

## St. Louis Ch. 4 Grant Proposed After Merger

KWK is surviving applicant as KXOK and Missouri Valley Tv Co. acquire part-interest options. Ch. 54 WTVI (TV) Belleville protests action.

INITIAL decision was issued last week by FCC Hearing Examiner Claire W. Hardy proposing to grant ch. 4 to KWK St. Louis, stemming from a merger proposal a fortnight ago which saw the dismissal of competitive applications by KXOK and Missouri Valley Tv Co., chiefly owned by KSTP-AM-TV Minneapolis-St. Paul [B•T, April 12].

When options are taken, KWK would be owned 23% by present part-owner *St. Louis Globe-Democrat*, 28% by other part-owners Robert T. Convey and associates, 23% by KXOK Ins., 23% by KSTP Inc., and 3% by St. Louis residents who had interests in Missouri Valley Tv Co. KXOK would be sold to C. L. Thomas, present KXOK general manager, but the price has not been determined. Mr. Convey would continue as KWK-AM-TV manager.

On the eve of the initial decision, protest of the merger was filed with FCC by ch. 54 WTVI (TV) Belleville, Ill., contending the grant would result in concentration of control of

### St. Louis Ch. 11 Ruling

CBS is entitled to stay in the St. Louis ch. 11 contest, FCC ruled last week in denying petitions by St. Louis Telecast Inc. and 220 Television Inc. for dismissal for not conforming to new multiple ownership rules. CBS, which operates KMOX there, filed before new rules were adopted, has spent considerable money on its bid and agrees to divest itself of other holdings to meet new rules if successful there, FCC decision noted. Other ch. 11 contestants: St. Louis Amusement Co. and ch. 36 KSTM-TV there, latter included after court appeal [B•T, March 15, 8].

mass media of communication in the market since the *Globe-Democrat* is identified with the proposed ch. 4 station and the *St. Louis Post-Dispatch*, the city's only other daily paper, operates KSD-AM-TV, the latter the only operating vhf outlet, on ch. 5.

WTVI argued that St. Louis area viewers have \$20 million invested in uhf converters and antennas, representing some 200,000 installations. The station contended advertisers would favor the new ch. 4 station because it is vhf and the outlet would compete with WTVI in both St. Louis and Belleville for audience and advertising.

## Andrews Named to Head Tall Tower Study Group

DR. T. G. ANDREWS, head of the psychology department, U. of Maryland, has been chosen chairman of the *ad hoc* committee of the Air-drome, Air Routes, and Ground Aids subcommittee of the Air Coordinating Committee to study the question of marking and lighting tall tv towers and guy wires [B•T, Jan. 11 et seq.].

Dr. Andrews is a member of the vision committee of the Armed Forces National Re-

search Council.

First meeting of the working group, comprising members of government and military agencies and interested broadcasting and aviation organizations, is scheduled for April 22 in Washington.

The AARGA subcommittee has been studying the need for changes in marking and lighting standards for tall structures since the beginning of the year. The activity followed publicity which ensued after former Michigan Gov. Kim Sigler's plane crashed into the tower of WBCK-TV Battle Creek, Mich., killing the entire party of four [B•T, Dec. 7, 1953].

Government members of the *ad hoc* unit are: R. H. Clinkscales, CAB; John Rodgers, CAA; W. B. Hawthorne, FCC; Lt. Col. Marshall McGovern, Air Force; James A. Auslund, Army, and Lt. Comdr. E. S. Ogle, Navy.

Both broadcasting and aviation interests will have associate membership status on the working group. The following organizations and companies have been invited to send delegates:

**BROADCASTING**—NARTB, RETMA, Federal Communications Bar Assn., Assn. of Federal Communications Consulting Engineers, Westinghouse, GE, RCA, Sylvania, Crouse Hinds (Lighting), Winchester, Truscon, Blaw-Knox, Lehigh and Stainless.

**AVIATION**—Air Transport Assn., Air Line Pilots Assn., Aircraft Owners & Pilots Assn., National Business Aircraft Assn., National Assn. of State Aviation Officials, National Aviation Trades Assn., Airport Operators Council and Aircraft Industries Assn.

