

Press Release

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February 8, 1955

Senator Warren G. Magnuson
Senate Office Building
Washington, D. C.

Dear Senator Magnuson:

Thanks for sending me a copy of the Plotkin Report, which I will study carefully prior to our Committee's consideration of the various matters on communication which are discussed in this report.

While Mr. Plotkin seems to have made an extensive report, on television and related matters, I was unable to find, in glancing over the Report, any discussion of the recommendation by the Federal Communications Commission for amendment to the Communications Act relating to protest procedure before the Commission.

I think one of the things which most concerns the public is the restriction of service to various communities. Over all, it appears to me that the FCC has done a good job in making it possible for the American people to enjoy the entertainment, education, spiritual and cultural benefits of this new medium.

However, there are some important cities which do not yet have a television station, and one of these is in my own state. I refer to Spartanburg, which is a city with a metropolitan population of approximately seventy-five thousand. It is the center of the thickly populated Piedmont section, which in recent years has made such tremendous strides in both industrial and agricultural development.

In response to requests from Spartanburg and that area, I have investigated the Spartanburg television situation and find that the FCC has rendered eleven decisions in its effort to establish a television service in Spartanburg. A construction permit for a station to operate on Channel 7 to bring a new and needed service to a quarter million homes in the Spartanburg area was granted in 1953.

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According to the FCC, the proposed Spartanburg station complies with all the rules and regulations of the Commission and the Commission has repeatedly held that it was in the public interest for Channel 7 to be activated according to the plan of the locally owned Spartanburg Company to bring television service to that city and section.

A great portion of the television homes to be covered by the Spartanburg station cannot receive CBS programs satisfactorily, and the Columbia Broadcasting System over a year ago signed a television affiliation contract with the Spartanburg company. This station also has a CBS radio affiliated station which has been rendering superior radio service to the Spartanburg area for twenty-five years.

Under this protest section of the Communications Act--309-C, television stations in Anderson (WAIM) and Greenville (WGVL) are already enjoying a franchise from the government to bring television service to their respective communities and have taken the FCC to court. As a result, these stations have delayed Spartanburg from having its own television service for over a year.

This case is now pending in the Second Court of Appeals in the District of Columbia. If the Court sustains the Commission, Spartanburg will have its own television service within a short time, as the studios in downtown Spartanburg have long been constructed and are almost completely equipped. On the other hand, if the Court remands the case back to the Commission for hearing under the protest section of the Communications Act, Spartanburg will longer be denied its own television station.

Regardless of the action of the Court, I believe our Committee should give consideration to the section of the Act which is enabling existing stations, and even broadcast

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interests to jeopardize and hamper the work of the Commission and thereby delay needed television service to various cities.

I am sure you are familiar with a letter last year from former Commissioner Hyde to the Congress, and also the request of the Commission in its current Annual Report, page 93, requesting remedial legislation "which would retain the intended advantages of the protest procedure, but would reduce the unanticipated ease with which the 309-C amendment is being used to delay the introduction of a new service to a community."

Yours truly,

Strom Thurmond

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