

any event, he said, he does not believe the commission had sufficient information on which to base a renewal.

He said "station after station" is squeezing local live programming out of prime time into less convenient viewing hours and is filling the more desirable time with programs supplied by networks and syndicators.

He said this should be a matter of concern to the commission in view of its TV allocation and programming policies which "place a high premium on local stations—as opposed to high-powered facilities—" in order to provide

outlets for local self-expression.

The lack of complaints against the stations and the backlog of pending renewal applications were both cited by members of the commission majority as grounds for granting renewal of the three Carolina stations.

But, Commissioner Cox said, these reasons are not sufficient to assure renewal without further effort by the commission to obtain additional information "which I believe important to the commission, to the communities served by these stations and perhaps to the future of American television."

HIGH COURT BACKS FCC

Refusal to review Carter Mountain case supports commission claim to protect local stations

The FCC's right to protect local TV stations from the inroads of community antenna systems—through its power over microwave relay licensing—was affirmed last week when the U. S. Supreme Court refused to review the Carter Mountain case.

As usual, the court gave no reason for its denial of the petition for certiorari.

Carter Mountain Transmission Corp. brings TV signals from Denver, Salt Lake City and Billings, Mont., to a CATV system in north central Wyoming. It sought additional facilities to improve the service. Objections were filed by KWRB-TV Riverton-Lander-Thermopolis-Worland, Wyo., serving the same area. After a hearing, the commission upheld the station's contention that the additional CATV signals would force it out of business.

Last May, the U. S. Court of Appeals in Washington upheld the FCC's authority to consider the impact of CATV systems on local TV stations (BROADCASTING, May 27).

The commission had offered to grant the Carter Mountain application if it promised not to duplicate the programs

carried by KWRB-TV.

In recent months, the FCC has issued conditioned grants to various relay systems serving CATV. It has also issued a rulemaking proposal providing that licenses will be granted for microwave relays in both the common carrier and business radio services if CATV systems do not duplicate the local TV station's programming for at least 15 days (BROADCASTING, Dec. 9).

Supreme Court won't review two TV cases

The U. S. Supreme Court last week refused to review two criminal cases carrying the death penalty in which the broadcasting of asserted confessions was an issue.

As is usual no reason was given for denying the petitions.

One case involved two youths convicted of the slaying of an elderly man. James Douglas Latham and George Ronald York were sentenced to death for the killing of Otto Ziegler in 1961 in Kansas. Their attorney claimed that the telecasting of their alleged confessions in the area in which they were

tried prevented them from securing a fair jury trial.

The second case involves Edward Otto Hagans who, with his wife, was convicted of killing two elderly women in 1961 in Texas. The defendant claimed his "confession" was carried over two local radio stations (KSFA and KEEE, both Nacogdoches).

In both cases defendants' lawyers relied heavily on the Supreme Court's decision in the Rideau case. This involved a telecast before trial of the police interrogation of a bank robber in Louisiana who killed a guard in the course of the holdup. The Supreme Court said that his request for a change of venue should have been granted since the telecasts made it difficult if not impossible to find unprejudiced jurors (BROADCASTING, June 10).

LBJ meets with TV network heads

President Johnson met last week with the heads of the three major television networks for what was described by White House spokesmen as a "get acquainted session." The luncheon meetings were held on three consecutive days (Wednesday, Thursday and Friday) with each network's group of top news executives.

Among the subjects discussed, it was learned, was the question of televised news coverage of the presidential news conferences. Also discussed, it is presumed, is the possibility of a presidential news conference with only three reporters representing the TV networks present. This would be similar to President Kennedy's televised *Conversation with the President* in December 1962. A second such interview had been planned by the late President. No decisions were made. There was no discussion of Section 315 of the Communications Act or TV debates between the presidential candidates of the major parties at next year's election.

Broadcasters who attended the luncheons:

Dec. 18—NBC's Robert E. Kintner, president, NBC; William R. McAndrew, executive vice president, NBC News; Julian Goodman, vice president, NBC News, and William B. Monroe, chief of NBC News' Washington bureau.

Dec. 19—CBS's William S. Paley, chairman; Frank Stanton, president, CBS Inc.; Richard S. Salant, president, CBS News, and Blair Clark, general manager, CBS News.

Dec. 20—ABC's Leonard H. Golden-son, president; James C. Hagerty, vice president, ABC, Jesse Zousmer, director, TV News, and Robert H. Fleming, chief, ABC News' Washington bureau.

R. C. CRISLER & CO., INC.

BUSINESS BROKERS FOR TV & RADIO PROPERTIES
LICENSED SECURITIES DEALERS
UNDERWRITING — FINANCING

CINCINNATI—

Richard C. Crisler, Paul E. Wagner, Alex Howard
5th/3rd Bank Building, phone 381-7775

NEW YORK—

733 Third Avenue, Suite 2105, phone MUrray Hill 7-8436