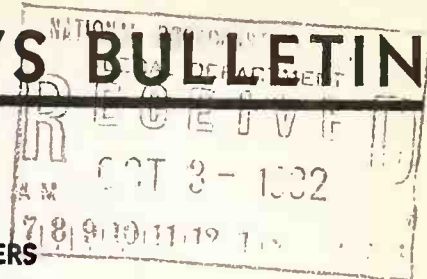


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**BROADCASTERS'**



**NEWS BULLETIN**



Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.  
PHILIP G. LOUCKS, Managing Director.

October 1, 1932

REVIEW OF THE WEEK

1. Mr. Schuette for the NAB and Mr. Mills for the Ascapi continued their conferences on provisions of the new music copyright license agreements, a report of which appears on the next page.

2. The NAB Committee conferred with the Bureau of Internal Revenue with the result that the Bureau has agreed to reconsider its recent regulation imposing a three per cent tax on electrical energy used for broadcasting.

3. Reports from Madrid indicate that movement for widening broadcast band is gaining in favor at the International Radiotelegraph Convention.

4. Plans for the Tenth Annual Convention of the NAB, to be held at the Hotel Chase, St. Louis, Mo. November 13, 14, 15 and 16, are going forward as a result of conferences.

5. Federal Radio Commission agrees to consider a proposal by Commissioner Lafont to extend broadcast licenses from six months to one year terms at a meeting next week.

6. Defamation by radio is to be discussed at a meeting of the American Bar Association Communications Committee to be held at the Hotel Mayflower, Washington, D. C. on October 10.

October 1, 1932

CONFIDENTIAL COPYRIGHT BULLETIN

The following confidential Bulletin is from Mr. Schuette:

"Most of this week's conferences were devoted to checking over the schedule of sustaining fee figures prepared by Mr. Mills' accountants, in an effort to secure further revisions for individual stations.

"We also discussed the question of double commissions. Mr. Mills still insists that he will allow a deduction for only one 15% commission, although there is an increasing complaint from stations all over the country who maintain that they are not able to get the business needed to operate their stations unless they pay extra commissions. I am still trying to convince Mr. Mills that a more liberal interpretation of this clause of the contract will be necessary to make it equitable on this point.

"Another question which has been raised by many members is the necessity for a deduction for salesmen's commissions in cases where there are no agency commissions. This seems a fair request and I am hopeful that Mr. Mills will consent.

"Probably the most important point in our conferences has centered around the complaint from a continually increasing list of members that they do not consider it fair or businesslike to pay a royalty percentage on time which does not include music copyrighted by the American Society. This question goes to the heart of the whole relations of the broadcasting industry to the American Society. Mr. Mills has now consented to discuss a basic revision of this feature of the contract whenever there is a real unanimity in the industry concerning this point. The letters which I have received indicate a widespread feeling in the industry that the percentage figures should be based exclusively on revenue from time in which the Society's music is used, even though the percentage figures were increased in such an agreement. I am continuing the discussions on this point in the hope that we can reach some conclusion which will be acceptable to the industry as a whole.

"In the meantime Mr. Mills assures me that the signatures of individual stations on the contract will not in any way prevent continuation of discussions of specific interpretations, of individual sustaining fees, or even of a basic revision of the contract, if a different type of contract proves more satisfactory to all parties.

"The conferences will be resumed next week."

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MAKING CONVENTION PLANS

Plans for the St. Louis Convention, November 13, 14, 15 and 16, 1932 are going forward. The Managing Director met with Ed Spence, chairman of the General Convention Committee, at Atlantic City last week and spent a day going over every detail of the general plans. A conference in New York and another in Washington on details of problems to be discussed at the meeting were also held during the week and a third meeting with H. K. Carpenter on the Commercial Section's part of the program is being held over the weekend. Convention preparations and copyright negotiations coupled with unusually heavy routine work is making the NAB Headquarters one of the busiest spots in Washington.

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## COMPLAINTS BEFORE FEDERAL TRADE COMMISSION

Formal complaints charging corporations, partnerships, and persons engaged in commerce with violations of the laws over which the Commission has jurisdiction were made public in nine cases during August. These cases are listed as follows:

Alleged representation of dealer as manufacturer - (2055) - Heller Manufacturing Company, Cleveland, Ohio, engaged in the sale of staples.

Alleged false and misleading advertising - (2056) - Miracul Wax Company, St. Louis, Mo. manufacturer of a liquid floor polish, uses the words "Liquid Wax" to describe the product, which is designated "Dri-Brite" and which consists of wax and substantial quantities of various other products. (2063) - Saks and Company, New York City department store, issues a warning to women, through advertisements, to the effect that New York is flooded with "pasted" shoes, presenting the same appearance as the "sewn" shoes sold by respondent, but manufactured by an inferior, cheap, slap-stick method, which produces an unhealthful, uncomfortable shoe possessing poor wearing qualities.

Alleged misrepresentation of quantity and purported gratuities, and alleged representation of dealer as manufacturer - (2057) - Ben Migdall and others, Chicago, Ill. dealer in dress goods and other fabrics.

Alleged misbranding - (2058) - Altoona Malt Co. and others, Altoona, Pa. engaged in the sale of malt syrups designated "Canadian Imperial" and "Royal Canadian." (2060) - Weiss & Klau Company, New York, dealer in window shades.

Alleged misrepresentation of therapeutic value - (2059) Walker Medicine Company, Atlanta, Ga. engaged in the compounding and sale of a product designated "Walker's Old Indian Health Tonic."

Alleged sale of reconditioned hats as and for new hats - (2061) Max Rothman, New York, engaged in the purchase, renovation, and sale of used felt hats for men.

Alleged sale of ready-to-wear clothing as and for custom-made clothing - (2062) - Sinclair Manufacturing Company and others, Terre Haute, dealers in ready-to-wear shirts.

CEASE AND DESIST ORDERS

After a formal complaint has been tried, the Federal Trade Commission considers all the facts in the case and decides whether to order the respondent to cease and desist from the practices charged or dismiss the complaint. Orders to cease and desist were made public in two cases in August. They are listed as follows:

False and Misleading Advertising - (1371) - Perpetual Encyclopedia Corporation and others, Chicago, engaged in the sale of reference works, sold one set of reference works under three different names, represented as gratuities articles included in the charge for the original purchase, misrepresented prices, used misleading contract forms, represented as members of consulting staff, or as contributors or revisors, persons who do not serve in such capacities, used misleading copyright dates and represented books as "up-to-date" and intimidated and coerced through fictitious collection agencies.

Misrepresentation of therapeutic value - (1885) - Radium-Active Remedies Company, Pittsburgh, manufacturer of alleged radium-active remedies.

October 1, 1932

## URGES ONE YEAR LICENSES

Commissioner Harold A. Lafount on Friday proposed to the Commission that broadcasting licenses in the future be issued for a term of one year. His proposal was made the subject for consideration and action for the October 7 meeting of the Commission.

Commissioner Lafount also is proposing that amateur licenses be issued for a period of three years and that communication licenses be issued for two years.

The NAB has actively urged that broadcasting licenses be issued for longer terms but the Commission in the past has held strictly to its rule of issuing such licenses for six-months terms.

Under the present law broadcasting licenses can be issued for three-year terms, the limitation to six months having been removed by Congress nearly a year ago.

The short term license has been responsible for much of the trouble which broadcasters have experienced in the past. Because of the brevity of the term many stations have been continually harassed with applications involving their assignments, being forced in a large majority of cases to incur the expense and go through useless hearings. Under the regulations of the Commission many of these applications could not be granted but the same regulations force existing stations to spend time and money which would be well used in program and station development.

Furthermore, short term licenses stand in the way of stability in the broadcasting industry. Until broadcasters are given some degree of security with respect to their assignments the business cannot go forward on a sound basis. Issuing short term licenses, which has no affirmative support under the law, involves an administrative expense which can be eliminated in the interest of economy.

Congress has declared in the law that it is in the public interest to grant licenses for terms of three years and more than a score of reasons can be cited why the broadcasters and the listening public would be benefitted by longer license terms.

The industry views Commissioner Lafount's proposal as a step in the right direction.

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## THE MADRID CONFERENCE

Progress toward widening of the broadcast band is reported from Madrid by Louis G. Caldwell, the official representative of the National Association of Broadcasters at the International Radiotelegraph Convention. Early reports show hope for some action which will relieve congested conditions in the broadcast bands throughout the world and Mr. Caldwell has been active in advocating the position of the NAB.

A complete review of the situation, up to date, will be sent to NAB members at an early date. This review, as well as subsequent reports on the Madrid Convention, must be kept strictly confidential under the rules of the Convention.

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October 1, 1932

## NATIONAL ADVERTISING

Advertising is an important feature of distribution in the United States, says the Department of Commerce in its annual Yearbook just issued, especially in relation to branded products of nationwide consumption.

Expenditures from 1925 to 1931 are given in a table which indicates for the media shown in the table that almost \$450,000,000 was spent in 1931 and more than \$500,000,000 in 1930.

"There has been," says the Department, "some shifting in importance of media shown. Radio broadcast advertising has been growing very rapidly, while the outdoor and car card sections of the industry have been declining in relative importance." Decline is shown by the figures in all but radio advertising.

For newspaper advertising the table shown by the Department gives:  
1925, \$220,000,000; 1926, \$240,000,000; 1927, \$225,000,000; 1928, \$235,000,000; 1929, \$260,000,000; 1930, \$230,000,000; and 1931, \$205,000,000.

National magazine advertising: 1925, \$154,000,000; 1926, \$177,000,000; 1927, \$191,000,000; 1928, \$185,000,000; 1929, \$204,000,000; 1930, \$202,000,000 and 1931, \$167,000,000.

Radio broadcast (this includes chain broadcast over the two networks only and does not include cost of talent). No figures are given for 1925 and 1926. In 1927 on the National Broadcasting Company, the total is given at \$4,000,000; 1928, \$10,000,000; 1929, \$19,000,000; 1930, \$27,000,000; and 1931, \$36,000,000.

Outdoor advertising for 1925, \$60,000,000; 1926, \$70,000,000; 1927, \$75,000,000; 1928, \$75,000,000; 1929, \$60,000,000; 1930, \$45,000,000; and 1931, \$30,000,000.

Car cards advertising for 1925, \$12,000,000; 1926, \$13,000,000; 1927, \$12,000,000; 1928, \$11,000,000; 1929, \$10,000,000; 1930, \$7,000,000; and 1931, \$5,000,000.

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## BAR ASSOCIATION COMMITTEE TO MEET

The Committee on Communications of the American Bar Association will hold an open meeting at the Mayflower Hotel on Monday, October 10, at ten o'clock A.M. An invitation to be present at this open meeting has been extended to all members of the NAB. The primary purpose of the meeting is to invite comment and discussion upon the report of the committee which will be presented to the Annual Meeting of the American Bar Association on October 14. Several prominent speakers will appear on the program. Among other subjects to be discussed will be the question of liability of the owner of a broadcasting station for libelous utterances from the Station.

In the absence of the chairman, Louis G. Caldwell, the meeting as well as the other activities of the committee will be under the direction of John W. Guider as acting chairman.

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October 1, 1932

## STUDY OF BROADCASTING PROPOSED

The Federal Government should give more attention to the educational uses of radio, Commissioner Harold A. Lafount stated in a story published this week in the U. S. Daily.

The Government has devoted itself principally to the technical aspects of broadcasting rather than programs, he stated.

"Through the United States Office of Education a system of coordination with states and localities might be developed," he is quoted as saying. "All the forces could be brought together and something tangible worked out as educational and the method of presenting set forth.

"Commercial stations have taken care of entertainment and they have sponsored many educational programs of inestimable value. They are usually cooperative in broadcasting some educational programs, but few know what is in the public interest and how to present it. If some person could devote attention to the character of programs, then the solution of this increasing problem would be near."

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## WHAT THE EDITORS THINK

The National Broadcasting Company, the Columbia Broadcasting System and the Yankee Network announced that price quoting would be permitted, under certain restrictions, in commercial programs.

"Hardly a dissenting note from the public has been heard," says BROADCASTING editorially. "Not even from the arch-critics of radio. This should be gratifying alike to the advertisers, the agencies and the station managers. Nor has anyone objected to the restrictions placed around these price announcements by the networks, which retained the right to reject what they regard as objectionable use of the privilege. The limitations are simple and fair: in a word, only a certain number of price mentions per period and no competitive price-quoting."

"Executives of leading advertising agencies believe that Columbia's new policy may achieve the very thing sought by Mr. Paley - the elimination of long statements in which the advertisers tries to tell the price of his article in a round-about way," says NATIONAL BROADCAST REPORTER.

"The change," says ADVERTISING AND SELLING, "apparently radical, will produce no more objection from the listener than the removal of the restriction on sample offers and, indeed, that radical step which preceded it - the direct selling announcement."

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## NAVAL AUTHORITIES COMPLAIN

The Naval Research Laboratory, near Anacostia, D. C. has filed a complaint with the Federal Radio Commission against the erection of the new WJSV transmitter by the Columbia Broadcasting Company between Washington and Alexandria. The new station is a mile from the Research Laboratory.

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October 1, 1932

## NEW NBC VICE PRESIDENT

Richard C. Patterson, Jr. who has been Commissioner of Correction for New York City, during the past five years, has been appointed as executive vice president of the National Broadcasting Company. Announcement of the appointment was made by Merlin H. Aylesworth, president of the Company this week following Mr. Patterson's resignation from his commissionership.

At the same time Mr. Aylesworth announced that George F. McClelland had been promoted to the post of assistant to the president of the National Broadcasting Company.

Mayor McKee, in accepting Mr. Patterson's resignation, praised his service to the city describing him as one of New York's "most capable, efficient and industrious officials."

Mr. Aylesworth stated that Mr. Patterson, in his new position would be "in charge of the operation of the company." "While I shall retain the active presidency of the National Broadcasting Company," he stated, "my new duties as president of Radio-Keith-Orpheum Corporation make it necessary for me to divide my time between the two organizations, and I have asked Vice President McClelland to become assistant to the president of the National Broadcasting Company. Mr. McClelland has accepted his new responsibilities and will immediately assume his duties as assistant to the president."

Mr. Patterson was born in Omaha and was graduated from the Columbia School of Mines in 1911. He served during the war and was administrative officer of the American Commission to Negotiate Peace in Paris. Prior to his appointment as Commissioner of Correction he filled several minor city posts and was employed as an engineer and was an official of numerous private companies.

## RECONSIDERS POWER TAX

The Bureau of Internal Revenue will reconsider its regulation imposing a three per cent tax on electrical energy used by broadcasting stations, it was stated following a conference between a committee of the NAB and officials of the Bureau.

The Bureau recently promulgated an order holding that electrical power used by broadcasting stations was subject to the three per cent tax on power included in the Revenue Act of 1932. The NAB argued that broadcasting companies were exempt as were radio communication companies and other companies operating under similar conditions.

A final ruling will not be forthcoming for a week or two.

The NAB Committee which conferred with the Bureau consisted of E. M. Elkin, chairman of the NAB Tax Committee; Arthur Scharfeld, WGN; P. J. Hennessy, Jr. National Broadcasting Company and the Managing Director. Prior to the conference the committee considered ways and means of testing out the question in the courts in the event the Bureau refuses to modify its regulation. In the meantime some stations, where the power companies are insisting upon payment, are paying the tax under protest.

October 1, 1932

## NEW STATION AUTHORIZED

The Commission sustained the decision of Chief Examiner Ellis A. Yost (Report No. 380) granting a construction permit for a new station to Peter Goelet, at Chester, New York, and denying a license renewal to Station WMRJ, Jamaica, New York.

In its statement of facts the Commission says that while good broadcast service is now received in Chester from a number of clear channel stations located in New York City, "there appears to be need in that area for such a purely local and community service as is proposed to be rendered therein, by the applicant, Peter Goelet." It is further stated that the operation of the proposed station would not result in any objectionable interference with the services of established stations.

In refusing Peter Prinz, owner of Station W M R J, for a license renewal the Commission says that he "has made false and misleading statements under oath to the Commission in an endeavor to show extenuating circumstances in the improper operation of Station WMRJ as revealed by official inspections." The Commission states also that the programs of the station have been poor.

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## APPROVE KSO MOVE

Chief Examiner Ellis A. Yost was upheld by the Commission (Report No. 398) in which he granted KSO, permission to move from Clarinda, Iowa, to Des Moines using the same facilities that it now has.

In making this grant the Commission says that the move "would enable the station to render service to a population many times larger than now receive the service of Clarinda."

Attention is called to the fact that Des Moines now receives a combined full time good service from two stations and intermittent service from a number of stations located elsewhere, but, says the Commission, "there appears to be a need in that area for the local service that is proposed to be rendered by the applicant."

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## STATUS OF COURT CASES

In the case pending in the Court of Appeals of the District of Columbia of KOMC against the Radio Commission, both the Commission and the intervenor have been allowed until October 24 in which to file briefs.

The Commission has also been allowed until the same date on which to file its brief in the case of WOQ against the Commission.

Station WLOE in its case against the Commission has been allowed until November 15 in which to file its brief.

The Commission this week filed its briefs in the cases of Stations WNJ and WMBA against the Commission.

The Court of Appeals of the District of Columbia has set October 3 on which to hear the appeals of broadcasting Stations WNJ and WMBA against decisions of the Radio Commission.

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October 1, 1932

### MUST HAVE MONITORING EQUIPMENT

The Commission has given the following stations until October 31 in which to install new monitoring equipment to comply with Rule No. 145: KCRJ, Enid, Oklahoma; KFBL, Everett, Washington; KGCR, Watertown, South Dakota; KGEK, Yuma, Colorado; KGFX, Pierre, South Dakota; KGVO, Missoula, Montana; KMA, Shenandoah, Iowa; KSEI, Pocatello Idaho, KTFI, Twin Falls, Idaho, KUMA, Yuma, Arizona; KWKC, Kansas City, Missouri; KXL, Portland, Oregon; KXO, El Centro, California; WBMS, Hackensack, New Jersey; WBTM, Danville, Virginia; WCBD, Zion, Illinois; WCBS, Springfield, Illinois; WHDL, Tupper Lake, New York.

WEBH, La Crosse, Wisconsin; WRAK, Williamsport, Pennsylvania; WAWZ, Zarephath, New Jersey; KPOF, Denver, Colorado; WWRL, Woodside, New York; KFEL, Denver, Colorado; KGEZ, Kalispell, Montana; KGNF, North Platte, Nebraska; WCAX, Burlington, Vermont; WERE, Erie, Pennsylvania; WFAS, Yonkers, New York; WHBC, Canton, Ohio; WOCL, Jamestown, New York; WORK, York, Pennsylvania; KFJM, Grand Forks, North Dakota; KSTP, St. Paul, Minnesota; WCAL, Northfield, Minnesota.

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### COMMISSION APPROVES MONITORING EQUIPMENT

The Commission has announced that the following frequency monitors have been tested and approved to date for use of broadcasting stations for the purpose of complying with Rule No. 145:

<u>MANUFACTURER'S NAME</u>	<u>TYPE</u>	<u>APPROVAL NUMBER</u>
DeForest Radio Company	ABM-106 Model A.	1451
General Radio Company	Oscillator Type 575-D Deviation Meter Type 581-A Quartz Plate Type 376-J	1452
Western Electric Company	1-A Oscillator 700-A modified	1453
RCÁ Victor Company	EX-4180	1454
Doolittle & Falknor	FD-1	1455
Bremer Broadcasting Corp.	A.	1456
International Broadcasting Equipment Company	Type 60	1457
Piezo Electric Laboratories	PM-125-A	1458
Pillar of Fire	A.	1459

In approving the monitors the Commission expects that this auxiliary equipment will be used by all broadcast licensees and will not accept as satisfactory explanations of any frequency deviation which occur simply on the basis that it was not indicated by the monitor.

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October 1, 1932

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, October 3, 1932. All hearings and arguments commence at 10 a. m.

MONDAY, OCTOBER 3, 1932.

BROADCASTING

Docket #1683	WPRO- WPAW	Cherry & Webb Brdcstg. Co. Providence, Rhode Island	C. P.	630 kc 250 watts Unlimited time
			Present Assignment:	1210 kc 100 watts Unlimited time
Docket #1769	WMAL	M. A. Leese Radio Corp. Washington, D. C.	Mod. Lic.	630 kc 500 watts Unlimited time
			Present Assignment:	630 kc 250 W. 500 WLS Unlimited time.

COMMERCIAL

Docket #1571	W1XAL	Shortwave Brdcstg. Corp. Boston, Massachusetts	License	6040, 11790, 5 KW 15250, 21460 kc Unlimited time.
			Present Assignment:	6040, 11800, 15250 21460 kc, 5 KW, Unlimited Time.

WEDNESDAY, OCTOBER 5, 1932.

BROADCASTING

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1693 4-PB-2512	WKBB	Sanders Bros. Radio Station Joliet, Illinois	C. P.	1500 kc; 100 watts; one- half time (specified hours) (Requests authority to move station to East Dubuque, Ill.
			Present Assignment:	1310 kc; 100 watts; sharing with WCLS
Docket #1250 4-MB-656	WRHM	Minnesota Brdcstg. Corp. Minneapolis, Minnesota	Mod. Lic.	1250 kc; 1 KW; Unlimited time
Docket #1398 4-RB-666	WRHM	Minnesota Brdcstg. Corp. Minneapolis, Minnesota	Ren. Lic.	1250 kc; 1 KW; Shares with WCAL, KFMX, WLB.
Docket #1563 4-MLB-959	WCAL	St. Olaf College Northfield, Minnesota	Mod. Lic.	1250 kc; 1 KW; Shares with KFMX and WLB

October 1, 1932

HEARING CALENDAR (continued)

WEDNESDAY, OCTOBER 5, 1932.

(continued)

Docket #1275 4-RB-671	WCAL	St. Olaf College Northfield, Minnesota	Ren. Lic. 1250 kc; 1 KW Shares with WRHM, KFMX, WLB
Docket #1562 4-MLB-954	KFMX	Carleton College Northfield, Minnesota	Mod. Lic. 1250 kc; 1 KW Shares with WCAL and WLB
Docket #1276 4-SB-670	KFMX	Carleton College Northfield, Minnesota	Ren. Lic. 1250 kc; 1 KW Shares with WRHM, WCAL, WLB
Docket #1565 4-MLB-946	WLB- WGMS	University of Minnesota Minneapolis, Minnesota	Mod. Lic. 1250 kc; 1 KW Share with WCAL & KFMX
Docket #1447 4-RB-667	WLB- WGMS	University of Minnesota Minneapolis, Minnesota	Ren. Lic. 1250 kc; 1 KW Shares with WRHM, WGAL, KFMX

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COLLEGE STATION DEFAULTS

The Commission upheld Examiner R. H. Hyde in his report No. 409 in which he recommended that Station WPSC, State College, Pennsylvania be taken off the air. The applicant failed to appear at a hearing when it was set for renewal license.

"This application", says the Commission, "for renewal of license set down for hearing because of failure of applicant to provide equipment conforming to requirements of Commission regulations. No evidence offered in support of application."

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ARKANSAS STATION DENIED

In acting on Report No. 399 in the case of three Arkansas stations, the Commission upheld Examiner R. H. Hyde in denying a construction permit for a new station to Edmund G. Hilger, at Little Rock and in granting a license renewal to Station KARK at Little Rock. The Commission reversed the Examiner by denying a construction permit to put new equipment in KARK and increasing its daytime power from 250 to 500 watts.

The Commission states that there is very little evidence in support of the application of Mr. Hilger for a station license. He has not sufficient funds for the erection of the station, the Commission finds.

It was found also by the Commission that there has been a marked improvement in the service of Station KARK since the operation was taken over by the present owner. The Commission found no reason for increasing the power of the station.

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October 1, 1932

#### APPLICATIONS SET FOR HEARING

During the current week the Commission designated the following applications for hearing:

KTHS	Hot Springs Chamber of Commerce Hot Springs National Park, Ark.	Requests special authority to change frequency from 1040 to 970 kc during daytime only, and to operate a maximum of 8 hours during that period from 6 a.m., CST, to local sunset on experimental basis; share with KRLD at night.
KRLD	KRLD Radio Corporation Dallas, Texas	Requests special authority to increase hours of operation experimentally, from sharing with KTHS to unlimited daytime, and sharing with KTHS at night.
WFIW	WFIW, Inc. Hopkinsville, Kentucky	Requests C. P. to move transmitter and studio to Louisville, Kentucky.
KLCN	Charles Leo Lintzenich Blytheville, Arkansas	Application for Ren. of Lic. set for hearing and authority granted to remain silent until application is heard.

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#### APPLICATIONS RETURNED

During the current week the Commission has returned the following applications to applicants:

2-PB-2671	NEW	Joseph De Palma Jeannette, Pennsylvania	C. P. for new station on 590 kc. (Violation Rule 120)
1-MLB-1044	WPG	WPG Broadcasting Corp. Atlantic City, New Jersey	Mod. of Lic. for additional specified hours of operation. (Rule 43--Violation Rule 6.)
3-PB-2677	NEW	H.D. & V. L. Carrington d/b as Carrington Brothers Eagle Pass, Texas	C. P. for new station on 1210 kc. (Violation Rule 6.)
1-PB-2663	NEW	America's Wage Earners Protective Conference by Matthew Woll, President, M. J. Flynn, Executive Sec. Newark, New Jersey	C. P. for new station on 1100 kc. (Violation Rule 6.)

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#### LICENSE RENEWALS

During the current week the Commission granted the following regular license renewals: WOAX, Trenton, New Jersey; WODA, Paterson, New Jersey; WHA, Madison, Wisconsin; WISN, Milwaukee, Wisconsin; KWSC, Pullman, Washington.

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October 1, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

WWAE	Hammond-Calument Brdcstg. Corp. Hammond, Indiana	Denied authority to operate simultaneously from 7 to 9 p.m., CST, each night during political campaign.
KFBI	Farmers & Bankers Life Insurance Co., Abilene, Kansas	Application for additional time, heretofore set for hearing, was withdrawn at request of applicant, without prejudice.
WHAS	Courier-Journal Co. & The Louisville Times Co. Louisville, Ky.	Granted 10 day extension to test equipment.
WIBX	WIBX, Inc. Utica, New York	Denied request to use 950 kc with 250 watts both day and night from September 24 to November 10 inclusive.
KMBC	Midland Broadcasting Co. Kansas City, Missouri	Authority heretofore granted to move transmitter from Independence, Missouri to Kansas City, Kansas, suspended, and application set for hearing, because of protest filed by WIBW, Topeka, Kansas.
KGW	Oregonian Publishing Company Portland, Oregon	Denied request to direct Station KTAR to operate 2 weeks from September 25, from 12 midnight to 3 a.m.
WWVA	West Virginia Brdcstg. Corp. Wheeling, West Virginia	Granted ren. of lic. for auxiliary, on a temporary basis subject to such action as the Commission may take on licensee's pending application for renewal.
KFWI	Radio Entertainments, Ltd. San Francisco, California	Granted temporary renewal of license, and designated application for hearing.
KVOA	Robert M. Riculfi Tucson, Arizona	Granted temporary renewal of license, and designated application for hearing.
KTW	First Presbyterian Church of Seattle, Washington	Granted temporary license for 30 days pending investigation.
WCAD	St. Lawrence University Canton, New York	Granted temporary license for 30 days.
KDG	Press Wireless Inc. Chicago, Illinois	Application for Mod. of Lic. requesting additional frequency of 19340 kc, was dismissed at request of applicant.

October 1, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing proper protests may be filed within twenty days from the date of the action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
WMIL	Arthur Faske Brooklyn, New York	Granted authority to install automatic frequency control.
WESG	W. Neal Parker & Herbert M. Metcalfe Glens Falls, New York	Granted 60 day extension of special authority to suspend operation, which expired September 15.
WACM	Aroostook Broadcasting Corp., Presque Isle, Maine	Granted special authorization to operate from 2 to 3 PM, EST, September 28, and subsequent days on which world series are played; also to operate from 7 PM to 12 midnight, November 8.
WAGM	Aroostook Broadcasting Corp., Presque Isle, Maine	Granted modification of license to change specified hours of operation to as follows: 10 AM to 1 PM; 4:30 to 9 PM.
		<u>SECOND ZONE</u>
WLVA	Lynchburg Broadcasting Corp., Lynchburg, Virginia	Granted authority to operate simultaneously with Station WBTM at Danville, Va., every PM during world series.
WBTM	Piedmont Broadcasting Corp., Danville, Virginia	Granted authority to operate simultaneously with WLVA at Lynchburg, every PM during world series.
WHBD	F. P. Moler Mt. Orab, Ohio	Granted authority to remain silent for period of 45 days pending filing of application for voluntary assignment of lic. to the Southern Ohio Broadcasting Corp. and arrangement of the estate of Clarence J. Hayes, deceased.
WGCM	Lake Superior Broadcasting Co. Inc. Marquette, Michigan	Granted authority to resume operation October 1 and to reduce hours of operation temporarily from 7:30 to 9:30 AM; 11:30 AM to 1:30 PM; 4:30 to 7:30 PM daily; 9 AM to 2 PM Sunday, CST, to 11:30 AM to 1:15 PM; 4:30 to 7:15 PM daily, 9 AM to 1:30 PM, CST.

October 1, 1932

APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>THIRD ZONE</u>		
KOCW	Oklahoma College for Women Chickasha, Oklahoma	Granted authority to remain silent pending action on application being submitted to install new equipment.
WNAD	University of Oklahoma Norman, Oklahoma	Granted authority to operate from 1:45 to 5 PM, CST, October 22, November 5 and November 19, provided Station KGGF remains silent.
WJBY	Gadsden Broadcasting Co., Inc. Gadsden, Alabama	Granted extension to December 1 of spec. authority for station to remain silent.
<u>FOURTH ZONE</u>		
KSOO	Sioux Falls Broadcasting Assn. Sioux Falls, South Dakota	Granted authority to operate simultaneously with WRVA, Richmond, Va., on 1110 kc, with 2500 watts from 9 to 10 PM, Oct. 3, CST; 7 to 7:30 PM, November 5, CST; 9 to 9:30 PM, November 7, CST, in order to broadcast speeches by Governor Olson by remote control from Station KSTP, St. Paul, Minnesota, 200 miles distant.
KFYR	Meyer Broadcasting Company Bismarck, North Dakota	Granted special authorization to operate from 1:15 to 2 PM, CST, October 1 and 3, provided Station KFDY remains silent.
<u>FIFTH ZONE</u>		
KGU	Marion A. Mulrony & Advertiser Publishing Company, Ltd. Honolulu, T. H.	Granted authority to operate 2½ hours additional on nights of October 1 and November 8 in order to broadcast election returns.
KUMA	Albert H. Schermann Yuma, Arizona	Granted special authorization to operate from 9 PM to 12 midnight, MST, November 1 and 8.

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MEXICAN STATION SOON READY

Unofficial reports current here are to the effect that Station XENT being constructed in Mexico near the United States border will soon go on the air. The station, which is to be operated under the direction of Norman Baker, formerly owner of KTNT, Muscatine, Iowa, will operate with high power on a frequency said to be 1115 kilocycles.

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October 1, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications.

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-ZB-62		WMAS	Albert S. Moffat Springfield, Massachusetts	Direct measurement of antenna power.
1-PB-2697		WMAL	M. A. Leese Radio Corporation Washington, D. C.	C. P. to install auxiliary transmitter.
<u>SECOND ZONE</u>				
2-PB-2679		WPAD	Paducah Broadcasting Co. Inc. Paducah, Kentucky	C. P. for changes in equipment, change frequency and power from 1420 kc, 100 W. to 1120 kc, 250 W.
<p>The nearest station to WPAD on the proposed channel of 1120 kilocycles is WHAD, Milwaukee, Wisconsin, using 250 watts power. It is 420 miles from Paducah while the engineers of the Commission recommend a separation of 640 miles. Also KMOX, on 1090 kilocycles, at St. Louis is 142 miles from Paducah while the engineers recommend a separation of 185 miles.</p>				
2-PB-2692		NEW	Herman Radner Lansing, Michigan	C. P. for new station to use 880 kc, 100 watts, unlimited time.
2-PB-2671		NEW	Joseph De Palma Jeannette, Pennsylvania	C. P. for new station resubmitted to request 590 kc, 250 W. daytime hours and changes in equipment.
<p>The nearest station on the proposed frequency of the new station is WKZO, Kalamazoo, Michigan, using 1000 watts power. The actual mileage between WKZO and the proposed station is 340 miles while the Commission's engineers recommend a separation of 300 miles. The Zone and the State of Pennsylvania are both under quota. The assignment would increase the quota.</p>				
<u>THIRD ZONE</u>				
3-FB-297		KCMC	North Mississippi Brdcstg. Corp. Texarkana, Arkansas	Install automatic frequency control.
<u>FOURTH ZONE</u>				
4-PB-2698		WLBC	Donald A. Burton Muncie, Indiana	C. P. to move transmitter locally.
4-PB-2693		WTRC	The Truth Publishing Co. Inc. Elkhart, Indiana	C. P. to make changes in equipment and increase operating power from 50 to 100 watts.



October 1, 1932

APPLICATIONS RECEIVED (continued)

FOURTH ZONE (continued)

WTRC operates on 1310 kilocycles. The nearest stations on the same frequency are WCLS and WKBB, at Joliet, Illinois. The distance between the stations is 110 miles while the engineers of the Commission recommend a separation of 183 miles. The Fourth Zone is over quota but the State of Indiana is under quota. The granting of the application would increase both State and Zone quota.

FIFTH ZONE

5-PB-2699	KGGM	New Mexico Brdcstg. Co. Albuquerque, New Mexico	C. P. to change transmitter to different part of same building and changes in equipment.
5-MLB-1056	KUJ	K U J, Incorporated Walla Walla, Washington	Mod. of Lic. to change hours of operation from daytime to unlimited.

The nearest station on frequency 1370 kilocycles used by KUJ is KVL, Seattle, Washington, using 100 watts power. The distance between the two stations is 230 miles while the engineers of the Commission recommend a separation of 185 miles. Both the State of Washington and the Fifth Zone are over quota and if this station were allowed unlimited time it would increase the quota by 0.1 units.

5-MLB-1057	KECA	Earle C. Anthony, Inc. Los Angeles, California	Mod. of Lic. to change frequency from 1430 to 780 kc. Requests facilities of KTM, Los Angeles, California, and KELW, Burbank, California.
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The nearest station on the proposed new frequency is WMC, at Memphis, Tennessee, using 500 watts power. It is 1600 miles away from Los Angeles, while the engineers of the Commission recommend a separation of 1000 miles. Granting of the application would not change the State or Zone quota.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for licenses covering previously authorized permits from the following stations: WSAJ, Grove City, Pennsylvania; WSEI, Pocatello, Idaho.

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RADIO IN THE PHILIPPINES

The rapid progress of radio sales in the Philippine Islands is shown by the fact that the number of registered sets increased from 734 in 1927 to more than 10,000 on July 1, of this year according to a report to the Department of Commerce from Trade Commissioner E. D. Hester at Manila.

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Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

**NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.**

**PHILIP G. LOUCKS, Managing Director.**

October 8, 1932

C O P Y R I G H T

The copyright situation has been complicated during the past week by the disclosure of the terms of the agreement which E. C. Mills, general manager of the American Society of Composers, Authors and Publishers has offered to the newspaper-owned stations.

The final agreement with the newspaper stations changed the basis on which the royalty percentage was to be levied. Instead of paying on their receipts from the sale of all of their time, as in the case of the other stations, Mr. Mills agreed to permit the newspapers to pay a royalty only on the time actually using the Society's music.

As a result, there has been an increased reluctance on the part of the non-newspaper stations to send in their contracts. There has also been considerable difficulty over the interpretation of other paragraphs in the contract -- particularly that which seems to prohibit the payment of more than 15% commission. Most of the stations are insisting that the percentage should be levied on their actual receipts and that the payment of extra commissions should be deducted before this percentage is computed.

As a result of the difficulties which have been raised by the newspaper contract, Mr. Mills and Oswald F. Schuette, in charge of the copyright activities of the National Association of Broadcasters, are to have another conference next week. From the beginning of the negotiations, it has been apparent that the chief difficulty with the contract offered by ASCAP lies in the fact that a levy of royalty on time in which no ASCAP music is used -- or in which no music at all is used -- is fundamentally wrong. The broadcasters have not objected to paying for the use of ASCAP music, but they feel that they should not pay ASCAP for the use of music belonging to other copyright owners or in the public domain, or on programs that use no music at all.

This difficulty has been particularly emphasized during the present campaign because so much of the time on every station is being devoted to political addresses. Attempts to persuade political candidates to pay a three per cent copyright fee on their time has been met with the complaint: "Do these people in New York think they have a copyright on my speech."

If as a result of the negotiations in New York, a new contract is to be offered to the industry in which the royalties would be based purely on ASCAP music time, Mr. Mills has assured Mr. Schuette that the benefit of this contract would be extended to all stations whether they have signed the present contract or not.

The copyright situation has now become the most important question immediately before the broadcasters and, therefore, will doubtless prove the most important subject at the St. Louis Convention. It is because of this fact largely that the National Association of Broadcasters is determined to make the St. Louis Convention a convention of the industry rather than of the members of the NAB alone. The discussions of the copyright

problem will take place at an open session to which all broadcasters will be invited. The executive sessions of the NAB of course will be limited to members and some confidential phases of the copyright problem relative particularly to station operation will have to be discussed in these meetings.

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#### WOULD FORM MUSIC COMPANY

Evan Georgeoff of a music publishing company bearing his name located in Cleveland, Ohio, has written to all members of the NAB soliciting their aid in forming a music corporation. Mr. Georgeoff has been in communication with NAB headquarters and has been promised, as others similarly situated have been promised, a fair and impartial hearing of his proposal. No such proposal has been submitted as yet.

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#### JUSTICE ON TRADE ASSOCIATIONS

In a brief filed by the Department of Justice in the recently decided anti-monopoly case against the Appalachian Coals Inc. the position of the Government respecting trade associations is summed up in the following language:

"The ordinary activities of trade associations, such as the exchange of statistics, cash prices, costs, credit information, etc. and the promotion of advertising and research, do not conflict with the free operation of economic laws but rather make their operation more effective."

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#### DELAY ACTION LONGER LICENSES

The Federal Radio Commission this week postponed action on the proposal of Commissioner Lafount to grant broadcasting stations licenses for one year terms. The proposal was offered last week with the understanding that it would come up for consideration this week. The matter was referred to the legal division for an opinion but definite action was postponed until a later date.

The present act permits licenses for three year periods and the NAB has consistently advocated longer license terms as a necessary pre-requisite to greater stability in the industry. It is hoped that the Lafount motion will not remain long in the pigeon hole.

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October 8, 1932

NAB PROTESTS MEXICAN INTERFERENCE

The following letter was addressed to the Department of State on Friday protesting against the continued construction of high power stations across the Mexican border:

"The attention of the National Association of Broadcasters has been directed to the recent action of the Mexican Government authorizing the construction of a broadcasting station at Villa Acuna, Mexico, to operate with power of 500,000 watts on a frequency of either 655 kc or 735 kc.

"The construction and operation of this station with such superpower will destroy the effective service to the public now being rendered by many stations of all classifications licensed by the United States Government. There is no necessity to discuss in any detail here the engineering questions involved. It is undisputed that the use of superpower in Mexico on the precise frequencies or adjoining frequencies assigned to stations in the United States will cause such ruinous interference as to make reception conditions intolerable.

"More than a year ago a committee of this Association called formally upon the Department of State and advised it of the contemplated construction and operation of high powered stations in Mexico. Since that time the construction of one station of 75,000 watts and another of 150,000 watts have been authorized and one of them is already in operation.

"The present broadcasting structure of the United States has been developed over a period of years at great expense to our broadcasting companies and individual citizens. While the Federal Radio Commission has done all that it can to stabilize broadcasting, it is unable to exercise its powers beyond the territorial limits of the United States. Its constructive efforts at regulation are now being undermined by interference conditions beyond its control.

"Due to the fact that there does not now exist an understanding between our Government and the Mexican Government with respect to the allocation and use of broadcasting frequencies, stations licensed by the Commission have been helpless in the rapid encroachment upon licensed rights resulting from the construction of new stations and the continued increases in power of existing stations in Mexico.

"The Association feels that the continuance of this situation is not only ill-advised from the standpoint of international good-will but tends to aggravate actual differences existing between these two nations. Indeed, if it is continued there will result a condition which will make a constructive solution of the problem extremely difficult if not entirely impossible.

"In view of the foregoing, we respectfully call upon the Department of State to take whatever steps are necessary to maintain the status quo with respect to the assignment of frequencies, increases in power, and new construction of stations in Mexico so as not to prejudice a future solution of the problem, since the matters under consideration at the International Radiotelegraph Conference now in progress at Madrid should furnish the basis for such solution."

October 8, 1932

#### COURT HEARD WNJ ARGUMENT

The Court of Appeals of the District of Columbia heard the argument this week in the appeal of Station WNJ, Newark, N. J. (No. 5546) from a decision of the Radio Commission denying the station's renewal license. Station WNJ was ordered to cease operating and its facilities were awarded to Station WHOM, Jersey City. The station has been operating under a stay order. The court received briefs of the argument in the case of L J. Beebe (No. 5555) who appealed from a decision of the Commission removing Station WMBA, Newport, R. I., from the air.

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#### RCA CASE POSTPONED

The Department of Justice this week made the following statement relative to the postponement of the RCA case in the Delaware courts:

"In regard to the case of United States v. Radio Corporation of America, et al, set for trial beginning October 10th, in the United States District Court for Delaware, the Department is in receipt of a telegram from the Clerk of the Court as follows:

'Judge Niels indisposed. Trial of United States against Radio Corporation postponed. New date will be fixed at earliest opportunity.'

The Department has no further information on the subject but its representatives will attend court on Monday and then ascertain what disposition of the case the Court intends to make."

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#### COURT REFUSES TO VACATE ORDER

The Court of Appeals of the District of Columbia has refused to vacate a stay order which it issued several weeks ago in the case of KICK, Red Oak, Iowa.

The Radio Commission granted KICK permission to move from Red Oak to Carter Lake, Iowa. Stations WAAW and WOW, Omaha, Neb. and KOIL, Council Bluffs, Iowa, objected to the move and obtained a stay order from the Court. KICK filed a motion asking the Court to vacate this order which it has now refused to do. In the meantime the Commission has granted the station (which has already been moved) permission to remain silent until "such time as the Court of Appeals vacates its stay order or further disposition is made of the issues involved."

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#### LOCAL CONVENTION COMMITTEE MEETS

Ed Spence, Chairman of the General Convention Committee, and the Managing Director, will meet with chairmen of local committees in St. Louis over the week-end to complete plans for the Tenth Annual Convention of the NAB to be held at the Hotel Chase, November 13, 14, 15 and 16. The local committee chairmen are: Thomas Patrick Convey, KWK; William H. West, KMOX; L. A. Benson, WIL; and Wm F. Ludgate, KSD.

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October 8, 1932

#### COST OF ADVERTISING STUDY

Following a series of conversations between advertisers, publishers and advertising agencies concerning their joint interest in all factors relating to the cost of advertising, a program of investigation of certain of these factors has been formulated. A joint committee to direct this investigation has been formed, consisting of R. R. Deupree, President, The Proctor & Gamble Company, representing advertisers, Lee W. Maxwell, President, The Crowell Publishing Company, representing publishers, and A. W. Erickson, Chairman of the Board, McCann-Erickson, Inc. representing advertising agencies.

This committee has appointed James W. Young, Professor of Business History in the School of Business, University of Chicago to make an independent, impartial investigation and report on the subjects under consideration. Mr. Young's first study will be of advertising agency compensation.

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#### VOTE TO PASS ON TAX

Broadcasting stations of northern California held a meeting on September 19 at which it was unanimously agreed that the three per cent music license tax should be added to all advertising contracts and clearly shown as same.

The meeting voted to indicate this sentiment to the National Association of Broadcasters in the hope that a uniform practice might be worked out.

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#### BAR GROUP TO DISCUSS RADIO

As announced last week, the Communications Committee of the American Bar Association will hold an Open Meeting at the Mayflower Hotel, Washington, D. C. at 10 A.M. Monday, October 10th. An invitation to be present has been extended to all members of the NAB. Several prominent speakers will address the meeting on subjects of current interest in the field of radio law. There will also be a discussion of the report which will be presented by the committee to the American Bar Association at its annual meeting later in the week.

Judge Ira E. Robinson, formerly chairman of the Federal Radio Commission, will discuss "The Public Utility Aspects of Radio." A discussion will also be held of the recent decision of the Supreme Court of Nebraska holding broadcasters liable for defamation spoken from a radio station in the course of a political broadcast.

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#### CHIEF TEWANNA

The NAB office has information about a "Chief Tewanna" who is seeking employment among broadcasting stations as a producer of children's programs.

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October 8, 1932

## RADIO ADVERTISING IMPROVES

"Radio advertising schedules show some signs of improvement after a comparatively poor summer," it is reported in the "Survey of Current Business" published this week by the U. S. Department of Commerce. "Excepting the two latest months, however, radio expenditures were considerably in excess of a year ago."

"Magazine advertising lineage for the month of August fell below July and reached the lowest point of the present decline," says the publication. "Preliminary reports from agencies anticipate some betterment in fall expenditures. Newspaper lineage was well maintained in August and moved upward during the early weeks of September."

The Department reports cost of broadcasting facilities for August of this year as \$2,279,000 as compared with \$2,527,000 the same month a year ago. Comparative figures for May, June and July of this year were \$3,632,000, \$2,996,000 and \$2,414,000, respectively. Automotive, drugs, foods and petroleum products classifications were responsible for the increases during last August. All other classifications showed decreases in expenditures.

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## JOINT NAB AND AAAA MEETING

A joint meeting of the Radio Committee of the American Association of Advertising Agencies and the chairmen of the Commercial Section of the National Association of Broadcasters will be held in the library of the AAAA headquarters in New York, at 10:30 a.m. Monday, October 17. Among the topics for discussion will be the standard order blank and standard rate cards.

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## NO DECISION ON POWER TAX

The Bureau of Internal Revenue has not yet reached a conclusion with respect to the electrical energy tax question. The Bureau several weeks ago promulgated a ruling holding that broadcasting companies were commercial users of electrical energy and therefore subject to the three per cent tax provided in the 1932 revenue act. The NAB opposed the tax on the ground that the ruling was contrary to the intent of the law. A brief has been filed and the points raised argued before the Bureau. Following the conference of two weeks ago the Bureau agreed to reconsider its ruling.

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## NO ACTION ON COMMISSIONERSHIP

There have been no new developments of any importance in connection with the appointment of a member of the Federal Radio Commission to fill the Fourth Zone vacancy caused by the resignation of Major General Charles McK. Saltzman. In the meantime Commissioners Lafount, Starbuck and Brown are handling all business of the Commission, Commissioner Sykes being abroad as head of the American Delegation to the Madrid Conference.

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October 8, 1932

#### NO PUERTO RICO STATION

Roberto Mendez was denied his application for the erection of a new broadcasting station at San Juan, Puerto Rico by the Commission this week in reversing the report (No. 416) of Chief Examiner Ellis A. Yost.

The Commission states that good broadcast service is now received in San Juan and vicinity from a station "located therein and it is not shown that there is any real need in that area for the additional service proposed to be rendered by the applicant".

It is further stated by the Commission that the applicant did not make a satisfactory showing and he is not "either financially or technically qualified to engage in the construction and operation of the proposed station." In its statement of facts the Commission says also that "there are but a very small number of radio receiving sets within the entire San Juan area, and it is extremely doubtful that sufficient financial support could be obtained to insure either the proper maintenance and operation of the proposed station or the presentation of interesting programs.

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#### MANUFACTURES CENSUS OF RADIO FOR 1931

The value of radio apparatus and phonographs made in the United States last year amounted to \$194,313,602 (at f. o. b. factory prices) a decrease of 59.8 per cent compared with \$476,041,054 reported for 1929 according to a preliminary tabulation of data collected in the Census of Manufactures as made public this week by the Bureau of the Census.

The more important items which contributed to the total for 1931 are as follows: Radio receiving sets for the home (excluding batteries), except combination radio and phonograph units, 3,647,499 valued at \$113,214,421; all other receiving sets (including automobile and aircraft sets) valued at \$4,347,637; combination radio and phonograph units, 73,603, valued at \$6,310,442; receiving tubes for initial equipment, 24,944,796 valued at \$13,263,520; receiving tubes for replacement, 24,317,552, valued at \$13,712,552; phonographs, not including dictating machines, 48,276, valued at \$1,674,010; records and blanks, valued at \$7,946,355.

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#### RADIO EMPLOYMENT INCREASE

Reports received by the Bureau of Labor Statistics, Department of Labor from 40 radio manufacturers gave their August employment at 15,705, an increase of .9 per cent over July but a decrease of 36.4 per cent from August of last year.

The average weekly payrolls for August in these plants was \$274,075 a decrease of 6.1 per cent from July and of 51.6 per cent from August of last year.

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October 8, 1932

RECOMMENDS 580 KC FOR WDBO

Chief Examiner, Ellis A. Yost, in a report (No.417) rendered this week recommends that Station WDBO, Orlando, Florida be allowed to change its frequency from 1120 to 580 kilocycles. The station has been operating with 250 watts power unlimited time and asked for the same power on the new channel.

Pending the outcome of this hearing, by temporary authority, the station has been operating on 580 kilocycles.

The Chief Examiner states that the regional channel of 580 kilocycles is not available for assignment to any State in the Third Zone for unlimited time operation except to the State of Florida. He also calls attention to the fact that there are no applications pending for the Third Zone for this frequency.

Mr. Yost further finds that "the unlimited time operation of Station WDBO at Orlando, Florida, on the 580 kilocycle frequency with power of 250 watts would result in less interference than the operation of this station with the same power on the 1120 kilocycle frequency at Orlando. The granting of this application would not affect the quota of the state. He recommends that it be granted.

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RECOMMENDS CUT IN TIME

In report No. 418 this week Chief Examiner Ellis A. Yost recommended that Station WHDF, Calumet, Michigan, be allowed to operate on 1370 kc limited instead of unlimited time.

The station came before the Commission for license renewal on the ground that it violated Rule 151 of the Commission by not operating two-thirds of the daily hours of operation authorized.

Examiner Yost found that the station has been violating the rule in that it has operated but 7 hours daily, whereas it is authorized to operate unlimited time. Otherwise, the Examiner found that the "applicant is financially, technically, legally and otherwise qualified to operate Station WHDF". The present quota charge of the station is .3 of a unit. The operating hours recommended by the Examiner would reduce this quota charge to .11 of a unit, or a reduction of .19 of a unit.

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NO HEARINGS NEXT WEEK

With the exception of a few weeks during the past Summer, the Radio Commission has had hearings on its calendar ever since the present system has been in force. Next week no hearings are to be held. Two were scheduled but they have been continued to a later date.

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October 8, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

KLX	Tribune Publishing Co. Oakland, California	Granted authority to take depositions in re hearing scheduled for October 18.
NEW	Allen Wright Marshall Sr. & Allen Wright Marshall Jr. LaGrange, Georgia	Granted authority to take depositions in re hearing scheduled for October 25.
WSUI	State University of Iowa Iowa City, Iowa	Granted special authority to operate from 10 p.m. to 12 midnight, CST, October 21 and 22.
KNOW	KUT Broadcasting Co. Austin, Texas	Granted application for renewal of license to operate on 1500 kc, 100 watts, unlimited time. Commission reconsidered its recent action remanding case to docket, and also reconsidered its action in designating for hearing application to install new equipment and granted it.
<p>(Q.C. Taylor of Austin, Texas, recently withdrew his application for a new station asking for the facilities of Station KNOW. Examiner's Report No. 384 was retired to the files.)</p>		
KFPY	Symons Broadcasting Co. Spokane, Washington	Cancelled C. P. granted September 22, 1931, to move transmitter from Symons Building to one mile North of Spokane, since 30 days has elapsed since expiration of last extension of completion date - April 15, 1932. Also dismissed from the hearing docket application for Mod. of Lic. to change frequency from 1340 to 1260 kc.
KGFX	Dana McNeil Pierre, South Dakota	Denied authority to operate until 6:30 p.m. CST, during months of October, November, December and January. (Station is operating during daytime only on 630 kc, 200 watts).
KGW	Oregonian Publishing Co. Portland, Oregon	Granted permission to take depositions in re application for Mod. of Lic. Station KTAR, Phoenix, Arizona, scheduled for hearing October 31, 1932.
WSBT	South Bend Tribune South Bend, Indiana	Granted order to take depositions in re application for Mod. of Lic., Station WSBT and Mod. of Lic. application station WFBM, scheduled for hearing.

October 8, 1932

MISCELLANEOUS COMMISSION ACTION (continued)

WSM	National Life & Accident Ins. Co. Nashville, Tennessee	Authorized to use transmitter formerly licensed as main transmitter for auxiliary purposes 650 kc, 5 KW.
WIEK WIEL	Atlantic Broadcasting Corp. New York, N. Y.	Authorized to use Stations WIEK and WIEL, 1542 and 2478 kc, 50 watts, October 3 to 15 inclusive, to broadcast races at Jamaica.
WJW	Mansfield Broadcasting Assn. Mansfield, Ohio	Authorized to discontinue operation October 6, while station is being moved to Akron, and modifying antenna system.
KUJ	KUJ, Inc. Walla Walla, Washington	Granted special authority to operate unlimited time on October 6, 12, 13, 20, 27 and November 3.
WLBW	Broadcasters of Pa., Inc. Erie, Pennsylvania	Granted Mod. of C. P. to change location of transmitter and studio locally to Hershey & Robertson Roads, Erie, and Reed Hotel, Erie, respectively; extend completion date of C. P. to 16 days after this date, and cease operation at Oil City immediately.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for licenses covering previously authorized permits from the following stations: WCGU, Brooklyn, N. Y.; WHAS, Louisville, Kentucky; WWL, New Orleans, Louisiana; WKBZ, Ludington, Michigan; WSVS, Buffalo, New York.

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CALL LETTERS ASSIGNED

During the current week the Commission has announced the assignment of the following call letters for broadcasting:

NAME OF STATION	CALL SIGNAL	LICENSEE AND/OR OWNER	RADIO DISTRICT
Glendale, California	K I E V	Cannon System, Ltd.	6
Ithaca, New York	W E S G (changed from WEAI)	Cornell University	8
Glens Falls, New York	W G L C (changed from WESG)	W. Neal Parker & Herbert H. Metcalfe	8

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October 8, 1932

LICENSE RENEWAL APPLICATIONS

During the current week the Commission has received the following renewal applications:

WCKY	L. B. Wilson, Inc. Covington, Kentucky	1490 kc, 5 KW, Unlimited hours,
KGNO	The Dodge City Brdcstg. Co. Inc. Dodge City, Kansas	1210 kc, 100 watts, unlimited hours.
WTJS	The Sun Publishing Co. Inc. Jackson, Tennessee	1310 kc, 100 watts night, 250 watts day, unlimited time.
WGCM	Great Southern Land Company Mississippi City, Mississippi	1210 kc, 100 watts, unlimited time.
KGB	Don Lee Broadcasting System San Diego, California	1330 kc, 1 KW, unlimited hours.
KGCX	First State Bank of Vida Wold Point, Montana	1310 kc, 100 watts, 250 watts LS, specified hours.
KOCW	Oklahoma College for Women Chickasha, Oklahoma	1400 kc, 250 watts, 500 watts LS, unlimited hours.
WJBI	Monmouth Broadcasting Co. Red Bank, New Jersey	1210 kc, 100 watts, shares with WGBB, WFAS and WMRJ.
WMBO	WMBO, Inc. Auburn, New York	1310 kc, 100 watts, unlimited hours.
WQDX	Stevens Luke Thomasville, Georgia	1210 kc, 100 watts, unlimited time.

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ORAL ARGUMENTS GRANTED

During the current week the Commission granted the following oral arguments:

Ex. Rep. No. 410 WERE	Erie Dispatch-Herald Brdcstg. Corp. Erie, Pennsylvania	Granted oral argument to be held October 19, 10 a.m.
Ex. Rep. No. 404 WHP	WHP, Inc. Harrisburgh, Pennsylvania -and-	Granted oral argument to be held October 19, 10 a.m.
WBAK	Commonwealth of Pennsylvania Harrisburgh, Pennsylvania	Granted oral argument to be held October 19, 10 a.m.

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ORAL ARGUMENTS GRANTED (continued)

Ex. Rep.

No. 407

WORC-WEPS	Alfred F. Kleindienst Worcester, Massachusetts	Granted oral argument to be held October 19, 10 a.m.
WCDA	Louis Reis Italian Educational Brdcstg. Co. New York, N. Y.	Granted oral argument to be held October 19, 10 a.m.
WNBX	Standard Cahill Company New York, N. Y.	Granted oral argument to be held October 19, 10 a.m.
WA7Z	Pillar of Fire Zarephath, New Jersey	Granted oral argument to be held October 19, 10 a.m.

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HEARINGS SET

The Commission, during the current week, set the following cases for hearing:

WGST	Georgia School of Tech. Atlanta, Georgia	Requests C. P. to increase power from 250 W. night, 500 W. LS, to 500 W. night and 1 KW LS, (Facilities of WTFI)
WTFI	Liberty Broadcasting Co. Athens, Georgia	Renewal of license, 1450 kc, 500 watts, unlimited time.
WJBY	Gadsden Broadcasting Co. Inc. Gadsden, Alabama	Requests consent to vol. assign. of lic. to Ingram Broadcasting Co. (W. M. Ingram, sole owner).

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications, without prejudice, at the request of the applicants:

WMMN	Holt-Rowe Broadcasting Co. Fairmont, West Virginia	Mod. Lic. to increase night power to 500 watts on exp. basis.
NEW	Roanoke Broadcasting Company Roanoke, Virginia	C. P. 1410 kc, 250 watts, share with WHIS (facilities of WRBX).

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October 8, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing proper protests may be filed within twenty days from the date of the action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
WMAS	Albert S. Moffat Watertown, Massachusetts	Program test period extended 30 days.
WMAS	Albert S. Moffat Springfield, Massachusetts	Granted license covering erection of new station to operate on 1420 kc, 100 watts unlimited time.
WABI	First Universalist Society of Bangor, Maine	Granted Mod. of Lic. to change specified hours of operation to as follows: 9 a.m. to 2 p.m., 6 to 10 p.m., EST; station operates on 1200 kc, 100 watts.
WFOX	Paramount Broadcasting Corp. Brooklyn, N. Y.	Granted authority to install automatic frequency control.
		<u>SECOND ZONE</u>
WNBW	Schiessler & Stephens, d/b as Home Cut Glass & China Co. Carbondale, Pennsylvania	Granted consent to Vol. assign. of C. P. and Lic. to WNBW, Inc.
WJMS	Johnson Music Store Ironwood, Michigan	Granted consent to Vol. assign. of Lic. to WJMS, Inc.
WNBW	Schiessler & Stephens, d/b as Home Cut Glass & China Co. Carbondale, Pennsylvania	Granted extension of authority to suspend operation from October 1, to December 18, 1932.
WSAJ	Grove City College Grove City, Pennsylvania	Granted special authorization to operate from 2 to 4:30 p.m., EST, October 8, 15, 29, and November 5 and 19, 1932.
		<u>THIRD ZONE</u>
KRMD	Radio Station KRMD, Inc. Shreveport, Louisiana	Granted license covering local move of station, installation of new equipment and increasing power; 1310 kc, 100 watts, specified hours.
KWEA	Hello World Brdcstg. Corp. Shreveport, Louisiana	Granted extension of special authority to remain silent pending action on applications for C. P.'s pending before Commission.





October 8, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-1058	WESG	Cornell University Ithaca, New York	Mod. of Lic. to change location of Main Studio to Elmira, N. Y.

WESG, Ithaca, N. Y., operates on a frequency of 1370 kilocycles. The nearest station to Elmira, N. Y., on the same frequency is WQDM, St. Albans, Vermont, using 100 watts power. The actual mileage between the proposed site and St. Albans is 140 miles. The engineers of the Commission recommend a separation of 80 miles. The granting of the application would not change the State or Zone quota.

1-PB-2669	NEW	Edwin Drillings Middle Village, New York	C. P. for new station to use 1500 kc, 100 watts, share with WWRL, WMIL and WMBQ, resubmitted changing street address of trans- mitter location and to request facilities formerly used by WLBX, Long Island City, N. Y.
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The nearest station on the proposed channel is WMBF, Binghamton, N. Y., using 100 watts power and operating unlimited time. The actual distance is 100 miles while the engineers of the Commission recommend a separation of 80 miles. The First Zone is under quota but New York State is over quota.

1-PB-2541	WPRO- WPAA	Cherry & Webb Brdcstg. Co. Providence, Rhode Island	C. P. to move transmitter to near Graystone, R. I., change frequency and power from 1210 kc, 100 watts to 630 kc, 250 watts--amended to request 1260 kc instead of 630 kc and change in antenna system.
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The nearest station on 1260 kc is WNBX, Springfield, Vermont, which has a construction permit to go on that frequency. It will use 250 watts power. The actual mileage is 110 miles while the engineers of the Commission recommend a separation of 230 miles. Both the First Zone and the State of Rhode Island are under quota.

SECOND ZONE

2-ALB-464	WFBC	The William F. Gable Co. Altoona, Pennsylvania	Vol. assign. of lic. to The Gable Broadcasting Company.
2-PB-2701	NEW	A. D. Shiffer & A. H. Bennett d/b as Lansing Brdcstg. Co. Lansing, Michigan	C. P. for new station to use 1210 kc. 100 watts, unlimited hours.

The nearest stations on 1210 kilocycles are WSBC, WEDC, and WCRW, all located at Chicago and all using 100 watts power. The actual mileage between Lansing and Chicago is 170 miles while the engineers of the Commission recommend a separation of 185 miles. The Second Zone is under quota and so is the State of Michigan. Granting of the application would increase both quotas.

October 8, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE (continued)

2-ZB-63	WHAS	The Courier-Journal Co. & The Louisville Times Co. Louisville, Kentucky	Determine power by direct antenna measurement.
2-MLB-1059	WJAY	Cleveland Radio Broadcasting Corp. Cleveland, Ohio	Mod. of lic. to change frequency, power and hours from 610 kc, 500 watts, daytime to 590 kc, 250 watts night, 500 watts day, unlimited time.

The nearest station on 590 kilocycles, the proposed new frequency, is WKZO, Kalamazoo, Michigan, using 1000 watts power. The actual mileage is 210 miles while the engineers of the Commission recommend a separation of 300 miles. Both Zone 2 and the State of Ohio are under quota. Granting of the application would increase the quota.

2-PB-2688	WEHC	Emory & Henry College Emory, Virginia	C. P. to move transmitter and studio to Charlottesville, Va.-- amended to give exact location of transmitter as two miles from business center of Charlottesville, Virginia.
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The nearest station on the same frequency, 1350 kc, is WAWZ, Zarephath, N. J., using 250 watts. The actual mileage is 280 miles while the Commission's engineers recommend a separation of 260 miles.

2-PB-2704	NEW	Lancaster Brdcstg. Service Inc. Lancaster, Pennsylvania	C. P. for new station to use 1230 kc, 500 watts, daytime.
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The nearest station on the proposed channel of 1230 kc is WPSC, State College, Pennsylvania, using 500 watts. The actual mileage between Lancaster and State College is 90 miles while the engineers of the Commission recommend a separation of 260 miles. Both the Second Zone and the State of Pennsylvania are under quota.

2-PB-2705	NEW	The WNPD Company New Philadelphia, Ohio	C. P. for new station to use 850 kc, 50 watts, daytime. (9s.m. to local sunset).
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The Commission does not put 50 watt stations on clear channels.

2-MPB-380	WLBW	Broadcasters of Pa., Inc. Erie, Pennsylvania	Mod. of C. P. issued 8-23-32 to move station to Erie, Pa., gives exact transmitter location, change location of Main Studio and extend date of completion.
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October 8, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE

3-SAB-23	KRLD	KRLD Radio Corporation Dallas, Texas	Special authorization to use unlimited day hours experimentally, share night hours with KTHS amended to request six hours daytime; share night with KTHS.
3-LB-895	WHET	Joe K. Jernigan, Cyril W. Reddoch, Julian C. Smith & John T. Hubbard, d/b as Troy Brdcstg. Co., Troy, Alabama	License to cover C. P. issued 5-24-32 for new station on 1210 kc, 100 watts, daytime.
3-ALB-465	KOCW	Oklahoma College for Women Chickasha, Oklahoma	Vol. assign. of lic. to J. T. Griffin.
3-LB-898	WSM	National Life & Accident Insurance Co., Nashville, Tenn.	License to cover old WE transmitter as auxiliary at former location.
3-MPB-377	WROL	Stuart Broadcasting Corp. Knoxville, Tennessee	Mod. of C. P. to request changes in equipment and extension of completion and commencement dates.

FOURTH ZONE

4-MLB-1055	KMBC	Midland Broadcasting Co. Kansas City, Missouri	Mod. of lic. to use old transmitter as auxiliary transmitter.
4-MPB-376	WHA	University of Wisconsin Madison, Wisconsin	Mod. of C. P. issued 5-13-32 to extend date of completion to 11-13-32.
4-ALB-466	WHBY	St. Norbert College Green Bay, Wisconsin	Vol. assign. of lic. to WHBY, Incorporated.
4-MPB-378	KSO	Iowa Broadcasting Co. Des Moines, Iowa	Mod. of C. P. issued 9-30-32 to give exact location of transmitter and studio as 715 Locust Street, Des Moines, Iowa, changes in equipment.
4-SAB-26	WILL	University of Illinois Urbana, Illinois	Special authorization to increase operating power from 250 watts night, 500 watts day to 500 watts night experimentally and 1 KW day. Requests facilities of WKBS, Galesburg, Illinois, terms of 0.2 quota units.

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APPLICATIONS RECEIVED (continued)

FOURTH ZONE (continued)

WKBS, Joliet, Illinois, whose frequency WILL asks for uses 100 watts power and operates on a frequency of 1310 kc. That is a local channel and in accordance with the Commission's rules WILL would not be allowed to use either 500 or 1000 watts on this frequency.

FIFTH ZONE

5-PB-2700	KRKD	Dalton's Incorporated Los Angeles, California	C. P. to move transmitter locally to Radio Station KFSG's transmitter location.
5-PB-2653	NEW	P.H. Pigg & S. A. Harvey d/b as Juneau Broadcasting Co., Juneau, Alaska	C. P. for new station resubmitted to request 1310 kc, 100 watts, unlimited hours.

The nearest station on the proposed frequency of 1310 kc is KXRO, Aberdeen, Washington, using 100 watts power and operating unlimited time. The mileage between KXRO, and the proposed new station is 900 miles while the engineers of the Commission recommend a separation of 185 miles. The Fifth Zone is over quota and so is Alaska. Granting of this application would increase both quotas.

5-ALB-467	KREG	J. S. Edwards Santa Ana, California	Vol. assign. of lic. to The Voice of the Orange Empire, Inc. Ltd.
5-MLB-1060	KUMA	Albert H. Schermann Yuma, Arizona	Mod. of lic. for change in specified hours of operation.
5-MPB-379	KGFL	KGFL, Inc. Santa Fe, New Mexico	Mod. of C. P. issued 5-17-32 to extend date of completion to 11-17-32.
5-ALB-468	KIDW	The Southwest Brdcstg. Co. Lamar, Colorado	Vol. assign. of lic. to The Lamar Broadcasting Company.
5-MLB-1061	KDYL	Intermountain Brdcstg. Corp. Salt Lake City, Utah	Mod. of lic. to change frequency from 1290 kc to 780 kc; requests facilities of KELW, Burbank, California and KTM, Los Angeles, California.

The nearest station on the proposed frequency of 780 kilocycles is KELW, Burbank, California, using 500 watts power. The distance is 570 miles while the engineers of the Commission recommend a separation of 1000 miles. The Fifth Z one is over quota and so is the State of Utah.

5-MLB-1062	KGCX	First State Bank of Vica Wolf Point, Montana	Mod. of lic. for change in specified hours of operation.
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**BROADCASTERS'**



**NEWS BULLETIN**

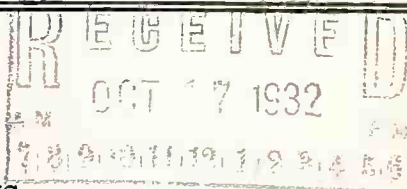
Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

**NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.**

**PHILIP G. LOUCKS, Managing Director.**

October 15, 1932



**COMPLICATED NEGOTIATIONS**

Negotiations of individual license agreements has not been a simple task. It has not been simple for the broadcasters; it has not been simple for the American Society. The provision compelling percentage payments on the sale of all "time on the air" is the principal disturbing factor. Stations generally are objecting to this provision. They take the position that the American Society is not entitled to receive the stipulated percentage on receipts derived from programs in which no music of the Society is used. They are willing to pay a fair price for the use of American Society music when such music is used in commercial programs but they cannot understand why this group should receive compensation from the sale of non-musical programs or from the sale of programs which are made up wholly either of music not owned by the Society or of non-copyrighted music.

The reluctance of broadcasting stations to sign the contracts submitted by the American Society of Composers, Authors and Publishers was complicated during the current week by the issuance from the office of E. C. Mills, General Manager, of a statement announcing a waiver of royalties on political addresses.

(continued)

## CONTRACT REVISION DEMANDED

This statement by Mr. Mills was particularly significant because it seemed an admission by the composers of the validity of the broadcasters' contention that the royalties paid should be limited to a percentage of the time actually using the Society's compositions. It therefore gave new impetus to a demand which has been growing for the immediate revision of the contract, to place the burden of the royalty on the revenues of stations derived from the actual performance of ASCAP music.

This situation had previously been complicated by the offer of Mr. Mills to put this limitation on the royalties of newspaper stations. This fact created an apparent discrimination against the non-newspaper stations and resulted in a conference in New York on Wednesday between Mr. Mills and Oswald F. Schuette, in charge of the copyright activities of the National Association of Broadcasters. After this conference, Mr. Schuette reported from New York that definite progress had been made toward the writing of a new contract in the hope that it would be ready for presentation to the St. Louis Convention. Mr. Schuette also reported that he had Mr. Mills' assurance that if such a new contract were completed that it would be made available to all stations, whether they had signed the present contract or not.

## POLITICIANS NOT TAXED

In the meantime, letters received from broadcasters throughout the country indicated the seriousness of this growing opposition to the attempt of the Society to collect a percentage of all the advertising revenues of the stations. It was this opposition which has led in no small way to the yielding, by the American Society, on the question of political addresses. Many of the stations had taken this point up with their Congressmen and had attempted to pass on to the political candidate the three per cent charge on all political meetings -- as if the Society had a valid copyright claim against the speeches of candidates.

If there is no revision of the basic terms of the copyright contract, the American Society doubtless will be faced by new demands for further concessions on the basis provided by Mr. Mills' own announcement of the new attitude on "political programs". In that announcement Mr. Mills said: "the Society had made the concession, believing that a substantial public service is rendered to the Nation by the various political candidates in their discussions through radio of problems which confront the Government, and desiring to support in every consistent manner the dissemination of such information and to contribute our bit toward the service of the people."

It will probably be pointed out to Mr. Mills that similar "public service" is rendered by many of the other programs which are offered to the public and in which no music of the American Society is used. There is no reason why the American Society should not similarly waive its attempt to collect copyright fees on these programs.

(continued)

TAX ON COMMISSIONS OPPOSED

Every station which has written to the Association has objected strenuously to the refusal of the Society to allow deduction of the 15 per cent brokerage commission or recording fee. The smaller stations particularly object to paying the three per cent upon the 15 per cent commission allowed to brokers for getting business. They argue that the payment upon receipts which they never actually get is carrying the matter entirely too far.

Some representatives of the Society are claiming that line, talent, and other similar charges, other than mere "broadcasting facilities" must bear the three per cent. In some instances both stations and musicians are protesting against this claim. Where a station sells its time and a portion of the money goes to pay for a union orchestra, for example, if the whole amount thus received must bear the three per cent the musicians, it would seem, have a legitimate complaint. The Society, obviously, is not entitled to a percentage of the money received from advertisers to pay the musicians. Certainly stations are not in a position to pass this charge on to the musicians in the form of reduced wages.

Again, stations point out that line facilities are made available to advertisers at the rates imposed by telephone companies. No profit is derived from such service and stations do not believe the Society is entitled to a percentage of the sums which are simply collected by the station and handed over to the telephone company.

EXEMPTION SETS PRECEDENT

Time signals, weather forecasts, dramatic skits, news flashes, market reports, sport events, civic gatherings, and the like, where no music is used, should not bear the percentage payments, stations argue.

It should be said in fairness to the Society that the correctness of the stations' position has been recognized by the announcement by the Society this week of the exemption of political broadcasts. But this exemption has only served to further complicate the situation. Stations argue that the only basis for the exemption must be the fact that the Society does not have a copyright in the speech or proceedings and they are unable to understand why a discrimination should be made in the case of political speeches and not in the case of other non-musical material.

Newspaper-owned stations were offered a different contract from that offered to non-newspaper stations. It was supposed to be a concession on the part of the Society. Many newspaper-owned stations are now complaining that this "favorable" contract, accepted by the newspaper committee, is even more objectionable than the general contract. They point out that under this contract they must guarantee to the Society at least a 100 per cent increase over their present fees.

The meeting of a group of newspaper-owned stations which had been called for October 10 in Chicago has been postponed to Wednesday, October 19.

Mr. Mills has promised Mr. Schuette that in the event general revision of the contract is agreed upon, all stations, whether or not the contracts have been executed, will be given the benefits which may flow from such revision. On the advice of their attorneys many stations are endeavoring to get such a promise written into the body of their contracts.

Many of the questions which have arisen out of negotiations were not foreseen during earlier negotiations. As Mr. Schuette and Mr. Mills go deeper into the working of the agreement it is becoming more and more apparent that important revisions must be made in order to make the contract applicable to actual conditions.

Small stations are already finding that the costs of keeping records for the purpose of the contract fall disproportionately heavy upon them. The Society undoubtedly will find that its cost of bookkeeping in these cases also is out of proportion to the amount of revenue received from these stations. In addition to this the Society must maintain auditors in the field at great expense. It would not be surprising, therefore, if an agreement would be reached under which these stations would be granted blanket licenses at reasonable flat rates.

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#### MAKE RESERVATIONS EARLY

More than a score of reservations have already been made at the Hotel Chase, St. Louis, Mo. headquarters for the NAB Convention next month. These early registrations indicate an unusually large attendance at the meeting.

Members of the NAB are urged to make their hotel reservations early and the management of Hotel Chase has sent to all stations a list of rates and cards for making reservations.

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#### BETTER GET IN TRIM, JOHN!

The St. Louis Convention of the NAB will be opened on Sunday, November 13 with a golf tournament at one of the leading St. Louis country clubs.

Last year at Detroit John Shepart III head of the Yankee Network romped away with the Broadcasters' Golf Championship.

The defending champ will have his hands full this year. It is no secret that a number of defeated players of last year's tournament are busy improving their game with a view to wresting the crown from the champ.

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October 15, 1932

## BAR ASSOCIATION CONDEMNNS COURT BROADCASTS

Without any discussion and without either adopting or failing to adopt the report of the Communications Committee, the American Bar Association at its Fifty-Fifth Annual Convention, on Friday "accepted and filed" it. The report was submitted by John W. Guider, of Washington, D. C. as acting chairman of the Communications Committee in the absence of Louis G. Caldwell, who is in Madrid attending the International Radio Conference. Extracts from the report, which severely criticised the Radio Commission in many of its activities, have already been published in this Bulletin.

At the same time the Association dopted a resolution presented by Thomas F. Howe, on behalf of the Committee on Professional Ethics and Grievances, condemning broadcasting from the court rooms of murder and other trials.

In presenting the Communications Committee report Mr. Guider said:

"That radio and its control are vital elements in the development of the cultural, spiritual and political life of our country is self-evident. That even a low powered radio station may send its signals beyond the border of the State in which it is located, and thus create interference with the stations of another state is a fact which has been recognized by the courts and from which flows a now definite and universal view that radio regulation must be centered in the Federal Government. Involving as it does considerations of legal and technical character, this nation-wide control must be entrusted to an administrative agency with wide discretionary powers. In an art that is subject to such speedy and far-reaching developments it is inconceivable that proper regulation could be effected by inflexible statutes.

"The authority thus reposed in a central administrative agency with quasi-judicial powers is in many respects a greater power than is generally recognized. The rules and regulations adopted by this administrative agency, the principles and policies established by it, the distribution of the inadequate number of available facilities to the various sections of the country, the protection afforded to the private enterprise which is the alpha and omega of broadcasting service as we know it -- these considerations justify the interest which this Association has taken in the development of the system of Federal control that will best serve the needs of all the people and will protect for the citizens of this country the proper use of what has been described as the greatest agency for either good or evil the world has ever known.

"It will interest you to know that the actual private investment in broadcasting stations in the United States totals nearly fifty millions of dollars. During 1931 the gross expenditures of broadcasting stations reached a total of almost seventy-eight millions of dollars. There are six hundred and seven broadcasting stations in the United States, of which all but about forty are privately owned and operated. The exceptions are stations directly or indirectly owned by States or Municipalities. These sums have been invested or expended to bring to broadcast listeners in this country, without cost, the most expensive, the most entertaining, the most instructive and the highest quality of broadcast reception that human ingenuity has been able to provide.

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"Abroad, the cost of broadcasting is largely borne by a tax upon radio receiving sets. It is generally conceded that foreign programs provide neither the variety or quality of broadcast service which is generally available in this country.

"In view of these considerations, it may interest you to know that these great sums of money have been expended, and are each year being expended, without the benefit of any real certainty that the owners of broadcasting stations will be permitted from one six-month period to the next to retain their licenses. Our report explains in detail the reasons for this conclusion, but it may safely be stated that never in this country has any industry had imposed upon it so much uncertainty as to its continued existence, or as to the protection of its investment, or so great an expense because of Government regulation, as has the broadcasting industry.

"There is pending in the Court of Appeals of the District of Columbia at this time an appeal from a decision of the Commission, which terminated the existence of two broadcasting stations with substantial investments solely because they were located in a region where, in the Commission's view, there was an excess of broadcasting service, and in order that the facilities thus released might be transferred to another State which, in the Commission's opinion, was entitled to additional service.

"Notwithstanding the obvious merit of the Commission's effort to fairly and equally distribute broadcasting facilities so far as it is possible to do so among the States, it is nevertheless a highly disturbing realization to the broadcaster with a substantial investment that without compensation he may be forced to discontinue the only use which gives to the investment its value, and that this action may be taken not because his station is any better or any worse than any other station located in his State, but merely because he is so unfortunate as to be in a locality where there is considered to be an excess of broadcasting facilities.

"Your Committee in its efforts is seeking to aid in the elimination of such uncertainties and in the accomplishment of such other development of the law as will insure to the people of the United States the maximum benefits to be derived from radio, not only in the broadcasting band, but throughout the other parts of the radio spectrum in which are located the other characters of service."

Earlier in the week the Communications Committee held an open meeting in connection with its report to the Association. Members of the Association and others were invited to attend.

There was considerable discussion of the report, especially those parts relating to criticism of the Radio Commission. Mr. Guider presided and was the only member of the Committee present. Judge Ira E. Robinson, former chairman of the Radio Commission led the fight against those parts of the report in which the Radio Commission was criticised. Judge Robinson also spoke on radio and public utilities.

The meeting asked Mr. Guider to inform the executive committee of the Bar Association that those attending the meeting were not in sympathy with those parts of the report criticizing the Commission.

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October 15, 1932

#### ECKERSLEY LAUDS AMERICAN SYSTEM

Captain Peter P. Eckersley, former chief engineer of the British Broadcasting Company, is convinced that the American broadcasting system is superior to that of Great Britain.

"When last I visited your shores, five years ago," he said, "I considered broadcasting on this side of the water distinctly inferior to the British system. But I must admit that the pendulum has swung around in the intervening years. I have become an enthusiastic convert to the American idea, which as nearly approaches the ideal as I have encountered in my travels.

"This marked improvement is noticeable not only in the perfection of transmission but in the high standard of programs. I do not hesitate to say that American programs are the most amusing, most varied, most interesting, the most diverting and educational of all. I am, above all, fascinated with their lively, intimate, warm, exploring idea.

"Commercialized sponsorship seemed to me -- and I was not alone -- the wrong solution to the problem of building better programs. But the results achieved here in the last five years prove that the American system of commercial programs is infinitely superior to any other that has been attempted."

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#### EDUCATIONAL STATIONS BUDGETS CUT

Some educational broadcasting stations have inaugurated a policy of selling time on the air as a means of defraying expenses according to Dr. C. M. Koon, senior specialist in Education by Radio of the Office of Education, Department of the Interior. These stations, he said, are confronted by curtailed budgets. Dr. Koon stated that there are now 46 stations owned and operated by schools, colleges, universities, and municipal, State and Federal agencies and other organizations of an educational nature. The great problems these stations face, he continued, is that of adequate funds to carry on their programs.

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#### COMMISSION STATEMENT ON RULE 145

During the current week the Commission issued the following statement in connection with Rule 145:

"The Commission decided not to extend further the working of Rule 145 in case of broadcast stations that have installed approved frequency monitors but that have not obtained a satisfactory check of the calibration. All stations in this class should proceed immediately to obtain the necessary check. This must be done before it can be considered that the frequency monitor is in all details operating according to the requirements of Rule 145. However, if an approved monitor is installed and due diligence is being exercised in obtaining a check and the required calibration, Rule 145 may be considered satisfied."

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October 15, 1932

#### CONFERENCE ON CONVENTION PLANS

Ed Spence, WPG, Atlantic City, N. J. chairman of the NAB Convention Committee and Philip G. Loucks, managing director of the NAB met with Thomas Patrick Convey, KWK; Clarence Cosby, KWK; Bill West, KMOX; L. A. Benson, WIL; James L. Spencer, KSD; and George Hamlin, KSD, in St. Louis last Saturday night to go over plans for the Tenth Annual Convention of the NAB to be held at the Hotel Chase, St. Louis, Mo. November 13, 14, 15 and 16.

As a result of the conference the program is nearly complete and it is hoped that a tentative program will be ready for distribution within the next week or ten days.

The St. Louis stations are cooperating to the fullest extent to make this year's meeting the best ever held by the Association.

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#### WILL DISCUSS STANDARD FORMS

A joint meeting of the Commercial Section Chairmen of the NAB and the Radio Committee of the AAAA will be held in the Library of AAAA headquarters on Monday, October 17, at 10 a.m. Standardization of order forms and rate cards are among the topics listed for discussion at the meeting.

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#### JUSTICE DEPARTMENT ON RADIO CASES

The Department of Justice has issued the following statement in connection with suits under the Radio Act and other federal statutes:

"It is noted in a summary prepared in the Antitrust division of the Department of Justice, which has charge of such litigation, that, under the Radio Act of Congress of 1927, two cases were brought to test the constitutionality of the Act, which cases were instituted during the preceding fiscal year, and reached a final conclusion during the last fiscal year. One of these was the American Bond & Mortgage Co. and Trianon, Inc. v. United States, and the other Clinton R. White v. George E. Q. Johnson, and H. D. Hayes. During the year the former case was appealed to the Circuit Court of Appeals and decided in favor of the Government. The Supreme Court of the United States declined to review the former case upon petition for writ of certiorari and following this decision the case of Clinton R. White v. George E. Q. Johnson and H. D. Hayes was voluntarily dismissed.

"The criminal provisions of the Radio Act of 1927 are enforced through the agencies of the Department of Justice, and complaints of violation of the Act are investigated by the Radio Division of the Department of Commerce and the Bureau of Investigation of the Department of Justice. Six criminal cases arising under the Act were disposed of during the year, in five of which sentences were imposed. Nine such cases were pending in the courts at the close of the year."

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October 15, 1932

## PROGRAM TO SPAIN

An international two-way radio program between the United States and Spain was broadcast on Columbus day over the Columbia Broadcasting System.

Harold A. LaFount, acting chairman of the Radio Commission during the course of the program said in part:

"Broadcasting is generally considered a source of entertainment. If this were the only service rendered, it would occupy an important place in our national social life because of its ability to penetrate simultaneously the homes of the rich and poor, the city mansion and the humblest farm cottage. However, broadcasting is more than a new form of entertainment, it is an effective means of creating a well informed public. It renders numerous specific public services, the newest of which is perhaps the exchange of international programs by which the whole world becomes a single community, and creates an international understanding the benefits of which are incalculable.

"Radio has gained the enthusiastic support of the civilized world, consequently we all profoundly appreciate the importance and magnitude of the work now being undertaken by the International Radio Telegraph Conference in session at Madrid. We greatly appreciate your reception of and many courtesies extended to the American delegation, who are thoroughly enjoying their visit and work in Madrid."

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## B. B. C. TELEVISION EXPERIMENTS

First television transmissions were sent out by the British Broadcasting Company recently in a two-year contractual series, according to a report to the Commerce Department by Trade Commissioner F. E. Sullivan, London. British press reports stated that only the broad effect of color and movement were reproduced well. The program consisted of songs, dances and conjuring tricks. Previously, television programs were provided by the Baird Company, mainly from its own studio. However, the British Broadcasting Company has now entered into a two-year contract with the Baird company for a series of experimental transmissions. At the present time it appears that the Baird process will continue to be the basis of the experiments.

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## RCA HEARING NOVEMBER 15

Word has been received here that Judge Nields has entered an order in the United States District Court at Wilmington fixing November 15 as the date for the trial of the government's anti-trust case against the Radio Corporation of America and others. The case was postponed from October 10.

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October 15, 1932

#### EXAMINER FAVORS WHK APPLICATION

Recommendation was made this week in Report 420 by Examiner R. H. Hyde, that Station WHK, Cleveland be allowed to increase its daytime operating power from 1000 to 2500 watts "subject to the condition that the power of the station may be reduced to 1000 watts if any substantial interference results from the use of 2500 watts."

The station operates on a frequency of 1390 kilocycles unlimited time and now is authorized to use 1000 watts power, day and night.

The Examiner in his recommendations states that "the quota of the State of Ohio would be exceeded slightly by the granting of this application but no more, it would seem, than may be permitted under the provisions of Commission Regulations, Par. 6(g)".

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#### TRADE COMMISSION RADIO CASE

A corporation operating a large broadcasting station permitting the vendor of an electric magnetic coil to make representations concerning such appliance which were alleged to be false and misleading, has entered into a stipulation with the Federal Trade Commission to waive its rights as a joint respondent and has agreed to be bound by the Commission's action against the advertiser. The name of the station was not revealed.

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#### "POSILIPO" ADVERTISING BANNED

L. Fatato, Inc., Brooklyn wholesale grocery dealer, has been ordered by the Federal Trade Commission to cease using, in the sale of tomato paste, the word "Posilipo" on brands, labels, containers or packages or in advertisements.

According to the order, the company is also not to use words, phrases, pictures, designs or vignettes implying that the tomato paste is made in or imported from Italy or other foreign country, or made from tomatoes grown in such countries, when this is not true.

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#### STATUS OF COURT CASES

The Court of Appeals of the District of Columbia has allowed stations WJZ, KGO, WGN and WMAQ, until November 15 in which to file briefs in the high power cases. This is the second time the Court has extended the time of filing briefs in these cases. The docket numbers are 5567, 5568, 5569 and 5571 respectively.

The transcript of the record in docket No. 5695 which is the case of Station WNYC, New York City, against the Commission has been filed with the Court. This appeal involves a decision of the Commission refusing to grant the station additional time.

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October 15, 1932

#### OPPOSES WMIL APPLICATION

Ellis A. Yost, Chief Examiner handed down his recommendations this week in Report No. 421 dealing with various applications of Stations WMIL, Brooklyn, N. Y., and WFAB, New York City.

The Chief Examiner recommended that the application of WMIL for the operating time of WFAB on 1300 kilocycles be denied and also that the application of the same station to operate on 1300 kilocycles and to increase its power from 100 to 1000 watts be denied.

Recommendation was also made that the application of WFAB for license renewal be granted and that the application of the same station for a voluntary assignment of license from the Defenders of Truth Society, Inc., to the Fifth Avenue Broadcasting Corporation be granted.

Mr. Yost states that if WMIL were permitted to operate on a frequency of 1300 kc it would mean the deletion of WFAB and "the record does not warrant a finding that Station WMIL would render a more meritorious service if assigned the operating time of Station WFAB on a frequency of 1300 kilocycles, than is now being rendered by Station WFAB on that frequency."

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#### RECOMMENDS MORE POWER FOR WGAR

Examiner R. H. Hyde in Report No. 1619 this week recommends that the application of Station WGAR, Cleveland asking for 1000 watts power, daytime be granted. The station now uses 500 watts both night and day. It operates on a frequency of 1450 kilocycles unlimited time.

The Examiner in his report states that "the evidence in this case shows that the applicant is rendering a meritorious broadcast service; that the quality of this service with particular reference to signal strength would be improved by the use of the additional daytime power requested, and further, that no interference or other impairment in any other service would result from the use of the additional power requested."

Attention is called to the fact that the granting of the facilities requested would raise the quota of Ohio .2 of a unit. The State is due a quota of 19.07 units and is assigned 18.84 units. The Second Zone is due 80 units and is assigned 72.97 units.

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#### SERVICE BULLETIN OUT

The Radio Service Bulletin for September, now issued monthly by the Federal Radio Commission was off the press this week. Copies are available either at the offices of the Association or through the office of the Secretary of the Commission.

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October 15, 1932

COMMISSION HEARING DOCKET

No hearings are on the schedule of the Commission for next week beginning, Monday, October 17 but the Commission will hear argument in three pending cases. Several hearings were set for the week but they have been continued.

WEDNESDAY, OCTOBER 19, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC.

Docket #1612	WHP	WHP, Inc. Harrisburg, Pennsylvania	Mod. Lic. 1430 kc, 500 W. 1 KW LS; simultaneous day operation with WCAH, sharing at night (facilities of WBAK).
			Present Assignment: 1430 kc, 500 W, 1 KW LS, Simultaneous daytime operation with WBAK, sharing with WBAK & WCAH at night.
Docket #1633	WBAK	Commonwealth of Pa. Pennsylvania State Police Harrisburg, Pennsylvania	Ren. Lic. 1430 kc, 500 W. 1 KW LS; shares with WHP daytime, with WCAH nighttime.
Docket #1516	WORC- WEPS	Alfred Frank Kliendienst Worcester, Massachusetts	C. P. 1350 kc, 250 W., unlimit- ed time. (Requests facilities of WAWZ, WMSG, WBNX, WCDA).
			Present Assignment: 1200 kc, 100 W. unlimit- ed time.
Docket #1513	WAWZ	Pillar of Fire Zarephath, New Jersey	Ren. Lic. 1350 kc 250 watts, shares with WCDA, WBNX & WMSG.
Docket #1547	WCDA	Italian Educational Brdcstg. Co. New York City.	Ren. Lic. 1350 kc, 250 W., shares with WBNX, WMSG & WAWZ.
Docket #1602	WMSG	Madison Square Garden Brdcstg. Corp. New York City.	Ren. Lic. 1350 kc, 250 W., shares with WAWZ, WBNX & WCDA.
Docket #1603	WBNX	Standard Cahill Co. Inc. New York City.	Ren. Lic. 1350 kc, 250 W. shares with WCDA, WMSG & WAWZ.
Docket #1718	WERE	Erie Dispatch Herald Brdcstg. Corp. Erie, Pennsylvania	C. P. 1420 kc, 100 W., unlted. time. (Requests authority to install new transmitter.)
Docket #1719	WERE	Erie Dispatch Herald Brdcstg. Corp. Erie, Pennsylvania	Mod. Lic. 1420 kc, 100 W., unlimited time. (Requests ap- proval of change in Corporate name.)
Docket #1734	WERE	Erie Dispatch Herald Brdcstg. Corp. Erie, Pennsylvania	Ren. Lic. 1420 kc, 100 W., unlimited time.



October 15, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following <sup>action</sup> of a miscellaneous nature:

WSPA	Virgil V. Evans Spartanburg, South Carolina	Application submitted June 14, 1930, subsequently amended, to move transmitter locally, install new equipment and change frequency from 1420 to 1190 kc, and increase power from 250 watts day, 100 watts night to 5 KW, was retired to files for want of prosecution.
	H. Verne Spencer Jeanette, Pennsylvania	Denied application of his attorney to take depositions in re application for new station. Case heard by Examiner September 30, 1932.
WOR	Bamberger Brdcstg. Service Inc. Newark, New Jersey	Renewal of license application heretofore set for hearing October 28, continued to December 15.
WMIL	Arthur Faske Brooklyn, New York.	Denied authority to operate Tuesday, November 8 from 12 noon to 1 p.m., and from 10 p.m. to 1 a.m.
WWL	Loyola University New Orleans, Louisiana	License to cover C. P. issued 12/4/31 change location and increase power.

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REGULAR LICENSE RENEWALS

During the current week the Commission granted the following renewal of licenses for the regular period: WAAB, Boston, Massachusetts; WADC, Tallmadge, Ohio; WBAA, West Lafayette, Indiana; WBCM, Bay City, Michigan; WBIG, Greensboro, North Carolina; WCBA, Allentown, Pennsylvania; and auxiliary; WCMA, Culver, Indiana; WDRC, Hartford, Connecticut; WEHC, Emory, Virginia; WFBL, Syracuse, New York; WGAR, Cleveland, Ohio; WHK, Cleveland, Ohio; WKBW, Buffalo, New York; WLAC, Nashville, Tennessee; WNBR-WGBC, Memphis, Tennessee; WODX, Mobile, Alabama; WSAI, Cincinnati, Ohio; WSAR, Fall River, Massachusetts.

WSFA, Montgomery, Alabama; WGMB, New Orleans, Louisiana; WSPD, Toledo, Ohio; WTAD, Quincy, Illinois; KDFN, Casper, Wyoming; KFAC, Los Angeles, California; KFJR, Portland, Oregon; KFPY, Spokane, Washington; KGIR, Butte, Montana; KGNF, North Platte, Nebraska; KGRS, Amarillo, Texas; KLS, Oakland, California; KOMA, Oklahoma City, Oklahoma; KOY, Phoenix, Arizona; KSTP, St. Paul, Minnesota; KTBS, Shreveport, Louisiana; KWK, St. Louis, Missouri.

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October 15, 1932

APPLICATIONS SET FOR HEARING

The Commission, during the current week, set the following cases for hearing:

WQDM	A. J. St. Antoine & E. J. Regan St. Albans, Vermont	Requests C. P. to make changes in equipment, change frequency from 1370 to 1340 kc; move transmitter locally, increase power from 100 to 500 watts and change specified hours of operation to as follows: Daily 10 a.m. to 2 p.m.; 5 to 6 p.m.; Sunday 12 noon to 2 p.m., EST.
NEW	Atlas Broadcasting Corp. Palisade Park, N. J. (Studio in Jersey City of Fort Lee, N. J.)	Requests C. P. 1450 kc, 500 watts, limited time, 10 hours per day.
NEW	Arkansas Radio & Recording Co. Little Rock, Arkansas	Requests C. P. 890 kc, 250 watts night, 500 watts LS, unlimited time. (Facilities of KARK).
KTHS	Hot Springs Chamber of Commerce Hot Springs, Arkansas	Requests special experimental authority to change frequency from 1040 to 970 kc during daytime only, and to operate a maximum of 8 hours during period from 6 a.m. CST, to local sunset.
KRLD	KRLD Radio Corporation Dallas, Texas	Requests special experimental authority to operate 6 hours daytime, with authority to select the specified hours, and to share with KTHS at night. No change in frequency of power.

