

ped a rule that required TV set manufacturers to provide receivers with channels 70 through 83 (those have already been relinquished to the land mobile radio service, anyway), a move the commission said would help improve reception on the remaining UHF channels. It also overrode Chairman Mark Fowler—and the Office of Plans and Policy—in insisting that the staff draft a notice of proposed rulemaking aimed at requiring set manufacturers to reduce UHF noise figures from the maximum of 14 db now allowed to 12 db.

In other actions, which were meant to resolve recommendations still outstanding from the 1980 UHF Comparability Task Force report (BROADCASTING, Sept. 22, 1980), the commission:

- Issued a policy statement contending that UHF is becoming a successful, competitive and profitable service;

- Dropped a proposal to grade and label TV receivers and antenna systems;

- Dropped another proposal to launch a biennial program to measure receiving antenna equipment;

- Provided funds to its Office of Public Affairs to distribute information to consumers detailing how they might improve their UHF reception;

- Rejected proposals to require a form of integrated channel selector that uses the same control for selecting VHF and UHF channels;

- Rejected another proposal to require greater channel capacity for pushbutton and single-dial channel selectors;

- Dropped a proposal that would have required equality between reception aids provided for VHF and UHF;

- And voted to retain its requirement that receiver manufacturers submit annual reports on noise figures.

The policy statement said the viability of UHF had been demonstrated by the fact that most UHF stations are successful—and in no danger of going dark. The percentage of UHF stations reporting profits has consistently exceeded that of FM stations, it said. In 1980, it said, 58% of all UHF's reported profits, compared to 59% for AM's, 55% for FM's and 88% for VHF's. FCC records also demonstrate, it said, that no UHF station has gone off the air permanently since 1976. As a result, doing much more than embracing the task force's recommendation that the disadvantages suffered by UHF service could be drastically reduced if viewers installed the proper antenna systems wouldn't be cost effective or in the public interest, the statement said.

Commissioner James Quello criticized the tone of the items (as they were originally written), stating that he thought it clear that UHF was still economically and technically at a disadvantage to VHF. Commissioner Henry Rivera agreed, contending that UHF's were, for the most part, the only stations available to minorities. "I think we should not move away from UHF comparability," he said. At the request of Commissioner Abbott Washburn, the commission agreed to fund the Office of

Public Affairs to renew its efforts to supply consumers with pamphlets detailing how they could improve their UHF reception. Commissioner Mimi Dawson endorsed Washburn's proposal, but said the commission shouldn't try to "fool anybody" into thinking the FCC was thus making a major move.

The most hotly contested UHF item involved the noise figures. The Office of Plans and Policy, which presented the item, argued that the current 14 db standard was more than adequate as it is, contending that manufacturers, responding to market forces, had decreased average UHF noise figures on their own to below 9 db.

Quello, however, argued that the commission didn't "regulate by averages." He urged the commission to "send a message" to manufacturers that the FCC wasn't easing off on UHF comparability by adopting a notice of proposed rulemaking aimed at establishing the 12 db standard to prevent "any backsliding."

Commissioner Anne Jones, who said she was tired of people "making arguments solely on the marketplace," endorsed Quello's proposal. Fowler, who argued that the FCC was "burying our heads in the sand," urged the commission

not to adopt Quello's proposal. Manufacturers had moved to improve those noise figures on their own, and by adopting the proposed rulemaking, the commission would only divert attention from the "real" problem, which Fowler identified as antennas.

While Fowler dissented, the rest of the commission (except for Commissioner Joseph Fogarty, who was traveling in Europe) voted to direct the staff to draft such a proposal. At Fowler's insistence, however, the majority agreed to ask in the proposal whether such a rule is necessary. When an apparently distraught staffer asked the commission what justification the staff had to draft such a proposed rule, Jones retorted: "Five votes."

In 1978, the FCC lowered the noise figure limit for any UHF channel to 14 db from 18 db. A further reduction to 12 db was to have taken effect from 1982 through 1984. TV manufacturers appealed, contending that the FCC's authority to set noise-level figures had to be justified by state-of-the-art technology. The Court of Appeals for Washington agreed that the 12 db figure exceeded the state of the art, and overturned that portion of the rule (BROADCASTING, Sept. 22, 1980). □

Ziff spins off four TV's to Pompadur

Company president will leave at end of month to run outlets in Augusta, Saginaw, Rochester and Steubenville; deal worth about \$60 million-\$65 million

Ziff Corp., which more than a year ago signified its intention to dispose of its six television stations, has reached an agreement in principle to sell the four remaining Ziff outlets to I. Martin Pompadur, the president of the corporation.

Pompadur has resigned as president of Ziff, effective on Saturday, July 31, and has formed a partnership to buy the stations—WRDW-TV Augusta, Ga.; WEYI-TV Saginaw, Mich.; WROC-TV Rochester, N.Y., and WTOV-TV Steubenville, Ohio. The purchase price was not disclosed but estimates are that the total outlay will be in the \$60 million-\$65 million range.

Since its decision last year to divert its assets from television to magazine publishing ventures (BROADCASTING, June 1, 1981), Ziff has signed agreements to sell two other television stations, WRCB-TV Chattanooga, Tenn., to Sarkes Tarzian for \$16 million and WJKS-TV Jacksonville, Fla., to Media General for \$18 million.

Pompadur said last Thursday (July 22) that he was reluctant to discuss his plans since a contract had not been signed but added that the signing was expected some time this week. He added that associated with him in the partnership would be Ralph E. Becker, president and chief operating officer of the television station group, and Elliott (Skip) Stein Jr., an investment broker.

"Much as I have enjoyed publishing," Pompadur said, "much of my background has been in broadcasting in such areas as television, radio, production and sports," he explained. "I would like to get involved in the whole area of television, cable television, production and virtually all areas of the entertainment business."

Pompadur said he expects all present personnel at the four stations and at the New York headquarters group to be retained. He added that the completion of the proposed transaction is subject to several conditions, including FCC approval, and is expected to close late in 1982.

The Ziff Corp. is the parent company of Ziff-Davis Broadcasting Co., Ziff-Davis Publishing Co., Wharton Econometric Forecasting Associates, Strategic Information, Tech Plastics and Ziff-Davis Realty. Ziff paid \$89.4 million in 1979 to buy the six television stations and the Rust-Craft Greeting Card Co. from Rust-Craft.

Before joining Ziff in 1977, Pompadur



Pompadur



Becker