

The Power of **AND**



University of Wisconsin
Eau Claire

Judy René Sims, Ph.D.

Professor Emerita

Communication and Journalism

Simsjr@uwec.edu

105 Garfield Ave | PO Box 4004 | Eau Claire, WI 54702-4004

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DEREGULATION OF THE RADIO BROADCAST INDUSTRY:
A SURVEY OF NATIONAL RADIO BROADCASTERS ASSOCIATION MEMBERS

by

Judy René Sims

A Thesis

Presented to

The Faculty of Humboldt State University

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

June, 1984

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by

Judy René Sims

Approved by the Master's Thesis Committee

Suzanne Larson Chair

Stephen J. Fitzgerald

Carly Nelson

William W. Kinnison

Approved by the Graduate Dean

Alma M. Gillespie

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Printed in the United States of America.

ACKNOWLEDGEMENTS

Many thanks to the following people for their contributions to this study: Sally Johnson, Tom McCoy, and Wendell Wood of the National Radio Broadcasters Association for their assistance; my thesis committee members--Sherilyn Bennion, a wonderful editor, for her time and constancy; Larry Johnson, for his knowledge of radio, his enthusiasm, interest, kindness, patience, and humor; Steve Littlejohn, for his intellectual stimulation and graciousness; and Suzanne Larson, for her laughter, encouragement, and guidance. My warmest appreciation to the entire faculty of the HSU Speech Communication Department for an educational and enjoyable Master's program. Thanks to the Karshners and the HSU Alumni Foundation for the scholarships. Thanks to Bruce Plopper for his knowledge of media law, his uniqueness, and his help during the early stages of this study. Thanks to Jerry Krause for his interactionist insights. Thanks to Eric Shimps, the documents librarian, for his assistance. Thanks to Barbara Cabrall, the keypunch operator, for her efficiency. Thanks to the people at the HSU Computer Center. Thanks to all the folks who endured the trivaldiation procedure: Julie, Mark, Dale, Jill, Sean, Brian, Andi, Jeff, Lydia, Paul, and John. Thanks to Sammy Reist for her enduring friendship, advice, and smile. Thanks to Judy Kirsch for her great typing job and incredible patience. And, a special thanks to my mother, father, and brother for their emotional support, participation, and concern. And, a dear thanks to "Iwa", my pug, for her soulful looks!

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". . . and that we may avoid any complaint from our successors that on one hand we sacrifice public interest or on the other we in any way dim that fine sense of initiative and enterprise in our people that is fundamental to all advancement in our Nation"

Herbert Hoover
Third National Radio Conference, 1924

CHAPTER I

AN INTRODUCTION TO THE STUDY AND TO THE CONTROVERSIAL ISSUE OF DEREGULATION OF THE RADIO BROADCAST INDUSTRY

Introduction to the Study

Deregulation, a movement designed to abolish or modify government regulations which previously have been imposed on the radio broadcast industry, can be considered a controversial issue. Federal agencies, politicians, interest groups, and radio industry people from every side of the political spectrum have expressed their views concerning the pros and cons of deregulation. Deregulation of the radio broadcast industry officially began in 1981 when the Federal Communications Commission (FCC) approved a broadcast deregulation order which reduced or eliminated numerous regulations applicable to the commercial radio broadcast industry.¹ The action to deregulate radio was supported by the FCC's belief that sufficient competitive forces exist in the marketplace to stimulate diversity and to limit abuses.² In reaction to the FCC's proposal, a number of special interest groups have expressed opposition to deregulation with concern that replacing requirements with marketplace forces would diminish the rights of the listening public.³

This study is concerned with the issue of deregulation of the radio broadcast industry. Specifically, the results of this study are based on a mail survey questionnaire about deregulation that was sent in 1983 to approximately 1,200 members of the National Radio Broadcasters Association (NRBA).

Chapter One of this study includes a review of the FCC's position

on deregulation of the radio broadcast industry, a review of the positions of numerous interest groups concerning deregulation of the radio broadcast industry, a statement of purpose in relation to this study, a statement regarding the significance of this study, and a preview of chapters one through five.

The FCC and Deregulation

The Federal Communications Commission (FCC), a regulatory agency created by the Communications Act of 1934 to regulate interstate and foreign communications by wire and radio in the public interest, actively has sought extensive deregulation of the radio broadcast industry since at least 1979, when the FCC unanimously proposed numerous actions aimed at reducing or eliminating regulations applicable to commercial radio stations.⁴ Since the proposal by the FCC in 1979, the FCC has ordered and continued to propose additional deregulation of radio. These acts to deregulate by the FCC have been prompted by the belief that sufficient competitive forces exist in the marketplace to stimulate diversity and to limit abuses of programming and ownership.⁵

In addition, according to the Wall Street Journal, Mark Fowler, Chair of the FCC and known to some as the "Mad Monk of Deregulation," wants to further the communications flow by persuading Congress to change the law to give broadcasters the same First Amendment rights as newspapers and magazines.⁶ Fowler, who argued that the industry now is diverse enough to insure broadcasting of varied views, said, "Either we believe in the First Amendment or we don't."⁷

Special Interest Groups and Deregulation

Although the FCC favors deregulation of radio, numerous special interest groups have questioned the FCC's plans concerning such deregulation. Interest groups have expressed concern about the FCC's philosophy that marketplace forces could regulate the radio industry. Many special interest groups believe that replacing requirements with marketplace forces would diminish their rights as members of the listening public.⁸

Interest groups who have opposed deregulation of radio include the Office of Communication of the United Church of Christ, the Telecommunications Consumer Coalition,⁹ the League of Women Voters, the Media Access Project,¹⁰ Alaskans for Better Media,¹¹ Accuracy in Media,¹² the American Legal Foundations,¹³ the American Business Media Council,¹⁴ the Conservative Caucus,¹⁵ the Leadership Foundation,¹⁶ the Telecommunications Research and Action Center,¹⁷ the American Federation of Television and Radio Artists,¹⁸ consumer activist Ralph Nader, Action for Children's Television, the American Federation of State, County and Municipal Employees, Americans for Democratic Action, the Consumers Union, the National Education Association, the National Organization for Women, the Anti-Defamation League of B'Nai B'rith,¹⁹ the National Hispanic Media Association,²⁰ the American Civil Liberties Union, the National Association for Better Broadcasting, the National Catholic Association of Broadcasters, the Allied Communicators, the WNCN Listeners Guild, the United Auto Workers, the Pacifica Foundation, Faith and Life Radio, the Citizens Communications Center, and the National Association of Black Owned Broadcasters.²¹

Specifically, a sample of comments from the various interest groups opposed to deregulation of radio include the following:

1. Dr. Ralph Jennings of the Office of Communication of the United Church of Christ and the Telecommunications Consumer Coalition stated that "these radical proposals are a threat to all local groups who use radio to reach the public. They challenge hard-won citizen rights in broadcasting. They destroy effective public participation in the radio license renewal process."²²
2. The League of Women Voters, who challenged the FCC's ruling that allows broadcasters to sponsor political debates, contended through spokeswoman Dorothy Ridings, the league's president, that by allowing "profit-making corporations to make as well as cover the news the [FCC decision] departs so radically from longstanding FCC interpretations that it begs for scrutiny by the courts."²³
3. Andrew J. Schwartzman, a spokesperson for the Media Access Project, condemned the FCC's order to deregulate radio in 1981 saying that it was a "sad day for minorities, women, the poor, religious groups, and other working people who have relied on the FCC to make sure that radio stations meet the needs of the listeners they serve."²⁴
4. Peg Tileston, a co-founder of Alaskans for Better Media, who argued that weaker FCC scrutiny of broadcasters could result in abuses, said "It would be a sham to say stations have to serve the public interest without setting up some sort of measuring stick No matter what they say, radio and television just aren't like other businesses."²⁵

5. The American Federation of Television and Radio Artists, who approved a resolution opposing industry deregulation, said deregulation would "take ownership out of the hands of the people and give it to broadcast licensees." *same as 18*
6. Consumer activist Ralph Nader declared that "Congress is about to make a serious mistake It is about to repeal the basic laws which protect the public interest in communications [The changes] are backdoor deregulation that will amount to an actual expropriation of the public airways . . . by profit-seeking monopolistic corporations. It is a seizure of power."²⁶
7. Peggy Charren, head of the Boston-based Action for Children's Television, said, "If the mechanisms to ensure broadcaster accountability are eliminated, and if the legal avenues for public complaint are taken away, Americans will be left with censorship tactics such as boycotting sponsors and blacklisting programs as their only means of action."²⁷
8. Henry Rivera, Federal Communications Commissioner, speaking at the National Hispanic Media conference on the topic of the FCC's proposal to repeal its rule limiting the number of broadcast stations that can be owned by a single entity, said "I dissented in this because I believe it would result in concentrating stations in the hands of a few wealthy corporations, inflate the price of broadcast properties, and preclude the purchase of those stations by minority entrepreneurs."²⁸
9. Charles Firestone, on behalf of the American Civil Liberties Union, and the National Association for Better Broadcasting, stated that

"regardless of the legality of deregulatory action, deregulation would jeopardize the fundamental principle that a broadcast license creates a public trust."²⁹

10. The National Catholic Association of Broadcasters and Allied Communicators stated in an argument against deregulation that it considers the airwaves a gift of God.³⁰
11. Kristen Booth Glen of the WNCN Listeners Guild, the United Auto Workers, the Pacifica Foundation, Faith and Life Radio, and Nolan A. Bowie of the Citizens Communications Center stated in an argument against deregulation that the public interest standard involves other values than the mere sum of consumer preferences.³¹
12. Nate Byer of the National Association of Black Owned Broadcasters in a argument against deregulation "evinced the belief that scarcity continues to be a factor of concern in the radio industry."³²

As can be seen from the above selected sample of comments from numerous special interest groups, the opposition to deregulation of the radio broadcast industry is extensive. Such groups have expressed their concerns to the media and directly to the FCC.

Table one below indicates the total count of comments given to the FCC in response to a request by the FCC for comments from the public concerning their 1981 order to deregulate radio.³³ Such comments and replies, which are defined explicitly in the FCC's Rules and Regulations, refer to the procedures involved when the FCC affords interested persons an opportunity to participate in the rule-making proceedings through submission of written data, views, or arguments,

with or without opportunity to present the same orally in any manner.

Table one includes formal comments, informal comments, formal reply comments, and informal reply comments given by individuals; broadcast groups, organizations, and individuals; religious groups, organizations, and individuals; and all others.

TABLE 1

COMMENTS SUBMITTED TO THE FCC CONCERNING DEREGULATION

	Individuals	Broadcast groups Organizations, and individuals	Religious groups, Organizations, and individuals	All others	Totals
Formal Comments					
For	257	1,125	10	23	1,415
Against	1,132	5	499	171	1,807
Mixed	6	9	3	4	25
TOTALS	1,395	1,139	515	198	3,247
Informal Comments					
For	163	407	1	83	654
Against	14,945	2	779	279	16,006
Mixed	91	0	3	29	123
TOTALS	15,199	409	783	391	16,782
Formal Reply Comments					
For	0	62	0	0	62
Against	4	0	19	18	41
Mixed	0	3	1	3	7
TOTALS	4	65	20	21	110
Informal Reply Comments					
For	2	119	0	1	122
Against	1,677	0	98	37	1,812
Mixed	0	0	0	0	0
TOTALS	1,679	119	98	38	1,934

Source: FCC, FCC Reports, (1981) LXXXIV, p. 1021.

Briefly, the table illustrates that:

- ninety-seven percent of the comments by individuals were against deregulation;
- ninety-nine percent of the comments by broadcast groups, organizations, and individuals were for deregulation;
- ninety-nine percent of the comments by religious groups, organizations, and individuals were against deregulation;
- seventy-eight percent of the comments by all others were against deregulation.

It thus is evident that deregulation of the radio broadcast industry can be considered a controversial issue. A majority of the FCC favors extensive deregulation of radio; broadcast groups, broadcast organizations, and individuals from the broadcast industry have submitted their comments to the FCC in favor of the deregulation; and some individuals, religious groups, religious organizations, religious individuals, and others have submitted their comments to the FCC against deregulation. In order to shed more light on the controversial issue, this research study explores further the feelings of radio broadcasters concerning deregulation. The purposes of this study are enumerated and described in the next section.

Purpose Statement

This study is based on a mail survey questionnaire about deregulation, which was completed by 346 members of the National Radio Broadcasters Association (NRBA) in 1983. The NRBA is a national

organization which consists of both commercial and noncommercial radio stations and firms in related broadcasting industries. The purpose of the organization is to "promote time sales and listenership of radio; to provide a viable legislative voice in government; to encourage technical development; and provide research, program engineering, and management and sales information."³⁵

The purposes of this study include the following:

1. To learn the attitudes and beliefs of some of the members of the NRBA, who are owners and/or managers of radio stations in the United States, regarding deregulation of the radio broadcast industry by the FCC. (The definitions used in this study of the terms "attitude" and "belief" are defined operationally in the mail survey questionnaire see [Appendix B].) Specifically, to learn the attitudes and beliefs of the respondents regarding deregulation of the following rules which are defined in chapter two:
 - a. the equal-time (equal opportunities) provision
 - b. the fairness doctrine
 - c. the personal attack rule
 - d. the editorializing rule
 - e. the format doctrine
 - f. the seven-station rule
 - g. the one-to-a-market rule
 - h. license renewal requirements
 - i. news and public affairs programming requirements
2. Further, to learn how deregulation has affected this particular population of the radio broadcast industry (NRBA) in terms of

programming changes and the amount of information and service available to the public. In addition, to learn if the 1981 FCC order to deregulate will affect this particular population of the radio broadcast industry in terms of future changes concerning the amount of news and public affairs programming available to the public.

3. To discover any significant relationships between variables.
4. To reveal how well the FCC term, "public interest, convenience or necessity" is understood by the respondents.
5. To make any generalizations, if possible, on how NRBA respondents think deregulation will affect the radio broadcast industry.

Significance Statement

Despite opposition and expressed concern from special interest groups, the FCC vigorously has continued with its efforts for overall deregulation of the radio broadcast industry. Most recently, the FCC ordered deregulation of the rule concerning equal time for debates, and the FCC has proposed abolishment of several media ownership rules including the regional concentration rule and the seven-station rule.

The views of the current FCC clearly are pro-deregulation of radio as evidenced by its actions, proposals, and orders within the last few years. The anti-deregulation views of numerous special interest groups including the Telecommunications Consumer Coalition, the League of Women Voters, the Media Access Project, the American Federation of Television

and Radio Artists, and others indicate a definite concern regarding the rights of the listening public. Such views of special interest groups are evident in lobbying efforts, extensive media coverage, and comments submitted to the FCC and other governmental agencies. Other groups, composed of organizations and individuals affiliated with the broadcast industry, also have voiced their pro-deregulation opinions regarding the deregulation issue in their comments submitted to the FCC. Opinions of such broadcast groups are evident from media coverage and comments submitted to the FCC.

In the midst of the ensuing controversy concerning the issue of deregulation, an understanding of the feelings and perceptions of the owners and/or managers of the radio stations seems important. Deregulation, after all, directly affects the owners and/or managers of radio stations. Learning the perspectives of a group so integrally associated with the everyday operations of radio and with the possible effects of deregulation could be beneficial and extremely useful not only to the FCC, but to the owners and/or managers themselves, and most of all, the concerned public.

This investigation addresses the views, feelings, and perceptions of the owners and/or managers of radio stations, a population which has been the focus of little, if any, research concerning the issue of deregulation of radio. This research study thus is important in its focus; and, in addition, this research study reveals information that has not been addressed or uncovered up to this point which may be helpful to all persons interested in the issue of deregulation of the radio broadcast industry.

Chapter Summary

In this chapter, the research study was introduced, the FCC's position on deregulation of the radio broadcast industry was reviewed, the positions of numerous interest groups concerning deregulation were discussed, a statement of purpose regarding this study was related, and a statement referring to the significance of this study was indicated.

Preview of Chapters

This research study consists of five chapters and an appendix. Chapter two includes explanations of the FCC rules and regulations, a regulatory history of radio broadcasting and a history of radio broadcast deregulation, and a discussion of the purposes and composition of the Federal Communications Commission..

Chapter three includes a description of the methods utilized to conduct the study. Chapter three consists of a review of the pilot study and a discussion of the instrument, the sample, the procedure, and method of data analysis. Chapter four includes the results of the mail survey questionnaire. Chapter five, the final chapter, discusses the representativeness of the sample surveyed, discusses and interprets the results, reviews some of the problems and limitations of the study, and includes a conclusion.

The appendix, which follows chapter five, includes the cover letter, the mail survey questionnaire, the letter from the NRBA, the pilot study, and the pilot study telephone survey.

NOTES

¹William E. Francois, Mass Media Law and Regulation (Columbus, Ohio: Grid, 1982), p. 547.

²Francois.

³Francois.

⁴Francois.

⁵Francois.

⁶Jeanne Saddler, "The Rule Slashers: In Rush to Deregulate, FCC Outpaces Others, Pleasing the Industry," Wall Street Journal, 7 Dec. 1983, p. 1, col. 6.

⁷Saddler.

⁸Francois, p. 547.

⁹R. Terry Ellmore, Broadcasting Law and Regulation (Blue Ridge Summit, Pennsylvania: TAB, 1982), p. 332.

¹⁰Saddler, p. 1.

¹¹Jeanne Saddler, "Push to Deregulate Broadcasting Delights Industry, Angers Others," The Wall Street Journal, 16 April 1984, p. 31.

¹²Reed Irvine, Letter, "Its Only Four to Cry Foul on TV," Wall Street Journal, 13 Sept. 1983, p. 35.

¹³Irvine.

¹⁴Irvine.

¹⁵Irvine.

¹⁶Irvine.

¹⁷Irvine.

¹⁸"AFTRA Opposes Broadcasting Deregulation," San Francisco Chronicle, 15 Aug. 1983, p. 39.

¹⁹"Consumer Groups Attack Broadcast Legislation," San Francisco Chronicle, 21 July 1981, p. 10.

²⁰Henry Rivera, "Hispanics Must Get Involved in Electronic Media Decision Making," The Stockton Record, 1 May 1984, p. 9.

²¹FCC, FCC Reports, (Washington, D.C.: GPO, 1982), LXXXIV, 1043.

²²Ellmore, p. 332.

²³Saddler, "The Rule Slashers," p. 2.

²⁴"FCC Deregulates Radio," Facts on File, (1984) p. 94.

²⁵Saddler, "Push to Deregulate," p. 2.

²⁶"Consumer Groups Attack Broadcast Legislation," p. 10.

²⁷"Consumer Groups Attack Broadcast Legislation," p. 10.

²⁸Rivera, p. 9.

²⁹FCC, FCC Reports, p. 1043.

³⁰FCC, FCC Reports, p. 1043.

³¹FCC, FCC Reports, p. 1044.

³²FCC, FCC Reports, p. 1043.

³³FCC, FCC Reports, p. 1021.

³⁴FCC, FCC Rules and Regulations (Washington, D.C.: GPO, Oct. 1982), I, pp. 114-115.

³⁵Denise Key, Encyclopedia of Associations, 1981 ed.

CHAPTER II

FCC RULES AND REGULATIONS, A REGULATORY HISTORY OF RADIO BROADCASTING AND RADIO BROADCAST DEREGULATION, AND THE FEDERAL COMMUNICATIONS COMMISSION

In the previous chapter, the research study was introduced, the FCC's position on deregulation of the radio broadcast industry was reviewed, the positions of numerous interest groups concerning deregulation was discussed, a statement of purpose regarding this study was established, and a statement referring to the significance of this study was related.

Preview

This chapter includes explanations of the FCC rules and regulations pertinent to this study, a review of the regulatory history of radio broadcasting, a history of radio broadcast deregulation, and a discussion of the Federal Communications Commission. The information related in this chapter is essential in order to understand more clearly the rules and regulations that are being considered for potential deregulation and the manner in which the rules and regulations originated and evolved in the history of radio. In addition, this chapter is essential in order to provide the reader with specific and recent information regarding the FCC's proposals and orders to deregulate radio and any recent congressional and/or court action concerning such deregulation. And finally, this chapter also discusses the purpose and composition of the FCC, the regulatory agency responsible for the regulation and deregulation of radio and the organization which is involved intensely with the controver-

sial issue of deregulation.

All of the information covered in this chapter is designed to give the reader a better understanding of the issue of deregulation of the radio broadcast industry and thus, an understanding of the mail survey questionnaire, the research tool, and its results in relation to the controversial issue of deregulation.

Explanations of FCC Rules and Regulations

In order to explain more clearly the issue of deregulation of the radio broadcast industry, the following section contains explanations of the rules and regulations that have been deregulated, may be deregulated, and are pertinent or relative to this study.

The Fairness Doctrine: the fairness doctrine, which can be found under Section 315 of the Communications Act of 1934, basically imposes a two-fold duty on broadcast licensees. First, licensees must devote a reasonable percentage of their broadcast time to the coverage of controversial issues of public importance. Second, the coverage of the issues must provide a reasonable opportunity for the presentation of contrasting points of view.¹ Through the fairness doctrine, the FCC hoped to assure the listening public a diversity of attitudes and opinions on subjects that affect them.

In 1949, the FCC formally stated the concept of the fairness doctrine:

It is axiomatic that one of the most vital questions of mass communication is a democracy is the development of an informed

public opinion through the public dissemination of news and ideas concerning the vital public issues of the day.

And the commission has made it clear that in such presentation of news and comment the public interest requires that the licensee must operate on a basis of overall fairness, making his [her] facilities available for the expression of the contrasting views of all responsible elements in the community on the various issues which arise.²

The fairness doctrine applies to issues rather than persons. Further, the fairness doctrine does not require either "equal-time" or "equal opportunities."³ The licensee of a station is allowed to choose the controversial issues to be addressed, the program formats to be used in discussing them, and the persons who will present the various views on them.⁴ The fairness doctrine does not apply to personal appearances of political candidates unless they appear on the news-type programs listed in Section 315 of the Communications Act.⁵

According to The Law of Political Broadcasting and Cablecasting by the FCC, there is one situation to which the FCC applies the fairness doctrine so that it becomes similar to "equal opportunities":

That is where Candidate A or his [her] supporters buy time in which to urge the election of A or to criticize his [her] opponent B, but A does not appear on the broadcast in person. If B or his [her] supporters then ask to buy time, they must be allowed to buy a comparable amount. Similarly, if A's supporters have received free

time, B's supporters must be given a comparable amount if requested. The Commission has recognized that, although the candidates themselves do not appear in this situation, it is in "the political arena" and equal opportunities should be made available.⁶

The Personal Attack Rule: the personal attack rule is a subcategory of the fairness doctrine in which the FCC attempted to set forth more specific standards for licensee compliance. Under the personal attack rule, an individual or group that is attacked during a discussion of a controversial issue of public importance or a candidate who is not favored in a broadcast licensee's political editorial is provided an opportunity to respond on the air.⁷ The personal attack rule is designed to keep the public informed of contrasting views on important public issues.