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RENEWAL APPLICATIONS RECEIVED

During the current week the Commission received renewal applications from the following stations: KFXR, Oklahoma City, Oklahoma; WBAX, Wilkes-Barre, Pennsylvania; WJBW, New Orleans, Louisiana; WHBC, Canton, Ohio; WNBW, Carbondale, Pennsylvania; KRMD, Shreveport, Louisiana; KFXD, Nampa, Idaho; KGEZ, Kalispell, Montana; KCRJ, Jerome, Arizona; WIBU, Poynette, Wisconsin; WSBC, Chicago, Illinois; WCOA, Pensacola, Florida and KID, Idaho Falls, Idaho.

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ADVERTISING AGENCIES CONSOLIDATE

The membership of Albert Frank & Company in the American Association of Advertising Agencies has been continued in the name of the newly combined agency, Albert Frank-Guenther Law, Inc., according to the announcement made by Frederic R. Gamble, Executive Secretary of the Association. The combined organization is the result of a recent merger of Albert Frank & Company and Rudolph Guenther-Russell Law, Inc.

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October 15, 1932

APPLICATIONS RETURNED

During the current week the Commission has returned the following applications, other than renewals:

3-MLB-1045	WSPA	Virgil V. Evans, d/b as The Voice of South Carolina Spartanburg, South Carolina	Mod. of lic. to change frequency and power from 1420 kc, 100 watts night 250 watts day to 590 kc, 250 watts. (Rule 6 a and b).
3-MLB-1049	WCSC	The S. Carolina Brdcstg. Co. Inc. Charleston, S. Carolina	Mod. of lic. to change frequency and power from 1360 kc, 500 watts to 1450 kc (facilities WTFI) 500 watts night, 1 KW day (Rule 6b).
3-PB-2680	NEW	John Tindale San Antonio, Texas	C. P. new station to use 1420 kc, 100 watts, share KABC, KABC facilities (equipment unsatisfactory).
3-PB-2683	WTFI	Liberty Broadcasting Co. Athens, Georgia	C. P. to change location of transmitter and studio to Greenville, South Carolina, change equipment, frequency and power from 1450 kc, 500 watts to 1360 kc (facilities WCSC) 500 watts night, 1 KW day (Rule 6 b).
1-SAB-25	WMCA	Knickerbocker Broadcasting Co., Inc., New York City	Special authority to increase power from 500 watts to 500 watts with an additional 500 watts experimentally (Rule 6 c and d).
5-PB-2685	KPCB	Queen City Brdcstg. Co. Seattle, Washington	C. P. to change equipment and increase power from 100 to 250 watts (Rule 6 a, b, c and d.)

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RENEWAL APPLICATIONS RETURNED

During the current week the Commission returned the following renewal applications to applicants because they were not submitted in proper form: KFXM, San Bernardino, California; KPPC, Pasadena, California; KTSM, El Paso, Texas; WCOD, Harrisburg, Pennsylvania; WDAH, El Paso, Texas; WEBQ, Harrisburg, Illinois; WFDF, Flint, Michigan; WKJC, Lancaster, Pennsylvania; WHBC, Canton, Ohio; WKBB, Joliet, Illinois; KGDE, Fergus Falls, Minnesota and KWG, Stockton, California.

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October 15, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing proper protests may be filed within twenty days from the date of action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
		None
		<u>SECOND ZONE</u>
		None
		<u>THIRD ZONE</u>
		None
		<u>FOURTH ZONE</u>
KGFW	Central Nebraska Brdcstg. Corp. Kearney, Nebraska	Granted authority to temporarily reduce hours of operation beginning October 3, from unlimited to as follows: 7 to 10 a.m. 11:30 a.m. to 1:30 p.m., 6 to 9 p.m., pending decision on application requesting one-half of facilities of Station KGFW.
WNAX	The House of Gurney, Inc. Yankton, South Dakota	Granted authority to take depositions in re its application for renewal of license set for hearing October 31.
		<u>FIFTH ZONE</u>
KFAC	Los Angeles Brdcstg. Company Los Angeles, California	Granted special authority to operate unlimited time, subject to immediate cancellation upon final determination of the issues in the Court of Appeals in the case of KGEF, Trinity Methodist Church So. Los Angeles, but no later than May 1, 1933.
KGKX	Sandpoint Broadcasting Co. Lewiston, Idaho	Granted Mod. of C. P. extending commencement date from June 10 to September 15, and completion date from September 10 to November 20, 1932. Also granted temporary renewal of license and designated application for hearing; 1420 kc, 100 watts, unlimited time.

October 15, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
1-PB-2707	WRC	National Brdcstg. Co. Inc. Washington, D. C.	C. P. to make changes in auxiliary transmitter.
1-PB-2668	WGLC	O. T. Griffin & G. F. Bissell Glens Falls, New York	C. P. to move station to Hudson Falls, N. Y. and install new equipment amended as to equipment and increase in operating power from 50 watts to 50 watts night, 100 watts day.

The call letters of the applicant WGLC, were formerly WESG. The station operates on a frequency of 1370 kilocycles and the nearest station on the same frequency is WQDM, St. Albans, Vermont, using 100 watts power, daytime. The distance between St. Albans and Hudson Falls, where it is proposed to move the station, is approximately 100 miles while the engineers of the Commission recommend a separation of 80 miles. New York State is over quota but the First Zone is under quota. Granting of this application would increase the quota.

1-MLB-1069	WGY	General Electric Company Schenectady, New York	Mod. of Lic. to use old 50 KW transmitter as auxiliary at same location as main transmitter.
1-MLB-1070	WICC	Bridgeport Broadcasting Station Inc. Bridgeport, Conn.	Mod. of Lic. to change from specified hours to unlimited hours except for those specified on license of Station WCAC.

Additional time would increase the quota. However, both the State of Connecticut and the First Zone are under quota.

1-PB-2710	WICC	Bridgeport Brdcstg. Station Inc. Bridgeport, Conn.	C. P. to move transmitter to Stratford, Connecticut.
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WICC, operating on a frequency of 600 kilocycles asks to move to Stratford, Connecticut. The nearest station on the same frequency is WCAO, Baltimore, Maryland, which is 215 miles away. The engineers of the Commission recommend a separation of 640 miles. The change of location would not change the state or zone quota.

1-MPB-382	WJEJ	A. V. Tidmore Hagerstown, Maryland	Mod. of C. P. issued 7/8/32 for new station to give exact transmitter location and change equipment.
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October 15, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE

1-PF-136a		Visual Radio Corporation Watsontown, Pennsylvania	C. P. amended to change location from Steel Pier, Atlantic City, New Jersey to Watsontown, Pa., Exp. visual broadcasting station.
2-PB-2706	NEW	The Building Industries Broadcasting Company Cincinnati, Ohio	C. P. for new station to use 900 kc, 250 watts, daytime. This application supersedes application 2-PB-2659 filed in name of The Building Industries Exhibit, Inc.

The nearest station on the proposed frequency of 900 kc is WBEN, Buffalo using 1000 watts power and operating unlimited time. It is 105 miles distant while the engineers of the Commission recommend a separation of 300 miles. Both the State of Ohio and the Second Zone are under quota. Granting of this application would increase the quota.

THIRD ZONE

3-FB-298	WAMC	Raymond C. Hammett Anniston, Alabama	Install automatic frequency control.
3-MLB-1045	WSPA	Virgil V. Evans, d/b as "The Voice of South Carolina" Spartanburg, South Carolina	Mod. of lic. to change frequency and power from 1420 kc, 100 watts night, 250 watts LS to 590 kc, 250 watts, resubmitted without change.

The nearest station to Spartanburg, South Carolina, on 590 kc, the proposed frequency, is 560 miles while the engineers of the Commission recommend a separation of 1000 miles. The Third Zone is over quota but the State of South Carolina is under quota.

3-MLB-1049a	WCSC	The South Carolina Broadcast- ing Company, Incorporated Charleston, South Carolina	Mod. of lic. to change frequency and power from 1360 kc, 500 watts, to 1450 kc, 500 watts night, 1 KW day, facilities of WTFI resubmitted and amended to request change of frequency only.
3-PB-2683A	WTFI	Liberty Broadcasting Co. Athens, Georgia	C. P. to change location transmitter and studio to Greenville, South Carolina, change equipment, change frequency and power from 1450 kc, 500 watts to 1360 kc, 500 watts night, 1 KW day, facilities of WCSC resubmitted and amended to omit request for in-

October 15, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

creased power and facilities of WCSC, location to be determined but not more than 5 miles from Greenville, South Carolina, equipment also amended as to antenna system.

These two applications should be considered together. They ask to exchange frequencies and WTFI also asks to move from Athens, Georgia, to Greenville, South Carolina. WTFI asks to go on 1360 kc at Greenville. The nearest station on that frequency is WQBC, at Vicksburg, Mississippi. The mileage is 525 miles while the engineers of the Commission recommend a separation of 800 miles. The Third Zone is over quota but the State of South Carolina, where WTFI wants to move, is under quota.

WCSC asks to go on 1450 kilocycles from Charleston, South Carolina. The nearest station on the same frequency is KTBS, Shreveport, Louisiana, which is 770 miles distant while the engineers of the Commission recommend a separation of 1000 miles.

FOURTH ZONE

4-MLB-1067	WCMA	General Broadcasting Corp. Culver, Indiana	Mod. of lic. to surrender time to Station WKBF.
4-MLB-1068	WKBF	Indianapolis Brdcstg. Inc. Indianapolis, Indiana	Mod. of lic. to change from specified hours to 6/7 time. Share with WBAA, requests all facilities of WCMA, Culver, Ind.

FIFTH ZONE

5-LB-896	KOB	New Mexico College of Agriculture & Mechanic Arts Albuquerque, New Mexico	License to cover C. P. issued 8/5/32 for change location from State College, New Mexico, change equipment and decrease operating power from 20 to 10 KW.
5-PB-2709	KREG	J. S. Edwards Santa Ana, California	C. P. to change equipment.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for licenses covering previously authorized permits from the following stations: KOB, Albuquerque, New Mexico; WMCA, New York City, and WLBW, Erie, Pennsylvania.

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Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

October 22, 1932

- - CONFIDENTIAL BULLETIN - -

## MORE COPYRIGHT COMPLICATIONS

Although progress was made in the negotiations in New York early this week between Oswald F. Schuette in charge of the copyright activities of the National Association of Broadcasters and E. C. Mills, General Manager of the American Society of Composers, Authors and Publishers, the copyright problem was seriously complicated later in the week by two developments:

1. The committee of newspaper-owned stations which had negotiated a special contract with Mr. Mills telegraphed all newspapers not to sign the contract offered them pending further negotiations with Mr. Mills in New York next week.
2. Local representatives of ASCAP threatened suits for infringement against smaller stations. As a result a protest was made by NAB to Mr. Mills against a step which might complicate the present efforts to reach a friendly solution of the problem.

According to reports from Mr. Schuette in New York, the conference with Mr. Mills made definite progress toward the draft of a new copyright royalty contract to be presented to the Annual Convention of the NAB at St. Louis, November 13-16.

(continued)



October 22, 1932

## CONVENTION ATTENDANCE IMPORTANT

Although no final conclusions have been reached in these negotiations, sufficient progress has been made to guarantee that the copyright discussions of the NAB Convention will be of vital importance to every radio station in the United States. It is chiefly for that reason that the NAB has invited all broadcasters, whether they are members or not, to attend the St. Louis Convention. The copyright problem will be discussed in every phase and it is highly important that the attendance of the industry will be such as to make the convention decisions authoritative.

## SCHUETTE PRESSES FOR REVISION

The major point in the present discussions is Mr. Schuette's demand that Mr. Mills accept a complete change in the basis of the royalty structure. The fact that the contract now presented to the stations by ASCAP exacts a royalty on revenue from all sources, instead of from the commercial revenue involving ASCAP music, has been the vital difficulty throughout the negotiations. Ever since the new contracts were sent out to stations, protests have been made by broadcasters generally against the levy of the royalty on time in which no ASCAP music was used.

Mr. Mills has acknowledged the weight of this objection. Recently his representatives have even written to individual stations saying that the American Society preferred to levy the royalty on time using ASCAP music. Mr. Mills has also helped to clarify the situation by abandoning the Society's attempt to collect revenue from political addresses. He also offered a special contract to the newspaper-owned stations which would base their royalties solely on revenue derived from the performance of ASCAP music.

## ROYALTY COLLECTIONS DIFFICULT

As a result of these concessions, broadcasters are finding it difficult to collect the three per cent royalty from churches and educational institutions - and even from newspapers - as well as from other advertisers whose broadcasts are as greatly in the public interest as are political addresses. Therefore, it would not be surprising if Mr. Mills presently found it necessary to withdraw other classifications from the list of broadcasts on which he demands a royalty revenue.

## NAB MEETING MAY GET REVISION

All of these points have had a vital bearing on the negotiations in New York and Mr. Schuette again reported a growing likelihood that a completely revised contract would be available for discussion at St. Louis.

If such a contract is finally written it is likely to include several important definitions that have been incorporated by Mr. Mills in the contract which he is offering to the newspaper-owned stations. The chief of these is

the limitation of the royalty to a "percentage of the receipts of licensee from the sale of broadcasting facilities for programs in which music copyrighted or composed by members of Society is rendered."

Two further definitions from the newspaper contract are a vital point in the present discussions. These recite:

"Provided, however, that gross receipts of the Licensee in respect of all commercial (spot) announcements either interpolated between or preceding or following programs containing music copyrighted or composed by members of Society shall be subject to percentage payments as aforesaid.

"Public service announcements such as time announcements, weather and market reports, etc. shall be exempt from such percentage payments, as shall also be broadcasts of political conventions, civic gatherings, parades, public functions and sport events, such as football and baseball games, as to music played thereat by bands attendant at such events."

#### NEWSPAPER STATIONS DISSATISFIED

The situation in the newspaper field is still a difficult one for Mr. Mills. It now appears that a number of the newspaper stations overlooked the fact that their contracts called for the payment of a minimum equal to twice last year's fees. The general realization that the inclusion of this minimum may raise the rates of most newspaper stations above that which they would have paid under the contract offered other stations has created friction in the relations between the newspapers and ASCAP.

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#### ST. LOUIS NEXT MONTH

The program for the Tenth Annual Convention of the NAB to be held at the Hotel Chase, St. Louis, Mo. November 13, 14, 15 and 16, is nearly completed. The meeting this year will be a broadcasters' session and all of the issues confronting the industry will be presented in the hope that definite action can be secured.

Foremost on the program is the copyright problem which will call for free discussion in all its phases. Another matter of equal importance is the international allocation problem which will be affected by the results of the Madrid Convention.

It is important that every broadcaster be there and take part in the discussions of all questions coming before the meeting.

The Convention Committee consisting of Edwin M. Spence, WPG, Chairman; Lambdin Kay, WSB; John Henry, KOIL; LeRoy Mark, WOL; and Tom Lyons, WCAO, has been busy with details of the program.

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October 22, 1932

#### BROWN DEDICATES STATION

Col. Thad H. Brown, commissioner from the Second Zone, was one of the principal speakers at the formal opening of Station WJSV, new Washington outlet of the Columbia Broadcasting System. The formal opening took place on October 20 and Station WMAL on that day relinquished its Columbia affiliation. Stations WRC, WOL and WMAL all participated in the opening of WJSV, originating programs in their respective studios. Each station in turn paid its respects to the new WJSV and cooperated to make the opening program a success. This cooperation drew much favorable comment from Washington listeners.

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#### SYKES LAUDS MORSE

Judge Eugene O. Sykes, chairman of the American Delegation to the Madrid International Radiotelegraph Convention, was one of the principal speakers on a program dedicated to the honor of Samuel F. B. Morse, who laid the groundwork for telegraphy 100 years ago. The program took place in Madrid, Spain.

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#### STANDARD ORDER FORM DISCUSSED

A joint meeting of the Radio Committee of the American Association of Advertising Agencies and the Commercial Section Chairmen of the National Association of Broadcasters was held at AAAA headquarters, New York, Monday, Oct. 17. The principal subject for discussion was a standard order blank for radio advertising which was proposed by the agencies several months ago.

The order blank has been discussed at numerous conferences between the two groups and represents many compromises. It was agreed that the contract would be submitted to the boards of the two organizations for approval.

During the Summer months Roy Harlow of Station WNAC, Boston, chairman of the committee on Standard Forms, made an exhaustive survey of contract forms and order blanks in use and the results of this survey were the basis upon which proposals of the NAB were made.

Those who attended the conference were:

John Benson, President of the AAAA,  
Fred Gamble, Executive Secretary of the AAAA,  
Mrs. L. W. MacKenzie of the AAAA Staff,  
C. F. Gannon, Chairman of the AAAA Radio Committee,  
Howard Angus and P. W. Pumphrey of the AAAA Committee,  
and

Chairmen of the NAB Section - H. K. Carpenter, John Patt,  
Roy Harlow and F. A. Meckelenberg, and  
Philip G. Loucks, Managing Director of the NAB.

The order blank follows:

NAME OF AGENCY
ADDRESS
CITY

To Management of Station . . . . . Order No. . . . .

City and State . . . . . Date . . . . .

Please broadcast advertising of (advertiser) . . . . .

For (product) . . . . . Name of Program . . . . .

Length of Broadcast Hour Days Times per Week Total No. Times

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Commencement Date . . . . . Expiration Date . . . . .

Talent arrangements (subject to change by mutual agreement) . . . . .

Continuity . . . . . Cue Sheets . . . . . Transcriptions . . . . .

Additional Instructions . . . . .

Rates:

Per broadcast: Station Charge \$ \_\_\_\_\_ Talent \$ \_\_\_\_\_ Line Service \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Total for Grand
Broadcasts : " " \$ \_\_\_\_\_ " " \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Time Discount:

Less Agency Commission:

Cash Discount:

\_\_\_%

On Station Charge - 15%

On Talent Charge - \_\_\_%

2% of Net Time charge if paid by \_\_\_th of month following services.

Subject to standard conditions on back hereof.

STANDARD ADVERTISING AGENCY, per . . . . .

Member of
AMERICAN ASSOCIATION OF ADVERTISING AGENCIES

Proposed Standard Conditions  
Governing Advertising Contracts  
With Radio Stations.

1. Payment

- (a) The agency agrees to pay, and the broadcasting station agrees to hold the agency solely liable for payment, for the advertising covered by this contract.
- (b) The agency agrees to pay for advertising covered by this contract, at the office of the broadcasting station or of its representative, on the last day of the month following that in which the advertising is done unless otherwise stipulated on the face of this contract; or, when cash discount is deducted but payment date not specified, on the fifteenth of the month following.
- (c) In all cases where date of payment is material, unless otherwise stipulated, the post mark date on envelope properly addressed to the broadcasting station or to its representative shall be considered the date when payment was made.
- (d) Station's invoices for advertising covered by this contract shall be in accordance with the station's log and shall so state on each such invoice.
- (e) Invoices must be rendered not less often than monthly but failure to do so shall not constitute breach of contract.
- (f) The station reserves the right to cancel the contract at any time upon default by the agency in the payment of bills, or other breach, or in the event of any material violation on the part of the agency of any of the conditions herein named; and upon such cancellation all advertising done hereunder and unpaid shall become immediately due and payable. In case of delinquency in payments the station shall have the right to change the requirements as to terms of payment for further advertising under this contract as it may see fit.

2. Termination

- (a) This agreement may be terminated by either party by giving the other two weeks' notice, unless otherwise stipulated on the face of this contract. If the agency terminates the agreement it will pay the station according to the station's published rates for the lesser number of periods, for all services previously rendered by the station. If the station terminates the agreement; either, the agency and the station will agree on a satisfactory substitute day or time at the rates in effect at the time this agreement was made, or, the agency will pay the station according to the rates specified herein, for all services previously rendered by the station; that is, the agency shall have the benefit of the same time discounts which the agency would have earned had it been allowed to complete the contract. In the event of such termination, neither party shall be liable to the other party otherwise than as specified in this paragraph.

3. Inability to Broadcast

- (a) Should the station due to public emergency or necessity, legal restriction, Act of God, or at the direction of Federal, State or Municipal authorities or for any other reason beyond the control of the station be unable to broadcast one of the agency's programs at the time specified, the station

shall not be liable to the agency for damages but will communicate with the agency as far in advance as possible. The agency will then either agree with the station on a satisfactory substitute time for the broadcast, or, if no such agreement can be reached, the broadcast will be considered as cancelled, without affecting the rate shown on this agreement. In the event of such cancellation or postponement, the station will make, if approved by the agency, a suitable courtesy announcement as to the reason for cancellation or postponement, and as to any substitute time agreed upon.

(b) If interruptions occur during the entertainment portion of the broadcast, credit shall be given by the station at the pro rata rate for such interruptions of one minute or more duration. If interruptions occur during the commercial announcement portion of the broadcast credit shall be given by the station in the same proportion to the total station time charge which the omitted commercial announcement portion bears to the total commercial announcement in the program. If the interruption equals or exceeds 50% of the total program time, the station shall defray a pro rata share of the live talent costs, unless the interruption is due to an Act of God, public emergency or legal restriction.

#### 4. Substitution of Sustaining Program of Public Importance

(a) The station shall have the right to cancel any broadcast covered by this agreement and substitute a sustaining program of such outstanding public importance that failure to broadcast same would work injury alike to the station and the advertiser. In which case, the Station will notify the agency as far in advance as possible, and the Agency and the Station will agree on a satisfactory substitute day or time for the broadcast or if no such agreement can be reached, the broadcast will be considered as cancelled without affecting the rates or rights shown on this agreement. In the event of such cancellation or postponement, the Station will make, if approved by the Agency, a suitable courtesy announcement as to the reason for cancellation or postponement and as to any substituted time agreed upon. In the event of such replacement, when the station notifies the agency less than two weeks in advance of broadcast, the station shall reimburse the agency any non-cancellable cost of live talent and/or any non-cancellable cost of newspaper advertisements prepared specifically to advertise the broadcast in question.

#### 5. Rates

(a) It is agreed that the rate named in this contract is the lowest rate made by the station for like services and that if at any time during the life of this contract the station makes a lower rate for the same services, this contract shall be completed at such lower rate from that date.

(b) All rates shall be published. There shall be no secret rebates or agreements affecting rates. All rates shall be furnished agencies if requested.

(c) If this contract is continued without interruption beyond the time specified, the additional broadcasts shall be considered part of this contract and the same rate shall apply until any lower rate prevailing at the time contract is made shall have been earned; and then this lower rate shall apply to the whole contract. It is agreed, however, that this provision shall not cover a service rendered by the station later than one year from the date of the first broadcast, unless specifically agreed.

## 6. Programs

- (a) The contract for station time includes the services of the technical staff and of a regular staff announcer. Other talent and services are covered by the program charge in this contract which is subject to change by the agency with the consent of the station.
- (b) Should the station fail to receive program material seven days in advance of the broadcast it shall so notify the agency. Subsequent to this notification, if the station fails to receive the program material in time for the broadcast, if the programs are transcriptions, the station shall, following first broadcast, repeat a previous program unless otherwise instructed; or unless program is one of a series, in which case the station shall have the right to announce the name, address and business classification of the advertiser, produce a creditable program and make regular charge for station time and reasonable talent charge to the agency. If the programs are produced locally it shall, following first broadcast, repeat the commercial announcement of the preceding broadcast, using the agreed talent unit.
- (c) The agency will save the station harmless against all liability for libel or slander; also for the infringement of copyrights by reason of broadcasting programs furnished by agency if delivered to the station less than seven days prior to broadcast, provided the station is properly licensed by A.S.C.A.P.
- (d) Programs prepared by the agency are subject to the approval of the station management.

## 7. General

- (a) This agreement is subject to the terms of licenses held by the parties hereto and is also subject to all Federal, State and Municipal laws and regulations now in force, or that may be enacted in the future.
- (b) The rights under this agreement shall not be transferable to another advertiser than the one specified in this contract unless the consent of the station has been obtained.
- (c) In dealing with agencies, the station shall follow a uniform policy to avoid discrimination.
- (d) The failure of the station or of the agency to enforce any of the provisions herein listed with respect to a breach thereof in any one instance shall not be construed as a general relinquishment or waiver under this agreement and the same shall nevertheless be and remain in full force and effect.

October 22, 1932

## USE STANDARD RATE CARDS

Rate cards not prepared in conformity with the standard form prescribed by the AAAA find their way into agencies' waste baskets, according to members of the AAAA Radio Committee who attended the joint meeting of the Committee and NAB Commercial Section Chairmen in New York last Monday. It was pointed out that very few stations adhere to the standard form in supplying rate information and it was agreed that an effort would be made by both bodies to urge use of the standard form.

"The Standard Rate Card, now used generally by all kinds of publications throughout the country, was devised by the American Association of Advertising Agencies as a convenience to publishers, advertisers, and advertising agencies with the object of saving time and promoting economy and efficiency in the transaction of advertising business," it was pointed out by the AAAA.

"Prior to its advent, every imaginable form of rate card was in use. The Standard Rate Card is standard in that it furnishes in logical order the exact information that media owner and advertiser want."

Instructions for preparing rate cards are as follows:

The card should be exactly 6 x 3½ inches in size.

Bristol Board, weight 140 lbs, is recommended for stock.

A single card, like the sample, or a double card can be used. In printing a double card (four pages) allow a strip of blank space, one-quarter inch deep, in the exact location where the fold occurs.

The double form should be printed on a card 6 x 7 inches, and folded across through the middle. The first page should be printed on the lower half of the card, so that the fold appears immediately above the name of the station.

The numbers and letters should always be used to indicate the divisions and sections as illustrated on the sample card. If there is no information to be given under a certain heading, the numbers and letters should not be omitted, but should be inserted and left blank, in order that the arrangement scheme will be preserved.

Promotional and general advertising matter should not be printed on the rate card, but when sent to an agency should be separate.

It is desirable that rate cards prepared under the Standard Rate Card system be serially numbered, the first card issued being Card No. 1, the second card (at some later date) No. 2, etc. This will be an aid to the agency in determining whether it has received all the rate cards as issued.

The type on the back should be placed so as to "tumble," that is, so that when the card is turned bottom over top, the reading will be continuous.

Print in one line across the bottom of the card, in italics, "Prepared in conformity with "Standard Rate Card" of American Association of Advertising Agencies," and have a heavy full length rule immediately above this line of type.



October 22, 1932

#### WKBB GRANTED PERMISSION TO MOVE

Chief Examiner Ellis A. Yost was upheld by the Commission this week in his Report No. 405 granting Station WKBB, of Joliet, Illinois, permission to move from Joliet to near East Dubuque, Illinois, with an operating assignment of 1500 kilocycles, 100 watts power, half time. Acting Chairman Harold A. LaFount, filed a dissenting opinion.

The Commission in upholding the Chief Examiner states that "the operation of Station WKBB near East Dubuque would provide that area with a good service not otherwise afforded and would not deprive the Joliet area of any substantial service not now received from one other station located therein and a large number of stations situated thereby."

Commissioner LaFount in his dissent calls attention to the fact that "the state of Iowa is now assigned 57 per cent more than its equitable share of broadcast facilities and under law and regulations is not entitled to additional facilities. The evidence in this case conclusively shows that the actual and practical result of the grant of the present application is a placing of a new broadcast station in Dubuque and the allocation of additional radio facilities to the State of Iowa. That such action is inconsistent with the provision of the Radio Act of 1927, as amended, and amounts to an evasion of our regulations is, in my opinion, obvious."

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#### KFSD POWER INCREASE RECOMMENDED

In Report No. 424 Chief Examiner Ellis A. Yost recommends that the application of Station KFSD, San Diego, California, for an increase of power from 500 watts night and 1000 watts local sunset to 1000 watts unlimited time be granted. The station operates on a frequency of 600 kilocycles.

The Chief Examiner found that the station is financially and otherwise qualified to operate with 1000 watts power and further that it is now rendering a "commendable" service. The granting of this application, he states, "would not cause additional interference with any broadcasting station or stations now licensed" and Mr. Yost further says that "there are no applications pending before the Commission for the facilities requested."

It is further found in the report that "the people residing beyond the present good night time service area and within the area proposed to be served by the applicant if this application is granted are not now being regularly or adequately served by any network station broadcasting the same programs of the National Broadcasting Company, Inc., as applicant station."

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#### LICENSE APPLICATIONS GRANTED

During the current week the Commission has granted licenses to the following stations for which permits had already been issued for changes: WCAU, Philadelphia, Pennsylvania; KXYZ, Houston, Texas; KGU, Honolulu, T. H.; WSAJ, Grove City, Pennsylvania; KSEI, Pocatello, Idaho.

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October 22, 1932

## HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, October 24, 1932. All hearings commence at 10 a.m.

TUESDAY, OCTOBER 25, 1932

Docket #1715	NEW	Allen Wright Marshall, Sr. Allen Wright Marshall, Jr. La Grange, Georgia	C. P.	1500 kc, 100 watts Specified hours (Request facilities of WRDW)
Docket #1731	WRDW	Musicove, Inc. Augusta, Georgia	Ren. Lic.	1500 kc, 100 watts Unlimited time

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## RECOMMENDATIONS ON NEW YORK STATIONS

In Report No. 422 Chief Examiner Ellis A. Yost made recommendations in connection with various applications of stations WWRL, Woodside, New York, WMBQ and WMIL, Brooklyn, New York. All of these stations operate on a frequency of 1500 kilocycles, sharing time together.

WWRL, asked to use one-half instead of one-quarter time; WMBQ asked nine hours additional instead of quarter time being part of the time used by WLBX, deleted, which used to share time with the other three stations; WMIL, WWRL and WMBQ all asked for renewal of license sharing time with each other. In connection with these applications the Chief Examiner recommended that licenses be issued with specific time division schedules stated therein.

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## RADIO EMPLOYMENT INDEX

The employment index number for September in the radio industry was 68.1 compared with 63.1 for August and 114.1 for September of last year taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. September payroll index number was 56.1 compared with 44.9 for August and 95.3 for September of last year.

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## STATUS OF RADIO COURT CASES

Fred H. Goss, of Boston, in his appeal (No. 5604) to the Court of Appeals of the District of Columbia, filed briefs this week. Goss asked the Commission for a construction permit for a new station in Boston which was refused. He appealed to the Court of Appeals. The Commission has not yet filed its brief.

The Northwest Broadcasting System, Inc., intervenors in the case of KOMO (No. 5335) and the Radio Commission against whom the case was brought have been granted until November 30 in which to file briefs.

The Court has denied the motion of KGEF in Docket No. 5561 against the Commission asking for reconsideration of the Court's order denying a stay order.

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October 22, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

KWKH	Hello World Broadcasting Corp. Shreveport, Louisiana	Granted permission to take depositions in its application for ren. of lic. hearing on which is set for November 28.
KTAR	KTAR Broadcasting Company Phoenix, Arizona	Hearing date continued to November 29, 1932.
WTMJ	The Journal Company Milwaukee, Wisconsin	Hearing date continued to November 29, 1932.
WERE	Erie Dispatch-Herald Brdcstg. Corp. Erie, Pennsylvania	Remanded to docket for purpose of hearing applicant concerning financial ability only. Case to be heard by Commission on November 16.
WCCO	Northwestern Broadcasting Inc. Minneapolis, Minnesota	Granted license, 810 kc, 50 KW, unlimited time.
WKBH	WKBH, Inc. La Crosse, Wisconsin	Granted regular renewal of lic. 1380 kc, 1 KW, hours of operation: November and December 6 a.m. to 5 p.m.; 5:30 to 7 p.m. 8 to 9 p.m.; 10 to 11 p.m. January 6a.m. to 5:15 p.m.; 5:35 to 7 p.m.; 8 to 9 p.m. 10 to 11 p.m., CST.

The following stations were granted temporary licenses subject to such action as the Commission may take on their pending applications for renewal of licenses: WAWZ, Zarephath, New Jersey; WKAB, Harrisburg, Pennsylvania; WBMS, Hackensack, New Jersey; WBNX, New York City; WCDA, New York City, WFAB, New York City; WMSG, New York City; WSMK, Dayton, Ohio and KQV, Pittsburgh, Pennsylvania.

The following stations were granted temporary licenses, subject to such action as the Commission may take on their applications for renewal, which were designated for hearing: KGER, Long Beach, California and KLO, Ogden, Utah.

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications without prejudice at the request of the applicants:

NEW	J. B. Sanders Center, Texas	C. P. 1310 kc, 100 watts, specified hours (facilities of KFPM).
NEW	W. B. Neal Gallipolis, Ohio	C. P. 1500-2000 kc, 30 watts, Tuesday, 2-4 p.m., Thursday & Friday 10 p.m. to 1 a.m.

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October 22, 1932

## LICENSE RENEWAL APPLICATIONS

During the current week the Radio Commission has received applications for license renewals from the following stations: WIBX, WOMT, WFAM, WHAZ, WFOX, KFXM, KGDE, KGKY, WKAV, KPPC, WRJN, KWG, WCDA, WMSG, WBNX, WTSL, WABZ, WJBW.

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## RADIO SETS CENSUS DETAILS

The Bureau of the Census has announced the tabulations relating to radio sets show the number of families (not including institutions, etc.) having a radio set at the time the census was taken in April, 1930.

"There were 29,904,663 families in the United States in 1930, of which number, 12,048,762, or 40.3 per cent, had a radio set. Distributed by color and nativity of head of family, 44.4 per cent of the native white families had a radio set; 43.6 per cent of the foreign-born white families; and 7.5 per cent of the Negro families," says the Bureau.

"Of the 17,372,524 urban families in the United States, 8,632,176, or 50 per cent had a radio set; of the 6,604,637 rural-farm families, 1,371,073, or 20.8 per cent; of the 5,927,502 rural-nonfarm families, 1,995,513, or 33.7 per cent; and of the total number of farm families (6,668,681), including the small number living in urban territory, 1,399,495, or 21 per cent, had a radio set.

"In the urban population, 56.3 per cent of the native white families had a radio set, 46.2 per cent of the foreign-born white families, and 14.4 per cent of the Negro families; in the farm population, 24.2 per cent of the native white families had a radio set, 32.2 per cent of the foreign-born white families, and only three-tenths of 1 per cent of the Negro families. These differences are to some extent the result of the geographic distribution of the different classes involved."

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## GERMAN RADIO EXPORTS DECLINE

For the first time since 1926 German exports of radios and parts declined during the first half of this year according to a report from Vice Consul C. T. Zawadzki, at Berlin. These exports in the first six months of this year totaled 1,844 metric tons as compared with 3,580 tons during the corresponding period of last year.

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## MORGAN PROTESTS AGAIN

Joy Elmer Morgan, chairman of the National Committee on Education by Radio, has sent an open letter to Congress demanding that more time be given to discussion of civic questions by candidates for office.

"Are not vital matters of government more important than sales talks on tooth paste and cigarettes which have abundant opportunity to advertise in other ways?" he wrote.

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October 22, 1932

#### RECOMMENDS CHANGE FOR KGRS

Examiner R. H. Hyde in Report No. 423 this week recommended that broadcasting station KGRS, Amarillo, Texas, be allowed to change its frequency from 1410 to 1340 kilocycles, using the same power (1000 watts) that it now uses and using different specified hours from those it now uses.

In his report, Examiner Hyde states that "the objective sought in the request for a change in the KGRS frequency assignment is a larger effective service area through the elimination of interference."

"The evidence shows", states the Examiner, "that the applicant is rendering a meritorious service; that some improvement and enlargement in this service would be made possible by the granting of this application, and further that no substantial interference in the reception of other stations would be likely to result from the change proposed in the application. Moreover, it does not appear that there is any specific use for which the frequency specified by the applicant should be reserved."

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#### SUPREME COURT TO REVIEW DUBILIER CASE

A review of the cases of the United States against the Dubilier Condenser Corporation was granted this week by the United States Supreme Court. Three patented inventions relative to the use of resonance alternating current in radio receiving sets were perfected by Francis W. Dunmore and Percival D. Lowell, while they were employed at the Bureau of Standards. The government claims that the patents belong to the government. The patents were assigned to the Dubilier Corporation by the inventors. The United States Circuit Court of Appeals for the Third Circuit and the Court below found in favor of the inventors and now the government has taken the case to the Supreme Court and review has been granted.

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#### REVIEW DENIED RCA

The United States Supreme Court has denied the petition of the Radio Corporation of America for a review of a Circuit Court decision in the case of the corporation against the Hazeltine Corporation. The case involves a controversy over the alleged infringement of the Hazeltine patent relating to radio high vacuum tubes and control of undesired regenerative effects, by means of neutralizing circuits.

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#### COMMISSION ON MONITORING RULE

During the current week the Commission has made the following official comment in connection with Rule 145: "The Commission, on October 4, decided not to extend further the working of Rule 145 in case of broadcast stations that have installed approved frequency monitors but that have not obtained a satisfactory check of the calibration. All stations in this class should proceed immediately to obtain the necessary check. This must be done before it can be considered that the frequency monitor is in all details operating according to the requirements of Rule 145. However, if an approved monitor is installed and due diligence is being exercised in obtaining a check and the required calibration, Rule 145 may be considered satisfied."

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October 22, 1932

APPLICATIONS SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

WPRO- WPAW	Cherry & Webb Broadcasting Co. Providence, Rhode Island.	Requests C. P. to move transmitter from Cranston to near Graystone, Rhode Island change frequency from 1210 kc to 1260 kc, increase power from 100 to 250 watts, install new equipment and antenna system.
WHBC	Edward P. Graham Canton, Ohio	Requests C. P. to install new equipment with maximum rated power of 100 watts and to increase power from 10 to 100 watts.
KRMD	Radio Station KRMD, Inc. Shreveport, Louisiana	Renewal of license.
NEW	J. E. Richards Pine Bluff, Arkansas	Requests C. P. for new station, 1340 kc, 250 watts daytime operation.

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ORAL ARGUMENTS GRANTED

During the current week the Commission granted the following oral arguments to be held November 17.

Ex. Rep. No. 412	KQV Broadcasting Co. Pittsburgh, Pennsylvania and Stanley M. Krohn, Jr. Dayton, Ohio	Involving renewal of license and application to operate unlimited time on 1380 kc, 500 watts. (Now shares with WSMK) Involving renewal of license and application to operate unlimited time on 1380 kc, 200 watts. (Now shares with KQV.)
Ex. Rep. No. 414	The House of Gurney, Inc. Yankton, South Dakota	Involving application to increase power from 1 KW to 1 KW night, $2\frac{1}{2}$ KW LS, on 570 kc, unlimited time.
Ex. Rep. No. 414	Mitchell Brdcstg. Corp. Mitchell, South Dakota	Involving renewal of license and authority to remove station KGDA from Mitchell to Aberdeen, South Dakota, reconstruct transmitter and change frequency from 1370 to 1420 kc.

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NEW PLAY BY SIROVICH

A play entitled "Tin Boxes", written by Dr. William I. Sirovich, chairman of the House Patents and Copyrights Committee, is slated to open in New York this winter. The play will be produced by Robert Crawford Productions, Inc. Mr. Crawford is president of De Sylva, Brown and Henderson.

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October 22, 1932

## REGULAR LICENSE RENEWALS

During the current week the Commission granted the following renewal of licenses for the regular period: WBBC, Brooklyn, New York; WCAH, Columbus, Ohio, WCKY, Covington, Kentucky; WCSC, Charleston, South Carolina; WDAG, Amarillo, Texas; WGES, Chicago, Illinois; WHBL, Sheboygan, Wisconsin; WHEC-WABO, Rochester, New York; WHP, Harrisburg, Pennsylvania; WIOD-WMBF, Miami, Florida; WJSV, Alexandria, Virginia; WKBF, Indianapolis, Indiana; WLTH, Brooklyn, New York; WMBD, Peoria, Illinois; WOKO, Albany, New York; WQBC, Vicksburg, Mississippi; WSAW, Allentown, Pennsylvania; (and auxiliary) KECA, Los Angeles, California; KFLV, Rockford, Illinois, KOH, Reno, Nevada, KUOA, Fayetteville, Arkansas; WCAO, Baltimore, Maryland (and Auxiliary).

The following stations were designated for hearing because of the request of Station KFBI for facilities of those stations. (KFBI has now withdrawn its application which has been dismissed, without prejudice.) Renewals for the regular period were granted: WJAG, Norfolk, Nebraska; WCRW, Chicago, Illinois; WEDC, Chicago, Illinois; WSBC, Chicago, Illinois and KWKC, Kansas City, Missouri; WCOA, Pensacola, Florida; KGB, San Diego, California; KGHF, Pueblo, Colorado, KLRA, Little Rock, Arkansas; KMO, Tacoma, Washington.

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## SPECIAL AUTHORIZATIONS

During the current week the Commission granted the following stations special experimental authorizations for period November 1, 1932 to May 1, 1933, to operate pending decision on hearing of renewal application of Station WBAK and WHP requesting facilities of WBAK:

WCAH	The Commercial Radio Service Co. Columbus, Ohio	Granted special experimental authority to operate unlimited time simultaneously with Stations WHP, WOKO, WHEC-WABO and WFEA.
WFEA	New Hampshire Broadcasting Co. Manchester, New Hampshire	Granted as above to operate simultaneously with WHP, WHEC-WABO, WCAH and WOKO.
WHEC- WABO	WHEC, Inc. Rochester, New York	Granted as above to operate simultaneously with Stations WOKO, WHP, WCAH and WFEA on 1430 kc.
WHP	WHP, Inc. Harrisburg, Pennsylvania	Granted special experimental authority to operate sharing time with WBAK and simultaneous operation with WCAH, WFEA, WOKO and WHEC-WABO.
WOKO	WOKO, Inc. Albany, New York.	Granted special experimental authority to operate unlimited time and simultaneous operation with stations WHP, WCAH, WFEA, and WHEC-WABO on 1430 kc.
WQBC	Delta Broadcasting Co. Inc. Vicksburg, Mississippi	Granted special experimental authority to operate unlimited time on 1360 kc with 500 watts power.

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October 22, 1932

APPLICATIONS DENIED

During the current week the Commission has denied and dismissed the following applications:

KGW	Oregonian Publishing Co. Portland, Oregon	Denied request that Commission reconsider its action of October 6, which denied request of KGW to have station KTAR, Phoenix, operate after midnight, so that interference that might be expected by the increase in power of KTAR from 500 to 1000 watts, might be determined.
WCAH	The Commercial Radio Service Co. Columbus, Ohio	Dismissed request that the application for ren. of lic. for auxiliary transmitter of this station be denied, and that authority be granted to dismantle this transmitter.
NEW	Everett J. Riley & Joseph Franklin Riley, d/b as Wabash Valley Broadcasting Company. Attica, Indiana	Dismissed from hearing docket, without prejudice, at request of applicant, application for C. P. 1210 kc, 100 watts, unlimited time.
KXL	KXL Broadcasters Portland, Oregon	Dismissed from hearing docket, without prejudice, at request of applicant, application for C. P. 1410 kc, 250 watts, unlimited time.
	Virgil V. Evans Spartanburg, South Carolina	Denied motion filed by his attorney to dismiss application of W. T. Hamilton for C. P. for new station at Greenville, South Carolina, to operate on 1240 kc, 250 watts night, 500 watts day, unlimited time. This application to be heard on November 21, 1932.

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WMT FILES APPEAL

Station WMT, Waterloo, Iowa, this week appealed to the Court of Appeals of the District of Columbia from a decision of the Radio Commission granting Station KSO authority to move from Clarinda, Iowa to Des Moines, Iowa.

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FOOTBALL BILL OPPOSED

The bill compelling Alabama colleges receiving state funds to allow broadcasts of football games (H 313) which passed the Alabama House on October 6 was adversely reported in the Senate on October 14.

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October 22, 1932

APPLICATIONS RETURNED

The Commission, during the current week, has returned the following applications to the applicants:

3-PB-2687	NEW	John S. Pitts, III Tuscaloosa, Alabama	C. P. for new station to use 1370 kc, 100 watts, unlimited hours, facilities of WAMC, Anniston, Alabama. (Unsatisfactory equipment and insufficient information re proposed transmitter location.)
	KGMB	Honolulu Brdcstg. Co. Ltd. Honolulu, Hawaii	1320 kc, 250 watts, unlimited time.
5-PB-2690	NEW	R. E. Warmack & A. E. Waterman Oroville, California	C. P. for new station to use 1370 kc, 15 watts, daytime, 4 hours per day. (Unsatisfactory equipment, Rules 151, 121, 6b).
2-PB-2679	WPAD	Paducah Broadcasting Company Paducah, Kentucky	C. P. change equipment, change frequency and power from 1420 kc, 100 watts to 1120 kc, 250 watts. (Insufficient information re transmitter location and equipment and Rule 6 c and d).
2-PB-2659	NEW	The Building Industries Exhibit, Inc. W. C. Campbell, President, Cincinnati, Ohio.	C. P. for new station to use 900 kc, 250 watts daytime. (Superseded by application filed 10/3/32 in name of The Building Industries Broadcasting Company.)
2-PB-2686	WLVA	Lynchburg Broadcasting Corp. Lynchburg, Virginia	C. P. change equipment, change frequency, power and hours from 1370 kc, 100 watts, shares with WBTM to 1500 kc, 100 watts, night 250 W. LS, unlimited. Facilities WRBX, Roanoke, Va. (Rule 49 a).

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STATION EXHIBITS AT CONVENTION

The Convention Committee has planned for exhibits of station forms, promotion material, etc., at the Chase Hotel, St. Louis, Missouri, during the Tenth Annual NAB Convention to be held there November 13, 14, 15 and 16, 1932. Stations are urged to send material they desire to display to Philip G. Loucks, Managing Director, NAB, Hotel Chase, St. Louis, Missouri.

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October 22, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing proper protests may be filed within twenty days from the date of action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WMAL	M. A. Leese Radio Corporation Washington, D. C.	Granted C. P. to install auxiliary transmitter, maximum power 1 KW.
<u>SECOND ZONE</u>		
WEEU	R. A. Gaul, H. O. Lardis & H. S. Craumer, d/b as Berks Brdcstg. Co. Reading, Pennsylvania	Granted consent to vol. assign. of lic. to Berks Broadcasting Company (A corporation).
<u>THIRD ZONE</u>		
KVOO	Southwestern Sales Corporation Tulsa, Oklahoma and	Granted authority to operate simultaneously Tuesday, November 8, from 6 p.m. to midnight, and if desired by either or both stations to continue until 3 a.m. CST, Wednesday, November 9, with 1 KW power, in order to broadcast election returns. (Stations are licensed to share time on clear channel frequency 1140 with 5 KW power).
WAPI	WAPI Broadcasting Corporation Birmingham, Alabama	
KOCW	Oklahoma College for Women Chickasha, Oklahoma	Granted temporary renewal of license and set application for renewal for hearing.
KCMC	North Mississippi Brdcstg. Corp. Texarkana, Arkansas	Granted authority to install automatic frequency control.
<u>FOURTH ZONE</u>		
WMBH	W. M. Robertson Joplin, Missouri	Granted special authorization to operate from 9:30 p.m., November 8 to 1 a.m., November 9, CST.
KFBJ	Marshall Electric Company, Inc. Marshalltown, Iowa	Granted special authorization to operate from 9 p.m. to 12 midnight, CST, Nov. 8.
KSO	Iowa Broadcasting Co. Des Moines, Iowa	Granted Mod. of C. P. to change type of equipment authorized by C. P., and approval of transmitter and studio location at 715 Locust Street, Des Moines.
WCBS	Charles H. Messter & Harold L. Dewing, Springfield, Illinois	Granted consent to vol. assign. of lic. to WCBS, Inc.

October 22, 1932

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

KGDA	Mitchell Broadcasting Corp. Mitchell, South Dakota	Granted authority to remain silent October 14, 15 and 17, in order to move main studio from transmitter location to 417 North Main Street, Mitchell.
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FIFTH ZONE

KGEW	City of Fort Morgan Fort Morgan, Colorado	Granted authority to discontinue operation until December 1.
KGGM	New Mexico Broadcasting Co. Albuquerque, New Mexico	Granted C. P. to move transmitter within same building and make changes in equipment.

COMMISSION BARS DES MOINES MOVE

The Commission this week denied the application of Station WMT seeking authority to move from Waterloo to Des Moines, Iowa, upholding the recommendation of Examiner Ralph L. Walker in Report No. 352. At the same time the Commission granted a renewal license to the station permitting it to operate unlimited time with 500 watts power. The station had been operating with 250 watts with an additional 250 watts experimentally. Examiner Walker (Report No. 358) had recommended renewal of license but had held that the power could not be increased.

In the report involving the license renewal, the Commission found that Station WMT "now renders a generally meritorious service in the Waterloo area and the only local service received therein, and the programs broadcast appear to be well diversified, of good quality and adapted to the needs of the area served." This station has been operating with 250 watts power and 250 watts additional experimentally. The Commission has granted a full 500 wattage to the station in its new decision.

Relative to the moving of the station from Waterloo to Des Moines the Commission states, that "it does not appear that there is any substantial need in the Des Moines area for the proposed service of the applicant station. That city and vicinity now receive high grade service from a station located therein, fair to intermittent service from a number of stations situated elsewhere, and will receive additional good local service upon the completion of the recently authorized removal of Station KSO from Clarinda to Des Moines."

AMERICAN SOCIETY SUES

Gene Buck, as president of the American Society of Composers Authors and Publishers, is suing the Westland Theatres, Inc., Denver, for playing for public performance of "Am I Blue", "What's the Use" and "Making the Best of Each Day". The numbers were parts of movie shorts shown at the theatre.

October 22, 1932

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-FB-300		WCAD	St. Lawrence University Canton, New York	Install automatic frequency control.
1-MLB-1076		WKAV	Laconia Radio Club Laconia, New Hampshire	Mod. of lic. to change specified hours of operation.
<u>SECOND ZONE</u>				
2-MLB-1074		WCBA	B. Bryan Musselman Allentown, Pennsylvania	Mod. of lic. to increase operating power from 250 to 500 watts.
2-MLB-1075		WSAN	Allentown Call Publishing Co. Inc., Allentown, Pa.	Mod. of lic. to increase operating power from 250 to 500 watts.
<p>These two applications should be considered together. The two stations share time on 1440 kilocycles. The nearest station on the same frequency is 175 miles and is WOKO, Albany, New York. The engineers of the Commission recommend a separation of 500 miles. Both the Second Zone and the State of Pennsylvania are under quota.</p>				
<u>THIRD ZONE</u>				
3-MLB-1072		WWL	Loyola University New Orleans, Louisiana	Mod. of lic. to change hours from specified to unlimited. Facilities of KWKH, Shreveport, La.
3-MLB-1077		WFDV	Rome Broadcasting Corp. Rome, Georgia	Mod. of lic. to make change in specified hours.
3-PB-2680		NEW	John Tindale Abilene, Texas	C. P. for new station to use 142 kc, 100 watts, share with KABC, facilities of KABC, San Antonio, Texas.
<p>The nearest station on this frequency is KGFF, Shawnee, Oklahoma, using 100 watt power. The distance is 250 miles. The engineers of the Commission recommend a separation of 185 miles. Both Texas and the Third Zone are over quota.</p>				
<u>FOURTH ZONE</u>				
None				
<u>FIFTH ZONE</u>				
5-PB-2714		NEW	Otis Hill Hilo, Territory of Hawaii	C. P. for new station to use 1150 kc, 50 watts, unlimited time.

October 22, 1932

APPLICATIONS RECEIVED(continued)

FIFTH ZONE (continued)

5-PB-2703	KPQ	Wescoast Broadcasting Co. Wenatchee, Washington	C. P. to change equipment and increase operating power from 50 to 100 watts.
<p>KPQ operates on a frequency of 1500 kilocycles. The nearest station on that same frequency is KGKY, Scottsbluff, Nebraska, which is 900 miles distant. The engineers of the Commission recommend a separation of 185 miles. Both the Fifth Zone and the State of Washington are over quota. This would increase the quota.</p>			
5-MPB-383	KOA	National Broadcasting Co. Inc. Denver, Colorado	Mod. of C. P. to extend date of completion to 5/17/33.
5-MPB-384	KPO	National Broadcasting Co. Inc. San Francisco, California	Mod. of C. P. to extend date of completion to 5/17/33.
5-MPB-386	<del>KGKX</del>	Sandpoint Broadcasting Co. Lewiston, Idaho	Mod. of C. P. issued 5/10/32 gives exact location transmitter; change in equipment.
5-ALB-469	KTM	Pickwick Broadcasting Corp. Los Angeles, California	Vol. assign. of lic. to Evening Herald Publishing Company.
5-ALB-470	KELW	Magnolia Park, Ltd. Burbank, California	Vol. assign. of lic. to Evening Herald Publishing Company.
5-PB-2712	NEW	Guy C. Earl, Jr., Sacramento, California	C. P. for new station to use 780 kc, 500 watts night, 1 KWLS, unlimited hours. Facilities of KTM, Los Angeles, California and KELW, Burbank, California.

The nearest station on this same frequency is WMC, Memphis, Tennessee, using 500 watts power. The distance is 1760 miles while the engineers of the Commission recommend a separation of 800 miles. Should the Commission grant this application it would not increase either the State or 'Zone quota.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for licenses covering previously authorized permits from the following stations: KFLX, Wenatchee, Washington; WEBR, Buffalo, New York; WOOD, Grand Rapids, Michigan; WJSV, Alexandria, Virginia; WJW, Akron, Ohio.

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*Dep. Mr. [unclear]*  
National Broadcasting Company, Inc.

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**BROADCASTERS'**



**NEWS BULLETIN**

Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

**NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.**

**PHILIP G. LOUCKS, Managing Director.**

1932

October 29.

## EYES FOCUSED ON ST. LOUIS

The eyes of the radio industry will be focused on St. Louis, Missouri, November 13, 14, 15 and 16, during the Tenth Annual Convention of the National Association of Broadcasters.

Invitations have been sent to every broadcasting station in the United States and already nearly 60 hotel reservations have been made.

In this Bulletin you will read of the developments at Madrid and Washington relating to the proposal to widen the broadcasting band. You will also read of the progress which is being made between Mr. Schuette and Mr. Mills in copyright negotiations and of the possibility that an entirely new copyright contract may be offered to the broadcasters next month.

The solution of the international and copyright problems will rest with the delegates attending the Convention. It is imperative that a definite program be agreed upon and that this program be given the support of a unified industry.

The decision to be reached at the St. Louis meeting will directly affect your interests. Attend and participate in the discussions. Make up your mind now that during the next year you will take a more active part in the activities of the Association. A strong and aggressive NAB is the only hope of perpetuating the present system of broadcasting.

## ASCAP CONSIDERS NAB PROPOSAL

A special meeting of the Board of Directors of the American Society of Composers, Authors and Publishers will be held in New York next week to discuss the formal proposal made by Oswald F. Schuette, director of copyright activities of the National Association of Broadcasters, of a new contract which would limit the royalty payments of broadcasters to a percentage of the commercial revenues of their stations from programs using the Society's music.

This proposal is the result of the discussions between Mr. Schuette and E. C. Mills, General Manager of the Society, which have been going on since September 1. The latter has declared himself in agreement with the main features of the plan but said only the Board of Directors of his organization could give the final sanction necessary to making the proposal the proper basis for discussion at the St. Louis Convention of the NAB.

If the plan is approved by that Board, it will be the main item of discussion in the copyright session of the Convention.

The presentation of such a plan at St. Louis, with the advance approval of the Board of Directors of ASCAP, would make it possible for the stations represented at the Convention to discuss the actual basis for a contract to take the place of the agreement that is now being signed by the stations. If such a contract is available, Mr. Mills has given repeated assurance that it would be offered to all stations, whether they have signed the present contract or not. It is probable that such a contract, if acceptable, would become effective January 1 and replace the present contract.

As a result of events during the last two months, Mr. Mills seems to agree with Mr. Schuette that the present contract, based on a royalty levy upon all revenues, whether earned by the use of ASCAP music or not, is inequitable. Mr. Mills and some of his representatives have written to stations saying that ASCAP prefers a contract limited in its royalty levy to the earnings from its own music. This position has been further emphasized by Mr. Mills' withdrawal of a royalty claim to the revenues earned by political meetings and to his subsequent offer of a contract to newspaper-owned stations based exclusively on revenues earned by the performance of the Society's compositions.

For these reasons, refusal by the Board of Directors of ASCAP to sanction the substitute contract would be difficult to reconcile with Mr. Mills' claim that the American Society desires to cooperate with the broadcasters in providing them with copyrighted music for use on the air.

In either case, the copyright discussions at St. Louis will be vital to the future of the broadcasting industry.

The fact that ASCAP has declined to recede from the minimum clause in the present "newspaper" contract makes it likely that if a new contract is sanctioned at the St. Louis Convention it will become the basic contract for all stations whether controlled by newspapers or not. The question of discrimination by ASCAP in favor of the newspaper stations may be discussed at the copyright session in St. Louis.

These developments make it important that the Convention be sufficiently representative of the industry to be authoritative. It is for this reason that it is important that all stations that can do so send representatives to St. Louis in order to assure a united front for the industry. The discussions

## ASCAP CONSIDERS NAB PROPOSAL (Continued)

between Mr. Schuette and Mr. Mills have brought matters to a point where proof of the representative power of the NAB should result promptly in the final draft of a new contract. At the same time such a showing at St. Louis will strengthen the NAB in its future relations with ASCAP to make sure that the interpretation of whatever contract is written will be fair and equitable.

All developments in the last two months emphasize the importance of putting the copyright situation of the broadcasting industry into such shape that the industry need not worry about the future. There are broad fields of music not covered by ASCAP in which it is important that the broadcasting industry should be protected. Even more so, it is vital that the broadcasting industry should be able to work freely toward the creation of music particularly adapted to the needs of radio in harmony with the times. In this connection definite proposals will be submitted by Mr. Schuette to the Convention. In these proposals it will be important to have the advice and the cooperation of the entire industry.

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## CONVENTION COMMITTEES

Here for the first time is a complete list of Committees in charge of arrangements for the St. Louis meeting:

General Convention Committee - Edwin M. Spence, WPG, Chairman; LeRoy Mark, WOL; J. Thomas Lyons, WCAO; John Henry, KOIL; and Lambdin Kay, WSB.

Entertainment Committee - Thomas Patrick Convey, KWK, Chairman; Clarence G. Cosby, KWK, Vice-chairman; Wm P. Mackle, Secretary; E. B. Foote, New York; Fred Weber, Chicago; Nelson, KMOX, St. Louis; Leo Fitzpatrick, WJR, Detroit; Thomas Stevenson, Washington, D. C.; Scott Howe Bowen, New York; Martin Codel, Washington, D. C.; A. T. Sears, Chicago; R. B. Robertson, New York; Harold C. Vance, Chicago; Willard Henges, St. Louis; and G. W. McElhiney, Jr. St. Louis.

Reception Committee - A.B. Hendry, WIL; Oscar Hirsch, KFVS; W. F. Ludgate, KSD; and Rev. H. H. Hohenstein, KFUD, and Wm H. WEST, KMOX, Chairman.

Transportation Committee - A. B. Hendry, WIL; Woody Klose, KMOX; Billy Lan, WIL; Harry H. Hutton, WIL; K. A. Crank, WIL; Chal Stoup, WIL; and L. A. BENSON, WIL, Chairman.

PUBLICITY - James L. Spencer, KSD, Chairman.

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October 29, 1932

( C O N F I D E N T I A L )

PROPOSE WIDENING BROADCAST BAND

With subcommittees considering allocation of frequencies from 150 kc to 1500 kc deadlocked at the International Radiotelegraph Conference at Madrid, prospects for widening the broadcast band at this time hang in the balance.

Last week Canada, with Mexico and Cuba joining, submitted a proposal under which the present broadcast band would be widened from 1500 kc to 470 kc on condition that the distress frequency of 500 kc be shifted to 375 kc. The American delegation at Madrid favors the proposal and requested the necessary authority from the State Department to support Canada.

Conferences during the week in Washington revealed that the navy, shipping interests, certain communication companies, the coastguard, Departments of Agriculture and Commerce, and the Shipping Board opposed the proposal.

The Federal Radio Commission recommended that the U. S. Delegates be authorized to support the proposal while RCA and the army took neutral positions.

The National Association of Broadcasters, which has advocated widening the broadcast band for the past year went on record immediately in support of the Canadian proposal in the belief that it offered a sound and logical solution to the North American broadcasting problem. The set manufacturers through the Radio Manufacturers Association are also supporting the proposal.

From Madrid reports, it appears inevitable that the broadcast band will be widened. Failure to agree upon a satisfactory plan under which additional frequencies are made available for broadcasting in Europe will result in a drawn convention.

Under the proposal submitted jointly by Great Britain and Germany, bands between 160 kc and 245 kc, and between 245 kc and 265 kc would be made available for broadcasting. This plan is even more objectionable to American shipping interests and would undoubtedly draw opposition from air interests. Another proposal by the French would permit broadcasting stations to be scattered throughout bands assigned to other services. There is opposition to this proposal.

The NAB, both here and in Madrid, has been active in support of the Canadian proposal. It appears that our country's support, if given promptly, will go far toward breaking the deadlock which now exists.

The position of the NAB has been presented both here and abroad, verbally and in writing, but opponents to the Canadian proposal refuse to consent to definite instructions to our delegates in support of the plan.

The Madrid Conference has been in session since September 3 and up to the present time there has been no agreement in subcommittees with respect to allocations between 160 kc and 550 kc. Each proposal is being studied in detail as it is presented and the broadcasting industry will continue to maintain its

## PROPOSE WIDENING BROADCAST BAND

position that the broadcast band should be widened in order to develop a basis for solution of the North American situation. If the Canada-Mexico-Cuba proposal were adopted an early North American conference could be called and the whole problem amicably settled.

At the present time the U. S. Delegation has not been authorized to take a definite stand in favor of the proposal but it is believed that Canada will make every effort to keep it alive until such time as an agreement can be reached.

It appears that any widening of the broadcast band will have to be at the expense of marine services and the Canadian proposal is the least objectionable of all plans proposed.

Meetings both here and Madrid will continue next week in the hope that some basis for agreement can be found.

Acting in Madrid for the NAB is Louis G. Caldwell, official representative, and in Washington is Philip G. Loucks, Managing Director, and Arthur Scharfeld, Chicago Tribune. Frank M. Russell, vice president, has been acting for the National Broadcasting Company, and Harry C. Butcher, director of the Washington Office, for the Columbia Broadcasting System.

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## ANNOUNCER PINCH HITS FOR MD

Herluf Provensen, President Hoover's favorite announcer, represented the NAB at the radio session of the American Public Health Association meeting here this week. The Managing Director had been invited to criticize a series of broadcasts sponsored by the health organization but was compelled to turn the job over to Mr. Provensen at the eleventh hour because of a State Department meeting called to consider the Madrid matter.

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## PROHIBIT AP BROADCAST

Several stations have been ordered recently by the Associated Press to discontinue the broadcasting of news dispatches furnished newspapers by this organization.

"Property rights in news which we deliver to our members and in the news gathered by them which they are contracted to supply only to the Associated Press is established by decision of the Supreme Court of the United States," the AP states.

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October 29, 1932

## ICC DISCLAIMS RATE JURISDICTION

The Interstate Commerce Commission this week held that it has no regulatory jurisdiction over broadcasting rates charged for advertisers in dismissing the complaint filed last June by the Sta-Shine Products Company against the National Broadcasting Company and Station WGBB, Freeport, N. Y.

The complainant had claimed that the rates of the network company and the station were unreasonable and unjustly discriminatory and in violation of Sections 1 and 3 of the Interstate Commerce Act. The defendant companies argued their rates were not subject to the provisions of this act maintaining that they were not common carriers.

The case was the first of its kind to come before the Commission and was limited to the question of jurisdiction. A preliminary hearing was held last December and the presiding examiner rendered a comprehensive report holding that broadcasting companies were not subject to the interstate commerce commission act.

"The provisions of the act are undoubtedly applicable to the transmission of wireless messages by persons or concerns engaged in the transmission of such messages as common carriers for hire, that is, common carriers holding themselves out to transmit for the public at large and deliver such messages to a designated receiver," the Commission said. "But can it be construed as applying to persons or concerns engaged merely in the business of broadcasting as performed by defendants here? We are of the opinion that it can not be so construed.

"In so far as our jurisdiction is concerned the provisions of Section 14 of the Radio Act of 1927 can apply only to the common carriers specified in Section 1(3) of the Act. Therefore, in determining whether the defendants are subject to our jurisdiction, the decisive question is whether they are included among the specified public utilities to which the provisions of the Act now apply. Companies engaged in radio broadcasting are not specifically named therein. In fact, at the time of the passage of the transportation act, radio broadcasting, as now perfected, was unknown. Therefore, it is obvious that if defendants are within those specified therein, it is because they are telephone companies operating by wireless and engaged in transmission as defined in Section 1(3) of the Act. While the method used in broadcasting is technically radio telephony, nevertheless a company engaged in broadcasting falls short of performing the service of a telephone company operating by wireless. Defendants do not provide telephone facilities or service for the public. No one could go to any office or booth maintained by them and make a telephone call. They do not, and under their licenses may not, provide the services which telephone companies perform. Defendants sell "time" to the public, the program is put on the air, and then the broadcaster, having performed his contract, is finished. No service is performed at the receiving end by the broadcasting company, similar to the service performed by common carriers in the general transmission of messages. In passing the Act, Congress made its provisions broad enough to cover telephone and telegraph companies operating by wire or wireless and transmitting messages, communications or other intelligence by radio apparatus, but did not include broadcasting companies or radio broadcasting as now conducted, the formation of which was a later development.

"Can the provisions of Section 1(2) of the Act reading: 'The provisions of this Act shall also apply to such \* \* \* \* transmission of intelligence' be construed as meaning that such transmission, whether performed by a telephone company or anybody else, is subject to the Act? The answer seems to be in the negative, for otherwise purely private transmissions, such as are carried on by radio amateurs, would be included. We think the Act is properly construed as covering the transmission of intelligence only when conducted by the common carriers specified in Section 1(3) of the Act.

"As the present method of radio broadcasting was unknown at the time of the passage of the transportation act, by which the transmission of intelligence by wireless operation was included in the Act, we are of the opinion that it was not included in the common carriers over which our jurisdiction extends. The mere fact that the subject-matter in question may be within the literal language of the statute is not sufficient to bring it within its intent.

"There is an additional reason to support our viewpoint herein expressed, and to strengthen our conclusion as to what is and what is not a common carrier of intelligence as defined in Section 1(3) of the Act. In any 'transmission' heretofore considered, and in any probably existing at the time of the passage of the Radio Act of 1927 there seems to be implied the idea of a definite sender and a definite receiver. Going, for analogy, to the transmission of intelligence by wire, we doubt if it would be insisted, or if it could be successfully insisted that the mere clicking off of a message from one or more central stations would constitute a transmission of intelligence, and this is not based simply on the fact that such transmission is ordinarily in Morse code. There is the further element involved that the respective messages are to be delivered to the contemplated receivers of the messages. The boy in the blue uniform who rings the doorbell and who brings the message itself, or his counterpart or substitute, the telephone or mail, has a part in the transmission. Unless one has a radio receiving set properly attuned, he will never get and is not expected to get the intelligence, whether it be instruction, entertainment, or advertising, sent out from the broadcasting station. We do not believe this new art and practice, unknown at the time of the passage of the transportation act, of simply putting on the air or ether this instruction, entertainment, or advertisement, to that part of the public who may, by their receiving sets and antennae, go out to get this matter, was ever meant by Congress to be included in any act conferring express or implied power upon this Commission. It can not be presumed that the Congress was attempting to regulate a mere potential service, one that might or might not be developed, and particularly a service distinct and different in character from the methods of transmission of intelligence then known, i.e. messages by wireless from a definite sender to a definite receiver. This conclusion is supported by Section 1(5) of the Act wherein transmission of intelligence as a message or communication by wire or wireless is divided into day, night, and the other classes of messages."

Commissioners Aitchison and Mahaffie were of the opinion that it "is sufficient for the disposition of this complaint that it appear that (1) the defendant is not a common carrier engaged in the transmission of intelligence or (2) that the service in question is not transmission of intelligence, within the intendment of Section 1(1) and (3) of the Act. That companies engaged

## ICC DISCLAIMS RATE JURISDICTION (Continued)

only in broadcasting are not common carriers of the sort within the contemplation of Congress, and that their broadcasting of advertising service is not the kind of 'transmission of intelligence' which the Act sought to regulate, seem clear from the terms of the Section as a whole, under familiar rules of statutory construction as to the limitation of general terms by enumeration of certain classes of persons and acts to be deemed included within the Act."

Chairman Porter dissented from the majority view and filed a separate opinion.

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## WOULD RESTRICT RECORDS

Some of the new phonograph record releases are carrying a notice that their use for broadcasting is prohibited. The labels state that these records have not been licensed for broadcasting. The recording companies have contended for some time that records of the ordinary commercial type may not legally be used for broadcasting but that their use must be confined to use in the home. Copyright owners and recording companies have insisted before Congress from time to time that a special copyright should be granted to the manufacturer of a record to protect him against all but private uses. So far as can be learned no phonograph company has ever attempted to litigate its right to prohibit the use of records for broadcasting purposes.

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## COMMISSIONER LAFOUNT TO SPEAK

Commissioner Harold A. Lafount, acting chairman of the Radio Commission, will be the principal speaker at the Monday afternoon session of the St. Louis Convention. Commissioner Lafount intends to discuss many problems which the Commission faces in its task of regulating the use of radio.

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## RADIO'S FUTURE MAGIC

"Radio's Future Magic" will be the subject of an illustrated address to be delivered at the St. Louis meeting of the NAB by O. H. Caldwell, former radio commissioner, president of the New York Electrical Society and editor of "Electronics" and "Radio Retailing." The remarkable new applications of electronic tubes and the electric eye which are revolutionizing communication, surgery, music, chemistry, geology, power transmission, therapeutics, the printing and engraving arts, factory methods, safety precautions, lighting, motion-pictures, time-keeping, surveying, facsimile transmission, television, etc. will be illustrated in Mr. Caldwell's address.

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October 29, 1932

## LOOKOUT FOR THIS FELLOW

The following warning has been sent out by Station WJAG, Norfolk, Nebraska:

"We entered into a contract with a solicitor to put on a "prosperity auction" over WJAG.

"After selling 42 merchants he left town leaving several bad checks. Either he or his assistants made several collections which were not reported to us. Either he or his assistants made promises to merchants contrary to our agreement.

"We have stopped the auction till we can print a new series of money and exchange the old for the new and we will then continue the auction in order that we may fulfill our part of the auction. The solicitor came to us with good recommendations.

"Any station considering putting on an auction of this kind may secure some suggestions based on experience by writing WJAG at Norfolk, Nebraska. The idea is all right if it is properly handled."

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## KLUGH RMA LEGISLATIVE CHAIRMAN

Legislative affairs of interest to the radio industry hereafter will be in charge of Paul B. Klugh of Chicago. At the October 21 meeting of the RMA Board of Directors, Mr. Klugh was elected Chairman of the Association's Legislative Committee which has charge of action in connection with legislation by Congress at Washington and in State Legislatures, City Councils, etc. The RMA legislative organization of state chairmen, maintained in nearly all states, will be continued. Mr. Klugh succeeds as legislative chairman Mr. H. B. Richmond of Cambridge, Massachusetts, former president of the RMA.

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## ENGLISH BROADCASTING MONOPOLY

Another step in the British program to replace 21 small radio broadcasting stations with eight large ones was taken when negotiations were completed for the erection of a "twin-wave" station at Droitwich, near Birmingham, England, according to a report from the consulate there made public by the Commerce Department. This will be the fourth station of this type in the British Isles. The "twin-wave" stations were developed by the broadcasting monopoly of Great Britain so that one station may broadcast two programs simultaneously. In this way, a national program is sent out from the transmitter on one wave length and a local program sent on another wave length, both of which are within the broadcast band.

According to the plan of the monopoly, the national program is sent out on about 100 watts and the local program at about 70 watts. It has been decided that the entire country may be better served with the eight stations planned than with the existing 21. So far, two of the "twin-wave" stations have been completed. One of these is at London and the other at Manchester. A third is under construction in Scotland. The fourth will be at Droitwich and take the place of the station formerly known as "Daventry 5XX". It will take about two years to complete the new station and place it in operation.

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October 29, 1932

## RECOMMENDS EAST ST. LOUIS STATION

Chief Examiner Ellis A. Yost, in his report No. 425 this week recommended that the application of Station WKBS, Galesburg, Illinois, for license renewal be denied that the application of Maurice L. Barrett, to erect a new station at East St. Louis, Illinois, on 1500 kilocycles be granted and that the applications of Samuel E. Yaste and Burrel Barash to erect a station on 1310 kilocycles at Galesburg, the frequency now used by WKBS, be denied.

The Examiner states that both Permil N. Nelson, owner of WKBS and Samuel E. Yaste and Burrel Barash failed to appear at the hearing and their cases were denied "as in cases of default."

The Chief Examiner recommends that Barrett be allowed to erect his station at East St. Louis using 100 watts power, a frequency of 1500 kilocycles and unlimited time, the time being the facility of WKBS.

It is recommended that "the motion to deny the application of Samuel E. Yaste and Burrel Barash for a construction permit should be sustained because of the default and failure of applicants to appear or offer any evidence whatever in support of said application."

In connection with the refusal of the station license, the report states: "The motion to deny the application of Permil N. Nelson, licensee of radio station WKBS for license and renewal of license to station WKBS should be sustained because of the default and failure to appear or offer any evidence whatever in support of said applications."

It is further stated in regard to the application for a new station at East St. Louis that "no objectionable interference is expected to result from the operation of the proposed station" and "the equipment proposed to be installed by Maurice L. Barrett, conforms to the technical requirements of the Commission."

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## NEWSPAPER PROTESTS MOVE

The Telegraph Herald Company, of Dubuque, Iowa, this week filed an appeal in the Court of Appeals of the District of Columbia against the decision of the Radio Commission granting Station WKBB, permission to move from Joliet, Illinois, to East Dubuque, Illinois.

The newspaper company has no station but wants to obtain one. This is the first time, it is stated, that anyone not owning a station has made an effort to appeal from a decision of the Commission.

Opposition to the stay order asked by the Telegraph Herald Company was filed with the Court on Friday by the Radio Commission claiming that the appellant, "The Telegraph Herald Company is not now and never has been a licensee of any radio broadcasting or other station, and has not now and never has had any application pending before the Commission for a broadcasting station construction permit or license, or other instrument of authorization."

## NEWSPAPER PROTESTS MOVE (continued)

It is stated further in the petition of opposition that "on or about November 28, 1931, the Telegraph Herald Company made inquiry of the Commission as to the possibility of establishing a radio broadcasting station in Iowa." The Commission pointed out in a communication to the newspaper company that "in view of the large number of radio stations now licensed to operate and the limited number of channels available for broadcasting purposes, it is doubtful whether the Commission would give favorable consideration to an application for the construction of a new station." No further steps were taken by the company toward establishing a new station in Iowa "so far as the Commission was informed or advised." The Commission asks that the stay order be denied.

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## COMMISSION TURNS DOWN NEW STATION

The Radio Commission this week refused to grant Edward Tomajko, Sr., a construction permit for the erection of a new broadcasting station at Greensburg, Pennsylvania thereby reversing Chief Examiner Ellis A. Yost in his Report No. 408.

It was found by the Commission that "Greensburg and surrounding area now receive fair to good daytime broadcast service from at least three stations located nearby and additional nighttime service from various high powered stations situated elsewhere."

The Commission found further in this case that "satisfactory showing is not made in this record that there is any real need for additional service in the Greensburg area or that the service proposed to be rendered therein by this applicant would be in the main materially different from that now received from a number of established stations."

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## CHIMPANZEE:- ANNOUNCER - BOXER

The Transportation Committee for the St. Louis Convention has arranged for a number of trips to points of interest in and around St. Louis.

In his report this week, A. B. Hendry, WIL, reported fully upon the plans of this committee. One paragraph of his report is as follows:

"One of the most interesting trips doubtless, which we have arranged, will be to the St. Louis zoo, which is just a few minutes drive from the Hotel Chase. Mr. Vierheller, the Director, at the present time is training a pair of chimpanzees in one of the most unusual radio presentations imaginable. The chimpanzees are being trained to go through some of the supposed gestures of an announcer at the mike, and one of them, believe it or not, will play the piano before the microphone, while the other does a tap dance. There will also be a three-round boxing exhibit between the chimpanzees with a blow by blow broadcast from the ringside."

The same chimpanzees that broadcast will be the boxers - or is it the other way 'round.

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October 29, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, October 31, 1932. All hearings commence at 10 a.m.

MONDAY, OCTOBER 31, 1932.

Docket #1712	NEW	G. C. Redfield Rapid City, South Dakota	C. P.	570 kc, 1 KW Share time with WNAX
Docket #1745	WNAX	The House of Gurney, Inc. Yankton, South Dakota	Renewal	570 kc, 1 KW Unlimited time.

TUESDAY, NOVEMBER 1, 1932.

Docket #1587	KLX	The Tribune Publishing Co. Oakland, California	Mod. Lic.	880 kc, 1 KW Unlimited time.
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THURSDAY, NOVEMBER 3, 1932

Docket #1728	NEW	Visual Radio Corporation Watsontown, Pennsylvania	C. P.	2200-2300 kc, 1 KW Intermittent hours.
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OCTOBER 31 MONITORING EQUIPMENT DEADLINE

All broadcasting stations of the country, according to the most recent order of the Radio Commission must have their monitoring frequency apparatus operating successfully by Monday, October 31.

Due to the fact that the manufacturers were slow in making some deliveries a number of the broadcasting stations did not have their equipment installed when the order went into effect last June. The time for this installation has been extended for a number of stations from time to time but the Commission has announced that it will not make any further extensions beyond October 31, except for compelling reasons.

While no announcement has been made at the Commission, it is understood that the frequencies of certain stations will be checked and if they are not operating within the 50 cycle allowance they will be cited for hearing by the Commission.

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MORE TIME TO FILE BRIEFS

The Court of Appeals of the District of Columbia has granted Station WNYC, New York City until November 21, in which to file its brief in its appeal from a decision of the Radio Commission in Docket No. 5695. The Court granted Fred H. Goss until December 8, in which to file his brief in his case against the Commission in Docket No. 5804.

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October 29, 1932

APPLICATIONS SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

KECA	Earl C. Anthony Inc. Los Angeles, California	Requests Mod. of Lic. to change frequency from 1430 to 780 kc (facilities of KTM & KELW).
NEW	Joseph De Palma Jeanette, Pennsylvania	Requests C. P. for new station, 590 kc, 250 watts, daytime.
WTRC	The Truth Publishing Co. Inc. Elkhart, Indiana	Requests C. P. to change equipment and increase operating power from 50 to 100 W.
W5XC	Ozark Radio Corporation Shreveport, Louisiana	Requests renewal of general experimental license.
W5XA	Rev. Lannie W. Stewart Shreveport, Louisiana	Requests renewal of general experimental license.

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APPLICATIONS DENIED

During the current week the Commission denied the following applications because the applicants failed to enter appearances at hearings set in their cases.

NEW	F. C. Carroll Lakewood, Ohio	C. P. 3255, 6425 12850 kc, 5 watts, intermittent hours.
NEW	The Humphrey Company Cleveland, Ohio	C. P. 6040, 12080, kc, 500 watts, 4 hours day, 4 hours night.
NEW	John Brownlee Spriggs Pittsburgh, Pennsylvania	C. P. 800 kc, 5 KW, daytime.
KROW	Educational Broadcasting Corp. Richmond, California	Mod. Lic. 930 kc, 500 watts, 1 KW LS, unlimited time.
WENC	Americus Broadcast Company Americus, Georgia	Denied authority to operate experimentally unlimited nighttime, for period of 60 days with 50 watts power, to determine extent of interference which would be caused by operation unlimited time with 50 watts nighttime, 100 watts daytime.

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October 29, 1932

APPLICATIONS RETURNED

During the current week the Commission has returned the following applications to the applicants.

4-MLB-1065	WKBF	Indianapolis Brdcstg. Inc. Indianapolis, Indiana	Mod. Lic. to change hours from specified to share with WCMA and WBAA (Request superseded by application 4-MLB-1068).
4-MLB-1051	KFNF	Henry Field Company Shenandoah, Iowa	Mod. Lic. to change hours to share with KUSD and WILL to remove time clause (Rule 6 a, c and d).
4-MLB-1050	KUSD	University of South Dakota Vermillion, South Dakota	Mod. Lic. to change hours to share with KFNF and WILL to remove time clause ( Was to be considered with KFNF application and returned since KFNF application was returned).
4-MLB-1052	WILL	University of Illinois Urbana, Illinois	Mod. Lic. to change hours to share with KFNF and KUSD to remove time clause (Returned since KFNF application was returned).
5-MLB-1056	KUJ	KUJ, Inc. Walla Walla, Washington	Mod. Lic. to change from daytime to unlimited time. (Rule 6 a, c, d).
	WCAX	The Burlington Daily News, Inc., Burlington, Vermont	Renewal application returned. 1200 kc, 100 watts share with WNBX (not in proper form).
	WABZ	Samuel D. Reeks New Orleans, Louisiana	Renewal application returned.
	WJBW	Charles C. Carlson New Orleans, Louisiana	Renewal Application returned.

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SUPREME COURT REFUSES REVIEW

The United States Supreme Court has refused to review the case (No. 396) of the Dubilier Condenser Corporation against the Radio Corporation of America on the ground that it failed to file its petition for review within the time prescribed by the statute. The Dubilier Corporation claimed patent infringement. The Court also refused to review another case (No. 397) involving patent infringement of Lowell and Dunmore Patent No. 1635117 covering a signal receiving system.

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October 29, 1932

LICENSE RENEWALS GRANTED

During the current week the Commission granted the following licenses for which construction permits had been issued for changes: WKBZ, Ludington, Michigan; WHAS, Louisville, Kentucky; KFYO, Lubbock, Texas; WHET, Troy, Alabama.

The following stations were granted renewal of licenses for the regular period: KGA, Spokane, Washington; KIDO, Boise, Idaho; WFOX, Brooklyn, New York; WBBR, Brooklyn, New York; WEVD, New York City; WHAZ, Troy, New York, and KID, Idaho Falls, Idaho.

WCGU	United States Broadcasting Corp. Brooklyn, New York	Designated renewal application for hearing and granted temporary license pending decision on renewal application.
WHIS	Daily Telegraph Printing Co. Bluefield, West Virginia	Designated renewal application for hearing and granted temporary license pending decision on renewal application.
WRBX	Richmond Development Corp. Roanoke, Virginia	Designated renewal application for hearing and granted temporary license pending decision on renewal application.
WTAQ	Gillette Rubber Company Eau Claire, Wisconsin	Designated renewal application for hearing and granted temporary license pending decision on renewal application.
KSCJ	Perkins Bros. Co., The Sioux City Journal, Sioux City, Iowa	Granted temporary license, from November 1 to December 1, 1932, pending action on application for renewal of license.
KGMB	Honolulu Broadcasting Co. Ltd. Honolulu, T. H.	Granted temporary license, from November 1 to December 1, 1932, pending action on application for renewal of license.
KTW	The First Presbyterian Church of Seattle, Washington	Granted extension of temporary license to December 1, 1932.
WRAK	Clarence R. Cummins Williamsport, Pennsylvania	Granted temporary license subject to decision of Commission on pending application for renewal; to operate on 1370 kc, 100 watts, unlimited time until the completion of construction of Station WJEQ at Williamsport, Pennsylvania, and beginning program tests of said station, then simultaneous to share with WJEQ.

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PROPOSES TAX ON ANNOUNCERS

Radio stations would be taxed five per cent of their gross business under a bill to be introduced in the Alabama state legislature. The bill would also levy a tax of \$100 per year on announcers and \$25 a year on engineers.

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October 29, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing proper protests may be filed within twenty days from the date of action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WPCB	Eastern Broadcasters Inc. New York City	Granted authority to make move from Hoboken, N. J. to Flushing, N. Y. effective today.
WJEJ	A. V. Tidmore Hagerstown, Maryland	Granted Mod. of C. P. to change type of equipment.
WFAS	Westchester Broadcasting Corp. White Plains, New York	Granted authority to operate Monday, October 31, from 3 to 4 p.m., in order to broadcast a political rally.
WCAD	St. Lawrence University Canton, New York.	Granted authority to install automatic frequency control. Also granted renewal of license 1220 kc, 500 watts, specified hours.
WDEV	Harry C. Whitehill Waterbury, Vermont	Granted Mod. of C. P. to change type of equipment authorized by C. P.
<u>SECOND ZONE</u>		
WHAS	The Courier Journal Co. & The Louisville Times Company Louisville, Kentucky	Granted authority to determine power of station by antenna measurement.
WORK	York Broadcasting Company York, Pennsylvania	Granted authority to operate from 4:45 p.m., EST, November 8 to 2 a.m., EST, November 9, in order to broadcast election returns.
<u>THIRD ZONE</u>		
KFPM	Dave Ablowich, d/b as The New Fur- niture Co., Greenville, Texas	Granted ren. of lic. 1310 kc, 15 watts, specified hours.
WROL	Stuart Broadcasting Corp. Knoxville, Tennessee	Granted Mod. of C. P. to make changes in equipment and change commencement date from August 29 to 10 days after this date and completion date from November 29 to 60 days after this date.

October 29, 1932

APPLICATIONS GRANTED (continued)

FOURTH ZONE

KLPM	John B. Cooley Minot, North Dakota	Granted authority to operate on a basis of sharing-time stations for the period from October 1 to November 7, in lieu of their present authorization for specified hours of operation.
KGCU	Mandan Radio Association Mandan, North Dakota	
KSOO	Sioux Falls Broadcast Assn. Inc. Sioux Falls, South Dakota	Granted authority to operate simultaneously with Station WRVA, on 1110 kc, from 6:30 p.m. to 1 a.m., CST, November 8, in order to broadcast election returns.
WHA	University of Wisconsin Madison, Wisconsin	Granted Mod. of C. P. extending completion date from September 13 to November 13, 1932.

FIFTH ZONE

KRKD	Dalton's Inc. Los Angeles, California	Granted C. P. to move transmitter locally in Los Angeles, to same location as that of KFSG, and use KFSG's transmitter during period of the move.
KCRJ	Charles C. Robinson Jerome, Arizona	Granted authority to operate from 8 p.m. until 12 midnight, November 8, in order to broadcast election returns.
KGCX	First State Bank of Vida Wolf Point, Montana	Granted Mod. of Lic. to change hours of operation from daily, 6 to 9 a.m.; noon to 3 p.m.; 6 to 9 p.m. MST, to: daily except Sunday 6:30 to 9 a.m.; 11:30 a.m. to 3 p.m. 6 to 9 p.m., and Sunday, 7 to 9 a.m.; 11 a.m. to 3 p.m. and 6 to 9 p.m. (Total day and night hours remain same and no change in quota.)
KGAR	Tucson Motor Service Company. Tucson, Arizona	Granted authority to operate from sunset November 8, to 4 a.m., November 9 with 250 watts power, in order to broadcast election returns.
KUMA	Albert H. Schermann Yuma, Arizona	Granted special authority to operate from 9 p.m. to 12 midnight, MST, October 31 and November 7.

October 29, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MPB-387	WGNY	Peter Goelet Chester Township, N. Y.	Mod. of C. P. issued 9/30/32 to make changes in equipment.
1-PB-2722	WABC- WBOQ	Atlantic Broadcasting Corp. New York, N. Y.	C. P. to move auxiliary formerly licensed, from West of Cross Bay Blvd., L. I., N. Y., to location of main transmitter $\frac{1}{2}$ mile from Wayne, New Jersey.
1-MPB-385	WHDH	Matheson Radio Co., Inc. Boston, Massachusetts	Mod. of C. P. issued 7/15/32 to give exact transmitter location.
1-PB-2726	WLCI	Lutheran Association of Ithaca, New York.	C. P. to make changes in equip- ment.

SECOND ZONE

2-PB-2717	WBAX	John H. Stenger, Jr. Wilkes-Barre, Pennsylvania	C. P. for changes in equipment, change frequency, power and hours from 1210 kc, 100 watts, specified hours to 1230 kc, 250 watts, un- limited hours.
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The nearest station on this frequency would be WPSC, State College, Pennsylvania, which has been denied this frequency by the Commission but still has right of appeal. This station is 110 miles distant while the engineers of the Commission recommend a separation of 60 miles.

Should this station finally be denied this frequency the nearest other station on the same frequency is WNAC, Boston which is 260 miles distant.

2-MLB-1079	WRBX	Richmond Development Corp. Roanoke, Virginia	Mod. of lic. to change hours of operation from, shares equally with WHIS, to shares with WHIS, to remove the word "equally" from license.
2-PB-2692A	NEW	Herman Radner Lansing, Michigan	C. P. for new station to use 880 kc, 100 watts, unlimited hours amended to request 1210 kc.

The nearest station on this same frequency is CFCO, Chatham, Ontario, which is 130 miles distant. The engineers of the Commission recommend a separation of 185 miles. Both the Second Zone and the State are under quota.

October 29, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE (continued)

2-MLB-1074A	WCBA	B. Bryan Musselman Allentown, Pennsylvania	Mod. of Lic. to increase power from 250 to 500 watts; amended to request the authorization be made on experimental basis.
2-MLB-1075A	WSAN	Allentown Call Publishing Co. Inc., Allentown, Pennsylvania	Mod. of Lic. to increase power from 250 to 500 watts; amended to request the authorization be made on experimental basis.

THIRD ZONE

3-FB-301	WACO	Central Texas Broadcasting Co. Inc., Waco, Texas	Install automatic frequency control.
3-MLB-1078	WENC	H. P. Everett, Linwood Morris, R. T. Crabb d/b as Americus Broadcast Company, Americus, Georgia	Mod. of Lic. to change power and hours from 100 watts, daytime to 50 watts night, 100 watts local sunset, unlimited hours.

The nearest station on the same frequency to WENC, 1420 kc is WAMC, Anniston, Alabama, which is 150 miles away. The engineers of the Commission recommend a separation of 185 miles. The Third Zone is over quota but the state has just what it is allowed. Granting of this application would increase the quota.

3-PB-2723	KOCW	J. T. Griffin Chickasha, Oklahoma	C. P. to change transmitter and studio locally and change equipment.
3-ALB-472	KTSA	Lone Star Broadcast Co., Inc. San Antonio, Texas	Vol. assign. of lic. to Southwest Broadcasting Company.

FOURTH ZONE

4-MLB-1080	WKBH	WKBH, Inc. La Crosse, Wisconsin	Mod. of lic. to change hours of operation from simultaneous day with KSO; divide night with KSO to unlimited.
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Granting of this application would increase the quota. The Zone is over quota but the State is under quota.

4-PB-2721	NEW	Harold Bourell & Larry Thomas d/b as The Hutchinson Brdcstg. Corp., Hutchinson, Kansas	C. P. for new station to use 1500 kc, 200 watts, daytime.
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Hutchinson is 260 miles from Grant City, Missouri, where station KGIZ, operates on the same frequency and is the nearest station on that frequency. The Commission's engineers recommend a separation of 100 miles. The Fourth Zone is over quota but the State is under quota. Granting of this license would increase the quota.



October 29, 1932

APPLICATIONS RECEIVED (continued)

FOURTH ZONE (continued)

4-PB-2695	NEW	Capitol Radio Transmitting & Detection Corp. Joplin, Missouri	C. P. for new station to use 1420 kc, 100 watts, unlimited hours, facilities of WMBH, Joplin, Missouri.
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The nearest station on this frequency is KGFF, Oklahoma City, Oklahoma, which is 190 miles distant. The engineers of the Commission recommend a separation of 185 miles. Both the Z one and State are over quota.

FIFTH ZONE

5-MPB-388	KMJ	James McClatchy Co. Fresno, California	Mod. of C. P. issued 7/22/32 to give exact transmitter location and change in antenna.
5-FB-299	KGFJ	Ben S. McGlashan Los Angeles, California	Install automatic frequency control.
5-FB-302	KLZ	The Reynolds Radio Co., Inc. Denver, Colorado	Install automatic frequency control.

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RENEWAL APPLICATIONS RECEIVED

During the current week the Commission has received license renewal applications from the following stations: KREG, Santa Ana, California; WMPC, Lapeer, Michigan; WKBZ, Ludington, Michigan; WJBK, Detroit, Michigan; WSIX, Springfield, Tennessee; KGIZ, Grant City, Missouri; KFVD, Los Angeles, California; WWSW, Pittsburgh, Pennsylvania; WCAK, Burlington, Vermont; WEBG, Altoona, Pennsylvania; WJAC, Johnstown, Pennsylvania; WGH, Newport News, Virginia; WDAS, Philadelphia, Pennsylvania; WJTL, Atlanta, Georgia.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for licenses covering previously authorized permits from the following stations: KGBX, Springfield, Missouri; KNX, Los Angeles, California; KASA, Elk City, Oklahoma; KNX, Los Angeles, California.

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NFRA PLANS RADIO "WHO'S WHO"

H. G. Erstrom, executive vice president of the National Federation of Radio and Electrical Associations, has announced that his group is endorsing and promoting a publication to be entitled "Who's Who In Radio".

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**BROADCASTERS'**



**NEWS BULLETIN**

Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.

November 5, 1932

### REDUCED RAILROAD RATES

Fare and one-half of the current one way railroad fares on the certificate plan has been authorized for delegates who will attend the Tenth Annual Convention of the National Association of Broadcasters to be held at the Hotel Chase, St. Louis, Missouri, November 13, 14, 15 and 16.

In addition to this reduction in railroad fares, the Convention Committee has cut the registration fee to \$10.00 which will not only cover the banquet on Tuesday night, but the smoker on Monday night and luncheons on Monday, Tuesday and Wednesday.

Indications are that all attendance records will be broken during the St. Louis meeting. The importance of issues to come before the Convention has stimulated an unprecedented interest among broadcasters in all parts of the country. The copyright and international situations have arrived at a critical stage and call for firm and aggressive action on the part of all broadcasters. Legislative, commercial and program problems likewise demand free and frank discussion.

If you have a real interest in the future of American broadcasting and of your business in particular, pack your grip, buy a ticket and attend the St. Louis Meeting.

## ASCAP BOARD REJECTS REVISION (Continued)

In the meantime, the relations between Mr. Mills and the Committee representing newspaper stations, who undertook to obtain special concessions, have not improved. The Board of Directors of ASCAP has declined to permit any further concessions to newspapers, and particularly has refused to cancel the minimum guarantee of twice last year's fees which was written into the newspaper contract.

The chief difficulty in the present situation is the fact that the Directors of ASCAP have evidenced no desire for friendly cooperation with the NAB. They insisted on a demand for as large a revenue as could be forced from the broadcasters, whether the broadcasters went into bankruptcy or not. They argued that they had succeeded in forcing the broadcasters to accept their terms and would not permit Mr. Mills to yield despite their admission that the contract was on its face unjustifiable.

This attitude of ASCAP will make the copyright discussions at St. Louis more important than ever. In the face of such an attitude, only a vigorous and united broadcasting industry can prevail. It is difficult to believe that ASCAP desires to disrupt friendly relations with the broadcasters, but the broadcasters can meet the situation only by unified action.

