

The LPTV Report

CBA
Convention Coverage
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News and Strategies for Community Television Broadcasting

Vol. 4, Issue 12

A Kompas/Biel Publication

December 1989

Best LPTV Local Productions Honored At Show

The Second Annual LPTV Conference & Exposition began on a high note Sunday, November 5, as twelve CBA "Best Local Production" Awards were presented to eight stations for innovative and technically excellent local productions. FCC Commissioner James H. Quello presented the awards during the opening ceremony at the Las Vegas Riviera.

Winners in the News Division were W43AG, Hopkinsville, KY for the "TV-43 10 p.m. Newscast," produced by Ann Elgin Petrie; W14AU, Reidsville, NC for "Local Newswatch," produced by Myra Tudor; and K57DR, Joplin, MO for

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Toni Davis and Jud Colley accept a "Best Local Production" award from Commissioner James H. Quello. The award was one of four that their Panama City Beach station claimed.

Disappointing S.1880 Excludes LPTV

S. 1880, introduced to the Senate on November 15, specifically, though somewhat ambiguously, excludes LPTV stations from its cable carriage provisions. The Cable Television Consumer Protection Act, by Senator John Danforth (R-MO), defines "qualified commercial stations" that must be carried by cable systems and states, "such term shall not include low-power television stations, television translator stations, and other passive re-

peaters which operate pursuant to part 74 of title 47, Code of Federal Regulations, or any successor regulations thereto:...."

On the other hand, cable systems will be obligated to carry "the translator of any noncommercial educational television station with five watts or higher power serving the cable community..." a provision that may open the door to mandatory carriage for some educational

LPTV stations.

Danforth is minority head of the Senate's Committee on Commerce, Science, and Transportation, which oversees communications. His intent, according to the bill's preface, is "to ensure carriage on cable television of local news and other programming and to restore the right of local regulatory authorities to regulate cable television rates,...." The bill's five

continued on page 5

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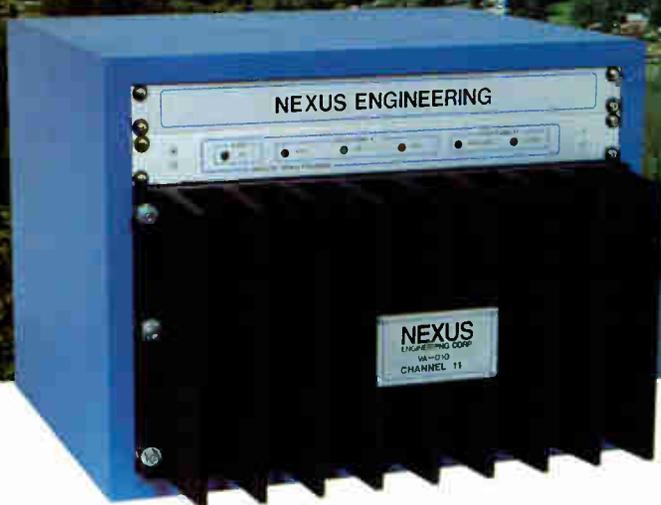
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In Our View

As it is written now, the Danforth bill is an insult.

Intended to restore the balance between the rights of cable systems to First Amendment freedoms and the rights of broadcasters to be seen by their viewers, the bill does not ignore LPTV stations. It specifically excludes them.

To his definition of the "qualified" commercial television stations that cable systems will be required to carry, Danforth adds: "such term shall not include low-power television stations, television translator stations, and other passive repeaters which operate pursuant to part 74 of title 47, Code of Federal Regulations, or any successor regulations thereto;..." (page 18, lines 17-21).

By assuming that LPTV stations are "passive repeaters," Danforth's language ignores every LPTV station that serves its community with locally originated programming. It ignores the objective of the FCC in creating the service as one distinct from translators (which *are* passive repeaters of full power signals), one permitted to originate programming (translators are not), and one designed to serve unserved or underserved areas of the country.

Furthermore, by excluding any stations operating under Part 74 rules "...or any successor regulations thereto," it may exclude LPTV stations in the future — even if rules governing such stations should be changed, for example, to conform their obligations more closely to those of conventional full power stations, or to grant certain LPTV stations primary status.

The bill, as now worded, might include a noncommercial LPTV station that operates as a "noncommercial educational...translator" (page 12, line 10) but could exclude stations — such as those in the western states' Rural Television System — that are educational and noncommercial but that receive their signals from satellites and that do originate programming.

John Kompas, Marty Rubenstein, and Peter Tannenwald spent a lot of time — and as much money as CBA could afford — trying to convey the LPTV industry's point of view to the very people who were writing this bill. So why wasn't LPTV treated better? Because, said one of those people, we weren't *literally* sitting in their offices making sure their sympathy with our desires got translated into written English.

It was a delicate situation, they said —
continued on page 6

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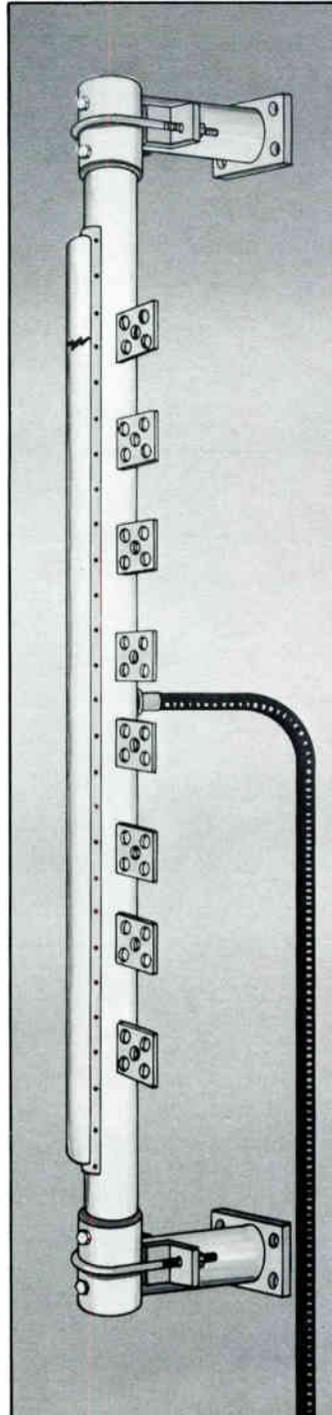
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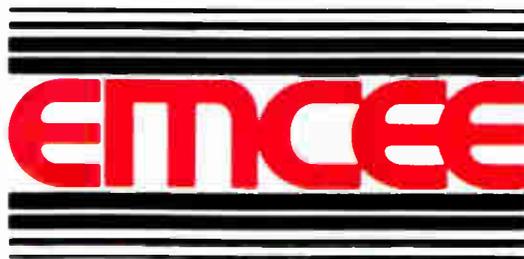
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CBA Awards

continued from front page

"Newsmakers-Firefighters," a news documentary produced by Judy Stiles. Accepting the awards from Commissioner James H. Quello were D. J. Everett, III for TV-43; Myra Tudor for W14AU; and Deborah R. Kenny for K57DR.