On July 5, 1967, the FCC issued the personal attack rule which stated:

(a) When during the presentation of views on a controversial issue of public importance, an attack is made upon the honesty, character, integrity or like personal qualities of an identified person or group, the licensee shall, within a reasonable time and in no event later than one week after the attack, transmit to the person or group attacked (1) notification of the date, time and identification of the broadcast; (2) a script or tape (or an accurate summary if a script or tape is not available) of the

attack; and (3) an offer of reasonable opportunity to respond over the licensee's facilities.

(b) The provisions of paragraph (a) of this section shall be inapplicable to attacks on foreign groups or foreign public figures or where personal attacks are made by legally qualified candidates, their authorized spokesmen [spokespersons], or those associated with them in the campaign, or other such candidates, their authorized spokesman [spokesperson], or persons associated with the candidates on the campaign.

NOTE: In a specific factual situation, the fairness doctrine may be applicable in this general area of political broadcasts. See, Section 315(a) of the Act (47 U.S.C. 315(a)); public notice: Applicability of the Fairness Doctrine on the Handling of Controversial Issues of Public Importance. 29 Fed. Reg. 10415.

(c) Where a licensee, in an editorial, (i) endorses or (ii) opposes a legally qualified candidate or candidates, the licensee shall, within 24 hours after the editorial, transmit to respectively (i) the other qualified candidate or candidates for the same office or (ii) the candidate opposed in the editorial (1) notification of the date and the time of the editorial; (2) a script or tape of the editorial; and (3) an offer of reasonable opportunity for a candidate or a spokesman [spokesperson] of the candidate to respond over the licensee's facilities: Provided however, that where such editorials are broadcast within 72 hours prior to the day of the election, the licensee shall comply with the provisions of this subsection sufficiently far in advance of

the broadcast to enable the candidate or candidates to have a reasonable opportunity to prepare a response and to present it in a timely fashion.⁸

As of July 12, 1979, the FCC ordered an amendment of the personal attack rule.⁹ The FCC, in the amendment, made a minor change in the language of the rule to clarify that "uses" includes an exemption which extends to personal attacks made by non-candidates.¹⁰

The Equal-Time (Equal Opportunities) Provision: the equal-time (equal opportunities) provision can be found in Section 315 of the Communications Act of 1934. Equal-time (equal opportunities) required a licensee, who permits a "legally qualified candidate" to appear on radio, to make equal opportunities available to other candidates for the same office (in a primary, only other candidates of the same party). According to the provision, free time had to be matched with free time and paid time matched by the opportunity to buy paid time at the same rate. Further, the time allotted had to allow for a comparable audience and only candidates, not spokespersons for candidates, were eligible for equal-time. Bona fide newscasts, news interviews, news documentaries, and breaking news events were exempt from the provision. In addition, the provision stated that the licensee was prohibited any "power of censorship over the material broadcast" and that restrictions existed limiting the rebroadcast of political debates.¹¹

The equal-time (equal opportunities) provision was deregulated by order of the FCC on November 8, 1983.¹² The FCC, at that time, ordered that radio stations may invite political candidates of their

choice to participate in broadcast debates without violating the provision. As parts of the decision, the FCC also removed restrictions that limited the rebroadcast of political debates to within twenty-four hours of the original event.¹³

The Editorializing Rule: the editorializing rule can be found in Section 315 of the Communications Act of 1934, as amended, which also contains the fairness doctrine.¹⁴ The editorializing rule has undergone several changes since its inception. In 1941, the FCC noted that station WAAB in Boston had broadcast editorials encouraging the election of several candidates for political office or supporting one side of various public issues. The FCC, in its decision, said that "the public interest can never be served by a dedication of any broadcast facility to the support of [a broadcaster's] own partisan ends In brief, the broadcaster cannot be an advocate."¹⁵ In 1949, the FCC reversed its position and said:

Licensee editorialization is but one aspect of freedom of expression by means of radio. Only insofar as it is exercised in conformity with the paramount right of the public to hear a reasonably balanced presentation of all responsible viewpoints on particular issues can such editorialization be considered to be consistent with the licensee's duty to operate in the public interest.¹⁶

In 1950, the FCC noted that it was not enough for a station to allow opposing views to its editorials, but that it had a duty to "seek

out" opposing views.¹⁷ In 1959, the FCC ceased using the words "seek out" and began to say that licensees have "an affirmative duty to aid and encourage the broadcast of opposing views by responsible persons."¹⁸ In 1974, the obligation was further defined when the FCC stated that a licensee "should be prepared to demonstrate that he [she] has made a diligent, good-faith effort to communicate to . . . potential spokesmen [spokespersons] his [her] willingness to present their views on the issue or issues presented."¹⁹

Section 399(a) of the Communications Act forbids editorializing by noncommercial educational broadcasting stations.²⁰

The Format Doctrine: the format doctrine evolved from a series of appellate decisions that began in 1970.²¹ The format doctrine required the FCC to hold public hearings when an applicant for a new or renewed radio license sought to change the stations' format.²² The hearings were designed to determine if the proposed format changes would be in the public interest. In March, 1981, the Supreme Court voided the format doctrine in the case, *FCC v. WNCN Listeners Guild, et al.*²³

The Scarcity Doctrine: although the doctrine is not a rule, it is an idea that broadcast "space" is limited, and that the radio spectrum is limited, and that the radio spectrum is simply not large enough to accommodate everybody without encountering interference.²⁴

The Seven-Station Rule: the seven-station rule, which was adopted in 1953, was the first imposition by the FCC of a rule concerning the numerical limitation on the number of stations an individual could control.²⁵ According to the rule, a licensee, including a network, is permitted to own a maximum of seven AM and seven FM radio stations, and

seven television stations (five VHF and two UHF).²⁶

The One-to-a-Market Rule: the one-to-a-market rule "prohibits one licensee from owning more than one TV, one AM, and one FM station in the same market."²⁷ Markets under ten thousand in population and multiple ownerships already existing before March 1970 are exempted. The phrase sometimes is applied also to cross ownership.²⁸

The License Renewal Procedure: although the license renewal procedure recently was simplified by the FCC, the U.S. Court of Appeals reported that the new procedures for license renewals had not been decided yet by the court. The new license renewal procedure, however, permits licensees to file for renewal simply with a postcard rather than through the previous complicated procedure.²⁹

News and Public Affairs Programming Guidelines: news and public affairs programming guidelines existed until 1981, when the FCC ordered deregulation of its requirements concerning such programming. Stations were required to devote a minimum percentage of their broadcasting time to news or public affairs programming (eight percent for AM and six percent for FM stations).³⁰

Commercial Guidelines: commercial time limit guidelines of eighteen minutes maximum per hour existed before the FCC order for deregulation in 1981. The FCC order repealed the maximum limits for commercials.³¹

Program Logs: stations are required by the FCC to keep detailed logs on programming and commercials. The purpose of the logs, according to the courts, is to insure the public's right to help judge whether stations are serving the public interest. The FCC recently attempted to

abolish the requirement but the U.S. Court of Appeals ordered the FCC to reconsider the log provision.³²

Community Ascertainment: community ascertainment requirements existed before the FCC order for deregulation in 1981. Under the old policy, the FCC required an applicant for a license (new or renewal) to ascertain community needs "by sampling a cross section of the general population and by interviews with diverse community leaders."³³ The ascertainment requirements were instituted to insure that licensees were operating in the public interest.

Formal ascertainment procedures no longer are required by the FCC. Broadcast licensees now may ascertain by any reasonable method. The methodology concerning the reasonable method for ascertainment must be listed in a public file; and in addition, a list of no more than ten issues as ascertained also must be included in a public file.

Public Interest, Convenience or Necessity: although the words public interest, convenience or necessity are not set rules or regulations, they are the controlling words in the congressional grant of authority to the FCC.³⁴ According to the Communications Act of 1934, the "public interest" is to be served, and "public interest" is interpreted as the interest of the listening public.³⁵

On August 12, 1928, the Federal Radio Commission announced its interpretation of the phrase:

. . . The commission has been urged to give a precise definition of the phrase "public interest, convenience, or necessity," and in the course of the hearings has been frequently

criticised for not having done so. It has also been urged that the statute itself is unconstitutional because of the alleged uncertainty and indefiniteness of the phrase. To be able to arrive at a precise definition of such a phrase which will foresee all eventualities is manifestly impossible. The phrase will have to be defined by the United States Supreme Court, and this will probably be done by a gradual process of decisions on particular combinations of fact.

. . . It is, however, possible to state a few general principles which have demonstrated themselves in the course of the experience of the commission and which are applicable to the broadcasting band.

In the first place, the commission has no hesitation in stating that it is in the public interest, convenience, and necessity that a substantial band of frequencies be set aside for the exclusive use of broadcasting stations and the radio listening public, and under the present circumstances believes that the band of 550 to 1,500 kilocycles meets that test.

In the second place, the commission is convinced that public interest, convenience, or necessity will be served by such action on the part of the commission as will bring about the best possible broadcasting reception conditions throughout the United States. By good conditions the commission means freedom from interference of various types as well as good quality in the operation of the broadcasting station

. . . The commission is furthermore convinced that within the

band of frequencies devoted to broadcasting, public interest, convenience, or necessity will be best served by a fair distribution of different types of service

. . . The commission also believes that public interest, convenience, or necessity will be best served by avoiding too much duplication of programs and types of programs

. . . While it is true that broadcasting stations in this country are for the most part supported or partially supported by advertisers, broadcasting stations are not given these great privileges by the United States Government for the primary benefit of advertisers

. . . Another question which must be taken seriously is the location of the transmitter station. This is properly a question of interference [I]t is not in the public interest, convenience, or necessity for a station of substantial power (500 watts or more) to be located in the midst of a thickly inhabited community [Further], it is also desirable that the signal be not so strong as to blanket reception from other stations operating on the other frequencies

The commission is furthermore convinced that in applying the test of public interest, convenience, or necessity, it may consider the character of the licensee or applicant, his [her] financial responsibility, and his [her] past record, in order to determine whether he [she] is more or less likely to fulfill the trust imposed by the license than others who are seeking the same privilege from the same community, state, or zone

. . . A station which does not operate on a regular schedule made known to the public through announcements in the press or otherwise is not rendering a service which meets the test of the law

. . . A broadcaster who is not sufficiently concerned with the public's interest in good radio reception to provide his [her] transmitter with an adequate control or check on its frequency is not entitled to a license

. . . In conclusion, the commission desires to point out that the test -- "public interest, convenience, or necessity" -- becomes a matter of a comparative and not an absolute standard when applied to broadcasting stations. Since the number of channels is limited and the number of persons desiring to broadcast is far greater than can be accommodated, the commission must determine from among the applicants before it which of them will, if licensed, best serve the public. In a measure, perhaps, all of them give more or less service. Those who give the least, however, must be sacrificed for those who give the most. The emphasis must be first and foremost on the interest, the convenience, and the necessity of the listening public, and not on the interest, convenience, or necessity of the individual broadcaster or the advertiser.³⁶

The terms "public interest, convenience, or necessity," community ascertainment, program logs, commercial guidelines, news and public affairs programming guidelines, the license renewal procedure, the one-to-a-market rule, the seven-station rule, the format doctrine, the

editorializing rule, the equal-time (equal opportunities) and provision, the personal attack rule, and the fairness doctrine are the rules and regulations which have shaped the radio broadcast industry. As stated earlier, some of these regulations have been deregulated by order of the FCC and others may be deregulated.

A Regulatory History of Radio Broadcasting

In order to understand the manner in which the FCC's rules and regulations originated and evolved, this section will review the regulatory history of radio broadcasting. The history of radio broadcasting will include information from pre-1866 to the present.

According to the "commerce clause" of Article I, Section 8 of the United States Constitution, Congress is assigned the responsibility for regulating interstate and foreign commerce. Commerce, as determined by the Supreme Court of the United States, includes communication. Because radio waves physically are incapable of staying within the political boundaries of states and nations, broadcasting is inherently a form of interstate and foreign commerce. Thus, radio communication is subject to jurisdiction by the Congress.³⁷

Although the regulatory history of radio in the United States begins with the Constitution, the Post Roads Act of 1866 was the first actual legislation related to communication. The Post Roads Act gave companies the right to construct and operate telegraph lines throughout the United States upon written application to the postmaster general.³⁸ Six years later a law was passed which assessed penalties to any telegraph company charging more than the maximum allowed.³⁹ These

two acts, which regulated common carriers, introduced the idea that the electronic media were to be used for the benefit of the public.

In 1887 the Interstate Commerce Commission (ICC) was given jurisdiction over telegraph.⁴⁰ In 1910 the Mann-Elkins Act gave the ICC jurisdiction over all wire and wireless telephone, telegraph, and cable lines.⁴¹ The first legislation dealing directly with the regulation of radio communication was passed by Congress on June 24, 1910. Known as the "Wireless Ship Act" or "An Act to Require Apparatus and Operators for Radio Communication on Certain Ocean Steamers," the regulation required all ocean-going steamers carrying fifty or more persons, leaving or attempting to leave any port of the United States, to employ a skilled radio operator and to be equipped with an efficient apparatus for radio communication which could transmit and receive messages over a distance of at least one hundred miles, day or night.⁴² In 1911, a Radio Service was established in the Bureau of Navigation, Department of Commerce and Labor, to insure proper execution of the law.⁴³

Not until the "Titanic" disaster of 1912 which dramatically demonstrated the advantage of radio in promoting safety of life at sea did Congress attempt to deal further with radio communication in a comprehensive manner.⁴⁴ On August 13, 1912, Congress passed the Radio Act which incorporated regulations from the international convention in Berlin in 1906 on the use of radio at sea and the London International Radio Telegraph Convention of 1912.⁴⁵

Aimed primarily at regulating wireless telegraphy in Morse code, the Radio Act of 1912 was passed to carry out treaty obligations, meet the public sentiment aroused by the sinking of the "Titanic", and

prevent the establishment of a monopoly over radio communication by the Marconi Company.⁴⁶ In addition, the Radio Act of 1912, which was signed by President William Howard Taft, inaugurated the Federal licensing of commercial broadcast stations and mandated that all radio transmission be conducted or supervised by someone with an operator's license. Successful completion of the exam was required in order to obtain a broadcasting license.

According to the Radio Act, complete authority over radio broadcasting was granted to the Secretary of Commerce and Labor. Although the Secretary of Commerce and Labor could assign a broadcaster a wavelength or frequency, the Secretary could not refuse to grant a license, which turned out to be a fatal flaw in the measure because almost anyone requesting a license could obtain one.⁴⁷

During the regulatory period between 1912 and 1926 the Secretary of Commerce held radio conferences and attempted to keep abreast of the rapid development which occurred the radio. On February 27, 1922, the first National Radio Conference, which was attended by radio industry representatives, public leaders, government officials, and radio experts recommended that the federal government be given additional powers to regulate the broadcasting industry.⁴⁸ The Second National Radio Conference, which was called by Secretary of Commerce Herbert Hoover, met on March 20, 1923.⁴⁹ Secretary Hoover then began to administer further regulations on radio. Hoover vested in himself the power to assign specific frequencies to stations and limit the power and time during which an individual broadcasting station could operate.⁵⁰

Although the Secretary of Commerce instituted some regulations

during the period from 1912 to 1926, the era basically was characterized by self-regulation and marked by a rapprochement between the government and the radio industry. To a great extent, the Federal authorities maintained a hands-off attitude and the principle of laissez faire predominated.⁵¹

The following quotation from the address delivered by the Secretary of Commerce Herbert Hoover at the Third National Radio Conference held in Washington, D.C., in October, 1924, indicates the spirit of cooperation which existed between 1924 and 1926:

In conclusion, I can only repeat what I have said on these occasions before--that it is our duty as public officials, it is our duty as men engaged in the industry, and it is our duty as a great listening public to assure the future conduct of this industry with the single view to public interest. The voluntary imposition of its own rules and a high sense of service will go far to make further legislation or administrative intervention unnecessary. Indeed, it will contribute enormously to the development of the art if in this stage of its infancy we can annually secure such adjustments by voluntary action as will protect public interest. We shall then have evolved a unique chapter in the development of public utilities.

. . . It is my ideal and yours that this new great implement which science has placed at the disposal of our people shall be developed and expanded in such fashion as to bring the maximum good, and that we may avoid any complaint from our successors that

one hand we sacrifice public interest or on the other we in any way diminish that fine sense of initiative and enterprise in our people that is fundamental to all advancement in our Nation . . .⁵²

A year later, at the Fourth National Radio Conference, Secretary Hoover reiterated much of what he had said before concerning radio, but added to his theory that "the ether is a public medium, and its use must be for public benefit."⁵³ Hoover's philosophy was to become the basis of future government regulation.

Radio continued to develop until a question was raised concerning whether the Radio Act of 1912 gave the Secretary of Commerce the power to specify frequencies, hours of operations, or power limitations. Eugene F. McDonald, owner of station WJAZ in Chicago and a small company known as Zenith Radio, believed that Herbert Hoover was exceeding his authority. McDonald challenged Hoover in court--and won.⁵⁴ The federal court ruled that Hoover had exceeded his authority and that the United States government did not permit the play and action of purely personal and arbitrary power.⁵⁵ The court also stated that as there was no standard in the act to guide administrative judgment, the act might be unconstitutional if it were held that it did confer any such discretion.⁵⁶ Hoover sought to appeal the ruling, but the Attorney General's office convinced the Secretary the court was correct. On July 8, 1926, the Attorney General declared that under the 1912 law Hoover did not have the legal power to refuse a license, specify frequencies, assign broadcasting hours, or limit station power.⁵⁷

On July 9, 1926, the day following the receipt of the Attorney

General's opinion, Hoover announced publicly that he was abandoning all attempts to control radio communication except for the registration requirement. In addition, he urged station licensees to impose a voluntary self-regulation on themselves to avoid electrical interference and to respect an informal agreement with Canada under which six channels had been reserved exclusively for Canadian use.⁵⁸

Hoover's advice, however, went unheeded as far as the broadcast band of frequencies was concerned. A condition of general confusion resulted, and there was a scramble for attractive and preferred channels.⁵⁹ Many of the 732 operating radio stations during this time ignored their assigned frequencies and power assignments. Forty-one stations began using the six channels that had been reserved for the exclusive use of Canadian stations despite appeals from cabinet members, who pleaded that national good faith and international good will were at stake.⁶⁰

On December 7, 1926, in the midst of chaos in the radio industry, President Calvin Coolidge recommended, in his Congressional message, the enactment of new radio legislation. The following excerpt from Coolidge's Congressional message expressed the need for order in the radio industry:

The Department of commerce has for some years urgently presented the necessity for further legislation in order to protect radio listeners from interference between broadcasting stations and to carry out other regulatory functions. Both branches of Congress at the last session passed enactments intended to effect such

regulation, but the two bills yet remain to be brought into agreement and final passage.

Due to decisions of the courts, the authority of the department under the law of 1912 has broken down; many more stations have been operating than can be accommodated within the limited number of wave lengths available; further stations are in course of construction; many stations have departed from the scheme of allocation set down by the department, and the whole service of this most important public function has drifted into such chaos as seems likely, if not remedied, to destroy its great value. I most urgently recommend that this legislation should be speedily enacted.

I do not believe it is desirable to set up further independent agencies in the Government. Rather I believe it advisable to entrust the important functions of deciding who shall exercise the privilege of radio transmission and under what conditions, the assigning of wave lengths and determination of power, to a board to be assembled whenever action on such questions becomes necessary. There should be right of appeal to the courts from the decisions of such board. The administration of the decisions of the board and the other features of regulation and promotion of radio in the public interest, together with scientific research, should remain in the Department of Commerce. Such an arrangement makes for more expert, more efficient, and more economical administration than an independent agency or board, whose duties, after initial stages, require but little attention, in which

administrative functions are confused with semijudicial functions and from which of necessity there must be greatly increased personnel and expenditure.⁶¹

Under the Coolidge administration, a fairly conservative Congress existed that rejected the idea of a government takeover of broadcasting. However, at the same time, the Congress was attuned to the idea of conservation of natural resources such as the broadcast spectrum, the airwaves. In considering further legislation, the Congress had to decide whether the government should take over and operate the radio system or whether private enterprise should be allowed to move in and monopolize the airwaves. Although there were differences in opinion as to the kind of regulatory authority that should be established, a compromise was reached which was enacted in the Radio Act of 1927. Inherent in the Act was the idea that the public would maintain ownership of the airwaves, but private enterprise would provide the broadcasting service.⁶²

The Radio Act, which was signed into law on February 23, 1927, created a bipartisan Federal Radio Commission (FRC) of five members to serve staggered six-year terms. The first chairperson was appointed by the President; succeeding ones were elected by the FRC. Power was vested in the FRC to:

classify radio stations, prescribe the kind of service each class should render, assign frequencies to classes and to individual stations, determine each station's power and hours of operation,

regulate the kind of apparatus to be used, prescribe regulations to prevent interference, make special regulations with respect to chain broadcasting, hold hearings, summon witnesses, make such investigations as it deemed necessary for the performance of its duties and insure that broadcasters would service the public interest, convenience, and necessity.⁶³

According to the Radio Act of 1912, certain administrative functions were assigned specifically to the Secretary of Commerce including the responsibility to receive all applications for licenses, prescribe the qualifications of station operators, issue licenses to operators, inspect transmitting apparatus for conformity to the requirements of the act, report violations to the FRC, and designate call letters.⁶⁴ The division of authority between the Secretary of Commerce and the FRC lasted only until December 18, 1929, when the Congress declared that the powers vested in the FRC by the Radio Act of 1927 should be exercised by the FRC "until otherwise provided by the law."⁶⁵

Although the Radio Act of 1927 was helpful in restoring radio to orderly operation, the law wasn't comprehensive enough. It became apparent, for example, that regulation of radio and regulation of telephone and telegraph traffic were tied closely, yet the FRC did not have the power to regulate both. In 1933, Secretary of Commerce Daniel Roper was commissioned by Franklin Delano Roosevelt to undertake a study of all the regulatory agencies.⁶⁶ A committee, comprised of a number of interested government departments and the chairpersons of the Senate and

House committees on interstate commerce, was established to review the regulation of communications.⁶⁷ On the basis of the reports, Roosevelt recommended that Congress create a new agency to administer and regulate all aspects of communications. In a message to Congress, President Roosevelt endorsed the following recommendations of the Roper Committee:

I have long felt that for the sake of clarity and effectiveness the relationship of the federal government to certain services known as utilities should be divided into three fields: transportation, power, and communications In the field of communications . . . there is today no single government agency charged with broad authority I recommend that the Congress create a new agency to be known as the Federal Communications Commission⁶⁸

Congress moved quickly and less than four months later on June 19, 1934, the Communications Act of 1934 was enacted into law.⁶⁹ The Communications Act of 1934 provided for the replacement of the five-person FRC with seven-person Federal Communications Commission (FCC). The FCC was given authority to regulate all interstate and foreign commerce in communication by wire and radio communications, issue licenses, allocate frequencies, and specify operating conditions. Like the Radio Act of 1927, the Communications Act of 1934 provides that the FCC shall exercise all its powers so as to serve the "public interest, convenience, and necessity."⁷⁰ In addition, the FCC was ordered to study new uses for radio, provide experimental uses of frequencies, and

generally encourage the larger and more effective use of radio in the public interest.⁷¹ Also, the FCC was to make available, as much as possible, to all the people of the United States a rapid, efficient, nationwide, and worldwide wire and radio communication service.⁷² In addition, the commission was ordered to "keep itself informed as to . . . technical developments and improvements in wire and radio communication . . . to the end that the benefits of new inventions and developments be made available."⁷³

Although a number of amendments to the Communications Act of 1934 have been made, the act remains substantially unchanged. The closest Congress ever came to rewriting the Communications Act occurred with the addition of the Communications Act Amendments of 1952.⁷⁴ The amendments authorized the FCC to issue "cease and desist" orders and directed the commission to create a "review staff" to assist the commissioners in adjudicatory hearings.⁷⁵ This subsection was later repealed by Public Law 87-192 which Congress passed on August 31, 1961. Public law 87-192 allowed the FCC to devote more time to major policy planning and establish a functioning review board.⁷⁶

Thus, from the enactment of the Post Roads Act of 1866 to the Communications Act of 1934, exists the history of radio regulation in the United States. All the rules and regulations imposed on the radio broadcast industry stem from the FCC's interpretation of the Communications Act of 1934. These regulations served to establish the philosophies which have influenced, guided, and shaped the future of radio in the United States. The implied philosophy and fundamental purpose of the final comprehensive legislation, the Communications Act

of 1934, is that the airwaves are limited, the airwaves belong to the public, the electro-magnetic spectrum is a natural resource to be conserved, and broadcasters are only trustees for the public.⁷⁷ Thus, as implied in the Communications Act, the public has a "direct and justifiable interest in the manner in which broadcasting is conducted."⁷⁸ Broadcasting, then, is a business concerned with the public interest.

