



3505-

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

# NATIONAL ASSOCIATION OF BROADCASTERS NAB REPORTS CONSOLIDATED INDEX

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## Music

### Statement of Justin Miller, President, National Association of Broadcasters, Following His Meeting (Chicago, Friday 18) with James C. Petrillo, President American Federation of Musicians

"My visit with Mr. Petrillo was exploratory. It was not a meeting for negotiation.

"I wanted to meet Mr. Petrillo and his Executive Committee and sit down at a table with them to seek common ground. I want to learn firsthand their problems and their viewpoints. And I want them to learn firsthand, the problems and viewpoints of the various segments of American Broadcasting: non-network stations, network affiliated stations and networks.

"There is no reason to think that fair minded men, ready and willing to find an equitable basis for mutually satisfactory relations cannot ultimately resolve the problem on the dotted line rather than on the picket line. I feel certain that the millions of American radio listeners will join us in this common purpose to settle our problems around the conference table.

"I believe progress has been made. Over the week-end I will digest and evaluate the results forthcoming from today's meeting and will make a report to the Special Industry Committee which meets in Washington next week. And, throughout the series of scheduled NAB district meetings I shall continue to ascertain the needs and desires of the broadcasters as I have in the three district meetings just concluded on the Pacific coast."

### NEW LEA BILL

Representative Lea (D., Cal.), introduced in the House on Jan. 14 the following bill (H. R. 5117) superseding a previous bill (H. R. 4737) introduced by him several weeks ago. (See NAB REPORTS, vol. 13, p. 545.)

The new bill which was referred to the Committee on Interstate and Foreign Commerce of which Lea is Chairman, follows in full:

#### A BILL

To amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Communications Act of 1934, as amended, is amended by inserting after section 505 thereof the following new section:*

#### "COERCIVE PRACTICES AFFECTING BROADCASTING

"SEC. 506. (a) It shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation, or duress, or by the use or express or implied threat of the use of other means, to coerce, compel or constrain or attempt to coerce, compel or constrain a licensee—

"(1) to employ or agree to employ, in connection with the conduct of the broadcasting business of such licensee, any person or persons in excess of the number of employees wanted by such licensee; or

"(2) to pay or give or agree to pay or give any money or other thing of value in lieu of giving, or on account of failure to give, employment to any person or persons, in connection with the conduct of the broadcasting business of such licensee, in excess of the number of employees wanted by such licensee; or

"(3) to pay or agree to pay more than once for services performed in connection with the conduct of the broadcasting business of such licensee; or

"(4) to pay or give or agree to pay or give any money or other thing of value for services, in connection with the conduct of the broadcasting business of such licensee, which are not to be performed; or

"(5) to refrain, or agree to refrain, from broadcasting or from permitting the broadcasting of a noncommercial educational or cultural program in connection with which the participants receive no money or other thing of value for their services, other than their actual expenses, and such licensee neither pays nor gives any money or other thing of value for the privilege of broadcasting such program nor receives any money or other thing of value on account of the broadcasting of such program; or

"(6) to refrain, or agree to refrain, from broadcasting or permitting the broadcasting of any radio communication originating outside the United States.

"(b) It shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation or duress, or by the use or express or implied threat of the use of other means, to coerce, compel or constrain or attempt to coerce, compel or constrain a licensee or any other person—

"(1) to pay or agree to pay tribute for the privilege of, or on account of, producing, preparing, manufacturing, selling, buying, renting, operating, using, or maintaining recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in broadcasting or in the production, preparation, performance, or presentation of a program or programs for broadcasting; or

"(2) to accede to or impose any restriction upon such production, preparation, manufacture, sale, purchase, rental, operation, use, or maintenance, if such restriction is for the purpose of preventing or limiting the use of such articles, equipment, machines, or materials in broadcasting; or

"(3) to pay or agree to pay tribute on account of the broadcasting, by means of recordings or transcriptions, of a program previously broadcast, payment having been made, or agreed to be made, for the services actually rendered in the performance of such program.

(Continued on next page)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAional 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

"(c) The provisions of subsection (a) or (b) of this section shall not be held to make unlawful the enforcement or attempted enforcement, by means lawfully employed, of any contract right or legal obligation.

"(d) Whoever willfully violates any provision of subsection (a) or (b) of this section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not more than two years or by a fine of not more than \$5,000, or both.

"(e) As used in this section the term 'licensee' includes the owner or owners, and the person or persons having control or management, of the radio station in respect of which a station license was granted."

## Promotion

### VICTORY LOAN SUPPORT TOPS 14 MILLION

The broadcast industry hit the bull's eye again during the Victory Loan just as it did during the seven preceding War Loans. Stations, networks and their advertisers worked as a team to produce these magnificent and gratifying results.

Here are the facts, short and sweet, as compiled by NAB Research Department from reports from stations and networks:

TOTAL VALUE OF VICTORY LOAN BROADCASTING	\$14,124,853
TOTAL VALUE OF VICTORY LOAN STATION ORIGINATIONS	\$9,033,731
TOTAL VALUE OF VICTORY LOAN NETWORK ORIGINATIONS	\$5,091,122

### Total Value of Broadcasting for All 8 War Loans

Other good facts to remember and use in the right places are the dollar value figures of broadcasting of War Loan Number 1-7, inclusive, and the grand total of all War Loans:

War Loan	Year	Value of Broadcasting
1st	1942	\$3,500,000*
2nd	1943	7,095,000
3rd	1943	12,000,000
4th	1944	12,800,000
5th	1944	11,000,000
6th	1944	11,250,000
7th	1945	23,513,742
(Victory Loan—8th)	1945	14,124,853
Total All Loans		\$95,283,595

\* Estimate agreed upon by N.A.B. and Treasury.

## FM

NAB, through General Counsel John Morgan Davis, on Friday (18) submitted the following brief to the Commission:

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C.  
Docket No. 6651

In the Matter of:

Allocation of Frequencies to the Various Classes of Non-governmental Services in the Radio Spectrum from 10 kilocycles to 30,000,000 kilocycles.

MEMORANDUM OF NATIONAL ASSOCIATION OF BROADCASTERS

This memorandum is filed in connection with the Federal Communications Commission's order of the 3rd day of January, 1946, which provides for a hearing to consider, inter alia, the following issue:

Whether the band 42 megacycles to 50 megacycles, or any part of it, should be made available for FM broadcasting in addition to the assignment already made to FM in the 88 to 108 megacycle band.

The position of the National Association of Broadcasters on this issue can be briefly stated. There should be no reduction in the usefulness or number of the frequencies available for FM broadcasting, and the Commission should increase the number of such frequencies, because the public will thereby be served to the best possible advantage.

In November of 1945 the National Association of Broadcasters arranged with FM Broadcasters, Inc., to have the activities of the latter organization transferred to the National Association of Broadcasters' newly created FM department. Under this arrangement, all FMBI's members became affiliated with the National Association of Broadcasters, which at this time has 713 active members, comprising 666 Standard Licensees; 43 FM Licensees; 2 Television Licensees and 2 Networks. In addition, the National Association of Broadcasters has 102 FM Associate Members.

It is a primary objective of the FM Department of the National Association of Broadcasters to seek to secure the assignment of sufficient additional channels to permit FM broadcasting to develop in the public interest to its fullest potentialities, without the burden of artificial barriers, restraints and regulations. Consequently, the National Association of Broadcasters as a trade association with broad coverage in the radio industry is an interested party to the present proceeding, and feels called upon to present its views to the Commission in the capacity of a friend of the court.

This memorandum does not seek to cover the engineering phases of the problem but is limited in application to presenting the position of the National Association of Broadcasters that the interest, convenience and necessity of the public is best served by making available all possible frequencies for broadcasting services.

Obviously, it is difficult to anticipate the demand for FM channels. The petition now before the Commission is evidence, however, that an allocation problem exists. In addressing itself to the question of whether existing services within the 88 to 108 megacycles band shall be augmented by further additional frequencies, the Commission should base its decision upon how the needs of the public can best be served. It would be most unfortunate if postwar expansion of FM broadcasting, and its technical potentialities for public service should be restricted, because of a failure to provide an adequate number of channels to permit its proper development.

As the FM broadcasting art has developed, there has been growing faith that through this new media there could be brought into being in this country a broadcasting

(Continued on next page)

system less encumbered by artificial restraints—a system developing more freely under the laws of economics and the statutes applicable generally to private enterprise. The space so far provided by the Federal Communications Commission for FM development has fulfilled this promise for the greater area of the United States.

It would appear from the National Association of Broadcasters' knowledge of the subject that in at least a limited number of localities there are, or soon will be, more legally, technically and financially qualified applicants for FM licenses than there are channels available. This is a subject wherein the Commission may take judicial notice of the number of FM station licenses and construction permits which it has already granted as well as the number of applications for construction permits now on file.

The National Association of Broadcasters is interested in minimizing the possibility of artificial restraints which may limit the opportunities for service to the public which broadcasters desire to render. Since the number of available frequencies determines the number of broadcasters who will be permitted to undertake FM service these fre-

quencies should be augmented, if possible, to insure adequate service. Thus broadcasters who desire to serve the people in their respective communities with the static free service of FM broadcasting will be afforded a full opportunity in this field.

In the light of the increasing demand for permission to construct FM stations, we respectfully urge the Federal Communications Commission to make every possible effort to secure and allocate at least 40 additional channels for FM broadcasting, somewhere in the 42 to 88 megacycles portion of the spectrum.

### 12 MORE FM GRANTS

The Commission on Wednesday (16) granted 12 additional FM stations making a total of 278 conditional grants made to date.

At the same time 19 applications for metropolitan stations in the Chicago area were designated for hearing.

Following is a list of the grants:

<i>City</i>	<i>Grantee</i>	<i>Interest in Standard Station</i>	<i>Type of FM Station</i>
<b>CONNECTICUT</b>			
New London.....	Thames Broadcasting Corp.....	WNLC	Metropolitan
<b>ILLINOIS</b>			
Aurora.....	The Copley Press, Inc. (Aurora Beacon-News Division)...	WCBS	Metropolitan
<b>NEW JERSEY</b>			
Asbury Park.....	Asbury Park Press, Inc.....	—	Community
Bridgeton.....	Eastern States Broadcasting Corp.....	WSNJ	Metropolitan
New Brunswick.....	Home News Publishing Co.....	—	Community
Paterson.....	The Passaic Daily News.....	—	Community
<b>NEW YORK</b>			
White Plains.....	Westchester Broadcasting Corp.....	WFAS	Community
Utica.....	WIBX, Inc.....	WIBX	Metropolitan
<b>TENNESSEE</b>			
Memphis.....	Hoyt B. Wooten.....	WREC	Metropolitan, possibly Rural
<b>VIRGINIA</b>			
Lynchburg.....	Lynchburg Broadcasting Corp.....	WLVA	Metropolitan
Lynchburg.....	Old Dominion Broadcasting Corp.....	—	Metropolitan
Winchester.....	Richard Field Lewis, Jr.....	WINC	Metropolitan, possibly Rural

### Designated for Hearing

The following 19 applications were designated for consolidated hearing:

Agricultural Broadcasting Co.; Amalgamated Broadcasting System, Inc.; American Broadcasting Co., Inc.; Balaban & Katz Corp.; Chicago Federation of Labor; Drivers Journal Publishing Co.; Dual Engineering Corp.;

International Union, United Automobile Aircraft and Agricultural Implement Workers of America (UAW-CIO); Johnson-Kennedy Radio Corp.; Knight Radio Corp.; Lincoln-Belmont Publishing Co. and Myers Publishing Co.; National Broadcasting Co., Inc.; Oak Park Realty and Amusement Co.; Raytheon Manufacturing Co.; Telair Co.; Radio Station WAIT; Radio Station WGES; WJJD, Inc.; and Radio Station WSBC, all of Chicago.

## DISTRICT MEETINGS AHEAD

10th District	Jan. 25-26	Fontenelle Hotel	Omaha, Nebr.
14th District	Jan. 28-29	Brown Palace	Denver, Colo.
13th District	Jan. 31-Feb. 1	Baker Hotel	Dallas, Texas
12th District	Feb. 4-5	Tulsa Hotel	Tulsa, Okla.
6th District	Feb. 7-8	Peabody Hotel	Memphis, Tenn.
11th District	March 18-19	Radisson Hotel	Minneapolis, Minn.
8th District	March 21-22	Pantlind Hotel	Grand Rapids, Mich.
9th District	March 25-26	(No site selected)	
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Cavalier Hotel	Virginia Beach, Va.

OTHERS TO BE HELD IN APRIL-MAY

# "Telling the World" Final Report

Total Local Originations in Support Victory Loan  
October 28 through December 8, 1945

(Network Originations Excluded)

	Length	Number of Programs and Announcements
Treasury Salutes	15-min	18,354
Music for Millions	15-min	17,258
Sing for Victory	5-min	8,832
Diary Personalities	5-min	10,602
Crosby Record	3-min	16,971
Gibbs Record	3-min	7,705
Wayne Record	3-min	7,478
Stokes Record	3-min	969
Wood Record	3-min	885
Sports Personalities	1-min	14,582
Industrial Leaders	1-min	10,707
<b>Spots</b>		
	Regular	259,285
	2-min	6,856
	3-min	2,753
<b>Programs</b>		
	5-min	3,855
	6-min	2
	7-min	14
	8-min	2
	10-min	1,870
	15-min	4,988
	20-min	5
	25-min	56
	30-min	1,878
	35-min	3
	40-min	42
	45-min	46
	50-min	23
	55-min	2
	1 hour	265
	1 hour, 5-min	2
	1¼ hours	28
	1½ hours	50
	1 hour, 33-min	1
	1¾ hours	5
	1 hour, 55-min	1
	2 hours	64
	2¼ hours	29
	2½ hours	62
	2¾ hours	5
	3 hours	67
	3¼ hours	10
	3½ hours	1
	4 hours	1
	4¼ hours	1
	5 hours	2
	10½ hours	1

## FCC

### CLEAR CHANNEL HEARINGS

Hearings on clear channels opened before the Commission Monday (14). A preliminary report was submitted by Committee-4, composed of industry members, and informally established by the Commission several months ago for the purpose of working with the Department of Agriculture and the Census Bureau on two surveys which were conducted to determine whether clear channels were providing adequate programs and coverage for rural listeners.

"Attitudes of Rural People toward Radio Service," a survey made by the Bureau of Economics of the Department of Agriculture, was placed on record, and Agriculture officials who were active in making the survey testified on survey techniques which were used.

Dr. Angus Campbell, assistant chief of the Agriculture division which conducted the survey, was questioned at length by Louis G. Caldwell, Counsel for Clear Channel Broadcast Service.

Various organizations and representatives of regional stations were heard. This testimony continued into Wednesday (16) when only one session was held.

On Thursday (17) representatives of the FCC Engineering Department presented reports of three technical committees on questions relating to interference, satisfactory signals and distances encompassed for various signal strengths. Mr. Caldwell introduced in behalf of the Clear Channel group a comprehensive series of exhibits, further testimony on which is to be taken.

### FCC RULES AND REGULATIONS AMENDED

The Commission has amended its Rules and Regulations by repealing sections 1.381 and 1.382 and substituting therefor new Rules and Regulations, sections 1.381 through 1.388. These rules become effective immediately except section 1.388 which had been promulgated as a proposed rule in accordance with the Commission's decision in the AVCO case.

In substance, the rules are a codification of the Commission's existing practice with respect to action on applications under Title III of the Communications Act. The rules set forth in detail when applications will be granted without a hearing and when they will be designated for hearing. Provision is made for the participation of interested persons in these hearings either by virtue of being named as parties to the proceedings by the Commission on its own motion or by filing a petition to intervene. Procedure is also specified for the filing of petitions for reconsideration in cases where applications are granted without hearing and petitions for rehearing where applications are granted or denied after hearing. The rules specifically provide when petitions to intervene or petitions for reconsideration or rehearing will be granted and under what circumstances they will be denied.

The new rules—except for section 1.388—are being adopted in final form and not as proposed rules. The reason for this is that the rules do not propose any departure from present Commission practice except insofar as a departure is required by recent Court decision. They are simply a codification of the practice which the Commission has been following for some years. However, the Commission will from time to time be pleased to receive comments or suggestions from any person concerning changes or amendments of these Rules and Regulations.

(Continued on next page)

The Commission also amended section 1.102 by adding the following footnote:

For specific rules regarding petitions to intervene in connection with applications under Title III, see section 1.385.

A similar footnote was also added in connection with section 1.271. The footnote reads:

For specific rules regarding petitions for rehearing in connection with applications under Title III, see section 1.387.

Sections 1.381 and 1.382 of the Commission's Rules and Regulations are repealed and the following is substituted therefor:

### Action on Applications Under Title III

§ 1.381 *Grants without a hearing.*—Where an application for radio facilities is proper upon its face, and where it appears from an examination of the application and supporting data that (1) the applicant is legally, technically and financially qualified; (2) a grant of the application would not involve modification, revocation, or non-renewal of any existing license or outstanding construction permit; (3) a grant of the application would not cause electrical interference to an existing station or station for which a construction permit is outstanding within its normally protected contour as prescribed by the applicable Rules and Regulations; (4) a grant of the application would not preclude the grant of any mutually exclusive application; and (5) a grant of the application would be in the public interest, the Commission will grant the application without a hearing.

§ 1.382 *Partial grants.*—Where the Commission without a hearing grants any application in part, or with any privileges, terms, or conditions other than those requested, the action of the Commission shall be considered as a grant of such application unless the applicant shall, within 20 days from the date on which public announcement of such grant is made, or from its effective date if a later date is specified, file with the Commission a written request for a hearing with respect to the part, or with respect to the privileges, terms, or conditions, not granted. Upon receipt of such request, the Commission will vacate its original action upon the application and set the application for hearing in the same manner as other applications are set for hearing.

§ 1.383 *Designation for hearing.*—Applications will be designated for hearing in the following cases:

(a) Where it does not appear from an examination of the application that the applicant is legally, technically or financially qualified; or

(b) Where a grant of the application would require the modification, revocation, or non-renewal of license of an existing station or of any outstanding construction permit; or

(c) Where a grant of the application would cause electrical interference to an existing station or station for which a construction permit is outstanding within its normally protected contour as prescribed by the applicable Rules and Regulations; or

(d) Where it does not appear from an examination of the application that a grant of the application will be in the public interest.

(e) Where a grant of the application would preclude the grant of an application or applications mutually exclusive with it. However, the Commission may, if public interest will be served thereby, make a conditional grant of one of the applications and designate all of the mutually exclusive applications for hearing. Such conditional grant will be made upon the express condition that such grant is subject to being withdrawn if at the hearing it is shown that public interest will be better served by a grant of one of the other applications. Such conditional grants will be issued only where it appears:

(i) That some or all of the applications were not filed in good faith but were filed for the purpose of delaying or hindering the grant of another application; or

(ii) That public interest requires the prompt establishment of radio service in a particular community or area; or

(iii) That a grant of one or more applications would be in the public interest and that a delay in making a grant to any applicant until after the conclusion of a hearing on all applications might jeopardize the rights of the United States under the provisions of international agreement to the use of the frequency in question; or

(iv) That a grant of one application would be in the public interest and that it appears from an examination of the remaining applications that they cannot be granted because they are in violation of provisions of the Communications Act, or of other statutes, or of the Commission's rules and regulations.

§ 1.384 *Procedure when case is designated for hearing.*—

(a) When an application has been designated for hearing, the Secretary of the Commission will mail a written notice to the applicant setting forth the action of the Commission designating the application for hearing, together with such statement of the Commission's reasons therefor as shall be appropriate to the nature of the application. In order to avail himself of the opportunity to be heard, the applicant, in person or by his attorney, shall, within 15 days of the mailing of the notice of designation for hearing by the Secretary, file with the Commission a written appearance stating that he will appear and present evidence on the issues specified in the statement of reasons furnished by the Commission on such date as may be fixed for the hearing. In cases involving applications for facilities other than AM broadcast, FM broadcast, international broadcast, or television, the applicant shall submit with his appearance an additional copy of his application and supporting documents.

