

- FCC's **modification of cable system rebuild rules**—which commission billed as relaxation—is being challenged in court by Midwest Video Corp. of Little Rock, Ark. Midwest operates number of systems that are outside top-100 markets but have more than 3,500 subscribers. New rules changed definition of systems subject to 20-channel capacity and access-channel requirements from those in top-100 markets to those with 3,500 subscribers or more. Rules give systems 10 years in which to comply (BROADCASTING, April 5).
- House Committee on Standards of Official Conduct will begin hearings July 19 in its **search for leak** of House Intelligence Committee's CIA report to CBS correspondent Daniel Schorr, who passed it to *Village Voice* of New York. Chairman John Flynt (D-Ga.) wouldn't say whether committee will call Mr. Schorr or other reporters to testify.
- FCC's **new license renewal forms** for radio and television have hit snag in General Accounting Office, which must clear government questionnaires. On complaints by broadcasters, GAO is questioning Question 7 in radio form and 4 in TV which ask whether any party to renewal application has been engaged in illegal conduct. Broadcasters, who have asked FCC to reconsider question (see page 44), say it would mean querying every stockholder in public company. There'll be FCC-GAO talks this week.
- ABC News commentator **Howard K. Smith** broke musty exclusive last Thursday on *Evening News*: that late President Johnson once confided that Cuba's Fidel Castro was linked to President Kennedy's assassination. "I'll tell you something that will rock you," Mr. Smith recalled Mr. Johnson saying to him. "Kennedy was trying to get to Castro, but Castro got to him first." Mr. Smith said President refused to add details. He went public with confidence now, he said, because of renewed concern about Kennedy killing.
- FCC has ruled New York state law imposing **2% fee on cable systems' gross revenues**, including those from pay operations, is consistent with its rules. Ruling came on request from New York state, which is being sued by systems that do not want to include pay revenues in base against which 2% fee is levied.
- FCC Administrative Law Judge Ernest Nash issued initial decision **favoring Sound Radio Inc.** over five other applicants for frequency of WNJR(AM) Newark, N.J., which had license lifted in 1969 for misrepresentation and fraud. Sound Radio scored on black and female representation in its principal stockholders who include Geraldine E. Warrick, director of national community affairs for NBC; Benjamin H. Wright Sr., member of board of editors of *Black Economics and Business*, and singer Dionne Warwick. WNJR is on 1430 khz with 5 kw full time.
- CTW Communications Inc., New York, has bought KACY(AM) Port Hueneme, Calif., from Dellar Broadcasting, Santa Barbara, Calif. (Lincoln Deller, president) for \$866,000, subject to FCC approval. CTW, tax-paying subsidiary of **Children's Television Workshop**, New York, invests in cable TV and radio properties to build on endowment base for partial self-support of parent Workshop. KACY is on 1520 khz, with 50 kw day, 1 kw night.
- WAAM(AM) Ann Arbor, Mich., has been **sold by WAAM Inc. to Lima Broadcasting Corp.** for \$825,000. Principal in seller is John Sinclair Jr., owner of WCVL(AM)-WLFG(FM) Crawfordsville, Ind., and WANT(AM) Richmond, Va. Lima's principal is Lee C. Rau, executive vice president and general manager of WIMA-AM-FM. Lima, Ohio. WAAM is on 1600 khz, with 5 kw fulltime. R.C. Crisler was broker.
- In unprecedented step, committee of National Association of Broadcasters will present appeal to FCC without backing of full association. Bill Rollins of WSVM(AM) Valdese, N.C., chairman of NAB's small market radio committee, will deliver to FCC Chairman Richard Wiley on Wednesday (June 30) committee's resolution **opposing creation of superpower radio stations** on existing clear channels. NAB radio board, meeting in Washington two weeks ago, couldn't find unanimous approval for resolution, decided instead to send committee out to fight by itself.
- FCC has **revoked licensee** of WSIB(AM) Beaufort, S.C., owned by Charles E. Bell Sr., on grounds of deliberate misrepresentation, misleading and deceptive statements, attempts to conceal fraudulent billings.
- *Time* Magazine last week quoted President Ford as saying that if he wins nomination, he **will not debate** Democratic opponent. All through primaries, Ford aides have been negative in answering questions about debates.

features."

"We recognize just as fully that any such expansion raises a lot of complications," he continued. "Affiliate concerns and interests are directly involved. There may be differences of views on the subject among affiliates. Equitable arrangements with stations—that's money—would have to be made.

"We will make our final decision only after full consultation with the affiliates."

NAB seeks more protection for syndicated shows

FCC is asked to grant greater exclusivity for markets after 50, give even more for those after 100

For the National Association of Broadcasters, the time has come to reverse what it sees as an erosion of the FCC's cable television rules. And the place to start, the association feels, is the commission's syndicated program exclusivity protection rules. The NAB last week petitioned the commission to afford stations in markets below the top 50, the same protection for their syndicated programming it does top-50 markets stations—and then some, in the case of stations in markets below the top 100.

The NAB, in its petition for rulemaking, says the present syndication rules—which provide extensive syndicated exclusivity protection in the largest 50, limited protection in the second 50 and no protection in the remainder—are irrational. Since the likelihood of deleterious impact increases as the size of the market decreases, NAB contends, the impact rationale dictates that the small-market stations receive at least as much protection as those in the largest markets.

Accordingly, NAB says stations in all markets should be afforded the protection now available to those in the top-50 markets. Those stations are protected against importation of any syndicated program from a distant station for a period of one year from when the program is first licensed or sold to a station, and while they have exclusive broadcast television rights against stations and cable systems in their market.

Nor would NAB stop there for stations in markets below the top 100. Present rules apply to cable systems within 35 miles of protected stations, but NAB would increase the zone to 55 miles in the case of markets below the top 100.

"If the commission fails to shore up this weak spot [the syndication rules], especially in the wake of other erosions of the commission's rules"—the NAB cited the repeal of the antileapfrogging rules and the exemption of specialty stations from cable systems' carriage quotes—"the chances of improved broadcast service . . . will only be diminished."