History of Radio Broadcast Deregulation

In order to provide the reader with specific and recent information regarding the FCC's proposals and orders to deregulate radio and any recent congressional and/or court action concerning such deregulation, this section will review the history of radio broadcast deregulation. The history of radio broadcast deregulation will include information from 1978 to the present.

Although the Communications Act of 1934 has undergone some changes and additions through the years, the underlying philosophy of the Act has remained virtually unchanged. However, because of new technologies that had not been envisioned with the Communications Act was written and because of a movement to "deregulate" radio, numerous attempts have been made to rewrite the Communications Act. The most recent deregulation effort began on June 7, 1978, when Representative Lionel Van Deerlin, Chair of the House Communications Subcommittee, and Representative Louis Frey, Jr., ranking Republican member of the subcommittee, introduced the Communications Act of 1978.⁷⁹ The proposed legislation contained the following ideas:

1. Deregulate radio except for technical matters, grant licenses for

an indefinite period, and abolish the fairness doctrine and equal-time provision for radio.

2. Limit the number of stations that one group may own to ten (five radio and five television).
3. Change the FCC to a five-member Communication Regulation Commission and curtail its powers.⁸⁰

Reaction to the proposed rewrite was widespread and varied, and the measure failed. Some FCC commissioners expressed concern about the absence of a regulatory standard in the rewritten version through the omission of the public "interest, convenience, or necessity" clause, leaving regulation instead to marketplace forces.⁸¹ The following year several other bills were introduced into Congress but also failed including the Communications Act Amendments of 1979 proposed by Senator Ernest Hollings, the Telecommunications Competition and Deregulation Act of 1979 initiated by Barry Goldwater, and rewrite of the 1978 bill by Representative Van Deerlin.

On September 6, 1979, the FCC adopted a Notice of Inquiry and Proposed Rulemaking for deregulation of radio.⁸² The commission proposed to deregulate radio by eliminating such items as the nonentertainment programming guidelines, commercial guidelines, ascertainment, program logs, and substituting the marketplace for rules to determine programming practices. The United Church of Christ filed suit against the FCC on December 26, 1979, in the Federal District Court in Manhattan in an attempt to block radio deregulation. In addition, the United Church of Christ later petitioned the FCC and the court of appeals for a stay of the FCC order but the appeals were denied. On

April 3, 1981, the FCC's report and order became effective.⁸³

The FCC's deregulation report and order, which applies only to commercial radio stations, eliminates and allows the following:

1. The FCC order eliminates the formal procedures that were required to follow in ascertaining the broadcast needs of the station's community. Radio broadcasters now may ascertain the needs of the community by any reasonable method.
2. The FCC order eliminates the nonentertainment programming guidelines of eight percent for AM stations and six percent for FM stations.
3. The FCC order eliminates the commercial-time-limit guidelines of eighteen minutes per hour (with exceptions allowing up to twenty-four minutes per hour).
4. The FCC order eliminates the requirement that stations maintain program logs and make them available to the public.
5. The FCC order allows "program length" commercials.⁸⁴

Commenting on the FCC order to deregulate radio, Charles D. Ferris, Chair of the committee in 1981, said:

Today we have translated the rhetoric of "deregulation" into reality. No longer will broadcasters be required to follow empty governmentally required procedures and compile stacks of paperwork. Instead, they will be able to follow their own path in determining how to serve their community's needs and interests in ways that reflect the realities of today's radio market.

I expect that active dialogue between radio stations and their communities will continue, without the rigidified "ascertainment"

guidelines of the past. In today's dynamic radio market, a station's failure to listen to and address local interests and issues will result in economic penalties at least as severe as those the Commission could impose.

The elimination of commercial time limits will free the Commission from monitoring disc jockeys who add a few minutes of their own creativity to an ad agency's 30-second copy. And the elimination of program logging will let radio stations decide themselves how best to keep a record of their programs and commercials for their advertisers and internal purposes.

Finally, our decision to keep a legal obligation on each radio station to air issue-oriented programming to meet local community concerns guarantees against the unlikely absence of an economic market for news and local issue-oriented programming in some communities.

We cannot always be absolutely certain of each deregulatory step we take. But we can attempt to compile as full a record as possible before taking off past regulatory burdens. In this case we have given the public several opportunities for comment, held panel discussions, and debated the issue fully within our Commission. We have undertaken an exhaustive survey on how the radio marketplace functions in the area of commercialization and news and informational programming. I am pleased that we have finally acted, and acted in a responsible manner.

I look forward, years from now, to the ultimate vindication of this action, which can only come from the test of time as the

marketplace functions with less government intrusion and more discretion given to radio stations to determine the way in which they will carry out their Communications Act obligations.⁸⁵

In opposition of the FCC order to deregulate radio several interest groups expressed their concern. A spokesperson for the Media Access Project condemned the order saying it was a sad day for minorities, women, the poor, religious groups, and other working people who have relied on the FCC to make sure that radio stations meet the needs of the listeners they serve.⁸⁶

Although the FCC's order took effect, the United Church of Christ and the Media Access Project asked the U.S. Court of Appeals to review the action on January 14, 1983.⁸⁷ The groups were concerned about the order in light of the public interest provision of the Communications Act of 1934.

In May, 1983, the U.S. Court of Appeals for the District of Columbia upheld most of the steps taken by the FCC to deregulate the radio industry.⁸⁸ The three-judge panel, Chief Judge J. Skelly Wright, Judge William Jameson, and Judge Robert Bork, ruled in a two to one decision that the FCC acted legally in 1981 when it enacted a broadcast deregulation bill.⁸⁹ The appellate panel said, "we cannot say that the commission has overstepped its statutory authority or its administrative discretion."⁹⁰ Further, the three-judge panel concluded that the groups challenging the FCC's deregulation decision were wrong in assuming that the need for public interest programs had been dropped. Concerning allegations that the FCC had dropped its requirement for a minimum

sought, not to eliminate all considerations of quantity of non-entertainment programming but simply to emphasize that quantity alone cannot be the measure of a licensee's responsiveness."⁹¹

Judge Bork dissented believing that a provision which eliminated a requirement that stations could keep detailed logs on programming and commercials. According to Bork, eliminating the requirement could undermine the public's right to help judge whether stations were serving the public interest.⁹² Judge Skelly, joined by Jameson, ordered the FCC, thus, to reconsider the log provision. Skelly questioned "the commission's apparent failure to consider the problem of overseeing its partial deregulation of radio without the information contained in the logs."⁹³

Further, in the decision, Judge Wright warned that the current "tidal wave" of deregulation should be initiated by Congress instead of the commission. Judge Wright stated "it should thus be Congress, and not the unrepresentative bureaucracy and judiciary that takes the lead in grossly amending the system of government regulation of the broadcasting industry."⁹⁴

The United Church of Christ and other citizen groups who challenged the FCC's action in the appeals court, were encouraged by the order that the FCC reconsider the possible need for programming logs, and by the warning that Congress should take a close look at deregulation activities. A spokesperson for the Media Action Project, Andrew J. Schwartzman, and other lawyers for citizen groups, said they didn't know whether they would appeal either by asking the full appeals court to review the three judge ruling or by taking it to the Supreme Court.⁹⁵

The three-judge panel also reported in the judgment concerning the challenge to the FCC order that the decision by the FCC to streamline the procedures for license renewals had not been decided yet by the court. The new license renewal procedure ordered by the FCC permits licensees to file for renewal with a postcard and would make it tougher for interest groups or competing applicants to block renewals.⁹⁶

In a move to enact broadcast deregulation through congressional action, in February 1983, the Senate Commerce Committee unanimously approved the FCC's broadcast deregulation bill.⁹⁷ The bill, numbered S55, and titled, "The Broadcast Deregulation Act of 1983," was introduced to the Senate on January 26, 1983 by Senators Baker, Goldwater, Packwood, Kasebaum, Stevens, Kasten, Hollings, Ford (KY), Riegle, Exon, and Heflin.⁹⁸ According to The Congressional Index for the 1983-84 98th Congress, the purpose of S55 is: "to amend the Communications Act of 1934 in order to encourage and develop marketplace competition in the provision of certain deregulation of such broadcast services."⁹⁹ S55 was referred, after introduction, to the Senate Committee on Commerce, Science, and Transportation who reported it back to the Senate on February 15, 1983. After the Senate approved the bill by a voice vote, it was referred to the House Committee on Energy and Commerce on February 22, 1983.¹⁰⁰ At the time of this writing, according to the most recent Congressional Index, no action has been taken by the House on S55. In order for the deregulation legislation to become law, approval by the House is necessary. The House failed to pass a similar broadcast deregulation bill in 1982 which had been approved by the Senate.¹⁰¹

In another move to deregulate radio, the Supreme Court ruled seven to two on March 24, 1981, that the FCC did not have to consider program formats in radio station license proceedings.¹⁰² The case, FCC v. WNCN Listeners Guild, et al., evolved from a series of appellate decisions beginning in 1970, that produced the "format doctrine" in federal broadcast regulation. The doctrine required the FCC to hold public hearings when an applicant for a new or renewed radio license sought to change the station's format. The hearings were to determine whether or not the proposed format changes would be in the public interest.

The FCC relinquished the "format doctrine" in 1976, reasoning that such hearings were not required under the First Amendment or the Communications Act of 1934. Controversy ensued when the FCC attempted to cite its new policy on a New York City radio station, WNCN-FM. The owners of WNCN-FM decided to change from an all-classical format to one featuring "progressive" rock music. The FCC refused to interfere in any way with the change. The U.S. Court of Appeals in Washington, D.C. however, upheld the "format doctrine." (WNCN-FM later came under new ownership and the classical format was restored.)

The controversy over format changes remained, however. The FCC, the National Association of Broadcasters (NAB), and others appealed to the Supreme Court. The WNCN Listeners Guild was supported by citizens groups and the attorneys general of eight states.

The Supreme Court reversed the appeals court and voided the format doctrine. Mr. Justice Byron H. White, writing for the majority, said that the FCC had "provided a rational explanation for its conclusion that reliance on the market is the best method of promoting diversity in

entertainment formats."¹⁰³

In the Supreme Court, the majority rejected the idea that the "format doctrine" was valid under the First Amendment and the Communications Act of 1934. Justice White concluded that neither the Constitution nor the law gave "individual listeners the right to have the FCC review the abandonment of their favorite entertainment program."¹⁰⁴

In dissent, Mr. Justice Thurgood Marshall defended the "format doctrine" as a permissible attempt to provide the commission with some guidance regarding the types of situations in which a reexamination of general policy might be necessary."¹⁰⁵ Mr. Marshall's opinion was endorsed by Mr. Justice William J. Brennan, Jr.¹⁰⁶

Since 1981, numerous other bills have been introduced into the House and Senate in an attempt to legalize the FCC's deregulation and further deregulate radio. Deregulation bills presented since 1981 include the following:

1. Senate bill 270, which would make radio licenses indefinite, allow the FCC to use a method of random selection in mutually exclusive cases, and require the FCC to annually review and eliminate unnecessary rules, was introduced on February 26, 1981.¹⁰⁷ The bill was introduced by Senators Schmitt, Packwood, Goldwater, Pressler, Stevens, Cannon, and Hollings.¹⁰⁸ According to the Congressional Index 1981-82, the purpose of the bill was to "amend the Communications Act of 1934 in order to encourage and develop marketplace competition in the provision of certain radio services and to provide certain deregulation of such radio services."¹⁰⁹ S270 was referred to the Senate Committee on Commerce, Science, and

Transportation and, by the end of 1982, no further action had been taken concerning the bill.¹¹⁰

2. House bill 1298, which would extend radio license terms to ten years and prohibit the FCC from considering an applicant's ownership of other media and competing applications at renewal, was introduced by Representative Collins. The bill was referred to the House Committee on Energy and Commerce and, by the end of 1982, no further action had been taken concerning the bill.¹¹¹
3. Senate bill twenty-two, which would repeal the fairness doctrine and political broadcasting laws, was introduced by Senate William Proxmire.¹¹² According to the Congressional Index 1981-82, the purpose of the bill was "to amend the Communications Act of 1934 in order to recognize and confirm the applicability of and to strengthen and further the objective of the first amendment to radio."¹¹³ The bill was referred to the Senate Committee on Commerce, Science, and Transportation and, by the end of 1982, no further action had been taken concerning the bill.¹¹⁴
4. House bill 746, which would allow congressional veto power over regulatory agencies' rules and would provide for easier access to the courts by "interested parties" in agency rulemaking, was introduced by Representative George Danielson.¹¹⁵ Bill 746, also known as the "Regulatory Reform Act," was heard in the House on June 23, 1981.¹¹⁶ By the end of 1982, however, no further action had been taken concerning the bill.¹¹⁷

Although numerous unsuccessful bills concerning the deregulation of radio had been introduced to Congress since 1981, the FCC still has

proposed, considered, and sometimes approved deregulation of radio in the following areas:

1. Multiple Ownership and Noncommercial Radio: The FCC proposed on June 7, 1978, a possible amendment of its multiple ownership rules to include noncommercial educational FM stations. Under the existing rule, no fixed limit exists on the total number of such stations a given educational entity may hold or even the number it might own in a particular locality.¹¹⁸ The FCC requested interested parties to file comment on or before November 15, 1978, and reply comments on or before December 15, 1978.¹¹⁹ At the time of this writing, no published document was located of an order by the FCC concerning the proposed amendment.
2. Multiple Ownership: On July 27, 1978, the FCC issued a Notice of Inquiry and Notice of Proposed Rulemaking concerning the amendment of Sections 73.35, 73.240, 73.636, and 76.501 of the Commission's Rules regarding multiple ownership of AM, FM, and television stations and CATV systems.¹²⁰ The FCC proposed to explore the relationship between voting interests and meaningful or cognizable ownership.

Comments from interested parties were requested before October 12, 1978, and reply comments on or before November 13, 1978.¹²¹ At the time of this writing, no published document was located of an order by the FCC concerning the proposed rulemaking.
3. Media Ownership: The FCC proposed, on January 27, 1983, to relax its rules governing ownership of media properties.¹²² According to the proposal, an individual or company would be able to hold a

significant stake in as much as twenty percent of an unlimited number of TV, radio, cable systems or newspaper which is more than currently is allowed.¹²³ The current FCC rule states that "no media company officer or media company could own more than a five percent stake in a separate media company."¹²⁴ (The FCC considered all media company officers as stockholders, even if they did not own stock in their companies.)

The FCC defended the proposal on the grounds that, "while it might result in more concentrations of media ownership, it would help minority groups to raise the venture-capital needed to enter media markets."¹²⁵

At the time of this writing, no published document was located of an order by the FCC concerning the proposal.

4. Seven-Station Rule: The FCC voted three to one on September 22, 1983, to adopt a notice of proposed rulemaking that would relax or abolish the seven-station rule and to seek public comment on how it should alter the regulation.¹²⁶ The regulation, which was adopted in 1953 and is known as the seven-seven-seven rule, prohibits any company or individual from owning more than seven TV stations, seven AM stations, an seven FM outlets.¹²⁷

According to the Wall Street Journal, "elimination of the ceiling would especially benefit the networks and other large broadcasters with the incentive and the economic power to expand their holding."¹²⁸ According to an FCC staff analysis, allowing greater concentration in the broadcasting marketplace could increase the diversity of programming available to the public.¹²⁹

Such reasoning, which suggests that owners with a greater revenue base will spend more on entertainment and news programming, is contrary to the FCC's current philosophy that diversity in broadcasting increases along with diverse ownership.¹³⁰

Concerning the FCC's proposal, a spokesperson from the National Broadcasting Company (NBC) said, "We believe that the FCC's restrictions on station ownership are outdated. They were adopted many years ago when there were many fewer stations than there are today, and fewer other media."¹³¹ A spokesperson from the American Broadcasting Company (ABC) said, "We're pleased with the FCC's decision to reconsider these limitations."¹³²

An FCC lawyer, Steve Bookshester, said the FCC commissioners may plan their own rules to prevent anti-competitive acquisitions or direct such cases to the Justice Department and the Federal Trade Commission to prevent antitrust violations.¹³³ FCC commissioner Rivera voted against the proposal, because it did not specify whether the rule would be lifted or modified.¹³⁴

At the time of this writing no published document was located of an order by the FCC concerning the adopted notice.

5. Regional Concentration Rule: The FCC voted four to one, on January 12, 1984, in favor of a proposal to repeal a rule that limited the number of broadcasting properties that one party could own in a 100-mile area.¹³⁵ The rule, which was adopted in 1977, stated that "no single company or individual could own more than two AM radio stations, two FM radio stations and two television stations

within a radius of 100 miles."¹³⁶

The FCC decided to repeal the rule based on a report which concluded that "the growth of radio and TV stations since 1977 had made the 'regional concentration rule' obsolete. The study found that radio stations in the United States had increased by 18.9% and that TV stations had increased by 36.7%."¹³⁷ The FCC thus concluded that the expected growth of radio stations, coupled with competition from other new technologies, would make regional monopolies unlikely.

At the time of this writing, however, no published document was located of an order by the FCC concerning the proposal.

6. Retention of Recordings: The FCC ordered on May 29, 1979, to amend and delete Sections 73.127, 73.591, and 73.622 of Part 73 of the Commission's Rules and Regulations.¹³⁸ The sections in question concerned the requirement of the licensee of each station which, after August 6, 1973, received assistance pursuant to Part IV of the Communications Act of 1934, as amended, to keep for sixty days an audio recording of each of its broadcasts of any public affairs program in which any issue of public importance is discussed. ¹³⁹ The FCC ordered, effective June 15, 1979, that retention of such public affairs programs no longer is required.¹⁴⁰
7. The Personal Attack Rule: On July 12, 1979, the FCC issued a Report and Order concerning the amendment of Part 73 of the "Rules Regarding Personal Attacks," and "Applicability of the Fairness Doctrine" to Section 315 "Uses."¹⁴¹ The FCC order was issued in response to a request by NBC for a declaratory ruling that the

personal attack rule is not applicable to the broadcast "uses" covered by Section 315 of the Communications Act of 1934, as amended.¹⁴²

After reviewing the personal attack rule, the FCC decided to bring the personal attack rule into conformity with FCC policy by amending the rule. The FCC thus made a minor change in the language of the rule to clarify that "uses" includes an exemption which extends to personal attacks made by non-candidates.¹⁴³

8. Radio Broadcasting Rules: On May 29, 1980, the FCC issued an order to update, clarify, and correct its rule book concerning radio broadcasting regulations.¹⁴⁴ This order, which was one in a series of "reregulations" since August 1, 1978, was the most recent order located at the time of this writing. The order issued further reregulations pursuant to Sections 4(i) and 303(4) of the Communications Act of 1934, as amended, to produce "a simpler more readily understandable set of rules, organized in a manner to identify more clearly those regulations which apply to the various types and classes of broadcast stations."¹⁴⁵

9. Transmitter Logs: The FCC proposed by a vote of seven to zero in August, 1982, to abolish a rule requiring radio stations to maintain detailed operating and maintenance logs for their transmitters.¹⁴⁶ The proposal, however, would not relieve broadcasters of their responsibility to ensure that their transmitters are functioning correctly at all times. The FCC also proposed to allow FM radio stations to use a portion of their frequency for unrelated businesses such as data transmission. ¹⁴⁷

At the time of this writing, no published document was located of an order by the FCC concerning the proposal about transmitter logs.

10. FM Radio: The FCC approved on May 26, 1983, the expansion of FM radio station by one thousand or thirty percent over the current 3,600 stations. Most of the new stations, after obtaining operating licenses, will not be on the air before 1986.¹⁴⁸
11. Equal Time for Debate: The FCC ordered on Tuesday, November 8, 1983, that radio stations may invite political candidates of their choice to participate in broadcast debates without violating the equal-time (equal opportunities) provision.¹⁴⁹ As part of the decision, the FCC also removed restrictions that limited the rebroadcast of political debates to within twenty-four hours of the original event.

Fowler, chair of the FCC, said the decision "Will encourage increased political debate, especially at smaller and local levels."¹⁵⁰ Officials from the League of Women Voters said they will file a lawsuit challenging the decision.¹⁵¹

It is thus apparent that the FCC officially has considered deregulation of numerous areas within the radio broadcast industry including multiple ownership and noncommercial radio, multiple ownership, media ownership, the seven-station rule, the regional concentration rule, retention of recordings, the personal attack rule, radio broadcasting rules, transmitter logs, FM radio, and equal-time for debate.

