NAB alters its position on FCC powers over programming.
Morse subcommittee seeks action on international treaties.
Profile: Earl Kintner, FTC's watchful eye over advertising.
$30 million combine seeks post-'48 films for TV & theatre.

SAN FRANCISCO'S AMAZING GOOD MUSIC STATION

KABL Music

first in Hooper . . .
NOW FIRST IN PULSE TOO!

*Only good music station in the history of radio to win first place in a metropolitan market.

KABL THE McLendon STATION REPRESENTED NATIONALLY BY DAREN McGAVEREN
New York • Chicago • Los Angeles
San Francisco • Detroit • St. Louis • Seattle
Since "time when," man has feared, yet sought, the unknown, the void, the DANGER ZONE. Even today, this overwhelming seeking for adventure is proved in current TV ratings. New DANGER ZONE follows this trend to adventure, incorporates the most complete and compelling film records available anywhere of the most shocking adventures and events from the past 60 years. Colonel "Pappy" Boyington, celebrated World War II ace, survivor of torturous years in an enemy prison camp, winner of the Congressional Medal of Honor, is the man who knows what it means to live in the Danger Zone. He hosts this thrilling new series and interviews many survivors of the outstanding dramatic events that made history. 26 HALF-HOUR FILMS are now available, 1ST RUN! Check this new syndicated DANGER ZONE series today.

CROSSBY/BROWN PRODUCTIONS
Bing Crosby, Chairman • Kenyon Brown, President
For further information about DANGER ZONE, write or phone Henry R. Flynn, General Manager
995 North La Brea, Hollywood, Calif. 90038
Distribution outside the U.S.: Video-Tel International
The need for security is a VITAL drive of humanity, and it takes many forms. In a child it is the feel and touch of the familiar. In the mass public security is based in great measure on a balanced, healthy economy that showers down the blessings of freedom and raises the living standards of all.

The dynamic economy of the Houston area gives the audience that KTRK-TV serves the VITAL security of present plenty—and boundless opportunity in the future.
News events as exciting as the one shown above do not happen every day. However, an everyday occurrence is the prompt reporting of news whether in Elverson, Pa., or in any other city throughout the wide WGAL-TV coverage area.

WGAL-TV provides broad news coverage as a public service to the hundreds of communities in its great market area.
No smoke screens • Look for disappearance of medical claims from cigarette advertising. All major tobacco companies but one have agreed, after private conferences with Federal Trade Commission, not to base copy claims on medical angles. Exception is company which had never used such claims hence has told FTC there's no need for it to join agreement.

Whose policy? • It's open question whether NAB board approved association's change of historic stand against program surveillance by FCC—as revealed by President Fellows last week in testimony before FCC (story page 31). At NAB board meeting last December association's chief counsel, Douglas Anello, urged modification of association's long insistence on complete constitutional prohibition against FCC's reviewing programming. But minutes of meeting, as reviewed by board member last week, show no vote of any kind was taken on Mr. Anello's presentation.

NBC's station search • It looks like no deal on NBC's effort to acquire San Francisco Chronicle's ch. 4 KRON-TV as last phase of three-ply transaction involving its Philadelphia and Washington properties, as well as RKO General's WNAC-AM-FM-TV Boston (BROADCASTING, Jan. 25) but network now reportedly is actively in negotiation for San Francisco independent, ch. 2 KTVU (TV) owned by Pabst-Ingrain-Pauley group. P. A. (Buddy) Sugg, NBC executive vice president in charge of owned stations and spot sales, has been handling negotiations and returned last Wednesday from quick trip to West Coast.

While no formal comment was made, it's understood that Chronicle-KRON's president, Charles D. Thieriot, rejected NBC offer of about $8 million, indicating no disposition to sell property, now affiliated with NBC. While negotiations are still in progress for ch. 2 station, NBC is understood also to be interested in possible "replacement" property in Pittsburgh, Detroit or Cleveland if San Francisco negotiations fail. NBC-RKO General transaction provides for even exchange of WRCV-AM-TV for WNAC-AM-FM-TV and contingent purchase by RKO of WRCV-AM-FM-TV for $11.5 million. FCC was told that if NBC isn't able to acquire second station by April 2, its agreement with RKO General will expire.

Spawning grounds • Popular sentiment for more public affairs programming on tv may create profitable new field for producers of these programs, as source of supply for networks as well as stations. Sign of trend seen in last week's announcement by origina- tors of Person to Person who opened up A to Z Enterprises Inc. specializing in public affairs packages (see page 80). Present program packages of entertain- ment shows would not be expected to switch to public affairs as long as they find markets for their entertainment product, reasoning goes. Independent stations could be hard put to produce sufficient quantities of own public affairs shows.

Spots per quarter • N. C. (Duke) Rorabaugh on May 15 will issue new quarterly spot tv report—at present for advertisers and agencies—which will include estimated spot tv expenditures (at one-time rate) by advertiser, brand and product categories. New report will cover first quarter of 1960, adds to Rorabaugh's spot tv schedule activities data to which stations and representatives subscribe, and gathering of spot tv gross billing figures (by advertisers quarterly, by brands annually) and spot tv gross billing for Television Bureau of Advertising.

Popularity poll • A. C. Nielsen Co. has been commissioned by "name" agency to conduct "media image" survey among country's radio-tv, newspaper-magazine representatives, with results expected to be tabulated within next fortnight. Company's special research division last month asked over 650 media reps to list three agencies they feel have best media buying depart- ments, with commentary columns for "bouquets" and "brickbats."

End in sight • Barring unforeseen developments, FCC today (Feb. 1) will close record on its program jurisdiction hearing with testimony of AB-PT President Leonard Goldenson and ABC-TV President Ollie Treyz. Promptly after anticipated noon recess, FCC will go into executive session to complete its allocations presentation tomorrow (Feb. 2) to Senate Communications Subcommittee. FCC has spent practically every available hour on preparation, having met last Friday morning before hearing CBS Inc. President Frank Stanton's pre- sentation (pages 9, 43).

Mr. Goldenson, who flew to Wash- ington last Tuesday from Phoenix where ABC owned and operated sta-
tions were holding annual convention, said Friday he does not propose to duplicate testimony of preceding net- work witnesses, Robert W. Sarnoff, NBC board chairman, and Dr. Stanton. Mr. Treyz is armed with exhibits on ABC-TV programming and coverage.

Tape jurisdiction • American Federation of Television & Radio Artists is reported to have mailed out over weekend notices to tv program producers and advertising agencies as well as to Screen Actors Guild and National Labor Relations Board, alerting them to AFTRA's intention to assert its jurisdic- tion over tape programming. At present AFTRA holds such jurisdiction at networks and stations, but SAG, which holds contracts at film studios, insists it is bargaining agent for tape done at studios. Reason for AFTRA's move: by law, it had to serve notice 60 days before March 31, expiration date of SAG's tv supplement pact with film producers. Another SAG-AFTRA battle brewing?

MB$ in market • Mutuals' manage- ment team, Albert Gregory McCarthy Jr., Chester Ferguson and MB$ Presi- dent Robert F. Hurleigh have quietly been inspecting radio station facilities with view toward purchasing some. Initial reaction: stations visited so far seem "overpriced" but search is con- tinuing.

Payola problem • FCC's new "get- tough" approach is being manifested in handling of payola questionnaire returns (BROADCASTING, Jan. 25). FCC last week passed over group of Washington state stations in actions on routine li- cense renewals. Reason: replies to payola questionnaires either had not been received or had not been tabulated as yet. Under new policy implemented two weeks ago Commission instructed staff to make at least cursory examination of station's payola reply before re- newal action. Several other Washington stations which had replied were renewed on schedule.

On the scene • For first time, CBS last week held meeting of its top tv programming board away from New York. Session was held last Monday night and Tuesday morning in Wash- ington where top brass, headed by CBS Inc. President Frank Stanton, at- tended FCC's programming hearing (see box, page 54). One top executive said: "Washington is the only place where we can get a taste of what's going on in broadcasting."
STRENGTH: $176,000 — in just 18 hours. That’s the amount Northeastern Ohioans donated to the New March of Dimes in response to WJW-TV’s recent special Telethon... the second largest amount ever collected in any market throughout the U.S.A. • More than 4,000,000 viewers look to WJW-TV for the best of everything... highest rated news, the greatest array of feature movies, and creative, valid public service.

YOU KNOW WHERE YOU’RE GOING WITH WJW-TV
CBS CLEVELAND

A STORER STATION • REPRESENTED BY THE KATZ AGENCY
WEEK IN BRIEF

The annihilation of creative thinking • Conformity, shifting of responsibility and surrendering of initiative for "security" and that "castle" in Westport are signs of today's "sophisticated gold-brick ing" which point to the destruction of all incentive for creative thinking. The result is mediocre advertising and marketing, claims Clay W. Stephenson, president of his own Houston, Tex., advertising agency. He sets it all forth in this week's MONDAY MEMO. Page 26.

FCC sees itself • NAB, NBC, CBS and others tell Commission what they think its powers are and why. NAB pulls surprise by relaxing its longtime position that FCC must keep its nose out of programming except in case of law violations. Page 31.

NARBA action urged • Senate subcommittee hears pros and cons on NARBA and U.S.-Mexico agreement on use of broadcast frequencies and plans to make recommendations to Foreign Relations Committee this week. Page 62.

Bates shouts foul • Bates full-page newspaper ad addressed to Federal Trade Commission chairman stirs Washington and Madison Avenue, but reaction is all sotto voce. Agency charges FTC has changed rules, asks for explanations. Page 70.

Meet Earl W. Kintner • Who is Earl Kintner? The chairman of the Federal Trade Commission has shot up in 11 years from trial lawyer in a stodgy federal agency to chairman of a revitalized FTC. He's a man going places and he's a man to watch. Page 71.

Here come the drop-ins • FCC proposes two drop-ins of vhf channels involving possible less-than-minimum mileage separations. Proposes to add extra vhf channel in Grand Rapids and Providence; makes final ch. 13 allocation to Corpus Christi. Page 74.

Network billing up • All three show gains in November 1959 as billings rise $6 million over November 1958. Page 75.

NBC issues more standards • Rules for identifying recorded material are issued and standards for news-handling are codified. Page 76.

Post-48 films • Theatre exhibitors forming $30 million combine to purchase films for theatre and tv use. Page 79.

New York State vs. TelePrompTer • The New York State Attorney General receives court permission to start legal actions to dissolve Tele-PrompTer and Floyd Patterson Enterprises. State raises monopoly charges. Page 79.

Transoceanic tv coming closer • Navy unveils Washington-Pearl Harbor teletype radio circuit, via "bounce" from moon, and Air Force Research Center announces discovery of radio duct 5,000 miles above South Atlantic. Both seen speeding day of global tv. Page 84.

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BROADCASTING, February 1, 1960
IN EVERY MOVIE PERIOD
WPRO-TV LEADS!

More than 1100 first run
Paramount, MGM,
Republic, Warner Brothers!

MOVIE LEADERSHIP, YES! AND IN EVERY OTHER AREA OF PROGRAMMING, TOO.

WPRO-TV Providence
CAPITAL CITIES BROADCASTING CORPORATION

• Represented by Blair TV
STANTON HITS PROGRAM POWER

No middle ground for FCC, says CBS head

In face of stiff 3½-hour cross examination by FCC Friday (Jan. 29), CBS Inc. President Frank Stanton stoutly maintained that there is no middle ground in any government regulation of TV programming. (For report on Dr. Stanton's prepared testimony, see page 43.) Commission has no business getting involved in programming content, he stressed.

He reiterated, under questioning of Chairman John C. Doerfer and other commissioners, that FCC jurisdiction in program area is restricted to comparative proceedings only. There cannot be "a little bit of regulation" in programming content, he said, and expressed opinion that Commission scrutiny of how licensee determines needs of public would result in "a field day for lawyers."

Failure of affiliates to clear network sustaining and public service programming is of concern to public but is not proper area for FCC consideration, Dr. Stanton stated. Comr. John Cross said he had difficulty seeing how "great good" would result as result of current public spotlight on TV programming if FCC does not take action. Witness replied that there already are many signs of improvement and that public is final "touchstone" in programming and public definitely is not "status quo."

Dr. Stanton said there is great deal of misunderstanding among critics who charge network schedules are full of murder, mayhem and mediocrity. He pointed out wide range of programming on any given night and that in only one half-hour time period of networks' schedules for week is same format offered by all three at same time. "This is a lot different than the image that is created by some critics," he countered.

There is no basis to charges that public really pays for "free" TV, Dr. Stanton said. Product prices, he estimated, would go up if advertisers shifted their TV expenditures into other media. "For most kinds of advertising, TV does a better job than any other media," he stated in giving the reason for TV's rapid growth in past decade.

Dr. Stanton also strongly disputed contention of many that TV avoids controversy. He named long list of CBS-TV programs which did not deal with "sweetness and light... These are hard-hitting, dramatic programs." Asked about deletion (by advertiser) of word "gas" from one such program, Dr. Stanton said such actions were "sporadic and atypical." Particular instance was poor case of judgment by CBS executive, he said, and would not happen under new network policies in dealing with advertisers (see earlier story, page 46).

Required programming statistics in FCC renewal forms are obsolete, Dr. Stanton felt, and he said he is not sure Commission should require any programming information and what use is intended of such listing.

Questioned by Chairman Doerfer on CBS' editorializing policy, Dr. Stanton said present rule-of-thumb is not to state opinion unless owned stations or network have something to say. "Within the year," Dr. Stanton said, "it is likely that the CBS networks (both radio and TV) will have regular editorial periods."

CBS developed its TV programming by "hard work and money," Dr. Stanton testified. Network went $53 million in red before it turned corner in TV, he said, adding that government directives or government scrutiny had nothing to do with this development.

Last session of current phase of FCC investigation, which began with public hearing Dec. 7, is scheduled this morning (Monday) at 10 a.m. in Rm. 7134 at Commission. ABC President Leonard Goldenson is only witness scheduled to testify.

Station sales

Following station sales were reported Friday, both subject to usual FCC approval:
- WJBP-TV Fairmont, W. Va.: 50% interest sold by J. Patrick Beacom to Thomas P. Johnson and George W. Eby for $100,000. Mr. Johnson will own 47.5%; Mr. Eby, 2.5%. Transactions was result of merger agreement when Messrs. Johnson and Eby were principals of Telecasting Inc., applicant opposing WJBP-TV Inc. for ch. 5 in Fairmount. WJBP-TV, now on ch. 35, holds permit for ch. 5, granted Nov. 4, 1959. Messrs. Johnson and Eby are principals in now-dark ch. 22 WENS (TV) Pittsburgh. Mr. Beacom also owns WVWV Grafton, W. Va., and WBUT-
AM-FM Butler, Pa. WJBP-TV is affiliated with ABC and CBS.
- WCAT Orange, Mass.: Sold by William R. Sweeney to Ralph Mellon for $70,000. Mr. Mellon is chief engineer and part owner of WPAZ Pottstown, Pa. Broker was Haskell Bloomberg. WCAT is 1 kw daytimer on 1390 kc.

KDKA, AFTRA extend pact pending talks

KDKA-AM-TV, Westinghouse stations in Pittsburgh, and American Federation of Radio-Television Artists agreed Jan. 29 to extend their contracts through Feb. 21 while current negotiations continue. Two-year contracts covering about 70 staff announcers and freelancers were to expire Jan. 31.

Employees of stations had voted unanimously Jan. 21, during negotiations, to authorize strike if necessary to enforce contract demands.

Doerfer, Kintner on AFA program

More than 500 advertiser, agency and media men will meet in Washington Friday (Feb. 5) for annual midwinter conference of Advertising Federation of America at Statler Hilton Hotel. In course of day-long agenda worked out last Friday (Jan. 29), conferences will have opportunity to quiz federal regulators and lawmakers.

Opening session at 10 a.m., presided over by Arthur C. Fatt, conference vice chairman and president of Grey Adv., will give delegates chance to quiz FCC Chairman John C. Doerfer; FTC Chairman Earl Kintner; Harold T. Schwartz, Internal Revenue Service assistant commissioner, and E. K. Hartenbower, KCMA Kansas City, of NAB-TV Code Review Board.

Mack confined

Former FCC Comr. Richard A. Mack has entered psychiatric institute in Miami under court petition signed by his father, Charles Mack. Mr. Mack entered Jackson Memorial Institute Thursday for observation and examination. Second trial of Mr. Mack and Miami attorney Thurman A. Whiteside, on charges of conspiring to throw Miami ch. 10 grant to National Airlines, was scheduled to begin Feb. 2 in Washington. First trial ended in hung jury.
Cool campaign • Hudnut-Du Barry Div. of Warner-Lambert Pharmaceutical Co. firming up spot tv push for new product, Cool-Glo (skin freshener cream). Undetermined number of markets will run spots from mid-February through April. Agency, Lambert & Feasley, N.Y.

Eastco proposal • BBDO is proposing budget expansion for Eastco Inc., White Plains, N.Y., which if approved would signal national media drive for new Coolers medicated shampoo (for youngsters). Shampoo, Eastco’s new product, has been tested successfully via radio and tv. BBDO already has bought minutes in Dick Clark program on ABC-TV contingent on shampoo being advertised nationally. If those plans don’t jell, time will be taken by Eastco’s Coolers ointment, already program participant through Lennox & Newell.

Beer call • F. & M. Schaefer Brewing Co., Brooklyn, adding Philadelphia and Albany markets to tv spot drive for Schaefer beer. Some eight 20-second spots per week for 30 weeks will be set in campaign that started earlier in New York City. Agency, BBDO, N.Y.

Lamps on CBS Radio • Lamp Div. of General Electric Co. Schenectady, N.Y., is first advertiser to buy parts of CBS Radio’s new Bing Crosby and Rosemary Clooney weekday morning show (10:45-11 a.m.) starting Feb. 29. GE division signed for two 10-minute segments weekly for 52 weeks, via BBDO, N.Y., and plans to use both singing stars in its commercials.

Air France to add • There’s strong possibility that Air France will expand its spot radio usage on West Coast, principally in Los Angeles where on first week of April it’ll start its “Gateway” jet flights (L.A.—Montreal—Paris). Air France, via BBDO, N.Y., has novel tie-in with French Govt. Tourist Bureau—they share time costs. Air France has been using spot radio in 10 markets (all top metropolitan areas) since last May, sticks to good music stations.

Blanketing Canada • Jiffy Products of Canada, maker of Jiffy saws, is planning tv and radio campaign throughout Dominion with copy in both English and French. Jerome O’Leary Adv., Boston, is placing schedule.

WEEK’S HEADLINERS

CAMPBELL ARNOUX, president of WTAR Radio-Tv Corp., operator of WTAR-AM-TV Norfolk, Va., becomes chairman of board today (Feb. 1). ROBERT M. LAMBE Jr., vp in charge of sales, succeeds Mr. Arnoux as president and general manager. Mr. Arnoux began broadcasting career with Fort Worth Star-Telegram in 1922 when it operated WBAP, there. He was program director and chief announcer. He moved to Hot Springs, Ark., in 1924, built and became general manager of KTHS. In 1934 he assumed direction of WTAR Norfolk, Va., and was named president of WTAR Radio Corp. in 1946. He has been District 4 director on NAB Board of Directors for six years; he helped organize TTV Board of Directors, serving five years on board, and was named chairman in 1956-1957. He was one of organizers of TV Bureau of Advertising and was member of board until his retirement last Nov. Mr. Lambe’s promotion climaxes meteoric rise to broadcasting prominence from period following World War II when he helped to construct and put on air WNCA Asheville, N.C. He served as general manager until 1949 when he became sales manager of WFMY-TV Greensboro, N.C. In 1951, he was named general sales manager of WTAR-AM-TV and was appointed vp in 1958.

EDMUND F. JOHNSTONE today (Feb. 1) joins Kastor, Hilton, Chesley, Clifford & Atherton Inc., N.Y., as vice chairman of executive committee and member of board of directors. Mr. Johnstone resigned last month as senior vp of Fletcher Richards, Calkins & Holden, N.Y. During year there he was account supervisor on Drug Research Corp., Sofskin Inc., Dunbar Labs Div. of Chemway Corp. and Rapidol Distributing Co. Prior to joining Richards agency he was partner in Dowd, Redfield & Johnstone Inc., N.Y. Unlike his departure from DR&J when Sofskin, Dunbar and Rapidol accounts moved with him, no accounts were expected to be involved in Mr. Johnstone’s latest shift, agency spokesman said.

MALCOLM C. KLEIN, vp in charge of WNTA-TV New York, elected executive vp and general manager of NTA Television Corp., owner and operator of WNTA-TV. Before joining station in 1958, he served as assistant general sales manager of KABC-TV Los Angeles for two years. Earlier, he was account executive with KABC-TV for four years and with KLAC-TV Los Angeles (now KCOP-TV) in various executive posts for four years.

KENNETH M. JOHNSON, sales manager at WNBQ (TV) Chicago, will join McGavren TV, N.Y., as executive vp today (Feb. 1). Appointment is first formal organizational step launching tv station representation firm as separate arm of Daren F. McGavren Co., which will handle only radio (Closed Circuit, Jan. 4). Before joining WNBQ Mr. Johnson was tv account executive for NBC-TV Spot Sales, Los Angeles, and San Francisco. Prior to that, he played professional football for San Francisco 49’ers.

MORT BASSETT, formerly vp and New York office manager of Robert E. Eastman Co., joins Forjoe & Co., station representative, that city, effective today (Feb. 1). In newly created post of executive vp and partner (with president JOSEPH BLOOM). Mr. Bassett, with Eastman for year prior to resignation last month (Broadcasting, Jan. 11), formerly owned WROD Daytona Beach, Fla., and before that was with John Blair & Co., Morse International and NBC during 23 years in broadcasting.
SPEED that aids Northwest marketing

Check Seattle-Tacoma's growth just since the 40's, and you see the importance of on-the-ground representation in the Northwest.

Puget Sound industry has been quick to recognize the great sales-building opportunities in television. In most of America's giant markets, the stations that can best help advertisers cash-in on those opportunities are represented by Blair-TV.

Since buying-decisions for eastern markets must be firmed-up before 2 p.m. in the Northwest, fast transmission of data and availability is paramount. And Northwest agencies get precisely such service from our Seattle office.

Blair-TV operates on this basic principle: that alert, informed representation is a service vital not only to stations but also to Advertising, and to the business dependent on it for volume and profit. From the first, our list has been made up of stations and markets we felt in position to serve effectively. Today these stations cover 56 percent of America's population - virtually 60 percent of its effective buying power.

In its area, each station stands as a power-house of selling force. To help advertisers and agencies make most profitable use of that force, is the constant objective of our entire organization.
NEW YORK CONFIDENTIAL

JANUARY '59
ALBANY-TROY SCHENECTADY
32.6 ARB Rating
55.9% Share
3-station market
Outrates:
Naked City
Lawman
Zane Grey
Rifleman
Rescue 8

FEBRUARY '59
NEW YORK CITY
14.3 ARB (Arbitron) Rating
21.3% Share
2nd in 7-station market
Outrates:
MacKenzie's Raiders
Jefferson Drum
Dial 999
Harbor Command
Lawman

CURRENT SMASH RATINGS

MAY '59
ORLANDO
20.6 ARB Rating
35.4% Share
3-station market
Outrates:
Lawless Years
MacKenzie's Raiders
M-Squad
D.A.'s Man
Walter Winchell File

AUGUST '59
GREENSBORO WINSTON-SALEM
31.5 ARB Rating
77.0% Share
2-station market
No. 1 syndicated show
Outrates:
Sea Hunt
Restless Gun
Rifleman
MacKenzie's Raiders
Wyatt Earp

SEPTEMBER '59
SEATTLE
23.0 ARB Rating
43.1% Share
4-station market
Outrates:
Naked City
M-Squad
Father Knows Best
U.S. Marshal
Meet McGraw

OCTOBER '59
CHARLOTTE
25.5 Pulse Rating
53.1% Share
2-station market
Outrates:
Highway Patrol
Sea Hunt
Peter Gunn
The Vikings
Manhunt

FIRST RUN in some markets, NEW YORK CONFIDENTIAL and CANNONBALL are now available through Arrow Productions — realistically priced to meet your needs. Wire or phone today.
MARCH '59
JACKSONVILLE
30.7 ARB Rating
54.0% Share
2-station market
Outrates:
Sea Hunt
Highway Patrol
Rescue 8
26 Men
Richard Diamond

APRIL '59
DETROIT
18.8 ARB Rating
40.1% Share
4-station market
Outrates:
Highway Patrol
Rawhide
Union Pacific
The Texan
Rough Riders

JUNE '59
TULSA
28.1 ARB Rating
56.5% Share
3-station market
Outrates:
Restless Gun
Highway Patrol
Mike Hammer
Tombstone Territory
Whirlybirds

JULY '59
NEW ORLEANS
15.9 ARB Rating
53.0% Share
3-station market
Outrates:
Naked City
77 Sunset Strip
Wyatt Earp
Tombstone Territory
Whirlybirds

NOVEMBER '59
PHILADELPHIA
22.4 ARB Rating
57.4% Share
3-station market
Outrates:
Colt .45
Lockup
Philip Marlowe
Death Valley Days
Richard Diamond

THE PERFORMANCE!

HIGHBALLING INTO 2nd YEAR!

CANNONBALL

ARROW PRODUCTIONS
488 MADISON AVENUE • NEW YORK 22 • PLAZA 5-2100
Rating services A, B, and C decide to settle this thing once and for all. Their v.p.'s in charge of duels agree to have a three-way pistol duel, each to get one shot at each other. They agree to draw lots to determine who will shoot first, who second, who third. There's a rub: The v.p. of service A is a crack shot—he never misses. B's veep hits his target two out of three times. C's veep is on-target only 50% of the time. Having good intelligence services, each veep knows the shooting calibre of the other two.

Before the Society for the Prevention of Cruelty to V.P.'s gets word of the social, the event takes place one sunrise in a wooded glen along the Potomac.

Who had the best chance of surviving?


wmal-tv

Channel 7    Washington, D.C.

*An Evening Star Station, represented by H-R Television, Inc.*

A CALENDAR OF MEETINGS AND EVENTS IN BROADCASTING AND RELATED FIELDS

FEBRUARY


Feb. 2—Senate Communications Subcommittee hearing on tv allocations.


Feb. 3—Interfaith seminar for clergymen on “Understanding New Media”, sponsored by various Chicago groups including WGN Inc. Principal speaker: Dr. Marshall McLuhan, Chairman, Ford Seminar on Culture & Communications. Sheraton Towers Hotel, Chicago.

Feb. 4—Minnesota AP Broadcasters Ass’n, annual meeting, Minneapolis.

Feb. 4—Tv Bureau of Advertising, Cellomonic presentation titled “The Exponential”, describing television’s role in national economy, before congressional, government and advertising executives, Statler-Hilton Hotel, Washington, D.C.

Feb. 4—Assn. of Motion Picture Producers & Laboratories of Canada, annual meeting, Westbury Hotel, Toronto, Ont.

Feb. 4—Mutual Advertising Agency Network winter meeting. Allan Copeland & Garnitz, network Chicago member, will serve as host agency for workshop sessions, talks and awards. Bismarck Hotel, Chicago.

Feb. 4-6—Golden Gate Metals Conference. Seven technical papers on “Metallurgical Problems in Electronics” will be presented, dealing with such subjects as electron tubes, semiconductors, etc. Fairmont Hotel, San Francisco.


Feb. 5—U. of Minnesota School of Journalism 13th weeklyutive short news course at the university, Minneapolis. Main speaker: Sen. Eugene J. McCarthy (D. Minn.). Other speakers include Burton Paulu, KUOM Minneapolis, and Bill Shadell, ABC News.

Feb. 5—Deadline for stations to reply to FCC Question No. 2 on past payola practices, if any.

Feb. 6—Art Directors Club of Los Angeles, Presen-
64.6% AVERAGE AUDIENCE SHARE

WILD BILL
DURING A FABULOUS 3-YEAR NETWORK RUN!*  

HICKOK

113 ACTION-ALL-THE-WAY HALF-HOURS...
AVAILABLE NOW FOR LOCAL SPONSORSHIP

Here's one of the hardest-riding western adventure series on television today — a standout audience builder that did a bang-up job for Kellogg's during its three-year network run!

Its good, clean fun and rip-roaring action make it ideal for afternoon and early evening across-the-board stripping!

Draw a bead on top sales in your market. Get the low-down by contacting your Screen Gems representative, today!

STARRING

GUY MADISON
AS WILD BILL HICKOK

ANDY DEVINE
AS JINGLES

Source: ARB Representative Average Ratings

Check Paul H. Raymer Co. for the facts

*McCLATCHY BROADCASTING COMPANY SACRAMENTO, CALIFORNIA

**BROADCASTING**, FEBRUARY 1, 1960

**COVERAGE VIOLENTITY - the accusation of LIBEL-SLANDER**

A HAZARD THAT NEVER SLEEPS - the accusation of LIBEL-SLANDER. PIRACY - PLAGIARISM. INVASION OF PRIVACY. COPYRIGHT VIOLATION.

Directed at Station, Staff, Speaker, Talent, Sponsor. You can't recapture the WORDS but you CAN INSURE and hold possible Dollar Loss within non-embarrassing limits. Learn about our UNIQUE EXCESS POLICY which does the job of surprisingly low cost. FOR DETAILS AND RATES WRITE.

**EMPLOYERS REINSURANCE CORPORATION**

21 WEST TENTH STREET KANSAS CITY, MO.


is clinic chairman.


Feb. 18-23—American Bar Assn., midwinter meeting, Edgewater Beach Hotel, Chicago. ABA board of governors and guests, along with National Conference of Bar Presidents and Fellows of the American Bar Foundation, meet in advance of House of Delegates sessions Feb. 22-23. Progress report on work study with media representatives on controversial Canon 35 (radio-television access to courtroom proceedings) expected to be filed.

Feb. 19—Senate Interstate & Foreign Commerce Committee session with spokesmen for federal regulatory agencies, networks, advertising agencies, advertisers, et al., on corrective measures being taken against alleged abuses in radio-television. Washington, D.C.

Feb. 19—Sales Executives Assn. and Advertising Club of St. Louis, combined meeting, Statler Hilton Hotel. Speaker: Robert Hurlbut, president, MBS.

Feb. 19—National Sales Executives-International mid-winter board of directors meet, Robert Meyer Hotel, Jacksonvile, Fla.


Feb. 24—Fifth annual State Presidents Conference under NAB auspices, Shoreham Hotel, Washington. Presidents of state broadcasters associations will attend. Voice of Democracy luncheon will be a feature.

Feb. 29-March 1—CBS Network Affiliates and Network Affiliates Conference. Shoreham Hotel, Washington. Speakers will include Sen. Warren G. Magnuson (D-Wash.), chairman, Senate Interstate and Foreign Commerce Committee; Rep. Oren Harris (D-Ark.), chairman, House Interstate and Foreign Commerce Committee and House Legislative Oversight Subcommittee; FCC Chairman John C. Doerfer and FTC Chairman Earl Kintner.

**MARCH**

March 1—Radio & Television Executives Society timebuying-selling seminar. John F. Hurlbut, director of promotion-public relations, WFME-TV Indianapolis, and Harold A. Smith, program promotion-merchandising manager, Needham, Louis & Brovdy, handle topic "Two To Tango In Agency-Station Cooperation." Hotel Lexington, New York, noon-2 p.m.

March 4-6—Disc Jockey Assn. convention, Los Angeles. Business sessions at 20th Century-Fox studios, where djs participate in filming "The Big Flatter Party." Cover Chicago.

March 7-11—National Sales Executives-International San Francisco Field Sales Management Institute, Hotel Mark Hopkins there.

March 8—Radio & Television Executives Society timebuying-selling seminar. John F. Howell, CBS Films' vice president-general sales manager, and Charles W. Shugert, the Joseph Brorby, handle topic "It Takes Two To Tango In Agency-Station Cooperation." Hotel Lexington, New York, noon-2 p.m.

March 8-11—Audio Engineering Society West coast convention, Alexandria Hotel, Los Angeles.

March 13-14—Texas Assn. of Broadcasters spring meet, Rice Hotel, Houston.

March 15—Radio & Television Executives Society timebuying-selling seminar. Richard S. Salant, vice president of corporate affairs, CBS, Inc., and speaker from advertising agency and one of the major political parties, discuss "The Fall Political Campaigns and Broadcasting." Hotel Lexington, New York, noon-2 p.m.

March 15—Academy of Television Arts & Sciences at New York, forum on educational tv, NBC.


March 17-19—Advertising Federation of America Ninth District convention, Cornhusker Hotel, Lincoln, Neb.


March 20-23—National Educational Television & Radio Center, meeting of managers of affiliated stations, KUHT (TV) Houston.

March 21-23—Canadian Assn. of Broadcasters, annual convention. Meetings this year will deal primarily with agreement between Canada and the U.S.


March 31—Academy of Television Arts & Sciences forum on "Do They [ratings] Really Know?"

**APRIL**

*April 1—Comments due on FCC rulemaking to duplicate 23 clear channels with additional nighttime service.

April 3—Women's Advertising Clubs eastern inter-city conference, Sheraton-Biltmore Hotel, Providence, R.I.

April 2—Assn. for Professional Broadcasting Education, Conrad Hilton Hotel, Chicago.

April 3-7—NAB Annual Convention, Conrad Hilton Hotel, Chicago.

April 4—Academy of Motion Pictures Arts & Sciences annual Oscar awards ceremonies, Pantages Theatre, Hollywood, and broadcast on NBC Radio-television network 10-11:30 p.m. E.S.T.

April 4-7—National Premium Buyers 27th annual exposition, Navy Pier, Chicago. Premium Adv. Assn. of America will hold its annual convention in conjunction with exposition at same site April 5. And the National Premium Sales Executives Assn. conducts its sales and distribution seminar April 3, Social highlight: Premium Industry Club banquet April 6.

April 5—Broadcast Pioneers annual dinner meeting, Sol Taishoff, publisher of BROADCASTING, is chairman of banquet committee. Conrad Hilton Hotel, Chicago.

April 6—Academy of Television Arts & Sciences forum on New York station operations, ABC.


April 15-17—National Sales Executives-International spring finance and executive committee meets, Hotel Leamington, Minneapolis.

*April 19—Comments due on FCC proposal to add additional vhf channels to several principal markets through reduced mileage separations.

April 21-22—National Retail Merchants Assn. board of directors meets, Dallas.

*April 21-23—American Assn. of Advertising Agencies annual meeting, Boca Raton Hotel and Club, Boca Raton, Fla.

April 22—Virginia AP Broadcasters, National Press Club, Washington.

April 24—National Retail Merchants Assn. sales promotion division board of directors meet, Paradise Inn, Phoenix, Ariz.

April 24-27—National Retail Merchants Assn. sales promotion division mid-year convention, Paradise Inn, Phoenix, Ariz.

April 24-27—Continental Advertising Agency Network annual convention, Fontainebleau Hotel, Miami Beach.

April 24-25—U. of Florida School of Journalism & Communications journalism-broadcasting week, Gainesville. (Broadcasting Day, 25th.)

April 25—Academy of Television Arts & Sciences forum on pay tv vs. free tv.

April 25—National Sales Executives-International New York Field Management Institute, Barbitonza Hotel there.


April 29—Ohio Assn. of Broadcasters, Pick-Ohio Hotel, Youngstown.

**MAY**

May 1-2—American Bar Assn.'s Law Day U.S.A.

*May 2—Reply comments due on FCC rulemaking
FIRST TV STATION IN FRESNO

The November, 1959, Fresno ARB survey again proves KMJ-TV is the most popular station in Fresno.

KMJ-TV was a dominant FIRST in the daytime hours with 125 quarter hour WINS Mondays through Saturdays... about as many as the total of the other two Fresno stations combined (Station A 94... Station B 32).

KMJ-TV has by far the highest percentage of women viewers in the daytime hours.

KMJ-TV was FIRST in Share of Audience seven nights a week. WAGON TRAIN was Fresno's most popular show.

KMJ-TV was FIRST in Share of Audience from 9 AM to midnight Sunday through Saturday for the four weeks surveyed.
Copy Chief: "Gang! Here's a real opportunity! The 35th Birthday of NL&B! On this momentous occasion we should bust out in print with a real blockbuster house ad about ourselves, our history, our traditions, our clients and all that kind of jazz . . . "

Copy Chief: "What a challenge! I can see it now! Fresh! Exciting! Brilliant! Just the way we are! A 'fountain' (to quote a compliment) of creativity!"

Copy Writer: "Phooey on this awards stuff. Our real story is that these ads sell goods! Now here's an all-type ad that talks about the successful products we've helped launch . . . like Pride furniture polish and Parkay Margarine. And about the big sales gains we've helped chalk up for clients like Renault . . . Lever . . . Campbell's . . . Massey-Ferguson . . . etc. The title is: 'To Market! To Market! For 35 years!'"

Art Director: "Get this—it's a gasser! Everybody's worked up right now about trickery and deceit. And we make a big point of honesty and integrity. No shady claims. Won't even handle an objectionable product! Let's have an ad with a picture of Diogenes. And the heading says: 'Diogenes—you'll find him here!'"
Art Director: “This is a brain—see? A picture of our brain! It’s divided into little compartments like ‘Creative Ingenuity’... ‘Research Mindedness’... ‘Marketing Savvy’... ‘Plane Catching’... etc. etc. etc. It proves we believe in complete, well-rounded service. Everything a client needs!”

TV-Radio Writer: “The big news is the prize-winning ads and commercials we’ve been turning out for clients like Morton, Renault, Kraft, Oklahoma, Massey-Ferguson, HFC, State Farm, Hertz, Johnson’s Wax... etc. More awards last year than we could count! Let’s show a big picture of Maurice Needham in a general’s uniform (he’ll eat it up). With ribbons all over his chest. And the heading says—get this: ‘WHAT’LL YOU HAVE... BLUE RIBBONS?’”

Copy Writer: “I hear we’re going over 40 million in billing this year. So let’s brag a little! My idea is, let’s stage the steady climb we’ve had. We’ll have a big picture of MHN dressed in mountain-climbing gear. The copy says, ‘When you get this far up... and look down, you know two things for sure: You couldn’t have made too many missteps on the way... and this is no time to start!’”

Mailroom boy: “How about this?”

Happy Birthday To Us!
To duplicate 23 clear channels with additional nighttime service.
May 2-4—Assn. of Canadian Advertisers convention, Royal York Hotel, Toronto, Ontario.
May 4—Reply comments due on FCC proposal to add additional VHF channels to several principal markets through reduced mileage separations.
May 9-11—Institute of Radio Engineers Symposium, Hotel del Coronado, Coronado, Calif.
May 10—Wisconsin FM Station Clinic, Center 1969, U. of Wisconsin, Madison.
May 12-15—Advertising Federation of America Fourth District convention, Beach Club Hotel, Fort Lauderdale, Fla.
May 14-16—Advertising Federation of America 2nd District convention, Skyline Inn, Mt. Pocono, Pa.
May 17—Academy of Television Arts & Sciences, forum on "Easterns," film production in New York, Gold Medal Studios, 807 E. 275th St.
May 18-20—Electronic Industries Assn. annual convention, Pick Congress Hotel, Chicago.