For the time being the decision of the Board of Directors of ASCAP has put an end to negotiations between Mr. Schuette and Mr. Mills. Further negotiations concerning the signing of individual contracts will have to be carried on between the stations and the local representatives of ASCAP, or between the stations and Mr. Mills.

When it comes to the interpretation of the contract which the stations have signed, an entirely different situation arises. In that interpretation, Mr. Schuette will continue to represent NAB. Interpretation of the ASCAP contract will determine the royalties paid by stations. Questions pertaining to this interpretation will be discussed in the copyright sessions at St. Louis.

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## 1932 REGISTRATION FEE A BARGAIN

The registration fee of \$10.00 which will be charged to all persons attending the St. Louis Convention will not only include a ticket to the annual banquet, scheduled for Tuesday night, but will also include luncheons to be served at the Hotel Chase on Monday, Tuesday and Wednesday.

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## SIGHTSEEING TRIPS ARRANGED

The Transportation Committee has arranged a number of sightseeing trips to points of interest in and around St. Louis on Sunday for those who do not play golf or shoot.

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November 5, 1932

C O N F I D E N T I A L

MADRID CONFERENCE DEADLOCKED

With the allocation committees apparently deadlocked, the International Radiotelegraph Conference now in progress in Madrid has been moving forward slowly.

Failure of the United States to take a definite stand in favor of the proposal offered by Canada and Mexico may mean that the plan, which would have made available to broadcasting channels from 540 to 470 kc, is now dead.

The United States delegation now favors a proposal under which adequate channels would be retained for all mobile interests, without any shift in the distress and calling frequency of 500 kc, but leaving open for regional assignment certain bands between 385 and 550 kc. Mobile interests object to the provision which would leave the way open for regional assignments.

Meetings this week found the broadcasters and mobile group still in disagreement with the broadcasters continuing their support of the delegation and maintaining that the delegates should be given a free hand in working out a satisfactory allocation solution.

Louis G. Caldwell, who has been representing the NAB at Madrid, has left Spain and will return to the United States next week.

European countries are strongly urging widening of the broadcast band and insisting that existing stations on the long waves must not be molested. These countries are far from agreement as to the manner in which European long wave broadcasting stations are to be accommodated.

For many months the NAB has been advocating widening of the broadcast band in the belief that in this way a basis can be found for settling the broadcast difficulties in the North American continent.

At the present time it is impossible to predict the final outcome of the Convention.

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BECK UNABLE TO SPEAK

Hon. James M. Beck, former solicitor general of the United States and now member of Congress from Pennsylvania, will be unable to address the St. Louis meeting. Mr. Beck was expected to speak on the subject of freedom of speech. A previous speaking engagement in the East will make it impossible for Mr. Beck to be present at St. Louis.

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LARGE ATTENDANCE INDICATED

From early reservations received at the Hotel Chase, St. Louis, it is predicted that the St. Louis Convention will be the largest broadcasters meeting ever held.

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November 5, 1932

## REDUCED R.R. FARE TO ST. LOUIS

A reduction of one and one-half for the round-trip on the "Certificate Plan" will apply for delegates (also dependent delegates or their families) attending the meeting of the National Association of Broadcasters to be held at St. Louis, Mo. on November 13 to 16 inclusive.

Be sure when purchasing your going ticket to ask the ticket agent for a "Certificate Receipt." Each delegate should have a separate "Certificate Receipt" covering ticket he purchases. One receipt for more than one ticket will not be honored or validated. If, however, it is impossible to get a certificate receipt from the local ticket agent, a regular receipt will be satisfactory and should be secured when ticket is purchased. See that the ticket reads to the point where the convention is to be held and no other. See that your "Certificate Receipt" is stamped with the same date as your ticket. Sign your name to the Certificate or Receipt in ink. Show this to the Ticket Agent.

Call at the railroad station for the ticket and certificates at least 30 minutes before departure of the train.

Certificates are not kept at all stations. Ask your home station whether you can procure certificates and through tickets to the place of meeting. If not, buy a local ticket to the nearest point where a certificate and through ticket to place of meeting can be purchased.

Immediately upon your arrival at the meeting, present your Certificate to the endorsing officer - Mr. L. A. Benson - as the reduced fares for the return journey WILL NOT APPLY unless you are properly identified as provided for by the certificate.

Special Agent of the carriers will validate certificates on Nov. 14-16, 1932, inclusive. NO REFUND of fare will be made on account of failure to either obtain a proper certificate, or on account of failure to have the certificate validated.

It must be understood that the reduction for the return journey is not guaranteed but is contingent on an attendance of not less than 100 members of the organization and dependent members of their families at the meeting holding regularly issued certificates from ticket agents at starting points showing payment of normal one-way tariff fare of not less than 67 cents on the going trip.

If necessary minimum of 100 regularly issued certificates are presented to the Special Agent, and your Certificate is validated you will be entitled to a return ticket via the same route as used for the going journey, at one-half the normal one-way tariff fare from place of meeting to point at which your certificate was issued, up to and including November 19, 1932. The final return limit of such return ticket will be thirty (30) days from the date of purchase of the going ticket as indicated by agents stamp on the certificate or receipt.

Return tickets issued at the reduced fare will not be good on any limited train on which such reduced fare transportation is not honored.

November 5, 1932

#### NAB GOLF CHAMPIONSHIP

A dispatch from Boston states that John Shepard, III, head of the Yankee Network, will be on deck to defend the NAB golf championship at St. Louis, Mo. The golf tournament will be held over the links of the Sunset Country Club on Sunday. Autos will leave the Hotel Chase promptly at 10 o'clock Sunday morning for the Sunset Club.

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#### CHRYSANTEHMUMS AND CHIMPANZEES

Sunday entertainment at St. Louis will be quite varied.

If you play golf -- there will be the NAB Golf Tournament at 10:00 a.m.

If you are a marksman -- there will be the Trapshooting Tournament at Kirkwood at 2:00 p.m.

If you are neither golfer nor marksman -- you can have your choice between chrysanthemums and chimpanzees. At Shaws Garden, second only to Kew Gardens of London, you will be able to see the most gorgeous exhibit of chrysantehmums in the world. At the St. Louis Zoo you will be able to see two trained chimpanzees in a boxing exhibition and in a specially rehearsed radio program.

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#### TRAPSHOOTING AT ST. LOUIS

Arrangements have been made for a trapshooting tournament (yes, the outdoor sport) during the St. Louis Convention. The event will take place at 2 o'clock Sunday afternoon at Kirkwood, the home of Thomas Patrick Convey of KWA. Guns and ammunition will be available there for participants.

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#### STATION PROMOTION EXHIBIT

The Station Promotion Committee has arranged for an exhibit of station promotion material at the St. Louis meeting. Stations are urged to send to Mr. John F. Patt, WGAR, Cleveland, Ohio, or his care Hotel Chase, St. Louis, Mo. copies of any promotional literature which has been sent out to the trade or to listeners, pictures of, or any details of any billboard or publication advertising, copies of novelties, blotters, balloons, calendars, etc.

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#### GANNON ON PROGRAM

Charles F. Gannon, chairman of the Four A's radio committee, is scheduled to speak at Tuesday's meeting. Mr. Gannon will discuss the standard order blank proposed by the Four A's and the necessity for standardization of rate cards.

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November 5, 1932

## RECOMMENDS KYW MOVE

Examiner Elmer W. Pratt in Report No. 426, involving the frequency 1020 kilocycles, a Second Zone clear channel which in 1928 was loaned to the Fourth Zone, has recommended that Station KYW, now using that frequency in Chicago, be granted permission to move to Philadelphia; that it remain on its present frequency and that it be authorized to operate with a directional antenna at its new location. Pending the construction of the new station at Philadelphia, the Examiner recommended that KYW be granted a renewal license for the continued operation of its station in Chicago.

In connection with this proposed change, the Examiner made a number of recommendations as follows:

He recommended denial of the application of Kunsky-Trendle Broadcasting station license of Station WXYZ to construct a new 10 KW station at Detroit to use the 1020 kilocycles channel. He further recommended the denial of the application of WJAS, Pittsburgh, Pennsylvania, for 820 kilocycles as well as the request of that station that the frequency 1020 kilocycles be assigned to Station WHAS at Louisville, Kentucky, in lieu of its present assignment of 820 kilocycles.

Under the Examiner's recommendation, WRAX, now operating on the frequency 1020 kilocycles in Philadelphia, daytime, would be transferred to 920 kilocycles to share time with WPEN. WRAX would receive a temporary renewal license to operate on 1020 kilocycles pending construction of a new transmitter. WPEN, operating with 100 watts power on the frequency of 1500 kilocycles, unlimited time, would receive a change in frequency to 920 kilocycles to share time with WRAX. WIBG would receive an increase in power from 25 to 100 watts and a change in frequency from 930 to 970 kilocycles.

While recommending a grant of the application of KYW to move to Philadelphia the Examiner recommended denial of the application of WFAN, WIP and WCAU, all of Philadelphia, requesting the use of 1020 kilocycles.

The application of WHAS, Louisville, Kentucky, would receive a renewal license to operate on 820 kilocycles under the Examiner's recommendation. Likewise, Stations WORK, York, Pennsylvania, WHN, WQAO-WPAP and WRNY, New York City, sharing time on 1010 kilocycles would each receive a renewal license.

Stations WOWO and WWVA, at Fort Wayne, Indiana, and Wheeling, West Virginia, sharing time on 1160 kilocycles, both having applied for full time on that frequency, the Examiner recommended denial of both applications and in addition denial was recommended with reference to the application of WOWO for an increase in power from 10 to 25 KW. The granting of applications for renewal of licenses for these two stations was recommended.

An interesting discussion of the legal status of the 1020 frequency is made in the report by Examiner Pratt who says on this question:

"Charged by Section 9 of the Radio Act of 1927, as amended by Section 5 of the Act of March 28, 1928, with the responsibility of so regulating broadcasting (through an equal distribution of facilities among the five zones defined by the Act and a fair and equitable distribution among the States in each of the zones according to population) as to serve the public interest, convenience and necess-

## RECOMMENDS KYW MOVE (Continued)

ity, the Commission in the Fall of 1928 enacted General Order No. 40. This regulation designated certain frequencies, forty in number, to be clear channels, eight to be used in each of the five zones. The frequency 1020 kilocycles was designated a clear channel and allocated to the Second Zone.

"Inasmuch as 1020 kilocycles was a clear channel, by General Order No. 40 allocated to the Second Zone, only under this "borrowing clause" could it have been assigned to a station in the Fourth Zone. The temporary license of KYW to use 1020 kilocycles in Chicago has been renewed from time to time under authority of this provision. Although in court proceedings involving this frequency the action of the Commission attempting to change the terms of the license of KYW without notice and hearing was held invalid no decision was made relating to the legal status of the frequency 1020 kilocycles. (Westinghouse Electric and Manufacturing Company v Federal Radio Commission 47 F. (2d) 415).

"In Paragraph 116 of the Commission's new Rules and Regulations which became effective February 1, 1932, that part of General Order No. 40, which made 1020 kilocycles a Second Zone clear channel, was reenacted. Thus 1020 kilocycles is still a borrowed channel and subject to return to the Second Zone."

Examiner Pratt in his report in this case also has the following to say in connection with the principles for determining service. He says:

"Inasmuch as broadcasting stations produce their best signals in areas immediately surrounding their transmitters, the quota figures are significant evidence of the service -- transmission and reception -- rendered in any given metropolitan area. They are likewise indicative of any need for additional service.

"Quota figures of the states and zones from which have come the applications for 1020 kilocycles show that the Fourth Zone and the State of Illinois have a vast amount of service more than the Second Zone and the States of Michigan and Pennsylvania therein located and that Pennsylvania is more underquota than Michigan. Service in the Detroit, Pittsburgh, Philadelphia and Chicago metropolitan areas, is shown in the following table:

	Total Units Per 100,000 Population	Total Units Per 100,000 Receiving Sets	Network Stations Units per 100,000 Population	Network Stations Units per 100,000 Receiving Sets
Detroit	.36	2.63	.29	2.06
Pittsburgh	.41	3.33	.37	3.05
Philadelphia	.26	1.92	.22	1.62
Chicago	.73	4.62	.59	3.75

These figures show that Pittsburgh has considerably less service than Chicago, that Detroit has less service than Pittsburgh and that Philadelphia has less service than Detroit.



## RECOMMENDS KYW MOVE (Concluded)

"Logically, quota alone considered, an underquota zone is entitled to facilities in preference to an overquota zone. Of two underquota states in an underquota zone, the more underquota state is entitled to preference. Of two cities in the more underquota state the city with the less service is entitled to preference. Of a number of applicants from such a city the one making the least objectionable proposal (interference, programs and service, financial and technical qualifications, etc., considered) is entitled to preference."

In connection with the question of priority in the use of the channel Examiner Pratt says in his report:

"(a) While each of the applicants for 1020 kilocycles is financially responsible and otherwise qualified to carry out his proposal, the Westinghouse Electric and Manufacturing Company, licensee of KYW, has a superior financial standing, greater technical resources, more extensive broadcasting experience, etc. than any of the other applicants. Although there exists in a licensee no property or priority rights in a frequency it has been held that a licensee with a good past record and substantial investment in his station should not be deprived of his license except for compelling reasons. In Chicago Federation of Labor v Federal Radio Commission (41 F (2d) 422) the Court of Appeals of the District of Columbia said: 'It is not consistent with true public convenience, interest, or necessity, that meritorious stations \* \* \* should be deprived of broadcasting privileges when once granted to them, which they have at great cost prepared themselves to exercise, unless clear and sound reasons of public policy demand such action. The cause of independent broadcasting in general would be seriously endangered and public interests correspondingly prejudiced, if the licenses of established stations should arbitrarily be withdrawn from them, and appropriated to the use of other stations \* \* \*'

"(b) In view of the application to move KYW to Philadelphia there appears to be no reason for depriving the Westinghouse Electric and Manufacturing Company of its license to operate said station."

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## POWER INCREASE DENIED WMAL

Station WMAL, Washington, D. C. operating on a frequency of 630 kilocycles with 500 watts daytime and 250 watts night was denied an increase to 500 watts fulltime in a recommendation made in Report No. 428 by Chief Examiner Yost on Friday. The station operates full time.

The Chief Examiner states in his report that the people within the area proposed to be served by WMAL now receive good radio reception locally.

The granting of the request would have brought the District of Columbia over quota by 0.05 of a unit and further the granting of the request "would create additional interference with Station WGBF, Evansville, Ind. operating on the same frequency."

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November 5, 1932

## DISTRICT COURT SUSTAINS COMMISSION

The Federal Radio Commission was upheld this week by the Court of Appeals of the District of Columbia in connection with its decision refusing to renew the license of broadcasting station WMBA, Newport, Rhode Island.

"We find no error", says the Court, "in the Commission's procedure which could have interfered with a full and fair trial of the issues properly presented by the appellant's application. Accordingly the order of the Commission herein appealed from is affirmed with costs."

This case was submitted to the Court on October 3 without argument.

The Station was cited by the Commission for hearing because of its poor and inadequate equipment, operation of the station by an unlicensed operator, a frequency deviation of 6,1000 cycles on February 9, 1931 and programs not in the public interest. Regular hearing was held before an Examiner who decided against a license renewal and this was upheld by the Commission.

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## BRITISH COIN-IN-SLOT RADIOS

Due to the success of selling electric refrigerators in the United States with the aid of coin-operated time clocks, the British are taking interest in this form of installment selling not only for refrigerators but also radio sets, according to reports to the Commerce Department from its London office.

The idea for a coin-operated timing device in connection with radio sets is gradually forging ahead in Great Britain, it is pointed out. The use of an appliance of this nature, it is felt, will overcome many of the present difficulties of the installment or hire purchase business, since the money is collected gradually to suit the pockets of the poorer classes.

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## RADIO EMPLOYMENT INCREASES

Employment in the radio manufacturing plants of 42 firms totaled 17,621 in September an increase of 8 per cent over August but a decrease of 40.3 per cent compared with September of last year according to the Bureau of Labor Statistics, Department of Labor. The average weekly payrolls in these plants in September amounted to \$353,004 an increase of 25 per cent over August but a decrease of 41.1 per cent compared with September of last year.

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## RADIO ADVERTISING INCREASES

Radio advertising expenditures increased from \$2,279,000 in August to \$2,490,000 in September according to the Survey of Current Business just published by the Department of Commerce. The figures are for national accounts reported by a limited number of companies. Magazine and newspaper advertising likewise showed increases during September.

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November 5, 1932

## TAX ON ELECTRICAL TRANSCRIPTIONS

The Bureau of Internal Revenue has issued the following in connection with a tax on electrical transcriptions used for broadcasting purposes.

"Advice is requested concerning the taxability of electrical transcriptions as phonograph records.

"Article 46 of Regulations 46, Revenue Act of 1932, provides that 'all phonograph records are subject to tax regardless of the substance of which made or the manner in which used.'

"Electrical transcriptions used by broadcasting systems are phonograph records and are taxable as such under section 607 of the Revenue Act of 1932, when sold by the manufacturer."

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## RADIO EDUCATION MUST COMPETE

"We are learning that educational radio programs must be made so interesting that listeners will hold on in the face of the jazz and detective story competition," Commissioner William John Cooper of the Federal Office of Education said today in announcing the forthcoming economics program of the National Advisory Council on Radio in Education. "We have made some progress toward developing the technique of interest but we have by no means gone all the way. Infinite skill and the best of talent are necessary if we are to succeed. We must think all the time of the listener and ask ourselves constantly if we are holding him. When we feel he is reaching for the dial we are failing."

Current issues of economic and governmental importance will be the theme of a new series of broadcasts to be sponsored by the National Advisory Council on Radio in Education after the presidential election. The presentations, which are scheduled to start on November 12, will be given every Saturday evening from 8:30 to 9 p.m., eastern standard time, and will be carried over a nation-wide network of the National Broadcasting Company.

To manage this series the Economics Committee of the National Advisory Council has selected the Brookings Institution of Washington, D. C., an independent research organization which has gained international reputation for its work in economics and government. It is the plan of the Brookings Institution to link the various broadcasts in this series closely to events of prominence in the public eye, thus securing a combination of timeliness and authoritative interpretation.

A feature of the undertaking is the subordination of formal addresses by individuals to interviews and round table discussions in which specialists in the field of each address and a number of well-known Washington newspaper correspondents will participate.

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November 5, 1932

APPLICATIONS SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

WCBA	B. Bryan Musselman Allentown, Pennsylvania	Requests Mod. of Lic. to increase power from 250 watts to 500 watts on experimental basis.
WSAN	Allentown Call Publishing Co. Inc. Allentown, Pennsylvania	Requests Mod. of Lic. to increase power from 250 watts to 500 watts on experimental basis.
KOB	New Mexico College of Agriculture & Mechanical Arts. Albuqueroue, New Mexico	Renewal of license set for hearing because facilities of Station have been applied for.
WCGU	U. S. Broadcasting Corp. Brooklyn, N. Y.	License covering move of transmitter from Brooklyn to Long Island City. Designated for hearing because of protests by stations WEVD, WMBQ and WWRL.
NEW	The WNPD Co. New Philadelphia, Ohio	Requests C. P. for new station to operate on 850 kc, 50 watts, daytime. ( 9 a.m. to local sunset).
KUMA	Albert H. Schermann Yuma, Arizona	Requests Mod. of Lic. to change specified hours of operation to 7 to 9 a.m., 11 a.m. to 2 p.m., 6 to 10 p.m., MST, daily. (Now operates 6 to 9 a.m., 12 noon to 3 p.m., 6 to 9 p.m., daily.)
WSPA	Virgil V. Evans, d/b as The Voice of South Carolina, Spartanburg, S. C.	Requests Mod. of Lic. to change frequency from 1420 to 590 kc, and increase power (night) from 100 to 250 watts.

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MISCELLANEOUS COMMISSION ACTION

During the current week the Commission has taken the following miscellaneous action:

KUJ	KUJ, Inc. Walla Walla, Washington	Granted special authority to operate unlimited time experimentally during months of November and December 1932.
KARK	Arkansas Radio & Equipment Co. Little Rock, Arkansas	Denied petition to reconsider Commission's decision which refused increase in daytime power to 500 watts.
WHDL	Tupper Lake Broadcasting Co. Tupper Lake, New York.	Denied petition to reconsider Commission's decision in dockets 1319 & 1405.

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November 5, 1932

#### APPLICATIONS RETURNED

During the current week the Commission has returned the following application to the applicant:

5-FB-283 KOY Nielsen Radio & Sporting Goods, Co. Phoenix, Arizona Install automatic frequency control (no reply to letter).

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#### LICENSE APPLICATIONS

During the current week the Commission has received the following applications for licenses to cover permits granted: KOMA, Oklahoma City, Oklahoma; WPCH, New York, N. Y.; WMBG, Richmond, Virginia; and WEBC, Superior, Wisconsin.

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#### APPLICATIONS FOR LICENSE RENEWAL

During the current week the Commission has received the following applications for license renewal: WGAL, Lancaster, Pennsylvania; WTEL, Philadelphia, Pennsylvania; WILM, Wilmington, Delaware; KFLX, Galveston, Texas; WSPA, Spartanburg, South Carolina; KGCC, San Francisco, California; KWCR, Cedar Rapids, Iowa; WLBF, Kansas City, Kansas; WIEM, Jackson, Michigan; WLVA, Lynchburg, Virginia; KGIW, Lamar, Colorado; WSYB, Rutland, Vermont; KIDW, Trinidad, Colorado; WMIL, Brooklyn, New York; KORE, Eugene, Oregon; KFJZ, Fort Worth, Texas; WPEN, Philadelphia, Pennsylvania; KMAC, San Antonio, Texas; WHFC, Cicero, Illinois; WKBI, Cicero, Illinois; KRE, Berkeley, California.

KICA, Clovis, New Mexico; KFJM, Grand Forks, North Dakota; WJMS, Ironwood, Michigan; KGAR, Tucson, Arizona; KABC, San Antonio, Texas; KCRC, Enid, Oklahoma; WQDM, St. Albans, Vermont; WELL, Battle Creek, Michigan; KONO, San Antonio, Texas; KUJ, Walla Walla, Washington; WCBM, Baltimore, Maryland; WCBV, Connersville, Indiana; KGFG, Oklahoma City, Oklahoma; KWKC, Kansas City, Missouri; KICK, Red Oak, Iowa.

WNEF, Binghamton, New York; WJBO, New Orleans, Louisiana; WMBH, Joplin, Missouri; KGFL, Raton, New Mexico; KGHI, Little Rock, Arkansas; WMBC, Detroit, Michigan; WCBS, Springfield, Illinois; KGEK, Yuma, Colorado; WFAM, South Bend, Indiana; WRBL, Columbus, Georgia; WSJS, Winston-Salem, North Carolina; WWAE, Hammond, Indiana; WEHS, Cicero, Illinois; WPAD, Paducah, Kentucky; WRAW, Reading, Pennsylvania; KARK, Little Rock, Arkansas; KDB, Santa Barbara, California; WMPC, Lapeer, Michigan.

WBHS, Huntsville, Alabama; WBTM, Danville, Virginia; WFVD, Rome, Georgia; WHDF, Calumet, Michigan; KFPW, Fort Smith, Arkansas; KGFI, Corpus Christi, Texas; KGIX, Las Vegas, Nevada; KSCJ, Sioux City, Iowa; KVL, Seattle, Washington; KPQ, Wenatchee, Washington; KTBO, Cumberland, Maryland; KPFC, Pasadena, California.

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#### COURT REFUSES STAY ORDER

The Court of Appeals of the District of Columbia has refused to grant the stay order asked for by the Telegraph Herald Company, of Dubuque, Iowa, against the decision of the Radio Commission granting Station WKBB, permission to move from Joliet, Illinois to East Dubuque, Illinois. The Commission has now asked the Court to dismiss the appeal of the newspaper company on the ground that it has no interest in the case.

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November 5, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>FIRST ZONE</u>	<u>NATURE OF APPLICATION</u>
WESG	Cornell University Ithaca, New York		Granted Mod. of Lic. to move studio to Mark Twain Hotel, Elmira, New York.
WGY	General Electric Company Schenectady, New York		Granted Mod. of Lic. to use equipment formerly licensed as the main transmitter for auxiliary purposes.
WHDH	Matheson Radio Co., Inc. Boston, Massachusetts		Granted Mod. of C. P. approving transmitter location off Salem Turnpike, Saugus, Massachusetts.
WCAX	The Burlington Daily News Inc. Burlington, Vermont		Granted authority to broadcast election returns Tuesday, November 8.
WOR	Bamberger Brdcstg. Service Inc. Newark, New Jersey		Granted Mod. of C. P. approving site for 50 KW transmitter to $\frac{1}{2}$ mile SW of Tremley, New Jersey.
WGNV	Peter Goelet Chester Township, New York		Granted Mod. of C. P. to change type of equipment.
WGLC	O. T. Griffin & G. F. Bissell Glens Falls, New York		Granted C. P. to move station from Glens Falls to Hudson Falls, N. Y., install new equipment and increase day power to 100 watts.
WGLC	W. Neal Parker & Herbert H. Metcalfe Glens Falls, New York		Granted consent to Vol. assign. of lic. to O. T. Griffin & G. F. Bissell.
<u>SECOND ZONE</u>			
WHBC	C. W. Hayes, Manager Canton, Ohio		Granted authority to operate simultaneously with Station WNBO, November 8, from 9 p.m. to midnight, EST, in order to broadcast election returns.
WBEO	The Lake Superior Brdcstg. Company Marquette, Michigan		Granted special authorization to operate from 10:30 to 11:30 a.m., CST, November 11.
WEAO	Ohio State University Columbus, Ohio		Granted special authority to operate from 11 a.m. to 12 noon, EST, Feb. 1, and 2, 1933, WKBN to remain silent.
WKBN	WKBN Broadcasting Corporation Youngstown, Ohio		Granted special authority to operate from 1 to 3 p.m., EST, November 24, WEAO to remain silent.

November 5, 1932

APPLICATIONS GRANTED (continued)

SECOND ZONE (continued)

WSMK	Stanley M. Krohn, Jr. Dayton, Ohio	Granted authority to operate from 7:30 to 10 p.m., November 8, simultaneously with KQV in order to broadcast election returns.
WCAE	WCAE, Inc. Pittsburgh, Pennsylvania	Granted authority to install automatic frequency control.
WEHC	Emory & Henry College Emory, Virginia	Granted C. P. to move transmitter and studio from Emory to Charlottesville, Va.
WJSV	Old Dominion Broadcasting Co. Alexandria, Virginia	Granted 30 day extension of program test period from November 23.
WASH	Kunsky-Trendle Broadcasting Corp. Grand Rapids, Michigan	Granted Mod. of Lic. to use transmitter of Station WOOD at Grand Rapids.

THIRD ZONE

WNAD	University of Oklahoma Norman, Oklahoma	Granted special authority to operate from 8:30 to 10:30 p.m., CST, November 11, KGGF to remain silent.
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FOURTH ZONE

KMBC	Midland Broadcasting Company Kansas City, Missouri	Granted Mod. of Lic. to use equipment formerly licensed as main transmitter for auxiliary purposes.
WCMA	General Broadcasting Corporation Culver, Indiana	Granted Mod. of Lic. to surrender time to Station WKBF; station operates on 1400 kc, 500 watts, and specified hours.
WKBF	Indianapolis Broadcasting Inc. Indianapolis, Indiana	Granted Mod. of Lic. for authority to change hours of operation from specified hours to 6/7 time, sharing with WBAA and facilities of WCMA.
WBAA	Purdue University W. Lafayette, Indiana	Granted authority to operate November 19 from 1:45 to 5 p.m., CST, with 1 KW power.

FIFTH ZONE

KGFL	KGFL, Inc. Santa Fe, New Mexico	Granted Mod. of C. P. extending completion date from September 17 to Dec. 1.
KOB	New Mexico College of Agriculture and Mechanical Arts Albuquerque, New Mexico	Granted temporary license covering move of station from State College to Albuquerque, 1180 kc, 10 KW, simultaneous day with KEX, share evening hours, KOB one-third, KEX, two-third time.

## APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KGY	KGY, Inc. Olympia, Washington	Granted authority to operate from 6 p.m. EST, November 8, to 6 a.m., PST, November 9, in order to broadcast election returns.
KMJ	James McClatchy Company Fresno, California	Granted Mod. of C. P. approving transmitter location to West side of First Avenue, $\frac{1}{4}$ mile south of Shields Ave., Fresno, California; changing frequency to 580 kc, increasing power to 500 watts and installing new equipment.
KPO	National Broadcasting Co., Inc. San Francisco, California	Granted Mod. of C. P. extending completion date from 11/17/32 to 5/17/33.
KOA	National Broadcasting Co., Inc. Denver, Colorado	Granted Mod. of C. P. extending completion date from 11/17/32 to 5/17/33.
KFXJ	Western Slope Broadcasting Co. Grand Junction, Colorado	Granted special authority to operate from 9 p.m., November 8 to 8 a.m., November 9, MST.

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## LICENSE RENEWALS GRANTED

During the current week the Commission granted the following licenses for which construction permits had been issued for changes: WMCA, New York, N. Y.; WEBR, Buffalo, N.Y.; WCAU, Philadelphia, Pennsylvania; WLBW, Erie, Pennsylvania; WOOD, Grand Rapids, Michigan; WJW, Akron, Ohio; KFLX, Galveston, Texas; WCAT, Rapid City, South Dakota; KGBX, Springfield, Missouri and KNX, Los Angeles, California.

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## ILLEGAL STATION OWNERS SENTENCED

The Commission announced this week that it has been advised that the following criminal cases have been disposed of in the eastern district of New York:

U. S. v. Sam Kaplan & Newton Carman: Kaplan and Carman plead guilty to a count in the indictment for illegal operation of an unlicensed radio station. Each was sentenced for one year in jail and fined \$100. In each instance the jail sentence was suspended and the parties placed on probation.

U. S. v. Ernest Renner: Indicted for illegal operation of a radio station. Renner plead guilty to the radio count in the indictment and on October 31 was sentenced to the penitentiary for one year and one day and fined \$100. The penitentiary sentence, however, was suspended and defendant placed upon probation.

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November 5, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-1081	WESG	Cornell University Ithaca, New York	Mod. of lic. to change frequency from 1270 to 1040 kc.
<p>The nearest station on the same frequency is WKAR, Lansing, Michigan, which is 370 miles away. The engineers of the Commission recommend a separation of 300 miles. The State of New York is now over quota but the First Zone is under quota.</p>			
1-SAB-25	WMCA	Knickerbocker Broadcasting Co., Inc., New York, N.Y.	Special authorization to increase power from 500 watts to 500 watts with additional 500 watts experi- mentally resubmitted without change.
1-MPB-391	WNBX	The WNBX Broadcasting Corp. Springfield, Vermont	Mod. of C. P. issued 7/5/32 to make changes in equipment.
<u>SECOND ZONE</u>			
2-PB-2686A	WLVA	Lynchburg Brdcstg. Corp. Lynchburg, Virginia	C. P. to change equipment, change frequency, power and hours from 1370 kc, 100 watts, shares WBTM to 1500 kc, 100 watts night, 250 watts day, unlimited hours. Facil- ities WRBX, Roanoke, Virginia. Resubmitted and amended to request 1410 kc, 250 watts, $\frac{1}{2}$ time with WHIS, Bluefield, West Virginia. Requests all facilities of WRBX, Roanoke, Virginia.
<p>Granting of this application would not change either the State or Zone quota.</p>			
2-PB-2724	NEW	James P. Hart, James P. Hart, Jr., and Donald W. Parsons d/b as the Gateway Brdcstg. Co. Roanoke, Virginia	C. P. for new station to use 1410 kc, 250 watts, share with WHIX, Bluefield, West Virginia. Requests all facilities of WRBX, Roanoke, Virginia.
<p>Inasmuch as this application asks for the facilities of WRBX at the same place there would be no interference nor, if the application were granted, would either the Zone or State quota be changed.</p>			
2-MPB-344	WNBO	John Brownlee Spriggs Silver Haven, Pennsylvania	Mod. of C. P. to change location to Monongahela, Pennsylvania. Amended to request unlimited hours instead of specified hours.

November 5, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE (continued)

2-PB-2732	WPHR	WLBG, Inc. Petersburg, Virginia	C. P. to change equipment, change transmitter and studio from Ett-rick and Petersburg, Virginia respectively to Richmond, Virginia; change frequency, power and hours from 1200 kc, 100 watts night, 250 watts LS, unlimited hours to 1410 kc, 250 watts night 500 W. LS, simultaneous day operation with WHIS, unlimited night hours; requests facilities WREX, Roanoke, Virginia.
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The nearest station from Richmond, the proposed new location of WPHR, on the proposed new frequency of 1410 kc is WAAB, Boston which is 490 miles away. The engineers of the Commission recommend a separation of 800 miles. Even if granted the facilities of WRBX the quota would be increased by granting of this application. While the Second Z one is under quota the State of Virginia is over quota.

THIRD ZONE

3-MPB-390	WHBQ	WHBQ, Inc. Memphis, Tennessee	Mod. of C. P. issued 7/26/32 move transmitter locally to extend completion date to 1/26/33.
3-PB-2715	NEW	All Southern Radio Corp. Jacksonville, Florida	C. P. for new station to use 1120 kc, 500 watts night, 1 KW LS, unlimited hours. Requests facilities of WRUF, Gainesville, Florida.

The nearest station on this same channel is Station WDEL, Wilmington, Delaware, which is 760 miles distant. The engineers of the Commission recommend a separation of 800 miles. Both the Third Zone and the State of Florida are over quota.

FOURTH ZONE

4-ALB-471	WHBF	Beardsley Specialty Co. Rock Island, Illinois	Vol. assign. of lic. to Rock Island Broadcasting Company.
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FIFTH ZONE

5-MPB-382	KIEM	Harold H. Hanseth Eureka, California	Mod. of C. P. issued 9/13/32 change equipment.
5-PB-2728	NEW	W. L. Gleeson Sacramento, California	C. P. for new station to use 1490 kc, 1 KW, unlimited hours. Requests facilities KTM, Los Angeles, California and KELW, Burbank, California.

The regulations of the Commission do not allow the erection of a 1000 watt station on this channel.



National Broadcasting Company, Inc.

GENERAL

711 Fifth Avenue

New York, N. Y.

**BROADCASTERS'**



**NEWS BULLETIN**

Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

**NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.**

**PHILIP G. LOUCKS, Managing Director.**

November 12, 1932

## ST LOUIS

All roads lead to St. Louis where the Tenth Annual Convention of the National Association of Broadcasters will be held from Sunday to Wednesday, November 13 to 16, at the Hotel Chase.

Indications are that a record crowd will attend the meeting and participate in the discussion of the copyright and international questions.

There will be golfing and trapshooting on Sunday for those who will arrive early.

Monday night will be the general get-together and smoker and Tuesday night will be the annual banquet - with no speakers. If you have room in your bags, pack the pretty clothes -- they will be optional, of course.

Let's make this Tenth Convention the best in the history of the NAB. Take part in the discussion of the many important questions which will come up during the business sessions. And when the Convention is ended -- let's have a bigger, better and stronger NAB.

While there will be considerable discussion of radio at the forthcoming session of Congress, there is no indication that anything in the nature of "major" radio legislation will be passed.

The coming session is what is termed the "short" session at which time appropriation bills will be the order of the day with the chances that there will be further discussion of tax legislation.

All of those bills introduced at the last session of Congress are still pending inasmuch as the next session is the second session of the Seventy-Second Congress and not a new Congress. Bills and resolutions pending in both Houses of Congress as the second session begins are as follows:

THE SENATE

- S. 4 - FESS RADIO EDUCATIONAL BILL, pending before Committee on Interstate Commerce.
- S. 21 - KING COPYRIGHT BILL, pending before Committee on Patents.
- S. 176 - HEBERT COPYRIGHT BILL, pending before Committee on Patents.
- S. 481 - WHITE OMNIBUS RADIO BILL, pending before Committee on Interstate Commerce.
- S. 750 - McNARY BILL to prohibit lotteries, pending before Committee on Interstate Commerce.
- S. 1035 - TYDINGS COPYRIGHT BILL, pending Committee on Patents.
- S. 1866 - DILL PATENT BILL, pending before Committee on Patents.
- S. 2374 - GEORGE BILL to give Savannah, Ga. naval radio station abandoned, pending Committee on Naval Affairs.
- S. 3046 - DILL CLEAR CHANNEL BILL, pending Committee on Interstate Commerce.
- S. 3047 - HATFIELD BILL FOR LABOR CLEAR CHANNEL, pending before Sub-committee of Committee on Interstate Commerce.
- S. 3649 - SHIPSTEAD BILL to change allocation, pending before Committee on Interstate Commerce.
- S. 3985 - DILL COPYRIGHT BILL, pending Committee on Patents.
- S. 4399 - METCALF BILL for education by radio, pending before Committee on Education and Labor.
- S. Res. 28 - HOWELL RESOLUTION for investigating possibility of broadcasting from the Senate chamber, pending before Committee on Rules.
- S. Res. 58 - DILL BILL to investigate RK0, pending Committee on Audit and Control.
- S. Res. 71 - DILL RESOLUTION providing for broadcasting from Senate chamber, pending before Committee on Rules.

## PENDING RADIO LEGISLATION (Continued)

S. Res. 163 - DILL RESOLUTION calling on State Department to call a North American broadcasting conference, pending before Committee on Interstate Commerce.

THE HOUSE

- H. R. 139 - VESTAL COPYRIGHT BILL, pending Committee on Patents.
- H. R. 256 - CHRISTOPHERSON BILL prohibiting radio lotteries, pending before Committee on the Judiciary.
- H. R. 410 - FRENCH LOTTERY BILL, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 421 - HOCH BILL to amend I. C. C. Act to define radio as a "common carrier", pending before Committee on Interstate and Foreign Commerce.
- H. R. 6039 - SIROVICH BILL TO TRANSFER RADIO COMMISSION TO THE DEPARTMENT OF COMMERCE, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 7253 - CONNERY BILL to provide a clear channel for labor, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 7716 - DAVIS RADIO OMNIBUS BILL. Passed by the House and now pending before Senate Committee on Interstate Commerce.
- H. R. 8759 - AMLIE BILL prohibiting radio advertising on Sunday, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 12844 - LAGUARDIA BILL establishing fees for patented radio equipment, pending before Committee on Patents.
- H. R. 12845 - LAGUARDIA BILL establishing fees for radio advertising, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. Res. 80 - HERR RESOLUTION to investigate Radio Commission and NBC control of Pacific Coast stations, pending before Rules Committee.
- H. Res. 110 - AMLIE RESOLUTION on free speech, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 10946 - SIROVICH COPYRIGHT BILL, ON CALENDAR FOR FIRST CALENDAR WEDNESDAY CALL.

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## RADIO BULLETIN

The October issue of the Radio Service Bulletin issued monthly by the Federal Radio Commission is just available. Copies may be obtained from the Secretary of the Radio Commission or from the NAB headquarters.

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## RECOMMENDATION AGAINST NEW STATIONS

Not sufficient showing was made by H. Verne Spencer, Examiner Elmer W. Pratt found this week in his Report No. 431, for him to recommend that a construction permit be granted for the erection of a new station at Jeanette, Pa. to operate daytime, using 590 kilocycles and operating with 250 watts power.

In recommending the denial of a construction permit the Examiner found that "there is not a sufficient showing of financial responsibility to warrant a finding that public interest, convenience and necessity would be served by granting of applicant's application for construction permit." He found further that while there is no local station serving as a local advertising outlet in Jeanette, this area now has adequate reception from existing broadcasting stations.

Chief Examiner Ellis A. Yost in his report this week, No. 430, recommends that the application of G. C. Redfield, for a construction permit for a new broadcasting station to be erected at Rapid City, S. D. be denied. Redfield failed to make any appearance when the case was called for hearing. He had asked to share time with Station WNAX, Yankton, S. D. using 1,000 watts power and operating on a frequency of 570 kilocycles. WNAX now operates unlimited time. The license of this station is recommended in the report for renewal.

Mr. Yost recommends "that the application of G. C. Redfield, for authority to construct a new radio broadcasting station at Rapid City, S. D. to operate on the 570 kilocycle frequency with power output of 1,000 watts and to share time with Station WNAX, be denied as in cases of default."

In connection with the recommendation of the renewal of the license of WNAX Mr. Yost says that "apparently the application of Station WNAX for renewal of station license was designated for hearing solely because a part of its facilities had been requested by the applicant, G. C. Redfield," and he recommends that the application of WNAX for license renewal "be granted."

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## NEW STATION RECOMMENDED

Recommendation is made by Examiner Elmer W. Pratt in his report No. 429 that the application of James M. Caldwell of Goodland, Kansas, for a construction permit for a new broadcasting station at that place sharing time with KGFW, Kearney, Neb. be granted.

The new station would use 100 watts power, a frequency of 1310 kilocycles and share specific time set forth in the report with KGFW. The latter station did not contest the application of Caldwell but statement was made that an agreement had been made subject to the approval of the Commission.

The Examiner found that "Goodland, Kansas, and surrounding community are not now well served, and the community would benefit from the service of a local broadcasting station." He found further that "the operation of the proposed station would not result in objectionable interference with any existing station or service."

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November 12, 1932

#### WHDF GETS LICENSE RENEWAL

The Radio Commission on Friday upheld a decision of Chief Examiner Ellis A. Yost, Report No. 418, and granted Station WHDF, Calumet, Mich. a license renewal to operate on its frequency of 1370 kilocycles. The station was called for hearing because it was not operating two-thirds time allowed it by the Commission. The Commission has set forth specific hours of operation for the station.

In its decision in this case the Commission states that the service rendered by the station "is generally meritorious and appears to be well adapted to meet the needs of the area served." It says further that WHDF appears to supply the only satisfactory service in the Calumet area and "it appears that there is a public need in that region for the service of the applicant station."

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#### FREQUENCY CHANGE GRANTED.

The recommendation of Chief Examiner Yost in his Report No. 417 that station WDBO, Orlando, Fla. be allowed to operate on a frequency of 580 kc was confirmed Friday by action of the Commission.

On July 21 of this year the station by special authority of the Commission was permitted to change its frequency from 1120 to 580 kc pending final action by the Commission. Chief Examiner Yost heard the case and recommended that the change be granted permanently.

The Commission states in its final opinion that "the continued operation of Station WDBO upon the 580 kc channel, as proposed, will enable the station to render a satisfactory service to a much greater population than would receive such service were the station operated upon 1120 kc. It was also stated that the continued operation of the station on 580 kc "will not result in any interference with the services of other stations."

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#### ATLANTA SUPERVISOR SUSPENDED

W. Van Nostrand, acting radio supervisor of the Atlanta District and Miss Mary L. Bell, his secretary, have been suspended for a period of 90 days, it was stated at the Radio Commission pending an investigation being made by the Department of Justice.

Robert P. Lamont, as Secretary of Commerce, asked the Department of Justice to make an investigation following the filing of charges before the Radio Division of his Department was turned over to the Radio Commission. The Commission has not made public the charges. The Atlanta office has been put in charge temporarily of L. C. Herndon of the Baltimore District.

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November 11, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

WNBH	New Bedford Brdcstg. Co. New Bedford, Massachusetts	Denied authority to operate November 24, from 1 to 6 a.m. with 250 watts power, in order to broadcast a DX program.
KFYR	Meyer Broadcasting Co. Bismarck, North Dakota	Granted special authority to operate from 12:30 to 2 p.m., CST, November 24, KFDY to remain silent.
WNBX	WNBX Broadcasting Corp. Springfield, Vermont	Granted authority to operate in accordance with terms of C. P. pending action on application for Mod. of C. P. and submission of proper data on monitor.
KGFV	Central Nebraska Brdcstg. Corp. Kearney, Nebraska	Granted special authority to reduce hours of operation beginning 3 a.m. EST, December 1, from unlimited to as follows: 7 to 10 a.m., 11:30 to 1:30 p.m. and 6 to 9 p.m., CST. This is a temporary grant made subject to Commission's decision on James M. Caldwell's application for facilities of this station.
WSPA	The Voice of South Carolina Spartanburg, South Carolina	Denied motion of WSPA for Order to take depositions in Docket 1621, involving a protest hearing upon the application of WFBC to move from Knoxville, Tennessee, to Greenville, South Carolina.
WPRO- WPAW	Cherry & Webb Broadcasting Co. Providence, Rhode Island	Dismissed, without prejudice from the hearing docket, at applicant's request, application for C. P. 1260 kc, 250 watts, unlimited time.
KVOA	Robert M. Riculfi Tucson, Arizona	Granted request to take depositions in re hearing on his case involving renewal of license. Application set for hearing because of alleged violations of the Radio Act.
NEW	P. H. Pigg & S. A. Harvey d/b as Juneau Broadcasting Co. Juneau, Alaska	Granted C. P. for new broadcasting station to operate on 1310 kc, 100 watts, unlimited time.
NEW	R. W. & D. P. Lautzenheiser Prescott, Arizona	Application for C. P. for new station at Prescott, Arizona, to operate on 1500 kc, 100 watts, unlimited time (facilities of KPJM, dismissed for want of prosecution).
KPJM	A. P. Miller Prescott, Arizona	License assigned to Scott & Sturn for balance of license period.

November 11, 1932

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, November 14, 1932. They all commence at 10 a.m.

MONDAY, NOVEMBER 14, 1932.

Docket #1668      WBBM-      WBBM Broadcasting Corp.      Auto. Freq.      770 kc, 25 KW, simultan-  
                         WJBT      Chicago, Illinois      Control      eous day, sharing night  
                                                  KFAB.

Docket #1669      WBBM-      WBBM Broadcasting Corp.      Mod. Lic.      770 kc, 25 KW, synchron-  
                         WJBT      Chicago, Illinois                ize with KFAB certain  
                                                  specified night hours  
                                                  (in addition to present  
                                                  license).

Present Assignment:      770kc, 25 KW, simultan-  
                              eous day, sharing night  
                              KFAB.

Docket #1670      KFAB      KFAB Broadcasting Co.      Mod. Lic.      770 kc, 5 KW, synchron-  
                              Lincoln, Nebraska                ize with WBBM-WJBT cer-  
                                                  tain specified night  
                                                  hours (in addition to  
                                                  present license).

Present Assignment:      770 kc, 5 KW, simultan-  
                              eous day, sharing night  
                              with WBBM-WJBT.

Docket #1671      KFAB      KFAB Broadcasting Co.      Auto. Freq.      770 kc, 5 KW, simultan-  
                              Lincoln, Nebraska                eous day, sharing night  
                                                  with WBBM-WJBT.

WEDNESDAY, NOVEMBER 16, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1516      WORC-      Alfred Frank Kliendienst      C. P.      1350 kc, 250 W. unlimit-  
                         WEPS      Worcester, Massachusetts                ed time (Requests faci-  
                                                  lities of WAWZ, WMSG,  
                                                  WBNX, WCDA).

Present Assignment:      1200 kc, 100 W. unlim-  
                              ited time.

Docket #1513      WAWZ      Pillar of Fire      Renewal      1350 kc, 250 W. shares  
                              Zarephath, New Jersey                with WBNX, WMSG, WCDA.

Docket #1547      WCDA      Italian Educational Broad-      Renewal      1350 kc, 250 W. shares  
                              casting Co. New York, N.Y.                with WBNX, WMSG, WAWZ.

November 11, 1932

HEARING CALENDAR (continued)

WEDNESDAY, NOVEMBER 16, 1932 (continued)

Docket #1602	WMSG	Madison Square Garden Broadcasting Co., New York, N.Y.	Renewal	1350 kc, 250 W. shares with WAWZ, WBNX, WCDA
Docket #1603	WBNX	Standard Cahill Co. Inc. New York, N. Y.	Renewal	1350 kc, 250 W. shares with WCDA, WMSG, WAWZ.
Docket #1718	WERE	Erie Dispatch Herald Broadcasting Corporation Erie, Pennsylvania	C. P.	1420 kc, 100 W. unlimited time (Requests authority to install new transmitter).
Docket #1719	WERE	Erie Dispatch Herald Broadcasting Corporation Erie, Pennsylvania	Mod. Lic.	1420 kc, 100 W. unlimited time (Requests approval of change in corporate name).
Docket #1734	WERE	Erie Dispatch Herald Broadcasting Corporation Erie, Pennsylvania	Renewal	1420 kc, 100 W. unlimited time.

THURSDAY, NOVEMBER 17, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1504	KQV	KQV Broadcasting Co. Pittsburgh, Pennsylvania	Mod. Lic.	1380 kc, 500 W. Unlimited time.
			Present Assignment:	1380 kc, 500 W. simultaneous day operation with WSMK, specified hours night.
Docket #1699	KQV	KQV Broadcasting Co. Pittsburgh, Pennsylvania	Renewal	1380 kc, 500 W. simultaneous day operation with WSMK, specified hours night.
Docket #1686	WSMK	Stanley M. Krohn, Jr. Dayton, Ohio	Mod. Lic.	1380 kc, 200 W. Unlimited time.
			Present Assignment:	1380 kc, 200 W. simultaneous day operation with KQV, specified hours night.
Docket #1628	WSMK	Stanley M. Krohn, Jr. Dayton, Ohio	Renewal	1380 kc, 500 W. simultaneous day operation with KQV, specified hours night.

November 11, 1932

HEARING CALENDAR (concluded)

THURSDAY, NOVEMBER 17, 1932 (continued)

Docket #1578	WNAX	The House of Gurney, Inc. Yankton, South Dakota	C. P.	570 kc, 1 KW, 2½ KWLS Unlimited time (Facilities of KGFX, KGDA).
			Present Assignment:	570 kc, 1 KW, unlimited time.
Docket #1642	KGDA	Mitchell Broadcasting Corp. Mitchell, South Dakota	Renewal	1370 kc, 100 W. Unlimited time.
Docket #1613	KGDA	Mitchell Broadcasting Corp. Mitchell, South Dakota	C. P.	1420 kc, 100 W. unlimited time (Requests authority to move station to Aberdeen, S.D.)

FRIDAY, NOVEMBER 18, 1932

Docket #1788	NEW	Britt A. Rogers, Jr., Tupelo, Mississippi	C. P.	990 kc, 500 W. daytime
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LICENSE APPLICATIONS RETURNED

The Commission during the current week, has returned the following applications for renewal license to the applicant as they are not in proper form for consideration by the Commission: WTJS, Jackson, Tennessee; KGFG, Oklahoma City, Oklahoma; WBHS, Huntsville, Alabama; KFPW, Fort Smith, Arkansas; KCRC, Enid, Oklahoma; KFJZ, Fort Worth, Texas; WBBL, Richmond, Virginia; WABI, Bangor, Maine; WBOW, Terre Haute, Indiana; KGFL, Raton, New Mexico; KICA, Clovis, New Mexico; WBTM, Danville, Virginia; KMAC, San Antonio, Texas; KONO, San Antonio, Texas; KUJ, Walla Walla, Washington; and WJBO, New Orleans, Louisiana.

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APPEALS FILED

Broadcasting Station WREC, Memphis, Tennessee, this week filed an appeal in the Court of Appeals of the District of Columbia against a decision of the Radio Commission of October 21 granting WMT, Waterloo, Iowa a power increase from 250 to 500 watts. The two stations operate on 600 kilocycles. Station WMT also filed an appeal this week in the Court of Appeals against the decision of the Radio Commission of October 21 denying it permission to move from Waterloo, to Des Moines, Iowa.

The Radio Commission has filed its opposition in the Court of Appeals of the District of Columbia to the motion for reconsideration filed with the Court by the Herald Telegraph Company of Dubuque, Iowa. This company asked the Court to grant a stay order against a decision of the Commission of October 21 granting Station WKBB permission to move from Joliet to East Dubuque, Illinois. The Court refused to grant the order whereat the company filed a motion to reconsider the order denying the stay order. The Commission is now opposing this last move.

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November 11, 1932

LICENSE RENEWALS GRANTED

During the current week the Commission has granted license renewals to the following stations for the regular period: WBAX, Wilkes Barre, Pennsylvania; WBBZ, Ponca City, Oklahoma; WBRE, Wilkes Barre, Pennsylvania; WCLO, Janesville, Wisconsin; WCOD, Harrisburg, Pennsylvania; WDAH, El Paso, Texas; WEBQ, Harrisburg, Illinois; WEXL, Royal Oak, Michigan; WFDF, Flint, Michigan; WGCM, Mississippi City, Mississippi; WHBC, Canton, Ohio; WHBU, Anderson, Indiana; WIAS, Ottumwa, Iowa; WIBU, Poynette, Wisconsin; WIBX, Utica, N. Y., (and auxiliary), WJBU, Lewisburg, Pennsylvania; WJW, Akron, Ohio; WKBC, Birmingham, Alabama; WKFI, Greenville, Mississippi; WKJC, Lancaster, Pennsylvania; WLBC, Muncie, Indiana; WMBG, Richmond, Virginia; WNBH, New Bedford, Massachusetts; WNBO, Silver Haven, Pennsylvania; WOCL, Jamestown, N. Y.; WOL, Washington, D. C.; WOMT, Manitowoc, Wisconsin; WORC-WEPS, Worcester, Massachusetts.

WPHR, Petersburg, Virginia; WROL, Knoxville, Tennessee; WSEN, Columbus, Ohio; WSOC, Gastonia, North Carolina; WTAX, Springfield, Illinois; KBTM, Paragould, Arkansas; KCRJ, Jerome, Arizona; KDLR, Devils Lake, North Dakota; KERN, Bakersfield, California; KFBK, Sacramento, California; KFJI, Klamath Falls, Oregon; KFOR, Lincoln, Nebraska; KFPL, Dublin, Texas; KFVS, Cape Girardeau, Missouri; KFXD, Nampa, Idaho; KFXJ, Grand Junction, Colorado; KFXR, Oklahoma City, Oklahoma; KGCX, Wolf Point, Montana; KGDY, Huron, South Dakota; KGEZ, Kalispell, Mont.; KGFJ, Los Angeles, Calif.; KGNO, Dodge City, Kansas; KGVO, Missoula, Mont.; KIT, Yakima, WASH.

KMED, Medford, Ore.; KMLB, Monroe, La.; KMJ, Fresno, Calif.; KTSM, El Paso, Tex. KVOS, Bellingham, Wash.; KXRO, Aberdeen, Wash.; WBEO, Marquette, Michigan; WCLS, Joliet, Illinois; WCRW, Chicago, Illinois; WEBR, Buffalo, N. Y.; WFAM, South Bend, Indiana; WFBE, Cincinnati, Ohio; WGH, Newport News, Virginia; WJAC, Johnstown, Pennsylvania; WKBB, Joliet, Illinois; WLAP, Louisville, Kentucky; WNBW, Carbondale, Pennsylvania; WQDX, Thomasville, Georgia; WRBL, Columbus, Georgia; WSBC, Chicago, Illinois; WSIX, Springfield, Tennessee; WSJS, Winston-Salem, North Carolina; WTRC, Elkhart, Indiana; KGED, Fergus Falls, Minnesota; KGEK, Yuma, Colorado, and KWG, Stockton, California.

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SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

NEW	A. D. Shiffer & A. H. Bennett d/b as Lansing Brdcstg. Co. Lansing, Michigan	Requests C. P. for new station, 1210 kc, 100 watts, unlimited time.
NEW	Lancaster Brdcstg. Service, Inc. Lancaster, Pennsylvania	Requests C. P. for new station, 1230 kc, 500 watts, daytime.
WFDV	Rome Broadcasting Corp. Rome, Georgia	Requests C. P. to change frequency from 1500 to 1120 kc, increase power from 100 to 250 watts, and change hours of operation from specified to unlimited. (part of facilities of WTFI).

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November 11, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WRC	National Broadcasting Co., Inc. Washington, D. C.	Granted C. P. to make changes in auxiliary equipment.
WABC- WBOQ	Atlantic Broadcasting Corp. New York, New York	Granted C. P. for auxiliary purposes only, 860 kc, 5 KW.
WLCI	Luthern Association of Ithaca, New York	Granted C. P. to make changes in equipment.
WSVS	Elmer S. Pierce, Principal Seneca Vocational High School Buffalo, New York	Granted license covering installation of new equipment 1370 kc, 50 watts daytime; hours of operation, daily 8:30 to 10 a.m. and 2 to 3 p.m., EST.
WKAV	Laconia Radio Club Laconia, New Hampshire	Granted temporary renewal of license pending decision of the Commission as a result of investigation now being conducted with respect to improper operating of station.
<u>SECOND ZONE</u>		
WFBG	The William F. Gable Company Altoona, Pennsylvania	Granted consent to vol. assign. of lic. to the Gable Broadcasting Co. (Lessee)
WCAE	WCAE, Inc. Pittsburgh, Pennsylvania	Granted renewal of license for auxiliary transmitter for term ending 3 a.m., EST, April 1, 1933.
WHK	Radio Air Service Corp. Cleveland, Ohio	Granted ren. of lic. for auxiliary transmitter for term ending 3 a.m. EST, May 1, 1933.
WALR	WALR Broadcasting Corp. Zanesville, Ohio	Granted license covering move of transmitter locally and changing equipment, 1210 kc, 100 watts, unlimited time.
<u>THIRD ZONE</u>		
WFDV	Rome Broadcasting Corporation Rome, Georgia	Granted Mod. of Lic. to change part of specified hours as follows: change morning hours from 6 to 9 a.m., to: 7 to 10 am

November 11, 1932

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

WNAD	University of Oklahoma Norman, Oklahoma	Granted special authority to operate 9:15 to 10:30 P.M. CST, November 15, 17 and 29; December 1, 13 and 15, 1932, and January 10 and 12; February 7, 9, 21 and 23, 1933, provided KGGF remains silent.
WWL	Loyola University New Orleans, Louisiana	Granted license covering local move of transmitter, installation of new equipment and increase in power from 5 to 10 KW; 850 kc; hours daily except Sunday, 8 a.m. to 8:30 p.m.; Sunday 10 a.m. to 7:45 p.m., CST.

FOURTH ZONE

KGFK	Red River Brdcstg. Co. Inc. Moorhead, Minnesota	Granted C. P. to change type of equipment and increase operating power from 50 to 100 watts.
WLBC	Donald A. Burton Muncie, Indiana	Granted C. P. to move transmitter locally in Muncie, Indiana.
WHBF	Beardsley Specialty Co. Rock Island, Illinois	Granted renewal of license, 1210 kc, 100 watts, unlimited time. (Application for WHBF's facilities has been withdrawn).
WCBD	Wilbur Glenn Voliva Zion, Illinois	Granted extension of working of Rule 145 to November 30.
WHBY	St. Norbert College Green Bay, Wisconsin	Granted consent to Vol. Assign. of Lic. to WHBY, Inc.
KGFW	Central Nebraska Brdcstg. Corp. Kearney, Nebraska	Granted temporary renewal of license subject to decision of the Commission on application filed by James M. Caldwell, Goodland, Kansas, requesting facilities of KGFW.
WSUI	State University of Iowa Iowa City, Iowa	Granted special authority to operate from 10 p.m. to 12 midnight, CST, November 18.

FIFTH ZONE

KFWI	Radio Entertainments, Ltd. San Francisco, California	Granted ren. of lic. 930 kc, 500 watts shares with KROW. (The application for KFWI's facilities requested by KROW has been withdrawn.)
KPQ	Wescoast Broadcasting Company Wenatchee, Washington	Granted C. P. to make changes in equipment and increase power from 50 to 100 watts.

November 11, 1932

APPLICATIONS GRANTED (concluded)

FIFTH ZONE (continued)

KREG	J. S. Edwards Santa Ana, California	Granted C. P. to make changes in equipment.
KGVO	Mosby's Inc. Missoula, Montana	Granted extension of working of Rule 145 to November 30.
KLZ	Reynolds Radio Co. Inc. Denver, Colorado	Granted authority to install automatic frequency control.
KGfJ	Ben S. McGlashan Los Angeles, California	Granted authority to install automatic frequency control.

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APPLICATIONS RETURNED

During the current week the Commission has returned the following applications to the applicants:

3-ALB-424	KMAC	W. W. McAllister San Antonio, Texas	Vol. assign. of lic. to Walcam Co., Inc. (Request of applicant).
5-MLB-1061	KDYL	Intermountain Brdcstg. Corp. Salt Lake City, Utah	Mod. of lic. to change frequency from 1290 to 780 kc, facilities KDM, Los Angeles and KELW, Burbank, California. (Rule 6 d).

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ORAL ARGUMENT CONTINUED

WORC- WEPS	Alfred Frank Kliendienst Worcester, Massachusetts	Argument before Commission en banc scheduled for November 16, 1932, continued until 10 am November 30, concerning application for facilities of Stations WAWZ, Zarephath, New Jersey, WMSG, WBNX and WCDA all of New York City.
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CANADA INCREASES RADIO SETS

Radio receiving licenses are increasing in number, according to word received from Canada by the Department of Commerce. The Department has been informed that 544,000 licenses were issued for the six months ending September 30 as compared with a total of 598,000 for the whole of the previous fiscal year.

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November 11, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-1084	WEBR	Howell Brdcstg. Co. Inc. Buffalo, New York	Mod. of lic. for authority to use the new WE 100 watt Auxiliary Transmitter as Main Transmitter at night.
1-PB-2741	WMBO	WMBO, Inc. Auburn, New York	C. P. to rebuild station which was destroyed by fire. Change of street address of transmitter and studio; new equipment.
<u>SECOND ZONE</u>			
2-MPB-392	WELL	Enquirer-News Co. Battle Creek, Michigan	Mod. of C. P. issued 8/9/32 extend date of completion to 1/9/33.
2-ZB-64	WGAR	WGAR Broadcasting Co., Inc. Cleveland, Ohio	Determine power by direct antenna measurement.
<u>THIRD ZONE</u>			
3-PB-2723	KOCW	J. T. Griffin Chickasha, Oklahoma	Change transmitter and studio locally, make changes in equipment, amended location of transmitter "to be determined."
3-PB-2644A	NEW	William O. Purkins & Merrill Eidson d/b as Radio Service Co., Temple, Texas	C..P. for new station to use 1340 kc, 100 watts night, 250 watts LS, unlimited hours amended to request 1210 kc, 100 watts, unlimited hours, change street address of transmitter and studio.
<p>The nearest station on the proposed frequency of 1210 kilocycles is KWEA, Shreveport, Louisiana, which is 230 miles away. The engineers of the Commission recommend a separation of 185 miles. Both the State of Texas and the Third Zone are over quota. Granting of this application would increase the quota.</p>			
3-PB-2719	NEW	W. E. Dobbins and Maurice C. Coleman d/b as Coleman-Dob- bins Company. Atlanta, Georgia	C. P. for new station to use 890 kc, 250 watts night 500 watts LS, unlimited hours. Requests facilities of WGST, Atlanta, Georgia

Inasmuch as this applicant is asking for the facilities of a station located at the same place and for the same facilities, neither would the quota be increased nor would any additional interference be caused than that by the existing station.

## APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

3-PB-2736	NEW	Radio Station WBHS, Inc. Huntsville, Alabama	C. P. for new station to use 1200 kc, 100 watts, share with WFBC, to use 6/7 time. Requests facilities of WBHS, Huntsville, Alabama.
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The applicant is asking for facilities now used which would not increase quota or interference.

FOURTH ZONE

4-MLB-1085	WMBH	W. M. Robertson Joplin, Missouri	Mod. of lic. for increase in specified hours of operation.
4-PB-2734	WTAD	Illinois Broadcasting Corp. Quincy, Illinois	C. P. to move transmitter and studio to East St. Louis, Illinois.

East St. Louis, Illinois, where it is proposed to move the station, is 600 miles from WBIG, Greensboro, North Carolina, the nearest station on the same frequency, 1440 kilocycles. The engineers of the Commission recommend a separation of 1000 miles. The change would not increase the State of Zone quota.

4-PB-2735	WMBH	W. M. Robertson, Joplin, Missouri	C. P. to install new transmitter and make other changes in equipment.
4-ALB-474	KWLC	Luther College Decorah, Iowa	Vol. assign. of lic. to Telegraph-Herald.

FIFTH ZONE

5-PB-2733	KOIN	KOIN, Inc. Portland, Oregon	C. P. change equipment and change transmitter location 1/10 mile outside City limits, Portland, Ore.
5-MLB-1086	KFXJ	R. G. Howell & Chas, Howell d/b as Western Slope Broadcasting Company Grand Junction, Colorado	Mod. of lic. to change frequency from 1310 to 1200 kc.

The nearest station on the proposed new frequency of 1200 kilocycles is KGEW, at Fort Morgan, Colorado, which is 280 miles distant. The engineers of the Commission recommend a separation of 185 miles. The quota of neither the State nor the Zone would be affected by this change.

5-MLB-1087	KCRJ	Charles C. Robinson Jerome, Arizona	Mod. of lic. to change specified hours of operation.
5-LB-906	KGBU	Alaska Radio & Service Co. Ketchikan, Alaska	Lic. to cover C. P. issued 7/15/32 to rebuild station and change in specified hours.

November 11, 1932

APPLICATIONS RECEIVED (concluded)

FIFTH ZONE (continued)

5-ALB-473	KICA	W. E. Whitmore Clovis, New Mexico	Vol. assign. of lic. to South-west Broadcasting Company.
5-PB-2728	NEW	W. L. Gleeson Sacramento, California	C. P. for new station, exact location to be determined, to use 1490 kc, 1 KW, unlimited hours, facilities KTM, Los Angeles and KELW, Burbank, California, amended to give exact transmitter location six miles south of City of Sacramento, on Sacramento River; change equipment, change operating power to 5 KW.

This proposed new station near Sacramento would be 1900 miles from the nearest station on the same frequency, WCKY, at Cincinnati, Ohio. The engineers of the Commission recommend a separation of 1600 miles.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission has received the following applications for licenses to cover permits granted: WJEJ, Hagerstown, Maryland; KSO, Des Moines, Iowa; WHDH, Boston, Massachusetts; WJBI, Red Bank, New Jersey; KGBU, Ketchikan, Alaska.

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APPLICATIONS FOR LICENSE RENEWAL

During the current week the Commission has received the following applications for license renewal: KFXM, San Bernardino, California; KGY, Olympia, Washington; WPRO-WPAW, Providence, Rhode Island; WHBQ, Memphis, Tennessee; WWRL, Woodside, New York; WENC, Americus, Georgia; WBBL, Richmond, Virginia; WABI, Bangor, Maine; WBOW, Terre Haute, Indiana; WJBL, Decatur, Illinois; KFWF, St. Louis, Missouri; WMBR, Tampa, Florida; WPFB, Hattiesburg, Mississippi; WILM, Wilmington, Delaware; WHDL, Tupper Lake, New York; WLEY, Lexington, Massachusetts; WMT, Waterloo, Iowa; KFGQ, Boone, Iowa; KUMA, Yuma, Arizona; KWCR, Cedar Rapids, Iowa; KXO, El Entro, California; WJBW, New Orleans, Louisiana; WJBC, LaSalle, Illinois; KGMB, Honolulu, Hawaii; WCAT, Rapid City, South Dakota; WHET, Troy, Alabama; KFYO, Lubbock, Texas; KGKL, San Angelo, Texas; and WTIS, Jackson, Tennessee.

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APPLICATION SET FOR HEARING

During the current week the Commission has set the following case for hearing:

NEW	John Tindale Abilene, Texas	Requests C. P. 1420 kc, 100 watts, share with KABC equally.
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*Recd by Miss [unclear]*

**BROADCASTERS'**



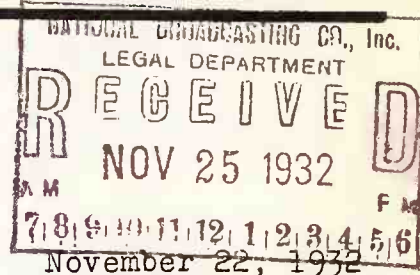
**NEWS BULLETIN**

Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director.



**McCOSKER HEADS NAB**

Alfred J. McCosker, WOR, Newark, N. J. was elected President of the NAB at the Tenth Annual Convention which recently closed at St. Louis, Mo.

Other officers and directors elected were:

Leo Fitzpatrick, WJR, Detroit, Mich., First Vice President; John Shepard, III, WNAC, Boston, Mass., Second Vice President; and Arthur B. Church, KMBC, Kansas City, Mo., Treasurer. Directors elected were as follows:

For the three year term - J. Thomas Lyons, WCAO, Baltimore, Md; Lambdin Kay, WSB, Atlanta, Ga.; L. B. Tyson, KHJ, Los Angeles, Calif.; I. Z. Buckwalter, WGAL, Lancaster, Pa.; and J. T. Ward, WLAC, Nashville, Tenn.

For the two year term - W. W. Gedge, WMBC, Detroit, Mich.

For the one year term - Donald Flamm, WMCA, New York; and Gardner Cowles, Jr. WIAS, Des Moines, Iowa.

In addition to the Directors elected at the meeting, the following complete the Board: William S. Hedges, WMAQ, Chicago, Ill.; Henry A. Bellows, WCCO, Minneapolis, Minn.; Quin Ryan, WGN, Chicago, Ill.; E. B. Craney, KGIR, Butte, Mont.; H. K. Carpenter, WPTF, Raleigh, N. C.; Walter J. Damm, WTMJ, Milwaukee, Wis.; and George F. McClelland, WEAJ, New York, N. Y.

Oswald F. Schuette was given broad authority to represent the broadcasting industry in its copyright activities.

Philip G. Loucks was reappointed as Managing Director by the Board.

## LET'S ALL DIG IN AND HELP

When Harry Shaw turned over to A. J. McCosker the presidential gavel at St. Louis, the NAB had reached the close of its most successful year. The membership was the largest since the founding of the Association and the financial condition was the soundest in years. It was a closely knit, active organization which Mr. Shaw bequeathed to his successor.

But an enthusiastic meeting heaped a large number of new and novel proposals upon the shoulders of President McCosker. He assumes the presidency facing the most elaborate program ever laid down by the industry. This program was not developed behind closed doors or by Committees. It was drafted and discussed at open meetings and was voted upon by all who attended.

In President McCosker the NAB has picked a wise and capable leader. To carry out the program which has been laid out for him he must not only have the cooperation of the Board of Directors but he must have the financial and moral support of every broadcasting station in the country. He will have the wholehearted cooperation of the Managing Director's office.

Every member must remember that the program for the year was the result of action of those who attended the meeting at St. Louis. It is your program and it is up to you to put your shoulder to the wheel and help put it over. If you will cooperate, the program will succeed; if you fail to cooperate, the program cannot possibly succeed.

The reorganized NAB is off to a fine start. Let's all dig in and help!

## PROCEEDINGS TO BE PUBLISHED

This Bulletin will give only a few high spots of the Convention. The official report of the meeting has not yet been received and it was thought advisable to await its receipt before giving in detail the official actions of the Convention. Just as soon as the record is received it will be rushed to the printer with a view to having a complete record of the meeting in the hands of each member at the earliest possible date.

## COMMITTEE REPORTS

Many questions scheduled for discussion at the St. Louis Convention were sidetracked in favor of elections and other more important business. The report of the Commercial Section was presented by H. K. Carpenter, WPTF, Raleigh, N. C. Chairman of the Section, and reports of other committees of the Section were received and filed with instructions that they be published in the proceedings. The report of the Legislative Committee was given by Henry A. Bellows, WCCO, Minneapolis, Minn. and the report of the Copyright Committee was presented by Paul W. Morency, WTIC, Hartford, Conn. Mr. Schuette reported on his copyright activities at the Wednesday meeting.

## NAB'S BUSIEST MEETING

The Tenth NAB meeting which just closed at St. Louis was the most enthusiastic meeting of broadcasters ever held.

During the course of the meeting the Association was reorganized and revitalized and a most ambitious program for the ensuing year was developed.

A total of three hundred and two persons attended the banquet on Tuesday night. Each session was well attended and members and non-members alike took an active part in the proceedings.

The text of the various motions and resolutions adopted at the Convention will be published just as soon as a transcript of the meeting is available. Within a few weeks the proceedings of the meeting will be published in full and these will be available for distribution.

### FAVOR DIRECTOR GENERAL FOR RADIO

Among the most important actions taken at the meeting was a motion authorizing the Board of Directors to consider the appointment of a man with national reputation to the newly created post of Director General of broadcasting. The Board, at its reorganization meeting following the closing session of the Convention, began its consideration of this matter and appointed a committee to study details of the project. The Committee was scheduled to meet this week.

### SCHUETTE COPYRIGHT DIRECTOR

The broadcasters, members and non-members, voted unanimously to appoint Oswald F. Schuette director of copyright activities for the broadcasters, with broad powers to negotiate a new contract with the American Society of Composers, Authors and Composers, to take whatever legal or legislative action which may be necessary to secure a solution to the industry's music problems.

### LINE CHARGES AND TURNTABLES

Frequent reference was made to existing telephone line charges and turntable licenses during the meeting and under a motion adopted in the closing minutes of the Convention the Association was directed to study the telephone rate question.

### PROGRAM FOUNDATION OUTLINED

In his report to the meeting, Mr. Schuette outlines plans for the creation of a program foundation enterprise under which the broadcasting industry would, within the next few years, free itself from dependence upon any combination of copyright owners. The matter was referred to the Board of Directors for consideration.

## STANDARD ORDER BLANK REFERRED

The standard order blank developed by the American Association of Advertising Agencies in cooperation with the Commercial Section Chairmen of the NAB received brief consideration. Debate over several conditions in the blank was cut short when a motion was adopted referring the whole matter to the Board for disposition. The Board will consider the form at its next meeting.

## LAFOUNT ISSUES WARNING

Acting Chairman Harold A. LaFount of the Radio Commission warned against what he termed "overcommercialization of programs" in an address at the opening session and called for a united industry to meet the problems which confront American broadcasting. His address followed an address of welcome by Mayor Miller of St. Louis.

## SHAW PLEADS FOR UNITY

Harry Shaw, WMT, Waterloo, Iowa, retiring president of the NAB, called upon the industry for organized action in his address to the meeting. Mr. Shaw, who took an active part in all of the Association's activities during the past year, reviewed the work of the Association and called upon the membership to take a more active part in the work of the organization.

## CALDWELL DISCUSSES MADRID CONFERENCE

A detailed review of the problems before the International Radiotelegraph Conference now in progress at Madrid was contained in the report of Louis G. Caldwell, NAB representative at Madrid. The report will be published in full in the proceedings of the Convention.

## O. H. CALDWELL SPEAKS

O. H. Caldwell, former radio commissioner and editor of Electronics and Radio Retailing, addressed the Monday session. Other speakers during the Monday meetings were Prof. C. M. Jansky, Jr. consulting radio engineer of Washington; Strickland Gillilan, humorist and writer of Washington, and Joe Chambers, WLW and WSAI, Cincinnati, Ohio, who presented the report of the Engineering Section in the absence of John V. L. Hogan, chairman of the Section.

## FRED GAMBLE SPEAKS

Fred Gamble, brilliant executive secretary of the American Association of Advertising Agencies, discussed the standard order blank and also spoke informally on the relationship between agencies and broadcasters.

CONVENTION REGISTRATION LIST

The following were in attendance at the St. Louis Meeting:

<u>NAME</u>	<u>STATION or COMPANY</u>	<u>ADDRESS</u>
ADLER, Ben	RCA-Victor Company	Dallas, Texas
ANDREWS, F. L.	KDKA	Pittsburgh, Pa.
ARMSTRONG, R. W.	Amer. Tel. & Tel. Co.	New York, N. Y.
ARNOUX, Campbell	KTHS	Hot Springs, Ark.
BAILEY, Stuart L.	Jansky & Bailey	Washington, D. C.
BAKER, I. R.	RCA-Victor Company	Camden, New Jersey
BELLOWS, H. A.	WABC	New York, N. Y.
BENNETT, Robert W.	KFRU	Columbia, Missouri
BENSON, L. A.	WIL	St. Louis, Missouri
BERKELEY, K. H.	WRC	Washington, D. C.
BIDWELL, Bert	WHB	Kansas City, Missouri
BILL, Edgar L.	WMBD	Peoria, Illinois
BILLINGS, Ford	KSTP	St. Paul, Minnesota
BISBEE, F. C.	Elec. Research Prod. Inc.	New York, N. Y.
BLAIR, F. B.	KMBC	Kansas City, Missouri
BLISS, H. S.	WCLO	Janesville, Wisconsin
BLOSSOM, R. E.	WFBM	Indianapolis, Ind.
BONEBRAKE, Matthew	WKY	Oklahoma City, Okla.
BOVEN, Scott H.	WIBX	Utica, New York
BOVEN, Mrs. Scott H.	WIBX	Utica, New York
BOYNTON, Stanley G.	WJR	Detroit, Michigan
BRENNEN, H. J.	WJAS	Pittsburgh, Pa.
BRICKER, Geo.	WMCA	New York, N. Y.
BRIDGES, W. C.	WEBC	Superior, Wisconsin
BRISBIN, M. M.	RCA-Victor Company	Camden, New Jersey
BUCKWALTER, Isaac Z.	WGAL	Lancaster, Pa.
BURKE, C. G.	WDAY	Fargo, North Dakota
BURKE, Rev. Wallace	WWL	New Orleans, La.
BUSH, James L.	WDZ	Tuscola, Illinois
BUTCHER, Harry C.	WJSV	Washington, D. C.
BUTLER, Burrige D.	WLS	Chicago, Illinois
CALDWELL, Louis G.	WGN	Washington, D. C.
CALLAWAY, Joseph	WKBH	LaCrosse, Wisconsin
CAMPBELL, Martin	WFAA	Dallas, Texas
CARRELL, C. L.	WBBZ	Ponca City, Okla.
CARPENTER, H. K.	WPTF	Raleigh, North Carolina
CHAMBERS, Joe	WLW	Cincinnati, Ohio
CHATTERTON, Charles O.	The Oregonian - KGW	Portland, Oregon
CHERRINGTON, E. M.	KFEQ	St. Joseph, Missouri
CHILTON, A. L.	KRLD	Dallas, Texas
CHURCH, Arthur B.	KMBC	Kansas City, Missouri
COGLEY, E. V.	WLBW	Erie, Pennsylvania
CONVEY, Thomas Patrick	KWK	St. Louis, Missouri
COOK, S. H.	WFBL	Syracuse, New York



<u>NAME</u>	<u>STATION or COMPANY</u>	<u>ADDRESS</u>
CORCORAN, Rev. Chas. T.	WEW	St. Louis, Missouri
CORY, W. A.	Employers Reinsurance Corp.	Kansas City, Missouri
COSBY, Clarence G.	KWK	St. Louis, Missouri
COULSON, W. S.	WHAS	Louisville, Kentucky
COYLES, Jr. Gardner	WIAS	Ottumwa, Iowa
CRAIN, K. C.	"Advertising Age"	Chicago, Illinois
CRANE, Ruth F.	WJR	Detroit, Michigan
CRANEY, E. B.	KGIR	Butte, Montana
CUNNINGHAM, F. W.	Western Electric Company	New York, N. Y.
DAMM, Walter J.	WTMJ	Milwaukee, Wisconsin
DARRAGH, Nelson R.	KMOX	St. Louis, Missouri
DAVIS, Don D.	WHB	Kansas City, Missouri
DAVIS, W. B.	Elec. Research Prod. Inc.	New York, N. Y.
DYER, Gene	WGES	Chicago, Illinois
EARL, Guy	KNX	Los Angeles, Calif.
EAVES, A. J. E.	Graybar Electric Company	New York, N. Y.
EHRESMAN, Ralph	WMBD	Peoria, Illinois
ELLIOTT, Frank W.		Davenport, Iowa
ELLIS, Girard	400 N. Michigan Avenue	Chicago, Illinois
ENGLAND, John A.	KFPW-KUOA	Fort Smith, Arkansas
FELLERS, E. A.	Mantle Lamp Company	Chicago, Illinois
FETZER, John E.	WKZO	Kalamazoo, Michigan
FITSPATRICK, Leo	WJR	Detroit, Michigan
FLAMM, Donald	WMCA	New York, N. Y.
FOELLER, M. F.	Amer. Tel & Tel Co.	St. Louis, Missouri
FONTELIEU, T. J.	WSMB	New Orleans, La.
FOOTE, Ernest B.	World Broadcasting System	New York, N. Y.
FOSTER, A. S.	WWL	New Orleans, La.
FOSTER, R. D.	KGBX	Springfield, Missouri
FOX, J. Leslie	WSM	Nashville, Tennessee
FOX, S. S.	KDYL	Salt Lake City, Utah
FREE, James L.	Free & Sleininger, Inc.	Chicago, Illinois
GAMMONS, E. H.	WCCO	Minneapolis, Minn.
GAVIN, T. W.	WEBC	Duluth, Minnesota
GEDGE, W. Wright	WMBC	Detroit, Michigan
GEDDES, Bond	Radio Manufacturers Assoc.	Chicago, Illinois
GILLIN, John J.	WOW	Omaha, Nebraska
GISH, E. B.	KGRS	Amarillo, Texas
GLADE, Earl J.	KSL	Salt Lake City, Utah
GLEASON, W. J.	KHJ	Los Angeles, Calif.
GLUCK, E. J.	WBT	Charlotte, No. Car.
GOLDENBURG, Henry E.	WHB	Kansas City, Missouri
GOVE, Edw. L.	WHK	Cleveland, Ohio
GRUBB, Al Gayle	WKY	Oklahoma City, Okla.
GUIDER, John W.	KFAC-KFVD	Washington, D. C.
GURNEY, J. C.	WNAX	Yankton, South Dakota
HALLEY, Dr. Geo. E.	KMBC	Kansas City, Missouri
HAMLIN, Edw. V.	KSD	St. Louis, Missouri
HARKNESS, W. E.	Elec. Research Prod. Inc.	New York, N. Y.

<u>NAME</u>	<u>STATION</u> or <u>COMPANY</u>	<u>ADDRESS</u>
HARRISON, A. F.	Consolidated Press	Washington, D. C.
HART, G. A. D.	KWK	St. Louis, Missouri
HEDGES, William S.	WMAQ	Chicago, Illinois
HEDGES, W. E.	Graybar Electric Company	St. Louis, Missouri
HENRY, A. B.	WIL	St. Louis, Missouri
HENRY, John	KOIL	Omaha, Nebraska
HIRSCH, Oscar C.	KFVS	Cape Girardeau, Mo.
HOFFMAN, Phil	WIAS-KVCR-KSO	Ottumwa, Iowa
HOFENSTEIN, Rev. H. H.	KFUO	St. Louis, Missouri
HOLLISTER, Herbert	WLBF	Kansas City, Kansas
HOLLIFAY, Harrison	KFRC	San Francisco, Calif.
HOWLETT, E. S.	WAIU	Columbus, Ohio
HOWLETT, M. A.	WHK	Cleveland, Ohio
HUBBARD, Stanley E.	KSTP	St. Paul, Minnesota
HUTCHINSON, W. E.	WAAF	Chicago, Illinois
JANSKY, Jr. C. M.	Jansky & Bailey	Washington, D. C.
JAQUIER, L. L.	WFIW	Hopkinsville, Kentucky
JOHNSON, J. A.	WTAX	Springfield, Illinois
JUNKIN, Geo.	American Broadcasting System	New York, N. Y.
KALETZKI, C. H.	Empire Radio Features Syndicate	Syracuse, New York
KAUFMAN, J. L.	WCAE	Pittsburgh, Pa.
KAY, Lambdin	WSB	Atlanta, Georgia
KENRICK, A. J.	World Broadcasting System	New York, N. Y.
KENDRICK, D. E.	WFIW	Hopkinsville, Kentucky
KING, Gerald	KFWB	Los Angeles, Calif.
KLANER, Fred	Scott Howe Bowen, Inc.	Chicago, Illinois
KORAB, Frank H.	KMMJ	Clay Center, Nebraska
LAFOUNT, Harold	Federal Radio Commission	Washington, D. C.
LAUNDER, Ray S.	Broadcast Reporter	Washington, D. C.
LEVY, I. D.	WCAU	Philadelphia, Pa.
LOCHMAN, Walt	KGBX	Springfield, Missouri
LOTTBRIDGE, J. Buryl	KFBI	Abilene, Kansas
LUCY, C. T.	WRVA	Richmond, Virginia
LYONS, J. Thomas	WCAO	Baltimore, Maryland
MacARTHUR, Peter	WOC-WHO	Davenport, Iowa
MALAND, Joe	WOC-WHO	Davenport, Iowa
MARTIN, J. L.	WDAG	Amarillo, Texas
McCORMACK, John C.	KTBS	Shreveport, Louisiana
McCOSKER, Alfred J.	WOR	Newark, New Jersey
McCUREY, R. G.	Graybar Electric Company	Kansas City, Missouri
McELHINEY, Jr. G. W.	McElhiney & Associates	St. Louis, Missouri
MEIGHAN, Howard S.	Scott Howe Bowen, Inc.	New York, N. Y.
MELROSE, Grant	WJAY	Cleveland, Ohio
MERQUELIN, J. A.	Western Electric Company	New York, N. Y.
MEYER, P. J.	KFYR	Bismarck, North Dakota
MEYERS, C. J.	WGN	Chicago, Illinois
MORENCY, Paul W.	WTIC	Hartford, Connecticut
MULLEN, Frank E.	National Broadcasting Co.	Chicago, Illinois
MUSSELMAN, B. Bryan	WCBA	Allentown, Pennsylvania

<u>NAME</u>	<u>STATION or COMPANY</u>	<u>ADDRESS</u>
NICKELS, R. W.	KFRU	Columbia, Missouri
NORTHCOTT, Stanley F.	WBCM	Bay City, Michigan
NORTHUP, Mrs. E. D.	WSPD	Toledo, Ohio
NORTHUP, E. D.	WSPD	Toledo, Ohio
O'FALLON, Gene	KFEL	Denver, Colorado
OURY, Paul	WPRO	Providence, Rhode Island
PAPE, W. O.	WAPI	Birmingham, Alabama
PATT, John F.	WGAR	Cleveland, Ohio
PECK, H. M.	WKY	Oklahoma City, Okla.
PETRY, Edward		New York, N. Y.
PHILLIPS, C. F.	WFBL	Syracuse, New York
POWELL, H. J.	KGGF	Coffeyville, Kansas
PRICE, C. U.	KFH	Wichita, Kansas
PYLE, K. W.	KFBI	Abilene, Kansas
QUARTON, Sumner D.	KWCR	Cedar Rapids, Iowa
RAMBEAU, William G.	KMBC	Chicago, Illinois
READ, H. C.	Amer. Tel. & Tel. Co.	New York, N. Y.
REINEKE, E. C.	WDAY	Fargo, North Dakota
RICHARDS, G. A.	WJR	Detroit, Michigan
RIGGINS, Ed S.	KMJ	Fresno, California
ROBERTSON, R. B.	Broadcast Advertising	Chicago, Illinois
ROSELER, Geo.	KFAB	Omaha, Nebraska
RUSSELL, F. M.	WEAF	New York, N. Y.
RYAN, Quin	WGN	Chicago, Illinois
RYAN, J. H.	WSPD	Toledo, Ohio
SCHILLING, John T.	WHB	Kansas City, Missouri
SEARLE, Don	KOIL	Omaha, Nebraska
SEARS, A. T.	A. T. Sears & Sons, Inc.	Chicago, Illinois
SEARS, B. H.	A. T. Sears & Sons, Inc.	Chicago, Illinois
SEGAL, Paul M.	KDYL-KLZ	Salt Lake City, Utah
SHARMAN, Mrs. Olive	WJR	Detroit, Michigan
SHAW, Harry	WMT	Waterloo, Iowa
SHEPARD, III, John	The Yankee Network	Boston, Mass.
SLAVICK, H. W.	WMC	Memphis, Tennessee
SLEININGER, C. L.	Free & Sleininger, Inc.	Chicago, Illinois
SMITH, Geo. S.	KDYL-KLZ	Salt Lake City, Utah
SMITH, Harold E.	WOKO	Albany, New York
SMITH, Mark N.	KMBC	Kansas City, Missouri
SMITH, Vernon H.	WREN	Lawrence, Kansas
SMITS, Norbert J.	WHBY	Green Bay, Wisconsin
SNYDER, Glenn	WLS	Chicago, Illinois
SOULE, R. G.	WFBL	Syracuse, New York
SOUTHARD, Edythe Fern	WJAY	Cleveland, Ohio
SOWELL, Jr. F. C.	WLAC	Nashville, Tennessee
SPENCE, Edwin M.	WPG	Atlantic City, N. J.
SPIES, M. C.	WDZ	Tuscola, Illinois
SPRAGUE, E. S.	WEAF	New York, N. Y.
STAMM, Gus W.	Broadcast Advertising	Chicago, Illinois
STEVENSON, Thomas	Broadcast Reporter	Washington, D. C.

<u>NAME</u>	<u>STATION or COMPANY</u>	<u>ADDRESS</u>
STEVART, Jack	WFBR	Baltimore, Maryland
STINSON, L. W.	KVOO	Tulsa, Oklahoma
STONE, Harry	WSM	Nashville, Tennessee
STOREY, John J.	WTAG	Worcester, Mass.
SUMMERVILLE, W. H.	KRLD	Dallas, Texas
SUTTON, Geo. O.		Washington, D. C.
SWEET, R. W.	WLAC	Nashville, Tennessee
TAYLOR, Inglis M.	WEBQ	Harrisburg, Illinois
TEMPLE, J. M.	KCMC	Texarkana, Arkansas
THOMAS, N. A.	WDOD	Chattanooga, Tennessee
THOMPSON, Robert M.	WJAS	Pittsburgh, Pa.
THOMPSON, Roy	WFBG	Altoona, Pennsylvania
THURSTON, E. W.	Western Electric Company	New York, N. Y.
TYSON, L. B.	KHJ	Los Angeles, Calif.
VANCE, H. C.	RCA-Victor Company	Chicago, Illinois
Van VOLKENBURG, J. L.	KMOX	St. Louis, Missouri
VOYNOW, Edward E.	Scott Howe Bowen, Inc.	Chicago, Illinois
WAGNER, Rev. James A.	WHBY	Green Bay, Wisconsin
WARD, J. T.	WLAC	Nashville, Tennessee
WAY, W. B.	KVOO	Tulsa, Oklahoma
WEBER, Fred	WENR	Chicago, Illinois
WEISS, Lewis Allen	WJR	Detroit, Michigan
WEST, Wm H.	KMOX	St. Louis, Missouri
WHEELAHAN, H.	WSMB	New Orleans, La.
WHEELER, Clarence	WHEC	Rochester, New York
WHITE, J. Andrew	American Broadcasting System	New York, N. Y.
WICK, Bert	KDLR	Devils Lake, No. Dakota
WILLIAMSON, Jr. W. P.	WKBN	Youngstown, Ohio
WILSON, Howard	KFBI-KFEQ	Kansas City, Missouri
WINGER, Earl W.	WDOD	Chattanooga, Tennessee
WINTERS, Emerson	WHO	Des Moines, Iowa
WITHYCOMB, Donald	National Broadcasting Co.	New York, N. Y.
WOOTEN, Hoyt B.	WREC	Memphis, Tennessee
WORDEN, Ralph	WJAY	Cleveland, Ohio
WRIGHT, J. F.	WILL	Urbana, Illinois
YOUNG	WDGY	Minneapolis, Minnesota
ZIMMERMAN, G. E.	KPRC	Houston, Texas
ZIMMERMANN, Geo. H.	WCAH	Columbus, Ohio

#### DECREE ENTERED IN RCA CASE

A decree of injunction was granted Monday in the radio trust case by the United States District Court at Wilmington, Del. according to an official announcement made by the Department of Justice.

The decree directed the complete divorcement of the General Electric Company and the Westinghouse Electric & Manufacturing Company from the Radio Corporation of America, and enjoined the defendants from attempting to restrain trade by means of patent licenses or similar devices in violation of the Sherman anti-trust laws.

In working out the provisions of the decree which was entered with the consent of the defendants, the officials of the Department of Justice "have proceeded on the principle that the decree must grant substantially all that the Government could reasonably expect to obtain at the end of a trial."

The decree also enjoins the defendants and their subsidiaries from further recognizing or enforcing the exclusive provisions of their patent cross-licensing agreements.

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#### COURT REJECTS RECONSIDERATION PLEA

The Court of Appeals of the District of Columbia last week denied the application of the Herald-Telegraph Company, Dubuque, Iowa, for reconsideration of its denial of a stay order in the appeal filed against a decision of the Commission granting Station WKBB permission to move from Joliet to East Dubuque, Ill. At the same time the Commission postponed the motion of the Commission to dismiss the appeal until after a hearing on the merits of the case.

The Court this week also postponed until December 15 the date on which Stations WJZ, KGO, WGN and WMAQ have to file their briefs in the high power appeal case. Dates for the filing of these briefs have been postponed several times by the Court.

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#### WNJ LOSES COURT FIGHT

On Monday November 21 the Court of Appeals of the District of Columbia upheld the Federal Radio Commission in its decision denying WNJ, Newark, N. J. a renewal of license.

In 1930 WNJ applied for a renewal of its license and requested the use of 500 watts power and unlimited hours of operation. This application, in other words, asked for full time operation on 1450 kilocycles to the exclusion of three other stations which were then sharing time with it on that frequency. Following a hearing by an examiner recommendation was made that the station be taken off the air. This recommendation was subsequently upheld by the Commission and an appeal filed. The Monday decision of the Court was answer to this appeal.

"It is unnecessary for us to discuss in detail," says the Court in its decision, "the testimony contained in the record. We have examined it with care and find that the decision of the Commission is supported by substantial evidence and is not arbitrary or capricious. Moreover we find that the record discloses no error of procedure which deprived the appellant of a fair hearing in the case."

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## RADIO DIVISION REPORT

William D. Terrell, last week made his last annual report to the Secretary of Commerce as director of the Radio Division of that Department for the fiscal year ending June 30 last. The Radio Division is now a part of the Radio Commission. The report deals more with the inspection of radio apparatus on vessels, amateurs, aircraft, etc. than with broadcasting.

During the fiscal year 1932, Mr. Terrell states, 3,352 inspections were made of radio stations including broadcasting. The previous year 2,951 such inspections were made.

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## REPORTS ON RADIO ACTIVITIES

Lyman J. Briggs, Acting Director of the Bureau of Standards, which last year spent \$85,280 on radio research, has the following to say in his annual report made last week to the Secretary of Commerce in connection with radio experimental work:

"Primary frequency standard - The accuracy of this standard was further increased to 1 part in 10,000,000. Precise studies were made of the functioning of the various elements of the standard. An auxiliary unit was constructed to guard against stoppage of the four original oscillators, and special equipment was installed to protect against failure of the power supply.

"Secondary frequency standards - New piezooscillators were designed and constructed and were found to be remarkably constant in frequency. They are of wide application as standards and as control units for radio transmitters.

"Standard frequency dissemination - The standard frequency service was extended and improved. Regular transmissions were provided on a frequency of 5,000 kilocycles per second for four hours every Tuesday. The accuracy was better than 1 cycle per second (1 part in 5,000,000). Some of the transmissions were controlled, by wire-line transmission of a frequency from the national primary standard.

"Measurement of radio field intensity - Methods and apparatus developed for the automatic recording of field intensities of distant radio stations were applied to a study of effects produced by the synchronization of two pairs of broadcasting stations. Research on the accuracy of measurement of field intensity and on short-distance absorption of radio waves was completed."

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## SUPPLEMENTAL BROADCASTING LIST

Radio Broadcast Station Supplement No. 6 was issued last week by the Radio Commission showing recent changes up to November 1st. Copies of the supplement may be obtained at the NAB Headquarters or from the Secretary of the Radio Commission.