At the time of this writing, the official FCC Reports for 1982-83

were not compiled, so verification of any further moves by the FCC to deregulate radio was impossible. Although no official reports were obtained, evidence exists from numerous newspaper items that indicates the FCC and others are in favor of eliminating the fairness doctrine and the equal-time (equal opportunities) provision.¹⁵²

In an editorial titled "Unshackling Radio and TV," evidence of the FCC's desire to deregulate the fairness doctrine and equal-time (equal opportunities) provision is indicated: "We are accordingly delighted to see that the Federal Communications Commission has recommended to Congress the repeal of the fairness doctrine and of the equal-time rules that restrict programming flexibility."¹⁵³ The editorial refers to S22, which was introduced by Senator William Proxmire.

In addition, unofficial evidence exists from numerous newspaper items that indicates the FCC and others are in favor of repealing the personal attack and editorializing rules.¹⁵⁴ In a news item titled "FCC Backs Repeal of Broadcast Rules," evidence of the FCC's desire to deregulate the personal attack and editorializing rules is indicated:

The FCC moved yesterday to repeal its rules that limit broadcast of personal attacks and editorializing, concluding that the regulations stifle public debate The FCC voted seven to zero to propose repealing the rules. A final decision will be made after a period of public comment.¹⁵⁵

The FCC most likely will continue its deregulation effort to other

areas of the radio broadcast industry. The philosophy behind the FCC's efforts to deregulate radio is exemplified in a statement made fifty-four years ago during a Congressional debate on what was to become of the Radio Act of 1927, precursor to the Communications Act of 1934. Congressperson Free of California stated:

I think there is one monopoly in this thing and I think it is the individual listener. The minute he [she] turns off his [her] set and refuses to listen, just that minute the radio is gone so far as the sellers of sets are concerned. Because of that fact they must put on good programs; they must maintain the public interest because the public is there asset. When they sell time to an advertiser they have got to show that you and other people are listening, and if they cannot show that they cannot get money for broadcasting.¹⁵⁶

The Federal Communications Commission

In order to understand the organization, the FCC, which is responsible for the regulation and deregulation of radio and is involved so intensely with the controversial issue of deregulation, this section discusses the purposes and composition of the FCC. As noted earlier, the Federal Communications Commission (FCC) was created by the Communications Act of 1934, which consolidated into one agency the regulatory authority previously exercised by the Federal Radio Commission, the Secretary of Commerce and the Interstate Commerce Commission (ICC).¹⁵⁷

Under legislation enacted in 1982, the number of authorized FCC

commissioners was reduced from seven to five as of June 30, 1983.¹⁵⁸ The commissioners are nominated by the president and confirmed by the senate. The president also designates one of the members to serve as chair. The commissioners' terms are for seven years.¹⁵⁹

The FCC has quasi-judicial and legislative powers and operates through rules and regulations formally issued following hearings.¹⁶⁰ The FCC administrative law judges, who are independent of the commission, rule on disputes concerning regulations and can issue interlocutory orders (temporary orders on certain points pending decision on an entire issue). Appeals from FCC decisions are heard by the U.S. Court of Appeals.¹⁶¹

The FCC is responsible for regulating interstate and foreign communications by wire and radio in the public interest. The scope of the FCC's regulation includes radio and television broadcasting; telephone, telegraph, and cable television operation; two-way radio and radio operators; and satellite communication.¹⁶²

Specifically, the FCC:

Allocates bands of frequencies to non-government communications services and assigns frequencies to individual stations, licenses and regulates stations and operators, regulates common carriers in interstate and foreign communications by telegraph, telephone, and satellite, and promotes safety through the use of radio on land, water, and in the air. In addition, the commission is responsible for the allocation of the radio spectrum for all uses, including industrial uses such as remote control devices and microwave ovens.¹⁶³

Current FCC commissioners include Mark Fowler, chair, a Republican appointed by President Reagan; Dennis R. Patrick, a Republican appointed by President Reagan; Henry Rivera, a ^{Democrat} Republican appointed by President Reagan; Mimi Dawson, a Republican appointed by President Reagan; and James Quello, a Democrat, appointed by President Nixon. 164

Chapter Summary

In this chapter, the FCC rules and regulations pertinent to this study were explained, the regulatory history of radio broadcasting was reviewed, the history of radio deregulation was reported, and the purpose and composition of the FCC was related.

Preview

In the following chapter, chapter three, the methods utilized to conduct the study are described. Chapter three consists of a review, of the pilot study and a discussion of the instrument, the sample, the procedure, and the method of data analysis.

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CHAPTER III

Methods

In this chapter, the research methodology will be discussed. The chapter consists of an introduction, a review of the pilot study, and a discussion of the research instrument, the sample, the procedure, and the method of data analysis.

Introduction

In June, 1983, after completion of a pilot study and correspondence to the National Radio Broadcasters Association (NRBA) and the National Association of Broadcasters (NAB) requesting financial assistance for further research, a letter arrived from Ms. Sally Johnson of the NRBA in Washington, D.C.. Ms. Johnson's letter, which can be found in Appendix C, states:

(The) NRBA has not conducted any research projects on broadcasters' views on deregulations I am also not aware that anyone else has surveyed broadcasters on deregulation. It looks like you have picked a good topic for research I would like to offer our assistance I'm sure we can work together on this extremely topical research. *SRP*

Thus, communication was established and developed between the NRBA and the Sims' thesis committee of Humboldt State University (HSU). Soon a mutual decision was reached between the two parties that a mail survey questionnaire would be designed which would meet the approval of both the NRBA and the Sims' thesis committee at HSU.

Pilot Study

The mail survey questionnaire for the main investigation was based on a telephone survey questionnaire that was used in a pilot study conducted in May, 1983. (See Appendix E). Since the pilot study questionnaire served as the basis for the final mail survey questionnaire, a brief description of the purpose and methods involved in the pilot study is necessary. The pilot study, which was concerned with how the owners and/or managers of radio stations in Humboldt County, California, perceived deregulation of the radio broadcast industry, focused on the following issues: the fairness doctrine, the equal-time (equal opportunities) provision, news and public affairs programming, commercial time-limits, log maintenance, community ascertainment, the format doctrine, the multiple ownership rule, the one-to-a-market rule, and license renewal. In addition, the pilot survey included questions of general information such as the power output of the station, the station format, and the station owner/manager's experiences with the broadcasting industry. (See Appendix D).

The pilot study questioned the owners and/or managers of the following radio stations in Humboldt County: KEKA, KXGO, KINS, KRED-KPDJ, KERG, KNCR, KHSU, and KATA-KFMI. The telephone survey was administered between the hours of 9am and 5pm during the week of May 9-14, 1983.

Information and data obtained from the telephone survey was hand recorded. The frequency results also were calculated by hand. (See Appendix D). Briefly, the results of the pilot study indicated that the

station owners and/or managers were in favor five to three of deregulation of the fairness doctrine and equal-time (equal opportunities) provision. Concerning overall deregulation of other issues, the results revealed that the respondents were more in favor of modification of the rules than total abolishment.

The pilot study served as a helpful guide toward the development and direction of the main investigation in at least two ways. First, the mail survey questionnaire was designed from the telephone survey of the pilot study. To a certain extent, the telephone survey was a pre-test for the mail survey questionnaire which helped to modify or eliminate questions that were not interpreted as intended. The telephone survey also helped to determine which questions best provided the sought after information. Second, through discussion of deregulation with the owners and/or managers of radio stations, a greater understanding of deregulation was produced for this researcher. Thus, a better understanding of the issue of deregulation helped in choosing topics and questions for the mail survey questionnaire.

Instrument

Between June and October of 1983, after several rough drafts and some minor changes, the thirty question mail survey questionnaire of the main investigation was designed and approved by both the NRBA and the Sims' thesis committee at HSU. The purpose of the mail survey questionnaire, which can be found in Appendix B, was to learn the attitudes and beliefs of the owners and/or managers of as many NRBA radio stations as possible in the United States regarding deregulation

of the radio broadcast industry. The survey, which was composed of approximately thirty questions, included at least eight opportunities for an open-ended response, twenty-eight closed-ended questions, six of which were designed similar to the Likert-type scale, and one opportunity for an open-ended comment not associated with a question. Most of the questions directly addressed issues concerning deregulation of the radio broadcast industry including the format doctrine, news and public affairs programming, the fairness doctrine, the equal-time (equal opportunities) provision, the personal attack rule, the editorializing rule, the seven-station rule, the one-to-a-market rule, the scarcity of airwaves argument, program logs, community ascertainment, license renewal, and the FCC phrase, "public interest, convenience, or necessity."

The remaining questions were designed to obtain background or demographic information about the owners and/or managers and their radio stations. Background questions requested information from the owners and/or managers such as the number of years and months associated with the broadcasting business. Other background questions requested information about the radio station(s) including an indication of the station's format, location of the station and market size, among other items.

After completion of the final draft of the mail survey, the NRBA arranged for duplication of the survey questionnaire and the survey cover letter. (See Appendix A). The purpose of the cover letter was to increase the response rate and provide some basic information about the research study for the respondents.

Sample and Procedure

Because of a management change within the NRBA, mailing of the survey questionnaire was delayed until December 5, 1983. Due to the delay, the planned pre-test, which would have helped to insure that the questions were being interpreted and understood as intended, was cancelled. On December 5, however, the survey, with the cover letter, was mailed from Washington, D.C. to approximately 1,200 members of the NRBA nationwide, who were owners and/or managers of radio stations. Although Ms. Sally Johnson of the NRBA stated in her letter that 1,700 stations possibly could be reached, apparently some members of the NRBA were not owners and/or managers of radio stations, and/or certain NRBA members specifically requested not to be included on any survey questionnaire mailing list. Taking this into consideration, the NRBA announced that approximately 1,200 survey questionnaires were mailed.

The return envelope, addressed and postage paid via a business reply number, was enclosed with each survey in order to further increase the response rate. A letter from the NRBA requesting prompt cooperation also was included along with a form for respondents to complete if a copy was desired of the results. The form, which was part of the cover letter, can be found in Appendix A.

In mid-December 1983, the surveys began to arrive. Although a return date of December 26, 1983, was requested in the cover letter, many surveys did not arrive until January and some even arrived as late as February. Of the approximately 1,200 surveys that were sent, 346 surveys were returned. The surveys were returned in an envelope addressed to Judy René Sims, Speech Communication Department, Humboldt State University, Arcata, California 95521.

Analysis

After the returned surveys were separated from the forms which requested the results, the "coding procedure" began. The "coding procedure" involved a transfer of the results from the surveys to the coding form.

After all of the surveys were coded, "trivaldiation" meetings were arranged in order to reduce any bias or error of interpretation. The trivaldiation procedure involved three people who reviewed all of the open-ended responses, discussed the meaning of the responses, and then agreed on a number code for each of the responses.

Following the trivaldiation procedure, all of the coding forms were reviewed to insure that all of the codes were legible and complete. The coding forms then were keypunched. The software used for the study was the Statistical Package for the Social Sciences (SPSS).

In order to obtain a tabulation of the results, frequencies and cross-tabulations were computed on the nominal ordinal level data. Nominal level data included any data related to some type of name. Ordinal level data included any data related to some type of rank-order. A condscriptive procedure was performed on the interval level data, or data involving real numbers, in order to obtain a standard deviation.

After reviewing the results, cross-tabulations were selected in order to learn if any significant associations between variables existed. Chi-squares, designed to reveal the significance of the associations between the variables, were done for all cross-tabulations.

Chapter Summary

In this chapter, the methods utilized to conduct the study were discussed. Chapter three consisted of a review of the pilot study and a

discussion of the research instrument, the sample, the procedure, and the method of data analysis.

Preview

In the next chapter, chapter four, are included the results of the mail survey questionnaire. The frequency results from the survey, the cross-tabulation results from the associations, and the significance test results are included.

CHAPTER IV

RESULTS

In this chapter the results of the mail survey questionnaire are disclosed. Chapter four includes the frequency results from the survey, the cross-tabulation results from the associations, and the significance test results.

Frequencies

Of the approximately 1,200 surveys that were mailed to selected members of the National Radio Broadcasters Association (NRBA), 346 surveys or approximately twenty-nine percent were returned. The survey, which consisted of thirty questions, offered the following results.

The results to question number one, which asked how many years and months the respondent had been associated with the radio broadcasting business, revealed a mean of approximately twenty-one years and one month. No missing cases existed for question number one.

The results to question number two, which asked whether the respondent was an owner of the radio station, a manager of the radio station, or both revealed the following results:

TABLE 2
RESPONDENT'S EMPLOYMENT POSITION AT RADIO STATION

Type	Number of Respondents	Percentage of Respondents
Owner	35	10%
Manager	166	48%
Owner and Manager	145	42%

As indicated, a plurality of respondents were managers, although the number of respondents who were an owner and manager also was large. No missing cases existed for question number two.

The results to question number three, which asked whether the respondent was male or female, revealed 333 males (ninety-six percent) and thirteen females (four percent). No missing cases existed for question number three.

The results to question number four, which asked whether the radio station was an AM, FM, or an AM/FM combination, revealed the following results:

TABLE 3
TYPE OF RADIO STATION

Type	Number of Respondents	Percentage of Respondents
AM	64	18%
FM	78	23%
AM/FM	204	59%

As indicated, a majority of stations were AM/FM combinations. No missing cases existed for question number four.

Question number five, which applied only to AM stations, asked for the broadcast power of the AM station in watts. The following table indicates the results:

TABLE 4
BROADCAST POWER IN WATTS OF AM STATIONS

Watts	Number of Stations	Percentage of Stations
100 - 999	27	10%
1,000 - 4,999	128	48%
5,000	86	32%
10,000	8	3%
50,000	16	6%
other	2	1%

As indicated, a plurality of the AM stations had a broadcast power of 1,000 - 4,999 watts, although the number of AM stations with a broadcast power of 5,000 watts also was large. Seventy-nine missing cases existed for question number five, 267 cases were valid.

Question number six, which applied only to FM stations, asked for the broadcast power of the FM station in watts. The following table indicates the results:

TABLE 5
BROADCAST POWER IN WATTS OF FM STATIONS

Watts	Number of Stations	Percentage of Stations
100 - 999	3	1%
1,000 - 4,999	87	31%
5,000 - 9,999	7	2%
10,000 - 29,999	26	9%
30,000 - 49,999	12	4%
50,000 - 99,999	45	16%
100,000 plus	102	36%

As indicated, a plurality of the FM stations had a broadcast power of 100,000 plus watts, although the number of FM stations with a broadcast power of 1,000 - 4,999 also was large. Sixty-four missing cases existed for question six, 282 cases were valid.

Question number seven asked for the format of the AM station. The following table indicates the results:

TABLE 6
FORMAT OF AM STATIONS

Format	Number of Stations	Format	Number of Stations
Country	78	Beautiful Music	3
Adult Contemporary	69	News, Information, Music	3
MOR	20	Spanish	3
News, Information, Talk, Sports	18	Religious Gospel	3
Top 40 Current Hit	17	Easy Listening	1
Big Band	12	Oldies Gold Diverse	1
Diverse Block Varied	11	Progressive Rock	1
Black	8	News, Information Talk, Easy Listening	1
Oldies Gold	8	Polka	1
AOR	4	Nostalgia	1
Urban Contemporary	3	Music of Your Life	1
Soft Rock	3		

As indicated, the most popular AM formats were country music and adult contemporary.

Question number seven asked for the format of the FM station. The following table indicates the results:

TABLE 7
 FORMAT OF FM STATIONS

Format	Number of Stations	Format	Number of Stations
Adult Contemporary	82	Urban Contemporary	3
Country	62	Classical	3
Top 40 Current Hit	46	Black	2
Beautiful Music	19	Soft Rock	1
AOR	12	News, Information, Music	1
Easy Listening	12	Oldies Gold Diverse	1
Diverse Block Varied	8	Spanish	1
MOR	6	Religious Gospel	1
Oldies Gold	4	Polka	1
News, Information, Talk, Sports	4	Lite Rock	1
Big Band	4		

As indicated, the most popular FM formats were adult contemporary and country.

The answers to question number eight, which asked if the radio station was commercial or noncommercial, revealed that 343 stations were commercial and two stations were noncommercial. No missing cases existed for question number eight.

Question number nine, which asked in what state the radio station was located, revealed the following results:

TABLE 8
STATE LOCATION OF RESPONDENTS/STATIONS

State	Number of Stations	State	Number of Stations
Texas	26	Utah	5
California	24	Arizona	5
Wisconsin	18	New Hampshire	5
Minnesota	15	Kentucky	4
Ohio	15	Nebraska	4
New York	13	Tennessee	4
Illinois	13	Arkansas	3
Pennsylvania	13	South Dakota	3
Florida	12	Vermont	3
Georgia	10	Montana	3
Missouri	10	Oregon	3
Louisiana	10	Maryland	3
Alabama	9	Maine	3
Michigan	9	Oklahoma	3
Indiana	9	Puerto Rico	2
Virginia	8	Kansas	2
Iowa	8	New Mexico	2
Wyoming	7	Massachusetts	2
Washington	7	West Virginia	2
New Jersey	7	Nevada	1
North Carolina	7	Delaware	1
South Carolina	7	Alaska	1
Colorado	7	Idaho	1
Mississippi	6	Conneticut	1
North Dakota	5	Hawaii	1

As indicated, more surveys were received from Texas and California than from the other states. Four missing cases existed for question number nine; 342 cases were valid.

Question number ten, which asked the market size of the radio station, received the following results:

TABLE 9
STATION MARKET SIZE

Market Size	Number of Stations	Percentage of Stations
Top 10	20	6%
Top 25	17	5%
Top 50	27	8%
Top 100	45	13%
Top 200	94	28%
Top 300+	135	40%

As indicated, a plurality of the radio stations were in the top three-hundred plus market. Eight missing cases existed for question number ten; 338 cases were valid.

Question number eleven, which asked the type of market in which the radio station was located, revealed the following results:

TABLE 10
STATION MARKET TYPE

Market Type	Number of Stations	Percentage of Stations
Urban	115	34%
Rural	101	29%
Suburban	92	27%
Urban, Rural	15	4%
Urban, Suburban	9	3%
Resort	6	2%
Urban, Suburban, Rural	4	1%

As indicated, a plurality of the radio stations were located in an urban market, although the number of stations located in rural and suburban markets, respectively, was also large. Three missing cases existed for question number eleven; 343 cases were valid.

Question number twelve, which asked whether the station had increased, decreased, or not changed its percentage of news and/or public affairs programming since 1981, revealed the following results:

TABLE 11

PERCENTAGE OF NEWS AND/OR PUBLIC AFFAIRS PROGRAMMING SINCE 1981

Category	Number of Stations	Percentage of Stations
No Change	189	56%
Increased	113	33%
Decreased	37	11%

As indicated, a majority of the stations did not change the percentage of news and/or public affairs programming since 1981. Seven respondents did not answer question number twelve; 339 cases were valid.

The results to question number thirteen, which asked approximately how much time currently was devoted to news and public affairs compared to before 1981, revealed a mean of 105 or a five percent increase (one hundred percent equalled no change). Twenty-three missing cases existed for question number thirteen; 323 cases were valid.

Question number fourteen, which asked whether the stations had increased, decreased, or not changed the number of people on their news and/or public affairs staff since 1981, revealed the following data:

TABLE 12

NEWS AND PUBLIC AFFAIRS STAFF CHANGES SINCE 1981

Category	Number of Stations	Percentage of Stations
No Change	195	58%
Increased	119	35%
Decreased	25	7%

As indicated, a majority of the stations did not change the number of people on their news and/or public affairs staff since 1981. Seven respondents did not answer question number fourteen; 339 cases were valid.

The results to question number fifteen, part A, which asked if stations had upgraded their news operations since 1981, revealed that 240 stations (seventy-one percent) of the stations had upgraded their news operations and ninety six stations (twenty-nine percent) of the stations had not upgraded their news operations. Ten missing cases existed for question number fifteen; 336 cases were valid.

Question number fifteen, part B, which applied only to the radio stations that upgraded their news operations since 1981, asked how the stations had upgraded their news operations. Respondents were asked to check all that applied. The data revealed the following results:

TABLE 13
HOW STATIONS UPGRADED NEWS OPERATIONS SINCE 1981

Category	Number of Stations	Category	Number of Stations
Satellite delivery	176	Public affairs investi-	
Network news	74	gative series	3
Talk show	67	Features	3
Personnel	49	Different network	2
Increased local news	20	Increased budget	2
More equipment	16	Added news service,	
Increased number or		e.g. AP wire	2
length of newscasts	10	Sports	2
Added a network	4	TV anchor updates	1
More live reports	3	Added news control room	1
		Dropped a network	1

As indicated, a large number of stations upgraded their news operations since 1981 either through satellite delivery, network news, and/or talk shows.

Question number sixteen, which asked approximately how often the respondent receives requests or demands for airtime from clubs, groups, organizations, or individuals who desire to present a particular point of view or opinion, revealed the following results:

TABLE 14
REQUESTS OR DEMANDS FOR AIRTIME

Category	Number of Respondents	Percentage of Respondents
Hardly ever	119	35%
Often	101	30%
Sometimes	80	23%
Never	42	12%

As indicated, approximately thirty-five percent of the stations hardly ever receive request or demands for airtime from clubs, groups, organizations, or individuals who desire to present a particular point of view or opinion. On the other hand, approximately thirty percent of the stations often receive requests or demands for airtime. Four respondents did not answer question number sixteen; 342 cases were valid.

The results to question number seventeen, which asked if the respondent was familiar with the 1981 actions of the Federal Communications Commission to deregulate the radio industry, disclosed that 344 respondents were familiar with the FCC's actions and 2 respondents were not familiar with the FCC's actions. No missing cases existed for question number seventeen.

Question number eighteen, which asked if the respondent planned to increase, decrease, or not change the amount of news and public affairs programming in the future as a result of the actions by the FCC, revealed the following results:

TABLE 15
RESPONDENT'S PLANS TO CHANGE AMOUNT OF NEWS AND PUBLIC AFFAIRS
IN FUTURE AS A RESULT OF DEREGULATION

Category	Number of Respondents	Percentage of Respondents
No Change	289	84%
Increase	32	9%
Uncertain	21	6%
Decrease	3	.9%

As indicated, a majority of respondents (eighty-four percent) plan not to change the amount of news and public affairs programming in the future as a result of the actions by the FCC. One missing case existed for question number eighteen; 345 cases were valid.

