

to invest in the broadcast field", then I would consider a grant of the application to be a departure from our long established policy concerning protection of the public interest. We do not license the use of frequencies for the private benefit of the licensee, but for the benefits the public derives from the service rendered. I believe that anyone seeking to become a licensee for the sole purpose of investment lacks understanding of the purposes for which a license is granted. This raises a question in my mind as to his qualifications to be entrusted with the responsibility of operating a broadcast station in the public interest.

FCC Adheres to Decision In 1230 Kc Appeals Brief

THE FCC followed a proper course in deciding between Allentown Broadcasting Co. (WHOL) and the Easton Publishing Co. (*Easton Express*) in its 1950 hearing on which Pennsylvania city should get 1230 kc with 250 w, the Commission said last week in filing its brief with the U. S. Court of Appeals in Washington.

FCC's decision in favor of the *Easton Express* came after the Commission held a second hearing on both applications in 1950. In the first hearing, in 1947, the Commission granted the frequency to what is now WHOL. Appeal to courts by the Easton newspaper resulted in remanding of the case to the Commission by the court on grounds the FCC did not determine whether Easton or Allentown needed the service more.

The Commission decided a completely new hearing was necessary and held such a hearing in 1950. The examiner issued an initial decision in favor of continuing WHOL. However, the Commission overruled the examiner and decided in favor of the Easton applicant. WHOL, which has operated under the initial grant, in turn appealed to the Court, alleging that (1) the decision violated the equal facilities provision of the Communications Act, (2) the Commission erred in holding a new hearing instead of reopening the old one when the court remanded the case, (3) the Commission erred when it considered the number of stations presently operating in Allentown in judging Allentown's requirement for an additional station, (4) the Commission mistakenly reversed the examiner's initial decision, and (5) the participation of the General Counsel in the hearing violated regulations.

High Court to Hear Banned Film Arguments

THE U. S. Supreme Court will hear arguments Jan. 6 on two motion pictures which have been banned in two states [B•T, Dec. 14]. The films are "M" and "La Ronde." Private showing for the court will take place Jan. 4 and 5.

"M," a remake of a German film about a psychotic who murders young girls, was banned by Ohio censors on the ground it was "harmful." "La Ronde," a French import, was banned by New York censors as "immoral."

Both Superior Films Inc. and Commercial Pictures Corp., owners of distribution rights to "M" and "La Ronde," respectively, argued in briefs submitted last week that pre-censorship of motion pictures is unconstitutional as a violation of the First and Fourteenth Amendments. They also claim grounds for rejection of exhibition licenses—i.e. "harmful" and "immoral"—are vague and indefinite.

As part of the argument on the right of motion pictures to be free from pre-censorship, both appellants point to the 1949 Circuit Court decision in Philadelphia which held Pennsylvania censors could not pre-censor films shown on television. This was on the ground that the federal government has pre-empted the field of communications.

TV-ON-AIR TOTAL NEARS 350 MARK

Count as of last Wednesday was 226 vhf and 116 uhf, with still more stations expected on air by today. By New Years the total should top 350.

TOTAL operating tv stations neared the 350 mark last week. As of last Wednesday, 226 vhf and 116 uhf, were reported on the air with six more scheduled to begin commercial operations later in the week.

At present, ten are slated to start programming before the year is out and another 14 to begin on New Year's Day.

The six stations slated to start at or before Christmas were:

KOA-TV Denver, Colo., vhf ch. 4 (NBC), represented by Edward Petry & Co.

WNGT (TV) Adams-Pittsfield, Mass., uhf ch. 74, represented by Walker Representation Co.

WNCT (TV) Greenville, N. C., vhf ch. 9 (CBS, DuMont), represented by John E. Pearson Tv Inc.

WSTV-TV Steubenville, Ohio, vhf ch. 9 (CBS), represented by Avery-Knodel Inc.

WEAU-TV Eau Claire, Wis., vhf ch. 13 (NBC, ABC, DuMont), represented by George P. Hollingbery Co.

KFBC-TV Cheyenne, Wyo., vhf ch. 5 (CBS), represented by George P. Hollingbery Co.

