

Speech by FCC Commissioner James H. Quello
before the
Independent Television Broadcasters Association
Washington, D. C.
February 5, 1979

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These are much happier times for independent television broadcasters than only a few short years ago. In reviewing revenues reported through 1977, I was very impressed with a dramatic, and in all fairness a much needed, improvement in your profit picture. While I haven't seen any official figures for 1978, I'm led to believe that it was a very good year for most of you.

I am heartened to see this increase in the profitability of independent television broadcasting for many reasons. First, it tends to strengthen the Commission's policy of providing diversity of service to viewers. It provides funds to improve broadcast service and the over-all quality of programming. And, in a significant way, it points to the increasing viability of UHF television since two-thirds of the nation's independent broadcasters operate UHF stations.

Another positive development for independent TV stations is satellite transmission to cable systems throughout the nation. All "super stations" transmitting via satellite are independent TV stations which are members or leaders in your organization. All of us at the FCC realize the very concept was pioneered by a courageous, visionary independent, WTCG, Atlanta. At my last count, four other independent stations are or soon may be transmitting to cable via satellite: WGN-TV, Chicago; KTUV-TV, Los Angeles; WPIX-TV, New York, and WOR-TV, New York.

It may be a little early to predict what may eventually evolve but the possibilities are mind-boggling. There is no doubt it poses a potential challenge to the network system of program distribution as organized today. Eventually we could have more production centers and producers creating and selling programs to groups of stations forming their own regional or national networks. Diversifying and improving methods of transmitting and distributing program service is a desirable development. However, the overriding consideration for all television is still creating and producing programs. Programming is the very essence of broadcasting--programming is the service and product that determines your public acceptance, professional stature, your overall saleability. Programming, as you all know, is inherently contentious, and the impact and pervasiveness of television generates continual controversy, criticism and occasional praise.

One of the most common questions asked me by concerned members of Congress or civic groups is "Commissioner, how can we really improve the overall quality

of TV programming?" My reply to this difficult, all encompassing question is: "I suppose we could try to improve the quality and sensitivity of everyone's education. However, by far the most important factor would be to have everyone's perception of quality the very same as your own."

THE MORE INTELLECTUAL CRITICS OF TV PROGRAMMING (SOME OF IT ADMITTEDLY DESERVED) KEEP REPEATING AND EMPHASIZING THE PHRASE "WHY MUST TV ALWAYS APPEAL TO THE LOWEST COMMON DENOMINATOR IN PROGRAMMING---WHY THIS LCD OBSESSION ON RATINGS? CAN'T THE FCC DO SOMETHING TO CORRECT THIS INDUSTRY-WIDE LCD FIXATION?"

MY USUAL REPLY IS THAT OLD STANDARD: "THE FIRST AMENDMENT AND SECTION 326 WISELY PROHIBIT CENSORSHIP OR GOVERNMENT INTERFERENCE IN PROGRAMMING. HOWEVER, STARTING TODAY, I'M GOING TO ADD A FITTING ANALOGY. APPEALING TO THE "LOWEST COMMON DENOMINATOR" IF STATED POSITIVELY WOULD BE APPEALING TO AS MANY PEOPLE AS POSSIBLE. COMMISSIONERS ARE APPOINTED BY PRESIDENTS ELECTED BY THE LOWEST COMMON DENOMINATOR; CONFIRMED BY SENATORS ELECTED BY THE LOWEST COMMON DENOMINATOR. GOVERNMENT OFFICIALS OR PUBLIC SERVANTS (AS WELL AS PUBLIC SERVICE) MUST APPEAL TO THE LOWEST COMMON DENOMINATOR OR TO AS MANY PEOPLE AS POSSIBLE. TELEVISION, LIKE GOVERNMENT OR PUBLIC SERVICE OR BUSINESS, IS NO BETTER OR WORSE THAN ITS CONSTITUENCIES---IT MUST FILL A NEED. EVENTUALLY, THE PUBLIC GETS WHAT IT WANTS, NOT WHAT A GOVERNMENT AGENCY BELIEVES IT SHOULD HAVE. TV ALSO HAS THE RESPONSIBILITY TO INFORM, EDUCATE AND PERHAPS INSPIRE, BUT THIS ACADEMIC SUBJECT WOULD REQUIRE SEVERAL VOLUMES IN ITSELF INVOLVING THAT GREAT ALTERNATIVE MEDIA, PUBLIC TELEVISION.

So, I return to a subject of more specific and immediate application to the independent broadcaster. It's one of your favorites--UHF and VHF comparability.

I, personally, and the Commission as a whole are committed to fostering the viability and growth of UHF television. Certainly, the Congress, through its approval of the All-Channel Receiver Act many years ago, expressed its commitment to comparability of UHF and VHF television. Last year--after quite a struggle--the Commission set a timetable for improvement of UHF receiver noise figure from the present 18 db down to 14 db and then to 12 db. I believe the figure should go even lower and I believe that it will within the next few years.

Despite some persistent arguments to the contrary, I believe that dramatically improved noise figure for UHF receivers is vital to comparability. Because a UHF signal must overcome the high level of noise generated by the receiver, principally the tuner, it must arrive at the receiver at unacceptably high levels for satisfactory performance. There are also other problems which must be--

and are being--addressed. Late in December, the Commission initiated a series of inquiries seeking to place the whole comparability question into sharper focus. Among other things, the Commission is looking into the question of whether we should incorporate additional receiver performance standards into the rules. We are concerned that receiver manufacturers might be tempted to make some unacceptable trade-offs as they adjust their designs for better noise figure performance. We are also seeking more information on a wide variety of means which might be employed both in transmitters and receivers to improve UHF performance. We want to consider further new approaches in design such as those present in the so-called TI receiver. We want to consider antenna design--both transmitting and receiving. We want more information and comment on receiver lead-in problems and some suggested solutions. And, we want to look into various ways of providing the viewer with information he needs in order to make an intelligent and informed selection of the receiver he buys so that it adequately meets his needs.

