

## FM starts

■ Following stations were authorized program operating authority for changed facilities on date shown: KHOM Houma, La. (BPH-9398), May 11; WHOT-FM Youngstown, Ohio (BPH-9837), May 11; WSB-FM Atlanta, Ga. (BPH-9378), May 11; WSMJ Greenfield, Ind. (BPH-9002), May 10; KDCR-FM Sioux Center, Iowa (BPED-2190), May 6.

## In contest

### Procedural ruling

■ WJMO(AM)-WLYT(FM) Cleveland Heights, Ohio, **renewal proceeding:** Friendly Broadcasting Co. (Doc. 19412)—ALJ John H. Conlin scheduled hearing for June 16. Action May 13.

### Initial decision

■ Dallas, **TV proceeding:** WADECO Inc. and Belo Broadcasting Corp. (WFAA-TV), competing for ch. 8 (Docs. 19744-5)—ALJ John H. Conlin renewed license of WFAA-TV and denied application of WADECO for new station on same facilities. Action May 20.

## Fines

■ KRFD(FM) Marysville, Calif.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$200 for failure to keep correct operating log. Action May 13.

■ \*WNET(TV) Newark, N.J.—Commission notified Educational Broadcasting Corp. licensee of WNET, that it is apparently liable for forfeiture of \$1,000 for violation of FCC's personal attack rule. Complaint was filed against station by Seymour Durst concerning episode of WNET's program *The 51st State* entitled "SR0" broadcast in November 1974 and rebroadcast twice. Durst said that during discussion of responsibility and ownership of mid-Manhattan apartment building, Hotel 123, which he claimed was focal point of program, station broadcast several remarks which constituted personal attacks on him. Action May 17.

■ WAST(TV) Albany, N.Y.—Broadcast Bureau ordered licensee to forfeit \$500 for allowing person not holding valid license to be in charge of transmitting system. Action May 18.

■ WKJK(AM) Granite Falls, N.C.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$25 for filing its renewal application seven days late. Action May 13.

■ WBML-AM-FM Morehead City, N.C.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$100 for filing each renewal application 32 days late. Action May 13.

■ WNCA(AM) Siler City, N.C.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$25 for filing its application for renewal 12 days late. Action May 13.

■ WTAB(AM) Tabor City, N.C.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$25 for filing its renewal application seven days late. Action May 13.

■ WSKS(AM) West Jefferson, N.C.—Broadcast Bureau notified licensee of apparent liability of \$25 for filing its renewal application seven days late. Action May 13.

■ WEAB(AM) Greer, S.C.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$25 for filing its renewal application seven days late. Action May 13.

■ WPAJ(FM) Lancaster, S.C.—Broadcast Bureau notified licensee of apparent liability for forfeiture of \$25 for filing its renewal application seven days late. Action May 13.

■ KAYC(AM) Beaumont, Tex.—Broadcast Bureau notified licensee it incurred apparent liability of \$100 for failing to log daily tower light inspections. Action May 18.

## Other actions

■ WEYY(AM) Talladega, Ala.—Broadcast Bureau granted modifications of license covering change of

name to Woodard Broadcasting Company (BML-2587, BMLR-4841). Action May 19.

■ KMIR-TV Palm Springs, Calif.—Broadcast Bureau granted renewal of license to Desert Empire Television Corp., subject to change depending on result of employment discrimination cases pending. Action April 28.

■ Commission found eight California radio stations failed to comply with fairness doctrine in connection with broadcast of announcements sponsored by Pacific Gas and Electric Co. (PGE) proposing immediate construction of nuclear power plants and use of nuclear power. Stations are KFOG(FM) San Francisco; KFRE(AM) Fresno, KFYV(AM) Arroyo Grande; KMBY(AM) Monterey; KRED(AM) Eureka; KROY(AM) Sacramento; KMSA(AM) Santa Maria, and KSRO(AM) Santa Rosa. Fairness doctrine complaint had been filed against 13 stations by Public Media Center, Friends of the Earth, Californians for Safe Nuclear Energy, California Citizen Action Group, San Francisco Ecology Center, San Francisco Consumer Action and Zero Population Growth (complainants), on September 11, 1974. Although it cited eight stations for violations, commission found that four stations had fulfilled their obligations of presenting both sides of issue KATY(AM) San Luis Obispo, KJOY(AM) Stockton, KPAY(AM) Chico, and KVON(AM) Napa. It said no conclusion could be reached with regard to thirteenth station KUZZ(AM) Bakersfield, until further information was received from station. Complainants asserted that each of six different 60-second announcements sponsored by PGE and broadcast on these stations represented viewpoints on one side of controversial issue of public importance and constituted "editorial" advertisements to which fairness doctrine is applicable. Action May 17.

■ WDCL(AM) Dunedin, Fla.—Broadcast Bureau granted waiver of rules to identify as Dunedin-Clearwater, Fla. Action April 23.

■ WACY(AM) Kissimmee, Fla.—Broadcast Bureau granted renewal of license to Opportunity Broadcasters on condition that assignment of license (BAL-8550) be consummated within 60 days of grant, that commission be notified within one day after consummation, and that station, which is dark, resume broadcasting within 60 days of consummation. Assignee must also submit engineering statistics. Action May 10.

■ Commission informed Midwest Television that its proposal to hire outside individuals to conduct public surveys in connection with its 1976 renewal applications for WCIA(TV) Champaign, Ill., and WMBD-AM-FM-TV Peoria, Ill., complies with commission ascertainment rules. Commission noted that in new Primer on Ascertainment of Community Problems by Broadcast Renewal Applicants, said that if public interviewing were not done by station's own staff, it should be done "by an outside individual or organization having professional competence in the general field of polling, working under the licensee's supervision." Action May 6.