Promotion Division awards went to Beach TV in Panama City Beach, FL for a tourist promo, "Florida's Family Beach," produced by Jud Colley and Toni Davis; K04NL in Des Moines, IA for "Using the Jukebox is as easy as 1-2-3," a "how-to" promo produced by John Robson of Video Jukebox Network; and "Inside LSU Football," produced by Tammy Trahan of WKG-TV in Baton Rouge, LA. Accepting the awards were Jud Colley and Toni Davis for Beach TV; Bill Stacy for VJN; and Tammy Trahan for WKG-TV.

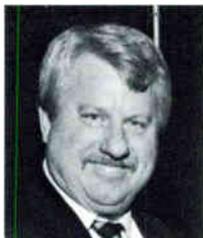
Beach TV also won two of the three Program Division awards—for "Oysters Are Ugly," a light-hearted piece about the joys of oysters, and for "The Journey to



D. J. Everett and Commissioner Quello



Bob Lyons



Bill Stacy



Judy Stiles



Tammy Trahan



Myra Tudor

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Alvin's Island," a program about a Panama City Beach specialty retailer. The third award went to W08BV, Columbus, OH for their "High School Football 'Game of the Week,'" produced by Robert Lyons. Accepting for Beach TV were the producers, Jud Colley and Toni Davis, and for TV-8, Bob Lyons.

Commercial Division awards went to W43AG, Hopkinsville for "Turkey in the Straw," a feed store ad produced by Jim Moehlman; "Grant's Ride," a Toyota dealership spot from W43AT in Dalton, GA; and "The Spinnaker Jingle," a nightclub spot produced by Jud Colley and Toni Davis of Beach TV. D. J. Everett accepted for W43AG, Colley and Davis for Beach TV. Representatives from W43AT were unable to attend the presentation.

The twelve winners were chosen from 56 entries, almost double the number submitted in last year's competition. Each entry was judged on creativity, production quality, and whether or not its objectives were achieved. A composite videotape of the award winners has been donated to the resource library of the Broadcast Promotion and Marketing Executives. 

Nexus Wins Excellence Awards

Nexus Engineering Corporation and the Nexus Group of Companies have won four Certificates of Merit in the 1989 Canada Awards for Business Excellence program. Nexus Engineering won in the categories of Entrepreneurship, Marketing, and Quality. Statpower Technologies Corporation, a member of the Nexus group, won in the Innovation category.

The Canada Awards for Business Excellence is an annual national awards program that honors the best of Canadian enterprise. Nexus Engineering received Certificates of Merit in Entrepreneurship in the 1985, 1987, and 1988 competitions and a Certificate of Merit in Quality in its first year of business. 

Danforth Bill

continued from front page

main provisions are as follows:

- The term "effective competition" is redefined to mean the existence of at least one other multichannel video provider in a cable franchise area—for example, MMDS, or "wireless" cable. Where there is at least one other such provider, cable rates would be deregulated.

- The discretion of cable operators would be limited regarding both the carriage of local broadcast stations and channel positioning. Cable companies would have to carry broadcasters on the channels they occupied under the old must-carry rules, on their own channel numbers, or on another, mutually agreed upon channel.

- It would be easier for franchising authorities to revoke or refuse to renew the franchise of a cable system that gives poor service.

- Programmers affiliated with cable operators would be barred from discriminating against non-affiliates in the price, terms, conditions, or availability of their programming.

- Multiple system operators would be allowed to own as many systems as they wanted, as long as the total number of households they served was 15% or fewer of the nation's cable subscribers. This provision would mean that there would be at least seven cable systems serving the country at any time.

The bill was co-sponsored by Senators John McCain (R-AZ), Orrin Hatch (R-UT), Al Gore (D-TN), Wendell Ford (D-KY), Joseph Lieberman (D-CT), Trent Lott (R-MS), John Warner (R-VA), Quentin Burdick (D-ND), David Pryor (D-AR), Slade Gorton (R-WA), Conrad Burns (R-MT), Howard Metzenbaum (D-OH), and Dale Bumpers (D-AR).

Some or all of the provisions in previously submitted bills by Senators Lieberman, Gore, and others have been subsumed into Danforth's Cable Act. 



Richard Bogner



John Kompas



D. J. Everett, III



Bill Allonas



Woody Jenkins



Bob Moore



Philip DeSano

Seven Elected To CBA Board

Seven LPTV broadcasters were elected to the Community Broadcasters Association board of directors at a CBA members' meeting held during the November LPTV Conference in Las Vegas.

Re-elected for another term were Richard Bogner of Bogner Broadcast Equipment; John Kompas of Kompas/Biel & Associates; D. J. Everett, III, of W43AG in Hopkinsville, KY; and Bill Allonas of Allonas Communications in Bucyrus, OH.

Newly elected to the board are Louis "Woody" Jenkins, chairman and general manager of Great Oaks Broadcasting

(WKG-TV, Channel 19) in Baton Rouge, LA; Robert Moore, owner of W48AP, Toledo, OH; and Philip DeSano, owner of a cable system in Waterville Valley, NH and holder of LPTV construction permits for Waterville Valley and Woonsocket, RI.

John Kompas and Richard Bogner were re-elected CBA president and secretary/treasurer, respectively. Woody Jenkins takes over the vice-president's chair from D. J. Everett.

Members can be reached through the CBA offices, P.O. Box 26736, Milwaukee, WI 53226.

In Our View

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what with the must-carry compromise disintegrating, and their need to please the broadcasters who would deliver the co-sponsors for the bill. You can't please everybody, and they chose not to please us.

So we're going to have to raise a ruckus.

The Danforth bill is still a bill; it can be changed. But Congress has to be motivated to change it. It's up to us to educate Congress. We have to make sure each Senator and Representative understands who we are and what LPTV is and why they must make sure we are treated fairly. And then we have to remind them of a few things: 1) It was Congress itself who told the FCC back in 1976 to create an LPTV service to bring television signals to underserved and unserved areas of the nation; 2) LPTV stations are now operating in 48 of the 50 states, bringing local programming and low-cost advertising to communities that have not been getting it (despite Mr. Fritts's assurances) from conventional stations; 3) Two-thirds of the commercial LPTV stations in the country are operating at a profit, proving their worth in the tough arena of the marketplace to both viewers and advertisers — in other words, to Congress's constituency.

CBA members have already received a package of materials with suggestions for writing their Senators and Representatives, as well as some suggested sample letters. But the rest of you — including suppliers — have to pitch in too. Stations, your livelihoods are on the line here. Suppliers, a vital new market is in danger. If you need help — more facts, a sample letter, the names and addresses of your Congressional representatives and important staff members, call Colette at the CBA — (414) 783-5977. Use anything you want to from this magazine. Send a videotape of some of your productions.

But whatever you do, don't delay. Congress is intent on legislating must-carry this year. We can't allow ourselves to be forgotten.

As Mr. Fritts pointed out at the cable hearings, "Most local broadcasters serve their communities in an exemplary fashion because they can do well by doing good in their communities. ...The real issue is access to the public. If a broadcaster cannot be viewed by the people in his community, it's very difficult, if not impossible, to continue serving the community in an exemplary manner."

