of \$925 million, 2% above reported 1971 first-quarter sales including discontinued operations.

Contingent on the state of the economy and inflation, RCA "can look to a year of sales and profit improvement for the company as a whole," Mr. Sarnoff

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said. Both Mr. Sarnoff and RCA President Anthony L. Conrad called attention to the company's improved financial performance and stressed that computer business losses will no longer diminish overall corporate profits.

Mr. Sarnoff made it clear to shareholders that he was happy to have 1971—a year in which RCA took an extraordinary one-time, after-tax charge of \$250 million as a result of the withdrawal from computers—behind him. "We came through a turbulent period with our basic strength intact and with a clear perception of the course we must chart for future growth and profitability," Mr. Sarnoff said.

Sluggishness in the markets where its subsidiary NBC operates was noted by Mr. Sarnoff. NBC, he said, "had less improvement in advertising commitments than anticipated." Still, Mr. Sarnoff said, NBC sales and earnings increased during the first quarter of this year. He also noted that the broadcasting industry's "price structure appears to be firming after a long period of uncertainty."

Mr. Sarnoff spoke enthusiastically about RCA's development of Selectavision Magtape System, a magnetic-tape color-video player. The system "will be the first of an entirely new family of consumer electronic products," he promised, and it will project the company "into a larger area of growth" involving the home entertainment concept.

MGM selling record unit to Dutch conglomerate

Stockholders also told income from feature films, TV is down

Metro-Goldwyn-Mayer Inc., Culver City, Calif., has agreed in principle to sell its record division to the Polygram Group, while it is affiliated with N. V. Philips Goeilampenfabrieken, Netherlands (the electronics-entertainment conglomerate that includes North American Philips). The sale disclosure came in a special report to shareholders.

The report also revealed that MGM has agreed in principle to a new revolving credit plan with its lending banks to Dec. 31, 1973, for up to \$25 million to be used exclusively for construction of the company's Grand Hotel in Las Vegas.

MGM further told shareholders that as of March 11, it held contracts for the licensing of films on television that provide for future licensing payments amounting to \$28.3 million.

In giving shareholders more details of net income than were contained in a sparse six months financial statement issued previously (BROADCASTING, May 1), MGM disclosed that net income from feature films dropped to \$9 million for the 28 weeks ended March 11 from \$9.4 million during a corresponding period the year before. Net income from TV programs also dropped, to \$629,000 from \$1.2 million, while net income from records, tapes and music rose to \$1.3 million from \$581,000.



Last week's Teleprompter stockholders meeting in New York was the forum for Chairman Raymond P. Shafer's (at lectern) first official appearance since succeeding Irving Kahn in that capacity. Others of the executive team (l to r): Teleprompter directors Maurice B. Mitchell, chancellor of the University of Denver, and Jack Kent Cooke, and company president Hubert Schlafly.

Cost of Kahn's contract

Convicted ex-chairman of Teleprompter received over half-million dollars

Teleprompter Corp., New York, held a perfunctory, 26-minute annual meeting last week, but the most noteworthy development was the disclosure of the financial terms attendant on the departure earlier this year of Irving B. Kahn, the company's former chairman.

The proxy statement issued for the meeting showed that on Feb. 8 of this year, Teleprompter terminated Mr. Kahn's employment, effective May 8. Under an amended agreement, Mr. Kahn received \$250,000 for the year 1972 and an additional \$312,500 in connection with the termination. The agreement also provided that Mr. Kahn may not, prior to 1973, compete with Teleprompter by owning or operating CATV systems where Teleprompter or any subsidiary or affiliate now has a franchise.

Mr. Kahn was convicted late last year of conspiracy, bribery and perjury in connection with the award to Teleprompter of a CATV franchise in Johnstown, Pa. He was sentenced to five years in prison, and now is free pending appeals.

The proxy states that for 1972 Raymond P. Shafer, who has been chairman and chief executive officer since Feb. 5, is expected to receive annual remuneration at the rate of \$125,000. (In 1971 Mr. Kahn was paid a total of \$225,000.) Hubert J. Schlafly, president, and Robert H. Symons, vice president, CATV division, will receive \$70,000 each.

During the annual meeting, Mr. Shafer told shareholders that income and earnings in the first quarter of 1972 reached a record high. Income rose to \$14,385,468 from \$11,533,593 in the 1971 period and net earnings climbed to \$2,763,673

(equal to 20 cents per share) from \$1,728,524 (13 cents per share) in the same quarter last year.

Stockholders re-elected the 14-member board of directors and approved an increase in the authorized number of common shares from 20 million to 40 million.

Wometco's profit picture

Wometco Enterprises Inc., Miami, diversified company whose interests include stations and CATV systems, projects a profit increase of 20% in 1972 over 1971, predicated on a continuance of a healthy economy and the maintenance of wages and prices within federal guidelines.

Mitchell Wolfson, president, told shareholders at the company's annual meeting that after-tax profits of the television broadcasting division in the first quarter of 1972 were "substantially ahead" of those for the comparable 1971 period. He said earnings should continue to exceed 1971 levels because of "the pickup in retail sales and the rise in consumer spending."

He reported Wometco has developed a revolving line of credit up to \$15 million with a consortium of banks led by the First National Bank of Miami. He said the financing will be used to acquire additional CATV systems and Coca-Cola bottling franchises.

Steinway traded to CBS

CBS Inc. has acquired Steinway & Sons, piano manufacturer, for 375,000 shares of CBS common stock, worth about \$19 million as of last Monday (May 1), the day the closing was announced. Plans for the acquisition were announced earlier this year.

Financial Briefs

Zenith Radio Corp., Chicago, reported substantially higher earnings and sales for first quarter of 1972. Zenith said color TV was principal contributor to sales increase and that factory unit shipment of black-and-white TV's, radios, console stereos and tape instruments also showed increase over first quarter of 1971.

For three months ended March 31:

	1972	1971
Earned per share	\$ 0.53	\$ 0.41
Sales	181,718,000	149,305,000
Net income	10,108,000	7,874,000

Needham, Harper & Steers, New York, which was traded publicly for the first time on April 13, reported 31% rise in net income on gross billings that increased 29.5% for three months ended March 31:

	1972	1971
Earned per share	\$ 0.40	\$ 0.32
Gross billings	40,646,000	31,396,000
Net income	360,000	275,000
Shares outstanding	910,661	856,051

Interpublic Group of Companies, New

York, which showed \$259,000 loss in first quarter of 1971, reported profit for comparable quarter this year. Interpublic is agency complex, operates McCann-Erickson; Marschalk; William Esty, and Tinker, Dodge & Delano.

For three months ended March 31:

	1972	1971
Earned per share	\$ 0.13*	**
Billings	168,578,000	\$155,984,000
Net income	311,000	(259,000)
Shares outstanding	2,089,000	1,699,813

* Fully diluted
** No figure given.

Twentieth Century-Fox Film Corp., New York, reported declines in revenues and net income for three months ended March 25:

	1972	1971
Earned per share	\$ 0.40	\$ 0.53
Revenues	33,979,000	53,457,000
Net income	3,446,000	4,548,000

Capital Cities Broadcasting Corp., New York, has reported first-quarter net income up 53% over same period in 1971. Gain was attributed primarily to profits by television stations acquired from Tri-

angle Publications in April 1971 in Philadelphia, New Haven, Conn., and Fresno, Calif., and to over-all improvement in broadcast business.

For three months ended March 31:

	1972	1971
Earned per share *	\$ 0.45	\$ 0.30
Revenues	26,383,000	19,154,000
Net income	3,408,000	2,222,000

* Fully diluted

Lee Enterprises, Davenport, Iowa, group station owner and publisher of newspapers, reported increase in earnings and revenues for six months ended March 31:

	1972	1971
Earned per share	\$ 0.62	\$ 0.56
Revenues	20,265,325	17,948,283
Net income	1,914,043	1,650,550

McCaffrey and McCall, New York, increased billings and more than doubled its net income for the three months ended March 31:

	1972	1971
Earned per share	\$ 0.13	\$ 0.06
Gross billings	10,752,000	10,411,000
Net income	77,000	35,000
Shares outstanding	585,189	585,189

Broadcasting Stock Index

A weekly summary of market activity in the shares of 113 companies associated with broadcasting.