(b) The Commission will on its own motion name as parties to the hearing:

(i) Any existing licensee or holder of an outstanding construction permit who, if the application were granted, would suffer electrical interference within his normally protected contour as prescribed by the Commission's Rules and Regulations.

(ii) Any existing licensee or holder of an outstanding construction permit whose license or construction permit would have to be modified or revoked, or whose application for renewal of license would have to be denied, if the application in question were granted.

(iii) Any person who, prior to the time the application in question was designated for hearing, had filed with the Commission a mutually exclusive application. Persons filing mutually exclusive applications after the application in question has been designated for hearing will be named as parties only if the Commission in its discretion deems such action advisable.

§ 1.385 *Petitions to intervene.*—(a) Where the Commission has failed on its own motion to name as parties to a hearing any person specified in Section 1.384(b), such person will be permitted to participate in the proceeding by filing a petition to intervene showing that he comes within the provisions of Section 1.384(b). Where the petition to intervene is based upon a claim that a grant of the application would cause electrical interference to an existing station or a station for which a construction permit is outstanding within its normally protected contour as prescribed by the applicable Rules and Regulations, the petition must be accompanied by an affidavit of a qualified radio engineer which shall show either by reference to the Commission's Standards of Good Engineering Practice or to actual measurements made in accordance with the methods prescribed by the Commission's Standards of Good Engineering Practice that electrical interference will be caused to the existing station or station for which a construction permit is outstanding within the normally protected contour of the station.

(b) Any other person desiring to participate in the hearing may file a petition to intervene. The petition must set forth the interest of the petitioner in the proceedings and must show how such person's participation

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will assist the Commission in the determination of the issues in question. The Commission in its discretion may grant or deny such petition or may permit intervention by such persons limited to particular issues or to a particular stage of the proceeding.

(c) The granting of any petition to intervene shall not have the effect of changing or enlarging the issues specified in the Commission's notice of hearing unless the Commission shall on motion amend the same.

(d) Petitions to intervene under this section must be filed with the Commission not later than 15 days after the issues in the hearing have first been published in the *Federal Register*. Any person desiring to file a petition to intervene after the expiration of such 15 days must set forth the reason why it was not possible to file the petition within the prescribed 15 days. Unless good cause is shown for delay in filing, the petition will not be granted.

§ 1.386 *Motions to enlarge or change the issues.*—Motions to enlarge or change the issues may be filed by any party to a hearing. Such motions must be filed with the Commission not later than 15 days after the issues in the hearing have first been published in the *Federal Register*. Any person desiring to file a motion to enlarge or change the issues after the expiration of such 15 days must set forth the reason why it was not possible to file the petition within the prescribed 15 days. Unless good cause is shown for delay in filing, the motion will not be granted.

§ 1.387 *Petitions for reconsideration or for rehearing.*—

(a) Where an application has been granted without a hearing, any person aggrieved or whose interests would be adversely affected thereby may file a petition for reconsideration of such action. Such petition must be filed with the Commission within 20 days after public notice is given of the Commission's action in granting the application. Such petition will be granted if the petitioner shows that:

(i) Petitioner is an existing licensee or permittee and a grant of the application would require the modification, revocation, or non-renewal of his license or construction permit; or

(ii) That petitioner is an existing licensee or permittee and a grant of the application would cause interference to his station within the normally protected contour as prescribed by applicable Rules and Regulations; or

(iii) At the time the application was granted, petitioner had a mutually exclusive application pending before the Commission; or

(iv) A grant of the application is not in the public interest.

(b) Where an application has been granted or denied after hearing, petitions for rehearing may be filed within 20 days after public notice is given of the Commission's action in granting or denying the application. Petitions for rehearing by persons not parties to the Commission's hearing will not be granted unless good cause is shown as to why it was not possible for such person to participate earlier in the Commission's proceeding.

(c) Where a petition for reconsideration or for rehearing is based upon a claim of electrical interference within the normally protected contour of an existing station or a station for which a construction permit is outstanding, such petition must be accompanied by an affidavit of a qualified radio engineer which shall show either by reference to the Commission's Standards of Good Engineering Practice or to actual measurements made in accordance with the methods prescribed by the Commission's Standards of Good Engineering Practice that electrical interference will be caused to the station within its normally protected contour. If the claim of interference is not based upon actual measurements made in accordance with the Standards of Good Engineering Practice, it may be controverted by affidavit containing results of actual measurements made in accordance with the Standards of Good Engineering Practice.

(d) Each petition for reconsideration or rehearing shall be subscribed as provided in Section 1.122 and served upon all parties participating in the hearing in the manner provided in Section 1.141. In the case of a petition for reconsideration of a decision, order, or requirement made

without a hearing, the party filing the petition shall serve the same in the manner provided in Section 1.141 upon the party or parties to whom such decision, order, or requirement was directed.

(e) Any opposition to a petition for reconsideration or rehearing may be filed within 10 days after the filing of such petition.

(f) Petitions for reconsideration or rehearing filed under this section may request (1) reconsideration, either in cases decided after hearing or in cases of applications granted without hearing; (2) reargument; (3) reopening of the proceedings; (4) amendment of any finding; or (5) such other relief as may be appropriate. Such petition shall state specifically the form of relief sought and, subject to this requirement, may contain alternative requests. Each such petition shall state with particularity in what respect the decision, order, or requirement or any matter determined therein is claimed to be unjust, unwarranted, or erroneous, and with respect to any finding of fact must specify the pages of record relied on. Where the petition is based upon a claim of newly discovered evidence, it must be accompanied by a verified statement of the facts relied upon, together with the facts relied on to show that the petitioner, with due diligence, could not have known or discovered such facts at the time of the hearing.

[Proposed Rule] § 1.388 *Special rules relating to action on applications for assignment and transfer of control.*—

(a) Applications for consent to the assignment of a construction permit or license for an AM, FM, television, or other broadcast station or for consent to the transfer of control of a corporation holding such a construction permit or license shall be filed with the Commission on Form F. C. C. No. 314 (Assignment of License) or F. C. C. No. 315 (Transfer of Control). Each application shall be accompanied by a copy of a proposed notice in a form prescribed by the Commission which notice the licensee or permittee shall cause to be published at least twice a week for the 3 weeks immediately following the filing of such application in a daily newspaper of general circulation published in the community in which the station is located. The notice shall state the terms and conditions of the proposed assignment or transfer, the name of the proposed assignee or transferee, and, further, that any other person desiring to purchase the facilities upon the same terms and conditions may file an application to this effect with the Federal Communications Commission within 60 days from the date of the first publication of the notice, which date shall be expressly set forth therein. Upon receipt of the application, the Commission itself will issue a similar public notice stating the terms and conditions of the proposed sale and stating that others may file competing applications for the same facilities upon the same terms and conditions.

(b) No action on any such application will be taken by the Commission for a period of 60 days from the date of filing, during which time any person desiring to purchase the facilities upon the same terms and conditions may file a competing application. In the case of such competing application, it shall be necessary for the applicant to execute only so much of the application form as relates to the proposed assignee or transferee—F. C. C. Form No. 314, Part II, and Form No. 315, Part III.

(c) If no competing application is filed during this 60-day period, the Commission will consider the original application upon its merits and will grant it if it appears from an examination of the application and supporting data public interest will be served thereby; otherwise it will be designated for hearing. If, during such 60-day period, any other application is filed, all such applications will then be considered simultaneously upon their merits, and if, upon such consideration, it appears that the proposed assignee or transferee selected by the licensee is the best qualified and that the transfer would otherwise be in the public interest, the Commission will grant the original application without a hearing. If the Commission is unable to make such a determination upon consideration of the several applications, the original application and all competing applications will be designated

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for hearing, to be heard in a consolidated proceeding, to determine among other things which of the applicants is best qualified to operate the station in the public interest

(d) If, at the conclusion of such hearing, the Commission is of the opinion that the proposed assignee or transferee selected by the licensee is the best qualified and that the transfer is otherwise in the public interest, an order will be entered granting the original application. However, if the Commission is of the opinion that one of the other applicants is the best qualified and that a transfer is otherwise in the public interest, an order will be entered denying the original application and stating that the Commission's consent to an assignment of the license or construction permit or to the transfer of control of the corporate licensee or permittee and such competing applicant enter into and file with the Commission within 30 days from the date of such order a contract for the assignment of the license or construction permit, or the transfer of control of the licensee or permittee, to such competing applicant upon the same terms and conditions as stated in the original application or upon such other terms and conditions as the parties may agree upon and which new terms and conditions the Commission shall find to be in the public interest.

(e) The provisions of this section shall not apply to the following cases: (1) Where there is a reorganization of a corporation which holds a license or construction permit, involving no change in beneficial ownership; (2) where there is an assignment from a decedent to his executor or administrator or from the executor or administrator to his duly appointed successor. This section, however, shall apply to an assignment or transfer from an executor or administrator to heirs, trustees, or third persons; (3) where there is an assignment from an individual or individuals to a corporation owned and controlled by such individual or individuals without any change in their respective interests or from a corporation to the individual stockholders controlling such corporation when there is no change in their respective interests; or (4) any other assignment or transfer that does not involve any change in the actual or beneficial ownership of the licensee.

#### RELAXATION OF RESTRICTIONS ON THE USE OF 550 AND 560 KILOCYCLES BY STANDARD BROADCAST STATIONS

Effective immediately, the Commission advises that certain restrictions imposed on the use of 550 and 560 kilocycles by standard broadcast stations, particularly in coastal areas, have been removed.

Under previous policy adopted in cooperation with the United States Navy Department the use of 550 kilocycles has in general been restricted to powers of 1 kilowatt or less. In some instances the establishment of new stations on 550 kilocycles has been prevented because of the possibility of interference to Naval Communication. This policy has been in force because of the Navy Department's objections to interference that was, or would be, caused to certain of their communication facilities operating on frequencies adjacent to 550 kilocycles.

The Navy now advises the Commission that certain readjustments of their communication activities made possible by the surrender of Japan make it unnecessary to restrict the use of 550 kilocycles.

Under present Commission rules, broadcast stations may operate on 550 kilocycles with power up to and including a maximum of 5 kilowatt.

In connection with the use of frequencies below 550 kilocycles by standard broadcast stations, the Commission wishes to point out that the possibility of assigning 540 kilocycles to the standard broadcast band is a recommendation which is to be submitted for consideration at the next International Telecommunications Conference, and that at the present time Commission rules do not provide for the use of 540 kilocycles by standard broadcast stations.

#### BUCKLEY RETURNS TO FCC

Jack E. Buckley, formerly Lieutenant Colonel, U. S. Army, has returned from military service and has resumed his duties as Accountant in Charge of the New York Accounting Office of the Commission. Prior to entering the service of the FCC in February, 1935, Mr. Buckley was engaged in public accounting work and as assistant controller of the Borden's Farm Products Company, Inc. In May, 1936, he was assigned to the position of accountant in charge of the newly organized New York Accounting Office of the Commission and served in that capacity until he entered military service in September, 1942. Mr. Buckley also served in World War I.

William Berch Pitts of the New York Accounting Office has been assigned to special duties in connection with the Commission's study of the rate structure of The Western Union Telegraph Company. Mr. Pitts has been a member of the New York Accounting staff since January, 1942, and he served as Accountant in Charge during Mr. Buckley's leave for military service. He is a former Senior Cost Accountant of the Department of Public Utilities of the State of Arkansas and a Certified Public Accountant from that state.

### News

#### FLORIDA NEWS CLINIC HELD

Frank King, president, WMBR, and former NAB director, announces that his station will begin the broadcast of local news in the very near future. He said that he was in accord with the general program of activity fostered by the NAB Radio News Committee during the last year and a half that "broadcast stations *do* have an obligation to broadcast local as well as other news." "Local news is feeling the pulse of the public. Local news in radio is a must and it is personal contact that gets you the news. We are in a position and have the obligation to give it when it is hot. News is the biggest daytime serial in the world—it's up to us to handle it like professionals."

That's what Fred Mizer, manager, WQAM, Miami, Florida, told broadcasters at the NAB-Florida Association of Broadcasters Radio News Clinic, held at the Sheraton Plaza Hotel, Daytona Beach, Saturday (12). His belief was shared by the others, including the visiting broadcaster from Macon, Frank Hubbs, news editor, WMAZ. In addition to Hubbs there are four more on the Macon news staff. The station gives complete local news coverage.

James M. Le Gate, president, Florida Association of Broadcasters, and general manager, WIOD, Miami, presided at the Clinic, with discussion led by E. R. Vadeboncoeur, vice president, WSYR, Syracuse, N. Y., chairman of the NAB Radio News Committee. Commentary was furnished by Arthur Stringer, secretary, NAB Radio News Committee. Clinic host and hostess at a five o'clock reception were Commander and Mrs. W. Wright Esch, WMFJ, Daytona Beach.

At the day's end, President Le Gate and News Editor Fred Clampitt, WIOD, listed the areas of total agreement of those attending as follows:

- 1—The importance of giving listeners the news and making it crystal clear is recognized and the obligation to do the job affirmed.
- 2—Presenting local news fulfills a need. This service must be performed with professional skill.
- 3—A competent, reliable, experienced news director is essential. He must be responsible for the operation of

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the news department and the man should confine his entire working day to this job to the exclusion of other duties.

- 4—Efforts toward the training of more good radio newsmen should be continued.
- 5—The Florida stations are not getting proper service from news services.
- 6—In conclusion, Mr. Le Gate said that the Florida Association of Broadcasters must be more united than ever before in order properly to solve the many problems immediately ahead.

### Local News Shows Build Audience

"At WIOD", said Mr. Le Gate, "we are making a sincere effort, with the blessing of our owner, to operate on our own (as separate from affiliated newspaper). Then the station gets the prestige it deserves. Stations must do everything they can in their local community to insist they are entitled to the same recognition as newspapers."

Mr. Le Gate illustrated with facts and figures how local news shows increase station tune-in, not only for the news broadcast, but the program following.

"Basis of success," he explained, "is finding the proper man. We found him in Tom Smith, in Florida since 1923, former editor and managing editor. But three years ago we did not have a good local news man. Smith has done a fine job, securing a big audience for his own program which also increased the audience for the network program which followed."

Mr. Vadeboncoeur remarked that a station cannot be a news factor without doing something itself. Local news, for most stations, he predicted, is going to be a 50-50 proposition at least. Now there is a dispersal of interest, but the pendulum is swinging.

### Orchids to Mrs. Walker

Mrs. Frankie Walker, assistant manager and news director, WFOY, St. Augustine, was acclaimed by the broadcasters for the outstanding success she has had in building local news shows. There are now three ¼-hour and one 10-minute local news shows six times weekly—All sponsored.

Attending the Florida Radio News Clinic were:

Daytona Beach—Comdr. W. Wright Esch, owner-manager, WMFJ; Mrs. Billee Esch, business manager, WMFJ; Ray Clancy, commercial manager, WMFJ.

Miami—W. R. Wills, news manager, WGBS; Fred Clam-pitt, news editor, WIOD; James M. Le Gate, manager, WIOD; Tom Q. Smith, commentator, WIOD; Fred Mizer, manager, WQAM.

Ocala—Tom Gilchrist, manager, WTMC.

Orlando—Carter Scofield, news editor, WDBO; Victor Buisset, manager, WLOF.

St. Augustine—John Cummins, manager, WFOY; Mrs. Frankie Walker, assistant manager, WFOY; Lewis Doolittle, announcer, WFOY; Paul Harrison, announcer, WFOY; Mrs. Bernice McCarter, news reporter, WFOY; Miss Celeste Poli, news reporter, WFOY.

Sarasota—Eric A. Provost, news editor, WSPB.

Tampa—Tom M. Matthews, news editor, WFLA.

Messrs. Stringer and Vadeboncoeur, and Frank Hubbs, news editor, WMAZ, Macon, Georgia.

## Engineering

### GENERAL GROVES TO BE SPEAKER AT IRE BANQUET

Maj. Gen. Leslie R. Groves, director of the Manhattan District—code name for the Atomic Bomb Project—has accepted the invitation to be principal speaker at the joint

meeting of the Institute of Radio Engineers and the American Institute of Electrical Engineers, scheduled to be held in the Engineering Society's Auditorium in New York, Wednesday evening, January 23, 1946, according to Dr. Austin Bailey in charge of the arrangements.

The title of General Groves' address is "Some Electrical, Engineering and General Aspects of the Atomic Bomb Project."

Because of the prominence of the speaker and of the intense interest in, and importance of, the subject, special arrangements have been made to take care of overflow crowds.

At this joint meeting also, it was announced by Dr. Scott Turner, chairman of the Hoover Medal Board of Awards, that the Hoover Medal, established 1930 as an award by engineers to a fellow engineer "for distinguished public service", will be presented by the A.I.E.E., the recipient to be announced later. This will be the seventh Hoover Medal awarded since 1930.

These joint meetings between the I.R.E. and the A.I.E.E. have been held since 1943 during the period in which the I.R.E. holds its annual Winter Technical Meeting and the A.I.E.E. holds its Winter Convention.

The Institute of Radio Engineers will be host at the joint meeting this year.

### RECORD ARRAY OF TECHNICAL PAPERS ANNOUNCED FOR 1946 IRE WINTER TECHNICAL MEETING

From an array of technical papers of unprecedented number and quality, 87 outstanding contributions covering 16 general categories of subjects have been scheduled for delivery before the Institute of Radio Engineers' 1946 Winter Technical Meeting, to be held from January 23-26 at the Hotel Astor, New York, it was announced by Dr. A. E. Harrison, chairman in charge of Papers.

This is the largest number of papers ever scheduled before an I.R.E. meeting and they were chosen from the largest number of submissions in the history of the Institute. The level of excellence and importance of subject were so great, Dr. Harrison declared, that even by having three sessions on different subjects running concurrently—more than has ever been scheduled before—it was not possible to include all the outstanding papers submitted. More than twice the number of papers were submitted than could be presented.

Since this was the first and most opportune occasion for the Armed Services and Government Agencies to submit papers on vital war developments, a large number were selected from the Army and Navy and these Agencies for presentation. The categories of subjects and the number of papers to be given in each are as follows: Military Applications of Electronics, four papers to be presented Thursday morning, January 24; Frequency Modulation and Standard Broadcasting, four papers to be presented Thursday morning; New Circuit Developments, four papers to be presented Thursday morning; Television, nine papers to be presented Thursday afternoon; Radio Navigation Aids, seven papers to be presented Thursday afternoon; Vacuum Tubes, six papers to be presented Thursday afternoon; Microwave Vacuum Tubes, five papers to be presented Friday morning, January 25; Antennas, five papers to be presented Friday morning; Radar, seven papers to be presented Friday afternoon; Microwave Techniques, seven papers to be presented Friday afternoon; Crystal Rectifiers, four papers to be presented Friday afternoon; Industrial Electronics, six papers to be presented Saturday morning, January 26; Communications Systems and Relay Links, five papers to be presented Saturday morning; Radio Propagation, five papers to be presented Saturday morning; Broadcast Re-

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ceivers, five papers to be presented Saturday afternoon and Quartz Crystals, four papers to be presented Saturday afternoon.

## IRE PROGRAM HIGHLIGHTS

Papers of interest to broadcasters, to be given at Winter Technical Meeting of the Institute of Radio Engineers, January 23-26, 1946, at Hotel Astor, New York, N. Y.

### Thursday, January 24, 1946

Group B—Rose Room

Frequency Modulation and Standard Broadcasting

Chairman, Stuart L. Bailey

- 10:30 A. M.—“Frequency Allocations,” by Paul D. Miles, Federal Communications Commission, Washington, D. C.  
11:00 A. M.—“Field Intensities Beyond Line of Sight at 45.5 and 91 Megacycles,” by C. W. Carnahan, N. W. Aram, and E. F. Classen, Zenith Radio Corporation, Chicago, Ill.  
11:30 A. M.—“Phase and Frequency Modulation—A New Method,” by Robert Adler, Zenith Radio Corporation, Chicago, Ill., and F. M. Bailey, and H. P. Thomas, General Electric Company, Syracuse, N. Y.  
12:00 Noon—“Antenna for Frequency-Modulation Station WGHF,” by Andrew Alford, Consulting Engineer, New York, N. Y., formerly, Radio Research Laboratory, Harvard University, Cambridge, Mass.

