

KVER-AM-TV, KICA Inc., Clovis, N. M.—Granted assignment of licenses to Marshall Enterprises Inc. (John H. Marshall Sr., president); consideration \$295,600. Action Nov. 15.

WBBF-AM-FM, WBBF Inc., Rochester, N. Y.—Granted transfer of control from Star Bcstg. Inc. to Maurice R. Forman; stock transaction. Action Nov. 15.

KTUL, KTUL Radio Inc., Tulsa, Okla.—Granted assignment of license to T & O Bcstg. Co. (KTRN Wichita Falls, Tex.); consideration \$450,000. Action Nov. 15.

WCPH, Morgan Bcstg. Co., Etowah, Tenn.—Granted (1) renewal of license and (2) assignment of license from Harry J. Morgan to McMinn Bcstrs Inc. (John R. Blair, president); consideration \$65,000 and agreement not to compete in any way in broadcast industry in McMinn County for 108 months. Action Nov. 15.

WDTI, Radio Danville Inc., Danville, Va.—Granted assignment of license to WSSB Inc. (WSSB Durham, N. C.) and interest in WBTU Butler, Pa., and WPET Greensboro, N. C.); consideration \$76,000. Action Nov. 15.

KBLE(FM) Market-Casters Inc., Bellingham, Wash.—Granted assignment of cp to L. N. Ostrander and G. A. Wilson, d/b as East Side Bcstg. Co. (Messrs. Ostrander and Wilson have interest in KARI Blaine, and KNBX Kirkland, both Washington); consideration \$500. Action Nov. 15.

APPLICATIONS

KBIF Fresno, Calif.—Seeks transfer of all outstanding stock in KBIF Inc. from Ethan Bernstein (51%) and John Poole Bcstg. Inc. (49%) to Norwood J. Patterson, Gloria D. Patterson and S. H. Patterson (100% jointly), d/b as Pattco Inc.; total consideration \$86,000. N. J. Patterson owns KICU-TV Visalia, and 66.7% (jointly with Mrs. Patterson) of KSAN San Francisco, both California; Mrs. Patterson is assistant manager of KSAN; S. H. Patterson owns KSAN-TV San Francisco. Ann. Nov. 8.

KWSL Grand Junction, Colo.—Seeks transfer of all outstanding shares of stock in G & P Enterprises from Wallace R. Geiger and H. T. Puckett (each 50%) to K. Joyce Irons, consideration \$29,300 plus assumption of liabilities. Mrs. Irons is housewife and has been assistant manager of KGYN Guyton, Okla. Ann. Nov. 9.

WDFC Dade City, Fla.—Seeks transfer of all stock in Pasco Bcstg. Corp. from B. L. Boring, Henry T. Ogle and Goldman M. Braden to Charles E. Varner and Wallis R. Kinney (each 50%); consideration \$24,000. Messrs. Varner and Kinney own 50% each of WMEG Eau Gallie, Fla. Ann. Nov. 15.

KBAR Burley, Idaho—Seeks assignment of license from KBIO Inc. to Dean S. Leshar, Kathryn C. Leshar (each 45%), Dean S. Leshar II (10%), d/b as Mini-Casla Bcstg. Inc.; consideration \$125,000. Mr. and Mrs. Leshar own 50% each of Madera (Calif.) Daily Tribune and Contra Costa (Calif.) Times; Mr. Leshar II owns (through trust) 50% of Madera Daily Tribune. Ann. Nov. 9.

WVMC Mount Carmel, Ill.—Seeks assignment of license from Radio Station WVMC to John F. Hurlbut, Emmy Lou Hurlbut (each 25.5%), Halsey F. Hubbard (37%) and Dwight M. Hurlbut (12%), d/b as Jel-Co Radio Inc.; consideration \$100,000. Mr. Hubbard is in diplomatic service; J. F. Hurlbut is promotion and public relations manager of WFBM Indianapolis, Ind.; Mrs. Hurlbut is housewife; D. M. Hurlbut owns health and dietary food store. Ann. Nov. 9.

KCHE Cherokee, Iowa—Seeks transfer of 40 shares (36.5%) of stock in Cherokee Bcstg. Inc. from M. Louise Shimp to Charles Reznikov (eight shares), Sterling H. Heil (11 shares) and Don R. Hankins (six shares); total consideration \$7,000. Messrs. Reznikov, Heil and Hankins are present owners of 36.3%, 18% and 9% respectively of license. Ann. Nov. 9.

WYSI Ypsilanti, Mich.—Seeks assignment of cp from Craig E. Davids and Roy W. McLean d/b as Ypsilanti-Ann Arbor Bcstg. Co., to new corporation of same name and consisting of same principals; no financial consideration involved. Ann. Nov. 8.

KGAS Carthage, Tex.—Seeks assignment of license from Carthage Bcstg. Co. to Jeff Austin (50%), Ray H. Wells (49%) and Joe T. Terrell (1%), d/b as Wells Bcstg. Co.; consideration \$60,000. Mr. Austin is principal stockholder of bank; Mr. Wells is present commercial manager of KGAS; Mr. Terrell is vice president and branch manager of mortgage banking firm. Ann. Nov. 15.

WWRJ White River Junction, Vt.—Seeks transfer of 99 shares of stock (49.5% of

total) in White River Junction Enterprises Inc. from DuRay Smith and Vera K. Smith to Emily S. Storkerson (98 shares) and John M. Storkerson (one share) as gift. Ann. Nov. 9.

WISM-AM-FM Madison, Wis.—Seeks transfer of 51% of stock in Heart O' Wisconsin Bcstrs. Inc. from William E. Walker (deceased) to First National Bank of Madison as executor of Mr. Walker's estate; no financial consideration involved. Ann. Nov. 15.