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November 19, 1932.

NEW QUOTA FIGURES

During the current week the Radio Commission made public new quota figures as of November 5th. The last figures were made public April 15th, for the quota as of March 20th.

The quotas of all zones have been increased by small percentages except the Fourth Zone and its quota has been decreased from 101.12 in April to 101.09 in November.

The new quotas follow:

FIRST ZONE

<u>STATE</u>	<u>DUE</u>	<u>T O T A L ASSIGNMENT</u>	<u>UNITS</u>	<u>PERCENTAGE</u>
NEW YORK	35.07	37.87	+ 2.80	+ 8
MASSACHUSETTS	11.84	10.46	- 1.38	- 12
NEW JERSEY	11.26	11.53	+ 0.27	+ 2
MARYLAND	4.55	4.20	- 0.35	- 8
CONNECTICUT	4.48	3.55	- 0.93	- 21
PUERTO RICO	4.30	0.50	- 3.80	- 88
MAINE	2.22	2.26	+ 0.04	+ 2
RHODE ISLAND	1.91	1.40	- 0.51	- 27
DIST. OF COLUMBIA	1.35	1.30	- 0.05	- 4
NEW HAMPSHIRE	1.29	0.92	- 0.37	- 29
VERMONT	1.00	0.74	- 0.26	- 26
DELAWARE	0.67	0.62	- 0.05	- 7
VIRGIN ISLANDS	<u>0.06</u>	<u>0.00</u>	- <u>0.06</u>	- <u>100</u>
TOTAL	80.00	75.35	- 4.65	- 6

SECOND ZONE

PENNSYLVANIA	27.63	20.28	- 7.35	- 27
OHIO	19.07	18.84	- 0.23	- 1
MICHIGAN	13.89	10.83	- 3.06	- 22
KENTUCKY	7.50	8.50	+ 1.00	+ 13
VIRGINIA	6.95	9.50	+ 2.55	+ 37
WEST VIRGINIA	<u>4.96</u>	<u>4.95</u>	- <u>0.01</u>	- <u>0</u>
TOTAL	80.00	72.90	- 7.10	- 9

THIRD ZONE

(continued on next page)

November 19, 1932.

## NEW QUOTA FIGURES (continued)

THIRD ZONE

<u>STATE</u>	<u>DUE</u>	<u>T O T A L</u> <u>ASSIGNMENT</u>	<u>UNITS</u>	<u>PERCENTAGE</u>
TEXAS	16.22	22.67	+ 6.45	+ 40
NORTH CAROLINA	8.82	8.15	- 0.67	- 8
GEORGIA	8.10	8.10	- 0.00	- 0
ALABAMA	7.37	6.32	- 1.05	- 14
TENNESSEE	7.29	12.83	+ 5.54	+ 76
OKLAHOMA	6.67	8.44	+ 1.77	+ 27
LOUISIANA	5.85	8.39	+ 2.54	+ 43
MISSISSIPPI	5.60	3.11	- 2.49	- 44
ARKANSAS	5.16	4.70	- 0.46	- 9
SOUTH CAROLINA	4.83	1.70	- 3.13	- 65
FLORIDA	<u>4.09</u>	<u>8.45</u>	+ <u>4.36</u>	+ <u>107</u>
TOTAL	80.00	92.86	+12.86	+ 16

FOURTH ZONE

ILLINOIS	22.52	34.38	+11.86	+ 53
MISSOURI	10.71	11.73	+ 1.02	+ 10
INDIANA	9.56	7.50	- 2.06	- 22
WISCONSIN	8.67	7.86	- 0.81	- 9
MINNESOTA	7.57	9.08	+ 1.51	+ 20
IOWA	7.30	11.48	+ 4.18	+ 57
KANSAS	5.55	5.85	+ 0.30	+ 5
NEBRASKA	4.06	7.30	+ 3.24	+ 80
SOUTH DAKOTA	2.05	2.92	+ 0.87	+ 42
NORTH DAKOTA	<u>2.01</u>	<u>2.99</u>	+ <u>0.98</u>	+ <u>49</u>
TOTAL	80.00	101.09	+21.09	+ 26

FIFTH ZONE

CALIFORNIA	36.86	37.46	+ 0.60	+ 2
WASHINGTON	10.15	15.46	+ 5.31	+ 52
COLORADO	6.72	9.18	+ 2.46	+ 37
OREGON	6.19	9.22	+ 3.03	+ 49
MONTANA	3.49	3.65	+ 0.16	+ 5
UTAH	3.30	6.60	+ 3.30	+100
IDAHO	2.89	3.00	+ 0.11	+ 4
ARIZONA	2.83	2.35	- 0.48	- 17
NEW MEXICO	2.75	4.03	+ 1.28	+ 47
HAWAII	2.39	1.84	- 0.55	- 23
WYOMING	1.46	0.60	- 0.86	- 59
NEVADA	0.59	0.70	+ 0.11	+ 19
ALASKA	<u>0.38</u>	<u>0.48</u>	+ <u>0.10</u>	+ <u>26</u>
TOTAL	80.00	94.57	+14.57	+ 18



November 22, 1932

## MISCELLANEOUS COMMISSION ACTION

Last week the Commission took the following miscellaneous action:

KGER	Cons. Brdcstg. Corp. Ltd. Long Beach, California	Application for renewal of license withdrawn from hearing docket and regular renewal granted.
KGZK	City of Berkeley Berkeley, California	Granted extension to December 15, 1932, of special authority to operate on 2422 kc, 100 watts.
KELW	Magnolia Park Ltd. Burbank, California	Granted oral argument to be held at 10 a.m., December 17, 1932.
KTM	Pickwick Broadcasting Corp. Los Angeles, California	Granted oral argument to be held at 10 a.m., December 17, 1932.

The Commission granted an extension of time to December 24, in which to file exceptions to Examiner's Report in 1020 kc, case.

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## NEW GEORGIA STATION OPPOSED

Chief Examiner Ellis A. Yost in a report last week, No. 432, recommended the application of Allen W. Marshall, junior and senior and Guy a. Malcolm, for a construction permit for a new station at La Grange, Georgia, to use 1500 kilocycles and 100 watts power be denied and that the application for license renewal of Station WRDW, Augusta, Georgia, using 1500 kilocycles be granted.

The Chief Examiner found that the record does not warrant a finding that the applicants "are financially qualified to construct and operate the proposed station." The proposed equipment, he states in his report, is satisfactory and no objectionable interference would be caused by the erection of the station at La Grange. However, he states that broadcasting reception "at present provided the people of La Grange and vicinity should be good during nighttime hours, and fairly satisfactory and dependable during daytime hours, outside the business and industrial district." He further found that "the continued operation of Station WRDW at Augusta, Georgia, would serve public interest, convenience and necessity."

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## RADIO EMPLOYMENT UP

The October employment index number for the radio industry was 79.8 compared with 68.1 for September and 111.5 for October of last year taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. The October payroll index number for these same plants was 62.9 compared with 56.1 for September and 106.7 for October of last year.

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## SET FOR HEARING

Last week the Commission set the following cases for hearing:

KGEW	City of Fort Morgan Fort Morgan, Colorado	Renewal of license
NEW	Herman Radner Lansing, Michigan	Requests C. P. 1210 kc, 100 watts, unlimited time.
WWL	Loyola University New Orleans, Louisiana	Requests Mod. of Lic. to change hours of operation from specified to unlimited. (facilitied of KWKH).
WKBH	WKBH, Inc. La Crosse, Wisconsin	Requests Mod. of Lic. to change hours of operation from simultaneous day with KSO, sharing at night with KSO, to unlimited.
WPHR	7LBG, Inc. St. Petersburg, Virginia	Requests C. P. to move transmitter and studio to Richmond; install new equipment, change frequency from 1200 to 1410 kc; increase power from 100 watts night, 250 watts daytime, to 250 watts night, 500 watts daytime; and change hours of operation from unlimited to unlimited simultaneous operation daytime with WHIS. (It is requested that WHIS be changed to a daytime station) facilities of WRBX.
NEW	W. E. Dobbins & Maurice C. Coleman d/b as Coleman-Dobbins Company Atlanta, Georgia	Requests C. P. 890 kc, 250 watts night, 500 watts day, unlimited time (facilities of WGST).
WMCA	Knickerbocker Brdcstg. Co., Inc. New York, New York	Requests special authority to increase power from 500 watts to 500 watts with additional 500 watts experimentally.
WNBO	John Brownlee Spriggs Silver Haven, Pennsylvania	Requests Mod. of C. P. to move station from Silver Haven to approximately $1\frac{1}{2}$ miles southwest of Monongahela, Pa., and increase hours of operation from specified to unlimited.

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## APPLICATIONS DISMISSED

Last week the Commission denied and dismissed the following applications:

W8BQ7	Frank John Harrison Painesville, Ohio	Renewal of amateur license, heretofore set for hearing, denied, because applicant failed to enter appearance within time allowed.
WCAC	Connecticut Agricultural College Storrs, Connecticut	C. P. 600 kc, 250 W. 500 W. LS, was dismissed from hearing docket at request of applicant.

November 22, 1932

APPLICATIONS GRANTED

Last week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
WJBI	Monmouth Broadcasting Company Red Bank, New Jersey	Granted assignment of hours to station WJBI, effective November 7, as follows: 7 to 9 p.m., EST, on Mondays only.
WFAS	Westchester Broadcasting Corp. White Plains, New York	Granted assignment of hours to station WJBI, effective November 7, as follows: 7 to 9 p.m., EST, on Mondays only.
WGBB	Harry H. Carman Freeport, New York	Granted assignment of hours to station WJBI, effective November 7, as follows: 7 to 9 p.m., EST, on Mondays only.
WNBX	The WNBX Broadcasting Corporation Springfield, Vermont	Granted Mod. of C. P. to make changes in equipment.
WFAB	Defenders of Truth Society, Inc. New York, N. Y.	Granted special authority to use transmitter of WEVD until repairs are made, but not to exceed 10 days.
WESG	Cornell University Ithaca, New York	Granted Mod. of Lic. to change frequency from 1270 to 1040 kc.
WFAS	Westchester Broadcasting Corporation White Plains, New York	Granted authority to operate Thursday, November 24 from 12 noon to 1:30 p.m., and Saturday, November 19 from 2:30 to 3 p.m., in order to broadcast football game.
WJEJ	A. V. Tidmore Hagerstown, Maryland	Granted license covering erection of new station: 1210 kc, 100 watts, daytime
		<u>SECOND ZONE</u>
WMBG	Havens & Martin Inc. Richmond, Virginia	Granted license covering installation of new auxiliary and increase in power of auxiliary from 10 to 100 watts, 1210 kc.
		<u>THIRD ZONE</u>
WHBQ	Broadcasting Station WHBW, Inc. Memphis, Tennessee	Granted Mod. of C. P. extending completion date from November 26 to January 26, 1933, covering move of transmitter locally.

November 22, 1932

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

WRAM	Wilmington Radio Association Inc. Wilmington, North Carolina	Directed station to operate from 2 to 3 a.m., EST, on the following days: November 25; December 9 and 23; January 6 and 20, in order to check frequency.
KASA	E. M. Woody Elk City, Oklahoma	Granted license covering erection of new station, 1210 kc, 100 watts, unlimited time.
KOMA	National Radio Manufacturing Co. Oklahoma City, Oklahoma	Granted license covering move of transmitter locally and installation of new equipment; 1480 kc, 5 KW, unlimited time.
WRAM	Wilmington Radio Association Inc. Wilmington, North Carolina	Granted authority to remain silent for a period of 2 weeks, in order to overhaul equipment.

FOURTH ZONE

WEBC	Head of the Lakes Brdcstg. Co. Superior, Wisconsin	Granted license covering local move of transmitter and changing equipment, 1290 kc, 1 KW, 2½ KW LS, unlimited time.
WSPA	Virgil W. Evans, d/b as The Voice of South Carolina Spartanburg, South Carolina	Granted authority to take depositions in the matter of application of WEBC and the Greenville News-Piedmont Co.
KGGF	Hugh J. Powell & Stanley Platz d/b as Powell & Platz Coffeyville, Kansas	Granted special authority to operate from 8:15 to 9:15 p.m., CST, November 23 and December 28; and from 7:15 to 9:15 p.m., CST, November 24, December 22, 27 and 29, 1932, WNAD to remain silent.
WHBF	Beardsley Specialty Company Rock Island, Illinois	Granted consent to Vol. Assign. of Lic. to Rock Island Broadcasting Co.

FIFTH ZONE

KTAR	KTAR Broadcasting Co. Phoenix, Arizona	Granted authority to take depositions in the matter of application of KTAR, Docket 1679
KIEM	Harold H. Hanseth Eureka, California	Granted Mod. of C. P. approving transmitter location at Eureka, and changing type of equipment.

## APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KWSC	State College of Washington Pullman, Washington	Granted authority to remain silent from 9:30 p.m., PST, December 17, to 6:45 a.m., PST, January 1, 1933, in order to make repairs and improvements.
KOIN	KOIN, Inc. Portland, Oregon	Granted C. P. to move transmitter locally to Barnes Road, outside city limits of Portland.
KIDW	The Southwest Broadcasting Co. Lamar, Colorado	Granted consent to Vol. Assign. of Lic. to the Lamar Broadcasting Company.

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## LICENSES GRANTED

Last week the Commission granted the following licenses for which construction permits had already been issued: WJEJ, Hagerstown, Maryland; WMBG, Richmond, Virginia.

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## LICENSE RENEWALS GRANTED

Last week the Commission granted license renewals to the following stations for the regular period: WEDC, Chicago, Illinois; WFAS, White Plains, New York; WGAL, Lancaster, Pennsylvania; WGBB, Freeport, New York; WJBL, Decatur, Illinois; WPRO-WPAW, Providence, Rhode Island; WRAW, Reading, Pennsylvania; WTJS, Jackson, Tennessee; WWAE, Hammond, Indiana; KFPM, Greenville, Texas; KFXM, San Bernardino, California; KPPC, Pasadena, California. KGMB, Honolulu, T. H. granted renewal for term ending May 1, 1933.

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## APPLICATIONS RETURNED

Last week the Commission returned the following application to the applicant:

1-PB-2669	NEW	Edwin Drillings Middle Village, N. Y.	C. P. for new station to use 1500 kc, 100 watts, share with WWRL, WMIL, WMBQ. Facilities of WLBX, Long Island City, N. Y. - now deleted. (Ruly 6 c & d).
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## LICENSE APPLICATIONS RETURNED

The Commission last week, returned the following applications for renewal license to the applicant as they are not in proper form for consideration by the Commission: WFBG, Altoona, Pennsylvania; WHBY, West De Pere, Wisconsin; KGFI, Corpus Christi, Texas; WQDM, St. Albans, Vermont; WPFB, Hattiesburg, Mississippi.

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November 22, 1932

APPLICATIONS RECEIVED

Last week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MPB-395	WOR	Bamberger Broadcasting Service Inc., Newark, New Jersey	Mod. of C. P. issued 11/17/31 to extend date of commencement and date of completion.
<u>SECOND ZONE</u>			
2-ALB-476	WEAN	Keystone Broadcasting Co. Philadelphia, Pennsylvania	Vol. assign. of lic. to Pennsylvania Broadcasting Company.
2-PB-2717A	WBAX	John H. Stenger, Jr., Wilkes-Barre, Pennsylvania	C. P. to change frequency and power and hours from 1210 kc, 100 watts, specified hours to 1230 kc, 250 watts, unlimited hours (to use 4½ hours per day), new equipment, resubmitted and amended to request unlimited hours (12 or more hours per day) and additional information given re equipment as required.

Station WNAC, Boston 270 miles distant is the nearest station to Wilkes-Barre on the proposed new frequency. The engineers of the Commission recommend a separation of 1000 miles. Both the State of Pennsylvania and the Second Zone are under quota. Granting of this application would increase the quota.

THIRD ZONE

3-PB-2737	NEW	A. H. Wherry Chester, South Carolina	C. P. for new station to use 1120 kc, 50 watts, daytime.
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The nearest station on this frequency is WDEL, Wilmington, Delaware, which is 490 miles away. The engineers of the Commission recommend a separation of 230 miles. The Third Zone is over quota but the State of South Carolina is under quota.

3-PB-2740	NEW	The National Union Indemnity Association, Shreveport, La.	C. P. for new station to use 850 kc, 10 KW, share time with WWL. Requests all facilities of KWKH, Shreveport, Louisiana.
3-MPB-393	WAPI	WAPI Broadcasting Corp. Birmingham, Alabama	Mod. of C. P. issued 11/17/31 for change location, change equipment and increase operating power from 5 to 25 KW, to extend date of commencement and date of completion.

## APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

- 3-PB-2560 WJBY Gadsden Broadcasting Co. Inc. C. P. to move transmitter from Gadsden, Alabama Anniston Highway to 3rd & Chestnut Street, Gadsden, Alabama, and make changes in equipment, amended to change transmitter and studio to 112 North 8th St., Gadsden, Alabama, and change equipment.
- 3-MPB-397 KGKB East Texas Broadcasting Co. Mod. of C. P. issued 5/24/32 for Tyler, Texas changes in equipment to extend date of completion to 12/24/32.

FOURTH ZONE

- 4-PB-2738 KWLC Telegraph-Herald C. P. to move transmitter and Decorah, Iowa studio to Dubuque, Iowa and make changes in equipment.
- This station operates on a frequency of 1270 kilocycles. The nearest station on this same frequency from Dubuque where it is proposed to move the station is WASH, Grand Rapids, Michigan, which is 265 miles away. The engineers of the Commission recommend a separation of 260 miles. Granting this application would not affect the quota.
- 4-ALB-475 WIBO Nelson Brothers Bond & Mortgage Co., Chicago, Illinois Vol. assign. of lic. to John S. Boyd.
- 4-FB-303 KFJB Marshall Electric Co., Inc. Make changes in automatic frequency control equipment. Marshalltown, Iowa
- 4-MPB-396 WKBB Sanders Bros. Radio Station Mod. of C. P. issued 10/21/32 East Dubuque, Illinois for local change of transmitter location, changes in equipment and increase in specified hours of operation.

FIFTH ZONE

- 5-PB-2739 NEW Don Lee Broadcasting System C. P. for new station to use 780 Redlands, California kc, 500 watts night, 1 KW LS, unlimited hours. Exact transmitter location to be determined. Requests facilities of KTM, Los Angeles, California and KELW, Burbank, California.
- 5-MPB-394 KMJ James McClatchy Co. Mod. of C. P. issued 7/22/32 to Fresno, California extend date of completion to 12/22/32.

## APPLICATIONS RECEIVED (continued)

FIFTH ZONE (continued)

5-MLB-1061 KDYL Intermountain Broadcasting Corp. Mod. of Lic. to change frequency from 1290 kc to 780 kc. Requests facilities of KTM, Los Angeles, California, and KELW, Burbank, California. Resubmitted without change.

The nearest station on the proposed new frequency is WMC, Memphis, Tennessee, which is 1260 miles distant. The engineers of the Commission recommend a separation of 800 miles. Both the Fifth Zone and the State of Utah are over quota.

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## LICENSE APPLICATIONS RECEIVED

The Commission last week received the following applications for licenses for which construction permits have already been granted: WDEV, Waterbury, Vermont; KWCR, Cedar Rapids, Iowa, and WBBC, Brooklyn, New York.

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## APPLICATIONS FOR LICENSE RENEWAL

The Commission last week received the following applications for license renewal: WSAJ, Grove City, Pennsylvania; KGEK, Moorhead, Minnesota; KFBL, Everett, Washington; WBOW, Terre Haute, Indiana; KEPW, Fort Smith, Arizona; WABI, Bangor, Maine; KGGC, San Francisco, California; WCAO, Baltimore, Maryland; WFLA-WSUN, Clearwater and St. Petersburg, Florida; WBBL, Richmond, Virginia; WBTM, Danville, Virginia; WCBM, Baltimore, Maryland; WJBO, New Orleans, Louisiana; KARK, Little Rock, Arkansas; KFJZ, Fort Worth, Texas; KMAC, San Antonio, Texas; and KONO, San Antonio, Texas.

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## WFAB GETS LICENSE RENEWAL

The Commission has upheld Report No. 421 of Chief Examiner Ellis A. Yost in which he recommended that Station WMIL, Brooklyn, N. Y., be denied its application to use 1300 kilocycles and increase its power from 100 to 1,000 watts, that the application of WFAB, Brooklyn, N. Y., for license renewal be granted and that WFAB be assigned from the Defenders of Truth Society, Inc., to the Fifth Avenue Broadcasting Corporation.

It is pointed out by the Commission in its report that the Brooklyn area served by WMIL receives an abundance of high quality broadcast service "from many clear channel regional and local stations situated nearby and it does not appear that there is any need for additional service from WMIL in this area."

It is stated further that the granting of either of the applications filed by WMIL for modification of license and for construction permit "would require the deletion of Station WFAB and no showing is made in this record that would warrant or justify the withdrawal of the facilities now assigned WFAB in order to license the use of the same to Station WMIL.

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711 Fifth Avenue, New York, N.Y.

NEWS BULLETIN

# BROADCASTERS' NEWS BULLETIN



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

November 26, 1932

A UNITED INDUSTRY

The National Association of Broadcasters emerged from the St. Louis Convention a stronger and more effective organization.

More than three hundred broadcasters attended the sessions. Members and non-members, representatives of nationwide networks and regional networks, large and small stations were in attendance. The actions of the meeting were those of a united industry.

In no small way the program mapped out at St. Louis constitutes a declaration of independence for the broadcasting industry.

The vigorous action taken on the copyright matter was but one of the steps taken by the industry to serve notice on the world that the broadcasters intend to meet their problems with a determination to solve them and to mobilize all of their resources and power against unfair attacks.

Consideration is now being given to ways and means of financing the program and at the same time plans are being made to greatly increase the Association's membership.

The Association has embarked upon a new era of its existence. It will continue to go forward during the next year and with the support of a united industry its 1933 program cannot fail.

RESOLUTIONS ADOPTED AT ST. LOUIS

Following are the formal resolutions adopted by the NAB at the St. Louis Convention. In addition to these resolutions there were more than a score of motions adopted during the three-day session. These motions cannot be reported until a complete copy of the transcript is available.

RESOLUTION NO. I

RESOLVED, that the National Association of Broadcasters, recognizing the self-sacrificing and devoted service during the past year of its President, Harry Shaw, hereby records its appreciation of his work, the high quality of which is evidenced by the growth of this Association both in membership and in activity during his administration.

RESOLUTION NO. II

RESOLVED, by the National Association of Broadcasters, that this Association extend its profound thanks to Commissioner Harold A. LaFount for his splendid address delivered before this organization at the St. Louis meeting.

RESOLUTION NO. III

RESOLVED, by the National Association of Broadcasters, that this Association extend its thanks to the Hon. Victor Miller, Mayor of St. Louis, and to the City of St. Louis, for the hospitality extended to the National Association of Broadcasters during its Tenth Annual Convention, November 14 to 16, 1932.

RESOLUTION NO. IV

RESOLVED, by the National Association of Broadcasters, that this organization extend its appreciation to Congressman Claiborne for the excellent address delivered before this convention at the Chase Hotel in St. Louis.

RESOLUTION NO. V

RESOLVED, by the National Association of Broadcasters, that the thanks of this Association be extended to the radio stations and the radio trade associations of St. Louis and to the officials of the Hotel Chase for the royal entertainment extended to members of this Association upon the occasion of our Tenth Annual Convention held in that city, November 14 to 16, 1932.

RESOLUTION NO. VI

RESOLVED, by the National Association of Broadcasters, that  
WHEREAS, many changes are clearly necessary in the constitution and by-laws of this Association, the President of the organization is hereby authorized and

directed to appoint a committee to devise ways and means of changing such constitution and by-laws and to provide, among other things, for the re-organization of the Board of Directors to allow for equitable geographical representation, and also as to clear channel, regional channel and local station representation, and that the Board of Directors be further directed to prepare plans for revising the scale of dues for members of this Association, said revision to be based on volume of gross business or any other feasible and equitable plan, and to take the steps necessary to put such plan into operation.

#### RESOLUTION NO. VII

RESOLVED, by the National Association of Broadcasters, that since it is necessary that the Managing Director of this organization be conversant with all the problems facing radio broadcasters of the United States, the Managing Director hereby is appointed an ex-officio member of any and all committees and that the power to call meetings of all subcommittees shall reside in the office of the Managing Director.

#### RESOLUTION NO. VIII

RESOLVED, that pending a revision of the by-laws, the Managing Director be authorized to accept active memberships from stations whose gross business for the preceding twelve months has been less than \$30,000 at \$60 per annum.

#### RESOLUTION NO. IX

RESOLVED, by the members of the National Association of Broadcasters, in convention assembled, that we believe the composers and publishers of music are entitled to fair compensation, measured in proportion to the actual use of their compositions, and we hereby pledge ourselves to each other, to the National Association of Broadcasters, and to the broadcasting industry, to make a firm and united effort to obtain a fair and equitable solution for the copyright problem, and to secure for the industry, for the independent composers and the public -- if need be, by legislation, litigation or otherwise -- protection against any organization which may undertake to levy an arbitrary and extortionate tribute upon the users of music under the pretence of a copyright monopoly.

#### RESOLUTION NO. X

RESOLVED, that the membership of the National Association of Broadcasters authorize the Board of Directors to consider the establishment, under the supervision of the Board of Directors, of a non-profit, cooperative corporation to be known as Radio Program Foundation or some such name, with power to use the name and the authority of the National Association of Broadcasters to obtain subscriptions for the necessary capital therefor; it being expressly provided that the treasury of the National Association of Broadcasters shall assume no financial liabilities in such enterprise.

November 26, 1932

#### TEXT OF COPYRIGHT MOTION

The text of the motion presented to the St. Louis meeting by I. D. Levy of Philadelphia, Pa. under which Oswald F. Schuette assumes complete charge of NAB copyright activities, is as follows:

"I move that Mr. Schuette be named director general, or some equivalent name, of the National Association of Broadcasters, with the absolute power, subject only to change by a director general if such person be appointed, of the type of John W. Davis, Al Smith or Newton Baker, with power, first, to negotiate, after advice but with absolute control and decision, a contract with the American Society on behalf of the NAB; second, if, after consideration upon legislative matters, Mr. Schuette decides certain action shall be taken in that direction, he shall have the absolute power, subject, of course, to restriction only by the director general, as I have stated, to go ahead with his legislative program; and, third, to take all necessary legal action to bring about and effect a proper relationship between the American Society and the National Association of Broadcasters, even if it goes to the extent of going to the courts for the dissolution of that organization."

The motion was unanimously adopted by the Convention with the understanding that those voting for it obligate themselves to contribute toward the success of the campaign outlined in the motion.

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#### BUREAU RULES ON POWER TAX

Sustaining its earlier ruling, the Bureau of Internal Revenue has held that electrical energy consumed by broadcasting stations operated for commercial or entertainment purposes is subject to the three per cent tax imposed under Section 616 of the Revenue Act of 1932. However, the Bureau has ruled, where a broadcasting station is owned and operated by an educational or religious institution and is used exclusively for the purpose of broadcasting educational or religious programs in connection with such institutions, electrical energy consumed in such operations is not subject to the tax.

The letter addressed to the Association from Commissioner David Burnet is as follows:

"Reference is made to your letter of August 11, 1932, and to a conference held in this office relative to the application of Section 616 of the Revenue Act of 1932 on electrical energy consumed by broadcasting companies.

"After a careful consideration of all the evidence submitted, it was held that the electrical energy furnished to radio broadcasting stations and offices engaged in commercial advertising through the medium of furnishing entertainment to the public is commercial in its scope and is subject to the tax imposed by section 616 of the above-mentioned Act.

"The case has been reviewed and this office is still of the opinion the holding that the energy consumed is commercial in its scope and taxable, is in accordance with the law and regulations. The previous decision stated in office letter of September 9, 1932, is therefore reaffirmed."

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November 26, 1932

## BETTER RECEPTION REPORTED

Better reception has resulted from the 50-cycle deviation order, the Federal Radio Commission declared in a statement this week. The statement in part follows:

"The Commission is gratified to be able to announce that the general reception of broadcast stations has been materially improved by the new regulations requiring all stations to maintain the frequency within 50 cycles of the assignment. This improvement is apparent to listeners by the absence of audible heterodyne or squeals in the reception of stations on duplicated channels. Before the enactment of the 50-cycle rule, listeners residing within the order of 8 or 10 miles from a 250-watt station may have received objectionable heterodyne or squeals from other stations on that channel but by the new frequency maintenance, this heterodyne or squeal is entirely eliminated permitting the stations to service that area and 12 to 15 miles away very satisfactorily whereas the previous service was unsatisfactory or materially impaired.

"These benefits have been brought about in the broadcast industry, first by Rule 144 which requires all stations to maintain the frequency within 50 cycles of the assignment, and second by Rule 145 which requires an approved frequency monitor to assist in maintaining the station within 50 cycles of the assignment. It is not considered possible that stations could maintain the frequency within the 50-cycle requirement without this separate monitor.

"As of November 15, nearly all of the 615 broadcast stations had installed approved monitors and all except 23 of these had obtained a check of the calibration of the monitor with a reliable standard and determined that its accuracy met the requirements of the Commission. The 51 stations that had not installed monitors by November 15 may be divided into the following classes: Stations that had an extension of the working of Rule 145 to November 30, 1932, on the basis that they had ordered an approved monitor with promise of delivery and installation prior to that date. There are 14 stations in this class.

"The second group consists of stations that have been given an extension of Rule 145 to November 30, 1932, on the basis that they have ordered frequency monitors that have not been approved but are now undergoing test at the Bureau of Standards. Nine stations are in this class.

"The third group consists of the irregularities in cases where suspensions of the working of Rule 145 have been granted due to the renewal of license of the station having been set for hearing, heard, or stations operating under stay orders of the court, also certain of these stations have neither ordered monitors nor have they operated since the Rule became effective. All stations in this class must procure monitors before they may resume operation or upon the decision in cases of litigation before operation may be resumed. In this class there are 28 stations.

"There are 23 stations that have installed approved frequency monitors but have not submitted data to the Commission on a satisfactory check against a standard to show the calibration or accuracy meets with the required specifications of the Commission.

BETTER RECEPTION REPORTED (Continued)

"The records show that many of the monitors drifted in frequency after having once been calibrated and, therefore, a regular routine check of the accuracy or calibration of the monitor is necessary to insure operation within the required limits. In approving the frequency monitors, the Commission realized that after installation many monitors might drift and it is expected that the licensees of all broadcast stations will provide for regular checks of the monitor. There are several ways in which this may be done.

"The simplest way is to arrange a check of the frequency of the station with some commercial standard and set the frequency exactly by the monitor and then have the commercial standard check. This gives an accurate indication of the calibration.

"Another and desirable way is to provide equipment so that the calibration may be made from the standard signals transmitted by WWV of the Bureau of Standards at Washington, D. C. These signals are transmitted on regular schedule for this purpose.

"Heretofore the Commission has permitted its monitoring stations to check for the licensees of broadcast stations, however, due to the limited appropriation and personnel it is necessary to limit this service and monitoring stations will not be permitted to make commercial checks for licensees of broadcast stations except under representation that it is impossible for such stations to obtain a check with any other source. Under such circumstances the Commission will permit its monitoring stations to make the checks.

"It is considered that this check should be made once a week or two weeks until it is definitely determined that there is no drift in the frequency of the monitor, and after such determination the checks of the calibration of the frequency should be made at less frequent intervals.

"There is a pitfall that several deviators have fallen into and that is the monitor becomes defective due to such causes as the heater tube failing or frequency drifting due to other causes and the operator changes frequency of station to agree with the monitor when so far as may be determined there is nothing to indicate that the station is wrong and the monitor right. Under all such circumstances, the suspicion of the operator should immediately be aroused and he should check with an external source to determine which is incorrect, the station monitor or the transmitting equipment before blindly depending upon the monitor's accuracy. This has given rise to many deviations and the Commission cannot continue to accept such explanations unless due precaution is taken to determine that the monitor has not drifted.

"Also, it appears that but few of the stations deviating to a major extent are using the auxiliary aural checks as specified in the Commission's letters announcing approved frequency monitors and as a result such stations have not been able to make satisfactory explanations. This condition cannot continue without further action being taken by the Commission. These Rules have been in effect since June 22, 1932, and heretofore the Commission has been lenient on deviators due to the fact that it has considered that a certain length of time was necessary for the operators to become familiar with the routine of operation, but this time is rapidly drawing to a close.

November 26, 1932

#### WMT DISMISSES APPEALS

The Court of Appeals of the District of Columbia on Saturday dismissed the appeals of the Waterloo Broadcasting Company (WMT) from decisions of the Radio Commission authorizing Station KSO to move into Des Moines and denying the application of Station WMT to move from Waterloo into Des Moines.

Station WNYC was granted additional time by the same Court to file its briefs in its appeal and Station KOMO was granted until December 31 to file its briefs in its appeal.

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#### PHONOGRAPH RECORD RESTRICTION

Phonograph records bearing the notation "not licensed for radio broadcast" have been put on sale by several manufacturers. As a result numerous inquiries have been received from members as to the validity of this notice under the Copyright Law. To these questions, Oswald F. Schuette, Director of NAB Copyright Activities has replied:

"The manufacturers of phonograph records have no legal right, in my opinion, to impose any such restriction on the use of records, either under the Copyright Law or otherwise. Merely to print the notice, 'not licensed for radio broadcast' on a record can have no binding force on a purchaser of such record."

Stations experiencing any difficulties on this account are asked to communicate with Mr. Schuette.

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#### ADVERTISERS REPORT INCREASES

One-half of the member companies of the Association of National Advertisers who attended the annual meeting of the Association at Atlantic City last week reported that their total sales in units during the last three months had increased. Sixteen and one-half percent reported a decrease, while about 10 percent said that their sales volume had remained at the same level. Some of them attributed their advance to seasonal influences. Forty per cent, however, stated that it was due to improved conditions in their particular trades.

Thirty-five per cent of the reporting companies will increase their appropriations for next year over those for the present year, thirty-five per cent expect to spend the same amount and the rest plan to decrease appropriations, it was reported. Representatives of member companies agreed that more than 300 million dollars worth, an increase of some 33 per cent over 1932, will be spent in advertising next year.

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## PROTESTS NEW WOR LOCATION

The Southern Radio Corporation, a wholly owned subsidiary of the Standard Oil Company of New Jersey, filed a protest this week with the Radio Commission against the locating of the new 50,000 watt transmitter of Station WOR, Newark, N. J. at Tremley, Linden, N. J.

The company states that it now has two stations at that place, WMU and WMV, engaged in "public correspondence" with radio stations in Bolivia and that the locating of the new transmitter there "will interfere with and interrupt the general public radio service now being rendered by said stations WMU and WMV."

Under the rules of the Commission the case automatically goes to hearing. No date has yet been set.

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## WRHM GRANTED LICENSE RENEWAL

The Radio Commission this week sustained Examiner Ralph L. Walker in his Report No. 395 in which he recommended that Station WRHM, Minneapolis, Minn. be granted a license renewal. The station operates with 1,000 watts power on frequency 1250 kilocycles. It operates during all hours not allocated for use by stations WCAL, KFMX and WLB-WGMS. The Commission denied the application of the station to operate unlimited time.

The Commission in its opinion, also, granted license renewals to Stations WCAL, KFMX and WLB-WGMS. The opinion states that all four stations are rendering a generally good service but that station WRHM "is precluded from rendering a complete broadcast service, encountering some difficulty in arranging its program schedule, and it is undoubtedly true that the assignment of unlimited time to WRHM would benefit that station." However, the Commission points out that Minneapolis now receives good service from at least three stations other than WRHM "and it does not appear that there is any substantial need in that area for the additional service that might be rendered by that station should its unlimited time operation be authorized, or that such service would be materially different from that now received."

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## INSURANCE BROADCASTS ILLEGAL

The Court of General Sessions of New York County this week held that a New York radio station may not broadcast advertising messages for a foreign insurance company not licensed to do business in that state when the purpose of the broadcast is to assist in the solicitation or procurement of insurance from residents of the State. An action was instituted by Attorney General Bennett in behalf of the State Insurance Department against the International Broadcasting Corporation (WOV) for broadcasting advertisements for the Union Mutual Life Company of Des Moines, Iowa, which is not authorized to do business in New York. Violations of the penal law and section 50 of the insurance law were alleged.

The defense of the broadcaster that the State could not interfere with its operation because of the interstate nature of broadcasting was summarily dismissed by Judge Levine. He said he would not permit "a foreign insurance company to enter this State, unless properly qualified, by resorting to the devices of employing as an agency in the transaction of its business in this State."

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November 26, 1932

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, November 28, 1932. Hearings and arguments begin at 10 a.m.

MONDAY, NOVEMBER 28, 1932

Docket #1653	NEW	Peoples Broadcasting Corp. Jacksonville, Florida	C. P.	1370 kc, 100 W. day-time. (Requests half facilities of WMBR).
Docket #1661	WMBR	F. J. Reynolds Tampa, Florida	Renewal	1370 kc, 100 W. unlimited time.

TUESDAY, NOVEMBER 29, 1932

Docket #1879	KTAR	KTAR Broadcasting Co. Phoenix, Arizona	Mod. Lic.	620 kc, 1 KW, unlimited time.
			Present Assignment:	620 kc, 500 W., 1 KW LS, unlimited time.

WEDNESDAY, NOVEMBER 30, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1516	WORC- WEPS	Alfred Frank Kliendienst Worcester, Massachusetts	C. P.	1350 kc, 250 W. unlimited time. (Requests facilities of WAWZ, WMSG, WBNX, WCDA).
			Present Assignment:	1200 kc, 100 W., unlimited time.
Docket #1513	WAWZ	Pillar of Fire Zarephath, New Jersey	Renewal	1350 kc, 250 W. Shares with WCDA, WBNX & WMSG.
Docket #1547	WCDA	Italian Educational Brdcstg. Co., New York, N. Y.	Renewal	1350 kc, 250 W. Shares with WBNX, WMSG & WAWZ.
Docket #1602	WMSG	Madison Square Garden Broadcasting Co., New York, N.Y.	Renewal	1350 kc, 250 W. Shares with WAWZ, WBNX & WCDA
Docket #1603	WBNX	Standard Cahill Co., Inc. New York, N. Y.	Renewal	1350 kc, 250 W. Shares with WCDA, WMSG & WAWZ.

November 26, 1932

HEARING CALENDAR (continued)

FRIDAY, DECEMBER 2, 1932

Docket #1530	WKRC	WKRC, Inc. Cincinnati, Ohio	Renewal 550 kc, 500 W. 1 KW LS Unlimited time.
Docket #1617	WAAT	Bremer Broadcasting Corp. Jersey City, New Jersey	Mod. Lic. 940 kc, 500 W., day- time to 6 p.m., EST.  Present Assignment: 940 kc, 300 W., day- time to 6 p.m., EST.
Docket #1618	WAAT	Bremer Broadcasting Corp. Jersey City, New Jersey	C. P. 940 kc, 500 W. day- time to 6 p.m., EST. (Requests authority to install new transmitter

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APPLICATIONS FOR LICENSE RENEWAL

During the current week the Commission has received the following applications for license renewals: WEBR, Buffalo, New York; KGCR, Watertown, South Dakota; KGEF, Shownee, Oklahoma; KGFI, Corpus Christi, Texas; KICA, Clovis, New Mexico; KUJ, Walla Walla, Washington; WPFB, Hattiesburg, Mississippi; WBHS, Huntsville, Alabama; WCFL, Chicago, Illinois; and WMAS, Springfield, Massachusetts.

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LICENSE APPLICATIONS

During the current week the Commission received the following application for license for which construction permit has already been issued: KSL, Salt Lake City, Utah.

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RECOMMENDS WCAM RENEWAL

Examiner R. H. Hyde, this week handed down his report No. 433 dealing with several Philadelphia and Camden, New Jersey, stations.

He recommended that Station WCAM, of the City of Camden, New Jersey, be granted a license renewal. This station operates on a frequency of 1280 kilocycles, and shares time with WOAX and WCAP. He also recommended the renewal of license for Station WHAT, Philadelphia which operates one-third time on a frequency of 1310 kilocycles, sharing with Station WTEL and subject to the further condition that WTEL and WHAT are not to operate while WCAM is operating.

He recommended that the applications of WTEL, Philadelphia be denied. This station asked (1) that certain additional hours not used by WCAM and WHAT be granted to it and (2) a modification of its license to provide a division of time with WCAM and WHAT.

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November 26, 1932.

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

WFBC	Virgil V. Evans Knoxville, Tennessee	Action taken April 15, 1932, granting application to move station from Knoxville to Greenville, S. C. made final.
KWKH	Hello World Broadcasting Corp. Shreveport, Louisiana	Granted motion for continuance of hearing involving application for renewal of license set for November 28, because of application of WWL for the facilities of KWKH. The new date for the hearing has not been set.
WEHC	Emory & Henry College Emory, Virginia	Application to move from Emory to Charlottesville, Virginia, set for hearing because of protest of WLVA, Lynchburg, Virginia. On November 3 the Commission granted this application subject to rule which provides for hearing in the event a protest is filed within 20 days.
WENC	Americus Broadcast Company Americus, Georgia	Denied request that Commission reconsider previous request to operate unlimited time during night for period of 60 days with 50 watts.

SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

WMT	Waterloo Broadcasting Company Waterloo, Iowa	Renewal of license set for hearing because facilities have been applied for.
NEW	Jas. P. Hart, Donald W. Parsons, D/B as The Gateway Broadcasting Company, Roanoke, Virginia	Requests C. P. for new station, 1410 kc, 250 watts, share with WHIS. (Facilities of WRBX).
WTFI	Liberty Broadcasting Company Athens, Georgia	Requests C. P. to move transmitter and studio from Athens, Georgia, to Greenville, S. C., change frequency from 1450 to 1360 kc, and make changes in eqpt.
WCSC	The S. C. Broadcasting Co. Inc. Charleston, South Carolina	Requests Mod. of Lic. to change frequency from 1360 to 1450 kc.
NEW	All Southern Radio Corporation Jacksonville, Florida	Requests C. P. for new station, 1120 kc, 500 watts, night, 1 KW, LS, unlimited time. (Facilities of WRUF).
NEW	Otis Hill Hilo, T. H.	Requests C. P. for new station; 1150 kc, 50 watts, unlimited time.

November 26, 1932.

### APPLICATIONS RETURNED

During the current week the Commission has returned the following applications to the applicants:

3-ML-B-1078	WENC	H. P. Everett, Linwood Morris, R. T. Crabb D/B as Americus Broadcast Company, Americus, Georgia	Modification of license to change power and hours from 100 watts Daytime to 50 watts night, 100 watts local sunset, Unlimited hours (6a & d).
4-PB-2721	NEW	Harold Bourell & Larry Thomas D/B as The Hutchinson Brdcastg. Corporation, Hutchinson, Kans.	Construction permit for new sta- tion to use 1500 kc - 200 watts Daytime (6a, c & d).
4-PB-2695	NEW	Capitol Radio Transmitting & Detection Corporation Joplin, Missouri	Construction permit for new sta- tion to use 1420 kc - 100 watts - Unlimited time. Requests fac. WMBH, Joplin, Mo. (6a, c & d).

The following applications for renewal have been returned to the applicants as they were not in proper form for Commission consideration.

KGFI Eagle Broadcasting Company, Inc.  
Corpus Christi, Texas

KFBL Otto Leese & Robert Leese  
D/B as Leese Brothers  
Everett, Washington

WRAX WRAX Broadcasting Company, Inc.  
Philadelphia, Pennsylvania

WMAS Albert S. Moffat  
Springfield, Massachusetts

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### LICENSE RENEWALS GRANTED

During the current week the Commission granted license renewals for the regular period to the following stations: WABI, Bangor, Maine, WBBL, Richmond, Virginia, WBOV, Terre Haute, Ind., WCAT, Rapid City, S. D., WCBS, Springfield, Ill., WHBY, Green Bay, Wis., WHET, Troy, Ala., WJBC, LaSalle, Ill., KFGQ, Boone, Iowa, KFPW, Fort Smith, Ark., KGBX, Springfield, Mo., and KGY, Olympia, Washington.

The following stations were granted temporary licenses, subject to such action as the Commission may take on their pending applications for renewal: WHAT, Phila. Pa., WIL, St. Louis, WJBY, Gadsden, Ala., WMBS, Galesburg, Ill., KFWF, St. Louis, Mo. KRMD, Shreveport, La., KWEA, Shreveport, Louisiana.

WCAX	Burlington Daily News, Inc. Burlington, Vermont	Granted renewal of license, 1200 kc, 100 W. hours of operation: Daily except Sun- days: Noon to 1:30 PM, EST.; Monday, Wed. and Friday: 6 to 9 PM, EST.
WJBW	Chas. O. Carlson New Orleans, Louisiana	Granted temporary renewal of license and designated said application for hearing.

November 26, 1932.

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
		None
		<u>SECOND ZONE</u>
		None
		<u>THIRD ZONE</u>
KRMD	Radio Station KRMD, Inc. Shreveport, Louisiana	Granted special authority to operate from 4 to 5 PM, CST, daily except Saturday and Sunday to 3 AM, EST, December 1.
		<u>FOURTH ZONE</u>
		None
		<u>FIFTH ZONE</u>
KTW	First Presb. Church of Seattle Seattle, Washington	Granted 3 months renewal of license 1220 kc, 1 KW; hours of operation: Sundays and holidays: Sun. 11 AM to 1 PM; 3 to 4:30 PM; 7 to 9:30 PM.
KTFI	Radio Broadcasting Corporation Twin Falls, Idaho	Authorized to file appearance with Commission not later than Nov. 26, 1932. Copy of appearance must also be in hands of KGKX on said date.

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APPLICATIONS DISMISSED

During the current week the Commission has dismissed the following applications, at the request of the applicants, heretofore set for hearing:

NEW	Greenville News-Piedmont Company Greenville, South Carolina	C. P. 590 kc, 250 W. 500 W. LS, Unlimited time.
NEW	Wilton E. Hall Anderson, South Carolina	C. P. 1200 kc, 100 W. Unlimited time.

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November 26, 1932.

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2746	WICC	Bridgeport Broadcasting Station, Inc. Bridgeport, Connecticut	Construction permit to move transmitter from Easton to Pleasure Beach, Bridgeport, Conn. This application supersedes 1-PB-2710 cons. permit to move transmitter to Stratford, Connecticut.
<u>SECOND ZONE</u>			
2-ML-B-1092	WBEO	The Lake Superior Broadcasting Company Marquette, Michigan	Modification of license for change in Specified hours of operation.
2-MP-B-381	WNBW	WNBW, Inc. Carbondale, Pennsylvania	Modification of construction permit issued 8-18-32 change location transmitter and studio to Scranton Pa., new transmitter, extend dates of commencement & completion.
2-ML-B-1071	WNBW	WNBW, Inc. Carbondale, Pennsylvania	Modification of license to change Main studio to Hotel Casey, Adams and Lackawanna Avenues, Scranton, Pennsylvania.
<u>THIRD ZONE</u>			
3-Z-B-65	WSMB	WSMB, Inc. New Orleans, Louisiana	Determine operating power by direct antenna measurement.
3-ML-B-1090	WHET	Joe K. Jernigan, Cyril W. Reddoch, Julian C. Smith & John T. Hubbard, D/B as Troy Broadcasting Company, Troy, Alabama	Modification of license to change hours of operation from Daytime to Daytime and 7 P. M. to 8 P. M. Sundays.
<p>Granting of this application would increase the quota. The Third Zone is over quota but the State is under quota.</p>			
3-PB-2560A	WJBY	Gadsden Broadcasting Co, Inc. Gadsden, Alabama	Construction permit to change location of studio and transmitter to 112 N. 8th Street and make changes in equipment-Amended to change equipment.

November 26, 1932.

APPLICATIONS RECEIVED (Continued)

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>THIRD ZONE</u> (Continued)				
3-ML-B-1089	WBAP		Carter Publications, Inc. Fort Worth, Texas	Modification of license to autho. use of WFAA's 50 KW transmitter at Grapevine, Texas, and increase operating power from 10 to 50 KW.

These two stations, WBAP and WFAA share time on the 800 kilocycle clear channel. WFAA already operates with 50,000 watts. WBAP could also use 50,000 watts instead of 10,000 watts as far as interference is concerned.

FOURTH ZONE

None

FIFTH ZONE

5-Z-B-66	KSL		Radio Service Corporation of Utah, Salt Lake City, Utah	Determine operating power by direct antenna measurement.
5-PB-2745	KFBK		James McClatchy Company Sacramento, California	Construction permit to install new transmitter, change frequency and power from 1310 kc-100 watts to 1430 kc - 1 KW - Request facili- ties of KTM, Los Angeles and KELW, Burbank, California.

The nearest station on the proposed new frequency of 1430 kilocycles is KECA, Los Angeles, California, which is 390 miles distant. Engineers of the Commission recommend a separation of 1,000 miles. Should the application be granted it would not increase the quota, because the facilities of other California stations are requested.

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ASSOCIATE INSPECTOR SUSPENDED

Pending an investigation of unannounced charges G. C. Llewellyn, associate inspector of the Atlanta, Ga., office of the Radio Commission and Miss Gladys Fagan, his clerk, have been suspended. While admitting the suspension, officials of the Commission refuse to discuss the case. Commission officials emphasized the fact that the complaints may be without foundation which will come to light following an investigation. They have been given 15 days in which to submit a reply after which they will either be reinstated or dismissed.

These suspensions follow those of Inspector Van Nostrand and his secretary in the same office, both of whom were suspended for 90 days. No decision has been reached in this latter case.

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Broadcasting Company, Inc.  
LIBRARY  
New York, N. Y.

*Handwritten signature*

# BROADCASTERS' NEWS BULLETIN



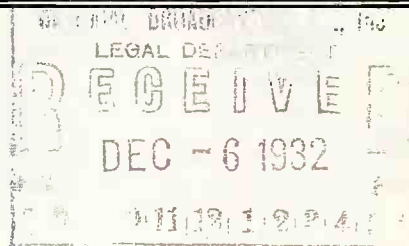
Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

December 3, 1932



THE WHITE HOUSE  
WASHINGTON

Nov. 29th, 1932

My Dear Mr. McCosker:

I send you my warmest congratulations on your unanimous election as President of the National Association of Broadcasters at the recent annual convention in St. Louis. It is especially noteworthy that you were chosen from the field of Independent Broadcasters.

In view of the vast scope of radio broadcasting in the United States and the direct impress it makes upon the minds of the people, its possibilities for good in advancing industrial, scientific, cultural and amusement interests, this is a signal honor and a high responsibility, which your character, broad experience and achievements give promise of successful discharge in the public interest. You have my cordial good wishes in this work.

Yours faithfully,

(Signed) Herbert Hoover

Mr. Alfred J. McCosker  
Director & General Manager,  
Bamberger Broadcasting Service, Inc.  
New York Office, 1440 Broadway, N.Y.C.



December 3, 1932

## NORTH AMERICAN CONFERENCE LOOMS

A North American radio conference, with Mexico, Canada, the United States, and Cuba participating, looms as a distinct possibility as the International Radiotelegraph Conference at Madrid nears its close.

According to unofficial advices from Madrid the convention concluded leaves to regional solution the broadcast allocation problem. Mexico, Canada and Cuba insisted that provision be made in the convention proper for the assignment of broadcast stations outside the regular broadcast band and the American Delegation likewise favored some extension of the band below 550 kc as a basis for solving the North American broadcasting problem. However, the United States Delegation was prevented from supporting the Canada-Mexico-Cuba proposal due to objection expressed by mobile interests who feared the possibility of encroachment upon their services.

Canada, Mexico and Cuba later withdrew their support of the Canadian proposal when the United States Delegation consented to make a statement at the plenary session of the conference. This statement, according to unofficial dispatches from Madrid, states that the United States is interested in the operation of stations now in existence and that this country will take in the future all necessary measures to protect the services of the United States. The Delegation at the same time gave notice that no assignment of frequencies to services will be agreed to by the United States that will imperil the efficiency of existing United States services.

At the present time the date and place of the proposed North American conference is undecided. According to reports from Mexico City, Mexico may invite the conference.

It is certain that the conference will be held at the earliest possible date, perhaps as early as next April.

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## SCHUETTE SUBMITS PROPOSAL

Acting under the "absolute powers" conferred on him by the St. Louis Convention, Oswald F. Schuette, Director of NAB Copyright Activities, has submitted to E. C. Mills, General Manager of the American Society of Composers, Authors and Publishers, a revised copyright contract limiting the royalty to a percentage of the advertising revenue received from programs using ASCAP music.

In the conferences which preceded the submission of the new proposal, Mr. Mills repeated his admission that a contract so restricted constituted a better measurement of the royalty than the levy of a percentage on the entire income of broadcasting stations. However, he declared that his Board of Directors has repeatedly gone on record as opposed to a change in the contract and held out little hope that the Board would be induced to change its mind.

While it seems difficult to believe that the ASCAP directors will cling to so shortsighted a policy, in the face of the unanimous decision taken by the broadcasting industry at St. Louis, it is not at all unlikely that the industry will have to find some way of enforcing its right to a reasonable contract. The

## SCHUETTE SUBMITS PROPOSAL (Continued)

situation has already been discussed with members of both houses of Congress and it is therefore likely that this subject will be an important topic at the Winter sessions, despite the fact that the present Congress dies on March 4, 1933.

Apparently the broadcasters have been diligent in discussing the situation with their Congressmen and there is no doubt that the latter will know more about the necessity of protecting the broadcasting industry against copyright extortion. At the same time, other victims of similar threats of copyright extortion have discovered that their interest can be protected only by joint action. The newest action in this line has resulted from the demand by ASCAP for three times the previous revenues obtained from amusement parks. These institutions, as well as dance halls and other places of entertainment, find themselves at the mercy of ASCAP because there has been no concerted effort to create a pool of music on which there would be no fees for public performance. This is to emphasize the importance on the part of the broadcasters of undertaking the immediate creation of such a pool and doubtless this will be one of the contributing motives to speeding up action by the Board of Directors of the NAB on the proposal for a radio program foundation endorsed at the St. Louis convention.

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## CONGRESS CONVENES MONDAY

Some thirty radio and copyright bills will be before the closing session of the Seventy-Second Congress which convenes on Monday.

Under the law this session must close on March 4 and the three months of meetings will be jammed with prohibition, economic, tax and appropriation legislation. It is impossible to predict at this time whether or not any of the pending radio bills will receive consideration.

The Davis bill, which passed the House last session, and which among other things forbids radio lotteries, is before the Senate Interstate Commerce Committee and Senator Couzens, the Committee chairman, has indicated that this bill might receive final consideration in the Senate. The Senate Committee tacked onto the measure a system of license fees for all radio stations which drew objection from the National Association of Broadcasters, the amateurs and other radio licensees. Several other Senate amendments are being opposed by communication and mobile interests and unless the measure is shorn of its objectionable features it is unlikely that it will be acted upon finally during the short session.

Chairman Davis of the House Merchant Marine, Radio and Fisheries Committee is in doubt whether or not his Committee will initiate any additional radio legislation or hold hearings. He intends to confer with the members of his Committee before making any plans for the short session.

Senator Couzens feels that hearings would delay action on pending legislation with the result that time would not permit final consideration.

Among the measures pending are the Fess Bill to allocate 15 per cent of all facilities to educational institutions; the Dill Bill providing for coast-to-coast duplication on clear channels; the Metcalf Bill to compel each station

December 3, 1932

CONGRESS CONVENES MONDAY (Continued)

to give five per cent of all time free to educational institutions; the Hoch Bill to define radio as a "common carrier"; the Amlie Bill to prohibit radio advertising on Sundays; and the LaGuardia Bill providing for regulation of radio advertising rates.

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FRC ANNUAL REPORT MONDAY

The Sixth Annual Report of the Federal Radio Commission to the Congress will be available next Monday. The report reviews the activities of the Commission during the fiscal year ended June 30, 1932.

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RADIO EMPLOYMENT INCREASES

Employment in radio manufacturing plants increased in October over September according to the Bureau of Labor Statistics, Department of Labor.

The Bureau received replies from 42 radio manufacturers who gave their October employment at 20,650, an increase of 17.2 per cent over September but a decrease of 28.4 per cent under October of last year. The October average weekly payrolls in these plants were \$396,202 an increase of 12.2 per cent over September but a decrease of 41 per cent under October of last year.

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TELEVISION STILL EXPERIMENTAL

In the Commission's Sixth Annual Report it is revealed that "while no startling inventions have come to light in television during the past year, the progress that has been made has been marked by steady improvement in the detail of pictures transmitted."

"This improvement has been made possible through increased attention to technical details in the optical pick-up system, in the photo-electric cell and amplifying systems, and in the actual modulation of the radio waves emitted. This development has in a general way paralleled the progress that was made in the early stages of sound broadcasting.

"Much attention has been given to the part of the spectrum in which television emissions will best fit. Although there are at the present time four 100-kilocycle bands between 2,000 and 3,000 kilocycles assigned to television, it has been evident for a considerable time that this space is not sufficient to meet the requirements of this new and growing art to furnish entertainment to the public. The experimenters have turned to the unexplored regions above 30,000 kilocycles. The work at these frequencies has shown signs of real promise as a future locus for this service, and the Federal Radio Commission has assigned wide frequency bands in this region for experimental work in television.

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December 3, 1932

## SHULER LOSES APPEAL

The right to use a broadcast frequency is a "permissive" rather than a "vested" right and the Congress through the Federal Radio Commission may impose any reasonable rules and regulations upon the exercise of the right, according to the decision of Justice Groner of the Court of Appeals of the District of Columbia in sustaining the Commission's decision removing the Rev. Bob Shuler (KGEF, Los Angeles, Calif.) from the air.

Counsel for Shuler applied for a rehearing before the Court of Appeals indicating that the case would be carried to the Supreme Court of the United States.

The Shuler case goes far in holding that broadcasters have very narrow rights in the art they have developed at great expense. The decision holds that a broadcaster may not demand the continued use of "an instrumentality of interstate commerce" except in subordination of rules and regulations of the Commission. If the right is abused he may lose his license. The rule is applicable, it would seem, regardless of whether the person using the facility is the licensee or some other person who has gained access to the facility.

No mention is made of Section 29 of the Radio Act in the decision although the Court points out that its decision is "neither censorship nor previous restraint, nor a whittling away of the rights guaranteed by the first amendment, or an impairment of their free exercise."

The decision states in part:

"In the case under consideration the evidence abundantly sustains the conclusion of the commission that the continuance of the broadcasting programs of appellant is not in the public interest. In a proceeding for contempt against Doctor Shuler, on appeal to the Supreme Court of California, that court said (Ex parte Shuler, 292 Pac. 481, 492) that the broadcast utterances of Doctor Shuler disclosed throughout the determination on his part to impose on the trial courts his own will and views with respect to certain causes then pending or on trial and amounted to contempt of court. Appellant, not satisfied with attacking the judges of the courts in cases then pending before them, attacked the bar association, for its activities in recommending judges, charging it with ulterior and sinister purposes. With no more justification, he charged particular judges with sundry immoral acts. He made defamatory statements against the board of health. He charged that the labor temple in Los Angeles was a bootlegging and gambling joint. In none of these matters, when called on to explain or justify his statements, was he able to do more than declare that the statements expressed his own sentiments. On one occasion he announced over the radio that he had certain damaging information against a prominent unnamed man which, unless a contribution (presumably to the church) of a hundred dollars was forthcoming he would disclose. As a result, he received contributions from several persons. He freely spoke of 'pimps' and prostitutes. He alluded slightly to the Jews as a race, and made frequent and bitter attacks on the Roman Catholic religion and its relations to government. However inspired Doctor Shuler may have been by what he regarded as patriotic zeal, however sincere in denouncing conditions he did not approve, it is manifest, we think, that it is not narrowing the ordinary conception of 'public interest' in declaring his broadcasts -- without facts to sustain or to justify them -- not within that term, and since that is the test the commission is required to apply, we think it was its duty in considering the application for renewal to take notice

SHULER LOSES APPEAL (Continued)

of appellant's conduct in his previous use of the permit, and, in the circumstances, the refusal, we think, was neither arbitrary nor capricious.

"If it be considered that one in possession of a permit to broadcast in interstate commerce may, without let or hindrance from any source, use these facilities, reaching out, as they do, from one corner of the country to the other, to obstruct the administration of justice, offend the religious susceptibilities of thousands, inspire political distrust and civic discord, or offend youth and innocence by the free use of words suggestive of sexual immorality, and be answerable for slander only at the instance of the one offended, then this great science, instead of a boon, will become a scourge, and the Nation a theater for the display of individual passions and the collision of personal interests. This is neither censorship nor previous restraint, nor is it a whittling away of the rights guaranteed by the first amendment or an impairment of their free exercise. Appellant may continue to indulge his strictures upon the characters of men in public office. He may just as freely as ever criticize religious practices of which he does not approve. He may even indulge private malice or personal slander -- subject, of course, to be required to answer for the abuse thereof -- but he may not, as we think, demand, of right, the continued use of an instrumentality of commerce for such purposes, or any other, except in subordination to all reasonable rules and regulations Congress, acting through the commission, may prescribe.

"Nor are we any more impressed with the argument that the refusal to renew a license is a taking of property within the fifth amendment. There is a marked difference between the destruction of physical property, as in Penna. Coal Co. v. Mahon, 260 U.S. 393, and the denial of a permit to use the limited channels of the air. As was pointed out in American Bond & Mtge Co. v. United States, 52 F (2d) 318, 320, the former is vested, the latter permissive, and, as was said by the Supreme Court in C. B. & Q. Ry Co. v Commissioners, 200 U.S. 561, 593: 'If the injury complained of is only incidental to the legitimate exercise of governmental power for the public good, then there is no taking of property for public use and the right to compensation for such injury does not attach under the Constitution.' When Congress imposes restrictions in a field falling within the scope of its legislative authority and a taking of property without compensation is alleged, the test is whether the restrictive measures are reasonably adapted to secure the purposes and objects of regulation. If this test is satisfied, then 'the enforcement of uncompensated obedience' to such regulation 'is not an unconstitutional taking of property without compensation or without due process of law.' (Atlantic Coast Line v. Goldsboro, 232 U.S. 548, 558)."

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SHULER CASE TO GO UP

The Court of Appeals on Saturday denied the petition for rehearing in the Shuler case and counsel immediately asked for a stay of mandate pending action of the Supreme Court of the United States on a petition for a writ of certiorari. A petition for review will be filed in the Supreme Court within the next week or ten days, Shuler's counsel stated on Saturday.

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December 3, 1932

## P.O. RULING ON FAN MAIL

The Post Office Department has just adopted an important revision of its ruling relating to the handling of fanmail.

The Department had ruled nearly two years ago that fan mail forwarded by stations to network headquarters were "letters" within the meaning of the postal laws and therefore could be forwarded only upon payment of the first class rate on each letter.

In April, 1931, the National Association of Broadcasters requested the Post Office Department to reconsider its ruling and permit the forwarding of fan mail by express, arguing that such communications were not "letters" within the meaning of the law since the messages were addressed to the program sponsor rather than to the station.

"You ask whether letters received by a broadcasting station for program sponsors, and which are not opened by the station but are merely assembled and counted for notation on the station's records, may be transmitted unopened by express or other similar method to the headquarters of the network with which the station is affiliated," says Second Assistant Postmaster General Glover in his recent ruling.

"In reply," he writes, "you are advised that these communications may be forwarded outside of the mails without the payment of postage from the broadcasting stations to the headquarters of the network, provided they are not opened upon receipt at the headquarters, as under these conditions they do not have the character of 'letters' within the purview of the private express statutes."

Express companies have been notified of the ruling of the Post Office Department. It should be pointed out that the ruling is limited to the forwarding of fan mail from stations to network headquarters and does not extend to the forwarding of such fan mail from the network headquarters to the sponsor. In the latter case the Department has taken the position that the fan mail must bear the first class rate of postage.

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## BUILDING AND LOAN PROGRAMS

Are you now selling time to a Building and Loan Association?

Have the programs proved successful?

If so, will you please write to NAB Headquarters telling us all about it?

Several inquiries have been received from members who are angling for Building and Loan Accounts and they want to be able to cite specific instances where such programs have succeeded.

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December 3, 1932

#### KGRS DENIED HOUR CHANGES

The Radio Commission this week reversed the decision of Examiner R. H. Hyde in his Report No. 423, by which it denied the application of Station KGRS, Amarillo, Texas for a change in specified hours of operation on its frequency of 1410 kilocycles using 1000 watts power.

The Commission in its statement says that "although the present nighttime service of the applicant station is limited to some extent by interference from other stations, it does not appear that its operation upon the 1340 kilocycle frequency, as proposed, would result in a service free from interference or would materially extend its present service area."

It is further stated by the Commission that while the operation of KGRS on the assignment requested might be of some convenience to the station, "it does not appear that the listening public in the Amarillo area would be substantially benefited thereby and the limited number of facilities available for the use of broadcast stations does not justify the granting of the application."

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#### KQV AND WSMK MUST SHARE

Broadcasting Stations KQV, Pittsburgh, Pennsylvania, and WSMK, Dayton, Ohio, were both granted license renewal by the Radio Commission during the current week upholding the Report (No. 412) of Chief Examiner Ellis A. Yost. The two stations both operate on a frequency of 1380 kilocycles during the daytime hours and share time at night. Both asked the Commission for unlimited time on the air which was overruled by the Examiner and the Commission.

In its opinion the Commission says that both of these stations now render a good local service. On the other hand, says the Commission, "while it is probably true that the assignment of unlimited hours to either KQV or WSMK with the consequent restriction of the other station to a daytime assignment, would be of benefit to the station receiving such additional time, it is extremely doubtful that the listening public would be accorded any substantial benefit thereby." It is further contended by the Commission that "no such showing is made in this record as would justify the withdrawal of any portion of the facilities now assigned one of the applicant stations in order to authorize the use of the same by the other station."

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#### WNAX GETS LICENSE RENEWAL

Chief Examiner Ellis A. Yost was sustained by the Commission this week in his Report No. 430 in which G. C. Redfield, of Rapid City, South Dakota, was denied by default his application for a new station to operate on 570 kc, with 1000 watts power to share time with Station WNAX. In the same decision the Commission, again upholding the Chief Examiner, granted a license renewal to Station WNAX, at Yankton, South Dakota, unlimited time on the same frequency. In this case Mr. Redfield failed to appear when the hearing was held and no testimony was introduced to support his application. WNAX was set for hearing solely because of the Redfield application.

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December 3, 1932

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, December 5, 1932. They begin at 10 a. m.

WEDNESDAY, DECEMBER 7, 1932.

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1593	KELW	Magnolia Park, Ltd. Burbank, California	Mod. Lic. 780 kc, 500 watts, unlimited time.
			Present Assignment: 780 kc, 500 watts, shares with KTM.
Docket #1687	KELW	Magnolia Park, Ltd. Burbank, California	Ren. Lic. 780 kc, 500 watts, share with KTM
Docket #1657	KTM	Pickwick Broadcasting Corp. Ltd. Los Angeles, California	Mod. Lic. 780 kc, 500 W. 1 KW LS, unlimited time.
			Present Assignment: 780 kc, 500 W. 1 KW LS shares with KELW.
Docket #1570	KTM	Pickwick Brdcstg. Corp. Ltd. Los Angeles, California	Ren. Lic. 780 kc, 500 W. 1 KW LS, share with KELW.

HEARINGS BEFORE EXAMINER

Docket #1788	NEW	Britt A. Rogers, Jr. Tupelo, Mississippi	C. P. 990 kc, 500 watts, day- time.
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THURSDAY, DECEMBER 8, 1932

Docket #1725	WLAP	American Broadcasting Corp. of Kentucky, Louisville, Kentucky	C. P. 940 kc, 1 KW, unlimited time (Facil. of WFIW).
			Present Assignment: 1200 kc, 100 W. 250 W. LS, unlimited time.
Docket #1767	WFIW	WFIW, Inc. Hopkinsville, Kentucky	Ren. Lic. 940 kc, 1 KW, un- limited time.
Docket #1814	WFIW	WFIW, Inc. Hopkinsville, Kentucky	C. P. to move station to Louisville, Kentucky. 940 kc, 1 KW, unlimited time.
			Present Assignment: 1200 kc, 100 W. 250 W. LS, unlimited time.



December 3, 1932

HEARING CALENDAR (continued)

FRIDAY, DECEMBER 9, 1932

Docket #1795	KTFI	Radio Brdcstg. Corp. Twin Falls, Idaho	Mod. Lic. 1240 kc, 500 watts, 1 KW LS, unlimited time (facilities of KGKX).
			Present Assignment: 1240 kc, 500 W., un- limited time.
Docket #1823	KGKX	Sandpoint Brdcstg. Co. Sandpoint, Idaho	Ren. Lic. 1420 kc, 100 W., unlimited time.
Docket #1292	NEW	American Legion, Dept of Mo. Donald Holden Post 106 Albany, Missouri	C. P. 1200 kc, 100 watts, un- limited time.
Docket #1531	KFWF	St. Louis Truth Center St. Louis, Missouri	Ren. Lic. 1200 kc, 100 watts, share with WIL.
Docket #1532	WIL	Missouri Brdcstg. Corp. St. Louis, Missouri	Ren. Lic. 1200 kc, 100 W. 250 W. LS, share with KFWF.

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LICENSE RENEWAL APPLICATIONS

The Commission, during the current week, received the following applications for license renewals: WHBF, Rock Island, Illinois; WALR, Zanesville, Ohio; WABZ, New Orleans, Louisiana; WAAW, Omaha, Nebraska; WBAL, Baltimore, Maryland; WHDH, Boston, Massachusetts; WMAZ, Macon, Georgia; WOAI, San Antonio, Texas; KFI, Los Angeles, California; KJBS, San Francisco, California; WDZ, Tuscola, Illinois.

KGFG, Oklahoma City, Oklahoma; KGFL, Raton, New Mexico; KCRC, Enid, Oklahoma; EXO, El Centro, California; KGFI, Corpus Christi, Texas; WMGB, Richmond, Virginia; KRLD, Dallas, Texas; WINS, New York City; WFAA, Dallas, Texas; WPG, Atlantic City, New Jersey; WTIC, Hartford, Connecticut; KMOX, St. Louis, Missouri.

WRVA, Richmond, Virginia; WCCO, Minneapolis, Minnesota; WCAU, Philadelphia, Pa.; WAPI, Birmingham, Alabama; WJR, Detroit, Michigan; KFAB, Lincoln, Nebraska; KFEQ, St. Joseph, Missouri; WOV, New York City; WGN-WLIB, Chicago, Illinois; WHAS, Louisville, Kentucky; KGDM, Stockton, California; WRUF, Gainesville, Florida; KNX, Los Angeles, California; WABC-WBOQ, New York City; KWKH, Shreveport, Louisiana.

WEW, St. Louis, Missouri; KFBI, Abilene, Kansas; WBT, Charlotte, North Carolina; WGST, Atlanta, Georgia; and WEEU, Reading, Pennsylvania.

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December 3, 1932

SET FOR HEARING

During the current week the Commission has set the following cases for hearings:

WMBH	W. M. Robertson Joplin, Missouri	Requests Mod. of Lic. to increase specified hours of operation.
WOR	Bamberger Brdcstg. Service Inc. Newark, New Jersey	Application for mod. of C. P. to authorize location of its 50 KW transmitter at Trem-ley, New Jersey, set for hearing because of protest of Southern Radio Corporation licensee of Stations WMW and WMV, located near proposed site.

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APPLICATIONS DISMISSED

During the current week the Commission has dismissed the following applications at the request of the applicants:

KLO	Interstate Broadcasting Corp. Ogden, Utah	C. P. 1400 kc, 500 watts, unlimited time.
NEW	Intermountain Broadcasting Corp. Ogden, Utah	C. P. 1400 kc, 500 watts, unlimited time. (Facilities KLO).
WCSC	South Carolina Broadcasting Co., Inc., Charleston, S. C.	Mod. Lic. 1450 kc, 500 watts, unlimited time.
WTFI	Liberty Broadcasting Co. Athens, Georgia	C. P. 1360 kc, 500 watts, unlimited time (Facilities of WCSC).

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CENSUS BUREAU NEARS END OF JOB

The census of 1930 which was the most comprehensive enumeration ever undertaken by this or any other country, will be completed within a few weeks. The three-year period within which, as required by law, the reports on the subjects covered by the census must be complete, will be up December 31, 1932. These subjects embrace population, manufactures, construction, agriculture, irrigation, drainage, mines, unemployment, and distribution, the last two named being included for the first time in the 1930 enumeration.

Of the final reports, consisting of 30 or more volumes, 11 have already been published and thousands of preliminary reports have been in use for some time.

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December 3, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

WBMS	Lloyd B. Marsh, Receiver Hackensack, New Jersey	Denied renewal of Lic. on 1450 kc, 250 W. This station has been using $\frac{1}{4}$ time.
KUMA	Albert H. Scherman Yuma, Arizona	Application for Mod. of Lic. to make change in hours of operation, heretofore design- ated for hearing, reconsidered and granted.
WMT	Waterloo Broadcasting Co. Waterloo, Iowa	Dismissed by Appellant in Court of Appeals on November 26.
KOB	New Mexico College of Agriculture & Mechanical Arts State College, New Mexico	Granted authority to take depositions in re applications for renewal of license and for license covering C. P.
W2XV	Radio Engr. Laboratories New York, N. Y.	Granted authority to take depositions in re applications for renewal of amateur licen- se, C. P. and license, in dockets Nos. 1774, 1797, 1775, 1776, 1777, and 1778.
WCGU	U. S. Broadcasting Corp. Brooklyn, New York	Granted authority to take depositions in re applications for C. P. renewal and license to cover C. P., Dockets 1780, 1831, and 1841.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications to the applicants:

1-PB-2248	WMBA	LeRoy Joseph Beebe Newport, Rhode Island	C. P. to install new equipment (Station has been deleted).
1-PB-2710	WICC	Bridgeport Brdcastg Station, Inc. Bridgeport, Conn.	C. P. to change transmitter location to Stratford, Conn. (Request of applicant).
2-MLB-1079	WRBX	Richmond Development Corp. Roanoke, Virginia	Mod. lic. to change hours of opera- tion from sharing equally with WHIS to Shares time with WHIS (Rule 6 c and d - May not be considered under 6 g as requested).
5-PB-2729	NEW	W. L. Gleason Salinas, California	C. P. for new station to use 1210 kc 100 watts, unlimited hours (Rule 6 a c and d).

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December 3, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WBAL	Consolidated Gas & Electric Light & Power Co. of Baltimore Baltimore, Maryland	Granted three months extension of special authority to operate synchronously with Station WJZ.
WHDH	Matheson Radio Company Boston, Massachusetts	Granted 10 day extension of program test period, pending action on application for license.
<u>SECOND ZONE</u>		
WGAR	WGAR Broadcasting Co. Inc. Cleveland, Ohio	Granted authority to determine licensed power by direct measurement of antenna input.
WEHC	Emory & Henry College Emory, Virginia	Granted authority to remain silent pending action on application to move to Charlottesville, which was designated for hearing on November 22, because of protest filed by station WLVA.
WMBG	Havens & Martin, Inc. Richmond, Virginia	Granted renewal of license for auxiliary transmitter.
<u>THIRD ZONE</u>		
WPTF	Durham Life Insurance Co. Raleigh, North Carolina	Granted authority to operate from 7:45 to 8 p.m., simultaneously with Station KPO, during month of December.
KRMD	Radio Station KRMD, Inc. Shreveport, Louisiana	Granted special authorization to operate from 1 to 2 p.m. and from 5 to 6 p.m. CST, December 3, 1932. Also granted special authority to operate from 4 to 5 p.m., CST, daily except Saturday and Sunday from 3 a.m., EST, December 1 to December 23, 1932.
KCKK	North Mississippi Brdcstg. Corp. Texarkana, Arkansas	Granted authority to temporarily reduce hours of operation from unlimited to specified as follows: 8:30 a.m. to 1:30 p.m.; 4:30 to 7:30 p.m., for period ending January 1, 1933.

December 3, 1932

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

WPTF	Durham Life Insurance Company Raleigh, North Carolina	Granted authority to operate simultaneously with Station KPO from 7:45 to 9 p.m., EST, December 5.
WTSL	G. A. Houseman Laurel, Mississippi	Granted consent to Vol. Assign. of Lic. to the Southland Radio Corp., and station to remain silent for 30 days.
KWEA	Hello World Brdcstg. Corp. Shreveport, Louisiana	Granted extension to January 1, 1933, to remain silent pending action on application for renewal of license and C. P. pending before the Commission.
KOCW	Oklahoma College for Women Chickasha, Oklahoma	Granted consent to Vol. Assign. of Lic. to J. T. Griffin.
KOCW	J. T. Griffin Chickasha, Oklahoma	Granted C. P. to move transmitter and studio locally, and install new equipment.
KTSA	Lone Star Brdcstg. Co. Inc. San Antonio, Texas	Granted consent to Vol. Assign. of Lic. to Southwest Broadcasting Company.
WGST	Georgia School of Tech. Atlanta, Georgia	Granted Lic. 890 kc, 250 watts night, 500 watts daytime, unlimited time.

FOURTH ZONE

KWLC	Luther College Decorah, Iowa	Granted authority to reduce hours of operation to 1 hour per week, between December 16, 1932 and January 2, 1933, inclusive, during Christmas holidays.
WLBC	Donald A. Burton Muncie, Indiana	Granted authority to operate simultaneously with Station WTRC, Elkhart, Indiana, from 6:45 to 7:30 p.m., CST, on the following dates: December 2, 3, 9, 16, 20, 23, and 27, 1932; January 2, 7, 13, 20, 27 and 28, 1933; February 3, 10, 17, 24, and 25; March 3, 4, 11, 17, and 18, 1933.
KFNF	Henry Field Company Shenandoah, Iowa	Granted special authority to continue using time assigned but not used by Stations WILL and KUSD, until December 31, 1932.

FIFTH ZONE

KGBU	Alaska Radio & Service Co. Inc. Ketchikan, Alaska	Granted license covering local move of transmitter and studio; increase in power and change in specified hours of operation; 900 kc, 500 watts; daily from 10 a.m. to 2 p.m.; 5 to 7 p.m. and 10 p.m. to 3 a.m. PST.
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December 3, 1932

APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KFXJ R. G. Howell & Charles Howell Granted Mod. of Lic. to change frequency  
d/b as Western Slope Brdcstg. Co from 1310 to 1200 kc.  
Grand Junction, Colorado

KCRJ Charles C. Robinson Granted Mod. of Lic. to change hours of  
Jerome, Arizona operation from Daily: 7:30 to 10 a.m.; 12  
noon to 1 p.m.; 3:30 p.m. to local sunset;  
MST, to: 7:30 to 9:30 a.m.; 12 noon to 1  
p.m.; 3 p.m. to local sunset, MST.

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LICENSE RENEWALS GRANTED

During the current week the Commission granted license renewals for the regular period to the following stations: WALR, Zanesville, Ohio; WEBR, Buffalo, New York; (Auxiliary); WFBG, Altoona, Pennsylvania; WSAJ, Grove City, Pennsylvania; WTEL, Philadelphia, Pennsylvania; KFJB, Marshalltown, Iowa; KFYO, Lubbock, Texas; KGCR, Watertown, South Dakota; KGHI, Little Rock, Arkansas; WHBF, Rock Island, Illinois.

WABZ Samuel D. Reeks Renewal of license application set for hear-  
New Orleans, Louisiana ing and temporary license granted subject  
to such action as the Commission may take  
on the pending application for renewal.

KSCJ Perkins Bros. Co. Renewal of license application set for hear-  
The Sioux City Journal ing and temporary license granted subject  
Sioux City, Iowa to such action as the Commission may take  
on the pending application for renewal.

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LICENSE TO COVER C. P.

During the current week the Commission has granted the following license to cover construction permit already granted: WHDH, Boston, Massachusetts.

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APPLICATION WITHDRAWN

Chief Examiner Ellis A. Yost in a Report (No. 434) handed down this week recommended that the application of W. T. Hamilton for a construction permit for a new station to be located at Greenville, South Carolina to use 1240 kilocycles, 250 watts night and 500 watts day, unlimited time "that the request of applicant W. T. Hamilton to withdraw his application with prejudice, be granted."

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December 3, 1932

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ALB-479	WTBO	Associated Brdcstg. Corp. Cumberland, Maryland	Invol. assign. of lic. to Associated Broadcasting Corp. from The Interstate Broadcasting System, Inc.
1-MLB-1095	WBBC	Brooklyn Broadcasting Corp. Brooklyn, New York	Mod. of lic. to change hours of operation from Share with WLTH, WOGU, and WPOX to Share with WLTH and WPOX. Requests facilities of WOGU, Brooklyn, New York.
<u>SECOND ZONE</u>			
2-MPB-400	WJEQ	Sun-Gazette Brdcstg. Co. Williamsport, Pennsylvania	Mod. of C. P. issued 7-26-32 for new station to extend dates of commencement and completion to 1-1-33 and 2-1-33 respectively.
2-MPB-398	WAZL	Herman G. Halsted Hazelton, Pennsylvania	Mod. of C. P. issued 9-13-32 for approval of exact transmitter and studio location, Corner West Broad & Laurel Sts., Hazelton, Pa., and change equipment.
<u>THIRD ZONE</u>			
3-ALB-478	WIS	The South Carolina Brdcstg. Co. Inc., Columbia, S. C.	Vol. assign. of lic. to Station WIS, Incorporated.
3-MPB-399	KVOO	Southwestern Sales Corp. Tulsa, Oklahoma	Mod. of C. P. issued 11-17-31 for 25 KW transmitter to extend date of completion to 3-17-33.
3-PB-2725	NEW	News-Times Publishing Co. El Dorado, Arkansas	C. P. for new station to use 1500 kc, 50 watts, daytime.
<p>The nearest station on this same frequency is WHEF which is 160 miles distant. The engineers of the Commission recommend a separation of 80 miles. The Third Zone is over quota but the State of Arkansas is under quota.</p>			
3-SAB-22	KTHS	Hot Springs Chamber of Commerce, Hot Springs National Park, Arkansas	Spec. auth. to operate on 970 kc, daytime; 1040 kc night; 8 hours daytime; share KRLD night-experimentally-amended to eliminate request to be allowed to operate minimum of 5 hours daily during time using 970 kc.

December 3, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

3-MPB-401 WSB Atlanta Journal Co.  
Atlanta, Georgia Mod. of C. P. issued 11-17-31 to  
extend date of completion to 3-17-33

FOURTH ZONE

4-LB-927 KFIZ The Reporter Printing Co.  
Fond du Lac, Wisconsin License to cover C. P. issued  
5-24-32 for new transmitter.

4-PB-2748 WKBF Indianapolis Broadcasting  
Inc., Indianapolis, Ind. C. P. to move transmitter 12 miles  
from present location to intersec-  
tion of Fall Creek and Extension  
of Keystone Avenue, (Marion County)  
Indiana.

FIFTH ZONE

5-PB-2711 NEW James A. Britton, R. W.  
Britton, Juneau, Alaska C. P. for new station to use 1210  
kc, 100 watts, daytime (10 a.m. to  
6 p.m.).

The nearest station on 1210 kilocycles is KGY, Olympia, Washington, which is 900 miles distant. The Commission's engineers recommend a separation of 185 miles. However, both the Fifth Zone and Alaska are now over quota.

5-PB-2729A NEW W. L. Gleeson  
Sallinas, California C. P. for new station to use 1210  
kc, 100 watts, unlimited hours,  
quota units formerly assigned to  
KMJ, Fresno, California. Resubmit-  
ted and amended to omit request for  
quota units formerly assigned KMJ.

The nearest station on this same frequency is KPPC, Pasadena, California, which is 270 miles away. The engineers of the Commission recommend a separation of 185 miles. Inasmuch as the application is for time formerly used by another station the quota would not be increased.

5-MPB-367 KGFL KGFL, Inc.  
Raton, New Mexico Mod. of C. P. issued 5-17-32 to  
change location of transmitter and  
studio to Roswell, New Mexico,  
amended to give exact transmitter  
location 511 W. 16th St. and studio  
120 E. Third St., Roswell, N. M.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission has received the following applications for licenses to cover construction permits already granted: WNBX, Springfield, Vermont, and KFIZ, Fond du Lac, Wisconsin.

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National Broadcasting Company, Inc.

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# BROADCASTERS'



# NEWS BULLETIN

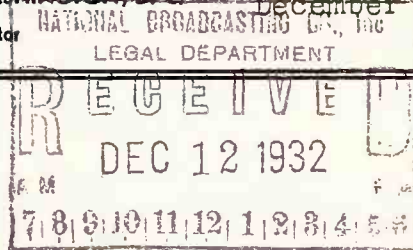
Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

December 10, 1932



## DEVELOPMENTS OF THE WEEK

The first week of the final session of the Seventy-Second Congress passed without the introduction of any new bills affecting broadcasting.

The International Radiotelegraph Conference in progress at Madrid, Spain, since September 3, completed its work and the American Delegates left immediately for the United States.

An order banning future song "plugging" by radio was issued this week by Oswald F. Schuette, director of NAB copyright activities.

The Court of Appeals of the District of Columbia reversed the Federal Radio Commission's decision holding that Station WJKS, Gary, Indiana, was entitled to have the facilities of Stations WIBO and WPCC, both of Chicago, Illinois, adopting a liberal construction of the Davis Amendment with respect to allocations among states within a zone.

Indications are that conferences preliminary to a North American conference will commence in Washington shortly after the first of the New Year.

December 10, 1932

## MADRID CONFERENCE ENDS

The International Radiotelegraph Conference, which has been in progress since September 3 at Madrid, was due to close Friday of this week.

The convention, as finally adopted, leaves the way open for a North American Conference. The question of widening the broadcast, therefore, will be deferred until the time of the North American parley which will be attended by Canada, Mexico, Cuba and the United States. The regional conference will have power to go into the question of allocations relating to nearly all bands except those used internationally for identical services in all countries.

It is likely that conferences in preparation for the North American conference will commence in Washington shortly after the first of the new year. It is the feeling in some informed quarters that the meeting will be held as early as April of the new year. Mexico City may extend an invitation to the conference.

If the United States agrees to prepare the agenda for the North American Conference it will become the more important that conflicts between services be ironed out in the preparatory conferences.

Since the results of the North American Conference may affect the entire broadcasting structure in the United States it will be important that the industry be adequately represented at both the preliminary conferences and at the general conference.

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## DILL ON WIBO DECISION

Senator Dill of Washington stated on the floor of the Senate that the WIBO case should be carried to the United States Supreme Court and if it should be upheld by that Court that Congress would have to pass another radio act.

He inserted the entire opinion in the Congressional Record and in doing so made the following statement:

"I ask unanimous consent to have printed in the RECORD the decision of the Court of Appeals of the District of Columbia in the case of Nelson Bros. Bond & Mortgage Co. (Station WIBO), appellants, against Federal Radio Commission, Johnson-Kennedy Radio Corporation, and others.

"In this connection I want to call attention particularly to the fact that the majority opinion as written in this decision practically nullifies the act of Congress enacted two or three years ago for the purpose of equalizing the distribution of radio facilities in various zones, and particularly in the different States. I shall not attempt to discuss the merits of the case other than to call attention to the fact that in this case the Commission granted the State of Indiana a wave length which had been used by the State of Illinois, the State of Illinois having 55 per cent more than its quota and the State of Indiana having 22 per cent under its quota; yet the majority opinion of the court declares that there is still a fair and equitable allocation under the law. It is such a far-fetched interpretation of ordinary language that it does not seem possible that a court could have written such a decision; and I sincerely hope the Radio Commission will carry this case to the Supreme Court of the United States."

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## COMMISSION REVERSED IN WIBO CASE

The Court of Appeals of the District of Columbia this week, in a three-to-two decision, held that Station WJKS, Gary, Indiana, was not entitled to have the facilities of Stations WIBO and WPCC, Chicago, Illinois, thereby reversing the decision of the Federal Radio Commission in the case. The three stations share time on 560 kc and the Indiana station had applied for the facilities of the Illinois stations.

The court held that the decision of the Commission was "in a legal sense arbitrary and capricious" and went into the record to compare the services of the contesting stations. The court pointed out that while the Davis Amendment required an equal allocation of facilities among the five zones it provided only for a fair and equitable distribution of these facilities among the states within any zone. The terms "as nearly as possible" and "a fair and equitable allocation" as used in the Davis Amendment were stressed in the court's decision.

Justice Groner, one of the newer members of the court, filed a strong dissenting opinion which was concurred in by Justice Hitz.

"The question, therefore, in this case is whether the decision of the Commission assigning to the applicant station the frequency enjoyed by Stations WIBO and WPCC is a reasonable exercise of regulatory power or an arbitrary and capricious assertion of power," the majority decision stated.

"Station WIBO was established in April, 1925, and represents a total cost of about \$346,000, less a reserve for depreciation of about \$54,000. It employs 55 persons; has monthly operating expenses of from \$16,000 to \$18,000. It serves a radius of from 50 to 100 miles and, on the basis of its earnings, is estimated to be worth between \$500,000 and \$700,000. There is not even a suggestion that it has failed to comply in any respect with the regulations of the Commission; on the contrary, it affirmatively appears that this station has been operated in the public interest.

"Station WPCC was established in July, 1924, and is owned by the North Shore Church of Chicago. Prior to the installation of this broadcasting station, the church was largely in debt. The installation of the radio greatly increased the church's audiences. There are 20 radio stations in Chicago broadcasting about sixty hours of religious programs on Sundays, but there are practically no week-day spiritual programs broadcast except those of Station WPCC. That the operation of this station has been in the public interest, clearly appears.

"In the reallocation of 1928 following the enactment of the Davis amendment (act of March 28, 1928, 45 Stat. 373), the Commission found that conditions warranted the assignment of the frequency of 560 kc. to Station WIBO (originally established in April, 1925) and Station WPCC (originally established in July, 1924), and the assignment of the frequency of 1,360 kc. to Station WJKS (originally established in August, 1927). The evidence fails to disclose that there has been a material change in conditions since the reallocation of 1928.

"The Davis amendment declared it to be the policy of Congress that the people of the five zones established by the radio act of 1927 are entitled to equality of radio broadcasting service, both of transmission and of reception, and that in or-

der to provide such equality the licensing authority shall, as nearly as possible, make and maintain an equal allocation of broadcasting licenses, bands of frequency or wave lengths, periods of time for operation, and of station power, to each of the zones, 'and shall make a fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States, the District of Columbia, the Territories, and possessions of the United States within each zone, according to population.'

"It will be observed that the statute directs the licensing authority to establish and maintain 'as nearly as possible' equality of broadcasting service to each of the several zones, and to 'make a fair and equitable allocation of licenses,' etc. to each of the States within those zones. The requirement that there shall be an equal allocation to each of the zones, and a 'fair and equitable allocation' to the States within each zone, according to population, is significant. Crawford v. Burke, 195 U.S. 176, 190; Johnson v. United States, 225 U.S. 405, 415, Brewster v. Gage, 280 U.S. 327, 337. The fourth zone, in which the stations directly involved in this controversy are located, comprises the States of Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Kansas, and Missouri. Congress declared that the people of all the zones are entitled to equality of broadcasting service, but evidently recognized that the licensing authority might not be able to establish and maintain an exact mathematical equality among the zones, hence the language, 'establish and maintain as nearly as possible.' After providing for the establishment and maintenance of nearly equal facilities among the zones, Congress in dealing with the problem evidently anticipated that greater difficulty would arise in undertaking to equalize allocations to the several States within a zone, and therefore provided for, not equal, but 'fair and equitable allocation' to the States within a zone. The House committee report on the amendment states, inter alia: 'This amendment looks to the future. It declares in terms the duty of the licensing authority to make an equal allocation among the five zones, of broadcasting licenses, \* \* \* and provides that within each zone there shall be an equitable allocation among the States thereof in proportion to the population and power. The equality here sought is not an exact mathematical division. That may be physically impossible.' (H.R. Rep. No. 800, 70 Cong. 1st Sess.)

"We have repeatedly held that 'it would not be consistent with the legislative policy to equalize the comparative broadcasting facilities of the various States or zone by unnecessarily injuring stations already established which are rendering valuable services to their natural service areas.' Reading Broadcasting Co. v. Fed. Radio Comm. 60 App. D.C. 89, 48 F. (2d) 458; Chicago Fed. of Labor v. Fed. Radio Comm. 59 App. D.C. 333, 41 F. (2d) 422. In Strawbridge & Clothier v. Fed. Radio Comm. 61 App. D.C. \_\_\_, 57 F. (2d) 434, we sustained the Commission although the applicant station was in an underquota State and an underquota zone and sought an increase of power which would have affected stations in an overquota State in an overquota zone. There would have been more justification for the granting of the application in that case than in this, for here the parties most affected are in one zone and the applicant station is located within 3<sup>0</sup> miles of Chicago, from which Gary and surrounding territory receives much of its radio service, although, as observed by the examiner, none of that service is charged against the Indiana quota. While Station WJKS, through this application, seeks greater opportunity to furnish broadcasting service to the people of Gary and surrounding territory, it is in evidence that it even now devotes from two to three hours daily to broadcasting phonograph records. It also suggests that it has special programs for the foreign-born element of Gary, but the record discloses that the total number of foreign born in Chicago is greater than in Gary and vicinity.

COMMISSION REVERSED IN WIBO CASE (Continued)

"Station WIBO had been broadcasting for more than two years, and Station WPCC more than three years, when Station WJKS entered the field. The only apparent reason for granting the application of Station WJKS and destroying the other two stations is that Indiana is underquota, which in the circumstances furnishes no substantial justification for the decision of the Commission. As already observed, the evidence discloses that Stations WIBO and WPCC have been and are 'serving public interest, convenience, and necessity' certainly to as great an extent as the applicant station. In our view, the conclusively established and admitted facts furnish no legal basis for the decision of the Commission. In other words, the decision is in a legal sense arbitrary and capricious!"

Justice Groner's dissenting opinion states in part:

"Epitomized, therefore, the evidence shows that all three stations concerned are now rendering satisfactory service, but that the operation of the two Chicago stations may be terminated without detriment to the public interest, and that the service of the Indiana station may be improved and extended in the public interest by granting to it the facilities now enjoyed by the other two. Coupled with this is the fact that the Chicago stations are located in an overquota State and the Indiana station in an underquota State. More than this is unnecessary if the intent of Congress, as expressed in the amendment, is to be given effect, for Congress has conferred on the Commission, in the first place, just as it had in the case of the Interstate Commerce Commission, the power to determine what is and what is not in the public interest, and, in the second place, has admonished it, when this condition is met, to 'make a fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States, the District of Columbia, the Territories and possessions of the United States within each zone, according to population.' In the instant case, the Commission has declared that by reason of the character of the population in the Calumet district, its foreign origin, its hours of service, and such like matters, it is entitled to and ought to receive in the fullest measure possible the sort of program provided by the Gary station. This is no more than the recognition of a difference in sectional interests and conditions and an extension of the opportunity to those interests to gratify their local tastes. This was the purpose and object of the amendment.

"If, therefore, upon an application for a station permit in an under-quota State, or for an increase of facilities by an already authorized station, the Commission, after hearing, decides the public interest will be served by granting the application, and the evidence reasonably supports that decision, as undoubtedly is the case here, I think it has, under the Davis amendment, not only the right and power to grant the application, but that the plain and explicit language of the amendment requires it to do so, for in no other way can the equalization which Congress has declared should obtain be accomplished. In such a case, if injury results to the holder of a revocable permit, the injury is said to be damnnum absque injuria.