### Thursday, January 24, 1946—2:00 p. m.-5:00 p. m.

Group A—Grand Ballroom

Television

Chairman, I. J. Kaar

- 2:00 P. M.—“Television in the Ultra-High Frequencies,” by Peter C. Goldmark, Columbia Broadcasting System, New York, N. Y.  
2:15 P. M.—“Television-Studio Equipment,” by James J. Reeves, Columbia Broadcasting System, New York, N. Y.  
2:30 P. M.—“Sight and Sound on One Carrier,” by Kurt Schlesinger, Columbia Broadcasting System, New York, N. Y.  
2:45 P. M.—“Ultra-High-Frequency Television Transmitters and Antennas,” by Robert Serrell, Columbia Broadcasting System, New York, N. Y.  
3:00 P. M.—“Ultra-High-Frequency Television Receivers,” by Harold T. Lyman, Columbia Broadcasting System, New York, N. Y.  
3:15 P. M.—Discussion of Preceding Papers.  
3:30 P. M.—“Electrooptical Characteristics of Television Systems,” by O. H. Shade, RCA Victor Division, Harrison, N. J.  
3:50 P. M.—“A Kinescope for Home Projection-Type Television Receivers,” by L. E. Swedlund, RCA Victor Division, Harrison, N. J.  
4:10 P. M.—“Improved Cathode-Ray Tubes with Metal-Backed Luminescent Screens,” by D. W. Epstein and L. Pensak, RCA Laboratories, Princeton, N. J.  
4:30 P. M.—“The Image Orthicon, a Sensitive Television Pickup Tube,” by Albert Rose, P. K. Weimer, and H. B. Law, RCA Laboratories, Princeton, N. J.  
4:50 P. M.—Discussion of Preceding Papers.

### Saturday, January 26, 1946—9:30 a. m.-12:00 Noon

Group C—Coral Room

Radio Propagation

Chairman, R. F. Guy

- 9:30 A. M.—“Development in Radio Sky-Wave Propagation Research and Applications During the War,” by

J. H. Dellinger and Newbern Smith, National Bureau of Standards, Washington, D. C.

- 10:00 A. M.—“The Role of Atmospheric Ducts in the Propagation of Short Radio Waves,” by J. E. Freehafer, Radiation Laboratory, Massachusetts Institute of Technology, Cambridge, Mass.  
10:30 A. M.—“X- and S-Band Propagation Measurements in Low-Level Ocean Ducts,” by M. Katzin, R. W. Bauchman, and W. Binnian, Naval Research Laboratory, Washington, D. C.  
11:00 A. M.—“Measurement of the Angle of Arrival of Microwaves,” by W. M. Sharpless, Bell Telephone Laboratories, Inc., New York, N. Y.  
11:30 A. M.—“Microwave Propagation.” Part I. “The Effect of Rain Upon the Propagation of Waves in the One- and Three-Centimeter Region,” by S. D. Robertson and A. P. King, Bell Telephone Laboratories, Inc., New York, N. Y. Part II. “Propagation of Six-Millimeter Waves,” by G. E. Mueller, Bell Telephone Laboratories, Inc., New York, N. Y.

### Saturday, January 26, 1946—2:00 p. m.-4:00 p. m.

Group A—Grand Ballroom

Broadcast Receivers

Chairman, H. A. Wheeler

- 2:00 P. M.—“Theory of Impulse Noise in Ideal Frequency-Modulation Receivers,” by David B. Smith, Philco Corporation, Philadelphia, Pa.  
2:25 P. M.—“Discriminators for Frequency-Modulation Receivers,” by S. W. Seeley, RCA Laboratories, Industry Service Division, New York, N. Y.  
2:50 P. M.—“Capacitance-Coupled Intermediate-Frequency Amplifiers,” by Merwin J. Larsen, Stromberg-Carlson Company, Rochester, N. Y.  
3:15 P. M.—“Two New Miniature Tubes for Frequency-Modulation Conversion,” by R. M. Cohen, R. C. Fortin, and C. M. Morris, RCA Victor Division, Harrison, N. J.  
3:40 P. M.—“Magnetic Recorder as an Adjunct to the Home Receiver,” by Hans Jaffe, Brush Development Company, Cleveland, Ohio.

## Miscellany

### GAMBLE LAUDS WAR LOAN SUPPORT

Speaking in glowing terms of the support radio has given to the promotion of the War Loans, Ted R. Gamble, formerly in charge of Treasury War Finance Division, delivered an address before the Poor Richard Club in Philadelphia Thursday (17) on the occasion of the presentation of the club's “Gold Medal of Achievement for 1945.”

Parts of the address of particular interest to broadcasters are reprinted herewith:

“History will tell about a nation united in war for the principles of peace and plenty . . . how our labor and industry produced *more* and *better* and *quicker* than ever before. . . . Our Government spent \$318.5 billion between May 1, 1941, and December 31, 1945. In meeting these expenditures, the Treasury increased the public debt by \$223 billion, and I can reveal now, for the first time, that of this \$223 billion some \$53 billion was raised through the purchases by individuals alone of over 1,000,000,000 War and Victory Bonds. . . .

“The radio medium, through the Victory Loan, was used to the extent of \$219 million!

“Newspapers in that period represented \$110 million of the total!

(Continued on next page)

"Periodicals added another \$39 million!

"And outdoor added another \$32 million.

"All measurable advertising used in behalf of the war financing program had a value of \$400 million. That is what I meant when I used the word 'valuable' . . .

"Some contributions were unique. For example, Doug Coulter and Clarence Menser, Phil Carlin and Charles Barry, know that the 873 stations which carried the *Treasury Salutes* represented THE LARGEST CHAIN IN THE WHOLE HISTORY OF RADIO! . . .

"The money advertising helped raise for War's Hell will be used as savings for peacetime homes. The money which went for ships will be repaid by the education of the children of our nation. The DEFENSE of America in World War II will be realized in the FINANCIAL PROTECTION and old-age security of the 85,000,000 bond holders who now own a real share in America.

"You have helped build a secure America. . . . A secure America will be a prosperous America."

### TRUMAN DECORATES PRICE

Byron Price was decorated by President Truman Tuesday (15) with the Medal of Merit for "exceptionally meritorious conduct" in directing the office of censorship during the war. The President pinned the medal on Price's coat at a White House ceremony.

The President read a citation in bestowing the medal which said that Price had "demonstrated the strength of this country in its unity in time of stress" by his "distinctive and complete success" in discharging his censorship duties.

His choice of voluntary censorship rather than the compulsory brand, the citation read, showed his faith in the integrity of the personnel and organizations disseminating news to the public and initiated an experiment in war-time censorship "unique in its inception and execution, previously untried in any country."

### UP AND AP WANT TO DISCONTINUE NEWS FOR OVERSEAS BROADCASTS

Hugh Baillie, president of the United Press Associations, has issued a statement to the effect that William Benton, Assistant Secretary of State, has been advised that the United Press desired to discontinue furnishing news to the U. S. Government for overseas broadcasts and other uses.

Last Monday it was announced that the Board of Directors of the Associated Press had decided it was inexpedient to grant a State Department request to extend the date for terminating AP news service to the government.

"We have advised Mr. Benton, the Assistant Secretary of State, that it is the intention of the United Press to discontinue this service," Mr. Baillie said. "Mr. Benton stated that continuance of government news distribution activities was imperative in the national interest and that the services of the American press associations were essential thereto. To this we disagreed. However, Mr. Benton asked that discontinuance of our service be stayed until he had further opportunity to lay his case before us. To this we have agreed."

The AP has similarly indicated a desire to discontinue their service in the interests of overseas broadcasts.

William Benton, Assistant Secretary of State, has issued the following statement:

"I consider wholly unwarranted the fears expressed by the Board of Directors of the Associated Press that Government cannot engage in newscasting without creating the fear of propaganda which necessarily would reflect upon the objectivity of the news services from which such newscasts are prepared."

"The Associated Press, the United Press and the International News Service have been furnishing news to the United States Government for its short-wave broadcasts

overseas to the peoples of other countries. I regret that the Directors of the Associated Press have decided to discontinue their share of this service. They were asked to continue this service until such time as the Congress decided what should be the policy of this government with regard to the permanent short-wave broadcasting program, whether it should be in private hands or under government control. It is clear that such broadcasting must be continued.

"It is the fixed policy of the State Department to advance the cause of press freedom everywhere. Nothing in the international information program of the government, past or planned, contravenes this basic principle. I am proud of the objectivity maintained by our international broadcasts. One of the purposes of short-wave newscasting is to get reliable and objective American news into vast areas of the world where no other news from America can penetrate. I can only conclude that the directors of the Associated Press were not fully informed about the program."

### THREE HUNDRED ATTEND FCBA NINTH ANNUAL BANQUET

Approximately three hundred members and guests, said to be the largest in Association history, attended the Ninth Annual Banquet of the Federal Communications Bar Association January 11 at the Statler Hotel in Washington.

Honoring the members of the Federal Communications Commission, the banqueters also heard Major General Frank E. Stoner, Assistant Chief Signal Officer, United States Army, detail the record of outstanding service created during the war by the Signal Corps in cooperation with civilian technicians and the broadcasting industry. General Stoner, with the aid of a special army installation, established teletype communication direct from the speaker's table with Signal Corps headquarters around the world, including Manila, Tokyo, London and Berlin. Greetings were exchanged and many personal messages were sent by banquet guests to friends at the distant points. The entire proceedings were thrown on a screen which reproduced the teletype messages as they came over the machine.

Philip G. Loucks, elected President of FCBA at the afternoon business meeting which preceded the banquet, was installed in office by the retiring President, Eliot C. Lovett. Elected also were Carl I. Wheat, 1st V-P; Reed T. Rollo, 2nd V-P; William A. Porter, Secretary; Arthur H. Schroeder, Treasurer; Ralph A. Van Orsdel and Eliot C. Lovett, Executive Committee.

From 7 to 9 p. m. an FM demonstration was heard through developmental FM Station W3XL, 98.9 megacycles, Washington, D. C., courtesy of Everett L. Dillard, licensee. Thirty minutes of vocal and instrumental entertainment at the banquet was under the direction of Dwight E. Rorer, who participated also with Gene Archer, Charles F. Jeter and Sam P. Holland.

Willard D. Egolf, NAB Special Counsel, was banquet Chairman, with a committee consisting of Dwight E. Rorer, E. D. Johnston, John C. Spearman and Frank U. Fletcher.

### ADRIAN MURPHY NAMED VICE PRESIDENT AND GENERAL EXECUTIVE OF CBS

The appointment of Adrian Murphy as vice president and general executive of the Columbia Broadcasting System was announced Monday (14) by Frank Stanton, CBS president.

Mr. Murphy returns to the Columbia organization after more than three and a half years of wartime service in the Army of the United States. He has just been released from active duty as a Lieutenant Colonel.

Mr. Murphy was executive director of television for

*(Continued on next page)*

CBS in May, 1942, when he reported for duty as a Lieutenant in the Signal Corps. Later that year, he became Executive Officer of the Directorate of Planning for the Signal Corps in Washington.

In November, 1943, he went overseas as a Major assigned in an administrative capacity to the Signal Division of Supreme Headquarters Allied Expeditionary Forces. As a Lieutenant Colonel, in June, 1945, he was assigned to what subsequently became the Information Control Division of the United States Forces European Theater where he acted as Assistant Chief of ICD for operations under Brigadier General Robert A. McClure.

Murphy joined CBS in 1936 as an assistant to Paul W. Kesten, then vice president. In 1939, Murphy was appointed to head Columbia's television activities.

Adrian Murphy was born in New York City in May, 1905. He received a Bachelor of Science degree in 1927 from Princeton University.

Before joining the Columbia network, he was engaged in market research as the basis of industrial designing by the Norman Bel Geddes organization.

### WON'T CATER TO LONG HAIRS

The hundred member stations of the Australian Federation of Commercial Broadcasting Stations are not prepared to cater to the long-haired poseur, according to A. C. Paddison, executive of the Federation, testifying before a parliamentary committee investigating the broadcasting set-up in Australia.

"Our Job," he said, "is to provide entertainment for 7,000,000 Australians, and the best indication that we do that is that we keep them.

"There are certain highly articulate minorities," he continued, "who do not regard music as meeting cultural requirements unless it was composed by a blind German or a mad Russian.

"The purpose of music is to provide an emotional outlet and some relaxation. If the people prefer music by Bing Crosby, it is our duty to provide it.

"The job of the commercial stations is to find out what the majority want and to provide it."

### WE DON'T BELIEVE IT!

Ann Raidabaugh, WRVA Publicity Director, tells us (excitedly) that:

"Several weeks ago the weather report was omitted from one of WRVA's early morning newscasts. A few seconds later the U. S. Weather Bureau in Richmond called up much perturbed about the omission. Of all things! They had been waiting for it!"

### WOAI TECHNICAL DIRECTOR RETURNS

After three years' service with the Office of War Information, Charles Jeffers has returned to his post as Technical Director of WOAI, San Antonio.

While with the OWI, Jeffers served as Chief of the Engineering Division, Communications Facilities Overseas Branch.

### ADD TO DURR'S ADDRESS

The following addition to Commissioner Durr's address, which was published in last week's REPORTS (p. 25), was not received from the Commission in time for insertion in that issue:

"Only night before last, several million Americans were given a lesson in American history as an interlude between selections of recent song hits. The story was that of George Washington crossing the Delaware. It was told much as it was given us in our childhood history books but a moral had been added.

"Washington's troops were cold and ragged and hungry and ill-equipped. There were no equivalents of the landing barges of today, but only a collection of small, leaky skiffs. Large ice floes added to the difficulty and danger of his project. Everything was against success but Washington pushed ahead and through indomitable will and sheer character won a battle which was the turning point of a war and which paved the way for the establishment of a new nation founded upon the freedom and dignity of the individual.

"As in the case of a man, we were told, so in the case of a tobacco. It's character that counts—the pure, rich, mellow flavor, the smoothness, and the free drawing qualities.

"Isn't it fair to ask that our heroes be allowed to remain on their pedestals unless and until it has been clearly proven that they are not worthy of being heroes? Has salesmanship become of such vital importance that they must be dragged down and put to work as a tobacco peddler? If we believe that God created man in His own image, then isn't there something approximating sacrilege in cheapening the demonstrated potentialities of human greatness by evaluating them on the level with commercial wares?

"It was the sponsor of this same program who, in the midst of our trial following the attack on Pearl Harbor bore its part of the sacrifice with proud sorrow when Lucky Strike Green went to war.

"Four industry groups provide about 75 per cent of all national network revenue. Tobacco is one of them. Through the concentrated power of their dollars, large advertisers and their agencies have been more and more taking away from the broadcasters and networks their responsibility for program production. Isn't it inevitable that so long as they are in control, the dominating motive in program production will be not artistic merit or social value but effectiveness in selling commercial goods?

"In only one year, according to the trade journals, one advertiser spent approximately \$22,000,000 in advertising over the air its soap and related products. That was enough to operate one of our most important and useful educational broadcast stations, Station WOI, of Iowa State University, for 700 years at the rate of its present budget. Doesn't this indicate that our sense of values concerning radio has become rather badly warped?"

### AUSTRALIA'S RADIO NETWORK

The Australian Information Service states that Australia will have the largest nationally-owned radio network in the world when 17 new broadcasting stations, which the government is now building, are completed at the end of this year. When completed, they will bring the total of radio stations owned by the Commonwealth government through the postmaster-general's department to 53, including one of the most powerful shortwave transmitters in the world.

### LETTER TO EDITOR LAUDS RADIO

The following *letter to the editor* is reprinted from the January 4 issue of the *Toronto Globe & Mail*:

"When World War I ended, the news of the armistice was carried by every conceivable means here on the prairies. Telegraph, telephone and the press were all looked upon as 'angels of mercy' in bringing us the good news.

"I can remember horseback riders galloping to tell the news to a neighbor who may not have heard. Team and wagons rumbled on into the night to tell a distant neighbor. Creaky old buggies and democrats quickened their pace to be the first to tell. The once-a-week mail coming in by team, 20 miles, was greeted by homesteaders and all eagerly waiting for the distribution of their papers to read the details. Far into the night, by the light of kerosene lamps on the kitchen tables, every scrap of war news was read and reread.

"How different is the picture today! Through the progress of the radio industry, we're all right in the 'front

(Continued on next page)

line' as far as listening goes. Word-scenes right from the battle-fronts. We get the news of the signing of the surrender terms as soon as the ink is dry. Along with it come programs of universal thanksgiving and joyous celebration, where, before, we made these ourselves. Today, by radio, we all know the same thing at the same time.

"There is no waiting. For those who are bereaved, the air waves are used to give sympathy. Let it be hoped that on this first peacetime New Year we may all appreciate the wonderful power of radio. May we look forward to even greater miracles on its 50th anniversary.

"Orkney, Sask.

L. Warner."

### NEARLY 1,500,000 GREETING CARDS SENT TO WBEN

Buffalo, N. Y.—The 117th mailbag of used Christmas greeting cards reached WBEN Jan. 15 in response to nine brief announcements by Clint Buehlman requesting listeners to send in the cards for use by children in rural schools. That's about four tons of cards—nearly 1,500,000.

It all started with a letter from the New York headquarters of the Save the Children Federation, asking WBEN's help in the federation plan to obtain a million cards from all over the country. The "second-hand" cards are used by underprivileged children, many of whom rarely see such cards, for bookmarks, scrapbooks and aids in art instruction.

Buehlman made the brief mentions on his programs of Jan. 3 through Jan. 8. Cards immediately began pouring in from New York State, Pennsylvania and Ontario. Many cards, in envelopes bearing postmarks of the '30s, indicated a search of attics or a parting with keepsakes. A few listeners spent more than \$1 to send their cards by first class mail.

After the first deluge of cards, all contributors who phoned for additional information were advised to send the cards direct to the federation's New York office. It was learned that several schools and organizations did this, thereby lightening WBEN's huge mail load.

### WALKER REAPPOINTMENT TO FCC FORECAST

According to a press association release, associates of Paul A. Walker of Oklahoma, one of the original members of the Federal Communications Commission, forecast today his reappointment when his present term expires next June 30.

The release says "the subject has not yet been taken up with President Truman because 'it is too early,' a colleague said. But Senator Thomas (D-Okla.) has written Robert E. Hannegan urging Walker's reappointment to another seven year term.

"One associate member of the Commission said there was little doubt, in his opinion, but that Walker would be reappointed. Similar statements were made by Oklahomans in responsible positions in Washington.

"Senator Thomas said Hannegan has not answered his letter and that 'I do not know what will be done about it—I haven't heard anything'."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 21. They are subject to change.

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### Monday, January 21

#### Before the Chairman Commercial Television Broadcast

- NEW—Bamberger Broadcasting Service, Inc., Washington, D. C.—C. P. for new television broadcast station.
- NEW—Capital Broadcasting Company, Washington, D. C.—C. P. for new television broadcast station.
- NEW—Allen B. DuMont Laboratories, Inc., Washington, D. C.—C. P. for new television broadcast station.
- NEW—The Evening Star Broadcasting Company, Washington, D. C.—C. P. for new television broadcast station.
- NEW—Marcus Loew Booking Agency, Washington, D. C.—C. P. for new commercial television broadcast station.
- NEW—National Broadcasting Company, Inc., Washington, D. C.—C. P. for new commercial television broadcast station.
- NEW—Philco Radio & Television Corporation, Washington, D. C.—C. P. for new commercial television broadcast station.
- NEW—Scripps-Howard Radio, Inc., Washington, D. C.—C. P. for new commercial television broadcast station.

