

that if WKY-TV were required to shift to Channel 7, a large number of persons would be compelled to install either new or modified antennas in order to continue to receive service from WKY-TV and that the proposed shift to Channel 7 would result in a disruption of service to the public during the period of conversion. It was also asserted that the cost to the licensee for effecting the change proposed by the Commission would exceed \$138,000.

(c) The counterproposal of WKY would result in the following co-channel assignment separations in Zone II:

Channel	Cities	Mileage
11	Muskogee, Okla.-Lawton, Okla.	188
11	Muskogee, Okla.-Little Rock, Ark.	188

(d) **Conflicting Counterproposals.** The counterproposal of WKY is mutually exclusive with that of KTOK, Inc., Oklahoma City, and All Oklahoma Broadcasting Company, and Southwestern Sales Corp., both of Tulsa.

(e) **Counterproposal of KTOK, Inc., Oklahoma City.** KTOK, Inc., requested the assignment of Channel 11 to Oklahoma City by making the following changes in proposed assignments:

City	Third Notice		Counterproposal	
	VHF Channel No.	UHF Channel No.	VHF Channel No.	UHF Channel No.
Dodge City, Kansas	6	23	4†	23
Elk City, Oklahoma	12	15	8†	15
Lawton, Oklahoma	11	*28,34	12†	*28,34
Oklahoma City, Okla.	7,9,*13	19,25	7,9,11†,*13	19,25
Woodward, Oklahoma	8		6†	

(f) **Statement in Support of KTOK Counterproposal.** KTOK, Inc., stated that Oklahoma City is the capital and largest city of Oklahoma and is centrally located in the state. It was urged that the addition of a VHF channel to Oklahoma City would provide additional television service to 514,470 persons in Central Oklahoma and would provide a net gain of additional television service to substantial number of persons. It was also urged that the co-channel and adjacent channel spacings resulting from a grant of its counterproposal would meet the minimum separations, and that the size and economic importance of Oklahoma City require the assignment of an additional VHF channel.

(g) The KTOK counterproposal would create a 183-mile co-channel separation in Zone II between Woodward, Oklahoma, and Wichita Falls, Texas, on Channel 6. The minimum co-channel station separation for this zone is 190 miles.

(h) **Conflicting Counterproposals to the KTOK Counterproposal.** The counterproposal of KTOK, Inc., is mutually exclusive with the counterproposal of WKY Radiophone Company and the Southwestern Publishing Company, Fort Smith, Arkansas;¹²⁹ Southwestern Sales Company and All Oklahoma Broadcasting Company, both of Tulsa.

(i) **The Oklahoma City Educational Reservation.** The Oklahoma Agricultural and Mechanical College, Stillwater, Oklahoma, and JCET supported the reservation of VHF Channel 13 at Oklahoma City. The JCET submitted a resolution of the Legislature of the State of Oklahoma urging the reservation

¹²⁹The counterproposal of the Southwestern Publishing Company at Fort Smith, Arkansas, is denied elsewhere in this Report for the reasons there stated.

of such channels in the VHF and the UHF as will adequately serve the needs of education. No objection was filed to this proposed reservation.

Tulsa
626. (a) **Counterproposal of All Oklahoma Broadcasting Company.** All Oklahoma Broadcasting Company requested the assignment of Channel 8 to Tulsa by making the following changes in the proposed assignments:

City	Third Notice		Counterproposal	
	VHF Channel No.	UHF Channel No.	VHF Channel No.	UHF Channel No.
Muskogee, Oklahoma	8	39,*45	*11	39,*45
Tulsa, Oklahoma	2,*4,6	17,23	2,*4,6,*8	17,23

(b) **Statement in Support of All Oklahoma Counterproposal.** All Oklahoma Broadcasting Company urged that Tulsa is a large metropolitan area which serves as the trade, service, entertainment and cultural center for eastern Oklahoma and adjoining areas of Kansas, Missouri, and Arkansas; that Tulsa has experienced the

largest growth of any city in Oklahoma in the 10 year period since the 1940 census; that the assignment of Channel 11 to Muskogee and Channel 8 to Tulsa would meet the Commission's requirements; and that under the counterproposal, an additional channel and service would be provided to Tulsa with no reduction in the service which would be afforded under the Third Notice. It was urged that the grant of the counterproposal would provide a more fair, efficient and equitable distribution of television facilities than does the Commission's plan.

(c) The All Oklahoma counterproposal would create the following co-channel separations in Zone II below 190 miles:

Channel	Cities	Mileage
11	Muskogee, Okla.-Lawton, Okla.	188
11	Muskogee, Okla.-Little Rock, Ark.	188

(d) **Conflicting Counterproposal to All Oklahoma Broadcasting Company Counterproposal.** The counterproposal of All Oklahoma Broadcasting Company is mutually exclusive with that of WKY Radiophone Company, and KTOK, Inc., Oklahoma City; Southwestern Sales Company, Tulsa; and Southwestern Publishing Company, Fort Smith, Arkansas.