Go get 'em, friends!

Bay Area Firms Ride Out Quake; RFD Network Reports

Two San Francisco-area firms reported business nearly as usual following the city's October 17 earthquake.

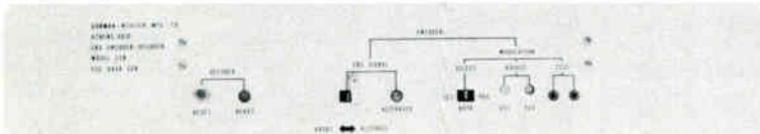
The Alta Group's San Jose headquarters suffered no structural damage, but, said Frank Alioto, vice president for sales and marketing, "The place was a mess, with bookshelves and files overturned and contents scattered over the floor."

Not so lucky was AdVentures International, whose San Francisco office building was damaged. President Harvey B. Borlaug reported, "We are using the building at our own risk,...and we have been advised to remove our stock of vide-

otape from the storage area." To help ease the storage situation, the company is selling its Retail Radio Sales System at one-third of the regular price. To order, call 1-800-541-0505 or, in California, 1-800-548-5511.

The RFD Television Network reported on the quake from the perspective of its impact on the agriculture and business communities. Continual news and weather information was interspersed with telephone interviews with experts from the Department of Agriculture, the U.S. Geological Survey, and the Red Cross.

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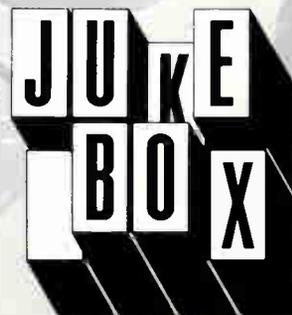
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John Kompas and Jon Elliott.



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Commissioner Quello shares a quiet moment with Robert L. Gill.



Colette Carey and Cam Willis



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Kimberlee Walters and Eddie Barker announce the BINGO winner, Stephen Carroll of Mid-Maine Community Broadcasting.



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NTA president Darwin Hillberry with Keith Larson (c) and John Kompas (r).

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LPTV's Voice "Will Be Heard," Promises Quello

"Your industry is on the move," said FCC Commissioner James H. Quello in his upbeat keynote address November 6 to attendees at the Second Annual LPTV Conference & Exposition. Calling LPTV "the most significant success story of the Commission's pro-competitive policies," the dean of commissioners told the assembled broadcasters that LPTV's strength was its "specialized localism." "Serving the specific needs of local communities is not only in the public interest, but it is also good business," he said.

Quello urged LPTV broadcasters to work with their competition rather than war with it. But regarding reports that one cable MSO, overruling the recommendation of its local manager, refused to carry an LPTV station, Quello said the allegations were "disturbing, if true." He added that blanket policies excluding carriage of



Commissioner James H. Quello

LPTV stations do not serve the public interest, and that the issue "warrants future surveillance."

Addressing the bumping threat, the commissioner suggested that special protection might be accorded an LPTV station providing "a longtime, vital, and unique service before bumping it off the air for a new, unproven service." However, he cautioned the broadcasters that the idea was not yet official policy. He added that high definition television, which could require portions of the present UHF spectrum, "would receive the highest priority from the Commission and Congress."

"Rest assured that the voice of the low power television industry will be heard," he promised. And he proceeded to make good his promise, spending three days talking one-on-one with LPTV operators and attending sessions in an apparent effort to become more familiar with the industry. K/70

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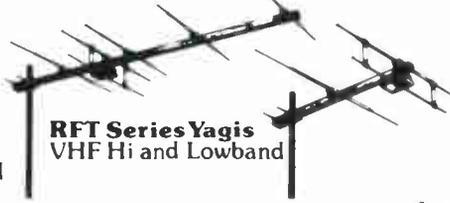
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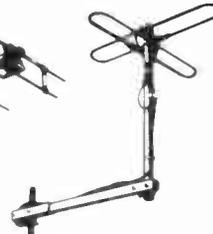
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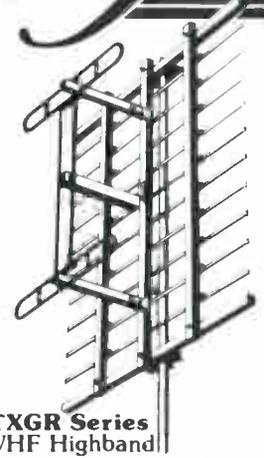
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A panel of programmers present their wares.

Second CBA Conference Proves Health of LPTV

—by Jacquelyn Biel

"LPTV is a very, very invigorating business!" So says Bob Moore, president of W48AP in Toledo, OH. Moore was a speaker at one of eleven sessions offering a smorgasbord of strategies for station management during the Second Annual LPTV Conference & Exposition November 5-8 in Las Vegas. And his statement summarizes the mood of the event—calmer than last year's, lacking but not missing the high excitement of the first roll of the dice, enthusiastic, confident, solid.

Booths and attendance doubled over the 1988 show—nearly 600 people and 53 exhibitors, compared to 25 exhibitors and about 300 people last year. People came to do business, and do business

they did, according to vendors on the floor who finished the show counting dozens of orders they said they hadn't expected.

And there were also plenty of opportunities to pick up information. Three days of sessions offered information on everything from ordering equipment and building the station to buying programming and selling advertising. And as always during LPTV gatherings, new managers and experienced managers talked freely, sharing hints, tips, trials, and victories. Old friends said hello again and everyone met new friends.

Exploring Cable Carriage Options

Andy Orgel, president and CEO of the Video Jukebox Network, started the ses-

sions Monday morning, introducing a panel on developing good relations with cable. Predicting that television will become more and more localized and individualized, Orgel warned LPTV broadcasters to respond appropriately. "Are you in business to grow a business or just to run a TV station?" he asked.

Orgel advised LPTV broadcasters to provide programming that contributes to the cable company's line-up and enhances its value to subscribers. "LPTV is Local Power TV," he said, urging the broadcasters to capitalize on their strength—targeted niche programming—rather than try to imitate the full power indies.

Orgel also called on the FCC to continue efforts to prevent indiscriminate application filing, on equipment suppliers to

be more timely in equipment deliveries, and on all industry participants to help increase sources of financing for stations.

John Field had a similar view: "We have to get the chip off our shoulders. Cable companies are private businesses," said the television pioneer and owner of KLSR-TV (K25AS) in Eugene, OR. Field agreed with Orgel that the key to cable carriage is to provide programming that the cable company will want to present to its viewers.

Cooperation is essential, he said. KLSR, which is now carried on 22 cable systems in the Eugene area, sells ads for some of the systems, and they in turn sell ads for the station, a practice which helped increase his station's revenues 30% during the first ninety days of carriage.

Field reminded broadcasters, "You have to pay your dues before cable systems will put you on," referring to the "tremendous investment" in hardware that cable companies must make. He advised station owners to gather enough capital to weather the first few years without carriage and to seek carriage on the smaller systems in the area before approaching the major systems.

