

# The LPTV Report

News and Strategies for Community Television Broadcasting

Vol. 4, Issue 8

A Kompas/Biel Publication

August 1989

## Direct Response Advertising The Bottom Line

—by Frank Cannella, Jr.

The terms "per inquiry (PI) advertising" and "direct response advertising" are often used interchangeably. But in fact, PI's merely describe a form of advertising payments. Let me explain.

A television direct response advertisement is any commercial that solicits an immediate response from the viewer through a toll-free telephone number or (less often) a mailed response. Advertisers or agencies place direct response commercials in one of two ways: by purchasing spot time at a station's regular cash rates or by contracting with the station for a "per inquiry" (PI) ad.

TV stations, of course, prefer the cash buys. They are simpler and cleaner. However, if you have a great deal of unsold time available, then you might like to experiment with PI's. In a PI deal, the advertiser airs a commercial on your station at

no charge. In exchange for the free spot, you get a percentage of the revenue from any sale generated by that spot. This is a per order or per inquiry arrangement.

In most cases, direct response advertisers don't want your most salable inventory. They want to reach the viewers who are watching television because they have nothing else to do. The typical dayparts are late night, late fringe, early fringe, and weekends. Daytime works for some products, as well. Typical programming choices are old movies, situation comedies, and syndicated drama series. Game shows generally do not work well.

Before you accept a PI offer, qualify it. Ask the agency where the commercial is currently airing. Unless it's on a number of stations, it may not be worth the time and paperwork it will cost you. So be sure the offer is successful elsewhere before you take it on.

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Classic collections from artists like Tina Turner are favorite PI offerings.

## RFD-TV Is Back

RFD-TV, the agricultural programming network, is back on a new satellite following a series of legal and financial difficulties that forced it to go dark for ten days last June.

Sam Curley, RFD-TV's executive vice president, said that the network went dark at about 8 a.m. June 15 at the request of GTE Spacenet Corporation, owner of Spacenet 1, the satellite over

which it was transmitting. Curley would not elaborate on the problems that led to the black-out but said that relations with GTE remained friendly and that the company was close to resolving its difficulties. Transmissions resumed on June 25 over Contel's Westar 5, channel 17.

"We got thousands of calls of support from viewers when we went off the air,"

said Curley. "We especially appreciate the support of our LPTV affiliates." Curley said that all of the LPTV affiliates followed the network to the new satellite.

RFD-TV transmits farm news, weather, music, movies, and other programming to viewers in the rural U.S. and Canada. The network is presently working on deals to expand its coverage to Australia and Japan, said Curley. K/B

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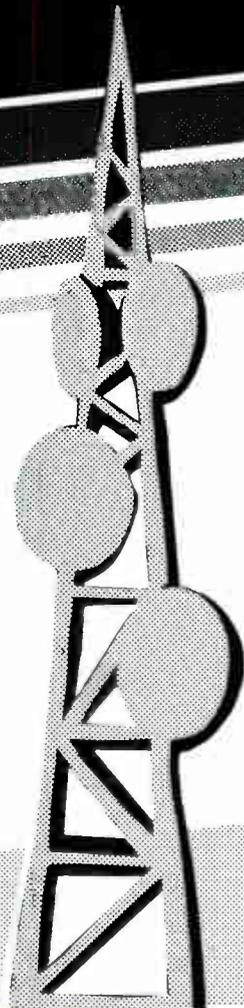
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# In Our View

The CBA has been busy! Not only are preparations well under way for the second big convention in November, but there has been some heavy lobbying going on in Washington.

This month we'll use our column to report on some of this Washington activity.

On June 7, CBA president John Kompas left Milwaukee for a three-day effort to establish contacts on Capitol Hill and promote the LPTV industry. Accompanied by CBA political consultant Marty Rubenstein, John met first with Antoinette D. Cook, counsel to the Senate Communications Committee. Right now, Ms. Cook is involved in the Committee's investigations into cable business practices, and she was concerned about the difficulties that some LPTV broadcasters have encountered in their efforts to gain cable carriage. She asked for details. John gave her a package of letters collected last year from CBA members who had had trouble with cable. And several LPTV broadcasters who have had more recent problems later called to speak with her directly.

John's next appointment was with Keith Larson of the FCC's LPTV Branch and his boss, Roy Stewart. It was a routine, informational meeting in which the three talked about the CBA board meeting in Nashville and the effort to organize the "community broadcasters" within the association. (See Lee Shoblom's "CBA Comment," page 11, for a report on this event.)

John then walked over to the offices of *Broadcasting* magazine to pay a courtesy call on managing editor Don West. As some of you will remember, Don hosted a panel at the CBA Convention last October.

The next day was a meeting with Terry Haines, minority counsel to the House telecommunications subcommittee. Haines knows LPTV from his former days under Barbara Kreisman, Keith Larson's predecessor in the LPTV Branch; and he has watched the service closely. CBA counsel Peter Tannenwald and John spent an hour briefing Haines on current LPTV issues.

On July 5, John met in Milwaukee with Senator Bob Kasten (R-WI), a member of the Senate Commerce Committee, which oversees the Senate Communications Committee. This meeting was also an informational meeting, and the allotted twenty minutes stretched to an hour as the Senator's interest in LPTV and the CBA grew.

The most recent trip was again to Washington. On July 26-27, John and Marty and Peter took to the Hill to meet with Tom Cohen, majority counsel for the Senate Communications Committee. Again, the subject was cable and the problems that some LPTV stations have had getting cable carriage.

Also on this trip, John met with a Washington-based media analyst who has agreed to work with the CBA to create a

financial profile of the LPTV industry. A formal analysis of this nature is crucial if the industry is to begin to join the broadcast financial mainstream. The project is scheduled to be completed in time for the November CBA convention.

Then it was over to the FCC for another visit with Keith Larson and Roy Stewart. Finally, John met with David Meeker, counsel to Senator Kasten, to follow up on the July 5 meeting and to enlist the Senator's help with CBA's agenda.

As you can see, there is a lot of missionary work going on. But we need your help. If you have a story to tell, let us know. Let us know about your problems, and your successes, too. And while you're at it, keep your representatives in Congress informed. Just letting them know you exist—and possibly offering them a little air time—will help more than you know to bring the LPTV industry to their awareness.

Good luck!

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**Western Region: James E. Heath  
& Assoc.**  
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Los Angeles, CA 90077  
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**Affiliations:** CBA *The LPTV Report* is the official information channel of the Community Broadcasters Association.

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*The LPTV Report*, ISSN 0892-5585, is published monthly by Kompas/Biel & Associates, Inc., 5235 124th Street, Suite 22, Butler, WI 53007, or P.O. Box 25510, Milwaukee, WI 53225-0510. Copyright 1988 by Kompas/Biel & Associates, Inc. All rights reserved.

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Subscription price: 1 year, \$35.00; 2 years, \$55.00. Outside USA: 1 year, \$43.00; 2 years, \$71.00. Back Issues: \$3.75 each. POSTMASTER: Please send address changes to: *The LPTV Report*, P.O. Box 25510, Milwaukee, WI 53225-0510.

## TV Guide Now Listing Oregon LPTV



John Mielke

K25AS of Eugene, OR—known to its viewers as KLSR-TV—is being listed in the Oregon state edition of *TV Guide* as of July 29.

The Fox affiliate reaches 110,000 households through a network of translators and cable systems, including Eugene's TCI Cable, which began carrying the station on June 1.

Eileen O'Malley Spangler, associate editor of *TV Guide*, said that the decision to list KLSR was based on its viewership in the Eugene area. KLSR is the first LPTV station in the country to be listed in the publication.

Spangler said that decisions to list a station were made on "a case-by-case basis" and that the criteria included the number of viewers and whether or not a station was carried on cable. She noted that "quite a few" full power commercial and PBS television stations, including some major network affiliates, are not listed in the magazine.

*TV Guide* editors "pay very strict attention to the mail" from readers, as well as conduct "small" reader surveys at irregular intervals, said Spangler. "We're very conservative in our approach to LPTV stations," she said, adding that LPTV stations would be evaluated on the basis of the availability of their signal to a "significant number of people" and a programming line-up that "readers seem interested in."