■ WLPO-AM-FM LaSalle, Ill.—Broadcast Bureau granted modifications of licenses covering change of corporate/licensee name to LaSalle County Broadcasting Corp. (BML-2588, BMLH-539, BMLR-4842). Action May 19.

■ WIBW-AM-FM-TV Topeka, Kansas—Commission renewed licenses of Stauffer Publications. Stauffer also is publisher of Topeka's two daily newspapers—*Topeka Daily Capital* and *Topeka State Journal*. Commission denied U.S. Department of Justice's informal objection to renewal on grounds Justice failed to raise substantial or material questions of fact warranting hearing. Justice contended Stauffer possessed monopoly of local advertising and news dissemination in Topeka area that was "repugnant to antitrust principles" and "inimical to the public interest." Action May 19.

■ WCRB(FM) Waltham, Mass.—Broadcast Bureau granted waiver of rules to identify as Waltham-Boston, Mass. Action May 3.

■ In response to complaint by Senator Frank Church (D-Idaho) involving his attempt to purchase time for political broadcast in Oregon, commission ruled that station's offer to sell time in prime time for programing no more than 5 minutes long did not constitute reasonable access. Decision stemmed from Senator Church's request to buy, before May 25 Oregon primary election, half-hour in prime time to present political broadcast as part of his campaign for Democratic presidential nomination. Action May 19.

■ WRFB(FM) Stowe, Vt.—Broadcast Bureau granted modifications of CP to change permittee name to RFB Inc. (BMPH-14808). Action May 11.

## Allocations

### Actions

■ Holiday and Dunedin, Fla.—Broadcast Bureau assigned 106.3 mhz (ch. 292A) to Holiday and 92.1 mhz (ch. 221A) to Dunedin. In rulemaking notice released July 2, 1975, Bureau proposed assigning ch. 221A to Holiday, in response to petition by Ralph M. Hansen Jr. Subsequently, counterproposal was filed by Manley St. Jean suggesting ch. 221A be assigned to Dunedin and ch. 292A be assigned to Holiday. Broadcast Bureau also denied consolidation of separate mutually exclusive proposals to assign ch. 292A to Port Richey, Fla., because it was filed too late for parties to comment. It said this proposal would be treated as petition to reassign ch. 292A from Holiday to Port Richey in later proceeding. Action May 11.

■ Port Richey, Fla.—Broadcast Bureau denied rulemaking petition by Frank D. Ward requesting assignment of ch. 292A (106.3 mhz) to Port Richey, Fla. However, it pointed out that since Port Richey was within 10 miles of Holiday, Ward could apply for the use of ch. 292A, which is there, at Port Richey. Action May 11.

■ Pinckneyville, Ill.—Commission proposed deletion of FM ch. 280A from Pinckneyville. Action was result of petition by Du Quoin Broadcasting Co., licensee of WDQN-AM-FM Du Quoin, Ill. Du Quoin contended that commission acted on misleading information as to availability of transmitter site in making original channel assignment. Du Quoin said Coalbelt Broadcasters, original petitioner for assignment and present applicant before commission for construction permit, has no transmitter site available which would be in compliance with commission's minimum spacing requirements. Coalbelt admitted it has no suitably-spaced transmitter site available at this time and has applied for waiver of mileage separation rule. Action May 13.

■ Fort Dodge, Iowa.—Broadcast Bureau substituted television ch. \*21 for ch. \*46 and ch. 50 for present ch. 21 assignment at Fort Dodge. (\*denotes channels reserved for noncommercial educational use.) This action was proposed in rulemaking notice adopted last November 12, in response to joint petition by Northwest Television Co. and State Educational Radio and Television Facility Board. Northwest is licensee of KVFD-TV (ch. 21), Fort Dodge, and Board is permittee for \*KTIN-TV (ch. \*46), also Fort Dodge. Action May 11.

■ Kalkaska and Charlevoix, both Mich.—Broadcast Bureau assigned 97.7 mhz (ch. 249A) to Kalkaska and 105.9 mhz (ch. 290) to Charlevoix as first FM assignments to both communities. Bureau denied counterproposal which would have assigned ch. 290 to Traverse City, Mich. Action May 13.

■ Billings, Mont.—Broadcast Bureau proposed assignment of 92.5 mhz (ch. 223) to Billings as fifth FM assignment. Action was in response to petition by Radio Billings, licensee of KBMY(AM) Billings. Action May 13.

■ Black Brook and Jay, N.Y.—Commission waived signal carriage rules to allow any cable system operating in town of Jay to carry same television signals as system in adjacent town of Black Brook, N.Y. Action was in response to request by town of Jay. Action May 11.

■ Cheyenne, Okla.—Broadcast Bureau proposed assignment of TV ch. 12 to Cheyenne and reservation of channel for noncommercial educational use. Action was result of petition by Oklahoma Educational Television Authority (OETA), Oklahoma governmental entity charged with providing educational television service to residents of Oklahoma. It is licensee of KETA-TV Oklahoma City and KOED-TV Tulsa. In addition, ch. \*3 recently was assigned to Eufaula, Okla., at OETA's request, and applied for by OETA. Action May 13.

■ Saegertown, Pa.; Carpinteria, Calif.; Two Harbors, Minn. and Grass Valley, Calif.—Broadcast Bureau proposed assignment of FM channels 232A (94.3 mhz) to Saegertown, 269A (101.7 mhz) to Carpinteria, 269A (101.7 mhz) to Two Harbors and 221A (92.1 mhz) to Grass Valley. Bureau noted that none of communities is near urbanized area and all of proposed channels could be assigned to respective communities to conform with commission's minimum mileage separation requirements and without affecting any currently assigned FM channel. Action May 13.