PLAYBACK
QUOTES WORTH REPEATING

Responsibility in news
and public affairs

Pointing to the past critical months for radio and television, Thad H. Sandstrom questioned what stations are doing to earn for themselves the respect of legislators and public alike. On the news responsibilities of the station, the general manager of WIBW-AM-TV Topeka, Kan., said this to a Jan. 15 radio-TV news clinic at the U. of Kansas:

It seems to me that those of us in radio, in particular, must take a closer look at our news operations. Are we getting on fender benders and AP or UPI headlines? Are we ringing sirens and clanging bells in an effort to hoodwink the listener into thinking he is getting something big . . . only to learn that a drunk has hit a telephone pole, putting out the lights in the 1400 block on West 22nd Street? Are we shouting the news of an approaching tornado funnel on the basis of a frantic call from a lady who saw a black-looking cloud west of town?

Are we buying an audience with a trashy story about a vice trial in which testimony was given to the effect that when the man came into the room, the blonde was sprawled on the floor with one leg on the rug and the other on the sofa? I have heard stories of this sort on radio stations. In my opinion, this sort of reporting is not the kind of reporting that earns the confidence of a Congressman or the great majority of listeners.

... I think the news department of every station, large and small, should take a hard look at the type of news [being] reported. Are we reporting one of the most fascinating news stories in the history of Kansas politics, the budget session of the legislature? Are we reporting comment on budget actions from our own state senators and representatives? How many of you called your state senator or representative last Tuesday and got a telephonic of his opinion of the Docking budget message? People are concerned about high taxes, about our schools, our lakes and parks. All of us should be doing a bigger and better job of reporting legislative news ... with a local angle. The five-minute newscast has become the vogue. Some of us have the idea the listener won't sit still for more than five minutes. I think all of us need to consider establishing more 15-minute news reports . . . maybe even 30-minute newscasts.

Share the responsibility

Community service programming should be based on shared responsibility between broadcasters and listeners, Sam J. Slate, general manager of WCBS New York, reminded delegates to the 15th annual Georgia Radio-TV Institute Jan. 26. Speaking at the Institute's opening dinner, Mr. Slate, also a vice president of CBS Radio, said:

Too often too many of us, on each side of the street, take the easy out, the station operator, by doing only as little public service programming as required to satisfy the FCC (and as a station manager I know how minimal, and easy to fulfill, are those requirements), and the community, by neglecting to let the broadcaster know that his efforts are heard and appreciated—especially when the broadcaster is under attack.

To the broadcaster, I say if the town is worth living in, and worth working in, then take an active part in the civic life of that town.

After all, your neighbors are your audience and its main street gives you your advertisers and your profit. Stop giving public service lip service by giving it program time you can't sell and spot announcements that are written, timed and transcribed by some national organization. Allocate a portion of your profits to provide manpower and production facilities for programs geared to the community.

To the community I say, let your station know that you are listening. Too many of you forget that we broadcasters read our mail and answer our phones and that we like to hear from our audience. If we fail, you always let us know. When we succeed, we rarely hear from you. And, when the chips are down, you're rarely around. If your local station is worth listening to, then it is worth supporting.

BROADCASTING, February 1, 1960
Of 3.7, 39.7 and Us

Whether there are 172 ways of making a Martini, as an article in a recent consumer magazine indicates, or only one (yours), the fact remains that most men will agree on one way a Martini shouldn't be made: by a woman. With this small area of agreement, one of the few in a contentious area, let's look into this manifestation, regarded by some as the true flowering of Western civilization.

The Martini's origins are shrouded in mists of euphoria. It seems natural to assume that a man named Martini must have had a hand in the first history-making marriage of vermouth and gin. Yet no biographical dictionary, no encyclopedia we have readily available, no Who's Who, marks this milestone.

There is, to be sure, an editor's delightful, perceptive commentary: Neither Martinis nor kisses can be stored in refrigerators. The same gentleman is also responsible for the reduction of a Martini's proportions to a precise, didactic 3.7 to 1, which brings us to the heart of a controversy. The English-speaking world, to paraphrase Fowler on split infinitives, may be divided into five groups: (1) those who don't know a Martini from a visitor from Mars; (2) those who don't know and don't care ("Gimme a bourbon and branch water"); (3) those who know and disapprove; (4) those who figure that a Martini has enough vermouth in it when the gin comes from a bottle that has shared shelf space with a bottle of vermouth; (5) those who know and distinguish (you and us).

The fifth group unquestionably includes perspicacious people who savor the finer things in life, like WMT-TV, whose top ten programs average 39.7, which is roughly 33% better than the national average, and whose share of audience includes lemon-peel twisters, olive fanciers, no-delicatessen-at-all drinkers, and others in numbers sufficient to make the station first in all time periods from 9:00 a.m. until sign-off, Sunday through Saturday.
Agency tv writer-producers

EDITOR: I thought the MONDAY MEMO by S.J. Frolick, senior vice president, director of tv and radio, Fletcher Richards, Calkins & Holden, New York (page 22, Jan. 18, “For tv commercials: writer-producers instead of writers and producers”) was excellent and if its message were taken to heart by more agency managements, it could well change the course of broadcast advertising. . . . The writer-producer system is, indeed, the key to not only more successful commercials . . . but also the means by which greater savings can be realized by both client and agency in the creation and execution of tv advertising.

. . . as to why this plan has not been adopted by other agencies [FRC&H uses the writer-producer system] . . . there are two main reasons for this: (1) Agency organizational structure is so dominated by print advertising thinking that most broadcast commercial departments are patterned after the way print advertising is created . . . (2) I suspect that very few men in top agency management (in both account management and creative management) have bothered to analyze the creative processes of broadcast advertising which, when followed, would result in much more effective and economical advertising on film, video tape and live tv. If they had, they would realize that the organizational plan set up for the creation of print advertising cannot be laid over broadcast advertising and be made to work.—Linc Scheurle, J. Walter Thompson Co., Chicago.

Disagrees with Don Belding

EDITOR: In the Jan. 4 issue of your publication there appeared a full page statement by Don Belding, former board chairman of Foote Cone & Belding. It was entitled “Where are our leaders?” (MONDAY MEMO, page 21, Jan. 4).

I can’t go along with his opening statement on the subject of client-agency relationships regarding the compensation method. I can’t prove or disprove, nor can anyone else, that the 15% commission system helped advertising make its great growth and contribution. It might have made even greater progress without it. The system is gradually crumbling. I won’t make a prediction, because predictions are silly on this subject, but the compensation system will change and the agency will be paid by the client, the advertiser. Media, in time, will stop paying commissions to advertising agencies.

The Advertising Council has contributed much and has taken, as he says, the gracious approach. It is up to the Advertising Council to stick to the job it took on; it is not the Council’s policy or in its bylaws to defend advertising. Let it turn the other cheek but stick to its service job.

There are plenty of leaders in this business and quite a few of them are quietly going about doing what they can to clean up the bad practices in advertising. Calling together the heads of several large corporations, big advertisers, would be an interesting idea and they would certainly come up with some practical action answers. But, they won’t solve the problem as they have nothing to say about the activities of other advertisers. . . .

Let’s not worry about defending advertising, Don Belding, let’s all, as individuals in all phases of the business, face our individual responsibility and clean up what is bad . . . the final responsibility is up to the media. . . . media is the only group . . . that can carry out the clean-up ideas. . . .—Edgar Kobak, Business Consultant, New York.

Hawaii report acclaimed

EDITOR: A quick word of appreciation on the tremendous Hawaiian market report . . . 100 reprints.—H. G. Fearnhead, President, KPOJ Honolulu.


EDITOR: Please send me five reprints of your excellent report . . . —Robert W. Schwab, WCCO Minneapolis.

EDITOR: . . . 300 reprints . . . air express collect.—William O. Paine, Vice President-Manager, KGU Honolulu.

EDITOR: . . . 10 reprints . . . —Vin Gruper, NBC Spot Sales, Promotion Dept., New York.

[Reprints are available, 20¢ each.—The Editors.]
CAPITAL TYPES #1

THE BUDGET WATCHDOG

Grunts when he slashes appropriations. Divorced 3 times. Mental cruelty. Spends spare time accusing girls in office of making personal telephone calls. Only sign of conformity is zealousness in listening to WTOP Radio, the important station for reaching the 20-County Greater Washington area.

WTOP RADIO
Washington, D. C.
Represented by CBS Radio Spot Sales
Operated by THE WASHINGTON POST BROADCAST DIVISION:

WTOP RADIO, Washington, D. C.
WTOP-TV, Channel 9, Washington, D. C.
WJXT, Channel 4, Jacksonville, Florida
MONDAY MEMO

from CLAY W. STEPHENSON, president, Clay W. Stephenson Assoc., Houston, Tex.

The annihilation of creative thinking

In an era of intense competition, with giants daily locking horns in fierce market battle, it would seem that the art of selling would be ever-improving. But, in fact, the very opposite situation prevails.

Although the most fashionable word in business today is "creativity," it is manifest that most of today's marketing is anything but creative. At the level of the advertiser, this lack of creative thinking is evident in the promiscuous use of "deals" and other selling gimmicks of the expedient nature.

At the agency level, there is an evidencing of the same danger to the creative output. And mediocrity flourishes fully as well at the media level as it does at the level of the advertiser and agency.

What has caused people to accept, indeed to popularize, mediocrity in its many tiresome images? With no political bias intended, I date the start of this disease with the Rooseveltian era. Perhaps nostalgia is clouding my viewpoint, but it seems to me that prior to this time, there existed a much stronger sense of individual responsibility. There was a greater striving for perfection.

Shift of Responsibility • In the thirties, the government assumed the responsibilities of the individual. People were told, in effect, that it was foolish to work hard; individual initiative was frowned upon, conformity revered. World War II and the high taxes which came with it did nothing to slow down this tobogan slide toward mediocrity; indeed, it accelerated it. For the tax situation made it possible for the large corporation to gobble up the smaller one and simultaneously to compete with the government in subsidizing the individual. Initiative and inventiveness were buried under the creeping paralysis of an all-enveloping program of so-called security.

Thus evolved the age of sophisticated gold-bricking, and thus was born the "organization man," the disciple of mediocrity and procrastination, the twin forces of retrogression.

Historically, man has used his mind very sparingly. Today, with business worshipping at the shrine of group thinking, his mental faculties have all but eroded away. With the emphasis on security rather than growth, and superficialities rather than basics, man is reluctant to think for himself.

Only in a namby-pamby climate such as this could one of the nation's largest advertising agencies popularize such an adolescent mental exercise as "brain-storming."

Guts and Imagination • While many of the great enterprises of this country presently may be in the hands of the imitators, they weren't built by such people. They were built by men with guts and imagination—men to whom mediocrity was a thing to be despised.

In recent months, there has been much written and said about the "rigging" of television shows. The moralists have had a field day wringing their hands over the defection of Charles Van Doren and his ilk. My distress is not so much over the "rigging" of television quiz shows as it is with the patently contrived and mediocre quality of the shows themselves. Likewise, the fact that disk jockeys accepted money for plugging records doesn't concern me as much as does the inferior quality of the records they plug.

There's cause to be concerned about an age which condones such unashamed mediocrity, an age in which major advertisers collaborate with major advertising agencies in profoundly compounding nothing. And there's inherent danger in the passiveness of an audience which will allow itself to be "conned" into believing that the low level of television programming and the rock-and-roll records and adolescent witticisms of radio are authentic reflections of public taste.

And if this seems to be an attack on the broadcast industry, it is not intended as such. The lack of creativity so painfully evident in the broadcast industry is present elsewhere in equal measure. It is present in the dreary "copy-catism" which characterizes the creative product of most advertising agencies these days . . . the depressing sameness of all cigarette advertising, soaps, cake mixes, beer; the grotesque straining for attention, the obvious use of sex, the blatant sounds of fury and frustration which concede the importance of dollars and seek to conceal the need for ideas.

Castles in Westport • At the advertiser level, the annihilation of creative thinking is virtually complete. In an age of super-corporations over-manned by smug "play it safe" boys—and, in many cases, counseled by advertising agencies who have sold out their creative birthright for a fashionable castle in Westport or Winnetka—too many lack the courage to depart from proven courses.

In the marketing of package products, which is the field in which I'm primarily interested, I'm constantly astounded by the manufacturer's passive acceptance of, indeed his unwitting insistence on, mediocre marketing—marketing which countenances advertising that veers from one worn-out idea to another, staying no place long enough to form a worthwhile brand image. Marketing which blithely condones advertising scheduled in the face of inadequate distribution and serious out-of-stock conditions. Marketing which tolerates uninspired sales leadership and encourages the use of selling "crutches." And yet today this sort of marketing is the rule rather than the exception.

I realize that criticism is not popular these days. The emphasis is on being a good fellow and "going along with the crowd," irrespective of where the crowd may be headed. But I submit that we cannot be creative without first being critical.

To progress, we need to think creatively . . . and to think creatively, we need to rekindle the spirit of adventure, the willingness to pioneer, which was the outstanding characteristic of the rugged nonconformists who built the great enterprises of this country.

Clay W. Stephenson has been director of advertising and sales promotion for Corning Glass Works; vice president and general sales manager, Morton Mfg. Corp.; account executive at J. M. Mathes Inc. and Duane Jones Co., both New York, and was executive vice president of Tracy-Locke Co. prior to forming his own agency.

BROADCASTING, February 1, 1960
Here's how to make it!

Chop fine 2 onions, 4 garlic cloves, 2 stalks celery, ½ green pepper, 8 sprigs parsley. Sauté 5 minutes in 4 tablespoons butter. Reduce heat. Add 1 can tomatoes, ½ can tomato paste, ½ teaspoon thyme, 3 whole cloves, 1 lb. diced boiled ham, 2 pounds peeled and deveined shrimp, salt, black pepper and cayenne to taste. Bring to boiling point. Stir in 3 cups uncooked rice. Cover closely, reduce heat and cook 30 minutes without stirring or until rice is fluffy. And there you have it, jambalaya for 6 hungry people.

As served at Dunbar's by Albert Cantey

**Jambalaya...OLD NEW ORLEANS FAVORITE**

WWL-TV...New New Orleans Favorite

How ya gonna keep 'em seated for the commercial? WWL-TV does it with a bright new series of station ID's—catchy sound and animation! Audiences stay put at station break time; advertisers get the most effective background possible for their spot sales messages. Alert programming like this is another factor that has established WWL-TV as the new New Orleans favorite.

**Gourmet tastes?** Then write today for your gift copy of WWL-TV's new New Orleans Cookbook, "HOW TO PLEASE A GOURMET." Just off the presses—and loaded with wonderful old Creole recipes. Write: Promotion Dept., WWL-TV, 1024 North Rampart, New Orleans, La.
In the pocketpiece or pocketbook
WCKY IS SOME BUY!

Some buy is right. Take circulation; your Nielsen pocketpiece will show you that WCKY not only packs a heavy metro rating wallop but also carves out a huge audience in the whole Tri-State area. Or take cost; match those Nielsen numbers against dollars and you'll find that WCKY packs the lowest cost-per-you-know-what in radio. By the number and by the dollars, WCKY is the stand-up buy for Cincinnati!

WCKY
50,000 WATTS • CINCINNATI • 1530 KC
CHIEF ENGINEER’S REPORT ON RCA-6448

12,000
“TROUBLE-FREE” HOURS ON CHANNEL 27...
AND NO LET-DOWN IN SIGHT!

Read what Chief Engineer C. E. Smith of WKOW-TV in Madison, Wisconsin, has to say about the RCA-6448 beam power tube:

“One of our RCA-6448’s has clocked 12,000 hours of service in our visual power amplifier. Another just passed the 10,500 hour mark in our aural power amplifier. Both tubes are still delivering top performance. Long tube life like this is a big item in keeping transmitter operating expenses down.”

Many UHF-TV stations all over the country have discovered that proper care of their RCA-6448’s often pays off in extended service far beyond normal tube life expectancy. Result: reduced transmitter maintenance and downtime, more hours of service per tube dollar.

Contact your RCA Electron Tube Distributor whenever you need tubes for broadcasting and telecasting operations. He also carries a complete line of high-quality RCA Sound Tape for your convenience.

HOW TO GET MORE HOURS FROM AN RCA-6448

- Use only high-quality water to fill the water system initially and make provision for continuous regeneration of the system water. (A suitable method is given in the RCA-6448 technical bulletin.) Be liberal with water flow through tube ducts.
- Make certain that electronic protective devices are functioning properly.
- “Break-in” new tube in accordance with instructions in the RCA-6448 technical bulletin.
- Raise filament voltage gradually (prevents undue thermal stresses in the filament). Run both filament sections at some voltage—obtained from well-regulated supply.
- Operate filament at lowest voltage practical for adequate emission (not less than 1.25V per section). During standbys of up to 2 hours reduce filament voltage to 80% of normal value. For longer periods, turn off filament power.
- Avoid stresses at ceramic seals—especially when tightening or removing water fittings.
- Operate spare tubes periodically.
- Keep all tube surfaces CLEAN—to avoid leakage and voltage breakdown.
Hottest Program Director in radio today!

Bob Adams Moves UP!

W-I-T-H has proved it again and again over the past 19 years: success gravitates to the top. That's why Bob Adams, with a slightly sensational record in Houston, New Orleans and Atlanta, moves up to W-I-T-H, the most successful station in the Baltimore market. And that's why you'll be hearing even greater things about W-I-T-H... why you'll want to cover the Baltimore market with W-I-T-H Radio and W-I-T-H Merchandising!

Radio Baltimore: Tom Tinsley, Pres. R. C. Embry, Vice President

National Representatives: Select Station Representatives in New York, Baltimore, Washington and Philadelphia; Adam Young in Boston, Detroit, Chicago, St. Louis, San Francisco, Los Angeles, Minneapolis, Milwaukee, Cincinnati, Cleveland, Pittsburgh and Seattle; Clarke Brown Company in the South and Southwest.
BRAVE CRY FOR FREEDOM—ALMOST

Says NAB: the constitution keeps FCC out of programming, but not quite as far out as the NAB used to think it did

The NAB's 12-year "keep out of programming" concept to limit the FCC's authority was softened last week.

In retreating from its traditional position, enunciated in 1947 by then President Justin Miller, the NAB offered a new philosophy—the test of public responsibility.

This doctrine was unveiled Jan. 26 at the Commission's continuing hearing into its own regulatory power. It immediately ran into conflict as President Harold E. Fellows and Whitney North Seymour, NAB's two witnesses, discussed the doctrine's significance during the Commission cross-examination (see excerpts from cross-examination of Mr. Fellows, page 34).

Surprised Commissioners tried to find out if the idea means industry agreement with the theory the FCC has a right to enforce program standards. It does not, judging by a study of the verbal fireworks that developed during cross-examination.

Analysis of the question-answer exchanges, however, shows that the Miller doctrine no longer stands as the association's philosophy of FCC regulatory powers.

Chief Difference • The principal difference in NAB's position is this: NAB now says the FCC can take some cognizance of the licensee's evaluation of his community needs and whether he has lived up to his promises.

A new concept of license renewal procedure was offered by the association. This consists of a basic memorandum or narrative filing at renewal time instead of the present statistical form containing program percentage tables. Mr. Fellows said these tables are considered by many licensees as a "whip" requiring them to follow program category policies.

Mr. Seymour, a noted constitutional lawyer and member of the New York law firm of Simpson, Thacher & Bartlett, represented NAB as special counsel on constitutional powers of the FCC. He submitted formal testimony dealing with the limitations placed on FCC regulatory powers by the First Amendment and Sec. 326 of the Communications Act.

In extensive cross-examination he didn't budge from his basic position that the FCC cannot censor broadcasting and must stay out of programming unless a licensee shows bad faith gravely reflecting on his character. He insisted the FCC can't take away a station's license "because of some belief the station is not serving community needs."

Legal Precedent • The formal testimony by Mr. Seymour, who is president-elect of the American Bar Assn. and chairman of the ABA's Bar Media Committee looking into the right of

HOW MAJOR BROADCASTERS WANT TO BE REGULATED

The FCC saw itself through the eyes of major broadcasting units last week as its sweeping inquiry into its own powers neared completion.

In four days of gamut-ranging testimony dealing with its regulatory authority the Commission:

- Watched the NAB back up from its once firm stand against any Commission dabbling in station and network programming (see story above).

- Heard NBC advocate an FCC "standard of reasonableness" in program control (see story page 42).
- And CBS oppose enlargement of federal regulation, announce new advertiser ground rules and favor greater opportunity for public participation in programming (page 43).

- Received views of Westinghouse Broadcasting Co. and other witnesses on public service and regulation (page 46).

- Caught a Broadcast Music Inc. charge that American Guild of Authors & Composers was talking through ASCAP's teeth when it claimed BMI was corrupting the nation with broadcaster-owned music (page 50).

Today (Feb. 1) the Commission is to hear Leonard H. Goldenson, president of American Broadcasting-Paramount Theatres, state the ABC network's position.
broadcasters to cover court trials, presented a detailed history of court and legislative actions dealing with the First Amendment, Sec. 326 and FCC's powers. He conceded FCC "might reasonably ask applicants for initial licenses or renewals to submit evidence as to their plans to meet the desires of the communities in which they operate, for it is in the local community that their operations must be appraised."

Mr. Seymour said that while the Commission "may not substitute its taste and judgment for that of the licensee, it is not required to close its eyes to abuses by a licensee which reflect on its qualifications to enjoy the privilege."

At the same time he insisted Congress had recognized broadly in Sec. 326 that the Commission could not act as a censor, imposing an explicit prohibition which covers previous restraint. The First Amendment, he explained, applies both to previous restraints and subsequent sanctions. And he stated, "The Commission is given no supervisory control over the general content of programs and the selection of material for broadcasts is exclusively the province of station licensees."

Mr. Seymour cited Supreme Court language that "the public interest, convenience, or necessity standard for the issuance of licenses would seem to imply a requirement that the applicant be law-abiding."

**Rare Exceptions** • While contending particular program items can only rarely serve as the Commission's basis for determining that an operation is not in the public interest, he conceded that besides bad character there may be a narrow exception in the case where a licensee made "practically no attempt to cover the wishes of any part of the public."

"Changes in taste, the encouragement of greater interest in better forms of instruction or entertainment than may be available, must flow primarily from the efforts of broadcasters to satisfy the public taste in their communities as it advances through the influences of church, school and home," he said. He said the Commission, in cooperation with other federal authorities, "can prevent knavery and assist the industry in barring corruption."

As to types of programs, he said, "The Commission is not entitled to say to tired farmers, businessmen or even lawyers that they must watch or listen to cultural programs instead of enjoying the kind of entertainment they may prefer, even if their preference saddens some. . . . The provisions of the First Amendment reflect a basic decision that occasional abuses of the right of free speech—exasperating though they may be or lacking in taste as some may think—are still preferable to any system of governmental control over what people think and say. Recent public concern with certain instances of improper actions in radio and television, such as the so-called 'payola' and 'rigged' shows, should not be allowed to blur our fundamental principle that, except for the few narrowly defined exceptions to the First Amendment discussed above, the government has no proper concern with the substantive content of the ideas communicated among the public, whether they are thought to be entertainment or instruction."

**Censorship** • Under cross-examination, Mr. Seymour said regulations or prohibitions on westerns, for example, would be censorship. An FCC requirement that all stations have certain percentages of certain programs would be censorship, he insisted. He called himself "a San Francisco Beat man."

A line of questioning designed to show that programs with advertising content or advertiser control are outside the First Amendment's protection drew this comment, "They are not outside the First Amendment because of advertiser participation."

Asked by FCC Chairman John C. Doerfer about the court experience in constitutional cases, Mr. Seymour recited a long list of cases over several decades and his service as Assistant Solicitor General of the U.S. 

When Comr. Frederick W. Ford asked about the Fellows proposal for narrative reports at renewal time and the possible loss of license as a result of a report, Mr. Seymour said loss of license could only be possible if bad faith or grave reflection on character in not meeting community needs were shown.

Answering a question by Comr. Robert E. Lee, he said amendment of Sec. 326 is not necessary since the Commission has "ample authority without interfering with programming to make sure licensees fulfill their responsibilities."

No 'Percentage' • Mr. Seymour answered a question by Comr. Robert T. Bartley about the right of Congress to require 20% cultural programs, for example, with a flat "No." To another question on FCC powers, he said, "The Commission can't take away a license because of some belief the station is not serving community needs."

"No group is wise enough to exercise control over the tastes of people," he said in response to a query by Comr. Rosel H. Hyde. He said the industry "uses experience but doesn't legislate for the group" in drawing up and enforcing codes of ethics. 

Asked by Chairman Doerfer how the Commission can rule on deception, wrestling for example, he gave this test, "Does the deception reflect on the character of the licensee?"

Under stiff questioning in the morning by Commission counsel and commissioner, Mr. Fellows stuck to the position that FCC can't get into program control, but some of his comments dealt with program balance and public service policies of stations (see transcript excerpts). Comr. John S. Cross fired questions built around what he described as nationwide evidence of dissatisfaction with programming.

"How about murder, mayhem, mediocrity?" Comr. Cross asked at one point. Mr. Fellows suggested this type of criticism is overemphasized by people who feel there should be no programming of these types. He said there are always vocal minorities.

**Miller Doctrine Deviation** • The questions asked by Comrs. Ford and T.A.M. Craven dealt with NAB's deviation from the original Miller doctrine. Comr. Ford said, after questioning, that he and Mr. Fellows seemed to be in agreement. Comr. Craven's brief questions brought an agreement from Mr. Fellows that he
The voice of radio as we hear it this evening takes its flight through the heavens in an historic setting. The antennas of the new station rise imperiously between the banks of the Great Miami and Mad rivers. Here it was that Tecumseh, the greatest Indian of all time, statesman, orator, warrior—followed the pursuits of peace and combat. Within sight are the fields now historic where Wilbur and Orville Wright gave to man the wings of the air that have carried him around the planet.

In this inspirational scene we build a giant structure of steel and wires and insulators and all the magic devices of this scientific age. And now it takes the tongue of man and the melodies of poetry and music.

Birth is always a solemn thing and our emotions are deeply stirred as WHIO is announced as a new thing of life. May I express this christening sentiment—that the voice of this Miami Valley empire will always be an instrument of dignity, culture and practical service; that it will carry the light of joy to places that are dark; that it will build a love for goodness and beauty; that it will plant in the hearts of men a philosophy that will help them to see Divinity in sunshine and shadow; that it will sense its obligations to the more than a million people who are by common interest to be our immediate radio fireside. In brief, may WHIO in its long watches of the night and in its endless days be conscious of its duty to God and humanity.

Remarks of Ex-Governor James M. Cox, Saturday Evening, February 9, 1935, at the dedication of Radio Station WHIO
could not go all the way with the Miller
doctrine.
Comr. Lee asked Mr. Fellows what he
thought of the magazine concept of
broadcast advertising (announcements
between programs, with sponsor having
nothing to do with programs). Mr. Fel-

loes said he couldn’t see how this plan
could benefit anyone. He contended the
advertiser should have some interest in
the show, adding that advertiser-agency
creativeness has been responsible for
some of the better broadcast programs.

When Comr. Bartley suggested that
programs should carry announcements
that advertisers have influenced their
editorial content, Mr. Fellows said the
plan would desecrate program accept-
ance and there really isn’t any need.
He conceded news programs should be
controlled by the licensee.

Comr. Hyde observed that NAB’s
longtime advocacy of the right to editori-
alize had brought minimum results.
Mr. Fellows agreed the industry had a
long way to go in using this form of pro-
gramming since FCC abandoned the old
Mayflower anti-editorial ban. He con-
ceded he had been “amazed” by the
quiz-rigging exposures. If they had been
exposed immediately, Mr. Fellows said,
all would have been over in two weeks.

The cross-examination ranged into
ratings, employe acceptance of payola
and the ability of NAB to enforce self-
regulation.

Self-Regulation Steps • In his pre-
pared testimony Mr. Fellows listed these
steps to show how industry self-regu-
lation is being strengthened:

Subscribers to radio standards now
total 1,190 stations; new standards lan-
guage adopted to ban payola and other
deceptive practices; informal Radio
Board approval of non-membership sub-
scription to standards, with formal ac-
ception expected in early March; plans for
more personnel, to put teeth in stand-
ards.

Tv code strengthened against quiz rig-
ging and payola; subscribers now total
a record 378; monitoring increased; Los
Angeles office set up for film industry
liaison; New York activity to be ex-
panded; action in personal products
field; enlarged budget planned; pub-
licity campaign in preparation; code-
conformance language sought for com-
mercials in advertiser-agency tv con-
tracts; government agencies will be in-
vited to supply code board with copies
of all complaints from viewers.

Mr. Fellows' prepared testimony, a
15,000-word document accompanied by
10 exhibits, included a history of broad-
cast programming and operating prac-
tices and showed the industry's basic
role in the nation's life. He recited re-
search techniques and defended proper-
ly used ratings. His basic theme was
that government control of broadcast-
ing would be a more dangerous threat
to the American people than to broadcast-
ners themselves, challenging the FCC's
right to meddle in programming. He
referred legal aspects of FCC powers
to Mr. Seymour.

Code History • Progress in the NAB’s
Standards of Good Radio Practice was
reviewed for the Commission Jan. 25 by
Cliff Gill, KEZY Anaheim, Calif., chair-
man of the standards committee.

Mr. Gill said broadcasters' acknow-
ledgment of their obligation to the
American family, expressed in the
standards preamble, has enabled the in-
dustry to develop as a free medium in
the American tradition. "No one cen-
sors American broadcasting," he said.
Citing the history of radio codes since
1937, he said a survey in the 1930s
showed a specific ban on liquor adver-
tising had virtually driven it from the
air.

New code problems arose with the
postwar influx of new stations, accord-
ing to Mr. Gill, leading to a series of
provisions that strengthened the docu-
ment. He mentioned the ban on bait-
switch advertising as an example. In re-
cent years a pledge of adherence has
been added to the radio code.

Currently 1,219 out of 2,020 mem-
ber radio stations, 60%, are code sub-
scribers, Mr. Gill said. Only NAB mem-
ber stations are eligible to subscribe, he
explained, but he predicted the privilege
will be extended to all stations as the
result of the informal NAB Radio
Board poll that favors the idea. Last
Dec. 16, he said, new provisions were
added to eliminate payola, loaded in-
terviews and rigged quiz programs along
with a board amendment eliminating
"any other deceptive practices." The
Dec. 16 amendment have been rati-
fied by the board.

After the board acts on admission of
non-member stations to the radio code,
Mr. Gill said, a drive will be set in
motion to enlist non-member stations.
Enforcement provisions will be
strengthened.

HOW NAB REVERSED ITS HISTORY

NAB's new "Test of Public Respon-
sibility" doctrine, unveiled Jan. 26 as
the association's revised concept of the
FCC's power to regulate station pro-
gramming, produced an all-day series
of cross examinations as Commission
members and counsel jockeyed with
NAB President Harold E. Fellows
(main story page 31).

Setting off the Commission question-
ing was Mr. Fellows' formal statement
of the new doctrine (see below). The
questions produced elaboration on the
doctrine's meaning as Mr. Fellows went
into such topics as program balance and
licensee responsibility.

Answers adduced at the Jan. 26
morning session were revised in the
afternoon questioning, particularly as
FCC Chairman John C. Doerfer in-
quired about which comments repre-
sented industry position and which
were Mr. Fellows personal views.

Questioners, besides the chairman,
included Commission counsel, Ash-
brook E. Bryant, and Comrs. Cross,
Ford and Craven. They probed into the
extent NAB's new concept represented
industry concessions to hitherto dis-
pputed power over programming.

Fellows' prepared statement

Here in condensed form is the essence
of NAB's position on the FCC's power
to regulate programs, as stated in the
formal testimony Jan. 26 of President
Harold E. Fellows:

"We believe that the satisfaction of
public interest, convenience and neces-
Change of course • The NAB has developed a new theory of broadcast regulation which varies from its historic stand. Harold E. Fellows (1), NAB president, explained it to the FCC last week. He called it the application of a "test of responsibility" and said it was a departure from the view, held by the NAB for years, that the FCC must keep out of programming unless a law is violated. Douglas Anello (r), NAB chief counsel, reportedly had a strong hand in fashioning the new policy which Mr. Fellows presented last week.

sity is the clear responsibility of the licensee himself.

"This responsibility of affirmatively determining the public interest community by community belongs to the thousands of station executives and personnel who daily serve their respective audiences.

"We believe the Commission should enunciate, once and for all, that no central governmental body should attempt to assume this basic responsibility of the licensee even if it could constitutionally be given the authority.

"If his [licensee's] actions are such that he demonstrates a continuing and reckless dishonesty or irresponsibility, then he shouldn't have a license anyway.

"We believe, therefore, that the present requirement for a broadcaster to submit to the Commission a statistical breakdown of his programming activity is unrealistic and unnecessary. We believe it would be far more useful to the Commission and responsive to the public interest if the broadcaster, in applying for renewal, recited in narrative form the steps he had been taking in the preceding three years to determine the public interest, at the same time relating the changes that had taken place in his programming pattern and the local manifestations that impelled those changes. . . ."

"The Commission would not consider individual programs in granting or denying a license other than those that clearly violate such existing laws as those dealing with lotteries, profanity and the like. The Commission thus would be judging a licensee on the basis of his responsible service to a responsible portion of his community—for it is possible to serve the public interest by scheduling only classical selections during musical periods and for that matter, also for scheduling only popular music.

"If, in its review of such narrative reports, the Commission should find no evidence of a bona fide effort on the licensee's part to respond to the wants of a responsible element of the community or should find, for example, that deceptive advertisements were knowingly broadcast, then there would arise such question concerning the licensee's character that the Commission should investigate the matter further."

Fellows under questioning by Ashbrook Bryant, FCC counsel

Mr. Bryant cited this colloquy between Sen. Wallace White, chairman of Senate Commerce Committee, June 17, 1947, and Justin Miller, then president of the NAB.

Chairman White: "I would like to have your view as to whether, in reaching a conclusion as to the public service or the want of public service being rendered, the regulatory body has a right to look at the programs and has any control whatsoever over the programs they send out."

Mr. Miller: "I think it has not."

Chairman White: "So you would say that the quality of the programs has nothing to do with the question of whether a public service is being rendered or is not being rendered?"

Mr. Miller: "I do. Unless it goes so far as to constitute a vice or incitement to crime or something like that which is well within the limits which have been placed upon the freedom of speech generally."

Then Mr. Bryant asked: "Now I gather that the position you are stating here today is somewhere midway between those two views. Or is it?"

Mr. Fellows said: "I think I stand just as Judge Miller stood in that statement, sir. If you understand our position—perhaps I need to elaborate it. We do not say that the Commission has no right to investigate the programming content of any station. We start by saying that before the man is given a license or a renewal, that he should state what manner he has pursued in attempting to determine the public interest, convenience and necessity, the wants, the needs of that particular..."
community which he chooses to serve or to continue to serve.

"Then he states the manner in which he proposes to meet these wants and desires; or, if he is then up for renewal, he proposes the manner in which he has met them.

"It is not necessary that the man attempt to do what everyone else in town is doing. This may be a multi-

ple-station city. It may be that there is an open area, such as popular music, which is not being properly covered. If it is program content, he decides to seek that type of broadcasting and then can support his contention that it is needed, in his application, in its narra-

tive form.

"That is his business, not the Com-

mission's business, unless they find that he has become far too unbelievable in his statement that this is necessary or needed in the area. This is not up to the Commission to decide, what his programming should be, and certainly not the best judgment of the musical selections that he plays or the programs that he gives.

"But the Commission does not have

the Commission and not the individual programming, if the Commission has already passed on the nature of its pro-

gramming."

Mr. Bryant: "If I understand you correctly, you do, then, state or concede that there needs to be or should be some standard or frame of reference in which the Commission can judge whether the individual person is meeting the public interest on the basis of his evaluation in the community. In other words, how do we judge what he is doing?"

Mr. Fellows: "These things that you are throwing toward me now seem to me to indicate that you want or you believe possibly that the Commission should have the right to investigate pro-

gramming, per se. I am saying that I do not think they do. . . . The Com-

mission should have access to this man's [licensee's] complete program structure, because I do not see how else they can determine whether or not this man has completed his job in the public interest, convenience and necessity. . . .

"I think there are many cases throughout the country where we cannot consider that every single station

Mr. Fellows: "I think it is being impinged by the statistical breakdown that is required in the form. I think this has traditionally been accepted down through the years and has been accepted as a sort of a whip."

Fellows under questioning

by Comr. T.A.M. Craven

Mr. Craven: "As I understood your response to Commission counsel, you adopt the legal philosophy expressed by Justin Miller when he was president of the NAB?"

Mr. Fellows: "Basically, when he read the philosophy, I am entirely in agreement with one point, the first part of that. The second portion of what he read stops me. There is a question there. I think this is in the questionable area."

Mr. Craven: "Thank you . . ."

Fellows under questioning

by FCC Comr. John S. Cross

Mr. Cross (answering comment by Mr. Fellows that self-regulation is the one and proper answer to this entire problem): "I see. 'Go and sin no more; but if you do sin again, we are going to sic the FCC on you.' Is that about what it amounts to?"

Mr. Fellows: "I don't think it means that."

Mr. Cross: "How would you suggest that this Commission, in a hands-off policy, which, as I take it, you recommen-
d to us here, could do any good with that sort of people [station op-
erators after a 'fast buck']?"

Mr. Fellows: "Commissioner, I do not want to take issue with you in say-
ing that I am recommending a hands-

off policy. I am not, sir. I am simply recom-
pending a new approach to the business of issuing licenses and re-

newals.

I am insisting that the Commission itself should not concern itself with the individual programs of any station, but it should concern itself as to whether the man given the authority to operate that station or to own it has proved to you, to the Commission, that he has properly and intelligently gone into the determination of the needs and wants of that community, and then state to you the manner in which he proposes to meet those needs and wants, and the Commission then acts upon whether or not he has intelligently gone about it."

Mr. Cross: "Can we take his word, lock, stock and barrel; or do we go out and make sure whether he is telling the truth, or he is a liar?"

Mr. Fellows: "Unless you have some reason to doubt his word, I think you have reason to take his word as he has proposed it to you in the first place. I might add, sir, that I think the type

Allocations hearing tomorrow

The FCC is expected to furnish most of the testimony on tv alloca-
tions this week when the Senate Com-

munications Subcommittee headed by Sen. John O. Pastore (D-R.I.) begins its hearing at 10 a.m. tomorrow (Feb. 2) in Room 5110 of the New Senate Office Building.