Question number nineteen addressed four regulations, the equal-time (equal-opportunities) provision, the fairness doctrine, the personal attack rule, and the editorializing rule. Addressing each regulation, the question asked the respondent if he/she was in favor of deregulation of the particular rule and why. The coding of the question allowed for up to three possible reasons for the explanation. Table sixteen below illustrates the results for the equal-time provision:

TABLE 16 A
RESPONDENTS FOR DEREGULATION OF EQUAL-TIME PROVISION AND REASONS
FOR SUCH DEREGULATION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Equal-Time	300	88%	Free enterprise	28	9%
			Violates First Amendment	24	8%
			Limits programming and viewpoints	21	7%
			Burden of paperwork and expended time	21	7%
			Same rights as other media	20	6%
			Other		62%

TABLE 16 B
 RESPONDENTS AGAINST DEREGULATION OF EQUAL-TIME PROVISION AND REASONS
 FOR SUCH OPPOSITION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Equal-Time	40	12%	Broadcaster obligation/ some guides necessary	6	15%
			Insures balance/protects against bias	6	15%
			Regulations necessary to operate efficiently/ protects industry/concern. abuse will lead to more harsh regulations in future	4	10%
			Other		60%

As indicated of the respondents who answered the question, the results revealed that a majority favored deregulation of the equal-time (equal opportunities) provision. Six missing cases existed for question number nineteen; 340 cases were valid.

Among the respondents who favored deregulation of the provision and stated an explanation, the most popular reasons included a belief in the idea of free enterprise, which received twenty-eight votes (nine percent); a belief that the provision violates the First Amendment, which received twenty-four votes (eight percent); a belief that the provision actually limits programming and viewpoints, which received twenty-one votes (seven percent); a belief that the provision was a burden of paperwork and expended time, which also received a vote of twenty-one (seven percent); and a belief that the radio broadcasting industry should have the same rights as other media, which received twenty votes (six percent).

The remaining sixty-two percent of the reasons for deregulation were divided into the following other explanations which are listed in descending order of occurring frequency: a belief that broadcasters would allow access or opposing viewpoints without the provision; a belief that the provision is impractical and creates more problems than it was intended to solve; a belief that the provision is not fair in the manner in which it is administered; a feeling that too many "flakes" and nonviable candidates request airtime; a feeling that respondents would like to be able to make decisions without legal repercussion from the FCC; a belief that the public should decide; a belief that broadcasters know what is best; a belief that plenty of media exist; a feeling that radio should not have people like Fowler, who really know nothing about radio, decide how radio should be regulated; a belief that abolishment of the rule would allow radio stations to take a political stand through editorials, preferred access, and exposure; a belief that abolishment of the provision actually will stimulate interest, debate, and discussion in the electoral process; a feeling that respondents would prefer to just look at major candidates and not all; a belief that broadcasters know local needs; a feeling that broadcasters should police themselves; a belief that the provision is misused; a belief that the provision may do nothing more to actually inform the public; and several other miscellaneous reasons. (Responses were entered in the "miscellaneous" category if they didn't make sense to the trivaldiation committee.)

Among the respondents who opposed deregulation of the provision, the most popular reasons stated for why the respondents were opposed included a belief that some fairness guides still should apply and that broadcasters have an obligation concerning equal-time (equal

opportunities), which received six votes (fifteen percent); a belief that the provision insures balance and that without the provision the airwaves would be open to the bias of the management, also which received six votes (fifteen percent); and a belief that stations need regulations to operate efficiently--the provision protects the industry--and abuse will lead to even more harsh regulations in the future, which received four votes (ten percent).

The remaining sixty percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a belief that listeners are better involved in the electoral process if they have an opportunity to hear all the candidates, and a concern with a decrease in overall coverage of an election; a belief that regulations are necessary, but the provision should be restructured, changed, or clarified to offer more specific guidelines; and a belief that the provision encourages candidates to run.

Table seventeen below illustrates the results concerning the fairness doctrine:

TABLE 17 A
RESPONDENTS FOR DEREGULATION OF THE FAIRNESS DOCTRINE AND REASONS
FOR SUCH DEREGULATION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Fairness Doctrine	276	85%	Limits programming of controversial issues and open discussion	25	9%
			Not necessary/plenty of media exist--access no problem--marketplace can handle fairness issue	24	9%
			Violates First Amendment	24	9%

TABLE 17 B
RESPONDENTS AGAINST DEREGULATION OF THE FAIRNESS DOCTRINE AND REASONS
FOR SUCH OPPOSITION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Fairness Doctrine	48	15%	Insures balance/protects against bias	6	13%
			Proper now--not a burden	4	8%

As indicated, of those respondents who answered the question, a majority favored deregulation of the fairness doctrine. Twenty-two missing cases existed for the question; 321 cases were valid.

Among the respondents who favored deregulation of the doctrine and stated an explanation, the most popular reasons stated included a belief that the fairness doctrine limits creative, aggressive programming of

controversial issues and open discussion, which received twenty-five votes (nine-percent); a feeling that there is no need for the doctrine as plenty of media exist--access is no problem, and the marketplace can handle the fairness issue, which received twenty-four votes (approximately nine-percent); and a feeling that the doctrine violates the First Amendment, which received twenty-four votes, also (approximately nine-percent).

The remaining seventy-three percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a belief that stations already are fair and give all sides of an issue and that broadcasters are responsible and obligated; a feeling that radio should have the same status as other media; a feeling that the doctrine is not fair; a feeling that the doctrine is a burden of paperwork and expended time; a general belief in overall deregulation or less regulation; an opinion that the licensee knows what's best; a belief that other laws such as libel and slander exist to regulate fairness; a feeling that too many "flakes", unreliaables, fringe groups, and special interest "manipulators" request airtime; a belief that broadcasters should police themselves; a feeling that broadcasters would like to be able to make decisions without legal repercussions from the FCC, a belief that the doctrine forces some stations to avoid issues in order to stay out of trouble and to reduce worries and fears; a feeling that the doctrine sometimes puts broadcasters in an embarrassing position; a feeling that difficulty exists in determining what is controversial; a concern that the doctrine may do nothing more to actually inform the public; and miscellaneous other reasons.

Among the respondents who opposed deregulation of the doctrine and stated an explanation, the most popular reasons stated included a feeling that the fairness doctrine insures balance--without the doctrine the airwaves would be open to the bias of the management, which received six votes (thirteen-percent); and a feeling that the fairness doctrine is proper as it now exists--not a burden and not a problem, which received four votes (eight-percent).

The remaining seventy-nine percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a concern that abuse will lead to even more harsh regulations in the future; a belief that many stations need regulations in order to run efficiently; a belief that broadcasters are obligated in the area of fairness; and a concern that deregulation makes the good stations better and the bad stations worse.

Table eighteen below illustrates the results concerning the personal attack rule:

TABLE 18 A
RESPONDENTS FOR DEREGULATION OF THE PERSONAL ATTACK RULE AND REASONS
FOR SUCH DEREGULATION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Personal Attack	214	68%	Violates First Amendment	20	9%
			Other laws sufficient e.g. libel and slander	16	7%
			Plenty of media exist-- adequate voice--market- place will regulate	10	5%
			Same rights as other media	10	5%

TABLE 18 B

RESPONDENTS AGAINST DEREGULATION OF THE PERSONAL ATTACK RULE AND REASONS
FOR SUCH OPPOSITION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Personal Attack	103	32%	Necessary to protect right of response of the people and the station	12	12%
			Concern about abuse of power by stations that might play favorites	9	9%

As indicated, of those respondents who answered the question, a majority favored deregulation of the personal attack rule. Twenty-nine missing cases existed; 317 cases were valid.

Among the respondents who favored deregulation of the rule and stated an explanation, the most popular reasons stated included a feeling that the rule violates the First Amendment, which received twenty votes (nine-percent); a belief that other laws such as libel and slander are sufficient, which received sixteen votes (seven-percent); a feeling that an adequate voice and plenty of media exist and that the marketplace will regulate, which received ten votes (five-percent) and a belief that radio should be equal with other media which received ten votes (five-percent).

The remaining seventy-four percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a feeling that broadcasters are responsible and will give one who is attacked a chance to reply without the rule; a belief that personal attacks are not a problem and, therefore, feel the rule is not necessary; a feeling that the rule restricts programming and editor-

ializing; a feeling that broadcasters can determine elements of such concern knowledgeable and locally and a feeling that broadcasters should police themselves; a belief that the rule is a burden of worries, hassles, expended time, and is difficult to enforce on talk shows; a general belief in overall deregulation or less regulation of the radio industry, which should be operated as a business; a feeling of uncertainty concerning what constitutes a personal attack; an opinion that the rule is not fair in the manner in which it is administered; a concern that politicians use the rule to attack the stations; a belief that insurance companies are tougher; and a belief that the rule should be modified.

Among the respondents who opposed deregulation of the rule and stated an explanation, the most popular reasons included a feeling of obligation that fairness is necessary in order to protect the right of response of the people and the station, which received twelve votes (twelve-percent); and a concern that abolishment of the rule might encourage an abuse of power by stations that might play favorites, which received nine votes (nine-percent).

The remaining seventy-nine percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a belief that the rule should be modified; a feeling that the rule is proper and has not been a problem; a concern of legal problems involving libel and slander; a feeling that in a small market everything comes down to personalities and, thus, some protection is necessary; a feeling that the rule will discourage stations from going deeper into certain stories and subjects; a feeling that the rule is necessary because broadcasters can't censor; a concern that abolishment

of the rule could affect a station's sales effort; a belief that the rule is necessary in order for stations to run efficiently; and miscellaneous other responses.

Table nineteen below illustrates the results concerning the editorializing rule:

TABLE 19 A
RESPONDENTS FOR DEREGULATION OF THE EDITORIALIZING RULE AND REASONS
FOR SUCH DEREGULATION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Editorializing	257	83%	Violates First Amendment	27	11%
			Abolishment would encourage broadcasters to editorialize	22	9%
			Same rights as other media	19	7%
			Broadcasters would be fair without rule	11	4%

TABLE 19 B
RESPONDENTS AGAINST DEREGULATION OF THE EDITORIALIZING RULE AND REASONS
FOR SUCH OPPOSITION

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Editorializing	52	17%	Insures fairness/protects from stations playing favorites	3	6%
			It is only good business to present all sides	3	6%
			Rule is not a burden--proper as it exists now	3	6%

As indicated, of those respondents who answered the question, a majority favored deregulation of the editorializing rule. Thirty-seven missing cases existed; 309 cases were valid.

Among the respondents who favored deregulation of the rule and stated an explanation, the most popular reasons included a belief that the rule violates the First Amendment, which received twenty-seven votes (eleven-percent); a feeling that broadcasters would like to editorialize--and that abolishment of the rule would encourage broadcasters to do so, which received twenty-two votes (nine-percent); an opinion that radio should have the same rights as other media, which received nineteen votes (seven-percent); a belief that broadcasters would be fair concerning editorializing without the rule, which received eleven votes (four-percent) and a belief that without the rule more editorializing would occur which received eleven votes (four-percent).

The remaining sixty-five percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a feeling that the rule is a burden of expended time, troubles, worries, and complications; an opinion that the marketplace should regulate radio; a feeling that the rule causes ineffective presentations and shorts the public because the station fears not covering itself; a general belief in overall deregulation or less regulation of the radio industry--which should be operated as a business; a belief that broadcasters can determine elements of such concern knowledgeably and locally; a belief that the rule is not needed; a belief that other laws such as libel and slander are sufficient; an opinion that the licensee knows what's best; a feeling that the rule is not fair; a belief that plenty of media and an adequate voice exist; an

opinion that the rule is silly; and other miscellaneous reasons.

Among the respondents who opposed deregulation of the rule and stated an explanation, the most popular reasons included the feeling that the rule insures fairness and keeps stations from playing favorites, which received three votes (six-percent); a feeling that to present all sides is only good business, which received three votes (six-percent); and an opinion that the rule is not a burden and is proper as it exists, which received three votes (six-percent).

The remaining eighty-three percent of the reasons were divided into the following other explanations which all received an equal count of one vote each: a feeling of obligation concerning the area of editorialization; a belief that deregulation would give rise to new problems; a feeling that some stations do not editorialize because they must give access to radical elements whose appearance is misconstrued as a station spokesperson; an opinion that deregulation makes the good stations better and the bad stations worse; a belief that regulation is necessary in order for stations to run efficiently; and a feeling of not wanting to rock any boats.

Question number twenty, which consisted of two parts, first asked if the respondent agreed, disagreed, or was uncertain about the decision of the Supreme Court in 1981, that the market, rather than the Government, should determine what format station owners should use. The data revealed that 343 respondents agreed with the decision, one respondent disagreed with the decision, and one respondent was uncertain. One missing case existed for question number twenty; 345 cases were valid.

The second part of question twenty asked the respondent to give

reasons for his/her answer concerning the Supreme Court decision. The coding procedure allowed for up to three responses per question. Not all of the respondents who answered the initial part of the question followed through with an explanation.

Among the respondents who agreed with the Supreme Court's decision, the most popular reasons stated for agreement included the opinion that the format doctrine was not necessary as the marketplace and economics ultimately decide, which received eighty votes (twenty-three percent); a feeling that the owners and locals know better than the Government what will work or fill a need in a particular market, which received thirty-five votes (ten-percent); a belief that the Government, such as the FCC, is too remote to understand the licensee's market, which received twenty-seven votes (eight-percent); and a belief that, in principle, the Government, such as the courts, should not determine or dictate what people hear or don't hear, which received twenty-two votes (six-percent).

The remaining fifty-two percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a belief in free enterprise, capitalism, and competition; a belief that because of freedom of speech and expression--no format doctrine should exist; a feeling that adequate competition exists in the form of other media such as cable and low power television (LPTV), and thus, many sources and signals exist from which the listeners can choose; an opinion that the government should treat radio like other businesses and not interfere; a feeling that not having a format doctrine is sensible, wise, and common sense; an opinion that the unflexible format definition is unrealistic and may force an owner to

lose money; a feeling that to bring a format decision to the FCC is too costly and too slow; a desire for fairness; an opinion that the format choice is the licensee's gamble, not the Government's; an opinion that the Government only should regulate the technical aspects of radio; and other miscellaneous reasons.

No reasons were given by the one respondent who opposed the decision and the one respondent who was uncertain.

Question number twenty-one, which consisted of two parts, first asked if the respondent felt the seven-station rule should be abolished, maintained, or if the respondent was uncertain about the rule. The second part of the question asked the respondent to give reasons for his/her answer concerning the seven-station rule. The coding procedure allowed for up to three responses per question. Not all of the respondents who answered the initial part of the question followed through with an explanation. Table twenty below illustrates the results:

TABLE 20 A
RESPONDENTS FOR ABOLISHMENT OF THE SEVEN-STATION RULE AND REASONS
FOR ABOLISHMENT

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Seven- Station	163	48%	Rule no longer relevant and not needed	16	10%
			Free enterprise	14	9%
			Government shouldn't punish successful operators who should be allowed to develop opportunities	13	8%
			Rule obsolete--adequate competition exists in marketplace to control	10	6%

TABLE 20 B
RESPONDENTS FOR MAINTENANCE OF THE SEVEN-STATION RULE AND REASONS
FOR MAINTENANCE

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Seven- Station	106	31%	Limits necessary to avoid monopolies and to insure that stations aren't bought up by conglomerates	24	23%
			Concern for small owners	15	11%
			Rule necessary to preserve competition and promote opportunity	13	12%

TABLE 20 C
RESPONDENTS UNCERTAIN ABOUT DEREGULATION OF THE SEVEN-STATION RULE
AND REASONS FOR SUCH UNCERTAINTY

Rule	Number of Respondents	Percentage of Respondents	Reasons	Number of Respondents	Percentage of Respondents
Seven- Station	73	21%	Difficult to foresee ramifications of abolishing the rule	11	10%
			Concern about monopolies and stifled competition	6	8%
			Concern about future of programming quality	5	7%

As indicated, a plurality of respondents felt that the seven-station rule should be abolished, although the number of respondents who felt that the rule should be maintained also was large. Four missing cases existed for question number twenty-one; 342 cases were valid.

Of the respondents who favored abolishment of the seven-station rule, the most popular reasons stated included a feeling that the rule no longer is relevant and, thus, not needed, which received sixteen votes (ten-percent); a belief that free enterprise should be applicable to the radio industry, which received fourteen votes (nine-percent); an opinion that the Government shouldn't punish successful operators--the best and most successful operators should be allowed to take their talent to the public, buy more stations, and develop their growth opportunities, which received thirteen votes (eight-percent); and the feeling that the increased number of stations has made the rule obsolete and that adequate competition exists in the market place to control, which received ten votes (six-percent).

The remaining sixty-seven percent of the reasons for abolishment were divided into the following other explanations which are listed in descending order of occurring frequency: an opinion that the number seven is arbitrary; a feeling that the Government shouldn't impose more controls on broadcasters than are imposed on other businesses such as the print media; a feeling that the rule should be rewritten; a feeling that the rule should be modified to hold a new higher limit; a belief that other laws, such as anti-trust, exist and are sufficient; a feeling that an increased level of competition will improve the radio industry; a feeling that smaller markets will be better served by stations operated by large owners who have more resources available; a general belief in overall deregulation or less regulation; an opinion that deregulation would increase the current value of radio property; and other miscellaneous reasons.

Of the respondents who favored maintenance of the seven-station

rule, the most popular reasons stated concerning why the respondents favored maintenance included a feeling that limits are needed to avoid monopolies and to insure that stations aren't bought up by conglomerates, which received twenty-four votes (twenty-three percent); a concern that small owners need protection and the rule helps insure their existence in the market, which received fifteen votes (eleven-percent); and a feeling that the rule is necessary in order to preserve competition and promote opportunity, which received thirteen votes (twelve-percent).

The remaining fifty-four percent of the reasons were divided into the following other explanations which are listed in descending order of occurring frequency: a concern that decreased diversity of ownership could cause biased news, cause the limited supply of airwaves to be monopolized and diminish a local feeling; a belief that a few wealthy people could control a lot of people; an opinion that the rule provides enough property for one entity; a feeling that a rule should exist but based on a higher number; a feeling, in principle, that a limit should exist; a feeling that abolishment of the rule would be unfair; a feeling that a rule should exist that considers market size and safeguards for regional concentration; an opinion that newspapers also should have an ownership rule; a concern with the price of radio property; a feeling that people who want to own more stations always can change markets; and other miscellaneous reasons.

Of the respondents who were uncertain about the seven-station rule, the most popular reasons stated concerning why the respondents felt uncertain involved a feeling that it is difficult to foresee the ramifications of abolishing the rule, which received eleven votes (ten-

percent); a feeling of uncertainty but a concern about monopolies and stifled competition, which received six votes (eight-percent); and a feeling of uncertainty and concern that abolishment of the rule could lead to better programming or it could lead to cheaper programming, which received five votes (seven-percent).

The remaining seventy-five percent of the reasons of those respondents who were uncertain were divided into the following other explanations which are listed in descending order of occurring frequency: a concern about one and two station companies and individual proprietorships being eliminated; a concern about harm to community based and local service radio stations; a concern about diversity of ownership; an uncertainty concerning whether or not multiple ownership is covered under anti-trust laws; an uncertain feeling but would like to be allowed to own more stations; and a desire to change the rule to one based on the total population of the combined broadcast areas.

Question number twenty-two, which concerned the one-to-a-market rule, asked if the respondent preferred to abolish or maintain the rule --or if the respondent felt uncertain. Table twenty-one below illustrates the results:

TABLE 21
RESULTS OF THE ONE-TO-A-MARKET RULE

Category	Number of Respondents	Percentage of Respondents
Maintain	205	60%
Abolish	91	26%
Uncertain	47	14%

As indicated, a majority of respondents favored maintenance of the one-to-a-market rule. Three missing cases existed for question number twenty-two; 343 cases were valid.

Question number twenty-three, which concerned the current license renewal procedure, asked if the respondent preferred to reestablish the old method of license renewal, keep the renewal procedure the way it is now, abolish the procedure altogether, or other. Table twenty-two below illustrates the results:

TABLE 22
RESULTS OF THE CURRENT LICENSE RENEWAL PROCEDURE

Category	Number of Respondents	Percentage of Respondents
Maintain	231	67%
Abolish	98	29%
Other	14	4%
Reestablish	0	0%

As indicated, the majority of respondents were in favor of maintaining the current license renewal procedure. Three missing cases existed for question twenty-three; 343 cases were valid.

Responses recorded in the "other" category included: a feeling that the procedure should be abolished altogether except for certain engineering requirements; a belief that the Equal Employment Opportunity (EEO) requirement should enforce it; an opinion that the NRBA lease concept would be preferable; a belief that licensees should own their license like any other business with sensible rules to abide by; a feeling that the procedure should be kept the way it is now but abolish the community ascertainment requirements; a belief

that the process needs further simplification as it still is complicated; a desire that performances affidavits be required for the protection of the licenses; a feeling that the threat of pressure groups should be removed by making a complainer responsible for all hearing and court costs if he/she doesn't win; a belief that criteria for grounds of renewal should be established; and a belief that the public interest standard should be eliminated.

Question number twenty-four asked if the respondent agreed or disagreed with the statement: "airwaves are a limited or scarce resources which makes their use subject to regulation." Table twenty-three illustrates the results:

TABLE 23
RESULTS OF THE SCARCITY DOCTRINE

Category	Number of Respondents	Percentage of Respondents
Strongly disagree	118	34%
Agree	103	30%
Disagree	89	26%
Strongly agree	19	6%
No opinion	14	4%

As indicated, a plurality of the respondents strongly disagreed with the statement, although the number of respondents who agreed also was large. Three missing cases existed for question twenty-four; 343 cases were valid.

Question twenty-five asked if the respondent agreed or disagreed with the following statement: "The broadcast medium is more powerful

than any other media and therefore subject to more regulation." Table twenty-four illustrates the results:

TABLE 24
OPINION OF POWER OF BROADCAST MEDIUM RELATED TO DEREGULATION

Category	Number of Respondents	Percentage of Respondents
Strongly disagree	176	52%
Disagree	120	35%
Agree	19	5%
Strongly agree	13	4%
No opinion	13	4%

As indicated, a majority of the respondents strongly disagreed with the statement, and a plurality disagreed. Five missing cases existed for question number twenty-five; 341 cases were valid.

Question twenty-six asked the respondent's opinion of how listeners most frequently demonstrate that a particular station is not offering adequate programming to the community. The respondents were requested to check one of the following answers: listeners call in, listeners write letters, listeners visit the station, listeners tune out, or other. Table twenty-five illustrates the results:

TABLE 25
HOW LISTENERS DEMONSTRATE FEELINGS ON PROGRAMMING

Category	Number of Respondents	Percentage of Respondents
Listeners tune out	270	78%
Listeners call in	25	7%
Listeners write letters	14	4%
Other	35	10%

As indicated, a majority of the respondents stated that listeners tune out. Two missing cases existed for question number twenty-six; 344 cases were valid.