## Learning Channel Expands Literacy Programs

The Learning Channel has announced a three-year effort to expand its literacy, math, and science programs.

TLC Excel, as the new initiative is called, began officially on July 1 when the network began a 24-hour schedule. The program, to air during prime-time, promotes basic reading skills, math and science education, language development, and continuing education. TLC Excel will be supported with special community promotions, including events co-sponsored with local education associations.

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Lou Johnson, *Los Angeles Dodgers*



## The News In Community Broadcasting

—by Bob Horner

## The Assignment Desk And The Assignment Editor

Our last column talked about how to decide what areas of the news your station will concentrate on. Now it's time to set up your newsroom assignment desk.

When most viewers think of TV news people, they think of reporters, anchors, and camera operators. But none of these people can do their jobs very well unless they are provided with story planning and direction, which in a newsroom is the function of an assignment desk.

Ideally, the assignment desk is a job in itself. But many times the assignment editor has other duties such as doing interviews or producing. In very small operations, the assignment desk may be the job of the news director, an anchor, a reporter, or a producer. In any case, it is one of the most important jobs in the newsroom.

If it is properly established, the assignment desk can be the heart and soul of the news operation. A good desk can inspire great news, and a bad desk will make success impossible.

### The Duties

An assignment editor plans the news coverage. Therefore, keeping good files on upcoming stories and keeping track of news releases is a big part of the job. It's a good idea to have a monthly story file, as well as a daily file for the current month.

It's also helpful to have an assignment board on which to track the progress on the daily stories. Most people use the white plastic kind with dry markers. Based on those events you know will happen, you can set up the next week's story plans before leaving work on Friday. Adjust your plans daily as news happens. This way, you avoid the problem of trying to produce a good newscast when there is no news.

### The Tools

Here is a list of some of the other things that make life easier for an assignment editor:

- A good dictionary;
- A thesaurus;
- A book of quotations;
- Every map that exists of your city, county, and state;
- A police band radio with the proper crystals;
- A portable radio;
- A city directory;
- A cross-referenced street/telephone guide—also known as a backwards telephone book;
- A directory from every civic organization, group, and club that prints one;
- A top-of-the-line Rolodex or, if the budget allows, a personal computer with word processing and database programs;
- A good typewriter or a personal computer with a letter-quality printer;
- File drawers.

### Finding An Assignment Editor

Finding the right person to run the desk is a good challenge. What should you look for in an assignment editor? Perhaps the best qualification of all is the simplest: Does the candidate really want to be an assignment editor. You don't want someone who only wants to be on the air. That person just won't give the job the effort it deserves.

The assignment editor not only has to come up with great stories on a newsless day, but also has to organize the coverage on breaking news. In other words, even during quiet times, it's a stressful job, so look for someone who can handle that.

What is a good assignment editor? She is intensely interested in the world around her. She is a teacher by nature, someone who doesn't mind that others get the credit for her hard work, and someone who is genuinely interested in helping the entire staff make improvements.

He is a voracious reader, a person who listens to everything, a nitpicker, a detail-oriented person who'd notice that the mayor's middle initial is wrong, or that Lincoln has been misquoted in a story, or

*continued on page 6*



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that a writer is two days off on a date in history.

While it's always good to have a local resident for the job, a great assignment editor is a generalist, a person who can jump in feet first and learn a community even if he's never been there before.

And, finally, a good assignment editor is a team player who inspires team spirit in others. You know you have a good person when everyone feels that their contributions to the newscast are appreciated and needed.

*Bob Horner is a broadcast news consultant based in Atlanta. His experience includes nine years at CBS News, as well as extensive local news production. Bob welcomes your comments and suggestions on news-related topics for this column. Send them to him in care of this magazine. Or call him at (404) 257-0397.* R/B

## TVRO/DBS Market To Sextuple By 1993

The number of U.S. homes with satellite dishes will climb from 2.4 million in 1988 to 16.7 million in 1993, and the price of dishes will drop from the current average of \$2,500 to about \$600, according to a new report by Frost & Sullivan, a New York City-based business information company.

The company's 299-page report, entitled "The Home TVRO/DBS Market in the U.S.—1988-1993," predicts that annual sales of direct broadcast satellite systems will increase from \$805 million in 1988 to \$4.7 billion in 1993. Annual subscription revenues will grow from \$180 million in 1988 to almost \$3.8 billion in 1993. R/B

## Resort Sports Network Offers Active Fare For LPTV Market

Resort market LPTV stations are the targets of a new programming service geared to the upscale leisure viewer. The Resort Sports Network, based in Portland, ME, offers skiing and other sporting events, ski and windsurfing movies, and how-to programs on rock climbing, sailing, golf, and tennis to a network of resort area cable and LPTV stations.

All of the network's programming is targeted to people who spend significant amounts of money on travel, recreational activities, and leisure equipment, according to president J. Rory Strunk. As a service to advertisers, RSN conducts periodic surveys of these individuals to determine their discretionary income spending patterns, vacation patterns, and secondary and tertiary interests. The surveys have helped RSN sign such major national advertisers as Chase Manhattan Visa, Audi of North America, and Vuarnet France.

"We never would have been able to attract this type of national advertiser ourselves," commented Steve Eccleston, general manager of W18AE in Killington, VT, one of two LPTV stations using RSN programming. Eccleston said that, although his station was getting some national co-op advertising, working with RSN is much easier. "They can produce a much better looking ad," he said, adding that using the network frees him to work more closely with his local clients.

Strunk feels that RSN's format works well for resort LPTV stations. "LPTV is an up-and-coming medium," he said. "In many communities where the cable systems are already saturated, LPTV offers a new frontier." R/B

## The Bottom Line

*continued from front page*

Your share of the revenue from a straight PI sale should be approximately one-third of the selling price; and the agency takes 15% of your cut as a commission. The mechanics of payment are fairly simple. Generally, you would invoice the advertiser at the end of each month for the total orders generated, multiplied by the percentage due you. To ensure that you are paid for all of the orders generated by the spots you run, insist on supplying your own 800 number. If possible, insist also on receiving a copy of the telemarketing report for your station. If the advertiser wishes to use a post office box for responses, offer yours. This way you get paid for the mailed orders, too.

In the case of magazines, continuity programs, and lead generation cam-

paigns, the mechanics are a bit trickier. With these offers, your revenue depends upon how many orders the client sells later—their "back-end." Because you can't oversee the results yourself, you must use your judgment and trust the agency. If you don't feel comfortable you can always take the offer off the air.

A successful per inquiry campaign on your station could actually generate more dollars per spot than your normal rate card rate. So be sure to manage the offer and its placement wisely in order to maximize your return. Evaluate the agency's reputation before you make the deal; evaluate the experience of other stations with the offer and the advertiser; and be sure you're getting a fair percentage of the sale.

*Frank Cannella, Jr. is a direct response marketing consultant with offices in Burlington, WI.* R/B

## DIRECT RESPONSE AGENCIES

Agency	Contact	Phone Number
Cannella Consulting	Frank Cannella	(414) 763-4810
A. Eicoff & Company	Francie Barson	(312) 944-2300
Hawthorne Communications	David Chaladoff	(515) 472-3800
Media Arts	Nancy Langston	(703) 749-1480
Media Marketing	Bob Schultze	(206) 762-3531
Radio Advantage	Ron Weener	(201) 857-2030
Suffolk Marketing	Richard Huntley	(516) 979-0100
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# Broadcast Station Publicity

## Part Three: Photographs

—by Lance Webster



In Part Two (*LPTV Report*, March 1989), we talked about how and when to write news releases. This month, we'll discuss a frequent and important adjunct to the news release—the photograph.

Photographs are important to the promotion and publicity of a television station because they show what the viewer will see on the screen. They are important to radio promotion because they satisfy public curiosity about the faces behind the voices. But there are also other important uses for photos.

### *Photos for the Press*

Because photos add interest to a story, newspapers like to use them. But newspapers have very specific needs.

