

area, without in any way being in derogation of the local needs of Newark and its surrounding area," the commission stated.

Roughshod Ride ■ Commissioner Cross said that he could not approve the transfer without a hearing in the face of the "considerable opposition" of the New Jersey officials. He emphasized that ch. 13 is the only New Jersey vhf while New York has 22.

He said the educational format of the buyers is a "strong recommendation indeed. However, under the circumstances presented here, even this is not sufficient in my opinion for the commission, acting on behalf of the federal government, to ride roughshod over the expressed opposition of the duly-elected state officials without giving them opportunity to be heard."

In a separate letter last week, the FCC dismissed a petition by present and former WNTA-TV employees asking that the sale not be approved until they had received NTA stock promised as a 1960 Christmas bonus. The commission pointed out that NTA has promised to make good as soon as required registration is made with the Securities & Exchange Commission.

The commission waived its rules to permit ETMA to locate its main studio in New York "where there is the greatest concentration of the area's educational and cultural resources." Etv ch. 13 also will be required to maintain a studio in New Jersey.

NTA announced last winter that it would sell WNTA-TV and immediately several commercial groups made bids—some well above the eventual selling price to ETMA. A short time later, the FCC invited inquiries on methods to provide an educational vhf station for New York and Los Angeles (BROADCASTING, April 3). This move effectively blocked the sale of WNTA-TV to commercial interests, according to spokesmen at the time, and paved the way for a successful bid by etv.

FCC sets mass hearings for microwave renewals

Mass hearings were ordered by the FCC last week for license renewals of some dozen-and-a-half microwave relay stations which are owned by catv companies and serve only those companies.

If the licensees wish to avert a hearing they were offered several alternatives by the commission: dismiss the request for renewal (and surrender use of the radio facilities); make efforts to obtain customers for the services of the point-to-point microwave service who are not in any way related with the licensee; consider seeking a license to operate the facilities as a private system in the Industrial Radio Services (instead of as a common carrier which must by law serve the public).

In a separate action, the FCC set for hearing renewal of four microwave licenses held by Collier Electric Co. to determine among other issues whether it has engaged in any discriminatory or unlawful practices relating to the operation of the stations (located in Colorado and Nebraska); whether it made misrepresentations to prospective customers concerning charges or service; as to the nature of its past business activities. KSTF (TV) Scottsbluff, Neb., and KFBC-TV Cheyenne, Wyo., which petitioned to deny the Collier applications were made parties to the hearing. Two weeks ago, the U. S. Court of Appeals upheld the FCC's initial grant to Collier (BROADCASTING, Oct. 23).

Further AMST volleys in deintermixture fight

Further efforts to block consideration of the FCC's proposals on deintermixture and vhf drop-ins were made by the Assn. of Maximum Service Telecasters last week. The group petitioned the FCC to provide more detailed information on its overall pro-

ceeding to foster the use of uhf channels and asked the commission to defer any action until certain events have transpired.

Requested were 15 items of information going into specifics of the FCC's intentions on allocation. AMST asked: a list of the uhf channels to be included in the pool from which applicants may draw; details of any proposals the FCC has in mind to revise current provisions for etv; a "statement of all engineering assumptions and parameters employed in any studies or analyses prepared or used by the commission or its staff in connection with, or as basis for, the commission's decision to invite comments on proposals" in the overall proceedings (to include 15 specific subtopics). AMST also asked the FCC what it proposes to do with vhf channels to be deleted from markets slated for deintermixture.

In a companion petition, AMST asked the FCC "at least" to defer all further procedural steps and consideration of its deintermixture and drop-in proposals until "at least six months after the date on which the last of the following shall have occurred." These events: Congress shall have considered and taken action on the FCC-inspired bill to require tv set manufacturers to make all receivers capable of tuning in uhf as well as vhf; Congress shall have completed its planned hearings on deintermixture and considered legislation; the FCC shall have complied with AMST's request for detailed information. Moreover, AMST said, the FCC should "in no event" take further affirmative action to effectuate its proposals until the results of the FCC's New York uhf experiment have been evaluated and made readily available to the public.

KWK hearing resumes in D. C. next week

Over the objections of the FCC's Broadcast Bureau on the site, Hearing Examiner Forest L. McClenning last week ordered that continued hearings in the revocation proceeding against KWK St. Louis will resume Nov. 6 in Washington.

The government presented its case six weeks ago during a hearing in St. Louis on charges KWK had perpetuated a fraud on its listeners (BROADCASTING, Sept. 18).

Mr. McClenning adopted a motion by Robert Booth, KWK counsel, that the November sessions, during which the station will present its case, be held in Washington. Thomas Fitzpatrick, counsel for the Broadcast Bureau, immediately announced plans to appeal the examiner's ruling to the FCC with a request that the hearing be held in St. Louis.

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