Roy Sheppard—owner of K32AP in Jamestown, ND, as well as several North Dakota cable systems—offered another point of view. Most cable operators don't know how to deal with LPTV because they don't know what it is. "Your job," he told the broadcasters, "is to educate the cable operator about the value of carrying your LPTV station."

Sheppard outlined a 14-step program for gaining carriage and promoting both the station and the cable company, the emphasis being on maximizing the station's value to the cable system. "Many cable operators are working under tremendous debt and are trying hard to pay it back," he said. "Their open channels are valuable, and they care about what goes on them."



Roy Sheppard (left), John Field, and Andy Orgel (far right) give cable's point of view. John Kompas moderates.

Selling Lots of Spots

Cautioning broadcasters above all to sell from the point of view of the buyer, Neil Adelman, vice president of TV sales training for AdVentures International, outlined a step-by-step program for effective selling, during the second session of the morning.

In the first sales call, said Adelman, you should find out what the prospective client wants to accomplish with an ad and how much he or she is willing to spend to do it. Then design an ad campaign that you are sure will achieve those objectives. Never promise more than you can deliver,

and don't be afraid to refer a client to your competition rather than risk failing to do what you have promised.

The session was moderated by D. J. Everett, who also spoke briefly from his own experience selling for his Hopkinsville, KY station.

Understanding TV Ratings

More and more viewers in the country's major TV markets are watching LPTV stations, said Robert Paine, an A. C. Nielsen vice president, during Monday afternoon's panel on TV ratings. Nielsen, which measures viewership over large



Robert Mauro (left) moderates as Robert Paine, Dr. Mark Banks, Dr. Michael Havice, and David Bright discuss audience measurement.

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DMA's or Designated Market Areas, first developed reportability criteria for the smaller coverage LPTV stations in 1985, and two stations achieved reportability that year. During this year's May sweeps, 18 LPTV stations broke the reportability threshold, with an additional 179 stations close behind.

To qualify for reportability, Nielsen requires that a station show at least a 2.5% share of viewership in the DMA in households where television is watched between 7 a.m. and 1 a.m.

David Bright, western region sales manager for Arbitron, credited LPTV with "tremendous growth," reporting that since 1986 there has been a 300% increase in LPTV viewership, according to Arbitron measurements.

The two ratings company executives were joined on the panel by Dr. Mark J. Banks and Dr. Michael J. Havice, both of

Circle (93) on ACTION CARD

Marquette University, who introduced an automated telephone survey method they have developed. The automated method, which is quite inexpensive and which, they say, produces results that are as good as or even better than human callers can achieve, has been successfully tested in an ascertainment study of a Wisconsin community. Banks and Havice hope that it will become an alternative for LPTV stations who find specialized Nielsen and Arbitron audience studies too expensive to undertake.



Keith Larson

From the Horse's Mouth

The Monday sessions closed with "An FCC Tutorial" conducted by Keith Larson, chief of the FCC's LPTV Branch. Illuminating the regulatory aspects of LPTV broadcasting, Larson took his audience through a series of slides that illustrated the entire LPTV station licensing process—from the initial construction permit application to final sign-on and licensing. The presentation showed the offices, hallways, and people of the seventh floor at 1919 M Street and the progress of the paperwork involved in station authorization and licensing.

Larson, who also talked one-on-one with broadcasters at his FCC show booth, expressed great satisfaction with the progress of the LPTV industry. "Fantastic!" he said, referring to recent CBA survey results that one-third of commercial LPTV stations are profitable and that 24% of their programming is locally produced.

Management Tips

Tuesday opened with a Station Managers' Roundtable featuring Pete D'Acosta, owner and general manager of K35BO, Wichita Falls, TX; Robert Moore, president of W48AP in Toledo, OH; Robert Lyons, of W08BV in Columbus, OH and a former Warner Cable executive; and Ronald Nicholas, general manager of W38AW in Rochester, NY.

Moore's TV-48 has become so popular in its eleven months on the air that viewers have dubbed it "the People's Station." The reason is the heavy local programming emphasis, says Moore, and the constant visibility the station maintains in the community. Among his suggestions for new station managers were hints for getting on cable—show the cable company how carrying your station can benefit them; for programming—listen carefully to the market and give the viewers

what they tell you they want; and promotion—get to know everyone and go everywhere in your community all the time.

Another perspective was offered by Pete D'Acosta, whose Wichita Falls, TX full power independent built an LPTV station to supplement its own programming. The LPTV is an all-sports station, staffed only by two part-time operators. All production, sales, and administration is taken care of by the parent station's staff. The niche programming approach works very well for the station, said D'Acosta, who also gave the audience some tips on buying syndicated programming.

Station management strategies were offered by Bob Lyons of W08BV, Columbus, OH and Ron Nicholas of W38AW in Rochester, NY. Both discussed the role of clear communication between station departments and the need to keep morale high.

Dollars and Sense

The importance of sound financial planning was the theme of a second Tuesday morning panel. Led by Rick Wiederhold of Kompas/Biel & Associates, the panel featured Robert McAuliffe and Paul Richard of the Broadcast Financial Management Association and Mark Matz of the Broadcast Credit Association.

McAuliffe took the audience through the pre-construction financial planning process for a typical LPTV station—breaking out projected expenses and revenues. Paul Richard, whose expertise is in insurance, advised operators on how to reduce their risk of loss and consequently



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John Kompas introduces Neil Adelman (l) and D. J. Everett (r) who talk about successful sales strategies.



Peter Tannenwald, moderator of the Station Managers' Roundtable, and managers Bob Moore, Pete D'Acosta, Bob Lyons, and Ron Nicholas.

their insurance premiums. He also gave some tips on selecting the right insurance agent and listed the types of insurance that an LPTV broadcaster should carry. The session finished with a discussion of proper credit and collections policies by Mark Matz.

Building The Station

Dick Bogner of Bogner Broadcast Equipment and consulting engineer John Battison opened the second Tuesday morning panel with advice about choosing and installing an antenna and transmitter. Both warned against false economizing. The transmission system is too important a part of the station's equipment to cut corners.

Following Bogner and Battison, Roscor Corporation's Mark Grossman and Tom James of Panasonic provided insights into buying a studio system. Grossman advised station managers to be sure that all the units in the system they buy can operate together—that the cameras have the proper accessories, the switcher can take all the necessary feeds, that the editing equipment is expandable and upgradable. He also cautioned broadcasters against buying equipment that will become obsolete too fast.

James discussed the factors to be considered in choosing a format, including



Financial strategies are explained by Rick Wiederhold, Bob McAuliffe, Paul Richard, and Mark Matz.



Erika Bishop, Richard Bogner, John Battison, Mark Grossman, and Tom James talk about station construction.

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the software by which it is controlled. He also said that chip technology makes it possible to achieve excellent picture quality with relatively inexpensive cameras. Like Grossman, he felt that compatibility and flexibility within a system are more important than overall cost.

Erika Bishop, manager of W40AF in Carlisle, PA, was the panel's moderator.

