

parties after the Justice Department expressed opposition to it.)

Mr. Bennett says there probably are many markets where economic concentration in local mass-media advertising is sufficiently great to warrant investigation, on Section 7 grounds, in the event of a proposed acquisition of one significant competitor by another.

Furthermore, he feels the commission should withhold approval of a license-renewal application by an existing multimedia owner whenever it is found to dominate the advertising market to a degree that is "suspect" under Section 7.

Mr. Bennett contends that present law requires this in the case of combinations which are the result of mergers of competing media properties. He adds that the commission should consider following the same restructuring process even if the license was acquired by original licensing rather than merger.

Mr. Bennett filed page proofs of his article with the commission in its rule-making proceeding aimed at requiring the breakup of multimedia holdings within markets (see page 32).

2 ETV's for 3 schools asked

The Ohio Educational Television Network Commission (OETNC) has applied to the FCC for authority to construct two educational television sta-

tions to be operated under the aegis of three Ohio universities—Kent State, Akron, and Youngstown. The proposed stations would be located in Alliance (channel 45) and Akron (channel 49), serving northeastern Ohio. The plan was approved May 13 by the board of trustees of Kent State University, and awaits similar approval from Akron and Youngstown Universities, the Ohio Board of Regents, and the OETNC.

WCIX-TV again wins its shift to Miami

A four-year-old squabble over a plan by the permittee for channel 6 in North Miami, Fla., to move its WCIX-TV 10 miles north to Miami has been settled by the FCC's review board. The board last Monday (May 17) announced approval of Coral Television Corp.'s move and set aside objections of the FCC's Broadcast Bureau.

WCIX-TV, which has been operating in Miami under program test authority, has been in litigation in the courts and the FCC since the application to move was first filed in 1967.

The commission granted the move in 1967 over protests from several Miami-area licensees (BROADCASTING, Feb. 13, 1967), but the decision was appealed by WLBW-TV (ch. 10) Miami. Later the

U.S. Court of Appeals for the District of Columbia remanded the case to the FCC for hearing. WLBW-TV's contention was that Coral had made an unauthorized transfer of control and had engaged in trafficking to get funds for the station. (WLBW was later sold to Post-Newsweek Stations and is now WPLG-TV.)

The decision last week by the review board followed a disagreement between the Broadcast Bureau and an FCC hearing examiner after the latter in 1969 reaffirmed the 1967 grant in an initial decision. The Broadcast Bureau claimed that C. Terence Clyne, a New York advertising executive and 35% stockholder in Coral, had gained de facto control of the permittee when he bought into that organization in 1965. The bureau said Mr. Clyne had become the corporate power of Coral and had taken control from the company's 10 original stockholders without FCC approval. It also argued that Coral was guilty of trafficking through a 1968 sale of convertible debentures to AVC Corp.

The board last week ruled that testimony had shown the Coral board of directors had final governing authority and that Mr. Clyne is constantly under the board's direction.

In setting aside the trafficking charge, the board said that "plainly, Coral's need for funds was most acute prior to the AVC negotiations" and since the AVC-Coral agreement took place only four months after WCIX-TV went on the air, no attempt to traffic could be found.

Forget-CATV-not seed planted by NCTA

CATV will be in the public's eye and on the government's mind by the time of the National Cable Television Association convention, if the industry and its Washington spokesmen are successful in a campaign to be launched this week.

The drive is intended to spotlight what cablemen have long regarded as a government-imposed freeze on their business. Its official opening was to be marked Wednesday (May 26) by a full-page advertisement in the *Washington Post*. Its scheduled culmination is July 5, when thousands of cablemen come to Washington for this year's NCTA convention.

In between, NCTA plans special press kits and campaigns, mailings to federal officials, and the dissemination of 250,000 specially packaged forget-me-not seeds. The seeds will be mailed to systems throughout the country and from there to Washington officials, who will be urged to "plant a flower in the vast wasteland—let cable TV grow."

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