	Stock symbol	Exch.	Closing May 3	Closing April 26	Net change in week	% change in week	1972		Approx. shares out (000)	Total market capitalization (000)	
							High	Low			
Broadcasting											
ARC	ARC	N	67	67 1/4	- 1/4	- .37	76 1/4	51 1/4	7,095	475,365	
ASI COMMUNICATIONS	ASIC	O	2 1/4	2 1/2	- 1/4	- 10.00	5	2 1/8	1,815	4,083	
CAPITAL CITIES	CCR	N	56 1/2	56	+ 1/2	+ .89	64 1/4	48	6,236	352,334	
CRS	CBS	N	50 3/4	51 5/8	- 7/8	- 1.69	57 7/8	45 1/2	27,829	1,412,321	
COX	COX	N	41 3/8	41 5/8	- 1/4	- .60	49 3/4	36 1/4	5,827	241,092	
FEDERATED MEDIA	F	O	3 1/4	3 1/4			3 7/8	2 7/8	820	2,665	
GRDSS TELECASTING	GGS	A	18	19 1/8	- 1 1/8	- 5.88	23 7/8	12 1/4	800	14,400	
LIN	LINR	O	18 3/8	18	+ 3/8	+ 2.08	22 3/8	15 1/2	2,294	42,152	
MOONEY	MOON	O	10	10			10 1/4	4	250	2,500	
PACIFIC & SOUTHERN	PSOU	O	15 1/2	15 7/8	- 3/8	- 2.36	18 1/4	10 3/8	1,930	29,915	
RAHALL COMMUNICATIONS	RAHL	O	13 1/2	11 3/4	+ 1 3/4	+ 14.89	29	8	1,037	13,999	
SCRIPPS-HOWARD	SCRIP	O	23 3/4	23 1/2	+ 1/4	+ 1.06	27	18	2,589	61,488	
SUNDERLING	SDB	A	21 1/2	22 5/8	- 1 1/8	- 4.97	30 3/4	20 3/4	997	21,435	
STARR	SAB	M	27	27 7/8	- 7/8	- 3.13	28 1/4	15 1/2	732	19,764	
TAFT	TFB	N	49 1/4	48 1/4	+ 1	+ 2.07	57 1/4	41 3/4	3,707	182,569	
									TOTAL	63,958	2,876,082
Broadcasting with other major interests											
ADAMS-RUSSELL	AAR	A	5 1/4	5 1/4			8 3/4	5 1/4	1,250	6,562	
AVCO	AV	N	15 7/8	17	- 1 1/8	- 6.61	20 7/8	15 7/8	11,489	182,387	
HARTELL MEDIA	BMC	A	5	5 1/8	- 1/8	- 2.43	7 1/8	4 1/2	2,254	11,270	
BOSTON HERALD-TRAVELER	BHLD	O	12 1/4	15	- 2 3/4	- 18.33	30	11	589	7,215	
CHRIS-CRAFT	CCN	N	8 1/8	7 5/8	+ 1/2	+ 6.55	8 3/4	5 5/8	3,980	32,337	
COMBINED COMMUNICATIONS	CCA	A	32 1/2	36 1/2	- 4	- 10.95	42 1/2	30 1/8	2,534	82,355	
COWLES COMMUNICATIONS	CWL	N	10 5/8	10	+ 5/8	+ 6.25	12 1/2	10	3,969	42,170	
DUN & BRADSTREET	DNR	N	72 1/4	72 3/4	- 1/2	- .68	76 1/2	63	12,867	929,640	
FUQUA	FOA	N	24 1/2	25 5/8	- 1 1/8	- 4.39	27 7/8	20 7/8	8,120	198,940	
GARLE INDUSTRIES	GBI	N	30 3/4	28 1/2	+ 2 1/4	+ 7.89	32 1/4	24	1,872	57,564	
GENERAL TIRE & RUBBER	GY	N	29 1/8	29 3/8	- 1/4	- .85	32 5/8	24 5/8	19,483	567,442	
ISC INDUSTRIES	ISC	A	7 7/8	8 1/4	- 3/8	- 4.54	9 1/8	6	1,646	12,962	
KANSAS STATE NETWORK	KSN	O	6 3/4	6 3/4			7 1/2	6 1/2	1,621	10,941	
LAMB COMMUNICATIONS	L	O	3 1/4	3 1/2	- 1/4	- 7.14	4 7/8	2	475	1,543	
LEE ENTERPRISES	LNT	A	26 3/8	27 1/4	- 7/8	- 3.21	30	17 1/2	3,289	86,747	
LIBERTY CORP.	LC	N	21 1/4	20 7/8	+ 3/8	+ 1.79	21 5/8	17 1/2	6,753	143,501	
MEROITH CORP.	MDP	N	24	24 1/2	- 1/2	- 2.04	30 3/4	23 1/4	2,772	66,528	
METROMEDIA	MFT	N	33	32 7/8	+ 1/8	+ .38	38 7/8	27 1/4	5,995	197,835	
MULTIMEDIA INC.	M	D	42 1/2	43	- 1/2	- 1.16	44	14	2,408	102,340	
OUTLET CO.	OTU	N	17 1/8	17 1/8			19 3/8	14 3/4	1,334	22,844	
POST CORP.	PDST	O	23 3/4	25 1/2	- 1 3/4	- 6.86	30	9	912	21,660	
PUBLISHERS BROADCASTING CORP.	PURB	O	2 3/8	2 1/4	+ 1/4	+ 11.76	4 7/8	1 5/8	919	2,182	
REEVES TELECOM	RBT	A	3 1/8	3 1/2	- 3/8	- 10.71	4 1/4	2 3/8	2,292	7,162	
RIDDER PUBLICATIONS	RPI	N	30 1/2	31 1/2	- 1	- 3.17	34 1/2	26	9,146	278,953	
ROLLINS	ROL	N	36	35	+ 1	+ 2.85	36 1/4	33	12,241	440,676	
RUST CRAFT	RUS	A	33 7/8	34 1/8	- 1/4	- .73	36 3/4	24	2,318	78,522	
SCHERING-PLOUGH	SGP	N	99 1/2	95 1/8	+ 4 3/8	+ 4.59	99 7/8	82 5/8	25,174	2,504,813	
STORER	SBK	N	38 5/8	38	+ 5/8	+ 1.64	43 1/4	31	4,223	163,113	
TIME INC.	TL	N	56 1/2	55 1/4	+ 1 1/4	+ 2.26	64 3/4	53 1/2	7,278	411,207	

745,676 Shares

Combined Communications Corporation

Common Stock

(without par value)

Price \$36.50 Per Share

Upon request, a copy of the Prospectus describing these securities and the business of the Company may be obtained within any State from any underwriter who may regularly distribute it within such State. The securities are offered only by means of the Prospectus, and this announcement is neither an offer to sell nor a solicitation of any offer to buy.

Goldman, Sachs & Co.

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Blyth & Co., Inc.

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Incorporated

April 26, 1972

NOT A NEW ISSUE

870,000 Shares

Knight Newspapers, Incorporated

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(par value 8½¢ per share)

Price \$41.125 Per Share

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Goldman, Sachs & Co.

Blyth & Co., Inc.	The First Boston Corporation	Drexel Firestone <small>Incorporated</small>	duPont Glore Forgan <small>Incorporated</small>
Eastman Dillon, Union Securities & Co. <small>Incorporated</small>		Hornblower & Weeks-Hemphill, Noyes	
Kidder, Peabody & Co. <small>Incorporated</small>	Kuhn, Loeb & Co.	Lazard Frères & Co.	Lehman Brothers <small>Incorporated</small>
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Salomon Brothers	Smith, Barney & Co. <small>Incorporated</small>	Stone & Webster Securities Corporation	
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Clark, Dodge & Co. <small>Incorporated</small>	Dominick & Dominick, <small>Incorporated</small>	Equitable Securities, Morton & Co. <small>Incorporated</small>	
First Washington Securities Corporation	Robert Fleming <small>Incorporated</small>	Hill Samuel Securities Corporation	
W. E. Hutton & Co.	Kleinwort, Benson <small>Incorporated</small>	Oppenheimer & Co.	Piper, Jaffray & Hopwood <small>Incorporated</small>
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Suez American Corporation	C. E. Unterberg, Towbin Co.	G. H. Walker & Co. <small>Incorporated</small>	
Walston & Co., Inc.	Wood, Struthers & Winthrop Inc.	William D. Witter, Inc.	

April 26, 1972

Fates & Fortunes®

Broadcast Advertising

Thomas W. Lowey, executive VP and general manager, Clinton E. Frank Inc./ West Coast, Los Angeles, elected president of parent company, Clinton E. Frank Inc., Chicago, succeeding **Philip E. Bash**, whose resignation is effective June 1 (BROADCASTING, May 1).

Michael English, managing director, Hobson, Bates & Partners, London, named chairman and chief executive officer and member of board of directors of parent company, Ted Bates, New York. Also, **Joseph R. Mullie**, president and senior operating officer, Spitzer, Mills & Bates Ltd., Toronto and Montreal, named president and chief executive officer as well as Bates board member.



Mr. Warner

Charles H. Warner, formerly VP and general manager, CBS Radio Spot Sales, New York, and who spent few months this year as associate publisher in charge of advertising sales for *New York Magazine*, appointed VP and general manager of RKO Representatives, division of RKO General. He succeeds **Hugh Wallace** at RKO, who has been reassigned to corporate staff. Mr. Warner had been sales manager at WTOP(AM) Washington when he joined CBS in New York in 1967.

Mort Reich, VP and associate director, marketing and account services department, and **Brian McAdams**, VP for business and corporate development, J. M. Korn & Son, Philadelphia-based agency, named executive VP's.

Helmut Krone, co-founder, Case & Krone, New York, rejoins Doyle Dane Bernbach there as senior VP.

Larry Noedel, VP for research, Gardner Advertising, St. Louis, elected to board of directors.

Richard Schwarzschild, VP, marketing and advertising, Aurora Products Corp., West Hempstead, N.Y., named executive VP, Helitzer Advertising, New York.

Robert A. Fearon, president, Friedlich, Fearon & Strohmeier, New York-based agency, joins Doremus & Co. there as VP and creative director.

James Himonas Jr., VP and account supervisor, Ogilvy & Mather, Los Angeles, elected senior VP. Also, **Bruce Nicolayson**, creative director, and **Leon Olshaver**, management supervisor, same city, elected VPs. In New York, **James Surmanek**, account supervisor, and **Whitfield Jack**, copy group head, elected VP's.

William Eckert, VP, Kenyon & Eckhardt,

Chicago office, named VP in charge of program department. **Kenneth E. Lane**, manager of media department, Chicago, named VP. **Herbert Riddick**, former marketing consultant, joins K&E, New York, as account executive.