## Trinity Drops Plans On Baseball Re-creation

NO BASEBALL re-creations will be aired this season by Gordon McLendon's Trinity Broadcasting Corp., FCC was advised last week, because complaints by three major league clubs, the Yankees, Dodgers and Cardinals, have prevented Trinity from making pre-season arrangements.

Trinity asked FCC to dismiss as moot the petitions for reconsideration filed a fortnight ago by the ball clubs and by Western Union against the Commission's action granting license renewal to Trinity's KELP El Paso, Tex. In that decision, FCC found Trinity's game re-creations in past seasons did not constitute illegal appropriation of private property and did not deceive the public to believe they were actually live pickups [B•T, April 5, March 8].

### Precluded Arrangements

Trinity told the Commission that the ball clubs, by the institution of their complaints and "their subsequent course of action during the time the complaints were pending before the Commission," have made it "impossible for Trinity Broadcasting Corp. to make the necessary arrangements to re-create baseball games during the 1954 season." Consequently, neither KELP-AM-TV nor Trinity's KLIF Dallas will air re-creations this year, FCC was told.

Western Union filed a Sec. 309(c) economic injury protest, charging FCC erred in the KELP case by not finding that the station had appropriated private property (game information) without consent and aired it as though it were live. Western Union said it pays the American and National leagues for the right to transmit game data to subscriber stations and such stations may not allow unauthorized rebroadcasting, nor may a non-subscriber station appropriate the data aired by a subscriber.

Counter damage suits between the major league ball clubs and Mr. McLendon's defunct fifth network, Liberty Broadcasting System, are pending in the courts and may be heard this fall, it was indicated last week. Depositions are being taken.

## Hearing Backlog Lowers

IN DESIGNATING for hearing three more comparative television cases, FCC last week reported only 13 cities remain to be set for hearing, but said all 44 applicants involved have been notified of expected hearing by McFarland letters. New cases designated, to commence May 14 in Washington, included: Big Spring, Tex., ch. 4, Texas Telecasting Inc. (KDUB-TV Lubbock) and Big Spring Broadcasting Co. (KBST); Jefferson City, Mo., ch. 13, L.H.P. Co., Capitol Tv Co. and Jefferson Tv Co. (KWOS); and San Antonio ch. 12, Mission Telecasting Corp. (KONO) and The Walmac Co. (KMAC).

## NBC, Clear Channel Group Protest FCC Skywave Ruling

BOTH NBC and Clear Channel Broadcasting Service last week protested FCC's order of early March eliminating from the Commission's engineering standards the use of am broadcast skywave measurements in other than general rule-making proceedings. FCC said the skywave curves in the standards shall be used in licensing proceedings.

The petitions asked for reconsideration and noted FCC had eliminated the use of measurements because of the short period of time over which they would be taken. NBC and CCBS replied that if this logic applied to the measurements, it should also apply to the curves themselves, since the curves are based on measurements taken over only a three-month period in 1935. They asked the Commission not to absolutely foreclose the use of specific measurements in cases where they might apply and could be properly tested.

## Gray Chairman of Unit Investigating Oppenheimer

GORDON GRAY, president of WSJS-AM-TV Winston-Salem, N. C., former Army Secretary and now president of the U. of North Carolina,

is chairman of a special loyalty review board that is holding secret hearings on the charges made against atomic scientist J. Robert Oppenheimer.

Dr. Oppenheimer has been suspended by President Eisenhower from atomic research activity pending the board's determination of his security status.



MR. GRAY

## FCC Grants Microwave Links

LONG LINES Div. of American Telephone & Telegraph Co. last week was granted permits by FCC for seven new microwave radio relay stations to comprise the Los Angeles-Turquoise, Calif., section of the proposed Amarillo-Los Angeles system, including a side leg from Turquoise to provide network tv service to KLAS-TV Las Vegas, Nev. FCC fortnight ago approved permits for an initial section between Amarillo and Albuquerque.