

The Ouster in Gloucester

Why the FCC was right to lift the FM underdog's license

by John Sedgwick

ALTHOUGH HAMPERED by arthritis, kidney troubles, diabetes, and a bum knee, sixty-two-year-old Simon Geller has been broadcasting all-classical music at his one-man station — WVCA-FM in Gloucester, Massachusetts — fourteen hours a day, seven days a week, for the last eighteen years. If the Federal Communications Commission has its way, however, Geller won't be sending Bach, Dvorak, and Bruckner out over the airwaves much longer. Citing his failure to broadcast sufficient public-interest programming, the commission voted four-to-two to take away Geller's license and give it to a well-financed media group called Grandbanke.

Viewed as particularly distasteful considering the Reagan Administration's avowed goals of deregulation, the decision has produced yelps of protest across the country. Indeed, some even suspect that the FCC sided with Goliath against David in this case precisely to mobilize public opinion against such regulations and force Congress to repeal them.

Swelling with indignation against such callous treatment of a solitary radio operator, I made the trip to Gloucester recently to see for myself what all the fuss was about. After my visit, I felt differently: Whatever its motivation in lifting Geller's license, the FCC had a point.

Geller's little WVCA-FM seems an unlikely subject for a national furor. It's located below street level in a former bank — the vault has been converted to a supply closet — behind an unmarked door on a side street in this once-thriving fishing town. "All I ever see looking out the window is legs," says Geller, who also lives on the premises. A sink, hot plate, and refrigerator stand a few steps away from the microphone, turntable, transmitter, and four dusty tape decks

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Simon Geller at WVCA-FM, the classical music station he has run for 18 years.

that comprise the sum total of his broadcasting operation. An unmade bed off in the corner completes the domestic appointments.

A career broadcaster, Geller moved to Gloucester in 1964, when, as he says, "I decided to pick the biggest town outside of a metropolitan area on the East Coast that had no radio. And this was it." Although he started out with four employees, tight money forced him to let them all go within three years.

One of only three commercial stations in New England to offer more than 50 percent classical music, WVCA now limps along with nine advertisers, including three banks, a candy store, and a piano tuner. Geller calculates that his salary last year amounted to 58 cents an hour. He subsists mainly on contributions — \$12,000 last year from about five hundred donors. And, thanks to the publicity surrounding his FCC troubles, the money continues to flow in.

Lured by the potential value of the station, estimated at between half a million and a million dollars, Grandbanke first filed for Geller's license when it came up for renewal in 1975. The company's major shareholder is Edward Mattar, the possessor of a radio station in Winchendon, Massachusetts; Josiah Spaulding, a former Massachusetts Republican Party chairman and owner of a station in Montpelier, Vermont, also has

an interest. Grandbanke planned to dilute Geller's all-symphonic program and offer a little bit of everything: rock, jazz, top forty, and symphonic (this last divvied up into twenty-minute bursts), along with public-interest programming for local Italian and Portuguese communities. The company also planned to beef up the signal to reach more than eight times Geller's audience of 43,000, and to expand the station's broadcast day from fourteen hours to practically around the clock. Despite all these plums, FCC administrative law judge John Corlin declared in 1978 that Geller's license should be renewed. But Grandbanke appealed the decision and this year the FCC voted in its favor.

In their decision, the commissioners noted that whatever Geller deserved for promoting "diversification" of station ownership and for "integration" of ownership with management — two goals of the FCC regulatory process — those gains were offset by Grandbanke's promises of a larger audience and extended broadcast hours. The scales were decisively tipped in Grandbanke's favor on the issue of news, public affairs, and other non-entertainment programming. Grandbanke planned to dedicate 28.7 percent of its broadcast day to such good works; Geller offered one-half of one percent.

Geller feels the FCC doesn't understand his position. "How can I hire somebody to do the public-interest broadcasting they want," he asks, "with the kind of money I make? Last year I had a taxable income of \$3,000." He frankly doubts that the public is really interested in so-called public-interest programming. "I used to do a local talk program and a show on job prospects," he says. "I had everything any station had, but it didn't bring me any advertising."

Geller's lawyer at the public-interest Capital Legal Foundation, Anthony Murry, finds the FCC's decision singularly high-handed. He notes that Gloucester has its own newspaper and pulls in a number of outside radio and television stations for breaking news and



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public-affairs shows, and he observes that no one in Gloucester had ever complained about Geller's programming. "The people of Gloucester are happy with his service," Murry sums up, "but here you have the seven commissioners saying to them, 'We know better, and Geller has to fulfill needs you don't even know you have.' It's classic, paternalistic government."

Speaking for the FCC, however, Steven Harris, special assistant to the general counsel, says that in *Geller v. Grandbanke* the commission was merely applying established FCC standards for a "comparative renewal" — and that, head to head, Geller's one-man show was found wanting. "We're not trying to close down the small operations," he explains. "But we feel that, as the only broadcast outlet in Gloucester, Geller has a responsibility to serve the community's needs and interests. And there's very little evidence he made much of an effort to do that."

For reasons quite separate from the hallowed ideal of public-interest broad-

**"Geller was not meeting
his responsibilities."**

casting, the FCC has stumbled onto the right decision in the matter of *Geller v. Grandbanke*. Radio stations are precious, and Simon Geller is wasting his. There isn't much evidence to suggest that Grandbanke will do any better, of course, but it would be hard put to do worse, for Geller is hardly doing anything at all. His devotion to classical music seems laudable — until you find out how he expresses it. He's got all his programming recorded on thirty-seven twelve-hour tapes, holding most of the 1,400 records in his collection, which he has been playing over and over since April of 1981 and has no plans to change. Because he can't afford the necessary licenses, he's restricted from playing anything composed after 1909, the year of the international copyright law. He juggles the tapes a bit so that his evening audience (the bulk of his listeners) doesn't hear the same music again for two months. Since his comments introducing each composition — Geller reads the information off the record labels — are also recorded on the tapes, there isn't much for Geller to do all day except read his mail and look out the window. He broadcasts live twice a day at most, for a few minutes each time, generally to thank his donors. He confesses to some boredom at "being cooped up in here all day." One has to think that the boredom must extend to his listeners. ■