Paul Myers, senior account executive on General Foods at Dancer-Fitzgerald-Sample, New York, named VP.

Bernard Kvale, VP, sales manager, Avco Radio Sales, Chicago, moves to New York office in same position; **David Greacen**, sales manager, Detroit, replaces Mr. Kvale, and **Robert Lurito**, account executive, Chicago, succeeds Mr. Greacen.

Jack Barlow, with Detroit office, BBDO, named VP.

Dom Fioravanti, account executive Metro Radio Sales, New York, appointed manager, Philadelphia office.

Robert J. Fox, account executive, Gardner Advertising, St. Louis, appointed account supervisor.

D. Edward Curran, head of his own agency in Philadelphia, joins Aitkin-Kynett there as senior creative supervisor.

Pat Porter, media director, Doe-Anderson Advertising, Louisville, Ky., appointed to newly created position of media/markets coordinator.

Gary C. Freeman, associate brand manager, Scott Paper Co., Philadelphia, joins Hoefler, Dieterich & Brown, San Francisco agency, as account manager.

Randall D. Grimm, account executive, Leo Burnett, Chicago, joins Barnes-Chase Advertising, San Diego, in similar capacity.

Murray Levine, sales director, WMCA(AM) New York, appointed sales manager.

William E. Parke, sales manager, KQV(AM) Pittsburgh, joins WLCY-AM-FM Tampa-St. Petersburg, Fla., as sales manager.

Robert Poller, with sales staff, WQAM(AM) Miami, joins WAIA(FM) there as sales manager.

Tom Sidley, with sales staff, ABC Radio, joins KDEO(AM) El Cajon, Calif., as general sales manager.

Michael Murphy, with WIDB(AM) Carbondale, Ill., appointed assistant sales director.

Richard Brown, formerly with Revlon, New York, joins Market Compilation and Research Bureau, as associate marketing manager for its Western marketing offices, North Hollywood, Calif.

Stephen N. Finkel, director, sales promotion, REA Express, New York, appointed director of communications, responsible for firm's programs in advertising, PR and sales promotion.

Nancy Swiet, broadcast buyer, Arthur Meyerhoff, Chicago, appointed media supervisor.

Jim Boldebook, operations director, WTYM(AM) East Longmeadow, Mass., appointed creative director, Black &

The new board of NBC-TV affiliates, meeting in Los Angeles last week (see page 36), elected its 11-member board of delegates. **Robert W. Ferguson**, executive VP and general manager, WTRF-TV Wheeling, W. Va., was re-elected board chairman. New board members are **Wilson C. Wearn**, president, WFBC-TV Greenville, S. C. and **Fred Paxton**, VP and managing director, WPSD-TV Paducah, Ky. The board now comprises (seated, l to r): **Norman Bagwell**, VP and general manager, WKY-TV Oklahoma City (who becomes secretary); **Ancil H. Payne**, president, King Broadcasting Co., Seattle (who becomes a vice chairman); **Mr. Ferguson**, and **Harold Froelich**, general manager, WTVQ(TV) Rockford, Ill. (who continues as a vice chairman). Also (standing, l to r): **Mr. Wearn**; **William R. Roberson Jr.**, president and general manager, WITN-TV Washington, N. C.; **H. Ray McGuire**, VP and general manager, WALA-TV Mobile, Ala.; **Joseph (Dody) Sinclair**, board chairman, The Outlet Co., Providence, R. I.; **George C. Hatch**, president, KUTV(TV) Salt Lake City; **Mr. Paxton**, and **M. E. Greiner Jr.**, VP and general manager, WMC-TV Memphis.



Musen, advertising and PR agency there. **Mort Weinstein**, director of media, Lennen & Newell, New York, appointed to similar position with Shaller-Rubin there. **Joseph J. Sullivan Jr.**, director, special projects, CBS-TV sales, New York, appointed director of sales, Corinthian Television Stations there.

Neal Weed, retail sales manager, WIND-AM Chicago, appointed sales manager. **Ann Jaeger**, assistant advertising and sales promotion manager, WIND, appointed advertising and sales promotion manager.

Gene Bowen, salesman, KFTW(AM) Fredericktown, Mo., appointed sales manager.

Debbie Stone, copywriter, Daniel & Charles, New York agency, joins H.A.M. Advertising there in similar capacity.

James V. Barton, advertising manager, Paper-Mate Pen Co., division of Gillette, Chicago, joins S. Jay Reiner, New Hyde Park, N.Y.-based media buying service, as VP, Midwest region, and head of new Chicago office at 221 N. LaSalle Street.

Media

Richard F. Carr, general manager, KCMO-AM-KFMU(FM) Kansas City, Mo., named VP of parent, Meredith Broadcasting.



Mr. Moe

Mr. Shockley

Tony Moe, president of Horizons Communications Corp. of Wisconsin, Madison, Wis.-based group owner, leaves to become executive director of Wisconsin Education Communications Board, independent state authority which operates nine-station TV network in Wisconsin and expects to build additional four TV outlets shortly. **Terry K. Shockley**, VP for sales, WKOW-TV Madison, Wis., named executive VP and general manager, Horizons Communications Corp. Horizons operates WKOW-TV, WAOW-TV Wausau, and WXOW-TV La Crosse.

Victor Luddington general manager, KTOP(AM)-KHFI-FM-TV Austin, Tex., elected to additional responsibilities as VP of licensee, Kingstip Communications.

Jason Shrinsky, Washington communications attorney, named president of National Broadcasters Club, Washington, succeeding Leonard Tuft of RCA. Other officers named: **David Sherrick**, VP, marketing, Versitron Inc., named first VP; **James Hulbert**, executive VP for public relations, National Association of Broadcasters, named second VP; **Roy Easley**,

assistant executive director, Association of Maximum Service Telecasters, named treasurer; **James Price**, assistant VP, General Telephone & Electronics Corp., named secretary. All located in Washington.

Tad Jones, local sales manager, WFBL-AM Syracuse, N.Y., appointed manager. **Jerry McElroy**, with sales staff, succeeds Mr. Jones as local sales manager.

Tom Chauncey, president of KOOL Radio-Television Inc., Phoenix, announced the following seven appointments: **Homer Lane**, VP and general manager, KOOL-AM-FM-TV, moved up to executive VP and general manager, KOOL Radio-Television Inc. **Robert Martin**, general executive with KOOL organization, named VP and assistant manager of corporation. **Les Lindvig**, VP, sales, for KOOL-TV, also named VP television, in addition to responsibility for all national and local sales efforts. **Robert Davies**, station manager, KOOL-TV, promoted to VP sports, special projects and television production, KOOL-AM-FM-TV. **Marge Injasoulian**, director of promotion/publicity, made VP and takes charge of information services for KOOL stations. **Bill Close**, manager of news for KOOL stations, and **Al Hillstrom**, director of engineering, also named VP's in their respective departments.

Louis Miller, public affairs, and promotion director, WCBD-TV Charleston, S.C., re-elected national president, Alpha Epsilon Rho, national honorary radio and TV fraternity. **Dr. Richard M. Uray**, chairman, broadcast sequence, University of South Carolina, Columbia, elected executive secretary. **Pepper Gould**, University of Miami, elected national VP. **Steve Miller**, Washington State University, Pullman, elected international professional alumni coordinator.

James B. Anderson, general sales manager, WSPA-TV Spartanburg, S.C., appointed station manager.

Mort Roberts, program director, WEXT(AM) West Hartford, Conn., assumes additional duties as assistant general manager.

Lovey Gale, with WPDQ(AM) Jacksonville, Fla., appointed operations manager, KFTW(AM) Fredericktown, Mo.

CBC chief to UN

The president of the Canadian Broadcasting Corp. has resigned to accept a high-level position with United Nations in New York. **George Davidson**, career civil servant, joined the state-owned network in 1968. His departure comes in the midst of a strike by CBC's 2,100 members of the National Association of Broadcast Employees and Technicians, which remains unresolved after three-and-a-half months.

Mr. Davidson will serve as the UN's undersecretary general in charge of finance and administration, said to be the body's number two job.

Roger Turnbeaugh, general manager, KFIG(FM) Fresno, Calif., joins WDAI(FM) Chicago in similar capacity.

Kevin McKay, promotion manager, KBAY(FM) San Jose, Calif., appointed director of client relations.

Programming

Willis Duff, regional VP, Metromedia Radio, and general manager, KSN(AM) San Francisco, named corporate VP, programming, Firestone Communications Inc., licensee of KSDO(AM) San Diego.

Alan Sacks, director of TV program development for Metromedia Producers Corp., Hollywood, named VP in charge of TV program development.

Philip Slavick, production manager, WMC-TV Memphis, appointed program director. **Jay Perkins**, with station's staff, succeeds Mr. Slavick.

Robert M. Newgard, VP, syndication for Paramount Television, Hollywood, since 1967, named VP in charge of network sales as additional responsibility.

Gordon Bellamy, animator for *Sesame Street* and for Walt Disney Productions, named VP and director of animation, Focus Design Inc., animated film studio, New York.

Terry M. Keegan, manager, live nighttime program operations, West Coast, NBC-TV, Burbank, Calif., appointed manager, program development, West Coast.

Jack Haley Jr., producer-director of TV specials, particularly for Wolper Productions, Los Angeles, appointed director of creative affairs for Metro-Goldwyn-Mayer, Culver City, Calif.

Sid Kaleheim, attorney in legal department of Screen Gems, Hollywood, appointed executive assistant to VP in charge of studio affairs.