**The Head Shot:** The head shot is a vertical close-up of a star, personality or staff member. It is the most common publicity photo used by radio and TV stations, for either the consumer or the trade press. And it is easy for a newspaper to use, because newspaper column width lends itself most readily to vertical photos.

Head shots should be crisp, clear pictures of people from just above the middle of the chest up, with a little head room above the top of the head. Plain backgrounds that contrast with the clothing and hair color are preferable. Props relating to a program might add interest and meaning.

Head shots and biographies should always be available for all key station personnel and for key stars or hosts of all the station's programs. Copies should be supplied to all daily, weekly, and bi-weekly newspapers in the market area for their files, or for quick use. They should be updated annually with newer photos.

**The Mood Shot:** Usually a "head shot," the mood photo provides additional elements of interest through dramatic lighting, expression, and sometimes costume, makeup, or hair style. They place a performer in the context of a program and give the audience an idea of the mood of the program.

**The Group Shot:** For most press uses, two people—or at most, three—are all

that should be included in a "group" photo. Such photos can show relationships between characters in a dramatic production, or can feature news anchor-people or program hosts. Again, if possible, vertical shots are preferred. If more than two people are to be photographed, they should be arranged to permit a vertical composition.

When the budget allows, both vertical and horizontal photos should be provided, giving the newspaper the option of using a larger two-, three-, or four-column space in a different kind of layout.

**Format:** It is best if the photographer uses a camera that takes negatives larger than 35 mm. The 2 1/4" x 2 1/4" negative provides sharp, clear photos when enlarged to the 8" x 10" glossy print that newspapers prefer to receive. Larger sizes are not necessary, except for color.

**Color:** Use of color by the press is relatively rare, but it is consistent and predictable. Network photos are often included in national magazines such as *Time*, *Newsweek*, *People*, and *TV Guide*, as well as the covers of newspaper Sunday supplement TV magazines. Individual television stations compete for the supplement covers. To do so, they must provide exceptionally crisp, clear color photos with broad reader interest. Here are some tips for making color photos that compete effectively:

Limit color photos to one or two people, in medium to close shots, with some program-related material in the picture. This special interest might be a prop, costume, set piece, or background, but the focus must be on the personality.

Have the photographer use a camera that produces a 4" x 5" positive transparency, rather than a negative. These enable the best possible reproduction, especially important to supplements that are printed on low-quality newsprint. Offer the newspaper its choice of the original 4" x 5" transparency or a color print.

Guarantee the newspaper exclusivity. No paper wants to run a full-color shot on its supplement cover only to discover that an identical shot—in color or black and

white—has been used somewhere else. Take several photos to the paper and let the editor choose which one he or she wants.

Meet with the local supplement editors at least once or twice a year to discuss their needs; and when a possible subject for color placement comes along (either from original material the station generates or from a network or syndicator), call the editor and discuss it. Don't expect a commitment from the editor, who will want to keep his/her options open. But look for encouragement.

**Cutlines:** All photos should be supplied with descriptive cutlines (or captions) attached. The standard procedure for a station is to type a 3- to 6-line description of the photo on the bottom half of an 8" x 10" sheet of paper. The top of the sheet is then taped to the back of the photo, and the sheet folded around the photo so that an editor can fold down the part of the sheet that covers the photo and reveal the caption.

Cutlines must identify all of the people in a photo and provide information about the program, activity, or other involvement they have with the station (promotion, new assignment, etc.). As with releases, photo cutlines for program-related pictures must contain the program's title, air date, and time. Also include the mailing date and the name of the station's publicity contact. Many stations have special paper prepared for cutline use which prominently displays the station's logo and seasonal theme. This helps editors quickly identify the source of a photo.

An alternative method of attaching the cutline is to glue it onto the back of the photo. But in no case should cutline information be typed or written on the back of the picture. This can damage the photo on the other side, and make it useless.

### *Photos as Rewards*

Another important use of photos is as rewards. Pictures that include members of the station's staff or on-air talent should go to these people. The prints are cheap

*continued on page 10*

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to make, and the identification with a station activity helps encourage employee loyalty and future cooperation with the promotion department.

Copies of photos of station clients and guests involved in station-related activities, such as contests, community promotions, agency-client parties, and other events, should go to the people in the photos. Again, it is a public relations effort that pays dividends in increased identification with the station. Here are some possibilities for meaningful reward photos:

- Station staff members, clients, and press with visiting stars;
- Clients, ad agency people, and media buyers with station sales representatives at station parties or other functions;
- Tour groups visiting the station, pictured with a station lobby display, logo, and/or program host or news person;
- Production personnel on location in unusual circumstances;
- Well-known community figures who can benefit from being photographed with each other at station functions;
- Members of the public with station on-air talent at community events. (These might be taken as Polaroid shots and distributed on the spot.)

These kinds of photos can usually be taken with 35 mm camera equipment because of its portability and versatility and because the camera holds more film than other formats. Polaroid pictures provide the advantage of instant distribution, but the disadvantage is small size, and enlargements involve a complicated process.

#### Photos as Records

Often it is wise to have a photographer present even if no press or reward use is planned. Photos become a part of station records, with a number of possible subsequent uses.

Award entries for programming, promotion, advertising, and community service activities can be brought to life when meaningful photos are part of the entry. Thus promotion directors may want to keep on file pictures of unusual productions, station guests, program talent, station outdoor advertising, lobby displays, station vehicles, building construction, and station participation in community events. If the occasion, production, or advertising is colorful, color photos should be taken.

A filing system or photo library of original photographs and pictures that come to the station from networks and syndicators is essential. It enables the promotion director to quickly find specific pictures from among hundreds, perhaps thousands.

These files are invaluable when any kind of historical retrospective of the station's activities is needed.

#### The Photographer

Photography can come from several sources: the advertising, promotion, and publicity departments; the graphics department; the station's staff; or outside the station. The wise rule is to have a principal photographer and a back-up who can be called upon in emergencies.

The first choice is to use the station's graphics or art department, if there is a trained photographer on staff. Station photography should be a part of the person's job description. Scheduling should be done in advance so that photo work

does not conflict with other responsibilities.

If an experienced and capable photo hobbyist works for the station in some other capacity, it might be possible to use that person as either principal photographer or emergency back-up. Be sure to clear this responsibility with the person's superior, pay standard rates, and avoid a photo workload that conflicts heavily with primary responsibilities. Many promotion directors make photographic experience a requirement in the job description of one of the department's staff members, reimbursing him or her for film and print costs, and in some cases paying overtime for time spent at night in the darkroom.

Another option is to contract with an outside photographer by paying a retainer for a certain number of "shoots" throughout the year. Such contracts usually stipulate a specific maximum number of sessions beyond which the station pays extra; and they guarantee a minimum number of prints per picture ordered, based on average station needs. Extra prints must be paid for separately.

Whoever the photographer is, the promotion or publicity person supervising the photography has the responsibility to work closely beside him or her to ensure that photos meet station needs. The best procedure is to explain the needs of a particular situation clearly in advance so that it isn't necessary to hover over the photographer's shoulder during a session. Show examples of pictures similar to the ones needed. Samples should be available from the department's photo files. And, if necessary, critique sessions afterwards by looking at proof sheets to identify good and bad angles, expressions, and framing. A good photographer will quickly learn your needs.

*Lance Webster is the former executive director of the Broadcast Promotion and Marketing Executives (BPME), a major broadcast industry professional association based in Los Angeles. This article is the third in a multi-part series on station publicity excerpted from Broadcast Advertising and Promotion: A Handbook for Students and Professionals, available from BPME.*

## Keystone Goes To 24 Hours

Keystone Inspirational Network, a family programming service based in Red Lion, PA, has expanded its programming schedule from 16 hours to 24 hours, seven days a week.

The network offers a variety of family movies, children's programming, sports, and inspirational programs transmitted over Westar 4, channel 9.



# CBA Comment

—by Lee Shoblom

LPTV broadcasters across the land will be interested in (and affected by) a CBA board meeting held June 27 at the Opryland Hotel in Nashville. The all-day session covered an array of concerns. Three items will be of immediate interest to CBA members.