Two other witnesses scheduled as of late last week will be Rep. William H. Ayres (R-Ohio), who tomorrow will discuss uhf troubles in Akron. On Friday, Martin Essex, superin-
tendent of schools at Akron, will dis-

cuss the same problems. Also on Fri-
day, William L. Putnam, president of Springfield Tv Broadcasting Corp. stations, a group of uhf outlets, will testify.

Kenneth Cox, special tv counsel for the subcommittee, will be present at this week's hearing. He plans to return to his home in Seattle at the end of the week. He said he would like to complete FCC testimony this week and get to other important wit-

tesses, but hinted there is a loss of interest in the uhf-vhf problem.

a right, and I cannot see how it can properly determine whether or not the man has met the public interest, con-

venience and necessity, unless it con-

cerns itself with its overall program struc-

ture."

Mr. Bryant: "In terms of what, Mr. Fellows?"

Mr. Fellows: "In terms of whether or not he has given any help, exerted any effort in the direction of civic health, education, things of this nature. And this means that he may not be covering the entire waterfront, so to speak. He may well have picked cer-
tain things that he thought that were not being sufficiently covered.

"But again, as he tried to reasonably meet the needs of the community, as he attempted in some fashion, in some reasonable fashion, to meet things that need to be done, to support, to get back of-
them, this is the thing that concerns

should be, as we used to call it and you are still calling it, or intending to, bal-
anced. I do not know what balance is, except as I have practiced it in the many years that I have operated a radio sta-
tion. I believe that a station should be balanced. I was the only station in the town, and I attempted to balance it, as I understood the word at the time. . . . One station cannot possibly serve all of these people [in a metropolitan area] satisfactorily, if it wants to come down to that point of trying to give everybody what they want. I think seven or eight stations do a much better job if they all of them try to balance in the general sense."

Mr. Bryant: "In what way do you think, if you do, that that initial right of the broadcaster to select his pro-
gramming in terms of his judgment as to the needs and interests of his com-

munity is currently being impinged?"
BIG BITE OUT OF THE NIGHT!

ABC-TV first on Sunday, Tuesday, Thursday, Friday and second (never third) on the other three nights.

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*Source: Nielsen 24 Market TV Report for week ending January 10, 1960, 8:00-10:30 PM on seven nights of the week, Monday through Sunday.
Ban spots

Ban's Greek statues are having their armpits washed.

An imminent Ban ban, fanned by wide criticism of commercials for the Bristol-Myers anti-perspirant, may never materialize now that Ogilvy, Benson & Mather is cleaning up its spots.

The cleansed spots were scanned Jan. 28 in New York by Donald H. McGannon, Westinghouse stations, chairman of the NAB TV Code Review Board and other code personnel.

After the session it appeared NAB's objections to the most-discussed commercials of the season had been met at least in part. There remained at least one portion to be further modified.

The first storyboard of what would be the third series of Greek statue spots for Ban was reviewed Jan 22 at NAB's Washington headquarters (BROADCASTING, Jan. 25). This storyboard for the new commercials has been studied by NAB code board members and staff.

Removal of objectionable portions of the commercials, perhaps including modification of a sepulchral narration as well as arrows directed at silhouetted armpits, will not require major production over-haul judging by developments last week. There appeared no demand that the statues be rephotographed, most of the basic footage still being usable.

New commercials will retain the basic concept, it appeared at the weekend, as "mates of taste" guide the revision process. NAB has lauded the agency and advertiser for their cooperation. The commercials have been questioned at the FCC's current hearings on its own regulatory powers but the Commission touched the subject only lightly when Mr. McGannon said the code board was reviewing the matter.

The first set of Ban commercials went on the air last Aug. 24, running to Jan. 9. These spots brought criticism from the Federal Trade Commission. A second set has been running the last few weeks. These are the spots now going through the NAB wringer.

Mr. Fellows: "They are right. And the Commission looks at his application forms and determines whether or not this man has, to their minds, gone at it intelligently, thoroughly and understandingly."

Mr. Ford: "Whether he has made the effort."

Mr. Fellows: "Has made the effort to really find out."

Mr. Ford: "Well, it is not very difficult to present evidence that an effort has been made, is it?"

Mr. Fellows: "We then ask him to present evidence as to what he means to do about it, what part of it."

Mr. Ford: "As to the question of his effort, there is some question raised here in your testimony as to whether we would send investigators out and all this sort of thing. As I understand, you agreed that that could be done."

Mr. Fellows: "I did."

Mr. Ford: "But is not there an easier way to do it, for the Commission to require him to submit evidence of the effort he has made?"

Mr. Fellows: "Yes, sir."

Mr. Ford: "So there is not any question about it."

Mr. Fellows: "I quite agree with that. There is every possibility of that."

Mr. Ford: "Because it is done every day in comparative cases."

Mr. Fellows: "That is right."

Mr. Ford: "The next thing is whether or not his plans to meet what he has determined the public interest requires him to do reasonably correspond with what he says he ought to be doing."

Mr. Fellows: "They are in direct relation to what he says should be done. That is correct."

Mr. Ford: "Then the question becomes not a question of whether his (station's) individual programs are this, that or the other thing, or whether it is a matter of taste or selection or what else; it is a question of whether he is discharging responsibilities."

Mr. Fellows: "That is right. In the public interest, convenience and necessity."

Mr. Ford: "There has been a lot of talk about balance ever since you have heard anything about the radio programming. As you indicated, a good broadcaster that operates his station conscientiously is conscious of balance."

Mr. Fellows: "Yes, sir."

Mr. Ford: "What it means to them, it has some meaning to every individual. He may put a different interpretation on it, but there is a concept of balance. Well now, if he makes this conscientious effort to determine what the public interest requires and what its needs and hopes and aspirations are in his service area, programming-wise, and if he does a reasonably good job of that, doesn't that automatically take care of balance?"

Mr. Fellows: "Yes, sir, it does."

Mr. Ford: "And it would be different in one community than in another?"

Mr. Fellows: "Varying from community to community and from station to station."

Mr. Ford: "In the same community."

Mr. Fellows: "That is right; in the same community."

Mr. Ford: "We do not seem to have any difference; thank you."

Fellows under questioning by FCC Comr. Frederick Ford

Mr. Ford: "As I understand, your position is that the Commission is properly within the scope of its authority, whatever the ultimate of its authority may be, but it is well within the scope of its authority when it requires a broadcaster to make an effort to determine, in his local community, what the public interest requires him to do."

Mr. Fellows: "Yes, sir."

Mr. Ford: "And that that is the standard, what he finds out, as to what his performance should be that is the standard he should adhere to."

Mr. Doerfer: "I would like to have you tell me something about the preparation of your direct statement."

Mr. Fellows: "... We had a task force, so-called, back of this direct statement: Three members of our TV Board, three members of our Radio Board, and some six executives within our organization ..."

Mr. Doerfer: "And these were duly elected representatives of the NAB?"

Mr. Fellows: "They were, sir."

Mr. Doerfer: "... The statement itself, to the best of your knowledge, represents a cross-section of the opinion of your industry?"

Mr. Fellows: "I sincerely believe it does, Mr. Chairman."

Mr. Doerfer: "Now, with respect to
Welcome home!

KJR  SEATTLE
KXL  PORTLAND
KNEW  SPOKANE

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SPRINGFIELD
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Metropolitan Market

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With 25%* of the daytime audience, WSPR offers more than the next four stations combined!

*Nov.-Dec. Hoover Audience Index

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Congress’ job

Congress must decide in the months ahead whether television will operate under a minimum of government control or whether it will function under an FCC superstructure with powers of national censorship, FCC Chairman John C. Doerfer told a meeting of the antitrust law section of the New York State Bar Assn. in New York last Thursday (Jan. 28).

Mr. Doerfer was outspoken in his view that he much preferred a minimum of governmental intrusion into broadcasting.

your answers to some of the questions this morning, obviously you had not consulted with the membership?”

Mr. Fellows: “On some of them, yes.”

Mr. Doerfer: “So it is quite possible that some of your answers to questions given represent your own opinion and not that of the industry?”

Mr. Fellows: “Yes, but I doubt that in some cases they represent just my own opinion; they represent an opinion which I share with others of our executives. They are in-the-house opinions in some cases; in some cases they may be strictly mine.”

Mr. Doerfer: “I thought I detected an inconsistency, if I may say so, between some of your statements in direct testimony and some of your answers to questions by both counsel and some of the Commissioners.

“I would like to direct your attention to page 15 (of formal statement), the third paragraph from the bottom in the left-hand column:

“This responsibility of affirmatively determining the public interest, community by community, belongs to the thousands of station executives and personnel who daily serve their respective audiences. We believe the Commission should enunciate once and for all that no central governmental body should attempt to assume this basic responsibility of the licensees, even if it could constitutionally be given the authority.”

“Now, that represents, of course, the opinion of the industry within the qualifying terms that you and I just discussed.”

Mr. Fellows: “It does, sir.”

Mr. Doerfer: “However, unless I misunderstood you, you indicated before that the Commission has got the right to check a prospective licensee or an experienced licensee’s application for an original license or a renewal license with respect to certain determinations or representation he has made to the Commission, isn’t that correct?”

Mr. Fellows: “Yes, that is correct, but he has—”

Mr. Doerfer: “Now, if he is the sole judge as to that and he has made representations to the Commission in any kind of language which may be understandable to some and completely mystifying to others, nonetheless, isn’t he the sole judge as to whom those moods and needs change?”

Mr. Fellows: “Yes, he is.”

Mr. Doerfer: “Then what right has the Commission to say or to threaten to hold back renewal of his license?”

Mr. Fellows: “This is where the area of misunderstanding took place, Mr. Chairman.”

Mr. Doerfer: “Then I would like to ask, by what authority does the Commission command him to report periodically whenever he wants to change?”

Mr. Fellows: “In the first place, we want to know if he is living up to what he said when he first applied for license or applied for his renewal.

“In the second place, you want to know whether or not he is serving the public interest, convenience and necessity, whether with regard to the type of programming he is doing or whether in regard to the effort he has made for charity, or something like this.

“Now, my statement says that the Commission as such has no interest or no control over programming even to the extent of categories. It is not concerned with the programming on his station, and the Commission has been told what type of programming he intends to do, and he has found the way to intelligently and rather thoroughly prove that there is a need and acceptance for that type of programming in his community.

“Then the Commission’s concern, when he comes up for renewal, is to whether or not he has done what he said he would do in the first place.”

Mr. Doerfer: “How can this Commission, by just combining the number of programs together, throw them in the scale and say that they are out of balance?”

Mr. Fellows: “The Commission cannot say that they are out of balance.”

Mr. Doerfer: “In your opinion that violates the law of censorship?”

Mr. Fellows: “It does, indeed.”

Mr. Doerfer: “Then by what token and what right does the Commission have to look at the overall balance in programming?”

Mr. Fellows: “I don’t think that the Commission any longer, or for a long time since, has a right to go after what we so frequently term program balance.”
Every important food chain uses WDAY-TV, Fargo!

These four big food chains make approximately 75% of ALL the retail food sales in the big WDAY-TV area—and that 75% equals nearly $116,000,000 per year!

Advertising isn’t the whole answer, of course, because the Fargo area is a fabulous one—the Nation’s No. 1 market in retail-sales-per-family. But it is significant that the four important food chains in the area all use WDAY-TV on a year-round basis.

Certainly you can be sure that the biggest merchants in North Dakota know a lot about the best media values! Ask PGW for all the facts!

WDAY-TV
FARGO, N. D. • CHANNEL 6
Affiliated with NBC
PETERS, GRIFFIN, WOODWARD, Inc.
Exclusive National Representatives

Jane Johnston speaks for Red Owl on the Red Owl Theatre on WDAY-TV
Carol Olson speaks for Fairway-Super Fair in the Phil Silvers Show on WDAY-TV
Bill Weaver speaks for Super Valu in their very heavy spot schedule on WDAY-TV
Glen Hanson speaks for Piggly Wiggly on “Bold Venture” on WDAY-TV
SARNOFF: 'LET'S BE REASONABLE'

NBC head emphasizes industry diversity in urging 'broad standards'

As the lead-off network witness, Robert W. Sarnoff, NBC board chairman, urged the FCC to establish a "standard of reasonableness" in programming and to place primary emphasis on "self-regulation and self-development" by the broadcasters.

"In a free society such as ours," the NBC chairman warned, "the public would not be served by imposing federal regulation on the program process of broadcasting any more than the public would be served by imposing regulation on how the press fills its columns."

Noting that broadcasting serves a public of widely different tastes and interests, under different and changing conditions, Mr. Sarnoff said the Commission "standard for programming should be the standard of reasonableness—reasonableness in recognizing the interest to be served and in making a contribution toward serving them."

He continued:

"I propose this broad standard because it best fits the diverse and dynamic nature of the broadcast medium. More detailed standards, he said, "would be too inflexible to embrace all the ways in which the public interest can be properly served. If the Commission were to lay down rules on what kinds of programs should be offered, in what proportions and where they should be placed in the schedule, it would mean acting as the ultimate Solomon—the mediator and the arbiter of the tastes of 180 million people...."

In most tv situations, Mr. Sarnoff maintained, natural competitive forces produce a diversified service that meets a standard of reasonableness.

Licensing Procedures • The most effective way for the FCC to consider license renewals is to place primary emphasis on self-regulation and self-development, the NBC spokesman said. "The Commission should operate on the basic premise that by attracting and maintaining an audience in competition with other broadcast services and other media, the licensee has met a public need," Mr. Sarnoff stated.

He proposed the Commission scrap its current programming questions, with breakdowns by type, in favor of narrative accounts by the licensee of what he has provided and proposes to meet the public interest. "For example, an affiliated station might show how acceptance of a network service itself represented a responsible choice of programming, even though the licensee did not participate in any detail in deciding the composition of that service," he pointed out.

Code Recognition • Mr. Sarnoff suggested that the Commission "give official recognition" to the NAB TV Code "to encourage broadcasters in exercising their own responsibility."

Four of the commissioners questioned the witness at length on this proposal, with Comrs. Craven and Ford asking if he was not inviting FCC censorship. Comr. Doerfer wondered aloud if the FCC would be delegating its authority by endorsing the code.

"I see no real risk here," Mr. Sarnoff replied. "These codes embody the program and advertising standards created by broadcasters themselves for their own regulation. . . . The Commission would not be interfering with the process of self-regulation, but would be strengthening it. And, by giving its official blessing to these codes, it would help make them more effective and universal in their application."

In contending that NBC-TV presents balanced programming, the network's chairman said its concept of service in the public interest is one that gives reasonable satisfaction to the varying interests of the main audience, but does not allow majority tastes to suppress minority interests. Popular entertainment must predominate, he said, but a responsible service also will include the more cultivated arts which have not yet established mass appeal. In addition, significant recognition to non-entertainment programs must be given, he said.

"Ironically, many who criticize TV most are unwilling to assume the small burden of program selection to satisfy their own tastes," Mr. Sarnoff maintained. "I do not think it can be questioned that out of a total week's TV offerings, there is a volume and variety of rewarding material for every significant element of the audience if viewers will make the slight effort to seek it out."

Comr. Ford asked NBC to provide the FCC with its total expenditures for the past year in seeking to determine what the public needs and wants.

Step-by-Step Reply • Mr. Sarnoff detailed a reply to critics who have charged TV is suffering from a lack of public interest programming, mediocrity, westerns, mysteries, and violence. Essentially, the criticisms against programming are criticisms of degree, he said. He detailed the evolution of the medium over the past 10 years as "hardly perceptible from one season to the next [but] giant strides for a period of only a decade."

"It may not be amiss to observe that this remarkable growth was launched by the willingness of the networks to risk many millions of dollars, and nourished by the support of the nation's advertisers, whose role in television has been called to account by so many witnesses," Mr. Sarnoff said.

Much of the criticism of TV issues from the "double barred charge that it is degraded by conformity to advertisers' objectives and by the worship of ratings," he stated. The influence of advertisers is based on judgments of audience reaction, with the public in ultimate control, the NBC executive said.

NBC takes the objectives of advertisers into account in determining the makeup of its programming schedule, Mr. Sarnoff stated, "but the final shape of the schedule remains our complete responsibility. . . . The influence of advertising on broadcasting is expansive and not restrictive, because it makes possible the resources for all we do, sponsored or unsponsored."

In answer to a question, he said it is an "impractical suggestion" to seek the divestment of advertisers from programming. An advertiser's influence is helpful, not detrimental, he maintained.

Use of Ratings • The critics of ratings are the people who understand
them and how they are used the least, Mr. Sarnoff charged. "The various rating services, when properly used, serve three purposes," he said. "They provide a general body of information about the public's taste, viewing habits and program preferences; they measure audience behavior, and they define the circulation a broadcaster sells."

The complaints that ratings dictate programming, driving it to the "least common denominator, do not square with the facts," Mr. Sarnoff maintained. "Rating information is only one of the factors in program planning and, as our schedule makes clear, our program judgments and decisions involve considerations other than the size of audience alone."

In answering a question by Chairman Doerfer, Mr. Sarnoff gave this breakdown of NBC programming by categories: comedy, 2%; drama, 6%; mystery, 7%; comedy and variety, 10%; musical variety, 3%; audience participation, 10%; sports, 8%; westerns, 6%; children, 2%; news and interviews, 14%; education, 5%; religion, specials and adventure, 8%, and serials, 5%.

By comparison, he said, 10 years ago 42% of the NBC programming consisted of variety offerings.

No Network Regulation Wanted • Advocates for network regulation are directing their fire against an "artificial target," the network executive stated. "This suggestion apparently stems from the theory that networks share with advertisers and the rating systems the chief blame for the faults some observers find in the total broadcast service, and that licensing networks will eliminate these faults."

He maintained that it is the network program service today that serves as the major element of balance for all TV. It is unnecessary to license networks for evaluation of their services, because this service reaches the public only through stations already licensed, Mr. Sarnoff maintained. To try to license both groups would create confusion and inconsistencies, he told the Commission.

In cross-examination by FCC counsel Ashbrook Bryant, Mr. Sarnoff took issue with the contention of prior witnesses that affiliates cannot evaluate in advance network programming. He said they have ample opportunity to know the content of NBC-offered shows if they would take advantage of the network's liaison. More information is made available to affiliates by NBC than the station operators realize, he emphasized.

It would not be feasible for the three TV networks to work out a system of alternating shows so that different types would be available at all times, Mr. Sarnoff told Comr. Bartley. This, he said, would effectively end competition and result in only one true network.

Mr. Sarnoff felt the FCC "could not and should not" adopt any rules requiring affiliates to carry network sustaining and public service programming. The use made of such offerings by affiliates could properly be considered by the Commission at license renewal however, he said.

STANTON: GAPS AND IMPERFECTIONS

CBS president cites industry's ills and proposed cures

"I am glad to have the chance to be a part of these hearings because I believe them to be the most important and critical in my quarter of a century in broadcasting," CBS Inc. President Frank Stanton told the FCC in a statement prepared for delivery Friday (Jan. 29).

After a lengthy analysis of all the problems facing broadcasting, with their possible cures and effects, Dr. Stanton said that he must reject any further government intrusions. "I must in all candor tell you that I am not comfortable when I see where I have been driven," he stated. "Surely, since it is the airwaves which are being used, since the impact of TV is so large, since its promise is still not yet fulfilled," Dr. Stanton continued, "the government ought to be able to do something about it. Surely, the government need not stand idly by if, in these times of crisis where survival of the nation itself may depend upon public knowledge, this great medium should devote itself solely to escapism—to westerns—to rock and roll—to murder, mayhem and mediocrity. Shouldn't the government be able to do something about that?"

"But, then, I look at the alternatives and [they] in one form or another come down to this: that the government take over the direction of a medium of communication in order to decide for itself what ideas, what thoughts, what words, the American people shall have. I wish there were some way out of this dilemma. But I have been able to find none. And I take great comfort in the realization that the choice to which I have been impelled is, after all, the choice which inheres in the nature of our democracy."

"And so perhaps the government could see to it that the trains of TV run on time—that only what is good for the people, in the government's view, goes over the air. But then we turn our backs on democracy."

Nature of TV • In his 55-page prepared statement, Dr. Stanton attempted to define the nature of TV; how CBS sees its responsibilities, the network's philosophy and how it lives up to them, and how the proper role of TV can best be fulfilled. "American television is (1) a mass medium of communication; (2) operating as but one part of the whole of society of this nation; (3) under a system of free competitive enterprise, and (4) supported exclusively by advertising revenues," Dr. Stanton said.

"If I am correct in my definition ... we must face the fact that it is a major part of our function to try to appeal to most of the people most of the time," he said. "The broadcaster who ceases to have the consent of his public, and to be a satisfactory servant to that public, would lose his support and disappear from the scene."

He emphasized that this interpreta-

CBS' Stanton

tion still leaves broadcasting with considerable flexibility for devoting part of the broadcast day to "less than most of the people." This is the really perplexing problem dealing with program schedules, he said. "How many people are most of the people and how much of the time is most of the time?"

The ultimate problem is to strive for a fair and workable balance in programming—as to types rather than
GREAT DAY IN THE MORNING!

All Fall, sold-out signs were going up for the astonishing morning lineup on CBS Radio. Now see what we've done. To provide advertisers with an exciting new sales opportunity, and to make the morning stronger yet, we're bringing in

BING CROSBY AND ROSEMARY CLOONEY

starting February 29th.

It's twenty engaging minutes of songs and conversation and comedy by a pair who, as they say, need no introduction.

And it comes as the icing on the cake. Here's the finishing touch in a morning sequence which also ("also"!) includes

Arthur Godfrey, Art Linkletter and Garry Moore, Monday through Friday.

Quite an invitation to listeners.

Quite a place to tell your story—or have Crosby, Clooney and Company tell it for you—on the

CBS RADIO NETWORK!
quality, Dr. Stanton stated. He cited the CBS schedule for the current quarter which he said, "...both examining and tightening including and reformatting that there are nothing but mysteries, westerns and gunplay." The log showed that for the period January-March, CBS-TV is devoting 836.10 hours (82.1%) to entertainment and 181.50 hours (17.9%) to news, public affairs and sports.

**Gaps and Imperfections** The CBS president said that the network recognized sometime ago that it did not have an adequate balance between entertainment and serious information or culture in prime time. He cited several steps taken to correct this imbalance, including the CBS Reports series and the "Doerfer plan" adopted by all three networks.

A second major area where there are legitimate criticisms is in the area of commercials, Dr. Stanton said. Much improvement will result from recent strengthening of the NAB code, he said, and CBS on its own is re-examining and tightening its policies with advertisers.

"We are now, for example, actively at work to formulate new principles relating to acceptance of commercials on personal products and remedies—both in respect of the acceptability of such products and in respect of the taste of commercials desiring them," he said. CBS is adopting a new policy requiring that all advertiser claims be verified by network representatives, with eye-witness demonstrations when possible, he announced.

"The final major area where our reappraisal has led us to conclude that it is necessary to intensify our efforts to seek improvement is in the area of advertiser participation in programming," Dr. Stanton said. "We shall be masters of our own house in program acceptance and scheduling and . . . for making the ultimate decisions on what goes into our programming schedule," he emphasized.

There never has been difficulty with advertiser participation in news and similar programs, he said, and it generally is not a problem in most entertainment programs. The biggest problem is in serious dramatic shows, he said in announcing four guides to be followed by CBS in the future: (1) The advertiser may participate in creative activities and if his suggestion is constructive it will be accepted. (2) The advertiser has the privilege to object to a program, or an element thereof, if he believes it will be detrimental to his product or good will. (3) If the objections are well grounded, the network will make corrections if it does not impair the program, but if this is not possible the original production will be telemethod without obligation to the advertiser. (4) If there are no grounds for the objection, CBS will telecast the show and hold the advertiser to his commitment.

**The Best Course** "I am convinced . . . that television's potential can best be achieved by not transferring the decisional authority for its programming from the broadcast to either the government or to any semi-official body," Dr. Stanton said. "We are in the field of ideas, and regardless of the government's powers, I think in this area, above all others, it is most dangerous and undesirable for the government to decide that its concept of taste, its concept of what is good for the people, should be imposed on the public."

He defended ratings in this area as being useful in helping the broadcaster to respond to the public. "I find it ironic that some of the very people who purport to vindicate the public seem to have the least confidence in it," Dr. Stanton told the commissioners.

"They say that the ratings are an inadequate tool because even a sample of one or two thousand is too small, but they would substitute for a sample of this size a sample of seven public officials or 12 public spirited citizens who by definition are extraordinary and atypical people."

**Accounting to the Public** However, Dr. Stanton said, CBS is convinced that some technique must be devised for a continual appraisal of audience appreciation; "an index to provide an interpretive dimension to sheen nose counting." In this regard CBS has commissioned a study by outside organizations to determine what people want. Dr. Stanton stated that broadcasters also must devise ways and means for reporting directly to the public. He thought that this might be accomplished, either over the air or by other means, through periodic reviews. As a third step in knowing the public, CBS-owned KMOX-TV St. Louis has begun a pilot program to expose the nature and personality of the station, he said.

"It is through these three practical methods that I believe the public can best communicate to the broadcaster its programming wants and its continuing constructive criticisms of television. These are workable alternatives, I submit, to government intrusion into programming," he stated.

The witness conceded the FCC properly belongs in broadcast regulation in two areas—allocation of channels and original grants. "If these are the only two areas in which I would admit the intrusion of government am I to be judged as merely a protagonist of the status quo?" Dr. Stanton asked.

"This conclusion, frankly, has troubled me but I am sure now in my own mind that this is the proper judgment."

"It has finally become clear to me that my timidity is not a sign of weakness. . . . It is for me a recognition that the conscious restraint which this Commission has exercised through the years was built upon a courageous and statesmanlike appreciation that necessity may bend freedom's logical demands, but no further daren one go."

**Network Regulation** The only purpose of licensing the networks, Dr. Stanton concluded after reviewing possible reasons, would be "intrusion by government into network programming." Such a proposal is wholly without merit, he told the commissioners.

All things considered, the CBS president said he is certain "great good can and will come out of this unprecedented focus on television."

**FCC HEARS ISSUES EXPLORED.**

**Advertising Council role is 'plus factor'**

Other witnesses before FCC's program inquiry last week related how a multiple-station entity follows the policy of making each station an active "citizen" within its own community. How broadcasting serves the broad public interest through the Advertising Council and how a local station programs responsively to listener preferences.


Donald H. McGannon, President, Westminster Broadcasting Co. • Mr. McGannon said that WBC was presenting its views to the Commission because the agency's evidence should be "as comprehensive as possible" on station as well as network operations.

"At a moment when so much adverse public comment is being printed in the public press, it is mandatory for an organization such as WBC to state clearly to this Commission its standards, principles and, in general, what it stands for," Mr. McGannon said. He gave a 64-page resume of all phases of operations of the five WBC tv and six radio stations.

Mr. McGannon made the following recommendations: (1) urged that the
from the first thing in the morning...

to the last thing at night...

Gale Storm as "My Little Margie" beats everything in her time spot!

Pick a time—any time—morning, noon or night! Ratings prove Gale Storm as "Margie" an established success against any competition, even in major markets! Now in 6th, 7th and even 8th run—"Margie" is receiving renewals every day. 126 programs available for strip-programming.

No. 1 rating "first thing in the morning"
Philadelphia-WCAU. Monday through Friday, 7:30 am—4.3 against Ding Dong School—3.7 and Today—1.8.

No. 1 rating
Des Moines-WHO. Sunday, 11:00 am—
6.0 against Let's Go To Church—3.1.

No. 1 rating "taps for two years"
New York-WCBS. Monday through Friday, 9:30 am—7.7 against Sandy Beck Show—3.4, Hi Mom—3.1 and Romance of Life—0.5.

No. 1 rating
Boston-WNAC. Monday through Friday,
10:00 am—6.3 against Dough-Re-Mi—5.1 and We Believe—1.0 Has topped all competition in time spot from January through November, 1959.

No. 1 rating
Nashville-WSIX. Monday through Friday, 2:30 p.m.—9.3 against Verdict Is Yours—6.4 and From These Roots—5.7.

No. 1 rating
Erie-WICU. Monday through Friday,
1:00 pm—18.2 against News: Hy Yapi Show—4.3.

No. 1 rating
Chicago-WGN. Monday through Friday,
3:30 pm—7.5 against Edge of Night—7.3, Who Do You Trust—3.5 and County Fair—2.0.

No. 1 rating
Minneapolis-KSTP. Monday through Friday, 4:30 pm—7.3 against Cappy/Axel and His Dog—6.3 American Bandstand—2.9 and I Married Joan—2.4.

No. 1 rating
Charlotte, N. C.-WBTV. Monday, Wednesday, Friday, 5:00 pm—20.0 against Popeye—5.6.

No. 1 rating
Washington-WTOP. Saturday, 3:30 pm—4.0 against Adventure & Comedy—3.0 and Saturday Matinee—2.3.

No. 1 rating
Big Spring-Midland, Texas-KBST.
Sunday, 9:30 pm—35.9 against Stories of the Century—23.4.

Source: Nielsen and ARB.

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Commission not regulate networks directly; (2) supported Chairman Doer-
fer's suggestion that the networks alternate in offering public service
programming in prime time, already agreed to by the tv networks (Broad-
casting, Jan. 25); (3) backed legislation making the offering or acceptance
of payola a crime; (4) backed federal aid to educational tv; (5) urged FCC
sanctions short of revocation; (6) urged that the FCC not exert, or seek
to exert, any further authority in li-
cense renewals or sales transfers, and
(7) encouraged active support and rec-
ognition by the Commission of the
NAB Tv Code, "to include inquiry on
the license application or renewal form
as to the status of membership in such
industry code."

Responsibility to the public must be
vested in the individual licensee, the
WBC president said. "To disrupt this
or change it by shifting the responsi-
bility to the networks would be to
change the basic concept and respon-
sibility contemplated by the Commu-
nications Act," he said. "The degree of
control available to the Commission
at the present time, though indirect, is
workable and sufficient."

Government Regulation • Mr. Mc-
Gannon maintained that licensing of
networks would be an extension of
government regulation, in the absence
of present need. Also, he pointed out,
recent quiz show disclosures do not
represent a practice so wide-spread as
to warrant the extension of regulation.

While licensees are primarily ac-
countable, networks, syndicators, ad-
vertisers and agencies must share the
overall responsibility for programming,
he said. It is unrealistic, also, to as-
sume that a tv sponsor will make a
commitment for a multi-million dollar
tv program without having some voice
in its content and presentation, he
maintained. Westinghouse Electric is a
major sponsor of network tv, currently
footing the bill for Desilu Playhouse.

"The advertiser can and should be
protected in his initial purchase by
having the opportunity to accept or
reject a program," Mr. McGannon
said. However, it is "incumbent upon
the broadcaster, irrespective of the
level, to resist demands from any
third party," he said.

"It is the opinion of WBC that so
long as a program is not obscene, pro-
fane, inciting to riot, or such similar
forbidden inclinations, the Commission
does not have the authority to prescribe
or proscribe a particular program
under existing law," he emphasized.

Totality of Programming • Mr. Mc-
Gannon opened the gate for several
questions by the commissioners when
he said that "on the other hand, it
seems only logical and consistent . . ."
that the Commission should review the
"totality of programming" at renewal
time. "The dividing line in all instances
. . . should be at that point short of any
right on the part of the Commission
to be able to dictate a specific program
being run or to forbid it being run or
carried again, or to require directly or
indirectly an individual station to pre-
sent only certain specified programs or
modes of programs," he said.

Chairman Doerfer sought a defini-
tion from the witness of what he meant
by "totality of programming." Mr. Mc-
Gannon said it is not necessary to im-
pose "physical standards of program
evaluation." It is possible, he felt, for
the FCC to say what stations are doing
a good job and to point the finger at
those who are not.

Mr. McGannon then was asked if
the FCC should set certain minimums
beyond which some form of sanctions
would be warranted. The WBC presi-
dent replied that he would have to
know what the minimums are, to
which Comm. Doerfer countered "That
is what I am asking you. Precisely how
do we draft those?"

Outlining the operation of WBC sta-
tions (WBZ - AM - FM - TV Boston,
KDKA-AM-FM-TV Pittsburgh, KYW-
AM-FM-TV Cleveland, KPIX (TV)
San Francisco, WIZ - TV Baltimore,
WOWO Ft. Wayne, Ind., WIND Chi-
cago and KEX - AM - FM Portland,
Ore.), Mr. McGannon said that in the
past two years they have devoted 12,-
480 hours to public service program-
ning, having an air-time value of over
$6 million. They have donated 298,833
announcements during the same period
at a time cost of $16.6 million, he said.

He said, however, that it is "falla-
cious reasoning" to hold that all public
service programs belong in prime time.
"We do not believe that programs
whose objectives are to inform, en-
lighten and educate can be isolated in
any period of the schedule," he
pointed out.

WBC discovered that two of its radio
personalities and two staff members
were involved in payola and they were
fired, Mr. McGannon said. The mul-
tiple-station owner has furnished per-
tinent information of this situation to
both the Federal Trade Commission
and the House Legislative Oversight
Subcommittee, the witness stated.

Mr. McGannon hit "the tendency of
the public press and groups associated
with our industry to immediately con-
demn the great bulk of on-the-air
talent. Within our company we have
well in excess of 150 individuals who
are on the air on a regularly-scheduled
basis, most of whom would be in a
position to be subject to payola. . .
In our desire to stamp out this repre-
sensible practice, we should guard
against the tendency to . . . condemn
by association."

FCC and Tv Code • WBC President
McGannon, who also is chairman of
the NAB Tv Code Board, was ques-
tioned closely on his recommendation
that the FCC "continue to give active
support and recognition" to the code.
He told Comm. Craven that it would
not be proper for the FCC to say that
the code does not go far enough be-
cause this would be imposing govern-
ment intervention.

The Commissioners could best sup-
port the code by making public state-
ments of individual viewpoints, he felt.
This would give the code added pres-
tige and combat one of its principal
weaknesses—a feeling that code mem-
bership is not too important.

Withdrawal from a station of its
right to display the code "should be
one of many ingredients" for the FCC
to consider at renewal, Mr. McGannon
told Comm. Lee. It should be consid-
ered only as a "single element" in over-
all performance and not as the domi-
nant factor, he stressed. (Mr. McGan-
non testified before the Commission in
December on behalf of the Code Board
[Broadcasting, Dec. 21, 1959].)

E. V. Huggins, Board Chairman,
Westinghouse Broadcasting Co. • Mr.
Huggins, also a vice president of WBC
parent Westinghouse Electric Corp.,
testified on the relationship between the
two companies. He said Westinghouse
is a multiple station owner for four
WHBQ RINGS IN THE NEW

MEMPHIS’ finest frequency—560!

MEMPHIS’ most distinctive programming—music in blocks with easy-to-take commercial deliveries plus news, weather, time and public information.

MEMPHIS’ Big Time Radio Station—with showmanship plus!

one of MEMPHIS’ highest rated stations.

WHBQ, MEMPHIS joins the list of significant major-market radio stations represented exclusively by

H-R REPRESENTATIVES, INC.

RESPONSIBLE REPRESENTATION
basic reasons: historical; profit for stockholders; public service and education, plus general prestige and well-being.

The parent corporation recognizes fully that the application of high standards of broadcasting furthers its objectives, Mr. Huggins said. He outlined three “clear and distinct broad policies” under which WBC operates to fulfill this philosophy. One, the WBC stations must be operated as a separate business without impingement by the parent corporation. Two, the broadcast division must operate on its own initiative with its own resources. Three, it must be strong enough to provide leadership within the broadcasting industry and the local communities of WBC stations.

“Under this broad philosophy, WBC management was given full authority to proceed, subject only to the board of directors,” Mr. Huggins said. “No budgetary or other restrictions were or have been imposed upon WBC. The commercial interests of the (parent) corporation have not been permitted to affect WBC’s operations.”

The Westinghouse executive said that in every community where WBC owns stations (see list above), Westinghouse Electric has at least one business operation—with hundreds of employees and hundreds or thousands of stockholders. “In each community, Westinghouse considers itself to be, and is a local citizen,” Mr. Huggins said. “Its representatives are expected to play, and do play, a major part in community life in all respects.”

In terms of daily operations, WBC is virtually autonomous from Westinghouse Electric, the witness stated. WBC is under a separate operating management whose president, answerable to Mr. Huggins, has no other responsibilities, he said.

Theodore S. Repplier, President, The Advertising Council • The Advertising Council is a non-profit organization which conducts national campaigns designed to promote the public welfare. Mr. Repplier said, and “no advertising medium has contributed to these campaigns more in volume, circulation and dollar volume than broadcasting.”

He pointed out that support of the council’s public service activities has become such an accepted part of broadcasting that the general public does not stop to think of the vast quantity of valuable time, work and talent contributed free by the networks, stations, sponsors, agencies and performers. He said that the council, for its 14 major 1959 campaigns, received through commercial network time alone a total circulation of more than 18 billion radio and television home impressions.

“All this is exclusive of the vast additional contributions of individual radio and tv stations and local advertisers,” Mr. Repplier said. “In 1960, we shall depend heavily upon networks, stations and advertisers for nationwide support. . . .”

The “dollar value” of network free time and other services is difficult to measure, he said, but he estimated that $100 million was contributed for last year’s major campaigns. Time also was made available for the council’s many other campaigns (for 63 national causes), Mr. Repplier stated.

“Our purpose is not to offer opinions about tv programming, but to give the Commission facts which we hope you will think are relevant and helpful about the organized system of free public service which has been going for over 40 years, and of which broadcasting is a vital part,” Mr. Repplier said. “For all of this, broadcasters and their advertisers have earned the deep gratitude of government and volunteer organizations and of the many Americans who have benefitted from the results of public service campaigns.”

Mr. Repplier’s statement on behalf of The Advertising Council was not given in person but was presented for inclusion in the Commission’s hearing record.

Sydney M. Kaye, Board Chairman and General Attorney, Broadcast Music Inc. • Mr. Kaye told the Commission that charges by the American Guild of Authors & Composers and the American Society of Composers. Authors & Publishers against BMI are “designed to restore ASCAP and its members to the position of unbridled monopoly in the field of performing rights that they enjoyed prior to the formation of BMI in 1939.” He continued:

“The same charges and demands have been made many times before. They form the basis of the private antitrust suit brought by 33 ASCAP and AGAC members which is now pending against BMI. . . . They have been aired before congressional committees of both houses of Congress. They have been advanced on numerous occasions to the Dept. of Justice. They are the subject matter of a relentless and vicious propaganda campaign.”

(Note: Both ASCAP and AGAC, in prior appearances before the FCC, claimed that station ownership of BMI results in “widespread payola” and discrimination against ASCAP songs. ASCAP also filed a formal petition seeking divorcement of broadcast ownership of the BMI stock [BROADCASTING, Jan. 18]).

