



Oklahoma Association of Broadcasters

Volume 17 – No. 2

Summer 2004

www.oabok.org

A Time for Action On Legal and Legislative Matters

With all that is going on in Washington in Congress and at the FCC, radio and television broadcasters should be screaming to high heaven at some of the proposals that are on the table. Fortunately, Congress will only be in session a few days before the next session after the elections, but the FCC is with us day-in and day-out. It is not a time for broadcasters to put their heads in the sand and pretend this can't happen to us. Your inactivity can only help it happen. We have made urgent pleas to our membership to file comments on FCC rulemaking and some have, but most haven't. Let's look at some of the issues before us:

Recording Programming

This proposed FCC Rulemaking would require broadcasters to tape all programming from 6:00 a.m. to 10:00 p.m. and retain the tapes for 60 days, just in case a complaint might be filed against your station. An outgrowth of the indecency flak brought on by a few, over 15,000 broadcast stations would be required to suffer the consequences. In my 40 years of broadcasting in Oklahoma, I don't know of one incident of indecent programming. We have pleaded with you to file comments against this ridiculous proposal; if you haven't, there is still time.

Comments may be filed until August 27 and the simplest way to do it is go to www.smallmarket.org.

FCC Inquiry on Localism

In its first stage of consideration, "Notice of Inquiry," the Commission is requesting comments on a wide range of broadcast issues that would greatly impact you: How do you determine

the local needs of the community? Are all cultural differences reflected in the programming? How do you serve the minority communities? Do you cover elections adequately? Should there be a minimum amount of local or national political and civic discourse? Should stations be required to post all of their political files on their websites? Should the length of the license period be shortened? Is voice tracking serving local needs? What qualifies as local programming? Should broadcasters make their facilities available to local emergency EAS managers? And the list goes on and on and on.

This is another issue about which broadcasters must make their voices heard. The deadline for filing comments is September 1, 2004. You can file comments by email by going to www.fcc.gov/egb/ecfs. The docket number is 04-233.

EEO

A major issue under the Commission's new EEO regulations is the filing of

Form 395-B, which requires each station to report the racial, ethnic, and gender makeup of its full and part-time staffs by category. Form 395-B information filed with the Commission would be available for public scrutiny through the Commission, and it would also need to be posted on the station's website. Although EEO efforts are supposed to be based on an "efforts" basis, 395-B brings "results" more into play by the Commission thus placing more pressure on stations to hire based on race.

Public access to this information also provides a statistical platform for advocacy groups to protest the hiring practices of stations no matter what their efforts have been in avoiding discriminatory practices in hiring. The National Alliance *Please turn to page 3*

Regulatory Fees Must Be Paid by August 19

2004 FCC Regulatory fees must be paid between August 10 and August 19, 2004. Stations should have received a fee assessment letter, but if you did not it does not excuse a station from paying the fees on time. There is a substantial penalty for late payment of fees. Regulatory fees may be paid online at <http://svartifoss2.fcc.gov/FeeFiler/login.cfm>.

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Poised On the Top of the Slippery Slope

In 1998, I had the privilege of traveling to Albania and teaching radio and TV broadcasters about the U.S. form of radio. Of my 30 students, 25 had spent time in prison for something they had broadcast. I admired their courage and wondered if our newscasters and announcers would have the courage to speak out in the face of possible incarceration.

I also saw first-hand the results of what happens to a country where freedom of speech and civil rights are non-existent. I thanked God that in the United States of America we are protected by the First Amendment.

Now, I'm beginning to wonder if the First Amendment is alive and well. I was appalled a couple of weeks ago with the FCC proposed that radio broadcasters be required to record their programming 24 hours a day and retain it for 60 to 90 days. Supposedly, this would allow the FCC to more easily monitor "indecent" complaints. But, what else would it allow them to monitor? What about when something critical of a public official is broadcast? What about when something critical of a minority group is broadcast? And just what is "critical" of a public official or minority group? For that matter, I'm still waiting for someone to define "indecent" for me. What we say on the air would become subject to the interpretation and scrutiny of Big Brother. Last time I checked, my passport was still in my closet and I hadn't left the shores of the US, but it is beginning to feel more like the former Soviet block countries with whom I have worked.

