serve as base for independent producers in production of television programs and motion pictures. Firm will provide financing, production facilities, office space and sales for independent producers. Bud Austin Co. is joint venture between Mr. Austin, former president of Paramount Television, and Burt Sugarman, president of Burt Sugarman Inc., Los Angeles-based production company. Mr. Sugarman, who is financing new company, will continue with his own production projects.

Kovacs returns. Video Tape Network, New York, is placing into syndication half-hour episodes of *Take A Good Look,* starring late Ernie Kovacs. Game show centers on clues incorporated into blackout sketches which Mr. Kovacs wrote and appeared in along with such panelists as Hans Conreid, Edie Adams, Cesar Romero and Janet Leigh.

Violence bigger concern. College students overwhelmingly concluded that violence on television is serious problem but that sex on TV is not, Westinghouse Broadcasting's WJZ-TV Baltimore reported during live special, *Impact: Sex on Television.* As part of hour show, station polled 200 local students—over 73% said violence was "somewhat serious" or "very serious" problem while slightly over 44% said same of sex. Sixty-six percent said sex on TV was not "realistic" portrayal of life but device used by broadcasters "mainly to build audience." Responsibility for amount of sex on TV was in hands of audience and parents, 65% said.

Newest 'Soap'. In its first venture into television syndication, Brookville Marketing Corp., New York, is offering *The Soap Factory,* half-hour TV disco music series, and has completed sales in 10 markets. Series, which is being distributed on barter basis, has been bought by WPIX(TV) New York; WATL-TV Atlanta; WTCN-TV Minneapolis; WATR-TV Waterbury, Conn.; WRIP-TV Chattanooga, Tenn.; WNCT-TV Greenville, N.C.; WTVX(TV) Fort Pierce, Fla.; KECC-TV El Centro, Calif.; KDUB-TV Dubuque, Iowa, and Channel 9 Cable, Parkersburg, W. Va.

Here's Lucie. About 125 radio stations, ranging from WGST(AM) Atlanta to KCNO(AM) Alturas, Calif., are said to be ready to *Tune in with Lucie Arnaz,* five-minute interview show bartered by Johnson Wax (for Agree hair products). First guest on 26-week show is interviewer's mother, Lucille Ball.

Jenner jumps. Olympic decathlon champion, Bruce Jenner, has left ABC Sports to join NBC Sports. New five-year contract calls for Mr. Jenner's participation as commentator for NBC's 1980 Olympics coverage, plus acting and specials jobs for NBC-TV.

Still committed. Gulf Oil Corp. has renewed underwriting grant with noncommercial WQED(TV) Pittsburgh and National Geographic Society for four National Geographic specials during 1980-81 Public Broadcasting Service season. Amount: $1.4 million.

Cablecasting®

The pole war isn't dead; it was only sleeping

Comments to the FCC as it tries to determine where its authority now lies come from cable and the utilities, and they indicate neither side is calling it quits

Cable television and utility interests, each saying it wants to keep things simple, have replied to the FCC notice of proposed rulemaking on pole attachments with a mass of complicated, contrasting comments.

The FCC has been authorized by Congress in an amendment to the Communications Act to regulate pole attachments in areas where there is no state or local regulation. Last week cable industry comments filed in the proceeding urged exercise of broad regulatory powers. Utilities, however, supported looser controls; many stressed that cable companies do not have right of access to the poles; rather, that access comes from voluntary agreement.

The National Cable Television Association said the existence of cable television depends on its ability to extend its coaxial cable to subscribing homes, and to do so it must lease space on existing utility poles, conduits or ducts. Space on poles used by cable, NCTA said, is, surplus space that otherwise would be unproductive, NTCA said, and utilities should lease that space at marginal rates to reduce the burden on utility service customers. But that, the association said, has not been the case.

"The commission must understand," said the New England Cable Television Association, "that it is not a question of CATV companies being in an inferior bargaining position; CATV companies have no bargaining position. Pole attachment rates and contracts in New England have always been offered on a take-it-or-leave-it basis by the utilities."

Utilities had their own complaints, among them a section of the FCC proposal, issued May 9, that said the burden of proof in disagreements arising out of pole attachment regulation would be on the utilities. The burden, they said, must be on the one who complains. Both sides seemed generally to accept that the cable industry would usually be the complainant since all disagreement on an FCC provision allowing 30 days to reply to complaints came from utilities. They said 30 days was not enough time.

AT&T comments went into the question of jurisdiction, saying rules should show it lies with the FCC only when the utility has agreed to provide pole attachment accommodations. Here, NCTA said almost every utility in the country had agreed to lease poles to cable companies, and if they withdraw that agreement now, the utilities should still be held accountable by the FCC.

Also in its comments, AT&T said the commission has no power from Congress to stay or suspend utilities' increased rate charges, no power to make a utility provide attachment at existing rates until the proposed increases have been investigated and no power to defer the effective date of increased charges. Since the commission does not have suspension authority, AT&T said, "it cannot through the exercise of rulemaking give itself the equivalent of the suspension authority."

On the other side, Teleservice Corp. said "unequivocably there is a necessity for the commission to provide for temporary orders, including stays, pending resolution of complaints." Disputes exist throughout the U.S. that need remedial attention soon, the company said. In fact, Teleservice has been ordered by Southwestern Public Service Co. to remove its cables from utility poles by Sept. 1 in a rate dispute.

Edison Electric Institute said so many disputes exist that possibly thousands of complaint proceedings might be initiated when the FCC begins regulation. Most of them would involve rates. Cable companies say there is not much in the way of recurring costs to utilities as a result of cable attachment, and any that were, if proved to be solely a result of the cable attachment, should be paid by the cable company.

Utilities, however, offered a wide assortment of costs, both one-time and recurring, that they say result from attachments. They include surveys, legal documents, tree trimming and removal, billing, guy wires, additional wear and stress on the poles, false calls (sending repair crews out when a downed wire turns out to be cable), record keeping, negotiating time, easements, costs of poles, and more.

The FCC is charged with regulating rates, terms and conditions to see that they are "just and reasonable," and those terms were thrown about frequently in the comments.

It is unreasonable, cable companies said, for utilities to inspect their own facilities when they inspect pole attachments and charge the whole thing to cable companies. It is unreasonable, utilities said, to bear all the costs of setting up equipment when part of that equipment is to be used by a company that pays nothing.

Cable Briefs

Grant. City of Pembroke Pines, Fla., awarded 15-year cable television franchise to Storer Cable TV of Florida Inc. When constructed, new system will initially pass 10,000 homes. Storer Cable is wholly owned subsidiary of Storer Broadcasting Co. Arno W. Mueller is vice president in charge of cable division.

Bids. City counsel of Kansas City, Mo., is soliciting proposals for new cable television system there. City wants system with initial delivery of at least 20 channels (plus