(e) **Counterproposal of Southwestern Sales Corporation.** Southwestern Sales Corporation has requested the assignment of Channel 11 to Tulsa by making the following changes in the proposed assignments:

City	Third Notice		Counterproposal	
	VHF Channel No.	UHF Channel No.	VHF Channel No.	UHF Channel No.
Elk City, Oklahoma	12	15	*11	15
Lawton, Oklahoma	11	*28,34	*12	*28,34
Tulsa, Oklahoma	2,*4,6	17,23	2,*4,6,*11	17,23

(f) **Statement in Support of Southwestern Sales Counterproposal.** Southwestern Sales Corp., Tulsa, Oklahoma, urged that the size, industrial development and strategic location of Tulsa evidenced the need of that community for an additional VHF channel. It was also urged that the additional VHF channel may be assigned to Tulsa without violating

the Commission's minimum mileage separation requirements.

(g) The counterproposal of Southwestern Sales would create a 187 mile co-channel separation on Channel 11 between Elk City, Oklahoma, and Lubbock, Texas, in Zone II.

(h) **Conflicting Counterproposals to Southwestern Sales Corp. Counterproposal.** The counterproposal of Southwestern Sales Corp. is mutually exclusive with the counterproposals of WKY Radiophone Company; Southwestern Publishing Company, Fort Smith, Arkansas;¹³⁰ KTOK, Inc., Oklahoma City and All Oklahoma Broadcasting Company, Tulsa.

(i) **The Tulsa Educational Reservation.** The JCET supported the reservation and submitted a resolution of the Legislature of the State of Oklahoma urging the Commission to reserve such channels in the VHF and the UHF as will adequately serve the needs of education. No objection was made to the proposed reservation.

(j) **The Lawton Educational Reservation.** The JCET and the State Department of Public Instruction supported the reservation of Channel 28 in Lawton for non-commercial educational use. No oppositions to this reservation were filed.

Conclusions: Additional Assignment to Oklahoma City, Tulsa, and the WKY Counterproposal

627. The foregoing conflicting counterproposals consist of (1) a request by WKY Radiophone Com-

¹³⁰ WREC Broadcasting Service and WMPS, Inc., both of Memphis, Tenn., have requested the assignment of a fourth VHF channel to Memphis, in alternate counterproposals. The first counterproposal requested the deletion of Channel 3 from Blytheville, Arkansas, and the assignment of that channel to Memphis. The second alternative counterproposal requested 19 VHF changed assignments in 14 cities and 5 states. This second alternative counterproposal is in conflict with the counterproposals of the Tulsa, Oklahoma City and Fort Smith parties. In view of our decision elsewhere in this Report to grant the first alternative request to delete Channel 3 from Blytheville and the assignment of that channel to Memphis, we will not discuss the second alternative counterproposal of WREC and WMPS further in this connection. In addition, the counterproposal of Sherman Television Company, Sherman, Texas, is in conflict with the counterproposal of Southwestern Sales Corporation. In view of our decision elsewhere in this Report to deny the counterproposal of Sherman Television Company, that counterproposal will not be discussed further in this connection.

pany to retain Channel 4 presently licensed to WKY-TV, (2) requests by various parties seeking the addition of a fourth VHF assignment to Tulsa, and (3) a request seeking a fourth VHF assignment to Oklahoma City.

628. The WKY counterproposal would create a co-channel assignment separation below the adopted 190 mile minimum for Zone II. The distance between Muskogee and Little Rock is 188 miles.¹³¹ The KTOK counterproposal would create one co-channel assignment separation below the minimum on Channel 6 between Woodward, Oklahoma and Wichita Falls, Texas. The distance between these communities is 183 miles. The All Oklahoma counterproposal would create the same separation below the minimum as would the WKY counterproposal.¹³² The Southwestern Sales Corp. counterproposal would create one co-channel assignment separation below the minimum between Elk City, Oklahoma and Lubbock, Texas, on Channel 11 of 187 miles. Since the counterproposals of the All Oklahoma Broadcasting Company; KTOK Inc.; Southwestern Sales Corporation; and WKY Radiophone Company would result in co-channel separations below the minimum provided by our decision herein, they are denied.

Conclusions: WKY Show Cause Order

629. Although we are unable to grant the WKY counterproposal, the question remains whether the authorization for WKY-TV should be changed to specify operation on Channel 7 as proposed in the Third Notice. The Order to Show Cause was issued to WKY in an effort to "reduce interference, make available a reasonable number of channels and to effect the maximum utilization of VHF television channels." It was believed that the assignment of Channel 4 in Tulsa instead of Oklahoma City would effect a more desirable utilization of the spectrum. It is true, however, that the assignment of Channel 4 in Oklahoma City would meet all required mileage spacings for Zone II. For example, the closest co-channel assignment separation to WKY-TV on Channel 4 would be Station KRLD-TV operating in Dallas, Texas, at a distance of 196 miles.

630. We have in this proceeding followed the principle that we would not compel an existing licensee to change frequencies except for compelling considerations such as the removal of a very low mileage separation. In view of the circumstances discussed above, and upon reconsideration of the whole record, we do not believe that WKY should be required to change frequencies. Accordingly, we have assigned Channel 4 to Oklahoma City, and are withdrawing the Show Cause Order to WKY. If the assignment of Channel 4 is maintained in Oklahoma City, the assignment of Channel 4 in Tulsa must be deleted, since Tulsa and Oklahoma City are only 98 miles apart. However, Channel 4 can be replaced in Tulsa

¹³¹ It would also create a 188 mile assignment separation between Muskogee and Lawton. This separation would be eliminated by our decision herein shifting Channel 11 from Lawton to Tulsa. In its place, however, would be a 44 mile separation between Tulsa and Muskogee on Channel 11.