Roger A. Skolnik, advertising and sales promotion manager, WIND(AM) Chicago, moves to WOWO(AM) Fort Wayne, Ind., as program manager. Both are Westinghouse Broadcasting stations.

George Lindblade, photographer, KMEG-TV Sioux City, Iowa, joins KCAU-TV there as director of creative film services.

Tom Robertson, former director of documentary unit, Avco Broadcasting, Cincinnati, appointed executive producer of firm's newly created children's programming unit.

Thomas A. Ashwell, executive producer of programming and director of public affairs, KDKA-TV Pittsburgh, joins Avco Film Productions, division of Avco Broadcasting, Cincinnati, as production manager.

Paul Wolfe, with WJCL-TV Savannah, Ga., appointed program and promotion director.

Ted Jones, station manager, WFBL(AM) Syracuse, N.Y., appointed manager, Innovators, production firm affiliated with WFBL.

Russ Barnett, director of programming for KMPC(AM) Los Angeles for last 10 years,

leaves to start West Coast-based broadcast consultancy.

Corky Mayberry, on-air personality for KBBQ(AM) Burbank, Calif., appointed program director.

Dale Reed, with KUGN(AM) Eugene, Ore., appointed program director.

Robert Kaiser, executive producer, WTTW-TV Chicago, has resigned after 10 years with station to form his own company, Magic Lantern Productions.

Charles Gingold, program director, KJEO-TV Fresno, Calif., appointed program and promotion director, KATU-TV Portland, Ore.

Paul Stagg, with WWTC(AM) Minneapolis-St. Paul, appointed operations director.

Samuel Glick, operations director, WIDB(AM) Carbondale, Ill., appointed program director.

Rick Trayler, music director for KSFX(FM) San Francisco, appointed program director.

Andrew Key, with KOTE(FM) Lancaster, Calif., appointed program director.

Forrest (Skip) Wilkerson, with WHBQ-FM Memphis, appointed director of operations.

M. Phillip Byrd, with KWAV(FM) Monterey, Calif., appointed program director, noncommercial WFSU(FM) Florida State University, Tallahassee.

Broadcast Journalism

Don C. Becker, manager of Caribbean division, UPI, San Juan, Puerto Rico, appointed to newly created position of Florida manager of UPI, Miami, in charge of news, news pictures and business operations. **Frank D. Eidge Jr.**, state editor for Florida, UPI, Miami, appointed Florida editor.

Jeff Clarke, with news staff, WSAU-TV Wausau, Wis., moves to KCAU-TV Sioux City, Iowa, as newscaster and reporter. Both are Forward Group stations. **Jolene Stevens**, with news staff, KMEG-TV Sioux City, joins KCAU as reporter.

Edward F. Greaney, Jr., program director, WMC-TV Memphis, appointed to newly created position of assistant general manager in charge of news and public affairs.

Patrick E. McGrath, former reporter with WBAL-TV Baltimore, appointed news correspondent, WTOP-TV Washington.

Chris Antonacci, with staff, ABC News, New York, joins WLOS-TV Asheville, N.C., as news writer and reporter.

Glen Broughman, with news staff, WFTV-TV Orlando, Fla., joins new staff, WNEM-TV Bay City-Saginaw-Flint, Mich.

Mark Scott, afternoon news anchorman, WJW-TV Cleveland, joins WAVE-TV Louisville, Ky., as anchorman.

Betsy Ashton, with WTTG-TV Washington, joins WWDC-AM-FM there as news reporter.

Robert Peter Pantano, news director,

WCDQ(AM) Hamden, Conn., appointed news editor, WNAB(AM) Bridgeport, Conn.

Adam Powell III, anchorman of three-hour morning news show on WRVR(FM) New York, appointed assistant news director. **Robert Siegel**, reporter for WRVR, succeeds Mr. Powell.

Charles Morgan, newscaster-news writer-editor, KFVB(AM) Los Angeles, joins KABC(AM) there, as associate editorial and community relations director.

Steve Korker, sportscaster, noncommercial WRTI-FM Philadelphia, appointed sports director.

Cable

Vern Milligan, national accounts manager, Electronic Industrial Engineering, Los Angeles, manufacturer of cable-systems, joins Daniels & Associates, Denver-based CATV firm, as VP.

Don Thomsen, VP for marketing, John Colling Enterprises, San Francisco, electronics distributor, joins Anixter-Pruzan, Seattle, as CATV division manager.

Robert Schenrock, superintendent of construction of Television Communications Corp.'s Akron Cable-Vision, appointed manager of TVC's Allband CableVision system, Olean, N.Y.

Paul E. Starger, manager and chief engineer, Alpine TV Cable Co., Alpine, Tex., joins TM Communications Co. of Florida, multiple CATV owner, Tampa, Fla., as development engineer.

Equipment & Engineering

Robert T. Kreiman, VP and general manager of Suburban Companies, Pomona, Calif., elected president of Deluxe General Inc., Hollywood, motion picture laboratory subsidiary of 20th Century-Fox Film Corp.

William F. Tait, division VP for government-services marketing, RCA Service Co., named division VP, government field-marketing operations, for RCA Government and Commercial Systems.

Robert M. Fisher, director of engineering of Trans-World Communications, Las Vegas-based closed-circuit TV division of Columbia Pictures Industries, named VP for office, engineering operations. **Abe**

Rounding out radio

Three new members of the National Association of Broadcasters Small Market Radio Committee have been named for two-year terms by Vincent T. Wasilewski, NAB president. They are: **Arch Harrison Jr.**, WJMA-AM-FM Orange, Va.; **William J. Ryan**, WNOG(AM) and WNFN(FM) Naples, Fla., and **Al Rock**, WSMN(AM) Nashua, N.H.

Continuing on the committee are **Clint Formby**, KPAN-AM-FM Hereford, Tex., chairman; **Harry E. Barker**, KQMS(AM) Redding, Calif.; **Richard Painter**, KYSM-AM-FM Mankato, Minn., and **Walter L. Rubens**, KOBE(AM) Las Cruces, N.M.

Kamzan, head of New York Career Academy, national vocational school, appointed New York branch manager, Trans-World.

William J. Clark, director of engineering for radio and TV divisions, RKO General, New York, elected VP of engineering for divisions.

Ernst Eliassen, VP for engineering and operations, Canadian Overseas Telecommunication Corp., Montreal, elected chairman, interim communications satellite committee, governing body of International Telecommunications Satellite Consortium (Intelsat).

Jim May, assistant national sales manager for consumer products, James B. Lansing Sound, equipment manufacturer, Los Angeles, appointed assistant communications manager. **Bill Robinson**, merchandising manager, Stereoland, Detroit, succeeds Mr. May.

Thomas R. Meyer, systems engineer, Hubert Wilks Inc. Communications Facilities Consultants, Los Angeles, appointed sales applications engineer. **Tele-mation**, Salt Lake City-based equipment manufacturer.

Cecil Frazier, head of own TV service and engineering consultant to KFTW(AM) Fredericktown, Mo., appointed chief engineer for Love Broadcasting Co., station's licensee.

Robert G. Engelhardt, former technical director and assistant general manager, KMEG-TV Sioux City, Iowa, joins WHO-AM-FM-TV Des Moines as chief engineer.

Warren Gregoire, with engineering staff, KSFX(FM) San Francisco, appointed chief engineer.

Allied Fields

John H. McMahon, with spectrum management task force, FCC, Washington, appointed chief of task force's system engineering group.

Lorie Molnar Nalley, partner in communications law firm, Molnar & Gammone, Washington, appointed deputy chief counsel, economic development administration, U.S. Department of Commerce there.

Deaths



Harry A. Karr Jr., 51, general manager, WRC-AM-FM Washington, died May 3 in Suburban hospital, Bethesda, Md., of stroke. Mr. Karr had spent more than 25 years with NBC, joining its WRC in 1947 as salesman. He subsequently held positions as sales manager and station manager. In 1968 he was elevated to general manager. Mr. Karr is survived by his wife, Elaine, and one daughter.

Shigeo Mizuno, 72, board chairman of

Nippon Cultural Broadcasting Co., Tokyo, died May 4 there of liver ailment. He had been board chairman of company since 1968.

Elmar Simm, 67, former senior editor of Voice of America's Estonian service, died April 30 at Providence hospital, Washington, after lengthy illness. He is survived by his wife, Emilie.

William Hardy Fisher, 58, music arranger for *Ed Sullivan Show* for 23 years and 12 years for *Jackie Gleason Show*, died April 24 in Greenwich hospital,

Greenwich, Conn. He is survived by his wife, two sons, and one daughter.

Harry L. Wingfield, 56, chief engineer of WLTV(TV) Jacksonville, Fla., died April 30 there of gunshot wound in apparent robbery of his private workshop. He had been station's chief engineer since 1957. Mr. Wingfield is survived by his wife, Miriam, two daughters and one son.

Harry Joe Brown, 79, veteran film producer-director, died in Palm Springs, Calif., April 28 of apparent heart attack. Mr. Brown, best-known for his work in

motion pictures, also produced *Mr. and Mrs. North*, *Adventures of The Falcon* and *Topper* TV series. He is survived by his wife, Dorothy, and one son by previous marriage.

Lyle Bond, 55, sports director for KFMB-TV San Diego, died of apparent heart attack April 14 in San Diego. Mr. Bond, who joined KFMB stations in 1960, broadcast football games of San Diego Chargers on KFMB(AM) for seven seasons. He is survived by his wife, Violet, son and daughter.

For the Record.

As compiled by BROADCASTING, April 25 through May 2, and based on filings, authorizations and other FCC actions.

