

- KVMX(FM) Eastland, Tex.—Granted modification of CP (BPH-11,194) to change TL and SL and RC to 2010 West Commerce Street, Eastland; change type ant.; decrease ERP: 1.7 kw (H&V); increase HAAT: 390 ft. (H&V) and change TPO. Action July 13.
- KIWW(FM) Harlingen, Tex.—Granted CP to change HAAT to 454 ft. (H&V) Action July 8.
- KPTX(FM) Pecos, Tex.—Granted modification of CP (BPH-10,824, as mod.) to change TL to 1.1 miles from center of city on Old Carlsbad Road, Pecos, Tex.; change type trans; change type ant.; increase HAAT: 117 ft. (H&V) and change TPO. Granted June 29.
- KTUF(FM) Terrell Hills, Tex.—Granted CP to increase HAAT: 444 ft. (H&V) and decrease ERP: 1.025603 kw (H&V). Action July 8.
- KVWC-FM Vernon, Tex.—Granted CP to change type trans; increase ERP: to 3.0 kw (H); decrease HAAT: 138 ft. (HV) and change TPO. Action July 23.
- WCMS-FM Norfolk, Va.—Granted CP to increase HAAT to 500 ft. (H&V) and change TPO. Action July 14.
- *WDCE(FM) Richmond, Va.—Granted CP to increase ERP to 100 w; HAAT: 86 ft. Action July 17.
- WSLQ(FM) Roanoke, Va.—Granted CP to install new aux. ant. on main tower; to be operated with ERP: 36.82 kw (H&V); HAAT: 1,934 ft. (H&V) and change TPO. Action July 6.
- KSFC(FM) Spokane, Was.—Granted CP to increase ERP: 100 w; HAAT: minus 1,819.7 ft.
- WKJC(FM) Lewisburg, W. Va.—Granted modification of CP (BPH-9915) to change TL. Action July 10.

In Contest

Procedural rulings

- Raleigh, N.C. AM proceeding (New Sound Inc., et al.)—ALJ Joseph Stirmer granted joint request by

Special Markets Media Inc., and Capital Area Broadcasting Co. Inc., and approved settlement agreement; authorized reimbursement of \$21,000 to Capital Area by Special Markets and dismissed with prejudice Capital Area's application. (BC Doc. 80-531-35). Action Aug. 3.

- Eunice, La. FM proceeding (Acadiana Broadcasting Inc., and Eunice Broadcasting Inc.)—Granted joint petition by applicants and approved settlement agreement, authorized the \$10,000 reimbursement to Acadiana from Eunice; dismissed Acadiana's application with prejudiced, granted Eunice's application; dismissed as moot joint motion by applicants for expedited consideration and terminated proceeding. (BC Doc. 80-231-232). Action Aug. 7.

- Tallahassee, Fla. FM proceeding (Metropolitan Broadcasting Corp. and Hub Radio)—ALJ Joseph Stirmer. Granted request by applicants and approved settlement agreement, authorized reimbursement of \$7,291.12 to Hub; dismissed with prejudice Hub's application; granted Metropolitan's application and terminated proceeding. (BC Doc. 80-411-412). Action July 24.

- Lubbock, Tex. TV proceeding (Troy Raymond Moran and Robert M. Voelker)—ALJ Edward Luton by two separate actions, granted motion by Moran for leave to amend his application to show his assumption of certain additional financial obligations and his plan for meeting those obligations (By Order; Action July 31); and granted joint petition by applicants and approved settlement agreement, authorized reimbursement of \$21,384.38 to Voelker, dismissed with prejudice Voelker's application; granted Moran's application and terminated proceeding (BC Doc. 80-167-168). Action July 31.

