

the city denied permission could sue.

But, according to the victors, the ruling has some important implications for cable. If TCI had lost the case, said TCI's counsel, Harold Farrow, "it would have indicated to the cities that there were few if any limits on the nature of the irrational and extraordinary demands that they can make on cable operators."

Does the ruling send a message to cities involved in franchising? "Only that they have to obey the law like everybody else," Farrow said.

John Malone, president of TCI, said the ruling should serve to remind cities "that they have to be cautious in terms of negotiating in the manner that could be construed as violating the antitrust laws."

The ruling is "very positive," Malone said. It gives the cable industry a certain measure of protection against its rights being violated by local communities, he said.

Although the cities see the ruling as weakening their ability to regulate cable television, Brenda Fox of the National Ca-

ble Television Association said it is a blow to a city's cable authority "only if it wants to regulate in violation of the antitrust laws."

### Supreme Court sides with FCC on elimination of distant signal and syndicated exclusivity rules

Broadcasters, program syndicators and sports interests lost another big one to cable television last week when the U.S. Supreme Court refused to review the FCC order repealing two of its principal cable rules—those limiting the importation of distant signals and protecting stations' exclusive rights to syndicated programs.

In so acting, the court brought the so-called "Malrite case" to the end of its judicial road. The issue has been raised in petitions filed by the National Association of Broadcasters, along with 15 other broadcast industry representatives (including Malrite Broadcasting, the first to file at the appeals court level) and the National Football League.

Not surprisingly, Thomas Wheeler, president of the National Cable Television Association, said he was "pleased" that the Supreme Court had "agreed there was no rational basis for the FCC's signal carriage and exclusivity rules."

Wheeler said the "court's acceptance of the FCC's economic conclusions is also a dramatic illustration of the significant compromises made by NCTA in the pending copyright legislation. The Supreme Court's recognition of the validity of the cable industry's position strengthens NCTA's resolve to resist vigorously any further changes in the copyright bill reported by the House subcommittee."

(The House Subcommittee on Courts, Civil Liberties and the Administration of Justice, chaired by Representative Robert Kastenmeier (D-Wis.), narrowly approved new copyright amendments last month [BROADCASTING, Dec. 21].)

The NAB, on the other hand, said it was "extremely disappointed." President Vincent Wasilewski said that "issues of copyright and fundamental fairness are at

"It is the nightmare, the tragedy that many had feared." — *Newsman John Goldsmith of WDMV-TV.*



WDMV-TV recorded this helicopter plucking crash survivors from jet debris in river. Woman is lifted onto skids of helicopter (at top) while another woman (bottom picture) hangs on to tow line as helicopter lifts her ashore.

A WJLA-TV crew was on the Virginia shore as two rescuers dove into river to save a woman survivor who was in shock and drowning (at top). Camera gets close-up of same survivor being pulled from river and lifted to stretcher (below).

WRC-TV captured some of the other grisly aspects of the crash on the bridge, as one commuter whose trip home was cut short is wheeled to a waiting ambulance (at top) while police and others cluster around one of the demolished cars.

**Bad scene.** The carnage was everywhere; it looked like war. An Air Florida jet, bound for Tampa, lost out to gravity as it tried to pull up and away from Washington's National Airport last Wednesday (Jan. 13) and came down on a bridge jammed with homeward bound commuters. Fortuitously, from a journalistic point of view, cameramen and reporters from local news stations had just finished taping stories at the airport, which earlier that afternoon had been closed because of foul weather. A crew from WDMV-TV was packing its gear at the airport when it got word, and rushed to the crash site within minutes. Another team, from WJLA-TV, was heading back with tape of a similar story. Within minutes it too was on the banks of the Potomac, recording scenes of a helicopter trying to pick frozen survivors out of

the ice-encrusted water. WRC-TV's crews abandoned their cars in snarled traffic and ran two miles to begin taping. Cars on the bridge were shown crushed like "pancakes," as one TV reporter put it, with their drivers inside. Local stations had their crews on the bridge, some before it was closed by the police. Along with the horror, the cameras recorded heroes as well. Among the scenes was one of a bystander diving into the water to save a victim too insensible to grab a life preserver tossed beside her. Viewers watched police and paramedics cut open a car with a blow torch to free its trapped driver. As night fell, television kept up its electronic vigil, running special reports and up-to-the-minute briefs through the night and following morning.