We are poised on the top of a very slippery slope. We must not remain silent on this. If you have not filed comments with the FCC, please do so. Encourage your staff to do so. We broadcasters are the voices of free speech. If our voice is silenced, the rest of America is not far behind.

Please note: you may file comments by going to www.smallmarket.org

OAB Board of Directors

Pat Bryson	Renda Broadcasting, Tulsa	Chair
Sue Stuecheli	KAUT-TV, Oklahoma City	TV Vice Chair
Roger Harris	KADA AM/FM, Ada	Radio Vice Chair
Vance Harrison	Renda Broadcasting, Oklahoma City	Treasurer
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The Oklahoma Association of Broadcasters is comprised of commercially FCC licensed radio and television stations organized for promoting the interest and welfare of the broadcast industry.

The Association publishes the OAB Newsletter four times each year. Advertising rates are available upon request. Articles, pictures and letters to the editor should be mailed to OAB, 6520 North Western, Suite 104, Oklahoma City, OK 73116.

Telephone— 405-848-0771 **Web Site**— www.oabok.org
FAX— 405-848-0772 **Email**— smith@oabok.org

Calendar of Events

August 10-19

Regulatory Fees Payment Period

August 17

Board of Directors Meeting
Oklahoma City

August 24

Primary Election Runoff

September 3

60-Day Lowest Unit Charge Begins

September 21

License Renewal Workshop
1:30-4:30 p.m.—Oklahoma City

September 22

License Renewal Workshop
9:30 a.m.—12 noon—Tulsa

October 6-9

NAB Radio Show—San Diego

October 31

Daylight Savings Time Ends

November 2

General Elections

November 9 & 10

Chuck Mefford Sales Seminar
Oklahoma City—Tulsa

November 16

Board of Directors Meeting—
Tulsa

December 1 & 16

Radio License Renewal Pre-Filing Announcements to be run.

January 11

Board of Directors Meeting—OKC

January 15

RTNDF News Workshop—OKC

February 1, 2005

Oklahoma Radio License Renewal Deadline

Continued from page 1 of State Broadcast Associations has filed comments with the Commission requesting the elimination of the requirement that this data be made public. A great deal of NASBA's arguments is based upon the Court's decision on EEO in the Lutheran case.

LPFM & 3rd Adjacencies

Recently the Senate Commerce Committee approved legislation by Chairman John McCain that would eliminate the 3rd adjacent protection required by LPFM stations. This legislation could lead to the ultimate licensing of thousands of micro-radio stations and interference problems for millions of listeners. Dropping of the 3rd adjacency protection is based on a flawed study contracted by the FCC.

The basis for this legislation in the sponsors' minds is to allow more voices in the community. Fortunately, the ultimate outcome is a long way down the road, as nothing has been introduced in the House and it will be some time before the Senate considers it.

Satellite Home Viewer Act

Still on the table and a must for action this session since the current SHVA expires at the end of the year. Fortunately, most of the proposed McCain/Ensign proposal was blown out in the Senate Commerce Committee. The bill that did pass in committee would require EchoStar to eliminate the 2-dish practice in 18 months, direct the FCC to define a digital white area, and prevents any importation of distant digital signals for at least two years or until the FCC completes a rulemaking. This legislation must still be worked out with the Senate Judicial Committee, passed by the Senate, go to Conference Committee, then final passage by both the House and Senate. That's a long way to go with only a short time remaining.

If these issues are not enough to fill your plate, we could add a few more like digital television conversion, satellite radio, the ever-present campaign reform and more. *It only points out one thing: if you are not involved in the legal and regulatory process, you should be for your own protection.*

Chuck Mefford Scheduled for November Sales Seminars

Chuck Mefford, long recognized as one of the nation's premier sales consultants, will be conducting sales seminars in Oklahoma City on November 9 and Tulsa on the 10. Chuck will show "How to Brand Your Owner-Operated Business." It's a comprehensive look at how a small business can "brand" their business, products and services to be "top-of-mind."

