

sion of narrative explanations (BROADCASTING, Aug. 1, 1960).

In February 1961, the FCC released for comment a proposed new programming form to cover am-fm-tv stations with one questionnaire (BROADCASTING, Feb. 17, 1961). The industry objected violently on the grounds the form was too cumbersome and would require the employment of additional personnel just to assemble the information sought by the FCC. There also were charges that the forms constituted censorship.

After considering the comments, the FCC came out with new proposed forms in July 1961 which embodied separate questionnaires for radio and tv stations. Following their release, the NAB asked for and received a public meeting on the forms with the FCC last fall (BROADCASTING, Oct. 9, 1961). Last spring, a series of meetings was held between the FCC and industry lawyers led by the Federal Communications Bar Assn.

Broadcast Bureau Chief Kenneth Cox was the primary author of the joint questionnaire which the FCC began considering last May.

Following each discussion, it was reported, the individual members of the FCC became further and further apart on the program questions which should be asked of licensees and applicants (CLOSED CIRCUIT, June 18). After efforts to break the stalemate failed, the Ford plan for television was introduced.

Crux of Opposition ■ Much of the opposition to the bureau questionnaire centered around a conviction by some commissioners that it did not properly carry out the concepts of the 1960 programming statement—plus the decision by the seven commissioners that they wanted separate radio and tv forms.

The Ford proposal applies to commercial tv stations only with a separate and much shorter questionnaire to be worked out for educational stations. The annual Nov. 15 filing date was specified because, it was felt, stations should have their programming plans for the upcoming year well jelled in time to file the form with the FCC by the middle of November.

Normally, the forms would not be considered, except for completeness, when filed and all three would be taken up at one time when a renewal application is filed. Applicants for major changes in facilities would not be required to submit the programming statement unless major changes also were planned.

The Ford proposal, it is understood, has considerable support on the commission level. There has been some discussion of releasing the form for industry comments, however, before any final action is taken. Some questions have been raised as to whether Commissioner Ford's plan will make it pos-

sible for the FCC to adequately check a station's promise vs. its performance.

Another deterrent to early action is the question of what the commission is to do about radio, it was stated.

Separate but a companion to the program form is rulemaking to revise program logging requirements. When the new reporting forms are finally adopted, new logging rules also will be incorporated into FCC requirements.

New actions come in NBC-RKO case

The weekly interlocutory pleadings in the NBC-RKO-Philco Philadelphia tv proceeding (BROADCASTING, Aug. 27, 20) continued last week with these developments:

■ The FCC's Broadcast Bureau objected to a plea by Westinghouse Broadcasting Co. that it be excused as a party to the proceeding.

■ Philco Broadcasting Co. asked for "appropriate action" to obtain the Justice Dept. files on antitrust actions against NBC and its parent company, RCA.

■ RKO General Inc., seeking FCC permission to exchange its WNAC-AM-FM-TV Boston for NBC's WRCV-AM-TV Philadelphia, said that as a condition it will divest itself of a minority interest in WKTV (TV) Oklahoma City.

The bureau pointed out that WBC entered the proceeding because its Boston station, WBZ-TV, would lose affiliation with NBC-TV if the switch is approved. "The underlying facts involving this matter have not substantially changed (and) WBC is under an obligation to appear as a party," the bureau said. "This view is buttressed by the fact that WBC . . . raised serious allegations which in part formed the basis for some of the issues framed by the commission."

Commission counsel also asked that a pre-hearing conference scheduled for Sept. 10 be postponed to Oct. 17. The hearing itself is scheduled to start Oct. 22 in Washington.

Philco, in competition with WRCV's renewal application for ch. 3, held it essential that evidence in the Justice files be considered by the commission. The material requested concerns 1954 and 1958 antitrust actions charging RCA with illegal patent practices in fields directly related to radio communications and a Dec. 4, 1956, complaint alleging that NBC acquired the ch. 3 Philadelphia station from Westinghouse in violation of antitrust laws.

NBC acquired the Philadelphia properties in a 1955 trade with WBC, relinquishing its stations in Cleveland to WBC. The 1956 Justice action led to a consent decree in 1959 which required



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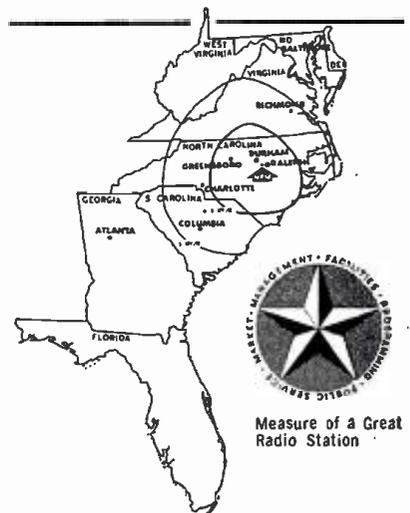
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