"Since Congress possesses the power, the right to assert it may not be questioned, nor the motives which impell it inquired into, nor its wisdom challenged. It is for the courts to follow the law as they find it. Hamilton v. Distilleries Co. 251 U.S. 146, 161,"

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## SCHUETTE ISSUED "PLUG" BAN

A ban on "song plugging" by radio was issued December 8, by Oswald F. Schuette, Director of Copyright Activities of the National Association of Broadcasters as the first active step to assert the rights of the broadcasting industry in the copyright conflict with the American Society of Composers, Authors and Publishers.

The order, the full text of which was sent to all broadcasters, was issued under the "absolute powers of copyright activities" conferred upon Mr. Schuette at the St. Louis Convention and was the result of a letter from E. C. Mills, General Manager of the Society, announcing that the Board of Directors of that organization might not meet until some time in January to consider Mr. Schuette's proposal for a revision of copyright contracts which would release programs in which no ASCAP music is used from ASCAP royalty demands. Inasmuch as the entire Board of Directors of ASCAP is in New York, Mr. Schuette pointed out that there could be no reason for such needless delay unless the Board were hostile to the broadcasting industry. Mr. Schuette's letter, sent to all broadcasters, pointed out that the members of this Board are chiefly responsible for the uses of the "restricted list".

Mr. Schuette therefore advised all broadcasting stations also to make no further requests for "special permission" to perform music which has been placed on the Society's "restricted list" and to keep such "restrictions" permanent by refusing to restore to their programs any numbers which have been so "restricted" by the publishers.

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## SWEDISH BROADCASTING 10 YEARS OLD

The tenth anniversary of the Swedish radio broadcasting service which is under State control will be celebrated in the near future, according to advices to the Commerce Department from Trade Commissioner Basil D. Dahl, Stockholm. During the past decade, Dahl states, the Swedish radio industry and market have grown very rapidly. There are at present approximately 600,000 licensed radio receiving sets in use in Sweden as against only 5,000 eight years ago.

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(600,000)

J. H. W. Radio  
c/o Radio Tjänst

## TERRELL TO ATTEND CONFERENCE

W. D. Terrell, Chief of the Division of Field Operations, has been authorized by the Commission to attend the Radio Distress Conference to be held December 15, 1932, at Cleveland, as its representative.

The conference is to be held on invitation of Captain H. H. Wolf, U. S. Coast Guard, Commander Lakes Division, with headquarters at Sault Ste. Marie, Michigan, and will concern itself chiefly with the problem of handling distress traffic on the Great Lakes.

It is planned to have present representatives of all radio concerns, both government and commercial; operating on or about the Great Lakes.

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December 10, 1932

#### WGAR GIVEN MORE DAY POWER

The Radio Commission this week granted Station WGAR, Cleveland, a modification of its license allowing it 1,000 watts daytime and 500 watts night using the frequency of 1450 kilocycles and sustaining Examiner R. H. Hyde in his Report No. 419. The station has been operating on the same frequency with 500 watts power unlimited time.

In granting the daytime power increase the Commission states that "the operation of Station WGAR with increased daytime power as proposed would result in a marked improvement in the quality of reception from the station in the Cleveland area and enable the applicant to extend its present generally meritorious program service to a much larger population than now receives the same. Moreover, it appears that no objectionable interference with the services of other stations would result from the use of the additional daytime power requested by the applicant."

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#### DECISION FAVORS WHK

The Radio Commission upheld Report No. 420 of Examiner R. H. Hyde in the case of Station WHK, Cleveland in which it granted the Station a daytime power increase from 1,000 to 2,500 watts.

The grant was made on the condition that the authority to use the additional power may be withdrawn without advance notice or hearing in the event it appears to the Commission that objectionable interference results with the service of Station KQV from the use of such power.

In this case the Commission found that the operation of this station with additional power "would materially improve the quality of the station's service in Cleveland and vicinity and probably so extend its present meritorious service as to permit the applicant to render satisfactory service throughout most of the greater Cleveland area, large portions of which WHK does not now serve with satisfactory efficiency."

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#### ASSISTANT INSPECTOR SUSPENDED

George Llewellyn, assistant radio inspector at Atlanta, who was temporarily suspended a few weeks ago by the Radio Commission, has been permanently suspended.

Miss Gladys Fagan and Miss Mary L. Bell, both of the Atlanta office who were temporarily suspended have been reinstated.

The case of Walter Van Nostrand, inspector at Atlanta has not yet been decided.

No official announcements on these cases have been made by the Commission nor have the charges against any of the four persons been made public.

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December 10, 1932

#### WNJ ASKS REINSTATEMENT

An application asking reinstatement of Station WNJ was received by the Radio Commission this week from the Radio Investment Company, Inc., of Newark, New Jersey. This company formerly owned and operated Station WNJ. The Commission took this station off the air and an appeal was taken to the Court of Appeals of the District of Columbia. The Court upheld the Commission's decision. The company now has filed an application for the same facilities that it formerly used.

The new application asks for a construction permit for a new station to use 1450 kilocycles with 250 watts power to share time with WHOM and to use one-fourth time. It requests the facilities of WBMS, Hackensack, New Jersey.

The Commission this week also received an application from the International Broadcasting Corporation, of Shreveport, Louisiana, asking for all of the facilities of Station KWKH, at Shreveport.

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#### WMBR GRANTED LICENSE RENEWAL

In Report No. 435 this week Chief Examiner Ellis A. Yost recommended that the application of the Peoples Broadcasting Corporation for a construction permit for a new station at Jacksonville, Florida, be denied because the application was withdrawn by the applicant "with prejudice". At the same time he recommended that the license of Station WMBR, at Tampa, Florida, be renewed.

The Peoples Broadcasting Corporation requested half the facilities of WMBR on 1370 kilocycles with 100 watts power. After more than 100 pages of testimony had been taken the applicant requested that its application be withdrawn with prejudice, which request was unopposed.

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#### OPPOSES ABERDEEN, S. D. STATION

In a report this week Examiner Elmer W. Pratt, recommended that the application of J. B. Taylor for a construction permit for a new station to be erected at Aberdeen, South Dakota, be denied. At the same time he recommended that the license of Station KSOO, Sioux Falls, South Dakota, whose facilities Taylor sought, be renewed.

The Examiner states that Taylor is financially and in other ways qualified to own such a station as he proposes.

"The only objection to the granting of the application of J. B. Taylor for construction permit", says the Examiner, "is that the transmitter site proposed is in an area where blanketing interference would occur because of too large a number of people residing within a mile of the transmitter. \* \* \*and it not appearing that the proposed transmitter site is satisfactory, it follows that this applicant has failed to establish that public interest, convenience and necessity would be served by the granting of his application."

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WHP-WBAK CASE DECIDED

Examiner E. W. Pratt was sustained in part by the Commission this week in his Report No. 404 in the case of Stations WHP and WBAK, Harrisburg, Pennsylvania. The Commission's decision granted Station WHP permission to operate daytime during all the hours not allocated for the use of Station WBAK, sharing time with WCAH, Columbus, Ohio. WBAK was granted license renewal to permit its operation during certain specified hours.

"While no showing is made in this record", says the Commission in its decision, "that would justify the deletion of Station WBAK in order to assign its present facilities to Station WHP, it appears that the public interest, convenience and necessity would be served by granting the application for modification of license for WHP in part, so as to permit the operation of WHP in accordance with the present division of time with WBAK during daytime and with WCAH at night."

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COURT DISMISSES KLO CASE

The Court of Appeals of the District of Columbia has dismissed the case of KDYL, Salt Lake City, Utah, on its own motion. This station appealed against a decision of the Radio Commission granting Station KLO permission to move from Ogden to Salt Lake City.

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BAR COMMITTEE APPOINTED

President Clarence E. Martin of the American Bar Association has appointed the following Committee on Communications for the coming year: Louis G. Caldwell, Washington, D. C., chairman; John Guider, Washington, D. C.; Judge John C. Kendall, Portland, Oregon; Calvin W. Rawlings, Salt Lake City, Utah; and Walter Lybrand, of Oklahoma City, Oklahoma. Mr. Caldwell served as chairman last year. Mr. Guider and Judge Kendall also were members of last year's committee.

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RENEWAL APPLICATIONS RETURNED

Applications for license renewals were returned this week by the Commission to the following stations because they were not in proper form for Commission consideration: KMOX, St. Louis, Missouri; WGST, Atlanta, Georgia; WFAA, Dallas, Texas; and WAGM, Presque Isle, Maine.

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SHULER APPEAL SOON READY

A petition for a writ of certiorari in the Shuler case will be filed in the Supreme Court of the United States next week, it was indicated by attorneys for the Rev. Shuler whose Station KGEF, Los Angeles, California, was refused a renewal of license by the Court of Appeals recently.

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HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, December 12, 1932. They begin at 10 a. m.

WEDNESDAY, DECEMBER 14, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1593	KELW	Magnolia Park, Ltd. Burbank, California	Mod. Lic.	780 kc, 500 watts, Unlimited time.
			Present Assignment:	780 kc, 500 watts, shares with KTM.
Docket #1687	KELW	Magnolia Park, Ltd. Burbank, California	Renewal	780 kc, 500 watts, shares with KTM.
Docket #1657	KTM	Pickwick Brdcstg. Corp. Ltd. Los Angeles, California	Mod. Lic.	780 kc, 500 W., 1 KW LS, unlimited time.
Docket #1570	KTM	Pickwick Broadcasting Corp. Ltd., Los Angeles, Calif.	Renewal	780 kc, 500 W., 1 KW LS, shares with KELW.

THURSDAY, DECEMBER 15, 1932.

Docket #1726	KGNO	The Dodge City Brdcstg. Co. Dodge City, Kansas	C. P.	1340 kc, 250 watts, unlimited time.
			Present Assignment:	1210 kc, 100 watts, unlimited time.

FRIDAY, DECEMBER 16, 1932

Docket #1790	WOR	Bamberger Brdcstg. Service Kearney, New Jersey	Ren. of auxiliary transmitter license.	710 kc, 500 watts, unlimited time.
Docket #1780	WCGU	U. S. Broadcasting Corp. Brooklyn, New York	C. P.	1480 kc, 500 watts, shares time with WFOX WLTH & WBBC. Request authority to move transmitter.
Docket #1831	WCGU	U. S. Broadcasting Corp. Brooklyn, New York.	Renewal	1400 kc, 500 watts, shares time with WFOX, WLTH & WBBC.
Docket #1841	WCGU	U. S. Broadcasting Corp. Brooklyn, New York.	License	1400 kc, 500 watts, shares time with WFOX, WLTH & WBBC.

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SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

KARK	Arkansas Radio & Equipment Company Little Rock, Arkansas	Renewal of license.
WLTH	Voice of Brooklyn, Inc. Brooklyn, New York.	Requests Mod. of Lic. to change hours of operation to sharing with WFOX and WBBC only. (Facilities of WCGU). Also application to share with WLTH and WFOX.
WFOX	Paramount Broadcasting Corp. Brooklyn, New York.	Requests Mod. of Lic. to change hours to share with WLTH and WBBC only. (facilities of WCGU).
KGIX	J. M. Heaton Las Vegas, Nevada	Renewal of license.
KGIX	J. M. Heaton Las Vegas, Nevada	Requests C. P. to install new equipment.
NEW	The Building Industries Brdcstg. Co. Cincinnati, Ohio	Requests C. P. 900 kc, 250 watts, day-time hours of operation.

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MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

KGEW	City of Ft. Morgan Ft. Morgan, Colorado	Denied extension of authority to remain silent. Renewal of license application has been designated for hearing.
WEVD	Debs Memorial Radio Fund, Inc. Brooklyn, New York.	Protest of WEVD to the granting of application to move station WCGU from Brooklyn to Long Island City, was dismissed at request of protestants.

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicants:

NEW	A. D. Shiffer & A. H. Bennett Lansing Broadcasting Co. Lansing, Michigan	C. P. 1210 kc, 100 watts, unlimited time.
WSPA	Virgil V. Evans Spartanburg, South Carolina	Mod. Lic. 590 kc, 250 watts, unlimited time.
KOY	Nielsen Radio & Sporting Goods Co. Phoenix, Arizona	Mod. Lic. 1390 kc, 500 W. 1 KW. LS. unlimited time.

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APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WBBC	Brooklyn Brdcstg. Corp. Brooklyn, New York	Granted license covering changes in auxiliary transmitter, 1400 kc, 500 W.
WDEV	Harry C. Whitehill Waterbury, Vermont	Granted 30 day extension of program test period, pending action on license application.
WMAS	Albert S. Moffat Springfield, Massachusetts	Granted authority for direct measurement of antenna power.
WSYB	Philip Weiss Music Co. Rutland, Vermont	Granted special authority to operate from 11 a.m. to 12 noon, EST, on Sundays only, for remainder of license period.
<u>SECOND ZONE</u>		
None		
<u>THIRD ZONE</u>		
WFBC	Virgil V. Evans Greenville, South Carolina	Granted consent to Vol. assign. of C.P. to Greenville-News Piedmont Company.
<u>FOURTH ZONE</u>		
KFJB	Marshall Electric Co. Inc. Marshalltown, Iowa	Granted authority to install automatic frequency control.
KFJM	University of North Dakota Grand Forks, North Dakota	Granted extension to December 31 of the working of Rule 145.
KSO	Iowa Broadcasting Co. Des Moines, Iowa	Granted 30 day extension of program test period, pending action on license application.
<u>FIFTH ZONE</u>		
KREG	J. S. Edwards Santa Ana, California	Granted renewal of license, 1500 kc, 100 watts, unlimited time, also granted consent to Vol. assign. of Lic. to The Voice of the Orange Empire, Inc. Ltd.

## APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KRKD	Dalton's Inc. Los Angeles, California	Granted authority to operate 30 day program test period in accordance with terms of C. P. without operating the usual 10 day equipment test period.
KFSG	Echo Park Evangelistic Assn. Los Angeles, California	Granted authority to use transmitter of Station KRKD during program test period, and pending filing of formal application to use equipment of KRKD as main transmitter, and present equipment of KFSG as an auxiliary.
KGZJ	City of Phoenix, Police Department Phoenix, Arizona	Granted special authority to operate on frequency 2410 kc, for period not over 30 days.
KMJ	James McClatchy Co. Fresno, California	Granted Mod. of C. P. to extend completion date to December 22, 1932.
KICA	W. E. Whitmore Clovis, New Mexico	Granted consent to Vol. assign. of Lic. to Southwest Broadcasting Company.

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## LICENSE RENEWALS

During the current week the Commission has granted the following license renewals for the regular period: WBTM, Danville, Va.; WCBM, Baltimore, Md.; WDAS, Philadelphia, Pa.; WEHS, Cicero, Ill.; WELL, Battle Creek, Mich.; WENC, Americus, Ga.; WFDV, Rome, Ga.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHDL, Tupper Lake, N.Y.

WHFC, Cicero, Ill.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WJBO, New Orleans, La.; WJMS, Ironwood, Mich.; WJTL, Oglethorpe, Ga.; WKBI, Cicero, Ill.; WKBV, Connersville, Ind.; WKBZ, Ludington, Mich.; WLBF, Kansas City, Kansas; WLEY, Lexington, Mass.; WLVA, Lynchburg, Va.; WMBC, Detroit, Mich.; WMBH, Joplin, Mo.; WMPC, Lapeer, Mich.; WNBF, Binghamton, N. Y.; WPAD, Paducah, Ky.; WPEN, Philadelphia, Pa. WRJN, Racine, Wisconsin; WSPA, Spartanburg, S. Carolina; WSYB, Rutland, Vermont; WPFB, Hattiesburg, Miss.; WQDM, St. Albans, Vt.; WTBO, Cumberland, Md.; WWSW, Pittsburgh, Pa.; KCRC, Enid, Oklahoma; KDB, Santa Barbara, Calif.; KFJM, Grand Forks, N.D.

KFLX, Galveston, Texas; KFJZ, Fort Worth, Texas; KGAR, Tucson, Ariz.; KGFF, Shawnee, Okla.; KGFG, Oklahoma City, Okla.; KGFI, Corpus Christi, Texas; KGFK, Moorhead, Minn.; KGFL, Raton, New Mexico; KGCC, San Francisco, Calif.; KGIW, Trinidad, Colo.; KDIZ, Grant City, Mo.; KGKL, San Angelo, Texas; KGKY, Scottsbluff, Nebraska.

KMAC, San Antonio, Texas; KONO, San Antonio, Texas; KORE, Eugene, Ore.; KUJ, Walla Walla, Wash.; KUMA, Yuma, Ariz.; KVL, Seattle, Wash.; KWCR, Cedar Rapids, Iowa; KWKC, Kansas City, Mo.; KXO, El Centro, California.

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December 10, 1932

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2744	NEW	John E. McGoff, Julius Schaefer, Francis Thurston Newport, Rhode Island	C. P. for new station to use 1500 kc, 100 watts, nine hours per day.
<p>The nearest station on this same frequency is WLOE, Boston, which is 90 miles distant. The engineers of the Commission recommend a separation of 80 miles. Both the First Z one and the State of Rhode Island are under quota.</p>			
1-PB-2753	NEW	Radio Investment Co., Inc. Newark, New Jersey	C. P. for new station to use 1450 kc, 250 watts, share with WHOM, to use $\frac{1}{4}$ time. Requests facilities of WBMS, Hackensack, New Jersey.
<p>This company formerly operated Station WNJ, Newark. The Commission took the station off the air. The matter was appealed to the Court of Appeals of the District of Columbia. The court upheld the Commission. The company now is asking for the same facilities it had before.</p>			
1-MLB-1097	WFOX	Paramount Brdcstg. Corp. Brooklyn, New York	Mod. of Lic. to change hours of operation from Shares with Stations WCGU, WLTH and WBBC to Shares with Stations WLTH and WBBC. Requests facilities and hours of WCGU, Brooklyn, N. Y.
1-MLB-1100	WLTH	Voice of Brooklyn, Inc. Brooklyn, New York	Mod. of Lic. to change hours of operation from Shares with Stations WCGU, WFOX & WBBC to Shares with Stations WFOX & WBBC. Requests facilities and hours of WCGU, Brooklyn, New York.
1-ZB-67	WHDH	Matheson Radio Co. Inc. Boston, Massachusetts	Determine operating power by direct antenna measurement.
1-ALB-480	WBMS	Lloyd B. Marsh, (Receiver) Hackensack, New Jersey	Involuntary assignment of license from WBMS Broadcasting Corp.

December 10, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE

2-APB-32	WAZL	Herman G. Halsted Hazleton, Pennsylvania	Vol. assign. of C. P. granted 9/13/32 for new station to Hazleton Broadcasting Service Inc.
2-PB-2747	WGAL	WGAL, Inc. Lancaster, Pennsylvania	C. P. to make changes in equip- ment and increase operating power from 100 watts to 100 W. N. 250 W. D. - power to be reduced two hours prior to local sunset.

WGAL is located approximately 55 miles from WHAT at Philadelphia, the nearest station on the same frequency. Engineers of the Commission recommend a separation of 100 miles. Both the Second Zone and the State of Pennsylvania are under quota.

2-PB-2752	NEW	Altoona Broadcasting Corp. Altoona, Pennsylvania	C. P. for new station to use 620 kc, 1 KW, daytime hours.
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The nearest station on this frequency is WTMJ, Milwaukee which is 530 miles distant. Engineers of the Commission recommend a separation of 300 miles. Both the State of Pennsylvania and the Second Zone are under quota.

2-MLB-1079	WRBX	Richmond Development Corp. Roanoke, Virginia	Mod. of lic. to change hours from Shares equally with WHIS to Share time with WHIS - re- submitted without change.
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THIRD ZONE

3-FB-304	KWWG	Frank P. Jackson Brownsville, Texas	Install frequency control.
3-ALB-477	WJBO	Valdemar Jensen New Orleans, Louisiana	Vol. assign. of lic. to Baton Rouge Broadcasting Co., Inc.
3-APB-33	WFBC	Virgil V. Evans Greenville, South Carolina	Vol. assign. of C. P. granted 11/22/32 to Greenville-News- Piedmont, Company.
3-PB-2742	NEW	Kathryn Jones (Miss) Florence, Alabama	C. P. for new station to use 1420 kc, 100 watts, daytime.

The nearest station on this same frequency is WAMC which is 130 miles away. The engineers of the Commission recommend a separation of 80 miles. The Third Zone is over quota but the State of Alabama is under quota.

3-PB-2743	WJBO	Baton Rouge Broadcasting Co. Inc., New Orleans, Louisiana	C. P. to move transmitter and studio to Baton Rouge, La., in- stall new transmitter and other changes in equipment.
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The proposed location is 270 miles from Station KCMC. The engineers of the Commission recommend a separation of 165 miles.

December 10, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

3-PB-2754 NEW International Broadcasting Corp. C. P. for new station to use 850 kc, 10 KW, hours now used by KWKH which are: Daily except Sunday: 6 a.m. to 8 a.m., 8:30 p.m. to 12 midnight; Sundays: 7:45 p.m. to 12 midnight; Sundays during Lent, 9 p.m. to 12 midnight. Requests all facilities of KWKH, Shreveport, Louisiana.

Inasmuch as existing facilities are requested no change in quota is involved.

FOURTH ZONE

4-MLB-1096 WTAQ Gillette Rubber Co. Mod. of Lic. to change hours from Shares with KSCJ to S. H., Eau Claire, Wisconsin 7 a.m. to 8 p.m. in order to provide for simultaneous day operation with KSCJ to local sunset.

4-PB-2756 KSTP National Battery Brdcstg. Co. C. P. to make changes in equipment, increase operating power from 10 KW to 10 KW night, 25 KW to local sunset. St. Paul, Minnesota

The nearest station on this frequency of 1460 kc is WJSV, Alexandria, Virginia, which is 925 miles distant. The engineers of the Commission for daytime operation recommend a separation of 900 miles. Both the State of Minnesota and the Fourth Zone are over quota.

4-PB-2603A WTRC The Truth Publishing Co. Inc. C. P. change equipment, increase operating power from 50 to 100 watts amended to request 50 watts night, 100 watts LS. Marion, Indiana

The nearest station on this same frequency is WCLS, Joliet, Illinois, which is 110 miles distant. Engineers of the Commission recommend a separation of 80 miles. Indiana is under quota but the Fourth Zone is over quota.

4-FB-305 WTAQ Gillette Rubber Company Install automatic frequency control. Eau Claire, Wisconsin

4-MLB-1098 KSCJ Perkins Brothers Co. (Sioux Mod. of lic. to change hours from Shares with Station WTAQ City Journal) to 7:30 a.m. to local sunset, Sioux City, Iowa simultaneous day operation with WTAQ, divide time with WTAQ after local sunset.



## APPLICATIONS RECEIVED (continued)

FIFTH ZONE

5-PB-2451A	NEW	Copper Electric Co. Inc. Lowell, Arizona	C. P. for new station to use 1110 kc, 50 watts, unlimited hours, resubmitted and amended as to transmitter and studio location, frequency, power and hours. Now requests 1200 kc, 100 watts, daytime. (Studio location formerly requested was Bisbee, Arizona).
The nearest station on the new frequency requested is KGFJ, Los Angeles, Calif., which is 560 miles away. The engineers of the Commission recommend a separation of 185 miles. The Fifth Zone is over quota but the State of Arizona is under quota.			
5-MLB-1101	KRKD	Dalton's Incorporated Los Angeles, California	Mod. of lic. to cover change of name only to Fireside Broadcasting Company.
5-MLB-1099	KFSG	Echo Park Evangelistic Assn. Los Angeles, California	Mod. of lic. to use KRKD's transmitter at same location as Main Transmitter for KFSG.

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## LICENSE RENEWAL APPLICATIONS

During the current week the Commission received the following applications for license renewals: WAIU, Columbus, Ohio; WBBM-WJBT, Chicago, Illinois; WBZ, Boston, Massachusetts; WBZA, Boston, Massachusetts; WCAZ, Carthage, Illinois; WCBD, Zion, Illinois; WDCY, Minneapolis, Minnesota; WEAJ, New York City; WENR-WBCN, Chicago, Ill.

WGY, Schenectady, N. Y.; WHB, Kansas City, Missouri; WJZ, New York City; WLS, Chicago, Illinois; WEW, Cincinnati, Ohio; WLWL, New York City; WMAQ, Chicago, Illinois; WMBI, Chicago, Illinois; WOI, Ames, Iowa; WOR, Newark, New Jersey; WRAM, Wilmington, North Carolina; WSB, Atlanta, Georgia; WSM, Nashville, Tennessee; WTAM, Cleveland, Ohio; KBPS, Portland, Oregon; KDKA, Pittsburgh, Pennsylvania; KEX, Portland, Oregon.

KGO, San Francisco, California; KJR, Seattle, Washington; KMMJ, Clay Center, Nebraska; KOA, Denver, Colorado; KPO, San Francisco, California; KVOO, Tulsa, Oklahoma; KYW-KFKX, Chicago, Illinois; KXL, Portland, Oregon; KFBL, Everett, Washington; WMAS, Springfield, Massachusetts; WBAL, Baltimore, Maryland; WAGM, Presque Isle, Maine; WBAP, Fort Worth, Texas; WHAM, Rochester, N. Y.; WOPI, Bristol, Tennessee.

KCMC, Texarkana, Arkansas; WWL, New Orleans, Louisiana; KLX, Oakland, California; KPCB, Seattle, Washington; KTHS, Hot Springs National Park, Arkansas; KXA, Seattle, Washington; WEAO, Columbus, Ohio; WFL, Fort Wayne, Indiana; WGST, Atlanta, Georgia; WHEB, Portsmouth, New Hampshire; WJAG, Norfolk, Nebraska; WJBK, Detroit, Michigan; WOPI, Bristol, Tennessee; WRDO, Augusta, Maine; WSVS, Buffalo, New York; WTSL, Laurel, Mississippi; KMOX, St. Louis, Missouri and KPJM, Prescott, Arizona.

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**BROADCASTERS' NEWS BULLETIN**



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

LEGAL DEPT.  
RECEIVED  
19 1932

December 17, 1932

LICENSE FEE BILL

Senator Dill (D) of Washington, on Friday introduced in the Senate a bill (S.5201) providing for a system of license fees for radio stations.

"I think it is highly desirable that radio stations in this country shall provide a large part of the cost of regulation by the Government," Senator Dill declared. "I hope to have hearings on the bill and have it reported in the near future."

The bill, in many particulars, follows the amendment added by the Senate to the Davis Bill last session. This license fee provision previously had been reported favorably by the Senate Committee on Interstate Commerce but was removed when the bill was reported to the Senate this week.

Roughly the bill provides a fee of \$120 a year for a 100 watt station, \$600 for a 1000 watt station, and \$5,000 for a clear channel station.

In addition to these annual license fees, a system of fees for filing of applications is provided.

Educational stations would pay about one-half the rate applicable to commercially operated stations.

December 17, 1932

## SENATE COMMITTEE AMENDS DAVIS BILL

The Davis Bill (H.R. 7716) was reported with amendments to the Senate this week by the Senate Interstate Commerce Committee. The bill has already passed the House. The bill was reported favorably last session with an amendment proposing a system of license fees for all radio stations. This provision was omitted from the bill by the Committee in again reporting the measure.

The bill amends twelve different sections of the radio act of 1927 by clarifying and amplifying provisions dealing chiefly with procedure and administration, and also contains a section forbidding the broadcast by any station any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, and fixing a penalty for such violation.

The bill as analyzed in the Senate report (Senate Report No. 1004) is as follows:

"No attempt has been made in this bill to change any provision of substantive law dealing with radio, with the exception of the lottery section, the section relating to the use of radio for political purposes and the section relating to transmissions to foreign stations.

"All of the provisions in the bill have been considered by the Federal Radio Commission and its counsel, and have their approval and recommendation.

"Section 1 simply adds the words 'the jurisdiction of' before the words 'United States' in line 5 of page 1. This amendment was originally suggested by counsel for the Radio Commission.

"Section 2 excludes the Virgin Islands, Puerto Rico, Alaska, Guam, eastern Samoa, and the Hawaiian Islands from the equality allocations of the broadcasting zone system, but provides that other portions of the radio act shall apply to them.

"The amendment to section 3 provides for a fixed term for the chairman instead of leaving it indefinite and also provides for a vice chairman to function during the absence or disability of the chairman.

"Section 4 amends paragraph (f) of section 4 of the act by omitting the words 'in the character of emitted signals,' which do not properly belong in the paragraph, and also provides that changes in wave lengths, authorized power or in the times of operation shall not be made until after a hearing. No hearing is required by existing law.

"Paragraph (k) of the same section is amended by setting forth with more particularity the procedure under which the Commission shall conduct its hearings. The amendment specifically authorizes the holding of public hearings, provides they may be held at any designated place, and designates who may hold hearings and the authority of such persons.

"Your committee has amended the House text by striking out those words that authorize hearings to be held by examiners or other employees of the commission.

"Under the existing law the commission has assumed the authority to empower examiners appointed by the commission to hold hearings. The present law simply provides that the commission shall hold hearings and then, in another part of the law, examiners are mentioned among those that may be appointed by the commission.

"During recent months the commission has directed that examiners hold practically all hearings. In some cases parties to contests before the commission have found it impossible to secure hearings before the commission and have not been able even to make an argument to the commission after an examiner had taken all the testimony. Under present procedure there seems to be little justification for the continuation of five commissioners unless the commissioners are to conduct the hearings and do the work originally intended by the law. If this policy is to continue, it would seem to be in the interest of economy to cut the commission to three members or to a director of radio.

"Your committee believes it more desirable that the commission should hold these hearings and secure more personal knowledge of contests by this method, and for that reason has provided that all hearings shall be held by the commission, or by a commissioner, or by a number of commissioners as the commission may designate.

"In general the procedural provisions of paragraph (k) as amended conform to similar sections in other laws.

"Section 5 authorizes the commission to require the painting and/or elimination of radio towers if in its judgment such towers constitute, or may constitute a menace to air navigation.

"Section 6 of the bill amends section 9 by eliminating the territories and possessions from the zone system, and also by subjecting renewals of licenses to the same restrictions governing the original granting thereof.

"Section 9 clarifies the language in section 14 of the act and simplifies the procedure under which licenses may be revoked, modified, or suspended.

"Under the present law a licensee has 30 days in which to make a showing as to why his license should not be revoked. Your committee believes that is a longer period of time than is necessary, but thinks some definite period of protection should be given, especially since the House amendment to section 14 enlarges the power of the commission to the point of suspending a license. For these reasons the committee has stricken out the words 'reasonable opportunity' on page 11, line 16, and inserted in lieu thereof 'fifteen days.'

"Section 10 substitutes for section 16 of the act a simpler and more efficacious procedure in appeals. Your committee has struck out the entire House text and inserted its own appeal section, which was prepared with great care. The most important difference between this amendment and the House provision is that under this amendment a licensee, whose license is revoked or suspended, may appeal to the local district court instead of being required to prosecute his appeal in the District Court of Appeals in the District of Columbia. This is of particular advantage to the owners of small stations located a long distance from the District of Columbia. It will result also in questions of radio law being submitted to judges of the district courts and circuit courts of appeals instead of all radio law questions being passed upon by the District Court of Appeals of the District

SENATE COMMITTEE AMENDS DAVIS BILL (Concluded)

of Columbia. This is especially important from the standpoint of building up a series of legal interpretations of radio law by different inferior courts of the United States.

"Section 13 is a new provision in the radio law, and provides that no person shall broadcast by means of any radio station, for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, etc., and provides penalties for such offense, upon conviction thereof. The committee does not think that the United States should permit any radio station, licensed and regulated by the Government, to engage in such unlawful practices. Furthermore, the broadcast of such information is unfair to the newspapers, which are forbidden the use of the mails, if they contain such information.

"Your committee has substituted a new section for section 13. The purpose of the new section is identical with the section passed by the House, but your committee believes the language of the new section more nearly places radio stations on the same basis as newspapers in connection with broadcasting information as to lotteries.

"Your committee has added section 14 as a new section. This amendment strikes out section 18 of the radio act of 1927 and substitutes the language of section 14.

"The purpose of this amendment is to extend the requirement of equality of treatment of political candidates to supporters and opponents of candidates, and public questions before the people for a vote. It also prohibits any increased charge for political speeches.

"No station owner is required to permit the use of his station for any of these purposes, but if a station permits one candidate or the supporters or opponents of a candidate, or of a public question upon which the people are to vote, then the requirement of equality of treatment and of no higher rates than the ordinary advertising rates shall be charged.

"Section 15 is a new section designed to give the commission control of all studios or apparatus in the United States used in connection with a broadcasting station in a foreign country for the purpose of furnishing programs to be transmitted back into the United States.

"The Radio Commission has recommended such legislation. Your committee believes this is the only method whereby the commission can control radio programs originating in the United States to be broadcast by a foreign station and thereby transmitted back into the United States.

"That practice is now being carried on in connection with one station of high power just across the Mexican border and owned by American citizens, and your committee is informed that other stations to be used in the same manner are being planned. The operation of this legislation will not interfere with any broadcasting that is in the public interest of the people of the United States and will empower the commission to regulate broadcasting originating in the United States."

December 17, 1932

## SHULER APPEAL IN SUPREME COURT

The Supreme Court of the United States was petitioned this week to review the decision of the Court of Appeals of the District of Columbia in the so-called Shuler case. The court upheld the Commission's refusal of a renewal license to the Trinity Methodist Church (Station KGEF) Los Angeles, Calif. because of statements broadcast by the Rev. Robert P. Shuler.

This case brings before the Supreme Court of the United States for the first time the questions of censorship of radio programs and the right of free speech over the radio.

"Is speech from a broadcasting station to be held less entitled to protection under the First Amendment than speech from a public platform or the contents of a newspaper?", Louis G. Caldwell, attorney for the petitioner, asks in his brief. "If it is, then the Constitution, in this respect, ceases to be a living instrument which adapts itself to the progress of science and the evolution of human institutions. The First Amendment has a social purpose, to protect the right of free expression against the attempts of government to curb it. The right remains constant and in full vigor; the means of publication may vary with the advance of civilization.

"In the short span of twelve years broadcasting has largely replaced the public platform as the forum for the debate of important issues, and has achieved a status comparable to that of the press as a means of mass communication. To say that freedom of speech means only the right to speak to a present audience and not the right to address invisible listeners, is to confuse the means with the right itself. Historically, as a device for interfering with the right of free expression, censorship and licensing have usually appeared as afflictions of the press rather than of speech. In the case of broadcast speech, censorship, as a practical matter, has become possible only through the system of Government licensing established by the Radio Act. It seems clear that, recognizing this, Congress intended to dispose in advance of any claim that other provisions of the Act authorize censorship, and, by enacting Sec. 29, to lay at rest any doubt as to whether the guaranty of free speech extends to broadcasting."

Mr. Caldwell has gone into the debates of both the House and the Senate to find the meaning of Section 29 of the Radio Act of 1927.

"In the course of the House debates, Mr. White of Maine, who had introduced the bill and was in charge of it for the House Committee, referred to a recommendation made by the Third National Radio Conference against censorship of broadcast programs. He was asked what provision had been made in the bill to carry out the recommendation, whereupon the following colloquy occurred:

"Mr. White of Maine. It does not touch that matter specifically. Personally, I felt that we could go no further than the Federal Constitution goes in that respect. The pending bill gives the Secretary no power of interfering with freedom of speech in any way.

"Mr. LaGuardia. It is the belief of the gentleman and the intent of Congress in passing this bill not to give the Secretary any power whatever in that respect in considering a license or the revocation of a license.

"Mr. White of Maine. No power at all."

## SHULER APPEAL IN SUPREME COURT (Continued)

"In the Senate Committee the bill was amended to include Section 29. Mr. Dill, who was in charge of the bill on the floor, also referred to the recommendation of the Conference and said:

"The bill does not give to the Commission the power to censor programs, but instead there is a provision in the bill which specifically prohibits the Commission from censoring programs in any way."

"Petitioner submits, therefore, that the protection which Section 29 gives to speech by radio is at least as broad as that given by the First Amendment to the Constitution against abridging the freedom of speech or of the press, and that, in any event, freedom of speech by radio is directly protected by the First Amendment."

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## SUPREME COURT MAY GET WIBO CASE

The Supreme Court of the United States may be asked to review the decision of the Court of Appeals of the District of Columbia in the WIBO case if the Department of Justice will respond to the demand of the Federal Radio Commission. The decision of the Court of Appeals held, briefly, that the Davis Amendment does not require an exact mathematical distribution of station facilities among states within a given zone, giving to the law a liberal construction.

Both Senators Dill, Washington, and White, Maine, have expressed the desire in the Senate to have the case appealed to the Supreme Court.

"I have no direct concern in radio stations in States distant from my own," Senator White told the Senate, "but I am so impressed with the importance of this decision, so completely convinced that the opinion of the majority of the court speaks the disagreement of the court with the policy laid down by the Congress and the court's purpose to disregard this policy that I feel justified in bringing the matter to the notice of the Senate in somewhat more detail than did the Senator from Washington."

In the course of his speech, Senator White said:

"In this case, then, we find a court overriding the Commission's findings of fact, which the Congress said should be conclusive unless they were arbitrary or capricious, which clearly they were not. We find a court overriding a decision of the Commission carrying out the manifest purpose of Congress, and characterizing the decision as arbitrary and capricious. This court's decision, if it stood, would nullify the congressional intent that the Commission shall find the facts in these cases and, if followed, would render futile the effort of the Congress, through the adoption of the Davis amendment, to break down the excessive concentration of stations in limited areas and to bring about an equitable distribution of radio services throughout the country.

The majority opinion of the court in this case, in my view, discloses a studied purpose to repeal by judicial decision a congressional act. If this opinion stands, the Davis amendment has indeed become a dead letter. I therefore join in the hope expressed by the senior Senator from Washington (Mr. Dill) that the case may go forward to the Supreme Court, to the end that the Congress may know whether this equalization amendment is to be respected or whether the congressional purpose has come to naught. - - - -

KFSD NIGHT POWER INCREASED

Station KFSD, San Diego, Calif. was granted a power increase this week for nighttime service from 500 to 1000 watts by the Radio Commission in sustaining Report No. 424 of Chief Examiner Ellis A. Yost. The station operates unlimited time on a frequency of 600 kilocycles.

The Commission states that this station renders a generally meritorious service and further that "the operation of KFSD with 1 KW night power, as proposed, would extend the present nighttime service of this station over a rather large area that does not now receive satisfactory service from the applicant station." It is further stated by the Commission that this increased power would "not be expected to result in any objectionable interference with the services of any other station, either on the same or adjacent frequencies."

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WMAL DENIED POWER INCREASE

Station WMAL, Washington, D. C. was denied a power increase this week by the Radio Commission from 250 to 500 watts for nighttime service, thereby sustaining Chief Examiner Yost. The station operates on a frequency of 630 kilocycles.

The Commission in its decision states that such a power increase "would cause objectionable interference with the services of Station WGBF at Evansville, Ind. and a group of three stations near Hamilton, Ontario, all of which operate on the same frequency. Furthermore, it is probable that interference would result with the service of Station WCAO, Baltimore, Md, operating upon a frequency 30 kilocycles removed from that of the applicant station." The Commission states further that granting the application would violate Section 9 of the Radio Act in so far as it would increase the broadcast facilities of the District of Columbia, giving it more than its fair share of radio facilities.

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KANSAS DENIED NEW STATION

The Radio Commission this week sustained Examiner Elmer W. Pratt, in his Report No. 429, in which he recommended that the application of James M. Caldwell for a construction permit to erect a new station at Goodland, Kansas, to operate on a frequency of 1310 kilocycles sharing time with KGFW be denied.

In denying the application the Commission states that "Goodland, Kansas, the location of the proposed station, is a rather small community having a population of about 3500, and it is extremely doubtful that sufficient financial support could be obtained therein to insure either the proper maintenance and operation of the proposed station or the rendering of a meritorious service." The Commission states that fair radio service is now enjoyed at Goodland.

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LICENSE APPLICATIONS RECEIVED

During the current week the Commission has received the following applications for licenses where construction permits have already been granted: KRKD, Los Angeles, Calif; and KMJ, Fresno, Calif.

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December 17, 1932

#### DENY NEW HAMPSHIRE STATION

The Commission this week sustained Chief Examiner Yost in his Report No. 90 (correct) in which he recommended that G. Colby Blackwell be denied a construction permit for a new station to be located at Manchester, N. H. to operate on 1430 kc, 500 watts power, unlimited time.

It is stated by the Commission in its opinion that the applicant is not and will not be either financially or technically qualified to construct or operate a broadcasting station.

The Commission says further that "the operation of the new station, as proposed, would result in objectionable interference with the services of a number of established stations now operating upon the same frequency as that requested by the applicant."

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#### MADRID DELEGATION RETURNING

Members of the American Delegation to the International Radiotelegraph Conference which recently closed at Madrid, Spain, will return to the United States next week.

It is expected that preliminary conferences looking toward a North American Conference next Spring will commence shortly after first of the year. The time and place for the North American conference have not been agreed upon.

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#### DUTCH COMPANY GETS RADIO RIGHTS

Radio broadcasting in the Netherland Indies, at present chiefly in the hands of amateurs, will become a monopoly for a large Dutch company if plans now under consideration mature, according to advices to the Commerce Department from its office in Batavia, Java. The company which is seeking the Government franchise is known as "Nikom" and was organized in Amsterdam in 1929. It is now building two steel towers in Batavia which will support antennae for reception and broadcasting. The antennae will operate on 40 KW and will receive on a wave length of 16.88 mtrs.

Although negotiations have been going on for some time past, it is only recently that a mutually satisfactory agreement has been arrived at. It is proposed to license radio sets at fees ranging from \$16 for private individuals to about \$48 for cabarets, restaurants, etc. The postal authorities will collect the fees, 20 per cent going to the Government and the remainder to the broadcasting company.

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#### FIRST INTERNATIONAL TELEVISION BROADCAST

What is reported as the first international television broadcast to be given over water occurred recently when the British Broadcasting Company projected a program to Denmark, according to advices received in the Commerce Department. Both the voices and the pictures were remarkably clear, and even the details of the faces were easily seen.

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December 17, 1932

## BASEBALL AND BROADCASTING

The ban on broadcasting of major league baseball games, widely predicted in the daily press, failed to materialize when the annual meeting of American and National League officials closed this week. The baseball magnates took no action on the broadcasting issue, despite the publicity given to it, and left to the home clubs the decision as to whether or not games are to be broadcast. Club owners are divided on the broadcasting issue, some maintaining that radio has materially helped baseball and some arguing that it does not. Broadcasting companies took the position that the issue of broadcasting baseball games was one between the sport fans and the club owners. If the club owners wanted the stay-at-home fans to have radio accounts of the games, the broadcasting companies were prepared to provide the service. If, on the other hand, the club owners barred broadcasting, it was felt that the sporting public should be given to understand that the absence of broadcasting was due to the policy of the ball club rather than the policy of the broadcasting company. It is an issue between the sporting public and the ball clubs.

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## BELLOWS LOCATED IN WASHINGTON

Henry A. Bellows, vice president of the Columbia Broadcasting System has been transferred from Minneapolis, Minnesota, to Washington, D. C., although he will still retain his connection with Station WCCO in Minneapolis. Mr. Bellows is a former member of the Federal Radio Commission and for the past several years has served as Chairman of the NAB Legislative Committee. His legislative work on behalf of the industry made it necessary for him in the past to spend much of his time in Washington. Mr. Bellows has a keen understanding of the legislative problems of broadcasters and a wide acquaintanceship in official Washington.

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## SCHUETTE CONSTRUES ASCAP CONTRACT

In his second Bulletin to all broadcasters this week, Oswald F. Schuette, director of NAB Copyright Activities, undertook to construe various sections of the standard copyright contract of the American Society of Composers, Authors and Publishers. The contract was forced upon the industry without any opportunity on the part of individual broadcasters to obtain a modification of any of its terms, says Mr. Schuette, and therefore the stations are entitled to the benefit of the strictest interpretation of all features of the contract. The Bulletin explains the meaning of some of the provisions of the contract and offers valuable suggestions to broadcasters.

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## HEARING CALENDAR

Only one hearing involving broadcasting applications is scheduled for next week. The hearing is on the application of Station WQDM, A. J. St. Antoine and E. J. Regan, St. Albans, Vermont, for authority to change frequency from 1370 kc to 1340 kc, to increase power from 100 watts to 500 watts and to change hours of operation. Stations notified are WSPD, Toledo, Ohio, WCOA, Pensacola, Florida, KFPY, Spokane, Washington, and WDEV, Waterbury, Vermont.

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December 17, 1932

## RECOMMENDS AGAINST INDIANA STATIONS

Examiner R. H. Hyde, in his Report No.437 recommends that the application of Station WFBN, Indianapolis for unlimited time on the air and Station WSBT, South Bend for full day service be denied. The two stations share time on 1230 kilocycles.

"The evidence shows", states Examiner Hyde, "Stations WFBN and WSBT to be rendering meritorious broadcast services. Neither of the two large communities to be considered in these cases has a full time station. However, the simultaneous operation of the two applicant stations would undoubtedly cause some interference. There is a serious question as to whether the two stations could be operated simultaneously without causing substantial interference with the normal service area of both stations

"The Fourth Zone is now 26 per cent over quota in broadcast facilities. Commission regulations provide that no application involving the allocation of additional facilities in an over quota zone may be granted if the grant would result in additional interference with any station or stations now licensed (FRC Rule 6). Since it is considered that the evidence will not sustain an affirmative finding that no substantial interference would result from the granting of these applications, the recommendation must be that both applications be denied."

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## HIGH POWER CASES DISMISSED

The Court of Appeals of the District of Columbia this week dismissed the so-called high power cases at the request of the appellants.

The cases included: No. 5567 of WJZ; No. 5568 of KGO; No. 5569 of WGN and No. 5571 of WMAQ.

It may be recalled that these stations appealed to the Court some months ago when the Commission refused to grant them 50,000 watts power following the high power hearings.

With the dismissal of these appeals, the high power cases, which grew out of the Commission's revision of former General Order No. 42, have been concluded.

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## WEAN AND WJAR APPLICATIONS OPPOSED

Recommendation was made this week by Examiner Elmer W. Pratt in Report No. 438 that the application of Station WJAR, Providence, Rhode Island, for 1,000 watts power experimentally on 890 kilocycles and the application of Station WEAN, Providence, Rhode Island, to have its frequency changed from 730 to 780 kilocycles and also that it be granted 1,000 watts power experimentally be denied.

The Examiner said that "although both applicants are well qualified and financially and technically prepared to operate their respective stations with power of 1,000 watts day and night, there is not sufficient showing of a need for additional service or facilities in Providence to warrant a finding that public interest, convenience and necessity would be served by the granting of either or both of these applications."

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December 17, 1932

SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

WRUF	University of Florida Gainesville, Florida	Renewal of license.
WNBW	WNBW, Inc. Carbondale, Pennsylvania	Mod. of C. P. for authority to move studio and transmitter from Carbondale to Scranton, Pa., to make field intensity measurements; install new equipment, extend commencement date to 10 days after granting of this application and completion date to 60 days after December 18, 1932.
WNBW	WNBW, Inc. Carbondale, Pennsylvania	Mod. of Lic. to move studio from Carbondale to Scranton, Pennsylvania.
WBAX	John H. Stenger, Jr. Wilkes-Barre, Pennsylvania	C. P. to install new equipment, change frequency from 1210 to 1230 kc; increase power from 100 to 250 watts, and increase hours of operation from specified to unlimited.
KLCN	Charles Leo Lintzenich Blytheville, Arkansas	C. P. to move transmitter and studio locally in Blytheville; change frequency from 1290 to 1500 kc; increase power from 50 to 100 Watts, and change hours of operation from daytime to unlimited.

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MISCELLANEOUS ACTION

During the current week the Commission took the following miscellaneous action:

WNBW	WNBW, Inc. Carbondale, Pennsylvania	Denied extension of authority to remain silent from December 18 to 60 days after granting of Mod. of C. P., set for hearing above; also denied authority to dismantle equipment and remove from its present location.
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RENEWAL APPLICATIONS RETURNED

During the current week the Commission returned the following applications for license renewals because they were not in proper form for Commission consideration:

WBAP, Carter Publications Inc., Fort Worth, Texas; KCMC, North Mississippi Broadcasting Corp., Texarkana, Arkansas; KICA, W. E. Whitmore, Clovis, New Mexico; WJBK, James E. Hopkins, Inc., Detroit, Michigan.

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December 17, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
WBAL	Consolidated Gas, Electric Light & Power Company of Baltimore. Baltimore, Maryland	Granted authority to operate a 250 watt portable unmodulated transmitter in the metropolitan area of Baltimore for purpose of conducting field intensity survey to select new site for transmitter of WBAL; frequency to be used: 1060 kc; hours 1 to 6 a.m., for period December 12 to 24 inclusive.
WMBO	WMBO, Inc. Auburn, N. Y.	Granted authority to rebuild station which was destroyed by fire; make changes in equipment and move transmitter and studio to Metcalf Building, Auburn, N. Y.
WJBI	Monmouth Broadcasting Co. Red Bank, New Jersey	Program test period extended 30 days.(from December 9) pending action on license application.
WOR	Bamberger Brdcstg. Service Inc. Newark, New Jersey	Granted Mod. of C. P. extending completion date for construction of 50 KW C. P., subject to Commission's decision on pending application which has been set for hearing.
		<u>SECOND ZONE</u>
WAZL	Herman G. Halsted Hazleton, Pennsylvania	Granted Mod. of C. P. approving transmitter location at Corner West Broad and Laurel Streets, and change in type of equipment. Also granted consent to Vol. assign. of C. P. to Hazleton Broadcasting Service Inc.
WBEO	The Lake Superior Brdcstg. Co. Marquette, Michigan	Granted Mod. of Lic. to change specified hours of operation to the following: Daily 9:30 a.m. to 1:15 p.m./; 5 to 7 p.m.; Sunday 9 a.m. to 1:30 p.m., CST.
WJEQ	Sun-Gazette Brdcstg. Co. Williamsport, Pennsylvania	Granted Mod. of C. P. extending commencement date to January 1, 1933 and completion date to February 1, 1933.
		<u>THIRD ZONE</u>
WBAP	Carter Publications, Inc. Fort Worth, Texas	Granted Mod. of Lic. to increase power from 10 KW to 50 KW and use transmitter of Station WFAA, located 4 miles southeast of Grapevine, Texas

December 17, 1932

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

WSMB	WSMB, Inc. New Orleans, Louisiana	Granted authority to determine operating power by direct antenna measurement.
KWKH	Hello World Brdcstg. Corp. Shreveport, Louisiana	Granted special authority to remain silent pending repair to water supply equipment.
WIS	South Carolina Brdcstg. Co. Inc. Columbia, South Carolina	Granted consent to Vol. assign. of Lic. to Station WIS, Inc.
WHET	Troy Broadcasting Co. Troy, Alabama	Granted Mod. of Lic. to operate from 7 to 8 p.m. on Sundays, in addition to unlimited daytime operation.
WSB	The Atlanta Journal Co. Atlanta, Georgia	Granted Mod. of C. P. extending completion date from December 17, 1932 to March 17, 1933.

FOURTH ZONE

KSO	Iowa Broadcasting Company Des Moines, Iowa	Granted license covering installation of new equipment, change in power and hours of operation: 1370 kc, 100 W. night, 250 W. LS unlimited time.
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FIFTH ZONE

KSL	Radio Service Corp. of Utah Salt Lake City, Utah	Granted license covering local move of transmitter, installation of new equipment and increase in power to 50 KW Exp. 1130 kc. Also granted authority to determine operating power by direct antenna measurement.
KOB	New Mexico College of Agriculture & Mechanical Arts. State College, New Mexico	Granted license 1180 kc, 10 KW, simultaneous day with KEX, share evening hours: KOB 1/3 and KEX 2/3. (Application was granted on temporary basis and designated for hearing because KOY requested facilities of KOB. KOY's application has been dismissed).
KLO	Interstate Broadcasting Corp. Ogden, Utah	Granted renewal of lic., 1400 kc, 500 W., unlimited time. (Application was designated for hearing because of KDYL's request for KLO's facilities. KDYL's request has been withdrawn).
KOB	New Mexico College of Agriculture & Mechanical Arts. State College, New Mexico	Granted renewal of lic. 1180 kc, 20 KW, simultaneous day with KEX, share at night with KEX. (Application was set for hearing because of KOY's request for KOB's facilities. KOY withdrew its application).

## APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KGFL	KGFL, Inc. Santa Fe, New Mexico	Granted Mod. of C. P. to move transmitter and studio from Santa Fe to Roswell, New Mexico, and extend completion date to March 1, 1933.
KRKD	Dalton's Inc. Los Angeles, California	Granted Mod. of Lic. to change name only, to Fireside Broadcasting Company.

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## LICENSES GRANTED

During the current week the Commission has granted licenses to the following stations for which construction permits had already been granted: WNBX, Springfield, Vermont; WPCH, New York City; WDEV, Waterbury, Vermont; KWCR, Cedar Rapids, Iowa; KFIZ, Fond du Lac, Wisconsin and KSL, Salt Lake City, Utah.

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## LICENSE RENEWALS

During the current week the Commission granted license renewals to the following stations for the regular period: WGL, Fort Wayne, Indiana; WMAS, Springfield, Massachusetts; WOPI, Bristol, Tennessee; WRAM, Wilmington, North Carolina; WRDO, Augusta, Maine, WSVS, Buffalo, New York; KBPS, Portland, Oregon; KFBL, Everett, Washington; KICK, Red Oak, Iowa; KPJM, Prescott, Arizona; KRE, Berkeley, California; and KXL, Portland, Oregon

The following stations were granted temporary renewals pending such action as the Commission may take on their application for renewal: WMBQ, Brooklyn, N. Y.; WMBR, Tampa, Florida; WMIL, Brooklyn, N. Y.; WRDW, Augusta, Georgia; WWRL, Woodside, N.Y.; KGDA, Mitchell, South Dakota and KGKX, Sandpoint, Idaho.

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## APPLICATIONS RETURNED

During the current week the Commission returned the following applications for construction permits to the applicants:

3-PB-2737	NEW	A. H. Wherry Chester, South Carolina	C. P. for new station to use 1120 kc, 50 watts, daytime (3 to 6 hours) - (Rule 120, 6, Third Zone over quota, unsatisfactory equipment and hours not specified).
5-PB-2730	NEW	W. E. Riker Holy City, California	C. P. for new station to use 1350 kc, 300 watts, daytime, Sundays only. (Rule 6 a, c, d and proposed location of transmitter questionable insufficient information furnished).

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December 17, 1932

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-PB-2758		WBAL	Consolidated Gas, Electric Light & Power Co. of Baltimore Baltimore, Maryland.	C. P. to move transmitter from Glen Morris, Maryland, to Mortimer Ave., & Western Maryland R.R., Baltimore, Maryland, install new antenna system.
1-PB-2647A		WCGU	United States Brdcstg. Corp. Brooklyn, New York.	C. P. to move transmitter to Long Island City, N. Y. Amended to move transmitter to 1659 Cypress Ave., Brooklyn, N. Y.
<u>SECOND ZONE</u>				
2-ALB-482		WJW	John F. Weimer, Owner Mansfield Brdcstg. Assn. Akron, Ohio.	Vol. assign. of lic. to WJW, Incorporated.
2-PB-2761		NEW	William L. Slade Hamilton, Ohio.	C. P. for new station to use 1420 kc, 100 watts, unlimited time.
<p>The nearest station on this frequency is WELL, Battle Creek, Michigan, which is 210 miles away. The engineers of the Commission recommend a separation of 185 miles. Both the Second Z one and the State of Ohio are under quota.</p>				
<u>THIRD ZONE</u>				
3-PB-2757		WTSL	Southland Radio Corporation Laurel, Mississippi.	C. P. to make changes in equipment.
3-PB-2740A		NEW	National Union Indemnity Assn. Shreveport, Louisiana.	C. P. for new station to use 850 kc, 10 KW, share with WWL, requesting facilities KWKH, Shreveport, Louisiana. Amended to request unlimited time and facilities of WWL, New Orleans, Louisiana and KWKH, Shreveport, Louisiana.
3-MPB-403		WFBC	Greenville News-Piedmont Co. Greenville, South Carolina	Mod. of C. P. issued 11/22/32 for approval of exact transmitter and studio location at Poinsett Hotel, South Main St., Greenville, S. C., change equipment, increase power from 100 W. to 100 W. night, 250 W. LS, change hours of operation from Shares WBHS; WBHS uses 6/7 time, WFBC 1/7 time to Unlimited time, extend dates of com-



December 17, 1932

APPLICATIONS RECEIVED (continued)

FOURTH ZONE

4-MLB-1102	WMBD	Peoria Broadcasting Co. Peoria, Illinois	Mod. of lic. to change hours of operation from Shares with Station WTAD to Unlimited. Requests facilities of WTAD, Quincy, Illinois.
4-MLB-1104	WSBC	World Battery Co. Inc. Chicago, Illinois	Mod. of lic. to cover change in corporate name only to WSBC, Incorporated.

FIFTH ZONE

5-MLB-1093	KGDM	E. F. Peffer Stockton, California	Mod. of lic. to change hours from Daytime to Daytime and 12 midnight to 6 a.m.
5-MLB-1103	KFSG	Echo Park Evangelistic Assn. Los Angeles, California	Mod. of lic. for authority to use transmitter as auxiliary.
5-ALB-481	KVOA	Robert M. Riculfi Tucson, Arizona	Vol. assign. of lic. to Arizona Broadcasting Co. Inc.
5-MPB-402	KIEM	Harold H. Hanseth Eureka, California	Mod. of C. P. issued 9/13/32 for approval of transmitter and studio location at Vance Hotel, Eureka, California and extend date of completion.
5-PB-2751	KGEK	Elmer G. Beehler Beehler Electrical Equipment Co. Yuma, Colorado	C. P. to move transmitter and studio from Yuma, Colorado to Fort Collins, Colorado, change in specified hours of operation and changes in equipment.

The nearest station on the same frequency is KFXJ, Grand Junction Colorado, which is 210 miles away from the proposed new site. The engineers of the Commission recommend a separation of 185 miles. Granting of this application would not change the State or Zone quota.

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LICENSE RENEWAL APPLICATIONS RECEIVED

During the current week the Commission has received applications from the following stations for license renewals: WWVA, Wheeling, West Virginia; WSUI, Iowa City, Iowa and KNOW, Austin, Texas.

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National Broadcasting Company, Inc.  
GENERAL LIBRARY  
711 Fifth Avenue, New York, N. Y.

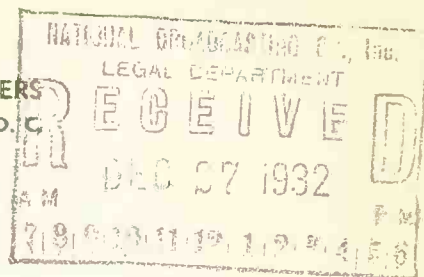
*Sup get 7/1/33*

# BROADCASTERS'



# NEWS BULLETIN

Issued by  
THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.  
PHILIP G. LOUCKS, Managing Director.



SEASON'S GREETINGS!

YOUR MANAGING DIRECTOR AND HIS STAFF  
EXTEND BEST WISHES TO MEMBERS OF THE  
NATIONAL ASSOCIATION OF BROADCASTERS  
FOR A MERRY CHRISTMAS AND PROSPEROUS

NINETEEN THIRTY-THREE!



December 22, 1932.

## BROADCASTERS GIVEN HEARING

The Senate Committee on Interstate Commerce on Thursday and Friday heard testimony of the broadcasters, the U. S. Navy and the Federal Radio Commission on certain amendments added by that committee to HR 7716, a bill to amend the Radio Act of 1927.

The bill passed the House last session and was reported favorably by the Senate Committee last Spring. A number of amendments were added by the Senate Committee, including a provision imposing license fees on all radio stations. The bill later was recommitted to Committee and was reported last week with some new amendments although the license fee provision had been dropped.

When the bill and the report were available last week the NAB found objection to certain provisions and immediately asked for an opportunity to appear and present its views on the controversial amendments. The aid of members of the NAB was enlisted in the effort to secure hearings on the measure and Senator Couzens, chairman of the Committee, and Senator Dill, who is in charge of the bill, granted hearings on Thursday and Friday of this week.

Henry A. Bellows, chairman of the NAB Legislative Committee, made a flying trip from Chicago to Washington to present the views of the NAB on the bill.

The bill as it had passed the House did not contain any controversial matter, Mr. Bellows told the Committee. He pointed out that the Committee last March held hearings on a Committee amendment relaxing the provision with respect to alien representation on boards of directors of communication companies but that broadcasters had no indication at that time that other amendments affecting broadcasters would be added. He also pointed out that broadcasters had not been given an opportunity to present their views on the bill before it was reported last week.

The bill as it passed the House contained a provision prohibiting the broadcasting of lotteries. This provision was slightly amended by the Senate Committee. With the exception of an unintentional mistake in punctuation, Mr. Bellows said the broadcasters had no quarrel with this provision.

Section 9 of the bill gives the Commission power to suspend licenses. The broadcasters object to this provision as drawn, Mr. Bellows said, for the reason that suspension, even for a single day, would undoubtedly ruin a station's business. Ample punishment is provided in Sections 32 and 33 of the present law for licensees who violate the rules of the Commission, he said, pointing out that another section of the bill provided what amounted to increased penalties. To give the Commission power to suspend licenses would give to that body an unnecessary power to punish licensees. The main objection, however, was directed to the provision which imposed upon the licensee the obligation to "show cause why" his license should not be suspended. It was the contention of the witness that in a summary proceeding such as provided the burden of procedure and the burden of proof should be upon the Commission which would have to specify the charges against the station. The point was made that by suspension of service, the public would be deprived of program

service for the wrong doing of the licensee. The power of revocation should be exercised if the station is not operating in the public interest, Mr. Bellows said.

Section 14 of the bill amplifies the present law (Section 18) with respect to making time available for political candidates. The Senate amendment provides that if a station shall permit any person to present views on any side of a public question to be voted upon at an election, it shall provide equal opportunity to "any other person" to use the station to present opposite views. Mr. Bellows discussed at length the practical operation of Section 18 of the present law, pointing out that the federal law prohibited censorship of a candidate's speech while the Nebraska Supreme Court in the KFAB case had held that the station is liable with the speaker for any libelous or slanderous statements broadcast. The Committee indicated great interest in the decision of the Nebraska Court and it was the feeling of some Senators that the existing section should not be changed until the Supreme Court of the United States has had an opportunity to pass upon the questions involved. Mr. Bellows said that it was entirely likely that the KFAB case would be carried to the Supreme Court in the near future.

Mr. Bellows also objected to the wording of a provision in the bill demanding that political candidates be charged the same rates as commercial advertisers. He suggested that the same purpose could be accomplished by requiring stations to make public their charges to candidates.

Section 15 of the bill was an attempt to prevent stations in foreign countries from originating programs in the United States. It was the opinion of the witness, and many of the members of the Committee agreed, that the section as drawn would not reach the specific evils for which it was intended while on the other hand it might handicap some American companies in their operations.

Mr. Bellows opposed the abolition of the examiner system but added that it was his opinion the Commissioners should not refuse to hear argument in cases where exceptions were filed. He left to other witnesses specific discussion of both the provision eliminating examiners and the provision changing the law with respect to appeals.

Louis G. Caldwell, chairman of the Standing Committee on Communications of the American Bar Association, testified in favor of maintaining the examiner system and pointed out a number of difficulties in procedure presented by the Senate Committee's amendment changing appellate procedure. The language of the proposed section, he said, would preclude a Supreme Court review of radio cases. He pointed out that the section as drafted would permit the Court of Appeals of the District of Columbia to review both questions of law and fact and called attention of the Committee to the Supreme Court's decision in the General Electric case in which that tribunal ruled that under the original provisions of Section 16 the Court of Appeals was exercising an administrative rather than a judicial function with respect to radio appeals and that therefore the Court of Appeals' decision was final. Mr. Caldwell said he favored the present wording of Section 16 as compared with the old law, adding that the Senate Committee's amendment would restore the difficulty

sought to be alleviated by changing Section 16 two years ago.

The examiner system had proved its worth in radio cases, he said, but was of the opinion Commissioners should more frequently hear oral argument in cases.

Duke M. Patrick, general counsel of the Commission, and James W. Baldwin, secretary of the Commission, appeared before the Committee Friday and presented testimony in favor of retention of the examiner system and against the wording of the Senate Committee's appeals section.

Mr. Patrick reviewed the procedure followed by the Commission in handling applications and deciding cases. He defended the Commission's procedure and argued that the examiner system has aided materially in deciding controversies between applicants.

Senator Dill was of the opinion that the work had dwindled and that Commissioners could easily find the time to conduct hearings. "The situation is now frozen", he said.

Mr. Patrick said he did not agree with the Senator's statement that the situation was frozen adding that it seemed to be pretty well understood that a new reallocation was in prospect in the future. "We are coming to a time when a reallocation will be necessary", he said.

Senator Watson expressed the opinion that the avenue of appeal to the Supreme Court should be kept open and stated that in his view the Commission should have the right to go to the court directly instead of through the Department of Justice. He said the Commission was now endeavoring to convince the Department of Justice that the WIBO decision should be appealed, pointing out that this case might involve the validity of the whole radio law.

Mr. Baldwin presented statistical testimony relative to the amount of work required of examiners, adding that under the economy bill the personnel of the Commission has already been reduced by 23 per cent.

Frequently, during the two days of hearing Senators Dill and Wheeler expressed the view that it might be necessary to reduce the Commission to two or even to one man and retain the examiner system or abolish the examiner system and keep a five-man Commission. Senator Dill, particularly, could not see any valid reason why Commissioners themselves should not hear testimony in cases. Senator Wheeler was of the opinion that examiners should find fact only, leaving to the Commission the application of the law. Mr. Patrick said he felt that it was advisable for examiners to find the fact and apply the law, and make recommendations to the Commission.

Senator Dill inserted in the record a letter from the American Newspaper Publishers Association urging speed in passing the Davis bill. The letter referred particularly to the lottery section of the bill.

The bill has not been recommitted to Committee but retains its position on the Senate calendar. It is likely that the Committee will make a number of revisions in the measure before bringing it up for action in the Senate.

December 22, 1932

## HEARINGS ON H. R. 7716

Hearings are scheduled to be held before the Senate Committee on Interstate Commerce on December 22, in connection with H. R. 7716 which is the so-called radio omnibus bill now on the Senate calendar for action. The bill has not been recommitted to the Committee. In explanation of the hearing which was unexpected Senator Dill of Washington made the following statement on the floor of the Senate:

"Mr. President, in order to inform Senators who are receiving telegrams from radio stations asking for hearings on H. R. 7716, the radio bill as reported, I may say that the Senator from Michigan (Mr. Couzens) has agreed to have hearings on Thursday morning at 10:30 o'clock, and that we have so notified the National Association of Broadcasters that has caused most of the telegrams to be sent. I may say it was not known either to the Senator from Michigan or myself that the broadcasters wanted to be heard or they would have been given an opportunity previously."

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## DELEGATES RETURN

Federal Radio Commissioner Eugene O. Sykes is expected to return to the Commission on Friday, December 23rd, after an absence of several months as chairman of the American delegation to the Madrid Radio Conference. Judge Sykes left the United States on August 16th.

While no official notice has yet been made public it is expected that the Commission will hold no meetings during the week beginning Monday, December 26th, because of the holidays.

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## AND NOW ANOTHER SURVEY

The Ventura Free Press, acting through various press groups, is making a national radio survey for the purpose of proving that radio is all wrong. The instructions to observers and the log sheet are drawn up in a way to make certain the result desired. The observer is instructed to log stations during a 16-hour period making copious notations each 15 minutes. One column is provided for remarks and in this column the observer is instructed to "give brief comment on offensive sales talks and very poor programs". No instructions are given with respect to meritorious announcements and programs. No space is provided for favorable criticism.

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## EGYPTIAN BROADCASTING

Rapid progress is being made by the Marconi Company in the construction of a broadcasting station which it is to operate for the Egyptian Government, according to advices received by the Commerce Department from its Cairo office.

According to a recent public announcement, the new station, which is to be built at a point outside of Cairo at a cost of 20,000 Egyptian pounds, will have a broadcasting power of 20 kilowatts and a wave length of 525 meters. This particular wave length is used by only two European stations; Riga, which is too distant to cause interference and Palermo, which has only a broadcasting power of 4 kilowatts.

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December 22, 1932

## SPECIAL AUTHORIZATIONS

The Radio Commission this week issued a new order in connection with procedure in obtaining special authorizations. The order which is signed by James W. Baldwin, secretary, follows:

"A great many requests are received by the Commission for special authorizations to permit the operation of stations in a manner and to an extent which are at variance with the terms of existing licenses. Because of the increased number of such requests and the consideration that must be given to the need of such extended service and to the question whether the granting thereof might adversely affect the listeners residing in the normal service areas of other stations, the Commission has adopted the following procedure which must be adhered to by all applicants:

1. Applications for special authorizations must be made by the licensee.
2. Applications for special authorizations must be received in the offices of the Commission at least ten (10) days previous to the date for which the authorization is requested.
3. Applications made by "Limited", "Day", "Part Time", or "Specified Hour", stations must be supported by the consent of the dominant station or the station with which the applicant divides time. Consents must be received by the Commission direct from the stations giving them and must show whether the consent is for simultaneous operation or whether the station giving the consent is giving up the time sought by the applicant.
4. Applicant must show the public need for such authorization.

Approval by the Commission will not be given in cases where another station is licensed to operate in the same locality and during the hours specified in the application."

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## BROADCASTING ENGINEER ELECTROCUTED

The Radio Commission this week received a report from the Acting Inspector in charge of the Eighth Radio District at New Orleans relative to the electrocution of a broadcasting station engineer while working on his station. This is said to be the first time that the Commission has heard anything of this kind officially. The letter to the Commission is as follows:

"For the information of the Commission it is advised that we have this date verified a report that D. R. Simmons, engineer at Broadcasting Station KTBS, Shreveport, Louisiana, was electrocuted November 23, 1932, while working on the equipment at the station. Mr. Simmons was 43 years old and was a very competent radio man. He was known to the members of this office since 1922.

"The details indicate that Mr. Simmons was standing on a stool before the rectifier panel, and leaned against a meter while looking behind the panel. After the flash, he stepped down from the stool and walked about four feet before collapsing. Attempts to revive him with a pulmotor proved ineffectual."

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December 22, 1932

### SET FOR HEARING

During the current week the Commission set the following cases for hearing:

WRBX	Richmond Development Corp. Roanoke, Virginia	Mod. of Lic. to change hours of operation from sharing equally with WHIS to sharing with WHIS.
WAPI	WAPI Broadcasting Corp. Birmingham, Alabama	Mod. of C. P. to extend commencement date from June 17, 1932 to June 17, 1933 and completion date from December 17, 1932 to December 17, 1933.

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### MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

WCGU	U. S. Broadcasting Corp. Brooklyn, New York	The Commission, upon its own motion, reconsidered its action of December 13, on a petition filed by the U. S. Broadcasting Corp. to hold the hearing scheduled for December 16, and granted said petition. Application having been amended and hearing cancelled, the Commission directed that license application 1-LB-897 be dismissed from hearing docket and returned to applicant, and all interested parties notified.
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### NO HEARINGS

Due to the Christmas holidays no hearings will be held at the Radio Commission during the week beginning Monday, December 26th.

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### RADIO EMPLOYMENT DECREASES

The November index of employment in the radio industry was 77.7 compared with 79.8 for October and 104.1 for November of last year taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor. The November payroll index was 58.4 compared with 62.9 for October and 86.5 for November of last year.

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### BULLETIN READY

The Radio Service Bulletin for November issued monthly by the Federal Radio Commission is now available. Copies may be obtained either through the office of the NAB or the Secretary of the Radio Commission.

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December 22, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>
WEBR	Howell Brdcstg. Co. Inc. Buffalo, New York	Granted authority to remain silent on December 26 in order to give employees a holiday.
WHAM	Stromberg-Carlson Telephone Co. Rochester, New York	Granted Mod. of C. P. approving change in equipment and transmitter location, Victor Township, New York.
WSYB	Philip Weiss Music Co. Rutland, Vermont	Granted special authority to operate from 11 a.m. to 12 noon, EST, on Sundays only, from 3 a.m., EST, January 1, 1933 to June 11, 1933.
WABC- WBOQ	Atlantic Brdcstg. Corp. New York, N. Y.	Granted Mod. of C. P. to extend commencement date to January 10, 1933 and completion date to April 10, 1933.
WJBI	Monmouth Broadcasting Co. Red Bank, New Jersey	Granted license covering installation of new equipment 1210 kc, 100 watts, sharing with WGBB and WFAS ( $\frac{1}{4}$ time).
		<u>SECOND ZONE</u>
WHDF	Upper Michigan Brdcstg. Co. Calumet, Michigan	Granted special authority to operate from 10 to 10:30 a.m. and from 1:30 to 5:30 p.m. CST, January 2, 1933.
WHDF	Upper Michigan Brdcstg. Co. Calumet, Michigan	Granted special authority to operate from 2 to 4:30 p.m., December 18; 11:15 p.m. to 12 midnight December 24; 10 to 11:30 a.m., and 1:30 to 5:30 p.m., December 26, 1932, CST.
		<u>THIRD ZONE</u>
KVOO	Southwestern Sales Corp. Tulsa, Oklahoma	Granted Mod. of C. P. extending completion date to March 17, 1933.
		<u>FOURTH ZONE</u>
KFYR	Meyer Broadcasting Co. Bismarck, North Dakota	Granted special authority to operate 12:30 to 2 p.m., CST, December 26, provided KFDY remains silent.

December 22, 1932

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

WMBH	W. M. Robertson Joplin, Missouri	Granted special authority to operate from 8:30 to 9:30 p.m., CST, on the following Sundays: January 1, 8, 15, 22 and 29; February 5, 12, 19 and 26; March 5, 12, 19, and 26; April 2, 9, 16, 23 and 30, 1933.
WKBF	Indianapolis Brdcstg. Inc. Indianapolis, Indiana	Granted C. P. to move transmitter from near Clermont, Indiana to intersection of Fall Creek and extension of Keystone Ave., Ind.
KICK	Red Oak Radio Corp. Red Oak, Iowa	Granted extension of authority to remain silent until such time as Court of Appeals vacates stay orders or further disposition is made of the issues involved.
KGFV	Central Nebraska Brdcstg. Corp. Kearney, Nebraska	Granted 10 day authorization to operate with 60 watts pending repair of high voltage generator.

FIFTH ZONE

KIEM	Harold H. Hanseth Eureka, California	Granted Mod. of C. P. to change transmitter and studio location from Eureka Inn to Vance Hotel and extend completion date from January 13, 1933 to February 12, 1933.
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MOVING PERMIT DENIED

Examiner Elmer W. Pratt in his Report No. 439 this week recommended that the application of Station WHEF, Kosciusko, Mississippi to move to Jackson, Mississippi, be denied.

The Examiner states that "there is not sufficient showing of a need for additional broadcasting service, either of transmission or reception, in Jackson, to warrant the granting of this application". He states further that the Jackson area is now adequately serviced by existing stations while "Kosciusko is not now well served and needs the service of applicant's station."

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LICENSE RENEWAL APPLICATIONS

During the current week the Commission has received the following applications for license renewals: WHO, Des Moines, Iowa; WJAR, Providence, Rhode Island; WOC, Davenport, Iowa; WDEV, Waterbury, Vermont; WAGM, Presque Isle, Maine; KIDW, Lamar, Colorado; KGKB, Tyler, Texas; KOOS, Mansfield, Oregon; WFIZ, Fond du Lac, Wisconsin; KMPC, Beverly Hills, California and WFAA, Dallas, Texas.

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December 22, 1932

APPLICATIONS RECEIVED

During the Current week the Commission has received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ALB-483	WSYR- WMAC	James G. Tracy & Edmund M. Smedberg, Executors of Estate of Clive B. Meredith Syracuse, New York	Vol. assign. of lic. to Central New York Broadcasting Corporation.
1-MPB-404	WHAM	Stromberg-Carlson Telephone Manufacturing Company Rochester, New York	Mod. of C. P. issued 11/17/31 for 25 KW station for approval of exact transmitter location, Victor Township, N. Y., and approval of equipment.
1-MPB-405	WABC- WBOQ	Atlantic Broadcasting Corp. New York, N. Y.	Mod. of C. P. issued 11/11/32 for move of auxiliary transmitter, to extend dates of commencement and completion to 1/10/33 and 4/10/33 respectively.

SECOND ZONE

None

THIRD ZONE

None

FOURTH ZONE

None

FIFTH ZONE

None

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APPLICATIONS FOR LICENSE

During the current week the Commission received the following application for license for which a construction permit has already been issued: WLBC, Muncie, Ind.

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National Broadcasting Company, Inc.  
GENERAL LIBRARY  
711 Fifth Avenue, New York, N. Y.

*Sup. by Waco*

**BROADCASTERS'**



**NEWS BULLETIN**

NATIONAL BROADCASTING CO., Inc.  
DEPT. OF COMMERCE  
FEDERAL TRADE COMMISSION  
DEC 31 1932  
7 8 9 10 11 12 1 2 3 4 5 6

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.  
PHILIP G. LOUCKS, Managing Director

December 31, 1932.

A NEW YEAR'S MESSAGE

from

PRESIDENT ALFRED J. McCOSKER

National Broadcasting Company,  
GENERAL LIBRARY  
711 Fifth Avenue, New York, N. Y.

"It is with very great pleasure that I send Happy New Year Greetings to the Broadcasters of America.

"In my opinion, the radio broadcasting business will continue to expand in 1933 because advertisers are demanding, to a greater extent than before, sound investment of every dollar spent in advertising. Advertising speculation or luxury is not present in 1933 budgets that have come under my observation.

"Results from radio broadcast advertising have maintained the high percentages previously realized and in many instances have brought cost per inquiry down below previous levels.

"Fair talent charges must be insisted upon by broadcasters, agencies, and advertisers alike, lest inordinate program cost some day make economic use of the medium doubtful. This is not to be construed as an argument for anything but excellent programs, but instead refers to their cost. Radio broadcasting is now firmly established as an economic aid to business and I see a very bright future for it to maintain its place among other advertising media."

December 31, 1932

#### ACTION ON DAVIS BILL NEXT WEEK

The Senate Committee on Interstate Commerce will meet on Tuesday, January 3, to consider certain changes in the Davis Bill (HR 7716) upon which hearings were held last week. A number of amendments were suggested by the National Association of Broadcasters, Senator Wallace H. White, the Federal Radio Commission, and the U. S. Navy. These suggestions will be considered at the Tuesday meeting of the Committee and it is believed many of them will be adopted. The bill has not been taken from the Senate calendar and is subject to being called up for action immediately after the Committee meets.

As pointed out in last week's Bulletin objection was made to the sections of the bill changing the procedure with respect to appeals from decisions of the Commission; the inclusion of a provision giving the Commission power to suspend licenses; abolishment of the examiners' system; changes in the section relating to political broadcasts; and other points of lesser importance.

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#### PUBLISHERS PRESS FOR ACTION

Senator Robinson of Indiana this week inserted in the Congressional Record the following resolution, which has been referred to the Senate Committee on Interstate Commerce:

The members of the Indiana Republican Editorial Association in session at the Columbia Club, Indianapolis, urge the Senate to pass the Davis bill, now pending before the Interstate Commerce Committee of that body, making applicable to broadcasting stations the same penalties for violation of Federal laws as are now applicable to newspapers.

That the secretary of this association be authorized to send a copy of this motion to the two Indiana Senators and Members of the House of Representatives from Indiana.

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#### ERPI THREATENS LAWSUIT

The Electrical Research Products Incorporated has threatened suit against the American Broadcasting Company, Station WOL, Washington, D. C., on its contract licensing turntables to the station.

LeRoy Mark, president of the broadcasting company, says he has refused to pay the monthly license fees recently on the ground that electrical transcription business promised to him at the time of signing the contract failed to materialize. He has indicated that he will welcome the suit and, if necessary, carry the case into the higher courts to determine the validity of the licensing arrangement.

The suit, if instituted, will be followed with a great deal of interest by the entire broadcasting industry.

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December 31, 1932

## COURT GRANTS STAY ORDERS

The Court of Appeals of the District of Columbia on Friday issued a stay order against the Federal Radio Commission in connection with its action in taking Station WERE, Erie, Pennsylvania, off the air as of January 1st. The Court will hear an appeal in this case.

The Court has also issued a stay order in connection with the action of the Commission in taking some night time hours away from Station WBAK, Harrisburg, Pennsylvania, and giving it to WHP. This was to be effective December 29.

The Attorney General has announced that an appeal will be asked by the United States Supreme Court in the WIBO case which went against the Radio Commission in the decision of the Court of appeals.

This is the case in which both Senators Dill and White stated that a review should surely be asked inasmuch as the Court decision went to the very basis of the radio law.

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## CONGRESS KEEPS EYE ON ASCAP

Complaints against the activities of the American Society of Composers, Authors and Publishers have focused the attention of Congress upon the investigations now being made of the Society. These investigations give special interest to the revelations made in the January issue of "Fortune" concerning the distribution of royalties received by the ASCAP. According to these figures, out of \$1,971,000 received in the past year, a total of \$394,000 was spent for operating expenses of the Society. Only \$643,500 was paid to the 700 composer members of the American Society while a total of \$643,500 was distributed to 100 publishers. Radio paid nearly half of the total amount collected by the Society last year, the article reveals. Collections from motion pictures totaled \$665,000; from dance halls, \$135,000; from restaurants, \$79,500; from hotels, \$89,000; from parks, carnivals, circuses and steamships, \$63,000; and from radio, \$939,500.

The Society intends to more than double its revenue from radio during 1933 and has already started its campaign for increased license fees from hotels, restaurants, etc. If it succeeds, the song writing and publishing business will be one of the few businesses, if not the only one, to increase its earnings during the period of depression, and this, despite the fact that the industries upon which it levies its tribute are suffering from depressed business conditions.

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## SWITZERLAND PUTS QUOTA ON RADIOS

The Swiss Government has established import quota restrictions on radios, steel cutlery, and fertilizers, effective January 1, 1933, according to a cablegram to the Department of Commerce from Commercial Attache Charles E. Lyon, at Berne. Under the Swiss import control system, the quotas allotted to individual countries are not made public but import permits are required for each shipment.

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December 31, 1932

## ROESLER CODE ENDORSED

The telegraph code prepared by George Roesler of Station KFAB, Lincoln, Nebraska, and endorsed by the National Association of Broadcasters and the American Association of Advertising Agencies will be prepared for distribution just as soon as a sufficient demand to warrant publication is received.

The index to the code will carry symbols for: Morning hours; afternoon and evening hours; numbers or numerals; money (dollars and cents); common phrases used by agencies; common phrases used by stations; phrases used for the clearance of time including, one minute, two minutes, three minutes, five minutes, ten minutes, quarter hour, half hour, hour.

Here are two messages which are more or less common:

"Can you clear time between nine and nine-thirty p.m. for quarter hour Monday, Wednesday and Friday beginning January twenty second wire answer."

In the code the message would read as follows:

"Dad pave peak dais beginning January caboose race".

This message as sent today would run twenty three words; with the code it would require eight words. The former would cost \$1.44; the latter, \$.76. A saving of sixty-eight cents on this one message.

"Weather report available twice daily twelve-thirty and ten-thirty p.m. one hundred and five dollars per week wire if interested."

In code this message would read:

"Rag Paddle and Pedigree Berth begrudge weekly table."

In this case the straight message would cost \$1.33. The code message would cost \$.76. A saving of \$.57 cents.

Stations interested in securing the code should communicate with Mr. Roesler, Station KFAB, Lincoln, Nebraska.

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## RMA ASKS NAB COOPERATION

With a view to improving radio reception, the RMA has approached the National Association of Broadcasters with a view to cooperation in reducing interference caused by hum of some broadcast transmitters in various parts of the country. A joint conference between broadcast engineers and those of set manufacturers of the respective organizations has been requested. The reports of the hum being emitted from a few broadcast stations have been considered by the RMA Engineering Division and its Committee on Receivers, headed by A. A. Crossley of South Haven, Michigan. By cooperative measures between the broadcast engineers and those of set manufacturers, it is believed that reception conditions in some areas may be improved.

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December 31, 1932

## OPPOSES TELEVISION GRANTS

Recommendation was made (Report No. 440) this week by Examiner Elmer W. Pratt that the application of the Shortwave Broadcasting Corporation for experimental relay broadcasting license for Station W1XAL, be denied; that the application of the Shortwave & Television Laboratory, Inc., for renewal of experimental visual broadcasting license for Station W1XAV be denied; and, that the application of the same corporation for experimental television license for Station W1XG and renewal of special experimental license for Station W1XAU be denied.

The Examiner states that "it appearing that the Shortwave & Television Corporation has completely absorbed the Shortwave & Television Laboratory, Inc.," \* \* \* that license renewals would be contrary to provisions of the Radio Act and "the policy of the Commission to grant renewal licenses only to the party actually operating the station involved."

It is further stated by the Examiner that "Shortwave & Television Corporation is now illegally engaged in operating two stations (W1XAL of the Shortwave Broadcasting Corporation and W1XAV, of the Shortwave & Television Laboratory, Inc.) and proposes to continue their operation should their applications be granted." He recommends against granting any of the applications.

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## SYKES BACK FROM SPAIN

Judge E. O. Sykes, Vice Chairman of the Federal Radio Commission, and Chairman of the American delegation to the International Radio Conference held at Madrid, Spain, has returned to his desk well-satisfied with the results accomplished.

The outstanding result of the conference, said Judge Sykes, was the adoption of a single convention, the first ever adopted by the nations of the world, which covers communication in general - not only radio but telegraphy and telephony.

He explained that the United States, because of its peculiar position, differed from the other nations, since its telegraph and telephone services are handled by private companies, and was not a signatory to the telegraph and telephone regulations but only to the part relating to radio.

In addition to this joint convention, which may be compared to the original constitution of the United States, adopted in 1789, Judge Sykes added, a number of rough spots in the radio regulations were ironed out. Generally speaking, he said, these regulations, as now drafted, are more harmonious and satisfactory from a technical standpoint.

After many years of hard fighting the United States won a signal victory at the conference by obtaining the use of English on a par with French, for discussions and debates at the conference, while retaining the French language alone for official documents.

Dr. C. B. Jolliffe, Chief Engineer of the Radio Commission, another American delegate and Gerald C. Gross, of the Engineering Staff of the Commission one of the technical advisers at the conference, have also returned to their official duties at the Commission.

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December 31, 1932

## RECOMMENDS AGAINST INCREASED POWER

Examiner Elmer W. Pratt (Report No. 441) this week recommended against increasing the power of Station KLX, Oakland, California, from 500 to 1,000 watts power. The Station operates unlimited time on a frequency of 880 kilocycles. Recommendation was made on the basis that it would increase the quota of both the State and Zone.

The Examiner admits that the granting of the additional power would not cause additional interference, that the station programs are of a high type and that the grant would improve the reception over a large area.

"It nevertheless appears", he states, "that California and the Fifth Zone in which it is located are both over quota and that the granting of this application would increase the facilities of both state and zone by .4 of a unit."

"Thus it appears", he continues, "that the granting of this application would work a violation of the Commission's regulations with reference to quota and of Section 8 of the Radio Act of 1927 as amended by Section 5 of the Act of March 28, 1928, known as the 'Davis Amendment.'"

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## GERMAN FANS WANT FOREIGN NEWS

More political news from foreign countries and more actual non-partisan local political reviews are desired by German radio fans, according to a report from vice consul C. W. Gray, Berlin, made public by the Commerce Department.

The Berlin branch of the Association of German Radio dealers recently asked 350 member firms to find out what the public wanted. The replies indicated that the public was opposed to the radio being converted into a political instrument.

More light entertaining music would also be welcomed, the questionnaires revealed. While classic music was appreciated, the replies showed that fewer programs were desired. A desire for better artists in all fields was expressed.

While the German fans felt that too much political talk was being broadcast, it expressed the desire that interesting sessions of the German Parliament be broadcast, possibly from records. Outstanding court trials also were included, and it was pointed out that legal discussions on the radio would be better received if language understandable by the average listener was used.

More sporting news broadcast by first-class announcers was also listed as a possible improvement in the programs, it was stated.

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## NEW ARGENTINA RADIO STATION

The new radio broadcasting station now under construction in Buenos Aires will be completed early in 1933, according to a report to the Commerce Department from Assistant Trade Commissioner Grant L. Thrall, Buenos Aires. The name of the new station is "Radio Excelsior," call letters are LR-5. The station will operate on a frequency of 10,000 kilocycles and will be situated on a 40 acre tract about 15 miles from the city of Buenos Aires. The towers are 700 feet high.

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DISMISS GREENVILLE, S. C. APPLICATION

The Radio Commission has dismissed the application of W. T. Hamilton, (Report No. 434) for the construction of a new station at Greenville, South Carolina, to operate on a frequency of 1240 kilocycles using 250 watts power. According to Chief Examiner Yost's report the applicant, at hearing, consented to withdraw his application with prejudice.

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JEANETTE, PENNSYLVANIA, APPLICATION DENIED

The Commission this week denied to H. Verne Spencer authority for the erection of a new station at Jeanette, Pennsylvania, thereby upholding Examiner Pratt's recommendation.

The Commission states that no satisfactory showing was made by the applicant either financially or technically which qualified him to erect and operate such a station as he proposed.

It is further contended by the Commission that the transmitter site selected is unsatisfactory from an engineering standpoint and it is further set forth that "it appears that the listeners in that general area (Jeanette) receive an abundance of service from stations located elsewhere."

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WERE DENIED RENEWAL

The Commission this week ruled that Station WERE, Erie, Pennsylvania, must go off the air on January 1, 1933, reversing the finding of Chief Examiner Yost. Commissioner Brown dissented.

The Commission states that the equipment used by the station is obsolete and "incapable of efficient operation" and that the station "does not possess sufficient financial resources to insure either the installation of modern equipment or the future operation of this station in a proper and acceptable manner." Erie now receives adequate radio coverage the Commission states.

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APPLICATIONS DENIED

During the current week the Commission has denied the following applications:

- |  |   |
|--|---|
| R. C. Powell & Co. Inc.<br>New York City       | Denied request that stations having their frequency monitors be given an extension of working of Rule 145 beyond December 31, 1932. |
| WENC Americus Brdcst. Co.<br>Americus, Georgia | Denied authority to operate until 9 p.m., CST for a period of 30 days beginning December 19.  |

Applicants in the following cases, heretofore designated for hearing, failed to enter appearances within the time allowed. Applications were, therefore denied:

- |   |                                    |
|---|------------------------------------|
| NEW Joseph De Palma<br>Jeanette, Pennsylvania | C. P. 590 kc, 250 watts, daytime.  |
| NEW J. E. Richards<br>Pine Bluff, Arkansas    | C. P. 1340 kc, 250 watts, daytime. |

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December 31, 1932

SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

KWLC	Telegraph Herald Decorah, Iowa	C. P. to move transmitter and studio to Dubuque, and make changes in equipment.
KWLC	Luther College Decorah, Iowa	Requests consent to Vol. assign. of Lic. to Telegraph-Herald.
WTBO	Associated Broadcasting Corp. Cumberland, Maryland	Requests Involuntary assign. of Lic. from Interstate Broadcasting System Inc. to Associated Broadcasting Corporation.
WEBR	Howell Broadcasting Co. Inc. Buffalo, New York	Mod. of Lic. to use either the present main transmitter or the auxiliary as the main transmitter at nighttime.
WFEA	New Hampshire Brdcstg. Co. Manchester, New Hampshire	Requests Lic. to cover C. P. 1430 kc, 500 watts, unlimited time. (Station is now operating on 1430 kc, unlimited time, by virtue of an extension of the rider on C.P. This station and 5 others are conducting matched frequency experiments to ascertain nature and extent of interference created by this type of operation).
WOKO	WOKO, Inc. Albany, New York	Mod. of Lic. to change frequency from 1440 kc to 1430 kc, and change hours of operation from simultaneous day, sharing WHEC-WABO night, to unlimited.
WCAH	Commercial Radio Service Co. Columbus, Ohio	Mod. of Lic. to change hours of operation to unlimited synchronize with WHP, WOKO and WHEC-WABO.
WHEC- WABO	WHEC, Inc. Rochester, New York	Mod. of Lic. to change frequency from 1440 to 1430 kc, change hours of operation from sharing with WOKO after local sunset to unlimited synchronize with WOKO, WCAH & WHP.
WHP	WHP, Inc. Harrisburg, Pennsylvania	Mod. of Lic. to change hours of operation from simultaneous day with WCAH, and share at night with WBAK and WCAH to unlimited, synchronize with WCAH, WOKO and WHEC.
New	Harold F. Gross Lansing, Michigan	C. P. for new station 1210 kc, 100 watts night, 250 watts IS, unlimited time.

December 31, 1932

## APPLICATIONS RETURNED

During the current week the Commission has returned the following applications because they were not in proper form:

KIDW      The Lamar Brdcstg. Co.      1420 kc, 100 watts, shares KGIW.  
Lamar, Colorado

WWVA      West Virginia Brdcstg. Corp.      Main Transmitter.  
Wheeling, West Virginia

WWVA      West Virginia Brdcstg. Corp.      Auxiliary Transmitter.  
Wheeling, West Virginia

1-PB-2564    WMSG      Madison Square Garden Brdcst.      C. P. to move transmitter former-  
Corp., New York, N. Y.      ly used to present location and  
authority to use that transmitter  
instead of WBNX's transmitter  
(No reply to Commission's letter).

2-PB-2686A    WLVA      Lynchburg Brdcstg. Corp.      C. P. to change equipment, fre-  
Lynchburg, Virginia      quency, power and hours from 1370  
kc, 100 watts, shares WBTM to  
1410 kc, 250 watts, share  $\frac{1}{2}$  time  
with WHIS (Facilities WRBX Roa-  
noke, Virginia). (Rule 49)

2-PB-2530    NEW      Allen P. Solanda      C. P. for new station to use 1430  
Carlisle, Pennsylvania      kc, 500 watts night, 1 KW day,  
share WCAH and WBAK (Facilities  
of WHP ) (No reply to Commission's  
letter).

4-PB-285      WTAQ      Gillette Rubber Co.      Install automatic frequency con-  
Eau Claire, Wisconsin      trol. (No reply to Commission's  
letter).

3-PB-2725    NEW      News-Times Publishing Co.      C. P. for new station to use 1500  
El Dorado, Arkansas      kc, 50 watts, daytime (7 a.m. to  
7 p.m.) (Rule 5, 6 a & b, insuf-  
ficient information re equipment  
and transmitter location.)

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## RENEWAL LICENSE APPLICATIONS

During the current week the Commission has received the following applications for license renewals: WBEN, Buffalo, N. Y.; WESG, Elmira, N. Y.; WTAG, Worcester, Massachusetts; WTMJ, Milwaukee, Wisconsin; KGU, Honolulu, Hawaii; KSD, St. Louis, Missouri; WAIU, Columbus, Ohio; KFVR, Bismarck, North Dakota; WICC, Bridgeport, Connecticut; WEAN, Providence, Rhode Island; WGN-WLIB, Chicago, Illinois; WNAX, Yankton, South Dakota; KOB, State College, New Mexico; KTAR, Phoenix, Arizona; WMC, Memphis, Tennessee; WKRC, Cincinnati, Ohio; and KSFD, San Diego, California.