### Monday, January 21

#### Consolidated Hearing

- WRRN—Frank T. Nied and Perry H. Stevens, d/b as Nied & Stevens, Warren, Ohio—C. P., 1440 kc., 5 KW, unlimited DA-night and day.
- WHIS—Daily Telegraph Printing Co., Bluefield, W. Va.—C. P., 1440 kc., 5 KW night, 5 KW day, unlimited DA-night.
- NEW—Crescent Broadcast Corporation, Shenandoah, Pa.—C. P., 580 kc., 1 KW, daytime.
- NEW—The Patriot Company, Harrisburg, Pa.—C. P., 580 kc., 5 KW, unlimited DA-night.
- WHP—WHP, Inc., Harrisburg, Pa.—C. P., 580 kc., 5 KW, unlimited DA-night.

### Monday, January 21

#### Consolidated Hearing

To Be Held Before Commissioner Durr  
In Room 540, State Building, Civic Center,  
San Francisco, California

- KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—C. P., 1460 kc., 1 KW, unlimited.
- NEW—California Broadcasters, Inc., Bakersfield, Calif.—C. P., 1460 kc., 1 KW, unlimited DA-night and day.
- NEW—Bakersfield Broadcasting Co., Bakersfield, Calif.—C. P., 1490 kc., 250 watts, unlimited.
- NEW—L. John Miner, Taft R. Wrathall, & Grant R. Wrathall, d/b as Monterey Bay Broadcast Co., Santa Cruz, Calif.—C. P., 1460 kc., 500 watts, unlimited.
- KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—C. P., 1460 kc., 1 KW, unlimited.
- NEW—Amphlett Printing Co., San Mateo, Calif.—C. P., 1490 kc., 250 watts, unlimited.
- NEW—San Jose Broadcasting Co., San Jose, Calif.—C. P., 1500 kc., 1 KW, unlimited DA-night and day.

### Monday, January 21

To Be Held Before Commissioner Walker  
In Dallas, Texas, at a Place to Be Determined

#### Consolidated Hearing

- NEW—Permian Basin Broadcasting Co., Odessa, Texas—1450 kc., 250 watts, unlimited.
- NEW—Wendell Mayes, C. C. Woodson and J. S. McBeath, d/b as Odessa Broadcasting Co., Odessa, Texas—1450 kc., 250 watts, unlimited.
- NEW—Southwestern Broadcasting Corp., Odessa, Texas—1450 kc., 250 watts, unlimited.

### Tuesday, January 22

- WWSW—WWSW, Inc., Pittsburgh, Pa.—In re Petition for Hearing or Rehearing and for Leave to Intervene in

(Continued on next page)

the matter of the grant of a construction permit to Central Broadcasting Company, Inc., Johnstown, Pa. (B2-P-3732)

### Wednesday, January 23

- NEW—Meadville Tribune Broadcasting Co., Meadville, Pa.—C. P., 1490 kc., 250 watts, unlimited.  
NEW—H. C. Winslow, Meadville, Pa.—C. P., 1490 kc., 250 watts, unlimited.  
NEW—Times Publishing Co., Erie, Pa.—C. P., 1490 kc., 250 watts, unlimited.

### Thursday, January 24

- WBOC—Peninsula Broadcasting Co., Salisbury Md.—C. P., 960 kc., 1 KW night, 1 KW day, unlimited DA-night.  
NEW—The Eastern Shore Broadcasting Co., Preston, Md.—C. P. 960 kc., 500 watts night, 500 watts day, unlimited DA-night.

### Thursday, January 24

Oral Arguments Before the Commission  
To Be Held in Room 6121 New P. O. Bldg.

- NEW—Calumet Broadcasting Corp., Hammond, Ind.—C. P., 1520 kc., 5 KW, daytime.  
WORL—Broadcasting Service Organization, Inc., Boston, Mass.—For renewal of license, 950 kc., 1 KW (Main), 500 watts (Aux), daytime.  
KGKO—KGKO Broadcasting Co., Ft. Worth, Texas—For renewal of license, 570 kc., 5 KW, unlimited DA-night.  
WBAP—Carter Publications, Inc., Ft. Worth, Texas—For renewal of license, 820 kc., 50KW, sharing equally with WFAA.  
WFAA—A. H. Belo Corporation, Dallas, Texas—For renewal of license, 820 kc., 50 KW, sharing equally with WFAA.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- Indian River Broadcasting Co., Fort Pierce, Fla.—Granted construction permit for a new station to operate on 1400 kc., 250 watts, unlimited time. (B3-P-3905)  
Fort Lauderdale Broadcasting Co., Fort Lauderdale, Fla.—Granted construction permit for a new station to operate on 1400 kc., 250 watts, unlimited time. (B3-P-3785)  
Dixie Broadcasting Co., Montgomery, Ala.—Granted construction permit for a new station to operate on 800 kc., 1 KW, daytime only. (B3-P-3691; Docket 6735)  
Edmund Scott, et al, d/b as San Mateo County Broadcasters, San Mateo, Calif.—Granted construction permit for a new station to operate on 1050 kc., 250 watts, daytime. (B5-P-4078)  
Pekin Broadcasting Co., Inc., Pekin, Ill.—Granted construction permit for a new station to operate on 1140 kc., 250 watts, daytime. (B4-P-3962)  
Oil Center Broadcasting Co., Odessa, Texas—Granted construction permit for a new station to operate on 1410 kc., 1 KW, DA, unlimited time. (B3-P-4246)  
WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Granted construction permit to change operations from 1420 kc., 1 KW, DA, unlimited, to 1420 kc., 5 KW, DA, unlimited time. (B1-P-3900)  
NEW—Jessica Longston, Burley, Idaho—Granted construction permit (B5-P-4142) for a new station to operate on 1400 kc., 250 watts, unlimited time; conditions.  
NEW—Radio Sales Corp., Twin Falls, Idaho—Granted construction permit for new station (B5-P-4048), to operate on 1450 kc., 250 watts, unlimited time; conditions.  
NEW—Southern Idaho Broadcasting and Television Co., Twin Falls, Idaho—Granted construction permit for

a new station (B5-P-4348) to operate on 1490 kc., 250 watts, unlimited time, transmitter site to be determined; conditions.

- KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted construction permit (B4-P-3389) to change frequency from 1480 to 810 kc. and increase power from 5 KW to 50 KW day, 10 KW night, DA night, unlimited time; conditions.  
KOAM—The Pittsburg Broadcasting Co., Pittsburg, Kans.—Granted construction permit (B4-P-3198) to change frequency from 810 to 860 kc., increase power from 1 to 5 KW, and time of operation from daytime to unlimited; conditions.  
KGNC—Plains Radio Broadcasting Co., Amarillo, Texas—Granted construction permit (B3-P-3733), to change frequency from 1440 to 710 kc., increase power from 1 KW night, 5 KW-LS, to 10 KW, DA, unlimited time; conditions.  
KONO—Eugene J. Roth, tr/as Mission Broadcasting Co., San Antonio, Texas—Dismissed application (B3-P-4329) for construction permit to change frequency from 1400 to 860 kc. and increase power from 250 watts to 1 KW night, 5 KW day, DA night, unlimited time, in accordance with Commission's policy (Mimeo. 87866), announced January 5, 1946.

### DESIGNATED FOR HEARING

- Texoma Broadcasting Co., Wichita Falls, Texas, and Darold Alexander Cannon, t/r as Wichtex Broadcasting Co., Wichita Falls, Texas, and John C. McCormack, et al, d/b as Okla. Television & Broadcasting Co., Tulsa, Okla.—Ordered that these applications be designated for hearing in a consolidated proceeding. Texoma Broadcasting Co. is applying for frequency 970 kc., 1 KW, daytime; Wichtex Broadcasting Co. for 990 kc., 1 KW, daytime, and Okla. Television and Broadcasting Co. for 990 kc., 1 KW, DA, unlimited time. (B3-P-3823); (B3-P-3981); and (B3-P-4006)  
Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla., and Southern Media Corp., Coral Gables, Fla., and Miami Beach Publishing Co., Miami Beach, Fla.—Designated these three applications for consolidated hearing, all seeking a new station to operate on 1490 kc., 250 watts, unlimited time. (B3-P-3854; B3-P-4138; B3-P-4363)  
NEW—Fayette Associates, Inc., Montgomery, W. Va., and Joe L. Smith, Jr., Charleston, W. Va.—Upon consideration of petitions of applicants for leave to amend the Fayette Associates application, the Commission granted in part the petition to amend application of Fayette Associates, Inc., to change requested frequency from 1400 to 1340 kc.; accepted said amendment and granted construction permit (B2-P-3876) for a new station to operate on 1340 kc., 250 watts, unlimited time, and ordered that the application of Joe L. Smith, Jr., for a new station at Charleston to operate on 1400 kc., 250 watts, unlimited time, be consolidated with applications of other Charleston applicants—James H. McKee, Capitol Broadcasting Corp. and Chemical City Broadcasting Co., scheduled to be heard in a consolidated proceeding beginning January 29.  
WFMJ—WFMJ Broadcasting Co., Youngstown, Ohio—Upon consideration of a petition to intervene and enlarge the issues in the hearing upon application of WHIS, Daily Telegraph Printing Co. (Docket 6961), and WRRN, Neid and Stevens (Docket 6960), the Commission designated the application of WFMJ (B2-P-4311) for 1390 kc., 5 KW power, for consolidated hearing with the WHIS and WRRN applications to be heard beginning January 21.

### DOCKET CASE DECISIONS

The Federal Communications Commission announces its Proposed Findings of Fact and Conclusions (B-227) looking toward a grant of the application of Air-Waves, Inc., for a new station at Baton Rouge, Louisiana, to operate on 1400 kilocycles with power of 250 watts, and a denial of the

(Continued on next page)

application of Louisiana Communications, Inc., seeking the same facilities. (Dockets 6155 and 6157)

### MISCELLANEOUS

In the Matter of Promulgation of Rules and Regulations concerning the procedure to be followed by the Commission in passing upon assignments of license or transfer of control of corporate licenses—Upon consideration of a request filed by the National Association of Broadcasters for a 30 day extension of time within which to file briefs in proceedings in (Docket 7071) the Commission ordered that the request be granted and the time was extended to February 16, 1946.

Richard T. Sampson, Banning, Calif.—Granted petition to dismiss without prejudice application for a new station (B5-P-4060), and the Commission on its own motion ordered the application of Broadcasting Corp. of America, Indo, Calif., be removed from the hearing docket.

Booth Radio Stations, Inc., Lansing, Mich.—Granted petition for leave to amend its application for a new station, and the amendment presently on file with the Commission was accepted.

WFBR—Baltimore Radio Show, Baltimore, Md.—Withdrawn at request of applicant, petition to intervene in the hearing on application of Walter A. Graham for a new station in Tifton, Ga.

Valley Broadcasting Assn., Inc., McAllen, Texas—Denied without prejudice petition requesting that the consolidated hearing upon its application and that of Howard W. Davis, et al., be removed from Dallas where it is now scheduled for Feb. 6-9, to McAllen, Texas.

Blecker P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins, El Paso, Texas—Granted petition insofar as it requests leave to amend and remove application from hearing docket; and the amendment now on file with the Commission covering the matters was accepted and the application was removed from the hearing docket.

KFDA—Amarillo Broadcasting Corp., Amarillo, Texas—Granted authority to determine operating power by direct measurement.

WGOV—E. D. Rivers, Valdosta, Ga.—Granted authority to determine operating power by direct measurement.

WRAC—Robert W. Rounsaville, Cleveland, Tenn.—Granted authority to determine operating power by direct measurement of antenna power. The licensee is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations; conditions.

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—Granted petition for leave to amend its application (B5-P-3913), and the amendment was accepted.

Kankakee Daily Journal Co., Kankakee, Ill.—Granted motion for leave to amend its application for a new station, and the amendment covering same was accepted.

William L. Klein, Oak Park, Ill.—Granted motion to amend order to take depositions in re application for new station to add names but still limit witnesses to 25.

Valdosta Broadcasting Co., Valdosta, Ga.—Granted motion for leave to amend its application and the amendment filed was accepted.

Tri-County Broadcasting Corp., Orangeburg, S. C.—Granted motion to dismiss without prejudice its application for a new station. (B3-P-3890)

James H. McKee, Charleston, W. Va.—Ordered that hearing on application for a new station (B2-P-3738) be held on January 29th at the offices of the Commission in Washington, D. C. McKee has filed the petition waiving right to cross-examine witnesses who testified at consolidated hearing on Jan. 3-5.

Capital Broadcasting Corp., Little Rock, Ark.—Granted petition to dismiss without prejudice application for new station. (B3-P-3729)

KVOM, Inc., Marshall, Texas—Upon consideration of petitions of KVOM Inc. and Marshall Broadcasting Co., the Commission ordered that the consolidated hearing on these applications heretofore designated at Dallas for Jan. 28-29, be postponed until Feb. 13-14

and transferred from Dallas to Marshall, Texas, to be heard at a place and time to be subsequently determined by the Commission; and further ordered that consolidated hearing on applications of Permian Basin Broadcasting Co., Southwestern Broadcasting Co. and Odessa Broadcasting Co., heretofore scheduled to be heard on Jan. 21-24 be postponed until Feb. 11-12, to be heard in Dallas at a time and place to be determined by the Commission.

WIIIO—Miami Valley Broadcasting Corp., Dayton, Ohio—Granted petition for leave to intervene in the hearing on applications of Greater Peoria Broadcasters, Inc., et al., now scheduled to be held March 25-27 at Peoria.

The Kentucky Broadcasting Co., Lexington, Ky.—Granted petition to sever its application from the hearing docket in the proceedings involving applications of Scripps-Howard Radio, Inc., and Cleveland Broadcasting Co., Inc., both for Cleveland, scheduled for hearing on January 14.

KFRE—J. E. Rodman, Fresno, Cal.—Ordered that application for construction permit to increase power from 250 watts to 1 KW and change frequency from 1340 to 1060 kc, be designated for hearing in a consolidated proceeding with the application of KARM, The George Harm Station, a Corp., Fresno, Cal. (B5-P-3757)

KARM—The George Harm Station, a Corp., Fresno, Cal.—Ordered that the application of KARM to change frequency from 1430 to 1030 and make changes in the DA system, be designated for hearing in a consolidated proceeding with application of KFRE listed above. (B5-P-3784)

KFVS—Southern Ill. Broadcasting Co., Inc., Centralia, Ill.—and Oscar C. Hirsch, tr/as Hirsch Battery and Radio Co., Cape Girardeau, Mo.—Ordered that application for construction permits to operate in their respective cities on the frequency 960 kc., 1 KW, unlimited time, be designated for hearing in a consolidated proceeding. (B4-P-4181) and (B4-P-4289)

WHEC—WHEC, Inc., Rochester, N. Y.—Denied petition to sever its application from a consolidated hearing with the applications of Albany Broadcasting Co. and Fort Orange Broadcasting Co., Inc., and grant its application without a hearing.

Mack Radio Sales Co., Camden, N. J.—Ordered that petition of Mack Radio Sales Co. intervenor in the proceeding in re applications of WTNJ, et al. (requesting that the Commission enter its order reopening the record in the matter of the application of City of Camden for renewal of license, setting the application for further hearing, and authorizing Mack Radio Sales Co. to adduce testimony concerning changes in conditions since Nov. 19, 1941), be held in abeyance pending submission by Mack Radio Sales Co. within 20 days from Jan. 16 of (1) a detailed tender of proof of events occurring after the close of hearings in this cause on Nov. 19, 1941, to be introduced in support of the allegations in the petition; and (2) a showing of the respects in which such evidence, if introduced at the reopened hearing, would be material and not merely cumulative, and would, if proved, substantially alter the Proposed Decision in this cause.

Palm Beach Broadcasting Corp., Palm Beach, Fla.—Granted authority to take depositions on January 29th, in re application for a new station.

City of Sebring, Fla., Sebring, Fla.—Granted petition for leave to take depositions on Feb. 2 in re application for new station.

News Journal Corp., Daytona Beach, Fla.—Granted petition requesting the designation of its application for a new station at Daytona Beach, 1340 kc., 250 watts, unlimited time, in a consolidated hearing with two other applications for the same frequency at Daytona Beach, to be held on February 16.

Upon consideration of a request from the National Foundation for Infantile Paralysis, Inc., the Commission has granted a waiver of the requirements of Section 3.406 of its Rules and Regulations respecting station identification announcements applicable to all stations carrying the broadcast commemorating the late President Roosevelt's birthday, to be broadcast from 11:15 p. m. to 12 midnight, on January 30, 1946.

(Continued on next page)

WLDS—Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge & Korsmeyer (assignors) Milton Edge and Edgar J. Korsmeyer, d/b as Edge & Korsmeyer (assignees), Jacksonville, Ill.—Granted consent to voluntary assignment of license of Station WLDS from Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, to Milton Edge and Edgar J. Korsmeyer, d/b as Edge & Korsmeyer, for a consideration of \$12,000 to Hobart Stephenson for his one-third interest in the assignor partnership. (B4-AL-496)

Scripps-Howard Radio, Inc., Washington, D. C.—Granted motion to dismiss without prejudice application for new television station. (B1-PCT-98)

H. C. Winslow, Meadville, Pa.—Granted motion for acceptance of movant's late appearance in re application for new station.

Capitol Radio Corp., Des Moines, Iowa—Granted petition insofar as it requests leave to amend and remove application from hearing docket; accepted the amendment and removed application from hearing docket.

WGAC—Twin States Broadcasting Co., Augusta, Ga.—Granted petition for leave to intervene in the hearing on applications of Newberry Broadcasting Co., Newberry, S. C., and Robert Lex Easley, Laurens, S. C.

WOOP, Inc., Dayton, Ohio—Granted motion to take depositions in the hearing now scheduled for Feb. 4-15 on petitioner's application for a new station.

Crescent Broadcast Corp., Shenandoah, Pa.—Granted motion for leave to amend its application for new station, and the amendment filed was accepted.

Evan Evans, et al. d/b as Pottsville Radio Co. and John W. Grenoble et al. d/b as Miners Broadcasting Service, Pottsville, Pa.—Granted petition of Miners Broadcasting Service for leave to amend its application, accepted said amendment, and granted petition of Pottsville Radio Co. to dismiss without prejudice its application (Docket 7088).

#### NOTICES OF HEARING MAILED BY DOCKET SECTION

NEW—James F. Hopkins, Inc., Ann Arbor, Mich.—1600 kc., 250 watts, unlimited.

NEW—Myron E. Kluge and Dean H. Wickstrom, a partnership d/b as Valley Broadcasting Co., Pomona, Calif.—1600 kc., 500 watts, unlimited.

NEW—Capitol Radio Corp., Des Moines, Iowa—1600 kc., 1 KW, unlimited.

NEW—Sabine Area Broadcasting Corp., Orange, Texas—1600 kc., 250 watts, unlimited.

NEW—WOOP, Inc., Dayton, Ohio—1600 kc., 5 KW, unlimited.

NEW—Charlotte Broadcasting Co., Charlotte, N. C.—1600 kc., 1 KW, unlimited DA-night and day.

NEW—Burlington-Graham Broadcasting Co., Burlington, N. C.—1600 kc., 500 watts night, 1 KW day, unlimited time.

NEW—McClatchy Broadcasting Co., Modesto, Calif.—1600 kc., 250 watts, unlimited.

NEW—United Broadcasting Co., Inc., Montgomery, Ala.—1600 kc., 1 KW, unlimited.

NEW—Roy A. Lundquist and D. G. Wilde, co-partners, d/b as The Skagit Valley Broadcasting Co., Mt. Vernon, Wash.—1600 kc., 250 watts, unlimited.

NEW—The Gazette Co., Cedar Rapids, Iowa—1600 kc., 5 KW, unlimited DA-night.

WWRL—Long Island Broadcasting Corp., Woodside, N. Y.—1600 kc., 5 KW, unlimited DA-night and day.

NEW—San Joaquin Broadcasters, Inc., Modesto, Calif.—1600 kc., 250 watts, unlimited.

NEW—Piedmont Carolina Broadcasting Co., Inc., Reidsville, N. C.—1600 kc., 500 watts night, 1 KW day, unlimited time.