Responses recorded in the "other" category included the following: listeners demonstrate through the Arbitron ratings; advertisers discontinue support; listeners either call in and write in or call in and tuneout; listeners notify legislators to act; and all or most of the above.

Question number twenty-seven asked the respondent to define the FCC phrase, "public interest, convenience, or necessity." The coding procedure allowed up to three responses per question. Table twenty-six below indicates the results:

TABLE 26

DEFINITIONS OF "PUBLIC INTEREST, CONVENIENCE, OR NECESSITY"

Definitions	Number of Respondents	Percentage of Respondents
What the public wants, needs, and demands--what has importance, interest, and meaning to them--and what is for the benefit--common good of all.	59	28%
Action done by the broadcaster such as addressing problems and meeting the needs of the public.	49	23%
Subjective and a difficult to define.	32	15%
Miscellaneous definitions.	22	11%
A necessity--a must situation for survival in order to maintain and develop an audience.	19	9%
The responsibilities and obligations of a good broadcaster.	18	9%
Other	10	5%

As indicated, a plurality of respondents defined the term "public interest, convenience, or necessity" as what the public wants, needs, and demands--what has importance, interest, and meaning to them--and what is for the benefit--common good of all. A large number of respondents, however, defined the term as action done by the broadcaster such as addressing problems and meeting the needs of the public. For question number twenty-seven, 137 missing cases existed; 209 cases were valid.

The remaining five percent of the responses were divided into the following other definitions which are listed in descending order of occurring frequency: action within formats by broadcasters for the listeners; the respondent doesn't see any similarity in the three terms; what works from a ratings and sales image; positive community development and concern for the public; what the regulators, such as the FCC, want it to mean at the time; what specific demographics and publics within a public want, need, and find of interest--what has meaning and importance to them--many variables play important roles; what, in the respondent's opinion, people should know, want to know, and need to know--the moral values of the management; that which is a viable resource and is not available elsewhere; a bad rule which should not exist and is not applicable for the business world--there is no reason for convenience and necessity being in the law; convenience--the easy way of doing it; vital bulletins and information concerning emergency conditions; and other miscellaneous reasons.

Question number twenty-eight asked if the respondent agreed or disagreed with the following statement: "Deregulation will diminish or reduce the amount and type of information available to the public."

Table twenty-seven below indicates the results:

TABLE 27
ATTITUDE CONCERNING DEREGULATION AND AMOUNT OF INFORMATION
AVAILABLE TO PUBLIC

Category	Number of Respondents	Percentage of Respondents
Strongly disagree	212	61%
Disagree	111	32%
Agree	12	3%
No opinion	6	2%
Strongly agree	5	1%

As indicated, a majority of the respondents strongly disagreed with the statement. No missing cases existed for question number twenty-eight.

Question twenty-nine asked if the respondent agreed or disagreed with the following statement: "Deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public." Table twenty-eight below indicates the results:

TABLE 28
OPINION ON DEREGULATION RELATED TO FINANCIAL RESOURCES
AND DOMINATION OF VIEWS AND INFORMATION

Category	Number of Respondents	Percentage of Respondents
Strongly disagree	153	45%
Disagree	134	40%
Agree	32	9%
No opinion	13	4%
Strongly agree	6	2%

As indicated, a plurality of respondents strongly disagreed with the phrase. Eight missing cases existed for question number twenty-nine; 338 cases were valid.

Question number thirty asked if the respondent agreed or disagreed with the following statement: "Radio stations are private property and government regulations violate the rights of the individual owners." Table twenty-nine below indicates the results:

TABLE 29
ATTITUDE ON PRIVATE PROPERTY VS. GOVERNMENT REGULATIONS

Category	Number of Respondents	Percentage of Respondents
Disagree	128	38%
Agree	101	30%
Strongly agree	65	19%
Strongly disagree	21	6%
No opinion	20	6%

As indicated, a plurality of respondents disagreed with the phrase, although a large number agreed. Eleven missing cases existed for question number thirty; 335 cases were valid.

At the end of the survey questionnaire, a section was offered for the respondents to relay any additional comments concerning deregulation and/or the questionnaire. The most popular comments included: a belief that government should regulate the technical aspects of radio but all the rest should be at the discretion of the station, which received a count of twenty-three votes (thirty-seven percent); a belief that the public and the marketplace should and do decide issues that effect the

business of radio, which received a count of fifteen votes (twenty-four percent); a statement that respondent experienced problems with some questions such as numbers twenty-nine, thirty, and twenty-six, which received a count of nine votes (fourteen-percent); a belief that broadcasting is a business--the respondent bought the land, which received seven votes (eleven percent); and other miscellaneous comments, which received a count of seven votes, also (eleven-percent).

The remaining three-percent of the responses were divided into the following other comments: a belief that deregulation is just more regulation; a feeling that restrictions of freedom of speech have a chilling effect on the amount of information and discussion--greater freedom would stimulate more discussion; a belief in principle, that government should get out of radio; a belief that radio should have the same rights as other media; a comment that despite deregulation, respondent continues to follow most of the procedures that contribute to good business; a belief that the public trust is too much responsibility for the broadcaster--help is needed through regulation; a comment stating great work--good, thought provoking questions--keep it up; a belief that deregulation is fine and will not result in a loss of services; a comment that respondent is not in favor of total deregulation and that some regulations are necessary, such as the seven station rule, to protect the public; a belief that stations who reduce what they normally do with regulation because of deregulation are asking for re-instatement of regulations; a belief that the broadcast industry is stronger than other media but always has been hampered in serving the public interest due to regulation, and that the respondent has made virtually no changes due to deregulation.

Cross-Tabulations

In addition to the frequency results, which already have been presented, cross-tabulations were done on the data in order to determine possible associations between variables. Chi squares, contingency coefficients, and phi coefficients were calculated as appropriate.

Twelve combinations of questions were cross-tabulated. The twelve questions were chosen on the basis of whether or not they might offer statistically significant results related to the purposes of this study as related in chapter one. Of the twelve associations, only four combinations revealed statistically significant results at the .05 level. Associations that were statistically significant included the following:

1. An association between question twenty-two, which concerned the one-to-a-market rule, and question twenty-four, which concerned the scarcity doctrine.
2. An association between question thirty, which concerned the idea that regulations violate the private property rights of individual owners, and question number twenty-two, which concerned the one-to-a-market rule.
3. An association between question twenty-nine, which concerned the idea that deregulation might enable those with greater financial resources to dominate and present one-sided views to the public, and question twenty-one, which concerned the seven-station rule.
4. An association between question twenty-nine, which concerned the idea that deregulation might enable those with greater financial resources to dominate and present one-sided views to the public, and question twenty-two, which concerned the one-to-a-market rule.

Associations between questions that did not reveal significant results included the following:

1. An association between question seven, which concerned the type of station format, and question sixteen, which concerned requests from the public for airtime.
2. An association between question nineteen, specifically concerning only the personal attack and editorializing rules, and question eight, which concerned the state where the station was located.
3. An association between question eleven, which concerned the market type, and question sixteen, which concerned requests from the public for airtime.
4. An association between question twenty-one, which concerned the seven-station rule, and question one which concerned the number of years the respondent had been associated with the radio broadcasting business.
5. An association between question twenty-one, which concerned the seven-station rule, and question twenty-four, which concerned the scarcity doctrine.
6. An association between question thirty, which concerned the idea that regulations violate the private property rights of individual owners, and question twenty-one, which concerned the seven-station rule.
7. An association between question sixteen, which concerned requests from the public for airtime, and question five, which concerned the power, in watts, of the AM stations.
8. An association between question sixteen, which concerned requests

from the public for airtime, and question six, which concerned the power in watts of the FM stations.

Associations were tested in two ways--with a full set of categories and with truncated categories. The second type of analysis eliminated neutral responses and collapsed "strongly agree" and "agree" into a single "agree" category and "strongly disagree" and "disagree" into a single "disagree" category. In this way, the associations attributed to valence versus those attributed to category extremeness could be ascertained more clearly.

Table 30 below illustrates the results of the cross-tabulation between question twenty-two, which concerned the one-to-a-market rule and question twenty-four, which concerned the scarcity doctrine. Table 30 A illustrates the results of the first analysis ($p < .018$). Table 30 B illustrates the results of the data after the categories were collapsed ($p < .036$). The contingency coefficient on the first-run data is .23 and the phi coefficient is .14 on the second-run data.

TABLE 30 A

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
ON SCARCITY OF AIRWAVES AND OPINION OF ONE-TO-A-MARKET RULE

		Scarcity of Airwaves					
One to a Market		Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion	Row Total
Count		5	19	19	45	2	90
Row %	Abolish	5.6	21.1	21.1	50.0	2.2	
Column %		26.3	18.6	21.3	38.8	14.3	
Total %		1.5	5.6	5.6	13.2	.6	26.5
		13	69	55	59	8	204
	Maintain	6.4	33.8	27.0	28.9	3.9	
		68.4	67.6	61.8	50.9	57.1	
		3.8	20.3	16.2	17.4	2.4	60.0
		1	14	15	12	4	46
		2.2	30.4	32.6	26.1	8.7	
	Uncertain	5.3	13.7	16.9	10.3	28.6	
		.3	4.1	4.4	3.5	1.2	13.5
Column		19	102	89	116	14	340
Total		5.6	30.0	26.2	34.1	4.1	100
Chi Square = 18.49257		P < .0178		C = .22712			

TABLE 30 B

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
OF SCARCITY OF AIRWAVES AND OPINION OF ONE-TO-A-MARKET RULE--

CATEGORIES COLLAPSED

	One to a Market	Scarcity of Airwaves		Row Total
		Agree	Disagree	
Count		22	57	79
Row %	Abolish	27.8	72.2	
Column %		23.9	37.7	
Total %		9.1	23.5	32.5
		70	94	164
	Maintain	42.7	57.3	
		76.1	62.3	
		28.8	38.7	67.5
	Column Total	92	151	243
		37.9	62.1	100.0
Chi Square = 4.37680		P < .036		C = .14182
Phi = .14				

Table 31 A below illustrates the results of the association between question thirty, which concerned the idea that regulations violate the private property rights of individual owners, and question twenty-two, which concerned the one-to-a-market rule. Table 31 B illustrates the results of the data after the categories were collapsed. Both analyses are significant. The contingency coefficient on the association is .24, and the phi coefficient on the second set of data is .14.

TABLE 31 A

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
OF ONE-TO-A-MARKET RULE AND OPINION OF PRIVATE PROPERTY

		One-to-a-Market Rule			
Private Property		Abolish	Maintain	Uncertain	Row Total
Count	Strongly Agree	28	32	4	64
Row %		43.8	50.0	6.3	
Column %		31.8	16.1	8.9	
Total %		8.4	9.6	1.2	19.3
	Agree	25	56	18	99
		25.3	56.6	18.2	
		28.4	28.1	40.0	
		7.5	16.9	5.4	29.8
	Disagree	25	84	19	128
		19.5	65.6	14.8	
		28.4	42.2	42.2	
		7.5	25.3	5.7	38.6
	Strongly Disagree	8	12	1	21
		38.1	57.1	4.8	
		9.1	6.0	2.2	
		2.4	3.6	.3	6.3
	No Opinion	2	15	3	20
		10.0	75.0	15.0	
		2.3	7.5	6.7	
		.6	4.5	.9	6.0
Column Total		88	19.9	45	332
		26.5	59.9	13.6	100.0
Chi Square = 20.89		P < .0074		C = .24	

TABLE 31 B

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
 OF ONE-TO-A-MARKET RULE AND OPINION OF PRIVATE PROPERTY--
 CATEGORIES COLLAPSED

	One-to-a-Market Rule			Row Total
	Private Property	Abolish	Maintain	
Count		47	69	116
Row %	Agree	40.5	59.5	
Column %		61.0	46.0	
Total %		20.7	30.4	51.1
		30	81	111
	Disagree	27.0	73.0	
		39.0	54.0	
		13.2	35.7	48.9
	Column Total	77	150	227
		33.9	66.1	100.0

Chi Square = 4.02316 P < .0449 C = .14101
 Phi = .14

Table 32 A below illustrates the results of the association between question twenty-nine, which concerned the idea that deregulation might enable those with greater financial resources to dominate and present one-sided views to the public, and question twenty-one, which concerned the seven-station rule. Table 32 B illustrates the results of the data after the categories were collapsed. Both associations are statistically significant. The contingency coefficient on the first-run data is .28 and the phi coefficient on the second-run data is .26.

TABLE 32 A

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
OF MULTIPLE OWNERSHIP RULE AND OPINION OF FINANCIAL DOMINATION

	Financial Resources Dominate	Multiple Ownership Rule			Row Total
		Abolish	Maintain	Uncertain	
Count	Strongly	2	4	0	6
Row %	Agree	33.3	66.7	0	
Column %		1.2	3.9	0	
Total %		.6	1.2	0	1.8
		5	15	10	31
	Agree	16.1	51.6	32.3	
		3.1	15.7	14.3	
		1.5	4.8	3.0	9.3
		63	42	29	134
	Disagree	47.0	31.3	21.6	
		38.9	41.2	41.4	
		18.9	12.6	8.7	40.1
		89	34	27	150
	Strongly	59.3	22.7	18.0	
	Disagree	54.9	33.3	38.6	
		26.6	10.2	8.1	44.9
		3	6	4	13
	No	23.1	46.2	30.8	
	Opinion	1.9	5.9	5.7	
		.9	1.8	1.2	3.9
	Column	162	102	70	334
	Total	48.5	30.5	21.0	100.0
Chi Square = 27.98692		P < .0005		C = .27806	

TABLE 32 B

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
OF MULTIPLE OWNERSHIP RULE AND OPINION OF FINANCIAL DOMINATION--
CATEGORIES COLLAPSED

	Multiple Ownership Rule			Row Total
	Financial Resources Dominate	Abolish	Maintain	
Count		7	19	26
Row %	Agree	26.9	73.1	
Column %		4.9	22.1	
Total %		3.0	8.3	11.3
		137	67	204
	Disagree	67.2	32.8	
		95.1	77.9	
		59.6	29.1	88.7
	Column Total	144	86	230
		62.6	37.4	100
Chi Square = 14.27368		P < .0002		C = .25463
Phi = .26				

Table 33 A below illustrates the results of the association between question twenty-nine, which concerned the idea that deregulation might enable those with greater financial resources to dominate and present one-sided views to the public, and question twenty-two, which concerned the one-to-a-market rule. Table 33 B illustrates the results of the data after the categories were collapsed. The collapsed category data, however, revealed results that statistically were not significant. As indicated, the probability level on the first-run data is .0250, whereas the probability level on the second-run data is .9153. The contingency coefficient on the first-run data is .22 and the contingency correlation on the second-run data is .02.

TABLE 33 A

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
OF ONE-TO-A-MARKET RULE AND OPINION OF FINANCIAL DOMINATION

	Financial Resources Dominate	One-to-a-Market Rule			Row Total
		Abolish	Maintain	Uncertain	
Count	Strongly Agree	2	4	0	6
Row %		33.3	66.7	0	
Column %		2.2	2.0	0	
Total %		.6	1.2	0	1.8
	Agree	7	18	6	31
		22.6	58.1	19.4	
		7.8	9.0	13.0	
		2.1	5.4	1.8	9.3
	Disagree	23	92	19	134
		17.2	68.7	14.2	
		25.6	46.2	41.3	
		6.9	27.5	5.7	40.0
	Strongly Disagree	56	76	19	151
		37.1	50.3	12.6	
		62.2	38.2	41.3	
		16.7	22.7	5.7	45.1
	No Opinion	2	9	2	13
		15.4	69.2	15.4	
		2.2	4.5	4.3	
		.6	2.7	.6	3.9
Column Total		90	199	46	335
		26.9	59.4	13.7	100.0
Chi Square = 17.53464		P < .0250		C = .22	

TABLE 33 B

ASSOCIATION: FREQUENCIES AND PERCENTAGES OF RESPONSES OF OPINION
 OF ONE-TO-A-MARKET RULE AND OPINION OF FINANCIAL DOMINATION--
 CATEGORIES COLLAPSED

	One-to-a-Market Rule			Row Total
	Financial Resources Dominate	Abolish	Maintain	
Count		8	18	26
Row %	Agree	30.8	69.2	
Column %		10.3	11.7	
Total %		3.4	7.8	11.2
		70	136	206
	Disagree	34.0	66.0	
		89.7	88.3	
		30.2	58.6	88.8
	Column	78	154	232
	Total	33.6	66.4	100.0
Chi Square = .01131	P <	.9153	C = .02	
Phi = .02				

Chapter Summary

Chapter four disclosed the results of the mail survey questionnaire. Chapter four included the frequency results from the survey, the cross-tabulation results from the associations, and the significance test results.

Preview

The final chapter, chapter five, which follows, discusses the representativeness of the sample surveyed, analyzes and interprets the results, reviews some of the problems and limitations of the study, and includes a conclusion.

CHAPTER V

DISCUSSION AND ANALYSIS

In chapter one and two, the issue of deregulation was defined not only as a movement designed to abolish or modify government regulations which previously have been imposed on the broadcast industry, but also as a controversial issue. The FCC rules and regulations were explained, a regulatory history of radio broadcasting and a history of radio broadcast deregulation were reviewed, and the purposes and composition of the Federal Communication Commission were discussed.

In chapters three and four the methods and results concerning this research study were disclosed. In chapter five, the final chapter, the study will be discussed and analyzed in terms of the representativeness of the population surveyed, the possible meaning of the results, and a review of some of the problems and limitations of the research.

Representativeness

The principal criterion of the quality of a sample is the degree to which it is representative or "the extent to which the characteristics of the sample are the same as those of the population from which it was selected."¹ It is necessary to note, however, that a sample, which is a special subset of a population that is observed for purposes of making inferences about the nature of the total population, almost never will provide a perfect representation of the population from which it was selected as some degree of sampling error always will exist.² Thus, when one states the possible representativeness of a sample population, one should consider the fact that some degree of error always will exist.

As related in chapter three, which reviewed the research methods and the instrument utilized for this study, the population for this study was surveyed not by means of random selection, but was self-selected. (Please refer to chapter three for the sampling procedure.)

In order to determine the representativeness of the sample, it is necessary to present evidence which suggests that the sample surveyed reflects characteristics of the NRBA's total membership. The following information suggests that characteristics of the sample match those of the population:

1. In 1983, the NRBA Radio Programming Survey was mailed to every commercial radio station in the United States (approximately 7,600) and returned by 3,497 broadcasters (forty-three percent). Although the NRBA Survey was self-selected, the response rate, over forty-three percent, was quite good. According to the NRBA Survey the most popular radio formats for both AM and FM commercial stations were adult contemporary and country. Twenty-nine percent of the NRBA 1983 Survey responses came from adult contemporary formatted radio stations and twenty-eight percent came from country formatted stations.³ According to the results of the present deregulation study, the most popular AM formats among those sampled were country (twenty-eight percent) and adult contemporary (twenty-four percent). The most popular FM formats among those sampled were adult contemporary (twenty-nine percent) and country (twenty-two percent, which matches the NRBA study. Thus, the current investigation appears representative.
2. According to the same 1983 NRBA study satellite services to radio

stations increased dramatically in 1983. Over one-third of all the stations surveyed indicated current satellite use and another one-quarter of the stations indicated plans to do so in the near future.⁴ According to the results of this deregulation study, a significant majority (176 stations) had upgraded their news operations since 1981 through the addition of satellite delivery. This use of satellite delivery compares favorably to the NRBA Survey.

3. According to a 1983 survey released by the Radio Television News Directors Association by Dr. Vernon Stone, director of the School of Journalism at Northern Illinois University, "an overwhelming majority of stations - 87 percent of them - reported no changes in their news or public affairs operations as a result of deregulation."⁵ Dr. Stone's survey was based on responses from 335 commercial radio stations located in different-size markets across the country. According to this deregulation study, a majority of the stations, 189, did not change the percentage of news and/or public affairs programming since 1981, when the FCC ordered deregulation, which matches results from Dr. Stone's RTNDA study. It is conceivable, however, that alternate explanations, other than deregulation as a cause, could exist regarding why respondents reported no change since 1981.
4. According to the FCC Reports regarding the FCC's order in 1981 to deregulate radio, "perhaps the most persistent theme of broadcaster comments is that the news and public affairs programming guidelines impose daily regulatory burdens on the broad-

casters" ⁶ According to this deregulation study, one of the most popular reasons repeatedly stated concerning deregulation was a belief that the provision produced a burden of paperwork, expended time, worries, hassles, and complications. This complaint matches the comments from the FCC Reports.

5. According to the NRBA's membership list as of May 22, 1984, the states of California and Texas had more members of the NRBA than any of the other states. ⁷ In this deregulation study, more surveys were returned from the states of California and Texas than from any of the other states, which may be related to the fact that more members of the NRBA are residents of those states.
6. According to the most recent NRBA membership records, the most prevalent market size of a NRBA member radio station is small market. ⁸ According to this deregulation study, the most prevalent market size was top 300 plus or small market, which matches the NRBA study.

Thus, evidence indicative of the possible representativeness of the deregulation survey exists from a nationwide survey conducted by the NRBA of all commercial radio stations, a nationwide survey conducted by the RTNDA of commercial radio stations, the comments registered by broadcasters to the FCC on public record, the NRBA's most recent membership list, and the NRBA's most recent membership records. It is, therefore, possible to conclude that the present investigation exhibits evidence of representativeness and validity.

Discussion and Analysis

Postulating, therefore, that this research is based on an approximate representative sample, the results of this study now will be

discussed in relation to the original purposes of this study. The primary purpose of this study was to learn the attitudes and beliefs of some of the members of the NRBA, who are owners and/or managers of radio stations in the United States, regarding deregulation of the following rules by the FCC: the equal time (equal opportunities) provision, the fairness doctrine, the personal attack rule, the editorializing rule, the format doctrine, the seven-station rule, the one-to-a-market rule, license renewal requirements, and news and public affairs programming requirements.

Table 34 summarizes the results:

TABLE 34.

RESULTS OF RESPONDENTS OPINION--FOR OR AGAINST--DEREGULATION
OF VARIOUS RULES

Rule	Respondents for Deregulation	Respondents Against Deregulation	Respondents Uncertain
Equal-Time	88%	12%	
Fairness Doctrine	85%	15%	
Personal Attack	68%	32%	
Editorializing	83%	17%	
Format Doctrine	99.4%	.2%	.2%
Rule	Abolish	Maintain	Uncertain
Seven-Station	48%	31%	21%
One-to-a-Market	26%	60%	14%
License Renewal	29%	67%	

As indicated, a majority of the respondents favored deregulation of the equal-time provision, the fairness doctrine, the personal attack rule, the editorializing rule, and the format doctrine. Concerning the seven-station rule, however, only a plurality of respondents favored abolishment or deregulation. Obviously some owners and/or managers are concerned about deregulation of the rule. One can speculate from the explanations offered by the respondents who favored maintenance or

expressed uncertainty that, indeed, a concern exists regarding the possibility of monopolies in the radio industry, protection of the small owner, and the difficulty of foreseeing possible ramifications of deregulation of the rule.