Abbreviations: Alt.—alternate. ann.—announced. ant.—antenna. aur.—aural. aux.—auxiliary. CATV—community antenna television. CH—critical hours. CP—construction permit. D—day. DA—direction antenna. ERP—effective radiated power. khz—kilohertz. kw—kilowatts. LS—local sunset. mhz—megahertz. mod.—modification. N—night. PSA—presunrise service authority. SCA—subsidiary communications authorization. SH—specified hours. SSA—special service authorization. STA—special temporary authorization. trans.—transmitter. UHF—ultra high frequency. U—unlimited hours. VHF—very high frequency. vis.—visual. w—watts. *—educational. HAAT—height of antenna above average terrain. CARS—community antenna relay station.

New TV stations

Rulemaking actions

■ Corpus Christi and Galveston, both Texas—FCC amended TV table of assignments by assignment of ch. *16 to Corpus Christi as reserved educational assignment, assignment of ch. 47 to Galveston and redesignation of Corpus Christi ch. *38 as unreserved channel (Doc. 19390).

Existing TV stations

Final actions

■ WKRQ-TV Mobile Ala.—Broadcast Bureau granted CP to change type trans. Action April 28.

■ *WHYY-TV Wilmington, Del.—Broadcast Bureau granted CP to install trans. as alt. main trans. at main trans. location. Action April 26.

■ WINK-TV Fort Myers, Fla.—Broadcast Bureau granted CP to move presently licensed aux. trans. to main trans. and ant. location. Action April 26.

■ WGAN-TV Portland, Me.—Broadcast Bureau

granted request for authority to operate remote control from 390 Congress Street, Portland. Action April 24.

■ KSD-TV St. Louis—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 1111 Olive Street, St. Louis. Action April 24.

■ KTVI(TV) St. Louis—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 5915 Berthold Avenue, St. Louis. Action April 24.

■ WWNV-TV Carthage, N.Y.—Broadcast Bureau granted CP to change ERP to 302 kw (vis.) 44.7 kw (aur); change type trans. Action April 21.

■ KLAS-TV Las Vegas—Broadcast Bureau granted request to operate trans. by remote control from 250 East Desert Inn Road, Las Vegas. Action April 24.

■ KXJB-TV Valley City, N.D.—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 4000 West Main Avenue, Fargo, N.D. Action April 24.

■ WLWT(TV) Cincinnati—Broadcast Bureau granted CP to install aux. trans. to be used as aux. trans. Action April 26.

■ KOB(TV) Medford, Ore.—Broadcast Bureau granted CP to install old main trans. as aux. trans. at main trans. and ant. location. Action April 26.

■ KVDO-TV Salem, Ore.—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 3000 Portland Road, N.E., Salem. Action April 24.

■ WTSJ(TV) San Juan, Puerto Rico, and satellites—FCC denied petition by Telesanjuan Inc., licensee of WTSJ(TV) and satellite stations WMGZ(TV) Mayaguez, and WPSJ(TV) Ponce, asking reconsideration of FCC order designating for hearing Telesanjuan's applications for renewal of licenses and for a grant of renewals without hearing. Action April 26.

■ WPHL-TV Philadelphia—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 1230 East Mermaid Lane, Philadelphia. Action April 26.

■ KVUE(TV) Austin, Tex.—Broadcast Bureau granted mod. of license covering operation of trans. by remote control from 3201 Steck Avenue, Austin. Action April 24.

■ *WHATV-TV Madison, Wis.—Broadcast Bureau granted CP to change ERP to vis. 339 kw, aur. 67.6 kw; trans. location to approximately 250 ft. north northeast of present site; studio location to 821 University Avenue, Madison; change type ant.; make changes in ant. structure; HAAT 1,250 ft. Action April 26.

Actions on motions

■ Chief, Office of Opinions and Review, in revocation of license of United Television Co. of New Hampshire for WMUR(TV) Manchester, N.H., etc., granted petition by ABC and extended through April 28, time to file responsive pleadings to supplement to petition for reconsideration (Docs. 19336-38). Action April 21.

■ Chief, Office of Opinions and Review, in New York (WPIX Inc. [WPIX] and Forum Communications Inc.), TV proceeding, granted motion by WPIX Inc. and extended to May 5, time in which to file consolidated response to Forum's motion to strike, motion for leave to file supplement to petition for reconsideration or clarification of redesignation order, petition for review, motion to consolidate and request for oral argument (Docs. 18711-2). Action April 17.

■ Chief, Office of Opinions and Review, in Ponce, Puerto Rico (Ponce Television Corp. [WRIK]), TV proceeding, granted petition by Ponce and extended through May 10, time to file responsive pleading to WAPA-TV Broadcasting Corp.'s petition for reconsideration of hearing order or for clarification of issues (Doc. 19459). Action April 19.

■ Hearing Examiner Frederick W. Denniston in Dubuque, Iowa (Dubuque Communications Corp. [KDUB-TV]), TV proceeding, on examiner's own motion, scheduled further hearing for May 16 (Doc. 19339). Action April 24.


■ Hearing Examiner Isadore A. Honig in Ponce, Puerto Rico (Ponce Television Corp. [WRIK-TV]), TV proceeding, extended to May 17, time to respond to first motion for production of documents, etc. of WAPA-TV and to May 17, time to respond to interrogatories of WAPA-TV Broadcasting Corp. (Doc. 19439). Action April 17.

■ Hearing Examiner Forest L. McClennig in Boston (RKO General Inc. [WNAC-TV], et al.), TV proceeding, on examiner's own motion, scheduled further hearing conference for May 1 (Docs. 18759-61). Action April 24.

■ Hearing Examiner Ernest Nash in revocation of license of United Television Co. of New Hampshire for WMUR(TV) Manchester, N.H., etc., on oral request of Broadcast Bureau and applicant, scheduled conference for April 20 (Docs. 19336-8). Action April 18.

■ Hearing Examiner Ernest Nash in revocation of license of United Television Co. of New Hampshire for WMUR(TV) Manchester, N.H., etc., postponed hearing scheduled for May 16. Hearing date will be scheduled at conference to be held after commission completes its action upon petition for reconsideration filed by applicants (Docs. 19336-38). Action April 24.

■ Hearing Examiner Chester F. Naumowicz in Daytona Beach, Fla. (Cowles Florida Broadcasting Inc. [WESH-TV] and Central Florida Enterprise Inc.), TV proceeding, granted motion by Cowles and extended to May 11, time to file response to certain Broadcast Bureau interrogatories and requests for

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Radio Help Wanted Management

Assistant manager in small market. Must be strong on sales—some announcing—some programing—some local news. Number two man now—possibility of becoming number one man later. Box D-239, BROADCASTING.

Young family man for operations manager of FM stereo in midwest small market. Must have good sales record, top quality announcing and production ability and preferably experience with automation equipment. Send tape, photograph and complete resume. Box E-33, BROADCASTING.

Program director—fine position with eastern group station. Half million market—all replies strictest confidence. Box E-104, BROADCASTING.

General manager—credentials in sales, programing, promotion and talent, to build ratings and revenue for AM station in large southeastern city. Must be 30-40 years. Send resume and character references. Box E-109, BROADCASTING.

Wanted—sales oriented, repeat, sales oriented general manager for established, in-the-black, fulltime Christian, 50,000 watt FM radio station. Excellent opportunity—entire run-of-the-market. Resume and references to WVAF, Box 4318, Charleston, W. Va. 25304.

News directorship—excellent opportunity—group owned operation—Pennsylvania—market of 500,000. Telephone 717-823-0196.

Sales

Salesman: Sell small competitive Georgia market . . . announce only if necessary. Idea man with experience only. Write Box E-20, BROADCASTING.

California daytimer seeking experienced, creative salesman, and/or RAB trained. Salary, bonuses, incentives. Box E-117, BROADCASTING.

Sales-announcing job in stable 5,000 watt fulltime contemporary station. Salary guaranteed plus commission on sales. Individual must be able to sell, service and produce announcements. Experienced personnel with stable work record only, please. Address tape and resume to K-W-E-W, Box 777, Hobbs, New Mexico 88240.

Maine's fastest growing broadcast group needs experienced salesman. Show us your billing, what you made last year, and we'll top it. WGHM, Skowhegan, 04976.

Sales manager needed for modern C&W to replace present one moving up after five years. Present accounts list plus hard work should earn you \$15,000 first year. References will be checked. Call or write WHIT Radio, New Bern, N.C. 919-637-4450.

The new "rock" of Harrisburg needs several young and aggressive heavy-hitters. If you've reached your potential in a smaller market in or around central Pennsylvania and want bigger and better horizons, join our contemporary group operation. Call or send resume to: Robert J. Abernethy, General Sales Manager, WKBO, 31 N. 2nd St., Harrisburg, Pa. 16801. (717) 233-6571.

Salesman, WMKC Radio, Oshkosh, Wisconsin. Immediate opening. Salary plus commission plus assumption of current long term accounts plus liberal company fringe benefits. You can realistically expect to earn over \$10,000 your first year. Contact William Shaw, Manager.

Announcers

Modern country jock thoroughly experienced and knowledgeable in both country music and good radio. Prefer light southern or southwestern accent. Major market. Send tape, resume to Box E-47, BROADCASTING.

AM TV in small city mid Atlantic state looking for a versatile experienced 1st phone announcer. 3-hour MOR board shift plus TV weather and or sports opportunity. Need immediately. Send air check, pix, resume and salary requirements. Box E-67, BROADCASTING. Equal opportunity employer.