#### APPLICATIONS FILED AT FCC

##### 610 Kilocycles

NEW—KHTN, Inc., Houston, Texas (P. O. Temp. c/o Robert T. Bartley, 5148 Tilden St., N. W., Washington 16, D. C.—Construction permit for a new standard

broadcast station to be operated on 610 kc., power of 5 KW, directional antenna night and unlimited hours of operation.

WQXQ—Interstate Broadcasting Co., Inc., New York, N. Y.—Construction permit to install new transmitter, make changes in antenna system and specify frequency as Ch. #249, 97.7 mc..

NEW (FM)—Royal Oak Broadcasting Co., Royal Oak, Mich. (P. O. 212 West Sixth St)—Construction permit for a new FM (community) broadcast station to be operated on frequency and coverage to be determined.

##### 630 Kilocycles

KMAC—Howard W. Davis, tr/as The Walmac Company, San Antonio, Texas—Construction permit to change frequency from 1240 to 630 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use and change transmitter location.

##### 980 Kilocycles

NEW—Skyland Broadcasting Corp., Dayton, Ohio—Construction permit for a new standard broadcast station to be operated on 980 kc., power of 1 KW night and 5 KW daytime and unlimited hours of operation, employing directional antenna for night use. Amended to change power to 5 KW day and night, change type of transmitter and changes in D.A. for day and night use.

##### 1110 Kilocycles

NEW—Bay City Broadcasting Co., a partnership composed of J. A. Clements, T. C. Dodd and John George Long, Bay City, Texas—Construction permit for a new standard broadcast station to be operated on 1110 kc., power of 1 KW and unlimited hours of operation. Amended: to specify transmitter and studio location in Bay City, Texas and make changes in antenna.

##### 1230 Kilocycles

NEW—Veterans' Broadcasting Co., a partnership composed of Max H. Jacobs, Douglas B. Hicks and Tom J. Harling, Jr., Houston, Texas (P. O. 305 Southern Standard Bldg.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

##### 1370 Kilocycles

WDEF—WDEF Broadcasting Co., Chattanooga, Tenn.—Construction permit to change frequency from 1400 to 1370 kc., increase power from 250 watts day and night to 5 KW day and 1 KW night, install new transmitter and directional antenna for night use, and change transmitter location.

##### 1390 Kilocycles

NEW—Blue Ridge Broadcasting Corp., Roanoke, Va.—Construction permit for a new standard broadcast station to be operated on 1390 kc., power of 1 KW, and unlimited hours of operation, employing directional antenna day and night. Amended to change frequency to 1490 kc., power to 250 watts, change type of transmitter and install vertical antenna and change transmitter location.

##### 1400 Kilocycles

NEW—J. E. Richmond, Percy M. Whiteside, Homer W. Wood, Charles A. Whitmore and Morley M. Maddox d/b as Tulare-Kings Counties Radio Associates, S.W. of Visalia, Calif.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. (Request of attorney.)

##### 1460 Kilocycles

WACO—Frontier Broadcasting Co., Inc., Waco, Texas—Special service authorization to operate on 1460 kc. with power of 250 watts for a period of 90 days.

(Continued on next page)

## 1470 Kilocycles

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas—Construction permit to change frequency from 1150 kc. to 1470 kc., and change hours of operation from daytime to unlimited time. Amended to request increase in power from 1 KW to 5 KW, install new transmitter and directional antenna for night use.

## 1570 Kilocycles

NEW—Herbert W. Brown and David A. Brown d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on 1570 kc., 250 watts power and daytime hours of operation. Amended re antenna changes.

## FM APPLICATIONS

- NEW—Agricultural and Mechanical College of Texas, College Station, Texas (P. O. College Station, Texas)—Construction permit for a new FM (Metropolitan) broadcast station with coverage of 7,860 square miles.
- NEW—Radio Station WBIR, Inc., Knoxville, Tenn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 45.1 mc. with coverage of 3,230 square miles. Amended to change antenna system and transmitter location.
- NEW—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley d/b as WAPO Broadcasting Service, Chattanooga, Tenn. (P. O. Read House, 9th & Broad Sts.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated with coverage of 21,596 square miles.
- NEW—Dorothy S. Thackrey, San Francisco, Calif. (P. O. 75 West St., New York, N. Y.)—Construction permit for a new FM (Rural) broadcast station.
- NEW—Percy B. Crawford, Philadelphia, Penna.—Construction permit for a new FM (Metropolitan) broadcast station.
- NEW—KALE, Inc., Portland, Ore. (P. O. Box 31, Studio Bldg.)—Construction permit for a new FM (Metropolitan) broadcast station.
- NEW—Westinghouse Radio Stations, Inc., Portland, Ore. (P. O. 1619 Walnut St., Philadelphia, Pa.)—Construction permit for a new FM (Metropolitan) broadcast station.
- NEW (FM)—WSAZ, Inc., Huntington, W. Va. (P. O. 924½ Fourth Avenue)—Construction permit for a new FM (metropolitan) broadcast station.

## TELEVISION APPLICATIONS

- NEW—Columbia Broadcasting System, Inc., St. Louis, Mo.—Construction permit for a new experimental television broadcast station to be operated on 460-476 mc. Amended to change frequency to 480-496 mc.
- NEW—Intermountain Broadcasting Corp., Salt Lake City, Utah—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (54-60 mc.), ESR 1060. Amended re antenna changes.
- NEW—National Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (66-72 mc.), ESR 14,000. Amended to change transmitter location and antenna changes.
- NEW—Columbia Broadcasting System, Inc., Chicago, Ill.—Construction permit for a new experimental television broadcast station to be operated on 460-476 mc. Amended to change frequency to 480-496 mc.
- NEW—Columbia Broadcasting System, Inc., Pasadena, Calif.—Construction permit for a new experimental television broadcast station to be operated on 460-476 mc. Amended to change frequency to 480-496 mc.
- NEW—WBEN, Inc., Buffalo, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (60-66 mc.), ESR 1340. Amended to change frequency to Channel #4 (66-72 mc.).

- NEW—Columbia Broadcasting System, Inc., Boston, Mass.—Construction permit for a new experimental television broadcast station to be operated on 460-476 mc. Amended to change frequency to 480-496 mc.
- NEW—Industrial Tool & Die Works, Inc., Minneapolis, Minn.—Construction permit for a new experimental television broadcast station to be operated on Channel #4 (78-84 mc.). (Request of attorney.)
- W9XZC—Zenith Radio Corporation, Chicago, Ill.—Modification of construction permit (B4-PVB-125 as modified for a new experimental television broadcast station) for extension of completion date.
- NEW—Metropolitan Television, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (186-192 mc.) with ESR of 721. (Request by applicant.)

## TELEVISION APPLICATIONS GRANTED

WCBW—Columbia Broadcasting System, Inc., New York City—Granted construction permit (B1-PCT-311), for authority to increase power by installing new tubes in the final amplifiers of both transmitters; effective radiated power (KW) 1.72 visual; 1.67 aural; effective antenna height above ground 937 visual, 965 aural.

## MISCELLANEOUS APPLICATIONS

- NEW—Radiophone Broadcasting Station WOPI, Inc., Area of Bristol, Tenn., and Bristol, Va.—Construction permit for a new relay broadcast station to be operated on 30.82, 33.74, 35.82 and 37.98 mc., power of 2 watts and A3 emission.
- NEW—Alamance Broadcasting Co., Inc., Area of Burlington, N. C.—Construction permit for a new relay broadcast station to be operated on 30.82, 33.74, 35.82 and 37.98 mc., power of 2 watts and A3 emission.
- W2XJC—Atlantic Broadcasting Co., Inc., Washington, D. C.—Modification of construction permit (B1-PEX-55 as modified, which authorized a new developmental broadcast station) for approval of transmitter site. (Request of attorney.)
- WABF—Metropolitan Television, Inc., New York, N. Y.—Construction permit to change type of transmitter and make changes in antenna system and specify frequency of Channel #53 (98.5 mc.).
- W4XCT—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Construction permit to change transmitter location and antenna system.
- WSXMV—Miami Valley Broadcasting Corp., Area of Dayton, Ohio—License to cover construction permit (B2-PEX-62) which authorized a new developmental broadcast station.
- WABC-FM—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit to change type of transmitter and make changes in antenna system.
- WMVG—Jere N. Moore, Milledgeville, Ga.—Modification of construction permit (B3-P-3883) for approval of transmitter location, and antenna, changes in transmitting equipment and change studio location.
- WPTZ—Philco Radio & Television Corp., area of Philadelphia, Pa., and Portable-mobile—Modification of license to change corporate name to Philco Products, Incorporated. Also: W10XAF, W10XAE, W10XAD, W3XF W3XAF, W3XE, W10XPC, W10XPR, W10XPB, W10XPA, W10XP, W3XPL, W3XPK, W3XPI, W3XPH, W3XPG, W3XPF, W3XPE, W8XPD.
- WSXGZ—Gus Zaharis, Nr. Charleston, W. Va.—License to cover C.P. (B2-PVB-103, as mod.) which authorized a new experimental television broadcast station.
- B5-PVB-161—Amended 11-23-45—The Times-Mirror Co., Pasadena, Calif.—Construction permit for a new experimental television broadcast station to be operated.

(Continued on next page)



ated on 480-920 mc. with power of 500 watts for aural and 1 KW (peak) for visual. Amended: to change frequency from 480-920 mc. to 510-545, 700-735 and 885-920 mc., aural power from 500 watts to 5 KW and specify emission as A0, A3, A4, A5 and/or special (FM and ppls. type).

WBBM (FM)—Columbia Broadcasting System, Inc., Chicago, Ill.—Construction permit to change type of transmitter and make changes in antenna system.

Sun Country Broadcast Co., Tucson, Ariz. (P. O. 74 E. Pierson St., Phoenix, Ariz.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by chief engineer of FCC and coverage not specified.

H. Dudley Swim, Twin Falls, Idaho (P. O. 113 Shoshone St. North)—Construction permit for a new FM broadcast station to be operated on 100 megacycles.

Birney Immes, Jr., Meridian, Miss. (P. O. Gilmer Hotel, Columbus, Miss.)—Construction permit for a new FM broadcast station to be operated on frequency to be assigned and coverage to be designated.

## Federal Trade Commission Docket

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Martin J. Goldstein** and Isabelle Goldstein, trading as Realflex Products Co., 335 38th Street, Brooklyn, and 5216 Third Avenue, Brooklyn, selling and distributing automotive specialties, including spark plug cable sets, are charged in a complaint issued with misrepresentation. In addition the respondents are charged with having used the trade names of various well- and favorably-known concerns as names or designations for the respondents' products, among such trade names being those of the Champion Spark Plug Company, The Goodyear Tire and Rubber Company, and the Zenith Radio Corporation. (5413)

**Star Brush Mfg. Co. et al.**—Misuse of the word "bristle" in the labeling of paint and varnish brushes is alleged in a complaint against Star Brush Manufacturing Co., Inc., and its subsidiary, Whiting-Adams Co., Inc., both of Boston, and American Brush Co., Inc., Roxbury, Mass. Other respondents named in the complaint are Alex Schumann, Lawrence R. Schumann and Leroy E. Foulkrod, officers of Star Brush Manufacturing Co., Inc., and Whiting-Adams Co., Inc.; Frank L. Kozal, an official of Star Brush Manufacturing Co., Inc.; and Abraham Furst and Melvin Furst, officers of American Brush Co., Inc. (5412)

**Ronald Gage Davis**, trading as Spartan Company, 1428 West 28th Street, Minneapolis, engaged in assembling, selling and distributing novelties, among which is a game called "Checkmates," and Dorothy LeFold, sales manager for the

respondent Davis, having active charge of his advertising and other business activities, with an office at Room 1498, Merchandise Mart, Chicago, are charged in a complaint with misrepresentation. (5414)

### CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

### STIPULATION

During the past week the Commission has announced the following stipulation:

**Sig Kosterlitz**, Hans Kosterlitz and Herbert A. Kosterlitz, trading as Regina Knit Sportswear Co., 310 W. Adams Street, Chicago, selling and distributing knit sportswear consisting principally of women's sweaters, have stipulated to cease and desist from use of the words "mohair" or "angora mohair" as designations for garments containing fibers other than mohair, and from the use of other words or terms of like meaning that tend to convey the impression that such garments are made of mohair; and from advertising, branding, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing, by use of the word "rayon," the fact that such products are composed of or contain rayon; and, when a product is composed in part of rayon and in part of fibers and materials other than rayon, from failing to disclose in immediate conjunction with the word "rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight, beginning with the largest single constituent. (4132)

### FTC CASES CLOSED

The Federal Trade Commission has ordered that the case growing out of the complaint issued against Josten Manufacturing Co., Owatonna, Minn., and its directors be closed without prejudice to the right of the Commission to reopen the case and resume trial thereof in accordance with its regular procedure.

The complaint charged the respondents with misrepresentation in connection with the issuance of catalogs and price lists of jewelry and trophies.

This matter coming on for consideration by the Commission upon request of the respondents, and it appearing to the Commission that the respondents have expressed their intentions, in writing, to be bound by the Trade Practice Conference Rules promulgated for the Catalog Jewelry and Giftwear Industry on December 23, 1943, and that they have furnished satisfactory evidence of such intention, the Commission ordered the case closed without prejudice as above stated.

The Commission has also dismissed without prejudice the case growing out of its complaint against Max Rabinowitz, alias M. J. Roberts, and Irving Alinkofsky, alias Irving Alin, trading as Orco Case Co., formerly at 15 East 40th Street, New York.

The respondents formerly engaged in the sale of luggage and giftwear and were charged in the complaint with misrepresenting the prices of their products. The case was closed because the business conducted by the respondents has been discontinued and there is no indication that it will be resumed.





The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 14, No. 4, January 28, 1946

## Music

**You are asked to complete and send in to NAB immediately the questionnaire concerning the employment of musicians and the amount of money spent for this purpose. This information is vital.**

### Developments This Week

Following his meeting with James C. Petrillo, President, American Federation of Musicians, last week, Justin Miller, President of the NAB, met Monday with the special Industry-wide Committee which has been studying relationships of the radio industry and the AFM.

Judge Miller reported fully to the committee concerning his meeting with Mr. Petrillo and the AFM Board in Chicago on Friday, Jan. 18. Judge Miller's report was regarded by the members of the committee as being encouraging and as providing a basis for future negotiations with the AFM, leading to a peaceful adjustment of the differences which have existed between them.

The Industry-wide Committee authorized the appointment of a smaller negotiating committee to meet with a negotiating committee which will represent the AFM. The composition of this negotiating committee and its membership were discussed and President Miller was authorized to name it. This he will do in the very near future.

Those present at the meeting were: Frank White, Frank Mullen, Wayne Coy, T. A. M. Craven, Robert Swezey, G. Richard Shafto, Theodore Streibert, John Elmer, Clair McCollough, E. E. Hill, Keith Kiggins, Joseph McDonald, Judge Justin Miller, A. D. Willard, Jr., C. E. Arney, Jr.

### LEA BILL OUT OF COMMITTEE

The House Interstate and Foreign Commerce Committee Wednesday (23) approved, 14 to 5, the Lea Bill H. R. 5117 (see NAB REPORTS, p. 35).

The bill, introduced by Committee Chairman Lea (D., Calif.), is aimed "to prohibit certain coercive practices affecting radio broadcasting."

The bill grew out of demands made upon broadcasters by Petrillo. Lea said he considered the demands "not within the legitimate rights of any organization" and added that "a self-respecting government cannot afford to permit" them.

The legislation would prohibit use of the threats or force to "coerce, compel or constrain" a radio station "to pay or agree to pay" tribute for the privilege of producing or using records, transcriptions or mechanical, chemical or electrical reproductions. A maximum penalty of a year's imprisonment and a \$1,000 fine is provided for

violations. The bill originally provided for heavier penalties.

It would prohibit use of force or threats to require a broadcaster to employ any person in excess of the number of employees the station wants.

Stations also could not be compelled to refrain from broadcast of non-commercial educational or cultural programs in which the participants receive no money except expenses.

### SENATOR BYRD WOULD MAKE UNIONS ACCOUNTABLE

Asserting that labor unions are now "big business," Senator Byrd Wednesday (23) introduced legislation that would require them to register with the Securities and Exchange Commission.

They would have to file a complete list of officers, salaries, dues, members, contracts, funds and similar data, under Byrd's proposal. He also would require all labor organizations to obtain articles of incorporation.

## Engineering

### ARMY MAKES RADAR CONTACT WITH THE MOON

The War Department announced Thursday night (Jan. 24) that the Army Signal Corps had made radar contact with the moon in an experiment which promises "valuable peacetime as well as wartime application."

The experiments were conducted by Lt. Col. John H. Dewitt, Jr., former chief engineer for WSM, Nashville, Tenn.

The full text of the War Department release follows:

The War Department announced today that Army Signal Corps scientists at the Evans Signal Laboratory, Belmar, N. J., made radar contact with the moon on January 10, using specially designed equipment which shot pulses on very high frequency energy out into space and detected their echoes seconds later.

Maj. Gen. Harry C. Ingles, chief signal officer of the Army, explained that the announcement had been withheld until the Signal Corps was certain beyond doubt that the experiment was successful and that the results achieved were painstakingly verified. Several subsequent efforts have also been successful, he said.

General Ingles revealed that the Signal Corps has been studying the problem of reaching other celestial bodies with radar for several years, in connection with wartime applications of radar. The experiments were directed by Lieut. Col. John H. Dewitt, Jr., former director of the Evans Signal Laboratory.

(Continued on next page)



1760 N St., N. W. WASHINGTON 6, D. C. Phone National 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

### Travel at Speed of Light

The chief signal officer explained that radar pulses, like radio waves, travel at the speed of light—186,000 miles per second—and that a transit time of about  $2\frac{1}{2}$  seconds was required for the pulses to surge from the earth to the moon and for the echoes to travel back.

The mean (average) distance between the moon and the earth is calculated by astronomers to be about 238,857 miles, but this figure varies as the moon revolves and moves in an orbit around the earth, and both move around the sun.

General Ingles recalled that Sir Edward Appleton, prominent British physicist, recently predicted that scientists ultimately might be able to map the surface of the moon very accurately with the aid of radar. Other authorities, however, believed that considerable improvements in radar technique would be necessary before this could be done.

### Complicated Problem

The problem of detecting radar echoes from the moon was complicated by the fact that scientists had never before been certain they could project radio waves beyond the earth's atmosphere, nor had they ever succeeded in generating sufficient energy in the very high frequency band of radio to attain this range of nearly half a million miles.

The Signal Corps experiments have valuable peacetime as well as wartime applications, although it is impossible at this stage to predict with certainty what these will be. One obvious possibility is the radio control of long-range jet—or rocket-propelled missiles, circling the earth above the stratosphere. The German V-2 missiles already are believed to have reached an altitude of 60 miles.

The primary significance of the Signal Corps achievement, General Ingles said, is that this is the first time scientists have known with certainty that a very high frequency radio wave sent out from the earth can penetrate the electrically charged ionosphere which encircles the earth and stratosphere. The several layers of the ionosphere start about 36 miles above the surface of the earth and extend to approximately 250 miles.

On this basis, the V-2 projectiles already have risen above the lower ionosphere levels, and it is now known that radio waves can completely penetrate the ionosphere.

### Check on Astronomers

The new technique will also be valuable for studying the effects of the ionosphere upon radio waves. Scientists already have learned that low and medium frequency waves are reflected by the ionosphere, and these reflections form the "skywaves" used for long-distance broadcasting. The ionized layers also sometimes distort and bend radio waves, much as a prism distorts light waves. By checking radar data against visual data provided by astronomers, it will be possible to compute accurately the effects of this distortion.

Another valuable application may be the provision of new astronomical information. Not only may it be possible to construct detailed topographical maps of distant planets with the aid of radar data, but scientists may be

able to determine the composition and atmospheric characteristics of other celestial bodies by this means.

A less likely application of the new technique will be the possibility of radio control from the earth's surface of "space ships" venturing thousands of miles from the earth, and the radio reporting of astronomical data electronically computed aboard such vessels.