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December 31, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WFBR	Baltimore Radio Show, Inc. Baltimore, Maryland	Granted authority to revert to indirect system of determining power in order to make changes in the antenna.
<u>SECOND ZONE</u>		
WNBW	WNBW, Inc. Carbondale, Pennsylvania	Granted extension of authority to remain silent for 60 days from December 18, 1932.
WHBD	F. P. Molar Mt. Orab, Ohio	Granted temporary license subject to certain investigation and decision of the Commission to determine whether licensee has in any manner lost control over the use, occupancy or operation of station.
WRAK	Clarence R. Cummins Williamsport, Pennsylvania	Temporary license extended from January 1, to February 1, 1933, subject to decision of the Commission upon application for renewal now pending before it.
<u>THIRD ZONE</u>		
WTSL	Southland Radio Corp. Laurel, Mississippi	Granted temporary license pending installation of an approved frequency monitor and on condition that station remain silent until installation of said approved monitor.
WJBO	Valdemar Jensen New Orleans, Louisiana	Granted Con. to Vol. assign. of Lic. to Baton Rouge Broadcasting Co. Inc.
WJBO	Baton Rouge Broadcasting Co., Inc. New Orleans, Louisiana	Granted C. P. to move station and studio to be located in Heidelberg Hotel, transmitter at a location to be determined. Also granted authority to make tests to determine exact transmitter location.
<u>FOURTH ZONE</u>		
WMBH	W. M. Robertson Joplin, Missouri	Granted C. P. to make changes in equipment. Install new 250 watt maximum rated power transmitter.

December 31, 1932.

APPLICATIONS GRANTED (continued)

FIFTH ZONE

KUJ	KUJ, Inc. Walla Walla, Washington	Granted authority to operate unlimited time for an additional period of 90 days. (Station is normally licensed to operate daytime on 1370 kc, however, on November 2, the Commission authorized KUJ to operate unlimited time during months of November and December.)
KTW	First Presbyterian Church of Seattle, Washington	Granted authority to operate from 9:30 a.m. to 10:30 p.m., Sundays and 7:30 to 10:30 p.m. Thursdays to February 22, 1933.

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LICENSE RENEWALS GRANTED

During the current week the Commission has granted license renewals for the regular period to the following stations: WAGM, Presque Isle, Maine; KFIZ, Fond du lac, Wisconsin; KGKB, Tyler, Texas; KNOW, Austin, Texas; KOOS, Marshfield, Oregon; KPQ, Wenatchee, Washington; WJKB, Detroit, Michigan; KIDW, Lamar, Colorado; KSO, Des Moines, Iowa; KXL (auxiliary), Portland, Oregon.

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NO HEARINGS

No hearing are scheduled before the Radio Commission during the week beginning Monday, January 2nd.

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APPLICATIONS DISMISSED

During the current week the Commission has dismissed the following applications at the request of the applicants:

WOR	Bamberger Broadcasting Service Inc. Kearney, New Jersey	Renewal of Auxiliary transmitter license.
WQDM	A. J. St. Antoine & E. J. Regan St. Albans, Vermont	C. P. to change equipment, change frequency to 1340 kc, increase power to 500 watts, and change specified hours.

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December 31, 1932

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ALB-485	WMAS	Albert S. Moffat Springfield, Massachusetts	Vol. assign. of Lic. to WMAS, Inc.
1-PB-2765	WQDM	A. J. St. Antoine & E. J. Regan St. Albans, Vermont.	C. P. to change transmitter location outside city, change equipment, change frequency, power and hours of operation from 1370 kc, 100 watts, specified hours to 1340 kc, 1 KW, specified hours (10 a.m. to 2 p.m.; 4 p.m. to 6 p.m.).

The nearest station on the new frequency asked is WSPD, Toledo, Ohio, which is 590 miles away. The engineers of the Commission recommend a separation of 350 miles. Both the First Zone and the State of Vermont are under quota.

SECOND ZONE

2-MLB-1105	WHIS	Daily Telegraph Printing Co. Bluefield, West Virginia	Mod. of lic. to change hours from Shares equally with Station WRBX to Shares with Station WRBX.
2-APB-34	WJEQ	Sun-Gazette Brdcstg. Co. Williamsport, Pennsylvania	Vol. assign. of C. P. granted 7/26/32 to WRAK, Incorporated.
2-PB-2763	NEW	Harold F. Gross Lansing, Michigan	C. P. for new station to use 1210 kc, 100 watts, night, 250 watts LS, unlimited hours.

The nearest station on the same frequency is CFCO, at Catlam, Ontario, which is 130 miles distant. The engineers of the Commission recommend a separation of 100 miles. Both the Second Zone and the State of Michigan are under quota.

2-MLB-1108	WSAI	Crosley Radio Corp. Lessee Cincinnati, Ohio	Mod. of lic. to increase daytime power from 1 KW to 2½ KW.
2-PB-2717	WBAX	John H. Stenger, Jr., Wilkes Barre, Pennsylvania	C. P. to change frequency to 1230 kc, power 250 watts, unlimited time amended to request 930 Kc.

The nearest station on the proposed new frequency is WIBG, Elkins Park, Pennsylvania, which is 100 miles distant. Engineers of the Commission recommend a separation of 230 miles.

December 31, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE

3-MPB-407 WHBQ Broadcasting Station WHBQ, Inc. Mod. of C. P. issued 7/26/32  
Memphis, Tennessee date of completion to 4/26/33.

FOURTH ZONE

4-PB-2718 NEW C. E. Wilkinson C. P. for new station to use  
Mason City, Iowa 1500 kc, 100 watts, specified  
hours (8 a.m. to 11 a.m.; 2 p.m.  
to 6 p.m.; 7 p.m. to 10 p.m.)

The nearest station on this frequency is WKBB, Joliet, Illinois, which is 140 miles distant. The engineers of the Commission recommend a separation of 185 miles. Both the Fourth Zone and the State of Iowa are over quota.

4-PB-2760 NEW Thomas B. Loer C. P. for new station to use 1420  
Newcastle, Indiana kc, 100 watts, unlimited hours.

The nearest station on the frequency asked is WELL, Battle Creek, Michigan, which is 150 miles distant. Engineers of the Commission recommend a separation of 185 miles. The Fourth Zone is over quota but the State of Indiana is under quota.

FIFTH ZONE

5-PB-2764 KNX Western Broadcast Co. C. P. to make changes in equip-  
Los Angeles, California ment.

5-MLB-1106 KOY Nielsen Radio & Sporting Goods Mod. of Lic. to increase power  
Co., Phoenix, Arizona from 500 watts to 500 watts night;  
1 Kw to local sunset.

The nearest station on 1390 kc is KUOA, Fayetteville, Arkansas, which is 1030 miles away. The engineers of the Commission recommend a separation of 300 miles. Granting of the application would increase the quota. The Fifth Zone is over quota but the state is under quota.

5-PB-2768 KICA Southwest Broadcasting Co. C. P. to move transmitter and  
Clovis, New Mexico studio from Elks Club, 6th and  
Mitchel Streets to 203 Main  
Street, Clovis, New Mexico.

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LICENSE APPLICATIONS

During the current week the Commission has received the following license applications for which construction permits have already been granted: WAZL, Hazelton, Pennsylvania; WELL, Battle Creek, Michigan and WHA, Madison, Wisconsin.

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*Sup. to News Bulletin*

# BROADCASTERS' NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

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## WILL CONSIDER LICENSE FEE BILL

Senator Couzens, chairman of the Committee on Interstate Commerce of the Senate, this week appointed a subcommittee to hold hearings on the license fee bill (S 52C1) introduced in the Senate on December 16 by Senator Dill of Washington.

The subcommittee consists of Senator Howell of Nebraska, chairman; Senator Metcalf of Rhode Island, and Senator Dill of Washington. No date has yet been set for hearings although it is expected they will be held in the near future.

The bill provides filing fees of varying amounts for all types of applications for permits or licenses and imposes annual license fees upon all licenses granted by the Commission.

Annual license fees for broadcasting stations, provided in the bill, vary from \$120 for full time 100-watt stations to \$5,000 for full time 50 KW stations. Fees in lesser amounts are provided for stations licensed to operate during daytime hours or less than unlimited time. Fees for educational stations are one-half the rates provided for commercial stations.

January 7, 1933.

## DILL BILL LICENSE FEES

The schedule of annual license fees prescribed in the Dill bill (S 5201) upon which hearings may be held in the near future are as follows:

"A. Stations which are licensed to operate unlimited time and with the power designated -

"(1) One hundred watts or less, two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$120.

"(2) Two hundred and fifty watts or less (but more than one hundred watts), two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$240.

"(3) Five hundred watts or less (but more than two hundred and fifty watts), two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$360.

"(4) One thousand watts or less (but more than five hundred watts and less than five thousand watts), two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$600.

"(5) Five thousand watts or more, two or more stations separated by less than two thousand miles licensed to operate simultaneously during nighttime on the same frequency, \$1,200.

"(6) Five thousand watts or more, two or more stations separated by more than two thousand miles licensed to operate simultaneously during nighttime on the same frequency, \$2,400.

"(7) Five thousand watts or more (but less than twenty-five thousand watts), only one station licensed to operate during nighttime on any frequency, \$3,000.

"(8) Twenty-five thousand watts or more (but less than fifty thousand watts), only one station licensed to operate during nighttime on any frequency, \$4,000.

"(9) Fifty thousand watts or more, only one station licensed to operate during nighttime on any frequency, \$5,000.

"(10) For each twenty-five thousand watts or fraction thereof, additional to fifty thousand watts, only one station licensed to operate during nighttime on any frequency, \$1,000.

B. Stations which are licensed to operate during daytime hours only and with the power as designated -

## DILL BILL LICENSE FEES (Concluded)

"(1) One thousand watts or less: Fee to be one-third of the fee for stations of the same power licensed to operate unlimited time.

"(2) Two thousand five hundred watts or less (but more than one thousand watts), \$450.

"(3) More than two thousand five hundred watts, \$900.

C. Stations which are licensed to operate hours less than unlimited time and/or to use different power during daytime hours than during nighttime hours: Fee to be in proportion to nighttime and daytime hours and power authorized, based on fees for unlimited-time station, and daytime station of the same power: Provided, That annual license fees for all educational stations shall be one half the above rates.

19. Annual license fee for all licenses covering special stations used for entertainment purposes other than broadcasting for which quota units are assigned, such as television and relay broadcasting, \$60."

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## RADIO ADVERTISING IN NOVEMBER

According to the January issue of the Survey of Current Business issued by the Department of Commerce, the cost of facilities for radio advertising during November totaled \$3,060,000 as compared with \$3,505,000 for November of the preceding year. During the month of October, 1932, the cost of facilities amounted to \$3,036,000.

Magazine advertising increased from \$8,293,000 in October, 1932, to \$9,053,000 in November. For November 1931, magazine advertising totaled \$14,007,000.

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## TELEPHONE RATES CRITICISED

Chairman Rector Charlesworth of the recently created Canadian Radio Broadcasting Commission states that "the most serious problem which we have to deal with is that of land wire costs" in a letter to Dr. C. M. Koon, senior specialist in education by radio, U. S. Office of Education.

"We will not have complete control of stations until after March 31st, when all existing licenses expire," he writes of the Canadian situation. "Then we will be free to formulate a more equitable policy than could be put into motion at the present time. The Act (Canadian Radio Act) gives us power after we are in order to expropriate and close stations and build a series of high-powered stations across the continent to be operated by ourselves, but in view of present financial conditions I do not think we will embark on so large an undertaking for some time to come."

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January 7, 1933

#### ON THE PASSING OF MR. COOLIDGE

President McCosker, upon learning of the news of former President Coolidge, during whose presidency the Radio Act was enacted, sent the following telegram to Mrs. Coolidge at Northampton:

"We offer you and your son our deepest sympathy on the untimely passing of your illustrious husband. He was truly a great American. In solemn company with the entire nation the broadcasting industry feels the loss of a great leader and friend. His understanding of the needs of radio and his constructive policies applied to its administration did much to stabilize, encourage and develop the art."

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#### EXPECT ACTION ON DAVIS BILL

The Davis Bill (HR 7716) upon which hearings were held by the Senate Committee on Interstate Commerce just before the Christmas holidays was recommitted to the Committee at the request of Senator Dill this week.

The Committee held two meetings during the week and scheduled a third meeting for next Tuesday at which time an attempt will be made to correct certain objected to provisions in the measure and again report it to the Senate.

The Senate Committee has agreed that it will make it obligatory upon the Federal Radio Commission to hear oral arguments in cases when such arguments are requested after exceptions are filed. It has also been agreed that the power of examiners shall be limited to questions other than those involving policy of the Commission. Other changes have not yet been finally agreed upon.

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#### EXAMINER UPHELD IN NEW YORK CASES

The Radio Commission this week upheld Chief Examiner, Ellis A. Yost in his Report No. 422, in which he recommended license renewal for stations WWRL, Woodside, L. I.; WMBQ, Brooklyn, N. Y. and WMIL, Brooklyn, N. Y., on certain specified day and night hours. All of the stations operate on a frequency of 1500 kilocycles, with 100 watts power each.

The Commission states that "each of the three applicant stations, WWRL, WMBQ, and WMIL, now seems to be rendering a good local service and the licensee thereof appears to be qualified to continue its operation in a proper and acceptable manner."

The operating time formerly used by Station WLBX, now deleted, was asked for by Stations WWRL and WMBQ. They were unable to reach an agreement for sharing this additional time and so the Commission has allocated it between the two of them and a schedule will be set forth in their licenses.

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January 7, 1933

#### RECOMMENDS REVOKING GRANT

Examiner R. H. Hyde, (Report No. 442) this week recommended that the Commission revoke its tentative grant of June 30, 1932, for a construction permit for a new station to be erected at Indianapolis, Indiana, by the Thirty-First Street Baptist Church, using a frequency of 600 kilocycles, 250 watts power and operating daytime hours.

The Examiner recommends that an order be entered denying the application. He states that "it has been shown by the evidence presented herein that no sound financial basis has been established for the construction and operation of the proposed new station" and he states further that "it also appears that there is no need for the establishment of the proposed new station. There are existing facilities available for the broadcasting of sponsored programs at what appear to be reasonable rates." Protests were filed with the Commission against the grant by a number of existing broadcasting stations.

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#### RECOMMENDS FULL TIME FOR WIL

Examiner Elmer W. Pratt (Report No. 443) this week reaffirmed recommendations in his earlier Report No. 386 to the effect that license renewal be denied Station KFWF, St. Louis, Missouri, and that license renewal be granted WIL, St. Louis also that it be granted unlimited time on the air. These two stations have shared time on 1200 kilocycles.

Examiner Pratt in his report states that "this record does not relate to any of the issues framed by the Commission's notice of hearing and accordingly furnishes no basis for a modification or alteration of the facts found by the Examiner on a previous record."

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#### WOULD REGULATE ANNOUNCEMENTS

Representative Martin of Massachusetts has introduced a bill in the House (H.R. 14034) "to regulate advertising of imported articles." It has been referred to the House Committee on Interstate and Foreign Commerce. Section 3 provides as follows

"Sec. 3. In radio broadcasting where commercial broadcasting is used in the promotion of and to advertise for sale in the United States any imported article or material, a broadcasting announcer shall, at the beginning and end of each broadcast period, clearly state the name of the country of origin of the article or material advertised." No other part of the bill affects radio.

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#### BEFORE APPROPRIATION COMMITTEE

Radio Commissioner Sykes, acting chairman and James W. Baldwin, secretary appeared before a subcommittee of the House Committee on Appropriations on Friday in connection with appropriations for the Commission for the coming fiscal year.

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January 7, 1933

HEARING CALENDAR

Following are the hearings scheduled for the week beginning Monday, January 9, 1933. All hearings begin at 10 a. m.

MONDAY, JANUARY 9, 1933.

Docket #1851      KGEW      City of Fort Morgan  
Fort Morgan, Colorado      Renewal      1200 kc, 100 watts,  
specified hours.

THURSDAY, JANUARY 12, 1933

Docket #1623      WHBC      Edward P. Graham  
Canton, Ohio      C. P.      1200 kc, 100 watts,  
specified hours.

Present Assignment: 1200 kc, 10 Watts,  
specified hours.

Docket #1842      NEW      The WNPD Company  
New Philadelphia, Pa.      C. P.      850 kc, 50 watts, day-  
time (9 a.m. to 1S).

FRIDAY, JANUARY 13, 1933.

Docket #1795      KTFI      Radio Brdcstg. Corp.  
Twin Falls, Idaho      Mod. Lic.      1240 kc, 500 watts,  
1 KW LS, unlimited  
time (Facilities of  
KGKX).

Present Assignment: 1240 kc, 500 watts,  
unlimited time.

Docket #1823      KGKX      Sandpoint Brdcstg. Co.  
Sandpoint, Idaho      Renewal      1420 kc, 100 watts,  
unlimited time.

Docket #1812      KVOA      Robert Marion Riculfi  
Tucson, Arizona      Renewal      1260 kc, 500 watts,  
specified hours.

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LICENSE RENEWAL APPLICATIONS

During the current week the Commission received the following applications for license renewals: KFDY, Brookings, South Dakota; KFNF, Shenandoah, Iowa; KFXF, Denver, Colorado; KOMO, Seattle, Washington; KPOF, Belleview College, Colorado; WAAF, Chicago, Illinois; WCAC, Storrs, Connecticut; WCOO, Meridian, Mississippi; WDBO, Orlando, Florida; WEEI, Boston, Massachusetts; WFI, Philadelphia, Pennsylvania.

WGY, Schenectady, N. Y.; WIBW, Topeka, Kansas; WILL, Urbana, Illinois; WKZO, Kalamazoo, Michigan; WLIT, Philadelphia, Pennsylvania; WVVA, Wheeling, West Virginia; WFAN, Philadelphia, Pennsylvania; WDAF, Kansas City, Missouri; WIP, Philadelphia, Pennsylvania; WNOX, Knoxville, Tennessee; WOBU, Charleston, West Virginia; WOW, Omaha, Nebraska; KFKA, Greelev, Colorado; KLZ, Denver, Colorado; WWNC, Asheville, North Carolina; WSAZ, Huntington, West Virginia; WGBF, Evansville, Indiana; WMAL, Washington, D. C.; WGBI, Scranton, Pennsylvania and WJAY, Cleveland, Ohio.

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January 7, 1933

HEARINGS SET

During the current week the Commission has set the following cases for hearing:

WGAL	WGAL, Inc. Lancaster, Pennsylvania	C. P. to make changes in equipment and increase power from 100 to 250 watts daytime power to be reduced 2 hours prior to LS.
NEW	Intermountain Brdcstg. Corp. Shreveport, Louisiana	C. P. 850 kc, 10 KW, hours of operation: daily except Sunday, 6 to 8 a.m.; 8:30 p.m. to 12 midnight; Sundays 7:45 p.m. to 12 midnight; Sundays during Lent: 9 p.m. to 12 midnight CST. (Facilities of KWKH)
WGST	Georgia School of Tech. Atlanta, Georgia	Renewal of license
NEW	The National Union Indemnity Assn. Shreveport, La.	C. P. 850 kc, 10 KW, facilities of KWKH and WWL.
KSTP	National Battery Brdcstg. Co. St. Paul, Minnesota	C. P. to make changes in equipment and to increase day power from 10 KW to 25 KW.
WSPA	Voice of South Carolina Spartanburg, South Carolina	C. P. to install new equipment, (maximum rated power 5 KW) change frequency from 1420 kc to 850 kc, increase power from 100 watts, 250 watts LS to 5 KW and change hours of operation from unlimited to simultaneous daytime sharing with Station WWL at night (Facilities of KWKH).
NEW	Altoona Broadcasting Corp. Altoona, Pennsylvania	C. P. 620 kc, 1 KW, daytime.
NEW	W. L. Gleeson Salinas, California	C. P. 1210 kc, 100 watts, unlimited.

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APPLICATION RETURNED

During the current week the Commission returned the application, William L. Slade to construct a new station at Hamilton, Ohio, to operate on 1420 kc, with 100 watts because the application did not contain sufficient information.

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FOREIGN MARKET SURVEYS OUT SOON

The first of a series of foreign radio market surveys, requested by American exporters, will be completed about January 17, according to Marshall T. Jones, Chief of the Commerce Department's Electrical Equipment Division.

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January 7, 1933

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission has taken the following miscellaneous action:

WKBH	WKBH, Inc. La Crosse, Wisconsin	Denied authority to increase hours of operation from unlimited daytime and specified night hours to unlimited time pending Commission's decision on application for this same authority, which has been designated for hearing.
KCMC	North Mississippi Brdcstg. Corp. Texarkana, Arkansas	Granted renewal of license.
KICA	Southwest Broadcasting Co. Clovis, New Mexico	Temporary license extended to February 1, 1933, pending action on properly executed time sharing agreement with Station KGFL.
KTFI	Radio Broadcasting Corp. Twin Falls, Idaho	Granted permission to take depositions in re the KTFI and KGKX case, heretofore set for hearing.
KGKX	W. W. Von Cannon, Trustee Sandpoint, Idaho	Granted permission to take depositions in re the KTFI and KGKX case, heretofore set for hearing.
KTW	First Presbyterian Church of Seattle, Washington	The Commission reconsidered its action of November 22, and December 22, 1932, granting renewal of license to this station, and granted renewal of license as follows: to operate on 1220 kc, 1 KW, sharing time with KWSC for period beginning 3 a.m., EST, December 1, and ending according to Rule 27.
KFNF	Henry Field Co. Shenandoah, Iowa	Granted special authority to continue using time assigned to but not used by stations KUSD and WILL, Jan. 1, to Feb. 1, 1933.
KWEA	Hello World Brdcstg. Corp. Shreveport, Louisiana	Granted special authority to remain silent pending action on C. P., but in no event beyond February 1, 1933.
KIEV	Cannon System, Ltd. Glendale, California	Equipment test period extended 10 days.
WCAE	WCAE, Inc. Pittsburgh, Pennsylvania	Granted permission to take depositions in re applicant's application for C. P., Docket No. 1754.
WMBH	W. M. Robertson Joplin, Missouri	Granted permission to take depositions in re his application for Mod. of Lic. for ML-B-1085, Docket No. 1873, a hearing on which is set for January 30, 1933.



January 7, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WSYR- WMAC	James G. Tracy & Edmund M. Smedberg, Executors of Estate of Clive B. Meredith Syracuse, New York	Consent to vol. assign. of lic. to the Central New York Broadcasting Corp.
<u>SECOND ZONE</u>		
None		
<u>THIRD ZONE</u>		
None		
<u>FOURTH ZONE</u>		
WBAA	Purdue University Lafayette, Indiana	Granted authority to operate from 12 to 12:30 p.m., CST on January 10, 11, 12, 1933 in order to broadcast special agricultural programs, with power of 1 KW.
WTRC	The Truth Publishing Co. Inc. Elkhart, Indiana	Granted C. P. to make changes in equipment and increase daytime power from 50 to 100 watts.
KGGF	Powell & Platz Coffeyville, Kansas	Granted special authority to operate from 7:15 to 9:15 p.m., CST, January 24 and 26, and from 8:15 to 9:15 p.m., CST, January 25, 1933.
<u>FIFTH ZONE</u>		
KRKD	Dalton's Inc. Los Angeles, California	Granted license covering local move of transmitter; 1120 kc, 500 watts, shares with KFSG, KRKD 2/3 time, KFSG 1/3 time.
KFSG	Echo Park Evangelistic Assn. Los Angeles, California	Granted Mod. of Lic. to use transmitter of KRKD; also to use present equipment as auxiliary transmitter.

January 7, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-MLB-1100A	WLTH		Voice of Brooklyn, Inc. Brooklyn, New York	Mod. of Lic. to change hours from Shares with WCGU, WFOX and WBBC to Share WFOX and WBBC - Facilities of WCGU, Brooklyn, N. Y. Amended to request WLTH 3/4 time; WBBC 1/4 time; Requests facilities WCGU, Brooklyn, N. Y. and WFOX, Brooklyn, N. Y.
1-SAB-28	WJZ		National Broadcasting Co. Inc., New York, N. Y.	Special Exp. authorization to change power from 30 KW to 30 KW regularly and 50 KW experimental basis.
1-PB-2770	NEW		Charles W. Phelan Casco Bay Broadcasting Co. Portland, Maine	C. P. for new station to use 1340 kc, 500 watts, unlimited time.

The nearest station on this same frequency is WSPD, Toledo, Ohio which is 600 miles distant. The engineers of the Commission recommend a separation of 1,000 miles. The First Zone is under quota but the State of Maine is over quota.

1-MLB-1110	WCGU		U. S. Broadcasting Corp. Brooklyn, N. Y.	Mod. of Lic. to change hours of operation from Shares with Stations WFOX WLTH and WBBC to Shares with WBBC - Requests facilities of WLTH, Brooklyn, N. Y. and WFOX, Brooklyn, N.Y.
1-MLB-1097A	WFOX		Paramount Brdcstg. Corp. Brooklyn, N. Y.	Mod. of Lic. to change hours of operation from Shares with Stations WCGU, WLTH & WBBC to Share with WLTH & WBBC - Facilities WCGU, Brooklyn, N. Y. Amended to request WFOX 3/4 time; WBBC 1/4 time - Requests facilities of WCGU, Brooklyn, N. Y. and WLTH, Brooklyn, N. Y.

SECOND ZONE

2-PB-2763A	NEW		Harold F. Gross Lansing, Michigan	C. P. for new station to use 1210 kc 100 watts night, 250 watts LS, unlimited time. Amended as to name of applicant to partnership of Harold F Gross, M. B. Keeler and L. A. Ver-sluis doing business as Capitol Broadcasting Company.
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January 7, 1933

APPLICATIONS RECEIVED (continued)

SECOND ZONE (continued)

2-ALB-487	WFBE	The Post Publishing Co., Cincinnati, Ohio	Vol. assign. of Station Lic. to WFBE, Inc. (Geo. M. Schott, President)
2-ALB-488	WSAN	Allentown Call Publishing Co. Inc., Allentown, Pa.	Vol. assign. of station Lic. to WSAN, Inc.

THIRD ZONE

3-PB-2769	WSPA	Virgil V. Evans trading as The Voice of South Carolina Spartanburg, S. C.	C. P. to move transmitter to a loca- tion in Spartanburg, S. C., to be determined subject to approval of FRC, install new 5 KW equipment, change frequency, power and hours from 1420 kc, 100 watts night, 250 watts LS, unlimited hours to 850 kc, 5 KW, simultaneous daytime with WWL and share at night with WWL - Facil- ities of KWKH, Shreveport, Louisiana.
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The nearest station on the proposed new frequency is WWL, at New Orleans which is 590 miles away and with which WSPA wishes to operate simultaneously in the daytime. The engineers of the Commission recommend a separation of 800 miles. In order to grant this application the Commission would have to take KWKH off the air. Granting of the application would also increase the quota. The Third Zone is over quota but the State of South Carolina is under quota.

3-MPB-936	WROL	Stuart Brdcstg. Corp. Knoxville, Tennessee	Mod. of C. P. granted 7/29/32 to ex- tend date of completion to 2/1/33.
3-PB2725A	NEW	News-Times Publishing Co. El Dorado, Arkansas	C. P. for new station to use 1500 kc, 50 watts, 7 a.m. to 7 p.m. (Day- time) - resubmitted and amended to request Daytime hours 6 a.m. to LS.

The nearest station on this frequency is KGKB, Tyler, Texas which is 170 miles distant. The engineers of the Commission recommend a separation of 80 miles. The Third Zone is over quota but the State of Arkansas is under quota.

FOURTH ZONE

None

FIFTH ZONE

None

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**BROADCASTERS' NEWS BULLETIN**



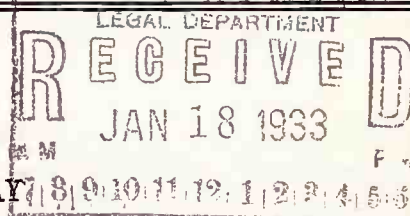
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THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NATIONAL BROADCASTING COMPANY January 14, 1933



DILL BILL HEARINGS MONDAY

Senator Howell, Nebraska, chairman of the subcommittee of the Interstate Commerce Committee of the Senate, announced Friday that hearings on the Dill Bill (S 5201), imposing license fees on all radio stations, will commence at 10 A. M., on Monday, January 16.

The National Association of Broadcasters has been invited to appear and express its views on the pending measure.

The bill, as outlined generally in last week's Bulletin, was at one time a part of HR 7716 but was eliminated from that bill when it was reported a second time by the Senate Committee. Senator Dill then introduced the eliminated provision as a separate bill and the Senate Committee appointed the Howell subcommittee to hold hearings on the measure.

There is general opposition to the bill and it is likely that virtually all groups holding licenses from the Government will express opposition to it at the hearings.

The Board of Directors of the NAB at a meeting last Spring voted unanimously to oppose the license fee bill and the new Board has been polled with a view to determining whether or not the position of the NAB should be changed.

January 14, 1933.

## DAVIS BILL AGAIN REPORTED

The Senate Committee on Interstate Commerce this week reported the Davis Bill (HR 7716) with a number of changes from the measure as previously reported on December 14.

The National Association of Broadcasters objected to certain provisions in the measure as reported on December 14 and sought hearings before the Senate Committee. Hearings were granted and the Association appeared and presented its objections.

The bill, as it then stood, provided for the abolishment of the examiners system, changed the procedure with respect to appeals, gave the Commission power to suspend licenses, and changed the law with respect to the use of facilities by political candidates.

In the revised draft as reported by the Committee, the examiner system is retained but the power of the examiners is limited to "cases not involving a change of policy by the commission, a transfer of the use of radio facilities from one zone to another, a change of regulations, new devices or developments in radio, or a new kind of use of frequencies: Provided further, That in all cases heard by an examiner the commission shall grant oral arguments on request of either party."

The provision giving the Commission power to suspend licenses was dropped and in its stead was inserted a provision giving the Commission power to impose fines up to \$1,000 upon stations for violations of regulations.

The appeals section was permitted to stand substantially as in the House bill except that appeals from license revocations and fines are permitted to be taken to Federal District Courts.

The lottery section is as follows:

"No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person, firm, or corporation operating any such station shall knowingly permit the broadcasting of, any advertisement of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes. Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both; but no radio station license shall be suspended or revoked on account of any such violation."

The provision relating to political candidates is as follows:

"Sec. 14. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he

## DAVIS BILL AGAIN REPORTED (Concluded)

shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, or by a governmental agency, he shall afford equal opportunity to an equal number of other persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public question.

"(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall exercise censorship over any material broadcast in accordance with the provisions of this subsection. No obligation is imposed upon any licensee to allow the use of his station by any candidate, or in support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

"(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes."

The report on the bill is not yet available.

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## SOUTH CAROLINA BILL

A bill providing for the broadcasting of athletic events (H 27) has been introduced in the South Carolina legislature. The bill has been referred to the Committee on Judiciary.

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## RUMOR MEXICAN POWER INCREASES

Rumors to the effect that several important Mexican broadcasting stations are planning to increase power up to 75 KW have gained currency here during the past two weeks. The stations planning power increases, the rumors have it, are older Mexican stations which are experiencing interference from stations located on the border.

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## MOTOR VEHICLE LICENSING

A bill "to provide for the licensing of motor vehicle operators and chauffeurs upon the public highways and to make uniform the law relating thereto, the enforcement thereof and to provide for its operation and to provide for radio communications between sheriffs, police departments and other law enforcement agencies within the state" has been introduced in the North Carolina Senate by Senator Corey. The bill bears the number 29. It has been referred to the Committee on Public Roads.

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January 14, 1933

J. C. McNARY, NAB ENGINEER

Appointment of J. C. McNary as staff engineer of the National Association of Broadcasters was announced this week by Philip G. Loucks, Managing Director.

Mr. McNary is widely known in the radio engineering field and for the past year has been engaged in a general consulting practice in Washington.

The appointment of Mr. McNary is in line with the program mapped out at the recent St. Louis convention and while the engineer will have complete charge of the service bureau conducted by the NAB, a major portion of his time, for the present will be devoted to collecting technical data for use in connection with the forthcoming North American conference. Since Mr. Cogley resigned last September, the vacancy on the Managing Director's staff had not been filled.

Mr. McNary was recommended for the post by many prominent engineers. After the customary apprenticeship as a marine radio operator, and after obtaining an electrical engineering education at the University of Cincinnati, he entered the employ of the Radio Division of the Department of Commerce at Detroit, Michigan, in 1924. While in the Department's employ he was instrumental in developing apparatus and systems for frequency measurements and for field intensity measurements. Some of the earliest measurements of field intensities of broadcasting stations were made at that time in and about Detroit.

Leaving the Department of Commerce in 1929 to become a member of the staff of Bell Telephone Laboratories in New York, he was engaged in development of the Western Electric Company's synchronizing apparatus for broadcasting stations and in antenna investigations.

Since August, 1932, he has operated a frequency monitoring service with a laboratory at Chevy Chase, Maryland, in addition to engaging in a general consulting practice.

Mr. McNary will commence his new duties on January 15.

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#### ADVERTISING BILL UP

A bill regulating the advertising of foreign goods has been introduced in the Massachusetts legislature (S.67) by Senator Moyses. The bill has been referred to the Committee on Mercantile Affairs. The text of the measure follows:

"No person shall advertise or cause to be advertised in any newspaper published or circulated in the commonwealth or by means of radio announcements from any station within the commonwealth, or place on display or cause to be placed on display for the purpose of sale in the commonwealth, any goods which are in fact manufactured in any foreign country, unless such advertising or display plainly specifies such fact and country."

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January 14, 1933

## RCA TO GIVE UP FREQUENCIES

The Radio Corporation of America this week notified the Radio Commission that it intends to give up its domestic point-to-point frequencies because of recent developments. It will apply for some ultra high frequencies which recent experiments have proved will be more useful for domestic point-to-point service, it states.

The giving up of its present frequencies will allow the corporation to withdraw from the case which has been pending in the Court of Appeals of the District of Columbia for a long time in connection with the allocation by the Commission of recaptured frequencies. On November 22, 1932, the Court granted the Commission permission to hold further hearings in this connection. In its communication to the Commission on this subject the Radio Corporation said in part:

"During the past six months, and since the Commission's petition to the court on June 28, 1932, and our answer on July 5, 1932, experimental work in the generation, propagation and use of the very high frequencies (those above 30,000 kc.) has been brought to a preliminary conclusion by engineers of the Radio Corporation of America. Part of the results have already been disclosed in papers very recently given by some of these engineers before the Institute of Radio Engineers; part of the results are further outlined in a general way in experimental reports already filed with your engineering division, and the application in a demonstrable practical manner has just been successfully accomplished within the past month:

"It is too early yet to reach final conclusions as to the best ultimate method of commercial application of these developments. Nevertheless present indications are that, within a reasonable time, we will know whether, as now seems to be indicated, the use of frequencies above 30,000 kc. will not make feasible point-to-point domestic radio communication of a nature quite impossible in the present bands of 3,000 to 6,000 kc.

"The application of these new developments would at once make obsolete any equipment and any radio system designed to use the frequencies upon which our applications are at present based."

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## ASK FREE RADIO SERVICE

A hearing was held this week before the House Committee on Interstate and Foreign Commerce in connection with the radio bill (H. R. 11247) introduced in April of last year by Representative Rayburn of Texas, which would permit employees of steamship companies at sea to use radio facilities on ships free for personal messages. Those appearing at the hearing included: Frank W. Wozencraft, of the Radiomarine Corporation; Ralph L. Walker, Federal Radio Commission; and Liza Morgan, of the Bureau of Informal Cases, Interstate Commerce Commission. The bill would amend the Interstate Commerce Act.

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January 14, 1933

## POSTPONE WOQ ARGUMENT

Because of illness of counsel, the Court of Appeals of the District of Columbia has postponed until February 6, hearing of argument in the appeal of Station WOQ, Kansas City, Missouri, the Unitey School of Christianity (No. 5582) against the Radio Commission.

The Court this week also denied a supplemental motion to dismiss the case of the Telegraph Herald Company against the Radio Commission (No. 5826). In this case the Commission granted Station WKBB permission to move from Joliet to Dubuque, Illinois, and the Telegraph Herald Company, although having no broadcasting station appealed to the Court against the decision. Motions have twice been made to have the Court dismiss the case, both times it having refused.

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## AGAINST LICENSE

Examiner Elmer W. Pratt this week recommended that license renewal be denied Station KGEW, Fort Morgan, Colorado, in Report No. 4440.

The Examiner states in his report that "applicant failed to appear and present evidence in support of the application for license renewal." He says further that "under these circumstances, the applicant is in default and it is accordingly recommended that the application for renewal of license be denied." The station operates specified hours with 100 watts power on a frequency of 1200 kilocycles.

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## WHITE NAMES NOMINATING COMMITTEE

Senator Wallace H. White, Jr., Maine, president of the American Section of the International Committee on Radio has appointed a nominating committee for officers for the ensuing year. The committee consists of Laurens W. Whittemore, New York City, Chairman; Howard S. LeRoy, Washington, D. C., and Lynne M. Lamm, Washington, D.C.

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## RADIO EMPLOYMENT

Reports received by the Bureau of Labor Statistics, Department of Labor from 40 radio manufacturers gave their November employment at 20,051 a reduction of 2.7 per cent from October and 25.4 per cent from November 1931. The average weekly November payrolls in the same plants were \$367,173 a decrease of 7.2 per cent compared with October and 32.5 per cent compared with November 1931.

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## 1020 CASE ARGUMENT SET

The Radio Commission this week set February 1, as the date on which it will hear oral argument in the so-called "1020 case". Stations involved in this case include: KYW, Chicago; WJAS, Pittsburgh; WFAN, WIP and WCAU, Philadelphia.

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January 14, 1933

## ARGUMENT BEFORE COMMISSION

The Radio Commission will hear an oral argument on Wednesday, January 18, at 10 a.m., sitting en banc, in the following cases:

Docket #1736	NEW	J. B. Taylor Aberdeen, South Dakota	C. P. 920 kc, 500 watts, daytime. (Facilities of KSOO).
Docket #1768	KSOO	Sioux Falls Broadcast Ass'n. Sioux Falls, South Dakota	Renewal 1110 kc, 2½ KW limited time.

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## LICENSE APPLICATIONS RECEIVED

During the current week the Commission has received the following applications for license renewals: KFJO, Clayton, Missouri; WREC-WOAN, Memphis, Tennessee; KGKO, Wichita Falls, Texas; KHQ, Spokane, Washington; KUSD, Vermillion, South Dakota; WICC, Bridgeport, Connecticut; KGW, Portland, Oregon; WQAN, Scranton, Pennsylvania; KPRC, Houston, Texas; WOS, Jefferson City, Missouri; KHJ, Los Angeles, California.

WKBN, Youngstown, Ohio; KFRC, San Francisco, California; WGR, Buffalo, New York; KSEI, Pocatello, Idaho; KSAC, Manhattan, Kansas; KFEL, Denver, Colorado; WKY, Oklahoma City, Oklahoma; WJJD, Mooseheart, Illinois; KSL, Salt Lake City, Utah; KWJJ, Portland, Oregon; WMMN, Fairmont, West Virginia; KXA, Seattle, Washington; WHAM, Rochester, New York; and WBSO, Needham, Massachusetts.

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## APPLICATIONS RETURNED

During the current week the Commission returned applications to the following applicants because the applications were not in proper form: WCAC, Storrs, Connecticut; WICC, Bridgeport, Connecticut; KXA, Seattle, Washington; KFJO, Clayton, Missouri; WHAM, Rochester, New York; WHEB, Portsmouth, New Hampshire and WSB, Atlanta, Georgia.

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## WKBS TAKEN OFF AIR

The Radio Commission this week reversed and sustained Chief Examiner Ellis A. Yost in Report No. 425. In the case of the application of Maurice L. Barrett for a construction permit for a new station at East St. Louis, Missouri, the Commission denied the application reversing the recommendation of the Chief Examiner.

In the same case the application of Samuel E. Yaste and Burrel Barash for a construction permit for a new station at Galesburg, Illinois, the Commission denied the permit "as in cases of default", upholding the Examiner.

The Commission denied renewal license to Station WKES, Galesburg, Illinois, "as in case of default" upholding the Examiner and the existing temporary license of the station was terminated, taking the station off the air immediately.

In connection with taking the station off the air the Commission states that although proper and timely notice was given to Station WEBS "of the hearing to be held their applications no appearance was made by, or on behalf of said applicants and no evidence was offered in support of their applications which, in view of these facts, must be denied as in cases of default."

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January 14, 1933

SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

WCGU	U. S. Broadcasting Corp. Brooklyn, N. Y.	C. P. to move transmitter locally in Brooklyn, N. Y. and make changes in equipment; also authority to continue operation at 28-33 24th Street. Long Island City, pending Commission action on amended application.
NEW	Harold F. Gross, M. B. Keeler & L. A. Versluis, d/b as Capitol City Broadcasting Company, Lansing, Michigan	C. P. for new station, 1210 kc, 100 watts night, 250 watts LS, unlimited time. (Original application heretofore set for hearing, was filed in name of Harold F. Gross only).
WILL	University of Illinois Urbana, Illinois	Requests special authority to increase power from 250 watts night, 500 watts day, to 500 watts night and 1 KW day, experimentally. (Facilities of WKBS in terms of quota units.)
NEW	John E. McGoff, Julius Schaeffer Francis Thurston, Newport, R. I.	C. P. 1500 kc, 100 watts, 9 hours per day.
WBAX	John H. Stenger, Jr. Wilkes Barre, Pennsylvania	C. P. 930 kc, 250 watts, unlimited time.
WTAD	Illinois Broadcasting Corp. Quincy, Illinois	C. P. to move transmitter and studio to Murphy Bldg., East St. Louis, Illinois.
WFOX	Paramount Broadcasting Corp. Brooklyn, N. Y.	Mod. of Lic. to increase hours of operation from 1/4 time, sharing with WLTH, WCGU, and WBBC, to 3/4 time, sharing with WBBC only. (Facilities of WCGU and WLTH).
WLTH	Voice of Brooklyn, Inc. Brooklyn, N. Y.	Mod. of Lic. to increase hours of operation from 1/4 time, sharing with WCGU, WFOX and WBBC, to 3/4 time, sharing with WBBC only. (Facilities of WCGU and WFOX).
WHIS	Daily Telegraph Printing Co. Bluefield, West Virginia	Mod. of Lic. to change hours of operation from sharing "equally" with station WRBX to sharing with WRBX.
WTAQ	Gillette Rubber Co. Eau Claire, Wisconsin	Mod. of Lic. to change hours of operation from sharing with KSCJ to simultaneous operation daytime, and sharing with KSCJ at night.
KSCJ	Perkins Bros. Co. Sioux City Journal Sioux City, Iowa	Mod. of Lic. to change hours of operation from sharing with WTAQ to simultaneous daytime and sharing with WTAQ at night.
KVOA	Robert M. Riculfi Tucson, Arizona	Cons. to vol. assign. of lic. to Arizona Broadcasting Co. Inc.

January 14, 1933

MISCELLANEOUS ACTION

During the current week the Commission has taken the following miscellaneous action:

WTBO	Associated Broadcasting Corp. Cumberland, Maryland	Dismissed application for involuntary assignment of license and granted leave to file application for voluntary assignment of license.
	Shortwave & Television Corp. Boston, Massachusetts	Granted extension of time from January 16 to February 10, in which to file exceptions to Examiner's Report No. 440.
WNBX	WNBX, Inc. Springfield, Vermont	Granted permission to reduce schedule to minimum of five hours per day during January, February and March, because winter weather makes it impossible to secure talent and carry on programs.
WKAV	Laconia Radio Club Laconia, New Hampshire	Reconsidered and set for hearing application for renewal of license to permit inquiry into activities of station.
WOL	American Broadcasting Co. Washington, D. C.	Denied Mod. of Lic. to operate on 1270 kc, 250 watts, unlimited time, because applicants failed to enter appearance within time allowed under Rules and Regulations.
WHO	Central Broadcasting Co. Des Moines, Iowa	Granted special authority to operate simultaneously with WOC on 1000 kc, on experimental basis, for term from February 1 to August 1, 1933.
WOC	Central Broadcasting Co. Davenport, Iowa	Granted special authority to operate simultaneously with WHO on 1000 kc, on experimental basis, for term as above.
WCFL	Chicago Federation of Labor Chicago, Illinois	Granted special authority to operate unlimited time experimentally, on 970 kc, for term as above.

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RADIO STATION INCORPORATION

A bill to permit radio broadcasting stations to incorporate in the State of Texas (S. 10) has been introduced in the Texas Senate by Senator Holbrook. The bill has been referred to the Committee on Civil Jurisprudence.

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January 14, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WICC	Bridgeport Brdcstg. Station Inc. Bridgeport, Connecticut	Granted C. P. to move transmitter from Sport Hill Road, Easton, Conn., to Pleasure Beach, Bridgeport, - distance of 400 feet.
WIEG	Knickerbocker Brdcstg. Co. Inc. New York, N. Y.	Granted authority to use station January 11 to 18 inclusive, in connection with broadcast "Street Forum"; 2342 kc, 1 watt.
WMAS	Albert S. Moffat Springfield, Massachusetts	Granted consent to vol. assign. of lic. to WMAS, Inc.
WJZ	National Broadcasting Co. Inc. New York, N. Y.	Granted special authorization to increase power experimentally from 30 KW to 50 KW.
<u>SECOND ZONE</u>		
WAZL	Hazleton Brdcstg. Service Inc. Hazleton, Pennsylvania	Granted license, 1420 kc, 100 watts, hours 6 to 10 a.m.; 9 p.m. to 12 midnight.
<u>THIRD ZONE</u>		
WTSL	Southland Radio Corp. Laurel, Mississippi	Granted C. P. to make changes in equipment.
WNAD	University of Oklahoma Norman, Oklahoma	Granted special authority to operate from 2 to 3:30 p.m., CST, January 18; February 1, 8, 15, 22; March 1 and 8, 1933, provided station KGGF remains silent.
NEW	The National Union Indemnity Assn. Shreveport, La.	Granted order to take depositions in re their application for C. P. scheduled for hearing February 19, 1933.
KWFH	Hello World Broadcasting Corp. Shreveport, Louisiana	Granted authority to take depositions in re application for renewal of license, a hearing on which is set for February 14.
WFBC	Greenville News-Piedmont Co. Greenville, South Carolina	Granted Mod. of C. P. to install new equipment increase daytime power from 100 to 250 watts; increase hours of operation from 1/7 time, sharing with WBHS, to unlimited. Also approved location of transmitter and extended commencement date of C. P. from December 22, 1932 to 30 days after this date, and completion date from March 22, 1933 to 120 days after this date.

January 14, 1933

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

- WHBQ Broadcasting Station WHBQ, Inc. Granted Mod. of C. P. extending completion date of C. P. from January 26, 1933 to April 26, 1933.  
Memphis, Tennessee
- WABZ Samuel D. Reeks Granted renewal of lic., 1200 kc, 100 watts, sharing with WJBW. (Application for renewal heretofore set for hearing dismissed from docket because time sharing agreement was satisfactorily entered into.)  
New Orleans, Louisiana
- WJBW Charles C. Caralson Granted same as above, except shares with WABZ.  
New Orleans, Louisiana

FOURTH ZONE

- WKBH WKBH, Inc. Granted authority to operate at night from 7 to 8 p.m., instead of from 10 to 11 p.m. in order to give their rural public uninterrupted evening service during the earlier hours.  
LaCrosse, Wisconsin
- WMT Waterloo Broadcasting Company Granted order to take depositions of a number of witnesses in behalf of Waterloo Broadcasting Co. in re hearing on application for renewal of license.  
Waterloo, Iowa
- WSBC World Battery Co. Inc. Granted Mod. of Lic. to change name to WSBC, Inc.  
Chicago, Illinois
- KGCR The Greater Kampeska Radio Corp. Granted extension of Rule 145 to January 31, 1933.  
Watertown, South Dakota
- WHA University of Wisconsin Granted license covering local move of transmitter, installation of new equipment and increase in power from 750 watts to 1 KW, 340 kc, daytime.  
Madison, Wisconsin
- WLBC Donald A. Burton Granted license covering local move of transmitter, 1310 kc, 50 watts, simultaneous day shares night with WTRC.  
Muncie, Indiana

FIFTH ZONE

- KMJ James McClatchy Co. Granted license, 580 kc, 500 watts, unlimited time.  
Fresno, California
- KOY Nielson Radio & Sporting Goods Co., Phoenix, Arizona Granted Mod. of Lic. to increase day time power from 500 watts to 1 KW.

January 14, 1933

APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KOA	National Broadcasting Co. Inc. Denver, Colorado	Granted authority to operate station at output of approximately 7 KW until installation of harmonic suppressor.
KGY	KGY, Inc. Olympia, Washington	Granted authority to broadcast proceedings at State Legislature increasing specified hours for that purpose only.
KXA	American Radio Tel. Co. Seattle, Washington	Granted special experimental authority to operate simultaneously with station WJZ from local sunset to 10 p.m., PST.
KNX	Western Broadcast Co. Los Angeles, California	Granted C. P. to make changes in equipment increasing maximum rated power from 25 KW to 50 KW.

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LICENSE RENEWALS GRANTED

During the current week the Commission granted the following license renewals for the regular period: WAAW, Omaha, Nebraska; WABC-WBOQ, New York, N. Y.; WAIU, Columbus, Ohio; WAPI, Birmingham, Alabama; WBAP, Fort Worth, Texas; WBBM-WJBT, Chicago, Illinois; (and auxiliary;) WBT, Charlotte, North Carolina; WBZ, Boston, Massachusetts; WBZA, Boston, Massachusetts; WCAU, Philadelphia (and auxiliary); WCES, Zion, Illinois; WCCO, Minneapolis, Minnesota; WCFL, Chicago, Illinois.

WDGY, Minneapolis, Minnesota; WDC, Tuscola, Illinois; WEEU, Reading, Pennsylvania; WEW, St. Louis, Missouri; WFAA, Dallas, Texas; WGN-WLIB, Chicago, Illinois; WHDH, Boston, Massachusetts; WHO, Des Moines, Iowa; WJR, Detroit, Michigan; WLW, Cincinnati, Ohio; WMAZ, Macon, Georgia; WOAI, San Antonio, Texas; (and auxiliary); WOC, Davenport, Iowa; WOR, Newark, New Jersey; WOV, New York, N. Y.; WPTF, Raleigh, North Carolina.

WRVA, Richmond, Virginia; KDKA, Pittsburgh, Pennsylvania; (and auxiliary); KEX, Portland, Oregon; KFBI, Abilene, Kansas; KFEQ, St. Joseph, Missouri; KFI, (and auxiliary), Los Angeles, California; KGDM, Stockton, California; KGO (and auxiliary), San Francisco, California; KJBS, San Francisco, California; KMMJ, Clay Center, Nebraska.

KMOX, St. Louis, Missouri; KNX, Los Angeles, California; KOA, (and auxiliary) Denver, Colorado; KPCB, Seattle, Washington; KPO, San Francisco, California; KRJD, Dallas, Texas; KTIS, Hot Springs, Arkansas; KVOO, Tulsa, Oklahoma; KFVD, Los Angeles, California.

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January 14, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ALB-489	WBMS	New Jersey Brdcstg. Corp, Hackensack, New Jersey	Invol. assign. of lic. from WBMS Broadcasting Corporation.
1-PB-2777	WLTH	Voice of Brooklyn, Inc. Brooklyn, New York	C. P. to install auxiliary trans- mitter.
1-PB-2774	NEW	Colonial Brdcstg, Co. Inc. Springfield, Massachusetts	C. P. for new station to use 1140 kc, 500 watts, daytime.

The nearest station on the proposed frequency is WAPI, Birmingham, Alabama, which is 990 miles distant. The engineers of the Commission recommend a separation of 700 miles. Both the First Zone and the State of Massachusetts are under quota.

1-MLB-1118	WTAG	Worcester Telegram Publish- ing Company, Inc. Worcester, Massachusetts	Mod. of lic. to increase power from 250 watts to 250 watts night, 500 watts to local sunset.
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The nearest station on the frequency 580 kilocycles of this station is CKCL, Toronto, Canada which is 300 miles distant. The engineers of the Commission, with the increased power asked, recommend a separation of 260 miles.

1-PB-2782	WPRO- WPAW	Cherry & Webb Brdcstg. Co. Providence, Rhode Island	C. P. to move transmitter from Cranston, R. I., to Providence, R. I., and change studio locally.
1-ALB-486	WTBO	Interstate Brdcstg. System Inc., Cumberland, Md.	Vol. assign. of lic. to Associated Broadcasting Corporation.

SECOND ZONE

2-PB-2761	NEW	William L. Slade Hamilton, Ohio	C. P. for new station to use 1420 kc, 100 watts, unlimited time. Re- submitted corrected as to equipment and map attached re proposed loca- tion.
2-MLB-1109	WEAO	Ohio State University Columbus, Ohio	Mod. of lic. to increase daytime power; change power from 750 watts to 750 watts night, 1 KW LS.

The nearest station on the same frequency is WWNC, at Asheville, North Carolina, which is 290 miles distant. The engineers of the Commission recommend a separation of 300 miles with the increased power. Both the Second Zone and the State of Ohio are under quota.



January 14, 1933

APPLICATIONS RECEIVED (continued)

THIRD ZONE

3-PB-2779	NEW	Wilmington Brdcstg. Co. R. A. Dunlea, Secretary Wilmington, North Carolina	C. P. for new station to use 1370 kc, 100 watts, share time with WRAM Requests facilities WRAM, Wilmington, North Carolina.
3-MLB-1119	WDBO	Orlando Brdcstg. Co. Inc. Orlando, Florida	Mod. of Lic. to increase power from 250 watts to 500 watts night, 1 KW LS. Requests facilities withdrawn from WRUF, Gainesville, Florida.

The nearest station on the frequency of 580 kilocycles on which WDBO operates is WOBV, Charleston, West Virginia, which is 680 miles away. The engineers of the Commission recommend a separation of 800 miles. Both the Third Zone and the State of Florida are over quota.

FOURTH ZONE

4-PB-2771	WHFC	WHFC, Inc. Cicero, Illinois	C. P. to install new transmitter and change frequency from 1420 to 1310 kc, exchange frequency with WKBB & WCLS - Facilities WKBB, Joliet, Ill., and WCLS, Joliet, Ill.
4-MLB-1111	WEHS	WEHS, Inc. Cicero, Illinois	Mod. of lic. to change frequency from 1420 to 1310 kc, exchange frequency with WCLS - Requests facilities WCLS, Joliet, Illinois.
4-MLB-1112	WKBI	WKBI, Inc. Cicero, Illinois	Mod. of lic. to change frequency from 1420 to 1310 kc, exchange frequency with WCLS - Requests facilities WCLS, Joliet, Illinois.
4-PB-2772	WCLS	WCLS, Inc. Joliet, Illinois	C. P. to change equipment and change frequency from 1310 to 1420 kc - Exchange frequency with WEHS, WHFC, WKBI. Requests facilities WEHS, WHFC, WKBI, Cicero, Illinois.

The four above applications should be considered as a whole. Stations WHFC, WEHS and WKBI, all at Cicero, Illinois, using 1420 kilocycles have applied for 1310 kilocycles and Station WCLS, Joliet, Illinois, now operating on 1310 kilocycles asks to use 1420 kilocycles. Should Station WCLS, Joliet, Illinois, be granted 1420 kilocycles the nearest station on that frequency would be KWCR, Cedar Rapids, Iowa which is 180 miles distant. Engineers of the Commission recommend a separation of 185 miles. Should the Cicero stations be allowed to go to 1310 kilocycles the nearest station on that frequency is WTRC, Elkhart, Illinois, which is 90 miles distant. The engineers of the Commission recommend a separation of 185 miles. Granting of the applications would not change the State or Zone quota.

January 14, 1933

APPLICATIONS RECEIVED (continued)

FOURTH ZONE (continued)

4-PB-2775 KGIZ Grant City Park Corp. C. P. to move transmitter & studio  
Grant City, Missouri to Maryville, Missouri.

The nearest station on the same frequency is WKBB, Joliet, Illinois, which is 100 miles distant. The engineers of the Commission recommend a separation of 185 miles. The quota would not be changed.

4-PB-2776 KGFX Dana McNeil C. P. to change equipment in order  
Pierre, South Dakota to change modulation system.

4-PB-2780 NEW George W. Jenkins C. P. for new station to use 1210  
Lincoln, Nebraska kc, 100 watts night, 250 watts LS  
unlimited hours. Requests all  
facilities of KFOR, Lincoln, Nebr.

4-MPB-408 WKBB Sanders Brothers Radio Sta- Mod. of C. P. granted 10/21/32 to  
tion, East Dubuque, Ill. extend dates of commencement and  
completion to 2/21/33 and 5/21/33  
respectively.

4-PB-2783 KGBX KGBX, Inc. C. P. for changes in equipment,  
Springfield, Missouri change frequency and increase power  
from 1310 kc, 100 watts to 1340 kc,  
250 watts. Requests facilities of  
KGIZ, Grant City, Missouri.

The nearest station on the proposed new frequency is WCOA, Pensacola, Florida, which is 590 miles distant. The engineers of the Commission recommend a separation of 800 miles. Both the Fourth Zone and the State of Missouri are over quota. Granting of this application would increase the quota.

FIFTH ZONE

5-MLB-113 KXL KXL Broadcasters Mod. of lic. for authority to use  
Portland, Oregon auxiliary transmitter as main  
transmitter.

5-MLB-1107 KFXJ R. G. Howell & Chas. Howell Mod. of lic. to change hours of  
Western Slope Brdcstg. Co. operation from Specified Hours to  
Grand Junction, Colorado Unlimited. Requests facilities of  
KGEW, Fort Morgan, Colorado in  
quota units.

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LICENSE APPLICATIONS

During the current week the Commission received the following applications for licenses for which construction permits have been issued: KXL, Portland, Oregon, and KPQ, Wenatchee, Washington.

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*Dep. Mr. Miss. [unclear]*

# BROADCASTERS'



# NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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PHILIP G. LOUCKS, Managing Director

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January 21, 1933

## DILL BILL HEARING

Radiocasting Company, I  
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Hearings on the Dill license fee bill (S 5201) were held before a subcommittee of the Senate Interstate Commerce Committee on Monday.

Representatives of various classes of licensees appeared before the subcommittee and expressed opposition to the measure.

The National Association of Broadcasters opposed the imposition of license fees on several grounds.

The point was raised at the hearing that inasmuch as the bill was in effect a revenue producing measure it properly should originate in the House of Representatives rather than in the Senate.

The Senate Interstate Commerce Committee's report on the Davis Bill (HR 7716) was made available this week. The report reveals that many of the objections raised by the National Association of Broadcasters were met by the Committee in revising the measure as originally reported.

Prospects for radio legislation during the present short session of Congress, which expires on March 4, suffered by reason of the filibuster in the Senate against the Glass banking bill. There are but six weeks left in the present session and annual appropriation bills have the right of way over other legislation.

January 21, 1933.

## NAB OPPOSES DILL BILL

License fees imposed by the Government under the Dill license fee bill (S 5201) would be paid at the expense of public service, Henry A. Bellows, chairman of the NAB Legislative Committee, told the Howell subcommittee of the Senate Interstate Commerce Committee during hearings on the measure last Monday (January 16).

Chairman Bellows reviewed statistics included in the Commission's report to the Senate in response to the Couzens\* Dill resolution in support of his contention.

"Of course," he said, "these figures do not mean that if license fees are required by law, the broadcasting industry of America will immediately collapse. Some stations, many of them now rendering a meritorious public service in the smaller communities, will undoubtedly surrender their licenses through inability to stand up under their fast accumulating burdens, but in most cases the fees will doubtless be paid somehow. Inevitably they will be paid largely at the expense of public service. At present, with no margin of profits to draw on, every added burden on broadcasting means either less money spent on programs, or, more serious still, less money spent on physical equipment. These fees must be paid largely in terms of transmitters not kept up to date, defective microphones not replaced, which means simply in terms of poorer service to the 50 million radio listeners."

"The direct burden of expense, of course, is the first reason why the broadcasters protest against the enactment of this measure. But there are other and more far-reaching objections to it. The Congress has very wisely declared that a radio license confers no vested or property right, and has undertaken to prevent any commercial traffic in such licenses. Nevertheless, it is now seriously proposed that the government itself shall put all radio licenses up for sale, even to the extent of fixing different money values for different types of frequency and power authorization."

"How can the government, having sold a radio license for a price fixed by law, claim that the purchaser has not actually bought something in which he has a definite property right? How do you think the courts would interpret such a purchase? If it is your purpose to 'freeze' the radio situation so that the Federal Radio Commission is left powerless to act, this bill will certainly do it."

"And yet it is proposed to have radio hire the Commission -- 'help pay the cost of regulation' is the precise phrase used. Has it ever been proposed that the railroads should pay the salaries of the Interstate Commerce Commission? Are the veterans expected to contribute to the upkeep of the Veterans' Bureau? If the power interests were to offer to assume the payroll of the Federal Power Commission, Congress and the public would very properly be outraged. And yet the government agency which is by law directed to regulate radio in the public interest is to be put on the payroll of the radio companies."

"Broadcasting is already paying taxes proportionately heavier than most other forms of industry, because, in addition to all the usual forms of taxation, it is now compelled, by a ruling of the Bureau of Internal Revenue which seems to us directly at variance with the meaning of the Revenue Act of 1932, to pay a special tax on electrical power, which is its raw material. In proportion to its invested capital, broadcasting is paying exceptionally heavy local taxes, directly and indirectly, owing to the large amount of space required for its studios, and the fact that a proper transmitter location requires from six to twelve acres of land. If the broadcaster is lucky enough to be making any money, he is paying

NAB OPPOSES DILL BILL (Continued)

his full share of taxes on his profits. If, as is more likely, he is operating at a current loss, he is still paying proportionately far more in taxes than most people in like case in his community."

"The burden falls most heavily on the small station with limited financial resources. The figures in Senate Document No. 137 (pages 47-48) show that for 342 such stations, gross receipts in 1931 were \$10,007,631.69, and gross expenditures \$10,118,230.56 -- a net loss of \$110,598.87. This, of course, was before the American Society of Composers, Authors and Publishers began levying its super-tax of three per cent -- next year to be four per cent, and the year after that five -- on all receipts from sale of time, before the tax on electrical power, before business had reached the low ebb of 1932. Under the proposed bill, these 342 little stations would pay a total licensee fee bill of about \$71,000."

"But if this bill becomes law, the larger stations will be able to pay the required fees. They can economize on talent, on their non-commercial programs, on their equipment -- all at the expense of the public, of course -- because their operating budgets are large enough so that there is still room for shrinkage. It is the little station, with its operating costs already down to bedrock, the station with no strong organization behind it, but still striving to render a good service to its community, that this bill really threatens."

James W. Baldwin, secretary of the Federal Radio Commission, was the first witness to appear. He told the sub-committee that the revenue which the bill would produce would amount to \$734,073 while the estimated cost of regulation for the fiscal year 1934 would be \$754,427. Broadcasting would pay \$296,899 of the total sum in license fees, he said. He suggested various clarifying amendments to the measure.

John C. Gall, secretary of the National Association of Manufacturers, opposed the principle involved in the bill.

"The principle sought to be established here is far broader than its immediate application to the radio industry might indicate," he said. "It ignores the public benefits claimed for government regulation by saddling the cost of regulation on the industry regulated. It would lend impetus to regulation of various industries upon a showing that all costs of regulation would be borne by the industry. It would make difficult, if not impossible, abolition of unnecessary regulatory bodies so long as they showed ability of the industries regulated to meet the 'tariff' thus imposed. If this is sound policy for the Radio Commission, the same argument can be made for the Interstate Commerce Commission, the Shipping Board, the Packers and Stockyards Administration, and many other bodies."

"Broadcasting is supported by advertising. If it were not for the paid programs the people of the United States would not enjoy the remarkable range of entertainment and educational programs which they receive today for the mere 'tuning in'. Manufacturers of nationally known products are the chief source of broadcasting revenues. This bill penalizes them for the use of this medium, for in the final analysis fees and other exactions levied against the broadcasters will be paid by their patrons. They will largely occupy the role of collectors. There is no sound reason why they should pay the cost of regulation designed, not for their primary benefit, but for the benefit of the listening public."

NAB OPPOSES DILL BILL (Concluded)

"Finally, may I suggest that the bill before the Committee is in reality a tax bill. It is frankly predicated on the intention to raise revenue for the support of a particular governmental agency. It is therefore no different than if it were designed to raise revenue for the general support of government, without being earmarked for the Radio Commission.

" Article I, Section 7 of the Constitution of the United States says: 'All bills for raising revenue shall originate in the House of Representatives ...' This provision has been the subject of many parliamentary interpretations, and the question of what is a revenue bill has been before the Supreme Court of the United States at least seven times. The uniform decision is against the authority of the Senate to originate a measure such as the one now before your Committee."

Edwin H. Duff of the American Steamship Owners Association stated that he regarded the proposed fee as a 'hardship' on the steamships, since they are required by law to carry radio equipment.

E. J. Coltrane, representing the National Committee on Education by Radio, said the bill is 'unsound in principle' in that it 'taxes' educational stations. If the Federal Government levies a charge here, he pointed out, it logically follows that it would levy a tax on universities and colleges maintained by State governments.

Senator Dill (Dem) of Washington, and Senator Howell (Rep.) of Nebraska, said it was not a tax but a fee for a privilege or service.

Charles F. Dolle, representing Catholic educational stations, said he agreed with Coltrane and believed that educational stations should be exempt from the charges.

W. A. Winterbottom, vice president and general manager of the Radio Corporation of America, and traffic superintendent of radio communications, stated that the fees add an additional burden to the young industry and are unfair. He asserted that the fees imposed represent 'unfair discrimination' against this form of communication. The existence of 29 cables connecting the United States with foreign countries which carry 80 per cent of the communications yet have no such license burdens imposed on them.

The cost to RCA, he asserted, will amount to between \$12,000 and \$15,000 annually. He said RCA does not object to fees but does to discrimination. Radio communications, he explained, are in competition with cables and the charge is burdensome and unequal.

K. B. Warner, Hartford, Conn. general manager of the American Radio Relay League, representing 30,000 amateur operators, told the Committee that such operators should be excluded from the provisions of the bill.

R. A. Pearson, chairman of the Executive Committee, Association of Land Grant Colleges and Universities, also testified in regard to stations operated by such institutions.

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## DAVIS BILL IS REPORTED

The Senate Interstate Commerce Committee on January 11, reported favorably the amended Davis radio bill (4R 7716) which has already passed the House. When the bill was first reported by the Senate during the present session the NAB sought hearings on the measure. Hearings were granted and various suggestions for changes in the measure offered. Many of these suggestions were adopted in the bill as finally reported.

High spots in the report are as follows:

"This bill amends 12 different sections of the radio act of 1927 by clarifying and amplifying provisions dealing chiefly with procedure and administration, and also contains a section forbidding the broadcast by means of any radio station, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, and fixing a penalty for such violation."

"Paragraph (k) of the same section is amended by setting forth with more particularity the procedure under which the commission shall conduct its hearings. The amendment specifically authorized the holding of public hearings, provides they may be held at any designated place, and designates who may hold hearings and the authority of such persons.

"Your committee has amended the House text by striking out those words that authorize all hearings to be held by examiners or other employees of the commission and restricted the use of examiners for holding hearings.

"Under the existing law the commission has assumed the authority to empower examiners appointed by the commission to hold hearings. The present law simply provides that the commission shall hold hearings and then, in another part of the law, examiners are mentioned among those that may be appointed by the commission.

"During recent months the commission has directed that examiners hold practically all hearings. In some cases parties to contest before the commission have found it impossible to secure hearings before the commission and have not been able even to make an argument to the commission after an examiner had taken all the testimony. Under present procedure there seems to be little justification for the continuation of five commissioners unless the commissioners are to conduct the hearings and do the work originally intended by the law. If this policy is to continue, it would seem to be in the interest of economy to cut the commission to three members or to a director of radio.

"Your committee believes it more desirable that the commission should hold all important hearings and secure more personal knowledge of contests by this method, and for that reason has provided that all hearings on major radio questions shall be held by the commission, or by a commissioner, or by a number of commissioners as the commission may designate.

"An amendment to the House text provides that the commission may authorize an examiner to hold certain hearings, but that in such cases the commission shall permit an oral argument on the request of either party."

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"Section 9 amends section 14 of the radio act relating to the revocation of licenses. The House language provided for revocation, modification, or suspension. Your committee believes that a fine is preferable to modification or suspension, and has provided that licenses may be revoked or the owner fined not to exceed \$1,000 in case of violation of the law. Your committee also believes a definite period of "15 days" is preferable to the "reasonable opportunity" provided by the House language.

"Section 10 substitutes for section 16 of the radio law a simpler and more efficient procedure in appeals. Your committee has added provisions giving the licensee whose license is revoked, or the owner who has been fined, the right to appeal in the lower district court instead of being required to come to Washington, D. C., to prosecute his appeal in the district courts of the District of Columbia. This is of particular advantage to the owners of small stations located a long distance from the District of Columbia. It will result also in questions of radio law being submitted to judges of the district courts and circuit courts of appeals instead of all radio law questions being passed upon by the District Court of Appeals of the District of Columbia. This is especially important from the standpoint of building up a series of legal interpretations of radio law by different inferior courts of the United States."

"Section 13 is a new provision in the radio law, and provides that no person shall broadcast by means of any radio station, for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, etc. and provides penalties for such offense, upon conviction thereof. The committee does not think that the United States should permit any radio station, licensed and regulated by the Government, to engage in such unlawful practices. Furthermore, the broadcast of such information is unfair to the newspapers, which are forbidden the use of the mails, if they contain such information.

"Your committee has substituted a new section for section 13. The purpose of the new section is identical with the section passed by the House, but your committee believes the language of the new section more nearly places radio stations on the same basis as newspapers in connection with broadcasting information as to lotteries.

"Your committee has added section 14 as a new section. This amendment strikes out section 18 of the radio act of 1927 and substitutes the language of section 14.

"The purpose of this amendment is to extend the requirement of equality of treatment of political candidates to supporters and opponents of candidates, and public questions before the people or a legislature or city council for a vote. It also prohibits any increased charge for political speeches.

"No station owner is required to permit the use of his station for any of these purposes, but if a station permits one candidate or the supporters or opponents of a candidate, or of a public question upon which the people are to vote, then the requirement of equality of treatment and of no higher rates than the ordinary advertising rates shall be charged.



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#### SHULER LOSES APPEAL

The United States Supreme Court this week refused a writ of certiorari in the "Bob" Shuler case, thereby upholding the action of the Radio Commission in taking his station off the air.

The Shuler station was taken off the air on November 13, 1931 by the Commission. On November 30, he asked the Court of Appeals of the District of Columbia for a stay order to allow the station to operate while the case was being heard. This was denied. The case was argued before the Court of Appeals in November 1932 and the Court upheld the Commission. Shuler then asked the Supreme Court to review the case and this has just been denied.

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#### NEW CALL LETTER LIST

The Radio Commission has prepared a new call letter list as of January 1, 1933. The list will be sent to all of the broadcasting stations in the United States and will be mailed from Washington not later than Wednesday, January 25. The lists will not be sold at the Government Printing Office as they were before. They are mimeographed. If copies do not reach members in a reasonable time they can be obtained from the Secretary of the Commission or from the headquarters of NAB.

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#### RMA MOVES TO WASHINGTON

Headquarters of the Radio Manufacturers Association were removed from Chicago to Washington this month. The Washington office will be in charge of Bond Geddes, general manager of the Association, who is a lawyer, and former Washington newspaper man, and who is well qualified to carry on the legislative and other Capital activities of the RMA.

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#### FRASER GETS CBS POST

Ferrin Fraser, noted novelist and short story writer, has been appointed director of continuity for the Columbia Broadcasting System, succeeding Donald Clark's resignation. At the same time, it was announced that Marion R. Parsonnet, actor-producer of stage and radio drama, has been named dramatic director for the network.

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#### WMAL LEASED BY NBC

Station WMAL, Washington, D. C. has been leased by the National Broadcasting Company for a period of five years and will operate the station as a part of its Blue Network, beginning February 1. The lease was signed on Saturday, January 14.

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January 21, 1933

## RCA PROPOSES HIGH FREQUENCY NETWORK

In a statement filed with the Federal Radio Commission, the Radio Corporation of America indicated its willingness to withdraw the long-litigated applications for transcontinental channels between 1500 and 6000 kilocycles as a result of recent developments in the ultra-high frequency (greater than 30,000 kilocycles).

It is claimed that researches conducted within the past several years have disclosed a practical value for the ultra-high frequencies for point-to-point communication. While the system was not revealed in its entirety, it appeared that means have been developed whereby "repeater" stations may be utilized for extending the limited range of the ultra-high frequency transmissions, thus making a nation-wide network of stations within the realm of possibility.

The large number of possible channels utilizing frequencies greater than 30,000 kilocycles and the relative ease with which such transmission may be concentrated in a beam facilitate the simultaneous operation of an adequate number of stations. Many possibilities are claimed for the channels. Television and fac-simile transmission, in particular, might benefit by the wider band widths possible permitting improved transmission.

No immediate probability of using the ultra-high frequencies for broadcasting purposes is suggested, although the establishment of point-to-point circuits in the United States might conceivably create a competitor to the present land-line circuits for network operation.

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## ADVERTISER AWARDED DAMAGES AGAINST BROADCASTER

A decision of interest to radio was announced in December by the Supreme Court of the State of Washington in the case of Pearce et al. v. Puget Sound Broadcasting Company et al. Pearce and his wife, in the radio advertising business, sued KVI and KOL for damages for breach of contract. It was alleged that KVI entered into a contract with Pearce to broadcast a certain advertisement over a Seattle station at a certain time; and that KOL adopted and assumed this contract, and then breached it by changing the period on the air and selling it to another Seattle advertiser.

KOL defended on the ground that Pearce had not paid two months rent and had therefore broken the contract first since the right to terminate for non-payment had been written into the agreement; but the Court held that the defense was not good since at the time it was not given as the reason for discontinuing the broadcast - and if it had been given as a reason Pearce could have cured the situation by paying the cost.

Pearce was permitted to introduce evidence showing that he lost or had reduced eleven accounts which he had prior to the breach, in spite of the contention of KOL that this evidence was too conjectural and too speculative.

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January 21, 1933

#### COOLIDGE MEMORIAL PROGRAM

A radio memorial service in tribute to the contributions of the late Calvin Coolidge to radio was conducted over Station WOR, New York. The principal speaker was O. H. Caldwell, appointed by President Coolidge as one of the original members of the Radio Commission. Caldwell related Coolidge's instruction to the new commissioners after their appointment in 1927. "Gentlemen," the president said, "I do not know how to do your radio job. But there is one principle which I have observed all my official life, and have found it useful. Whenever I am in doubt about my official course, I get out the law itself, and I read it all through again. And almost without fail, I have found that the language of the law itself gives me the answer, on which I can go ahead confidently to do my duty."

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#### AUTHORIZE RADIO CORPORATIONS

A bill (S.B.10) authorizing the State of Texas to grant corporate charters to radio broadcasting companies has been introduced in the Texas Senate by Senator Holbrook. The bill provides that "corporations may be created for, or after being created, charters may be amended to include the construction, maintenance and operation of radio broadcasting equipment and stations." The bill has been referred to the Civil Jurisprudence Committee.

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#### NEW ZEALAND'S COPYRIGHT PROBLEM

When a broadcasting company in New Zealand found it impossible to comply with the demands of copyright owners the New Zealand Government suspended the copyright law for one year. During the period of suspension an agreement was reached.

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#### AMERICAN SECTION TO MEET

The first meeting this winter of the American Section of the International Committee on Radio will be held at the University Club, Washington, D. C., Tuesday, January 24, according to announcement made by Senator Wallace H. White, Jr., of Maine, President. Judge Eugene O. Sykes, acting chairman of the Radio Commission and Dr. C. B. Jolliffe, chief engineer, both members of the American Delegation to the Madrid Radio Conference will talk on the results of the conference. A dinner will precede the meeting. Election of officers will be held.

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#### RADIO TAX REFUND

The Bureau of Internal Revenue has announced a refund of \$191,515.53 to the Grigsby-Grunow Company, of Chicago for over assessment of income tax for the fiscal year ending May 31, 1929.

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#### WCGU GETS RENEWAL RECOMMENDATION

In Report No. 445 this week by Chief Examiner Ellis A. Yost, recommendation is made that the license of Station WCGU, Brooklyn, New York, be renewed. The station operates on a frequency of 1400 kc, 500 watts power sharing time with Stations WFOX WBBC and WLTH.

The Examiner found that the present owner, the United States Broadcasting Corporation "is legally, technically and financially qualified to continue the operation of Station WCGU in the public interest, convenience and necessity."

The Examiner states further that "the financial condition of applicant prior to the new interests assuming control of Station WCGU October 5, 1932, in all probability adversely affected the public service record of this station. However, the present financial condition of applicant, its ownership and management warrant a finding that the future operation of this station will be successful and in the public interest."

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#### DUBILIER CASE IN SUPREME COURT

Argument was heard this week in the United States Supreme Court in connection with the government's case against the Dubilier Condenser Corporation relative to radio patents.

Francis W. Dunmore and Percival D. Lowell, radio experts in the Bureau of Standards obtained patents relating to the use of resonance alternating current in radio receiving sets which they assigned to the corporation. The case involves the general question of whether employees of the Bureau can acquire patents to inventions achieved while engaged in research work in the scope of their general employment. The lower courts upheld the two scientists.

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#### RECOMMENDS WKRC RENEWAL

In his report (No. 446) this week Chief Examiner Ellis A. Yost recommended that the application of Station WKRC, Cincinnati, Ohio, for license renewal be granted "unconditionally" so as to authorize it to continue to operate unlimited time on the 550 kilocycle assignment on which it now operates with 500 watts power.

The Chief Examiner further recommends "that the applicant be authorized to install the directional antenna system proposed, and to operate Station WKRC with 500 watts, unconditionally, and with an additional 500 watts power, Provided, the proposed directional antenna system shall be erected and operated in such a manner as to radiate signals in the direction of St. Louis, Missouri and Buffalo, New York, approximately equivalent to the energy which would be radiated in these directions if Station WKRC operated with 500 watts power using its present quarter wave antenna system."

It is stated further by the Examiner that "if the proposed directional antenna system functions as calculated and predicted by the witness McNary, the interference received by other stations on the 550 kilocycle frequency from Station WKRC will be materially reduced below the degree of interference which Station WKRC would cause to them if operated with only 500 watts power using a conventional quarter wave antenna."

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January 21, 1933

#### KELW AND KTM GET LICENSE RENEWALS

The Radio Commission on Friday overruled Chief Examiner Ellis A. Yost in his Report No. 413 and renewed the licenses of Stations KELW, Burbank, California, and KTM, Los Angeles, California. Both of the stations asked full time on their frequency of 780 kilocycles but this was denied in both cases. Acting Chairman Sykes did not participate in the decisions.

The Commission stated that "each of the applicant stations now seems to be rendering a generally good local service and the licensee thereof appears to be in a position to continue its operation in a proper manner.

"No showing is made in the record", the Commission continues, "that would justify the withdrawal of the facilities now assigned either of the applicant stations in order to assign such facilities to the other, and each of the applicants has now expressed its desire to withdraw prosecution of its applications requesting unlimited time operation."

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#### EXAMINER UPHELD AND OVERRULED

Allen W. Marshall, Sr., Allen W. Marshall Jr., and Guy A. Malcolm were granted permission to erect a new broadcasting station at La Grange, Georgia, using 1500 kilocycles with 100 watts power thereby overruling Chief Examiner Ellis A. Yost in his Report No. 432 while Station WRDW, Augusta, Georgia, had its license renewed on the same frequency upholding the Examiner in a decision rendered Friday by the Commission.

The Commission found that La Grange does not receive satisfactory radio service now and that the establishment of the proposed new station "would afford listeners in that area at least one satisfactory daytime program service. It was also found that the service now rendered by WRDW "appears to be generally meritorious and adapted to meet the needs of the area served."

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#### RADIO ADVERTISING TAX PROPOSED

The sales tax bill proposed by the Governor of Texas (not yet introduced) includes a three per cent tax on advertising by radio. Publishing of newspapers would also be taxed under the Texas Governor's proposal.

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#### TRAVELING STATION SELLS ADVERTISING

The only traveling broadcasting station in Australia sells advertising to pay for its expenses as it passes from one town to another in the Commonwealth, according to a report to the Commerce Department from Trade Commissioner H. P. Van Blarcom, Sydney, Australia.

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January 21, 1933

#### RCA-GRIGSBY-GRUNOW SETTLEMENT

The Radio Corporation of America has announced that "an amicable agreement has been reached for settlement of the litigation pending in the United States District Court at Kansas City, Missouri, between the Grigsby-Grunow Company and the Radio Corporation of America, General Electric Company, Westinghouse Electric and Manufacturing Company and others." The Grigsby-Grunow Company has released the other companies from all claims involved in the case and that company "has executed the standard supplemental radio receiving set license. The standard radio tube license has also been issued to the Grigsby-Grunow Company for a period of five years with an option to extend it for an additional five year period."

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#### NOTICE

Officials of WJR call attention to the fact that a man representing himself as H. W. Sanders or Phil Howard has been applying for a position with broadcasting stations representing himself as a former employe of the Detroit station. No such person by either of these names has ever been employed by WJR.

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#### AFA TO MEET IN GRAND RAPIDS

The 1933 meeting of the Advertising Federation of America will be held in Grand Rapids, Michigan, this Spring. It is likely that a meeting of the NAB Commercial Section will be scheduled at the time of the AFA meeting. The NAB is affiliated with the AFA.

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#### WEHC HEARING SCHEDULED

The application of Station WEHC, Emory and Henry College, to move its station to Charlottesville, Virginia, and to operate on a frequency of 1350 kc with 500 watts during daytime hours is scheduled for hearing on Thursday, January 26, at 10 a.m. Station WLVA, Lynchburg, Virginia has filed a protest against the move.

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#### ARGENTINE BROADCASTING CONCENTRATED

Argentina is one of several countries in which broadcasting is concentrated in the neighborhood of a single city, according to a review of Argentina's radio development prepared by the Commerce Department's Electrical Division.

Of 39 stations in the country, 22 are scattered through the city of Buenos Aires and most of the remainder are located within a few miles of the Capital, according to Assistant Trade Commissioner G. L. Thrall, one of the main contributors to the report of the Department.

It is also estimated that two-thirds of the 500,000 receiving sets in Argentina are in Buenos Aires. Four-fifths of the total population, however, is to be found in other localities.

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January 21, 1933

## HEARINGS SET

During the current week the Commission has set the following cases for hearing:

WHFC	WHFC, Inc. Cicero, Illinois	C. P. to install new transmitter, change frequency from 1420 to 1310 kc. (Facilities of WKBB, and WCLS).
WCLS	WCLS, Inc. Joliet, Illinois	C. P. to make changes in equipment and to change frequency from 1310 to 1420 kc. (Facilities of WEHS, WHFC, WKBD).
WEHS	WEHS, Inc. Cicero, Illinois	Mod. of Lic. to change frequency from 1420 to 1310 kc. (Facilities of WCLS).
WKBI	WKBI, Inc. Cicero, Illinois	Mod. of Lic. to change frequency from 1420 to 1310 kc. (Facilities of WCLS).
NEW	Copper Electric Co. Inc. Lowell, Arizona	C. P. for new station 1200 kc, 100 watts, daytime.
WBMS	N. J. Brdcstg. Corp. Applicant WBMS Brdcstg. Corp. Licensee Hackensack, N. J.	Consent to Involuntary assign. of Lic. to New Jersey Broadcasting Corporation.

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## APPLICATIONS DISMISSED

During the current week at the request of the applicants the Commission dismissed the following applications:

WRNY	Aviation Radio Station, Inc. New York, N. Y.	Mod. of Lic. 1010 kc, 250 watts. (Facilities of WQAO-WPAP).
NEW	Central Broadcasting Co. Davenport, Iowa	C. P. 600 kc, 250 watts, 500 watts LS, unlimited time.
NEW	Radio Station WBHS, Inc. Huntsville, Alabama	C. P. 1200 kc, 100 watts, shares with WFBC uses 6/7 time (Facilities of WBHS).

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## AUTO RADIO LAW PROPOSED

A bill (S. 141) to amend the Penal Law of New York making it a misdemeanor to equip an automobile with a short wave length radio receiving set without securing permit therefor has been introduced in the New York Senate by Senator Cilano. The bill has been referred to the Committee on Codes.

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January 21, 1933

LICENSE RENEWALS

During the current week the Commission granted the following license renewals for the regular period: WBAL, Baltimore, Maryland; WEAJ, New York, N. Y. and auxiliary; WENR-WBCN and auxiliary, Chicago, Illinois; WESG, Elmira, N. Y.; WGN-WLIB and auxiliary Chicago, Illinois; WGY and auxiliary, Schenectady, N. Y.; WHAM, Rochester, N. Y.; WHB, Kansas City, Missouri; WINS, New York, N. Y.; WJAG, Norfolk, Nebraska; WLS, Chicago, Illinois; WMAQ, Chicago, Illinois; WMBI, Chicago, Illinois.

WPG, Atlantic City, New Jersey; WSM, Nashville, Tennessee; WTAM, Cleveland, Ohio; WTIC, Hartford, Connecticut KGU, Honolulu, T. H.; KJR, Seattle, Washington; KOB, Albuquerque, New Mexico; KSL, Salt Lake City, Utah; KWJJ, Portland, Oregon.

WOWO	Main Auto Supply Co. Fort Wayne, Indiana	Granted special authority to operate simultaneously during daytime with Station WWVA until August 1, 1933, pending Commission's action on application for renewal and Mod. of Lic.
WWVA	West Virginia Brdcstg. Corp. Wheeling, West Virginia	Granted as above, except to operate simultaneously with WOWO.
KSOO	Sioux Falls Broadcast Assn. Inc. Sioux Falls, South Dakota	Granted special authority to continue operation daily to 6:30 p.m., CST, and Sunday nights beginning at 9:30 CST, with reduction of power to 1 KW; authority granted to August 1, pending Commission's action on renewal of license.

The following stations were granted temporary renewal of licenses subject to such action as the Commission may take on their pending applications for renewal: WHAS, Louisville, Kentucky; WORK, York, Pennsylvania; WOWO, Ft. Wayne, Indiana; WRAX, Philadelphia, Pennsylvania; WRUF, Gainesville, Florida; WWL, New Orleans, Louisiana; WWVA, Wheeling, West Virginia; KSOO, Sioux Falls, South Dakota; KWKH, Shreveport, Louisiana and KYW-KFKX, Chicago, Illinois.

KFAB	KFAB Broadcasting Co. Lincoln, Nebraska	Granted temporary renewal of license subject to satisfactory reduction of 4th harmonic.
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TO REGULATE ADVERTISING

A bill (H. 611) to prevent advertisements tending to announce discrimination against individuals, classes, sects and religious denominations in places of public accommodation, resort, amusement or entertainment was introduced in the Massachusetts legislature by Representative Cohen. The bill has been referred to the Joint Judiciary Committee.

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January 21, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WHDH	Matheson Radio Co. Inc. Boston, Massachusetts	Granted authority to determine operating power of station by direct antenna measurement.
<u>SECOND ZONE</u>		
WHDF	Upper Michigan Brdcstg. Co. Calumet , Michigan	Granted authority to discontinue operation for the period February 1 to May 1, 1933.
WFAN	Keystone Broadcasting Co. Philadelphia, Pennsylvania	Granted consent to vol. assign. of lic. to Pennsylvania Broadcasting Company.
WFBE	The Post Publishing Co. Cincinnati, Ohio	Granted consent to vol. assign. of lic. to Radio Station WFBE, Inc. (George M. Schott, President).
WOBV	WOBV, Inc. Charleston, West Virginia	Granted WOBV and WSAZ's request to continue hearing 30 days from Jan. 23, in re application for Mod. of Lic. of Station WIBW.
WSAZ	WSAZ, Inc. Huntington, West Virginia	Granted WOBV and WSAZ's request to continue hearing 30 days from Jan. 23, in re application for Mod. of Lic. of Station WIBW.
<u>THIRD ZONE</u>		
WROL	Stuart Broadcasting Corp. Knoxville, Tennessee	Granted Mod. of C. P. extending completion date from Dec. 28, 1932, to Feb. 1, 1933.
WAMC	Raymond C. Hammett Anniston, Alabama	Granted renewal of license for the regular period.
KWWG	Frank P. Jackson Brownsville, Texas	Granted authority to install automatic frequency control.
	City of Shreveport, La. Shreveport, Louisiana	Granted request to take depositions in re application for renewal of license of Station KWKH.
<u>FOURTH ZONE</u>		
WKBH	WKBH, Inc. La Crosse, Wisconsin	Granted authority to operate from 9 to 9:15 p.m., Friday, January 27, in order to broadcast a chain program.

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

WGN- WLIB	WGN, Inc. Chicago, Illinois	Granted renewal of license for the regular period for auxiliary transmitter.
KFJM	University of North Dakota Grand Forks, North Dakota	Granted extension of Rule 145 to February 28, 1933.
WFBM	Indianapolis Power & Light Co. Indianapolis, Indiana	Granted additional time to January 21 in which to file exceptions to Examiner's Report No. 437, involving applications of Mod. of Lic. of Stations WFBM and WSBT.
WSBT	South Bend Tribune South Bend, Indiana	Granted additional time to January 21 in which to file exceptions to Examiner's Report No. 437, involving applications of Mod. of Lic. of Stations WFBM and WSBT.
WTAQ	Gillette Rubber Co. Eau Claire, Wisconsin	Granted authority to install automatic frequency control.

FIFTH ZONE

KXL	KXL Broadcasters Portland, Oregon	Granted License, 1420 kc, 100 watts, emergency purposes only; also granted Mod. of Lic. to use transmitter as main instead of auxiliary transmitter.
KGFJ	Ben S. McGlashan, Los Angeles, California	Station KGFJ advised to remain silent from 2 to 2:15 a.m., January 25, 1933, in order that operating frequency of Station KERN may be checked.
KERN	The Bee Bakersfield Brdcstg. Co. Bakersfield, California	Station KGFJ advised to remain silent from 2 to 2:15 a.m., January 25, 1933, in order that operating frequency of Station KERN may be checked.
KIEV	Cannon System, Ltd. Los Angeles, California	Equipment test period extended for period of 10 days from February 14th.
KPQ	Wescoast Broadcasting Co. Wenatchee, Washington	Granted license covering changes in equipment and increase in power from 50 to 100 watts, 1500 kc, unlimited time.

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WETHERBEE REJOINS NBC

Wilson W. Wetherbee has joined the station relations staff of the NBC in New York to fill the position formerly held by E. H. Twamley who has resigned to accept a post with Station WBEN, Buffalo, New York.

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January 21, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-PB-2708	NEW		Donald E. Bean & Wendall S. Clark, d/b as The Connecticut Broadcasting Company Danbury, Connecticut	C. P. for new station to use 1310 kc, 100 watts, unlimited time.

The nearest station on the same frequency is WNBH, North Bedford, Massachusetts, which is 125 miles distant. The engineers of the Commission recommend a separation of 185 miles. Both the First Zone and the State of Connecticut are under quota.

1-MLB-1037	WLWL		Missionary Society of St. Paul the Apostle New York, N. Y.	Mod. of lic. to change frequency from 1100 kc. to 810 kc. and change in specified hours, some hours requested experimentally Amended to request unlimited time.
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Eight hundred and ten kilocycles is a clear channel.

SECOND ZONE

2-ALB-484	WRAK		Clarence R. Cummins Williamsport, Pennsylvania	Vol. assign. of station lic. to WRAK, Inc.
2-MPB-410	WHBC		Edward P. Graham Canton, Ohio	Mod. of C. P. granted 2/12/32 to extend dates of commencement and completion.
2-MLB-1116	WCAU		Universal Broadcasting Co. Philadelphia, Pennsylvania	Mod. of lic. to change name to WCAU Broadcasting Co. on license for Main Transmitter - name changed by State.
2-MLB-1117	WCAU		Universal Broadcasting Co. Philadelphia, Pennsylvania	Mod. of lic. to change name to WCAU Broadcasting Co. on license for Auxiliary Transmitter.
2-MLB-1122	WKAR		Michigan State College East Lansing, Michigan	Mod. of lic. for change in Specified hours of operation.
2-MLB-11	WJBK		James F. Hopkins, Inc. Detroit, Michigan	Mod. of lic. to increase night-time power. Requests change of power from 50 watts to 100 watts night, 50 watts to local sunset.

WGL, Fort Wayne, Indiana, is 130 miles from Detroit. The engineers of the Commission recommend a separation of 185 miles. Both the Second Zone and the State of Michigan are under quota.

January 21, 1933

APPLICATIONS RECEIVED (continued)

THIRD ZONE

- 3-MPB-411 WJBO Baton Rouge Brdcstg. Co. Inc. Mod. of C. P. granted 12/22/32  
Baton Rouge, Louisiana for approval of exact transmitter  
location at Heidelberg Hotel and  
extension of commencement and  
completion dates.
- 3-MLB-1123 WRUF University of Florida Mod. of lic. to change power and  
Gainesville, Florida hours from 5 KW, limited time to  
5 KW until sunset at Denver; 1 KW  
after sunset at Denver, unlimited  
time.

FOURTH ZONE.

- 4-PB-2784 WDGY Dr. George W. Young C. P. to move transmitter to dif-  
Minneapolis, Minnesota ferent floor same building.
- 4-MLB-1102 WMBD Peoria Broadcasting Co. Mod. of lic. to change hours from  
Peoria Heights, Illinois Shares with WTAD to unlimited  
hours - facilities WTAD, Quincy,  
Illinois. Amended to decrease  
daytime power, change power from  
500 watts night, 1 KW LS to 500  
watts day and night.
- 4-ZB-68 KSO Iowa Broadcasting Co. Determine operating power by di-  
Des Moines, Iowa rect measurement of antenna power.
- 4-MPB-412 WCFL Chicago Federation of Labor Mod. of C. P. granted 5/27/32 to  
Chicago, Illinois extend date of completion to  
9/1/33.
- 4-PB-2786 NEW Dietrich Dirks C. P. for new station to use 1210  
Lincoln, Nebraska kc, 100 watts night 250 watts to  
local sunset, unlimited time. Re-  
quests facilities of KFOR, Lincoln  
Nebraska.

Inasmuch as the facilities of a station in the same city are asked for in this application, there would be no additional interference created nor any change in the quota.

FIFTH ZONE

- 5-APB-35 KREG J. S. Edwards Vol. assign. of C. P. granted  
Santa Ana, California 11/9/32 to The Voice of the  
Orange Empire, Incorporated, Ltd.

January 21, 1933

APPLICATIONS RECEIVED (continued)

FIFTH ZONE (continued)

5-PB-2767	NEW	W. L. Gleeson Monterey, California	C. P. for new station to use 1120 kc, 500 watts night, 1 KW to local sunset, unlimited time. Requests facilities of KFSG, Los Angeles, California and KRKD, Los Angeles, California.
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The nearest station on the same frequency is WTAW, College Station, Texas which is 1530 miles distant. The engineers of the Commission recommend a separation of 800 miles. Should the application be granted the State or Zone quota would not be affected.

