

only one interest at issue in the off-network ban—promoting a vigorous first-run syndication industry to expand the diversity of mass-media speakers. “That goal now has been achieved (with or without the ban), and the government has offered no new rationale that withstands even minimal scrutiny,” WUHQ-TV said. “Regardless of whether the ‘off-network’ ban helped trigger the growth in diversity and first-run syndication, or technological progress alone propelled the changes, the conclusion is the same. The commission no longer may constitutionally excuse its flagrant intrusion into the First Amendment rights of some local stations.”

“If the commission truly desires to permit

licensees in these markets to present programs based on their own judgments as to what would be ‘most responsive’ to the ‘interests and tastes of their communities,’ it will free local affiliates in top-50 markets from the heavy hand of the ‘off-network’ program restriction,” WUHQ-TV added. “In short, based on the commission’s own most recent rationale, there can be no regulatory justification for the restriction. It permits a local independent station or a cable outlet, each competing with WUHQ-TV, to program *Gimme a Break* or *Cosby* at 7:30 p.m. but restricts WUHQ-TV’s ability to make the same local programming choice. Other top-50 affiliates face the same quandary.”

## Changing Hands

PROPOSED

**KIOI-FM San Francisco; WMTG(AM)-WNIC-FM Dearborn, Mich., WLAC-AM-FM Nashville, and Kkob-AM-FM Albuquerque, N.M.** □ Seventy-five percent interest sold by Price Communications Corp. to Fairfield Communications Corp. for \$120 million, comprising \$70 million cash and remainder note. Seller is New York-based group of eight AM’s, eight FM’s and four TV’s headed by Robert Price, president. Buyer is owned by new group headed by former John Blair & Co. radio group president, Jim Hilliard, and former SFN Companies chairman, John Purcell (see story, page 75). KIOI-FM is on 101.3

mhz with 125 kw and antenna 1,160 feet above average terrain. WMTG is 1310 khz full time with 5 kw. WNIC-FM is on 100.3 mhz with 50 kw and antenna 600 feet above average terrain. WLAC is on 1510 khz full time with 50 kw. WLAC-FM is on 105.9 mhz with 100 kw and antenna 1,226 feet above average terrain. Kkob is on 770 khz full time with 50 kw. Kkob-FM is on 93.3 mhz with 21.5 kw and antenna 4,150 feet above average terrain.

**WAPT(TV) Jackson, Miss.; WWAY(TV) Wilmington, N.C., and KJAC-TV Port Arthur and KFDX-TV Wichita Falls, both Texas.** □ Sold by Clay Communications Inc. to Price Communications Corp. for \$60 million. Seller is

Charleston, W.Va.-based newspaper publisher and group of four TV’s. It recently sold its group of four newspapers to Thomson Newspapers Inc. (see “In Brief,” April 20). It is headed by Lyell Clay and family. Buyer is selling seven radio stations (see above). WAPT is ABC affiliate on channel 16 with 1047 kw visual, 276 kw aural and antenna 1,170 feet above average terrain. WWAY is ABC affiliate on channel 3 with 64.57 kw visual, 6.46 kw aural and antenna 1,953 feet above average terrain. KJAC-TV is NBC affiliate on channel 4 with 100 kw visual, 20 kw aural and antenna 1,184 feet above average terrain. KFDX-TV is NBC affiliate on channel 3 with 100 kw visual, 20 kw aural and antenna 1,000 feet above average terrain.

**KQMJ(FM) Henryetta, KKNQ(FM) Oklahoma City and KRMG(AM) Tulsa, all Oklahoma, and KKYX(AM)-KLSS-FM San Antonio, Tex.** □ In negotiation for sale by Swanson Broadcasting Inc. to New City Communications Inc. for approximately \$20 million. Seller is Tulsa-based group principally owned by Gerock H. Swanson. It will have no other broadcast interests after sale. Buyer, formerly Katz Broadcasting, is Bridgeport, Conn.-based group of four AM’s and seven FM’s owned by Richard A. Ferguson, Robert Longwell, Jim Morely, Rich Reis and Michael Weinstein. KMQJ is on 99.5 mhz with 100 kw and antenna 300 feet above average terrain. KKNQ is on 92.5 mhz with 98 kw and antenna 900 feet above average terrain. KRMG is on 740 khz with 50 kw day and 25 kw night. KKYX is on 680 khz with 50 kw and 10 kw night. KLSS-FM is on 100.3 mhz with 100 kw and antenna 581 feet above average terrain.

**KENI(AM)-KKGK(FM) Anchorage, KBCM(AM)-KNIQ(FM) Fairbanks and KVOK(AM)-KJJZ(FM) Kodiak, all Alaska** □ Sold by Pacific Rim Broadcasters Inc. to D.L. Ranch Corp. for \$5.1 million. Seller is owned by Howard Trickey and Greg Clapper, who have no other broadcast interests. Pacific Rim will merge with buyer. Buyer is publicly traded, Laguna Beach, Calif.-based communications management firm headed by Richard G. Lubic, chairman. Lubic intends to initiate satellite programming for Pacific Rim and other Northwest stations, using RCA AlasCom satellite. KENI is on 550 khz full time with 5 kw. KKGK is on 100.5 mhz with 25 kw and antenna 178 feet above average terrain. KBCM is on 1300 khz full time with 1 kw. KNIQ is on 95.9 mhz with 3 kw and antenna 1.6 feet above average terrain. KVOK is on 560 khz full time with 1 kw. KJJZ is on 101.1 mhz with 3 kw and antenna 36 feet above average terrain.

**KITE-FM Portland (Corpus Christi), Tex.** □ Sold by Media Properties Inc. to Jonathan Cohen for \$950,000. Seller is owned by Paul Veale, Ron Whitlock, Jim Phillips and Glen Roney. Phillips owns KHEY-AM-FM El Paso, Tex. Other sellers have no other broadcast interests. Buyer also owns WJKC(FM) Christiansted, V.I. KITE-FM is on 105.5 mhz with 3 kw and antenna 353 feet above average terrain. Broker: Norman Fischer & Associates.

**KZEU(FM) Victoria, Tex.** □ Sold by First Vic-

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