The equipment used by the Signal Corps for this experiment comprised extensive adaptations to a standard wartime Signal Corps radar known as radio set Scr-271, originally designed in 1937 for long-range early warning against enemy air attack. It was an early model of this set which detected Japanese planes approaching Pearl Harbor on December 7, 1941, while they were 132 miles distant.

The radar was operated at its standard frequency of 112 megacycles—its alternating-current radio waves made 112 million complete cycles per second—but the pulse repetition rate and pulse width were extended beyond the usual standards. Instead of sending out several thousand spaced pulses each second, the modified radar transmitted a pulse only every five seconds. The pulse width was increased from a few billionths of a second to as much as one-half second. This equipment, therefore, sent out a half-second pulse of radio energy every five seconds.

A specially designed high persistency oscilloscope, comparable to the "A-scope" used on wartime radars, was constructed to present visual evidence of the moon echoes. When the radar was operating, a line across the face of the tube represented the transit of the successive pulses. As each pulse left the transmitter, a tall "pip" appeared at one end of this line. A smaller pip, toward the other end of the line, represented the pulse echo received from the moon.

A double-sized antenna with 64 instead of the standard 32 dipoles was mounted on a 100-foot tower within the heavily guarded confines of the signal laboratory for this experiment. The antenna was "aimed" at the moon optically by means of a specially constructed peep-sight.

### OPA PRICING CLOSES BATTERY PLANTS

Companies that manufacture batteries for battery operated home radio sets are experiencing OPA troubles. Immediate result for one producer has been the closing of four plants.

Though an industry advisory meeting has been set for next Tuesday (29), the manufacturers are said to anticipate no action which would permit production at a profit.

"The facts are simple," one executive told NAB. "Employee straight-time wages have risen more than 35 per cent since 1940-41, and cost of materials has increased, but the price of the product remains the same as in October, 1941.

"Most of those usually employed in four plants," the spokesman stated, "are now unemployed. With full employment and 1941 prices, the company lost over \$100,000 in December. It is not in a position to continue such losses."

### WALTER C. EVANS AND OTHERS HONORED BY I.R.E.

Walter C. Evans, Vice-President of Westinghouse Electric Company and in charge of Radio, was awarded a fellowship by the I.R.E. at its winter meeting held at the Hotel Astor, January 24. In addition Ralph Vinton Lyon Hartley, Belle Telephone Laboratory Engineer, and Dr. Peter C. Goldmark, Engineer of the Columbia Broadcasting System, also were honored.

The fellowship was awarded Mr. Evans "in recognition of his past contribution to radio and his present active participation in the affairs of the Institute."

Mr. Hartley's citation reads ". . . for his early work on oscillating circuits employing triode tubes and likewise for his early recognition and clear exposition of the funda-

*(Continued on next page)*

mental relationship between the total amount of information which may be transmitted over a transmission system of limited band with the time required."

Dr. Goldmark's citation reads "... his contributions to the development of television systems, particularly in the field of color."

## Programming

### NAB COOPERATING WITH OWMR IN CLEARANCES FOR GOVERNMENT PROGRAMS

President Truman recently appointed a *Media Programming Division* under the jurisdiction of the Office of War Mobilization and Reconversion to take over many of the functions formerly carried on by the Domestic Radio Branch of the OWI.

Under this plan, the OWM and R Media Programming Division screens requests from within government for radio time and assigns a priority to each request in accordance with the importance of the subjects.

After this has been done, the NAB will publish this list in the REPORTS at least one week before the allocations are requested. This is followed by a mailing to all stations from OWM and R of fact sheets, and suggested spot announcements. This information will be useful in tie-ups in commercial copy and on sponsored programs also.

While commitments for allocations of time, of course, may be given only by the station licensee, Ed Kirby, NAB Public Relations Counsellor, points out the opportunity here provided for rendering service in the public interest and in maintaining in peacetime the outstanding record achieved by radio and advertisers in wartime.

Below are published the priorities for the month of February as determined by OWM and R:

Housing .....	A priority
Economic Stabilization .....	A priority
Rent	
Clothing	
Durable Goods	
Red Cross Drive .....	A priority
Help for Hospitals .....	B priority
Savings Bonds and Stamps .....	C priority
Merchant Marine Recruiting .....	C priority
Veterans' Assets .....	C priority

#### Housing Shortage

One of the most pressing current problems, says OWMR, is the acute housing shortage. The seriousness of this

problem merits nationwide attention. Therefore, the Media Programming Division of OWMR has assigned it a top priority. OWMR will soon forward to stations copies of suggested spot announcements dealing with the housing shortage. If the announcements are not used verbatim, OWMR is keenly desirous that the Basic Facts presented in the fact sheets which accompany the spots be followed closely. Undoubtedly the builders, bankers, labor unions and veterans of your community are vitally interested parties.

#### Anti-Inflation Campaign

The spot announcements from the Office of Price Administration on anti-inflation have been received by most stations. This program also carries top priority.

#### Income Tax Time Reminders

Also forthcoming are announcements from the Bureau of Internal Revenue, reminders of the March 15 deadline for filing Federal Income Tax reports. This campaign should receive attention during the weeks of February 25th and March 4th, according to OWMR.

#### Hospitals Need Help

Broadcasters will note that the "Help for Hospitals" campaign is on the priority list. The nationwide need for hospital personnel is acute. Any local help would materially aid this situation. Requests for help probably will be forthcoming from local hospitals. Community health is vital and the subject makes excellent programming material.

### NAVY MAN SUGGESTS CONTINUANCE SIGN-OFF NATIONAL ANTHEM

GENTLEMEN:

I wonder if the NAB would not want to consider recommending to its member stations the continued use of the National Anthem in connection with sign offs. I do not think this should be considered a wartime measure and discontinued now that hostilities have ceased. Rather, I think it is a matter of national pride—one step up from overworked "patriotism."

To my mind, WSB, Atlanta, has an excellent sign off—a melody appropriate to the local ("Dixie" in their case) with a civic "pep talk," not hurried and not overdone, followed by the National Anthem.

I certainly do not think the Anthem connotes to any  
(Continued on next page)

## DISTRICT MEETINGS AHEAD

14th District	Jan. 28-29	Brown Palace	Denver, Colo.
13th District	Jan. 31-Feb. 1	Baker Hotel	Dallas, Texas
12th District	Feb. 4-5	Tulsa Hotel	Tulsa, Okla.
6th District	Feb. 7-8	Peabody Hotel	Memphis, Tenn.
11th District	March 18-19	Radisson Hotel	Minneapolis, Minn.
8th District	March 21-22	Pantlind Hotel	Grand Rapids, Mich.
9th District	March 25-26	Palmer House	Chicago, Illinois
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Cavalier Hotel	Virginia Beach, Va.

OTHERS TO BE HELD IN APRIL-MAY

degree "flag-waving." This is merely a suggestion on my part—I hope others agree.

Sincerely,

/Signed/ JOHN E. YOUNG,  
Lt. (jg), U.S.N.R.

## News

Radio had an important spot at the conventions of two national journalism-educational associations meeting at the Neil House in Columbus, Ohio, Jan. 24-26.

The Council on Radio Journalism, made up of teachers of radio in schools of journalism and of industry members, met Thursday (24), in connection with the twenty-fifth convention of the American Association of Schools and Departments of Journalism.

One of the round tables of the twenty-ninth convention of the American Association of Teachers of Journalism met Saturday (26), to discuss "Instruction in Radio." Paul Wagner, Ohio University, Athens, Ohio, chairman of the roundtable, led the discussion.

### WPAY PINCH HITS FOR PAPERS

Portsmouth, O.—WPAY is once again on regular production schedule following a seven weeks' interruption caused by a printers' strike at the Portsmouth *Times*. Staff members of WPAY completely revised their broadcast-day to make available additional news broadcasts sponsored by the *Times*. The entire radio facilities of WPAY were expanded to include all news of both local and national interest in the Portsmouth area. The *Times* sponsored six daily newscasts, Monday through Saturday, which included a society program and the comics. WPAY, "Your Good Neighbor," scheduled these features in addition to the news programs regularly aired over this station.

## International

### T. A. M. CRAVEN TO REPRESENT NAB AT NORTH AMERICAN REGIONAL CONFERENCE

The NAB Board of Directors has appointed T. A. M. Craven, Vice-President of the Cowles Broadcasting Company, as its representative at the forthcoming North American Regional Broadcast Engineering Conference, which meets February 4, to consider problems related to standard band broadcasting in the North American Region, particularly as they are affected by the North American Regional Broadcasting agreement which expires March 29, 1946.

According to a State Department release, the countries which are parties to the agreement are as follows: "Canada, Bahamas, Cuba, Dominican Republic, Haiti, Mexico, Newfoundland, and the United States. The British Government has indicated its intention of sending observers in behalf of the other British possessions in the North American Region and it is possible that observers may be present from the Central American Republics and Panama."

The State Department Release continues: "Representatives of the United States broadcast industry are invited to participate as observers throughout the conference. It is expected that industry representatives will also be present from other countries. In order to aid in the arrange-

ments for the meetings and the disposition of matters to be called up, interested persons are requested to notify the Assistant Secretary of the Conference, Miss Frances W. Simpson, Telecommunications Division, Department of State, 1818 H Street N. W., Washington, D. C., not later than February 2, 1946. In this connection it is desirable that persons who plan to attend identify themselves by office or position and if attendance is in a representative capacity, the identity of the persons or organization in whose behalf they will attend.

The agenda of the conference will consist of proposals on behalf of each of the countries which are parties to the NARBA Agreement and various subjects of a technical character designed to improve service in each country as well as to minimize interference between countries.

Following the opening plenary session, meetings will be held in the offices of the Federal Communications Commission, Pennsylvania Avenue and 12th Street, N. W., Washington, D. C.

The Delegation of the United States will consist of the following: Commissioner Ewell K. Jett of the Federal Communications Commission, Chairman; Mr. Harvey B. Otterman of the State Department, Vice Chairman; Mr. George Adair, Chief Engineer, and Mr. Rosel Hyde, General Counsel of the Federal Communications Commission; and Mr. Donald R. MacQuivey of the Telecommunications Division of the State Department. This delegation will be assisted by members of the staffs of the Federal Communications Commission and of the State Department.

The Secretary of the conference will be Mr. K. Neil MacNaughten of the Federal Communications Commission and the Assistant Secretary will be Miss Frances W. Simpson of the Department of State."

## Broadcast Advertising

### ICE INDUSTRIES DEALER TIE-UP

The ice industry's 1946 advertising campaign is designed to do a "hot" selling job for this summer. Radio's share of the budget will depend principally on the local station's sales department. The national campaign is being placed with nine magazines, including *Life*, *Saturday Evening Post*, etc.

Your local ice dealer has already received the ice industry's brochure of their 1946 advertising plans. The dealer is being informed regularly on methods of exploitation which include radio, newspaper, bill boards, car cards, etc. These mediums will benefit from the campaign purely from a local level.

The Nation's Ice Manufacturers are intent on impressing the public and the grocery stores, especially the fresh vegetable and food markets.

### TRANSCRIBED PROGRAMS AVAILABLE

Transcribed programs, "This Is The Ice Age," may be secured through J. Allen Brown, Assistant Director, Broadcast Advertising, NAB. This series was made available to stations last year. There are six 15-minute programs. While the transcribed programs are not sufficient for a good local campaign alone, they may be instrumental in securing a sizeable radio campaign. Broadcast Advertising will secure ice advertising copy for those stations requesting it. The campaign, according to Mr. Brown, will include ice refrigerators. Some of the larger markets have agencies to represent the local ice dealers.

(Continued on next page)

**PER-INQUIRY AND FREE TIME**

Member stations report additional P I deals. Redfield-Johnstone, Inc., of New York, is trying to get stations to handle the sale of a book, "The Veterans Best Opportunities."

National Nurseries of Biloxi, Mississippi, are attempting to buy time on the same basis.

NAB has written both concerns advising them of the industry's attitude toward such practices and inviting them to use radio at card rates. A copy of a resolution related to sound advertising principles, unanimously adopted at the 1942 NAB convention was sent to each of the firms.

*Sound advertising is the most effective and almost the only economical way to introduce a new product, improvement in old products, and new uses for existing articles.*

**WOULD MAKE RADIO ADVERTISING OF ALCOHOLIC BEVERAGES ILLEGAL**

Friday afternoon, January 25, Representative Rankin of Mississippi introduced a bill (H. R. 5238) which would outlaw radio advertising of alcoholic beverages.

Details were not available as NAB REPORTS went to press.



**COMMISSION REJECTS ADDED CHANNELS**

In the Matter of

Allocation of Frequencies to the Various Classes of Non-governmental services in the Radio Spectrum from 10 kilocycles to 30,000,000 kilocycles.

Docket No. 6651

Upon consideration of the petition of the Zenith Radio Corporation and the General Electric Company requesting the allocation to FM broadcasting of a second band of frequencies between 44 to 50 megacycles, the Commission has concluded to deny the petition thereby retaining the band 88 to 108 megacycles as the allocation for FM broadcasting. An opinion setting forth the reasons upon which the Commission bases this decision will be issued in due course. In the meantime, the Commission has decided to make known its decision so that the industry may proceed without further delay with its planning and production in the FM field.

Denying the GE-Zenith Radio request for allocation of a second band of FM frequencies, the FCC issued the following statement Wednesday (23):

**TOTAL FM GRANTS, 290**

The Commission has granted 11 additional FM stations, bringing the total additional FM grants to 290 made to date. Following is a list of the grants:

City	Grantee	Interest in Standard Station	Type of FM Station
<b>CALIFORNIA</b>			
San Mateo	Amphlett Printing Co.	—	Community
<b>GEORGIA</b>			
Augusta	The Augusta Chronicle Broadcasting Co.	—	Metropolitan
<b>ILLINOIS</b>			
Springfield	WTAX, Inc.	WTAX	Metropolitan
<b>MARYLAND</b>			
Salisbury	The Peninsula Broadcasting Co.	WBOC	Metropolitan
<b>MINNESOTA</b>			
Minneapolis	Independent Merchants Broadcasting Co.	WLOL	Metropolitan
<b>MISSOURI</b>			
Joplin	Joplin Broadcasting Co.	WMBH	Metropolitan
<b>OHIO</b>			
Toledo	The Fort Industry Co.	WAGA	Metropolitan
<b>PENNSYLVANIA</b>			
Du Bois	Tri-County Broadcasting Co., Inc.	WCED	Metropolitan
<b>TENNESSEE</b>			
Bristol	Radiophone Broadcasting Station WOPI, Inc.	WOPI	Metropolitan, possibly Rural
<b>WISCONSIN</b>			
Town of Greenfield	Wm. C. Forrest	WIBU	Metropolitan, possibly Rural
Oshkosh	Myles H. Johns, et al, d/b as Oshkosh Broadcasting Co.	WOSH	Metropolitan



**JUDGE MILLER APPOINTED TO AMERICAN BAR ASSOCIATION**

Justin Miller, president of the NAB, has accepted appointment as Chairman of a committee of the American

Bar Association to work nationally on a program of cooperation of laymen and the courts. The appointment was made by Bolitha J. Laws, Chief Justice, District Court of the United States for the District of Columbia.

The Chief Justice is Chairman of the Section of Juridical Administration which has assigned to it the work of setting up programs for improving the administration of justice throughout the various courts of the nation, both state and federal.

(Continued on next page)

## COURT REVERSES FCC WOKO DECISION

Reversing the Commission in its revocation of the license of WOKO, Albany, the United States Court of Appeals, District of Columbia, has rendered the following decision:

WOKO, INCORPORATED, APPELLANT

v.

FEDERAL COMMUNICATIONS COMMISSION, APPELLEE

Appeal from the Federal Communications Commission.

Argued October 18, 1945      Decided January 21, 1946

*Mr. William J. Dempsey*, with whom *Mr. William C. Koplowitz* was on the brief, for appellant.

*Mr. Harry M. Plotkin*, Assistant General Counsel, with whom *Messrs. Rosel H. Hyde*, General Counsel, *Benedict P. Cottone*, Assistant General Counsel, and *Philip Bergson*, Counsel, all of the Federal Communications Commission, were on the brief, for appellee.

Before GRONER, C. J., and WILBUR K. MILLER and PRETTYMAN, JJ.

WILBUR K. MILLER, J.: On September 28, 1942, the appellant, WOKO, Inc., applied to the Federal Communications Commission for a renewal of the radio station license held by it for the operation of its broadcasting facilities at Albany, New York. Under permits periodically procured this radio station has been operated in Albany for some fifteen years last past. After extended hearings concerning the application of September 28, 1942, the Commission declined to renew the license. This appeal followed under that section of the Communications Act (U. S. C., Title 47, § 402(b)) which grants to an applicant for renewal of a broadcasting station license the right to appeal to this court from an adverse decision.

Prior to November 1930, Station WOKO was located, first at Peekskill, and later at Poughkeepsie, New York. The license was held by the Hudson Valley Broadcasting Company, a partnership composed of Harold E. Smith and Raymond M. Curtis. Under authority granted by the Commission, the station was moved to Albany on November 25, 1930, and, shortly thereafter, the license was assigned by Smith and Curtis to the appellant. Early in 1931 broadcasting was begun at Albany.

While the station was at Poughkeepsie its operation was not profitable, and Curtis suggested that the license be surrendered. Smith thought it possible that a network affiliation might solve the financial difficulty. Accordingly, he visited the Columbia Broadcasting System at New York, where he met Sam Pickard, a vice president in charge of station relations. Pickard advised that CBS would not be interested in the station at Poughkeepsie, but suggested that if it were removed to Albany CBS would be interested in having WOKO as an affiliate.

Smith went to Albany and conferred with The Press Company, the publisher of the Albany Evening News and the Knickerbocker Press, with the purpose of interesting that company in the enterprise and obtaining financial assistance from it, as Curtis had tired of his losses at Poughkeepsie and was unwilling to finance the station further. The newspaper people agreed to aid, and it was determined that a corporation should be organized with one thousand shares of capital stock, seven hundred fifty shares to be divided equally between Smith and Curtis and the remaining two hundred fifty shares to be held in the treasury under the option of The Press Company to purchase it. The corporation was organized on December 9, 1930, The Press Company endorsed for it a note to the extent of \$35,000, the shares of the capital stock were issued as planned, and the station began to operate at Albany early in 1931. Pickard performed his promise to aid in obtaining a CBS affiliation agreement, and assisted also in other ways. At one of his conferences with Smith, Pickard suggested that he be given an interest in the appellant corporation. It was finally agreed that he have twenty-four per cent of the capital stock and, pursuant to this agreement, on October 23, 1931, Smith and Curtis

transferred of record to Pickard a total of one hundred forty shares, and, at his suggestion, to Lawrence Lowman, another vice president of CBS, a total of one hundred shares. These certificates were endorsed by Pickard and Lowman and then delivered to The Press Company to serve as a part of the collateral securing its endorsement. In August 1932, the appellant's loan had been paid and the two hundred forty shares of stock in the names of Pickard and Lowman were released from the pledge and transferred of record to Pickard's wife. On February 2, 1933, the certificates evidencing the same two hundred forty shares, having been endorsed by Mrs. Pickard, were reissued to Smith, endorsed by him in blank and forwarded to Pickard. Smith continued as the owner of record of that block of two hundred forty shares until June, 1934, when, at the request of Pickard, he assigned eighty shares each to Mrs. Pickard and two holding companies controlled by the Pickards.

Sam Pickard had been a member of the Federal Radio Commission before he became a vice president of Columbia Broadcasting System. When he first asked for and obtained an interest in WOKO, Inc., he requested of Smith that his ownership in the station be kept secret, on the ground that he would be personally embarrassed if his associates at CBS should learn of it. He also informed Smith that there would be no need to disclose his ownership to the Federal Radio Commission, as that Commission was interested only in knowing whether or not any of the stockholders were aliens. Smith agreed to protect Pickard in that respect and did not disclose to the Radio Commission the fact that Pickard was a stockholder. In 1934, however, when more searching inquiries were made concerning stock ownership by the forms required to be filed with the Communications Commission, Smith notified Pickard that he must divest himself of the stock and that, failing that, he (Smith) would divulge the facts to the Commission. As a result of this ultimatum, Pickard informed Smith that he had decided to give the two hundred forty shares to his wife's brother-in-law, R. K. Phelps, an assistant United States attorney at Kansas City. Mrs. Pickard and the two holding companies, the record owners of eighty shares each of the block of two hundred forty shares in question, endorsed and surrendered the certificates and a new certificate for two hundred forty shares was issued on July 2, 1934, in the name of R. K. Phelps. The stock has remained in his name on the corporate records since that time and has been so represented to the Commission.

