not necessarily along conventional lines was emphasized following the Pittsburgh transaction. But it was also evident that the DuMont operation would be systematically curtailed as to cable and relay facilities, new live programming and general overhead expense.

DuMont plans to continue operation of its stations (through ch. 28) TV New York and WTTG (TV) Washington—it was learned, and also is contemplating additional owned and operated outlets in both shf and vhf. "We will be making some acquisitions," a spokesman said.

But it was reiterated that DuMont will still be a network and will still offer programs but possibly upon unorthodox lines.

Mention was made of a "mechanical invention" by DuMont but officials declined to elaborate on it. One spokesman would say only that it constituted a device for recording that is comparable to film (presumably using the DuMont two-camera innovation) which would permit transmission of programs to affiliates with an "extreme reduction in time" as compared to films made for tv.

Notification by CBS that it was cancelling its longtime affiliation with WEWS Cleveland brings no quo talable comment from Scripps-Howard. The station, operating on ch. 5, has been affiliated with CBS since 1947 when it was the only commercial tv operation in the area.

The letter from CBS-TV Station Relations Vice President Herbert V. Akerberg recited that the cancellation would be effective in 90 days or as of March 1, 1955.

While no formal announcement was made by Columbia, it was believed that on that date the affiliation would shift to ch. 8, WXEL, acquired by Sorer in the $8.5 million-plus Empire Coin transaction, approved by the FCC Oct. 27.

Sorer also has acquired WJW Cleveland, now affiliated with ABC. A CBS spokesman said no cancellation notice had been sent to WGAR, its longtime affiliate in Cleveland, and there was no present indication renewal would not be offered when the March 31 contract expiration date approaches.

Other stations with CBS affiliations include WGBS-AM-FM Miami, WSPD-TV Toledo; WJBK-TV Detroit; WAGA-AM-TV Atlanta; WBRC-TV Birmingham; WWVA Wheeling.

It is expected WEWS will affiliate with ABC-TV and possibly also with DuMont. WXEL is present outlet for ABC and DuMont.

In charging that CBS was rewarding Lowell Thomas as "a valuable member of the CBS organization," WTRI contended this fact was not revealed, along with "secret" affiliation understandings involving WROW-AM-TV. Citing a long list of items, WTRI asked FCC to set aside the approval of the WROW-AM-TV sale to Mr. Thomas, Frank M. Smith, his business manager, holding control of the property.

WTRI argued that approval of the WROW-AM-TV sale to Messrs. Thomas and Smith will eliminate competition for CBS-TV affiliation and will add substantially to WTRI losing CBS programs. FCC rules, policies and precedents are violated, especially those dealing with chain broadcasting, multiple ownership and compensation in the TV business.

The petition said the purchase of 83.45% of Hudson Valley stock represented a cost to the buyer of $112 per share, with the balance of the purchase price showing a net stock a value of no more than $60 a share. Tiring in losses of $10,000 a month on tv, the value of stock was much less than $60, it was charged.

In its petition, WTRI said, the buyers failed to disclose, as required, that Mr. Thomas' principal job is as a CBS Radio commentator or that Mr. Smith's main job was as business manager for Mr. Thomas.

WTRI contended the buyers and CBS had a "secret understanding" that WROV would get the CBS affiliation now held by WTRI if the sale were approved. The Smith-Tomson control in effect gives CBS control of the station, it is argued. In addition, it is stated that WTRI made studies showing how ch. 10 could be dropped in the process of making the data to CBS in confidence. WTRI contended CBS then entered into a secret understanding with the buyers offering a basic two year affiliation if they secured control. WTRI claimed it will suffer serious economic losses if it loses the CBS affiliation.

Going into the anti-trust angle, WTRI said the CBS-Thomas relationship and their understanding "constitute together a tying agreement in violation of the Sherman and Clayton Acts."

The CBS "monopoly power" is declared by WTRI to limit its right to select its affiliates, exclusion of WTRI and abandonment to a violation of Sec. 2 of the Sherman Act. The chain broadcasting rule governing term of affiliation is violated, WTRI charged, along with the requirements for full disclosure. The brief was filed by Paul A. Porter and George Bunn of Arnold, Fortas & Porter, on behalf of Harry C. Wilder, president of WTRI.

**Steubenville Protest**

WJAS Pittsburgh moved in its petition that FCC dismiss the WSTV-TV application to move its main studio from Steubenville, Ohio, to Florence, Pa., and to move its antenna site from a point 1.3 miles south of Steubenville to a site 3.5 miles from the business center of Pittsburgh as well as to increase power and change equipment.

The WSTV-TV application is contingent on FCC approval of the $3 million transfer of the station to CBS Inc. WJAS is an applicant for ch. 11 in Pittsburgh.

It was recalled by WJAS that WSTV Inc. in the tv rule-making proceedings had argued on behalf of allocation of ch. 9 to Wheeling-Stevensville; that allocation of channel to Pittsburgh would deprive Steubenville of an outlet for local expression; that Sec. 307(b) would not be met by allocation to Pittsburgh, and that the section required allocation to Wheeling-Stevensville.

FCC agreed with this argument, it was added. The present application of WSTV-TV is described as "an abortive attempt to maneuver under an erroneous interpretation of the Commission's rules so as to bring about a removal of ch. 9 from Wheeling-Stevensville to Pittsburgh, contrary to the Commission's decision in the Sixth Report and Order.

The petition was filed by William A. Porter, of Bingham, Collins, Porter & Kistler.