

Drop-ins end up in short-spaced grave

ADVERSE EFFECT ON UHF IS MAJOR POINT IN FCC DECISION

The FCC last week finally buried its proposal to drop short-spaced VHF channels into seven markets as a means of providing those areas with a third VHF network. The vote on the controversial issue was 4-3.

The commission held that the proposal is no longer needed to improve the competitive position of ABC with respect to CBS and NBC and that approval of the drop-ins would impede the development of UHF television.

The majority also maintained that enactment last year of the all-channel receiver legislation has considerably changed conditions in television since the commission originally proposed the drop-ins two years ago (BROADCASTING, July 31, 1961). The commission is counting on the new law to promote the spread of UHF stations.

Solid Victory ■ Supporters of UHF TV consider the order an all-out victory, for it indicates the commission in the future will be extremely solicitous of UHF's welfare. They say the commission's position on the drop-ins

means every proposal for a VHF channel drop-in or change in location—even at standard separations—will have to be scrutinized to determine whether it will adversely affect the development of UHF.

The markets that were to have received the drop-ins are Johnstown, Pa. (channel 8); Baton Rouge, La. (channel 11); Dayton, Ohio (channel 11); Jacksonville, Fla. (channel 10); Birmingham, Ala. (channel 3); Knoxville, Tenn. (channel 8); and Charlotte, N. C. (channel 6).

The commission, in the same order as that denying the drop-ins, modified the license of KOCO-TV, now on channel 5 in Enid, Okla., to specify operation on that channel in Oklahoma City. But, the commission said, the station will be required to observe standard mileage separations and to maintain an auxiliary studio in Enid to provide local service for that community. Originally, the commission proposed moving channel 5 to Oklahoma City at sub-standard spacing.

Voting to deny the drop-ins were outgoing Chairman Newton N. Minow, his successor as chairman, E. William Henry, and Commissioners Robert T. Bartley and Robert E. Lee. Commissioners Frederick W. Ford, Rosel H. Hyde and Kenneth A. Cox dissented.

This was the same line-up by which the commission instructed the staff three months ago to draft the order denying the drop-ins (BROADCASTING, March 11).

Cox Tries ■ Commissioner Cox reportedly made a strong argument for a compromise proposal to head off outright rejection of the drop-ins. Under his plan, the drop-ins would have been approved, but successful applicants for the channels would have had to operate dual UHF-VHF stations and then surrender their VHF channels after seven years.

The commission, in originally proposing the drop-ins was concerned about the immediate need for service in the affected markets as well as ABC's need for additional VHF affiliates. And that network was the strongest supporter of the drop-in plan.

The FCC last week, however, said that while programs to assign three VHF channels to major markets have done much to rectify the competitive imbalance between the networks, "they have done little to advance a final solution of utilizing the UHF frequencies. Rather, these programs have prejudiced long-range UHF growth by removing demand for the service.

"In view of what has been accomplished to aid the network television structure and the considerations stemming from the enactment of the all-channel receiver legislation," the commission added, "the continuation of 'interim' programs cannot be justified."

By rejecting the drop-in proposal, the commission jettisoned the second part of a two-part package it proposed in 1961 as a partial solution to the UHF-VHF problem. The other part dealt with the deintermixture of eight markets through the deletion of their VHF channels to make them all-UHF.

That proposal created a storm of controversy in Congress, and the commission, then campaigning for passage of its all-channel receiver bill, promised to drop the plan if the receiver bill were passed (AT DEADLINE, March 19, 1962).

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