This gives Cheyenne (and Wyoming) its first home video outlet: Adams-Pittsfield, Greenville, Steubenville and Eau Claire also get their first. Denver gets its fourth.

KOA-TV and KFBC-TV both had their transmitter towers toppled by strong winds in early December. At the time, the stations pledged they would begin by Christmas despite a handicap of having to construct new towers.

Starting at full power of 100 kw, KOA-TV will present a dedicatory program including a filmed sequence depicting the outlet's hopes and plans, Don Searle, executive vice president, reported.

KTVU (TV) Stockton, Calif. (ch. 36), which began regular operation Dec. 18, will serve a primary area extending from Sacramento to Modesto and west to Berkeley Hills, according to Knox La Rue, general manager. Good signal has been reported from 160 miles north and south.

Commencing programming Dec. 13, WJHP-TV Jacksonville, Fla. (ch. 36), is affiliated with NBC-TV and ABC-TV, a station spokesman said.

WCOC-TV Meridian, Miss. (ch. 30), expects

to be on the air Jan. 1 with full 252 kw power, Withers Gavin, president, announced.

Construction of a new transmitter and studio building of WKNY-TV Kingston, N. Y. (ch. 66), was begun last week, Robert M. Peebles, vice president-general manager, announced. It is expected to be completed by Jan. 22. Inner anchors and foundations for the station's 600-ft. tower have been poured.

WWTW (TV) Cadillac, Mich., started regular test patterns Dec. 13 on ch. 13, the station reported. Regular programming is slated for Jan. 3.

First station for Alaska, KFIA (TV) Anchorage (ch. 2), according to Glenn Hunt, director of programming, went on the air commercially Dec. 14. The outlet has been transmitting test patterns and trial program material since October. It is affiliated with CBS-TV and ABC-TV.

KATV (TV) Pine Bluff, Ark. (ch. 7), started test patterns Dec. 18 and regular programming the evening after. Reports of signal reception have been gratifying, James P. Walker, general manager, said.

WTSK-TV Knoxville, Tenn. (ch. 26), which went on the air Oct. 18 with regularly scheduled CBS-TV, DuMont and ABC-TV programs, featured 22 live programs the first week of operation and now boasts a total of 35 lives shows, according to Jay Miller, production manager.

Stations due on the air in the next 30 days are:

CALIFORNIA

KQED (TV) Berkeley-San Francisco, vhf ch. 9, January '54.

KBID (TV) Fresno, uhf ch. 53, represented by Meeker Tv Inc., January '54.

KSAN-TV San Francisco, uhf ch. 32, represented by Joseph H. McGillvra Inc., January '54.

COLORADO

KOA-TV Denver, vhf ch. 4 (NBC), represented by Edward Petry & Co., Dec. 24.

CONNECTICUT

WNLC-TV New London, uhf ch. 26, December '53.

FLORIDA

WEAR-TV Pensacola, vhf ch. 3 (CBS), represented by George P. Hollingbery Co., Dec. 31.

IDAHO

KID-TV Idaho Falls, vhf ch. 3 (CBS, NBC), represented by Gill-Perna, December '53 (granted STA Dec. 17).

ILLINOIS

WDAN-TV Danville, uhf ch. 24, represented by Everett-McKinney Inc., December '53 (granted STA Dec. 18).

KENTUCKY

WLOU-TV Louisville, uhf ch. 41, January '54.

LOUISIANA

WCNO-TV New Orleans, uhf ch. 32, Jan. 1.



SPECIAL inaugural program as KWTW (TV) Oklahoma City took the air Dec. 20 included announcement of station policies and introduction of stockholders. Board members of the new ch. 9 outlet taking part in the debut include (l to r): Roy J. Turner, president; Edgar T. Bell, executive vice president and general manager of KWTW and its am affiliate, KOMA; John Griffin, chairman of board and president of KOMA Inc.; Luther Dulaney, RCA distributor, and Henry Griffing, Video Theatres. James C. Leake and F. E. Harper, other board members, were not present.