FCC decisions

- FCC granted Satellite Television Service Inc., waiver of rules so it can build new commercial TV and operate STV on ch. 12 at Pembina, N. Dak., despite objections by Spokane Television Service Inc., licensee of KTHI-TV Fargo-Grand Forks, N. Dak., and Canadian CanWest Broadcasting Ltd. Satellite requested waiver of Section 73.642(a)(3) of rules—the "complement of four" rule. Noting that rule was designed to minimize

pre-emption of free TV programming by STV, FCC said granting Satellite waiver of rule would not undermine that purpose. Rather, it would initiate programming by reactivating unused VHF to provide only local TV service to Pembina. FCC conditioned STV grant, however, on Satellite's proposal to broadcast local programming during prime time and to use STV system approved by FCC. In objecting to grant of Satellite's applications, Spokane maintained that when Satellite principal John W. Boler sold KXJB-TV Valley City, he stated intention to retire from broadcasting. Spokane argued that Boler never intended to retire, as shown by his present involvement in Satellite's application. FCC pointed out that in approving KXJB-TV sale, it had not expected Boler to retire from all broadcast activities, nor was approval conditioned on doing so. As for Spokane's allegation that Boler could be trafficking in broadcast licenses because of his participation in new TV application shortly after selling his interests in KXJB-TV, the commission said that mere acquisition of broadcast properties and their subsequent sale over long period of time did not infer trafficking. In denying CanWest's objection, FCC noted that mere allegation that Satellite really seeks to compete with its station CKND-TV Winnipeg, Manitoba, was insufficient to raise substantial question of fact. Action July 30.

- FCC upheld Feb. 23 staff action sustaining Taft Broadcasting Co.'s objection to request by Petroleum V. Nasby Corp. for assignment of call letters WPVN to its new FM in Shelby, Ohio. Taft owns WTVN, Columbus, Ohio. Taft pointed out that three of letters in Petroleum's requested call sign were identical to its own and letters "T" and "P" were related phonetically. It also noted that two stations serve areas in common. Thus staff determined that assignment of call letters would cause confusion. In seeking review, Petroleum stated its counsel had never received copy of Taft's objection; objection violated rules because margin was fixed improperly and it was single-spaced rather than double, and because it was acted on by acting chief of Broadcast Facilities Division and not chief of Broadcast Bureau who has authority to resolve call letter disputes. To support its contention that two stations would not serve same areas, Petroleum submitted 1945 WTVN map showing that Shelby is not quite within WTVN's coverage area. FCC disagreed, stating that Taft's map showed Shelby well within station's primary coverage area. Equally lacking merit, FCC said, was Petroleum's contention that objection should be dismissed because of its improper format. It pointed out that objection is filed informally in accordance with rules, so format specifications are inapplicable. Action July 30.

Allocations

- Fort Walton Beach, Fla.—In response to petition filed by Fort Walton Beach Broadcasting Corp. proposed substituting UHF TV ch. 53 for ch. 52 at Fort Walton Beach to permit desired flexibility in transmitter site selection consistent with air safety requirements, comments due October 5, replies October 26 (BC Doc. 81-488). Action July 28.

- Owenton, Ky.—Granted request filed by Charles N. Cutler for dismissal of petition proposing assignment of 105.5 mhz to Owenton as its first FM assignment (BC Doc. 81-83). Action July 30.

- Ogallala, Neb.—Substituted 99.7 mhz for 92.7 mhz and substituted 105.1 mhz for 93.5 mhz at Ogallala; modified license of KOGA-FM and KMCX(FM) Ogallala, to specify operation on new channels, and ordered Ogallala Broadcasting Co., licensee of KOGA-FM, to reimburse Connel Radiowest Inc., licensee of KMCX(FM), for expenses incurred in changing frequencies effective October 6 (BC Doc. 80-249). Action July 30.

- Tulsa, Okla.—In response to petition filed by Oklahoma Educational Television Authority, proposed moving noncommercial educational reservation from ch. 11 to ch. 2 in Tulsa, comments due October 6, replies October 26 (BC Doc. 81-491). Action July 30.

- Vernal, Utah—In response to petition by KVEL Inc., licensee KUNI(FM) and KVEL(AM) Vernal, Utah; proposed substituting 105.9 mhz for 92.7 mhz at Vernal, and modifying license for ch. 224 to specify operation on ch. 290; comments due October 6, replies October 26 (BC Doc. 81-492). Action July 30.

- Kingwood, W. Va.—Assigned 96.7 mhz to Kingwood as its first FM assignment, effective October 6 (BC Doc. 81-33). Action July 30.

- Houston, Tex.—In response to petition filed by The

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