Hearing cases

FINAL DECISIONS

■ By memorandum opinion and order, commission (1) granted application of Nicholasville Bcstg. Co. for new am station to operate on 1250 kc, 500 w, D, in Nicholasville, Ky., and (2) conditioning that grant by precluding pre-sunrise operation under provisions of Sec. 3.87 of rules, as petitioned for by WCAE Inc. (WRYT) Pittsburgh, Pa. Action Nov. 15.

■ Granted acquisition of positive control of Cal-Radio Inc. (KLIV) San Jose, Calif. by Riley R. Gibson (30.9% interest) by purchase of additional 22.1% from Patrick H. Peabody for \$30,000. In so doing, commission addressed following letter to Mr. Gibson: "This is with reference to your application for commission consent to the voluntary acquisition of positive control of Cal-Radio Inc., licensee of Station KLIV San Jose, California, through purchase of stock by Riley R. Gibson from Patrick H. Peabody.

"The commission has this day considered and granted the above-captioned application. In connection therewith, the commission also has considered your response, filed September 6, 1961.

"Based upon said response and the information now available to the commission, you are advised that the questions raised in the commission's letter to you of August 1, 1961 have been resolved satisfactorily." Action Nov. 15.

■ Granted (1) renewal of license of WMGY, Radio-Montgomery Inc., Montgomery, Ala., and (2) acquisition of positive control by C. A. McClure by purchase of additional 25% interest from Joe Scott, and addressed following letter to Radio Montgomery Inc., and C. A. McClure: "This is with reference to (1) the application for commission consent to the acquisition of positive control of Radio Montgomery Inc., licensee of Station WMGY Montgomery, Ala., by C. A. McClure; (2) the application for renewal of license of Station WMGY; and (3) a series of unauthorized transfers of control of the licensee corporation.

"In defining its policy on unauthorized transfers of control, the commission in its public notice on procedure on transfer and assignment of licenses, No. 20805, May 7, 1948, stated, 'It is clear that such action is not in accord with the provisions of the act, and actually results in a period of operation of the station by unlicensed parties. The commission does not intend to condone such activity in the future and it will be considered as possible grounds both for a disapproval of the transfer application and for the institution of revocation proceedings or for denial of applications for renewal of station licenses of the offending licensees.'

"Nevertheless, because of Mr. McClure's and the licensee's history of general compliance with the other provisions of the

Communications Act and the commission's rules, and the service rendered to the public by the operation of the station, the applications for renewal of license and acquisition of positive control of the license by Mr. McClure were today granted by the commission. This is not in any way to be construed as approval or condonation of the series of unauthorized transfers of control of the corporate licensee. Any future violations of the Communications Act or the commission's rules by the licensee or the parties involved will be viewed with the utmost seriousness by this commission."

Chmn. Minow and Comr. Lee dissented to grants. Action Nov. 15.

STAFF INSTRUCTIONS

■ Commission on Nov. 15 directed preparation of document looking toward granting joint petition by Alkima Bcstg. Co. and Howard Wasserman insofar as remaining for additional evidence and reconsideration its June 21 decision which granted application of Herman Handloff for new am station to operate 1260 kc, 500 w, D, DA, in Newark, Del., and denied applications of Alkima and Mr. Wasserman seeking same facilities in West Chester, Pa. Action Nov. 15.

■ Announcement of this preliminary step does not constitute commission action in such case, but is merely announcement of proposed disposition. Commission reserves right to reach different result upon subsequent adoption and issuance of formal decision.

INITIAL DECISION

■ Hearing Examiner H. Gifford Irion issued initial decision looking toward granting application of Gordon A. Rogers for new am station to operate on 1550 kc, 1 kw, D, in Vancouver, Wash. Action Nov. 15.

OTHER ACTIONS

■ Commission designated for consolidated hearing mutually exclusive applications for new tv stations to operate on ch. 13 in Rochester, N. Y., of Flower City Tv Corp. and Genesee Valley Tv Inc. After 30 days from public notice of acceptance for filing, commission will issue subsequent order consolidating in this proceeding applications of Rochester Area Educational Tv Assn. Inc., Star Tv, Inc., Community Bcstg. Inc., Citizens Tv Corp., Federal Bcstg. System Inc., Heritage Radio & Tv Bcstg. Co., Ivy Bcstg. Inc., Main Broadcast Co., and Rochester Bcstg. Corp. and all other applications for this facility filed before 5 p.m., Nov. 14, which are entitled to comparative consideration. Comr. Ford abstained from voting. Action Nov. 15.

■ Commission, by letter, directed Merchant Bcstg. System Inc. to return for cancellation its license and SCA for fm station KCPA Dallas, Tex. This was done on indications that licensee is in financial difficulties, has since Aug. 12 operated with reduced power or been silent without permission, for time operated without operator in attendance, violated technical rules, and for past three months failed to maintain logs. Action Nov. 15.

■ Commission designated for consolidated hearing following applications for new daytime am stations involving use of 1410, 1500, 1510, 1520, and 1540 kc: 1410 kc: Virginia Regional Bcstrs. (5 kw), Chester, Va.; Stuart W. Epperson (1 kw), Wakefield, Va.; 1500 kc: E. Raymond Parker (1 kw, 250 w-CH), Gaffney, S. C.; Stuart W. Epperson (1 kw, DA), Winston-Salem, N. C.:

BROADCASTING

THE BUSINESSWEEKLY OF TELEVISION AND RADIO
1735 DeSales St., N. W. Washington 6, D. C.

NEW SUBSCRIPTION ORDER

Please start my subscription immediately for—

52 weekly issues of BROADCASTING \$ 7.00

52 weekly issues and Yearbook Number 11.00

Payment attached Please Bill

nametitle/position*

company name

address

cityzonestate

Send to home address—

* Occupation Required