CBA general counsel Peter Tannenwald suggested that we make a proposal to the FCC that LPTV stations receive standard four-letter call signs similar to those used by other broadcast services. The general public finds the five-letter call sign odd. Arbitron computers won't handle it. Changing it would eliminate one more excuse for discrimination against our business. Comments? I think it would be an excellent move, personally.

Another agenda item was a new CBA membership category that would cover applicants for LPTV construction permits and/or individuals employed by CBA member stations. This would be neither an associate membership nor a full membership with all of its attendant voting privileges. But it would allow all of you who are applicants to come aboard and become involved. We would like your energy, your opinions, and, very frankly, your money. As we've said many times before in this column, we need your help to keep this association moving.

Also on the agenda was the meaning of the term "Community Broadcaster." CBA president John Kompas feels that we need

a solid definition of the term if we are to be successful in our efforts to make ourselves visible in Congress and upgrade our status at the FCC.

Of the existing 660 or so LPTV stations, there are about 200 stations (almost all of them CBA members—by the way) that serve their communities with locally produced programming—public affairs, news coverage, sports, and so on. The board generally agreed that such locally produced programming should be a condition if a station wanted to be classified as a "Community Broadcaster." The consensus was that a minimum of fourteen hours a week of locally produced programming should be required, of which at least one hour each day is live.

It was also proposed that the community broadcasters meet the minimum operating hours required for full power stations (a meager 28 hours a week).

Thoughts? Reactions? Let us know. We'd like your input. The CBA board represents you and your interests, but we can't do it very well if we don't hear from you.

It was a great meeting and much was accomplished. The evolution of LPTV is truly fascinating—especially if you are right in the middle of it all!

*Lee Shoblom is a director of the Community Broadcasters Association. He is a founder of the CBA and has served as the association's president and chairman.* [M/78]

## NAB Opposes Lotteries For Radio, Full Power TV

The Federal Communications Commission should reform its present comparative licensing process instead of instituting lotteries for broadcast licenses, says the National Association of Broadcasters.

In comments filed in June, the NAB defended the comparative process as the only way to guarantee proper television service to local communities. "The comparative process," said the NAB, "ensures that the Commission's mandate under the public interest standard is obtained." It also said that doing away with all preferences except diversity and minority preferences would handicap "daytime-only licensees, local residents, and female applicants." [M/78]

## New Hampshire LPTV Broadcaster Wins Local Cable Award

Greg Uhrin, program manager at the Continental Cablevision cable system in Concord, NH and Chuck Mancuso, general manager, accepted a special award for Local Programming Excellence at the National Cable Television Association's CABLE '89 Convention in Dallas, TX. The 18,000-subscriber system has a community program channel that offers local sports, public affairs, a health show, music, and telethons.

Uhrin is the president of Center Broadcasting Corporation of New Hampshire, licensee of W39AR in Concord and W13BG and W33AK in Nashua, NH. [M/78]

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# LPTV and the LAW

—by Peter Tannenwald  
and Robert S. Koppel



## A Review Of FCC Rules For LPTV Stations

LPTV is intended by the FCC to be a very lightly regulated service, but it is not completely unregulated. Although there are many FCC broadcast rules that do not apply to LPTV, there are also many that do apply. You need to know what they are.

The LPTV rules are found in Part 74 of Title 47 of the *Code of Federal Regulations*, Sections 74.1 to 74.30 and 74.701 through 74.784. Section 74.780 lists those full power TV rules in Part 73 that are applicable to LPTV. It would be impossible to state all of these rules in one short article, but we can highlight the most significant ones.

Sections 74.13 and 74.14 specify the procedures you must follow when you sign a new or modified station on the air. Section 74.731 divides the LPTV service into three types: origination, TV translator, and subscription TV. You must tell the FCC which mode your station uses and notify them whenever you change modes.

Section 74.734 requires an operator licensed by the FCC to be continuously on duty at the transmitter site, remote control point, or program source during all program origination. Unattended operation is permitted only if six specific requirements are met and only when a station is directly rebroadcasting another TV station or a satellite or terrestrial microwave feed.

### Technical Measurements

Section 74.736 specifies that video shall be amplitude modulated and audio shall be frequency modulated, which is the standard U.S. television system. Section 74.762 requires you to measure the frequency of the transmitter output as often as necessary to ensure that it is operating within the tolerances given in Section 74.761, and in all events at least once each calendar year, with no two measurements more than fourteen months apart.

Section 74.763 states that LPTV stations need not meet any required mini-

mum hours of operation. It also says that you must notify the FCC if your station has been off the air for ten days. Thirty days of silence is considered evidence of permanent discontinuation of service, allowing the FCC to cancel the station license, unless you show that the silence is due to causes beyond your control.

Section 74.765 requires you to post operator licenses and other information at the transmitter site. Under Section 74.769, copies of Volumes I and IV of the FCC's *Rules* must be available to the operator in charge. You can order these rules by calling the Government Printing Office at (202) 783-3238. The charge is \$18.00 per volume.

### Your Permanent File

Section 74.781 says you must keep your station license and any correspondence with the FCC in a permanent file in your community of license and post the location of this file at the transmitter. You must make this information available on request to any representative of the FCC.

The file must also include records of transmitter adjustments, repairs, or replacements and a record of any improper functioning of tower lights. Tower lighting and inspection requirements are very important; see Section 73.1213 and Part 17 of the *Rules* (in Volume I). All such records, as well as any station logs, must be kept for two years.

The station must be identified on the air at least once an hour, according to Sections 74.783 and 73.1201, with the call sign and community of license announced aurally or visually during program origination and by Morse Code at other times. The ID for a translator may be originated by the primary station being rebroadcast.

Section 74.780 lists 59 sections from the full power TV rules (Part 73) that LPTV stations must comply with. These include

limitations on network agreements, network practices, and non-network territorial exclusivity (Section 73.658). The Emergency Broadcast System rules, starting at Section 73.901, specify the equipment and procedures for monitoring emergency notifications and the circumstances under which an LPTV station must go dark.

### Broadcasting Telephone Conversations

Under Section 73.1206, telephone conversations may not be broadcast or recorded for broadcast without prior notice to the caller. Section 73.1208 says that the audience must be informed on the air when any material that is taped or filmed might be misinterpreted as a live broadcast.