The Legal Nitty-Gritty

Tuesday afternoon sessions began with the LPTV Legal Clinic, a meters-off chance for members of the audience to quiz communications attorneys on issues affecting LPTV broadcasting. The session was moderated by CBA general counsel Peter Tannenwald.

Ben Perez, a communications attorney and president of Abacus Communications, a consulting firm, explained the nuts and bolts of filing an LPTV application with the FCC, giving special emphasis to the FCC's concepts of "minority status."

Jerold Jacobs, special counsel, Rosencman & Colin in Washington, DC, explained the FCC's policies on displacement, buying and selling licenses and construction permits, and equal opportunity laws.

George Borsari tackled the thorny issue of copyright liability, rebroadcasting, and music licensing. He warned broadcasters that permission to use the music in a

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video production is not included in permission to broadcast a program, that they must deal separately with the appropriate music licensing bodies. He advised broadcasters not to expose themselves to legal liabilities by ignoring this issue.

The News

The legal clinic was followed by a discussion about reporting, writing, and presenting television news. Bob Horner of the Atlanta news consulting firm, Video Relations, and Tom Bier, news director of WISC-TV in Madison, WI and chairman of the Radio-Television News Directors Association, shared the podium.



Bob Horner and Tom Bier on news.

The two discussed the role of research in news, the importance of promotion, the importance of technical quality, news content, and the care and handling of news employees.

Horner gave these tips on research: save money by using college interns to conduct polls, use the station staff for focus group research, and most important, don't assume you know what your viewers think. Bier told the attendees that technical quality is important, that the audience is aware enough to be disturbed by faulty production values.

As for promotion, both panelists agreed that the best promotion broadcasters have is their own air, and that frequent on-air promotion of their own news programs is the most effective way to gain viewers.

A thorny topic was the question of on-air talent—how to train them, how to polish them, how to keep them challenged, and how to critique them effectively. Horner advised broadcasters to set firm standards and enforce them with periodic



The meter is off for attorneys George Borsari, Peter Tannenwald, Ben Perez, and Greg Skall.



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reviews that cover both the positive and the negative aspects of on-air performance.

In response to a question about how to handle an advertiser who is angry about the content of a newscast, Bier advised total honesty. "Above all, you must protect the credibility of your programming product if you are to be successful," he said.

The Programmers

More and more television programmers see a bright future for community television stations.

That was the message that emerged

from a programming panel Wednesday morning. During the discussion, in which representatives of eleven programming services participated, Chuck Larsen, president of Republic Pictures Television, announced the creation of a 44-film package of movies to be offered exclusively to LPTV stations.

Also participating in the panel were representatives of Capitol TV Network, which will begin transmitting via satellite on March 19, 1990; Channel America, which features several interactive game shows in which viewers can participate by telephone; Direct Distribution, which represents County Music TV and which introduced a 24-hour news feed November 26;



Jay Curtis and Lynne Grasz from BPME.

FamilyNet; Home Shopping Network; The Jukebox Network; The Learning Channel; The RFD Television Network; and Trinity Broadcasting Network.

And Promotion

The last session of the Conference was a presentation on effective promotion by two members of Broadcast Promotion and Marketing Executives. Lynne Grasz, executive director of BPME, and Jay Curtis, membership services director, discussed how to create a good logo, the importance of public involvement, how to handle news releases, and inexpensive promotional techniques.

Their presentation was enlivened by several tapes from the BPME Resource Library illustrating the various points they made. M/B

Forest Service Revises Tower Site Fee Schedule

The U.S. Forest Service has published a revised fee schedule, effective September 22, for the use of electronic sites within national forests, according to the October issue of *The Translator*, the newsletter of the National Translator Association. Specific fees, probably based on service area population, for TV or radio broadcast translators will be set before the new year.

Rental fees will be waived for facilities owned and operated by a state or local government. Other users may be granted waivers as well, at the discretion of the Forest Service district officer, though a minimum \$75 fee will be imposed to cover Forest Service administrative expenses. M/B

The Learning Channel Makes Golden ACE Finals

The Learning Channel has been selected as one of eight finalists for the Golden ACE Award, the cable industry's highest honor. The nomination was made for the series, "Changing Skylines," an exploration of the challenges facing America's cities and towns.

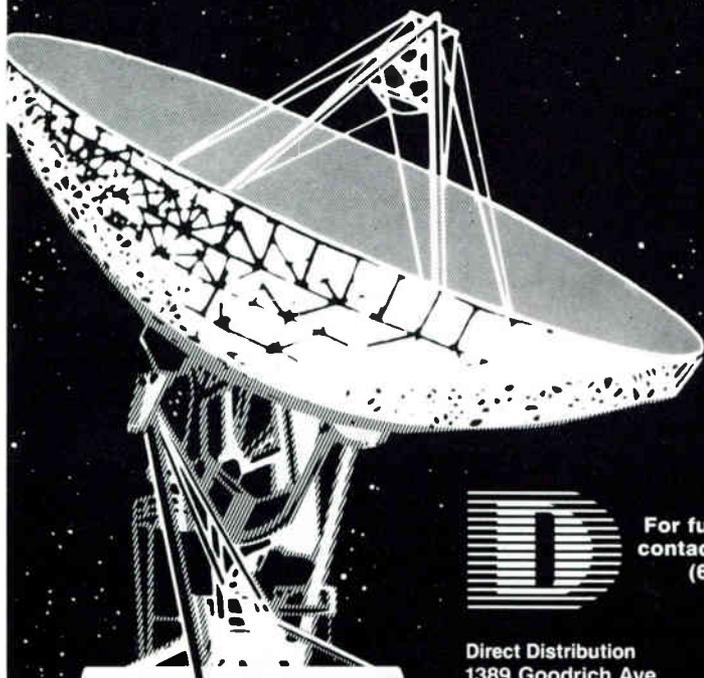
"The Golden ACE Award recognizes programming that has a strong impact on viewers—programming that actually contributes something to society," said Charles F. Engel, producer, Universal Television, and chairman of the National Academy of Cable Programming's Golden ACE Awards Committee.

The Award will be presented in a live, prime-time telecast on Sunday, January 14, 1990. M/B

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NAB, BFM Release 1989 TV Financial Reports

The National Association of Broadcasters and the Broadcast Financial Management Association have announced the publication of this year's annual reports on television station finances. The 1989 *Television Financial Report* details revenues and expenses of commercial full power television stations in the U.S. The 1989 *Television Market Analysis* reports 1988 revenue sources, expenses, profits, and cash flow margins for 118 TV markets. The 1989 *Television Employee Compensation and Fringe Benefits Report* shows salary and compensation figures reported by 540 commercial full power stations.

Among the findings: More than half of total time sales for the average station came from local sources, and about 45% from national or regional sources. Program and production accounted for one-third of total expenses; general and administrative expenses for another third. The remainder was divided between news, 14.4%; sales, 8.4%; engineering, 7.2%; and advertising and promotion, 5.2%.

