

Wrather-Alvarez Buy Of KERO-TV Approved

THE FCC last week approved the \$2.15 million sale of KERO-TV Bakersfield, Calif., to Wrather-Alvarez Broadcasting Inc., San Diego, despite protests from Robert K. Straus, New York City [B•T. May 27].

At the same time the Commission denied Mr. Straus' request for a hearing on the transaction. He still has a pleading before the U. S. District Court, Southern California, for alleged breach of contract on the part of KERO-TV's corporate parent, Kern County Broadcasters Inc., with which he claimed a pre-existing sales contract. Both Kern County

and Wrather-Alvarez denied such an agreement.

Wrather-Alvarez now owns KERO-TV Bakersfield; KFMB-AM-TV San Diego; KYAT (TV) Yuma, Ariz.; and one of its principal stockholders, Jack D. Wrather, holds a construction permit for ch. 44 WJDW (TV) Boston.

Among other sales approved by the Commission were:

H. & E. Balaban Corp. has bought WIL St. Louis and WWIL Fort Lauderdale, Fla. from L. A. Benson for \$650,000. Other Balaban holdings include WRIT Milwaukee, WBMG (TV) Birmingham, 50% of WTVO (TV) Rockford and WICS (TV) Springfield, both Ill., and 25% of KFBI Kansas City.

KCRS Midland, Tex. was sold to Wendell Mayes (principally [96%]) by Clarence Jr. and Ruth Scharbauer for \$220,000. Mr. Mayes has controlling interest in KBWD Brownwood and KNOW Austin, both Tex., 50% of KTOK Oklahoma City, Okla., 40% of WACO Waco, 30% of KSNY Snyder, and 20% of KXOL Fort Worth, all Tex.

KVEC and KSBY-TV San Luis Obispo, Calif., went to John C. Cohan (who already has 31.88% of KSBW-AM-TV Salinas, Calif., and is former 50% owner of KVEC) and Jerome Kantro. Mr. Cohan and Mr. Kantro paid Valley Enterprises Co. a total of \$50,000 for KVEC-AM; but they paid the same firm \$52,250 and \$75,200, respectively, for KSBY-TV. The new ownership also assumed \$372,021 in obligations, according to the FCC.

John Quincy, president of James Broadcasting Corp., has bought WLOW Portsmouth, Va., from the Winston-Salem Broadcasting Co. for \$250,000. James Broadcasting controls WJTN-AM-FM Jamestown, and WDOE Dunkirk, both N. Y.

WTOG and WTRT (FM) Toledo, Ohio, were bought from Edward Lamb by Booth Radio & Television Stations Inc. for \$122,500. Booth owns WJLB and WBRI (FM) Detroit, WBBC Flint, WSGW Saginaw, WIBM Jackson and has an application for a new tv in Parma, all Mich.

Control of KRKD-AM-FM Los Angeles went to Albert Zugsmith who increased his interest in the station from 33.33% to 70% by paying R. C. Simonton \$107,500, the FCC said. Mr. Zugsmith also has interests in KITO San Bernardino, KVSM San Mateo, both California; KSHO-TV Las Vegas. KBMI Henderson, both Nevada, and KULA-AM-TV Honolulu.

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Court Forbids Tel-A-Tune Pickup Of Muzak Music Off WBFM-FM

UNITED STATES District Court for the District of New Jersey last week issued a permanent consent injunction prohibiting Tel-A-Tune Music Systems Corp., Elizabeth, N. J., from "using, recording or re-recording" any of the Muzak Corp. music or programs as broadcast by WBFM-FM New York.

A judgment totaling \$1,000 was entered against Harry and Samuel Wichansky, owners of Tel-A-Tune music. The defendants also were enjoined from publicly performing the copyrighted composition owned by Muzak.

Muzak service, a spokesman said, is transmitted in two basic ways—via telephone lines directly to each subscriber and by "commercially restricted" fm radio broadcasts. Muzak charged in its suit against Tel-A-Tune music filed last August that the latter company had engaged in "unfair competition" and had infringed Muzak copyrights. It specified that Tel-A-Tune supplied its clients with special radio receivers that enabled them to pick up Muzak's commercially restricted background music service.

Tel-A-Tune, the suit charged, was "unlawfully appropriating the financial benefits of Muzak's 20 years of research, experimentation, and expenditures . . . in the development, promotion, advertising, merchandising,

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