It is interesting to note that a majority of respondents favored maintenance rather than abolishment or deregulation of the one-to-a-market rule. In this case, clearly a concern exists in the minds of a majority of the owners and/or managers regarding deregulation of this ownership rule. Although the question did not allow for explanations, one can speculate that the reasons for concern are similar to those regarding the seven-station rule. From the standpoint of many of the owners and/or managers of radio stations, deregulation of this rule could affect their economic survival in the radio market.

In addition, it is interesting to note that a majority of respondents favored maintenance rather than abolishment of the current license renewal procedure. One can speculate that a majority of the respondents do feel that some license renewal procedure is necessary and that a majority clearly prefer the new simplified procedure over the old renewal method. In addition, one might speculate that the respondents indicated a degree of concern for the interest of the public by not wanting to abolish the renewal procedure altogether. By keeping the current renewal procedure, owners and/or managers will have to ascertain and publicly file no more than ten issues of public interest.

As a purpose of this study was to learn the attitudes and beliefs of the owners and/or managers of the radio stations regarding deregulation, Table 35 below summarizes and highlights the most predominant attitudes, beliefs, and opinions of the population concerning deregulation:

TABLE 35

RESPONDENT'S REASONS FOR/AGAINST DEREGULATION OF VARIOUS RULES

Rule	Reason for Deregulation	Reason Against Deregulation
Equal-Time	Free Enterprise/ Violates First Amendment	Guides necessary-- broadcaster obligation/ Provision insures balance and protects from bias.
Fairness Doctrine	Limits programming of controversial issues and open discussion/ No need for doctrine-- plenty of media exists-- marketplace can handle fairness issue/ Violates First Amendment.	Doctrine insures balance and protects from bias/ Doctrine proper now and not a burden.
Personal Attack	Violates First Amendment/ Other laws such as libel and slander are sufficient.	Fairness necessary to protect the right of response of the public and the station/ Abolishment encourage abuse of power by stations that might play favorites.
Editorializing	Violates First Amendment/ Abolishment would encourage broadcasters to editorialize.	Rule insures fairness and protects from stations playing favorites/ Good business to present all sides/ Rule is not a burden and is proper now.
Format Doctrine	Doctrine not necessary as the marketplace and economics ultimately decide/ Owners and locals know better than the Government what will work in a market.	None
Seven-Station	Abolish Rule no longer is relevant and thus not needed/ Free enterprise should be applicable to the radio industry.	Maintain Limits needed to avoid monopolies/ Small owners need protection and might decrease their participation without the rule.

As stated in chapter one, a purpose of this research study was to learn how deregulation has affected the particular NRBA population of the radio broadcast industry in terms of programming changes and the amount of information and service available to the public. Concerning the question which asked whether the station had increased, decreased, or not changed its percentage of news and/or public affairs programming since 1981, the results revealed that a majority of respondents, fifty-six percent, had not changed the percentage of news and/or public affairs programming.

These results are similar to the results of a study conducted in 1983 by Dr. Vernon Stone, director of the School of Journalism at Southern Illinois University, for the Radio Television News Directors Association. The results of the RTNDA study revealed that "an overwhelming majority of stations -- 87 percent of them -- reported no changes in their news or public affairs operations as a result of deregulation."⁹ One must consider, however, that the RTNDA study asked stations about changes in their news or public affairs operations as a result of deregulation, whereas this study asked the stations about changes in their news and/or public affairs programming since 1981 -- which is the year the FCC released the order to deregulate radio. As stated earlier, however, it is conceivable that alternate explanations, other than deregulation as a cause, could exist regarding why the respondents reported no changes since 1981.

Question number twelve asked whether the stations had increased, decreased, or not changed the number of people on their news and/or public affairs staff since 1981. The results revealed that a majority

of respondents, fifty-eight percent had not changed the number of people on their news and/or public affairs staff.

Concerning the question which asked if stations had upgraded their news operations since 1981, the results revealed that a majority of stations had upgraded their news operations. The question additionally asked the stations that had upgraded their news operations since 1981 how the stations had upgraded their operations. The results revealed that the stations had upgraded their news operations through satellite delivery (176), network news (seventy-four), and talk shows (sixty-seven).

In summary, if this study is based on a survey that approximates a representative sample, and if the respondents provided accurate answers, one can state that a majority of stations that are members of the NRBA have not changed their percentage of news and/or public affairs programming since 1981, a majority of the stations did not change the number of people on their news and/or public affairs staff since 1981, and a majority of stations upgraded their news operations since 1981 through the addition of satellite delivery network news, and talk shows. One might infer from such data that the deregulation order by the FCC in 1981, which abolished news and public affairs programming guidelines, did not result in any drastic changes of programming by a majority of the stations. Although the respondents overwhelmingly (ninety-nine percent) were familiar with the 1981 order according to the results of this study, a majority still did not change the percentage of news and public affairs programming offered to the public since 1981, when the FCC order took effect. Interestingly enough, however, thirty-three

percent of the stations indicated they had increased the amount of news and/or public affairs programming since 1981. One further might predict that perhaps it is good business to offer such programming to the public or perhaps the stations are concerned about meeting the public's interest, or possibly a mixture of both.

Also, related to news and public affairs programming, a purpose of this study was to learn if the 1981 FCC order to deregulate will affect the particular radio population in terms of future changes of such programming. The results indicated that a majority of the respondents plan not to change the amount of news and public affairs programming as a result of the actions by the FCC. One might speculate that, indeed, a majority of stations plan not to change the amount of news and public affairs programming as a result of the deregulatory order by the FCC, yet perhaps they may change--increase--the amount as a result of what is good for business or what the public needs. As indicated earlier, thirty-three percent of the respondents stated an increase since 1981 in the amount of news and public affairs programming. Perhaps the marketplace can regulate in this area.

Cross-tabulations were processed in order to determine associations between variables. A total of twelve associations were examined. (See chapter four). Of the twelve comparisons, four produced statistically significant results. Tables of the statistically significant comparison also are located in chapter four.

As stated in chapter one, a purpose of this study was to discover any statistically significant relationships between variables. Results from the cross-tabulations and Chi-Square tests revealed that, indeed, the following four associations of variables were significant:

TABLE 36

CROSS-TABULATION RESULTS

Comparison	First Run Chi Square	First Run Probability Level	C	Second Run Chi Square	Second Run Probability Level	C
One-to-a-market with Scarcity of airwaves	18.49257	P<.02	.23	4.37680	P<.04	.14
One-to-a-market with Idea that regulations violate private property rights.	20.89377	P<.08	.24	4.02316	P<.04	.14
Multiple ownership with Idea that deregulation will enable those with greater financial resources to dominate and present onesided views to public.	27.98692	P<.00	.28	14.27368	P<.00	.25
One-to-a-market with Idea that deregulation will enable those with greater financial resources to dominate and present one-sided views to public.	17.53464	P<.03	.22	.01131	P<.92 (NS)	.02

Although the comparisons revealed statistically significant results and one can be reasonably confident that, indeed, a real relationship exists between the two variables, additional statistical tests, the contingency coefficient and the phi, suggest that the strengths of the relationships are mild. However, as the comparisons did reveal statistically significant relationships, it is worthwhile to discuss the possible meaning of what the resultant data of the comparisons suggests.

Concerning the comparison between the one-to-a-market rule and the scarcity doctrine, the results suggest the following:

1. Of those respondents who want to abolish the one-to-a-market rule, fifty-percent of those respondents also strongly disagree that there is a scarcity of airwaves. Similar results are evident in the second-run data, which shows that of those respondents who want to abolish the one-to-a-market rule, 72.2% of those respondents also disagree that there is a scarcity of airwaves. Using one's common sense, this combination of opinions is logical. To explain, for example, if one believes that an unlimited number of airwaves exists, then there should be no worry or concern of someone buying up and/or controlling all of the airwaves.
2. Interestingly enough, however, the results also revealed that over half of the respondents who want to maintain the one-to-a-market rule also disagree or strongly disagree that there is a scarcity of airwaves. Such respondents seem to want to maintain the one-to-a-market rule for reasons other than a concern about someone buying up and controlling the airwaves. More likely, such respondents possibly are concerned with some economic and/or business advantages connected with maintenance of the one-to-a-market rule like eliminating as many competitors as possible from the market.
3. Some respondents, though, did indicate a concern for the airwaves as evidenced by the data which suggests that of those respondents who strongly agree that a scarcity of airwaves exists, 76.1% also agree that the one-to-a-market rule should be maintained.

Concerning the comparison between the one-to-a-market rule and the idea that regulations violates private property rights, the results suggest the following:

1. On the first run data, of those respondents who expressed no

opinion concerning the idea that regulations violate private property rights, seventy-five percent wanted to maintain the one-to-a-market rule. Thus, it seems that although some respondents are not certain of their opinion regarding whether or not radio stations are private property, a majority of such respondents do feel it necessary to maintain the one-to-a-market rule. Similar results are evident on the second-run data of those respondents who disagree with the private property idea. Seventy-three percent of those respondents also want to maintain the one-to-a-market rule.

2. Common sense might reason that these respondents who strongly agree that regulations violate private property rights also would want to abolish the one-to-a-market rule. In other words, such logic suggests that radio stations are private property, business investments, and people should be allowed to buy as many stations as they want without restrictions. The results of the first-run data, however, show that fifty percent of the respondents who strongly agree with the private property idea and 56.6% of the respondents who agree with the private property idea also want to maintain the one-to-a-market rule.

The common sense or logical argument surfaces, however, in the results of the second-run data in which the no-opinion and uncertain categories were suppressed. According to the second-run data sixty-one percent of those respondents who agree that the one-to-a-market rule should be abolished also agree with the private property idea. One must remember that although the relationship is statistically significant, the relationship is mild as evidenced by the contingency correlation of .14101.

Concerning the comparison between the multiple ownership rule and the idea that deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public, the results suggest the following:

1. Seventy-three percent of those respondents who agree with the idea about financial domination also want to maintain the multiple ownership rule. This combination of opinions is logical. To explain, for example, if one believes that deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public, then one might be concerned with maintenance of the multiple ownership rule to insure that monopolies are avoided and that stations aren't bought up by conglomerates.
2. Also in line with common sense are the results which show that of those respondents who want to abolish the multiple ownership rule, 95.1% also disagree with the idea about financial domination.
3. Of interest, however, is the second-run data which suggest that of those respondents who want to maintain the multiple ownership rule, 77.9% also disagree with the idea about financial domination. Perhaps such respondents who want to maintain the multiple ownership rule were not concerned about financial domination or perhaps the results can be accounted for by some other unknown reasons.

Concerning the comparison between the one-to-a-market rule and the idea that deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public, the results suggest the following:

1. Sixty-six percent of those respondents who strongly agree with the idea of financial domination and 58.1% of those respondents who agree with the idea of financial domination also want to maintain the one-to-a-market rule. These results seem logical and also are similar to the results of the comparison between the multiple ownership rule and the financial domination idea.
2. The first-run results of those respondents who strongly disagree with idea of financial domination are similar to the results of the comparison between the multiple ownership rule and the financial domination idea. Sixty-two percent of the respondents who strongly disagree with the idea of financial domination also want to abolish the one-to-a-market rule. The results of the second-run data of the same association but with collapsed categories are not significant.

Another purpose of this study, as stated in chapter one was to reveal how well the FCC term, "public interest, convenience, or necessity" is understood by the respondents. As recorded in the results chapter, the data revealed the following:

TABLE 37

DEFINITIONS OF THE TERM "PUBLIC INTEREST, CONVENIENCE, OR NECESSITY"

Definition	Respondents
What the public wants, needs, and demands--what has importance, interest, and meaning to them--and what is for the benefit common good of all.	28%
Action done by the broadcaster such as addressing problems and meeting the needs of the public.	23%
Subjective and a problem to define.	15%
Miscellaneous definitions.	11%
A necessity--a must situation for survival in order to maintain and develop an audience.	9%
The responsibilities and obligations of a good broadcaster.	9%
Other	5%

For a phrase which contains the controlling words in the congressional grant of authority to the FCC, according to the results of this study, the respondents seem to be interpreting the phrase in many different ways. Fifteen percent of the respondents stated that the phrase was subjective and a problem to define. Twenty-eight percent of the respondents interpreted the phrase as what the public wants and needs, yet mentioned nothing about actually meeting such wants and needs. Twenty-three percent of the respondents, however, did state that the phrase involved action by the broadcaster designed to address or meet the needs of the public. Nine percent of the respondents seemed to interpret the phrase from a business perspective with the suggestion that it was a necessity for survival of the station. Another nine percent defined it vaguely as the responsibilities and obligations of a

good broadcaster, whatever that means, and fifteen percent of the respondents rated a miscellaneous category while the remaining five percent were so different that they rated an "other" category.

Totaling the responses that were miscellaneous, other, vague, or stated as difficult to define, one can see that forty-percent of the respondents seemed rather uncertain of the meaning of the phrase. As stated by the Federal Radio Commission in 1928 when it attempted to interpret the phrase: "To be able to arrive at a precise definition of such a phrase which will foresee all eventualities is manifestly impossible. The phrase will have to be defined by the United States Supreme Court"10

Perhaps a definition from the courts would serve as a better guideline. Perhaps, instead, a new phrase should be created for the controlling words in the congressional grant of authority to the FCC.

The final purpose of this study, as noted in chapter one, is to make any generalizations, if possible, regarding how NRBA respondents think deregulation will affect the radio broadcast industry. Assuming that this study is based on a survey that is representative, and evidence does exist that suggests it may be representative, then the results reported in this study are reflective of a majority of owners and/or managers of radio stations who are members of the NRBA. According to this study, although a majority of the respondents favor deregulation of the equal time (equal opportunities) provision, the fairness doctrine, the personal attack rule, the editorializing rule, the format doctrine, news and public affairs programming guidelines, and the seven-station rule, the results also disclosed that a majority of

respondents are opposed to deregulation of the one-to-a-market rule and a majority of the respondents want to keep the license renewal procedure the way it is now rather than entirely abolish it.

One can not know for certain how the NRBA radio broadcast industry will fare without the rules which have existed since the birth of radio. According to many of the NRBA respondents in this study, the marketplace will regulate itself as the marketplace regulates other businesses in the United States. Hopefully, the people, and the listening public, will be able to affect the survival of radio stations in the marketplace through their financial support or non-support. If media ownership becomes so concentrated that the public's rights becomes imperiled, however, one might consider if the real danger is like Orwell's 1984 wherein government controls the channels of communication. Instead, perhaps the real danger is the possibility that a few giant conglomerates might have the capacity, if not the desire, to influence, shape, and ultimately control what the vast majority of people will hear via the mass media.¹¹

Problems and Limitations

Although all efforts were made to avoid researcher bias and insure correct results, problems and limitations concerning this study should be addressed. The following section addresses the problems and limitations of researching attitudes and beliefs via a quantitative method, the problems and limitations inherently associated with mail survey questionnaires, and the problems and limitations concerning the validity of the self-reports of the respondents.

In the chapter, "Attitudes and Behavior" by Rosenberg and Turner, the point is made that socio-scientific debate concerning the issue of attitudes is accompanied by methodological disagreement. Although sophisticated measurement models exist, there remains little or no consensus on which technique is most appropriate to measure attitudes.¹² According to Petty and Cacioppo, two basic procedures, direct and indirect, are utilized to measure attitudes. The direct procedure a typical research methodology utilized by socio-scientists, is described as when "a person is asked to give a self-report of his/her attitude."¹³ The mail survey questionnaire used to measure the attitudes/beliefs of the respondents in this study is an example of a direct procedure or typical socio-scientific research. Such research typically seeks the facts or causes of social phenomena with little regard for the subjective states of individuals through methods such as survey questionnaires, inventories, and demographic analyses which produce quantitative data.¹⁴

On the other hand, the indirect procedure, is described as when an attempt is made to measure a person's attitude without the person knowing it.¹⁵ Such research typically seeks understanding through such qualitative methods including participant observation, open-ended interviewing, and personal documents.¹⁶

The method used to research attitudes and beliefs in this study were "socio-scientific," quantifying respondents' self-reports. Because of the inherent problems of self-report data and the methodological disagreement which exists concerning the most effective way to measure attitudes and beliefs, it is necessary to note this as a problem or limitation to this study.

Another problem or limitation related to this study concerns the

inherent problems and limitations of the mail survey questionnaire. Although mail survey questionnaires are a popular research tool, some researchers consider such questionnaires a weak research methodology. Noted problems and limitations of the questionnaire include the limited optimal length of the questionnaire, the possible built-in bias that occurs in the wording of the questions, the problems associated with open-ended questions in that many respondents do not take the time to answer them, the absence of control which exists over who responds and what percentage respond, and the problem that questions are being interpreted as intended. Another problem of the mail survey questionnaire is the timing of when the survey arrives to the respondent. In this study, the survey arrived to the respondents during the Christmas season, which may have affected the response rate. Further weaknesses include:

the inability to probe or seek elaboration of responses, the lack of opportunity to check on accuracy, the absence of verification that the respondent is indeed the one intended, the loss of opportunity to encourage cooperation, and the inevitable imbalance of the group responding toward those able and willing to read, write, and reply to printed queries.¹⁷

Thus, although the mail survey questionnaire is a popular methodology in communication research and the social sciences, one should be aware that problems and limitations are associated with the research using this approach.

Another problem and limitation related to this study concerns the validity of the self-reports of the respondents. It should be noted that the responses offered by the respondents were self-reports or

claims. For example, without checking through log verification, it is difficult to know if, in fact, the respondents answered truthfully about their actions concerning programming changes as a result of deregulation. Thus, it is necessary to mention the validity of the self-reports as a possible problem and limitation of this study.

Although the problems and limitations mentioned in this chapter concerning this study may exist, problems and limitations inevitably occur with any research study. The important point to understand is that the researcher realizes and is aware of such problems and limitations and feels it necessary to relate such concerns to the reader.

Within its field of socio-scientific research, this study was conducted with every effort to avoid researcher bias and insure correct results. In conclusion, this researcher hopes that this investigation of deregulation has determined some truths and produced some information which will be helpful to any persons interested in the issue of deregulation of the radio broadcast industry.

Chapter Summary

In this chapter, the study was discussed and analyzed in terms of the representativeness of the population surveyed, the possible meaning of the results were interpreted, and the problems and limitations of the research were reviewed. Problems and limitations of the research included the problems and limitations of researching attitudes and beliefs via a quantitative method, the problems and limitations inherently associated with mail survey questionnaires, and the problems and limitations concerning the validity of the self-reports of the respondents.

Conclusion

This study investigated the controversial issue of deregulation of the radio broadcast industry. All the purposes of this study as related in chapter one, were addressed; researched, and discussed. This research provides quantitative information regarding the attitudes and beliefs of some owners and/or managers of radio stations who are members of the NRBA concerning deregulation. This study, which focuses on a group so integrally associated with the everyday operations of radio and with the possible affects of deregulation, has not been conducted before, to this researcher's knowledge. This researcher offers this Master's Thesis to the field of Speech Communication, the radio broadcasting industry, and the listening public as an additional source regarding the topic of deregulation of radio by the Federal Communications Commission.

NOTES

- ¹ Earl Babbie, The Practice of Social Research (Belmont, CA: Wadsworth Publishing, 1983), p. 180.
- ² Babbie, p. 180.
- ³ NRBA 1983 Programming Survey, (Washington, D.C.: NRBA, 1983), pp. 2-3.
- ⁴ NRBA Survey.
- ⁵ "Deregulation's Impact On Radio," San Francisco Chronicle, 2 May 1983, p. 41.
- ⁶ FCC; FCC Reports (Washington, D.C.: GPO, 1982), LXXXIV, 1094.
- ⁷ Telephone interview with Wendell Wood, NRBA, Washington, D.C., 22 May, 1984.
- ⁸ Telephone interview with Wood, 22 May, 1984.
- ⁹ "Deregulation's Impact On Radio," San Francisco Chronicle, p. 41.
- ¹⁰ Frank J. Kahn, Documents of American Broadcasting (Englewood Cliffs, N.J.: Prentice-Hall, 1978), pp. 51-55.
- ¹¹ William E. Francois, Mass Media Law and Regulation (Columbus, Ohio: Grid, 1982), p. 676.
- ¹² Morris Rosenberg and Ralph H. Turner, "Attitudes and Behavior," Social Psychology: Sociological Perspectives (New York: Basic Books, 1981), p. 348.
- ¹³ Richard E. Petty and John T. Cacioppo, Attitudes and Persuasion: Classic and Contemporary Approaches (Iowa: Brown, 1981, pp. 22-23.
- ¹⁴ Robert Bogdan and Steven J. Taylor, Introduction to Qualitative Research Methods: A Phenomenological Approach to the Social Sciences (New York: Wiley and Sons, 1975), p. 1.

15 Petty and Cacioppo, p. 9.

16 Bogdan and Taylor, p. 2.

17 George Comstock and Maxwell E. McCombs, "Survey Research,"

(n.p.: n.p., n.d.), pp. 144-162.

APPENDIX A

The Cover Letter

Dear NRBA Member:

The enclosed survey-questionnaire is designed to obtain information for a research study concerning deregulation of the radio broadcast industry. The survey should be completed by the station owner or manager. The information you provide about your station will remain confidential. Station owners/managers will not be identified or connected in any way with their responses. I will receive all data directly from you.

This study is being conducted through auspices of the Graduate program of the Speech Communication Department of Humboldt State University (Arcata, California) in conjunction with the National Radio Broadcasters Association.

Results of the study should provide significant information useful to broadcasters. The NRBA will publish a summary of the results; however, if you would like to receive a copy of the final study, please check the box below and put your name and address in the space provided.

In order to insure a positive response rate, please answer all of the questions and return the survey in the enclosed envelope before December 27, 1983.

Thank you for your cooperation.

Sincerely,

Ms. J. Sims
Department of Speech Communication
Humboldt State University
Arcata, CA 95521

YES, I would like to receive a copy of the final study.