The fastest growing TV markets in terms of revenue are Yakima, WA; Odessa/Midland, TX; Buffalo, NY; Joplin, MO; Fort Myers, FL; Las Vegas, NV; LaCrosse/Eau Claire, WI; Portland, OR; San Antonio, TX; and Miami, FL.

The reports are available to NAB members at \$125, \$200, and \$50 respectively. Prices for non-members are higher. Call (800) 368-5644. M/B

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England is a country where humbug is a great virtue.

Lord St. John of Fawsley, House of Lords

Broadcast, Cable Fall Out Over Channel Slots During Senate Hearings

-by Jacquelyn Biel

Despite the so-called "industry agreement" previously worked out between the National Association of Broadcasters and the National Cable Television Association, the issue of channel positioning threatened to hold up any compromise. And the first panel of witnesses at the October 25 must-carry hearings before the Senate communications subcommittee seemed staged—the NAB's Eddie Fritts and the NCTA's Jim Mooney polite and pleasant, Steve Effros from the Community Antenna Television Association and Preston Padden from the Association of Independent Television Stations playing the heavies.

Also testifying, but clearly regarded as an extra by the four headliners, was David Brugger representing the National Association of Public Television Stations.

Channel repositioning is an issue for full power stations because cable systems often shift them up to higher channels than they broadcast over, sometimes without notice. This is confusing to the public, and if the station is shifted off the basic service tier, it becomes unavailable to many subscribers.

Mooney said that the NCTA would support a reinstatement of the must-carry rules and was willing to make concessions on the repositioning problem, including requiring cable operators to give broadcast stations advance notice before shifting them to another channel, banning channel shifts during ratings sweeps, and allowing broadcast stations to have the same channel numbers they use over the air. He did not agree that UHF stations should be able to mandate positions on lower channels, especially those from 2-12.

Fritts pointed out that vertically integrated cable companies sometimes displace broadcast stations from the lower, basic tier channels in order to fill those channels with programming services in which they have ownership. And he complained that while broadcasting subsidizes cable through the compulsory license, cable systems are not required to carry those broadcast signals in exchange.

He said that Congress's Cable Act of 1984—which was intended to boost the struggling cable industry—was "equivalent to anabolic steroids" in its skewing of the marketplace since then, and that must-carry and channel positioning legislation was the only antidote to the present state of unfair competition.

But on the whole, Fritts and Mooney, sitting next to each other, projected a po-

lite and accommodating spirit of reconciliation. Padden and Effros were the front men.

Cable is a monopoly upon which many consumers depend for *any* TV, complained Padden. "You can't sign a new station on today because you can't get on the cable. It's not that these stations wouldn't be viable. The problem is you're signing on in an environment where all the other stations *are* on the cable."

But Padden's main point of contention (and the reason INTV won't sign on to the must-carry compromise) was channel positioning, a major problem for independent stations, most of whom have high UHF assignments. If they have to keep those channels on a cable system, they are often too high to be carried on the basic tier.

Effros's rambling testimony tended to trivialize the problems of broadcasters and emphasize the costs cable operators have to bear—costs being the rationale for maintaining cable's status quo. When Padden told the Subcommittee about the lady in a Bronx apartment house who can get broadcast signals only by dragging her set across the living room and sticking her rabbit ears out the window, Effros retorted, "At least she can stick her antenna outside and get a free signal. The cable system has to be wired in."

Providing dignified contrast to the comedy of humours played out by the other four was NATPS president David Brugger. The public has a right to see the stations, he argued, that they support through taxes and donations. And alluding to the practice of putting educational stations on higher, pay tiers, Brugger said, "Access to public TV should be a public right, not a class privilege."

The testimony ended in a stalemate that seemed to dump the whole problem in Congress's lap. Senator Daniel Inouye (D-HI), chairman of the subcommittee, stepped in with a suggestion—to which all but Effros agreed—that Congress create a rule for channel positioning, but the FCC be empowered to decide challenges.

Following this first panel was a second group of witnesses, including CBA's John Kompas (see related story on this page).

■

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Jane Eyre

Protect Local Service, Kompas Asks Senate

Arbitrary discrimination against LPTV stations is not in the best interests of local communities. That was the message John Kompas delivered to the Senate communications subcommittee during must-carry hearings October 25 in Washington.

Testifying on behalf of the Community Broadcasters Association, Kompas related several examples of commercial and public LPTV stations in communities of all sizes that have been denied cable carriage, sometimes apparently because of multiple system operators' home office policies against LPTV carriage. In other instances, cable systems have charged exorbitant fees for carriage, effectually keeping LPTV stations off their channel line-ups.

One Wyoming CP holder was promised carriage by the local TCI system manager, Kompas told the subcommittee. But when the station signed on the air, the manager

continued



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refused to give it a channel, citing instructions from the home office. Another station in Kentucky lost a two-year battle with the cable system and was forced to discharge its local production staff and become a passive translator.

"This is the local service that is the bedrock of the American broadcasting system. It is a travesty to let cable operators snuff it out because of corporate policies or fear of competition," said Kompas. He also said that local governments should be able to insist that local stations in their own communities be carried.

Kompas asked the subcommittee to help ensure that new legislation does not discriminate against community broadcasters or place their stations at an artificial disadvantage in competing with the cable industry: "Legislation dealing with cable carriage should not ignore community broadcasting as it does now." (Kompas was referring to bills then before the

House and Senate which incorporated by reference the FCC's old cable carriage rules, drafted before LPTV was authorized. Since the hearings, Senator John Danforth (R-MO) has introduced S. 1880, the Cable Television Consumer Protection Act, which does mention LPTV but excludes it from consideration for carriage, along with TV translators and "other passive repeaters." See related story on front page.)

He asked that any proposed legislation include the following points:

- If a cable system is required to carry local broadcast signals, then it should get as much credit for carrying a community LPTV station as it does for carrying a full power. If all local stations must be carried, then community stations should also be carried.

- If the system is saturated, then cable operators should be able to choose between community LPTV's and full power

stations without being penalized for choosing community stations over full powers. If a system sells carriage, then the same price should be charged to both stations.

- Large MSO's should be barred from having blanket policies against carriage of community stations.

In supplementary written testimony, the CBA asked the subcommittee to consider including one of the following four alternatives in any bills it drafts:

- Cable systems would be required to carry local LPTV stations;

- Local LPTV signals could be substituted for distant full power signals at the discretion of the cable operator;

- Local LPTV stations would have priority on the basic tier over distant full power stations;

- Local LPTV stations would be carried before full power TV stations not licensed to the cable community's market. [K/7]

FCC Opens Inquiry on 24-Hour Indecency Ban

The Federal Communications Commission is seeking comments on the validity of a round-the-clock ban on indecent programming.

In 1988, Congress mandated a 24-hour ban on indecent programming in a move to protect viewers, especially children, against exposure to it. However, the ban was stayed by the U.S. Court of Appeals pending a judicial review. Later, at the FCC's request, the court remanded the record to the FCC so that it could conduct this inquiry.

The Commission defines broadcast indecency as language or material that, in context, "depicts or describes, in terms patently offensive as measured by con-

temporary community standards for the broadcast medium, sexual or excretory activities or organs." Such materials may not be broadcast when there is reasonable risk of children in the audience. The Commission defines children as anyone 17 years or younger.