Mr. Kaye stated the ASCAP charges that broadcast stations discriminate against ASCAP music “are always based upon supposition and are usually undocumented.” He said the isolated instances brought before the FCC reach back into the years surrounding the formation of BMI and few even relate to the last decade.

The BMI chairman said that the long duration of payola, even before the advent of broadcasting, demonstrates that it cannot be ascribed to the music licensing organization owned by approximately 600 stations. He cited instances of payola in the distant past,
IN PITTSBURGH...

Take TAE and See

GOOD TELEVISION PRACTICES AT WORK

WTAE

BIG TELEVISION IN PITTSBURGH

CHANNEL 4

REPRESENTED BY THE KATZ AGENCY / BASIC ABC IN PITTSBURGH
Manpower · mobility · equipment! No other Indiana station matches WFBM-TV’s 17-man News-Information Center . . . nor can any equal the experience of its active leadership. Here are facilities for handling any type of news break locally, statewide or nationally . . . and the ability to cover many points simultaneously.

For the 11th consecutive year . . . WFBM-TV will telescast Indiana’s famed High School Basketball State Tourney direct from Butler Fieldhouse. You can be sure Hoosiers within sight and sound of WFBM-TV are tuned to Channel 6. Pre-Final remotes on special events add to the color and interest of this big annual show.

**HERE WE GO AGAIN!**
Wherever news and special events call for broadcast action, you’ll find WFBM-TV on the air first with “eye-witness” film reports. No other stations in Indiana can match the manpower of our 17-man News-Information Center . . . the mobility of our fleet of news cruisers and remote transmitter . . . our photo developing equipment for putting film on the air within minutes after it hits the lab . . . our two video tape machines (color equipped) that can record any remote transmission for an “exclusive” drop-in at any point in our day’s programming. This is true broadcast leadership!

Take advantage of this “Grow Power” . . . pick Indianapolis for your advertising . . . put your schedules on WFBM-TV for greatest response. Ask us for any specific market information you want. Let us show you how to test regional television with amazing results!
The greatest spectacle in sports... folks from everywhere throng this mecca of the racing world to see the Memorial Day 500 Mile Race. Most race activities are remote telecast exclusively on WFBM-TV. The station's "Old Timers' Bar-B-Q" and its coveted "Checkered Flag Award" add stature to WFBM-TV's leadership.

Returning for the 11th straight year... WFBM-TV joins the more than hundred thousand Hoosiers who flock to the Indiana State Fair. WFBM-TV feeds daily on-the-spot telecasts to Indiana stations in South Bend, Fort Wayne and Evansville... giving all Hoosiers a TV peek at one of the outstanding state fairs in the country.

The Nation's 13th TV Market

... with the only basic NBC coverage of 760,000 TV set owning families.

INDIANAPOLIS—Major retail area for 18 richer-than-average counties. 1,000,000 population—350,000 families with 90% television ownership!

11 SATELLITES—Each market within WFBM-TV's verified coverage... Marion • Anderson • Muncie • Bloomington • Vincennes • Terre Haute • Danville, Illinois • Lafayette • Peru • Logansport • Kokomo

Represented Nationally by the KATZ Agency
one relating to Gilbert and Sullivan songs in the 1880's.

ASCAP III: Grace • "Unjust and absurd though it is for anyone to attempt to tar BMI with payola, the accusation comes with peculiar ill grace from ASCAP," Mr. Kaye told the commissioners. "While BMI's method of compensating its affiliated publishers and writers cannot encourage payola, the contrary is true of ASCAP. The stories which have recently appeared... about payola concern themselves very largely with the payola stimulated by ASCAP's method of payment."

ASCAP payment policies "enable a favored group of its members to profit directly from the planting of performances, whether or not the performances result in public response," Mr. Kaye charged. "For this reason, I assert that ASCAP's unbiased charge against BMI is an attempt to divert the attention of the members and the general public from the consequences of ASCAP's own practices."

On the charge that broadcasters favor BMI music over ASCAP, Mr. Kaye quoted from sworn court testimony of ASCAP President Stanley Adams that he (Adams) could not name a single station or network which discriminated against ASCAP. Mr. Adams was the principal ASCAP witness before the FCC three weeks ago (Broadcasting, Jan. 11). ASCAP nor AGAC seems to be embarrassed by the inconsistency of claiming simultaneously that broadcasters have conspired with BMI to give an automatic preference to BMI music over ASCAP music and that BMI is driven to encouraging the payment of payola in order to get its music heard over allegedly conspiring stations," Mr. Kaye pointed out.

Small Investments • The BMI chairman said that some 600 stations own stock in BMI with an average investment of $1,000. He said that the broadcast industry could be diverted from the course on which its economic life depends because of the miniscule investment... is a dream so fantastic that it deserves the analyst's couch," Mr. Kaye said.

BMI music has shown a bigger percentage popularity in surveys considering public purchase of sheet music and records than in those based on disc jockey performances only, Mr. Kaye pointed out. "This, in itself, negates conspiracy," he maintained. He said that BMI music accounts for only one-thirtieth of that played on local radio stations, while ASCAP music accounts for practically all of the remaining two-thirds.

He stated that one of the principal reasons BMI has a greater share of current hits than broadcast performances is because ASCAP policies discourage young songwriters, who thus affiliate with BMI. He said that one of the government's charges in connection with a recent ASCAP consent decree was that "ASCAP's system of distribution... puts such stress on seniority and is so influenced by the controlling group that production of songs by young writers and publishers is discouraged."

On the ASCAP recommendation that broadcasters be required to sell BMI stock, Mr. Kaye quoted an AGAC survey that 25% of that group's members (most of whom also belong to ASCAP) have occupational ties with radio and television. The persuasiveness of ASCAP's and AGAC's own members in the selection of music for broadcast-

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**Audience of Veeps**

Those interested in seeing network brass in numbers had their wish fulfilled at last week's FCC hearing. CBS vice presidents, in particular, filled out the rows of seats in the hearing room from Monday morning through Tuesday evening, and again on Thursday and Friday. The CBS contingent, in addition to CBS President Frank Stanton who testified, included Merle Jones, president, CBS-TV stations division; Sig Mickelson, president, CBS News; Richard Salant, vice president, CBS Inc.; Guy Della Chioppa, vice president, CBS-TV stations division (Pacific Network); Jim Aubrey, president, CBS-TV; Bill Lodge, vice president, affiliate relations & engineering, CBS-TV; Tom Fisher, vice president and general attorney, CBS-TV; Joe Ream, vice president, CBS-TV; Herbert Carlborg, director, editing, CBS-TV; Mike Dann, vice president, network programming, New York, CBS-TV; Oscar Katz, vice president, network programs, CBS-TV; Charles Steinberg, vice president, CBS-TV press information; John Cowden, vice president, CBS-TV information services; Spencer Harrison, vice president, talent & contract properties, CBS-TV; Bill Hylan, vice president, sales administration, CBS-TV; Edwin Bunker, vice president, Washington, CBS Inc.; Kidder Meade, vice president, information services, CBS-TV. Personnel accompanying NBC Board Chairman Robert W. Sarnoff were David C. Adams, senior executive vice president; Thomas E. Ervin, vice president and general attorney, and Lester Bernstein, vice president, corporate affairs.

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ing casts doubt upon the sincerity of their contention that broadcasters should be forbidden to have any interest in BMI or... in any enterprise that concerns music," he said.

ASCAP and Antitrust • Mr. Kaye cited several antitrust cases in which ASCAP has been involved, with the latest consent decree signed just last month (Broadcasting, Jan. 11). "It is difficult to see why ASCAP can emerge from these encounters with such an unblemished picture of its own purity that it feels entitled to raise the cry of unfair competition and to attempt to dictate the type of competition that it should have," he stated.

"The present diffusion of BMI stock in small amounts among some hundreds of broadcasters who are motivated, not by a desire for profit, but only by the desire to maintain vigorous and honest competition constitutes an excellent state of balance in the public interest. The changes which ASCAP and AGAC seek to bring about are designed to eliminate that competition and to restore them to their previous positions of monopoly..."

"There is no discrimination in BMI's favor anywhere... I suspect that when ASCAP surveys its relationships with its licensees... it may find that BMI seems to be held in greater esteem than ASCAP. I suggest to ASCAP that this is because BMI's policies... I suggest that it may be because BMI tries to serve its licensees. I respectively suggest it may be because BMI does not systematically insult, vilify and attack its customers," Mr. Kaye concluded.

W.D. Rogers, President of KDUB-TV Lubbock, Tex. • "We are letting the people in our viewing area participate in policies that we pursue in the area of programming," the Texas broadcaster told the FCC in a statement filed for the record. He said KDUB-TV and its three affiliated stations maintain endless contacts with viewers "and listen with great interest to their discussion of the quality, suitability and satisfaction of our programming."

In instances where KDUB-TV finds viewers object to, or do not enjoy, certain programming, Mr. Rogers said the station promptly drops the show in question. "We believe that this is the best way to accomplish the intent of the Communications Act with respect to... public interest, convenience and necessity," he said.

Mr. Rogers hit proposals of many witnesses that the FCC require stations to spell out programming plans in renewal applications. He urged the FCC to eliminate the required listing of specific programming plans in such applications. "This idea... comes very close to programming control at a central source," he stated. "Rather, he
WHAT MAKES WXYZ RADIO AND WXYZ-TV DETROIT'S MOST POPULAR STATIONS?*

Meat and potatoes programming for our meat and potatoes audience . . . that's what!

Our hard working young audience likes down-to-earth information and entertainment with lots of zing . . . a specialty of the young-at-heart stations.

How many do we reach? More than there are in Maine, New Hampshire, Vermont, Rhode Island and Connecticut put together.**

They work hard, play hard and will spend more money this year than ever before. Industry leaders say they'll sell more than 7 million cars in 1960. This means our listeners and viewers will earn over 13 billion dollars.*** Better put WXYZing in your advertising plans.

*Check your rating books and see.
**Population of WXYZ signal area: 6,505,500.
***Effective Buying Income: $12,921,160,000.
Source: Sales Management, 1958.

THE STATIONS WITH WXYZing

WXYZ RADIO 1270 • WXYZ-TV CHANNEL 7 • ABC DETROIT

Represented nationally by John Blair & Co. & Blair-TV
programming and public interest." by the reasons communities pointed out, are offered to determine how best he can serve the public interest.

He noted that previous witnesses have charged that broadcasting is being used to "run a rodeo or crime syndicate. . . . It appears to me that these are folks who only look at the things they despise and thus develop some sort of a psychosomatic blindness or deafness that shuns out those many features on radio and TV that might please or even edify them."

Novice G. Fawcett, American Asn. of Land-Grant College & Universities • Mr. Fawcett, president of Ohio State U. and chairman of the radio-TV committee for land-grant colleges, stated: "It would be unfair and inaccurate to suggest that the sins of the few should be the occasion for sudden restrictive federal regulation of the rest of the broadcasting industry whose record in general has been . . . impressive."

In a statement made a part of the hearing record in Mr. Fawcett's absence, the Ohio State President said that the FCC did not give interested parties enough time to permit the kind of comprehensive study needed to speak on the original four topics outlined by the Commission. He asked for an opportunity to submit additional testimony at a later date.

However, he said, the current problems and methods for their solution can be identified during the present hearings but more time will be needed to solve them. "The radio and TV industry must play a major role in their solution . . . ." he said. "Attacks on the integrity of the broadcasting industry and the resultant defenses are or should be an exercise in the past tense. The broadcasting industry, given Commission backing, is quite capable of cleaning its own house and restoring the public confidence which it may in part have lost."

Of educators, Mr. Fawcett noted that many "have felt free to criticize the radio and TV industry for its shortcomings and shallowness [and at the same time] making no effort to establish their own facilities or to cooperate with the commercial broadcasting industry. Many an educator has spoken contemptuously of the mass audience with no real concept of the nature and needs of the collective publics who look and listen."

At the same time, he said, broadcasting has a more important and difficult duty than mere entertainment. He recommended that the Commission, under present authority, determine how applicants meet their programming promises and obligations and undertake studies to learn how well the present needs of the public are met.

Bruce Dennis, Illinois Broadcasters Assn. • (Submitted for the record) The problems which confront the broadcasting industry, Mr. Dennis maintained, "offer no challenges which cannot be met by the broadcasters themselves."

The WGN Chicago president told the FCC that his group "applauds the Congress which wrote the Communications Act recognizing the principle of free speech and delineating the responsibilities of broadcast licensees to their respective communities." The Illinois broadcaster urged that "the 50 state associations of broadcasters" be allowed to regulate their own programming because they represent "a powerful agent for the promotion of honorable practices . . . under codes of the NAB."

Robert F. Hurleigh, Mutual President • Mr. Hurleigh suggested in remarks prepared for submission to the FCC Friday (Jan. 29) that a promulgation of programming standards by the Commission would "stimulate and guide the mature development of the radio broadcasting industry."

He asserted that such standards would prompt those station operators who "previously have equated the public interest with their private purposes" to program public service presentations.

"In turn, dedicated broadcasters will be encouraged to maximum quality programming without fear or ruinous competition from those few station owners who have been derelict in discharging their obligations as trustees for the public," he added. The Mutual head told the Commission that "there is, and there will always be, a distinct need for radio networks and for the distinct program service which radio networks alone can render." He said that at Mutual, the radio network's "true role" is construed to mean a service organization that brings its affiliates news, discussions, public affairs and special events programming that individual stations cannot develop themselves.

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**BROADCAST ADVERTISING**

**RADIO-TV'S 1959 TOPS $2.16 BILLION**

Represents 19.5% of $11 billion ad total, McCann-Erickson finds

Radio and TV accounted for more than $2.16 billion, or approximately 19.5% of the over $11 billion estimated as last year's total advertising volume.

Estimates released last week were prepared for *Printers Ink* by the media planning division of McCann-Erickson Advertising (U.S.A.) under the direction of Robert J. Coen.

TV's total advertising volume was $1.5255 billion. This breaks down into $787 million in network, $485.5 million in spot and $280 million in local. Radio's volume totaled an estimated $638 million, of which $50 million was network, $198 million spot and $390 million local.

All the figures, based on nine months of data, were estimated for the full year.

Each of the media showed a percentage increase in advertising volume for 1959 compared to 1958 except network radio (off 13.6% in the yearly comparison) and direct mail (down 1%).

TV's Share Up • TV increased its share of the total ad volume from 13.2% in 1958 to 13.7% last year; the breakdown showing network up from 6.9% to 7.1%; spot from 3.9% to 4.1% and local from 2.4% to 2.5%. Largest radio share of the advertising volume in 1959 was provided by local business (3.5%). The total radio share last year came to 5.8% of the ad volume.

Included in the advertiser's budget are the costs of time or space, talent, production and "other costs." It was noted that current indications point to a "1960 U.S. advertising budget as high as $12 billion."

The top share of ad volume last year, according to the estimates, was provided by newspapers $3.517 billion (followed by direct mail $1.573 billion) and TV, which were measured as nearly equal. Magazines came in with an estimated $866.2 million, or 7.8% of the total volume.

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*BROADCASTING, February 1, 1960*
WAVE-TV Brings You

28.8% MORE INDIGESTION!

(or any other ailment your product can help!)

At least 28.8% more families watch WAVE-TV than any other TV station in Kentucky, from sign-on to sign-off in an average week. And practically every one of all these extra families has its proportion of acid indigestion (or the wish to eat and drink the things that get the blame, later, for bringing on the indigestion!).

WAVE-TV gives you much lower cost per 1,000. We can prove it. So can NBC Spot Sales. Interested in the facts?
ANA ‘CRISIS CONVENTION’ SET
Radio-tv, agency leaders augment roster

The one-day “crisis convention” of the Assn. of National Advertisers, called to review advertising’s current plight and map a plan of action (Broadcasting, Jan. 11), will be held tomorrow (Feb. 2) at New York’s Hotel Plaza with government, media and agency officials joining advertisers in the review.

NBC President Robert E. Kintner, CBS-TV President James T. Aubrey Jr., Donald H. McGann of Westinghouse Broadcasting Co. and chairman of the NAB Television Code Review Board, and Robert M. Ganger of D’Arcy Adv., chairman of the American Assn. of Advertising Agencies, were added last week to the roster of speakers for the unprecedented meeting. The list already included Earl Kintner, Federal Trade Commission chairman; ANA President Paul B. West; ANA Chairman Donald S. Frost of Bristol-Myers, and Gilbert H. Weil, ANA general counsel.

Other speakers added last week were Gibson McCabe, publisher of Newsweek and chairman of the Magazine Adv. Bureau, and John D. Thees, advertising director of the New York Herald-Tribune and chairman of the national advertiser relations committee of the National Advertising Executives Assn. The speakers will be heard during the morning session, outlining the views and plans represented within their respective organizations. The media speakers also are expected to indicate the areas of responsibility for self-regulation which they consider to be theirs. ANA Chairman Frost will preside.

In the closed afternoon meeting, the association’s board of directors will submit for membership approval its plans for future action. These were described as being “principally aimed at helping members arrive at their own determination of responsibility in the area of self-regulation.” In addition, officials said, “several leading ANA members will describe the steps they have taken individually to insure the legal and public acceptability of their advertising on a long-term continuing basis.”

ANA told to pre-test

The importance of pre-testing commercials and other forms of advertising was pointed out by Edward Battey, vice president and research director of Compton Adv., in an Assn. of National Advertisers workshop on advertising evaluation last Wednesday (Jan. 27) in New York.

He said that in Compton’s testing program, in operation for almost eight years, specific commercials have produced results ranging from a low of 9% to a high of 71%. “This,” he observed, “means that some commercials are eight times as efficient in communicating as others,” and “should answer the question: ‘Is it really important to measure the communication efficiency of ads and commercials?”

He traced the evolution of Compton’s testing methods, starting with the display of commercials and entertainment material to invited audiences in a studio. This was replaced by a system in which the material was shown in the home by interviewers using portable projectors. But in both of these systems “we had a captive audience and conditions that were highly unnatural and artificial.” So Compton turned to its present system of “just broadcasting the commercial over one or more stations” and then checking recall through random telephoning the next day.

Barton A. Cummings, president of Compton, told the workshop that advertising people have become “research happy.”

He also maintained that “altogether too much advertising research is undertaken just to get some numbers that will serve as a crutch for your judgment, or even worse, as a substitute for judgment. And yet, unfortunately, our research standards have not kept up with our appetite for numbers. Too often we don’t even ask what the numbers mean . . . we demand so many numbers that unless they can be produced at bargain-basement prices, we simply can’t afford them.”

Other workshop participants were Robert Kahl of Borden Foods, program chairman; Robert J. Williams, Alfred Politz Research; Bay Estes, U.S. Steel; Paul Gerhold, Foote, Cone & Belding; G.A. Bradford, General Electric; Richard K. Van Nostrand, Bristol-Myers, and Darrell Lucas, New York U. School of Commerce and consultant to BBDO.

Hearing aid group asks for ad criticism

The Hearing Aid Industry Conference would like to hear from any broadcaster who feels any of his hearing aid sponsors are violating the industry’s voluntary code of ethics.

This was the word from William N. Brown, chairman of the conference’s public information committee. Mr. Brown said that the hearing aid code had been sent to all radio and tv stations, newspapers and many periodicals.

The Hearing Aid Industry Conference is located at 40 East 34th St., New York.
While serving a single station market, WTHI-TV fulfills its public service responsibilities in a way that has gained for it the appreciation and support of its entire viewing area...a circumstance that must be reflected in audience response to advertising carried.

WTHI-TV
CHANNEL 10 - CBS-ABC
TERRE HAUTE
INDIANA
Represented Nationally by Bolling Co.
COMPTETITIVE AD CAMPAIGNS

Station representatives decline to tell agencies plans of others after SRA poll

A "Macy's-won't-tell-Gimbel's" policy against disclosing the campaign plans of clients has been adopted by the Station Representatives Assn.

If it effectively cuts off the flow of information about the plans of competitive advertisers, observers last week agreed, the move is apt to produce wide dismay in agency-advertiser circles. Some sources also thought it might generate wider demand for monitoring services or, perhaps even the formation of a special bureau to compile data on radio-tv usage more quickly and in greater detail than now available.

This speculation was based on the extent of agency-advertiser reliance upon station representatives for getting information about what their rivals are doing in the broadcast media. These requests have been increasing, according to sources in the representation field, and often have been refined to the point where station representatives were asked to fill out extensive questionnaires having to do with the schedules being placed by competitors.

Advertisers Polled • When SRA started its latest study of the ethics of divulging competitive information, it was learned last week, SRA Managing Director Lawrence Webb sounded out some 150 top radio and television advertisers. He pointed out that agencies increasingly were asking for "detailed information concerning the number and location of stations used, the number and location of programs and/or announcements, the cost of such advertising schedules, as well as beginning and ending dates of schedules."

In his survey letter, Mr. Webb asked each of the 150 advertisers whether SRA members might "have your permission to divulge such information requested on forms supplied by the inquiring agencies and/or advertisers."

If the advertiser did not approve "full" disclosure, he was asked whether representatives "have your permission to divulge information of a 'general' nature, based on advertising schedules in radio and television that have been completed."

The answer came back a resounding "no," this even though many of the respondents undoubtedly themselves (or through their agencies) in the past had been asking the representatives for the same type of information about their competitors. About 100 of the 150 advertisers replied, none agreeing to the release of information about their own radio-tv usage.

Ethics • The poll of advertisers was made after the SRA television trade practices committee, headed by Adam Young of the representation firms bearing his name, launched a study of the question last October and concluded that it involved a matter of ethics which should be taken directly to clients.

After the returns were counted, the committee in December "unanimously agreed that SRA member firms adopt a policy of supplying no competitive information whatsoever to advertisers or agencies."

The subject was discussed again during the SRA annual meeting, also in December, and letters disclosing the decision have since gone out to advertisers and agencies. SRA members have been asked to alert all their staff members in the interest of "utmost cooperation." SRA membership includes 21 representation companies.

Information on advertiser and brand spending in television currently is supplied on a quarterly basis by TVB, prepared by LNA-BAR in the case of network advertising and by Rorabaugh Report covering national spot. These reports generally are issued six to eight weeks after the end of the reported quarter. There are no longer comparable reports on radio spending.

'BULOVA WATCH TIME' AGAIN?

Advertiser considers radio re-entry plan

The Bulova Watch Co., Flushing, N.Y., may be coming back to spot radio in a big way, reviving the time signal the advertiser made legendary earlier in the history of the medium.

As of late last week, station representatives and agency McCann-Erickson, which submitted the radio time signal package plan to its client, were waiting for Bulova's approval.

If Bulova accepts the plan, time-buying will begin. Although no orders have been placed by McCann-Erickson, the agency in the past couple of weeks, has been sounding out station representatives in New York on various possible buying arrangements covering frequency and tonnage.

There were reports that certain stations balked at the suggestion said to have been made by McCann-Erickson that as many as 400 time signal spots might be desired weekly.

Wide Spread • Other advice, however, indicated that the agency spread its inquiries over a wide range of possibilities including anywhere from 25 to 400 spots weekly in runs of 13, 26 or even 52 weeks. The agency's questions came down to: if we bought such and such how much would it cost?

Though the agency got its prices, it was apparent that most station representatives were cautious to some extent since the Bulova intention had not been affirmed.

The name Bulova at one time was synonymous with the time announcement on radio—the words "Bulova watch time" becoming a familiar phrase to the audience. With tv's rise, Bulova vacated its time signal franchise and eventually bought into spot and/or network television.

Agency expands

Amundsen-Bolstein Inc., Sioux City, Iowa, advertising agency, has merged with Bozell & Jacobs, Omaha-based national agency, retaining its staff but assuming the name of the latter agency. Milton Bolstein, who founded Amundsen-Bolstein 25 years ago, will be general manager of the Sioux City office, which remains in the Benson Bldg. Bozell & Jacobs maintains 13 offices to service some 250 clients. The change is effective today (Feb. 1).

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<tr>
<th>Date</th>
<th>Program and Time</th>
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<th>Rating</th>
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<td>Thur., Jan. 21</td>
<td>Lawless Years (10:30 p.m.)</td>
<td>NBC-TV</td>
<td>22.8</td>
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<td>Fri., Jan. 22</td>
<td>Championship Fight (10 p.m.)</td>
<td>NBC-TV</td>
<td>31.2</td>
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<td>Gunsmoke (10 p.m.)</td>
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<td>Ed Sullivan (10 p.m.)</td>
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<td>CBS-TV</td>
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<td>Red Skeleton (9:30 p.m.)</td>
<td>CBS-TV</td>
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<td>Wed., Jan. 27</td>
<td>Wagon Train (7:30 p.m.)</td>
<td>NBC-TV</td>
<td>26.3</td>
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Copyright 1960 American Research Bureau
TRANSISTORIZED

TURNTABLE EQUALIZING PREAMPLIFIER

Designed to provide both amplification and equalization of turntable output!

This compact equipment makes a modern replacement for bulkier combinations of separate amplifier and equalizing filters. Designed to provide both amplification and equalization of output of studio transcription turntables employing either the RCA Type MI-11874-4 or RCA Type MI-11874-5 Pickup Heads. The entire unit is completely self-contained including a-c power supply. Built-in equalization conforms to new industry standards of both NAB and RIAA. A three position switch compensates for variations in transcriptions and records. Etched wiring circuits provide stable, trouble-free operation. Transistors are employed throughout to assure freedom from microphonics. Absence of inductances makes the BA-26 insensitive to stray hum field pickup, greatly simplifying installation. Mounts easily in turntable, provides essentially noise-free operation and long equipment life.

For full particulars about the new BA-26A Transistorized Turntable Equalizing Preamplifier, see your RCA Broadcast Representative. Or write to RCA, Dept. D-22, Bldg. 15-1, Camden, N. J.

RADIO CORPORATION of AMERICA
BROADCAST AND TELEVISION EQUIPMENT
CAMDEN, N. J.
the "gentlemen's agreement"

Regional Broadcasting

The Senate last week was urged to ratify the 1950 North American Regional Broadcasting Agreement and the 1957 U.S.-Mexican treaty on use of broadcast frequencies lest other signatories—especially Cuba—back down on the "gentlemen's agreement" now in force and begin wholesale poaching on U.S. assignments.

A special Senate Foreign Relations Subcommittee headed by Sen. Wayne Morse (D-Ore.) heard testimony asking prompt ratification by Comr. Rosel H. Hyde, FCC; Gayle Gupton, Clear Channel Broadcasting Service; Andrew G. Haley, of the Washington law firm of Haley, Wollenberg & Kenehan, representing about 100 broadcasters and others were preponderantly in favor.

Testifying in opposition to a provision in the U.S.-Mexican treaty which would foreclose extension of hours by U.S. daytime am stations on Mexican clear channels were Benedict P. Cottone, representing Daytime Broadcasters Assn., and Rep. Paul C. Jones Sr. (D-Mo.), whose family owns a daytimer, KBOA Kennett, Mo. Also opposing in a letter to the Senate unit was Ray Livesay, WLBF Mattoon, Ill., DBA chairman.

Immediate Action • After the hearing Sen. Morse said the subcommittee will hold an executive session today (Monday) and make its recommendations or other understandings.

He said he opposed the second alternative (requiring a U.S. move to negotiate with Mexico for modification should the FCC permit daytimers to operate before sunrise and after sunset) because this already is established FCC practice.

The third alternative (voidance of the treaty's requirement that daytimers in the U.S. and Mexico may not operate on the other country's clear channels before sunrise and after sunset, should either country authorize its own stations to begin such operation) would allow either country to "strike out the heart of the agreement" before its termination, Comr. Hyde said. He felt that not only most U.S. broadcasters, but Mexico, too, would oppose this.

The fourth (authorize daytimers in both the U.S. and Mexico to operate on clear channels of the other country from 6 a.m. to 6 p.m. when this would extend into pre-sunrise and post-sunset hours) would give Mexico a preponderant advantage in operating daytimers on 25 U.S. clear channels while U.S. daytimers could operate on only six Mexican clear, Comr. Hyde said.

Loss Exceeds Gain • He said FCC findings indicate this would result in loss of service to 25 million people and gains of only 1,761,222. He said that while the FCC first would have to approve such operations by U.S. daytimers, this alternative would also give that right to Mexico, regardless of what the FCC decided. But he didn't feel Mexico would approve this alternative, since that country has resisted proposals to make more extensive use of its own clear channels, even with directional protection, and it would object more strongly to such operation with no protection at all.

Comr. Hyde also opposed a proposal for ratification of NARBA, but to withhold its effect until the U.S.-Mexico treaty goes into effect. This, he said, would put Mexico in the position of determining when NARBA would go into effect.

Comr. Hyde said neither Mexico nor Canada employ the concept of daytimer operation before sunrise and after sunset, and that Canada flatly objects to such a suggestion because of the inflexibility of "laws of nature."

He said that while daytimers operating after sunset would cause extensive interference to regional stations, they don't seem to understand that they them-

GOVERNMENT

SENATE GROUP HEARS NARBA ISSUES

Subcommittee plans to act immediately, submit recommendations

Lawyer Haley & Broadcaster Hall

Without ratification, a free-for-all and chaos

BROADCASTING, February 1, 1960
selves would receive so much interference an hour after sunset that they couldn't send an acceptable signal more than two miles. Sen. Morse thought it strange that daytimers are willing to "waste a lot of money," if this is true.

To daytimer arguments that people in communities serviced by daytimers are not interested in programs at night from regions great distances away, Comr. Hyde said he didn't think "you can assume" this is true.

Try Fm Instead • Comr. Hyde suggested that daytimers, instead of trying to extend am operations, turn to fm, where frequencies are fairly plentiful and which does not offer such "marked differences" between nighttime and day operation.

He said there has been increasing disregard by Cuba of the "gentlemen's agreement" now in effect in lieu of the formal NARBA and that Cuba has a number of high-power am stations on U.S. priority channels.

Comr. Hyde said he didn't feel it would be to this country's interest to reopen negotiations with Cuba concerning these violations because that country may make even greater demands than it made when the agreement was reached.

Gayle Gupton, Clear Channel Broadcasting Service, accompanied by Russell Eagan, Washington attorney, said CCBS' position is that both NARBA and the Mexican agreement should be ratified simultaneously, but not subject to a proposal that NARBA be "deposited" until the Mexican agreement enters into force.

Mr. Eagan said CCBS favors the first alternative, unreserved ratification, but asked the Senate to make known its wishes to eliminate provisions in the 1950 NARBA which prohibit U.S. clear channel stations from increasing nighttime power and thus improving service to rural and small-town America.

CCBS Questioned • Sen. Frank J. Lausche (D-Ohio) questioned whether CCBS had the general interest of the public at heart or "primarily of your stations." He wondered whether NARBA should be ratified at this point if the U.S. intends to re-open negotiations to modify the provision restricting the power of clear channel stations.

Mr. Haley in his testimony termed the CCBS request "unfortunate" and said "this is not the time nor place" to discuss the question of re-opening negotiations to give clear channels more power. Sen. Morse, too, suggested that CCBS might renew its request after the present agreements have been ratified, not before.

Mr. Haley said many of the stations he represents are from the 11 western states and the trans-Mississippi area. He said ratification is of vital importance to farmers, cattlemen, miners and others in remote areas. If the agreements are not ratified, he said, foreign stations will cease to recognize any priority rights on U.S. channels: other countries could establish high-power stations on U.S. low-power channels, ruining most small businessmen in broadcasting, while foreign low-power stations could be put on U.S. clears, ruining rural coverage.

If the Mexican treaty were ratified, daytimers would be in better position since under the treaty they could increase from 1 to 5 kw, Mr. Haley noted. He added that NARBA also provides that the U.S. can make changes and ad-

itions on its own 25 I-A channels if Class I and II stations in other countries are protected and this would help daytimers and others.

Mr. Hall said if the agreements are not ratified subsequent negotiations will result in less favorable agreements and American broadcasters potentially could be subjected to "chaotic use of radio frequencies by our North American neighbors. It is even conceivable," he said, "that such use could be deliberately designed to interfere with our radio communications and to propagandize our citizenry to inimical selfish aims."

Jeopardy Cited • He added: "We must not allow complacency or far less important minority private interests" to obscure these facts: that (1) an orderly allocation of frequencies has been negotiated; (2) it favors the U.S.; (3) development of radio in other North American countries has engendered frequency needs by them for which the U.S. under the agreements has priority rights; (4) the service provided in the U.S. by almost 800 full-time regional stations will be placed in jeopardy by failure to ratify the agreements.

Mr. Seavey said his group, Regional Broadcasters, is newly-organized with its present sole object to secure ratification without reservation. He said he has followed the U.S.-Mexican negotiations and has become convinced Mexico will allow only limited secondary use of its clear channels spelled out in the agreement (increase of U.S. daytimers on Mexican clears from 1 to 5 kw). He said if any reservation is included in ratification of the agreement, about which Mexico is "most sensitive, I am fearful any hope for Mexican ratifica-
GREATEST CONCENTRATION OF PEOPLE IN THE ENTIRE SOUTHEAST

<table>
<thead>
<tr>
<th>Metro Area</th>
<th>People Per Square Mile</th>
<th>Population* 1-1-60</th>
<th>Square Miles</th>
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<tr>
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<td>891</td>
<td>821,469</td>
<td>922</td>
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<tr>
<td>New Orleans</td>
<td>796</td>
<td>889,977</td>
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<td>790</td>
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<td>Miami</td>
<td>449</td>
<td>921,700</td>
<td>2,054</td>
</tr>
</tbody>
</table>

*As of 1-1-60, projected from Sales Management figures of 1-1-59 according to forecasts in November 10 issue.
821,469* People  
**in HALF** the area of Metro Atlanta or Miami!

Tidewater, Va., is a metropolitan area as rich in retail sales as the Charlotte, Greensboro-High Point, and Durham metro areas combined... yet so compact that you can sell more through fewer outlets, get better distribution of advertised merchandise, better coordinated wholesale and retail promotion, more sales per man-hour of your merchandising effort, and more per advertising dollar!

TIDEWTAR is a better way to spell it—and sell it. For WTAR-TV has led in every audience survey ever made here, has no duplication within the metro area, and virtually no competition from any station outside the market.

WTAR-TV  
NORFOLK, VIRGINIA • CHANNEL 3

Surprised? No wonder. Since 1950 Tidewtar has been growing at 2½ times the national rate. Also its true size is obscured by unrealistic separation of Norfolk and Newport News as two metro areas. Their downtown **business districts** are less than 10 miles apart. These are the only cities in the U.S. of such size and proximity that are separated, excepting New York, Newark, Jersey City.

Always add Norfolk & Newport News, all ways. They are much closer together than Tampa-St. Pete, for example, with more people, and nearly twice the population density.
tion would be lost."

Mr. Seavey noted there is much unrest in Latin America and that whatever develops, the U.S. will be much better equipped to cope with problems arising in radio broadcasting if the NARBA and U.S.-Mexico agreements are in force.

Mr. McGannon said WBC in a "spirit of compromise" agreed to the treaties, although they would result in interference to its WOWO Ft. Wayne, Ind., and KEX Portland, Ore. He said interference to U.S. regionals by stations in neighboring countries is more destructive than U.S. stations' interference to stations in these countries because coverage by the latter is relatively small.

Continued Protection • Benefits of unreserved ratification of the agree-
mements, he said, are: (1) continuing protection offered by NARBA until negotiation of a new treaty, which will prevent foreign governments, were they free of obligation, from establishing new stations on U.S. frequencies; (2) the pacts provide protection for channels allocated to stations in the U.S. and form a basis from which the U.S. can insist that foreign governments control stations which would cause interference to U.S. stations; (3) NARBA gives the FCC flexibility in regulating domestic broadcasting without affecting the international status of channels; for example, the FCC can administer U.S. clears in the public interest without changing their status as "clear" channels.

One statement by Mr. McGannon—that DBA wants fixed hours for daytimers for "economic reasons only"—brought a question from Sen. Lausche as to whether WBC itself was motivated solely by reasons other than economic.

Mr. Smith said that as an indication of how broadcasting as a whole favors the two agreements, more than 10 state broadcaster associations have gone on record as favoring ratification. He said he feels a majority of daytimers would support the agreements.

He said the average station owner realizes the chaotic conditions that would prevail if there were no agreement binding North American countries.

Mr. Hayes said it would be impossible to make a full evaluation of predicted interference unless all daytimers were permitted to operate. He said the broadcasting industry has learned it can look to the FCC for protection of the best interests of all and said he recommends ratification without reservation. He noted that WPIK is a daytimer on 1 kw.

Interference Potential • Mr. Reinsch said that while no agreements have been in force for several years, "fortunately" North American countries by and large have adhered to the provisions of the two treaties. But if the Senate does not ratify them, the likelihood of other countries continuing to adhere to the agreements "is extremely remote," he felt. Indiscriminate use of all frequencies by other North American countries would result in such serious interference that millions of U.S. listeners would be deprived of one or more radio signals presently available to them, he said.

Mr. Whitney said that while he approves the general purpose of the two agreements, ratification would injure KFMB (5 kw on 540 kc) and he feels the Senate should give special consideration to that station's circumstances.

At an international telecommunication meeting of nations at Atlantic City in 1947, it was agreed Canada would have 1-A priority on 540 kc, but in 1948 Mexico, over U.S. protests, authorized a 150 kw-station at San Luis Potosi, S.L.P., as a Class J-A. The FCC refused to recognize the Mexican claim, authorized KFMB to shift to 540 and promised to try to protect KFMB, he said. But to secure agreement with Mexico, KFMB later was made a "sacrificial lamb," he said, and even though KFMB could go to 550 kc (with 5 kw full-time), it would have to directionalize toward Mexico and the Pacific—a reduction to one-ninth of its present service, Mr. Whitney said.

He proposed that the Senate condition ratification on a plan for KFMB and the Mexican station to protect each other with directional antennas. Any other alternative plan which would be "fairly compensatory" would be acceptable to KFMB, he said, noting that KFMB might be given an assignment on one of the clear channels FCC has proposed to duplicate in the western region of the U.S.

Aimed at U.S. • Mr. Cottone said several high-powered stations in Mexico are aimed at large areas of the U.S. and that the U.S.-Mexico agreement would further this protection. He felt the U.S. should consider the "legitimacy" of protecting these Mexican stations at the expense of U.S. broadcasters. He said there appears to be no reason for the "absolute principle" of securing an "abhorrent ... agreement at any cost."

Effectiveness of the treaty would "shut the door" for U.S. daytimers on Mexican clears, he said, and also would affect pending legislation that would extend daytimer service from 6 a.m. to 6 p.m.

Mr. Cottone said the opinion of engineers for DBA is that FCC's reasons for denying extension of time to daytimers don't "give the whole picture," Skywave propagation, he said, is "not very reliable." Local listeners, he said, favor their local station to programs from regions long distances away. DBA is only asking, he continued, that they stay on the air "a little longer," the skywave phenomenon, he said, builds up slowly and doesn't begin with a "bang" at the moment of sunset.