Name _____

Address _____

APPENDIX B

The Mail Survey Questionnaire

RADIO DEREGULATION SURVEY

1. How long have you been associated with the radio broadcasting business?

_____ Years _____ Months

2. Currently, are you an owner and/or manager of the radio station?

1 _____ Owner 2 _____ Manager 3 _____ Both

3. Are you:

1 _____ Male 2 _____ Female

4. Is the station AM, FM or an AM/FM combination?

1 _____ AM 2 _____ FM 3 _____ AM/FM Combination

5. If you have an AM station, what is the licensed power output of the station in watts?

1 _____ 100-999 4 _____ 10,000
2 _____ 1000-4,999 5 _____ 50,000
3 _____ 5,000 6 _____ Other (Specify)

6. If you have an FM station, what is the licensed power output of the station in watts?

1 _____ 10-99 5 _____ 10,000-29,999
2 _____ 100-999 6 _____ 30,000-49,999
3 _____ 1000-4,999 7 _____ 50,000-99,999
4 _____ 5,000 8 _____ 100,000 plus

7. What is the format of the radio station? (Please check only one.)

- 01 _____ Top 40/Current Hit Radio (CHR)
- 02 _____ AOR
- 03 _____ Urban Contemporary
- 04 _____ Block
- 05 _____ Oldies/Gold
- 06 _____ Soft Rock
- 07 _____ Adult Contemporary
- 08 _____ Country
- 09 _____ Diverse Block (Varied)
- 10 _____ News, Information, Talk, Sports
- 11 _____ Easy Listening
- 12 _____ MOR
- 13 _____ Classical
- 14 _____ Beautiful Music
- 15 _____ Big Band
- 16 _____ Other (please specify) _____

8. Is the radio station:

1 _____ Commercial 2 _____ Non-Commercial

9. In what state is the radio station located _____

10. What is the market size of your radio station?

1 _____ Top 10 4 _____ Top 100
 2 _____ Top 25 5 _____ Top 200
 3 _____ Top 50 6 _____ Top 300 plus

11. Do you consider your station's market mainly:

1 _____ Urban 2 _____ Rural
 1 _____ Suburban 2 _____ Other (Please Specify)

12. Has your station increased, decreased, or not changed its percentage of news and/or public affairs programming since 1981?

1 _____ Increased 2 _____ Decreased 3 _____ Not Changed
 (If "Not Changed" please skip to Q#14)

13. Approximately how much time do you now devote to news and public affairs compared to before 1981? (Monthly percentage - for example):

_____ 100% = "No Change"
 _____ 70% = 30% Decrease
 _____ 125% = 25% Increase

14. Have you increased, decreased, or not changed the number of people on your news and/or public affairs staff since 1981?

1 _____ Increased 2 _____ Decreased 3 _____ Not Changed

15. Have you upgraded your news operations since 1981?

1 _____ Yes 2 _____ No (If "No" please skip to Q#16)

If "yes," how have you upgraded your news operations since 1981?
 (Please check all that apply):

1 _____ Satellite delivery 3 _____ Talk Shows
 2 _____ Network news 4 _____ Other (Please Specify)

16. Approximately how often do you get requests or demands for airtime from clubs, groups, organizations, or individuals who desire to present a particular point of view or opinion?

1 _____ Often 3 _____ Hardly Ever
 2 _____ Sometimes 4 _____ Never

17. Are you familiar with the 1981 actions of the Federal Communications Commission to deregulate the radio industry? (The actions repealed guidelines on minimum limits for news and public affairs programming and maximum limits for commercials).

1 _____ Yes 2 _____ No

18. Do you plan to increase, decrease, or not change the amount of news and public affairs programming at your station in the future as a result of the actions of the FCC?

1 _____ Increase 3 _____ Not Change
2 _____ Decrease 4 _____ Uncertain

19. Deregulation is a movement designed to lift or modify government regulations which previously have been imposed on the radio broadcast industry. Are you in favor of deregulation of any of the following?

1 _____ Yes 2 _____ No (Equal Time Provision)
Why? _____

1 _____ Yes 2 _____ No (Fairness Doctrine)
Why? _____

1 _____ Yes 2 _____ No (Personal Attack Rule)
Why? _____

1 _____ Yes 2 _____ No (Editorializing Rule)
Why? _____

20. The Supreme Court ruled in March 1981 that the market, rather than the Government, should determine what format station owners should use. Do you agree or disagree with the Court's decision?

1 _____ Agree 2 _____ Disagree 3 _____ Uncertain
Why? _____

21. The multiple ownership rule states that one person can own no more than 7 AM, 7 FM, 7 TV, 5 VHF maximum. Would you, as station owner/manager, prefer to abolish or maintain the multiple ownership rule?

1 _____ Abolish 2 _____ Maintain 3 _____ Uncertain
Why? _____

22. The one-to-a-market rule prohibits one licensee from owning more than 1 TV, 1 AM and 1 FM station in the same market. Markets under 10,000 population and multiple ownerships already existing before March 1970 are exempted. Would you, as station owner/manager, prefer to abolish or maintain the one-to-a-market rule?

1 _____ Abolish 2 _____ Maintain 3 _____ Uncertain

23. The current license renewal procedure now involves a postcard. Would you, as station owner/manager, prefer to:

1 _____ Re-establish the old method of license renewal.
 2 _____ Keep the license renewal procedure the way it is now.
 3 _____ Abolish the license renewal procedure altogether.
 4 _____ Other (please explain) _____

24. Do you agree or disagree with the following statement: "Airwaves are a limited, or scarce resource which makes their use subject to regulation."

1 _____ Strongly agree 4 _____ Strongly disagree
 2 _____ Agree 5 _____ No opinion
 3 _____ Disagree

25. Do you agree or disagree with the following statement: "The broadcast medium is more powerful than any other media and therefore subject to more regulation."

1 _____ Strongly agree 4 _____ Strongly disagree
 2 _____ Agree 5 _____ No opinion
 3 _____ Disagree

26. In your opinion, how do listeners most frequently demonstrate that a particular station isn't offering adequate programming to the community? (Please check only one answer.)

1 _____ Listeners call in.
 2 _____ Listeners write letters.
 3 _____ Listeners visit the station.
 4 _____ Listeners tune out.
 5 _____ Other (please explain) _____

27. How do you define the term "public interest, convenience, or necessity?"

28. Do you agree or disagree with the following statement:
"Deregulation will diminish or reduce the amount and type of information available to the public."

1 _____	Strongly agree	4 _____	Strongly disagree
2 _____	Agree	5 _____	No opinion
3 _____	Disagree		

29. Do you agree or disagree with the following statement:
"Deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public."

1 _____	Strongly agree	4 _____	Strongly disagree
2 _____	Agree	5 _____	No opinion
3 _____	Disagree		

30. Do you agree or disagree with the following statement? "Radio stations are private property and government regulations violate the rights of the individual owners(s)."

1 _____	Strongly agree	4 _____	Strongly disagree
2 _____	Agree	5 _____	No opinion
3 _____	Disagree		

This concludes the questionnaire. Thank you very much for taking the time to answer the questions. Please return the questionnaire before December 27th, 1983 in the enclosed envelope. Please feel free to offer any additional comments concerning the questionnaire in the following section.



Letter from the NRBA

April 27, 1983

Ms. Judy R. Sims
Graduate Student
Humboldt State University
Speech Communications Department
Arcata, California 95521

Dear Ms. Sims:

Thank you for writing to the NRBA for information on deregulation. NRBA has not conducted any research projects on broadcasters' views on deregulation. I have enclosed a copy of two major reports NRBA has done in the past two years.

I am also not aware that anyone else has surveyed broadcasters on deregulation. It looks like you have picked a good topic for your research!

While NRBA doesn't offer research grants, I would like to offer our assistance. We could very easily mail a research survey to our members - approximately 1700 radio stations nationwide. It is also possible that we could arrange for the survey to be sent to all radio stations nationwide. If we were to provide such assistance, we would want to help formulate the survey questions, although credit would certainly be given to you for the research. And, of course, we would like access to the research findings.

I'm sure we can work together on this extremely topical research. Please call me, collect, and let's discuss it.

Sincerely,

A handwritten signature in cursive script that reads "Sally Johnson".

Sally A. Johnson
Director of Operations

SAJ/mcad

APPENDIX D

The Pilot Study Results

The telephone survey, which can be found in Appendix F, was administered to the following stations: KEKA, KXGO, KINS, KRED-KPDJ, KERG, KNCR, KHSU, and KATA-KFMI. All the respondents were station managers except one. All but one of the respondents were male. All but one of the stations were commercial.

The respondents range of experience in the broadcasting business extended from approximately two years to twenty-five years, with the most frequently occurring time being twenty years. The power of the stations ranged from 100 watts to 100,000 watts. The formats of the stations included: baby boom-MOR; adult contemporary; news, information and sports, MOR; country; varied; diverse block; and album-oriented rock.

All of the respondents were familiar with the fairness doctrine and equal-time (equal opportunities) provision, and all of the respondents were familiar with the Senate Commerce Committee's approval of the broadcast deregulation bill of February 16, 1983. Concerning deregulation of the fairness doctrine and equal-time (equal opportunities) provision, five respondents were in favor of deregulation and three respondents were against deregulation. Comments in favor of deregulation of the fairness doctrine and equal-time (equal opportunities) provision included:

1. "Definitely remove them. I have big problems with people who don't understand the meaning of them."
2. "Deregulation would allow more debating of candidates. Too many

candidates inhibit debating."

3. "Can't have a free society with government control of broadcasting."
4. "I have my doubts about the FCC, we would continue both because we believe in it."
5. "I'm in favor of any kind of deregulation, but personally I would maintain the equal-time provision. These things should not be regulated by the government."

Comments against deregulation of the fairness doctrine and equal-time (equal opportunities) provision included:

1. "I'm still in favor of both."
2. "It's necessary for the government to regulate these. It's the public's airwaves."
3. "I have strong feelings about this. We are here to serve the public."

Question number seven concerned the Supreme Court's ruling in March 1981, that the market rather than the government should determine what formats station owners use. One respondent vaguely was familiar with the ruling, whereas all of the other respondents were quite familiar with it. All of the respondents agreed with the ruling.

Concerning question number nine, none of the respondents changed the percentage of news and public affairs programming as a result of the ruling; rather, some had changed because of the market. Three respondents stated they recently had increased both their news and public affairs programming, two respondents said their news and public affairs had remained the same since the deregulation, two respondents stated they had increased just their public affairs programming, and one

respondent said he had increased just news programming. The results can be compared to a recent survey released by the Radio and Television News Directors Association (RTNDA).

Dr. Vernon Stone, director of the School of Journalism at Southern Illinois University at Carbondale, conducted a survey in 1982 in conjunction with the Radio and Television News Directors Association. The survey was administered to 335 commercial radio stations located in different-sized markets across the country. According to the survey, an overwhelming majority of stations--eighty-seven percent of them--reported no changes in their news or public affairs operations as a result of deregulation.¹ All of the respondents in the Humboldt County survey stated they had not reduced their regular newscasts or staffs since the deregulation. In addition, five respondents stated they had upgraded their news operations since deregulation. Two stated they had not upgraded their news.

Concerning the multiple ownership rule and the one-to-a-market rule, all but one of the respondents were familiar with the regulations. Five respondents were in favor of maintaining the rules and three of the respondents were in favor of abolishing them. Comments in favor of maintaining the ownership rules included:

1. "There are advantages and disadvantages to it. The free enterprise idea is good. More diversification is good. It's a more scrupulous approach to the media."
2. "I don't have a problem with it. In a smaller market, no rule might not be good. We need diversity of ownership. I'm concerned with "control."
3. "Specifically, without competition, there would be no reason to

upgrade your station's programming."

4. "It would be putting control in too few hands without the rules."
5. "It's fair."

Comments in favor of abolishment included:

1. "I'm in a group owner outfit. I don't understand the value of the rule. I'd abolish it."
2. "Unless you apply the same rules to the print media, you can't apply them to radio."
3. "If a person can get it together enough to buy or own more than one station, more power to them."

Question seventeen concerned the current license renewal procedure.

All of the respondents were familiar with the procedure. Four respondents said to keep it the way it is now; three respondents desired another way, and one respondent was for abolishment of the procedure altogether. Comments concerning license renewal included:

1. "I have no problems with the postcard, but we still go through ninety-five percent of the same old stuff. There's no big change. Altogether though, I don't think they ever should do away entirely with a license renewal."
2. "Don't reestablish the old method. Use the postcard idea but extend the renewal period to 7 years."
3. "We're just getting acquainted with the new way. I'm not sure about it. We'll probably have to do the same stuff in case someone comes by to check."
4. "Get rid of all programming regulations but strengthen the traffic cop for technical regulations."
5. "Abolish it altogether, but that's a slim chance."

6. "The old way is absurd. I don't want to do any more work than is necessary. I don't like the idea of permanent licensing though."
7. "Definitely, not the old way. There has to be some accountability, though. The old way was ridiculous."

Question nineteen concerned the fairness doctrine. All respondents said they definitely still would feel it important to present both sides of an issue if the fairness doctrine were abolished.

Question twenty concerned frequency of requests from clubs, groups, or organizations, or people asking or demanding airtime in order to present a particular point of view or opinion. Three respondents stated "hardly ever," two respondents stated "often," one respondent said "sometimes," one respondent said "never," and one respondent said "fairly often."

Question twenty-one addressed the following statement: "Deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public. Five respondents disagreed with the statement, two respondents strongly disagreed, and one respondent agreed with the statement. Comments concerning the question included:

1. "A large multiplicity of stations don't present a view. Most entertain to make money."
2. "There is that chance."
3. "Look at the newspaper industry for a parallel."

The final question asked the respondents to define the term public interest, convenience, or necessity. Definitions of the phrase included:

1. "I don't define it. I let the world define it for me. I let the

public show their interests. It's a constant ethical battle."

2. "Mirroring local society is interest, while still providing minority opinion. Convenience is information that helps make a better lifestyle for people. Necessity is meeting the public interest."
3. "Necessity—you have to do. Convenience—you want to do. Any responsible owner wants to present both sides. It's good programming. Most owners want to serve the community."
4. "I wouldn't define it. I don't think it should be in the FCC terms. We don't own their air. It's presumptuous of the government to think they own the airwaves."
5. "We're interested in what the people want. Some of the terms are vague to me."
6. "Interest is obvious to a radio station. Stations hear from the community a lot. Necessity is born out of interest and convenience. I haven't ever been able to figure out what the government means by convenience."
7. "Serve the public—it's their airwaves. It's the responsibility of all broadcasters."
8. "The airwaves belong to the people. We are here to serve the interests of the community—but in a way that also is profitable."

Discussion

The hypothesis being tested purported that station owners and/or managers would be in favor of overall deregulation including the fairness doctrine and equal opportunities requirement, otherwise known as the equal-time provision. The research confirmed the hypothesis and also revealed some interesting data. In order to understand how the

research confirmed the hypothesis, a more detailed explanation and discussion of the results follow.

The survey results showed that five of the respondents were in favor of deregulating the fairness doctrine and equal-time (equal opportunities) provision. Three of the respondents were against such deregulation. The major claims of the respondents for deregulation included problems with people who didn't understand the regulations and stated strong concerns with regard to government control and regulation. Major claims of those against deregulation of the fairness doctrine and equal-time (equal opportunities) provision asserted that the airwaves belong to the public and stations exist to serve the public.

The survey addressed two other issues of potential concern related to deregulation, the multiple ownership rule and the one-to-a-market rule. The multiple ownership rule states that one person can own no more than seven AM, seven FM, and seven TV (five VHF maximum). The one-to-a-market rule states that, in the same market, one person can own no more than one VHF TV and one AM or one FM station. The results of the survey showed that five of the respondents were in favor of maintaining the regulations, and three of the respondents were in favor of abolishing the regulations. For those in favor of maintenance of the rules, their major claim was a voiced desire for diversification. One respondent expressed a concern about monopolies. Major claims of those for abolishment of the rules included the popular argument of equality with the print media and a general approval of the free enterprise system.

Another area addressed by the survey concerns recent deregulation regarding minimum limits for news and public affairs programming.

Although none of the respondents had changed the percentage of news and public affairs programming as a result of recent deregulation, six respondents claimed to have increased one, the other, or both because of the market. The results of the Humboldt County survey are significant to a certain extent when compared to a recent survey released by the Radio, Television and News Directors Association, which stated that the overwhelming majority of stations--eighty-seven percent of them--reported no changes in their news and public affairs operations as a result of deregulation.² No mention was made by the RTNDA of any change due to the market.

Although the main focus of this study concerns deregulation of the fairness doctrine and equal-time (equal opportunities) provision, numerous other deregulation issues also were addressed in the survey. Therefore, issues such as license-renewal and the phrase "public interest, convenience, or necessity" merit some discussion. The results of the survey seem to indicate a general agreement among broadcasters that too much "red tape" has existed in the past regarding the license-renewal procedure. Only one respondent was in favor of total deregulation or abolishment of the license-renewal procedure, which involves an ascertainment of the community's needs and interests. In the past, a set ascertainment procedure existed. The needs and interests of the public were ascertained through research and filed. The new license renewal procedure, which does not require a specific method of ascertainment, does require the completion of a FCC postcard saying that one has ascertained the needs and interests of the community. Further, once a year, stations must include in the public file a list of no more than ten community problems, needs, and

interests. And although no set procedure for ascertaining such information is mandatory, the ascertainment method must be described. One should consider whether or not stations will continue to seek out the needs and interests of the community without the rule, whether or not stations should be concerned with the needs and interests of the entire community or just their listening audience, and whether or not the stations' methods of ascertainment will be effective and complete.

The key phrase pertaining to licensing and regulation, according to the Radio Act of 1927 and the Communications Act of 1934, is "public convenience, interest, or necessity." Nowhere is the term explicitly defined, and the responses from the survey clearly show the broadcasters' foggy views of the phrase and the ambiguity which exists in the definitions of the respondents. One should question if the phrase should be kept, if it should be defined more clearly, or if it should be dropped entirely. In addition, one should consider if regulation would be left to marketplace forces without the rule.

Question twenty of the survey concerned requests from clubs, groups, organizations, or people asking or demanding airtime in order to present a particular point of view or opinion. For discussion purposes, it is interesting to note the wide range of responses. Although beyond the scope of this paper, it may be noted that a pattern exists when the responses are correlated within the station formats:

- "Fairly often" 1. MOR
- "Often" 1. adult contemp
2. baby boom MOR--adult contemp
- "Sometimes" 1. news, info, sorts, MOR, adult contemp
- "Hardly Ever" 1. adult contemp/country
2. diverse block
3. adult contemp/album oriented rock
- "Never" 1. varied--classical, country, talk, jazz

The stations that "often" or "sometimes" hear from the community tend to be AM, news and information, and adult contemporary in format. The stations tend to identify themselves as localized, community radio. This data may suggest that the public is concerned about the content of the airways and expresses this concern through such community-oriented stations.

Finally, the results of question one of the survey indicate that a strong majority of the respondents do not believe that deregulation will enable those with greater financial resources to dominate and present one-sided views to the American public. Only one respondent agreed with the statement. Another respondent disagreed yet declared that the chance of such a situation occurring is possible.

Conclusion

Results from the survey indicate that station owners and/or managers are in favor (five to three) of deregulation of the fairness doctrine and equal-time provision. Concerning overall deregulation of other issues, however, feelings generally were mixed. The results suggest that station owners and/or managers are more in favor of re-regulation or modification than total deregulation and that broadcasters

seem very concerned about an over abundance of bureaucratic "red tape." One must consider, though, that the responses from the station owners and/or managers only are claims. Whether or not the responses are the real reasons for the individual feelings concerning such deregulation is difficult to know for certain. It is possible that other responses exist which were not communicated via the survey research for one reason or another.

NOTES

"Deregulation's Impact on Radio," San Francisco Chronicle, 2 May, 1983, p. 41.

"Deregulation's Impact on Radio," San Francisco Chronicle, 2 May, 1983, p. 41.

APPENDIX E

The Telephone Survey

Hello, my name is Judy, I'm calling from the Speech Communication Department at Humboldt State University. I'm asking station managers/owners about their feelings regarding deregulation of the broadcast industry. The questions should only take a few minutes. May I have your help in answering these questions?

Station _____ Owner or Manager? _____

Phone Number _____ Male/Female _____

1. How long have you been associated with the broadcasting business?

Years _____ Months _____ Other _____

2. What is the power output of your station (watts)? _____

3. What is the format of your station?

4. Are you familiar with the Fairness Doctrine and Equal-Time Rules?

Yes _____ No _____

5. Are you familiar with the Senate Commerce Committee's approval of a broadcast deregulation bill on February 16th of this year?

Yes _____ No _____

(The bill repealed guidelines on minimum limits for news and public affairs programming and maximum limits for commercials. The bill, which concerned an order by the FCC, also relieved radio broadcasters from maintaining comprehensive logs of programming and formally interviewing audiences about their interest.)

6. Deregulation is a movement to lift government regulations that previously have been imposed on the broadcast industry. Are you in favor of deregulation of any of the following?

Equal-Time _____ Fairness Doctrine _____

Why? _____

7. Are you familiar with the Supreme Court's ruling in March 1981 that the market, rather than the government should determine what formats station owners should use?

Yes _____ No _____

8. Do you agree with the Supreme Court's decisions on that matter?

Yes _____ No _____

9. Has your station changed its percentage of news and public affairs programming as a result of the decision in 1981 by the Senate regarding the order by the FCC to deregulate?

Yes _____ No _____

(IF NO, MOVE TO #11)

10. How much time do you now devote to news and public affairs compared to before dereguation? (percentage-wise)

11. Have you reduced your regular newscast or staffs?

Yes _____ No _____

If YES, how much? _____

12. Have you upgraded your news operations?

Yes _____ No _____

13. Are you familiar with the multiple ownership rule?

Yes _____ No _____

(One person can own no more than 7AM, 7FM, 7TV (5VHF maximum) and in the same market no more than 1VHF TV, one AM or one FM station.)

14. Are you familiar with the one-to-a-market rule?

Yes _____ No _____

15. Would you, as station owner/manager, prefer to abolish or maintain the multiple ownership rule?

Maintain _____ Abolish _____

Why: _____

16. Would you, as station owner/manager, prefer to abolish or maintain the one-to-a-market rule?

Maintain _____ Abolish _____

Why: _____

17. Are you familiar with the current license renewal procedure? (now involves a postcard)

Yes _____ No _____

18. Would you, as station owner/manager, prefer to:

- (1) re-establish the old method of license renewal _____
- (2) keep the license renewal procedure the way it is now _____
- (3) abolish the license renewal procedure altogether _____
- (4) Other _____ Explain _____

19. Without a Fairness Doctrine, would you, as station owner/manager feel it important to present both sides of an issue?

Yes _____ No _____ Sometimes _____

20. Do you get requests from many clubs, groups, organizations, or people asking or demanding airtime in order to present a particluar point of view or opinion?

Often _____ Sometimes _____ Hardly ever _____ Never _____

21. Do you agree or disagree with the following statement:

"Deregulation will enable those with greater fiancial resources to dominate and present one sided views to the American public?"

Strongly agree _____

Agree _____

Disagree _____

Strongly disagree _____

22: How would you define the term public interest, convenience or necessity?

That concludes my questionnaire. I'd like to thank you very much for taking the time to answer the questions.

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