When the Commission received on October 1, 1942, the appellant's application for a renewal of its license, dated September 28, 1942, it designated the matter for hearing and specified the following issues:

"(1) To determine whether the representations and statements made to the Commission or its predecessor, the Federal Radio Commission, by the licensee, its officers, directors, stockholders, or agents, with respect to the ownership or transfer of, subscription to, or consideration paid for the stock of WOKO, Inc., truly and accurately reflect the facts.

"(2) To determine all the circumstances and conditions under which the stock of WOKO, Inc., has been issued, transferred, or assigned.

"(3) To determine whether or not the applicant is qualified to continue the operation of Station WOKO.

"(4) To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience, and necessity would be served by a grant of this application."

There followed then a period of rather intensive investigation by the Commission, which included visits to Albany and Kansas City by a member of the Commission's legal staff. On June 26, 1943, the appellant petitioned the Commission to amend and enlarge the issues by including the following:

"1. To determine the nature, character and extent of the program service rendered by Station WOKO in the past, as well as that which is proposed to be rendered in the future.

"2. To determine the nature, character, and extent of

(Continued on next page)



the activities and/or policies of the licensee, its officers, directors, stockholders, agents, and/or employees, with respect to the operation of the station, the public service rendered thereby, and the response of the public to such activities and/or service in the past and the proposals for future policies, activities and operation."

The Commission declined to amend and enlarge the hearing issues on the ground that those originally designated were "broad enough to permit, within reasonable bounds, the introduction of the evidence suggested by the proposed issues of the petitioner."

Hearings were held in July, August and September, 1943, at which evidence of many witnesses was received and numerous exhibits were filed as parts of the record. It developed that Smith and Curtis each held twenty-five and one-half per cent of the capital stock of the appellant, that The Press Company had exercised its option in 1932 to purchase twenty-five per cent of the stock for \$25,000, and that the remaining twenty-four per cent had stood in the name of R. K. Phelps on the corporation register since July 2, 1934. Phelps testified that he knew nothing of the transfer of the stock to him, that he was not and had never had been the actual owner of it and that he had been imposed upon by Pickard in that respect. It appeared that dividend checks regularly had been issued by the corporation to Phelps and had been addressed to him in care of Pickard, and that Mrs. Pickard had endorsed Phelps' name to the checks, then had placed thereon her own endorsement and had accounted for the dividends in her personal income tax returns. Certain waivers of notice of meetings, with Phelps' name signed to them, were sent to the appellant, but it appears that they were signed by Mrs. Pickard. Mrs. Phelps, sister to Mrs. Pickard, testified that she intercepted pieces of mail from WOKO, Inc., addressed to her husband and did not bring them to his attention.

It appears clearly from the evidence that the Pickards received the dividends on the two hundred forty shares of stock, and the Commission's conclusion that they were the beneficial owners of it throughout the entire period in question is well grounded in the evidence. Smith testified that he believed Phelps to be the owner until he was advised otherwise by Pickard's letter of June 15, 1942. Pickard said that he did not inform Smith of the actual fact with respect to beneficial ownership until he wrote that letter. Nevertheless there is enough in the record to justify the conclusion of the Commission that Smith knew, or should have known, that Phelps was not actually the owner of the stock. So, it may be treated as established by the evidence that Smith, in making reports and applications for the appellant from 1934 to 1942, gave the Commission only the name of the record owner of two hundred forty shares of stock, and withheld the name of the beneficial owner, which he knew, or should have known.

The Commission did not find that this concealment of fact had influenced it in making any decision throughout the years involved, nor did it find that it would have acted in any manner differently from the way it did act on the various applications for renewal of license, had it known that the Pickards were the beneficial owners of these shares of stock. The Commission did not find that the Pickards were aliens or that they were disqualified in any way to own the number of shares of the appellant's stock which they beneficially owned. Indeed, such findings could not have been made by the Commission because there is no evidence upon which it could have based them.

There is no finding that Curtis, who owned twenty-five and one-half per cent of the appellant's capital stock, and The Press Company, which owned twenty-five per cent of the appellant's capital stock, had any part in, or knowledge of, Smith's concealment of the Pickard interest. It does appear that Curtis and The Press Company knew of the original issue of two hundred forty shares to Pickard or his nominee, but there is no suggestion that either participated in or knew of Smith's deception.

Having found that the appellant had failed to reveal to it and to its predecessor, the Federal Radio Commission, the fact of the Pickards' beneficial ownership of two hundred forty shares of stock, the Commission proceeded to the conclusion that the appellant "cannot be entrusted with the responsibilities of a license." The findings close thus:

"The Commission, therefore, finds that a grant of the application for renewal of the license for the operation of WOKO by the appellant corporation would not serve public interest, convenience, or necessity and therefore should be denied."

The question posed by this appeal is whether it clearly appears that this finding of the Commission is arbitrary or capricious, for the statute provides (U. S. C., Title 47, § 402):

"That the review by the court shall be limited to questions of law and that findings of fact by the Commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Commission are arbitrary or capricious."

This limitation of judicial review of decisions of the appellee is consistent with the general body of law concerning the finality of administrative proceedings. The Congress of the United States, which has plenary power to regulate the radio industry, has designated the Commission as its administrative agent, because it desired to have the regulatory work done by technically trained experts, skilled and experienced in the technical duties of radio regulation. The Congress defined the scope of the authority of its agent or, as is sometimes said, it established the standard according to which the agent should act. The broad scope of authority, or standard of action, established by the Communications Act is that public interest, convenience and necessity must be served. Within that framework the administrative agent is free to exercise its expert judgment; it cannot act unconstitutionally, for neither could its principal, the Congress, and the stream cannot rise higher than the source; it must proceed within the scope of the authority granted to it, that is to say, it must observe the standard established; and it cannot act arbitrarily or capriciously.

The broad sweep of the power given to the administrative agent to proceed according to a standard which necessarily is expressed in very general and widely inclusive terms proves how pertinent was the observation of Mr. Justice Justin Miller when he said, speaking for this court, that radio station licensees must be protected from arbitrary action of the Commission in the exercise of its regulatory power.<sup>1</sup>

Broad as the standard is, the Supreme Court has said that it is not so indefinite as to confer unlimited power.<sup>2</sup> The doctrine is that the act of the administrative agent is the act of Congress itself, as long as the agent stays within the boundaries of the standard and does not act arbitrarily or capriciously. Judicial review is limited, therefore, to the ascertainment of whether there has been an unconstitutional thing done by the agent, or whether the agent has exceeded its delegated authority by crossing the boundary of the standard, or has acted arbitrarily or capriciously.

Subject to the specific statutory provisions against the ownership or holding of radio station licenses by aliens, foreign governments or corporations which have an alien tinge through stock ownership,<sup>3</sup> the Communications Act

<sup>1</sup> After showing that the Act does not recognize that licensees have any common law rights in radio broadcasting, this court in *Yankee Network v. Federal Communications Commission*, 71 App. D. C. 11, said that nevertheless the Act does recognize certain rights of licensees and their ownership of their stations. The statute prohibits the use or operation of a broadcasting station except pursuant to a license and punishes as a criminal act the operation of such a station without a license. The opinion continues thus:

"It is apparent, therefore, that a radio broadcasting station is valueless without a license to operate it. It is equally apparent that the granting of a license by the Commission creates a highly valuable property right, which, while limited in character, nevertheless provides the basis upon which large investments of capital are made and large commercial enterprises are conducted. As it is the purpose of the Act to secure the use of the channels of radio communication by private licensees under a competitive system, those licensees must be protected in that use, not merely from unlicensed stations and unlicensed operators, but from improper activities of licensed stations and operators, and from arbitrary action by the Commission, itself, in the exercise of its regulatory power."

<sup>2</sup> *Federal Radio Commission v. Nelson Bros. Company*, 289 U. S. 266, 285.

<sup>3</sup> The Communications Act (U. S. C., Title 47, § 310) contains a provision that a radio station license shall not be granted to or held by an alien, nor by a corporation of which any officer or director is an alien or of which more than one fifth of the capital stock is owned of record or voted by aliens, as well as other restrictive provisions designed to keep the broadcasting service of the nation under domestic control.

(Continued on next page)

simply directs the Commission to grant or renew a license if it shall find that public interest, convenience, or necessity will be served thereby.<sup>4</sup> It would be difficult, if not impossible, to formulate a precise and comprehensive definition of the term "public interest, convenience, or necessity," and it has been said often and properly by the courts that the facts of each case must be examined and must govern its determination.<sup>5</sup> It seems clear, however, that a decision of the Commission refusing to renew a license should not be allowed to stand if it appears that the Commission's prior and necessarily basic determination that public interest, convenience, or necessity will not be served by the renewal, was not properly reached; that is, that proper standards were not applied in reaching the conclusion that a renewal would not serve the public interest, convenience, or necessity, and thus that the conclusion reached was arbitrary or the result of caprice.

It is obvious that, in dealing with an application for the renewal of a license, the quality of the applicant's programs and the adequacy of the applicant's mechanical and scientific broadcasting facilities are principal among the elements to be considered. Concerning these particulars, although the Commission made no finding with respect to them, substantial and undisputed evidence in the record shows that Station WOKO consistently has rendered reasonably satisfactory service to its listeners and that it has not been guilty of delinquency in service which would support the conclusion that it should be denied a renewal of its license for that reason. Probably the principal concern which the general public has in Station WOKO is with the quality of the music and messages which it emits.

It should be remembered that the appellant sought the enlargement of the issues specified by the Commission to include the fundamental issue of the quality of its program service and the practical and technical excellence of its facilities and their operation. The Commission declined to make the suggested enlargement because it said that the issues originally announced by it were sufficiently broad to permit the introduction of evidence concerning those aspects of the case. It is perhaps not without significance that at the hearing the Commission's counsel objected to the introduction of evidence by the appellant intended to show that it had served its area well and that it is mechanically and scientifically equipped to do so. Although the trial examiner received the evidence, the Commission made no finding with respect thereto. On this appeal, it is the duty of the court to examine the evidence to see if it furnishes a substantial basis for the Commission's findings of fact, and to see if there is anything material in the evidence which should have been found by the Commission, but which is omitted from its findings. The latter is important because, if the administrative agent fails to find formally some relevant element of the factual situation, there is disclosed the beginning of an arbitrary or capricious conclusion.

The record reveals, not only that the Commission made no finding with respect to the quality of the appellant's service in the past and its equipment for good service in the future, but also that it failed to mention in its findings anything of the value of the property which its decision would render almost valueless. It failed to notice the innocence of Curtis and The Press Company concerning Smith's concealment of Pickard's stock ownership. These things we regard as being material. There is evidence in the record that in 1943 an offer of \$75,000 was made for twenty-five per cent of the appellant's capital stock. This indicates the value of the stock owned by Curtis and The

Press Company which will be largely lost to them should the Commission's decision stand.

When a broadcasting station has been constructed, necessarily at considerable cost, and has been maintained and operated to the satisfaction of its listeners, it is ordinarily in the public interest that the station continue to operate, and a renewal of its license should not be refused unless there exist as a basis for the refusal what this court has called "compelling reasons." Those reasons must be such as bear on the interest of the public, or such as have effect upon its necessity or its convenience; nothing less can be "compelling," and on no other ground does the statute authorize the Commission to deny the renewal.<sup>6</sup>

Under the authority of the Communications Act (Section 312, Title 47, U. S. C.)<sup>7</sup> a station license may be revoked by the Commission for false statements, either in the application or in the statements of fact which may be required under Section 308, or because the statements of fact revealed conditions which would have justified the refusal of a license in the first instance. It may be said, therefore, that the Commission may refuse to renew a license for any similar reason. It seems to us, however, that it is impossible to dissociate the provisions of Section 312 from those of Sections 307 and 309.<sup>8</sup> The latter two sections contain the broad standard that the public interest, convenience, and necessity must be served; and the Commission is directed to grant a license or a renewal, once it appears that the public will be served in those particulars. So, a station license may not be revoked, under the authority of Section 312, for a false statement in the application, unless in exercising a sound discretion the Commission should decide that, because of such false statement, the public interest, convenience, or necessity would be served by a revocation of the license. In reaching such a decision, the Commission must weigh, as it apparently heretofore has done consistently, the competing considerations which enter into the determination of the question whether the public interest, convenience, or necessity would be served by a revocation. Any other construction of Section 312 would arm the Commission with arbitrary power to revoke a license for the most inconsequential misstatement by the licensee.

For all the foregoing reasons we conclude that the Commission does not have the power, implied from the provisions of Section 312 or otherwise, to refuse to issue a renewal license because of misstatements of the licensee, unless those misstatements are of such moment as to outweigh all competing considerations, and logically and rationally to give rise to the conclusion that the public interest, convenience, and necessity would not be served were the license renewed. In other words, the guiding star of the Commission concerning the issue of a station license or a renewal thereof is fixed by the statute as the service of the interest, convenience, or necessity of the public. Every specific grant of authority to the adminis-

<sup>4</sup> *Journal v. Federal Radio Comm'n*, 60 App. D. C. 92; *Chicago Federation of Labor v. Federal Radio Comm'n*, 59 App. D. C. 333.

<sup>7</sup> U. S. C., Title 47, § 312(a): "Any station license may be revoked for false statements either in the application or in the statement of fact which may be required by section 308 of this title, or because of conditions revealed by such statements of fact as may be required from time to time which would warrant the Commission in refusing to grant a license on an original application, or for failure to operate substantially as set forth in the license, or for violation of or failure to observe any of the restrictions and conditions of this chapter or of any regulation of the Commission authorized by this chapter or by a treaty ratified by the United States: *Provided, however*, That no such order of revocation shall take effect until fifteen days' notice in writing thereof, stating the cause for the proposed revocation, has been given to the licensee. Such licensee may make written application to the Commission at any time within said fifteen days for a hearing upon such order, and upon the filing of such written application said order of revocation shall stand suspended until the conclusion of the hearing conducted under such rules as the Commission may prescribe. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of revocation."

<sup>8</sup> U. S. C., Title 47, § 307(a): "The Commission, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this chapter, shall grant to any applicant therefor a station license provided for by this chapter."

U. S. C., Title 47, § 309(a): "If upon examination of any application for a station license or for the renewal or modification of a station license, the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."

<sup>4</sup> U. S. C., Title 47, § 307(a): "The Commission, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this chapter, shall grant to any applicant therefor a station license provided for by this chapter."

U. S. C., Title 47, § 309(a): "If upon examination of any application for a station license or for the removal or modification of a station license, the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."

<sup>5</sup> Section 402(c) of Communications Act; *Federal Communications Comm'n v. Pottsville Broadcasting Co.*, 309 U. S. 134.

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trative agent of the Congress must be used so as to contribute to that service, or it will be correctly characterized as arbitrary, if hurt results to anyone.

Its decision in the present case constitutes a departure from the course which the Commission has taken in dealing with misstatements in applications in other cases. It has not heretofore considered itself bound to refuse to issue a license or a renewal because of misstatements in applications; on the other hand, it has followed the practice of weighing all the elements of each situation presented to it in deciding whether the public interest would or would not be served, were a license or a renewal granted.<sup>9</sup> The doctrine of *stare decisis* does not apply to decisions of administrative bodies such as the Communications Commission, but radical departures from administrative interpretation consistently followed cannot be made except for most cogent reasons. Indeed it has been said that the adoption by an administrative agency of different standards for similar situations amounts to acting arbitrarily.<sup>10</sup>

The Navarro case (8 F. C. C. 198) is an illustration of the manner in which the Commission heretofore has interpreted the statute as to its duty in dealing with misstatements made by applicants for licenses. The Commission revoked the license of Navarro but, after a hearing had subsequent to the order of revocation, set aside that order. The finding was that the applicant had misrepresented its purpose as to the financing, construction, control, and operation of the station, in obtaining the original construction permit and station license. The Commission also found that the members of the original partnership which obtained the construction permit and initial license, had transferred those rights to Ulmer and Terry without the consent of the Commission and in violation of the Act. But, because Ulmer and Terry relinquished their rights to others who proceeded to operate the station in the interest of the public and in full compliance with official regulations, the Commission concluded that "there is nothing in this record to indicate that the respondents, if permitted by this Commission, will not continue to operate in the public interest as they have done since November 1937." The opinion of the Commission then adds the following statement:

"In determining whether to revoke the license of a radiobroadcast station for false representations to the Commission and other violations of the Communications Act, the Commission is faced with competing considerations. The Commission's primary duty is to the listening public and, in dealing with a licensee, the Commission must be guided by this primary duty. On the other hand, if the Commission is to carry out its function of granting and denying applications for licenses, it must obtain true and accurate information from those who seek to operate radio stations and must take disciplinary action against those who make false representations to the Commission. But discipline should not be inexorably applied when station licensees demonstrate to the Commission, as these respondents have now done, that they are ready to act in good faith.

"To revoke their license at this time would deprive the community of the service of this station when there is no reason to believe that the respondents will not continue to operate it in the public interest."

In the case at bar, in a petition for rehearing, the applicant proposed a complete corporate reorganization of WOKO, Inc. The suggested plan included the resignation of all officers and directors who had served as such heretofore; the Phelps stock and other shares aggregating fifty-one per cent were to be held by a new corporation controlled by prominent Albany citizens, and such shares as Smith and Curtis would have left were to be placed in a voting trust under the terms of which those individuals would have no voice in a stockholders' meeting. This arrangement, had it been consummated, would have fit into the reasoning of the Commission in the Navarro case, when it is remembered that the mechanical, scientific and program excellence of the station is not challenged. But the Commission denied the petition for rehearing and adhered to its refusal to renew the license, and so

<sup>9</sup> *Navarro Broadcasting Association*, 8 F. C. C. 198; *Red Lands Broadcasting*, 8 F. C. C. 473; *In the matter of Panama City Broadcasting Company*, 9 F. C. C. 208.

<sup>10</sup> *National Labor Relations Board v. Mall*, 119 F. (2d) 700.

departed from its policy of weighing the "competing considerations" in an effort to find what course will best serve the interest, convenience, or necessity of the public.

Moreover, common justice to the owner of the station, who has devoted a considerable investment to serving the public, requires that for no reason less than a "compelling" one should his physical property be rendered valueless except for what it may bring at a sacrificial sale. It is true, as the appellee points out, that by the terms of the Communications Act, a station license does not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof, nor in any other manner than authorized therein. In spite of the absence of a vested property right in the continuance of the license, however, the Commission may not destroy or diminish the capital investment of the licensee by withholding a renewal of the license, unless in the exercise of a sound discretion it decides that the public interest, convenience, or necessity requires that such a drastic step be taken. The case of *Journal v. Federal Radio Commission*, 60 App. D. C. 92, was one in which a radio station had been affected injuriously by the assignment of its frequencies to another station. In the course of the opinion Judge Robb, speaking for this court, said:

"The installation and maintenance of broadcasting stations involve a very considerable expense. Where a broadcasting station has been constructed and maintained in good faith, it is in the interest of the public and common justice to the owner of the station that its status should not be injuriously affected, except for compelling reasons."

If a station should not be injuriously affected save for compelling reasons, certainly it should not be destroyed by a refusal to renew its license for reasons that are less than compelling.

