

CATV: caseload less by 12

Heated FCC session shows that rules may be waived, but not if they're broken

It was 12 at one blow for the FCC last week—12 CATV cases wrapped up and disposed of in a single, complex order. The cases involved the requests of 12 systems seeking permission to import distant signals into the overlapping markets of Grand Rapids-Kalamazoo and/or Lansing, both Michigan, ranked as the 36th and 48th markets, respectively.

The order indicated a willingness on the part of a majority of the commission to waive the rule requiring hearings on applications for the importation of distant signals into major markets, particularly where the signals are those of educational stations and the communities served are on the fringes of the markets.

However, in the case attracting the most attention, the commission was strict. At issue was the petition of Booth American Co. for temporary permission to relay Milwaukee and Chicago signals into Muskegon and North Muskegon pending the outcome of a hearing on its request to provide that service.

The commission denied the request, thereby forcing the system to abandon service it had been providing since March 1966. The commission in July had held that the service constituted a violation of the rules and ordered the system to terminate it. Three weeks ago the U. S. Court of Appeals upheld the commission decision and the stay of the cease-and-desist order that the court had granted ran out on Wednesday (Feb. 15).

The commission majority felt it should not permit the temporary continuation of a service which it had found to be in violation of the rules and which it had ordered the system to halt.

The case reportedly provoked a heated debate, with Commissioner Lee Loevinger and Sol Schildhouse, chief of the CATV task force, favoring a grant of the request for temporary continuance of the service, and Commissioner Kenneth A. Cox and Henry Geller, FCC general counsel, opposed.

Set for Hearing — The commission also designated for hearing Booth American's request to carry the Chicago and Milwaukee signals in Muskegon township, Muskegon Heights, North township and Roosevelt Park.

Booth American fared better, how-

ever, in connection with a request to carry the distant signals of Detroit independent and educational stations and the Grand Rapids NBC affiliate into Summit and Leoni townships. The commission granted the necessary waiver.

The consolidated hearing ordered by the commission in the Grand Rapids-Kalamazoo and Lansing market cases promises to be a complicated one. Aspects of nine of the 12 cases will be included. They involve requests to relay signals of a Windsor, Ont., station into Kalamazoo; Detroit, Chicago, Flint and Windsor stations into Battle Creek and surrounding towns; a Chicago independent into Battle Creek and its suburbs; Toledo stations into Jackson and Blackman township; the Fort Wayne and South Bend, both Indiana, stations into Coldwater; a Chicago station into Allegan; Toledo and Windsor stations into Homer, and a Detroit ABC affiliate into Lansing.

The commission was badly split on the order. Only Chairman Rosel H. Hyde and Commissioner Robert E. Lee were in the majority on each of the cases. Commissioners Robert T. Bartley, Lee Loevinger and Kenneth A. Cox concurred in part and dissented in part.

NAB finds a temporary home

The National Association of Broadcasters last week signed for temporary quarters in downtown Washington where it will spend from 12 to 18 months while a new headquarters building is erected. It is leasing three floors, totaling 19,500 square feet, at 1812 K Street N.W.

Timetable calls for NAB to move into the offices, which will be redecorated, between Sept. 1 and Oct. 15. After it moves, the present NAB building will be razed and the association's new \$2-million home will be constructed. It will probably be early 1969 before NAB moves back to its N Street site.

WOAY-TV an ABC affiliate

WOAY-TV Oak Hill, W. Va., (ch. 4) signed with ABC-TV last week as a primary affiliate. The station previously had been affiliated both with CBS-TV and ABC-TV. The new ABC affiliation was announced by Robert R. Thomas Jr., owner, president and general manager of the station, and Carmine F. Patti, ABC's director of TV station relations. CBS-TV said its affiliation with WOAY-TV had dated back to February 1959 and that CBS programming will continue to be made available in that general area by affiliates WDBJ-TV Roanoke, Va., and WCHS-TV Charleston, W. Va.