The seminars will run from 9:00 a.m. to noon and 1:00 to 3:00 p.m., with a special managers meeting from 3:00 until 4:00 p.m.

Mark your calendar now to learn from one of the best in the business.



Chuck Mefford
Lighthouse Communications



OAB Honors Senator Don Nickles

At a special luncheon in Oklahoma City on July 29, the OAB presented **Senator Don Nickles** with a special "Friend of Broadcasters" award. The award recognized the Senator's 24 years of service to Oklahoma, the nation, and America's free broadcasting system. OAB Chair **Pat Bryson** presented the award.

The association also presented a check to the Senator for a scholarship fund being established in his honor at the University Learning Center in Ponca City. Senator Nickles is retiring from the U. S. Senate at the end of this session.

The award was scheduled to be presented at the OAB Congressional Luncheon on April 3, but Oklahoma State's appearance in the Final Four drew an excused absence for its prominent alum.

Small Market Workshop

Although the attendance was lighter than hoped for, 20 enthusiastic participants made the Small Market Workshop on July 20 a success. Commonwealth Broadcasting President **Steve Newberry** provided a great insight as to why his group of small market stations is successful. Among the many topics Steve covered were their code of values, operational cost models, selling inventory, pricing events, sales expectations and compensation, to name a few. Upon conclusion of his presentation, over 25 minutes was devoted to attendees' questions.

Following lunch, **Jay Mitchell**, publisher of the Small Market Newsletter, did an outstanding job in moderating and providing information on a variety of topics related to daily operations. Jay has the unique ability of getting his audience totally involved and almost carrying the session.

This workshop would have been beneficial to every small market operator in Oklahoma and to many in the larger markets. It's unfortunate so many missed this great learning experience.



Presenters and participants discuss small market issues—(left to right) Jay Mitchell, Kevin Potter, Steve Newberry, and Hal Hopkins

Chairman Bryson Wins Second Fellowship

OAB Board Chair **Pat Bryson**, Renda-Tulsa, has been named the recipient of a second NAB Education Foundation Fellowship. When Pat returned from a four-day NAB Fellowship at Georgetown University in Washington in late July, a letter was in her mailbox notifying her that she was named one of the recipients of a ten-month fellowship for "Aspiring Broadcast Owners & CEOs."

This Broadcast Leadership Training Program will meet one weekend each month for a period of ten months at the NAB headquarters in Washington. Our congratulations to our OAB Chair.

Stuecheli Moves Up

Sue Stuecheli, general manager of UPN43 in Oklahoma City, has been promoted to Vice President/Regional Controller of Viacom in Dallas. Sue is a past Treasurer of the OAB and a member of the board of directors since 2001. She was recently named one of the outstanding businesswomen of Oklahoma City. Sue has been a real asset to the OAB and the Oklahoma City broadcast community.

Replacing Sue at UPN43 will be **Bill Maples**, who comes to Oklahoma City from a station manager position in Dallas. Bill is a former Oklahoma City broadcaster starting at WKY radio and serving stints in sales at KFOR and KOCO. He was the local sales manager at KOCO before leaving the market. We welcome Bill back home.

Vance Harrison Resigns

One of Oklahoma's most popular and successful general managers, **Vance Harrison**, resigned on July 23 as Oklahoma City Market Manager for Renda Broadcasting. "Philosophical differences" was the reason given for the resignation.

Vance came to Oklahoma City from Chicago when Diamond Broadcasting bought KRXO and KOMA AM/FM in 1988. When the stations were sold to Renda in 1998 for a reported price in excess of \$50 million, Vance remained with the company as the Oklahoma City manager. He has been a member of the OAB Board of Directors since 1995, served as Board Chairman in 2001, and is currently serving as Treasurer for the second time. Vance has also been active in OAB national legislative affairs. He may remain on the board of directors for a period of 60 days from the date of the resignation.