Announcer—first phone capable of an air-shift and good production. Some studio maintenance. Send tape with resume, photo and salary requirement. Fine opportunity in large Southwest Ohio market. Box E-77, BROADCASTING.

Announcers continued

National syndication company wants announcers who will record during spare time. Send audition tape and resume to Box E-79, BROADCASTING.

Eight station group operation seeks a morning "personality" for full-time station in top 30 markets. All replies will be held in confidence. Don't pass this one up! Tape and resume to Box E-88, BROADCASTING. An equal opportunity employer.

Experienced announcer-salesman for North Dakota station. Wonderful opportunity. Paid insurance and a good list of accounts currently on air. Pleasant working conditions. Box E-95, BROADCASTING.

\$200 per week for cookin' top 40 pro. with experience and decent voice. First phone desired but not mandatory. No maintenance. Large market. Box E-120, BROADCASTING.

Top jocks wanted for top pay. Canadian station in a two station 1/4 million people market is looking for a top morning man & early afternoon man. The pay is high for the right personalities. Box E-138, BROADCASTING.

Immediate opening for experienced MOR personality to communicate mid-morning/early afternoon shift . . . also do some TV for this Indiana facility . . . Send air-check, resume, and pic to Box E-140, BROADCASTING.

Mature announcer/salesman to sell part time at 5,000 watt, full time Michigan station. Good opportunity to expand experience and income. Sales and announcing experience required. Send tapes and resume to Box E-144, BROADCASTING.

Possible opening for mid-day jock or production man at KAAV, 50,000 watt contemporary rocker. Send tape, resume, photo to Wayne Moss, KAAV Radio, P.O. Box 1790, Little Rock, Arkansas 72203. Applicant needs four years minimum experience or damn good voice and board work. KAAV is an equal opportunity employer—male or female.

Christian programed station needs experienced announcer-program director. Must have strong background in production. Must be mature self-starter interested in keeping sound of station fresh and alive. Contact: Dick Bott, KCCV #43 Blue Ridge Center, Kansas City, Mo. 64133.

Phoenix. Immediate opening for all-night announcer. Mature, dependable, enthusiastic, experienced pro sought. Beautiful music format, 5 nights a week, \$750 mo. to start. Rush tape, resume, and references to Tom Churchill, KRFM, P.O. Box 10098, Phoenix 85016.

Top Montana station needs announcer with 1st phone. Aggressive 5 KW. Extra benefits. Salary open. Send tape and resume to Jerry Black, KSEN Radio, Shelby, Montana 59474.

First phone; professional; strong news; work with automation; afternoon-evenings; six-day week; top pay; health-insurance benefits. Adult format. Call Wayne Jordan, KXL, Portland, Oregon—503-654-3193.

Experienced staff announcer, 3rd ticket, with local news and production background. Suburban Philadelphia. WCOJ, Coatesville, Pa. 215-384-2100.

Radio announcer air personality with production ability for leading MOR station in Walt Disney World area. Great opportunity in dynamic area. Send air check, including production spots and resume to: Bill Taylor, Program Director, WDBO, P.O. Box 1833, Orlando, Florida 32802.

Classical music announcer, WFMT, Chicago seeks person who knows and can announce fine arts programing, straight forward commercials, and news, with dexterity to handle board. Equal opportunity employment. Starting salary in excess of \$10,000. Send non-returnable tape and resume by May 10 to Norman Pellarini, WFMT, 500 N. Michigan Ave., Chicago, Ill. 60611.

Top 40 DJ with large market experience. First phone desired but not required. Not MOR—top 40; not stream top 40 but a warm moving blend in between. Call Tom Bell, 703-534-9625.

Immediate opening for a full time staff announcer with an interest in becoming Program Director. Must be good in commercial production. Call 1-617-632-1340. Ask for Ken Patch.

Technical

Chief engineer for stable directional. Very fine equipment and pleasant family living conditions. No shift, combination or sales work. Please send salary requirements and resume to Box D-283, BROADCASTING.

Indiana AM-FM has position open soon for announcer-maintenance-production combo. First phone essential. Must be team member. Station heavy on community involvement. Good pay for good man. Ideal spot to settle down. Send resume, tape, and references. Box E-133, BROADCASTING.

Chief engineer—Wanted by progressive AM. Preferably, a combo man who can handle small announce shift and take full responsibility for maintenance of studio and transmitter. Excellent working conditions. Good compensation and fringe benefits. Wonderful area in which to live. If you're the man, call or write immediately. WHUT, P.O. Box 151, Anderson, Indiana 46015.

TV engineers. Summer relief. May to October. FCC 1st class license required. Call collect or write to E. H. Merlihy, WKBG TV, P.O. Box 56, Boston, Mass. 02102, 617/288-3200. An equal opportunity employer m/f.

We need an experienced chief engineer-announcer . . . strong on both. AM-FM, some new, all good condition. Good station, fine opportunity for man who wants long term position in pleasant, growing university community. WSPT, Stevens Point, Wisconsin 54481.

First ticket engineer for maintenance and production work. No announcing. Call Ed Buterbaugh, 703-538-6937.

News

If you are energetic, capable and can follow direction maybe you can fill our news director slot. Send tape, salary requirements and references (which will be checked). Gas, life, hospital, dental ins. furnished. We welcome replies from minority groups. Box D-157, BROADCASTING.

Large group chain needs newsmen with the ability to write and deliver. Good salary, good vacation plan, and an opportunity to work with an operation that believes in news! Tape and resume to Box E-87, BROADCASTING. All replies confidential. An equal opportunity employer.

Wanted . . . Radio-TV newsmen for medium sized midwest market. College degree and at least one year's experience desired. Send air-check, resume, and pic to Box E-139, BROADCASTING.

Medium market 10,000 watt news station looking for a man who likes medium market radio and loves news. 1st phone helpful. Position can lead to top administrative position in news. No beginners. Must be available immediately. Contact Don Blythe, KOAM, Pittsburg, Kan.

Newsmen for large market R & R Station. Heavy on public affairs and contact with top public officials in nation's Capital. Call Joe Salvo, 703-533-3237.

Programing, Production, Others

P.D./production for Mod C&W. Only professionals need apply as the responsibility is great . . . but so are the benefits. Send resume, air check, production to Box E-4, BROADCASTING.

Major market rock station looking for good voiced production coordinator. Writing ability a must. If you're an intelligent pro, send a tape and resume to Box E-32, BROADCASTING.

P.D. for top 50 midwest market contemporary station. First ticket preferable for three hour air shift. Good administrator required for group operation. Mail tapes, resume with salary requirements, to Box E-121, BROADCASTING.

A progressive AM station in Northern Ontario, Canada, is looking for a top program director. Applicant must have extensive background with a successful station. Salary is exceptional for the right man! Box E-137, BROADCASTING.

Production director for major market station in Florida needs a pro who can write, voice and produce quality commercials. Send production tape and resume to Box E-143, BROADCASTING.

Radio Help Wanted

Programing, Production, Others

continued

Production wizard wanted. If you write and produce excellent spots, we'll reciprocate with an excellent salary and benefits. Several former major market pros are here now, and we need one more. Up-tempo MOR format. Great living conditions. Tape, resume and references to . . . Program Director, WCCW, Traverse City, Michigan 49684.

Production director for leading MOR stations in dynamic Central Florida area. Must have mature voice, imagination and production ability. Send tape of production spots, air check, and complete first letter to: Bill Taylor, Program Director, WDBO, Post Office Box 1833, Orlando, Florida 32802.

Growing department of Mass Communications needs additional faculty member with specialty in Journalism Production. Would also be able to teach beginning communication theory courses. Required: M.A. completion, several years field experience, some teaching background. Candidates with some strength in broadcasting will be favored. Salary expected to be \$11,000 by September 1, 1972. Chico State College is an affirmative action employer that encourages ethnic, minority, and women candidates. Contact George Rogers, Mass Communications Department, Chico State College, Chico, California 95926, (916) 345-6355.

Situations Wanted, Management

Gold mine running out? You may have the wrong map! Let me provide a new one! Box D-225, BROADCASTING.

Successful young FM manager presently employed looking for long term sales/management opportunity. \$15,000 first year. Box E-21, BROADCASTING.

GM/SM, creative, innovative. Great management record, AM/FM, major and suburban markets. "Pro" who can make sick stations well, healthy stations healthier. Sales-maker oriented. Communications grad, family man. Employed, station being sold. Box E-38, BROADCASTING.

Presently employed in New York City. Strong in sales—both national and local levels. Six years in television, thirteen years in radio. Let me share my experience and know-how with you. Box E-107, BROADCASTING.

If you're looking for take charge manager to direct all facets of operation, you're the man I'm looking for. Program, sell and engineer your sleeper to sales giant; up through ranks. Jock, P.D., top 20 market, now in sales, first ticket. Family, prefer Fla. Country format, small or medium market. Box E-123, BROADCASTING.

Community oriented broadcaster ready for a take charge position. Background in sales, programming, engineering, and public service. Prefer small to medium market in west or southwestern area. Box E-142, BROADCASTING.

Sales

Versatile broadcaster, strong emphasis on "Street" sales . . . 14 years radio/TV experience in "getting the job done," sales, programming, engineering. 12 "Street" years tangible/specialty sales. Knowledgeable, loyal, no problems. Family man, first ticket, wear several hats, prefer sales. Good references instead of phony track records and gimmicked resumes. Write Box E-18, BROADCASTING.

Announcers

DJ, tight board, good news, commercials, 3rd phone. Box D-176, BROADCASTING.