I raised some questions at a Commission meeting about the approach we were taking with regard to spending a lot more time and money on studies instead of moving forward in research and development aimed at making improvements in areas already identified as needing improvement. I continue to have some misgivings that we are proceeding too slowly in solving problems which should have been addressed years ago. But, I am willing to tolerate the study route as a first step toward overall improvement of UHF television so long as studying, and compiling and collating do not become ends in themselves. I will be watching with considerable interest, over the next few months, for definite signs of progress.

A part of my concern about the lack of comparability between UHF and VHF television centers on transmitter technology now available and the economics of providing the power levels necessary to overcome path losses inherent in the higher frequencies. Very few UHF stations operate with maximum power and antenna height. A quick glance at the economics of UHF television broadcasting provides a ready explanation of the problem. Most of you are choosing to limit your coverage areas because of the very high cost of installing and operating maximum power transmitters. I'm told that a low-band VHF operator can install a maximum power transmitting system for about a third of the cost of a UHF system offering the same coverage. And, when you consider operating costs of the transmitting system, the UHF operator's disadvantage ranges from about ten-to-one to fifteen-to-one when compared with high-band and low-band VHF respectively.

Fortunately, there are some technological improvements just ahead which hold great promise for significant reduction of UHF transmitting costs. The key to reduced cost and increased efficiency seems to be the klystron. Either the cost of klystrons must come down and the efficiency go up dramatically--or another means of very high power amplification must be found. The French have been doing some work on vacuum tube devices similar in function to those now used

in VHF. They have not yet been operated at the extremely high power levels which can be used by our UHF stations but there seems to be some hope that this will be possible. That's the good news. The bad news is that it is expected that at least five years will pass before such devices become available. And, it is very likely that their use will require entirely new transmitters instead of merely replacement of the klystron. It is likely that the new transmitters, however, will be significantly less costly than present klystron transmitters. It's also believed that the vacuum tube devices will permit efficiencies to improve by about one-hundred percent; or to put it another way, operating costs will be cut in half.

Summing up, then, significant progress is being made in the two areas of UHF television most capable of providing near-term comparability between UHF and VHF television. First, the noise figure performance of television receivers will be significantly improved. And, second, the economics of high-power transmission are likely to significantly improve. Those factors, coupled with almost universal availability of UHF receivers, thanks to the All-Channel Receiver Act, are leading very rapidly to a very robust UHF television industry with even greater future promise.

With this new-found, positive outlook, of course, comes the opportunity to provide better service to more people. And, it should also bring a sense of responsibility for the welfare of the industry as a whole. With the wolf being pushed farther from the door, you can now turn some of your attention to the plight of broadcasting in general. Congressman Van Deerlin will report to you on the monumental -- and largely successful -- effort to re-write the Communications Act of 1934 when he speaks to you this afternoon. I have applauded his efforts from the beginning. My criticism of the effort is diametrically opposed to most of the negative comment he and his Subcommittee have received. I don't believe the re-write goes far enough. I have been urging virtually complete deregulation of all broadcasting. I have to say "virtually" because it's clear that technical and spectrum regulations will continue to be necessary in order to prevent unnecessary interference. Except for technical restraints, however, broadcasting must have the same freedom and opportunity to serve the public as newspapers, magazines or any other information media. There is absolutely no logical reason why broadcasters -- and the public they serve -- should continue to be treated as second-class citizens insofar as the First Amendment to the U. S. Constitution is concerned.

I recently told a broadcast group -- and I'm going to keep repeating it until the message is heard by everyone -- Get off your seats (I confess I used the more explicit term) and sell something much more important than broadcast time. Sell with all your resources and energy, the concept of complete freedom of the press and freedom of speech for your media and yourselves.

I believe the general de-regulatory thrust of the new act can be converted into specific overdue freedom -- it has the potential of emancipating broadcasters from all First Amendment restraints. But it requires an all-out constructive approach and more attention to Constitutional principles and less to cash flow.

Religious broadcasters in their fight for freedom of religion in broadcasting -- (on an issue that was decided in their favor August 1, 1975 and no longer exists) have overwhelmed the FCC with over nine million letters. Last month the mail continued unabated averaging 8543 per day! This despite our pleas -- we are not equipped to administratively handle the mail.

However, overall, there is a significant lesson to be learned from the overwhelming showing of strength in protecting freedom of religion in broadcasting.

If other broadcasters showed the same purpose and dedication fighting for freedom of speech and freedom of the press as the religious broadcasters do in fighting for freedom of religion, broadcasters would have won their full constitutional rights years ago!

Can you imagine the cumulative impact of 8000 plus broadcasters -- owners, managers, program directors, public service managers and news directors all fighting for freedom of the press and freedom of speech for their own medium? -- particularly if you enlisted the aid and took a few lessons from your broadcast brethren in the pulpit.

Anyway, there's my message -- in summary, all broadcasting has regulatory problems -- many caused by your own fear, short-sightedness and dereliction.

On the positive side for this group -- the future outlook for independent television stations has never been better and the present isn't too bad either. As for UHF, it is more viable today than ever before and this Commission is committed to UHF-VHF comparability so broadcasting can provide greater diversity and ever improved quality of service. I personally am committed to UHF-VHF comparability and to eventual complete freedom of speech and press for all broadcasting. I pledge you my best efforts. It deserves yours!

Thank you.