Mike Lynch Dies

Mike Lynch, former President of Greater Empire Broadcasting died on July 29 after a long battle with cancer. Prior to the sale of the company, Greater Empire owned radio stations in Tulsa, Wichita, Omaha, Springfield and Shreveport. Mike Lynch's broadcast roots began with his family's involvement in Oklahoma City radio.

Golf Scramble *Big Success*

Eighty OAB members and their friends challenged the west course at Oak Tree Country Club in Edmond on June 17 in the OAB Education Foundation Golf Scramble. Despite the challenge of the course and a pretty warm afternoon, eighty golfers went away pleased with their efforts and the Foundation's first full attempt at hosting a scramble. At day's end, everyone associated with the Scramble had a great time and was ready to come back to one of Oklahoma's premier courses.



First Place winners (left to right)—Jason Jarnigan, Brad McAdoo, Bill Pate, and Matthew Mollman

In the Team competition, **Matt Mollman's** KWCO, Chickasha, team took the first place honors, with OERB in second and the KOCO-TV

team in third. The Putting Contest winner was the Chickasaw Nation's young competitor **Bryeson Lance**. Closest to the Pin winners were **Paul Templin, Steve Adams, Todd Blackwell** and **J. J. Webster**. Long knockers **Jason Mullenix** and **Brad McAdoo** took the Longest Drive honors.



Second Place winners (left to right)—Bob Sullivan and Steve Agee with OAB's Vance Harrison. Not pictured are Greg McCain and Mike Terry

A special thanks goes to the Rendettes, **Kimberly Casey, Kristen Davis** and **Andrea Van**, who sold \$1,150 in mulligan and putting contest entries.

The Scramble generated approximately \$5,000 for the Education Foundation. Pictures of all of the teams and winners can be found on the OAB website at www.oabok.org/golfscramblersesultsandphotos.htm.

Special Thanks to Scramble Sponsors

Tournament Sponsors

OERB Army National Guard
Vance Harrison Chickasaw Nation/KADA

Contest Sponsors

KJRH Team Radio
Perry Broadcasting
DRS Broadcast Technology
KFOR KTUL

Luncheon Sponsor & Golf Balls

OGE Electric Services



Third Place winners (left to right)—Mark Ackerman, J.J. Webster, Jason Mullenix, and Shayne Vigil

Hole Sponsors

Roger Harris, KJRH, KFOR (2), KOCO, KOTV, KSWO, KTUL, KWTW, KWON, KYFM, KRIG, McAlester Radio, KXII, KOKH/KOCB, UPN43, Renda Tulsa and AEP

Pullovers

ABC Radio Networks

Renewal Workshops Scheduled

All Oklahoma radio stations are up for license renewal in 2005. The deadline for filing renewal applications is February 1, 2005. To help facilitate the filing of applications, the OAB has workshops on the renewal process planned for Oklahoma City and Tulsa. The Oklahoma City workshop will be held at MetroTech from 1:30 to 4:00 p.m. on Tuesday, September 21. The Tulsa workshop will be at OSU-Tulsa on Wednesday, September 22, from 9:30 a.m. to 12 noon.

With the new EEO rules and heat on broadcasters regarding local programs, this workshop is a must for all station operators. In an effort to minimize your time away from the station, the workshops will be only one-half day in length.

David Oxenford, our Washington counsel with Shaw Pittman, will conduct both workshops. Registration information will be mailed to members in mid-August.

Have you checked out the OAB website?

The OAB website is fairly comprehensive in covering a number of aspects of the association. You might be surprised at the answers there to some of your questions regarding advertising issues such as tobacco, lottery, liquor, and political, as well as a number of issues. We also try to keep it current on what's coming up and with pictures of some of the past events. Check it out: www.oabok.org.



Updating Directory Information

In the next few weeks station managers will be receiving a request a form to update their information for the OAB Directory. We recognize that many of you forget to update your listing on our website directory whenever a change occurs.

This is an effort to make everything current. When you receive the form please be prompt in returning it. It saves the office a great deal of time in making follow-up contacts to attain the information. We are also considering printing a paper directory.



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6520 N. Western, Suite 104
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Chuck Mefford Sales Seminars

November 9 & 10

Oklahoma City and Tulsa