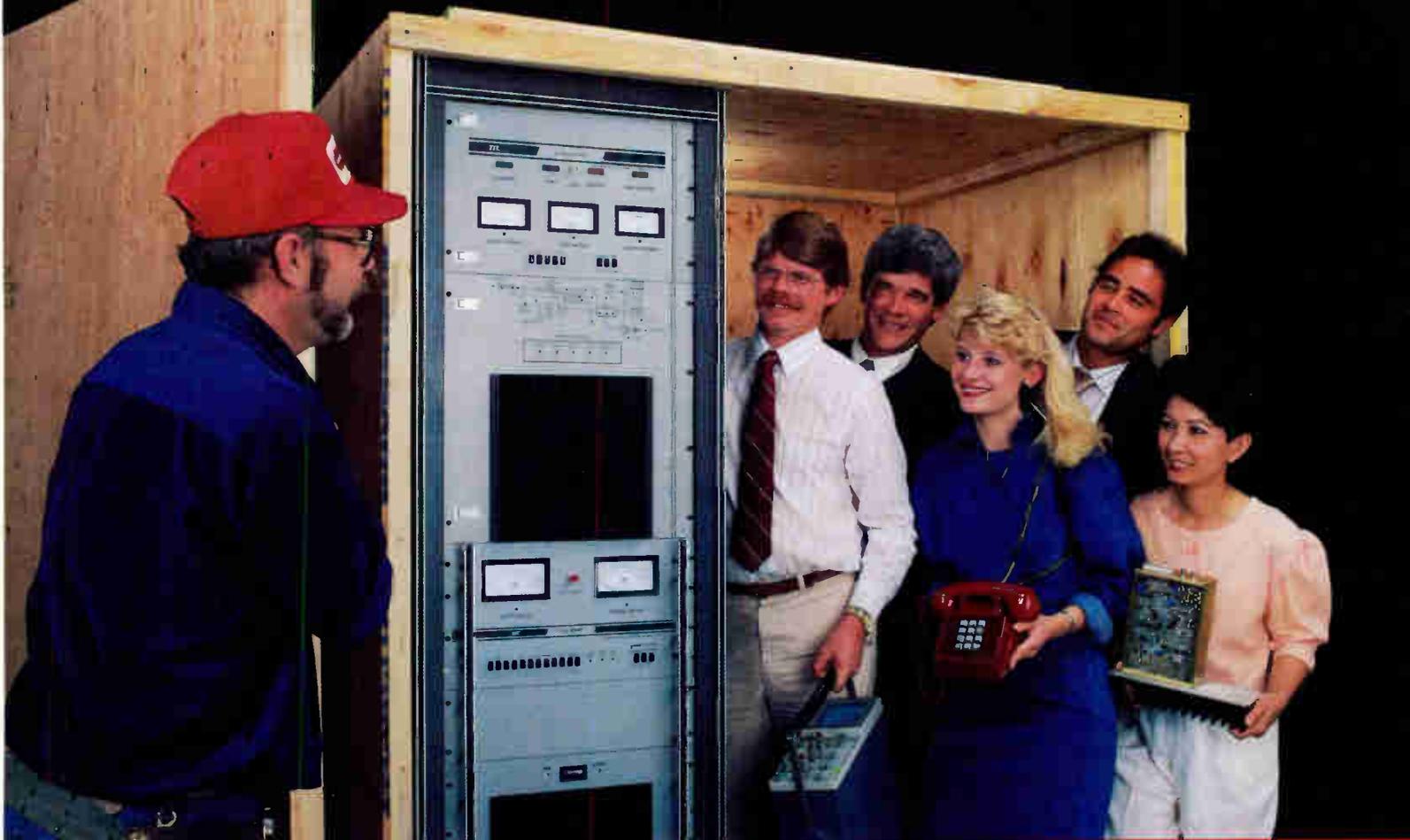
Section 73.1207 spells out requirements for the rebroadcast of government stations—such as time signals or the Voice of America and Armed Forces Radio—and limits the use of non-broadcast signals, such as Amateur or CB transmissions. Section 73.784 governs the rebroadcast of other TV stations.

The broadcast of any information pertaining to or promoting a lottery is forbidden, except for certain state and Indian operated lotteries and some fishing contests (Section 73.1211). Contests must be conducted fairly, and the rules must be fully disclosed on the air (Section 73.1216).

The identity of any entity paying for time, whether for a commercial announcement or otherwise, must be fully disclosed on the air; and when air time is bought for the discussion of political or controversial issues, information relating to the officers or governing board of the sponsor must be kept on file (Section 73.1212). The equal time and political editorial rules apply to LPTV broadcasts by political candidates (Section 73.1940).

*continued on page 14*

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There are rules pertaining to technical matters such as experimental authorizations, special field tests, operation during modification of facilities, special temporary authority, and emergency antennas (Sections 73.1510 through 73.1680).

### EEO Rules

Equal employment opportunity rules apply to LPTV stations that originate programming (Section 73.2080). Stations with five or more full-time employees must adopt and follow a specific EEO program. The FCC has recently placed heavy emphasis on full and detailed compliance with its EEO program. Under Sec-

tion 73.3612, every LPTV station that originates programming, regardless of the size of its staff, must file an annual employment report by May 31 of each year.

Some three dozen rule sections govern how to file or amend applications, how they are processed, and how objections are handled. Section 73.3598 says that an LPTV construction permittee has eighteen months to get the new station on the air, and Section 73.3599 tells how your construction permit may be forfeited.

Finally, Section 73.3613 requires LPTV stations that originate programming to file copies of network affiliation contracts with the FCC within thirty days of entering the contract.

LPTV is attracting many entrepreneurs who have no previous experience in broadcasting and do not have a feel for FCC regulations. They often do not realize that an LPTV license is not a license to broadcast at will. There are rules, and there are people who enforce the rules. If you do not have a rule book, it is time to get one now. 

*Peter Tannenwald is a partner, and Bob Koppel is an associate, with the Washington, DC law firm of Arent, Fox, Kintner, Plotkin & Kahn. Tannenwald is general counsel to the Community Broadcasters Association.*

## Supplier Side

The Spline Ball Ionizer, or SBI, is a low-cost system that can prevent most lightning strikes. Developed by **Lightning Eliminators & Consultants, Inc.**, the SBI is a sphere of up to two feet in diameter, with metal wires radiating from the sphere. If struck by lightning, the SBI dissipates the charge and provides a safe path to ground.

The unit is lightweight and easy to install, and has a minimum ten-year life span.

### Circle (28) on ACTION CARD

**Rohn**, maker of communications towers, is offering a written warranty against defects, corrosion, winds, and ice damage. The warranty—a first in the industry, according to Rohn—covers ten years against defects, twenty years against corrosion, and five years each against excessive ice or winds.

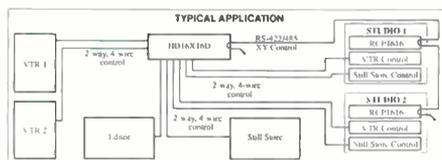
### Circle (24) on ACTION CARD



AVCOM's PTR-25 portable test receiver.

AVCOM has announced the PTR-25, a new portable test receiver featuring a built-in 4.5" monitor and a full range of outputs to provide signals for large TV monitors, video recorders, and audio amplifiers. The battery-operated unit also has an IF output for a spectrum analyzer. A large, easy-to-read signal strength meter is located on the front panel.

### Circle (31) on ACTION CARD



**HEDCO** has introduced a new 16 x 16 RS-422 data router, the HD-1600D, that makes studio configuration possible at the touch of a button. The rack-mountable unit can be used as a stand-alone router or as a companion level in an HD16X audio, video, and data routing system. It is expandable to 64 x 64 and features an optional RS-232 serial interface and an optional configuration that allows bidirectional routing between RS-232 and RS-422 signal levels.

List price is \$5,500.

### Circle (32) on ACTION CARD

**VideoTape Distributors, Inc.** of Northvale, NJ has opened a full-service sales and distribution center in Chicago. The new operation, located at 1601 Glen Lake Avenue in the Chicago suburb of Itasca, will house a large inventory of videotape from such manufacturers as Ampex, Fuji, JVC, Kodak, Maxell, Panasonic, Sony, and 3M.

Available formats are 2", 1", U-Matic, VHS, Beta, Betacam (oxide or metal), M-II, 8 mm, and D-1 and D-2 tapes. Also available are floppy disks, audio cassettes, audio carts, audio tape, plastic album boxes, spot reels and boxes, and cassette sleeves. The company offers custom-loaded video cassettes as well.

### Circle (33) on ACTION CARD

**Nexus Engineering Corporation** manufactures a complete line of low and medium power UHF and VHF transmitters and accessories, as well as a line of low and medium power translators. Both transmitters and translators are covered by a limited one-year warranty.

### Circle (34) on ACTION CARD

The **American Mental Health Fund**, a national non-profit organization founded in 1983, offers public service announcements in :10, :15, and :30 formats. The fund is a non-profit organization founded to fight mental disease by increasing public awareness of mental illness and its symptoms, by erasing the stigma and myths associated with mental illness, and by raising funds for medical research into its causes and treatments.

The PSA's are available in 1/2" VHS, 3/4", and 1" formats.

### Circle (19) on ACTION CARD

**Nova Systems** has introduced the NOVA 502 EFP TBC™, billed as the first time base corrector small and light enough for field use. The 12-volt, DC-powered unit stabilizes the output of portable and camera-dockable Betacam, M-II, U-Matic, and S-VHS VCR's so that it is suitable for field production editing and for microwave and satellite transmission from remote field locations.



The 502 EFP TBC from Nova.

