

broadcast channel assignments to change following four community assignments—Battle Creek, Mich., to channel 277; Cadillac, Mich., to channels 225 and 278; Sturgis, Mich., to channel 257A and Columbia City, Ind., to channel 292A. Necessitates modifying licenses of two existing stations at request: WELL-FM, now channel 243, Battle Creek, to shift to channel 277, and WSTR (FM), now channel 276, Sturgis, Mich., to go to channel 257A. Action is in response to late filing by WELL-FM and is based upon consideration of interference to WILX-TV and WMSB-TV (sharing time on channel 10) in Onondaga, if WELL-FM operated on FM channel 243. Comr. Cox dissented. Action July 30.

■ By order, commission scheduled oral argument for Sept. 19 on various petitions for reconsideration of May 29 report and order which denied short-spaced VHF channels for Johnstown, Pa.; Baton Rouge, La.; Dayton, Ohio; Jacksonville, Fla.; Birmingham, Ala.; Knoxville, Tenn., and Charlotte, N. C. Action July 30.

■ By memorandum opinion and order, commission (1) denied petitions by Valley Broadcasting Co. (KIVA, ch. 11), Yuma, Ariz., directed against commission's April 10 grants without hearing of applications for new TV stations of Tele-Broadcasters of California Inc. on channel 9 and KXO-TV Inc. on channel 7, both in El Centro, Calif., and (2) dismissed as moot requests for stay of grants. Commission feels facts upon which petitioner relies are too inconclusive and generally stated to show prima facie that grant of applications is inconsistent with prior made findings that they would serve public interest, convenience and necessity. Comr. Cox dissented. Action July 30.

■ By memorandum opinion and order, commission (1) waived Sect. 4.371(c) of rules and granted applications of Frontier Broadcasting Co. (license of KSTV-TV, ch. 10, Scottsbluff, Neb., and KFBC-TV, ch. 5, Cheyenne, Wyo.) for four new UHF TV translator stations on channels 70 and 72 at Borie, Wyo., and channels 81 and 83 at Albin, Wyo., and two new VHF TV translator stations on channels 2 and 6 at Scottsbluff; subject to non-duplication condition, and (2) denied opposing petition by Collier Electric Co. Action July 30.

■ By memorandum opinion and order, commission waived Sects. 3.610 and 3.685 of rules to permit Cimarron Television Corp. to operate KOCO-TV, ch. 5, at Oklahoma City ant. farm at short spacing with KFSATV on same channel at Fort Smith, Ark. Cimarron petitioned for change in commission's action of May 29 which reassigned channel 5 from Enid to Oklahoma City and required KOCO-TV to move from Enid to Oklahoma City accordingly. Action is based upon special facts in particular case—namely, inability to find site meeting air space requirements so as to serve both Oklahoma City and Enid, small mileage difference (about 14 miles), absence of significant impact on UHF development, and need for expeditious action to improve KOCO-TV's public service. Grant is subject to conditions specified in paragraph 17 of May 29 order, and construction at Oklahoma City is not to commence until specifically authorized by commission. Comr. Lee dissented; Comr. Loevinger issued concurring statement. Action July 25.

■ By memorandum opinion and order, commission denied petitions by Warwick Manufacturing Corp. and Zenith Radio Corp. requesting reconsideration of part of commission's second report and order of March 27 on fostering expanded use of UHF TV channels which related to ratio of vis. o aur. power for TV stations operating on channels 14-83. Action July 25.

■ Commission announced action adopting memorandum opinion and order denying petition by KGMO Radio-Television Inc. (KGMO), Cape Girardeau, Mo., for reconsideration of March 13 action which granted application of Missouri-Illinois Broadcasting

Co. for new daytime AM on 1220 kc, 250 w, in Cape Girardeau, and which dismissed as moot KGMO request for stay of March 13 grant. Chrm. Henry and Comr. Cox dissented with statements. Action July 25.

■ Commission returned as unacceptable for filing application by Capitol Television Inc. for three-year trial of MELCO pay-TV system over KVUE-TV (ch. 40) Sacramento, Calif., which has been off air since March 19, 1960. Action July 25.

■ By order in proceeding on applications of Spanish International Television Inc., Progress Broadcasting Corp., Bartell Broadcasters Inc. and Trans-Tel Corp. for new TV stations on channel 37 in Paterson, N. J., commission (1) granted petition by Progress to defer proceedings until completion of rulemaking affecting channel 37 in Doc. 15022; and (2) stayed hearing proceeding and ordered action upon all pending motions and other matters filed by parties, including those pending before hearing examiner and Review Board, shall be held in abeyance pending further order of commission. Comrs. Lee and Cox dissented; Comr. Ford not participating. Action July 24.

■ By memorandum opinion and order, commission denied application by Magic City Broadcasting Corp. for reconsideration and grant without hearing of application for additional time to construct WJBM Birmingham, Ala.; also denied Magic City's application for review of April 16 action by Review Board upholding examiner's denial of continuance of hearing. Comr. Cox not participating. Action July 24.

■ By order in KOB-WABC "770 kc" proceeding commission granted petition by American Broadcasting-Paramount Theatres Inc. to extent of staying 30-day period specified in July 8 decision for filing of DA proposal by WABC. Stay is until final court order concluding judicial review. Comrs. Cox and Loevinger not participating. Action July 24.

