

that alleged marketwide employment discrimination claimed that they never should have been included in that petition in the first place. WIKI(AM)-WDYL(FM) Chester, Va., contended that they serve predominantly rural Chesterfield county and that the petitioners had erroneously referred to them as Richmond stations. In any case, they said, their roster of minority employees surpasses the level judged reasonable by the Court of Appeals.

Baton Rouge AM ordered off the air

A unanimous FCC denies renewal on finding of many violations

The FCC has ordered the trustee of WLUX(AM) Baton Rouge—a station the commission said had amassed “a truly remarkable record of misconduct” over the past three years—to terminate operations.

In a unanimous action announced last week, the commission denied an application by Erwin A. LaRose, receiver in bankruptcy of Capital City Communications Inc., the WLUX licensee, for renewal of the station's license. It also denied Mr. LaRose's request that the commission hold oral argument on the case.

The commission designated WLUX's renewal application for hearing in October 1970 on a number of issues, including allegations that Capital City had participated in an unauthorized transfer of control, had filed inaccurate ownership reports and had generally operated the station improperly. The licensee was subsequently declared bankrupt and Mr. LaRose appointed receiver. After being denied permission to sell the station by the commission, Mr. LaRose elected to prosecute the WLUX renewal application.

But the commission found that to permit WLUX to operate for another license term would enable the stockholders of Capital City, who the commission claimed had displayed “an utter disregard” for FCC rules, to benefit financially. It said continued operation of the station would relieve the stockholders of their liability on Capital City's corporate debt of \$51,000.

WLUX was ordered off the air by Nov. 13, unless Mr. LaRose elects to pursue the matter in court.

Challenge is dropped; KPHO sale goes through

Dispute over abandonment of all-news format ends when buyer of another Phoenix AM promises 53% news-public affairs

The dispute over a proposed format change on KPHO(AM) Phoenix has ended to the apparent satisfaction of all parties involved. The FCC last week approved an application by Meredith Corp., the KPHO licensee, to sell the station to Dairyland Managers Inc. The commission action follows the withdrawal of a petition

to deny the sale by the Democratic Party of Arizona, which had objected to Dairyland's plan to drop KPHO's all-news format and substitute country music (BROADCASTING, Dec. 6, 1971).

The controversy over the KPHO sale eased considerably when the Democratic party reached an agreement with Dairyland whereby it would abandon its challenge on the condition that the commission approved the sale of KHAT(AM) Phoenix. Melvin Himelstein, the proposed buyer of KHAT, had agreed to switch that station's format to all-news, thus alleviating the party's concern that a loss of the same service on KPHO would deprive Phoenix listeners of a substantial amount of broadcast news.

The commission approved the KHAT transaction in the same action in which it authorized the KPHO transfer. It expressed reservations, however, about the condition by which the Democrats agreed to drop their challenge against KPHO—that Mr. Himelstein honor his agreement to devote at least 53% of KHAT's programming to news and public affairs. It said such a commitment could “curtail improperly” the licensee's obligation to maintain control over his programming and stipulated that if Mr. Himelstein initiates an all-news operation on KHAT, he should do so on his own volition. But Mr. Himelstein's agreement to meet the commitment on his own accord, the commission said, “comes within the discretion of the licensee in meeting in good faith and equitably the needs and interests of his area.”

Dairyland will acquire KPHO for \$1,651,000. The company, which has no other broadcast interests, is principally controlled by Stuart Struck, its president and an 82% stockholder. Mr. Struck is a director of the Sentry Insurance Co., which owns WSPT(AM) Stevens Point and WRJN(AM) Racine, both Wisconsin.

KHAT is being sold by Radio K-Hat Inc., whose principal stockholder, Ray Odom, will become general manager of KPHO. Mr. Himelstein, who has no other broadcast interests, will pay \$216,803 for the station.

KPHO(AM) is full time on 910 khz with 5 kw. KHAT is a daytimer on 1480 khz with 500 w.

Plough to pay \$2 million for Florida AM

Group broadcaster Plough Broadcasting Co. will purchase, subject to FCC approval, H. Y. Levinson's WSUN(AM) St. Petersburg-Tampa, Fla., it was announced last week. Plough will pay \$2 million.

Mr. Levinson three months ago contracted to sell his WCAR-FM Detroit to RKO General Inc. for \$625,000 (BROADCASTING, June 26). That transaction awaits the commission approval. Mr. Levinson retains WCAR(AM) Detroit and a majority interest in WSUN-TV (ch. 38) St. Petersburg-Tampa, which is presently off the air.

Plough Broadcasting, a subsidiary of the publicly owned Schering-Plough Corp., also owns WMPS-AM-FM Memphis,

WJJD-AM-FM Chicago, WCOP-AM-FM Boston, WCAO-AM-FM Baltimore and WPLO-AM-FM Memphis.

The agreement for the WSUN purchase includes a covenant in which Mr. Levinson has agreed not to compete with Plough in that market.

WSUN operates full time on 620 khz with 5 kw. Broker was Blackburn & Co.

Settlement in Cheyenne

Frontier, multimedia owner, closes deal selling TV, two satellites and CP to Lamb Communications

Lamb Communications Inc., Toledo, Ohio, last week announced that it has completed the purchase of the three television stations formerly licensed to Frontier Broadcasting Co. The \$3-million transaction, which was approved by the FCC two months ago (BROADCASTING, July 10), brings to Lamb KFBC-TV Cheyenne, Wyo., and satellites KSTF(TV) Scottsbluff, Neb., and KTVS(TV) Sterling, Colo. Also included in the package is Frontier's construction permit for KVRW(TV) Rawlins, Wyo., and a microwave system serving Cheyenne.

Frontier elected to sell the properties rather than go through an FCC hearing on KFBC-TV's license-renewal application. The firm, which has several communications interests in the Cheyenne area including broadcast, print and CATV was accused of concentration of media control.

Lamb assumed control of the stations through a new, wholly owned subsidiary, Wymeco Communications Inc.

In another announcement last week, Taft Broadcasting Co. said it has closed the deal in which it sold its WBRC-AM-FM Birmingham, Ala., to Mooney Broadcasting Co. Price of that sale, which earned FCC approval last month, was \$2.05 million.

Media Briefs

Artistry and the media. CBS Vice Chairman Frank Stanton will attend a Sept. 28 meeting of the Wisconsin Arts Council, Racine, at which some 105 radio and television stations throughout the state that have been promoting the council will be honored. At the meeting, a scroll commemorating the broadcasters' efforts on behalf of the council will be presented by WAC Chairman Gerald Bartell, founder and past president of group broadcaster Bartell Media Inc.

NBC adds. KIVA-TV Farmington, N.M., has joined NBC-TV. Station is owned by Four States Television Inc.

In ABC fold. WPAM(AM) Syracuse, N.Y., has signed as affiliate of ABC's American Information Radio Network. WJHG-TV Panama City, Fla., and KTVE(TV) Monroe, La.-El Dorado, Ark., formerly NBC primary affiliates, have become ABC primary affiliates and NBC secondary affiliates. Both are owned by Gary Communications Systems, Albany, Ga.

Two for CBS. WFHR(AM) Wisconsin