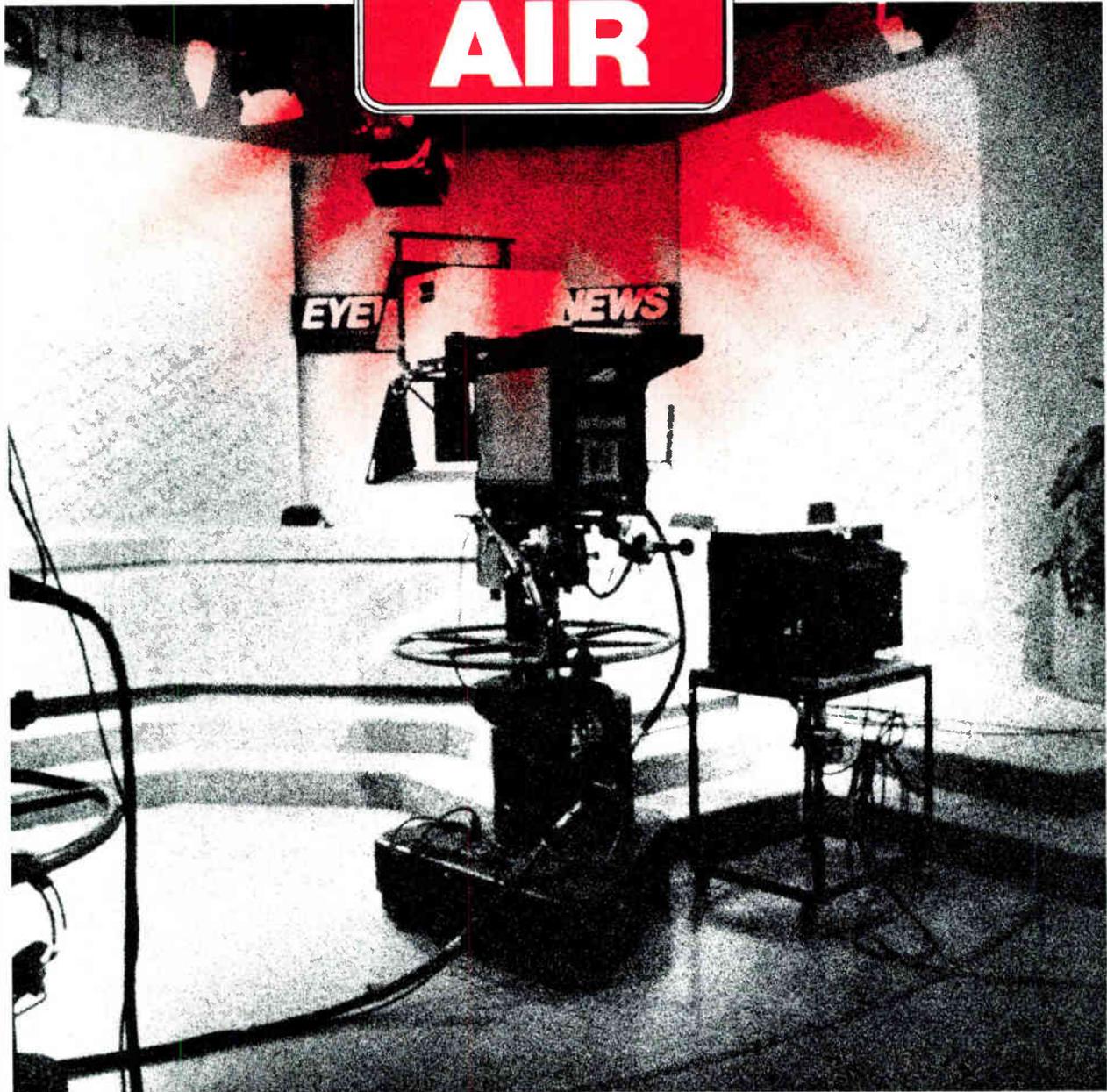
Also from Nova is the 900S Super TBC, a component-processing TBC with inputs and outputs in both composite and S-VHS formats, as well as component outputs. The unit features a 4 x 1 input switcher and a repertoire of digital effects such as freeze, mosaic, posterize, and fade-to-black.

Both TBC's are rack-mountable.

### Circle (20) on ACTION CARD

# 5...4...3...2...1...

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# How To Increase Your Signal Strength By Using Antenna Beam Downtilt

—by Richard D. Bogner

Many station owners are not aware that a UHF LPTV station can considerably improve its signal in much of its service area without increasing its 74 dBu contour. This can be done as a minor change, which is generally routinely approved by the FCC within several weeks of filing.

The increase is accomplished by taking advantage of the fact that the FCC defines effective radiated power (ERP) in any azimuth direction as being the ERP value toward the radio horizon in that direction. However, the actual ERP in that same direction can be much higher, as long as this higher ERP is aimed below the radio horizon.

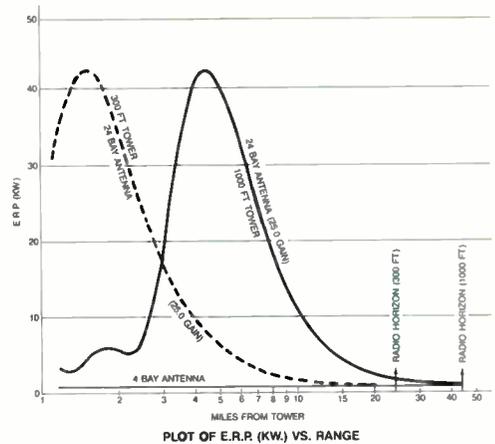
Thus, if you use a transmitting antenna with a relatively narrow beam in the vertical plane, and tilt that beam downward, below the horizon, so that the part of the beam pointing toward the horizon is well below the beam peak, the 74 dBu contour will remain the same but the ERP at ranges closer to the transmitter will increase.

Two typical cases are plotted in the figure—one for a center of radiation 300

feet above average terrain (AAT), the other for 1,000 feet AAT. In both cases, the hypothetical construction permit is for a 100-watt transmitter, with 85% transmission line efficiency and a low 4.7 antenna gain (in the azimuth direction under consideration). These assumptions result in an ERP of only 0.8 kW toward the horizon in that direction. The ERP drops slightly below 0.8 kW at ranges less than the range to the horizon because of the vertical beam of the antenna. This ERP value vs. range is plotted in the figure as the horizontal line marked "4 BAY ANTENNA."

Now assume that the power is raised to 1,000 watts, and the antenna gain is raised to 25.0. The peak ERP increases to 42.5 kW, an increase of over 50 times or 17 dB! However, the beam is now tilted down— $2\frac{1}{4}^\circ$  in the case of the 300-foot tower and  $2\frac{1}{2}^\circ$  in the case of the 1,000-foot tower. The beamtilt ensures that the ERP toward the radio horizon remains 0.8 kW under both conditions, and the 74 dBu contour is unchanged.

The figure shows that the beamtilt considerably increases the signal level at ranges closer than the horizon—the cov-



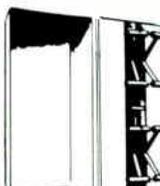
erage area of most LPTV stations. For example, in the case of the 1,000-foot tower, the ERP in the  $2\frac{3}{4}$ -10 mile range is more than 10 kW. This compares to the less than 0.8 kW obtained under the original assumptions and represents an increase of more than ten times. Obviously the reception in those ranges is much improved. Note also that at no range is there a loss of ERP.

Almost any UHF station now operating, or having a construction permit to operate, at a low ERP value can use this method to greatly improve reception. You can also take this approach if you are waiting for a filing window, or anticipate that an interference will be cleared, but do not want to wait to improve your station's signal. In such a case, you can start with a downtilted antenna beam, and then later raise the beam (usually by removing a shim, or changing one or more cable lengths, or both) after the modified filing is granted, or the interference is cleared.

Richard D. Bogner is technical director of Bogner Broadcast Equipment Corporation, a Westbury, NY antenna manufacturer.