Experienced first phone professional. Rock, up tempo mid road, country. Box D-196, BROADCASTING.

Play by play hockey announcer available. Seven years experience. Tapes available. Will relocate. Box D-279, BROADCASTING.

Fill your vacancy with some good old fashion talent! Box E-8, BROADCASTING.

Announcer/newsmen at #1 station in top 35 markets wants to relocate to the west, southwest or west coast. Any size market. All replies will be answered. Box E-15, BROADCASTING.

MOR announcer. Relaxed, conversational. 26, married, 3rd. Will relocate anywhere. \$125 weekly. Box E-27, BROADCASTING.

Attention soul and contemporary stations tired of looking for a dependable DJ as I am for a dependable station. Then let's talk. 3rd, 5 years experience. \$150 week. Box E-39, BROADCASTING.

Announcers continued

Los Angeles personality—(MOR—C&W) top ratings (Pulse) good pipes, humor, wit (first phone). Box E-41, BROADCASTING.

Have worked top 10, medium, and small market radio as jock and news. Now want to settle in southern N.J., southeast Pa. Area with growing station or group. Box E-44, BROADCASTING.

Don't have good voice . . . but do have good personality. . . . That's what I'm selling—personality. Three years experience MOR/first phone. No small markets. Box E-46, BROADCASTING.

Twenty-two years radio and television. Eight years in nation's capital, including staff with C.B.S. affiliate. Third class with endorsement. Box E-75, BROADCASTING.

Young first phone announcer. Approximately one year major market progressive rock experience, music programming. Prefer California, others considered. Canada included. Box E-76, BROADCASTING.

Black female personality seeks FM or AM station. N.Y. trained 3rd phone, well modulated voice. Stable. 212-527-0068 or Box E-80, BROADCASTING.

DJ "can cut it." 3rd endorsed. Tight board. Top 40. Box E-91, BROADCASTING.

First phone, MOR, no maintenance, B.A. degree, TV, over 4 years radio experience, mature, current music director in minor market wants to move up. Box E-94, BROADCASTING.

A professional: sales, NAFB member, production, degree, likeable. Box E-96, BROADCASTING.

Sincere warm announcer, family man, wants to settle. Box E-100, BROADCASTING.

I play the Master game. Simple but effective. Can handle any format. Box E-103, BROADCASTING.

10 year pro, contemporary/MOR personality-morning man. Experienced in all phases. Strong production, top ratings, programming and sales. 1st phone. 29-year-old family man clearing five figures looking for PD position or staff job with a future in medium or metro. Add this community minded, friendly voiced pro to your staff now. Box E-106, BROADCASTING.

Small market announcer ready for move up. B.A., 3rd, 2 years experience, late night, evening slot with smooth sound. Box E-108, BROADCASTING.

Weekend—Recent grad four years with college FM and now in securities is looking for an informal N.Y.-N.J. station with weekend spot for oldies, rock or C&W. Main interest fun, not money! For tapes, etc., please write Box E-111, BROADCASTING.

Experienced—2 yrs. in D.J., news, production, and sales. Prefer N.Y., N.J., or Conn. area. Good voice and dependable. 3rd endorsed. Box E-113, BROADCASTING.

Football play-by-play broadcaster, norwork level background. Free-lance or full-time, professional or college games, available for 1972 season. Box E-115, BROADCASTING.

First phone, authoritative news, top salesman, 1 1/2 years broadcast school including TV news, college, happy seeking progressive MOR or MOR. Box E-116, BROADCASTING.

Finkle Farnbaum has rated my morning show QJ. First phone personality with glowing glarfb. Box E-119, BROADCASTING.

First phone pro. Experienced all formats. Married/28/college grad. Present manager best reference. Box E-122, BROADCASTING.

Chicago, South Bend area, attention! Five year pro, first, married, military complete, available August first. Box E-125, BROADCASTING.

Good recommendations, 1st phone. Experienced production, announcer. I want to work. Will relocate. I want to stay and grow. Box E-128, BROADCASTING.

100 miles N.Y.C. Experience with major metro N.Y.C. network and other stations. All phases of broadcasting, good production. All this in one package with first class ticket . . . plus maintenance. Box E-130, BROADCASTING.

Born again Christian—many years—radio witness. First phone. Seeking gospel. Leadership/announcing. Box E-131, BROADCASTING.

Modern country deejay . . . 9 solid years experience including management. Hard worker and very knowledgeable. I need a good salary, but I'm worth it. South or West only. Box E-132, BROADCASTING.

Announcers continued

Experienced personality-plus jock available immediately. Three years in medium-major market. Strong news and production background. Have worked all formats, prefer rock. The right job is first, location second. Box E-134, BROADCASTING.

First phone, three years experience, interested in progressive MOR, top forty or mod C&W in small to medium market in middle Atlantic area, prefer all night air trick, Harvey Apatoff, 4006 Fallstaff Road, Baltimore, Maryland 21215, (301) 764-1496.

Professional. Seventeen years. Finest background. Present employer best reference. Veteran with college. Strong news background. Third ticket. Phone 217-429-0414.

First class license, limited experience, prefer country-western. Don Bach, 3325 Hubbell, Lot 98 Des Moines, Iowa 50317, Phone 515-262-8065.

Sincerely love radio . . . have ability, need opportunity to develop . . . third endorsed . . . 1 1/2 years experience weekends, small market, modern country . . . desire contemporary MOR, modern country . . . south, southwest, west . . . excellent references . . . hardworking, dependable, dedicated . . . college graduate . . . married . . . veteran . . . Danny Church, 3709 Jean Place, Apt. B, Metairie, Louisiana 70002. 504-282-6729, Monday-Friday, 8AM-5PM only.

Mature: 16 years local radio. 1st phone. Possibly good combo anchorman for small friendly operation near larger city. Central to Southeast states. 40's but versatile, cooperative, dependable. Small family, good reference, no relocation problems. Moderate salary. No sales. Smith, 305-686-1441.

Announcer, music director; over 3 years experience, 25. Seeking position with MOR/Contemporary station. 515/682-1102.

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22-year-old first-phone. News, board, transmitter shift. My main interest is news, but will do air shift. I'm presently employed, 1 1/2 years experience same station. \$125.00 week. Will relocate any area. Box E-110, BROADCASTING.

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Television Help Wanted Management

continued

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San Francisco VHF seeks summer relief engineer. Prefer color video tape, transmitter, maintenance. First phone required. Equal opportunity employer. Resume to director of Engineering, KQED-TV, 1011 Bryant Street, San Francisco, California 94103.

Need 1972 electronics school grad for cable TV audio/video board work and control room maintenance. Some broadcast experience preferred. Pay modest. Growth opportunity for dedicated individual. Cable Vision, 256 Lisbon St., Lewiston, Maine.

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Major midwest CBS affiliate seeks experienced newsmen as reporter with back up anchorman potential. Must have strong news air personality and enthusiasm for reporting. Video tape and resume to Box E-66, BROADCASTING.

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Television anchorman . . . northern Michigan . . . small university town. Beautiful hunting, fishing, skiing, outdoor area on Lake Superior. Previous radio or TV required. Must be able to write and handle field assignments as well. Present anchorman promoted within corporation chain. Contact Don Ryan, WLUC TV, P.O. Box 460, Marquette, Michigan 49855. (906) 475-4161. A Post station.

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Meteorologist—AMS professional. MS degree. Strong college background in TV. Box D-262, BROADCASTING.

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Thanks.

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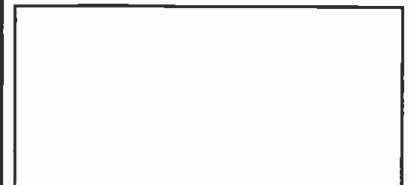
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Profile

Carson in Hollywood: hoping to build in a 10% audience edge

Last week late-night television's most durable property, *The Tonight Show Starring Johnny Carson*, moved its home base to the NBC studios in Burbank, Calif., after originating in New York for nine years. It was the latest in a series of maneuvers by the television networks to improve positions in the dead of night. The most radical maneuver was, of course, the switch by CBS-TV from Merv Griffin and talk programming to feature film—which has established CBS-TV as a stronger contender for audience.

NBC's transfer of *Tonight* to Hollywood has tactical importance. The program, which accounts for more than \$25 million in billings annually and profit ratios far exceeding those of most network shows, proved in the past to average about 10% higher ratings when it originated from the West Coast.

But the show itself is not the thing when late-night entertainment is being discussed. Impish-looking, now white-haired, quick-witted Johnny Carson is the champ in the 11:30 p.m.-1 a.m. time slot. For nearly 10 years, in the face of determined efforts of the *Griffin Show* and now the late-night movies on CBS-TV, despite the best that Joey Bishop and now Dick Cavett could offer on ABC-TV, Mr. Carson has consistently attracted an estimated 4.4 million homes.

The prize that Mr. Carson delivers to NBC is an audience that advertisers pay more than \$15,000 a minute to reach. For his part Mr. Carson receives more than \$25,000 a week in salary, insurance and deferred compensation. He also gets 11 weeks a year of time away from his 90-minute nightly stint on network television. "I get kidded sometimes for being off the show a lot, but I'm on a lot over a period of a year," Mr. Carson says. "If you don't get away from it, you don't think fresh."

And for a surprisingly big chunk of the seven and a half hours of network time he fills during the weeks he's working. Mr. Carson does think fresh. On his opening program from California last week, for example, he was offered a six-pointed honorary sheriff's badge by actress Shelley Winters as a way of warding off officious local traffic policemen. Mr. Carson was reminded that he had just such a pointed star in New York once. "And what happened?" asked Miss Winters. "Well, a fellow told me what to do with it," Mr. Carson quickly replied. "I'll carry a card after this," he added.