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LICENSE RENEWAL APPLICATIONS

During the current week the Commission has received the following applications for license renewals: WCAE, Pittsburgh, Pennsylvania; WCAJ, Lincoln, Nebraska; WSB, Atlanta, Georgia; WCAC, Storrs, Connecticut; WHEB, Portsmouth, New Hampshire; WSM, Nashville, Tennessee; KFRU, Columbia, Missouri; KFUO, St. Louis, Missouri; and WTAR-WPOR, Norfolk, Virginia.

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APPLICATIONS RETURNED

During the current week the Commission has returned applications to the following stations because they were not in proper form or for some other reason: KGFX, Pierre, South Dakota; WLIT, Philadelphia, Pennsylvania; WFI, Philadelphia, Pennsylvania; WILL, Urbana, Illinois; and KFRU, Columbia, Missouri.

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APPLICATIONS RE-SUBMITTED

The following applications for renewal of licenses have been re-submitted: WSB, Atlanta, Georgia; WCAC, Storrs, Connecticut and KFUO, Clayton, Missouri.

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CORRECTION

In reporting the oral argument in the 1020 kc case before the Federal Radio Commission last week through an error Station WXYZ was not mentioned as taking part in the case. Station WXYZ was one of the principal parties in the case and the Bulletin regrets the error in omitting mention of its participation in oral argument.

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National Broadcasting Company, Inc. *Dep. by Miss [unclear]*  
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# BROADCASTERS' NEWS BULLETIN



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.  
PHILIP G. LOUCKS, Managing Director

RECEIVED  
LEGAL DEPARTMENT  
January 28, 1933.  
JAN 30 1933  
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## BOARD MEETING FEBRUARY 20

An important meeting of the Board of Directors of the NAB will be held at Washington, D. C., Monday, February 20.

Recent developments in the copyright situation and the possibility of early conferences preliminary to the North American allocation conference will make the February Board meeting one of the most important in many months.

In line with the program mapped out at the St. Louis Convention, President Alfred J. McCosker this week announced that Newton D. Baker of Ohio, has been retained to represent the Association in matters arising out of the recent license agreement between the publishers and the American Society of Composers, Authors and Publishers. Formal announcement of this fact has been sent to all broadcasters by Mr. Schuette.

In addition to financial matters, the Board at the February meeting will consider the standard order blank submitted by the American Association of Advertising Agencies and legal and legislative policies.

The NAB is determined to go forward with the program approved by the St. Louis Convention provided this program receives the necessary support from all members.

January 28, 1933

#### NEWTON D. BAKER REPRESENTS NAB

President A. J. McCosker of the National Association of Broadcasters announced in New York Tuesday that the Association had retained Newton D. Baker of Ohio to represent them in matters arising out of the recent license agreement between the broadcasters and the American Society of Composers, Authors and Publishers.

Mr. McCosker said that Mr. Baker has been studying the matter for more than a month.

In Washington, Mr. Baker gave out the following statement:

"I have been retained by the National Association of Broadcasters through Mr. Alfred J. McCosker, and its Board of Directors, to represent the Association in conference or in litigation as may be necessary, in matters arising out of the new form of license-agreement issued by the American Society of Composers, Authors and Publishers to the members of the Broadcasting Association.

"The matters at issue between the Society and the broadcasters are the validity and fairness of the terms proposed for the broadcasting of copyrighted musical publications."

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#### MCCOSKER APPOINTS LEVY

President Alfred J. McCosker this week appointed I. D. Levy, Esq., Philadelphia, Pennsylvania, to discuss with broadcasting stations details relating to the activities of Mr. Baker in the copyright controversy. The campaign has been thoroughly considered in every detail and there only remains the cooperation of all stations to make the campaign effective.

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#### ON THE SUBJECT OF DUES

The copyright situation, the North American Conference, legislation, litigation and expansion of services from the Headquarters office all demand that members promptly pay their dues to the Association. If the Association is to carry out the program outlined by the membership at St. Louis, stations must be prompt in meeting their payments to the Association. The program will succeed if members pay promptly. It can fail only if financial aid is withheld. In direct proportion to the financial assistance received will the objectives set forth at the St. Louis Convention be achieved. It is up to each individual member to do his part. The officers of the Association are ready to go ahead.

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#### AFA MEETING JUNE 25

The annual meeting of the Advertising Federation of America, with which the NAB is affiliated, will be held at Grand Rapids, Michigan, June 25 to 28, inclusive, it was announced this week by George W. Kleiser, chairman of the Council on Departmental Activities.

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January 28, 1933

## KANSAS SLANDER BILL

A bill making it a criminal offense to utter false or defamatory remarks over the radio has been introduced in the Kansas legislature by Representative Roth. The text of the measure (HB 155) is as follows:

"Section 1. That any person who shall falsely use, utter or publish words over, through or by means of what is commonly known as the radio, which in their common acceptation shall tend to blacken the memory of one who is dead, or impeach the honesty, integrity, virtue or reputation, or publish the natural defects of one who is alive, and thereby expose him to public hatred, contempt, ridicule or financial injury, shall be guilty of slander.

"Section 2. The injurious utterance of slander is presumed to have been malicious, save when it is a communication to a person interested therein by one who is also interested, or by one who stands in such relation to the person interested as to afford a reasonable ground for supposing the motive for the communication innocent, or who is requested by the person interested to give the information.

"Section 3. Every person violating any of the provisions of this act shall, upon conviction thereof, be fined in a sum not exceeding \$1,000 or punished by imprisonment in the penitentiary not more than one year or by both such fine and imprisonment.

"Section 4. That this act shall take effect and be in force from and after its publication in the official state paper."

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## MISSOURI BANK LIBEL BILL

Following is the text of a bill (HB 87) introduced in the Missouri legislature by Representative McCawley:

"Section 1. It shall be unlawful for any person in this State to broadcast over any radio in this State any announcement of any bank failure, with any other comment than the fact that the bank named in such broadcast has closed its doors; or for any person in this State in broadcasting over any radio the news of any bank failure to use any word, or words, forming all or a part of the name of any bank in this State, or any word or words similar thereto.

"Section 2. Any person who shall violate any of the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the penitentiary for a term of not less than two years nor more than five years."

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## NEW TELEPHONE LINK

The British international entrepot of Hong Kong, Canton and the Portuguese colony of Macao, to the south of Hong Kong Island, will be linked by radio-telephone in the near future if present plans materialize, according to a report to the Commerce Department from Trade Commissioner T. C. Barringer, Hong Kong.

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January 28, 1933

## RADIO LEGISLATION

The radio Omnibus Bill (H.R. 7716) is now on the Senate calendar and can be called up for action at any time. While there is considerable difference of opinion among the legislators, there seems to be considerable doubt if anything will be done with this bill owing to condition of the docket in the Senate. No report has been made on S. 5201 which is the Dill license fee bill. It is very doubtful if the committee will even make a report on this bill to the Senate at the present session.

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## AMERICAN RADIO SECTION ELECTS

At a meeting held this week of the American Section of the International Committee on Radio held at the University Club, Washington, D. C., Senator Wallace H. White, Jr., of Maine was reelected president.

Other officers reelected for the ensuing year included: John W. Guider, vice president; Howard S. LeRoy, treasurer; and Paul M. Segal, secretary. Members of the executive council include: William R. Vallance, chairman; A. L. Ashby, Thad H. Brown; Louis G. Caldwell, J. H. Dellinger and F. P. Guthrie.

At the meeting, Judge Eugene O. Sykes, acting chairman of the Federal Radio Commission, and chairman of the American delegation to the Madrid Radio Conference; Dr. C. B. Jolliffe, chief engineer of the Radio Commission, and delegate to Madrid; and E. S. Wilson, vice president of the American Telephone & Telegraph Company, representing his company at Madrid, all talked on various phases of the conference.

Judge Sykes told of the high lights of the conference including many of the troubles encountered, especially that of the language used. Dr. Jolliffe, who was chairman of the technical committee of the conference, spoke of the work of the allocation of frequencies and Mr. Wilson talked on the lighter sides of the conference. The meeting, the first of the winter, was very well attended by Washington and out of town radio engineers and lawyers.

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## COLONEL BROWN AWAY

Colonel Thad H. Brown, member of the Radio Commission from the Second Zone has been away this week inspecting the Commission's offices at Chicago, Detroit and Buffalo over which he has jurisdiction. He will return next Tuesday in time for the regular Commission meeting. Commissioner Starbuck has also been away this week. Because of the absence of these two members of the Commission the regular meeting was omitted on Friday of this week.

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## COMMISSION FILES BRIEF

The Radio Commission this week filed its brief in the Court of Appeals of the District of Columbia in Case No. 5695 in the appeal of Station WNYC, New York City against a decision of the Commission.

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January 28, 1933

#### EDUCATIONAL TALKS FREE

Through the United States Office of Education, the NAB has learned that the Pennsylvania State Department of Public Instruction has prepared a radio series which will be offered free to any broadcasting station which cares to use the material. The series consists of fifteen talks but a station is under no obligation to use all of them.

"The series of broadcasts is based on a new State course of study for elementary science which is now being printed and will be available about February 1," says James N. Rule, Superintendent of Public Instruction. "This course of study incorporates the best thought of the various departments of State Government with reference to what science should be taught in the elementary schools of the State."

Stations interested in the material should communicate with Mr. Rule, Department of Public Instruction, Harrisburg, Pennsylvania.

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#### COMMERCE DEPARTMENT PUBLICATION LISTS FOREIGN STATIONS

Foreign radio broadcasting stations, large and small, with operating characteristics of each station, including frequency, power and ownership, are listed in a new publication issued by the Electrical Equipment Division, Department of Commerce, Washington, D. C.

In all, 818 foreign stations are listed as operating on long waves and 120 on short waves, for broadcasting purposes. There is some duplication, as several stations are listed in both categories. Of the long wave stations, 203 are in North America, 125 in South America, 211 in Europe, 99 in Asia, and 16 in Africa, with 75 in Russia and Turkey, part of which are in Europe and part in Asia.

North America has 28 of the short wave stations; South America, 22; Europe, 24; Asia, 25; Oceania, 5; Africa, 11 and Russia, 5.

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#### EXPORTS OF RADIO EQUIPMENT TO FRANCE MORE THAN DOUBLE 1930 VALUE

Despite a 25 per cent reduction in the exports of radio equipment from the United States to France as compared with 1931, shipments during 1932, the first year in which that market was restricted by an import quota system, were more than 100 per cent greater than in 1930, according to a compilation made today by Marshall T. Jones, Chief of the Commerce Department's Electrical Division.

Total exports to France of radio equipment, which includes sets, tubes and parts, were valued at \$888,944 in 1932, compared with \$1,184,406 the preceding year, and \$390,239 in 1930.

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January 28, 1933

## RECOMMENDS DENIAL KGKX LICENSE

In Report No. 449 this week Examiner Elmer W. Pratt, recommended that the application of Station KGKX, Sandpoint, Idaho for a license renewal be denied, and that the application of Station KTFI, Twin Falls, Idaho for the facilities of KGKX and for a power increase to 500 watts, 1 KW LS be granted.

The Examiner states that "the failure of the licensee KGKX to support this station's application for renewal of license amounts to an abandonment of its facilities and they are therefore available for assignment to KTFI." It is further said in the report that the granting of the proposed increased power for KTFI "would result in good daytime reception to several thousand potential listeners in a small area where there is at present no good daytime service."

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## HEARING ON NAVY PROTEST

The Radio Commission has announced that a hearing will be held before the full membership of the Commission on February 16, in connection with a license for Station WJSV, Alexandria, Virginia. The program test period for this station has been extended to May 1.

This is the station that was taken over by the Columbia Broadcasting System not so long ago and the hearing will be held because of protests of the Navy Department whose radio laboratory is just across the Potomac from the new site of the station. The department claims that the broadcasts from the station interfere with its experimental work.

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## RADIO EMPLOYMENT

The index of employment in the radio industry for December was 70.4 compared with 77.7 for November and 81 for December 1931, taking 1926 at 100, according to the Bureau of Labor Statistics, Department of Labor. The payroll December index number was 50.9 compared with 58.4 for November and 73.3 for December 1931.

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## TAX ON RADIO RECEIVING SETS

The Bureau of Internal Revenue has just ruled on the sales of radio components under exemption certificates. The Bureau says:

"Advice is requested whether sales of radio components may be made under exemption certificates and also as to the definition of chassis, reproducing units, and power packs.

"Section 607 of the Revenue Act of 1932 imposes a tax, not on radio receiving sets, but on chassis, cabinets, tubes, reproducing units, power packs, and phonograph mechanisms suitable for use in connection with or as part of radio receiving sets, or combination radio and phonograph sets, including in each case parts or accessories sold therewith.

"A radio cabinet is an article subject to tax as such and may not be sold under an exemption certificate at any time, since it cannot be used as a component part of any other article taxable under section 607 or under any other section of the Revenue Act of 1932."

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January 28, 1933

#### FAVORS WFIW, LOUISVILLE MOVE

In Report No. 448 this week Chief Examiner Ellis A. Yost recommends that the application of Station WLAP, Louisville, Kentucky, for a construction permit to use 940 kilocycles, unlimited time with 1000 watts power be denied. The station now uses 1200 kilocycles with 100 watts power and 250 watts LS.

He further recommends that the application of Station WFIW, Hopkinsville, Kentucky, for license renewal be granted and that the application of the same station to move to Louisville, Kentucky, be granted.

The Examiner states that there is a demand for network programs in Louisville. He says further that "Hopkinsville and its surrounding area do not have sufficient population, program or financial resources adequate to properly support a broadcasting station enjoying a regional assignment."

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#### DENIAL OF KWEA LICENSE RECOMMENDED

Examiner R. H. Hyde in his Report No. 447 this week recommended that W. H. Allen, Eugene Levy, and S. B. Pearce be denied a construction permit for the erection of a new station at Alexandria, Louisiana, to use 1210 kilocycles; that Station KWEA, Shreveport, Louisiana, be denied a license renewal and that the same station be denied permission to move to Baton Rouge, Louisiana.

The Examiner states in connection with the application for a new station that the evidence shows "that the capital investment in the project is to be rather small; that the equipment to be installed, while conforming to regulations in general design, is to be constructed or assembled under what appears to be a very restrictive appropriation."

It is further stated in the report in connection with the license renewal of Station KWEA that the renewal application "specifies equipment that has been rendered incapable of operating" \* \* \* "for obvious reasons the recommendation concerning the application for renewal of station license for the operation of this equipment must be that the application be denied."

Examiner Hyde says that the evidence "does not seem adequate assurance that the operation of Station KWEA in Baton Rouge would serve the public interest."

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#### WNJ APPEALS TO SUPREME COURT

Station WNJ, Newark, New Jersey, this week filed a petition in the Supreme Court of the United States for a writ of certiorari in connection with a decision of the Radio Commission taking the station off the air. The Commission's action was upheld by the Court of Appeals of the District of Columbia in its appeal to that court.

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January 28, 1933

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, January 30, 1933. They all commence at 10 a.m.:

MONDAY, JANUARY 30, 1933

Docket #1854	WKBH	WKBH, Inc. La Crosse, Wisconsin	Mod. Lic. 1380 kc, 1 KW, unlimited time.
			Present Assignment: 1380 kc, 1 KW, simultaneous daytime operation with KSO, sharing at night.
Docket #1873	WMBH	W. M. Robertson Joplin, Missouri	Mod. Lic. 1480 kc, 100 W. 250 W. LS, daily, except Sunday, 7:30 a.m. to 2 p.m. and 6 to 10:30 p.m. Sunday, 10:50 a.m. to 2:30 p.m. and 7:30 to 9:30 p.m., CST.
			Present Assignment: 1420 kc, 100 W. 250 W. LS, daily, except Saturday and Sunday. 12 noon to 2 p.m. and 6 to 9:30 p.m.; Saturday, 12 noon to 2 p.m. and 6 to 7 p.m. Sunday, 10:50 a.m. to 2:30 p.m. and 7:30 to 8:30 p.m., CST.

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SET FOR HEARING

WMAL	M. A. Leese Radio Corp. Washington, D. C.	Application for Vol. assign. of C. P. and license to National Broadcasting Co. Inc. set for hearing to be held February 15; all parties desiring to participate should file notice of intention on or before February 3, 1933.
WJSV	Old Dominion Brdcstg. Co. Alexandria, Virginia	Application for license to operate on 1460 kc, 10 KW, set for hearing to be held February 16, before the whole Commission.
WCGU	United States Brdcstg. Corp. Brooklyn, New York	Mod. of Lic. to change hours of operation from sharing with WFOX, WLTH and WBBC to sharing with WBBC only. (Facilities of WFOX and WLTH).

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January 28, 1933

### MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

WBAL	Consolidated Gas Electric Light & Power Company Baltimore, Maryland	Granted authority to operate a portable 250 watt transmitter in metropolitan area of Baltimore for purpose of determining a new site for transmitter.
KYW	Westinghouse Electric and Manufacturing Company, Chicago and Philadelphia, and other stations involved in Ex. Rep. No. 426	Oral argument in "1020 kc case" heretofore scheduled for February 1, to be held on March 1, instead, because of petition of all stations involved.

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### APPLICATIONS RETURNED

During the current week the Commission has returned the following applications to the applicant:

2-MLB-1108	WSAI	Crosley Radio Corp. Cincinnati, Ohio	Mod. of lic. to increase daytime power to $2\frac{1}{2}$ KW LS (Request of applicant).
4-PB-2718	NEW	C. E. Wilkinson Mason City, Iowa	C. P. for new station to use 1500 kc, 100 watts, specified hours. (Rule 6 a, c, and d, insufficient information on proposed transmitter location).
5-MLB-1107	KFXJ	R. G. Howell & Charles Howell d/b as Western Slope Brdcstg. Co. Grand Junction, Colo.	Mod. of lic. to change hours from specified hours to unlimited. (Facilities KGEW, Ft. Morgan, Colorado.) Rule 6 a, c and d.

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### RENEWAL APPLICATIONS RETURNED

During the current week the following applications for renewals of licenses have been returned as being not in proper form for the Commission's consideration: WFAN, Philadelphia, Pennsylvania; KFSD, San Diego, California; WDAF, Kansas City, Missouri; WSAZ, Huntington, West Virginia; WGBI, Scranton, Pennsylvania; WOBU, Charleston, West Virginia; WTAG, Worcester, Massachusetts and WNOX, Knoxville, Tennessee.

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### HEARING ON WMAL LEASE

Hearing will be held before the Radio Commission on February 15, in connection with the leasing of Station WMAL, Washington, D. C. by the National Broadcasting Company, Inc.

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January 28, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
None		
<u>SECOND ZONE</u>		
WEAO	Ohio State University Columbus, Ohio	Granted Mod. of Lic. to increase power from 750 watts to 1 KW.
NEW	Attorney for Herman Radner Lansing, Michigan	Granted authority to take depositions in re his application for a C. P., hearing on which is set for February 10.
<u>THIRD ZONE</u>		
WNAD	University of Oklahoma Norman, Oklahoma	Granted special authority to operate from 8:30 to 10:30 p.m., CST, February 24, 1933.
WJBY	Gadsden Broadcasting Co. Gadsden, Alabama	Granted authority to remain silent until January 30, and station directed that it cannot resume operation except with transmitter located as specified in license and approved monitor installed.
NEW	International Brdcstg. Corp. Shreveport, Louisiana	Granted authority to take depositions in re application for C. P., hearing on which is set for February 24.
<u>FOURTH ZONE</u>		
KFNF	Henry Field Co. Shenandoah, Iowa	Granted continuation of special authority to use time assigned to but not used by station KUSD and WILL from February 1 to March 1, 1933.
KFMX	Carleton College Northfield, Minnesota	Granted authority to remain silent for period of 30 days, provided no changes are made in equipment which would require a C. P.

FIFTH ZONE

None

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January 28, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ALB-494	WMAL	M. A. Leese Radio Corp. Washington, D. C.	Consent to vol. assign. of lic. to National Broadcasting Co. Inc.
1-APB-36	WMAL	M. A. Leese Radio Corp. Washington, D. C.	Consent to vol. assign. of C. P. issued 10/21/32 for new auxiliary transmitter to National Broad- casting Company, Inc.
1-ALB-495	WQAO- WPAP	Calvary Baptist Church New York, N. Y.	Consent to vol. assign. of lic. to Marcus Loew Booking Agency.
1-ALB-496	WRNY	Aviation Radio Station Inc. New York, N. Y.	Consent to vol. assign. of lic. to Marcus Loew Booking Agency.
1-MLB-1124	WHDH	Matheson Radio Co. Inc. Boston, Massachusetts	Mod. of lic. to change hours of operation from daytime to un- limited time.
1-MLB-1125	WAGM	Aroostook Broadcasting Corp. Presque Isle, Maine	Mod. of lic. for change in speci- fied hours of operation.
<u>SECOND ZONE</u>			
2-PB-2787	WSAI	Crosley Radio Corp. Cincinnati, Ohio	C. P. for changes in equipment and increase power from 500 watts 1 KW LS to 500 watts 2½ KW LS.
<u>THIRD ZONE</u>			
3-ALB-493	KGHI	O. A. Cook Little Rock, Arkansas	Consent to vol. assign. of Lic. to Lloyd Judd Company.
3-LB-925	KGKB	East Texas Broadcasting Co. Tyler, Texas	License to cover C. P. for changes in equipment.
3-LB-938	WROL	Stuart Broadcasting Corp. Knoxville, Tennessee	License to cover C. P. for change in location of transmitter and changes in equipment.
<u>FOURTH ZONE</u>			
4-MLB-1126	WCAZ	Superior Brdcstg. Service, Inc. Carthage, Illinois	Mod. of lic. to include Sunday operation 10 a.m. to 3:30 p.m.



January 28, 1933

APPLICATIONS RECEIVED (continued)

FOURTH ZONE (continued)

4-MPB-413	WHO- WOC	Central Broadcasting Co. Inc. Davenport, Iowa	Mod. of C. P. granted 12/17/32, to extend completion date to 5/15/33.
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FIFTH ZONE

5-LB-937	KREG	The Voice of the Orange Em- pire Inc., Ltd. Santa Ana, California	License to cover C. P. issued 11/9/32 for change in equipment.
5-ALB-490	KGHF	Curtis P. Ritchie & Joe E. Finch, Pueblo, Colorado	Con. to vol. assign. of lic. to Curtis P. Ritchie and George J. Ikelman.

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LICENSE RENEWALS RECEIVED

During the current week the Commission received the following license renewals: WAAM, Newark, New Jersey; WOKO, Albany, New York; KFRU, Lawrence, Kansas; KOIL, Council Bluffs, Iowa; KVI, Tacoma, Washington; WLIT, Philadelphia, Pennsylvania; WFI, Philadelphia, Pennsylvania; KFEL, Denver, Colorado; WOOD, Grand Rapids, Michigan; WTOC, Savannah, Georgia; WXYZ, Detroit, Michigan.

KFIM, Beaumont, Texas; KFRU, Columbia, Missouri; KFOX, Long Beach, California; KGBZ, York, Nebraska; KGFX, Pierre, South Dakota; KOL, Seattle, Washington; KQW, San Jose, California; KTFI, Twin Falls, Idaho; WASH, Grand Rapids, Michigan; WDEV, Waterbury, Vermont; WIP, Philadelphia, Pennsylvania; WJAS, Pittsburgh, Pennsylvania; WJDX, Jackson, Mississippi, and WOKO, Albany, New York.

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LICENSE RENEWALS GRANTED

During the current week the Commission granted the following license renewals for the regular period: WCAZ, Carthage, Illinois; WHES, Portsmouth, New Hampshire; WJZ, New York and auxiliary; WKAR, East Lansing, Michigan; WSB, Atlanta, Georgia; WSM, Nashville, Tennessee (auxiliary); KXA, Seattle, Washington.

WJZ	National Broadcasting Co. Inc. New York, N. Y.	Granted special experimental authority to increase power from 30 KW to 50 KW, from February 1, to August 1, 1933.
KXA	American Radio Telephone Co. Seattle, Washington	Granted special experimental authority to operate simultaneously with WJZ from local sunset to 10 p.m., PST, us- ing 250 watts, for period February 1, to August 1, 1933.

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## BROADCASTERS'



## NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

February 4, 1933.

## SYKES AND JENSEN NAMED

President Hoover on Friday sent to the Senate the renomination of Judge Eugene O. Sykes, Mississippi, to be a member of the Federal Radio Commission. At the same time he sent to the Senate the nomination of Professor J. C. Jensen, Nebraska, to fill the unexpired term of General Charles McK. Saltzman, who resigned while chairman of the Commission last July.

The Senate has confirmed few Hoover appointments during the short term and it is not unlikely that the Sykes and Jensen appointments will remain in the Senate Interstate Commerce Committee until the close of the short session.

Judge Sykes is a Democrat and is the only one of the original five commissioners appointed by the late President Coolidge in April, 1927, remaining on the Commission. Recently, he headed the American Delegation to the International Radiotelegraph Conference at Madrid.

Professor Jensen was born near Utica, Nebraska, on October 19, 1880 and has been a college professor for 23 years. He is a graduate of Nebraska Wesleyan University and the University of Nebraska. His interest in radio goes back to 1906 when he demonstrated a spark transmitter at the Nebraska State Fair. Since 1921 he has been director and chief engineer of Station WCAJ, operated by Nebraska Wesleyan University.

February 4, 1933.

## COMMUNICATIONS COMMISSION PROPOSED

Creation of a Federal Communications and Power Commission is proposed in a bill (HR 14501) introduced in the House by Congressman Rayburn of Texas, chairman of the House Committee on Interstate and Foreign Commerce.

The bill, containing but four sections, would abolish the Federal Radio Commission and the Federal Power Commission and would place administration of that portion of the Interstate Commerce Commission act relating to wire and wireless communications, the radio act and the power act under the new commission.

Chairman Rayburn said that he had been working on the bill for some time and that he had conferred with President-elect Roosevelt on it early in December. He said he had never read the Couzens Communications Bill, which has been before the Senate, nor any other of the communication bills which have been before Congress.

It is the belief that Chairman Rayburn will hold hearings on the bill during the special session of Congress which may be summoned in April or May and that the measure finally will include the ideas of the Roosevelt administration on the subject of radio, telephone, telegraph, cable and power legislation.

The first section provides for the appointment of five commissioners at a salary of \$10,000 a year each, no more than three of which shall be from one political party. Terms are to be for seven years.

Section 2 is as follows:

"Sec. 2. The commission shall administer all laws of the United States (1) relating to the regulation of the transmission or communication, in interstate or foreign commerce, of intelligence by wire or wireless or otherwise by the use of electrical energy, or (2) relating to the regulation of the transmission or sale of power in interstate or foreign commerce, or to the issuance of licenses for the construction, operation, and maintenance of dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from or in any of the navigable waters of the United States, or upon any part of the public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam."

Section 3 of the bill provides that the Commission shall have its principal office in the District of Columbia and shall have power to appoint necessary officers and employes. Section 4 provides that the act shall become effective 60 days after enactment.

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## FOREIGN RADIO STATION LIST

A new list of foreign radio stations has just been published by the Department of Commerce, corrected to January 25. The list is available at 25¢ per copy and can be obtained from Lawrence D. Batson, Electrical Equipment Division, Department of Commerce.

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February 4, 1933.

## REPORT URGES POWER INCREASES

High power radio broadcasting is urged, as effective for satisfactory operation of radio receiving sets and reduction of interference, in a formal report on radio interference just issued by the three national electrical industries - the National Electric Light Association, the National Electrical Manufacturers Association, and the Radio Manufacturers Association. Another report, technical, and for guidance of engineers in measuring radio interference, also was issued.

Higher power broadcasting stations will insure better coverage of the country and should be encouraged by all interested in radio, to improve radio reception, according to the report. Other measures to minimize radio interference which were recommended include construction design of radio sets having a minimum susceptibility to external noises; proper installation of radio sets by dealers with a minimum coupling between antenna circuit and house wiring for other circuits and installation of radio frequency filters on some types of electrical devices.

Electric light and other power companies are directly interested in the problem of reducing radio interference, and the public utilities were urged, in the report, to reduce radio interference of their consuming public in their own interests.

The report adds that it appears impossible to completely eliminate all possible sources of radio interference and that municipal legislation attempted has been unwise and ineffective.

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## HOUSE APPROVES \$780,427 FOR COMMISSION

The House of Representatives on Thursday passed that part of the Independent Office appropriation bill granting the Federal Radio Commission a total appropriation of \$780,427 for the coming fiscal year beginning July 1.

The total appropriation for the Radio Commission and the Radio Division of the Department of Commerce last year was \$872,000, which was decreased somewhat by the economy bill.

The Commission's appropriation allows \$26,000 for printing and binding, and \$754,427 for other expenses of which not more than \$364,833 "may be expended for personal services in the District of Columbia." The remainder of the appropriation is for the field force. There was no discussion on the bill on the floor of the House as it passed. The bill has yet to go through the Senate.

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## ECKERSLEY'S PAPER ON ALLOCATION PUBLISHED

A paper by P. P. Eckersley, consulting engineer of London, England, presented before the Institute of Radio Engineers New York meeting on September 28, 1932, has been published in the February, 1933, issue of the IRE Proceedings.

This paper is of particular interest in view of the approaching discussions of North American frequency allocation in connection with the North American Conference. Eckersley describes succinctly the requirements for satisfactory broadcast reception, concluding that the present 10 kilocycle carrier frequency separation is insufficient and that the use of lower frequencies for broadcasting is

February 4, 1933

## IRE COMMITTEE DEFENDS CLEAR CHANNELS

Clear channels must be preserved and greatly increased power granted if rural radio listeners are to obtain satisfactory service, the Broadcast Committee of the Institute of Radio Engineers stated in a report made public this week.

"Decreasing the number of clear channels by assigning additional stations (for night time operation) to channels now used by only one station at a time would have the effect of affording additional services to certain localized urban groups but at the expense of decreasing the service to rural listeners and to those at remote points," the report stated. "Increasing the number of clear channels at the expense of the shared channels would have the opposite effect, assuming that assignments for the stations thus displaced could not be provided for on the remaining shared channels."

"In view of the industry's growing appreciation of the complexity of radio transmission phenomena and the store of experience that is the result of the past eleven years in broadcasting, the question naturally arises as to whether our increased knowledge and vastly improved technique do not now warrant modifications in these earlier generalizations," the report says. "After a careful review of the situation the Broadcast Committee is forced to the conclusion that the clear channel is still essential to the extension of broadcast service to the populations of our rural areas and is likely to remain so for some time to come. Further, it is felt that many of the limitations that have been ascribed to the clear channel are the direct result of existing power limitations rather than of any inherent characteristic of clear channel coverage. The engineering case of the clear channel has always been based on the assumption that adequate power would be employed. There appears to be no technical reason why greatly increased power (in excess of 50 KW) should not now be permitted to suitably equipped and appropriately located or relocated stations holding clear channel assignments.

"Assuming that service to distant listeners is to be maintained, it is evident that continued provision must be made for an adequate number however, is a matter that can be determined only by careful study. The balance of service between the rural listener and the urban listener is determined in considerable measure by the relative number of allocated clear and shared channels. Decision as to the correct balance point is a matter of general policy."

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## EDUCATING THE PUBLIC ABOUT ADVERTISING

The Bureau of Research and Education of the Advertising Federation of America will send to radio stations within a few weeks a series of five-minute radio talks dealing with the importance of advertising. These addresses will be delivered weekly and will continue for an extended period. They will present facts to the public about the importance of advertising to business and its value to society.

At the same time the AFA is planning to send to several hundred newspapers and business publications a series of articles embodying the material included in the radio talks.

The NAB is affiliated with the AFA and all NAB members will receive copies of the radio talks.

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February 4, 1933.

#### SOME RATE CHISELING EXAMPLES

"Relief from all these common head troubles is yours send \$1.00 to this station at once etc. etc. etc."

"Boys! Girls! Mothers! Here is real news! For introducing to friends and relatives only 12 boxes of a nationally known healing salve at 25 cents a box you will receive your choice of gifts etc. etc."

Samples from two announcements sent to stations at great, yes, great cost, to the advertisers. In the first case the station keeps 40 cents out of every \$1.00 sale and in the second case the station receives 10 cents for every inquiry produced. To keep the latter account you must put on the announcements for 30 days and, if successful, you may receive transcriptions.

In the same mail with these two examples of rate chiseling came a bulky file of correspondence from a member station who knows how to handle all of these rate chiseling schemes. He simply replies by quoting his rate card - and with a definite statement that only on the basis of this published card does it sell the facilities of the station.

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#### RMA OFFICES IN WASHINGTON

On January 16 the new offices and headquarters of the RMA were opened at Washington, D. C., in the American Building, 1317 F Street, N. W. The office is in charge of Bond Geddes, Executive Vice President and General Manager of the Association.

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#### WJJD APPEALS TO COURT

Station WJJD, Mooseheart, Illinois, filed an appeal this week with the Court of Appeals of the District of Columbia against a decision of the Commission taking away time authorized to it temporarily. The station was given certain specified night hours on 1130 kilocycles by the Commission with the consent of KSL, Salt Lake City, Utah, the dominant station. KSL withdrew its consent, the Commission withdrew its temporary permission to use the certain night hours and now WJJD is appealing the Commission's order.

The Court of Appeals has dismissed the appeal of Station WBAK, Harrisburg, Pennsylvania, which had its time curtailed by the Radio Commission. The appeal was dismissed at the request of the station.

The Court has also dismissed at the request of the appellant the appeal of Station KOMO, Seattle, Washington, whose frequency was changed by the Commission.

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February 4, 1933.

## INTERFERENCE DISCUSSED BY LAFOUNT

Discussing the question of interference with broadcast reception, Commissioner LaFount this week made the following public statement:

"Much has been done by the Federal Radio Commission and the broadcasters of this country to eliminate interference with the reception of broadcast programs. There is, however, a form of interference which neither can remedy, but which can be materially reduced and perhaps entirely eliminated by the installation of a proper antenna.

"There are three general sources of interference to broadcast reception, not including interference between stations. They are: natural static, which originates in the atmosphere; man-made interference, such as that caused by street cars, power lines, etc.; and man-made interference caused by the operation of electrical devices in buildings. Obviously the latter cannot be eliminated by either the broadcaster or the Commission. However, recently several manufacturers have placed inexpensive antenna kits on the market, designed to eliminate or greatly reduce the interference caused by these electrical devices in the same or in adjacent buildings.

"These outfits consist essentially of a short antenna wire to be suspended in the clear as far above the roof as practicable with a small transformer connected to the antenna and from the transformer shielded lead-in conductors to the broadcast receiver. In some cases a filter in the power line supply is also desirable. This type of antenna should give reasonably clear reception from nearby stations to many listeners now troubled with local electrical noise caused by local electrical machinery.

"There is no provision in the radio law or any other federal statute for the control or elimination of interference due to electrical devices. Some cities have local ordinances designed to control man-made interference but locating the sources of such interference is a tedious, difficult and expensive matter."

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## LAFOUNT PROPOSES NETWORK ORDER

Commissioner Harold A. LaFount proposed two resolutions to the Commission at a session this week on which no action has been taken.

In one of them he proposed an order that "no broadcasting station licensed by this Commission and not now presenting identical programs simultaneously with other stations connected by wire, and generally known as chain or network, shall be added to the said chain or network without the consent of this Commission."

The other proposed order provides that "a program shall not be broadcast simultaneously over two or more stations in the same city without the consent of the Federal Radio Commission".

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February 4, 1933.

#### TAX ON RADIO ADVERTISING

The tax bill now pending in the Texas legislature would impose a two per cent tax on gross receipts of any person engaging within the state "in any business of procuring or giving advertising or publicity (including radio broadcasting) for other persons".

The same bill imposes a tax on one-fourth of one per cent of the gross receipts of any person "in any business of printing and/or publishing newspapers, magazines, periodicals and/or books."

The bill bears the number H 214 and was introduced by Representative Parkhouse. It has been referred to the Committee on Revenue and Taxation.

Another Texas bill (S T No. 005), submitted with the Governor's message would impose a tax of three per cent upon the "procuring or giving advertising or publicity (including radio broadcasting)" and a similar tax of three per cent upon the "printing and/or publishing newspapers, magazines, periodicals and/or books".

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#### LUXEMBOURG STATION CARRIES ADVERTISING

A powerful radio station now nearing completion in the Duchy of Luxembourg will be devoted to international commercial advertising providing a coverage in different languages, according to a report to the Commerce Department's Electrical Division from Commercial Attache Jesse Van Wickel, The Hague, Netherlands.

Barred in the Netherlands, as in most European countries, from advertising over the radio, commercial interests under auspices of a Franco-German combine plan soon to use the Luxembourg station from 8 a. m. to 2 p. m. as an advertising outlet. Sponsors of the station claim an extensive European coverage.

With an output of 200 kilowatts, the station will be one of the most powerful in the world and will operate on 1,191 meters with a long wave. Experimental work is now in its final stage. Rates for general programs are set at \$240 an hour, while plays, lectures, and similar broadcasts will cost from \$70 to \$132 per quarter and half hour. Advertising rates are \$92 per announcement for a text of 60 words.

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#### RUMANIA DEVELOPING RADIO FACILITIES

Rumania is making progress in its plan to develop a radio broadcasting system, and that market promises to become increasingly important from the standpoint of American producers of radio equipment, according to a survey of that market to be published soon by the Commerce Department's Electrical Division.

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February 4, 1933

#### EDUCATION INSTITUTE MEETS MAY 3 - 6

The fourth meeting of the Institute for Education by Radio will be held at Ohio State University, Columbus, Ohio, from May 3 to May 6. In previous years these meetings, which are noted for open and frank discussion of questions on radio education, have been attended by leading educators and broadcasters from all over the United States and foreign countries. Their contributions have appeared in the published proceedings under the title of "Education on the Air".

This year sessions will be devoted to the following subjects: use of radio in the schools; methods of presenting educational programs; ways in which the listener can be advised as to the educational programs on the air; studies of the audience response to programs and ways of measuring it. As a special feature of this meeting broadcasters will bring sample recordings of programs already successfully broadcast. These recordings will be played for the members of the Institute and the broadcaster will explain why certain methods of presentation were used.

At the 1933 meeting, in addition to the regular sessions, round tables will be held on special phases of educational broadcasting. Round tables will be held on the topics: commercial stations and educational organizations; college and university stations; school broadcasting; and research in radio education. Many outstanding speakers have already been secured and the complete program will be announced shortly.

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#### COLLEGE STATIONS WANT SUBSIDY

A report of a survey of 71 land grant colleges and state universities conducted by the National Committee on Education by Radio in cooperation with the Department of Agriculture and the U. S. Office of Education observes that college stations should be aided financially by the federal and state governments.

In a current issue of "School Life", Dr. Cline M. Koon, senior specialist in education by radio in the Office of Education, states that lack of funds prevents all but 24 institutions from operating stations of their own, although 29 others make use of facilities of commercial stations.

From opinions of 270 educational administrators, over 90 per cent favored some sort of increase in facilities. Sixty per cent of 361 others favored an attempt to establish radio stations in the colleges where they are lacking.

Dr. Koon stated further that 23 of the 24 institutions owning radio broadcasting equipment reported \$720,000 invested, 20 reported maintenance cost of more than \$25,000 for 1930-1931, while 24 reported operating expenses above \$200,000 for the same period.

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#### PANAMA RATIFIES WASHINGTON TREATY

During the current week Minister Alfaro of Panama delivered to the State Department ratification in writing by his government of the radio telegraph convention signed in Washington in 1927.

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February 4, 1933.

#### NORTH AMERICAN CONFERENCE APPROPRIATION

President Hoover this week transmitted to Congress a communication from Director of the Budget Reop stating that enough of the \$80,000 appropriation made for the delegates to the Madrid Radio Conference is left over to take care of the North American delegates at the conference to be held in Mexico City. Congress is asked to allow the State Department to use the unexpended balance from the Madrid Conference for the Mexican conference. The communication has been referred to the House Committee on Appropriations.

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#### RECOMMENDS DENIAL OF TELEVISION PERMIT

Examiner Hyde, in his report No. 450, recommended the denial of an application for construction permit for experimental visual and sound broadcasting station filed by The Visual Radio Corporation, Watsonstown, Pennsylvania.

The Examiner stated, "The applicant has not made a strong showing as to technical ability or as to financial ability.\*\*\*the evidence raises a serious question as to whether the applicant's plan is workable. It also appears that the particular frequency requested is not available for use at applicant's location".

The corporation asked for the use of the frequency band from 2200 to 2300 kilocycles with 1,000 watts power.

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#### 8,855 INSPECTIONS IN SIX MONTHS

Records received by the Field Division of the Radio Commission from its district offices shows that a good record is being made in all parts of the country. The Commission, this week, issued the following statement in connection with this work:

"When the Radio Division of the Department of Commerce was transferred to the Commission under the Economy Act and the President's Executive Order, the Field Force was completely reorganized, eliminating much overlapping, and effecting substantial savings by reducing the personnel, office rents, and duplication of files and correspondence. Tabulation of the work being done by the Field Force justifies the hopes and expectations of the Commission.

"Besides accomplishing a vast amount of routine work, including much correspondence, many personal interviews, etc. the Field Division has just reported that during the first 6 months of the present fiscal year it has performed the following duties:

"Made 8,855 station inspections, including ship, broadcast, amateur and aircraft stations.

"Conducted 9,222 examinations for operators' licenses.

"Made 40,959 frequency measurements; issued 11,780 operators' licenses."

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February 4, 1933.

#### NORTH AMERICAN CONFERENCE PARLEY

The Department of State has sent out invitations to all organizations interested in the North American Radio Conference to attend the first preliminary meeting to be held at the State Department on Monday, February 6. The conference will discuss the general situation and provide for additional preparatory meetings to be held later.

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#### SOUTH CAROLINA PASSES BILL

The South Carolina House has passed a bill (H 27) providing that the "heads, or governing boards, of State institutions of higher learning are hereby authorized and directed to permit, under reasonable regulations, to be prescribed by them, the broadcasting by radio of athletic contests wholly between such South Carolina institutions". The measure now goes to the Senate.

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#### WIBO CASE IN SUPREME COURT

The Supreme Court of the United States was asked to review the decision of the Court of Appeals of the District of Columbia in the case denying the application of Station WJKS, Gary, Indiana, for the facilities of Station WIBO, Chicago, Illinois. Station WJKS requested full time on the 560 kc channel, which it now shares with WIBO and WPCC, also of Chicago, and the application was granted by the Commission. The Court of Appeals reversed the Commission and the Government and Station WJKS are now asking the Supreme Court to review the case.

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#### ILLINOIS WOULD TAX RADIO

Radio broadcasting companies and advertising agencies would be subjected to taxation under an amendment introduced to the sales tax bill (S 156) in the Illinois Senate. The bill is on second reading in the Senate and action on amendments to the measure will be taken on Tuesday, February 7.

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#### AMERICAN AND EUROPEAN PROGRAMS STUDIED

Study of American and European radio programs is being undertaken by an Australian broadcasting commission in order to improve the radio programs of that country, according to a report to the Commerce Department's Electrical Division from Assistant Trade Commissioner H. P. Van Blarcom, Sydney.

A member of the commission has already sailed for an extended tour of European and American cities, and an invitation from the commission has been extended to Dr. Malcolm Sargent, the English conductor, to visit Australia during July and August of this year for the purpose of organizing symphony orchestras of 50 members each in Sydney and Melbourne.

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February 4, 1933

#### ECKHARDT HEADS AAAA COMMITTEE

Henry Eckhardt of Kenyon & Eckhardt Inc., New York, has been appointed Chairman of Committee on Agency Practice of the American Association of Advertising Agencies. Members of the Committee include: Harrison Atwood, McCann-Erickson, Inc., New York; George T. Eager, Batten, Barton, Durstine & Osborn, Ind., New York; William Reydel, Newell-Emmett Company, Inc., New York; Willard S. French, Brooke, Smith & French, Inc., Detroit; L. W. Baillie, J. Walter Thompson Company, New York; and Winthrop Hoyt, Charles W. Hoyt, Inc., New York.

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#### U. S. OFFICE MAKES NEW SURVEY

The U. S. Office of Education is making a survey of the radio and visual education courses in colleges and universities for the purpose of making available information including a list of institutions which give courses in these fields. The survey is being conducted under the supervision of Miss Bess Goodykoontz, assistant commissioner of education.

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#### KEEPING RADIO AWAY FROM POLLS

A bill (H 366) barring the use of the radio for electioneering one hundred feet of the polls was introduced in the Nebraska House on January 27, by Representative Muir. The bill has not yet been referred.

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#### MASSACHUSETTS WOULD INVESTIGATE

The bill (H 823) providing for the appointment of a special committee to investigate the subject of radio broadcasting in the state has been introduced in the Massachusetts House. The bill was introduced on January 17 and was referred to the State Administration Committee.

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#### KANSAS SLANDER BILL

A bill (H 155) providing for a fine of \$1,000 for slander by radio has been introduced in the Kansas House. The bill was introduced by Representative Roth. It has not yet been referred.

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February 4, 1933

#### POWER INCREASE DENIED STATION

License renewal applications were granted this week by the Commission to Stations WAWZ, Zarephath, New Jersey, WBNX, New York City, and WMSG, New York City in sustaining Examiner R. W. Hyde in his Report No. 407. The Commission also sustained the Examiner in denying the application of Station WORC-WEPS, Worcester, Massachusetts, to change its frequency from 1350 to 1200 kilocycles, and to increase its power from 100 to 250 watts. The Commission also denied as in default the application for a construction permit of Louis Reis, New York City for a new station to use 1350 kilocycles with 250 watts power.

The Commission found that the public interest would be served by granting the renewal applications inasmuch as the stations were each rendering "generally meritorious broadcast service." It was also found that no evidence was offered in support of the application of Louis Reis. Although station WORC-WEPS is now rendering good broadcast service the Commission did not think the record showed that Stations WCDA, WMSG, WBNX, and WAWZ should be taken off the air which would have been necessary had the station's application been granted.

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#### JACKSON, MISSISSIPPI MOVE BLOCKED

The Radio Commission this week sustained Examiner Elmer W. Pratt in his Report No. 439 recommending that the application of the Attala Milling & Produce Company which had a construction permit to erect a station at Kosciusko, Mississippi, to erect the station at Jackson, Mississippi, be denied.

The Commission found that Jackson and vicinity now receive good broadcast service from the station there and several others elsewhere "and there does not appear to be any substantial need in that area for the additional service proposed." It was also found by the Commission that Kosciusko does not now receive any consistently satisfactory broadcast service "and there appears to be far more need in Kosciusko than there is in Jackson for the service of the new station."

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#### EXAMINER HYDE UPHELD

Examiner R. H. Hyde was sustained this week in his recommendation in Report No. 433 renewing the license of Station WHAT, Philadelphia on 1310 kilocycles sharing one-third time with WTEL. License renewal was also granted WCAM, Camden, New Jersey, on 1280 kilocycles sharing time with Stations WOAX and WCAP. The Commission also denied a modification of the license of Station WTEL, Philadelphia so as to require WCAM to enter into a time sharing agreement with WTEL and WHAT.

The Commission found that the public interest would not be served by the granting of either of the applications for modification of the license of Station WTEL. It was further found that the renewal of the licenses of Stations WCAM and WHAT would serve public interest.

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February 4, 1933

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, February 6, 1933. All commence at 10 a.m.

THURSDAY, FEBRUARY 9, 1933

Docket #1685	WNBO	John Brownlee Spriggs Silver Haven, Pennsylvania	Mod. of C. P. to move station to Monongahela	1200 kc, 100 watts, unlim- ited time.
Docket #1754	WCAE	WCAE, Inc. Pittsburgh, Pennsylvania	C. P. to move transmitter out- side Pittsburgh	1220 kc, 1 KW unlimited time.
Docket #1829	WHBC	Edward P. Graham Canton, Ohio	C. P. to install new equipment	1200 kc, 100 watts, speci- fied hours.

Present Assignment: 1200 kc, 10 watts  
specified hours.

FRIDAY, FEBRUARY 10, 1933

Docket #1853	NEW	Herman Radnor Lansing, Michigan	C. P.	1210 kc, 100 watts, un- limited time.
Docket #1898	NEW	Harold F. Gross, M. B. Keeler and L. A. Versluis, d/b as Capitol City Broadcasting Co. Lansing, Michigan	C. P.	1210 kc, 100 watts, 250 watts LS, unlimited time

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ORAL ARGUMENTS

The following applications were granted oral arguments before the Commission en banc, to be heard March 8, 1933.

Ex. Rep. No. 437	WFBM	Indianapolis Light & Power Company Indianapolis, Indiana
	WSBT	South Bend Tribune South Bend, Indiana
Ex. Rep. No. 441	KLX	The Tribune Publishing Company Oakland, California
Ex. Rep. No. 442	NEW	Thirty-First Street Baptist Church Morris Coers, Pastor Indianapolis, Indiana

February 4, 1933

ORAL ARGUMENTS (continued)

Ex. Rep. No. 443	NEW	American Legion, Department of Missouri Donald Holden Post 106 Albany, Missouri
	KFWF	St. Louis Truth Center St. Louis, Missouri
	WIL	Missouri Broadcasting Corporation St. Louis, Missouri

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WBEN	WBEN, Inc. Buffalo, New York	C. P. for experimental visual broadcasting service.
KGBX	KGBX, Inc. Springfield, Missouri	C. P. to change frequency from 1310 to 1340 kc, and increase power from 100 to 250 watts. (Facilities of KGIZ).
WDBO	Orlando Broadcasting Co. Inc. Orlando, Florida	Mod. of Lic. to increase power from 250 watts to 500 watts night, 1 KW day. (Facilities of WRUF).
WMBD	Peoria Broadcasting Co. Peoria, Illinois	Mod. of Lic. to decrease daytime power from 1 KW to 500 watts, and increase hours of operation from sharing with WTAD to unlimited. (Facilities of WTAD).
KDYL	Intermountain Broadcasting Corp. Salt Lake City, Utah	Mod. of Lic. to change frequency from 1290 to 780 kc. (Facilities of KELW and KTM).
KFAC	Dos Angeles Broadcasting Co. Los Angeles, California	Mod. of Lic, to change frequency from 1300 to 780 kc; change power from 1 KW to 500 watts night, 1 KW daytime, and increase hours of operation from half time to unlimited (facilities of KTM and KELW).
WNBW	WNBW, Inc. Carbondale, Pennsylvania	Renewal of license.

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February 4, 1933

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

WMCA	Knickerbocker Broadcasting Co. Inc. and The Central New York Broadcasting Corporation New York, N. Y.	The Commission overruled the Demurrer to Notice of Appearance and Statement of Facts to be proved; denied the motion to dismiss in Docket 1855; granted a continuance of hearing for period of 60 days from January 24.
WMAL	M. A. Leese Corporation Washington, D. C.	Granted a petition of the National Committee on Education by Radio, to intervene at a hearing of application to lease station WMAL to the National Broadcasting Co. This case will be heard on February 15.
WJZ	National Broadcasting Co. New York, N. Y.	Special authorization for increase of power from 30 KW to 50 KW granted on January 13, 1933, suspended, and station ordered to use only 30 KW power pending outcome of a hearing scheduled because of protest of station WJR, Detroit, Michigan.

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APPLICATIONS RETURNED

During the current week the following applications were returned by the Commission either at the request of the applicant or for the reason they did not comply with regulations: WGBF, Evansville, Indiana; WLTH, Brooklyn, N. Y.; KFXF, Denver, Colorado; WTAR, Norfolk, Virginia; William L. Slade, Hamilton, Ohio.

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RENEWALS GRANTED

During the current week the Commission granted applications for renewal license for the regular period to the following stations: WLWL, New York, N. Y., WOI, Ames, Iowa; KMPC, Beverly Hills, California.

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ADOPT ORDER REGARDING ISSUANCE OF RADIO OPERATORS' LICENSES

The Commission adopted the following order, which was submitted by Commissioner Lafount on January 30, 1933:

"IT IS ORDERED: That Section 15 of the Rules and Regulations Governing the Issuance of Radio Operators' Licenses, except amateur, be suspended until July 1, 1934, in so far as it requires employment, service or examination as a condition precedent to obtaining a renewal of the same class of license."

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February 4, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
	<u>FIRST ZONE</u>	
WRNY	Aviation Radio Station Inc. New York, N. Y.	Granted consent to vol. assign. of lic. to Marcus Loew Booking Agency.
WTBO	Interstate Brdcstg. System, Inc. Cumberland, Maryland	Granted consent to vol. assign. of lic. to Associated Broadcasting Corp.
WPRO- WPAW	Cherry & Webb Broadcasting Co. Providence, Rhode Island	Granted C. P. to move transmitter and studio from Cranston, R. I., to Providence, Rhode Island.
WTAG	Worcester Telegram Publishing Co. Inc., Worcester, Massachusetts	Granted Mod. of Lic. to increase day power from 250 to 500 watts.
WRAK	Clarence R. Cummins Williamsport, Pennsylvania	Granted ren. of lic., 1370 kc, 100 watts, shares with WJEQ. Also granted consent to vol. assign. of lic. to WRAK, Inc.
WJEQ	Sun-Gazette Broadcasting Co. Williamsport, Pennsylvania	Granted consent to vol. assign. of C. P. to WRAK, Inc.
WMAL	M. A. Leese Radio Corp. Washington, D. C.	Equipment test period extended 10 days from January 23.
WCAG	Connecticut Agricultural College Storrs, Connecticut	Granted special authority to operate 8 to 9:30 p.m., EST, February 4, Station WICC to remain silent.
WQAO- WPAP	Calvary Baptist Church New York, N. Y.	Granted consent to Vol. assign. of lic. to Marcus Loew Booking Agency.
WCAD	St. Lawrence University Canton, New York	Granted special authority to operate from 4 to 5 p.m., EST, Sunday, February 12.
	<u>SECOND ZONE</u>	
WHBC	Edward P. Graham Canton, Ohio	Granted Mod. of C. P. extending commencement date from March 22, 1932 to January 18, 1933 and completion date from June 22, 1932 to February 18, 1933.
WJW	Mansfield Broadcasting Association. Akron, Ohio	Granted consent to vol. assign. of lic. to WJW, Inc.

February 4, 1933

APPLICATIONS GRANTED (continued)

SECOND ZONE (continued)

WJBK	James F. Hopkins, Inc. Detroit, Michigan	Granted Mod. of Lic. to increase night-time power from 50 to 100 watts.
WKAR	Michigan State College E. Lansing, Michigan	Granted Mod. of Lic. to change specified hours of operation to as follows: Daily except Sunday: 11 to 11:45 a.m.; Daily except Saturday and Sunday, 1 to 2:15 p.m. Mondays only, 12:30 to 1 p.m., CST.
WCAU	Universal Broadcasting Co. Philadelphia, Pennsylvania	Granted Mod. of Lic. to change name to WCAU, Broadcasting Company; also same for auxiliary transmitter.

THIRD ZONE

WJBO	Baton Rouge Brdcstg. Co, Inc. Baton Rouge, Louisiana	Granted Mod. of C. P. approving transmitter location at Heidelberg Hotel, Baton Rouge, and extending commencement date to 30 days from this date and completion date to May 31.
KWEA	Hello World Brdcstg. Corp. Shreveport, Louisiana	Authority to remain silent pending action on C. P. and renewal applications granted to March 1.
WAML	Southland Radio Corp. Laurel, Mississippi	Authorized to begin program tests at 1 p.m. February 1, 1933.
WSPA	Virgil V. Evans, d/b as The Voice of South Carolina Spartanburg, South Carolina	Granted authority to take depositions in re application for C. P., a hearing on which is set for February 14.
NEW	John Tindale Abilene, Texas	Granted authority to take depositions in re application for C. P., a hearing on which is set for March 1.
WNAD	University of Oklahoma Norman, Oklahoma	Granted special authority to operate from 8:30 to 10:30 p.m., CST, March 20, provided Station KGGF remains silent,

FOURTH ZONE

WDGY	Dr. George W. Young Minneapolis, Minnesota	Granted C. P. to move transmitter within the building.
WCFL	Chicago Federation of Labor Chicago, Illinois	Granted Mod. of C. P. extending completion date from March 27 to September 1, 1933.

February 4, 1933

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

KSO	Iowa Broadcasting Co. Des Moines, Iowa	Granted authority to determine licensed power by direct measurement of antenna input in compliance with Rule 137.
KFEQ	Scroggin & Co. Bank St. Joseph, Missouri	Granted authority to operate from 2 to 3 a.m., CST, on February 4, 1933.

FIFTH ZONE

KREG	J. S. Edwards Santa Ana, California	Granted consent to vol. assign. of C. P. to The Voice of the Orange Empire, Inc. Ltd.
KICA	Southwest Broadcasting Co. Clovis, New Mexico	Granted renewal of license for term February 1, to July 1, 1933.

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LICENSE RENEWAL APPLICATIONS

The Commission has received the following applications for renewal licenses: WAAM, Newark, New Jersey; WGCP, Newark, New Jersey; WLTH, Brooklyn, New York; WRC, Washington, D. C.; WRC, Washington, D. C. (auxiliary); WREN, Lawrence, Kansas; KFBB, Great Falls, Montana; KLPN, Minot, North Dakota; KTRH, Houston, Texas; KFXF, Denver, Colorado; WGBI, Scranton, Pennsylvania; WCAE, Pittsburgh, Pennsylvania; WCAE, Pittsburgh, Pennsylvania (auxiliary); WDAE, Tampa, Florida; WDAY, Fargo, North Dakota.

WDBJ, Roanoke, Virginia; WEBC, Superior, Wisconsin; WFBM, Indianapolis, Indiana; WHAD, Milwaukee, Wisconsin; WISN, Milwaukee, Wisconsin; WNBZ, Saranac Lake, New York; WRHM, Minneapolis, Minnesota; WRR, Dallas, Texas; WTAW, College Station, Texas; KDYL, Salt Lake City, Utah; KGCA, Decorah, Iowa; KGGF, Coffeyville, Kansas; KGHL, Billings, Montana; KMA, Shenandoah, Iowa; KRSC, Seattle, Washington.

KWLC, Decorah, Iowa; KWWG, Brownsville, Texas; KOAC, Corvallis, Oregon; WBRC, Birmingham, Alabama; WKAQ, San Juan, Porto Rico; KFSG, Los Angeles, California (and auxiliary); KSAC, Manhattan, Kansas; WDAF, Kansas City, Missouri; WLBW, Erie, Pennsylvania; WNAC-WBIS, Boston, Massachusetts; WLBL, Stevens Point, Wisconsin; WDSU, New Orleans, Louisiana; WEBC, Superior, Wisconsin (auxiliary); WLB-WGMS, Minneapolis, Minnesota; WNAD, Norman, Oklahoma; KGGM, Albuquerque, New Mexico.

KMBC, Kansas City, Missouri; KRGV, Harlingen, Texas; KTSA, San Antonio, Texas; WNOX, Knoxville, Tennessee; KFWI, San Francisco, California; KOIN, Portland, Oregon; KYA, San Francisco, California; WCSH, Portland, Maine; WDEL, Wilmington, Delaware; WDOD, Chattanooga, Tennessee; WFBR, Baltimore, Maryland; WFOX, Brooklyn, New York; WIBA, Madison, Wisconsin; WIS, Columbia, South Carolina.

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February 4, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>FREQUENCY</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-LB-939	WRC	950	National Brdcstg. Co. Inc. Washington, D.C.	License to cover C. P. for changes in auxiliary transmitter granted 11/9/32.
1-MLB-1128	WINS	1180	American Radio News Corp. New York, N. Y.	Mod. of lic. to increase operat- ing power from 500 watts to 1 KW.
1-MLB-1127	WESG	1040	Cornell University Elmira, N. Y.	Mod. of lic. to change hours of operation from Daytime to local sunset to Daytime to sunset at dominant station.
1-PB-2758A	WBAL	1060	Consolidated Gas Elec- tric Light & Power Co. Baltimore, Maryland	C. P. to change transmitter lo- cation from Glen Morris, Md. to Baltimore, Md., and install new antenna system. Amended to change proposed transmitter lo- cation to Pikesville, Md.
1-MLB-1131	WILM	1420	Delaware Brdcstg. Co. Wilmington, Delaware	Mod. of lic. to change hours of operation from Specified hours to Sharing with Station WAZL.
<u>SECOND ZONE</u>				
2-PB-2785	NEW	1310	J. R. Vancuren Logan, Ohio	C. P. for new station to use 1310 kc, 4 watts, daytime.
2-ALB-498	WNBW	1200	G. F. Schiessler & M.E. Stephens d/b as Home Cut Glass & China Co. Carbondale, Pa.	Consent to voluntary assign- ment of license from WNBW, Inc.
2-MLB-1130	WAZL	1420	Hazleton Brdcstg. Ser- vice, Inc. Hazleton, Pa.	Mod. of lic. to change hours of operation from Specified Hours to Sharing with Station WILM.
<u>THIRD ZONE</u>				
3-MPB-415	KNOW	1500	KUT Brdcstg. Co. Austin, Texas	Mod. of C. P. granted 10/7/32 for new transmitter to request authority to change transmitter location locally to Driskill Hotel, Austin, Texas.

February 4, 1933

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

3-PB-2560	WJBY	1210	Gadsden Brdcstg. Co. Inc. Gadsden, Alabama	C. P. to move transmitter and studio to 112 N. 8th St., Gadsden, Alabama, and make changes in equipment. Amended to omit request to move transmitter.
3-PB-2793	WMAZ	1180	Southeastern Brdcstg. Co. Inc., Macon, Georgia	C. P. to make changes in equipment.
3-ALB-491	WBHS	1200	W.T., M.M., W.C. and V.F. Hutchens, d/b as The Hutchens Company Huntsville, Alabama	Vol. assign. of Station lic. to Radio Station WBHS, Inc.
3-PB-2696	KLCN	1230	Charles Leo Lintzenich Blytheville, Arkansas	C. P. to make changes in equipment, move locally, change frequency from 1290 to 1500 kc, increase power from 50 watts to 100 watts and hours of operation from daytime to unlimited. Amended to omit request for change of frequency and hours of operation.
3-MLB-115	WGCM	1210	Great Southern Land Co. Mississippi City, Miss.	Mod. of lic. to change hours of operation from Unlimited to Specified Hours.
3-PB-2800	NEW	1420	William Avera Wynne Greenville, N. C.	C. P. for new station to use 1420 kc, 100 watts, daytime.

FOURTH ZONE

4-PB-2792	WDGY	1180	Dr. George W. Young Minneapolis, Minn.	C. P. for new transmitter and changes in equipment.
4-PB-2795	KGCU	1240	Mandan Radio Association Mandan, No. Dakota	C. P. to make changes in equipment and increase operating power from 250 to 500 watts.
4-MPB-414	KFOR	1210	Howard A. Shuman Lincoln, Nebraska	Mod. of C. P. granted 8/30/32 to extend date of commencement and completion to 2/29/33 and 5/29/33 respectively.

February 4, 1933

APPLICATIONS RECEIVED (continued)

FOURTH ZONE (continued)

4-PB-2798	KGDY	1200	Voice of South Dakota Huron, South Dakota	C. P. to make changes in equip- ment, change frequency from 1200 kc to 1340 kc, increase power from 100 watts to 250 watts and change hours of operation from Unlimited to Daytime.
4-PB-2799	NEW	1500	Raymond M. Brannon Fremont, Nebraska	C. P. to erect a new station to operate on 1500 kc, 10 watts, daytime.
4-APLB-12	KFOR	1210	Howard A. Shuman Lincoln, Nebraska	Vol. assign. of station lic. and C. P. No. 4-PB-2664 to Cornbelt Broadcasting Corporation.
4-MLB-1129	WILL	890	University of Illinois Urbana, Illinois	Mod. of lic. to change power from 250 watts night, 500 watts LS to 250 watts night, 1 KW LS. This application amends 4-SAB-26 which requested increase power to 500 watts night experimentally and 1 KW to LS. Requests facili- ties of WKBS (0.2) quota units.

FIFTH ZONE

5-PB-2794	KOA	830	National Brdcstg. Co. Inc. Denver, Colorado	C. P. to make changes in present transmitter.
5-SAB-29	KRSC	1120	Radio Sales Corp. Seattle, Washington	Special authorization to change hours of operation from Daytime to Unlimited, experimentally.
5-MLB-1107	KFXJ	1200	R.G. Howell & Chas. Howell d/b as Western Slope Broadcasting Company Grand Junction, Colorado	Mod. of lic. to change hours from Specified Hours to Unlimit- ed. Facilities KGEW, Fort Mor- gan, Colorado. Resubmitted without change. Requests be considered under 6 (d) for facili- ties KGEW and 6(g) for facili- ties in excess of KGEW.
5-ALB-497	KJR	370	Northwest Brdcstg. System Inc., Seattle, Wash.	Vol. assign. of lic. to Fisher's Blend Station, Inc.
5-LB-940	KNX	1050	Western Broadcast Co. Los Angeles, California	License to cover C. P. granted 1/13/33 for changes in equip- ment.
5-LB-941	KIEV	850	Cannon System, Ltd. Glendale, California	License to cover C. P. granted 9/23/32 for new station.

## BROADCASTERS'



## NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

February 11, 1933.

## NORTH AMERICAN CONFERENCE

Announcement was made this week of the appointment of Judge Eugene O. Sykes, acting chairman of the Federal Radio Commission, and Senator Wallace H. White, Maine, as delegates of the United States to the North American Radio Conference which is now tentatively scheduled to be held in Mexico City next April.

Fifty persons attended the meeting at the State Department last Monday during which preliminary discussions in connection with the conference were held.

There is a disposition on the part of the Government to speed up preparations for the conference and a second preparatory meeting will be held later this month.

The Board of Directors of the National Association of Broadcasters will meet in Washington on February 20. The most important matter to come before the Board will be the formulation of a definite policy to be followed by the broadcasters in connection with the conference.

Every station in the United States is vitally interested in the forthcoming conference. The issues involved are of the utmost importance to both small and large stations.

February 11, 1933.

#### DAVIS BILL PASSES SENATE

The Senate on Friday afternoon passed the Davis Bill (HR 7716) with few minor amendments. The bill passed the House last session and now goes to conference. A conference report will be brought in at an early date.

The bill passed substantially as it was reported by the Senate Interstate Commerce Committee on January 11, following the hearing in which the National Association of Broadcasters participated.

The bill, as passed, follows the bill as reported from Committee, a digest of the principal provisions of which was contained in the BROADCASTERS NEWS BULLETIN, issue of January 14.

On Thursday, Senator Dill stated that he proposed to bring up the bill at the first opportunity during a morning hour. On Friday, however, the Senate found time to consider the measure while awaiting an appropriation bill and Senator Dill decided to call up the measure.

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#### MISS FORTIER TURNS TO LAW

Miss Olivine Fortier, for more than two years secretary to the Managing Director, has resigned her position as of February 1, and has entered the private practice of law.

Miss Fortier is a graduate of National University Law School, holding the degrees of bachelor of laws and master of laws from that institution, and is a member of the bar of the Court of Appeals of the District of Columbia.

In a letter accepting Miss Fortier's resignation, the Managing Director said:

"I am certain that I express the feeling of the Officers and Directors as well as the membership of the Association when I say that your services have been greatly appreciated; and I am also certain that I express their attitude when I wish you happiness and success in the practice of your profession."

Miss Fortier has established offices in the National Press Building, Washington, D. C.

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#### BROADCASTING HELD MANUFACTURING

Owners and operators of broadcasting stations would be held to be manufacturers if the tax bill (H 184) before the Committee on General Taxation of Michigan legislature becomes law. Under the bill broadcasting stations would be subjected to the same taxes as manufacturing enterprises.

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February 11, 1933.

#### RAYBURN BILL HEARINGS POSTPONED

Representative Sam Rayburn of Texas, author of the new communication bill and chairman of the House Committee on Interstate & Foreign Commerce, stated this week that his Committee would not hold hearings on his bill at this session of Congress.

Mr. Rayburn asked the Federal Radio Commission for suggestions and criticism of his bill and suggestions have been submitted to him. It is believed that Mr. Rayburn intends to get suggestions from others and that he will probably rewrite his communications bill and have it ready for the special session of Congress to be held this spring, when he expects to push it for immediate action.

It is unlikely that final action will be taken on the Dill bill for levying taxes on radio licenses of various kinds. Senator Howell of Nebraska, is chairman of the subcommittee of the Senate Committee on Interstate Commerce which had charge of this bill. Hearings were held but no report has ever been made by the subcommittee on the bill to the full committee and it is not expected that any report will be made at this session.

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#### MAINE RADIO TAX BILL

A bill imposing a special radio tax (H 1067) was introduced in the Maine legislature on February 7 by Representative Lebel. The bill has not yet been referred.

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#### MASSACHUSETTS PLANS RADIO INVESTIGATION

Representative Logan of Boston has introduced in the Massachusetts legislature a bill (H 823) authorizing the Governor to appoint an unpaid commission of five members "for the purpose of investigating the subject of radio broadcasting and reception so that they (the commission) will be able to devise ways and means under which the commonwealth shall be enabled to erect radio broadcasting stations with such means of reception of radio broadcasting as will allow the citizens of the commonwealth to have free use of such radio methods, investigations or devices, under such insurance laws for the buildings so equipped with radio devices, for the purpose of free discussion, education or entertainment or other purposes which will maintain inviolate our inalienable rights of freedom of speech, all of which to promote the general welfare, our health, prosperity and happiness". The bill has been referred to the State Administration Committee.

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#### NAVY STATION MAY BE SOLD

The Senate on Friday passed a bill (S 2374) authorizing the Navy Department to convey to the city of Savannah, Georgia, the naval radio station, the buildings, and apparatus located upon land owned by the city. The bill now goes to the House.

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February 11, 1933.

## WOULD PERMIT BEER ADVERTISING

An amendment to the pending beer bill which would permit the advertising of 3.05 per cent beverages proposed to be legalized was introduced in the Senate this week by Senator Walsh of Massachusetts, on behalf of a minority group of the Senate Finance Committee. An amendment to the beer bill previously adopted by the Senate Judiciary Committee would prevent the advertising of beer both by radio and newspapers in dry states.

The following memorandum explaining the present status of the law was inserted in the Congressional Record this week by Senator Walsh:

"The Volstead Act prohibits the advertising by any means of 'liquor'. The Volstead Act defines liquor as used in the act to include all beverages containing one-half of 1 per cent or more of alcohol.

"The so-called 'Reed bone-dry amendment', passed in 1917, before the eighteenth amendment took effect, prohibits the sending through the mails of any advertisement of 'intoxicating liquors' to any place at which it is unlawful under local law to advertise such liquors. This act does not define the term 'intoxicating liquors'.

"Both of these restrictions on advertising are in existing Federal statutes.

"The House bill, providing for the manufacture, distribution, and sale of liquor containing 3.2 per cent, or less, of alcohol by weight, amends the definition of 'liquor' so that it does not include beer, ale, or similar fermented liquors containing 3.2 per cent, or less, of alcohol by weight.

"Therefore, under the House bill, the provision of the Volstead Act prohibiting the advertisement by any means of liquor would no longer prohibit the advertising of beer containing not more than 3.2 per cent of alcohol by weight, because the prohibition in the Volstead Act applies only to the advertising of liquor and, under the House bill, such beer would no longer be 'liquor' within the meaning of the Volstead Act. However, the effect of the House bill on the Reed 'bone-dry' amendment is uncertain. A doubt exists because this act does not define intoxicating liquors. This doubt should have been removed by a clear statement in the House bill that the provision of the Reed 'bone-dry' amendment does not apply to the liquor authorized therein.

"The bill reported by the Judiciary Committee of the Senate, and which is now pending in the Senate, provides in one section that nothing in the national prohibition act shall apply in any way to beer, wine, and fruit juices containing not more than 3.05 per cent of alcohol by weight; but there is another section of the bill which contains the so-called 'Dill amendment' which prohibits the advertising of liquor authorized by the bill in dry States. Furthermore, there is the same doubt as to the effect of the Reed 'bone-dry' amendment on the provisions of this bill, which amendment is not repealed.

"The so-called 'Dill amendment', providing for prohibiting the advertising of non-intoxicating liquors, such as beer and other liquors of alcoholic content of less than 3.05 per cent in dry States, would mean that all newspapers and radio advertising would be forbidden unless - which is not possible - it could be shown that a newspaper printed in a wet State never went outside the borders of that State into a dry State."

February 11, 1933.

#### EDUCATION PROGRAM EXCHANGE PLANNED

Members of the National Association of Broadcasters are urged to cooperate with the U. S. Office of Education in the institution of a new service which will be of great value to all broadcasting stations and to the public generally.

Within the next few days all stations will receive a letter from Commissioner William John Cooper pointing out that the Office of Education has received information indicating that a large percentage of the radio stations of the United States are cooperating with educational organizations and officials in broadcasting educational features.

Some of these broadcasts dealing with timely educational topics are of exceptional merit, Commissioner Cooper says, and would be welcomed additions to radio programs in other sections of the country.

The Office of Education will ask stations to send in a select list of educational broadcasts which they are willing to mimeograph and make available to other radio stations, the Office of Education assuming the responsibility for disseminating the information.

All NAB members are urged to cooperate with other stations and with the Office of Education in this constructive project. The letter of the Commissioner of Education will explain in detail how stations can cooperate.

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#### ASKS REHEARING IN SHULER CASE

Attorneys for the Rev. "Bob" Shuler this week petitioned the Supreme Court of the United States for a rehearing on its request for a review of the case. The petition for a writ of certiorari has been refused by the Court. The question which the Shuler attorneys ask the Supreme Court to decide is whether the Federal Radio Commission may refuse to renew a broadcasting station license because of the broadcasting of utterances which, if published in the press or spoken from the platform, would fall within the protection of the First Amendment to the Constitution against any analogous governmental action.

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#### DAVIS BILL PASSED OVER

The Davis Bill (HR 7716) proposing a number of amendments to the Radio Act of 1927 and prohibiting the broadcasting of lotteries, was passed over when it came up in the Senate this week. The bill was passed over and Senator Dill served notice that "at the first opportunity in a morning hour I should like to have the bill taken up". "It is very important that this legislation be passed at this session," he declared in the Senate.

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February 11, 1933

## COURT ARGUMENTS HEARD

Arguments were held this week in the Court of Appeals of the District of Columbia in three radio cases.

One of the cases is known as the WOQ case. KFH applied for full time on 1300 kilocycles which is the frequency on which WOQ operates. The Commission granted the application with WOQ appealing.

The second argument was that of WNYC, New York City municipal station. Station WPPC, also New York City, asked for the frequency used by WNYC and the Commission granted this giving WNYC the frequency used by WPPC. WNYC appealed this decision.

The third case involved the changing of the frequency of KSEI, Pocatello, Idaho, from 900 to 890 kilocycles which was granted by the Commission against which Station KFPY, Spokane, Washington, protested. The latter station had asked for a construction permit on 890 kilocycles.

An appeal was filed also this week in the Court of Appeals of the District of Columbia by Station KWEA, Shreveport, Louisiana. This station had a hearing before an Examiner of the Commission asking for license renewal and permission to move to Baton Rouge, Louisiana. The Examiner ruled against the station. In the meantime the Commission, itself, gave WBJO, New Orleans, permission to move to Baton Rouge. KWEA appealed this decision of the Commission on the ground that as the Commission had allowed WBJO to move to Baton Rouge that it would not allow it (KWEA) to move there.

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## WOULD ASSESS RADIO PROPERTIES

Assessment of radio broadcasting properties for the purpose of taxation would become mandatory, if the bill (H 289) introduced in the Missouri legislature by Representative Maxey became law. The bill would amend Article 4, Chapter 59, Revised Statutes of Missouri, 1929, as follows:

"Section 985 a. It shall be the duty of the Commission to determine the value of all tangible and intangible property of all bridges, telephone, telegraph, water, gas, electric power and electric light companies, electric transmission lines, pipe line and express companies, railroads, street railways, radio broadcasting and common carrier companies, and any and all other public utilities, and to assess the same for all taxation purposes; provided, that the Commission shall not fix the assessed value of any such utility at a less sum than that accepted or determined by the public service commission of this state for rate-making purposes."

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## OREGON STATE OWNERSHIP BILL

The Oregon Utilities Commission is sponsoring a resolution in the Oregon legislature providing for adoption of a constitutional amendment for state operation of telephone, telegraphs or radio system. The resolution is now being studied.

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February 11, 1933.

### "BROADCASTING" ACQUIRES "BROADCAST ADVERTISING"

Acquisition by "Broadcasting Magazine", of Washington, of the publication rights to "Broadcast Advertising", formerly published in Chicago by Gustav Stamm, was announced this week by Broadcasting Publications, Inc. "Broadcasting Magazine", Trade Journal of the Broadcasting Industry, established in October, 1931, has taken over the circulation, advertising contracts, good will, etc. of the Chicago magazine, which suspended publication in January.

"Broadcast Advertising" has been published for nearly five years as a monthly. "Broadcasting Magazine" will continue as a semi-monthly, with Martin Codel as Editor and Sol Taishoff as Managing Editor. F. G. Taylor continues as Advertising Manager.

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### RADIO EMPLOYMENT DOWN

Reports have been received by the Bureau of Labor Statistics, Department of Labor from 39 radio manufacturers who gave their December employment at 18,172 a decrease of 9.3 per cent compared with November and of 13.1 per cent compared with December 1931. Reports from these same manufacturers showed that the average weekly December payroll was \$320,059 a decrease of 12.8 per cent compared with November and of 30.6 per cent compared with December 1931.

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### RADIO PROGRAM WINS PRAISE

Editor and Publisher, newspaper trade magazine, in the February 4 issue published an editorial praising the broadcast of the famous trial and acquittal of John Peter Zenger, accused of libeling the British governor of New York nearly 200 years ago. The historical broadcast was sponsored by Fleischmann's Yeast. The broadcast, says the editorial, serves as "an example of radio at its best as an educational force". "This paper has not hesitated in the past to criticise the inanities shown by much broadcasting," says the editorial. "In the present instance a bow to the makers of Fleischmann's Yeast, for an intelligent, useful program".

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### INTERVENE IN SHULER CASE

The American Civil Liberties Union this week filed a brief as friend of court in the Shuler case in the Supreme Court of the United States. The brief sets out that the decision of the Court of Appeals of the District of Columbia, upholding the Federal Radio Commission, abridges the constitutional right of freedom of speech. The license of Station KGEF, Los Angeles, California, was taken away by the Commission, because of statements made over the station by the Rev. "Bob" Shuler.

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February 11, 1933

#### FROM SOME OF THE WEEK'S OFFERS

An advertising agency offers 10 cents per inquiry about a fat-reducing tea, and says:

"You know your station -- we don't. If you have faith in your ability to produce inquiries, we are ready to go ahead with you, on the above-mentioned basis. If you haven't faith in your station, then of course, we could not be expected to have either! That's putting it up to you 'cold turkey', but we prefer to deal on an open and above-board basis."

Our idea of an "open and above-board basis" is the purchase of time at published rates and the presentation of a program in the public interest.

Here's another from radio advertising counselors who are offering the radio public a guitar course for \$1.00 with a money-back guarantee. All the station must do is to:

"Put the program on two or three times a day. All orders will come direct to your station. Send us 65 cents out of each dollar with the name and address of the purchaser. We send out the course and take care of all mailing costs. You have the balance of 35 cents on each order."

The announcement does not say if newspaper advertising space is being purchased on the same basis.

And another offer:

"Due to the tremendous volume we hope to reach, we have set the retail price of this book at 25 cents. We will allow you a 40% discount on all you sell. In other words, you sell the book at 25 cents, plus two cents postage, deduct ten cents on each order, and send the balance to us. We will take care of the rest. However, if this plan is unsatisfactory, we will be glad to send you any desired number, on a consignment basis."

But the only satisfactory plan to the good broadcaster is purchase of time at published card rates.

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#### GERMANS GET MORE RADIO SETS

There were 4,307,722 licensed radio receiving sets in Germany on January 1, 1933, compared with 4,077,347 sets on October 1, 1932, an increase of 239,375 sets in the last quarter of 1932, according to a report to the Commerce Department's Electrical Division from Assistant Trade Commissioner A. Douglas Cook, Berlin. On January 1, 1932 there were 3,980,852 licensed sets in the Reich, an increase of 326,870 sets over 1931, or a rise of about 8 per cent. On the basis of the total population of Germany of 64,776,000, there were on January 1, 1933, about 66 sets per 1,000 inhabitants in the country.

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February 11, 1933

#### COMMISSION ACTS ON PROVIDENCE STATIONS

The Radio Commission on Friday reversed Examiner E. W. Pratt in his Report No. 438 in connection with Stations WJAR and WEAN, Providence, Rhode Island.

The Commission ruled that the application of these two stations for modification of their licenses be granted so as to permit operation on their present operating assignments with the use of an additional 250 watts night time power each on an experimental basis. This grant was subject, however, to the withdrawal and termination by the Commission without prior notice or hearing of the authority granted "either or both stations to use the additional nighttime power in the event objectionable interference is caused with the services of any other stations."

The Commission states that "it is impossible that the use of the 250 watts additional nighttime power by both WJAR and WEAN would cause any interference with other services either on the same or adjacent channels, and the use of such additional power would undoubtedly enable these stations to render a more satisfactory service to a greater number of listeners in the Providence area." Commissioner Lafount dissented.

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#### NEW CONSTRUCTION PERMIT DENIED

Examiner E. W. Pratt was sustained in his Report No. 436 by the Radio Commission in denying J. B. Taylor permission to erect a new broadcasting station at Aberdeen, South Dakota, and granting a license renewal to Station KSOO, Sioux Falls, South Dakota.

The Commission found that others than Mr. Taylor were interested in the proposed new station and the Commission was unable to find, it states, "just what responsibilities would be assumed by each party." It was further stated that "upon such an indefinite showing it is obvious that the authority requested by Taylor as an individual must be denied." It was also found that Aberdeen has radio service of a substantial character.

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#### STATION KGDA DELETED

Reversing Examiner R. H. Hyde in his Report No. 414, the Commission terminated after 20 days the license granted Station KGDA, Mitchell, South Dakota and denied the application of the station permission to move from Mitchell to Aberdeen. The Commission also granted Station WNAX permission to install new equipment and to increase its daytime power from 1,000 to 2,500 watts. Commissioner Starbuck dissented to both of these decisions while Chairman Sykes did not participate.

It was found by the Commission that the service rendered by Station KGDA has not been particularly desirable and "it is clear that the station's operation has been wholly unsuccessful from a financial standpoint." It is further stated by the Commission that the programs broadcast by the station "have been of a poor quality" and the "supervision and management exercised by those in control of the station's affairs seems to have been extremely careless and indifferent."

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February 11, 1933

#### EXAMINER RECOMMENDS APPROVAL OF WEHC GRANT

The conditional grant made by the Radio Commission on November 3, for moving Station WEHC from Emory to Charlottesville, Virginia, should be affirmed, Chief Examiner Ellis A. Yost recommended this week in his Report No. 452. The Examiner found that the Commission's temporary grant should be made permanent. He found also that "no objectionable interference will exist within the 250 microvolt per meter contour of Station WEHC if operated at the proposed location at Charlottesville or of Station WLVA at its present location, thus affording a degree of protection to both stations which is considerably in excess of the Commission's published policy of affording an interference free service area, for regional stations, to their 500 microvolt contour in the daytime and for local stations to their 2 millivolt contour, both day and night."

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#### RECOMMENDS CHANGES BE DENIED

Examiner R. H. Hyde (Report No. 451) this week recommends that the application of Station KGNO, Dodge City, Kansas, asking to change its frequency from 1210 to 1340 kilocycles and increase its power from 100 to 250 watts be denied on the ground that it would increase the facilities of an overquota state and zone.

"The evidence shows", says the Examiner, "that the granting of this application as it stands would increase the facilities of an overquota state and an overquota zone. Commission regulations Rule 6 (a) and 6 (c), provides that no additional facilities may be granted in this situation. Accordingly it is recommended that the application be denied."

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#### EWALD HEADS AFA PROGRAM COMMITTEE

Henry T. Ewald, chairman of the board of the American Association of Advertising Agencies and president of the Campbell-Ewald Company, Detroit, has been named chairman of the Program Committee for the twenty-ninth annual convention of the Advertising Federation of America to be held in Grand Rapids starting on June 25 next. The appointment was announced today by Edgar Kobak, president of the Advertising Federation and vice-president and general sales manager of the McGraw-Hill Publishing Company.

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#### AAAA MEET ON MAY 11 AND 12

The Sixteenth Annual Convention of the American Association of Advertising Agencies will be held May 11 and 12 at the Mayflower Hotel, Washington, D. C.

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#### STATION LIST SUPPLEMENT

The Radio Commission this week issued Supplement No. 1 to its radio broadcast station list which was dated January 1. The supplement is as of February 1, and contains all of the changes made during the month of January.

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February 11, 1933

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, February 13, 1933. They commence at 10 a.m.

TUESDAY, FEBRUARY 14, 1933

Docket #1853	WWL	Loyola University New Orleans, Louisiana	Mod. Lic. 850 kc, 5 KW, unlimited time. (Facilities of KWKH.)
			Present Assignment: 850 kc, 5 KW, specified hours.
Docket #1912	NEW	International Brdcstg. Corp. Shreveport, Louisiana	C. P. 850 kc, 10 KW, hours now used by KWKH. (Facilities of KWKH.)
Docket #1913	NEW	National Union Indemnity Assn. Shreveport, Louisiana	C. P. 850 kc, 10 KW, unlimited time. (Facilities of KWKH and WWL.)
Docket #1914	WSPA	Virgil V. Evans, t/a Voice of South Carolina Spartanburg, South Carolina	C. P. 850 kc, 5 KW, simultaneous daytime operation with WWL sharing at night. (Facilities of KWKH).
			Present Assignment: 1420 kc, 100 W. 250 W. LS, unlimited time.
Docket #1757	WWL	Loyola University New Orleans, Louisiana	Renewal 850 kc, 5 KW, specified hours.
Docket #1753	KWKH	Hello World Brdcstg. Corp. Shreveport, Louisiana	Renewal 850 kc, 10 KW, specified hours.

WEDNESDAY, FEBRUARY 15, 1933

HEARING BEFORE COMMISSION EN BANC

Docket #1934	WMAL	M. A. Leese Radio Corp. Washington, D. C.	Vol. assign. 630 kc, 250 W. 500 of lic. W. LS, unlimited time.
Docket #1935	WMAL	M. A. Leese Radio Corp. Washington, D. C.	Vol. assign. 630 kc, 250 W. 500 of C. P. W. LS, unlimited time.

HEARING BEFORE EXAMINER

Docket #1820	NEW	Arkansas Radio & Recording Co. Little Rock, Arkansas	C. P. 890 kc, 250 W. 500 W. LS. unlimited time. (Facilities of KARK).
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February 11, 1933

HEARING CALENDAR (continued)

WEDNESDAY, FEBRUARY 15, 1933 (continued)

Docket #1880 KARK Arkansas Radio & Equipment Co. Renewal 890 kc, 250 W. unlimited time.  
Little Rock, Arkansas

THURSDAY, FEBRUARY 16, 1933

HEARING BEFORE COMMISSION EN BANC

Docket #1933 WJSV Old Dominion Brdcstg. Co. License to 1460 kc, 10 KW, uncovered C. P. limited time.  
Alexandria, Virginia

HEARING BEFORE EXAMINER

Docket #1842 NEW The WNPD Company C. P. 850 kc, 50 watts, daytime, (9 a.m., to L. S.).  
New Philadelphia, Ohio

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

NEW	Joel Ellis Wharton Shreveport, Louisiana	C. P. for general experimental service, all general experimental frequencies, 100 watts.
KTM	Pickwick Broadcasting Corp. Los Angeles, California	Consent to voluntary assignment of license to Evening Herald Publishing Company.
KELW	Magnolia Park, Ltd. Burbank, California	Consent to voluntary assignment of license to Evening Herald Publishing Company.

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AGE OF RADIO SETS ANALYZED

Forty-two out of every 100 radio sets in use today are over three years old, according to a survey made for Radio Retailing, and reported in that magazine for January.

Based on interviews with owners of more than 7,000 radio sets in 79 towns and cities throughout the United States, this survey shows that less than 16 per cent of all the sets in use were purchased within the past year; 39 per cent are two years old or less, and 58 per cent have been in use under three years. Thus, 42 per cent of the sets in use were found to be over three years old.

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February 11, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
NEW	Charles W. Phelan d/b as Casco Bay Broadcasting Co. Portland, Maine	Granted C. P. for new station to operate on 1340 kc, 250 watts, night, 500 watts day, unlimited time. (transmitter location to be approved by Commission).
WAGM	Aroostook Brdcstg. Corp. Presque Isle, Maine	Granted Mod. of Lic. to change specified hours of operation to as follows: 9 a.m. to 1 p.m.; 3 to 7 p.m., EST daily.
<u>SECOND ZONE</u>		
WPHR	WLBG, Inc. Petersburg, Virginia	Granted authority to intervene in the matter of the hearing on C. P. application of WRVA.
<u>THIRD ZONE</u>		
KGKB	East Texas Broadcasting Company Tyler, Texas	Granted license covering changes in equipment, 1500 kc, 100 watts, unlimited time.
WROL	Stuart Broadcasting Corp. Knoxville, Tennessee	Granted license covering new equipment and move of transmitter locally, 1310 kc, 100 watts, unlimited time.
KABC	Alamo Broadcasting Co., Inc. San Antonio, Texas	Granted authority to take depositions in re application for renewal of license, hearing which is set for March 1.
WNAD	University of Oklahoma. Norman, Oklahoma	Granted special authority to operate from 2:30 to 4:30 p.m., CST, March 17, provided Station KGGF remains silent.
<u>FOURTH ZONE</u>		
WHO- WOC	Century Broadcasting Co. Near Mitchelville, Iowa	Granted extension of completion date of C. P. from February 16 to May 15.
KGGF	Powell & Platz Coffeyville, Kansas	Granted special authority to operate from 8:15 to 9:15 p.m., CST, February 23, provided Station WNAD remains silent.
WIBV	Topeka Broadcasting Assn. Inc. Topeka, Kansas	Granted authority to take depositions in re application for renewal of license, a hearing on which is set for March 6.

## APPLICATIONS GRANTED (continued)

FIFTH ZONE

KREG	The Voice of the Orange Empire Inc. Ltd., Santa Ana, California	Granted license covering changes in equipment 1500 kc, 100 watts, unlimited time.
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## APPLICATIONS RENEWED

The Commission during the current week renewed the following broadcasting licenses for the regular period: WAAF, Chicago, Ill.; WBEN and auxiliary, Buffalo, N. Y.; WBSO, Needham, Mass.; WCAC, Storrs, Conn.; WCAO, Baltimore, Md.; and auxiliary; WDAF, Kansas City, Mo.; WDBO, Orlando, Florida; WEAN, Providence, R. I.; WEAO, Columbus, Ohio; WFI, Philadelphia, Pa.; WGBI, Scranton, Pa.; WGR, Buffalo, N. Y.

WICC, Bridgeport, Conn.; WILL, Urbana, Ill.; WIP, Philadelphia, Pa.; WJAR, Providence, R. I.; WJAY, Cleveland, Ohio; WKBN, Youngstown, Ohio; WKY, Oklahoma City, Oklah.; WKZO, Kalamazoo, Mich.; WLIT, Philadelphia, Pa.; WMAL, Washington, D. C.; WMC, Memphis, Tenn.; WMMN, Fairmont, W. Va., WNAX, Yankton, S. D.; WQAN, Scranton, Pa.; WSUI, Iowa City, Iowa; WTMJ, Milwaukee, Wis.; WWNC, Asheville, N. C.

KFDM, Beaumont, Texas; KFDY, Brookings, South Dakota; KFKA, Greeley, Colo.; KFNF, Shenandoah, Iowa; KFRC, San Francisco, Calif.; KFYR, Bismarck, N. D.; KGKO, Wichita Falls, Texas; KGW, Portland, Oregon; KHJ, Los Angeles, Calif.; KHQ, Spokane, Washington; KLX, Oakland, Calif.; KLZ, Denver, Colo.; KOAC, Corvallis, Oregon; KOMO, Seattle, Wash.; KPOF, Denver, Colo.; KPRC, Houston, Texas; KSAC, Manhattan, Kansas; ESD, St. Louis, Missouri; KSEI, Pocatello, Idaho; KTAR, Phoenix, Ariz.; KUSD, Vermillion, S. D. and KVI, Tacoma, Washington.

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## MISCELLANEOUS ACTION

During the current week the Commission took the following action of a miscellaneous nature:

APPLICATIONS DISMISSED AND DENIED

The following applications were dismissed at request of applicants:

WNBW	WNBW, Inc. Carbondale, Pennsylvania	Mod. of C. P. to change location to Scranton, Pa. Also Mod. of Lic. to move studio to Scranton.
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The following applications were denied, because applicants failed to enter appearance within the time allowed:

WGST	Georgia School of Technology Atlanta, Georgia	C. P. 890 kc, 500 watts, 1 KW LS, facilities of WTFI.
WEBR	Howell Brdcstg. Co. Inc. Buffalo, N. Y.	Mod. Lic. 1310 kc, 100 watts, 250 W. LS. Requests authority to use auxiliary transmitter.
Amateur	Norman Bernfeld New York, N. Y.	Amateur License.

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February 11, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>FREQUENCY</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-ZB-69	WGY	790	General Electric Co. Schenectady, New York	Determine operating power by direct antenna measurement.
1-PB-2797	NEW	1340	Portland Maine Publishing Co., Portland, Maine	C. P. for new station to use 1340 kc, 500 watts, unlimited hours. Transmitter location Falmouth, Maine.
1-PB-2790	WMIL	1500	Arthur Faske Brooklyn, New York	C. P. to change transmitter location locally, exact location to be determined, install new transmitter and make other equipment changes.
<u>SECOND ZONE</u>				
2-PB-2761A	NEW	1370	William L. Slade Hamilton, Ohio	C. P. for new station to use 1420 kc, 100 watts, unlimited hours, resubmitted and amended to request 1370 kc, facilities of WHBD, Mt. Orab, Ohio.
2-FB-306	WSPD	1340	Toledo Broadcasting Co. Toledo, Ohio	Authority to install automatic frequency control.
2-MPB-416	WHBC	1200	Edward P. Graham Canton, Ohio	Mod. of C. P. to extend date of completion to 3/18/33.
2-PB-2805	WMBG	1200	Havens & Martin, Inc. Richmond, Virginia	C. P. to make changes in equipment, increase operating power from 100 watts to 100 watts night, 250 watts LS. Requests facilities of WPHR, Petersburg, Virginia.
<u>THIRD ZONE</u>				
3-PB-2803	NEW	1370	C. C. Crawford Haynesville, Louisiana	C. P. for new station to use 1370 kc, 50 watts, specified hours, facilities of KWEA, Shreveport, La., in quota units.

February 11, 1933

APPLICATIONS RECEIVED (continued)

FOURTH ZONE

4-ZB-70	WMT	600	Waterloo Broadcasting Co. Waterloo, Iowa	Determine operating power by direct antenna measurement.
4-PB-2804	NEW	1210	Herbert H. Fette Meriden, Minnesota	C. P. for new station to use 1210 kc, 10 watts, daytime, 4 hours daily.