He said DBA feels listeners should be polled to see how they feel about a choice between local and regional service. He noted that a few daytimers at times have operated before sunrise with no complaints by the dominant station on the frequency until the daytimers were required to get permission from the dominant—and were refused.

Mr. Cottone said that an exodus to fm places the burden on the small operator to buy new equipment, promote circulation, and other expenses; he
Katz goes where the market grows... straight to the Twin Cities. As of March 1, Katz opens for business — bigger business — with quarters in a boom area they have long serviced, now — a brand new office in Minneapolis' skyscraping, new First National Bank Building.

WTCN Radio and Television welcomes Katz to Minneapolis-St. Paul, a radio-TV market where over 3 million people will spend close to 4 billion dollars this year.

If there's a special way you'd like to see this consumer money spent, call your Katz man. Advertisers find WTCN Radio and TV a powerful way to get to the top of this towering market.
noted many daytimers are already pioneer fm broadcasters, but are limited in circulation.

Mr. Cottone proposed that the Senate adopt the third or fourth alternatives (see alternatives under Comr. Hyde’s testimony, foregoing).

**Rural Service Outmoded** He said clear channel stations have more than they need to render adequate service; that the “rural service” concept set forth years ago now is outmoded. He noted DBA has suggested daytimers be allowed to go to longer hours on a test basis.

Rep. Jones said the FCC still is using criteria developed in the 1920s in protecting clears and regionals and that today there is no need by small communities for programs of faraway stations. Local people want local news, weather reports and other local programs, he said, noting his station has to leave the air at 4:25 p.m. during one month of the year.

He said small stations are not well-enough financed to look after their interests at the FCC, while the “big boys” [clears, regionals] can look after themselves pretty well.” Rep. Jones said he didn’t think Comr. Hyde’s statement about daytimers’ signals being destroyed by interference after sunset would “hold water.”

Mr. Livesay’s letter held unconditional ratification of the Mexican treaty would “close the door for many years” to extended hours for some 265 U.S. stations operating on Mexican clear channels. He said sunset in Maine is two hours before sunset in Mexico, therefore, the Maine station must go off the air two hours before it could possibly cause interference to the station in Mexico. This is typical of the “unreasonable and impractical” restrictions in the treaty, he said.

Sen. Frank Carlson (R-Kan.) submitted a letter from Ben Ludy, KWFT Wichita Falls, Tex., urging unreserved ratification and quoting a news story of a Mexican move toward intensified nationalism in broadcasting which might affect subsequent negotiations with that country.

Mr. Seavey entered in the record a Broadcasting editorial urging ratification and Sen. Morse entered 48 letters to him from broadcasters and others, 38 of which urged ratification.

Comr. Hyde was asked to furnish comments before the record was to be closed last Friday on the FCC’s opinion of whether KPMB could seasonably be compensated for its “injuries” under the Mexico pact and on whether, as suggested by daytimers, the FCC’s position that daytimer extensions would result in excessive interference is not necessarily sound on a case-by-case basis.

**OVERSIGHT REPORT**

To review quiz probe and request new law

The House Legislative Oversight Subcommittee plans to release early this week its “interim report.” It will review the tv quiz show investigation of last year and recommend legislation to halt such irregularities.

Chairman Oren Harris (D-Ark.) said the report will be issued preceding the nine-man House unit’s payola hearing which begins next Monday (Feb. 8).

Meanwhile, the subcommittee has been holding frequent closed sessions where, a staffer said, the interim report has been drafted and redrafted several times. Its specific contents have not been indicated as yet. A hint is contained in Rep. Harris’ remarks on a report on broadcasting by Attorney General William Rogers (Broadcasting, Jan. 11). The Arkansas Democrat said any new legislation should cover not only broadcasters and their employees involved in deceptive practices, but such people as sponsors, advertising agencies, producers or anyone else involved.

One subcommittee member last week said this might be done by amending the Communications Act to make it a criminal offense for such non-licensee parties to cause a licensee to fail to carry out his proper broadcasting functions in the public interest.

Meanwhile last week, the subcommittee took up most of at least two all-afternoon closed sessions to question Anthony Mammarella, former tv associate of Philadelphia disc jockey Dick Clark.

Mr. Clark is star of ABC-TV’s weekend American Bandstand featuring music for teenage dancers, and star of a Saturday night variety show also on ABC-TV.

No Comment **Mr. Mammarella would not discuss what questions he was asked. He resigned as producer of Bandstand and associate producer of the Saturday Dick Clark Show last November after an ABC-TV ultimatum that he and Mr. Clark drop their outside business interests or lose their jobs at the network. This was just before public acknowledgment by the House subcommittee that it was investigating allegations that the pair played hit tunes on the Clark shows that were recorded by a company in which they held interests.

Mr. Clark agreed at that time to dispose of his interests.

Mr. Mammarella said last week he was still associated with the disputed firm, Swan Record Co. of Philadelphia. Rep. Harris refused to identify the witness earlier except to smile and answer “yes” when asked whether he was a disc jockey or a record manufacturer. Mr. Clark is expected to testify in the payola hearing, it has been reported.

Reports circulated last week that other prominent disc jockeys and record industry people were under subpoena. After wrap-up visits to New York, Boston and Philadelphia the previous week, subcommittee staff investigators were in

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Cleveland last week.
Chairman Harris said last week the subcommittee would continue holding its closed sessions until the Feb. 8 hearing begins. He said his Communications & Transportation Subcommittee will take up two FCC reform bills sometime after the payola hearing.

All-am stereo rules asked by Kahn Labs.

Kahn Research Labs., New York, last week petitioned the FCC for permission to approve rules and standards for Kahn's adapter system of stereo broadcasting for am stations.

The new system, Kahn said, "should permit the listener to stereophonically receive the new signal with two conventional am receivers," one tuned just above, the other just below, the main carrier. The system is compatible with existing monophonic receivers; will not require any increase in allocated spectrum space, and will be simple "and relatively inexpensive," the FCC was told.

In the Kahn system, stereo channel A modulates one sideband to the main carrier and channel B modulates the other.

Earlier Kahn asked the FCC to permit am stations to operate with its new compatible-single sideband system to reduce interference and improve signal quality. This petition is still pending (Broadcasting, Jan. 25).

Kahn also announced sale of its new all-am stereo adapter system to stations in Latin America and Canada. The adapter system enables a single am transmitter to function for stereo.

Position on fm stereo due by FCC in March

The FCC will attempt to make known its position on stereophonic fm broadcasting "shortly after March 15." This hope was made known in a letter to D.R. Hull, Electric Industries Assoc.

The letter was in answer to Mr. Hull's request that the FCC establish a National Stereophonic Radio Committee on an organizational basis similar to that of the Television Allocations Study Organization. The Commission told Mr. Hull that his request would be deferred until its position on the matter was made known.

The Commission made known its preference that stereo fm broadcasting be adopted prior to stereo considerations in either am or tv broadcast services. "The Commission is desirous of proceeding expeditiously," the letter said, "with its consideration of fm stereo in light of the interest which has developed in it and its relatively long pendency before the Commission."
In the Interest of All the Great Companies
Who Serve the American Public
We Wish to Ask

MR. EARL W. KINTNER

These Questions:

...The text...

TED BATES & COMPANY, INC.

Turnabout: Bates questions Kintner

The Ted Bates agency discarded all protocol last week and bought full-page space in six newspapers in three cities to ask Earl W. Kintner, chairman of the Federal Trade Commission, a simple question:

Is imaginative selling against the law?

The ad, which appeared in last Monday's newspapers, maintained that Bates' client, Colgate-Palmolive, was unfairly tarred with the charge of dishonest advertising because "artifices" were used on tv commercials to overcome the limitations of the tv camera.

Colgate-Palmolive was charged with misrepresentation in its sandpaper demonstration for Palmolive Rapid-Shave cream (Broadcasting, Jan. 18).

A major point made by Bates was that newspapers gave the charges such prominence that the ad's effectiveness has been compromised. The demonstration has been deleted, Bates said, because of this. Bates also stated the case will be fought through the courts.

Bates Agency was named as one of the respondents in the case.

The reaction rumbled underground; no statements were made.

* Mr. Kintner let it be known that he felt he could not comment since as a member of the FTC he was a judge having to try the case.

* Some quarters in Madison Ave privately cheered the Bates move, but some expressed doubt as to the wisdom of the tactic.


The text of the advertisement asked these questions of Mr. Kintner:

"Is imaginative selling against the law?"

"Is this [the use of artifice to overcome the limitations of the camera] misleading?"

"Is this deceptive?"

"Is this dishonest?"

The gist of the Ted Bates inquiry was that the use of substitutes was necessary to make the product look like the real thing because of the shortcomings of the tv orthicon tube.

It offered the following examples:


Visual substitutions are widely used, the advertisement stated: Ice cream may be plastic. Ice cubes in a soft drink may be glass.

After quoting Mr. Kintner's remarks last November—that the use of props that do not result in material deception will not be questioned—

the Bates Agency declared that the complaints filed Jan. 15 and broadcast in damaging news stories all over the country indicate a change in that attitude.

The agency related its beliefs in the truth of the claims made for Palmolive Rapid-Shave and iterated that the application of Rapid-Shave to sandpaper with enough time left for it to soak will permit the sandpaper to be shaved.

"However," the ad said, "(like the make-up of actors, the 'snow' and the behavior of certain foods before the camera), the color variations between the shaved and unshaved sandpaper do not register properly through a tv lens."

The agency also asked whether Colgate-Palmolive will be accused of deceptive advertising because it uses gray fabrics to show as white after being washed with Colgate-Palmolive soaps and detergents.

The courts will decide this, the Bates agency said, "for it will be fought out in the courts."

The complaint filed against Colgate-Palmolive three weeks ago charged that the tv commercial showed what purported to be sandpaper on which some Rapid-Shave was placed and allowed to soak. It was then shaved. Fraud, said the FTC, because the sandpaper was not really sandpaper.
THE FTC’s CONTROVERSIAL HOOSIER

What’s ahead for Kintner, the shadow over advertising?

Every so often in Washington the star of a federal official, who for years has glowed dimly in the inner ranks of government and those citizens who have business with the man, begins to blaze fiercely. Such a star is today blazing for Earl W. Kintner, chairman of the Federal Trade Commission.

There are millions of people who never heard of Earl Kintner until Ted Bates blazoned the name in full page newspaper ads (see opposite page).

The man whose star burns so brightly is a 47-year-old, pipe-smoking, soft-spoken Hoosier who is going somewhere fast.

No one can tell with certainty where he will end up. But five will get you ten it’ll be a federal judgeship. On the other hand some observers of the Kintner phenomenon insist he’s headed for a six-figure income in private Washington law practice.

Persistence and Ability • Wherever he goes, all agree that Earl Kintner has a good chance of getting there. It’s his persistence, they say, and his ability to keep his eye on the main chance.

There’s no question about his persistence. Twice, he’s been president of the Federal Bar Assn., an organization of lawyers who work for Uncle Sam and those who practice before federal agencies. This in itself was a break with tradition. No one before him served as president more than once.

When he first became president, in 1956, the FBA membership was 1,200. When his second term expired, in 1958, the membership was 6,000. He bulldozed through the establishment of a building corporation, and he’s the president of that corporation. He’s president, also, of the National Lawyers Club, a lawyers’ social organization in the Nation’s Capital.

In a Hurry • Lawyers say Mr. Kintner climbed to the chairmanship of the administrative law section of the American Bar Assn. before his time. He is the 1959-60 chairman. As prevails in so many organizations, there is an escalator arrangement whereby members who get on the moving platform eventually reach the top. In this case, it is related, Mr. Kintner was not even on the escalator but managed to get the number two spot two years ago through heavy support from his friends. Naturally, he moved into the chairmanship last year.

The Kintner talent for shaking things up got its severest test last fall.

For 40 years the FTC was known as the “Old Lady of Pennsylvania Avenue.” Reporters could never get more than a mere recital of the facts in a case from FTC staff personnel. No one in the agency would talk to an outsider. It was the personification of stodgy bureaucracy.

Modern Day FTC • Today all that is changed. Virtually single-handedly Earl Kintner galvanized the trade commission into one of the most talked about operations in Washington. All this in the five months after being named chairman of the FTC.

Not only has the publicity mounted, but he has personally taken on a speaking calendar that would have turned the hair of old-line FTC employees. Reporters not only can see commissioners, but also FTC lawyers. The FTC information office has even put out pictures of questioned advertising.

The tv quiz scandals gave Mr. Kintner his break.

NAB, holding a fall regional conference in Washington, invited the FTC chief to address one session. He turned the invitation down at first. (He had, only days before told the House Legislative Oversight Committee that the FTC had no jurisdiction over programming.) Then, for reasons as yet unknown, Mr. Kintner changed his mind. He asked the NAB to restore him to its agenda.

First in a Series • His speech to the 300-odd broadcasters in Washington was the first of what became a series of speeches, pronouncements, comments and interviews. In effect, Mr. Kintner took the play away from the FCC on the question of rigged quiz shows, payola and deceptive and false television advertising.

There are those who theorize that this is being done at the behest of the White House. They think the President or his advisors have been unhappy with the FCC’s lack of action and have turned to the FTC chairman to “take care of the problem.”

No matter how it began, Mr. Kintner not only charged into the picture with gusto but he made things happen.

Aside from speeches and public appearances (including radio and tv), Mr. Kintner convened the top echelon of broadcasting at a public conference. This occurred early in December and saw the presidents of all radio and tv networks, the NAB president and the tv Code Review Board chairman in attendance.

This meeting lasted all of 90 minutes. It left the broadcasters as nonplussed as they were when they got the invitations.
Colgate denies FTC false ad charges

Colgate Palmolive Co. last week denied Federal Trade Commission charges that its advertising for Colgate with Gardol was false and misleading. The complaint was filed last November (BROADCASTING, Nov. 23). The trade agency charged that newspaper, magazine and TV advertisements misrepresented that the dental cream forms a "protective shield" around the teeth protecting users against tooth decay.

In its reply, Colgate Palmolive pointed out that it has continuously submitted sample advertisements to the FTC and has voluntarily made suggested changes. It emphasized that in October 1958 it submitted sample print advertising and TV commercial continuity on Colgate with Gardol using the "protective shield" device and that it voluntarily modified its advertising in line with suggestions made by FTC officials.

It added: "From October 1958 to November 1959 the Commission made no objection to such advertising and TV commercials or the use of the illustrative 'protective shield' and the Commission gave notice of its objection to the 'protective shield' for the first time by the service of the complaint herein. Thereupon, respondent voluntarily changed its advertising and television commercials and at great expense permanently discontinued the use of the illustrative 'protective shield' in its advertising and television commercials and made certain other changes in such advertising and television commercials and reference is made to respondent's new advertising and television commercials for a complete statement of their content.'"

The company asserted that none of the questioned advertising, "when read or viewed in its entirety," makes the alleged representations directly or indirectly.

Colgate Palmolive also claimed that instead of its advertising having diverted trade from competitors and substantially injured competition, the reverse is true. It asked that the complaint be dismissed.

Mr. Kintner acknowledges.

Climbing The Ladder • In 1948 he joined the FTC as a trial attorney specializing in antimonopoly work. Five years later he was named general counsel and on June 9 last year a commissioner and chairman. Mr. Kintner is filling the unexpired term of retired FTC Commissioner John W. Gwynne. This runs out in September.

Befitting a man who is on his way, Mr. Kintner is a joiner. He belongs to the usual bar associations, is a member of the Cosmos and National Press and the Federal clubs of Washington. He is a member of the American Legion, Disabled American Veterans, the Masons (a Shriner and a past master), Phi Delta Phi, Pi Sigma Alpha, Delta Sigma Rho and Sigma Delta Chi.

The Kintners live in the fashionable Georgetown section of Washington and are members of St. Thomas Episcopal Church.

Earl W. Kintner is not related to Robert E. Kintner, NBC president.

Tomorrow, Mr. Kintner faces his "moment of truth." He is making what he considers his major address on advertising to the assembled giants of the Assn. of National Advertisers. What he will say is unknown at this writing, but there are certain guideposts that can be read. These are from a recent personal interview with BROADCASTING.

Mr. Kintner makes three major points. These are that (1) false and misleading advertising must be swept from the airwaves; (2) touched up commercials are all right provided they aid in portraying the product in its true light, but they are suspect if they enhance the qualities of a product or make a competitor's look worse than it really is, and (3) all media, including broadcasting, must bear a "moral" responsibility for screening advertising so that even those not otherwise illegal but which are skirting close to this or those which offend the public taste are prohibited.

Public's Reaction • In talking about the FTC's intensified interest in TV, Mr. Kintner said that hundreds of complaints came into the agency from the public due to the publicity engendered by the Harris committee revelations about fixed quiz shows. Many of them, he said, were pointed at what the sender claimed was poor taste.

But perhaps the most significant element in Mr. Kintner's remarks is his views on the place of the medium in the regulatory scheme of things. Many observers have felt that Mr. Kintner was singing out the broadcast medium for special attention. Here is what he said the other day:

"We're not deliberately singling out any media for attention except that we do have a great influx of complaints against television advertising and we are, it is true, vigorously attempting to clean up that situation. At the same time we have an equally vigorous program operating with respect to false and misleading..."
ing advertising in other media.

"For example, of approximately 300 cases brought in the past three years involving deceptive advertising practices, I would estimate that only about 20% primarily concerned false and misleading advertising in the broadcasting medium. The great bulk of the cases concerned deceptive practices in the printed media. We have had with us for 40 years the problem of false and misleading advertising in the printed media. This is an old problem and a continuing one.

What's Good For The Goose • "Don't forget. If we eliminate false and misleading advertising in one media, we tend to eliminate it in all media. Because typically false and misleading advertising particularly if it is a national campaign, appears both in broadcasting and in the printed media."

Mr. Kintner's remarks became more astringent when he was asked about the relative responsibility of the advertiser, the agency, the account executive and the medium when deceptive advertising is involved. He said:

"I think that the first responsibility rests upon the advertiser who pays for the advertising. Then there is the heavy responsibility resting upon the advertising agency, particularly where the advertising agency actively engages in the formulation of the program and the representation which are made.

"It is for this reason that the Commission recently has been routinely examining into the responsibility of advertising agencies. Where it finds that the agency must share responsibility for the preparation of particularly objectionable copy, then the Commission has, in recent cases, cited the agency as well as the advertiser.

"Now there is another area of possible responsibility with respect to the media—radio and television, newspapers, periodicals and magazines. I feel that these media certainly have a responsibility to the public to eliminate advertising or to reject advertising which clearly is false and misleading. The hard problem comes where these media are merely the conduits for publication of false and misleading advertising and do not have any role in formulating the particular objectionable advertising.

"If the former is true, and they employ copywriters who actually prepare false and misleading copy, they may well have a legal responsibility in that respect.

"I would hope that our program for cleaning up advertising could be obtained without the necessity of citing any of the media."

A Matter Of Taste • What does Mr. Kintner say to charges that the FTC has injected itself into situations where it has no business; into matters, for ex-
ample, that are not deceptive but possibly in poor taste? He has an answer for that too:

"The Commission does not, as I have explained, have a legal responsibility in this area, but we here at the FTC are interested in the advertising industry. It is a large, $12 billion essential industry in America. We are interested in its well-being and in its future. To the extent that the future of this industry is impaired by advertising in poor taste, of course, we are concerned.

"I feel that business, and this particularly applies to advertising, must be alert to make sure that the public has confidence in advertising. Advertising is based upon public confidence and this should be one of its primary concerns.

"Public confidence is the finest asset broadcasters can have in the future of their industry. Each of them, as operators of a station, has a heavy stake in the future of the industry. I would suggest to them that they keep this ever in mind with respect to all their operations and particularly with the type of advertising which they accept for dissemination to the public."

**TV SEPARATION**

**FCC putting 'interim' plan into operation**

The FCC last week took the first steps to put into practice a still pending "interim" policy permitting TV stations to be placed closer than existing mileage separation minimums.

The Commission announced a proposed rulemaking to add additional channels in Grand Rapids, Mich., and in Providence, R.I. Both would entail subchannel separations with co-channel stations.

It was also the final proposal to add ch. 3 to Corpus Christi, Tex.

At the same time the FCC agreed to postpone the deadline for comments on its proposal to permit shorter spacing. In answer to requests by the Assn. of Federal Communications Consulting Engineers, Assn. of Maximum Service Telecasters and NBC, the Commission extended the deadline from Feb. 19 to April 19 for comments, and from March 7 to May 4 for replies. ABC opposed this extension.

**Opposition**

The proposals for the Grand Rapids drop-in were opposed by Comrs. Rosel H. Hyde, Robert T. Bartley and Robert E. Lee. That for Providence was opposed by Comrs. Hyde and Bartley, with Comr. Frederick W. Ford concurring in part and with Comr. Lee absent.

In the Grand Rapids area the FCC offered three plans, two of its own and one suggested by Atlas Broadcasting Co. These proposals were:

**FCC Plan A**—Add ch. 13 to Grand Rapids from Cadillac; substitute ch. 7 for ch. 13 at Cadillac; ch. 9 for ch. 7 at Traverse City; ch. 3 for ch. 9 at Alpena, Mich. This would require ch. 13 WTVW(TV) Cadillac to move to ch. 7, resulting in substandard mileage separation with ch. 7 WXZB-TV Detroit. It would also require ch. 7 Traverse City to move to ch. 9.

**FCC Plan B**—Add ch. 11 to Grand Rapids, resulting in no other changes. This would require the Grand Rapids ch. 11 station to be substandard with co-channel stations WTVW(TV) Chicago and WTOL-TV Toledo. It would also require WLUK-TV Marietta to change offset from plus to minus.

**More Proposals**

- Atlas Broadcasting Co. plan—Add ch. 13 to Grand Rapids from Cadillac and substitute ch. 9 there from Alpena. Add ch. 13 for education in Alpena and remove the noncommercial reservation from ch. 11 Alpena. This would require ch. 13 WTVW(TV) Cadillac to shift to ch. 9 and would require the ch. 13 Grand Rapids transmitter to be 25 miles or more northwest of the city to meet minimum mileage separation standards.

The proposal for putting ch. 6 into Providence would require the deletion of this vhf channel from New Bedford, Mass.

The Commission already announced the prospect of this move, notwithstanding the presence of four applications for the New Bedford facility. Last week, one of the New Bedford applicants dropped out and the remaining three announced they had agreed to merge. E. Anthony & Sons (WNBH New Bedford) paid applicant Wilson Broadcasting Co. $25,530 as reimbursement for out-of-pocket expenses when Wilson withdrew. The other two applicants are Eastern States Broadcasting Corp. and New England Television Co.

If ch. 6 is assigned to Providence, it would require a transmitter site less than 170 miles co-channel minimum in order to place a principal city signal over the Rhode Island city, the FCC said.

**ST. LOUIS CH. 2**

Robert Jones revises testimony; ruling due

The examiner's ruling on the controversial St. Louis ch. 2 rehearing may be issued early in March. This was made known last week by special examiner Horace Stern at the last day of the proceeding involving charges of private conversations by KTVI (TV) St. Louis principals and FCC commissioners.

The hearing was held in Philadelphia to permit former FCC Comr. Robert F. Jones to revise his earlier testimony. He previously had testified that he had spoken to no commissioner about the St. Louis matter, but asked to be returned to the witness stand to clarify this point. Last week Mr. Jones, one of the attorneys for Signal Hill Telecasting Co., licensee of KTVI, said he had learned from a colleague that he might have sent a communication to Comr. T.A.M. Craven on this subject before the final decision was announced March 1, 1957.

**Communication Found**

A letter dated Jan. 24, 1957 from Mr. Jones was found in Comr. Craven's files. Attached to the letter were a map depicting the service areas of ch. 2 in St. Louis and in Terre Haute and a "timetable" of prospective FCC action on the ch. 2 reallocation. This was put into the record by the Commission lawyers.

Mr. Jones emphasized that the communication dealt only with the possibility of securing temporary authorization for KTVI to switch from ch. 36 to ch. 2 if and when ch. 2 was moved to St. Louis from Springfield, Ill. The FCC made the move in 1957.

Comr. Craven did not participate in the final FCC action in this reallocation.

Mr. Jones said the communication was about the use of the KTVI site and that he "tried to feel out Comr. Craven and perhaps Comr. McConnell [former Chairman George C. McConnell] with reference to the Commission's attitude on relaxing separation requirements."

In answer to several questions from the examiner and counsel, Mr. Jones expressed his views on the propriety of off-the-record discussions on rule-making matters—and also his attitude toward the 1952 order which established an intermixture of uhf and vhf channels in the same cities and the principal of minimum mileage spacing.

"I think," he said, "that the general counsel, parties, public, senators, anybody can talk about the abstract problems of the Commission's allocations problems . . . in my view it was a national disgrace to adopt the kind of report and rules that the Sixth Report and Order comprehended. I think all of the problems of the Commission in television stem from not going back to basic principles . . . so that the Commission would reserve for itself the freedom to follow this dynamic art of television as the public interest seemed to dictate in any particular case before them."

**Sen. Taft Cited**

Mr. Jones, who dissented from the 1952 TV allocations scheme when he was a member of the
practitioners made ex parte representations to the Commission or commissioners. He said he recalled that the late Sen. Charles A. Taft (R-Ohio) called him once to inquire about an assignment in Cincinnati where the Taft station there was being adversely affected by the Crosley station in Dayton.

He continued:

"I have felt that the methods used in this and other proceedings [so-called deintermixture] are merely scratching a cancer. The Commission must eventually face up to the basic problems. And one of them is the mileage separation problem [which] was taken as a policy decision rather than on scientific grounds."

Mr. Jones said he thought the Commission was finally coming around to his point of view. He referred to the FCC's proposed "interim" policy to permit standard spacing between co-channel stations.

Enacted in the record also was a 1950 memorandum from then acting general counsel Harry Plotkin to the chief accountant of the Commission. In it Mr. Plotkin informed the chief accountant that he could with propriety discuss matters that are involved in rule-making proceedings with outside parties.

Sent back by Court • The St. Louis case was returned to the FCC for re-hearing when the Supreme Court asserted jurisdiction, following an appeal for certiorari by Sangamon Valley Broadcasting Co. This followed disclosures before the Harris Oversight Committee that Harry Tenenbaum, a KTVI principal, had talked to commissioners while they were considering whether to move ch. 2 from Springfield to St. Louis. The appeals court called this wrong and told the FCC to look into the matter. Sangamon Valley was the unsuccessful Springfield ch. 2 applicant. WMAY that city won the grant, but was switched to ch. 36, moved into Springfield from St. Louis, after ch. 2 was moved out. Several months ago WMAY surrendered the ch. 36 permit.

The rise in October by NBC-TV which narrowed a gap between it and CBS-TV did not persist in November. This month, according to figures compiled by Leading National Advertisers and Broadcast Advertiser Reports and released today (Feb. 1) by Television Bureau of Advertising, was ABC-TV's record for the year 1959. ABC-TV's gross billing was $12.9 million, a 25.1% gain for the network over its previous November.

NBC-TV and CBS-TV chalked up gains on the monthly comparison. But as for the gap between the two: CBS-TV was ahead of competitor NBC-TV by over $1.6 million (contrasted to the October differential of only $727,150).

On the basis of gross time charges (at the one-time rate) in October and November, the first two months of the current tv season, network monthly billing was coming in at these apparent levels:

ABC-TV is billing close to the $13 million mark; CBS-TV is over $23 million, and NBC-TV has a wider variation, falling somewhere between just under $22 million to a shade below $23 million.

**Network Billing Up $6 Million**

All show increased sales in November over those of last year

The tv networks' gross time billings totaled $568,274,278 for 11 months ending November 1959, a near 11% increase over the same period of 1958. Billing in November for the three networks was over $58.1 million, a boost of 11.8% over November 1958.

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**Network Television Gross Time Billings**

<table>
<thead>
<tr>
<th>Source</th>
<th>November</th>
<th>January-November</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1958</td>
<td>1959</td>
</tr>
<tr>
<td>CBS-TV</td>
<td>$21,853,992</td>
<td>$23,442,765</td>
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<tr>
<td>NBC-TV</td>
<td>$19,817,075</td>
<td>$21,765,361</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$52,008,273</td>
<td>$58,138,086</td>
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</table>

**Network Television Gross Time Billings by Day Parts**

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<tr>
<th>Source</th>
<th>November</th>
<th>January-November</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1958</td>
<td>1959</td>
</tr>
<tr>
<td>Daytime</td>
<td>$17,774,659</td>
<td>$17,953,440</td>
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<tr>
<td>Mon.-Fri.</td>
<td>14,077,282</td>
<td>14,202,913</td>
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<tr>
<td>Sat.-Sun.</td>
<td>3,497,377</td>
<td>3,750,527</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$52,008,793</td>
<td>$58,138,086</td>
</tr>
</tbody>
</table>

**Government Briefs**

**Delays to be studied** • Federal Communication Bar Assn. President Frank U. Fletcher has appointed committees to study delays in FCC procedures, following a resolution passed by FCBA members Dec. 10. Committees include FCC "observers" and engineers cooperating with the bar representing AFCCE. Committee chairmen are: No. 1 (initial processing of applications), Howard Head; No. 2 (prehearing procedures), Vincent Welch; No. 3 (conductor of hearings), Jack P. Blume; No. 4 (post-hearing procedures), Parker Hancock. The committees hope to have their reports ready by mid-April, it was announced.

**No zones** • WCRB - FM Waltham, Mass., last week petitioned the FCC for a rulemaking to delete all language in its rules referring to zone 1 and zone 2 fm broadcast stations. The petition asserted that zone deletions will put all class B stations on the same basis throughout the country regardless of geographic location.

THE MEDIA
New NBC policy on recorded shows, news

NBC's policies on identifying recorded program material and a codification of its standards for handling news were spelled out last week by James A. Stabile, vice president, standards and practices. They apply to NBC Radio, NBC- TV and the NBC-owned stations.

In many ways they are similar to policies issued last December by CBS-TV. In other ways they run counter to CBS-TV's—notably in regard to the need for identifying canned laughter.

CBS-TV said canned laughter must be identified when used ("Audience reaction technically produced" or "augmented"). NBC-TV differed in this way: "when it offends, its fault is not that it is deceptive, but that it is obvious. It should be held within the bounds of taste and conviction and, when so used, it requires no identification."

NBC and CBS-TV seemed in general agreement on such points as that audience should be told of, on news broadcasts and interviews, the interviewee restricts questioning or requires that the program be edited; that newsmen should not say "we switch you to—" when introducing recorded reports; that opinion given by newsmen should be clearly labeled as such; that audiences should be told that "parts of this program were pre-recorded" when such is the case and when this is not apparent from the context in which the recorded inserts occur.

Principal points in the NBC directives are presented in the following text (the one dealing with news handling was described as a reaffirmation of existing standards and practices, some of which had not been put into writing before):

DIRECTIVE NO. 4

The following procedures for identifying recorded program material are established and will govern all such presentations on the NBC Television and Radio Networks and the NBC Owned Stations. The use of recorded material in news presentations is governed by Directive No. 5.

1. Unless the use of recorded segments in live programming is apparent from the context in which they occur, the program shall carry the following audio or visual announcement: "Parts of this program were pre-recorded."

2. The Today program on the NBC Television Network, because of the unique technique of its presentation, shall carry the following audio or visual announcement: "Except for live news segments, this program was pre-recorded."

3. When a wholly recorded program gives the impression that it is a live presentation, as determined in a periodic review of the broadcast schedule by the appropriate program departments and the Department of Standards and Practices, the program shall carry the following audio or visual announcement: "This program was pre-recorded."

The programs required to carry the foregoing announcement shall be designated by the Department of Standards and Practices in consultation with the Program Department.

4. When live programs recorded for rebroadcast to the Pacific Zone or to Standard Time stations during Daylight Saving Time carry the announcement that they are live, they shall carry the following audio or visual announcement in the closing moments: "This program was pre-recorded for this time zone."

Otherwise, in keeping with a rule of the Federal Communications Commission, the recorded rebroadcast of a network's daily transmission to accommodate time differentials need be identified as such only once a day between the hours of 10:00 AM. and 10:00 PM. It shall be identified with the following audio or visual announcement: "The NBC television (or radio) schedule is brought to you specially recorded for rebroadcast in this time zone."

5. Identification of recorded versions of live programs carried as delayed broadcasts by individual stations shall be the responsibility of the station.

6. The use of recorded audience reaction, colloquially known as "canned laughter," is an artifice of showmanship which, in the view of many experienced showmen, may contribute to the enjoyment of the viewer or listener. When it offends, its fault is not that it is deceptive but that it is obvious. It should be held within the bounds of taste and conviction and, when so used, requires no identification.

7. The provisions of this directive shall be implemented regularly by the appropriate program departments, under the general supervision of the Program Department.

Free speech support of educators lacking

Educators are among the articulate minorities with specialized tastes who pay little heed to the essential implications of the First Amendment, Charles H. Tower, NAB economics-broadcast personnel manager, told the Georgia Radio & Television Institute in Athens Jan. 28. He said it is "disheartening to find that some of the most fervent advocates of more regulation come from those who teach."

Mr. Tower said they "have apparently forgotten that historically in western civilization the teachers have been in the forefront of those who fought and even died for basic liberties, cardinal among which is the liberty of free expression without government control."

Mr. Tower said teachers have "jealously guarded the principle that public education must be close to the people and free of the domination of the omnipotent state. Broadcasters and educators have much in common. This common ground should be a basis for a better understanding of the needs and objectives of both."

Sig Mickelson, president of CBS News, warned the institute that expanding schedules of informational programming are in themselves no guarantee of an improved tv service. Instead, he said, broadcasting must exercise leadership, "blazing new trails rather than slogging along behind public opinion over the well established and safe routes where we can stay out of trouble."

Mr. Mickelson pointed to CBS reports as a move to exercise leadership by bringing national and world issues before a broad audience. He said CBS News during 1960-61 plans to have more prime-time programs than ever before.

$2 million grant

The establishment of the Newhouse Communications Center at Syracuse U. to advance research and education in the various mass media was announced last week by Dr. William P. Tolley, chancellor of the university. An initial gift of $2 million has been given to the center by the Newhouse Foundation, established by Mr. and Mrs. Samuel I. Newhouse. Mr. Newhouse is publisher and owner of a group of magazines and daily newspapers, and is active in the
of the Department of Standards and Practices.

/s/ James A. Stabile

DIRECTIVE NO. 5

The following statement of policy has been announced by the NBC News Department and approved by NBC management to reaffirm and set forth the practices of the news operation on the NBC Television and Radio Networks and the NBC Owned Stations:

NBC News is dedicated to reporting the news and the meaning of the news accurately, fairly, swiftly and completely. These are goals we share with every ethical news-gathering organization operating in the tradition of a free and responsible press.

In addition, NBC News has developed over the years a number of standards and practices arising from the special nature and responsibilities of broadcasting. This statement reaffirms these standards and practices, formalizing some of them in writing for the first time. As in the past, they will be conscientiously applied and supervised to maintain the high level of integrity that has won the confidence of American viewers and listeners in NBC News.

All news programs broadcast on NBC facilities are produced by the NBC News Dept. in accordance with the policies herein announced.

Expression of Opinion

1. As experienced and responsible journalists, NBC News correspondents may express their opinions on the news provided that such opinions arise from a framework of fact presented in the program and are clearly identifiable as their personal views. The object of this policy is to give qualified policy directives in advance or if he participates in editing a recording of the interview prior to its use on the air.

Recorded Material

1. When the use of recorded news material would give the impression that the event reported in the recording is actually taking place at the time of broadcast, appropriate announcement shall be made disclosing the use of the recorded material.

2. Recorded reports from various locations may be identified on the air as a "report from London," or a "report from Moscow," etc., as the case may be, but they shall not be described as "direct" reports nor preceded by the phrase, "we switch you to . . ."

3. When there is a lapse of more than a day between the recording and use of news material in which the time element is relevant, as distinct from feature stories in which timeliness is not a factor, the audience shall be informed when the event reported took place.

4. No news interviews will be presented on a simulated basis; i.e., by interposing questions between previously recorded answers.

Other Provisions

1. The integrity and dignity of NBC News Personnel is a keystone of NBC News. They must be circumspect in undertaking any outside professional activities and must obtain prior departmental approval of all such activities.

2. News content must be clearly separated from commercials. Where leads-in are used, they must be approved by the News Dept. and must not be worded to suggest that they pertain to a news report.

/s/ James A. Stabile

Ownership of various radio-TV stations:

(WSYR-AM ownership of various radio-TV stations (WSYR-AM -FM TV Syracuse, N.Y.; WAPI-AM -FM TV Birmingham, Ala.; WPTA [TV] Harrisburg, Pa.; 50% of KOIN-AM-FM TV Portland, Ore., and 22.7% of KTVI [TV] St. Louis, Mo.). At first, the center will concentrate on graduate and research work in journalism. Later, it will be expanded to include radio, television and magazines.

Changing hands

ANNOUNCED - The following sales of station interests were announced last week, subject to FCC approval:

- WORL Boston, Mass.: Sold by Joseph A. Dunn and associates to Richard D. Buckley and John B. Jaeger for $300,000. Buckley-Jaeger group own WHIM Providence, R.I.; WDRC Hartford, Conn., and are awaiting approval of the purchase of KOIL Los Angeles. WORL is 5 kw daytimer on 950 kc.
- KWG Stockton, Calif.: Sold by Hale Bondurant to Carl Haymond for $189,000 plus management agreement. Mr. Haymond owns KIT Yakima, Wash. The transaction was handled by Edwin Tornberg & Co. KWG is a 250 w fulltimer on 1230 kc.
- KENT Shreveport, La.: Sold by Troy Kaichen to Edwin J. Charles, Gervase H. Stafford and Arthur J. Ryken for $138,000. Mr. Charles was general manager of KCKN Kansas City. Broker was Blackburn & Co. KENT is 1 kw on 1550 kc and holds cp for 10 kw day and 1 kw night.
- KNBY Marysville, Kan.: Sold by Marshall Transmitter Inc. (Wendell P. Glaspey, president) to W.N. Schnepf, former general manager of KAKE Wichita, Kan., for $45,000. Transaction was handled by Blackburn & Co. KNBY is 250 w daytimer on 1570 kc.

APPROVED - The following transfers of station interests were approved by the FCC last week (for other Commission activities see FOR THE RECORD, page 93):

- KCOP (TV) Los Angeles, Calif.: Sold by Kenyon Brown, Bing Crosby and associates to Naif Corp., manufacturers of automobile parts and interiors. Mr. Brown is Naif's broadcast division head; Mr. Crosby is also a stockholder in Naif. The transfer was a straight stock switch: Mr. Brown and associates received 44,-
000 shares of Nafi stock in return for 100% ownership of the ch. 13 independent. Nafi closed at 13½ Thursday on the New York Stock Exchange. The Commission had questioned the possibility of excessive "spot" announcements over KCOP but in last week's action renewed its license. Comr. Bartley dissented from sale approval saying: "For 32 years the Commission...has consistently held that the principle of integration of ownership-control and management of broadcast licensees is sound public policy. If this principle is still valid, I fail to see why the Commission should grant its consent to this transfer..."

