

TV PRIORITY LIST GOES INTO EFFECT

Commission's official release corresponds to list in B•T Aug. 24. Comr. Hennock dissents on term 'operating station.'

REVISED temporary processing procedure for the handling of contested television applications went into effect at FCC last Monday as the Commission issued its official city priority list.

The amended priority list, including Group A for cities without local operating stations and Group B for cities having one or more operating outlets, is as published in B•T Aug. 24, page 44. FCC will revise it each 60 days.

Includes Applicants

B•T's version of the list, however, also contains the pending mutually-exclusive applications for each of the priority cities and the operating stations therein. FCC's official list gives only the priority number, the city, its 1950 census population and the number of operating stations.

The designation of cases for hearing does not necessarily follow the priority list, an FCC spokesman explained, since some cases require more time to prepare than others. This is due to the time lag when FCC must send second or third supplemental McFarland letters to applicants for additional data.

Comr. Frieda B. Hennock dissented from the majority in the issuance of the priority list, contending the Commission without prior public notice altered its definition of "operating station" to mean a station actually programming on the air instead of an outlet holding a special temporary authorization allowing such operation.

Here are several corrections to the priority list published in B•T Aug. 24:

GROUP A

City priority No. 12, Durham, N. C., vhf Ch. 11 contestants WDNC and WTK should not be listed as having received McFarland letters.

GROUP B

City priority No. 5, Seattle, Wash., vhf Ch. 7 contestants KXA and KVI also should include contestant KIRO.

City priority No. 7, Norfolk-Portsmouth-Newport News, Va., vhf Ch. 10 contestants WGH Newport News, WCAV, Chesapeake Services Inc., WNOR and WSAP also should include contestant Beachview Bestg. Corp.

City priority No. 32, San Antonio, Tex., vhf Ch. 12 contestants KONO and KTSA should include Bexar County TV Corp. instead of KABC. Bexar is identified with former owners of KABC, now sold to Storer Broadcasting Co., operator of KEYL (TV) there.

City priority No. 41, Atlanta, Ga., operating stations WAGA-TV and WSB-TV also should include WLWA (TV).

Text of Comr. Hennock's dissent follows:

At the time the Commission issued its original report and order in this proceeding on July 17, 1953 (FCC 53-889), I dissented from that action for reasons set forth in my dissenting opinion of that date (FCC Public Notice 93339).

I objected particularly because the Commission did not engage in proposed rule-making for this revision of its processing procedure but instead adopted this basic change by a report and order effective 30 days after official publication of its action.

Today, without any notice whatsoever, the Commission departs from the terms of this very report and order. This is a processing revision without prior announcement or intimation to the public and is entirely unwarranted.

The Commission stated only 30 days ago that the term "operating television station" shall mean "a television broadcast station for which the Commission has issued . . . an STA for regular commercial operation. . . ." Today, an examination of the table will make clear that the Commission has interpreted this definition in a way to flatly contradict the plain meaning of the words. This interpretation makes the criterion for an "operating television station" under this provision not the *issuance* of an STA for regular commercial operation, as the report and order prescribes, but rather *actual program operation*. Even more serious is the fact that this change has been adopted, and is reflected in the lists promulgated today, without any prior notice to the public.

I also particularly objected to the provision contained in the report and order which set forth explicitly that, in spite of the elaborately worked out system it established for determining priorities, the Commission might process applications and designate them for hearing "without regard to the priorities." I pointed out the inconsistency involved in the adoption of explicit processing procedures simultaneously with an announcement that the Commission might act "without regard to" them.

In the public notice issued today the Commission makes it clear that the insertion of this provision was not merely a matter of form. The public notice states, in the second sentence from the end, that the designation of applications for hearing will follow the order of priority set forth in the rules, "except as otherwise determined by the Commission."

I am further disturbed because of what I believe to be a failure on the part of the Commission to recognize the implications of this new procedure for hearings on television applications with respect to the uhf. In any procedure designed to set up the order in which hearings on television applications will be held, I believe that there can and should be particular provision designed to give further impetus to the development of uhf. As the Commission has noted in its past decisions, a very large portion of stations in this country will ultimately have to be uhf stations if we are to develop an effective nationwide competitive television system. I find no recognition of this vital point in the new procedure being adopted by the Commission today.

Interim TV Plan

PUTTING to practical test the interim television corporation plan proposed earlier this year for competitive TV applicants by Paul R. Bartlett, president-manager and 60% stockholder in KFRE Fresno, Calif. [B•T, March 2], the three vhf Ch. 12 contestants at Shreveport, La., last week submitted to FCC a joint application for operation on Ch. 12 pending outcome of the comparative hearing on their individual applications. The applicants are KRMD, Shreveport TV Co. and Southland TV Co. They have formed Interim TV Corp. (details page 97) in which each holds one-third interest and will share in construction and operation of the proposed "interim" station. The winning applicant in the Ch. 12 hearing, now pending initial decision before Examiner Fanny N. Litvin, would buy out the others.

FUNDS SLASH HITS USIA OPERATIONS

Information agency will release about two thousand people. Voice programming also is reduced.

ADMINISTRATION economy, heightened by appropriation cutbacks, has hit the U. S. Information Agency, which operates the Voice of America.

Announced last week were the following cutbacks:

- In personnel—Separation notices are going to 1,300 foreign citizens and 300 Americans overseas and to about 470 employees in New York and Washington. Some 500 unfilled jobs will be abolished. Total reduction is from 8,200 to 6,200 people in USIA. Some 200 persons with the Voice in New York will be let go.

- In VOA programming—Programs transmitted daily overseas will be reduced from the 45 languages of several months ago to 34. Voice suffers a cutback in operating funds from \$22.4 million to \$16.6 million in its fiscal 1954 operation which began two months ago.

The agency's director, Theodore C. Streibert (former MBS board chairman), said, however, that despite the reductions required by Congress slicing some \$30 million from the 1953 fiscal \$105 million, he was "confident that we can develop an effective, hard-hitting program with the funds now available."

Funds problem was among the top matters Mr. Streibert had to give his attention to upon taking office the first of this month. [CLOSED CIRCUIT, Aug. 10].

On Voice, Mr. Streibert said broadcasts "will hammer away at the uncertainties, the doubts and suspicious behind the Iron and Bamboo Curtains," while playing up "significant developments in the Kremlin's power struggle." Also to be included in programs aired to Soviet satellites will be religious programs.

The VOA head now is Leonard F. Erikson, formerly vice president and director at McCann-Erickson Inc., New York advertising agency.

Other media divisions were cut proportionately. The press, library and motion picture sections are the other top branches. VOA gets much more than the other media services. Reductions: Press, from \$7.7 million to \$4.3 million; library, from \$4.2 million to \$3.2 million; motion picture, from \$7.1 million to \$3 million.



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