

KWK puts in plea for another chance

KWK St. Louis has asked FCC to reconsider its order revoking station's license. Commission ordered revocation on 3-2 vote in 1963 because of fraudulent contest conducted by station (BROADCASTING, June 3, 1963).

KWK, which has taken appeal to U. S. Supreme Court, asked commission to substitute fine up to maximum of \$10,000 or short-term renewal, or both, for revocation order.

In petition filed with FCC last week, station said complete change in officers, directors and controlling stockholders of both licensee and its parent corporation, Milwaukee Broadcasting Co., has occurred since revocation order. Arthur M. Wirtz, chairman of both companies, and James E. Coston, president of both, control majority stock of Milwaukee.

KWK said its record under new officers has been "spotless" and its performance and "lessons learned from the license revocation proceeding provide" necessary assurance licensee will operate in public interest.

All common carriers are in FCC province

FCC said Wednesday (Dec. 23) it has jurisdiction over all common carriers relaying broadcast signals, regardless of whether service is across state line or intrastate.

Decision, described by some commission officials as "important," was handed down in case involving application for microwave service to relay TV signals between Sacramento and Redding, both California.

Commission said it, not state, has jurisdiction in such cases.

Proposed customers in case are Redding television stations, KRCR-TV and KIXE-TV. They would be furnished programming of KOVR(TV) Stockton-Sacramento and KVIE(TV) Sacramento.

But major impact is expected to be felt in connection with community antenna television systems. Decision, in effect, disposes of request by some 20 common carriers for declaratory ruling on whether commission has authority over common carriers serving CATV's with point-to-point microwave service wholly within one state.

Vote was 6-0, with Commissioner

Station cited large financial losses flowing from revocation order which, it said, imperil continued existence of parent company's other stations, WEMP-AM-FM Milwaukee. KWK said losses, resulting from drop in advertising revenue and cost of litigation, total more than \$1,650,000.

If FCC adheres to revocation order, KWK said, it will "destroy" two stations and "wipe out" group of employe-stockholders who have invested all their savings in Milwaukee Broadcasting.

FCC in October 1963 denied earlier petition for reconsideration. And U. S. Court of Appeals sustained decision.

Latest petition follows action by FCC Commissioner Frederick W. Ford in first offering, then withdrawing, suggestion that commission consider reopening KWK case on its own motion (CLOSED CIRCUIT, Dec. 14).

KWK, in its petition, suggested FCC ask for remand of case from U. S. Supreme Court, where petition for review is pending. Or, if FCC indicated willingness to grant relief, station said, it would withdraw petition for review by high court.

In accompanying petition, KWK asked for expedited consideration of request for reconsideration.

Frederick W. Ford absent.

California case arose with application by Pacific Telatronics Inc., to establish Redding-Sacramento microwave service. Pacific Telephone and Telegraph Co. had opposed grant, asserting service was intrastate and Telatronics needed state authority.

FCC, however, said all common carriers that pick up broadcast signals from stations, or relay them to stations, are in interstate commerce and subject to its control.

Set makers start tax repeal drive

Move to persuade Congress to repeal manufacturers' 10% excise tax on radio and TV receivers has begun.

Committee of three representing radio-TV makers met with Treasury Department and congressional staff tax aides to urge: (1) outright repeal of tax, (2) refunds of levies on radio-TV sets and phonographs on dealers' floors to prevent lull in sales while tax repeal is under consideration, and (3) income tax credits for consumers who have purchased taxable sets and components re-

tailoring for \$100 or more for same reason.

Principal justification for repeal, group said, was 1962 All-Channel Law, requiring all TV receivers to include UHF tuners as well as VHF, thus raising price of sets.

Help UHF - Government tax experts were told excise tax repeal would help stimulate growth of UHF by offsetting increased set prices giving UHF stations larger audiences.

Electronics Industries Association trio consisted of James F. Haley, Motorola; B. S. Durant, RCA, and James D. Secrest, EIA executive vice president.

KPRO, WLOB sales announced

Broadcast personality Dick Clark is buying KPRO Riverside, Calif., for \$435,000 plus \$150,000 option to purchase real estate, it was announced Wednesday (Dec. 23).

Subject to FCC approval, Mr. Clark's Progress Broadcasting Co. is buying 1 kw fulltimer on 1440 kc, from W. E. Dyche Jr., Edgar B. Younger, John Blake and Tome E. and Tolbert Foster. Sellers also own KREO Indio, KYOR Blythe and KROP Brawley, all California. Broker: Blackburn & Co.

Also announced Wednesday was sale of WLOB-AM-FM Portland, Me., by Sherwood J. Tarlow and associates to Atlantic States Industries Inc. for \$250,000. Atlantic States, publicly held cor-

Inter-season greetings

Brief institutional campaign congratulating Baltimore Colts and singing praises of Baltimore as excellent sports town was run Sunday (Dec. 27) by Baltimore Orioles.

Orioles, through Robert Goodman Agency, Baltimore, bought one-quarter of radio coverage of National Football League championship game between Colts and Cleveland Browns on WBAL, which carries Oriole and Colts games.

Although game was carried nationally by CBS, WBAL as participating-team station had preemptory rights in market.