Later in the same program, Miss Winters noted that the seemingly knowledgeable Mr. Carson must read a good deal at night. "Yes," said the late-night host who now is in the process of his second



John William Carson, host, *Tonight Show Starring Johnny Carson*; partner, Raritan Enterprises Inc., New York and Burbank, Calif., production company (in association with NBC-TV) for *Tonight Show*; b. Oct. 23, 1925, Corning, Iowa; grew up in Norfolk, Neb.; graduated Norfolk high school, 1943; enlisted U.S. Navy, commissioned ensign, service in South Pacific, 1943-45; University of Nebraska, Lincoln, majoring in English, graduating 1948; announcer, WOW-AM-TV Omaha, 1949; staff announcer, KNXT(TV) Los Angeles, 1950; produced and performed in five-minute regular morning show, *Coffee Break*, KNXT(TV), 1952; made first national TV appearance, NBC-TV's *All Star Review*, Dec. 27, 1952; comedy writer for Red Skelton, 1953; began as host of own evening CBS-TV show, *Earn Your Vacation*, May 23, 1954; star of CBS-TV Thursday evening *The Johnny Carson Show*, June 1955-March 1956; did daytime version of same program, May-September 1956; host of ABC-TV's daytime game show, *Who Do You Trust?* 1957-1962; replaced Jack Paar as permanent host of NBC-TV's *Tonight Show*, Oct. 1, 1962; children: Chris, 21; Ricky, 19; Cory, 18.

divorce, "that's about all I have left."

During his nightly program, Mr. Carson, who comes across on the tube as cool and unflappable, is a man in motion, though sitting behind a desk. His hands move constantly, usually with a pencil beating a rhythm in time with Doc Severinsen and his orchestra. He lights but barely puffs five or six cigarettes per 90-minute program. Johnny Carson gives the appearance of a man on a string, battling not to break away.

Mr. Carson took over the *Tonight* program—even then one of NBC-TV's most valuable franchises—on Oct. 1,

1962, replacing the seemingly irreplaceable Jack Paar. He came out of television's back ranks to become permanent host of the late-night series.

For the previous five years he had been host of the daytime game show, *Who Do You Trust?*, on ABC-TV. He had also been making the rounds as a panelist on such programs as *What's My Line?*, *To Tell the Truth*, *Password* and *I've Got a Secret*. His big stints were appearances as a stand-up comedian on *The Steve Allen Show*, *The Garry Moore Show* and *The Ed Sullivan Show*, and as a dramatic actor on *The U.S. Steel Hour* and *Playhouse 90*.

Opportunity probably came knocking loudest when he was asked to serve as substitute host for Jack Paar for three weeks in the spring and fall of 1958. He made an impression, but it took four years until his good notices could be cashed in. Another four years later, by the spring of 1966, Johnny Carson, as host of the *Tonight Show*, was a resounding success. Viewers, critics, ratings and commercial sales all attested to his arrival to stardom. By then, *Tonight* was attracting an estimated 8.65 million viewers per evening, an increase of some 1.75 million over the number he drew during his first month with show.

Last week's move apparently was at Mr. Carson's personal request. "Carson's wishes are paramount here," a member of the entertainer's staff explained. "A lot of people ask why we came out here," Mr. Carson mentioned to his opening-night audience in Burbank. "We came out for several reasons," he noted. "We think it's good for a change—we've been in New York for nine years. And partly because a lot of the big stars are out here." Still, Mr. Carson breezed away from the question without offering any more details. A staff member, though, affirms that "we want the higher marquee value of Hollywood guests."

Mr. Carson will be doing virtually the same show from the West Coast that he did over the years from New York. Periodic visits to New York are planned (but not as many as the four per year for three weeks at a time that were taken to California). There will be perhaps two visits to New York in 1973, each lasting probably three weeks.

Network people assigned to Mr. Carson and his show don't expect "a dramatic increase" in ratings as a result of the move to the West. "A reasonable increase," though, is anticipated.

Will the change change Johnny Carson or the *Tonight Show*? Mr. Carson, a middle western boy, has already undergone his major changes. No middle-America slice-of-life is he. He's sophisticated, different, detached. Nor is the program expected to change. It's an institution, and such are only taken by storm.

Editorials

Countertelevision

The Stern Community Law Firm of Washington and the associated Stern Concern, a loose confederation of creative types in Hollywood, have produced countercommercials warning of safety hazards in Chevrolet cars and disparaging brand-name analgesics. So far broadcasters have rejected these messages on the entirely reasonable grounds that Chevrolet has already recalled all the cars in question for repairs at its expense and that pain relievers are rigidly monitored by the federal government in their manufacture and advertising.

In other times the matter would have rested there, and those engaged in this wholly artificial exercise would have had to look to other patrons for other causes. Now, however, the exercise has just begun. Tracy Westen, for whom Stern Community Law Firm is a pseudonym, has promised to go to the FCC and the Congress on behalf of the countercommercials. No doubt he will proceed to the courts if other recourses fail. The Washington of 1972 harbors addled minds that will pay him attention.

It is hard to resist concluding that the real aim of antics such as these is the destruction of commercial television. The professed goal of public enlightenment was reached long before the Stern countercommercials were created. Chevrolet's recall was widely covered in the news media. All owners of the models involved were individually urged by registered mail to accept the free repairs.

As for analgesics, the Stern purpose is clearly to negate whatever advertising may be done for any brand. Its countercommercial argues that advertising merely adds to the price of the Bayers and the Bufferins and that consumers should shun such products in favor of the cheapest aspirin in the store. Here the Big Brother egotism of the Stern reformers exposes itself; it is an extreme example of the elitist view of a public too dumb to be trusted with uninstructed purchasing power.

So overt an assault on the institution of advertising might be dismissed if high officials in position to exercise regulatory power were not parties to it. In the same week that the Stern countercommercials were being revealed, Miles Kirkpatrick, the Federal Trade Commission chairman, was carrying on his campaign for counteradvertising on television. To the International Radio and Television Executives Society in New York Mr. Kirkpatrick said he thought counteradvertising responsibilities could probably be discharged in periods of 15 to 30 minutes a week. If the chairman of the FTC really believes that, he is living in an unreal world.

The Stern proposals are mere tokens of the mass of counteradvertising that would present itself if the FTC principle were ever given regulatory status. Fifteen minutes a week or 30? Only a beginning. The principle must be defeated now.

Two Republican faces?

The game being played in this election year happens to be a new version of that American pastime called political football. For broadcasters it has never been played so viciously and for such great stakes.

Broadcasters understandably were pleased when such highly-placed White House emissaries as Herbert G. Klein and Clay T. Whitehead told them at last month's National Association of Broadcasters convention in Chicago that the regulatory outlook was brighter.

But as the broadcasters observed their 50th anniversary in relative tranquility in Chicago, the antitrust division of the Department of Justice unloaded civil antitrust suits on the three

major networks and pulled in an innocent bystander, Viacom International Inc.

That wasn't all. While Vice President Agnew was taking a rest, a new antimedia spokesman—L. Patrick Gray III, who was to be appointed the next week as acting director of the FBI—denounced American journalists, including those on the air, for reporting that "is often inaccurate, biased and grossly unfair."

Something needs to be done quickly to establish confidence. Under our federal structure the executive branch cannot dictate the regulatory or quasi-judicial policies of independent agencies. Nor, of course, can the chief executive dictate to the courts.

No laws would be abridged or ethics breached if President Nixon would simply reaffirm his often expressed views on the rights of the broadcast media to operate under First Amendment guarantees and our free-enterprise concepts. His would be the official word—not the mouthings of subordinates who feel called on to intimidate the media to "keep them in line."

Another job on the Hill

A good many experts were surprised last week by CBS's loss of its copyright suit against Teleprompter. The wise betting had gone along with CBS in the belief that copyright liability for programs carried by modern cable systems would be verified in this test of existing law.

Now that those expectations have been proved wrong, the emphasis must shift to Congress where revisions of the entire copyright law have been in work for years and are urgently in need of completion. The cable establishment is issuing assurances that it will continue to support copyright legislation according to the outlines of agreements reached with broadcasters several months ago. Those assurances will be welcomed by broadcasters, who will, of course, continue to keep a keen eye on the Senate subcommittee where the copyright work will be going on.

If equity is to prevail in a new copyright law, broadcasters and cable operators will be on comparable grounds when dealing in the programing marketplace.



Drawn for BROADCASTING by Sidney Harris

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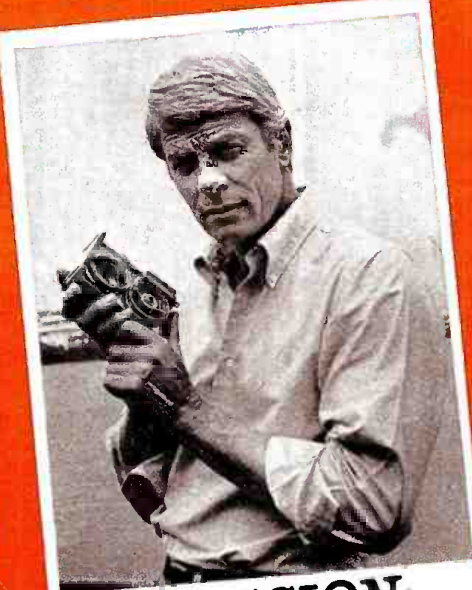


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