- KFBB-AM-TV Great Falls, Mont.: Sold by Wilkins Broadcast Inc. to KFBB Corp. for $616,000. KFBB Corp. is comprised of David E. Bright, chairman of the board of H&B American Corp. (aviation parts), 35%; Ernest Scanlon, Los Angeles motion picture executive, 20%; and Daniel O'Shea, former RKO Radio Pictures president and former CBS vice president, 25%. Joseph P. Wilkins will remain as president and operating manager of the new corporation. KFBB, founded in 1922, operates on 1310 kc with 5 kw. KFBB-TV, which began in 1954, operates on ch. 5 and is affiliated with ABC and CBS.

GUTERMA GUILTY Awaits sentencing in detention house

Former Mutual President Alexander L. Guterma and others were found guilty by a federal court in New York last Wednesday (Jan. 27) of conspiring to defraud the U.S. Government by impeding the efforts of the Securities & Exchange Commission to protect investors, and of wilfully failing to file financial reports with the SEC.

Other found guilty were co-defendants Robert J. Eveleigh, an associate of Mr. Guterma, and two corporations, Chatham Corp. and Comficor Inc., which the government contended were controlled by Mr. Guterma.

Bail Denied - U.S. District Judge Lloyd F. MacMahon, rejected a defense plea to have Mr. Guterma and Mr. Eveleigh continued on bail. He remanded both men to the Federal House of Detention in New York pending sentencing Feb. 17. He commented that "the risk of flight by the defendants is much greater now." He told the jury: "If I had been on the jury I would have voted as you did."

Mr. Guterma, who was convicted on 16 counts of a 17-count indictment, faces a maximum sentence of 35 years in jail and a fine of $160,000. Mr. Eveleigh, found guilty on 15 counts, could get a maximum sentence of 32 years and a fine of $150,000. Comficor, convicted on 12 counts, faces a maximum fine of $120,000, while Chatham Corp., named only in one count, faces a $10,000 fine.

Specifically, Messrs. Guterma and Eveleigh were found guilty on charges of wilfully failing to report on their stock ownership in the F. L. Jacobs Co.; hindering and delaying the filing of an annual report for Jacobs for the fiscal year ended July 31, 1958; hindering and delaying a monthly report of Jacobs on the pledge of certain company assets; conspiring to fail to file the reports and defrauding the government by impeding the SEC in protecting the investing public.

The Jacobs Co., which was controlled by Mr. Guterma between 1956 and early 1959, is now operated by trustees. It was named a defendant in the indictment and pleaded guilty at the start of the trial. The company is subject to a maximum fine of $10,000 on the conspiracy count.

Where Money Went - In his charge to the jury, Judge MacMahon referred to government evidence that indicated the Jacobs company had paid more than $1 million for letters of credit and from those proceeds, $689,000 went to Mr. Guterma, Comficor and the Chatham Corp.

For Mr. Guterma, the conviction in the Jacobs case promises to be only the first skirmish in a long legal battle with the government. He also is under indictment for alleged dealing in three
other companies he headed—Mutual Broadcasting System, Bon Ami Co., and United Dye & Chemical Corp. (currently known as Chemoil Industries Inc.).

Mr. Guterma, as an outgrowth of his Mutual stewardship, was indicted by a federal grand jury last fall for failing to register as an agent of the Dominican Republic. He also faces a civil suit in Washington, initiated by the Dominicans for recovery of $750,000 allegedly paid by that government to Mr. Guterma in return for favorable broadcasts on Mutual news programs. MBS was absolved of complicity with Mr. Guterma in the Dominican case by U.S. Referee Asa Herzog last October.

Mr. Guterma’s association with Mutual began in September 1958 when Hal Roach Studios, a subsidiary of the Scranston Lace Co., of which Mr. Guterma was board chairman, purchased Mutual. In February 1959, when Mr. Guterma became embroiled in a series of legal actions, he resigned his posts with all companies. Hal Roach Jr. gave Robert F. Hurleigh, now MBS president, an option to buy the network, and Mr. Hurleigh arranged for the sale of the network to a group headed by Malcolm Smith Jr. and Richard Davimos. Following a financial reorganization, the network was re-sold to industrialists Albert Gregory McCarthy Jr. and Chester Ferguson, who now own MBS. Mutual is not involved in any of the legal actions against Mr. Guterma.

PROGRAMMING

THEATRE GROUP TO BUY FILMS

$30 million to be raised to purchase post-48 films for theatres and television

A theatre exhibitor-backed investment group is setting its sights on raising $30 million in preparation for the purchase of television and theatrical reissue rights to the post-1948 film libraries, totalling about 2,000 features.

Ben Marcus, president of Wisconsin Allied Chain, reported last week that his company has become an investor in Motion Pictures Investors Inc. and meetings are being arranged with major film companies. He refused to say which companies are being approached or the names of persons representing MPI, but it is reported that Mr. Marcus and Walter Reade Jr., president of MPI and of Walter Reade theatres, will be the prime negotiators.

Three Money Sources • Mr. Marcus told a news conference that MPI hopes to raise $30 million through various sources—$2 million from exhibitors, $3 million from public subscription and another $25 million from underwriters. He said that MPI hopes to convince underwriters of the soundness of the transaction by citing the success of past theatrical reissues, such as "Shane," "Samson and Delilah" and others.

He acknowledged that the $30 million would be "just a start." Other funds required would be raised through reissues and tv sales. He expressed optimism about theatrical distributors’ participation in the MPI project. He pointed out that once MPI obtained theatre and tv rights, it would arrange for reissue through the various selling companies. Accordingly, Mr. Marcus added, distributors would obtain not only funds paid for the rights but also a distribution fee of 30 to 35%.

Mr. Marcus said that not all the post-48 films would have theatrical reissue value. "Perhaps only eight or ten from each company." He said MPI would make its own arrangements for distribution of the product to tv.

In this connection, Mr. Reade indicated last week that tv distribution of post-48 films probably would be handled by tv film distributors. He added that MPI did not intend to go into that phase of the business. This remark touched off speculation that MPI might seek financial support from tv distributors to reach its $30 million objective. Mr. Reade said the thought was "a good idea" as tv distributors have a stake in the post-48 features, too.

Mr. Marcus said sale of MPI stock to exhibitors has "accelerated tremendously" since the group announced it would attempt to obtain rights to post-48 films. MPI was set up originally to invest in film company stock so that it would have a voice in policies of the firms.

MPI officials concede that talks already held with film companies have been "exploratory" and "vague" since film organizations are uncertain of the move they should take with respect to post-48 films.

N.Y. seeks dissolution of TelePrompTer

The New York State Attorney General was granted permission last Monday (Jan. 25) to start legal actions aimed at dissolving TelePrompTer Corp., New York closed-circuit tv company, and Floyd Patterson Enterprises Ltd., New York, for attempting to exercise "monopolistic control" of last June’s heavyweight championship bout between Floyd Patterson and Ingemar Johansson.

An order was obtained from New York State Supreme Court Justice Samuel H. Hofstad, a permit the state to begin legal proceedings to void the state charters of the two companies. TelePrompTer operated the closed-circuit tv showing of the bout. Patterson Enterprises is owned jointly by the boxer and his manager, Constantine (Cus) D’Amato.

An affidavit submitted to the court charged there was a "master monopoly plan" (signed in May or June of 1958), the clear objective of which was to enable the two companies to exercise complete control over the management, live gate and valuable ancillary rights (i.e., tv, radio and motion pictures) to the promoting of world heavyweight championships." The affidavit claims the alleged conspiracy violates not only the state’s Donnelly Act and general corporation law but also the laws, rules and regulations of the New York State Athletic Commission.

Irving B. Kahn, TelePrompTer president, categorically denied the allegations, calling the charges "entirely groundless." He withheld further comment. A spokesman said the two corporations have 20 days to reply to the complaint, which was served last Tuesday (Jan. 26). It is understood that the state may begin proceedings 21 days after the complaint is served.

A TelePrompTer official said that about 15% of the company’s revenue in 1959 resulted from its participation in the heavyweight bouts. The overwhelming portion of its business derives from closed-circuit telecasts for industrial organizations, he said.

The affidavit filed in court named Mr. Kahn, Mr. D’Amato and William P. Rosensohn, former TelePrompTer executive turned fight promoter, as the main agents of the alleged conspiracy. The "master monopoly plan," according to the affidavit, had three successive stages:

• Mr. D’Amato was said to have "embarked on a course of continuing control of heavyweight championship contests through the use of subsequent promoters and managers foisted by him on the challengers desiring to contend for the title."

• Movie, radio and tv rights were said to have been "taken out of normal promotional and competitive channels, and manipulated solely for the mutual benefit of the D’Amato-Patterson and
Kahn-TelePrompTer interests."

There was said to have been a joint venture over a relatively long period, during which TelePrompTer would have handled the various viewing rights "exclusively on a profit-sharing basis with the D'Amato interests." The affidavit charged that TelePrompTer received tv, radio and movie rights to last June's bout for a $300,000 guarantee, although a rival firm had submitted a $450,000 bid.

KTTV's mobile tape truck set to go

KTTV (TV) Los Angeles expects to put a tv tape truck on the road this week to serve advertisers and agencies on location. The first unit in a fleet of mobile tape trucks planned by the station, the truck is box-like in construction so it can be mated with others to provide a complex of production facilities for major events or special situations.

The new unit houses a 1000-B Amplex Videotape recorder which has been "ruggedized" by the station's engineering shop for the rigors of remote service. It also contains two RCA image orthicon cameras for live pickups, an Eastman 16mm projector, an RCA slide system Vidicon film camera and a Telechrome special effects generator. Fully airconditioned, the truck has compressed air shock absorbers so that recording can be done while in motion.

The result is what KTTV believes to be a unique advantage—the ability to integrate stock film footage, animation and special electronic effects into tv tape commercials.

"Two years of experience with tv tape production has proved to us that advertisers and producers want and need these facilities," KTTV said. "The simple economics of being able to put titles, prices and 'printing' into a spot by use of slides, rather than requiring an additional camera, cameraman, production man, etc., are obvious. Also, being able to see the finished spot in full detail at the location site and immediately after completion lets advertiser and agency executives know exactly what they have, without having to return to the station to check out the tapes."

To this initial unit, KTTV expects to add other units which are basically tv mobile tape machines. A "family" of four units will be able to handle four individual isolated productions or could be grouped for one grand production. Each unit can also be used in combination with the station's remote camera trucks, allowing producers as much equipment and as many cameras as they need. The units can tie up to KTTV's sound stages and the station's master tv tape center, augmenting the tv tape machines there or used to make duplicate copies of taped programs or commercials. For instance, in taping the International Beauty Pageant for world distribution, all units could record the same pictorial material while each was receiving its own sound track in a different language.

The 18-ft. body was built by Aluminum Body Co. of Los Angeles and mounted on a Ford chassis. It was designed by KTTV with help of the body company and Visual Electronics Corp.

Court rules against insurgent musicians

Hollywood musicians who are attempting to upset the trust fund policies of the American Federation of Musicians received a setback last week. Judge Harold W. Schweitzer of Los Angeles Superior Court denied their application for an injunction to impound $6,172,000 collected by AFM from the sale of theatrical motion pictures to television. Judge Schweitzer also turned down the plaintiff's request that a receiver be appointed to handle the money.

Plaintiffs will now proceed with their action against AFM for damages. Pretrial hearings will probably start about mid-February and the trial in March. This schedule could be upset if Judge Schweitzer follows the precedent of L.A. Superior Court Judge Clarence L. Kincaid. In a similar suit over royalty payments and wage increases on phonograph records last year, Judge Kincaid ruled that the musicians could not sue the union (BROADCASTING, March 16, 1959). As the plaintiffs are members of AFM, he said, such a suit would in effect be an action against themselves. The rebelling musicians are now appealing this decision and if Judge Schweitzer follows it, they probably will appeal that decision as well.

New production outfit

John A. Aaron and Jesse Zousmer, creators and former producers of Person to Person on CBS-TV, have formed A to Z Enterprises Inc. The new outfit will produce what Mr. Aaron described last week as "light public affairs" programs.

Among the several program packages being offered by A to Z Enterprises is Place to Place, which would contrast with Person to Person by featuring visits with famous people on location rather than in their homes, Mr. Aaron said. While not going into specifics, he commented that negotiations are underway with NBC-TV for the sale of one of A to Z's combination entertainment-public affairs packages. Public affairs specials as well as half-hour and hour-long series are planned by the producers. The new company is located at 21 E. 52nd St., New York. Telephone: Plaza 3-5800.

Program notes

News affiliate • Marathon Tv Newsreel, N.Y., announces the formation of Newsfilm Inc. to specialize in the production and distribution of industrial
Many television stations, capitalizing on the resurgence of interest in bowling, have built their own alloys for kegler telecasts. Now comes a television station with a parallel idea for golfing. It will be limited in size, of course, but this will be turned to the benefit of better coverage of "short iron" golf.

The station, WXYZ-TV Detroit, plans to have the abbreviated course on the premises of the station's Broadcast House. It will be ready this spring for a regular local show that will feature two pros and two members from area clubs along with visiting celebrities nationally known in the world of golf.

A single green, patterned after the 18th hole at Meadowbrook Country Club, is being built. This will be played from three different lies and on three different approaches to the green. Participating golfers will be faced with bunkers, water hazards, trees, up and down hill lies, traps and practically every obstacle to be found on a regulation course.

WXYZ-TV points out that because there will be no really long shots, cameras can be kept right on the ball and position. John F. Pival, vice president of the station, further explains, "As the accent will be on the difficult shots—from 100 yards out—the viewer will get closeups of trouble shots and an explanation by a pro or our commentator on how to play the particular shot as well as the rules covering the situation."

Marshall Dann, station sports commentator and golf editor of the Detroit Free Press, will do the commentary for the new series.

Andy Bertoni, superintendent of the Meadowbrook Country Club who is overseeing construction of the station's course. At left in background is WXYZ-TV's Broadcast House.

'Bat' bats 4 million • Ziv Television Programs reports that sales of merchandising items associated with its Bat Masterson Show have reached $4 million, including the sale of about one million gold-headed canes, the lead character's trademark prop. Fast-moving items were said to include comic books, holster sets, western hats, jigsaw puzzles, dungarees, hand cuffs and t-shirts.

'Biblical dramas • ABC-TV has engaged William Goetz, motion picture producer ("Sayonara," "Song of Bernadette"), to produce two Biblical one-hour dramas for the network's 1960-61 season, it was announced last week by Thomas W. Moore, ABC-TV vice president in charge of programming. The productions will be based on the life of David and filmed on location in Israel. Mr. Moore said, Mr. Goetz has not previously produced for television. Irving Starr, executive in charge of foreign production for Screen Gems Inc. and veteran motion picture and television producer, will be associated with Mr. Goetz, it was reported.

 Syndicated tapes • More than 350 syndicated tapes are screened by television stations each week, according to Ampex Corp. There are 26 tv series in regular syndication by tape and another 13 in preparation, Ampex reports. The tv networks are new originating 39 shows a week either wholly or partially on tape in New York and Los Angeles: 19 for NBC-TV (11 of them entirely taped), 12 for CBS-TV and eight for ABC-TV.

'Split level' comedy • 20th Century Fox TV reports that a new half-hour tv film comedy series, Split Level, is going into production at Fox's Hollywood studios. The company has signed a three-year contract with Max Shulman and Rod Amateau, writer and producer-director respectively of the Dobie Gillis series, to prepare Split Level and continue with Dobie Gillis.

Big 8 on 28 • Sports Network Inc., N.Y., has started telecasting Big Eight conference basketball games on 28 midwest stations and will continue each Saturday through March 5. The games start at 2:45 p.m. CST and are sponsored in part by the American Tobacco Co. Schools in the conference are: Kansas, Kansas State, Missouri, Nebraska, Colorado, Iowa State, Oklahoma and Oklahoma State.

Stag show • ABC-TV has announced a program in production for fall—for Men Only, starring Lee J. Cobb. Desilu Productions is using adventure material of "outstanding dramatic writers" for the anthology. Thomas W. Moore, ABC-TV programming vice president, said Mr. Cobb would work both on and off camera.
They asked for it • WNBQ(TV) Chicago and CKLW-TV Windsor, Ont.-Detroit, Mich. have purchased You've Asked for It, national syndicated by Crosby/Brown Productions. Twelve major markets in less than two months national syndication have bought the program.

Co-owners • Garry Moore, host of I've Got A Secret since its start seven years ago on CBS-TV, now shares in ownership of the program package. Mr. Moore and CBS, through their jointly owned Telecast Enterprises, purchased the panel show from its originators, Goodson-Todman Co., New York. Price was not disclosed. R.J. Reynolds' Winston cigarettes, through William Esty Co., New York, has renewed sponsorship of the program for another year.

Payola blues • Stan Freberg, humorist and satirist, whose “Green Christmas” recording attacking the commercialization of the Yuletide season created wide comment when it appeared in November 1958, spoofs the current recording business scandals in a new recording, “The Old Payola Roll Blues.” Like “Green Christmas,” the payola disc is being avidly played by some stations and ignored by others. Both are Capitol records.

A quiet eye • The first 20 episodes of Q.T. Hush, Private Eye, a 35 minute color cartoon series, have been completed and are available for distribution through M & A Alexander Productions. The new series, complete with an original musical score, was produced by Animation Assoc. There are 10 episodes to a complete story. For further information, contact M & A Alexander Productions, 6040 Sunset Blvd., Hollywood, or 141 E. 55th St., New York.

Inside story • A new personality series. Inside Story, tentatively slated for NBC-TV this spring, began production last week. The episodes feature a famous personality at work or play, and will run 30 minutes in length. First show will star actress Billie Burke. Burch Landis Productions is producing.

Much alive • Ziv Television's Tombstone Territory has reached a total of 151 stations with the addition of the following year-end signers: R.J. Reynolds & Co. (Esty) and Ortlieb Brewing Co. (Lewis & Gilman) on WFIL-TV Philadelphia; Brown & Williamson (Keith, Madden & Jones) on WDAP-TV Kansas City; WHDH-TV Boston and WKBV (TV) Chicago (Dodge Dealers of Chicago signed as alternate sponsor on WKBV); Ashland Oil (Ralph H. Jones Co.) on WPSD-TV Paducah, Ky. (also Swift ice cream), WCPO-TV Cincinnati and WSPD-TV Toledo; Tom Gloor Chevrolet on WAPI-TV Birmingham; Beatrice Foods on KTV (TV) Colorado Springs. Col.: Drumm's Milk and Schilling Motors (Simon Gwynn Adv.) alternates on WHBO-TV Memphis; Service Chevrolet on WDAY-TV Fargo, N.D.; Avera Packing Co. and Coca-Cola Bottling Co. alternates on WJBF (TV) Augusta, Ga.; Kahler-Craft Homes Corp. and Bryan Brothers Packing Co. (Buntin Assoc.) on WLBST (TV) Jackson, Miss.; Bryan Brothers Packing on WCBY-TV Columbus, Miss.; Smith Motor Sales (Wagorne & Assoc.) San Antonio (station unannounced) and Rural Electric Assoc. (Bradham Adv.) Charleston, S.C. (station unannounced). Station buyers include: WHIZ-TV Zanesville, Ohio; KREM-TV Spokane; WPBN-TV Traverse City, Mich.; KLJX-TV Las Vegas, Nev.; WLWC (TV) Columbus, Ohio; KVAL-TV Eugene, Ore., and WNEW-TV New York.

Cartoon sales • United Artists Assoc. Inc., N.Y., reports sales of its Big Mac cartoon show to the following stations: WHDH-TV Boston; WAST (TV) Albany, N.Y.; WBEN-TV Buffalo, N.Y.; KJMJ-TV Fresno, Calif.; WJAC-TV Johnstown, Pa.; WWLP-TV Springfield, Mass.; WHCT (TV) Hartford, Conn.; KOSA-TV Odessa, Tex.; KRCG-TV Jefferson City, Mo.; KTFR (TV) Denver; KCSI-TV Pueblo, Colo., and WLUK-TV Marinette, WEAU-TV Eau Claire and WMTV (TV) Madison, Wis. Purchase of hour-long Big Mac show carries a guarantee that the National Biscuit Co. will sponsor one-half hour weekly for 26 weeks.

Sales blast • MCA-TV, N.Y., reports the following new advertisers for two syndicated mystery-adventure series: Shotgun Slade to Brown & Williamson Tobacco Co. and P. Ballantine & Sons on WRCA-TV New York, Stag Beer in Missouri, Summerfield Chevrolet in Michigan, Pioneer Savings & Loan Co. in Texas, Knadjian Rugs and Jewell Jewelry Co. in Albuquerque, Ballantine Motors in Augusta, Ga., Downey Bros. Homes in Texas, Peoples Furniture in Davenport, Iowa, and Gustman Chevrolet in Wisconsin. Falstaff Brewing Co., which contracted originally for 67 markets for MCA-TV's Coronado 9, has added three more cities, while Molson Brewery picked up the program for two upstate New York markets, and Kroger Supermarkets for Cleveland.

Sports buy • This Week In Sports, weekly 15-minute sports show featuring Marty Glickman and distributed by Telenews, N.Y., has been purchased by Studebaker-Packard Denver Dealers Assn. for 15 markets in the Mountain States beginning Feb. 15. Agency: D’Arcy Adv., N.Y. Markets, (stations being cleared): in Montana—Billings, Butte and Great Falls; in Colorado—Denver, Colorado Springs, Pueblo and Grand Junction; in Wyoming—Casper and Cheyenne; in Idaho—Idaho Falls and Twin Falls; in New Mexico—Albuquerque, Roswell and Clovis; in Utah—Salt Lake City.

'Ivanhoe' for sale • Screen Gems Inc. announces it is placing Ivanhoe into immediate syndication. The half-hour adventure series has not been shown before in the U.S. but was on British television last year. SG also reports that reruns of Wild Bill Hickock are being offered for syndication. The program made its debut in 1951 and up to September 1959 remained on the air via network or on a national spot basis.

Zsa Zsa time • Trand Assoc. Inc., N.Y., announces the signing of Zsa Zsa Gabor for a five-minute, five-times weekly radio show entitled This Is Zsa Zsa. The taped program will start Feb. 22, for a minimum period of 26 weeks on more than 200 stations, with sponsorship to be announced, it was reported.
WGA, NETWORKS NEGOTIATING

Tv film contract with networks extended although writers strike ATPF, movies

The contract between Writers Guild of America and the tv networks for their film producing divisions, which was to have expired Saturday (Jan. 30), has been extended for another week or until next Saturday (Feb. 6).

The decision to continue negotiations for another week was made Thursday (Jan. 28) following a meeting of WGA and network negotiators at which enough progress toward a contract settlement was achieved to encourage both sides to continue talking. The groups were to meet again Friday (Jan. 29) and meetings also were scheduled throughout this week.

This was the first sign of a peaceful settlement of any of the writers’ negotiations with the various branches of film production. Since Jan. 16 WGA has been on strike against the Alliance of Television Film Producers and the Assn. of Motion Picture Producers (major producers of theatrical films) and since last fall against some 41 independent producers of theatrical pictures. A dozen or so independents have accepted new contracts from WGA, the major point being agreement to share proceeds from the sale of theatrical films to television with writers and members of other guilds and unions. The refusal of AMPPP to accept this demand led to the WGA strike against the major studios.

The major issues between WGA and the makers of tv films are demands that writers be given a share of the proceeds of sales for telecasting abroad and that domestic residual payments be extended beyond the present cutoff after the sixth run. Talks between ATPF and WGA are continuing, but if any progress toward an agreement has been made neither the guild nor the association has admitted it.

Working Rights • The week opened with a charge by Richard W. Jencks, president of ATPF, that WGA strike bulletins “misrepresent the legal rights of members and non-members alike.” He argued:

“An employee may have the most serious disputes or differences with a union, including differences as to the wisdom of a strike order or the propriety of complying with it, but the union cannot thereafter deny to him his livelihood in his profession so long as he is willing to tender performance of the financial obligations relating to union membership.

“In short, the law of the land is such that no union can establish a blacklist based on non-compliance with union strike orders,” Mr. Jencks said.

Commenting that “WGA has already retreated from a position taken in an early strike bulletin concerning so-called ‘hyphenated writers’ (WGA members who continue to perform services in the capacity of producer, associate producer, director, production assistant, story editor and the like),” Mr. Jencks averred that WGA had threatened to expel any “hyphenated writers” for performing incidental writing, despite the fact that it was traditionally a part of his non-WGA services.

“The WGA’s most recent strike bulletin, recognizing that the WGA’s previous position went too far, now conceded that insofar as WGA members are employed in non-writer capacities they may continue to perform all services customary to those capacities,” he said.

‘Scabbing Self Taught’ • Labelling Mr. Jencks’ statement as “his little work of fiction entitled ‘scabbing self taught,’” WGA interpreted it as “an open solicitation for strikebreakers.” WGA denied issuing any instructions to members that violated the law.

On the theatrical motion picture front, WGA announced that Sol Lesser Productions has signed an agreement with the union and so was removed from its strike list. About a dozen independent movie makers have accepted the WGA terms, including a recognition of the right of members of WGA and other labor organizations to participate in any revenue received by a motion picture producer from the sale of post-'48 theatrical films to television.

Screen Actors Guild, whose contract with the motion picture companies expired last night (Jan. 31) has extended it temporarily, with the right to cancel on 10 days’ notice. The SAG board meanwhile decided to ask the membership for authorization to call a strike against movie producers refusing SAG demands for extra payments to writers when post-'48 pictures are sold to tv. SAG by-laws require that 75% of those voting vote in favor of a strike in order for the strike vote to be effective. It is estimated that a mail referendum of more than 14,000 SAG members in good standing will take about three weeks.

There is no immediate crisis concerning actors employed in tv films as the SAG contracts in this field run through March 31. Even if a strike should be called against a motion picture company for theatrical pictures, SAG members would still be free to work for the company’s tv film division or subsidiary in making tv programs or commercials.

IATSE Interest • Meanwhile, IATSE has appointed a committee to protect its interests in any tv revenue from the sale of theatrical films. The basic contract of IATSE with the Assn. of Motion Picture Producers permits reopening on this subject if the producers agree to make such payments to any other labor organization. The committee is talking to SAG and WGA and to the independent producers who have the new WGA contract.

Medical series taped

A programming series of 12 hour-long medical documentaries, tentatively titled Medicine-1960 is being taped at KRON-TV San Francisco for syndication by Screen Gems, marking that company’s first step in distribution of tv programs on tape rather than film. Series will be produced by Lawrence Williams whose Open Heart Surgery remote telecast from Stanford U. medical school in association with the San Francisco Medical Society, using the tape facilities of KRON-TV, won the 1958 Sylvania Award for the “best local public service program.”

F Y I

JOHN A. AARON
JESSE ZOUSMER

A TO Z ENTERPRISES, INC.
21 EAST 52 STREET, NEW YORK

PLAZA 3-5800
SUITE 711

BROADCASTING, February 1, 1960
480,000 MILE MOON MESSAGE SENT

Navy circuit lunar message bounced from Capitol to Hawaii

The day of instantaneous transoceanic television was brought closer last week through a technical feat and a scientific discovery. These are:

- The U.S. Navy's Communications Moon Relay in which a four-channel teletypewriter-facsimile circuit is being operated, via the moon, between Washington, D.C., and Pearl Harbor in Hawaii.
- The existence of a natural radio pipeline 5,000 ft. over the South Atlantic which can carry radio and "tv-type" signals with little loss.

The development, which has been operating on a more or less regular basis since last fall, but which is still classed as experimental, was made public last week. It uses narrow-beam highly directionalized 435-445 mc signals for 2½-second communications between Navy headquarters in Washington and Pacific Fleet headquarters at Pearl Harbor.

This is a distance of 5,000 air miles, but the radio path via the moon makes it a 480,000 mile trip.

Tv Communications Next • The moon relay system is considered a certain-raiser for transoceanic radio and tv communications through the use of aluminized orbiting 100-ft. balloons. These are scheduled to be put into 1,000 mile high orbit sometime this spring by the National Aeronautics & Space Administration.

The moon relay mode only can be used when the natural satellite is within electronic sight of both sending and receiving sites. The use of three orbiting balloons is projected to permit continuous electronic line-of-sight throughout the earth.

The first use of the man-made balloon satellite took place three weeks ago when Bell Labs boosted some 960 mc continuous wave signals off a test balloon sent aloft to a height of 250 miles.

The moon relay is considered operating with about 10% of the efficiency that Project Echo, the balloon satellite project will operate with.

The Navy's moon relay system is an outgrowth of the Army Signal Corps' radar moon shot in 1946. This was accomplished under the direction of Col. John H. DeWitt (now president of WSM-AM-FM-TV Nashville, Tenn.). Naval Research Lab. conducted further tests beginning in 1951. A development contract was awarded to Development Engineering Corp. in 1956 and the present installation is the outcome. Lester H. Carr, Washington radio consulting engineer, is president of DECO. The project cost an estimated $5.5 million.

Frequencies Are Crowded • Because the high frequencies are crowded and subject to ionospheric interruptions, the Navy has been greatly interested in using the ultra high and higher frequencies. In discussing the moon relay, Rear Admiral Frank Virden, Navy Communications chief said the moon is "100% reliable, always in orbit and like some of the other best things in life, it's free."

Engineers and Navy officials working on the project acknowledged that the next step was to try to use higher frequencies in order to get greater bandwidth for the same power output. When this is accomplished they said, the transmission of tv from the U.S. mainland to other portions of the globe would be an accomplished fact.

CMR, as the Navy calls it, utilizes giant, movable, 84-ft. high antenna dishes. They are kept aimed at the moon through the use of astronomical data. A 100-kw transmitter is fed into the high gain antennas resulting in a 400-megawatt radiation of a 1.5° beam. The received signal at the antenna is 1/1,000th of 0.1 micro microwatt. This is boosted to 0.1 micro microwatt at the received input. The signals are circularly polarized.

The bandwidth used is 16 kc and accommodates four, two-way multiplexed teletypewriter channels or one, two-way facsimile channel.

Natural Pipeline • The natural radio pipeline over the South Atlantic between South America and Africa was described as "an elevated transoceanic atmospheric duct capable of trapping and propagating radio waves at low loss."

Similar 500 ft.-thick ducts are believed available between California and Hawaii, Cape Verde and Puerto Rico, in the Indian Ocean and from the Philippines to Australia.

In discussing the possibility of using the upper air radio pipelines for transoceanic television, Air Force project engineer Russell W. Corkum said it might be possible to send "tv-type" signals from England to Spain, thence to French West Africa and via the radio duct across the South Atlantic to South America and northward to the United States.

The ducts all may exist above the trade winds areas both north and south of the Equator, the announcement said.

The atmospheric study was a joint Air Force-Navy project.

Stockholders approve Ampex 3-for-1 split

At a special meeting Jan. 25, stockholders of Ampex Corp., Redwood City, Calif., approved a 3-for-1 stock split in the corporation's outstanding common shares and an increase in authorized shares from 5 million to 10 million, according to Alexander M. Pontiattov, chairman of the board. The date of record for the split is today (Feb. 1). Outstanding shares as a result of the split total 7,204,314 with 564,804 shares reserved for stock options, warrants and convertible notes.
Broadcast Advertising

- **John Peace**, first vp of William Esty Co., N.Y., elected president, succeeding James Houlihan who has been elected chairman of board. Mr. Peace, with Esty for 15 years, is member of board of directors and previously was media director.
- **R. David Kaplan**, executive vp and treasurer of Norman, Craig & Kummel, N.Y., to head agency's new International Service Div. which will act as coordinator for new companies being established in Europe.
- **Dr. John Tarini**, research director of Edward H. Weiss & Co., Chicago, promoted to vp in charge of research services. Other appointments: Robert J. Wannamaker, assistant copy chief, to vp. Nathan Pinsof, manager of media department, to media director; Robert Fryml, to senior art director and Evelyn Waldman, formerly with Coty Inc., (cosmetics), to marketing account executive.

- **Charles B. McCann**, research and marketing director of MacFarland, Aveyard & Co., Chicago, named vp.
- **Alvin A. Achenbaum**, director of research; Robert S. Zimmern and Aldon H. Sulger, both account supervisors, all elected vps of Grey Adv., N.Y.
- **Howard Walpert**, formerly vp, member of board and account executive for Arndt, Preston, Chapin, Lamb & Keen, Philadelphia advertising-pr firm, appointed vp in charge of marketing for Renuzit Home Products Co., that city.
- **Kendall Foster**, formerly head of own management appraisal firm, to Swan & Mason Adv., N.Y., as vp and member of plans board, responsible for account development. He was vp in charge of tv for William Esty Co. before opening own firm in 1954.
- **Robert J. Eck**, copy supervisor for Foote, Cone & Belding, Chicago, named vp.
- **George E. Filippi**, formerly vp and creative director in merger of Arthur Grossman Adv., Chicago, with Donahue & Coe, and Keyes, Madden & Jones, to John W. Shaw Adv., that city, as vp, creative director and member of plans board. Other Shaw appointments: William C. Pullman, assistant to president, William A. Ries, account supervisor, and Joyce Turovlin, research director, all named vps. P.L.O. Smith, senior vp and account supervisor named treasurer and Sigmund T. Seaman, vp and account supervisor appointed secretary.
- **George E. Grant**, formerly with Edward H. Weiss & Co., Chicago, to Erwin Wasey, Ruthrauff & Ryan, that city, as account supervisor in media department. John F. Conrad, formerly in production supervision at Fletcher Richards, Calkins & Holden, to Weiss as production manager.
- **T. Newton Weatherby**, vp of Sullivan, Stauffer, Colwell & Bayles, N.Y., assumes additional duties of treasurer, filling vacancy created by death of M. Herbert King.
- **Raymond A. Robinson**, vp and research director, Foote, Cone, & Belding, L.A., to Hixon & Jorgensen, that city, as research director.
- **Allen McGinnis**, copy chief of BBDO, Los Angeles, promoted to creative director.
- **Stanton Kramer**, formerly director of publicity-promotion of ABC-TV Western Div., appointed publicity-pr director of Advertising Agencies Inc., Studio City, Calif.
- **Frank Reis**, formerly project director of Alfred Politz Research, N.Y., to Lennen & Newell, that city, as account supervisor, research department.
- **Russell Z. Eller**, advertising manager for Sunkist Growers (fresh fruits) for past 20 years, named "Advertising Citizen of 1959" by Western States Adv. Assn. He was awarded honor for outstanding contribution towards better understanding of advertising by public. He is creator of Smokey the Bear fire prevention campaign.
- **J. Douglas Stitt**, formerly advertising and sales promotion assistant at Certified Grocers of California Ltd., to Erwin Wasey, Ruthrauff & Ryan, Los Angeles, as merchandising executive.
- **Florine Robinson and Carol Pauker** join Mogul Williams & Saylor's copy staff. Mrs. Robinson, formerly
copy supervisor at Reach McClinton, N.Y., becomes copy group head. Miss Pauker, formerly director of radio-tv in San Francisco office of Fletcher Richards, Calkins & Holden, joins agency as copy writer.

- Jack Lipson promoted from advertising manager to advertising director of Helene Curtis Industries Inc. (cosmetics), Chicago.
- Edmund Jackson, sales promotion manager with Shulton Inc. (toiletries), N.Y., appointed advertising manager.
- Vincent T. Deluca, formerly chief timebuyer for Erwin Wasey, Ruthrauff & Ryan N.Y., to radio sales staff of The Katz Agency.
- Carl Behr, formerly with Needham, Louis & Brorby and Leo Burnett Co., Chicago, to Foote, Cone & Belding that city, as account executive.
- Bill Dixon, formerly on sales staff of WSAI Cincinnati, joins Doherty, Clifford, Steers & Shenfield, N.Y. as local media representative.
- William H. Buckman, previously in sales promotion department of Toni Co., to Lillianfield & Co., Chicago, as account executive.
- Douglas A. Cornwell, formerly with Compton Adv., N.Y., to Doherty, Clifford, Steers & Shenfield, there, as account executive on Wiedemann Brewing. Bob Martineau, formerly merchandising-field representative with Cunningham & Walsh, N.Y., to DC&S & in merchandising department.
- Winston S. McLean named sales promotion manager of Renault Inc. (automobile manufacturer).
- Don Cole, formerly account supervisor with Grant Adv., N.Y., to Kenton & Eckhardt, that city, as executive in sales development division.

The Media
- Richard Carroll named general manager of WFRL, Freeport, Ill., succeeding Dave Taylor. LaVerne Barnkel appointed chief engineer.
- Joe Thompson, formerly general manager of WHEY and KINT, both El Paso, Tex., to KHT Phoenix, Ariz., as station manager.
- Robert H. Acker, formerly general manager of WLYN Lynn, Mass., to WWOX Charlotte, N.C., in similar capacity.

New director named • Jack McGrew, (left) station manager of KPRC-AM-TV Houston, has been named a director of The Houston Post Company. Here he shares the limelight with Mrs. Oveta Culp Hobby, president and editor of The Houston Post and formerly Secretary of Health, Education & Welfare, and Jack Harris, vice president of The Houston Post Company and vp and general manager of KPRC-AM-TV. Mr. McGrew has been with KPRC since 1936.

- Robert W. Bray, acting general manager of WNBC (TV) New Britain, Conn., appointed general manager and assistant secretary of Connecticut TV Inc., which owns WNBC. Harvey H. Olson named director of news and special events of WNBC.
- Louis W. Shapiro, manager of WSTV Steubenville, Ohio, named vp of WSTV Inc., which operates WSTV-AM-TV.
- Leslie H. Peard Jr., last week named general manager of KFRE Fresno, Calif., resumes additional duties as general manager of KFRE-TV and KRFM (FM).
- Ken Quortin named sales manager of WWJN Baltimore.
- Edward G. O’Berst, formerly with CBS Spot Sales as director of radio research department, joins Blair-TV as operations head of tv research.
- George Bunn, communications lawyer with Washington law firm of Arnold, Fortas & Porter, made member of firm.
- Cloyd Wade Jr., formerly producer-director of WUNC-TV Chapel Hill, to WFSC Franklin, both North Carolina, as assistant manager.
- Edwin H. Schweitzer, commercial manager of WNLC New London, Conn., appointed vp. Previously he was vp and commercial manager of WEIL New Haven, Conn., where he served for 15 years.
- Richard L. Chalmers, formerly director of sales development of WNHC-TV New Haven, Conn., appointed general manager of WNHC-AM, succeeding Alan Henry who accepts new broadcasting post in Florida.
- Morton Cantor, with WIRL Peoria, Ill., since 1955, promoted to director of sales.
- Lindsay Renfrew appointed chief engineer of KBAY-FM San Francisco which goes on air today (Feb. 1). Other appointments: Jim Allen, program director; Tom Baxter and Bruce Wendell, both as announcers.

