Public's upper hand forces sex off air in Nevada experiment

KVUU(TV) tried X and R movies in late-night periods, still found audience unready for fast films; leave it to John Q., he tells FCC

William H. Hernstadt, owner of KVUU-TV, Henderson, Nev., had this advice on Friday for FCC and other government officials concerned about television stations showing X-rated movies: Leave problem to local communities involved: they will take care of it (see page 118).

Mr. Hernstadt spoke from experience. He had shown X- and R-rated movies at 11 p.m. on Sunday over past several weeks, in effort to establish Adult Theatre series, but abandoned project last week. Reason, he said, was largely negative reaction from community. Of 500 letters and telephone calls received in response to his broadcast request for reaction to new program concept, 60% opposed it, 40% favored it.

Of at least equal importance in his decision was fact that chain-letter campaign was organized, aimed at advertisers sponsoring programs on station—and not only those in Adult Theatre. Letters threatened boycott if advertisers did not leave station.

X-rated films that Mr. Hernstadt said station carried, all without cuts, included "Venus in Furs," "The Secret of Dorian Gray" and "Paranoia." Mr. Hernstadt said announcement warning viewers of nature of film was made at start of program and again during first break. "I took the position that we were not trying to hide anything," he said. And he wasn't. He said he called Senator John O. Pastore (D-R.I.) "a hypocrite" in on-air editorial, and offered him chance to reply. Charge, he said, was based on two comments senator had made, as quoted Feb. 26 in Broadcasting. In one, he had said Congress would protect broadcasters against efforts by anyone, including administration, to infringe their First Amendment rights. In other, he said FCC should deny license renewals of stations carrying allegedly off-color material as means of testing its authority to deal with such programming.

Mr. Hernstadt also urged viewers to contact Senator Pastore and FCC. At least two did write to commission—complaining about films.

Commission official said Friday, "We will make inquiry" into matter. Fact that station allegedly did show uncut X-rated films conceivably could provide test case of power to act under law banning profanity, obscenity or indecency on air.

Mr. Hernstadt indicated his "noble or ignoble experiment" reinforced him in his view that government should stay out of programing. After "objectionable material" is successfully censored, he said, it is easier to censor news.

He also said he "proved" that country is not ready for kind of sex-and-nudity films he was showing. "If these films don’t go in Las Vegas (Henderson is in shadow of that city), they won’t go anywhere. Broadcaster must be attuned to needs and interests of his community as matter of financial survival, he said. "We’re in the entertainment business. If you offend people, you’re in trouble."

Mr. Hernstadt said he had written second letter to Senator Pastore, notifying him that "market forces had closed him down faster than police can close down a porno store."

Oklahoma Publishing buys KTNT-TV for $4.5 million

Oklahoma Publishing Co., Oklahoma City, whose subsidiary WKY Television System now operates three independent television stations, will acquire its fourth property in that category—and its second independent VH-F—subject to FCC approval. Station, KTNT-TV (ch. 11) Seattle-Tacoma, Wash., will be purchased from Tacoma News-Tribune for $4.5 million.

WKY chain presently includes independents KTVD(TV) (ch. 11) Dallas-Fort Worth, KTVP(TV) (ch. 39) Houston and WTVT(TV) (ch. 18) Milwaukee. Firm also owns two network affiliates—WKY-TV Oklahoma City (ch. 4-NBC) and WTVT(TV) Tampa-St. Petersburg, Fla. (ch. 13-CBS)—as well as WKY(AM) Oklahoma City. Parent Oklahoma Publishing Co. operates two Oklahoma City daily newspapers—Daily Oklahoman and Oklahoma City Times. E. K. Gaylord is board chairman and Edward I. Gaylord president of parent firm.

News-Tribune, which has operated KTNT-TV since its inception in 1953, is controlled by Elbert H. Baker, its president, and his family. KTNT-TV, which pulls 11% share of market audience, is generally regarded as one of nation’s most viable independent stations. Station operates with 316 kw visual, 47.9 kw aural and antenna 800 feet above average terrain. News-Tribune retains KTNT-AM-FM Tacoma.

Opting for status quo at FCC

Chances for restructuring FCC along lines recommended in Office of Management and Budget study ("Closed Circuit," July 3, et seq.) did not appear bright after commission spent part of Thursday and Friday discussing proposals. Commissioner Benjamin L. Hooks, who as in so many matters appears to hold swing vote,