former would be determined by the Copyright Royalty Tribunal, but for the latter, the fees are spelled out in the Danielson bill: Radio stations with gross revenues of $25,000 to $100,000 would pay $250 annually; stations with between $100,000 and $200,000 would pay $750; those with $200,000 or more, 1% of their net receipts. For television stations, gross revenues of $1 to $4 million would incur a $750 royalty; receipts of $4 million or more, $1,500.

Miss Ringer's recommendations are sure to trigger "I told-you-so" reactions from broadcasters, who have questioned why Congress entrusted the performer royalty study to someone with an admitted bias. Miss Ringer has testified in support of the proposal before Congress in past years and acknowledged in the introduction of the paper she submitted last week that "Congress could hardly have expected me to abandon beliefs and convictions based on many years of personal research and experience in the field." But she defended her comments nonetheless as being "honest and unbiased" and "based on a fresh review" of the evidence. She added that she hoped the expected attacks on her recommendations will not undermine the documentary material attached, which she said is "full and objective." Based on work by copyright office staff members and independent contractors, the material includes legal, historical, international and economic perspectives of performers royalties.

While Miss Ringer's opinion was expressly sought, the final decision still rests with Congress. Hearings have been scheduled on Representative Danielson's bill before Representative Robert Kastenmeier's (D-Wis.) Judiciary Subcommittee March 29-30 (rescheduled from March 28-29) in Hollywood, at which broadcasters, jukebox distributors, record companies and other interests potentially affected by the measure are invited to testify. Another hearing to take testimony from Miss Ringer, originally scheduled in Washington March 21, has been postponed to a date yet unannounced.

Multimedia and McClatchy say good-bye to deal

Swap of Stockton and Greenville stations called off; it would have eliminated two crossownerships

A major deal that was to have dissolved two existing newspaper-television crossownerships fell through last week as Multimedia Inc. and McClatchy Newspapers announced that they would not conclude their year-old deal swapping the former's WFBC-TV Greeenville, S.C., for the latter's KOVR(TV) Stockton, Calif.

Wilson C. Wearn, president of Multimedia, said last week that the parties agreed to kill the deal after the "initial term" of their contract expired and they had not "resolved all of the legal complications" surrounding it. According to Mr. Wearn, Multimedia was "willing to extend the contract on the same terms," but McClatchy, which was to have paid Multimedia $3 million as a part of the swap, was "asking for better terms" to which Multimedia would not agree. Also, three petitions to deny the sale had been filed.

Although the deal fell through, Mr. Wearn said, Multimedia is "as concerned as we were before" about the crossownership issue. He admitted that the deal had been made in the first place "only because we felt it prudent" to move ahead and break up their crossownership in Greenville. He said he "never did like the idea" of swapping, and "I still don't like it."

C.K. McClatchy, vice president of the California company, said that "mutual changes in the market positions of both stations," coupled with the lengthy stay of the application at the FCC prompted their decision not to go through with the swap.

Mr. McClatchy said they would have been willing to continue the transaction "on new terms," but he refused to comment on what they might have been. "I'm not going to discuss what didn't happen," he said.

Multimedia also owns the *Greenville News* and *Piedmont*, and McClatchy owns the *Sacramento Bee* in the same market as KOVR.

NAB's Zeifang says government stands in way of progress

But he adds that local service will win future for broadcasters

Donald Zeifang, the National Association of Broadcasters senior vice president for government relations, gave an old charge a reverse twist last week: It's not broadcasters who are protecting the status quo. It's the government.

In a speech to the Indiana Broadcasters Association in Indianapolis, Mr. Zeifang said that more and more radio stations spring up, but the government clings to the concept that it should review their formats to protect diversity. Broadcasters continue to increase the time of access for their audiences, he said, but government continues to talk about mandatory access. Radio has become the most effective mechanism to promote records. "Why then does the government [still] seriously consider creating a copyright monopoly that would permit record companies to pass the buck to broadcasters to pay performers for the privilege of making them stars?"

Mr. Zeifang said government continues to follow the same "muddleheaded ... refrain: that government knows best, government can do it, leave it to government." Its latest "bomb," he said, is the proposal by House Communications Subcommittee Chairman Lionel Van Deerlin (D-Calif.) for a "spectrum use fee" that broadcasters would pay for the support of public broadcasting. "Even though this program is for all the public," he said, "the people that are supposed to pay for it are you, the people whose audience and advertisers are being taken away daily by these subsidized competitors."

Looking to the future, he predicted that localism will become a pivotal issue sustaining commercial broadcasting amid developments in new technologies such as satellites and cable. "It will continue to be the broadcaster who will be providing local service to all the people," he said.

Viacom, Sonderling propose marriage

Tentative merger is set, but there are many hurdles to clear, not the least of which is the FCC

Viacom International Inc. and Sonderling Broadcasting Corp. agreed in principle last week to merge. Under the terms of the agreement, Viacom, the surviving company, will issue one share of a new convertible preferred stock or $25 for each share of Sonderling—making the merger a $27,675,000 deal. According to the announced terms, no more than 49% of Sonderling will be exchanged for cash.

The agreement requires that prior to the merger, Sonderling will spin off its motion picture theater operations and WOPA(AM)-WBMX(FM) Oak Park, Ill. (Chicago) to Egmont Sonderling, chairman and president of the Miami-based group, who, with other members of his family, owns approximately 25% of the public company.

Although the agreement in principle was approved by the Sonderling board last Tuesday (March 14), the transaction is subject to Sonderling obtaining a favorable investment banking opinion, entry into a definitive agreement and its approval by the boards and stockholders of both companies, FCC approval and the receipt of a favorable tax ruling, said the companies' joint announcement.

The Sonderling group includes KDIA(AM) Oakland, Calif.; WOL(AM)-WMZQ(FM) Washington; WAST(TV) Albany, N.Y.; WWRL(AM)-WRVR(FM) New York; WDIA(AM)-WQUD(FM) Memphis; KIKK(AM) Pasadena, Tex.- KIKK-FM Houston. It has also reached an agreement to acquire WDAS-AM-FM Philadelphia for $4 million (BROADCASTING, Jan. 17, 1977).

Viacom, also publicly traded, reached an agreement last year to acquire WHNB-TV Hartford- New Haven, Conn., for $15 million (BROADCASTING, June 20, 1977). The firm currently is engaged in program syndication and cable-system operation.

For the past year, Sonderling has been the subject of an FCC investigation of allegations of payola or plugola at its WOL. Furthermore, commission sources have