■ Commission scheduled oral argument for Sept. 9 on petition by KWK Radio Inc. for reconsideration of May 29 decision revoking license of KWK St. Louis. Comrs. Bartley, Cox and Loevinger not participating. Action July 24.

■ By order, commission granted request for waiver of Sect. 1.354(j)(2) of rules and accepted for filing amendments substituting Esther Morris, executrix of estate of Carleton W. Morris (in lieu of Mr. Morris) as applicant for new AM stations in Safford (1480 kc, 1 kw, unl.) and Winslow (1010 kc, 500 w-N, 1 kw-LS, DA-2), both Arizona. Comr. Bartley dissented. Action July 24.

■ By memorandum opinion and order, commission (1) granted application by Music Productions Inc. for extension of time to Oct. 31 to complete construction of WBVA Waynesboro, Va., and (2) denied petition of WAYB Waynesboro to deny extension application and also then pending application for assignment of WBVA construction permit to W. Courtney Evans (since dismissed). Comr. Bartley dissented. Action July 24.

■ Commission waived Sect. 3.610 of co-channel mileage separation rule and granted applications of (1) Meyer Broadcasting Co. to change trans. location of KFVR-TV (ch. 5) Bismarck, N. D., from about 12 miles east of city to about 12 miles south thereof, in direction of Glendive, increase ant. height from 500 feet to 1,430 feet, and decrease vis. ERP from 100 kw to 51.8 kw, with aur. ERP 31 kw, and (2) Glendive Broadcasting Corp. to change trans. location of KXGN-TV (ch. 5) Glendive, Mont., from site in city to point 4 miles southeast thereof, in direction of Bismarck, increase ant. height from 90 feet to 500 feet, and increase vis. ERP from 5 kw to 14.8 kw, with aur. ERP 7.4 kw. By letter, denied objections by Association of Maximum Service Telecasters Inc. Chrm. Henry abstained from voting; Comr. Lee dissented. Action July 24.

■ By memorandum opinion and order, commission denied petition by Brainerd Broadcasting Co. (KLIZ), Brainerd, Minn., to designate for hearing application of Greater Minnesota Broadcasting Co. for new AM on 1340 kc, 250 w, unl., in Brainerd and to consolidate it with proceeding on KLIZ application for change on 1380 kc from 1 kw-D, to 5 kw, DA-N, unl., in Doc. 14958. Action July 24.

■ By memorandum opinion and order, commission denied petitions by WAEB Broadcasters Inc. (WAEB), Allentown, Pa.,

Berkshire Broadcasting Corp. (WLAD), Danbury, Conn., New Broadcasting Inc. (WLIB), New York and Middlesex Broadcasting Co. (WCNX), Middletown, Conn., for reconsideration of Feb. 5, 1962, further supplement to report and order in Doc. 6741 which amended Sect. 1.351 of rules by adopting criterion to govern acceptance and processing of applications for new or changed AM facilities on channels adjacent to clear channels. Commission feels, since each proposal must be considered on own merits and number of such cases is small, it appears preferable to grant waivers where appropriate rather than make general change in rules at this time. By separate letters, commission granted waivers of Sect. 1.351(b)(2)(i) of rules and placed following applications in line for processing in normal course: WLAD on 800 kc, D, from 250 w to 1 kw; WLIB, on 1190 kc, limited, from 10 kw to 10 kw, DA, and WCNX, on 1150 kc, D, from 500 w to 1 kw. Request by WAEB for waiver of section will be considered in connection with hearing in Doc. 14165. Action July 24.

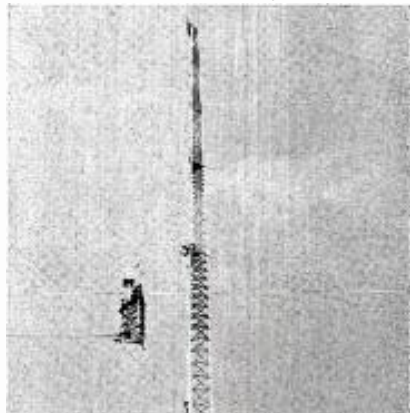
■ By letter, commission, on own motion, waived Sect. 1.354 of AM "freeze" rules and accepted for filing application of Radio Tennessee Inc. for mod. of license to change identification of WGYW Fountain City, Tenn. (1430 kc, 1 kw-D), to Knoxville. Fountain City has become annexed to Knoxville. Action July 24.

■ By letter, commission, on own motion, waived Sect. 1.354 of AM "freeze" rules and accepted for filing application of WROL Inc. to increase daytime power of WROL Fountain City, Tenn., on 1490 kc, from 250 w to 1 kw, continued nighttime operation with 250 w, and change designation of station location to Knoxville. Action July 24.

■ By order, commission (1) accepted for filing application of C. Edwin Goad for new FM on 99.1 mc; ERP 5.95 kw; ant. height 155.1 feet in Riverside, Calif. (facilities now assigned KPLI(FM), and which has pending application for renewal of license); and (2) waived Sect. 1.356 of FM "freeze" rules to extent necessary to permit acceptance for filing other applications specifying sub-

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