## LPTV Commercial Antennas

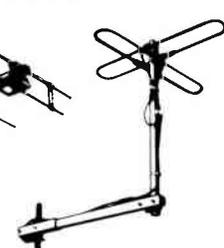
*Lindsay*



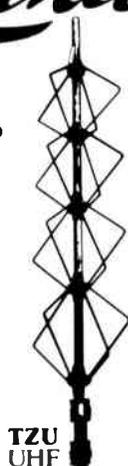
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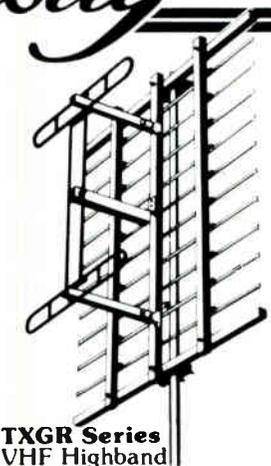
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# Supplier Solo

## Sportsman's Showcase Can Be A Challenge

—by Ken Tucker and Amy Madsen

Who wouldn't be thrilled to have the opportunity to have his or her own television show. On paper it seems so easy—just grab a camera, get a national sponsor to put up a couple of hundred thousand dollars, call two or three dozen television stations, and Gosh! You're a star!

Unfortunately, it doesn't quite work that way.

We owned a Sony 3000, and my company, Eddie Salter Calls, Inc., was already taping turkey and deer hunting instructional videos. So some fifteen months ago, I decided to try to do an outdoor show. Bear Archery felt we had a chance and put up a substantial amount of money. Range Rover gave me a four-wheel drive vehicle, as well as money. Other sponsors were RealTree Camo, Eddie Salter Calls, Inc., and V.M.S. Wildgame Products. I made it through my first quarters thanks to these good sponsors, and I am looking forward to more. But it has been many times harder than I dreamed.

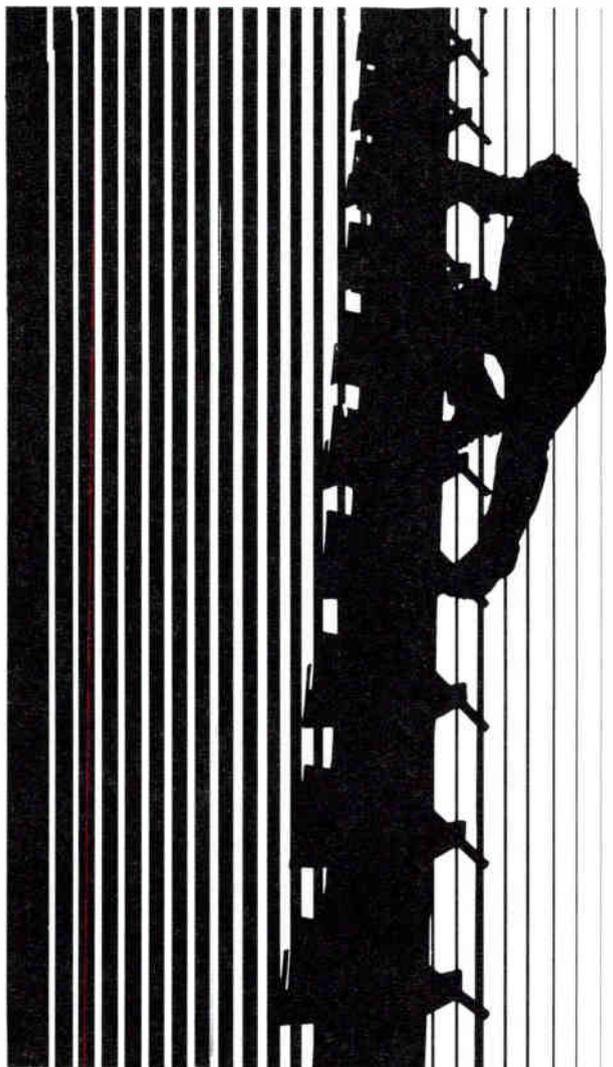
We taped in the Rocky Mountains of New Mexico where the wind noise drowned out our audio completely and we were nearly frozen when a blizzard came through unexpectedly. We taped in the Everglades of Florida where a rattlesnake came a breath away from biting me. We tried to tape a bowfishing tournament in Mobile Bay, but a hurricane hit us and busted the Sony 3000.

We shot twenty minutes of footage of a solid white albino opossum, but erased it by mistake. I stood thirty feet up in a pine tree for eight hours and finally saw a doe, only to see her dash away when she heard the camera turn on. After a day of quail hunting, we discovered that one of my cameramen had forgotten to turn his shot gun mike on, and all the great quail shots were not.

We have just returned from a bear hunt in the Kootenai National Forest, a 2.2 million acre heaven located in northwestern Montana. One day, after hours of waiting, a huge Cinnamon, the rarest of all black bears, appeared out of nowhere. He stepped into the wide open for a perfect shot. But a tree limb deflected my 270-150 grain soft nose bullet. That was fine; I didn't really care to kill a bear on television anyway.

One day, we rented a U-Haul trailer and off to the NATPE Convention we went.

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What a shot in the arm it was! Though we were lost in a back section, away from the stars and glitter, we were the only outdoor hunting show at NATPE, and lots of television stations found us. More importantly, we met a lot of nice people and learned many valuable things about the television industry.

Our future schedule includes bowfishing for alligator gar with Charles Smith of Bear Archery, elk hunting in Colorado, caribou hunting in Canada, exotic animal hunting on the Kennedy Ranch in Texas, jiggerpole fishing on the Tombigee River,

dove and quail hunts at the Rio Grande Ranch in Mexico, a Michigan deer hunt, and fishing in Maine.

"The Sportsman's Showcase with Ken Tucker" is available to LPTV stations on a 50/50 barter basis.

Contact: Ken Tucker  
Executive Producer and Host  
or Amy Madsen, Assistant  
"The Sportsman's Showcase With Ken Tucker"  
P.O. Box 872  
Brewton, AL 36427  
(205) 867-9440



## LPTV Distribution by State and Territory

June 29, 1989

	Licenses	CPs*
ALABAMA	5	28
ALASKA	223	32
ARIZONA	12	50
ARKANSAS	6	37
CALIFORNIA	24	91
COLORADO	14	40
CONNECTICUT	0	6
DELAWARE	3	0
WASHINGTON, DC	1	0
FLORIDA	22	116
GEORGIA	11	55
HAWAII	1	23
IDAHO	20	41
ILLINOIS	3	33
INDIANA	8	26
IOWA	10	58
KANSAS	5	59
KENTUCKY	7	34
LOUISIANA	7	53
MAINE	6	14
MARYLAND	1	4
MASSACHUSETTS	6	18
MICHIGAN	6	18
MINNESOTA	18	51
MISSISSIPPI	11	22
MISSOURI	11	42
MONTANA	16	49
NEBRASKA	4	18
NEVADA	12	25
NEW HAMPSHIRE	2	6
NEW JERSEY	2	10
NEW MEXICO	9	62
NEW YORK	11	46
NORTH CAROLINA	4	48
NORTH DAKOTA	3	19
OHIO	8	40
OKLAHOMA	15	36
OREGON	16	36
PENNSYLVANIA	11	38
RHODE ISLAND	0	4
SOUTH CAROLINA	2	23
SOUTH DAKOTA	4	19
TENNESSEE	16	45
TEXAS	37	134
UTAH	18	19
VERMONT	0	10
VIRGINIA	3	22
WASHINGTON	5	38
WEST VIRGINIA	0	6
WISCONSIN	8	31
WYOMING	12	54
GUAM	1	0
PUERTO RICO	2	10
VIRGIN ISLANDS	0	1

TOTALS: Licenses: 662  
Construction Permits: 1,802

\*Construction Permits

Kompas/Biel & Associates, Inc.

# Classifieds

### FOR SALE

**Video Equipment:** Three Sony 2860's and one 2260, modified; Videomedia Z6 editor; editing stand; three wooden field tripods with fluid heads, one spare head. Prefer package sale. TV 58, Box 84395, Vancouver, WA 98684, (206) 254-2978.

