

through a single agent, he said.

Mr. Hruska rebutted the arguments that CBS is free to deal directly with publishers and writers. Because of the lack of machinery for direct licensing, he said, it would take CBS "a year" to go through the rigamarole that would be involved before it could negotiate a license. Then, he said, the network would be faced with a publisher who knows he can get a particular price under the blanket licensing system, and would set his price higher.

Those problems, CBS argues, can be cured by an injunction barring blanket licenses.

The prospect of further litigation resulting from the Supreme Court decision—an order affirming the appeals court decision to send the case back to the district court, for instance—caused Mr. Topkis to close his argument with a plea. "Don't remand the [nine-year old] case for further trial," he said. He noted that the district court had already rejected CBS's argument. And he said, "I ask the court to remind the parties it sometimes makes sense to negotiate rather than litigate. We stand ready to negotiate."

The CBS case is not the only one in which ASCAP and BMI are accused of violating the antitrust laws. A group of television stations two months ago filed a class-action suit charging that the blanket licensing policies are monopolistic and anticompetitive (BROADCASTING, Dec. 4, 1978).

## Changing Hands

The beginning and the end of station transfers: from proposal by principals to approval by FCC

### Proposed

■ **KFSM-TV** Fort Smith, Ark.: Sold by Buford Television Inc. to New York Times Co. for \$17.5 million. Seller is owned by Robert Buford (president), Gerald Buford and Geoffrey Buford (brothers). Bufords also own KLTV(TV) Tyler and KTRE-TV Lufkin, both Texas, and CP for WBTI(TV) Cincinnati. Buyer, publisher of *The New York Times*, other newspapers and magazines, owns WREG-TV Memphis and WQXR-AM-FM New York. Charles Brakefield, vice president, is director of broadcast division. KFSM-TV is on channel 5 with 100 kw visual, 12.7 kw aural and antenna 1,260 feet above average terrain. It is only VHF in two-station Fort Smith market (number 160 among Arbitron's ADI's) and is affiliated with NBC. Broker: Dan Hayslett and Associates Inc.

■ **WHIS-TV** Bluefield, W. Va.: Sold by Daily Telegraph Printing Co. to Quincy Newspapers Inc. for \$8 million. Seller is owned by Hugh I. Shott and family. It publishes *Bluefield Daily Telegraph* and owns WHIS(AM)-WHAJ(FM) Bluefield and

WBTW(TV) Florence, S.C. Buyer is principally owned by Thomas A. Oakley and family. It publishes *Quincy (Ill.) Herald-Whig* and owns WGEM-AM-FM Quincy; WSJV(TV) Elkhart (South Bend), Ind.; KTTC(TV) Rochester, Minn., and WBOW(AM)-WBOQ(FM) Terre Haute, Ind. FCC in 1975 ordered divestiture of WHIS-TV as one of 16 "egregious" concentrations of media control to be broken up under new crossownership rules that U.S. Supreme Court affirmed last year (BROADCASTING, June 19, 1978). WHIS is NBC affiliate on channel 6 with 50 kw visual, 6 kw aural and antenna 1,220 feet above average terrain. Broker for buyer: Blackburn & Co.

■ **KJLH(FM)** Compton, Calif.: Sold by John L. Hill to Taxi Productions Inc. for \$2.2 million. Seller has no other broadcast interests. Buyer is wholly owned by Stevie Wonder, recording artist, who has no other broadcast interests. KJLH is on 102.3 mhz with 3 kw and antenna 100 feet above average terrain.

■ **WBRJ(AM)** Marietta, Ohio: Sold by 5 KW Inc. to Employee Owned Broadcasting Corp. for \$550,000. Seller is wholly owned by Gannett Co., which is spinning off both WBRJ and WHEC-TV Rochester, N.Y. (BROADCASTING, Aug. 28, 1978), in preparation for proposed acquisition of Combined Communication Corp. Gannett also owns—and is retaining—WKFI(AM) Wilmington, Ohio. Buyer is owned by Carl Clovis (51%), Robert L. Martin (18%), Ronald K. Bishop (17%) and other employees of WBRJ; Mr. Clovis is general manager. None have other broadcast interests. WBRJ is on 910 khz with 5 kw.

■ **WMRB(AM)** Greenville, S.C.: Sold by Paramount Broadcasting Co. to Johnston Broadcasting Inc. for \$325,000 and \$75,000 for agreement not to compete. Seller is owned by C. Frank Cope (station's general manager), Katherine M. Simpson and Belk-Simpson Co. They have no other broadcast interests. Buyer is principally owned by Hugh Johnston, former owner of WCSM-AM-FM Celina, Ohio. WMRB is on 1490 khz with 1 kw day and 250 w night. Broker: Chapman Associates.

■ **KMYC(AM)-KRFD(FM)** Marysville, Calif.: Sold by California First Broadcasting Corp. to River Cities Radio Corp. for \$200,000. Seller is owned by Frank Oxarart (51%), Lloyd H. Klemp (45%) and H. Bruce Baumeister (4%). Messrs. Oxarart and Baumeister also are principal owners of KIBS(AM) Bishop, Calif. Buyer is owned equally by Palomar Broadcasting Corp. and Kilibro Broadcasting Corp. Palomar is principally owned by John D. Feldman, president, and Arthur B. Hogan (38% each). It is licensee of KOWN-AM-FM Es-



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