

Separate Statement of
FCC Commissioner James H. Quello

In re: Proposal to Reassign Channel 9 from New York City to a
Northern New Jersey Community.

I have voted affirmatively to adopt the Notice of Proposed Rulemaking looking toward reallocation of Channel 9 from New York City to a northern New Jersey community. This is the initial step toward providing the State of New Jersey with its first commercial VHF station, and I fully support the action proposed today.

As the Notice has recognized, there have always been three major impediments to a reallocation of a New York City or Philadelphia VHF channel to New Jersey: (1) the singling out of a particular channel; (2) the loss of existing service by relocation; and (3) inability of a single VHF station to cover the whole state. During my term as Commissioner I have developed an ever-increasing determination to encourage and support provision of adequate television service to the State of New Jersey by whatever means within the limit of the law. In the recent past I voted for adding six new UHF stations to New Jersey, and I supported a rulemaking proposing to mandate network affiliation for New Jersey UHF stations. I voted to require additional physical presence in New Jersey for nine New York and Philadelphia stations which would include offices, personnel, and news bureaus with direct landline or microwave connections to main studios. I was the only Commissioner who voted for placing the transmitter of a New Jersey station (Channel 58) on top of the World Trade Center in order to obtain substantial additional New Jersey coverage.

While I have voted in favor of the proposed rulemaking today, I wish to make it clear that this does not alter my views with respect to the qualifications of RKO General, Inc. to remain a licensee of WOR-TV, Channel 9, New York City. RKO General, Inc. (WNAC-TV) 78 FCC 2d 1 (1980). While the Channel 9 situation may involve conflicting interests, I believe today's Notice of Proposed Rulemaking will contribute to an assessment of the priorities of such interests and will implement an early and expeditious provision of a commercial VHF channel allocation for the State of New Jersey--an allocation long overdue and much in demand.