- Maurice Rashbaum Jr., sales executive with Harrington, Righter & Parsons Inc., New York, station rep, appointed vp in charge of research and promotion. He has been with HR&P for nine

86 (FATES & FORTUNES)
pointed director, daytime KXTV of manager. GARRISON, N.Y., dio, tions HARRY Petersburg, Va., manager of WEDU, as NBC quarters in Orange Calif., joins WJIM in 1958.

REG Roos joins KWIZ Santa Ana, Calif., as regional sales manager for Orange County coastal area with headquarters in Corona Del Mar.

JERRY Madden, manager of production services for NBC’s Pacific Div., appointed director, NBC Telesales, succeeding JAMES G. HERGEN, appointed director, daytime sales.

CARL L. SCHUELE, president and general manager of Broadcast Time Sales, N.Y., elected as representative. WISH, that city, as national account executive.

HARRY TANIYAMA, formerly of KALL Salt Lake City, to KMUR, that city as sales service director. BILL GRUBBE, formerly air personality with KALL, joins KMUR in similar capacity.

JACK HOUSTON, announcer-air personality with WTCN Minneapolis-St. Paul, appointed program director.

MARTIN STONE, president of Herald Tribune Radio Network, is recuperating in Northern Westchester (N.Y.) Hospital from Jan. 11 operation. He will resume his duties late this month.

LARRY RUSH named news director of WLOB Portland, Me., succeeding RALPH BARNES who joins staff of United Press International. Earlier it was incorrectly reported that WLOB was in Portland, Ore.

GUY SAVAGE, sports director of KXYZ Houston, assumes additional duties of nightly show for KTRK (TV), that city.

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NATIONWIDE • NEGOTIATIONS • FINANCING • APPRAISALS
Programming

- WALTER BRANSON, 26-year veteran with RKO Radio, N.Y., and vp in charge of film distribution since 1955, becomes executive sales vp with TV Stations Inc., station-owned film buying organization.

- IRA S. STEVENS appointed vp and treasurer of Bonded Services Div. of Industrial Enterprises Inc., New York film service operation. He will continue as general manager of National Film Service Inc., and as director of Cinerama Productions Corp.

- DAVID H. DEPATIE, general manager of Warner Bros. commercial and industrial film division, named head of studio's cartoon division, following merger of two units.

- SIDNEY P. SOLOW, vp and general manager of Consolidated Film Industries, Hollywood, appointed chairman of film archives division of Hollywood Motion Picture & Television Museum.

- MORT GRANAS, manager of budget and administrative services for CBS-TV Hollywood, named director of film services.

- JAMES V. McNA MARA, formerly assistant general manager, national sales manager and film buyer at WALA-TV Mobile, Ala., named general sales manager at Atlantic TV Inc. (film producer), N.Y.

- LYN BABCOCK, producer-director with J. Walter Thompson, N.Y., for 6½ years, leaves agency to establish own firm, TV Commercial Services. Firm will offer complete production of commercials—live, tape or film—for agencies not maintaining their own producers in New York. Other agencies may make use of any elements of production, such special services as food styling, camera direction or casting. TV Commercial Services is located at 45 E. 55th St., New York 22. Telephone: Plaza 2-1066.

Equipment & Eng'ring

- H. A. (Hy) STEINBERG joins sales staff of Cornell-Dubilier Electric Corp. He will be in charge of distributor sales along eastern seaboard.

- FRED HORWITZ, formerly with Zenith Corp., Chicago, to U.S. Transistor Corp., Syosset, Long Island, N.Y., as development and project engineer.

- WILLIAM S. BALTZ elected vp and general counsel of Admiral Corp., Chicago, succeeding FRANK H. URIEII, senior partner of Pope, Ballard, Uriell, Kennedy, Shepard & Fowle, formerly general attorneys corporation.

- FRANK F. NEUNER, ERWIN B. MAY and IRVING H. VON ZELOWITZ appointed to staff of marketing department of RCA Semiconductor and Materials Div. Mr. Neuner, formerly responsible for product planning and associated services, to manager, product distribution and control. Mr. May, previously manager of promotion, appointed manager, advertising and sales promotion. Mr. Zelowitz, formerly manager, sales coordination, becomes manager, semiconductor planning.

- WILLIAM A. FINK, marketing consultant for Orr Industries, Opelika, Ala., rejoins Ampex Professional Products Co., Redwood, Calif., from where he was on leave of absence. Mr. Fink, who will be southern district manager of Audio Products Div.

- RICHARD E. HOLTZWORTH, formerly with the communications division of Hughes Aircraft Co., appointed eastern marketing manager of Houston Fearless Corp., Los Angeles.

- RUSS DE BAUN, manager of technical services operation NBC-TV Hollywood, elected president of Society of Television Engineers for 1960. JOHN SILVA, chief engineer of KTLA (TV) Los Angeles, is new secretary-treasurer of STE.

Allied fields

- PAUL A. JOHNSTON, information director of Television Shares Management Corp., elected vp of organization, which is principal underwriter and investment manager for $300 million television-electronic fund.

- HENRY H. NEWELL, RAY K. MANEVAL and DONALD H. MCCOLLUM appointed senior vps of Scherwin Research, N.Y. All are veterans of 10 years or more service with company.

- HARRY GARFIELD, east coast music business executive, to head new music coordinating department of Revue (MCA) Productions Inc., N.Y.

International


- WILLIAM HOLMES, formerly of CKWS-TV Kingston, Ont., named operations manager of new tv station in Salisbury, Southern Rhodesia.

- KIRK TORNEY, formerly eastern sales manager of MCA-TV and manager of group sales for Independent Television Corp. (ITC), appointed managing director of CBS Ltd., with headquarters in London. Mr. Torney began his broadcasting career in 1935 in San Francisco, forming a company which later became known as Consolidated Radio Artists.

Deaths

- HARRY H. ENDERS, 53, executive vp of Young & Rubicam, New York, died Jan. 21. Mr. Enders joined agency in 1936, became secretary in 1943, and vp in 1955. Three years later he was named executive vp in charge of finance.

- JOHN P. ROCHE, 70, retired (1959) board chairman of Roche, Rickert & Cleary, Chicago agency, died Jan. 23 of heart attack in Evanston, Ill.

- J. J. LORNE ARDIEL, 69, board chairman of Ardiel Adv. Agency Ltd., Toronto died Jan. 19. Mr. Ardiel formed agency in 1929 and was president until 1944 when he became chairman of board.

- JAMES HILL JR., 62, board chairman and chief executive officer of Sterling Drug Inc., died of stroke Jan. 27 in Paris, where he was on business trip. He had been head of Sterling Drug for past 18 years.

- JOHN C. CLARK, 45, vp and account supervisor of Fletcher Richards, Calkins & Holden, N.Y., died of heart attack Jan. 27. He joined agency in 1956 when it absorbed Byran Houston Co., where he was executive.

- EMMANUEL L. GORDON, 39, general counsel to American Federation of Musicians, AFL-CIO, died Jan. 25 in New York following attack of acute meningitis.

- HORACE W. FEYHL, 68, retired night manager of WCAU Philadelphia, died Jan. 20 of heart attack. He was in broadcasting for 30 years and is credited with designing and using first live sound effects on radio.

BROADCASTING, February 1, 1960
IT WILL BE A LONG TIME, IF EVER, BEFORE U.S. PRODUCERS OF TV FILMS WILL ACHIEVE FOREIGN SALES LIKE THOSE OF THEATRICAL MOTION PICTURE PRODUCERS. THE THEATRICAL FILM-MAKERS DERIVE 50-60% OF THEIR TOTAL REVENUE FROM SALES OUTSIDE THIS COUNTRY, ALVIN FERLEGER, DIRECTOR OF SALES OF NBC INTERNATIONAL, STATED TUESDAY (JAN. 26).

Speaking at a global TV forum of the Los Angeles chapter of the Academy of Television Arts and Sciences, Mr. Ferleger pointed out that unlike motion pictures, TV films are sold abroad largely to government-owned monopolies who cannot fix prices. Even where there is commercial TV, there is much less advertising than in the U.S. So lower prices are the rule. And, either by law or an agreement among the TV broadcasters, as in the United Kingdom, the amount of time allowed for imported TV programs can be restricted.

In Japan, the maximum price for a half-hour U.S. program is $300. Mr. Ferleger said. The market, however, has grown to such proportions that the Japanese broadcaster is able to resell the program to advertisers for $3,000 and up.

Mr. Ferleger answered criticisms voiced earlier by representatives of television in foreign lands. They claimed programs imported from the U.S. are too often westerns and contain more escapist entertainment than informational or cultural content. Mr. Ferleger declared that NBC and others produce all kinds of programs which they would be glad to sell abroad, if they could.

"What is seen abroad is what the foreign buyer buys," he said. "He doesn't buy our comedies or our dramas: he can produce comedy and dramatic programs himself. He doesn't buy audience participation shows; he can adopt our formats and do them at home. What he does buy is our westerns."

Two-Way Street • Mr. Ferleger also had an answer for another comment of the foreign TV spokesmen: that international television should be a two-way street on which they'd have a chance to sell programs to the U.S. as well as import programs from us. "We represent the greatest market in the world for TV programs," he stated. "We have no quotas, no restrictions." He added that he also has virtually no solicitations from foreign TV program producers. He urged them to make a real effort to sell their product here.

Mr. Ferleger reported that receipts from England, where U.S. programs are limited to two hours of air time a day (one on the BBC, one on commercial television) are less than they were three years ago. Generally, he said, such restrictions as these lend no hope for any sharp rise in the foreign TV market for American programs. However, the increase in set ownership and in broadcasting facilities abroad does make a steady increase in foreign revenue probable.

Earlier, Greee Del Strother, American representative of the BBC, said that he was always on the lookout for the best in U.S. programs, "the best in information as well as entertainment." As a tax-supported service, which "doesn't have to cater to the needs of advertisers and so is not bothered by ratings," BBC puts the emphasis on program balance, he said, and is as much concerned with cultural shows for the minorities as with shows of mass audience appeal. "Children," he said, "are an important minority."

Canadian Picture • Kenneth D. Soble, president, CHML, Hamilton, Ont., said that two major changes are being made in Canadian TV. One is the abandonment of the single-station theory under which only one TV station was allowed to a market. Now that this idea has served its purpose of promoting the spread of TV beyond the country's major markets, he said, it is being dropped. For the first time competition will enter the scene.

The other major change is a requirement that as of April 1, 1961, 45% of all Canadian TV programs must be of Canadian origin. The figure will rise to 55% by April 1, 1962.

Already a number of new Canadian program production companies have been formed. Mr. Soble reported, including Sovereign Broadcasting Co., Toronto, which he heads. Sovereign, he said, is going into the production of programs on TV tape. The company hopes to be instrumental in establishing a Canadian tape network. Low-cost production, primarily of daytime programs, is Sovereign's aim, he stated.

To make U.S. films more palatable to Canadians, Mr. Soble said, they'd like less violence, less horror, fewer westerns and more straight dramas. His thought was repeated by Juan M. Duran, director of public relations of Telesistema Mexicano. Mexicans, he said, understand the need for gun play in westerns, but they resent it in modern-day TV dramas. Although U.S. programming takes up to 27% of the time on Mexican television only three U.S. shows were in last year's top 10 in that country: Rin Tin Tin, Father Knows Best and Gunsmoke.

Mr. Duran asked for an exchange of programs that would show Mexicans how Americans live and vice versa. "All we know from what we see on TV and in the movies is that you work too hard and drink too many martinis," he commented.

In The Commonwealth • Norman
Collins, deputy chairman, Associated Television of London, resigned as tv head of BBC in 1950 to spearhead the campaign which finally brought commercial tv to Britain, object to the use of the word “sponsorship” in connection with English tv. He wanted to see television in the hands of professional tv people, with no control by the makers and sellers of soap, cigarettes, automobiles and other commercial products, he stated; and to follow the newspaper practice of separation of advertising from editorial material designed to inform or entertain. So he did not object when the law authorizing commercial tv expressly forbade sponsorship.

“No English agency is demanding sponsorship,” he said, adding that sponsorship in the U.S. is also dead and has been from the first moment that alternate or multiple sponsorship was admitted.

As to global tv, Mr. Collins said that his company is doing its best to help bring it about. ATV is producing one series in Canada and another in Australia. He said both will be shown in the U.S. as well as the British Commonwealth. ATV has entered into a 50-50 production-distribution arrangement with a U.S. company (Jack Wraith organization) to keep it from being exclusively a Commonwealth affair.

In answer to a question about residual payments, Mr. Collins said that after three years of negotiations an agreement has been reached on residual payments for writers and actors in British tv films. He noted that this will probably restrict the sale of English programs to some of the smaller stations in the Commonwealth, who will have to take U.S. shows instead.

Television abroad is today in the same position that it was in America a decade ago, Howard Meighan, president, Video-tape Productions of New York, told the forum. It has got a foothold and is now ready for a period of major expansion which in the next three years will more than quadruple the number of tv receivers everywhere in the world except the U.S. and Canada.

Mr. Meighan, who is chairman of the tv advisory committee to the U.S. Information Agency, said the latest USIA statistics show 32.2 million tv sets outside of the U.S. and Canada, 27.1 million sets in the free world, 5.1 million in iron curtain countries. By 1963, he predicted, this number will have mushroomed to 138 million tv receivers, of which 114 million will be serving 500 million people in non-communist countries.

In making programs for use abroad on film or tape, Mr. Meighan urged that producers remember their responsibility to think in terms of the kind of U.S. image we want to present abroad.

MOVING DAY SOON AT THE BBC

New $45 million Television Centre near completion; will have seven tv studios

The BBC is getting ready to move into its new $45 million Television Centre in June. Gerald Beadle, director of the BBC television service, expects the first of seven studios to be finished then. The move from present quarters will be completed in stages. The new BBC Television Centre, occupying 13 acres in London, is planned as the largest in the world.

Mr. Beadle, making an annual visit to the United States, said at a New York news conference that as the video tape conversion process is perfected he expects BBC program exports to take “an enormous leap forward.” Film sales to U.S. tv so far have been negligible, he said, because his network emphasizes live and tape programming. The U.S. fares better in the export picture, accounting for much of the 10% of the schedule the BBC doesn’t fill itself.

On the question of competitive service, Mr. Beadle said, “After nearly 4½ years of competition from commercial tv, more viewers turn to the BBC network each day than to the advertising network.” The government network estimates that more than 16 million people tune BBC each day for one or more shows, compared with 14.5 million for the commercial channel. (BBC station coverage at 98.5%, has an edge on commercial coverage which he puts at 92%, Mr. Beadle noted.) Referring to the 16 million daily rating, Mr. Beadle said, “We’re not going out of our way to maintain that figure.” He explained that the program policy for prime time is roughly 50% entertainment and 50% programs of information, thought, ideas and important artistic productions. “The BBC would be ready to see its audience go down, rather than lower its professional standards or reduce its high proportion of intelligent programs,” the network chief asserted.

Bringing up the sensitive point of program control, Mr. Beadle emphasized that his program chiefs have complete responsibility and have not deviated from the BBC’s strong tradition of independence and impartiality. To illustrate, he offered the grant of equal time given the Labor Party to answer the Prime Minister during the Suez crisis.

The BBC’s gross income from annual receiver fees is running at $87 million. Mr. Beadle expects income to reach a maximum of $120 million in four or five years. This would be for

Getting there • The BBC will start moving into its new home next June. The Television Centre will cost $45 million, housing seven tv studios, facilities for three radio networks and quarters for more than 16,000 BBC employees. It also will house the Continental Control Point for Eurovision.
100% set saturation. He said tv now is at two-thirds saturation. The BBC system of “public service broadcasting” does not restrict programming, gives broadcasters full scope and produces the best results, Mr. Beadle believes. “The system has a great record and an even greater future.”

Unions oppose second vhf for Vancouver

Opposition from retail merchants and unionists developed at the January 18-21 public hearings of Board of Broadcast Governors for a second television station at Vancouver, B.C.

Retail Merchants Assn. of Canada opposed the bid of Metropolitan Ltd., on grounds that CKWX Vancouver, and CKNW New Westminster, B.C., as well as the daily Vancouver Province and Vancouver Sun were shareholders.

The retail merchants claimed this would give the station and its owners too much control of advertising in the Vancouver area.

Unionists through the British Columbia Federation of Labor opposed all five applicants for a second tv station, arguing in its brief that only the government-owned Canadian Broadcasting Corp., which now operates CBUT (TV) Vancouver, should have the right to have a second station.

Five applicants for the competitive station, CBUT were questioned in detail as to financing, program plans, advertising content, and amount of Canadian content in proposed program schedules. Ownership of shares in other radio and television stations across Canada were filed by members of syndicates applying. Practically every group had one or more members with some share, even though less than 5%, in some radio or tv stations across the country. One of the applicants, Coast Tv Ltd., announced that it had given 6% of its voting shares to the U. of British Columbia and that the dean of the law school at the university would be a director.

The university presented a brief, urging that all Canadian tv stations be required to use some university facilities for program production. With no university tv station applications expected anywhere in Canada, this brief has some importance as a precedent for other universities to follow when applications are heard in Ottawa, Toronto, Montreal and Halifax later this winter.

Pay tv delayed

Canada’s experiment with pay television, which was to have started by Christmas, (BROADCASTING, June 22, 1959) has now been postponed till mid-February. Pay-tv installations are now being readied in the Etobicoke area of Toronto, Ont. Trans-Canada Telemeter Co., a subsidiary of Famous Players Canadian Corp., has its studios equipped in the suburban Toronto area. Installation of pay-tv control box will cost subscribers $5. There are no other regular charges.

All other payments are taken care of as fees announced through one channel, Barker channel, on Telemeter control box. This channel, when turned on, tells what entertainment is available and at what cost. The customer then drops money in the box. A tape records money collected. There are three channels on the Telemeter box. The first is for announcements without charge. The second is for pay movies and entertainment such as closed circuit sporting events. The third, for public service features, which will be free.

New Canadian rep

A new station representation organization, Air-Time Sales Ltd., has been formed in Toronto, to represent 14 Canadian radio stations which enjoy a monopoly in their locality, and 4 Caribbean stations.

Air-Time Sales works in conjunction with Radio Representatives Ltd., Toronto, of which it is an outgrowth. It has found that two different approaches were necessary to sell one-market and multiple-market stations.

Air-Time Sales will handle one-market stations, most of which are in smaller Canadian communities or suburban markets of metropolitan centers. Michael J. Callahan is president and general manager of the new firm. John Tyrrell is sales manager.

In addition to Canadian stations the firm will represent Radio Jamaica, Barbados Rediffusion, Radio and Rediffusion Trinidad, and Radio Déméter, British Guiana.

*Abroad in brief*

Canadian selling survey *•* A survey on the selling methods of Canadian broadcasters and the national Canadian Assn. of Broadcasters is now being made by Woods Gordon & Co., Ltd., Toronto management consultant firm. The report is to be made at the March 21 CAB meeting, at the Chateau Frontenac Hotel, Quebec City, Que. The vacancy left by the recent resignation of Charles Fenton, CAB sales director, who is now with station representation firm Stephens & Trowndrow, Toronto, will not be filled until the report has been studied by CAB executives.

Tv for V.I. • VITV (TV), the first television station in the Virgin Islands, is expected to begin broadcasting operations within the next two months. Studios will be located in the capital city, Charlotte Amalie, St. Thomas. Transmission will be by closed circuit, with programs carried by coaxial cable throughout St. Thomas. Coaxial systems to be installed on other islands will be served by microwave transmission from St. Thomas. VITV is owned by William R. Lastinger, who also owns KAZZ Austin, Tex.

Study group • CHUM Toronto, Ont., has announced a study group at North Toronto Collegiate for young people from 18 to 30 years to enter the broadcasting field. CHUM is charging $10 for the course, refundable to those who attend all ten lectures. The station also donates $10 towards a scholarship for each $10 it refunds. The course is conducted by radio and television executives in Toronto and covers all phases of administration, announcing, writing, newscasting, commercials, public service, publicity, sports, merchandising and management as related to the broadcasting field. The station will maintain a file of students participating, interview them, and circulate their qualifications throughout the broadcasting industry. Courses start Feb. 1.

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BROADCASTING, February 1, 1960
'First citizen'

"This is your life, Mrs. A. Scott Bullitt." The words were heard in Seattle, Wash., a fortnight ago, when the president of the King Broadcasting Co. (KING-AM-FM-TV Seattle) was honored as "Seattle's First Citizen for 1959."

A special closed-circuit This is Your Life program was staged by m.c. Ralph Edwards during the annual award banquet of the Seattle Real Estate Board.

Mrs. Bullitt is the first woman honored in the 21-year history of the Real Estate Board's "First Citizen" award.

The This is Your Life show was produced by Otto Brandt and Lee Schulman of KING-TV. To make the show authentic, Mrs. Bullitt's daughters were flown from California and Florida to join in the festivities. NBC-TV star Steve Allen also participated.

Also taking part, by film, in the This is Your Life feature were former U.S. Postmaster General James Farley and Harold Fellows, president of NAB.

Mrs. Bullitt is also president of the Crown Stations (KGW-AM-TV Portland, KREM-AM-FM Spokane).

• Drumbeats

A full house • Clowns, ranging in age from three to nine-years old responded to one announcement on WTVJ(TV) Miami's Popeye Playhouse. The young viewers were told they'd be admitted free to a circus if they appeared for the Popeye show in costume. Result: 132 clowns.

KHQ's new 'club' • There's no initiation fee to join a new club formed by KHQ-AM-FM-TV Spokane, Wash. It's the "KHQ Sidewalk Superintendents' Club." Membership cards and accompanying letters call attention to new studios and tower, now under construction.

Fire aid • Everything, from a rag doll to a gas stove, was donated to an 11-member family wiped out by fire for the second time in a year, in Denver. KTLN, that city, conducted a 24-hour campaign to collect clothing, furniture and appliances for the family. Two trucks full of donations enabled the family to set up housekeeping again.

Charity drive • Despite the economic setback the people of Pittsburgh were suffering due to the steel strike, they contributed $41,098 to the local Children's Hospital in response to a two-hour show over KDKA-TV, that city. In cooperation with the Pittsburgh Press, the station donated time, staff, talent and production expenses to the campaign; the first hour was simulcast over KDKA. The show netted more than $3,000 above the amount pledged in 1958 and made a total of $817,000 raised by the station for Children's Hospital over a nine-year period.

They're shopping 'downtown'

Over 484,000 entries were turned in by New Orleans shoppers as the result of a 13-week "Shop Downtown" promotion on WWL-TV, that city. Object of all the entry blanks—a free trip to Europe.

Approximately 100 merchants participated in the WWL-TV campaign. The program was so successful, the Retail Merchants Bureau is now planning a 26-week "Shop Downtown" promotion using WWL-TV as its basic medium.

Advance promotion

Giant Foods Inc. of Washington, D.C. (supermarkets), for two weeks prior to starting its "Pleasure Theme" radio spot series, had area stations play a two minute, twenty second instrumental waltz version of a new Giant commercial on disc shows. There were no lyrics or commercial message with announcers introducing the selection as: "2:20—Untitled." With the start of the campaign, commercial lyrics were used. Giant agency is Ad Inc. Series was written and produced by J.R. Productions, Washington.

New PGW colonels'

• The 11th Annual Peters, Griffin, Woodward, N.Y. "Colonels of the Year" awards have been made to William J. Tynan, PGW midwest tv sales manager and Alan J. Bell, PGW promotion-researcher. The awards are made by the agency to one man of the radio and tv staffs for "his personal growth within the company and to his contributions to stations and advertisers." A major financial consideration accompanies each award.

On the distaff side, three "Colonellette of the Year" awards were presented to Miss Ann LaBruzzo, secretary to George B.J. Adkisson, Chicago radio account executive; Mrs. Dolores Marter, secretary to William J. Stubbs, Atlanta sales manager, Miss Margaret M. Heeg, secretary to Lloyd Griffin, vice president and director of television.
FOR THE RECORD

Station Authorizations, Applications
As Compiled by Broadcasting

January 20 through January 27. Includes data on new stations, changes in existing stations, ownership changes, hoarding cases, rules & standards changes and routine roundup.

Abbreviations:
DA—directional antenna; CP—construction permit; EFP—effective radiating power, vhf—very high frequency, uhf—ultra-high frequency; aurora—aurora; sig—sign; mc—megacycles; am—amplitude modulation; fm—frequency modulation; trans.—transmitter; unl.—unlimited.


New Am Stations


Ambridge, Pa.—KCIJ Shreveport, 1510 kc., 1 kw D. P.O. address 917 Lilac Drive, Minneapolis, Minn. Estimated construction cost $25,760, first year operating cost $12,000, revenue $12,000. Western Bcst. Corp. is incorporator, special temporary authorization. SH—specified hours. Ed.—educational. Ann. Announced.

New Fm Stations

APPLICATIONS

KRWI Council Bluffs & Co.—To increase power from 500 watts to 1 kw. (1560 kc.) Ann. Jan. 27.

KDFH Dubuque, Iowa.—To increase daytime power from 250 watts to 1 kw. and install new trans. (1170 kc.) Ann. Jan. 27.

KPJR Livingston, Mont.—To increase daytime power from 250 watts to 1 kw. and install new trans. (1340 kc.) Ann. Jan. 22.

KNCY Nebraska City, Neb.—To change frequency from 1600 kc. to 1550 kc., change hours of operation from D. to unl., using power of 250 watts. 1 nice change from DA to non-DA, operate trans. by remote control from studio location and install new trans. Ann. Jan. 26.

WMBA Ambridge, Pa.—To change frequency from 1460 kc. to 1530 kc., increase power from 500 watts to 1 kw. install DA-D, and new trans. change station location to Ambridge, Allegheny Co., Pa. and specify two main studios. Ann. Jan. 27.

WLBW Lebanon, Pa.—To increase daytime power from 1 kw. to 5 kw., changes in DA system (one additional tower), change from DA-N to DA-A and install new trans. (1217 kc.) Ann. Jan. 27.

W

WRM Providence, R. I.—To change frequency from 900 kc. to 1280 kc., increase power from 200 watts to 1 kw. and make changes in trans. equipment. Applicant has no other broadcast interests, except for transient license—relinquishing frequency 1260 kc. and grant of application for new station Troy, N. Y.) Ann. Jan. 27.


KASE Austin, Tex.—To increase power from 1 kw. to 5 kw. install new trans. and change studio location. (970 kc.) Ann. Jan. 27.

New Fm Stations

APPLICATIONS

Highland Park, Ill.—North Suburban Ra-

Port Lavaca, Tex.—Lewis S. Seibert, 1500 kc., 5 kw. P.O. address First National Bank Bldg., Lavaca, Tex. Estimated construction cost $21,700, first year operating cost $12,000, revenue $12,000. Applicant is licensee of KEDF in Beeville, Tex. Ann. Jan. 27.

San Angelo, Tex.—Trotter Enterprises, Inc., 1273, 1 kw. P.O. address 300 North Houston St., San Angelo, Tex. Estimated construction cost $37,300, first year operating cost $14,000, revenue $14,000. Applicant is licensee of KXKI in San Angelo. Ann. Jan. 27.

Beverly, Va.—Jesse J. Goodman, 1400 kc., 1 kw D. P.O. address 160 Loudoun St., Winchester, Va. Estimated construction cost $19,475, first year operating cost $3,520, revenue $40,000. Applicant is in retail clothing business. Ann. Jan. 27.

EDWIN TORNBERG & COMPANY, INC.

NEGOTIATORS FOR THE PURCHASE AND SALE OF RADIO AND TELEVISION STATIONS

EVALUATIONS

FINANCIAL ADVISORS

BROADCASTING, February 1, 1960
SUMMARY OF COMMERCIAL BROADCASTING
Compiled by Broadcasting through January 27

<table>
<thead>
<tr>
<th>AM</th>
<th>FM</th>
<th>VHF</th>
<th>UHF</th>
<th>NON-</th>
<th>TV</th>
<th>TOTAL APPLICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,398</td>
<td>644</td>
<td>476</td>
<td>94</td>
<td>11</td>
<td>470</td>
<td>7,700</td>
</tr>
</tbody>
</table>

OPERATING TELEVISION STATIONS
Compiled by Broadcasting through January 27

<table>
<thead>
<tr>
<th>STATION</th>
<th>TYPE</th>
<th>LICENSE</th>
<th>OWNER</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>WTVH</td>
<td>TV</td>
<td>Licensed</td>
<td>J. L. Johnson</td>
<td>Rochester, N.Y.</td>
</tr>
</tbody>
</table>

COMMERCIAL STATION BOXSCORE
As reported by FCC through December 31, 1959

<table>
<thead>
<tr>
<th>AM</th>
<th>FM</th>
<th>TV</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,398</td>
<td>644</td>
<td>470</td>
</tr>
</tbody>
</table>

Ownership Changes

APPLICATIONS


WRIM Pahekee, Fla.—Seeks assignment of license from Garden of the Glades Co. to WRIM Co. for $25,000. Purchasers are Jack M. J.lves, R. B. Pauley, Richard S. Jackson, and Peter Taylor, all 25% each. Mr. Mann is network salesman for ABC; Mr. Pauley is eastern sales manager of ABC Radio network. Mr. Taylor is employed by CBS; Mr. Jackson has his own radio packaging company. Ann. Jan. 26.

WWBT Honolulu, Hawaii—Seeks transfer of control of Coos Valley Radio Co. from Desson & Odell and Charles Doss, equal partners, to Messrs. Cobbington and Doss, 40% each, and Barbara Atwood, 20%, for $15,000. Miss Atwood is a lifetime resident of WORH. Ann. Jan. 27.

WAOV Bangor, Me.—Seeks transfer of control of Windward Bcstg. Co., Ltd. through stock reorganization which allows Akiyoshi Hayashida, and four others to purchase 10% each for total of $15,000. Ann. Jan. 21.

KALI Kaliu, Oahu, Hawaii—Seeks transfer of control of Windward Bcstg. Co., Ltd. through stock reorganization which allows Akiyoshi Hayashida, and four others to purchase 10% each for total of $15,000. Ann. Jan. 21.


WAOV Vincennes, Ind.—Seeks transfer of control from Central States Bcstg. Co. to Howard N. Greenlee for $16,000. Mr. Greenlee is general manager of WAOV. Ann. Jan. 16.

WILD Boston, Mass.—Seeks transfer of control of Sole Bcstg. Corp. from Melvin B. Noble, sole owner, to William F. Johns Jr., 80%, and others, for $250,000 less $184,000 in liabilities. Mr. Johns has majority interest in WMJN St. Cloud, Minn., and is 31% owner of KRIK Mason City, Iowa. Ann. Jan. 21.

WARC Orange, Mass.—Seeks transfer of control of Tri-State Radio Inc. from William R. Sweeney, sole owner, to Ralph Melton, sole purchaser, for $70,000. Mr. Melton is employee of WPZT Postistown, Pa. Ann. Jan. 16.

WBDZ Ponce City, Okla.—Seeks transfer of control of WBCB from Charles Cole and Fred Dykes, equal partners, for $100,000. Mr. Cole is network salesman for ABC; Mr. Dykes is eastern sales manager of ABC Radio network. Mr. Cole is employed by CBS; Mr. Dykes is employed by NBC. Ann. Jan. 26.

RKB Cottage Grove, Ore.—Seeks assignment of license from Osro M. and Thea Hagley, equal owners, for $50,000. Mr. Hagley is employed of KOMA. Mr. Hagley is owner of a youth center. Ann. Jan. 21.

WMPS Chattanooga, Tenn.—Seeks transfer of control of WMPS from R.F.J. Timm, sole owner, to Leon S. Walson, sole purchaser, for $180,000 in payment for stockholders. Mr. Walson is an attorney. Mr. Timm is minority owner and minority owner of KJET Beaumont, both Texas. Ann. Jan. 22.

KXVY Houston, Tex.—Seeks assignment of license from United Bcstg. Corp. of Eastern Virginia Inc. to Twelve Seventy Inc. Owners are Max Reckel, 52.5%, and Morton Lifshutz, 47.5%. Mr. Reckel is manager of WAGL Atlanta and minority owner of KXJF Beaumont, both Texas. Ann. Jan. 21.

WYOU and Newport News, Va.—Seeks assignment of license from United Bcstg. Corp. of Eastern Virginia Inc. to Twelve Seventy Inc. Owners are Max Reckel, 52.5%, and Morton Lifshutz, 47.5%. Mr. Reckel is manager of WAGL Atlanta and minority owner of KXJF Beaumont, both Texas. Ann. Jan. 21.

Hearing Cases

INITIAL DECISIONS

Hearing Examiner H. Gifford Irion issued an initial decision looking toward (1) holding in default application of Bristol County Bcstg. Co. for station to operate on 900 kc, 500 w, D, in Warren, R.I. (2) granting application of Radio Rhode Island Inc. for new station to operate on 955 kc, 60 kw, DA, D, Providence, R.I. and (3) granting petitions of Golden Gate Corp. and Camden Bcstg. Co., Inc. for leave to discontinue their applications for similar facilities in Providence. Ann. Jan. 26.

Hearing Examiner Forest L. McClennan issued an initial decision looking toward granting application of WTVH (TV) Public, Bloomsburg, Pa., for increase of power from 500 w to 1 kw, continuing unit, time operation on 1950 lic. DA-10, 11, 12.

OTHER ACTIONS


Commission granted, in part, motion by Clear Channel Bcstg. Service for extension of further extending time from Feb. 19 to April 1 to file comments on further proposed rulemaking in clear channel proceeding. CBBC has requested three-month extension. Ann. Jan. 18.


In notice of proposed rulemaking, Commission invites comments on following alternative plans looking toward additional vhf tv channel assignment to Grand Rapids-Kalamazoo market which is now served by only two local vhf outlets.

1. Plan initiated by Commission: To add ch. 13 to Grand Rapids' present chs. 8, 17 (educational) and 25 to 27, to add ch. 7 from Cadillac and substituting ch. 7 (in addition to chs. 26 and educational 25), substituting ch. 7 in Traverse City (in addition to chs. 20 and educational 26), and substituting ch. 9 for ch. 8 in Alpena (in addition to educational ch. 11 and commercial ch. 30). This result in change of WWTV (TV) from ch. 13 to ch. 7 in Cadillac, substituting ch. 7 for WXYZ-TV on ch. 7 in Detroit, and WPBN-TV on ch. 7 in Traverse City.

2. Plan to the Cadillac: To add ch. 13 to Grand Rapids by deleting ch. 9 from Cadillac and substituting ch. 9 therefor; and deleting ch. 9 for ch. 13 in Grand Rapids on ch. 7 to 17 and 19, and 21, and 25 in Alpena to form educational ch. 11 and educational ch. 30, and replacing education ch. 11, ch. 19, and 25 in Alpena with ch. 9 in Cadillac. This would require WWTV (TV) to shift from ch. 13 to ch. 9 in Cadillac, and transfer site of ch. 13 in Grand Rapids would have to be shifted 30 miles more northwest of that city to meet minimum separation requirements.

3. (Commission alternative plan: To add ch. 13 to Grand Rapids and require no channel shifts of existing stations but require location of new chs. 17 and 25 more than 170 mile separation to co-channel station WWTV (TV) on ch. 7 (in addition to colo- TV in Toledo, with WULK-TV in Marquette for channel offset operation from plus to minus.

In addition to above, comments are invited by Commission on a proposal made by public instruction for State of Michigan seeking assignment of a television station at Cadillac by changing Alpena's present channel 20 to ch. 19 for educational 6, ch. 13 and educational ch. 8, and adding educational ch. 30 to Cadillac's commercial ch. 13 and 45. This proposal conflicts with alternatives 1 and 2 above.

All these plans contemplate changes which may require clearance with Canadian Government authorities, and all require appropriate steps in compliance thereof.


In notice of proposed rulemaking, Commission invites comments on method of adding third vhf channel to Providence, R.I. (cited in Jan. 6 to chs. 10, 12, 16 and educational 38). This would require deletion of ch. 4 from Bedford, Mass. Since it appears impossible to locate a suitable site for a channel 16 vhf television station in the New England area, and since co-channel spacing provided in present rules as of March 1, 1960 is 250, comments may be directed toward its utilization at a site less than 170 miles from co-channel stations. Commission also in notice of proposed rulemaking regarding inquiring service to vhf tv engineering firms. Hyde and Bartley Dissented; Comr. Ford concurred in part. Comr. Lee absent. Ann. Jan. 26.

By Hearing Examiner Basil P. Cooper


By report and order, Commission finalized rulemaking on assignment of assign-ments by adding ch. 3 to Corpus Christi, Tex. In addition to its present chs. 9, 10, 16 (educational), 22.

By Commissioner Rosel.

Command granted, in part, requests by the Association of Broadcasters, Com- missioners, Inc., and National Broadcasting Co., and extended to April 19 to file comments and from March 7 to May 4 to file replies regarding proposed interim policy on vhf channel assignments and amendment of its application concerning engineering standards. Commr. Lee absent. Ann. Jan. 27.

Routine Roundup

ACTION ON MOTIONS

By Commissioner Resel H. Hyde

Grand granted petition by Broadcast Bureau for extending time from Jan. 10 to Feb. 9 to file reply brief to exceptions and brief filed in proceeding on applications of WTVY Inc. to modify and enlarge its station in Athens, Ga. Jan. 25.

Scheduled oral arguments on petitions by Blue Island Community Broadcasting Co., Inc. for its application and proceeding with another petition for its extension of time to file reply brief. Jan. 19.

Scheduled prehearing conference for 2:00 p.m., Jan. 27 on petition for extension of time from Jan. 23 to Feb. 4 to file preliminary exhibits from Jan. 23 to March 6. Action Jan. 21.

By Chief Hearing Examiner James D. Cunningham

Granted petition by Broadcast Bureau Inc. of Puerto Rico for dismissal without prejudice of its application and proceeding with its application, et al. Jan. 22.

Granted petition by Broadcast Bureau Inc. of Puerto Rico for dismissal without prejudice of the application in consolidated proceeding with Island Teleradio Service Inc., for its extension of time on ch. 10 in Charlotte Amalie, St. Thomas, V.I. Jan. 15.

Scheduled oral arguments on petitions by Broadcast Bureau Inc. of Puerto Rico, for extension of time on ch. 16 to file reply brief in proceeding on applications of WTVY Inc. to continue its station in Athens, Ga. Jan. 25.

Upon request by Broadcast Bureau Inc. of Puerto Rico, continued indefinitely oral arguments scheduled for Jan. 27.