FIFTH ZONE

5-ALB-500	EGU	750	Marion A. Mulrony & Adver- tiser Publishing Co. Ltd. Honolulu, T. H.	Consent to vol. assign. of lic. to Advertiser Publish- ing Company, Ltd.
5-ALB-499	KPJM	1500.	M. B. Scott & Edward C. Sturm, d/b as Scott & Sturm Prescott, Arizona	Consent to vol. assign. of lic. to M. B. Scott and Frank Wilburn.
5-MLB-1132	KTAB	560	Associated Broadcasters Inc. San Francisco, California	Mod. of lic. to move Main Studio to Oakland, Calif.
5-PB-2751A	KGEK	1200	Elmer G. Beehler, t/a Beehler Electrical Equipment Co., Yuma, Colorado	C. P. to move transmitter and studio to Fort Collins, Colorado, change antenna and change in specified hours. Amended to omit request for change in hours of operation.

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RENEWAL APPLICATIONS

The following applications for renewal licenses were received by the Commission during the current week: KFWB, Hollywood, California; KMTR, Los Angeles, California; KTAB, San Francisco, California; KTM, Los Angeles, California; WCOA, Pensacola, Florida; WJAX, Jacksonville, Florida; WOAX, Trenton, New Jersey; WQAM, Miami, Florida; WWJ, Detroit, Michigan; WOBV, Charleston, West Virginia; WLTH, Brooklyn, New York.

KFSD, San Diego, California; WGBF, Evansville, Indiana; KROW, Oakland, California; KTAT, Fort Worth, Texas; WACO, Waco, Texas; WCAP, Asbury Park, New Jersey; WRNY, New York, N. Y.; WSyr-UMAC, Syracuse, New York; WAAM, Newark, New Jersey; WSMK, Dayton, Ohio; WCAD, Canton, New York; KGEJ, Ketchikan, Alaska; KMJ, Fresno, California; WTAR, Norfolk, Virginia; KFXF, Denver, Colorado.

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APPLICATIONS RETURNED

During the current week the following applications were returned by the Commission either at the request of the applicant or for the reason they did not comply with regulations: KOA, Denver, Colorado; KELW, Burbank, California; WRUF, Gainesville, Florida; George W. Jenkins, Lincoln, Nebraska; WAAM, Newark, New Jersey.

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# BROADCASTERS'



# NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.  
PHILIP G. LOUCKS, Managing Director

February 18, 1933.

## BOARD FACES BUSY SESSION

The meeting of the Board of Directors of the National Association of Broadcasters, scheduled for Monday, February 20, at the Washington Hotel, Washington, D. C., will be one of the busiest sessions in many months.

Definition of a policy to be followed by the Association in preparation for the forthcoming North American allocation conference, now scheduled for early next Spring in Mexico City, is one of the most important matters to come before the Board.

Of equal importance is the copyright situation and the Board will have before it a communication from the American Society of Composers, Authors and Publishers stating that the copyright owners are as dissatisfied with the present license arrangement as are the broadcasters.

Another item on the Board's agenda will be the standard form of contract for spot broadcasting which has been submitted by the American Association of Advertising Agencies following numerous conferences with the NAB Commercial Committee.

Many other items of vital importance, including financing of the work which the Association must undertake, are listed for consideration by the Board.

February 18, 1933.

## CONFERENCE ON DAVIS BILL

Senate and House conferees held a meeting on Friday on the Davis Bill (H. R. 7716) which recently was passed by the Senate.

The Senate conferees were Senators Couzens, Watson, Fess, Smith of South Carolina and Dill. The House conferees were Representatives Davis, Bland and Lehlbach.

Substantial agreement was reached on several sections of the bill. Action by the conferees on several of the more important Senate amendments was postponed until the next meeting of the conferees scheduled for next Tuesday.

The Davis bill as passed by the House last session contained non-controversial matter but the Senate added several amendments which must be considered by the conferees.

The more important Senate amendments which are the subject of the conference are as follows:

"Section 9 of the Radio Act of 1927, as amended by the Act of March 28, 1928, Public Law, Numbered 195, Seventieth Congress, is hereby amended by adding at the end of section 9 the following: 'Provided further, That the commission may grant applications for licenses for stations not exceeding two hundred and fifty watts of power if the commission finds that such stations will serve the public convenience, interest, or necessity, and that their operation will not interfere with the fair and efficient radio service of stations licensed under the quota provisions of this section, and said stations may be authorized without regard to the quota restrictions herein provided'."

"(h) Any licensee may, at his option, in lieu of appealing to the Court of Appeals of the District of Columbia, appeal from any order of the commission revoking a station license or fining a station owner to the district court of the United States for the district in which the transmitting apparatus of the station license is operated. The provisions of subsections (b), (c), (e), and (f) shall apply to such appeals. Upon any such appeal the commission shall appear as respondent. The matter may be brought on to be heard by the court in the same manner as a motion, by either the attorney for the commission or the attorney for the licensee, at any time after the commission has filed with the court the record provided for by subsection (c). The findings of the commission as to the facts, if supported by evidence, shall be conclusive. The court shall hear and determine the appeal upon the record before it and shall have power to affirm or, if the order of the commission is not in accordance with law, to modify or reverse the order of the commission for error of law. After review of any order from which an appeal is taken under this subsection it shall be the duty of the commission to set aside or modify its order in so far as may be necessary to accord with any judgment of the district court that has become final.



February 18, 1933

CONFERENCE ON DAVIS BILL (continued)

"(i) The jurisdiction of the Court of Appeals of the District of Columbia and of district courts of the United States to review any order of the commission revoking a station license or fining a station owner shall be exclusive. An appeal filed by any licensee with either of said courts for the review of an order of the commission revoking a station license or fining a station owner shall bar appeal by such licensee to any other court for the review of such order."

"Section 13. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person, firm, or corporation operating any such station shall knowingly permit the broadcasting of, any advertisement of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes. Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both.

"Section 14. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, or by a governmental agency, he shall afford equal opportunity to an equal number of other persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public questions.

"(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall exercise censorship over any material broadcast in accordance with the provisions of this section. No obligation is imposed upon any licensee to allow the use of his station by any candidate, or in support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

"(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes.

"Section 15. No person, firm, company, or corporation shall be permitted to locate or maintain a radio broadcast studio or other place or apparatus from which or whereby sound waves or mechanical reproduction thereof are converted into electrical energy and transmitted, or delivered, to a radio station in a foreign country for the purpose of being broadcast from a radio station there, and thereby transmitted back into the United States without first obtaining permission from the Federal Radio Commission upon proper application therefor."

February 18, 1933

#### DILL COMMUNICATION BILL

Senator Dill of Washington, is now engaged in drafting a communications commission bill which he hopes to have passed at the special session of Congress this Summer.

The Dill bill will consolidate the government's administration of radio, telephone, telegraph and cable laws under a single commission of three members. Power regulation will not fall within the jurisdiction of the commission proposed by Senator Dill's bill.

The work of drafting has not been completed and details of the proposed legislation are not available.

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#### DAVIS INTRODUCES FEE BILL

Representative Davis, Tennessee, chairman of the House Merchant Marine, Radio and Fisheries Committee, this week introduced a license fee bill (HR 14688) in the House. The bill is substantially similar to the Dill license fee bill and would impose fees ranging from \$120 to \$5,000 a year on broadcasting station licenses. The bill has been referred to Chairman Davis' committee for consideration. Hearings on the measure were held in the Senate several weeks ago and the NAB expressed opposition to the measure.

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#### HOOVER APPOINTEES UNCONFIRMED

The term of Judge Eugene O. Sykes as member of the Federal Radio Commission from the Third Zone will expire on February 23. President Hoover recently reappointed Judge Sykes to the Commission but in view of an understanding entered into at the commencement of the present session with respect to Hoover appointees, it is doubtful if the Senate will act on the appointment. If the Senate does not act on the Sykes reappointment, the Commission will have but three members until President Roosevelt acts. The appointment of Mr. J. C. Jensen of Lincoln, Nebraska, to be Commissioner from the Fourth Zone, is also pending before the Senate Interstate Commerce Committee.

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#### SECOND NORTH AMERICAN MEETING

The second of a series of meetings preliminary to the North American radio conference will be held at the Department of State on February 23. It is expected that the broadcasters will be ready to present their program at this meeting. All classes of radio licensees have been invited to attend the meeting.

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February 18, 1933

#### GENERAL COUNSEL PATRICK RESIGNS

Duke M. Patrick, general counsel of the Federal Radio Commission, and Karl A. Smith, an assistant counsel in the legal division of the Commission, resigned today, effective March 1, to engage in private practice in Washington.

Mr. Patrick will become associated with the law firm of Hogan, Donovan, Jones, Hartson & Guider, Washington, D. C.

Mr. Patrick was appointed assistant general counsel of the Commission January 27, 1930, and served in that capacity until March 28, 1932, when he was appointed general counsel to fill the vacancy created when Col. Thad H. Brown was appointed a commissioner.

As general counsel Mr. Patrick has made an enviable record. He has appeared frequently before the Court of Appeals of the District to defend decisions of the Commission and in the vast majority of cases that court has upheld the Commission.

Mr. Patrick is a native of Indiana, having been born July 3, 1900, at Paragon, Morgan County, the son of Bruce T. Patrick and Kathryn M. Patrick. He attended the public schools of Indiana and was graduated at Purdue University in 1921, with the degree of Bachelor of Science. In 1924 he was graduated at the University of Michigan Law School with the degree of J. D. (Juris Doctor).

He first engaged in the practice of law at Lafayette, Indiana, in 1924. To broaden his field he moved to Indianapolis in 1927, where he specialized in the practice of Public Utility Law before the State Public Commission and the Federal Courts.

He married Gwendolyn Patton, daughter of Charles D. Patton of Lafayette, Indiana, October 26, 1928. They have no children.

He is a member of the Columbia Club of Indianapolis, the Congressional Club of Washington, D. C. He is a Mason; a Republican; member of Pi Kappa Alpha social fraternity; Phi Delta Phi, Legal Fraternity.

Mr. Smith is 29 years old and is a native of the District of Columbia. He attended the public schools of Washington and received part of his early education at Mr. Hermon, Massachusetts. He was graduated at the National University Law School in June, 1928, and was admitted to the bars of the Supreme Court and the Court of Appeals of the District in 1929.

He served as deputy clerk of the Police Court of the District of Columbia from May, 1925 to December, 1930, when he joined the legal staff of the Commission.

Mr. Smith has been both diligent and efficient in handling his work for the Commission.

February 18, 1933

#### SHULER DENIED REHEARING

The United States Supreme Court this week denied rehearing in the "Bob" Shuler case. Attorneys for Shuler petitioned for a review by the Supreme Court some weeks ago. The Court denied the petition whereupon his attorneys asked a rehearing on the denial. This has now been denied and the case is closed. The American Civil Liberties Union filed a brief as a friend of the Court asking for the rehearing.

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#### OREGON HOUSE PASSES OWNERSHIP BILL

On February 8, 1933, H.J.R. 17 was passed by the House of Representatives of Oregon. The measure would authorize the State of Oregon to "purchase, condemn, build, own and operate telephone, telegraph or radio systems for the transmission of long distance messages within and without the state." The bill now goes to the Senate.

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#### RADIO INTERFERENCE BILL

Representative Gillett introduced in the Pennsylvania House of Representatives on February 7, a bill (H 711) requiring the elimination of radio interference under certain circumstances, by the person, corporation, copartnership or association responsible for same, and providing a penalty for noncompliance therewith." The bill has been referred to the House Committee on Municipal Corporations.

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#### CALIFORNIA WOULD TAX SETS

A bill (A. 1992) providing for a sales tax on various goods introduced in the California House by Representative Woolwine contains a provision imposing a tax of five per cent on the sale of radio receiving sets and parts. The bill has been referred to the Revenue Committee.

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#### MASSACHUSETTS INVESTIGATION BILL WITHDRAWN

The bill (H 823) introduced in the Massachusetts legislature by Representative Logan of Boston and providing for an investigation of radio broadcasting in the State of Massachusetts was withdrawn on February 14.

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#### MAINE RECEIVING SET TAX BILL

Representative Lebel has introduced in the Maine Legislature a bill (HP 1067) providing that city and town clerks "shall assess the tax on radios according to their value; 10 per cent of their value to be deducted each year for five years, after which time the assessment shall remain the same as the fifth year."

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February 18, 1933.

## WASTE BASKET IS BETTER

Two weeks ago the Bulletin carried a story to the effect that one station was replying to all "per inquiry" and "commission" proposals by sending a copy of its rate card. This week a member writes to the effect that he has tried that method but recently decided that the waste basket provided a better way of disposing of these offers.

In the meantime time chiseling proposals continue to reach stations in increasing numbers.

"When your listener sends you \$2.00 just send us \$1.50 and his name and address. And you clear 50¢ per series of 9 books." The programs "cost you nothing", "Run them whenever you wish, the oftener the better."

Another offers magic water "the most effective in the correction of constipation and most of all, kidney, liver, stomach and bladder disorders" as well as other diseases "resulting from bad blood and faulty elimination". Costs \$1.00 per pound "allowing your station 28¢ net". "This is not a hit or miss proposition. Can you afford to disregard it?"

Still another concern feels "fortunate" to be able to sign up a company for "a large amount of broadcast advertising". The advertiser carries regular schedules with "important publications" but asks that stations read wordy scripts free except that "this account pays your station 15¢ net per inquiry". The letter does not state whether it secures its newspaper space on the same basis.

Acceptance of such proposals by stations will undermine the economic structure of broadcasting. It is high time that the industry put a stop to such proposals. Time is the only thing a station has to sell and it should be sold only in accordance with published rate cards. If your rate cards are too low, increase them; if they are too high, reduce them. Don't undermine your rate structure by accepting per inquiry or commission proposals.

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## BROADCASTING COURT TESTIMONY IN MISSOURI

Gil P. Bourk, Democrat, Kansas City, this week introduced an act (House Bill No. 463) in the Missouri General Assembly to amend the Revised Statutes of Missouri by adding a new section as follows:

"Section 1752a. No witness shall be permitted or compelled to testify or give testimony in any civil proceeding, criminal or quasi-criminal proceeding of any kind or character whatsoever when the testimony of any such witness would be broadcasted or caused to be broadcasted over or from any radio or radio station or transmitted or caused to be transmitted from any radio or radio station."

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February 18, 1933

#### RECOMMENDS DENIAL WKBH APPLICATION

Examiner Elmer W. Pratt in his Report No. 454 this week recommended to the Radio Commission that the application of Station WKBH, La Crosse, Wisconsin, for full time on its present frequency of 1380 kilocycles be denied. It now shares time with KSO.

The examiner, while admitting that the station is qualified in all ways to use the additional time, finds that it "would result in an increase in interference, in that there would be interference during a greater portion of the evening hours than at present between WKBH and other stations on the same channel." Also, he states that "the granting of this application would be inconsistent with paragraph 6 (a) of the Commission's Rules and Regulations in that there would result an increase in the facilities of a zone which is already over quota."

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#### WFBM AND KFAR MAY SYNCHRONIZE

Chief Examiner Ellis A. Yost in Report No. 453 this week recommended that Stations WFBM, Chicago, and KFAR, Lincoln, Nebraska, be allowed to synchronize experimentally at certain specified night hours and that both stations be allowed to install automatic frequency control.

The chief examiner found that both stations are able to carry out the experimental work that they propose and the programs of the stations, if synchronized would reach a large number of listeners that neither of them can reach now.

The report states that this is "the first complete synchronization experiment proposed to the Commission in which the stations to be synchronized are so separated that the good service area of the stations in question do not overlap."

It is further contended in the report that "the making and conducting of the synchronization experiments proposed by the applicants, because of the data and facts which would be gathered therefrom, are of such importance to the art of radio broadcasting that public interest, convenience and necessity would be served by the granting of these applications and the making of the tests and conducting of the experiments proposed."

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#### RADIO CONFERENCE APPROPRIATION

The Senate this week passed an amendment to an appropriation bill which would allow the unexpended balance of the money appropriated for the Madrid Radio Conference to be used by the State Department for the North American Radio Conference to be held in Mexico City and provided that it shall be available immediately "and to remain available until June 30, 1934."

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February 18, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
		<u>FIRST ZONE</u>
		None
		<u>SECOND ZONE</u>
		None
		<u>THIRD ZONE</u>
KTRH	KTRH Broadcasting Co. Houston, Texas	Granted 60 day authority to increase power from 500 watts to 1 KW Exp., in order to make certain tests in territory in which this station is located.
		<u>FOURTH ZONE</u>
WLS	Agricultural Brdcastg. Co. Chicago, Illinois	Granted authority to use auxiliary transmitter of station WENR pending action on application.
KFRU	KFRU, Inc. Columbia, Missouri	Granted renewal of license, 630 kc, 500 watts, shares with WGBF and WOS as follows: KFRU and WOS half time, and WGBF half time. Also simultaneous daytime operation with WGBF.

FIFTH ZONE

None

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NO HEARINGS NEXT WEEK

During the week beginning Monday, February 20, no hearings will be held by the Radio Commission in connection with broadcasting stations.

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RADIO SERVICE BULLETIN

Radio Service Bulletin No. 190 issued by the Federal Radio Commission is now available. It is for the month of January and contains as usual various tables and actions of the Commission dealing mostly with short wave matters.

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February 18, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>FREQUENCY</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-ALB-503	WLEY	1370	Carl S. Wheeler t/a Lexington Air Station Lexington, Massachusetts	Vol. assign. of lic. to Albert S. Moffat.
1-PB-2797	NEW	1340	Portland, Maine Publish- ing Company. Portland, Maine	C. P. for new station to use 1340 kc, 500 watts, unlimited time. Amended as to equipment to be used.
<u>SECOND ZONE</u>				
2-MPB-417	WNBW	1200	WNBW, Inc. Carbondale, Pennsylvania	Mod. of C. P. granted 8/18/32 to extend dates of commencement and comple- tion to 2/15/33 and 6/15/33 respectively.
2-MPB-419	WNBW	1200	WNBW, Inc. Carbondale, Pennsylvania	Mod. of C. P. to change transmitter and studio lo- cation to U. S. Route #6, Jermyn Borough, Pa., change in equipment and extend dates of commencement and completion.
<u>THIRD ZONE</u>				
3-PP-2806	WROL	1240	Stuart Brdcstg. Corp. Knoxville, Tennessee	C. P. to change equipment, change frequency, power and hours from 1310 kc, 100 watts, unlimited hours to 1240 kc, 250 watts, $\frac{1}{2}$ time with WKAQ, San Juan, P.R.
3-MPP-418	WKEU	1500	Allen Wright Marshall, Jr. Allen Wright Marshall, Sr. and Guy Aaron Malcolm, LaGrange, Georgia	Mod. of C. P. granted 1/20/33 for changes in equipment.
<u>FOURTH ZONE</u>				
4-LB-942	WTRC	1310	Truth Publishing Co. Inc. Elkhart, Indiana	License to cover C. P. granted 1/4/33.
4-PB-2807	KGFX	630	Dana McNeil Pierre, South Dakota	C. P. to make changes in equipment.



February 18, 1933

APPLICATIONS RECEIVED (continued)

FIFTH ZONE

5-ALB-501	KFAC	1300	Los Angeles Brdcstg. Co. Los Angeles, California	Vol. assign. of lic. to Los Angeles Broadcasting Company, Inc.
5-ALB-502	KFVD	1000	Los Angeles Brdcstg. Co. Los Angeles, California	Vol. assign. of lic. to Los Angeles Broadcasting Company, Inc.
5-PB-266CA	KGIX	1420	J. M. Heaton Las Vegas, Nevada	C. P. for new 100 watt transmitter. Amended to request change of trans- mitter and studio locally to Palace Theatre Bldg., and make changes in equip- ment.

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RENEWAL APPLICATIONS RECEIVED

The following applications for renewal licenses have been received during the current week: KALE, Portland, Oregon; KGIR, Butte, Montana; KWSC, Pullman, Washington; WLS, Chicago, Illinois; KFOX, Long Beach, California; KFUL, Galveston, Texas; KGCU, Mandan, North Dakota; KRKD, Los Angeles, California; WAML, Laurel, Mississippi; WCAL, Northfield, Minnesota; KFIO, Spokane, Washington; KFEL, Denver, Colorado; KGBZ, York, Nebraska; WGCP, Newark, New Jersey; WNOX, Knoxville, Tennessee; WFLA-WSUN, Clearwater, Florida.

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APPLICATIONS RETURNED

During the current week the following applications were returned either because they did not comply with regulations or at the applicant's request: KGBZ, York, Nebraska; KGCU, Mandan, North Dakota; WMAZ, Macon, Georgia; KOIL, Council Bluffs, Iowa; KFSG, Los Angeles, California; KMA, Shenandoah, Iowa; WHAS, Louisville, Kentucky; WRAX, Philadelphia, Pennsylvania; WWL, New Orleans, Louisiana; WWVA, Wheeling, West Virginia; KWKH, Shreveport, Louisiana; KYW-KFKX, Chicago, Illinois.

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RENEWAL APPLICATIONS GRANTED

The Commission granted the following applications for renewal licenses during the current week: WCAJ, Lincoln, Nebraska; WLEL, Stevens Point, Wisconsin; WOS, Jefferson City, Missouri; WCW, Omaha, Nebraska; WREC-WOAN, Memphis, Tennessee.

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*National Association of Broadcasters, N. Y.*  
*Sup. for News Bulletin*

# BROADCASTERS' NEWS BULLETIN

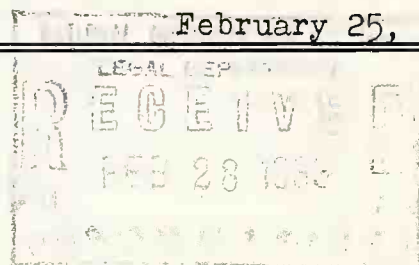
Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

February 25, 1933.

BOARD IN BUSY SESSION



The Board of Directors of the National Association of Broadcasters spent two busy days in Washington this week formulating a definite program to be followed in the solution of many important questions confronting the industry.

Seventeen of the nineteen officers and directors of the Association attended the sessions, which were presided over by President Alfred J. McCosker. Those present were: Treasurer Church, Craney, Gedge, Hedges, Bellows, Lyons, Damm, Cowles, Flamm, Buckwalter, Carpenter, Kay, Ward, Caldwell (proxy for Ryan), Russell (proxy for McClelland) and Guider (proxy for Tyson). Vice President Fitzpatrick was unable to attend because of the sudden illness of his mother and Vice President Shepard was absent because of an important business engagement.

The sessions were the busiest ever held by the Board of the Association. Each of the important issues before the industry was taken up in turn, debated at length, and definite action taken thereon. The Board decided upon a definite course of action in connection with the copyright, North American conference, and other important matters and agreed upon ways and means for carrying its program into execution.

February 25, 1933.

## RESUME OF BOARD MEETING

President McCosker informed the Board of the details of the appointment of Hon. Newton D. Baker of Ohio, in connection with the controversy growing out of the music license contracts with the American Society of Composers, Authors and Publishers and Joseph Hostetler, Mr. Baker's law partner, who was present at the meeting, outlined the status of copyright matters. Judge Hostetler pointed out the importance of deciding upon a definite objective to be obtained in the music controversy and expressed the hope that the Board would agree upon a program. He suggested what he considered a sound and practical solution of the problem and asked that the Board consider it carefully during its meeting.

Every angle of the music controversy was freely debated and finally a program was drawn up which won the unanimous support of the Board. This program will entail substantial changes in the present method of copyright licensing and will be followed in all future copyright considerations.

Judge Hostetler pointed out that he and Mr. Baker had spent many days working on the problem and were prepared to go forward with the program agreed upon.

Oswald F. Schuette, director of copyright activities of the NAB, then outlined the progress of his work since his appointment at the St. Louis Convention and expressed his agreement with the program suggested by Judge Hostetler. He urged the Board to take definite action on the proposal for the creation of a Radio Program Foundation, as authorized at the St. Louis Convention last November, and after debate upon this proposal, the Board unanimously adopted a motion providing for the creation of a corporation to be known as the Radio Program Foundation. Formation of this corporation was left in the hands of a committee consisting of Mr. Schuette, President McCosker, Judge Hostetler, Managing Director Loucks, and Director Flamm.

For the first time in the history of the NAB, a definite and complete solution of the music copyright problem has been agreed upon. The Board was unanimous in its approval of the program and the efforts of all concerned in the matter have been efficiently coordinated.

After disposing of the copyright matter, the Board approved the applications of nineteen new members submitted by the Managing Director.

The Board postponed until a later meeting decision upon the time and place for the 1933 Annual Convention. It was decided, however, that the Section meetings should be held in accordance with the policy followed last year.

The Board referred to the Engineering Committee a communication from the Radio Manufacturers' Association relating to transmitter hum. The Committee was instructed to meet with the RMA Engineering Committee and report its findings back to the Board.

The Board approved the arrangement made by the Managing Director with attorneys for Station KFAB, Lincoln, Nebraska, under which the famous libel case will be carried to the Supreme Court of the United States for review.

February 25, 1933.

## RESUME OF BOARD MEETING (Continued)

The matter of creating a credit bureau was discussed but finally tabled with the understanding that it may be called up at any time by the President.

The Board unanimously adopted a resolution expressing its appreciation of Mr. I. D. Levy's activities in connection with the raising of funds necessary to carry out the special activities of the Association during the current year.

The forthcoming North American conference was the first order of business at Tuesday's session. Mr. Caldwell reviewed the history leading up to the present, pointing out that this conference will be the most important matter the broadcasters will have to face this year. He said he doubted if many broadcasters realized exactly what was involved in the forthcoming meeting - now tentatively set for April - and urged the Board to adopt a definite program for the protection of American broadcasting.

Lengthy discussion followed and all angles of the situation were probed. The discussion culminated in the drafting of a comprehensive plan which met the approval of the Board and which will govern the Association's representatives during preliminary conferences here and at the main conference in Mexico City. The discussion then turned to selection of a man to represent the Association at Mexico City and a Committee consisting of Caldwell, Bellows, Russell, Guider and Loucks was appointed to meet with the President and agree upon a representative. In the meantime the Committee designated the Managing Director to represent the Association at preliminary conferences. It is expected that a representative to carry forward the work will be named within the next few days.

The Managing Director then laid before the Board the Standard Order Blank for spot broadcasting submitted by the American Association of Advertising Agencies. With several important changes in the standard conditions, the Board approved the form. Copies of the form will be available after the Radio Committee of the AAAA has had an opportunity to adopt the changes urged by the NAB Board.

The Managing Director then submitted a budget for 1933 which won approval of the Board. The budget, of course, did not include the special activities for which funds are now being raised but followed generally the budget of 1932 with some curtailments. However, provision was made for expansion of Association activities later in the year, if the financial condition of the organization warrants it. In this connection, the Board approved a complete program of activities, embodying many valuable services. Under this program there would be created a Commercial, a Program and an Engineering Department in the NAB. The Commercial Department would undertake such functions as studies of station contracts, rates, rate cards, sales promotion, discounts, coverage, research, costs, and business indices. The Program Department would be a medium through which program ideas can be interchanged and reports issued on technical developments in the preparation of scripts, talent sources, talent costs, program trends, etc. The Engineering Department would keep station members advised of technical orders of the Commission, developments in equipment, etc.

The expansion of these NAB services, however, will not be undertaken until it is clearly seen that they will be adequately supported by the membership.

February 25, 1933.

## RESUME OF BOARD MEETING (Concluded)

Briefly the Board:

1. Agreed upon a definite solution for the copyright music problem.
2. Formulated a plan to be followed by the industry in connection with the North American conference.
3. Authorized the formation of the Radio Program Foundation.
4. Approved a standard order blank for spot broadcasting.
5. Provided for review of the KFAB case by the Supreme Court.
6. Approved a budget which provides for important expansion of NAB service activities.

Due to the splendid work of Mr. Levy of Philadelphia, prospects for financing the program of the NAB during the year are encouraging. The program deserves the support of every broadcasting station, member and non-member alike, and will be carried out in every detail if support is forthcoming. Every member is urged to do his part. If you have not responded to Mr. Levy's request, it is the wish of the Board that you do so without delay.

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## COPYRIGHT OWNERS CRITICISED

The Canadian Performing Right Society was severely criticised in a report by Justice Ewing who recently was appointed to ascertain if the Society had complied with the Canadian copyright law. The Society had not complied with the act providing that copyright owners must file with the Government lists of fees covering performance of works controlled.

"It is urged by the Society that it controls a huge number of works variously estimated at from 2,000,000 to 3,000,000 and that the collating and indexing of these works would be a stupendous if not an impossible task," says the report. "The answer to this argument is that only a small percentage of these works are ever actually played in Canada. Leaving out of consideration the very exceptional case it is estimated that a list of from 200,000 to 300,000 works would include all works which are under any circumstances played in Canada. In England a so-called working list has been prepared and it ought to be equally possible to prepare such a list here. If such a list were filed as well as sold to music users it would serve a double purpose. Those who had not the Society's general license could thereby easily learn what they must avoid while those who had the Society's license would have warning before using music not in the Society's published list. The advantage of such a list would seem to outweigh the trouble and expense of its preparation."

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February 25, 1933.

## DAVIS BILL CONFERENCE REPORT

Agreement was reached between Senate and House conferees on the Davis Bill (HR 7716) this week and early adoption of the report is expected. The bill amends the present radio law in several important particulars, virtually all of which are included in the House conference report.

As agreed upon, the bill would authorize examiners to hold hearings in certain restricted cases and "that in all cases heard by an examiner the commission shall grant oral arguments on request of either party".

All opinions or memorandum opinions filed by the Commission would be made public upon request of any interested party under the amended law.

Perhaps one of the most important revisions of the present law is the amendment to Section 9 of the Radio Act which provides "That the Commission may also grant applications for additional licenses for stations not exceeding one hundred watts of power, if the Commission finds that such stations will serve the public convenience, interest, or necessity, and that their operation will not interfere with the fair and efficient radio service of stations licensed under the provisions of this section".

The purpose of this amendment is to permit the Commission to license local stations in areas which, on account of the topography, distances from existing broadcasting stations, or other conditions, are without adequate radio service.

The Commission is empowered to impose a fine of \$1,000 for violations of regulations under an amendment to Section 14 of the law. The provision relating to suspension of licenses was eliminated.

Another section prohibits the broadcasting of any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance.

Section 18 of the radio act known as the "political section". The new section would read as follows:

"If any Licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any Licensee shall permit any person to use a broadcasting station in support of or in opposition to any candidate for public office, or in the presentation of views on a public question to be voted upon at an election, he shall afford equal opportunity to an equal number of persons to use such station in support of an opposing candidate for such public office, or to reply to a person who has used such broadcasting station in support of or in opposition to a candidate, or for the presentation of opposite views on such public questions. Furthermore, it shall be considered in the public interest for a Licensee, as far as possible to permit equal opportunity for the presentation of both sides of public questions."

The provision in the bill designed to prevent the erection of stations on the Mexican border, was eliminated from the bill.

February 25, 1933

#### WATCHING STATE LEGISLATION

Numerous proposals to tax radio broadcasting are now pending in numerous state legislatures. The NAB is making every effort to summarize these proposals in weekly Bulletins and members in all states are urged to follow up information on these measures with action. Where such proposals are inimical to the interests of broadcasting, members are urged to cooperate with other stations in the state in bringing their objections to the attention of the proper state committees.

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#### RADIO SETS CLASSED WITH WATCHES

Radios are put in the same class with watches and autos by a bill which would make it a crime in New York to remove, deface or alter the manufacturer's serial number. The bill has been introduced by Assemblyman Brownell and referred to the Committee on Codes, February 15, 1933.

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#### WASHINGTON WOULD REGULATE "RADIO SERVICING"

Under a bill introduced in the legislature (House Bill No. 320) by Representative Wilson, the State of Washington would require certain education, apprenticeship, qualification, examination, license, etc., of all persons who "shall perform, test, repair equipment, improvement or installation service of any kind upon radio receivers, antennae, power amplifiers, public address systems, or any other radio accessory or part".

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#### KANSAS HOUSE PASSES RADIO SLANDER BILL

The bill (H 155) introduced by Elmer M. Roth (R) of La Crosse, which would prohibit slander by radio by providing for a maximum fine of \$1,000, was passed by the Kansas House on February 17, and went to the Senate Judiciary Committee on February 21.

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#### MINNESOTA WOULD TAX BROADCASTING EARNINGS

On February 20, there was referred to the Taxes and Tax Laws Committee of the Minnesota House a bill (H 1078) introduced by Representative Gravens et al which would place a gross earnings tax on radio broadcasting stations in lieu of other taxes.

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February 25, 1933

#### NEW RADIO INVESTIGATION ASKED

A concurrent resolution has been introduced in the House by Representative Fulmer of South Carolina, which has been referred to the House Committee on Rules "to provide for a study of radio broadcasting in the United States and other countries to obtain information to be used as a basis for legislation."

The resolution provides that a special investigating commission shall be appointed composed of two members of the House, two members of the Senate, and one person each representing labor, education, religion, the press, the home, and the radio industry. The members of the commission shall be appointed by the President of the United States except the congressmen who shall be appointed by their respective presiding officers.

The Commission is given two years in which to make a study of radio in the United States and abroad and a fund of \$25,000 for the investigation is provided.

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#### POWER INCREASE RECOMMENDED

Examiner R. H. Hyde in his Report No. 455 this week recommended the granting of the application of Station WAAT, Jersey City, New Jersey, to increase its power from 300 to 500 watts. The station operates on a frequency of 940 kilocycles daytime to 6 p.m.

"Ordinarily", says the Examiner, "an application for a license to use increased power coming before the completion of construction work would be out of order. It appears that the applicant (WAAT) has equipment capable of operation with 500 watts power although a permit is requested to make certain changes."

It is stated by the Examiner that the evidence in the case shows that the station is rendering a meritorious broadcast service and that the quality of this service with particular reference to signal quality could be improved by the use of the additional power requested.

It is further stated that while the state of New Jersey is slightly over quota with respect to broadcast facilities, paragraph 6 (g) of the Commission's rules provide for the allowance of a slight departure plus or minus from an exact mathematical estimate.

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#### SYKES TERM ENDS

The term of Judge Eugene O. Sykes, acting chairman of the Radio Commission expired on February 24. His renomination was sent to the Senate some time ago by President Hoover but no action has been taken. This is in accordance with the agreement among Democratic members of the Senate, that no action would be taken on Hoover nominations. It is a forgone conclusion that Judge Sykes will be renominated by Mr. Roosevelt when he becomes President but this will be after March 4. In the meantime the Commission now has three members, Commissioners Lafount, Starbuck and Brown.

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February 25, 1933

#### 400 RADIO AND VISUAL COURSES

There are more than 400 courses in radio and visual education being offered by the colleges and universities in the United States, according to an estimate made by the U. S. Office of Education. About 270 of these courses are in radio. In a recent survey conducted by the Office of Education, 873 institutions reported a total of 258 courses in radio and visual education. These courses may be divided as follows:

Visual Education and Motion Pictures - visual education, 75; motion picture production, 7; photoplay composition, 2; scenario writing, 2; motion picture photography, 1; educational sound pictures, 1; motion pictures in the church, 1; total - 89.

Radio Principles, Construction, Engineering - radio theory, 40; radio communication, 35; radio engineering, 22; vacuum tubes, 13; radio laboratory and construction, 12; radio measurements, 6; radio sending and receiving, 6, radio acoustics, 2; television, 2; radio code, 1; radio for amateurs, 1; radio station operation, 1; aircraft, 1; vocational radio, 1; total - 143.

Radio Broadcasting, etc., - radio speaking and singing, 16; radio law, 5; radio in education, 2; vocational aircraft, 1; radio advertising, 1; radio program building, 1; total - 26.

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#### JANUARY RADIO EMPLOYMENT

The January index of employment in the radio industry was 57.9 compared with 70.4 for December and 77.9 for January of last year, taking 1926 at 100 according to the Bureau of Labor Statistics, Department of Labor.

The pay roll January employment index number was 41.9 compared with 50.9 for December and 73 for January of last year.

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#### OPTIMISM KEYNOTE RADIO TRADE IN BELGIUM

During 1932 American manufacturers exported 24,045 radio receiving sets to Belgium valued at \$620,497, according to Assistant Trade Commissioner C. C. Frick, reporting to the Department's Electrical Equipment Division.

This was one-fifth more than was shipped to France during the year and twice the number sent to Belgium in the previous year. Sales to Belgium in 1931 totalled 12,082 sets valued at \$471,003, an average value per set of \$39 compared with only \$25.80 in 1932, illustrative of the decline in prices during 1932.

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## COURT APPEALS DISMISSED

The Court of Appeals of the District of Columbia has dismissed on motion of the appellants, the appeal in Docket No. 4991 of the Mackay Radio Telegraph Company and No. 4990 of RCA Communications, Inc.

Also on motion of the Radio Commission, the Court dismissed No. 4987 of the Intercity Radio Telegraph Company and No. 4988 of Wireless Telegraph & Communications Company, Inc. These last two companies are insolvent.

These appeals all dealt with domestic point-to-point frequencies which have been involved in controversy for several years and this long pending litigation is now closed.

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## THUMBS DOWN ON RATE CHISELING

Commission and per inquiry proposals continue to pour into stations but rate chiselers are finding the going more and more difficult. Many NAB members have informed NAB headquarters that they are sticking to the policy of refusing to sell time on any basis except at published rates. Several agencies during the past week offered percentage proposals to a list of stations and upon meeting with opposition one, at least, is considering buying time at regular rates.

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## CANADIAN ESTIMATES FOR RADIO INCREASE

The main estimates of the Dominion Government, tabled in the House of Commons at Ottawa, February 1, include \$2,159,375 for radio service, of which \$1,000,000 (increase \$600,000) is for the Canadian Radio Broadcasting Service; \$679,550 (decrease \$36,450) is for the construction and maintenance of radio ship to shore stations and the general administration of the provisions of the Radio Act and regulations throughout the Dominion; \$280,400 (unchanged) for the general improvement of reception conditions to licensed broadcast listeners; and \$199,425 (decrease \$575) for the maintenance and operation of the Northwest Territories radio system by the Department of National Defence. The total increase for radio service is \$562,975.

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## McFADDEN ASKS PROBE OF NETWORKS

Representative McFadden, Republican, of Pennsylvania, asks an investigation of the finances of the National Broadcasting Company and the Columbia Broadcasting System in a resolution introduced in the House this week.

The resolution would direct the Speaker to appoint a committee of five to determine whether the management of the two chains was "properly in the public interest", whether they tended to "monopolize the radio broadcasting field", and whether the National Broadcasting Company's income "is properly applied for the public benefit or is diverted to meet management losses of the Radio Corporation of America or its subsidiary operations."

The chain broadcasters' income, McFadden said in the preamble to the resolution, was "derived from sources which are properly in the public domain." They were operated, he added, "in opposition to and with resulting financial loss aggregating many millions of dollars to newspapers, magazines and periodicals."

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February 25, 1933

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, February 27, 1933. The hearings begin at 10 a.m.

MONDAY, FEBRUARY 27, 1933.

Docket #1881	KGIX	J. M. Heaton Las Vegas, Nevada	Renewal	1420 kc, 100 watts, specified hours.
Docket #1890	KGIX	J. M. Heaton Las Vegas, Nevada	C. P.	1420 kc, 100 watts specified hours.

TUESDAY, FEBRUARY 28, 1933

Docket #1915	NEW	Altoona Broadcasting Corp. Altoona, Pennsylvania	C. P.	620 kc, 1 KW, daytime.
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WEDNESDAY, MARCH 1, 1933

Docket #1812	KVOA	Robert Marion Riculfi Tucson, Arizona	Renewal	1260 kc, 500 watts specified hours.
Docket #1919	KVOA	Robert Marion Riculfi Tucson, Arizona	Vol. assign. of lic. to Arizona Broadcasting Company.	1260 kc, 500 watts specified hours.
Docket #1847	NEW	John Tindale Abilene, Texas	C. P.	1420 kc, 100 watts, share equally with KABC (Facilities of KABC).
Docket #1879	KABC	Alamo Broadcasting Co. Inc. San Antonio, Texas	Renewal	1420 kc, 100 watts, unlimited time.

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RENEWAL APPLICATIONS RECEIVED

During the current week the Commission received the following applications for renewals of licenses: KVOR, Denver, Colorado; WCKY, Covington, Kentucky; WWJ, Detroit, Michigan; WTAG, Worcester, Massachusetts; WNBX, Springfield, Vermont; WODA, Paterson, New Jersey; KMA, Shenandoah, Iowa; WBAK, Harrisburg, Pennsylvania; KTW, Seattle, Washington; KOIN, Portland, Oregon; WQAO-WPAP, New York, New York.

KMBC, Kansas City, Missouri; KGMB, Honolulu, T. H.; WTAD, Quincy, Illinois; KGIZ, Grant City, Missouri; KGBZ, York, Nebraska; WLS, Chicago, Illinois; KFAC, Los Angeles, California; KMO, Tacoma, Washington; KOIL, Council Bluffs, Iowa; WBAA, LaFayette, Indiana; WDRC, Hartford, Connecticut; WHN, New York, N. Y.; WKBW, Buffalo, New York.

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February 25, 1933

MISCELLANEOUS ACTION

During the current week the Commission took the following miscellaneous action:

WKRC	WKRC, Inc. Cincinnati, Ohio	Granted special authority to operate with an additional 500 watts on exp. basis, for a period ending September 1, 1933.
WFLA- WSUN	Clearwater Chamber of Commerce & St. Petersburg Chamber of Commerce Clearwater, Florida	Granted special authority to operate with power of 1 KW night with directional antenna and 2½ KW daytime, for period ending September 1, 1933.
KCRC	Enid Radiophone Company Enid, Oklahoma	Denied authority to operate from 1 to 2 a.m. daily, with 250 watts power, beginning February 27th, in order to broadcast a trial.
WKRC	WKRC, Inc. Cincinnati, Ohio	Oral Argument to be heard by Commission on March 22, en banc, on application for renewal of license on 550 kc, 500 watts with 500 watts additional experimentally.
KIED	Warner Bros. Brdcstg. Corp. Hollywood, California	Granted authority to operate broadcast pickup Station KIED, Feb. 21, to March 9, 1933.
KRKD	Fireside Broadcasting Company Los Angeles, California and	Time sharing agreement dated February 13, approved, effective February 19, 1933.
KFSG	Echo Park Evangelistic Assn. Los Angeles, California	
WSYB	Philip Weiss Music Co. Rutland, Vermont	Granted special authority to operate from 2 to 5 p.m., and 9 to 11 p.m., EST, February 24, and 25, 1933.
WBAX	John H. Stenger, Jr. Wilkes Barre, Pennsylvania	Granted special authority to operate from 8:15 p.m., to 12 midnight, EST, on Feb. 22, provided Station WJBU remains silent.
KIFS	KFJI Broadcasters Inc. Klamath Falls, Oregon	Authorized to use Station KIFS under provisions of Rule 218; frequency 1513 kc, 15 W.
WCSH	Congress Square Hotel Co. Portland, Maine	Made party respondent in case of application of Charles W. Phelan, to erect a new broadcasting station at Portland, Maine.
WRDO	WRDO, Inc. Augusta, Maine	Made party respondent in case of application of Charles W. Phelan, to erect a new broadcasting station at Portland, Maine.
WFEA	New Hampshire Broadcasting Co. Manchester, New Hampshire	Made party respondent in case of application of Charles W. Phelan, to erect a new broadcasting station at Portland, Maine.

## MISCELLANEOUS ACTION (continued)

WSPD	Toledo Broadcasting Company Toledo, Ohio	Made party respondent in case of application of Charles W. Phelan, to erect a new broadcasting station at Portland, Maine.
WEBR	Howell Broadcasting Company Buffalo, New York	Reconsidered action of February 10th, in defaulting application for mod. of lic. authorizing the use of auxiliary transmitter and set for hearing.
NEW	John Tindale Abilene, Texas	Denied request for continuance of hearing from March 1 to April 15, on application for new stations.
WJBK	James F. Hopkins Detroit, Michigan	Suspended action of February 3, 1933, granting station an increase in nighttime power from 50 to 100 watts, and set case for hearing because of protest of WMBC, Detroit, and WIRM, Jackson, Michigan.

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## RENEWAL LICENSES

During the current week the Commission renewed the following licenses for the regular period: WDEV, Waterbury, Vt.; WFLA-WSUN, Clearwater, Fla.; WGBF, Evansville, Ind.; WLBZ, Bangor, Maine; WORU, Charleston, W. Va.; WQAM, Miami, Fla. and auxiliary; WSAZ, Huntington, W. Va.; WSYR-WMAC, Syracuse, N. Y.; WTAR-WPOR, Norfolk, Va.; KFKL, Denver, Colo.; KFXF, Denver, Colo.; KGRU, Ketchikan, Alaska; KGFX, Pierre, S. Dak.; KMJ, Fresno, Calif.; KMTR, Los Angeles, Calif.; KTAB, San Francisco, Calif.; WEEI, Boston, Mass.; WJAX, Jacksonville, Fla.; WWJ, Detroit, Mich.; WTAG, and auxiliary, Worcester, Mass.; KFSD, San Diego, Calif.; KFUC, Clayton, Mo.

The following stations were granted temporary licenses, subject to such action as the Commission may take on their pending applications for renewal: WCOC, Meridian, Miss.; WGST, Atlanta, Ga.; WIBW, Topeka, Kans, WKRC, Cincinnati, Ohio, KARK, Little Rock, Arkansas.

KELW	Magnolia Park, Ltd Purbank, California	Designated application for renewal of license for hearing and granted temporary license subject to such action as Commission may take on their pending application for renewal.
KIM	Pickwick Brdcstg. Corp. Los Angeles, California	Designated application for renewal of license for hearing and granted temporary license subject to such action as Commission may take on their pending application for renewal.
WBAK	Commonwealth of Pa. Pa. State Police Harrisburg, Pennsylvania	Granted ren. of lic. 1430 kc, 1 KW, hours of operation: Monday, Tuesday, Thursday and Friday, 10:30 to 11:30 a.m.; 1:30 to 2:30 p.m.; 4 to 4:30 p.m.; Wednesday, 10:30 to 11:15 a.m.; 1:30 to 2:30 p.m.; 4 to 4:30 p.m.; Saturday 10:30 to 11:30 a.m., EST.
WHP	WEP, Inc. Harrisburg, Pennsylvania	Granted mod. of lic. to increase hours of operation to daytime except during those hours specified in license of WBAK; share equally with WCAH at night.

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February 25, 1933

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WBHS	Hutchens Company Huntsville, Alabama	Consent to vol. assign. of lic. to Radio Station WBHS, Inc.
NEW	Dr. George W. Young Minneapolis, Minnesota	C. P. for Exp. visual broadcasting service, 2000-2100 kc, 500 watts.
NEW	Miss Kathryn Jones Florence, Alabama	C. P. for new station to operate on 1420 kc, 100 watts, daytime.
NEW	Wilmington Broadcasting Co. R. A. Dunlea, Secretary Wilmington, North Carolina	C. P. for new station, 1370 kc, 100 watts, share with WRAM (facilities of WRAM).
KQ7	Pacific Agricultural Foundation Ltd., San Jose, California	C. P. to increase power from 500 watts to 1 KW daytime, 1 KW nighttime, experimentally, and to make changes in equipment. (Facilities of KTM and KELW).
WSAI	The Crosley Radio Corporation Cincinnati, Ohio	C. P. to increase daytime power from 1 KW to $2\frac{1}{2}$ KW, and make changes in equipment.
NEW	Portland, Maine Publishing Co. Portland, Maine	Application for C. P. for new station to operate on 1340 kc, 500 watts.
NEW	Charles W. Phelan d/b as Casco Bay Broadcasting Company Portland, Maine	Cancelled grant of C. P. for new station to operate on 1340 kc, 500 watts, made Feb. 10, 1933, and designated application for hearing.
WEAO	Ohio State University Columbus, Ohio	Suspended grant made January 24, 1933, of 250 watts additional daytime power, and designated for hearing application for mod. of lic. to increase daytime power to 1 KW, because of protest of WSYR, Syracuse, N. Y.
WLTH	Voice of Brooklyn, Inc. Brooklyn, N. Y.	Renewal of license
WFOX	Paramount Broadcasting Corp. Brooklyn, N. Y.	Renewal of license.
NEW	William L. Slade Hamilton, Ohio	C. P. for new station to operate on 1370 kc, 100 watts, unlimited time, (facilities of WHBD).

February 25, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WRC	National Broadcasting Co. Inc. Washington, D. C.	Granted license for auxiliary purposes only, 950 kc, 500 watts.
WTBO	Interstate Brdcstg. System, Inc. Cumberland, Maryland	Granted special authority to reduce hours of operation from unlimited to not less than 7 hours per day, for period of 30 days in order to repair damaged studios of station.
WDEV	Harry C. Whitehill Waterbury, Vermont	Granted authority to operate February 26, from 2 to 4 a.m., EST, in order to broadcast a special DX program.
WILM	Delaware Broadcasting Company Wilmington, Delaware	Granted Mod. of lic. to change hours of operation from specified to sharing with WAZL.
WGY	General Electric Company Schenectady, New York	Granted authority to determine operating power by direct antenna measurement.
WESG	Cornell University Elmira, New York	Granted Mod. of Lic. to increase hours of operation from daytime to local sunset, to daytime in accordance with Rule 78 (sunset at the dominant station).
<u>SECOND ZONE</u>		
WSPD	Toledo Broadcasting Company Toledo, Ohio	Granted authority to install automatic frequency control equipment.
WAZL	Hazleton Brdcstg. Service Inc. Hazleton, Pennsylvania	Granted mod. of lic. to change hours of operation from specified to sharing with WILM
WHBC	Edward P. Graham Canton, Ohio	Granted mod. of C. P. extending completion date from February 18, to March 18, 1933.
<u>THIRD ZONE</u>		
WNOX	WNOX, Inc. Knoxville, Tennessee	Granted renewal of license 560 kc, 1 KW night and day; also granted renewal of special authority for 1 KW additional day power.

February 25, 1933

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

KGKL	KGKL, Inc. San Angelo, Texas	Granted authority to remain silent from 1:15 to 7 p.m. daily, for a period of 12 days beginning at once, in order to install pipe organ in studio.
KTHS	Hot Springs Chamber of Commerce Hot Springs, Arkansas	Granted authority to operate on 970 kc during daytime on March 4, in order to broadcast Inaugural ceremonies.
KNOW	KUT Broadcasting Company Austin, Texas	Granted mod. of C. P. to change transmitter location from Barton Springs Road to Driskill Hotel, Austin, Texas; extend commencement date of C. P. from November 7, 1932 to immediately and completion date from February 7 to 90 days from this date.
WKEU	Allen W. Marshall, Sr. and Jr., and Guy Aaron Malcolm La Grange, Georgia	Granted Mod. of C. P. to make changes in transmitter.
KLCN	Charles Leo Lintzenich Blytheville, Arkansas	Granted C. P. to move transmitter and studio to City Hall, Blytheville, make changes in equipment and increase power from 50 to 100 watts.

FOURTH ZONE

KG DY	Voice of South Dakota Huron, South Dakota	Granted C. P. to install new transmitter with maximum rated power of 250 watts; change frequency from 1200 to 1340 kc; increase operating power from 100 to 250 watts, and decrease hours of operation from unlimited to daytime.
KMMJ	M. M. Johnson Company Clay Center, Nebraska	Granted authority to operate from 5 to 6 a.m., CST, daily, in order to broadcast weather conditions and other information to the farms and ranches in this area, until such time as this period may be required by station WSB.
WMT	Waterloo Broadcasting Company Waterloo, Iowa	Granted ren. of lic., 600 kc, 500 watts, unlimited time, and application removed from hearing docket, as applicant applying for WMT's facilities has been dismissed at request of applicant.
WKBB	Sanders Bros. Radio Station East Dubuque, Illinois	Granted extension of commencement date of C. P. to 2/21/33 and completion date to 5/21/33.



February 25, 1933

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

KGNE	Great Plains Broadcasting Co. North Platte, Nebraska	Granted authority to operate simultaneously with Station WNPR from 8 to 9 p.m., CST, March 23, 1933, in order to broadcast a style show program.
WMT	Waterloo Broadcasting Company Waterloo, Iowa	Granted authority to determine operating power by direct antenna measurement.
WDGY	Dr. George W. Young Minneapolis, Minnesota	Granted C. P. to install new equipment.
KGFX	Dana McNeil Pierre, South Dakota	Granted C. P. to make changes in equipment.

FIFTH ZONE

KFXJ	Western Slope Broadcasting Co. Grand Junction, Colorado	Granted Mod. of Lic. to increase hours of operation from specified to unlimited. (Facilities of KGEW).
KGHE	Curtis P. Ritchie and Joe E. Finch Pueblo, Colorado	Granted consent to vol. assign. of lic. to Curtis P. Ritchie and George J. Ikleman.
KGCX	First State Bank of Vida Wolf Point, Montana	Granted special authority to operate from 9 to 11:30 a.m.; 3 to 5 p.m., and 9 to 10:30 p.m., MST, February 24 and 25, 1933.
KJR	Northwest Brdcstg. System, Inc. Seattle, Washington	Granted consent to vol. assign. of lic. to Fisher's Blend Station, Inc. (Lessee).
KIEV	Cannon System Ltd. Glendale, California	Granted license, 850 kc, 100 watts, day-time only.
KPJM	Scott and Sturm Prescott, Arizona	Granted authority to temporarily reduce hours of operation from unlimited to 8 hours daily until July 1, 1933, and station allowed to keep its status as unlimited time station. (Station's offices and studios are being rebuilt and the added expense does not permit operating the minimum of 12 hours required by Rule 151 unless unreasonable number of phonograph records are employed. Station will operate fewer hours with better programs).
KGFI	Ben S. McGlashan Los Angeles, California	Granted request of Acting Inspector in Charge ordering Station KGFI to remain silent from 2 to 2:15 a.m., PST, on March 1, in order that radio monitor may check frequency of Station KERN.

## APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KNX	Western Broadcast Company Los Angeles, California	Granted license covering change inequip- ment, increasing maximum rated power of transmitter. 1050 kc, 25 KW, unlimited time.
KTAB	Associated Broadcasters Inc. San Francisco, California	Granted Mod. of Lic. to move main studio from San Francisco to Oakland, California.

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## APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WGAL	WGAL, Inc. Lancaster, Pennsylvania	Application 1310 kc, 100 watts, 250 watts LS, share with WRAW.
NEW	Lancaster Brdcstg. Service Inc. Lancaster, Pennsylvania	Application 1230 kc, 500 watts LS.
KDYL	Intermountain Brdcstg. Corp. Salt Lake City, Utah	Application 780 kc, 1 KW, unlimited time. (Facilities of KELW and KTM).
NEW	The WNPD Co. New Philadelphia, Ohio	Application 850 kc, 50 watts LS.

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## APPLICATIONS RETURNED

During the current week the following applications were returned by the Commission either at the request of the applicant or for the reason they did not comply with regulations: WLB-WGMS, Minneapolis, Minnesota; KGCA, Decorah, Iowa; KWLC, Decorah, Iowa; WCAD, Canton, New York; WLS (auxiliary) Chicago, Illinois; KRGV, Harlingen, Texas; WCSH, Portland, Maine; J. R. Van Curen, Logan, Ohio; Raymond M. Brannon, Fremont, Nebraska.

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## POLICE RADIO SERVICE

The Commission this week issued a statement on Police Radio Service. The statement, which is comprehensive, covers in some detail the factors governing the allocation of frequencies for police use; the sharing of frequencies by stations in one locality; shared maintenance of a single station by adjacent municipalities; interference; the usual methods of use of police radio facilities; data on the advantage taken of facilities; use of code systems for secrecy, and the provisions of law regarding divulgence of transmitted messages. For the month of April, 1932, 50 cities reported the transmission of 155,656 emergency calls, which were completed in an average time of 1 minute, 2 seconds, resulting in 12,676 arrests. It was reported that 2,255 automobiles were equipped to receive police transmissions, serving a total population of 32,585,000.

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February 25, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>FREQUENCY</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-PB-2810	NEW	640	Philip J. Wiseman Lewiston, Maine	C. P. for new station to use 640 kcs-500 watts - Limited time.
1-PB-2811	WMAS	1420	WMAS, Incorporated Springfield, Mass.	C. P. to make changes in equipment, increase operat- ing power from 100 watts, to 100 watts-night, 250 watts local sunset.
1-PB-2812	WRDO	1370	WRDO, Incorporated Augusta, Maine	C. P. to move transmitter and studio to Portland, Me. (Location to be determined as result of observations).
1-MLB-1134	WTAG	580	Worcester Telegram Pub- lishing Company, Inc. Worcester, Massachusetts	Mod. of Lic. to increase power from 250 watts night, 500 watts LS, to 500 watts.
1-PB-2816	WICC	600	Pridgeport Brdcstg. Sta- tion Inc. Pridgeport, Connecticut	C. P. for auxiliary trans- mitter to be used while moving main transmitter.
1-PB-2815	NEW	630	S. George Webb Newport, Rhode Island	C. P. for new station to use 630 kc, 250 watts, unlimited hours.
1-MPB-420	WPRO- WPAW	630	Cherry & Webb Brdcstg. Co. Providence, Rhode Island	Mod. of C. P. granted 1/31/33 to change equipment, frequen- cy and power from 1210 kc, 100 watts to 630 kc, 250 W.
1-MPB-421	WFEA	1340	New Hampshire Prdcstg. Company Manchester, New Hampshire	Mod. of C. P. to change fre- quency from 1430 kc. (on experimental basis) to 1340 kcs.

SECOND ZONE

None

February 25, 1933

APPLICATIONS RECEIVED (continued)

THIRD ZONE

3-MLB-1135	KRMD	1310	Radio Station KRMD, Inc. Shreveport, Louisiana	Mod. of Lic. for change in specified hours of operation on Saturday and Sunday.
3-ALB-505	WPTF	680	Durham Life Insurance Co. Raleigh, North Carolina	Consent to vol. assign. of lic. to WPTF Radio Company.
3-ZB-71	WPTF	680	Durham Life Insurance Co. Raleigh, North Carolina	Determine operating power by direct antenna measurement.
3-PB-2814	NEW	1210	Southland Radio Corp. Shreveport, Louisiana	C. P. for new station to use 1210 kc, 100 watts, unlimited hours. Requests all facilities KWEA, Shreveport, La.

FOURTH ZONE

4-LB-943	KGFK	1500	Red River Brdcstg. Co. Inc. Moorhead, Minnesota	License to cover C. P. for changes in equipment and increase power from 50 watts to 100 watts.
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FIFTH ZONE

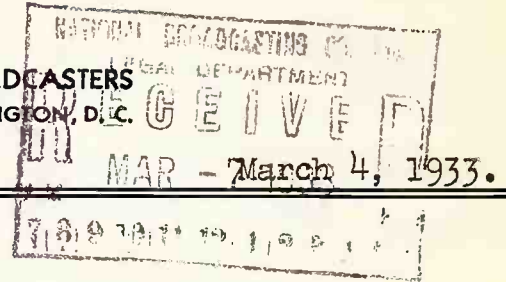
5-PB-2714A	NEW	1210	Otis Hill Hilo, Territory of Hawaii	C. P. for new station to use 1150 kc, 50 watts, unlimited hours, amended as to street address of transmitter and studio, change frequency and power requested to 1210 kc, 100 watts, change equipment and to operate minimum of 12 hours per day.
5-PB-2728A	NEW	1490	W. L. Gleeson Sacramento, California	C. P. for new station to use 1490 kc, 1 KW, unlimited time Facilities of KTM and KELW. Amended to request 5 KW. Amended 2/14/33 to omit facilities of KTM and KELW.
5-ALB-504	KMPC	710	R. S. Macmillan Beverly Hills, California	Consent to vol. assign. of lic. to Beverly Hills Broadcasting Corporation, a corporation.
5-PB-2813	NEW	1260	R. D. DuBois & T. R. Putnam d/b as "The Pima Broadcasting Company" Tucson, Arizona	C. P. for new station to use 1260 kc, 500 watts, specified hours (6-9 a.m., 12-3 p.m., 6-9 p.m.). Requests facilities KVOA, Tucson, Arizona.

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# BROADCASTERS' NEWS BULLETIN

Issued by  
THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.  
PHILIP G. LOUCKS, Managing Director



## BALDWIN JOINS NAB STAFF

James W. Baldwin, who resigned as secretary of the Federal Radio Commission, on February 28, has joined the executive staff of the NAB and has already taken over active charge of the Association's preparations for the forthcoming North American Radio Conference now scheduled to be held in Mexico City during April of this year.

Announcement of Mr. Baldwin's appointment was made by President McCosker several hours after the Commission acted officially upon his resignation.

The appointment of Mr. Baldwin and his assignment to the North American Conference work is the second step in the Association's extensive program of expansion approved at the St. Louis Convention. The first step in this program was taken earlier in the year when Hon. Newton D. Baker was retained as copyright counsel for the Association.

Mr. Baldwin is well qualified for the new duties he has assumed. He has been a diligent student of broadcasting during his term as secretary of the Commission and is familiar with the economic, legal and technical problems of radio. He will devote his entire time to the North American allocation problem.

March 4, 1933.

#### NORTH AMERICAN MEETINGS CONTINUE

Preparations for the forthcoming North American Radio Conference went forward this week with increased speed.

The general committee organized by the State Department under the direction of Senator Wallace H. White, Jr., Maine, and Judge Eugene O. Sykes, who will represent the United States at Mexico City, held a meeting at the Federal Radio Commission on Saturday of last week and on Monday, Tuesday and Wednesday of this week. At the first two of these sessions Managing Director Loucks appeared for the Association and presented in general outline form the position of the broadcasters as agreed upon by the Board of the NAB at its meeting last week.

James W. Baldwin, who recently resigned as secretary of the Commission and who will represent the NAB in all future North American committee meetings, took over his new duties on Wednesday and appeared for the Association at the Wednesday meeting. The next general meeting is scheduled for Monday, March 6.

In the meantime, subcommittees of the general committee are at work on various phases of the problem which will be presented by the forthcoming Mexico City conference.

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#### GEORGIA WOULD SANCTION ATHLETIC BROADCASTS

The bill introduced by Senator Turner and others (S 202) in the Georgia legislature on February 23 was favorably reported by the Judiciary Committee the following day. It would grant the right to any duly licensed broadcasting station to broadcast all athletic contests. This is the result of certain southern universities refusing to permit football broadcasts.

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#### INSURANCE ADVERTISING IN GEORGIA

House Bill No. 700, introduced by Pound and referred to Committee on Insurance would prohibit advertising in Georgia by radio broadcast (or otherwise) of unauthorized foreign insurance companies, making violations punishable by fines of \$50 to \$500.

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#### MASSACHUSETTS BILL KILLED

The Mercantile Affairs Committee of the Massachusetts Senate reported unfavorably on S. 67 which would have prohibited, by newspaper or radio, advertisement of any goods which are in fact manufactured in any foreign country unless such advertising so specified, and the bill was killed on March 1.

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March 4, 1933.

## CONGRESS ADJOURNS: SPECIAL SESSION SOON

The Seventy-Second Congress came to an end at high noon today (March 4) but indications are that a special session will be summoned by President Roosevelt shortly after he assumes office.

The only legislation of importance to the radio industry enacted by the Seventy-Second Congress is the Davis Bill, which won approval of both Houses, but which was lacking President Hoover's signature as this Bulletin goes into the mails. The Senate adopted the conference report on the bill but not without opposition from Senator Wallace H. White, of Maine, who criticized the measure as amendments added by the Senate, characterizing them to be "in most respects bad". The bill, of course, cannot become law unless President Hoover signs it. Reports of the Davis Bill were contained in earlier Bulletins.

With the adjournment of the Seventy-Second Congress all bills and resolutions died. If a special session is summoned it will be necessary to introduce new measures to secure action on any of the issues proposed in the bills which have died.

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## WASHINGTON PROPOSES CURB ON ROYALTIES

The demands of copyright owners for royalties from places of business where broadcast programs are received has inspired legislation in the Washington Legislature which would limit such collections to places where admission fees or cover charges are collected. The measure (HM 16) was up for second reading in the House on February 27. It is likely that the legislature will memorialize the Federal Congress for revision of the copyright laws to prevent abuses which have grown up under it. The question involved in the proposed Washington legislation is identical to that raised in the Jewell-LaSalle case of a year ago in which the Supreme Court of the United States decided against the contention of the National Association of Broadcasters that the operation of a receiving set in a hotel or place of business was not a performance within the purview of the Copyright Act of 1909.

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## MISSOURI WOULD TAX RADIO SETS AND STOCK

Under Senator McDowell's bill, S. 291, Missouri would impose a specific tax of two per cent upon sales, gifts, exchanges, etc. of particular commodities listed in the bill, among which are radio receiving sets. The same bill would place a one per cent capital stock tax on every corporation doing business within the State.

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## HARTIGAN HEADS NEWSPAPER COMMITTEE

J. J. Hartigan of Campbell-Ewald Company, Detroit, has been appointed Chairman of Committee on Newspapers of the American Association of Advertising Agencies.

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March 4, 1933

BILLS THAT DIED WITH CONGRESS

Following is a list of all of the important radio bills that were introduced during the Seventy-Second Congress and that died when the Congress adjourned at noon March 4:

THE SENATE

- S. 4 - FESS RADIO EDUCATIONAL BILL, pending before Committee on Interstate Commerce.
- S. 21 - KING COPYRIGHT BILL, pending before Committee on Patents.
- S. 176 - HERBERT COPYRIGHT BILL, pending before Committee on Patents.
- S. 481 - WHITE OMNIBUS RADIO BILL, pending before Committee on Interstate Commerce.
- S. 750 - McNARY BILL to prohibit lotteries, pending before Committee on Interstate Commerce.
- S. 1035 - TYDINGS COPYRIGHT BILL, pending Committee on Patents.
- S. 1866 - DILL PATENT BILL, pending before Committee on Patents.
- S. 3046 - DILL CLEAR CHANNEL BILL, pending Committee on Interstate Commerce.
- S. 3047 - HATFIELD BILL FOR LABOR CLEAR CHANNEL, pending before Sub-committee of Committee on Interstate Commerce.
- S. 3649 - SHIPSTEAD BILL to change allocation, pending before Committee on Interstate Commerce.
- S. 3985 - DILL COPYRIGHT BILL, pending Committee on Patents.
- S. 4399 - METCALF BILL for education by radio, pending before Committee on Education and Labor.
- S. 5201 - DILL BILL FOR RADIO LICENSING FEES, pending before Committee on Interstate and Foreign Commerce.
- S. Res. 28 - HOWELL RESOLUTION for investigating possibility of broadcasting from the Senate chamber, pending before Committee on Rules.
- S. Res. 58 - DILL BILL to investigate RKO, pending Committee on Audit and Control.
- S. Res. 71 - DILL RESOLUTION providing for broadcasting from Senate chamber, pending before Committee on Rules.



March 4, 1933

BILLS THAT DIED WITH CONGRESS (continued)

THE HOUSE

- H. R. 139 - VESTAL COPYRIGHT BILL, pending Committee on Patents.
- H. R. 256 - CHRISTOPHERSON BILL prohibiting radio lotteries, pending before Committee on the Judiciary.
- H. R. 410 - FRENCH LOTTERY BILL, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 421 - HOCH BILL to amend I. C. C. Act to define radio as a "common carrier", pending before Committee on Interstate and Foreign Commerce.
- H. R. 6039 - SIROVICH BILL TO TRANSFER RADIO COMMISSION TO THE DEPARTMENT OF COMMERCE, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 7253 - CONNERY BILL to provide a clear channel for labor, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 8759 - AMLIE BILL prohibiting radio advertising on Sunday, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 12844 - LAGUARDIA BILL establishing fees for patented radio equipment, pending before Committee on Patents.
- H. R. 12845 - LAGUARDIA BILL establishing fees for radio advertising, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. R. 14501 - RAYBURN COMMUNICATION COMMISSION BILL, pending before Committee on Interstate & Foreign Commerce.
- H. R. 14688 - DAVIS RADIO LICENSING FEE BILL, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. Res. 80 - HERR RESOLUTION to investigate Radio Commission and NBC control of Pacific Coast stations, pending before Rules Committee.
- H. Res. 110 - AMLIE RESOLUTION on free speech, pending before Committee on Merchant Marine, Radio and Fisheries.
- H. Res. 390 - McFADDEN RESOLUTION for investigation of Columbia and NBC, pending Committee on Merchant Marine, Radio and Fisheries.
- H. Con. Res. 51 - FULMER BILL for general radio investigation, pending Committee on Rules.

March 4, 1933

## BALDWIN'S RESIGNATION ACCEPTED

The Federal Radio Commission formally announced the resignation of Mr. Baldwin in the following statement:

"James W. Baldwin, who has been Secretary of the Federal Radio Commission since May 5, 1930, resigned today to accept a prominent position with the National Association of Broadcasters.

"As Secretary of the Commission, Mr. Baldwin has displayed ability as an administrative and supervising officer. Under his regime the vast amount of routine matters of the Commission have been handled in an orderly and efficient manner.

"As the personnel officer he took an active part in the transfer of the Radio Division of the Department of Commerce to the Federal Radio Commission, which effected a substantial saving making it possible for Congress to appropriate \$331,653 less for 1934 for radio regulation than the total of the 1932 appropriations for the two separate units - a saving of 30%.

"As the budgetary officer of the Commission he compiled estimates of financial requirements to carry on its work, which were adopted, for the most part, by the Bureau of the Budget and the Congress. Special data regarding the activities of the Commission, requested by Congress during his regime, were prepared under his supervision. In all his activities, Mr. Baldwin showed marked executive ability.

"He reorganized the various sections and divisions of the Commission, thus effecting economies and adding to the efficiency of the work.

"Mr. Baldwin is a native of Indiana, having been born in Scottsburg, Indiana, on November 5, 1898. He attended the public schools in Indiana, and received the degree of LLB from the National Law University, Washington, D. C., in 1925. He is a member of the Indiana Bar, the American Legion, Sigma Mu Phi Fraternity (Legal), and a Mason.

"Prior to the World War he was resident manager of the Lexington Telephone Company, Lexington, Indiana. He enlisted in the United States Naval Reserve Force and served as an instructor in the Aviation Gunners' School, Great Lakes, Illinois.

"At the close of the war Mr. Baldwin received an appointment in the Department of Justice, and in 1925 succeeded to the position of Chief Clerk and Administrative Assistant of that Department."

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## FISHER ACTING GENERAL COUNSEL

The Radio Commission has announced that Ben S. Fisher, who has been Assistant General Counsel since January 27, 1930 has been named Acting General Counsel following the resignation of Duke M. Patrick.

Announcement was also made by the Commission that John P. Reynolds, who has been Assistant Secretary of the Commission since May 19, 1930, has been named Acting Secretary following the resignation of James W. Baldwin. The Patrick and Baldwin resignations were effective March 1.

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March 4, 1933

## TWO ASPECTS OF TRADE ASSOCIATIONS

"The trade association has the power for collective action if its members will treat it as a force for constructive accomplishment, and not look upon it as an instrument for defense alone," Director Frederick M. Feiker, Bureau of Foreign and Domestic Commerce, told a meeting of hardware men recently. "Most trade associations have their roots in defense; most were formed to protect the group against some wrong either real or fancied. It is time we threw overboard this defense mechanism of the trade association, and think of it in terms of a power for promoting advantageous conditions, rather than a force for preventing disadvantageous conditions. There is a world of difference in this viewpoint.

"The men who lead trade associations and the men who have given of their time and effort in the solution of their problems, through the mechanism of committees and the forwarding of constructive programs, deserve the thanks not only of their fellow businessmen but of the public.

"It is difficult to maintain a solid front in these times. It is difficult sometimes for the individual to merge his selfish need for self-preservation in the larger good of preserving the group; but it is increasingly evident that unless the preservation of the groups is accepted as the basis for self-preservation, there will be no such thing as self-preservation in business."

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## "WE TURN DOWN CHISELERS, BUT"

"You are doing broadcasting a great service by discouraging percentage and per inquiry accounts," writes an NAB member. "We are sticking strictly to our card rates. We turn down chiselers, but recently a 50,000 watter took on one of these accounts we turned down. If broadcasting is to stamp out this practice, all must cooperate - the small stations and the big ones. We are doing our part; let the other stations do theirs."

In the meantime the mails are filled with all kinds of chiseling offers. Cosmetics, guitar lessons, hillbilly songbooks, magic crystals, mineral waters, nerve medicine, and a score of other commodities and alleged services are being offered on every conceivable kind of basis, except published rates.

One very bold fellow, who evidently is taking large quantities of the nerve medicine he sells, challenges radio stations by asking if they have "confidence in the ability of your station to pull inquiries". You can prove the value of your station as an advertising medium, he writes, by making the attached announcements - each several hundred words in length. Certainly must be a good product.

It is gratifying, however, that NAB members are taking the lead in stamping out rate cheseling practices. But there's a lot of work to be done.

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March 4, 1933

#### TEXAS WOULD PERMIT BROADCASTING CORPORATIONS

Senate Bill No. 218, by Felbaum, in the Texas Legislature has been favorably reported. A similar bill in the House (H. 71) had also been previously reported favorably by the Committee on Municipal and Private Corporations. These bills would permit the creation of new corporations, and allow existing corporations to amend their charters, to include the right to construct, maintain and operate broadcasting equipment and stations, due to the fact that there is no existing statute permitting such charters.

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#### OREGON RADIO BILL PROGRESSES

H. J. R. 17 which passed the Oregon House last month has been referred to the Resolutions Committee of the Senate. This bill would amend the Oregon constitution to permit the State to purchase, condemn, build, own and operate telephone, telegraph or radio systems for the transmission of long distance messages within and without the state.

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#### SOUTH CAROLINA SANCTIONS ATHLETIC BROADCASTS

H. 27 which has passed the South Carolina House, was reported favorably by the Senate Education Committee and went to the third reading with minor amendments. This bill authorizes the heads of State colleges to permit broadcasting of athletic events. As originally introduced in the House the bill would have made it unlawful to prohibit such broadcasting.

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#### INDIANA ACT BECOMES LAW

The Governor of Indiana has approved the action of the State Legislature making it unlawful to use a low wave length radio on a private automobile without proper permission. Similar laws are pending in several other states.

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#### EIGHT PER CENT ON BROADCASTERS' GROSS

The Minnesota bill reported by us last week as House Bill No. 1078, we now learn is in the Senate by Senator Serline as S. No. 990. This bill would impose a tax of eight per cent on the gross earnings of broadcasting stations in lieu of all other taxes. Broadcasters would be required to keep earnings accounts on forms prescribed by the State, would be subject to 10% penalty for failure to make the report, and another 10% for failure to pay the tax on time. The State would have a lien on all the property of the station, taking precedence over all demands, decrees and judgments against the broadcaster. The tax would become effective for the year 1933.

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March 4, 1933

#### RECOMMENDS MORE POWER FOR KTAR

Recommendation was made in Report No. 456 this week by Examiner Elmer W. Pratt that Station KTAR, Phoenix, Arizona, be granted a night time power increase from 500 to 1,000 watts. The station now operates 1,000 watts daytime on 620 kilocycles. The Examiner found that the granting of the increased power requested for nighttime operation "will not cause objectionable interference within the expected service area of any other station or stations." He therefore recommends that the increase be granted.

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#### COMMISSION APPROVES WEHC MOVE

The Radio Commission this week sustained Chief Examiner Yost in his Report No. 452, granting Station WEHC, Emory, Virginia, permission to move to Charlottesville, Virginia. The station operates on a frequency of 1350 kilocycles. The Commission contends that the proposed operation of the station in Charlottesville "will not result in objectionable interference with Station WLVA, at Lynchburg, Virginia, nor will such operation in any way reduce the present service area of Station WLVA." Changing of the location, the Commission states is in the public interest.

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#### APPROVES NBC - WMAL LEASE

The Commission this week approved the leasing arrangement between Station WMAL, Washington, D. C., the M. A. Leese Radio Corporation and the National Broadcasting Company. The station operates on a frequency of 630 kilocycles. The Commission found that "the proposed operation of Station WMAL by the National Broadcasting Company would result in a marked improvement in the program service of that station. Although the service now rendered by WMAL under the present management is generally good the programs as a whole are undoubtedly inferior in quality and point of interest to those which would be presented by the proposed licensee."

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#### AUTO RADIO SETS TAXABLE

The Bureau of Internal Revenue has issued the following statement in connection with the taxability of automobile radio receiving sets:

"Advice is requested whether automobile radio sets sold by a manufacturer are subject to the tax imposed by section 606 or by section 607 of the Revenue Act of 1932 when sold to an automobile manufacturer or to a dealer.

"Automobile radio sets specially designed and primarily adapted for use in automobiles are considered automobile accessories within the meaning of section 606 (c) of the Revenue Act of 1932 and are taxable, when sold by the manufacturer, at the rate of 2 per cent under that section, instead of at the rate of 5 per cent under section 607, imposing a tax on certain component parts of radio receiving sets.

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March 4, 1933

#### KGDA FILES APPEAL

Station KGDA, Mitchell, North Dakota, has filed an appeal in the Court of Appeals of the District of Columbia against the Radio Commission's decision of February 10, effective March 8, denying renewal application. The station operates on 1370 kilocycles with 100 watts power, unlimited time. The appeal states that the Commission "erred as a matter of law in failing to interpret the standard of public interest, convenience and necessity contained in the Radio Act of 1927 so as to take note of economic conditions rendering it unnecessary in the public interest, convenience and necessity for appellant to maintain a large operating capital."

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#### SAVANNAH TO GET NAVY STATION

The House passed the bill (S. 2374) authorizing the Secretary of the Navy to convey by gift to the city of Savannah, Georgia, the Naval Radio Station, the buildings and apparatus, located on the land owned by the city. The bill had already passed the Senate.

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#### ALTOONA APPLICANT DEFAULTS

Examiner Elmer W. Pratt in Report No. 461 this week recommended against the granting of a construction permit to the Altoona Broadcasting Corporation for the construction of a new station at Altoona, Pennsylvania.

The applicant did not appear at the hearing and motion was made by Commission counsel "that the application be dismissed and denied as in default." The Examiner, therefore, recommended against the granting of the application. The application was for a frequency of 620 kilocycles, 1,000 watts power and daytime service.

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#### ARKANSAS APPLICANT LOSES

In Report No. 457 this week Examiner Elmer W. Pratt recommends that the application of the Arkansas Radio & Recording Company for the construction of a new broadcasting station at Little Rock, Arkansas, on 890 kilocycles be denied and that the application of KARK, Little Rock, for license renewal be granted.

In the opinion of the Examiner applicants for the new station did not make sufficient showing "of financial responsibility, proposed equipment, technical resources, proposed programs and service and availability of talent, either with reference to the enumerated items singly or when considered collectively, to warrant a finding that public interest, convenience and necessity would be served by the granting of this application for construction permit."

Examiner Pratt says that KARK has recently been technically improved through the installation of new speech input equipment, a modern frequency monitor, a modulation meter and a special transformer. The station, he states, is financially responsible and has on hand sufficient funds to meet current obligations and to continue the operation of its station.

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March 4, 1933

HEARING CALENDAR (continued)

THURSDAY, MARCH 9, 1933 (continued)

HEARINGS BEFORE EXAMINER

Docket #1833	WTAQ	Gillette Rubber Co. Eau Claire, Wisconsin	Renewal	1330 kc, 1 KW, shares with KSCJ.
Docket #1920	WTAQ	Gillette Rubber Co. Eau Claire, Wisconsin	Mod. Lic.	1330 kc, 1 KW, simul- taneous daytime to LS with KSCJ, sharing at night with KSCJ.
			Present Assignment:	1330 kc, 1 KW, shares with KSCJ.
Docket #1868	KSCJ	Perkins Brothers Company (The Sioux City Journal) Sioux City, Iowa	Renewal	1330 kc, 1 KW, 2 $\frac{1}{2}$ KW LS, shares with WTAQ.
Docket #1921	KSCJ	Perkins Brothers Company (The Sioux City Journal) Sioux City, Iowa	Mod. Lic.	1330 kc, 1 KW, 2 $\frac{1}{2}$ KW LS, simultaneous day- time with WTAQ, shar- ing at night.
			Present Assignment:	1330 kc, 1 KW, 2 $\frac{1}{2}$ KW LS, shares with WTAQ.

FRIDAY, MARCH 10, 1933

Docket #1930	WCLS	WCLS, Inc. Joliet, Illinois	C. P.	1420 kc, 100 watts, speci- fied hours. (Facilities of WEHS, WHFC, WKBI).
			Present Assignment:	1310 kc, 100 watts, specified hours.
Docket #1928	WKBI	WKBI, Inc. Cicero, Illinois	Mod. Lic.	1310 kc, 100 watts specified hours (facili- ties of WCLS).
			Present Assignment:	1420 kc, 100 watts, specified hours.
Docket #1929	WHFC	WHFC Inc. Cicero, Illinois	C. P.	1310 kc, 100 watts, specified hours. (Facili- ties of WKBI and WCLS).
			Present Assignment:	1420 kc, 100 watts, specified hours
Docket #1931	WEHS	WEHS, Inc. Cicero, Illinois	Mod. Lic.	1310 kc, 100 watts. specified hours (Facili- ties of WCLS).



March 4, 1933

MISCELLANEOUS COMMISSION ACTION

KPPC	Pasadena Presbyterian Church Pasadena, California	Denied authority to operate from midnight to 6 a.m., PST, March 4, with 100 watts power in order to broadcast a test program.
WKBN	WKBN, Broadcasting Corp. Youngstown, Ohio	Denied authority to operate simultaneously with WEAO from 1 to 3 p.m., March 4, in order to broadcast inauguration program.
WABI	First Universalist Society of Bangor Bangor, Maine	Granted special authority to operate from 3 to 5 p.m., EST, March 12.
WSUI	State University of Iowa Iowa City, Iowa	Granted special authority to operate from 10 p.m., CST, March 10, to 1 a.m., CST, March 11, and from 10 p.m., to 12 midnight CST, on March 17 and 31.
WLS	Agricultural Broadcasting Co. Chicago, Illinois	Granted renewal of license for auxiliary transmitter for regular period.

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WMBG	Havens & Martin Inc. Richmond, Virginia	C. P. to make changes in equipment and increase daytime power from 100 to 250 watts. (Facilities of WPHR).
KGEK	Beehler Electrical Equipment Co. Yuma, Colorado	C. P. to move station from Yuma to Fort Collins, Colorado.
WSMB	WSMP, Inc. New Orleans, Louisiana	Mod. of Lic. to increase daytime power from 500 watts to 1 KW. (Facilities of KWEA).
WJBY	Gadsden Broadcasting Co. Inc. Gadsden, Alabama	C. P. to make changes in equipment only; also to move studio locally in Gadsden.
WEFR	Howell Broadcasting Company Inc. Buffalo, N. Y.	Granted request to reconsider Commission action of February 10, in defaulting application for Mod. of Lic. and directed that hearing be scheduled February 24 as originally. (Action taken February 23).

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March 4, 1933

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WBAL	Consolidated Gas & Electric Light & Power Company Baltimore, Maryland	Granted extension of synchronization authority for period of 3 months from March 1.
WIEO WIEW	National Broadcasting Co. Inc. New York, N. Y.	Granted authority to use station WIEO 50 watts and WIEW $7\frac{1}{2}$ watts, 1566 and 2390 kc, in Washington in connection with inaugural ceremonies.
<u>SECOND ZONE</u>		
WNBW	WNBW, Inc. Carbondale, Pennsylvania	Granted Mod. of C. P. to extend commencement date from September 19, 1932 to February 15, 1933, and completion date from December 18, 1932 to June 15, 1933.
WNBW	WNBW, Inc. Carbondale, Pennsylvania	Granted extension of authority to remain silent for 60 days from December 15, 1932.
<u>THIRD ZONE</u>		
KGHI	O. A. Cook Little Rock, Arkansas	Granted consent to vol. assign. of lic. to Lloyd Judd Company.
KWEA	Hello World Brdcstg. Corp. Shreveport, Louisiana	Granted extension of authority to remain silent pending action on C. P. and renewal application now pending before the Commission.
WNAD	University of Oklahoma Norman, Oklahoma	Granted special authority to operate from 3:30 to 5 p.m., CST, March 6, 13, 20 and 27, provided Station WGGF remains silent.
WSM	National Life & Accident Insurance Company Nashville, Tennessee	Granted authority to conduct antenna tests using 1 watt power on frequencies 270, 400, 500, 550, 600, 650, 700, 750 and 800 kc, between 1 and 6 a.m., CST, for period of 30 days from March 1.
<u>FOURTH ZONE</u>		
KFNF'	Henry Field Company Shenandoah, Iowa	Granted continuation from March 1 to April 1 of special authority to use the time assigned to but not used by KUSD and WILL.

March 4, 1933

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

KFMX	Carleton College Northfield, Minnesota	Granted authority to remain silent for an additional period of 10 days. (Station was granted authority to remain silent for 30 days from January 23, 1933, while making changes in equipment.
WLEL	State of Wisconsin Dept. of Agriculture and Markets Stevens Point, Wisconsin	Granted authority to remain silent on all national holidays, which include January 1, February 22, May 30, July 4, Labor Day and December 25, or the day which may be set for observance in case of holidays falling on Sundays.
WDGY	Dr. George W. Young Minneapolis, Minnesota	Granted special authority to erect and operate temporarily a transmitter at 909 West Broadway, Minneapolis, 1180 kc, 500 watts, for period not over 30 days.
KFYR	Meyer Broadcasting Company Bismarck, North Dakota	Granted special authority to operate from 12:30 to 2 p.m., CST, March 4, provided KFDY remains silent.

FIFTH ZONE

None

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NEW YORK RADIO TAX BILL

A bill (S. 1199) which would impose a tax of five per cent upon the gross receipts of broadcasting stations has been introduced in the New York legislature by Senator Buckley. New York broadcasting stations are opposing the measure on the ground that the tax is an unconstitutional burden on interstate commerce. The same issue was involved in the South Carolina case in which the court held that the state did not have the right to impose a tax upon receiving sets because they were an integral part of interstate commerce.

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STATIONS SHOULD COOPERATE

The NAB Bulletin publishes accounts of radio legislation pending in the various state legislatures just as soon as the information can be obtained. These accounts should be carefully read each week and all such proposals pending in your state legislature should be carefully studied. If a measure is objectionable you should cooperate with other stations in your state to bring your objections to the proper state committees or officials in charge of the measure. Do not wait for the other fellow to start. Get busy on the phone and contact other broadcasters in your state just as soon as an objectionable measure is called to your attention. Cooperation of this kind will become more and more necessary as new problems arise.

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March 4, 1933

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>FREQUENCY</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-LB-948	WGLC	1370	O. T. Griffin & G. F. Bissell Hudson Falls, N. Y.	Lic. to cover C. P. granted 11/3/32 move station from Glens Falls, N. Y., new equipment and increase power, from 50 w. to 50 w. night, 100 w. LS.
1-LB-949	WHAM	1150	Stromberg-Carlson Telephone Manufacturing Co. Rochester, N. Y.	Lic. to cover C. P. granted 12/17/31 new equipment and increase power from 5 KW to 25 KW.
1-ZB-73	WHAM	1150	Stromberg-Carlson Telephone Manufacturing Co. Rochester, N. Y.	Determine operating power by direct antenna measurement.
1-MLB-1128	WINS	1180	American Radio News Corp. New York, N. Y.	Mod. of lic. to increase power from 500 w. to 1 KW. Resubmitted without change requests be considered under 6(g).
1-FB-307	WRNY	1010	Marcus Loew Booking Agency New York, N. Y.	Changes in automatic frequency control.
1-LB-944	WGNY	1210	Peter Goelet Chester Township, N. Y.	License to cover C. P. granted 9/30/32 for new station.
1-ZB-72	WGNY	1210	Peter Goelet Chester Township, N. Y.	Determine power by direct antenna measurement.
1-LB-945	WMAL	630	M. A. Leese Radio Corp. Washington, D. C.	License to cover C. P. granted 10/21/32 for auxiliary transmitter.
1-MLB-1097A	WFOX	1400	Paramount Brdcstg. Corp. Brooklyn, N. Y.	Mod. of lic. change hours from Share WCGU, WLTH and WBBC to WFOX 3/4 time, WBBC 1/4 time. Facilities WCGU and WLTH. Amended to request unlimited hours. Facilities WCGU, WLTH and WBBC, Brooklyn, N. Y.

March 4, 1933

APPLICATIONS RECEIVED (continued)

SECOND ZONE

2-MLB-1137	WJFK	1370	James F. Hopkins, Inc. Detroit, Michigan	Mod. of station lic. to change hours of operation from Unlimited Day - Specified hours night to Simultaneous day and share night with WIBM accordance time sharing agreement.
2-MLB-1138	WIBM	1370	WIBM, Inc. Jackson, Michigan	Mod. Lic. to change hours of operation from Unlimited day specified hours night to Simultaneous day, share night with WJBK, accordance time sharing agreement.
2-PB-2821	WGBI	880	Scranton Broadcasters, Inc. Scranton, Pennsylvania	C. P. to make changes in equipment.
2-SAB-31	WIP	610	Pa. Brdcstg. Company Philadelphia, Pennsylvania	Special authorization to increase power from 500 watts to 1 KW on experimental basis.

THIRD ZONE

3-SAB-32	WMC	780	Memphis Commercial Appeal Inc., Memphis, Tennessee	Special authorization to increase night power from 500 w. to 1 KW experimentally.
3-PB-2822	WAMC	1420	Raymond C. Hammett Anniston, Alabama	C. P. to move transmitter and studio to Muscle Shoals, Ala., exact location to be determined and change equipment.
3-MPB-425	WJBO	1420	Baton Rouge Brdcstg. Co. Inc. Baton Rouge, Louisiana	Mod. of C. P. 12/22/32 and modifications to change proposed street address of transmitter location to Magnolia and 5th Sts., Baton Rouge, La., and extend dates of commencement and completion.
3-MPB-426	KVOO	1140	Southwestern Sales Corp. Tulsa, Oklahoma	Mod. of C. P. granted 11-17-31 to extend date completion to 6-17-33.
3-MLB-1139	WAML	1310	Southland Radio Corp. Laurel, Mississippi	Mod. of license to change specified hours of operation.
3-MLB-1136	WHET	1210	Cyril W. Reddoch, Julian C. Smith, John T. Hubbard and Joe K. Jernigan d/b as Troy Broadcasting Company Troy, Alabama	Mod. of lic. to change specified hours of operation, requests an additional hour Sunday evenings.

March 4, 1933

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

3-FB-308	KRMD	1310	Radio Station KRMD, Inc. Shreveport, Louisiana	Changes in automatic frequency control.
3-PB-2819	WFLA- WSUN	620	Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce Clearwater, Florida	C. P. to make changes in equipment.
3-MPB-422	WFBC	1200	Greenville News-Piedmont Co. Greenville, South Carolina	Mod. of C. P. granted 11/22/32 to change proposed transmitter and studio location to West Faris Road and Imperial Hotel, Greenville, S. C., respectively; also extend date of completion.

FOURTH ZONE

4-LB-946	KSTP	1460	National Battery Brdcastg. Co. St. Paul, Minnesota	License to cover C. P. granted 2/7/33 increase power from 10 KW to 10 KW night, 25 KW LS (experimental basis).
4-PB-2718A	NEW	1500	C. E. Wilkinson Mason City, Iowa	C. P. for new station to use 1500 kc, 100 w., specified hours. Resubmitted and amended as to transmitter location.

FIFTH ZONE

5-MPB-423	KIEM	1210	H. H. Hanseth Eureka, California	Mod. of C. P. granted 9/13/32 for new station to extend date of completion to 4/1/33.
5-MPB-424	KIEM	1210	H. H. Hanseth Eureka, California	Mod. of C. P. to change equipment.
5-ALB-507	KGCX	1310	First State Bank of Vida Wolf Point, Montana	Vol. assign. of lic. to E. E. Krebsbach.
5-PB-2820	KOIN	940	KOIN, Inc. Portland, Oregon	C. P. to make changes in equipment and increase operating power from 1 KW to 1 KW night 2½ KW LS.
5-LB-947	KOIN	940	KOIN, Inc. Portland, Oregon	License to cover C. P. granted 11/11/32 change transmitter location to Barnes Road, Portland, Oregon.

March 4, 1933

APPLICATIONS RECEIVED (continued)

FIFTH ZONE (continued)

5-PB-2739A	NEW	780	Don Lee Brdcstg. System Redlands, California	C. P. for new station to use 780 kc, 500 w. night, 1 KW LS, unlimited hours, facilities KTM, Los Angeles, Calif., and KELW, Burbank, Calif. Amended to change power re- quested to 500 watts day and night.
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RENEWAL APPLICATIONS RECEIVED

The following applications for renewal of broadcasting licenses were received during the current week: KFJR, Portland, Oregon; KID, Idaho Falls, Idaho; KOH, Reno, Nevada; KTRS, Shreveport, Louisiana; WADC, Talmadge, Ohio; WHBL, Sheboygan, Wisconsin; WHEC-WABO, Rochester, N. Y.; WHP, Harrisburg, Pennsylvania; WODX, Mobile, Alabama; WAAM, Newark, New Jersey; KGCA, Decorah, Iowa; KDFN, Casper, Wyoming.

KFLV, Rockford, Illinois; KFPY, Spokane, Washington; KGRS, Amarillo, Texas; KQV, Pittsburgh, Pennsylvania; WDAG, Amarillo, Texas; WEVD, New York, N. Y.; WFEL, Syracuse, N. Y.; WGAR, Cleveland, Ohio; WKBH, La Crosse, Wisconsin, WNBR-WGBC, Memphis, Tennessee; WSAI, Cincinnati, Ohio; WSPD, Toledo, Ohio; KWLC, Decorah, Iowa; WDSU, New Orleans, Louisiana; KECA, Los Angeles, California.

KGA, Spokane, Washington; KGB, San Diego, California; KUOA, Fayetteville, Arkansas; KWK, St. Louis, Missouri; WAAB, Boston, Massachusetts; WAWZ, Zarephath, New Jersey; WBBC, Brooklyn, N. Y. (and auxiliary); WBBR, Brooklyn, N. Y.; WCAH, Columbus, Ohio; WFAB, New York, N. Y.; WHAZ, Troy, N. Y.; WKBF, Indianapolis, Indiana; WLBC, Muncie, Indiana; WSAR, Fall River, Massachusetts; WSFA, Montgomery, Alabama; WTRC, Elkhart, Indiana; KFSG, Los Angeles, California; WCAD, Canton, N. Y.

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APPLICATIONS RETURNED

The following applications were returned to the applicants either at the applicant's request or because the applications were not in proper form for Commission consideration: WAML, Shreveport, Louisiana; KALE, Portland, Oregon; KFAC, Los Angeles, California.

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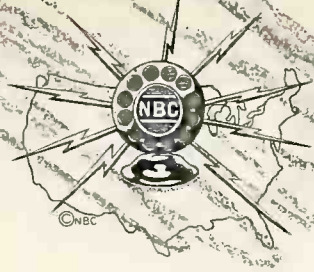
APPLICATIONS DISMISSED

The applications of Station WOPU, Charleston, West Virginia, and Station WSAZ, Huntington, West Virginia, for special authority to use additional 250 watts night experimentally, and heretofore set for hearing were dismissed at the request of applicants.

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# NATIONAL BROADCASTING COMPANY, INC.

711 FIFTH AVENUE



NEW YORK