Comments are requested on these issues:

- The age group that children comprise for the purposes of government protection;

- How pervasive and accessible the broadcast media are in children's lives;

- The actual viewing and listening habits of children;

- Alternatives to the 24-hour ban. These include 1) channeling indecent broadcasts to those times of the day when children are not likely to be viewing or listening, and relying on parents to supervise their children's viewing; 2) program rating codes or pre-broadcast warnings; 3) broadcast technologies that would restrict children's access to indecent programming.

- The availability of indecent material for adults from non-broadcast sources.

The Commission also took action on a two-year backlog of 95 indecency complaints, issuing immediate fines ranging up to \$10,000 to four broadcast stations. [K/7]



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LPTV Distribution by State and Territory

October 31, 1989

	Licenses	CPs*
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ALASKA	217	31
ARIZONA	15	51
ARKANSAS	8	33
CALIFORNIA	31	94
COLORADO	14	37
CONNECTICUT	0	5
DELAWARE	1	0
WASHINGTON, DC	1	0
FLORIDA	27	115
GEORGIA	16	56
HAWAII	2	24
IDAHO	19	34
ILLINOIS	7	34
INDIANA	8	30
IOWA	11	50
KANSAS	7	55
KENTUCKY	6	35
LOUISIANA	9	58
MAINE	7	16
MARYLAND	1	6
MASSACHUSETTS	6	21
MICHIGAN	7	16
MINNESOTA	29	35
MISSISSIPPI	11	19
MISSOURI	12	36
MONTANA	23	40
NEBRASKA	4	16
NEVADA	13	21
NEW HAMPSHIRE	2	5
NEW JERSEY	2	12
NEW MEXICO	14	50
NEW YORK	20	42
NORTH CAROLINA	8	46
NORTH DAKOTA	4	22
OHIO	10	37
OKLAHOMA	16	36
OREGON	16	32
PENNSYLVANIA	10	49
RHODE ISLAND	0	4
SOUTH CAROLINA	2	23
SOUTH DAKOTA	6	20
TENNESSEE	19	52
TEXAS	43	117
UTAH	16	19
VERMONT	1	9
VIRGINIA	5	21
WASHINGTON	6	38
WEST VIRGINIA	1	4
WISCONSIN	10	27
WYOMING	14	45
GUAM	1	0
PUERTO RICO	3	8
VIRGIN ISLANDS	0	2

TOTALS: Licenses: 746
Construction Permits: 1,713

* The totals in this chart have been updated as of August 23, 1989. Expired CP's and unrenewed licenses have been removed.

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Earliest Must-Carry Rules Included Local Translators, Channel America Reminds Senate

The FCC's original must-carry rules—adopted in 1972, ten years before the LPTV industry was established—“specifically required carriage of all translator stations with 100 watts or higher power that were licensed to the community of the cable system.”

This is one argument in written testimony that Channel America submitted to the Senate communications subcommittee which held hearings on the must-carry issue October 25 in Washington.

The New York City-based LPTV program network asserts that the only difference between LPTV stations and translators is that the former are permitted to originate programming, and that many stations operating as LPTV's are still officially designated translator stations in the FCC's databases. For that reason, Channel America requests codification of the must-carry rules that were in effect prior to July 19, 1985, when the U.S. Court of Appeals overturned the rules in its *Quincy* decision.

Other arguments advanced in the testimony are that “improved reception of local television stations is one of cable's two *raison d'être*,” and that the FCC in-

tended LPTV stations to “supplement and complement full power television, just as cable television does,” despite its secondary status. The company also argued that LPTV stations have a First Amendment right to be viewed over cable in the same way that cable operators have a First Amendment right to be viewed anywhere they wish: “...what should count is not whether a television station has ‘primary’ or ‘secondary’ status in an FCC technical sense, but rather whether its programming well serves its community of license.”

Most significantly, Channel America notes that the FCC's 1986 must-carry rules exclude LPTV stations, not overtly, but because in the 1986 rules the FCC was passively implementing an “Industry Agreement” between several of the major broadcast and cable trade associations, “and that Agreement provided that only ‘primary,’ full power television stations qualified for must-carry status.” Channel America calls the committee's attention to the “anti-competitive flavor” of this agreement and notes that the main witnesses at the October 25 hearings were essentially its signatories.



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Andrew Corporation has introduced the ALPine, a new LPTV antenna series for 1 kW and greater applications. The new antenna incorporates many features of the company's proven ATW "L" Series units, as well as a few more.

Thirteen standard patterns—ranging from omnidirectional through several cardioids to peanut—are available, all of which have been assigned "off the shelf" status by the FCC. The antennas also offer higher gains, ensuring optimum ERP from all azimuth patterns.

The ALPine series units are made of aluminum modules, making them easy to assemble and install in the field. Both the aluminum antenna sections and the galvanized or stainless steel mounting hardware resist corrosion, and full-length radomes protect against rain, snow, and ice. Loading on the support structure is minimal because of the lightweight construction and the slim profile of the antennas. And feed systems incorporate Andrew HELIAX® cable, making pressurization unnecessary.

Kansas LPTV Continues To Break New Ground

K06KZ-TV6 in Junction City, KS recently produced and aired a 22-hour live telethon for the Geary County United Way. Hosted by Jim Clark, owner of a Junction City auto dealership, the telethon featured bands, choirs, magicians, and information shorts on the agencies served by the local United Way.

The station, on the air since Valentine's Day, 1983, has always been committed to local programming, according to general manager Robert Raff,

The company offers a selection guide and system planning worksheet to simplify the purchasing process. Call 1-800-255-1479 and ask for Bulletin 1574.

Circle (141) on ACTION CARD

The U.S. Department of Agriculture offers free services to broadcasters, among them a TV news feed available on Westar IV, audio 6.2 or 6.8, at the following EST times: Thursday, 7:30-7:45 p.m., transponder 12D; Saturday, 10:30-11:15 a.m., transponder 10D; and Monday, 8:30-9:15 a.m., transponder 12D. For more information, call the radio/TV division at (202) 447-4330.

Circle (142) on ACTION CARD

ECHOlabs, Inc. has introduced a broadcast quality 8-input, 1 mix-effects video switcher—the DV-7. The unit's microcomputer accesses many internal signals, including wipe patterns and video outputs. It can evaluate signal quality and change parameters such as set-up level or wipe positioning.



The DV-7 production switcher from ECHOlabs, Inc.

The DV-7 includes internal background and black as well as three color generators, three video busses, ten wipe patterns (including circle), SMPTE link option, and two linear keys. The wipe patterns have soft and bordered edges; the TAKE section allows mix or pattern take-to-preview; and the downstream key generator provides filled or colorized keys with two external key selections as well as a fade-to-black function. An RGB chromakey card is optional.

Circle (151) on ACTION CARD

and recently contracted to produce and sell ads for the local cable system. Raff says that many cable systems are looking for additional revenue sources and that LPTV stations should "jump at the chance" to secure similar agreements. "We are the local advertising experts, and we showed the cable company the benefits of working with us rather than against us."