By Chief Hearing Examiner James D. Cunningham

Grand granted petition by Broadcast Bureau Inc. of Puerto Rico that its application for new station in Athens, Ga., be modified to specify operation on ch. 4 in lieu of ch. 9; to commence at 9:00 a.m. on Martin Theatre's petition. Jan. 22.

Upon request by Broadcast Bureau Inc. of Puerto Rico, continued indefinitely oral arguments scheduled for Jan. 27.

By Chief Hearing Examiner James D. Cunningham

Grand granted petition by Broadcast Bureau Inc. of Puerto Rico for its continued filing of application and proceeding with its application for new station in Athens, Ga., Jan. 25.

Scheduled oral arguments on petition by Broadcast Bureau Inc. of Puerto Rico for its petition and proceeding for extension of time on ch. 10 to file reply brief in proceeding on applications of WTVY Inc. to show cause why its authorization for WTVY (TV) Dothan, Ala., should not be modified to specify operation on ch. 3 in lieu of ch. 9. Jan. 25.

Grand granted petition by Broadcast Bureau Inc. of Puerto Rico for its petition and proceeding for extension of time on ch. 10 to file reply brief in proceeding on applications of WTVY Inc. to show cause why its authorization for WTVY (TV) Dothan, Ala., should not be modified to specify operation on ch. 4 in lieu of ch. 9. Jan. 21.

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**LINE PROTECTION SYSTEM**

**MAGNIFASE** — protects antenna system from damage caused by static discharge or transmission line faults.

**MAGNIFASE** — will instantly self-resist, transmitter interruption goes unnoticed on the air.

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**BROADCASTING**, February 1, 1960

---

**Drudek and Barnett Sorokin through sale of stock to Clifford Hill.**

**WBBQ-FM Augusta, Ga. --** Granted transfer of control of Savannah Radio & TV Co., parent corporation of licensee corporations, from Teter and Gladys S. Bennett to George G. Weiss.

**KAAK Hot Springs, Ark. --** Granted extension of application to March 1.

**KONO-AM-FM-TY San Antonio, Tex. --** Granted transfer of control of Eugene J. Roth to Eugene J., Bob A. and Jack Roth and Mrs. Florence Fink as family group.

**KCRV Caruthersville, Mo. --** Granted assignment of license to Eric Taylor and Myrtle G. Cleveland d/b/a under same name.

**WPAP-Joplin, Mo. --** Granted voluntary assignment of lease of license from Lowell W. Artripburn to Helen M. Artripburn.

**KBMB Hot Springs, S.D. --** Granted license for new station and reduce power to 500 w.

**KAAB Hot Springs, Ark. --** Granted mod. of cp to change type trans. and reduce power from 500 w to 250 w.

**KSLA-TV Shreveport, La. --** Granted assignment of licenses to Henry E. Linet, et al.

**KSDO San Diego, Calif. --** Granted assignment of license to Gordon Bostg. of San Diego Inc., Delaware.

**WPDM Tampa, Fla. --** Granted license covering installation of new tower.

**KLEX Lexington, Mo. --** Granted cp to change type.

**KNGO Nogales, Ariz. --** Granted cp to change trans. location and make changes in ground system.

**WCSL Newport, N.H. --** Granted mod. of cp to change type.

**KESL Lubbock, Tex. --** Granted mod. of cp to change type.

**WINC Michigan City, Ind. --** Granted mod. of cp to change type.

**WPAT Paterson, N.J. --** Granted request for cancellation of license.

**KUTE (FM) Glendale, Calif. --** Granted extension of completion date to March 1.

**KABQ Albuquerque, N.M. --** Granted extension of completion date to March 1.

**KIRK K Island, Wis. --** Granted mod. of cp to change type trans. and sign-off at 8 p.m., CST, for period ending April 30.

**KRBS Obelosh, Wash. --** Granted authority to sign-off on 9 a.m. and sign-off at 9 p.m., except for special events for period ending April 30.

**KLUK Everson, Wash. --** Granted authority to operate sign-on at 7 a.m. and sign-off at 9 p.m., for period ending April 30.

**KSLA-TV Shreveport, La. --** Granted transfer of control of The Ledger-Diary Corp. of Shreveport and Portsmouth Newspapers Inc. from P. S. Huber Jr. and trustees to P. S. Huber Jr., Charles L. Kaufman and trustees.

**KWDK Klagstree, S.C. --** Granted cp to make changes in channel and correct ant. height above mean sea level, conditioned.

**WCRI Scottsboro, Ala. --** Granted cp to change trans. and studio location: type trans., and make changes in ant. and ground system.

**WBBQ-TV Boston, Mass. --** Granted cp to make changes in trans. and other equipment.

**KSWO-TV Lawton, Okla. --** Granted mod. of cp to change type trans. and make minimum additional changes.

**KBDO La Habra, Calif. to April 28:**

**WNBC (TV) New Britain, Conn. to Feb. 28:**

Continued on page 103
Help Wanted—Management

Wanted—(manager)—5 kw daytimer in southeast, medium sized market. Fine Salary and Commission. Box 1798, BROADCASTING.

Commercial Manager: For top rated Pulse and Hooper kiblatter in metropolitan Alabama market. Must have successful sales record. This is chain operation with definite opportunity for advancement and management. Send complete resume to Box 969X, BROADCASTING.

Experienced Manager: Desiring five figure salary, dependable reason ability, for midwest fulltime single station market. Send complete resume, experience, references, etc. Box 145S, BROADCASTING.

Sales

$125.00 weekly for salesmen. Also bonus and commission. Metropolitan market east coast. Already KHN, salary unlimited. Box 860P, BROADCASTING.

$190-$150 weekly guarantee plus commission and bonus plan for aggressive self-starting company. Also good growth opportunity. Send resume, photo and pix. Box 728R, BROADCASTING.

Sales: Experienced salesman-announcer for southeastern North Carolina station needed immediately. Must have 5 years experience in medium to large market. Send resume, photo, tape and references to Box 775R, BROADCASTING.

Wanted—Two good dB's for medium market southeast, formatted 9 kw. Box 738R, BROADCASTING.

AM-fm station with new equipment, new studios, manager to increase listener loyalty to make more money. Should be experienced, capable salesman. Send tape, resume to Box 770R, BROADCASTING.

Growing, high potential California music news operation needs lively writer-announcer for expanding news department. Excellent pay, outstanding future, interesting opportunity for station interested. Send resume, references to Box 842R, BROADCASTING.

Fast paced station needs lively swing dj. Rush tape, resume. Box 879R, BROADCASTING.

Announcer-engineer, first phone, must be a fair announcer and able to deliver maintenance on 55 watt fulltime station. Top salary, benefits and good. Send photo, audion tape and complete details, including salary you feel you're worth. Tape and photo will be returned. Box 823R, BROADCASTING.

Southwest, medium market, adult music station wants a mature program director who knows good music. Full employment record. Must have commercial announcing experience. Write Box 898R, BROADCASTING.

If you're tired of snow and ice ... come to sunny North Carolina, top station in market, looking for an experienced morning man who would like to work in and become part of strictly modern station, equipped in every respect. Do not top 50 & color radio type. Please include in one minute audion tape, and complete experience reference, references to Box 105S, BROADCASTING.

Two announcer-salesmen. Healthy guarantees plus percentage. Southern market of 100,000 listeners, with complete experience and reference required. Box 133S, BROADCASTING.

Combo job in southern market. Half-week board, mornings, afternoon, or more, fulltime, 5 days, 8 to 6, $150.00. References and experience. Please. Box 134S, BROADCASTING.

Help Wanted—Announcers

Announcer-engineer—deejay personality, with first class ticket, needed for major market indie. Salary open based on ability and background. Send tape, letter to Box 171S, BROADCASTING.

Announcer with first phone for Michigan remote operation. No maintenance. Must be fully experienced in all-around radio work, including sales. Good salary, benefits and commission. Permanent only. Tape and resume to Box 114S, BROADCASTING.

2 announcers-salesmen wanted for top-rated daytime station in West Virginia. Send tape, resume. Box 119S, BROADCASTING.

KBUD, Athens, Texas, seeking experienced announcer. Salary open.

Staff announcer. One year commercial radio experience. Minimum. Salary $80 per week. Apply KDM, Maryville, Missouri.

Combination man looking for announcing, 5 kw CBS, western Nebraska. Ideal working conditions, new building. Bonus plan. Send resume, tape and pix for consideration. Box 798R, BROADCASTING.

Combo-announcer with first ticket. No maintenance necessary. Send resume with emphasis on news. Send resume, tape and pix for consideration. Box 812R, Packard, KYD, Box 171S, Santa Fe, N.M.

Announcer with first class ticket. Station WAMD, Aberdean, Maryland.

Have opening for staff announcer in college town. All replies application, send tape, picture and resume. WATA, Boone, N.C.

Staff announcer for 5 kw independent. Must have one year experience in top market. Good salary and profit sharing plan. WCOJ, Cleveland, Ohio.

WCPA, Clearfield, Pennsylvania will soon have an opening for a good, experienced announcer, to handle all opportunity with growing radio and newspaper chain. Send tape and resume to George Mastrian.

Program director-announcer-daytimer, quality voice and opportunity. Past programming. Write WDDT, Greenville, South Carolina.


FM announcer wanted. If you have experience in fm and know classical, semi-classical music, you're a mature announcer. You need good opera. Send audition tape and covering letter and credentials. Write PM, G-H-FM, Box 56, Newport News, Virginia.

Immediate opening, experienced newscaster able to write, edit, and collect news. Send tape, recent photo, complete background to Bill Frosch, WISH, Indianapolis.

Georgia. 5,000 watt independent in small town wants an announcer who can deliver. Prefer at least two years fulltime announcing experience in the growth mode of the road music policy. No format. No razzle-dazzle. Give all details and salary expected in first letter. WLET, Toccoa, Georgia.

Announcers

Wanted, experienced announcer with first phone. WSYB, Rutland, Vermont.


Technical

1,000 watt station in southeast has opening for experienced announcer. Good salary and excellent working conditions for right man. Send resume, references and tape to Box 175R, BROADCASTING.

Experienced maintenance man for Pennsylvania station. Box 707R, BROADCASTING.

1,000 watt station in northeast has opening for chief engineer-recording engineer-combination announcer immediately. Send resume and tape to Box 976R, BROADCASTING.

Combo job in southern market. Half-week board, half-week maintenance. Daytime knowledge required. Salary, experience, please. Box 154S, BROADCASTING.

Wanted: First class engineer capable of routing multiple phone on 560 watt full time station. Must be above average announcer with good personality. Salary. Box 107S, BROADCASTING.

Wanted: Transmitter operator with first class license and vacation benefits. Contact G. E. Crocker, Chief Engineer, KQDN, Aberdeen, S. Dak.

First class engineer for maintenance and announcing, news gathering, traffic or writing. Small college town, excellent working conditions, free insurance. Contact Frank Cordet, WGAP, Marysville, Texas.

Combination first class engineer and announcer-dj on upstate NY daytime station. Responsible position. Start soon as possible. WPDM, Potsdam, N.Y.

Immediate opening: First class phone-combo announcer or first-class phone with managerial ability single station in beautiful, small West Virginia-Virginia area. Write, call or wire, Manager, WRON, Roanoke, West Virginia, Monday 8-357R. Salary open.


Production-Programming, Others

Copywriter and traffic assistant. Large metropolitan stations. Top pay. Box 885R, BROADCASTING.

Chicago am station for 35 years commencing fm broadcasts. Program director needed for creative work which sponsors will prefer. Write WSBC, Chicago 12, Illinois.

Situations Wanted—Management

18 years experience, 32, ready for manager's position small or medium market, gulf states. Box 865R, BROADCASTING.

General manager available. Must move to fairly warm climate due to health of son. Eighteen years experience radio, seven years management, programming, production personnel and sales management. Favorably situated radio and sales. No minimum but solid, steady builder of station profits and reputation. Excellent community service record. Desire salary-incentive plan or part ownership from profits. Write Box 958R, BROADCASTING.

General manager/sales manager. Radio and/or television 18 years radio, 5 years management and sales management. Comp. emp. 30 years, excellent references upon request. Box 997R, BROADCASTING.

Situations Wanted—Announcers

Here's a Fine SALES OPPORTUNITY . . .

created by a vacancy on our local sales staff. Hard-working, seasoned radio account executive with proven large market sales ability should earn $10,000 first year with a realistic potential well above that. Station is consistently one of the top-rated in America's 12th market with programing beamed in good taste to the masses. Has been a major factor in the area for 38 years. All inquiries handled in confidence.

Contact—

Dudley Tichenor, Dir. of Sales

RADIO STATION WFBF
13 East 20th St., Baltimore 18, Md.

Mulberry 5-1300

BROADCASTING, February 1, 1960 99
**Help Wanted—(Cont'd)**

**Technical**

1st phone, twelve years experience in electronics, computer, and directionals. New position. box 1935, broadcasting.

**Production-Programming, Others**

Newsmaker—Man to assist news director of full power vhf. Handle wire, correspondent copy, assign stories and photography, occasionally cover them. Prefer some tv, radio or newspaper experience. On-camera ability helpful in future. Write News Director, Fzets Television, Cadillac, Michigan.

**TELEVISION**

**Situations Wanted—Sales**


**Announcers**

Sports reporter. Not a reader of wire copy. Thorough knowledge helps me bring out football plays-backed playcalls, complete playby-play, pregame news. Entertaining, informative, hard-hitting. Box 1495, BROADCASTING.

English-speaking TV man, announcer-director, seeks challenge, permanency. 31; married; best references. Ten years radio-tv; last four a top, newsmaking personality large vhf. Have written, produced and served as anchor for many. Events include sports, children's shows. Have never met a topic I can't cover. If you want results for advertisers, a tested, proven personality for viewers, write Box 1195, BROADCASTING.

**Technical**

TV studio engineers for design, test, and field engineering. Rapidly expanding production company. All benefits, plus rapid advancement for qualified engineers. Photo Video Laboratories Inc., N.E. 9-610, Cedar Grove, New Jersey.

**Production-Programming, Others**

Producer—director, film director, 10 years professional experience. Background in television, radio, film; all news, documentaries, comedies, dramas. Desires to relocate. Box 1225, BROADCASTING.
FOR SALE

Equipment
For sale: Complete 5 kw tv transmitter channels 2-6; 25 kw tv amplifier 2-6 also 7-13, ECASTING, 592.1. Schaeffer deluxe remote control unit in operation, $600.00. 2 Seeburg 200 record librarians, 8 turn tables. 1 Western Electric single channel console No. 22-C . . . $200.00. Amperex RA . . . . $400.00. Box 1035, BROADCASTING.

550 foot Blaw Knox self-supporting H-21 tower. Designed for fm and tv antennas. Diamond rings required to ship. $18,000. Box 1385, BROADCASTING.

1 Back mounted Magneicorder P15 transport with A, B and C Cassettes. 4-track Magnetic Recorder card case. includes 3 speed PT15A transport 2000 M. Good condition. $250.00. Communications Service Inc., 3200 Canton Street, Dallas, Texas.

Commercial crystals and new or replace crystals for RCA, Gates, W.E. Biley and J-X holders, regrinding, repair, etc. BC-Q4 crystals. Also am monitor service. Nationwide unsolicited testimonials praise our products and fast service. Edson Electronics Co., Box 31, Temple, Texas.


Volkswagen station wagon, model 221; bought new August 1969, only 2800 actual miles. Loaded. Quick sale. Only $3950.00. Stanley E. Frakes, Sulphur, Indiana.

General Electric 10 kilowatt frequency modulation broadcast transmitter complete. General Electric Type EFAA. This includes kilowatt exciter and 25 kw watt exciter. Contact Paul Peck, Assoc. Managing, 1257 Main Street, Buffalo, New York.

Miretel tv monitors demonstration units. New warranty 15-17 metal cabinets $215.00 each. 8-17" veneer cabinets $155.00 each. Complete line of new units available in 9", 14", 17", 21", and 24". Write: Miretel, Inc., 1082 Dianne St., St. Paul 13, Minn.

Microwave transmission line—Andrew 4"—10 kw. In good condition. Five $75 each.poly and teflon insulated with hardware, accessories and tools. New-bargain prices. Write for listing. Sierra-Western Electric Cable Company, 1401 Madison Harbor Road, Oakland 29, California.


WANTED TO BUY

Stations
250, 1060 or 5600 watts, New York-New England. Other locations definitely considered. Financially able and responsible. Ten years experience. All replies held confidential. No brokers please. Box 918R, BROADCASTING.

Equipment
Wanted: FM frequency-monitor, regardless of condition, 5 kw, make, model, price. Box 960R, BROADCASTING.

Wanted: KIF1, Idaho Falls, Idaho, has cp for Channel Eight, basic kw. Air mail if you have any good, used equipment for sale.


3-5 kw fm transmitter with or without tape player and accessories. Also interested in 200 w to 10 kw, am and fm. Submit details. Compass Electronics Supply, 73 Varick Street, New York 5, N. Y.

Early relic transmitting tubes and parts for personal collection. W6AA, Wayne Nelson, Concord, N.C.

BUSINESS OPPORTUNITY

Operate profitable employment agency — home or office; part or full time. Write Personnel Associates, Box 922-BT, Huntsville, Ala.

BROADCASTING, February 1, 1960

INSTRUCTIONS

F.C.C. First phone license preparation by correspondence or in resident classes. Grantham Schools are located in Hollywood, Seattle, Kansas City and Washington. Write for our free booklet. Enroll now. Grantham School of Electronics, 3123 Gilham Road, Kansas City 9, Missouri.

FCC first phone license in six weeks. Guaranteed instruction in teacher. G. I. approved. Request brochure, Elkina Radio License School, 2603 Inwood Road, Dallas, Texas.


Be prepared. First phone in 6 weeks. Guaranteed instructor, Elkina Radio License School of Atlanta. 1139 Spring St., N.W., Atlanta, Georgia.

FCC license in six weeks. Next class March 14th. Reservations required. This is the can-do school. Pathfinder, 510 16th St., Oakland, California.

With pride we announce the opening of our new broadcasting school. Twelve weeks intensive, practical training in announcing, programming, etc. Brand new console, turntables, and the works. Reservations only. Elkina School of Broadcasting, 2603 Inwood Road, Dallas 55, Texas.

Highly effective review material for commercial phone exams. Free literature. Wallace Cook, Box 10634, Jackson 9, Mississippi.

MISCELLANEOUS

Production radio spots. No jingles. Free audition tape to qualified producers. 2605 Templeton Road, Columbus, Ohio.

Hundreds of one-liners, quips and quotes, prepared by dj's for dj's. Send $2 to Jay Dee Productions, 605 Addison, Chicago, Illinois.

RADIO

Help Wanted—Management

EXECUTIVE WANTED
Successful, growing, well-staffed, well-financed station representative, seeks top Radio-TV executive for expansion program. Must be able to acquire new properties. Partnership offered.

Box 149R, BROADCASTING.

Help Wanted—Sales

BROADCAST SALES ENGINEER
Major manufacturer of tv and radio broadcast equipment requires sales engineer to travel midwest territory. Salary plus bonus. Prefer sales as well as engineering background. Send resume to:

Box 1155, BROADCASTING

ANNOUNCERS

WANTED
Promotion man with audience building ideas that he can execute for Washington, D.C. network radio station. Send complete details in writing to Box 1518, BROADCASTING.

Help Wanted—(Cont'd)

ANNOUNCERS

Advertisements

ANNOUNCERS

JOB OPPORTUNITIES SLIPPING BY?
N.Y.T.S.A.S. is the only school in the east that offers advanced coaching EXCLUSIVELY . . . In announcing and operation of complete, front dia. disc. station, completely off-the-press for a tight format. 10 week course coached by New York broadcasters. Get the MODERN SOUND. KNOW MODERN RADIO.

Let us analyze your present audition tape. For an appointment call MR. KEITH at SU-7-0938.

NEW YORK SCHOOL OF ANNONCING & SPEECH
160 West 73rd Street
New York, N. Y.

Production-Programming, Others

RADIO

Situations Wanted—Management

WANTED
20 years combined experience in management, promotion and production. Two men happily employed in adult station seek greater horizons. Young and eager for a future. Creative thinking is our greatest asset. No top 40's please.

Box 980R, BROADCASTING.

A MESSAGE OF IMPORTANCE TO RADIO STATION OWNERS
Top-flight manager in major market now available for new challenging situation. Proven record of successful performance with big and medium market stations. Unique knowledge of sales, programming, merchandising, sales promotion, including solid contacts in national sales. You can depend on me to make a station take-off; to make ratings rise dramatically; to keep them up through sound understanding of all phases of programming and promotion. Let's talk about your particular problem and how I may fit into your picture.

Box 965R, BROADCASTING

Due station sale, major market 5 kw manager who knows the "man makes the difference" wants to negotiate on that basis. Will leave radio. Strong, varied record.

Box 992R, BROADCASTING

101
Situations Wanted—(Cont'd)

Announcers

TOP EASTERN DJ-PERSONALITY
seeks AM or TV position
in large market.
Jim Gallant
Woodbridge, Conn.
Fulton, 9-1113

Due to remark, OPEN MIKE, 1/11 issue,
anybody for a 31-year-old, happily mar-
rried, non-imbiding, extremely healthy, top
notch, DJ-Newt personality with plenty of
experience and guts? Prefer sunny clime
but will consider others. Call Jerry John,
KOTE, OR WRITE: 112 Janks, St. Paul 17,
Minn. It could behoove us both!

Production-Programming, Others

ATTENTION
WEST COAST STATIONS
Competent, fully trained personnel
in all phases of radio and television
operation now available as result of
change in management policy. We want
to help them relocate. For full infor-
mation, write or wire collect,
Box 155S, BROADCASTING.

TELEVISION

Situations Wanted—Sales

Veteran TV syndicated program
sales executive since 1952. Available
for right connection January 3, Inter-
tested either radio or TV preferably
west coast. Top references.
Box 100S, BROADCASTING

FOR SALE
Equipment

FOR SALE
TV OR FM TOWER
Priced to Sell

400 ft. Stainless Triangular Gued Tower In Good Condition
Will Support RCA 12 Bay High
Band TV Antenna

IDEAL FOR TV OR FM
Write:
Box 978R, BROADCASTING.

MISCELLANEOUS

RADIO CONSULTANTS
Successful group ownership offers
experience in

Management
Programming
Engineering
and all phases of money
making operation of radio
stations.
Financing available if desired or
needed. Fee or percentage basis. All
replies confidential.
Box 904R, BROADCASTING

Dollar for Dollar

you can't beat a
classified ad in getting
top-flight personnel

STATIONS

FOR SALE

STATION FOR SALE
BY OWNER
In a top 40 market in south, 250 watts
total. Am going into partnership and
want to sell. Other stations in market doing
40 M monthly. I have other stations and
not enough time to manage this property.
$100,000 with 29% down—terms on balance.
W, write, call Gene Newman,
WEZB, Tutwiler Hotel, Birmingham,
Alabama.

Tenn. Single 1kw 75M terms
Tenn. Single 1kw-D 55M terms
Va. Single 250w 60M terms
Ia. Single 500w 95M terms
Ala. Single 500w 58M terms
Va. Single 1kw-D 80M terms
Calif. Single 250w 65M terms
Minn. Single 1kw-D 105M terms
Ky. Single 1kw-D 100M terms
Calif. Single 250w 68M terms
Fla. Small 1kw-D 98M terms
Fla. Small 250w 50M terms
Fla. Small 250w 48M terms
Fla. Small 250w 85M terms
N.Y. Medium 1kw-D 150M terms
La. Medium 1kw 150M terms
Miss. Medium 1kw-D 75M terms
Ga. Metro 5kw 200M terms
Va. Metro 250w 330M terms
Ala. Metro 1kw 175M terms
N.C. Metro 500w 170M terms
Fla. Large 250w 175M terms
Fla. Large 50w 185M terms
Fla. Major 250w 250M terms

And Others

PAUL H.
CHAPMAN COMPANY
INCORPORATED
MEDIA BROKERS

Atlanta
Chicago
New York
San Francisco

Please address:
1182 W. Peachtree
Atlanta 9, Ga.

THE PIONEER FIRM OF TELEVISION AND RADIO MANAGEMENT CONSULTANTS
ESTABLISHED 1946
NEGOTIATIONS MANAGEMENT APPRAISALS ENHANCING
HOWARD S. FRAZIER, INC.
1750 Wisconsin Ave., N.W.
Washington 9, D. C.

STATIONS FOR SALE

CALIFORNIA. Large and dynamic
market. Gross $65,000 to $70,000
year. $35,000 down.

ROCKY MOUNTAIN. Absentee
owned. Priced at $50,000 with
29% down. Full time.

EXCLUSIVE SOUTHWEST. Day-
timer. Full price $30,000. Down
$7500. Good terms on balance.

SOUTHWEST FULL TIME. Partner-
ship disagreement. Network
$75,000 with 29% down.

Many Other Fine Properties
Everywhere.

JACK L. STOLL & ASSOCs.
6381 Hollywood Blvd.
Los Angeles 28, Calif.
HO. 4-7279

BROADCASTING, February 1, 1960
Continued from page 96

Grant herein is without prejudice to such action as Commission may deem warranted as result of its final determination. The comment and recommendations set forth in report of North American Regional Broadcasting Conference now being considered or conducted by Commission, and (3) pending anti-trust matters.

New FCC processing line announced

Following applications are at top of am processing line and will be considered by FCC beginning Feb. 27, Commission has announced. Any new applications or changes in current applications that may conflict with those that must be filed with FCC by close of business Feb. 26, in order to be considered.

Applications from the top of processing line:


BP-12581 - KYSC Yreka, Calif., Siyoutou Best Co. Inc. Has: 1650kc, 250w, uni. Req: 1650kc, 250w, D.

BP-12564 - Northeastern Ohio, Northern Ohio Best Co. Req: 600kc, 50kw, DA-1.

BP - 12565 - WJOK Poughkeepsie, N.Y., Midland Best Co. Inc. Has: 1310kc, 1kw. Req: 1310kc, 1kw, D.


BP - 12584 - KGAY Salem, Ore., KGAY Inc. Has: 1450kc, 5kw, D. Req: 1550kc, 5kw, D.


BP-12571 - New, Burlington, N.J., Bur- lin Boys Inc. Has: 1450kc, 250w. L-S, D.


BP-12560 - WLBY Ladiams, Wis., Flam- beau Best Co. Inc. Has: 1250kc, 250w. D. Req: 1250kc, 1kw, D.


BP-12586 - New, Pullman Desert, Calif. Palm Desert Best Co. Req: 1270kc, 350w, D.

BP - 12535 - New, Fairbury, Neb. New Plain Best Inc. Req: 1310kc, 50kw, D.


BP-12558 - Richard Center, Wis., Richland Best Corp. Has: 1450kc, 250w, uni. Req: 1450kc, 250w, 1kw, L-S, unil.

BP-12564 - New, Greens Falls, N.Y., Platts- burg Best Co. Corp. Req: 1250kc, 1kw, D.

BP-12603 - WBTH Waltham, Mass., Burbank Best Co. Inc. Has: 1020kc, 250w, uni. Req: 1400kc, 250w, 1kw, D.

BP-12610 - WTHF Canton, Ohio, Stark Best Co. Inc. Has: 1050kc, 1kw. Req: 1050kc, 1kw, D.


BP-12620 - WBOB York, Pa., Susquehanna Best Co. Inc. Has: 1310kc, 1kw, D. Req: 1310kc, 1kw, 1kw, L-S, D.

BP-12561 - WJH Northern, Mass., WJH Best Co. Inc. Has: 1450kc, 250w, uni. Req: 1450kc, 250w, 1kw, D.

BP-12529 - WBCO New Orleans, La., Bona Best Co. Inc. Has: 1050kc, 1kw. Req: 1050kc, 1kw, L-S, D.

BP-12549 - New, Tampa, Fla. The Tampa Best Co. Corp. Has: 1200kc, 1kw, D.


Why you get more for your money when you buy by BRAND NAME...

A respected Brand Name is a manufacturer's most valuable asset and he spares no effort to protect it by constantly testing and bettering the quality of his product.

A Brand Name is the manufacturer's guarantee of satisfaction, further endorsed by the retailer who sells it.

Brand Names give you publicly approved standards of quality and value, for a brand-name product has to earn its good reputation against all its competition.

Magazine advertising helps you get the most value for your money. Choose a maker's Brand Name you know.

A Brand Name is a maker's reputation

BRAND NAMES FOUNDATION, INC., 437 FIFTH AVENUE, NEW YORK 16, N.Y.
OUR RESPECTS TO...

Fairfax Mastick Cone

Among advertising's more devoted practitioners, Fairfax Cone is one of the most ideally suited by temperament and personal ethics to champion the good of the many and to assail the transgressions of the few.

As chairman of Foote, Cone & Belding's executive committee, Mr. Cone is regarded as an elder statesman among agency executives, a man sorely needed in advertising's current crisis.

One colleague has characterized him as a "catalyst" or "synthesizer" of media, with an ever-vigilant eye to the creative side of a dollar-and-cents business. Said a competitor: "He's a good Samaritan in advertising, with really no ill will toward anyone. Fox is a kind of messiah who feels responsible for the sins of his advertising brethren and tries to lead them to the promised land."

But this reaction is usually quite typical in any Fox Forum: "He said something that needed to be said—it hasn't been said too often before, at least not quite as well."

Worth Hearing • Whatever the descriptions, just about everybody, including lukewarm detractors, admit that what Mr. Cone might have to say in today's troublesome advertising-media climate is probably worth hearing.

Some samples:
• There is room for the magazine or "spot carrier" concept in today's television, just as there's room for westerns and specials. But spot-carrier clients shouldn't be charged the same as regular sponsors because of relative ratings or circulation differences. In this Mr. Cone stands somewhat alone for an agency executive.
• All media ought to screen advertising copy before it gets in print or on the air—to assure "proofs of claims" by advertisers. Advertising's sins could be minimized through "censorship" by media. And broadcast media ought to be made primarily responsible for all commercials and programming.
• The Federal Trade Commission's stepped-up look-see at tv commercials smacks of a "witch hunt" and "headline hunting." He doubts that charges against tv advertisers will prove to have "any basis in fact" and he is skeptical of the FTC's questioning the use of mechanical techniques to reproduce product demonstrations or product performance.
• The press ought to be more meticulous in screening its own ad copy and should "separate the facts from the allegations" in its stories on allegedly deceptive commercials, payola and rigged quiz shows. (One of Mr. Cone's gems: "The television scandals were so ripe and so delectable, despite the pious headshaking that went with the devouring of them, that they simply had to be followed with a series of new, tasty concoctions.")

Strong Medicine • These are strong sentiments for a man who rides herd on an agency that bills about $90 million annually, with perhaps $40 million in tv. But not for an outspoken executive who is at once soft-spoken, introverted, creative, critical and rigid in his principles. Fax Cone peers out of horn-rimmed glasses from an impassive (and sometimes compassionate) face that seems to suggest he got into the wrong business to begin with.

Proud of his early American heritage (three of his ancestors signed the Declaration of Independence and the first American Cone came to Connecticut in the 17th Century), Fairfax Mastick Cone claims San Francisco as his birthplace. He was born Feb. 21, 1903. Fax Cone was home-taught until he entered the sixth grade of grammar school.

At 16 young Mr. Cone went from University High School in Oakland to sea and was graduated in absentia while in Liverpool. In line with his father's wishes he abandoned seafaring and enrolled at the U. of California in 1921. His major college distinctions: he got an "F" minus and, though he was in the class of 1925, he didn't get his diploma until 1947. (English came easy but attendance did not.)

Start in Journalism • Out of the U. of California came Fax Cone's stock in trade: journalism (he drew cartoons, was editor of the pictorial magazine and was board member of the school's literary magazine). During the summer he worked as copyboy on the San Francisco Examiner. He moved up fulltime to want ads and promotion, then joined the L. H. Waldrom agency as an artist for $500 a month.

Mr. Cone started in the San Francisco office of Lord & Thomas as a copywriter on April 9, 1928, set a wedding date with his wife (the former Gertrude Kennedy) for June 29, 1929, and then proceeded to wage a painful and body-racking battle against a strange malady. In 1934 he was hospitalized, losing 30 pounds in four months. (The ultimate diagnosis was the opposite of diabetes—recurrent insulin shock. He later was steered to a cure in New York by Albert D. Lasker, head of Lord & Thomas.)

Handicaps and all, Mr. Cone was appointed manager of L & T in San Francisco in 1939, chairman of the plans board in New York in 1941 and manager of Chicago operations in 1942. The retirement of Mr. Lasker marked the genesis of Foote, Cone & Belding in January 1943—it started with $100,000 for immediate expenses and became one of the 10 largest agencies in the country. (Under Mr. Lasker, Mr. Cone was in constant contact with George Washington Hill, head of American Tobacco Co., and created the slogan—"With men who know tobacco best . . . it's Luckies, two to one.") Mr. Cone became chairman of FC&B's executive committee in 1943, president in 1951 and chairman again in 1957, concentrating on policy and creative advertising.

Headed AAAA • Mr. Cone is a former chairman of the American Assn. of Adv. Agencies and director of The Advertising Council. He's also active in civic groups, including the U. of Chicago, Chicago Assn. of Commerce and Industry and Chicago Community Fund drives. He and his wife have one daughter, Mary, and live on Chicago's near north side—at 1260 N. Astor St. He likes to read, rest and entertain. At work his main interest is in copy and devising new campaigns—but he believes that research, media planning and merchandising should be no less creative. His desk is the essence of orderliness. And about truth in advertising, he said with characteristic candor three years ago before the probe:

"During all the years I've been in the advertising profession I have never—not even once—been asked to write a dishonest ad or make a dishonest statement in an ad. I assume that most others haven't been asked either, because I can't believe that I am unique."
EDITORIALS

Politics over principle

The stage was set at the FCC last week for broadcasting to demand emancipation from unconstitutional government controls.

But broadcasting wasn't equal to the setting.

The major elements of radio and television presented eloquent defenses of the broadcasting record and eloquent arguments for constitutional protection of radio and television as organs of free speech. In the next breath the same witnesses undid much of the good that had been done by making concessions that were transparently political.

It may have been coincidence, but the NAB, NBC and CBS gave presentations which, while differing in detail, were fundamentally alike.

Each statement contained persuasive descriptions of broadcasting's many virtues and candid recognition of its imperfections.

Each made a strong legal and philosophical case against government influence in programming.

Yet all agreed in their conclusions that the FCC could exercise some degree of program surveillance as a means of determining the character of station applicants. At that point all three jilted principle for political expediency. The political advisors could be imagined whispering in the background: "Don't forget the FCC is in trouble and has to write something that will make it look tough."

The essence of the reasoning advanced last week by the NAB, NBC and CBS was this:

It is unconstitutional for the FCC to review programming.

But it is quite all right for the FCC to evaluate the character of an applicant on the basis of the programming that he proposes, if he seeks a new grant, or that he has been broadcasting, if he seeks a renewal.

This reasoning is not new. It has been repeatedly used by the FCC to make excursions into one form of program control or another. The wonder is that it has survived so long in a world where logic still has some function.

If the FCC sets out to judge a man's character by his programming, it must first make a judgment of the programming itself. Before it can say by this process that an applicant is good or bad it must first decide that the standard by which he is being measured—his programming—is good or bad.

How can the FCC evaluate programming, as the prerequisite to evaluating the character of the programmer, without straying into an area that is marked off-limits by the First Amendment? At this point the advocates of this process retreat behind a haze of doubletalk. It is all right, they say, if the FCC looks at a program service in totality as long as it steadfastly refuses to evaluate individual programs.

Here the FCC is asked to perform a neat trick. How can a program service be described or judged without reference to its parts?

Well, say some, let us look at it by percentages of program types: A percent commercial, B percent sustaining, C percent religion, D percent public service, E percent recorded music, etc.

Is A percent commercial better than B percent sustaining, or worse? Is C percent religion enough, too little, too much? What is the correct percentage of recorded music? Is it a balanced schedule? What is balance? The futility of reaching acceptable answers to these and countless other questions like them has been conclusively proved in 25 years of FCC administration. As two witnesses, NAB and NBC, testified last week, the statistical method is meaningless.

What better substitute can be suggested? Well, let's try a narrative report, said NAB and NBC. Let the applicant describe the service he has rendered or will render. From then on both NAB and NBC turned vague. What should an applicant tell the FCC in this report? How can he write a narrative description that will be more meaningful than a statistical report without describing, in intelligible detail, the programs that make up his service? The record of the testimony last week gives no guidance on that matter.

The fact is, of course, that judgment by statistical report and judgment by narrative are equally prohibited by the First Amendment. Either method puts the FCC into some degree of program control. To read the law submitted by the same witnesses who argued for FCC surveillance over programming is to be certain that the constitutional principle they first embraced and then ignored is very much at work.

There are limits to the protection that the First Amendment gives all media. It does not protect them from prosecution under laws against obscenity, incitement to riot, treasonable acts and utterances, lotteries and many other crimes.

The violation of criminal law ought certainly to be a subject for FCC inquiry into the qualifications of a broadcast licensee.

But there is a vast difference between a government investigation of a criminal act and government investigation of a program service about which no question of criminality has been raised. The difference is as great as that between the killing of an armed bandit in a gunfight with the police and the confiscation of a newspaper which criticizes a crooked police commissioner.

These distinctions tend to disappear in a political tumult as violent as that which has been aroused by the payola and television quiz disclosures. Broadcasters must hope that the FCC can be wise enough to resist the demands for tighter government controls. The hope would be more realistic if the FCC had been given a less diluted dose of principle by its chief witnesses last week.

"I forgot to tell him you were coming in to give an income tax broadcast!"
WHEN KSTP-TV SAYS
"GO OUT AND BUY IT" . . .
PEOPLE GO OUT AND BUY IT!

Represented by
Edward Petry & Co., Inc.
The Original Station Representative

KSTP television
MINNEAPOLIS - ST. PAUL
100,000 WATTS - NBC
A GOLD SEAL STATION
PULSE: FIRST IN DENVER'S 10 COUNTY AREA!
Including Cheyenne and Laramie, Wyoming, in and out of home audience—according to September, 1959, PULSE.

HOOPER: KIMN UNDISPUTEDLY NUMBER ONE!
According to October, November and December, 1959, HOOPERATING. Both ratings agree...

KIMN DELIVERS MORE AUDIENCE, MORE OFTEN, THAN ANY OTHER DENVER RADIO STATION!

DENVER IS ON THE MOVE...
and KIMN moves Denver! Let us tell you about this great, rich market. Call Al Fiala, National Sales Manager at BELmant 7-2734 or our TWX number (Lakewood 535), in Denver, Colorado.

REPRESENTED NATIONALLY BY
Avery-Knodel, Inc., who will enthusiastically tell you the KIMN story and what it will mean for your product. Contact your Avery-Knodel man.

KIMN 5,000 WATTS AT 950 KEY STATION • INTERMOUNTAIN NETWORK • Cecil Heftel, President