**Classic Feature Films,** many in Technicolor. Over 500 to choose from; 3/4" or 1" masters at the lowest prices anywhere. Eagle Lion Video, 7710 Balboa Ave., San Diego, CA 92111, 1-800-779-4913.

### WANTED TO BUY

**LPTV station in South Florida area.** Call or write M. Greenberg, c/o Silvercup Studios, 42-25 21st St., Long Island City, NY 11101, Dept. T, (212) 349-9600.

**CP's for LPTV and full power.** Top 25 (ADI rating). Will pay top dollar. Send engineering data to Kenneth Casey, 2128 West Tonopah Drive, Phoenix, AZ 85027. Or call (602) 582-6550.

**Immediate buyers** for LPTV construction permits, top 100 markets. Call Bill Kitchen at Television Technology Corporation, (303) 665-8000. Or write for full details to: Bill Kitchen, Television Technology Corporation, P.O. Box 1385, Broomfield, CO 80020.

**LPTV equipment:** Six-month project requires ten used 100W UHF transmitters and/or translators with related equipment. Call ASTRO, (301) 961-6530.

**JVC studio cameras,** G71USJ, S62U, or S100U in good condition. Christvision, (319) 524-1302, 217 N. 4th St., Keokuk, IA 52632.

### SERVICES OFFERED

**Turnkey site development** services include site acquisition, negotiation, and permitting; site construction/installation, and maintenance; transmitter/downlink optimization, and site management. Our reputation is that of being responsible, fair, and professional. We're Shaffer Communications Group, Inc., 3050 Post Oak Blvd., Suite 1700, Houston, TX 77056, (713) 621-4499, FAX (713) 621-5751.

**CLASSIFIED RATES:** All classified ads are payable in advance. When placing an ad, indicate the exact category you desire: *Help Wanted, Situations Wanted, Services Offered, Business Opportunities, Wanted to Buy, For Sale, Miscellaneous.* The publisher reserves the right to abbreviate, alter, or reject any copy.

Classified advertising is sold at the rate of 50¢/word. There is a \$15.00 minimum charge for each ad. Count each abbreviation, initial, single figure, or group of figures or letters as one word each. Symbols such as *mm, C.O.D., P.O.,* etc., count as one word each. Telephone numbers with area codes, and ZIP codes, count as one word each.

Business Card ad rates are \$45.00 per insertion, \$35.00 each for six or more consecutive insertions. For Classified Display rates, call John Kompas at (414) 781-0188.

Cancellations of or changes in on-going ads must be made 30 days prior to the month in which the cancellation or change is to take effect.

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# ITS CORPORATION

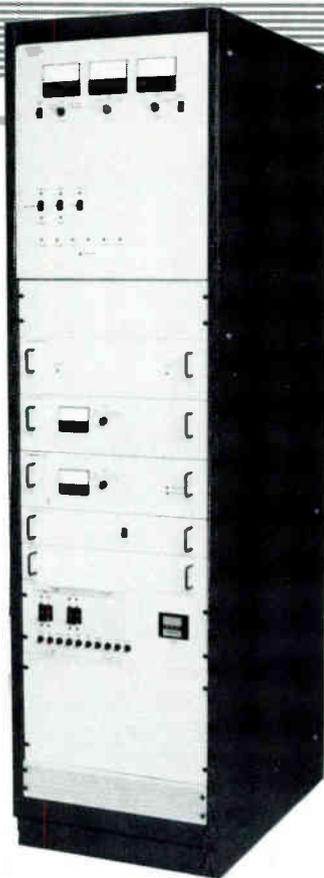
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At ITS, we've been designing and producing quality modulators and full service transmitters for years. Our products are widely known for their superior engineering, quality construction, and reasonable cost.

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## ITS-230 1kW UHF Transmitter

**PERFORMANCE:** standard broadcast (*not cable TV*) modulator/processor is FCC type accepted under both part 74 (LPTV) and part 73 (full service).

**FEATURES:** many full service features such as IF processing, stereo aural, interactive control circuits, and extensive remote control are standard.

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## ... at the FCC

### NEW LPTV LICENSES

The following LPTV station received a license on the date shown. Station call sign, location, and the name of the licensee are also given.

K07UF Abilene, TX. Abilene Christian University, 6/29/89.

### LPTV LICENSE RENEWALS

The following LPTV station received a license renewal on the date shown. Station call sign, location, and the name of the licensee are also given.

K66CE Lewiston, ID. Life of Victory TV, Inc., 6/26/89.

### ASSIGNMENTS AND TRANSFERS

K22BZ Little Rock, AR. Voluntary assignment of permit granted from Tel-Radio Communications Properties, Inc. to Catch 22 Broadcasting, Inc. on 6/15/89.

K09VB Santa Maria, CA. Voluntary assignment of permit granted from Leo Kesselman to Buenos Diaz Broadcasting Company, Inc. on 6/19/89. K11SE Bend, OR. Assignment of license granted from Denco, Inc. to Stephen P. Greer, CPA, Chapter 11 Trustee on 6/23/89.

W50BA Bellefonte, PA. Voluntary assignment of permit granted from Roger A. Neuhoft, on behalf of Eastern Broadcasting Corporation, to TMZ Broadcasting Company on 6/19/89.

W28AL Front Royal, VA. Voluntary assignment of permit granted from E. Warren Denton, Jr. to Ruarch Associates Limited Partnership on 6/19/89.

W54BH Madison, WI. Voluntary assignment of permit granted from Skywave Communications Corporation to WSSM-TV, Inc. on 6/16/89.

### NEW LPTV CONSTRUCTION PERMITS

The following parties received LPTV construction permits on the dates shown. Station call sign and location are also given.

K53DO Sacramento, CA. Residential Entertainment, Inc., 6/27/89.

K33DF Breckenridge, CO. ZLTV, Inc., 6/29/89.

K42CT Vail, CO. Millard V. Oakley, 6/29/89.

W21AU Orlando, FL. John C. O'Donnell, 6/23/89.

W42BG Sessoms, GA. Community Television, 6/27/89.

K51DK Ottumwa, IA. Lee Enterprises Inc., 6/29/89.

K24CO Lewiston, ID. Russell Communications, 6/29/89.

W59BU Vandalia, IL. Odgen Leisure, Inc., 6/29/89.

K58DT Columbia, MO. Howard Wapner, 6/29/89.

W58BO Natchez, MS. Black Media Associates, 6/27/89.

K16CF Bozeman, MT. AER Productions, 6/27/89.

K14HW Livingston, MT. Mountain TV Network, Inc., 6/27/89.

K57EY Belcourt, ND. Schindler Community TV Services, 6/23/89.

W15AU Columbus, OH. Advanced Allied Communication Technologies, Inc., 6/27/89.

K22CV Durant, OK. Betty Margaret Wheeler, 6/23/89.

K60EC Tulsa, OK. Neighborhood Television Network, Inc., 6/29/89.

W43AW San Juan, PR. Arzuaga and Martinez Associates, 6/27/89.

W23AS Woonsocket, RI. Viking Communications, 6/27/89.

W22AU Sevierville, TN. South Central Communications Corporation, 6/29/89.

K61EY Corpus Christi, TX. Neighborhood Television Network, Inc., 6/27/89.

K68DE Dallas, TX. Frontier Broadcasting, Inc., 6/29/89.

K31CM Fort Worth, TX. American Christian TV System, Inc., 6/23/89.

K31CN Houston, TX. William Gerry, 6/29/89.

K63DS Madison, WI. American Television Network, Inc., 6/23/89.

18/78

## LPTV Application Fees To Increase

The filing fee for applications for new LPTV stations or major changes will increase from \$375 to \$425 under a package of FCC rate hikes passed by the House Energy and Commerce Committee in July.

Many of the increases will be in the area of fines and penalties, some of which have not been raised since they were instituted with the passage of the Communications Act in 1934.

The increases will help support the FCC which has been laboring under tight budget restrictions for the past several years.

18/78

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FamilyNet programming is now carried by LPTV's nationwide. To find out how your station can become an affiliate, call 1-800-8 FAMNET.



The Family Television Network