TV-6 has sold out its own inventory for the holidays and into 1990. "I don't have a moment of time left," Raff said.

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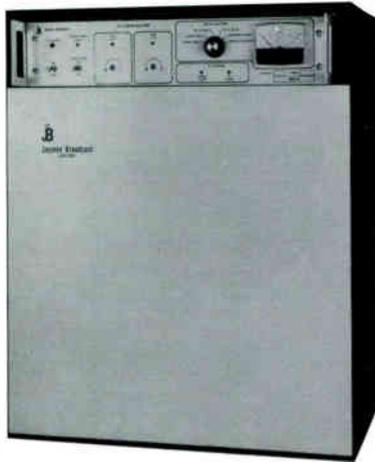
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CP's for LPTV and full power. Top 25 (ADI rating). Will pay top dollar. Send engineering data to Kenneth Casey, 2128 West Tonopah Drive, Phoenix, AZ 85027. Or call (602) 582-6550.

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.

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.

LPTV channel search: Free info packet. Ross Electronics, 1351 Fairview Court, Livermore, CA 94550, (415) 443-1796.

LPTV mailing labels. Reach all LPTV licensees, CP holders, applicants. Highly accurate, up-to-date marketing lists in your choice of format. Kompas/Biel & Associates, Inc., (414) 781-0188.

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REQUEST FOR PROPOSALS

L.A. area university seeks LPTV business partner. California State University—Northridge holds a CP for an LPTV station that will serve the affluent, 300,000 L.A. suburb of the western San Fernando Valley.

The university is seeking to identify a potential business partner with the expertise and financial resources to initiate the development and manage the operation of a commercially oriented station that will operate under the auspices of the university's mission. While CSUN will maintain overall policy responsibility, the operating partner will direct day-to-day staffing, programming, engineering, marketing, and sales operation of the station, and will **share station revenues.**

The successful proposal will demonstrate the applicant's financial capacity to enter into such a partnership, qualifications to operate an LPTV station with consideration to FCC guidelines and prudent business practices, knowledge of the process and requirements of originating a new station, creative programming ability, and demonstrated success with related broadcast marketing and advertising sales. Proposals that provide the opportunity for student and faculty involvement in the station's operation will be given more favorable consideration.

CSUN will host an information meeting for prospective partners on Monday morning, January 8, 1990. Interested parties should submit their written proposal to the address below no later than Wednesday, February 1, 1990.

For an information packet, contact:

Spero Bowman
California State University—Northridge
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... at the FCC

NEW LPTV LICENSES

The following LPTV stations received licenses on the dates shown. Station call sign, location, and the name of the licensee are also given.

- K67EO Bentonville/Rogers, AR. The Times Southwest Broadcasting, Inc., 10/31/89.
- K64DR Phoenix, AZ. Broadcasting Systems, Inc., 10/31/89.
- W03AS Apalachicola, FL. Richard L. Plessinger, Sr., 10/31/89.
- W55AW Savannah, GA. Channel America LPTV Holdings, Inc., 10/31/89.
- K15BQ Topeka, KS. Deanna Hinojosa, 10/31/89.
- K39CH Redwood Falls, MN. Redwood TV Improvement, 10/31/89.
- K66DN Willmar, MN. UHF Television, Inc., 10/31/89.
- K52BS Santa Fe, NM. Penny Drucker, 10/31/89.
- W46AJ Cookeville, TN. Trinity Broadcasting Network, 10/31/89.
- K63DR Austin, TX. Trinity Broadcasting Network, 10/31/89.

NEW LPTV CONSTRUCTION PERMITS

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

- K38CX Shonto/Tonalea, AZ. Navajo Bible Believers, 10/31/89.
- K53DU Hemet, CA. Buffalo Communications, Inc., 10/31/89.
- K35CW Oroville, CA. Kidd Communications, 10/31/89.
- K26CT Aspen, CO. Penny Drucker, 10/31/89.
- K33DC Boulder, CO. J. B. Van De Sande, 9/21/89.
- W14BK Bradenton, FL. William Cannon, 10/31/89.
- W05BR Clearwater, FL. George Fritzing, 10/31/89.
- W68CF Tampa, FL. Skywave Communications Corporation, 10/31/89.
- W05BP Lumber City, GA. Newsouth Broadcasting Corporation, 10/31/89.
- W30AW Elgin, IL. Vincent A. Battista, 10/31/89.
- K68DK Overland Park, KS. University of Kansas, 10/31/89.
- K23CR Bogalusa, LA. Bogalusa Daily News, Inc., 10/31/89.
- W56CK Lanett, LA. Georgia-Alabama Broadcasting, Inc., 10/31/89.
- W17BF Bangor, ME. Craig Ministries, Inc., 10/31/89.
- W29AZ Hillsdale, MI. Lansing 53, Inc., 10/31/89.
- K24CP St. James, MN. Watonwan TV Improvement Association, 10/31/89.
- W29AX Greensboro, NC. Silvia M. Landin, 10/31/89.
- W50BE Mansfield, OH. Mid State Media, Inc., 10/31/89.
- W47BC Springfield, OH. Impact Television Group, Inc., 10/31/89.
- K62DN Medford, OR. Better Life Television, 10/31/89.
- W60BL Butler, PA. Turnpike Television, 10/31/89.
- K68DJ Corpus Christi, TX. Central California Broadcasters, Inc., 10/31/89.
- K59EB Nacogdoches, TX. Russell Communications, 10/31/89.
- W40AL Ladysmith, VA. Jeanette R. Currence, 8/23/89.
- K68DL Seattle, WA. Western Washington Corporation of Seventh Day Adventists, 10/31/89.



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Acrodyne Industries, Inc.	24	18	(215) 542-7000
Andrew Corporation	3	79	(312) 349-3300
BASC Associates	9	3	(800) 252-BASC
Bogner Broadcast Equipment Co.	23	23	(516) 997-7800
CJM Productions	2	93	(615) 320-7556
Dataworld	13	4	(301) 652-8822
Decisions, Inc.	20	14	(214) 586-0557
Direct Distribution	16	37	(612) 642-4558
Eagle-Lion Video	10	96	(619) 277-1211
EMCEE Broadcast Products	4	1	(717) 443-9575
Gorman-Redlich	6	62	(614) 593-3150
Jayman Broadcast	22	82	(818) 994-5265
Keystone Inspirational Network	5	30	(800) 552-4546
Lindsay Specialty Products	11	12	(705) 324-2196
Microdyne Corporation	19	100	(904) 687-4633
Nexus Engineering	2	5	(604) 420-5322
Shaffer Communications	18	88	(713) 621-4499
The Silent Network	8	90	(213) 464-7446
Telemedia	1	110	(800) 521-8683
Television Technology Corporation	21	7	(303) 665-8000
Tennaplex	15	8	(613) 226-5870
Uni-Set Corporation	14	29	(716) 554-3820
Video Jukebox Network, Inc.	7	145	(305) 573-6122



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