

## KVII-TV sale OK'd; KXYZ sale at FCC

A \$2-million transaction in which channel 7 KVII-TV Amarillo, Tex., is being bought by the Marsh family of Amarillo was approved by the FCC last week.

At the same time, an application for the transfer of KXYZ-AM-FM Houston to ABC was filed at the FCC for approval (CLOSED CIRCUIT, Jan. 8).

The Amarillo sale was by John B. Walton Jr., a group broadcaster, for \$1.5 million for the ABC-TV affiliated station, plus \$50,000 a year for 10 years as a consultant and for a covenant not to compete.

Transfer was to Marsh Media Ltd., 85% owned by Estelle Marsh, mother of Stanley, Tom F. and Estelle Marsh, each of whom owns 5%. The Marshes are in the oil, gas, banking and cattle business.

Mr. Walton continues to own KVII-AM-FM Amarillo, KVKM-TV Monahans, KFLP-TV El Paso, KCUK-AM-FM Fort Worth, all Texas; KAVE-TV Carlsbad and KVOD Albuquerque, both New Mexico, and KFIF Tuscon, Ariz.

The KXYZ-AM-FM sale is by Lester Kamin and associates; consideration is 20,000 shares of ABC stock, which closed last Thursday at 57½, making it a \$1,157,500 deal at present prices. The contract also provides that ABC will assume obligations not to exceed \$1.5 million. This will give ABC its full quota of seven radio stations.

In a balance sheet dated Nov. 30, 1967, the KXYZ stations are shown to have total assets of \$700,280, of which \$134,471 are total current assets. Current liabilities were listed at \$80,066; due parent company (KXYZ Inc., the licensee, is owned by Public Radio Corp.), \$446,635; and retained earnings, \$133,232.

Tangible property was listed at \$693,710 for original costs; \$273,109 after depreciation.

KXYZ is full time on 1320 kc with 5 kw; KXYZ-FM is on 96.5 mc with 100 kw.

## Mass. council urges CATV freeze

A freeze on the granting and implementation of CATV franchises in Massachusetts has been recommended by the consumer council, an agency of the state government, "because of the confusion close to chaos that now exists in many communities due to the

lack of appropriate legal safeguards." The recommendation is part of the council's interim report on CATV to the state legislature transmitted Jan. 24 and released last week.

The council also requested an extension of its CATV study to get opinions on certain legal questions from the state attorney general, and to draft its legislative recommendations, until April 17. The freeze would be in effect until then.

In general, the interim report recommends "government regulation of CATV by joint agreement between the state and the municipalities." The tenor of the council's public hearings, which involved mayors and selectmen of various towns, representatives of CATV and the All-Channel Television Society, a UHF group, and interested state legislators, favored state regulation of rates and terms of operation, with, as the interim report further suggests, "primary responsibility for the granting of any franchises resting with the municipalities."

**Fairness Problems** ■ Another possible area for legislative recommendation, called a "hot potato" by the selectmen of Weston, is "the offer of all [CATV] firms to provide service to local governments for transmission of public meetings and events. We believe the problems of control here are substantial. Questions of 'equal time' for proponents and opponents of local is-

ssues are raised. The entire gamut of regulatory problems facing the FCC could well be raised in the municipalities of the commonwealth."

According to the interim report, there are 28 municipalities in the state with operating CATV systems; 21 have issued permits where systems have not yet started construction, and three have systems under construction.

The Massachusetts consumer council is composed of eight public members and six ex-officio members and alternates, the state attorney general, chairman of the public-utilities commission, and the commissioners of banks, insurance, and labor and industries. Dermot P. O'Shea is executive secretary.

## UHF's seek relief from overlap carriage

Two Philadelphia UHF stations, faced with the prospect of a 24-channel CATV system in Levittown, Pa., carrying four New York City independent stations, have asked the FCC to set a hearing on that system's carriage proposals. WIBF-TV and WPHL-TV termed the CATV's operations as a "real, ominous, immediate and substantial" threat to UHF-audience fragmentation in Philadelphia.

The Levittown CATV is owned by Lower Bucks Cablevision Inc., which announced the start of construction of the \$1-million system last November (BROADCASTING, Nov. 6, 1967). Lower Bucks is principally owned by multiple-CATV-owner Philadelphia Community Antenna Television Co., a subsidiary of the *Philadelphia Bulletin*.

Among its 18 channels of initial program service Lower Bucks will carry four New York independents as well as eight local TV stations. Six other channels are reserved for local programming. The New York stations put a grade-B signal over the community, thus removing the CATV operation from the top-100-market rule that would have required a waiver from the commission.

And that's what concerns the complaining UHF's. The stations argue that since the New York stations are more than 60 miles from Levittown, "this case is a classic example of the need for a hearing to consider the impact of CATV carriage of signals that, while not technically distant under the rules, are distant in every practical sense." Levittown, they say, is an integral part of the Philadelphia market and should not be treated differently from other parts of the market with respect to carriage of the New York stations. The Lower Bucks carriage proposal, the



### Set for CBS-TV

Gordon Hayes (left), CBS-TV national manager of affiliate relations, and Dan Snyder, president of KRTV(TV) Great Falls, Mont., complete negotiations affiliating that station with the network, effective Feb. 16. KRTV replaces KFBB-TV, which becomes an affiliate of ABC-TV. KRTV also continues as the affiliate of NBC-TV in the Great Falls market.