

ducing abroad or with non-union performers here, if necessary. In the event of a protracted strike, advertisers also have the option of using their existing commercials repeatedly.

WESH-TV case shifts from positive to neutral, or worse, for licensee Cowles

Cowles Communications Inc. stands in danger of becoming the second licensee in history to lose out to a challenger in a comparative hearing.*

The FCC has not reached a decision, but its members feel the comparative renewal case involving WESH-TV Daytona Beach, Fla., is so close that the staff has been told to prepare two final orders in the case. One would be a rewrite of an already-prepared order granting renewal; the other, one denying renewal and granting the competing application of Central Florida Enterprises Inc., comprising more than a score of area residents.

Renewal of Cowles's license had seemed a foregone conclusion. The initial decision, by Administrative Law Judge Chester Naumowicz, favored renewal. A draft order prepared by Commissioner Charlotte Reid, also favoring renewal, was submitted to the commission several weeks ago. It was then that the members began having second thoughts.

Several felt that the arguments made in favor of Cowles were not as persuasive as they had seemed immediately after the oral argument; the comparative case in favor of Cowles, not as strong.

At the same time, several factors damaging to Cowles seemed more significant. One involved an alleged unauthorized studio move, from Daytona Beach to an Orlando suburb. Another was the presence of two blacks among the Central Florida principals; the courts have directed the commission to give weight to the presence of minority members in broadcast applications.

What's more, Cowles's cause apparently is not being aided by WESH-TV's past programming. The commissioners reportedly feel that the programming is not of the "superior" variety that would entitle Cowles to an advantage.

Among those now said to be plagued by "substantial questions" about the proposed grant to Cowles are Chairman Richard E. Wiley and Commissioner Glen O. Robinson. Commissioner Benjamin L. Hooks is said to be strongly in favor of a grant to Central Florida, at least in part because of the minority ownership issue.

However, officials cautioned last week that the eventual decision could go either way. Cowles's hopes depend to a great extent on the job the staff does in redrafting the order to grant renewal; the commission asked for a more persuasively argued presentation, if possible.

*The first: Herald-Traveler Co. which lost Boston channel 5 (WHDH-TV) in 1972.

In Brief

■ Agenda for **National Association of Broadcasters annual convention** in Chicago next March 21-24 is undergoing radical revision to sharpen segregation of radio and television sessions. NAB ad hoc radio committee, recently formed to quell movements toward autonomous radio trade associations, met last Thursday with Radio Advertising Bureau's new task force on radio identity (BROADCASTING, Oct. 27) to work on convention program, from which RAB session, formerly scheduled on Sunday, March 20, day before main events start, has been scrubbed. There'll be more meetings this week. ■ Last Friday (Dec. 5) **Charles T. Jones Jr.**, vice president and director of NAB's Radio Information Office, opened campaign to explain NAB's good works on behalf of radio ("Closed Circuit," Dec. 1). In speech to Arizona Broadcasters Association, Mr. Jones deplored divisiveness, related list of radio benefits NAB had arranged, said "NAB is the best instrument for accomplishing the most good for broadcasting." ■ **National Cable Television Association** President Robert Schmidt has begun anticipated staff housecleaning ("Closed Circuit," Nov. 17). Top two on government affairs team are out: **Charles Lipsen**, vice president for congressional relations, and **Carol Seeger**, political coordinator. Replacements, from outside association, are expected to be announced today (Dec. 8) at Washington board meeting. ■ Food and Drug Administration attack on most over-the-counter daytime sedatives, nighttime sleep-aids and stimulants (on grounds they're ineffective) may have impact on broadcast advertising. Television Bureau of Advertising figures show category of "headache remedies, sedatives and sleeping preparations" spent \$73.5 million in network TV, \$22.4 million in spot TV in 1975. ■ **KXOA(FM)** Dallas has been sold by Able Communications to Penton Broadcasting for \$1,700,000, subject to FCC approval. Selling organization, owned by Louis Marx, also owns **KJOK(FM)** Los Angeles. Buyer is subsidiary of Cleveland-based publishing company; it also owns 25% of **WQSA(AM)-WQSR(FM)** Sarasota, Fla. ■ CBS News correspondent **Don Webster** and freelance cameraman **Bill Mutschmann** have been detained, incommunicado, in Angola for two weeks. CBS protests to Popular Movement for the Liberation of Angola have been unavailing. ■ FCC has granted license renewal to Storz Broadcasting's **WTIX(AM)** New Orleans, determining there was no substantial basis to complaint station has urged armed citizens to help police catch sniper in 1973. ■ Women's Committee for Equal Employment Opportunity and 16 individuals have filed **suit against RCA, NBC, WNBC-AM-FM-TV** and six unions, charging sex discrimination. It's latest move in succession of disputes between women's group and NBC since November 1971. ■ Viacom International's exclusive right to syndicate **All in the Family** has been upheld by U.S. circuit court in New York. Norman Lear's Tandem Productions had appealed earlier decision, claiming CBS lost distribution rights when it was forced to spin off syndication division. ■ Senator **Hugh Scott** (R-Pa.), minority leader and author of performance royalty bills, won't stand for re-election in 1976. ■ FCC has approved application of **RCA Global Communications Inc.** for domestic satellite it plans to launch Friday (Dec. 12). It's expected to be operational by March. ■ RCA confirms it has canceled plans to construct conference center, heated and cooled by **solar energy**, on RCA Building in New York. It's said to have been pet project of deposed chairman Robert W. Sarnoff. Estimated costs had risen to \$10 million, money RCA feels can be better spent on such "growth opportunities" as satellites, VideoDisc recording and expansion of long-lines facilities in Alaska. ■ CBS, still tinkering with second-season schedule, has canceled Douglas Cramer Productions' **Joe and Sons** in favor of Allied Artists/International TV Productions' **Popi**, new sitcom about Puerto Rican janitor in New York City. It's based on Alan Arkin movie, will debut in mid-January (Tuesdays, 8:30-9 p.m.). ■ Bill extending **sports anti-blackout law** another three years was voted out of Senate Commerce Committee unanimously Friday, without markup session. Current law, which expires Dec. 31, prohibits blackout of professional games in football, baseball, basketball and hockey in home TV market if sold out 72 hours in advance. Senate bill (S.2554) would also shorten cut-off period from 72 to 24 hours for post-season games in baseball, basketball and hockey. House version (H.R.9566), which would extend law permanently, will probably be marked up by Communications Subcommittee this week. ■ Network TV research executives received what one called "reams" of data from A.C. Nielsen Co. Friday in one of series of meetings seeking causes for **slippage in network ratings** (BROADCASTING, Oct. 6, et seq.). "Now the statisticians will take over and we'll see what we've got," said one network research head. Some of data submitted Friday apparently bore on approximately 20 factors that have been isolated as possible contributors to ratings drop.