

WEEK'S HEADLINERS

Edwin K. Wheeler, formerly general manager of WWJ-AM-FM-TV Detroit (licensed to Evening News Association, publisher of *The Detroit News*) and for past two years general manager of *The News*, elected second ranking officer as executive VP and a director of association. **Peter B. Clark**, VP of association and assistant publisher of *The News* since November 1961, named publisher of *The News* and elected president and chief executive officer of Evening News Association, succeeding **Warren S. Booth**, who becomes board chairman. Mr. Wheeler joined WWJ sales staff in 1937 after 12 years with

U. S. Rubber Co., was appointed assistant general manager of all WWJ operations in 1942. In 1949 Mr. Wheeler was named business manager of *The News* and returned to WWJ stations as general manager in 1952, position he held until he became general manager of *The News* in November 1961. Mr. Clark joined association in 1961 as secretary and assistant to publisher. He has been member of board of directors since 1960. Mr. Booth has been president of Evening News Association and publisher of *The News* since 1952, and member of board of directors for 38 years.

For other personnel changes of the week see **FATES & FORTUNES**

ership rules, according to official announcement. Unofficially, it was learned, unidentified mutual fund has significant but minority interest in Metromedia and in Taft Broadcasting Co. This must be resolved so that mutual fund firm has interest in one or other—but not both—of broadcast companies before Metromedia can take over Baltimore stations.

Acquisition of WCBM outlets gives MM sixth radio property; it now owns seven TV's, but sale of KOVR(TV) Stockton-Sacramento, Calif., to McClatchy Newspapers for \$8 million is pending FCC approval.

KTUL-TV application hits stumbling block

FCC has delayed action on application by Griffin-Leake Stations until resolution of separate proceeding in which hearing examiner has questioned owners' qualifications to be licensee.

Application involved request by KTUL-TV Tulsa, Okla., to change transmitter location, increase transmitter height and make other technical changes.

Commission noted that James C. Leake, Marjory Griffin Leake and John T. Griffin own voting stock in KTUL-TV as well as KATV Inc., licensee of KATV (TV) Little Rock, Ark.

Hearing Examiner Thomas H. Donahue last June questioned KATV Inc.'s character qualifications following hearing on that licensee's application to move transmitter location of KATV(TV) from Pine Bluff area to one closer to Little Rock and to increase antenna height.

Examiner held that KATV Inc. had broken promises to Pine Bluff civic officials not to move transmitter out of county and to give Pine Bluff recognition in station identification signal (BROADCASTING, June 10).

Since no final decision has been

reached in this matter, commission said, and since facilities requested by KTUL-TV involve substantial expenditures, "commission believes that action on your application would be premature . . . at this time."

Besides Tulsa and Little Rock stations, Griffin-Leake owns 50% of KWTV (TV) Oklahoma City and has controlling interest in WSTE(TV) Fajardo, P.R.

STAGE SET FOR REVIEW

Refusal to pay \$500 fines will bring case before court

Four Minneapolis-St. Paul television stations have refused to pay \$500 forfeitures imposed on each by FCC for failure to identify sponsor of video tape program. Their action sets stage for first judicial review of commission forfeiture order.

National Association of Broadcasters announced Friday (Nov. 29) its pledge of "every possible assistance" to stations—KSTP-TV, WCCO-TV, KMSP-TV and WTCN-TV.

Case will reach federal court when FCC refers forfeitures to U. S. district attorney in Minneapolis for collection.

In refusing to pay forfeitures, ordered by commission last month (BROADCASTING, Nov. 4), four stations said agency erred in holding that their failure to identify sponsor constituted "willful" or "repeated" violation of Communications Act or commission rules and regulations.

Stations maintained that case is of sufficient importance to broadcasting industry to warrant judicial review.

Stations on Feb. 22, 1962 had carried one-minute video tape broadcast opposing Sunday closing ordinance without announcing spot was sponsored by merchants association. Spot was broadcast several times.

Douglas A. Anello, NAB general counsel, has disputed FCC's contention that everything not accidental is "will-

ful" and that "repeated" simply means more than once.

He said under "willful" test adopted by Congress, there must be intent, with showing that licensee recognized his act violated law. He also said broadcaster is not guilty of "repeated" violation unless it can be proven he repeated his action in knowledge that it was illegal.

In Minneapolis cases, he said, absence of sponsor identification "was not deliberate but an unintentional mistake." In statement Friday, Mr. Anello noted that cost to be borne by stations in court fight far exceeds the relatively small amount of the forfeiture.

"The stations are to be applauded for their courageous action which will be of great service to the industry. NAB will endeavor to render every possible assistance to the stations involved."

ABC uses satellite for sports special

Use of Relay satellite on three continents to telecast sports program to Japan on Thanksgiving Day was reported Friday (Nov. 29) by ABC International which produced show in association with Sports Programs Inc., AB-PT subsidiary.

Program of 13 minutes, 40 seconds duration contained sports excerpts from Germany, France, Italy, Belgium and Britain which were fed by satellite to ABC International, New York. There segments from Mexico, Canada and U. S. were added and ultimately transmitted by satellite to Japan where it was picked up by Relay. It was carried initially at 6:40 a.m. Tokyo time and re-broadcast later in day.

Critics of advertising hit by Mithun on WGN-TV

Advertising is falsely accused of selling people things they don't want, Raymond O. Mithun, board chairman, Campbell-Mithun Inc., said Saturday (Nov. 30) on Northwestern University panel show on WGN-TV Chicago. He said advertising encourages "mass sampling" but noted "even good advertising cannot sell a poor product and may indeed hurry its demise."

As for TV commercial repetition and irritation, Mr. Mithun observed, "you need repetition to learn anything . . . there is no such thing as repeating a good ad too many times." Show repeats tomorrow (Dec. 3) at 7 p.m. on WNYC-TV (ch. 31) New York.

Home from hospital

Worth Kramer, president of Goodwill Stations (WJR Detroit; WJRT[TV] Flint, Mich.; and WSZA-AM-TV Huntington-Charleston, W. Va.), returned to his home last Thursday (Nov. 28) following successful gall bladder surgery.