To the same effect is the opinion of this court by Chief Justice Martin in *Chicago Federation of Labor v. Federal Radio Commission*, 59 App. D. C. 333, 41 F. (2d) 422. The appellant there was applying for a frequency of 770 kilocycles, which already had been granted to Stations WBBM and KFAB. The Commission refused to grant that frequency to the appellant because to do so would have denied the use of it to the two stations already using it. This court affirmed the action of the Commission and said:

"It is not consistent with true public convenience, interest or necessity, that meritorious stations like WBBM and KFAB 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 interest correspondingly prejudiced if the licenses of established stations should be arbitrarily withdrawn from them, and appropriated to the use of other stations. This statement does not imply any derogation of the controlling rule that all broadcasting privileges are held subject to the reasonable regulatory power of the United States, and that the public convenience, interest, and necessity are the paramount considerations."

Simply stated, the question in this case is whether it is logical and rational to say that a licensee cannot be entrusted with further responsibilities for the sole reason that, over a term of years, one of its officers has concealed from the Commission the identity of a beneficial owner of twenty-four per cent of its capital stock. It is conceded that the stockholder whose identity was not revealed was not an alien and, therefore, not disqualified by the express provisions of the statute. It does not appear, as pointed out above, that the concealment influenced or induced the Commission's action in granting license renewals heretofore, nor that the Commission's past decisions which granted renewals would have been different had the identity not been concealed.

The denial of the renewal because of the applicant's failure to show the beneficial ownership of twenty-four per cent of its capital cannot be justified as a penalty for making false statements. The Act does not confer upon the Commission any punitive jurisdiction, and a license or

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its renewal may not be withheld in order to punish an applicant for violating the Act or a rule or regulation of the Commission. Such violations are to be punished only by the imposition after conviction, of the heavy fines imposed by Sections 501 and 502 of the Act. Nor does the Commission claim the right to punish, but on the contrary disavows any punitive intent here.

So it is manifest that the Commission's decision must depend for validity on the rationality of the step, directly and without any other consideration, from the Commission's well-grounded finding that the real beneficial owner of twenty-four per cent of the stock had been concealed from it, to the conclusion that the appellant "cannot be entrusted with the responsibilities of a licensee," and the consequent additional conclusion that the renewal license would not serve the public interest, convenience, or necessity.

We are unable to agree that the step can logically be taken. Other elements must necessarily be weighed. Certainly the conclusion cannot be upheld as a penalty, for the reason stated heretofore; but the conclusion that the denial of the renewal license was penal in nature and so intended by the Commission cannot be escaped, for the appellant is the same corporation now which for fifteen years consistently has furnished adequate and satisfactory broadcasting service to its public, and has in all respects met the requirements of law and regulation except in the concealment of stock ownership upon which the Commission based its action. The Commission was quite justified in feeling vexed at the deception, and perhaps would have been justified in seeking criminal prosecution of Smith or of the appellant itself; but to say that this concealment, which did not induce or influence its former grants of renewal licenses, alone supports a conclusion that public interest, convenience, or necessity would not be served by the renewal, is in logic a *non sequitur*. The high mechanical, scientific and artistic standards maintained by the station, and the highly penal result of the deprivation of a license for a continuance of operation, are necessary considerations in the formation of a judgment as to public interest, convenience, or necessity.

Under the situation disclosed here, we conclude that the Commission acted arbitrarily in proceeding from its warranted conclusion that the stock ownership had been misrepresented to it, to the drastic decision that the continuance of the license would not be in the public interest, with the concomitant results of disestablishing an established and satisfactory radio station and of imposing upon its corporate owner the entire loss of its good will and the serious impairment of the value of its capital assets.

*Reversed.*

GRONER, C. J., *Dissenting:*

I regret that I am not in accord with the conclusion reached by the majority. I do, however, very heartily agree with the view that this is a hard case. The Commission's drastic order, terminating the life of the station, punishes the innocent equally with the guilty, and in its results is contrary to the Commission's action in several other comparable cases. But that the making of the order was within the discretion of the Commission, I think is reasonably clear.

Shortly stated, the record shows the WOKO, Inc., acting through its General Manager, who ever since its organization has represented it in all of its transactions with the Commission, deliberately misled the Commission by repeatedly misstating the beneficial ownership of twenty-four per cent (24%) of its capital stock. What, if anything, would have happened if the truth had been disclosed is, in my view, not material.

The case, as I think, turns rather upon the question whether the statutory power of the Commission to determine public interest, convenience or necessity is broad enough to authorize the rejection of a license for renewal for repeated false swearing in statements of fact required to be filed by the Commission's rules and regulations.<sup>1</sup> An affirmative answer to the question seems to me to be obvious on the grounds of public policy and, accordingly, I do not stop to inquire whether the express statutory

authority to revoke impliedly embraces also the power to refuse to renew.<sup>2</sup>

## RADIO ATTORNEYS INVITED TO BAR MEET

The Administrative Law Section of the D. C. Bar Association announces that speakers at its regular meeting, to be held at the U. S. Chamber of Commerce Bldg., 1615 H St., N. W., Washington, 8:00 p. m. Feb. 5, will be the Hon. Sam Hobbs, Congressman from Ala., and Hon. Gerard S. Reilly, member of NLRB.

All attorneys practicing before the FCC who wish to attend will be welcomed.

## District Meetings

### 17TH DISTRICT MEETING

The following account of the District 17 meeting in Seattle, Jan. 14-15, was received too late for inclusion in last week's REPORTS:

Highlighted by a keynote address by President Justin Miller, broadcasters of the 17th NAB District, comprising stations of Oregon, Washington and Alaska, held a most successful meeting at the Olympic Hotel in Seattle.

Applications for membership were received from KIRO Seattle, KRKO Everett, and KVI Tacoma.

Entertainment for the main banquet on Monday night was provided by talent from all Seattle stations, under the guidance of the Arrangement Committee chairman, Bob Priebe, of KRSC. Each of the 117 registrants attested to the constructiveness of the sessions and heartily applauded District Director Harry Spence, of KXRO, Aberdeen, and the entire arrangements committee, for a good job, well done.

At the closing session Tuesday, Tom Olsen of KGY, Olympia, was elected head of the Washington State Broadcasters and Glenn McCormick of KSLM, Salem, was named to lead the Oregon unit.

Following is a list of those in attendance:

A. Adler, KMED, Medford, Ore.; C. E. Arney, Jr., Natl. Asso. Broadcasters; D. A. Baker, KBKO, Everett; Ray Baker, KOMO, Seattle; Frank P. Barnes, Gen. Electric, San Francisco; Leonard Beardsley, KXA, Seattle; Ted Bell, KRSC, Seattle; Stan Bennett, KOMO, Seattle; Paul F. Benton, KMO-KIT, Tacoma; John Blake, KWSC, Pullman; Louis Bookwalter, KOIN, Portland; Francis Brott, KOMO, Seattle; Harry Buckendahl, KOIN, Portland; C. O. Chatterton, KWLK, Longview; Fred Chitty, KVAN, Vancouver; Joe Chytil, KELA, Centralia; Jack Clarke, KIT, Yakima; Fran Conrad, ABC, Los Angeles; Ted Cooke, KOIN, Portland; Norman A. Davis, KALE, Portland; Margaret Dieringer, KXA, Seattle; John DuBuque, KXA, Seattle; Hugh Feltis, BMB; Birt F. Fisher, KJR, Seattle; H. M. Gander, KORE, Eugene, Ore.; O. W. Fisher, KOMO, Seattle; Romig C. Fuller, KRSC, Seattle; Arthur Gerbel, Jr., KJR, Seattle; Fred G. Goddard, KXRO, Aberdeen; Richard E. Green, KOMO, Seattle; Spence Green, KJR, Seattle; Homer Griffith, Homer Griffith Co., Hollywood, Cal.; Saul Haas, KIRO, Seattle; Gus Hagenah, Standard Radio, Chicago; Ralph Hanson, KUIN, Grants Pass, Ore.; Ben Harkins, KONP, Port Angeles; Bob Harris, KRSC, Seattle; Mrs. J. B. Hatfield, KEVR, Seattle; Joe Hiddleston, KIRO, Seattle; J. A. Hogg, General Electric, Seattle; Bill Hubbach, KOMO, Seattle; Mr. E. T. Irwin, KVI, Tacoma; Mrs. E. T. Irwin, KVI, Tacoma; Lee Jacobs, KLBM, KBKR, KSRV, Baker, Ore.; Mrs. Lee Jacobs, KLBM, Baker, Ore.; John Jessup, KJR, Seattle; Glenn Jones, KWSC, Pullman; Mark Knight, AP, Seattle; Howard

<sup>1</sup> 47 U. S. C. § 308.

<sup>2</sup> 47 U. S. C., § 312.

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Lane, WSAI, Cincinnati, Ohio; C. S. Lock, KWSC, Pullman; Frank H. Loggan, KBND, Bend, Ore.; Peter Lyman, MacWilkins, Cole & Weber, Seattle; Rod McArdle, KXA, Seattle; R. G. McBroom, KFIO, Spokane; Glenn McCormick, KSLM, Salem, Ore.; R. D. McCornack, KOMO, Seattle; Allen Miller, KOAC, Corvallis, Ore.; Paul Moore, KJR, Seattle; Jerry Morris, KOL, Seattle; Bob Morrison, NBC Record., San Francisco; C. W. Myers, KOIN, Portland; Carl A. Nielsen, NBC Spot Sales, San Francisco; Arden X. Pangborn, KGW, Portland, Ore.; Marshall Pengra, KRNR, Roseburg, Ore.; Jennings Pierce, NBC, Hollywood, Calif.; Homer Pope, KJR, Seattle; Robt. E. Priebe, KRSC, Seattle; H. J. Ray, KIRO, Seattle; O. A. Runchey, KOL, Seattle; Vern Sawyer, KMO, Tacoma; Jerry Seehan, KMO, Tacoma; Hal Shade, KOOS, Coos Bay, Ore.; A. Sheehan, KJR, Seattle; Frank Sheehan, Jr., KJR, Seattle; Bartley Sims, KEVR, Seattle, KTYW, Yakima; Kelly Smith, CBS, New York; T. J. Smith, KWSC, Pullman; Ace Spear, KJR, Seattle; Harry R. Spence, KXRO, Aberdeen; Burt Squire, SESAC, New York; Dan Starr, KOMO,

Seattle; Loren Stone, KIRO, Seattle; Lloyd C. Sundstrom, KONP, Port Angeles; Bob Sutton, KPQ, Wenatchee; Mrs. Sutton; A. G. Taft, KOL, Seattle; W. R. (Bill) Taft, KRKO, Everett; Mrs. W. R. (Thelma) Taft, KRKO, Everett; Dixie Lou Thompson, Strang & Prosser, Seattle; L. W. Trommlitz, KORE, Eugene, Ore.; Bill Tucker, KIRO, Seattle; Florence Wallace, KXA, Seattle; James W. Wallace, KPQ, Wenatchee, KVOS, Bellingham; Bill Warren, KOMO, Seattle; C. N. Webster, KONP, Port Angeles; Mrs. C. N. Webster, KONP, Port Angeles; Chett Wheeler, KWIL, Albany, Ore.; Ken Yeend, KIRO, Seattle; Hal Byer, KWIL, Albany, Ore.; F. D. Carroll, Pac. Tel. & Tel., Seattle; Sharon Kane, KOL, Seattle; King Mitchell, KTBI, Tacoma; Tom Olsen, KGY, Olympia; Burke Ormsby, KTBI, Tacoma; Tubby Quilliam, KTBI, Tacoma; Nick Bourne, UP, Portland, Ore.; Jack Frost, RCA, Los Angeles, Calif.; Donald Graham, KOMO, Seattle; R. V. Howard, Uni. Research Lab., San Francisco; John Keeting, John Keeting, Portland; J. McLaughlin, John Keeting, Seattle; R. J. Newman, RCA, San Francisco.

## Employee-Employer Relations

### FEDERAL COMMUNICATIONS COMMISSION

Washington 25, D. C.

EMPLOYEE AND COMPENSATION DATA BY OCCUPATIONAL CLASSIFICATION AS REPORTED TO THE FEDERAL COMMUNICATIONS COMMISSION BY NETWORKS AND STANDARD BROADCAST STATIONS

*Full-Time Employees*

For the week beginning October 14, 1945

Class of employees	Total 9 networks and 876 stations			9 networks including 10 key stations of nationwide networks			866 other standard stations		
	Number	Compensation	Average	Number	Compensation	Average	Number	Compensation	Average
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>Executives:</b>									
General managerial.....	1,076	\$186,540	\$173.36	53	\$23,517	\$443.72	1,023	\$163,023	\$159.36
Technical.....	655	54,626	83.40	30	4,712	157.07	625	49,914	79.86
Program.....	607	56,025	92.30	38	9,354	246.16	569	46,671	82.02
Commercial.....	484	67,177	138.80	50	11,309	226.18	434	55,868	128.73
Publicity.....	156	15,905	101.96	30	4,999	166.63	126	10,906	86.56
Other.....	276	26,738	96.88	36	5,103	141.75	240	21,635	90.15
Total, executives.....	3,254	407,011	125.08	237	58,994	248.92	3,017	348,017	115.35
<b>Employees (other than executives):</b>									
<b>Technical:</b>									
Research and development...	143	12,369	86.50	51	5,164	101.25	92	7,205	78.32
Operating.....	5,207	316,068	60.70	1,052	79,568	75.63	4,155	236,500	56.92
Other.....	299	12,144	40.62	94	3,086	32.83	205	9,058	44.19
<b>Program:</b>									
Production.....	1,320	82,483	62.49	512	36,626	71.54	808	45,857	56.75
Writers.....	1,236	59,246	47.93	165	12,660	76.73	1,071	46,586	43.50
Announcers.....	3,787	218,847	57.79	186	14,322	77.00	3,601	204,525	56.80
Staff musicians.....	2,220	180,260	81.20	559	76,909	137.58	1,661	103,351	62.22
Other artists.....	1,764	135,658	76.90	816	74,760	91.62	948	60,898	64.24
Other.....	1,514	75,004	49.54	547	31,625	57.82	967	43,379	44.86
<b>Commercial:</b>									
Outside salesmen.....	1,451	154,622	106.56	180	24,617	136.76	1,271	130,005	102.29
Promotion and merchandising.	798	44,923	56.29	525	31,324	59.66	273	13,599	49.81
Other.....	626	24,805	39.62	385	14,776	38.38	2413	10,029	41.61
<b>General and administrative:</b>									
Accounting.....	1,203	50,063	41.62	353	14,970	42.41	850	35,093	41.29
Clerical.....	1,328	41,866	31.53	321	12,363	38.51	1,007	29,503	29.30
Stenographic.....	1,422	46,787	32.90	240	8,166	34.03	1,182	38,621	32.67
Other.....	1,339	44,494	33.23	618	22,724	36.77	721	21,770	30.19
Miscellaneous.....	494	16,291	32.98	46	2,934	63.78	448	13,357	29.81
Total, excluding executives.	26,151	1,515,930	57.97	6,650	466,594	70.16	19,501	1,049,336	53.81
Total, including executives.	29,405	1,922,941	65.40	6,887	525,588	76.32	22,518	1,397,353	62.05

Prepared by Accounting, Statistical and Tariff Department,  
January 22, 1946.

## FCC

The Federal Communications Commission on Jan. 23 adopted Order No. 75-D, modifying the extensive requirements of Order No. 75, originally adopted June 18, 1940, as part of the Commission's national emergency program. Order 75 required holders of and applicants for radio operator licenses, both commercial and amateur, to submit responses to questionnaires together with fingerprints and documentary evidence of citizenship. Order 75-D eliminates the requirements of Order 75 except with regard to the submission of fingerprints on F.C.C. Form No. 735-A.

Effective Jan. 23, 1946, an applicant for an operator license, commercial or amateur, is not required as a general rule to submit documentary evidence of citizenship. He must, however, continue to certify in his application that he is a citizen of the United States and must also furnish fingerprints. In particular cases, the Commission may make specific requests for documentary evidence of citizenship and for information concerning qualifications to hold operator licenses.

## Miscellany

### CORRECTION

The Wichita Falls, Tex., *Daily Times* has requested a correction in the announcement made concerning their conditional permit for an FM Metropolitan station (REPORTS). The Times Publishing Co. is not interested in standard station WACO, as was erroneously stated in a Commission release.

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 28. They are subject to change.

#### Monday, January 28

##### Consolidated Hearing

- NEW—Old Dominion Broadcasting Corp., Lynchburg, Va.—C.P. 1390 kc., 1 KW, unlimited DA-night and day.  
NEW—Piedmont Broadcasting Corp., Danville, Va.—C.P. 1390 kc., 1 KW, unlimited DA-night and day.  
WCSC—John M. Rivers, Charleston, S. C.—C.P. 1390 kc., 5 KW, unlimited DA-night.  
NEW—Arkansas-Oklahoma Broadcasting Corp., Ft. Smith, Ark.—C.P. 1230 kc., 250 watts, unlimited.  
NEW—Donald W. Reynolds, Ft. Smith, Ark.—C.P. 1230 kc., 250 watts, unlimited.

To Be Held Before Commissioner Durr, Council Chambers of the City of San Buenaventura, Ventura, California

- NEW—Coast Ventura Co., Ventura, Calif.—C.P. 1450 kc., 250 watts, unlimited.  
NEW—Ventura Broadcasters, Inc., Ventura, Calif.—C.P. 1450 kc., 250 watts, unlimited.

### Tuesday, January 29

#### Consolidated Hearing Before Commissioner Denny

- NEW—James H. McKee, Charleston, W. Va.—C.P. 1240 kc., 250 watts, unlimited.  
NEW—Capitol Broadcasting Corp., Charleston, W. Va.—C.P. 1240 kc., 250 watts, unlimited.  
NEW—Gus Zaharis and Penelope Zaharis, d/b as Chemical City Broadcasting Co., Charleston, W. Va.—C.P. 1240 kc., 250 watts, unlimited.  
NEW—Joe L. Smith, Jr., Charleston, W. Va.—C.P. 1400 kc., 250 watts, unlimited.

### Wednesday, January 30

- WSAV—WSAV, Inc., Savannah, Ga.—C.P. 630 kc., 5 KW, unlimited DA-night.  
WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—C.P. 630 kc., 5 KW, unlimited DA-night.

### Friday, February 1

Consolidated Hearing to Be Held Before Commissioner Walker in the Federal Court Room, Federal Building, Dallas, Texas

- NEW—W. J. Harpole, et al d/b as Borger Broadcasting Co., Borger, Texas.—C.P. 1490 kc., 250 watts, unlimited.  
NEW—Richard George Hughes, Borger, Texas—C.P. 1490 kc., 250 watts, unlimited.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- WTBO—Cumberland Broadcasting Co., Cumberland, Md.—Granted construction permit to install a new antenna and ground system.  
KABC—The Alamo Broadcasting Co., Inc., San Antonio, Texas—Granted modification of construction permit (B3-P-3599) which authorized change in frequency, etc., for extension of completion date to 4-9-46.  
WKVM—American Colonial Broadcasting Corp., West of Arecibo, P. R.—Granted license to cover construction permit which authorized a new station to operate on 1230 kc., 250 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power.  
WMSA—The Brockway Co., South of Massena, N. Y.—Granted license to cover construction permit which authorized a new station to operate on 1340 kc., 250 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power. The licensee is granted a waiver of Secs. 3.55 (b) and 3.60 of the Commission's rules; conditions.  
Salt Lake City Broadcasting Co., Salt Lake City, Utah—Granted license to cover construction permit which authorized a new station to operate on 910 kc., 1 KW, unlimited time, DA. Also authority to determine operating power by direct measurement of antenna power. The licensee is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules; conditions.  
KMO—Carl E. Haymond, Tacoma, Wash.—Granted license to cover construction permit which authorized changes in auxiliary transmitting equipment.  
KBST—The Big Spring Herald Broadcasting Co., Big Spring, Texas—Granted modification of construction permit which authorized increase in power, etc., for installation of a new transmitter and extension of commencement and completion dates from 11-4-45 and 5-4-46, respectively, to 30 days after grant and 90 days thereafter, respectively.

(Continued on next page)

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine—Granted authority to determine operating power by direct measurement of antenna power for non-directional antenna daytime in accordance with Sec. 3.54.

WNEL—Juan Piza, San Juan, Puerto Rico—Granted construction permit to change frequency from 1320 to 860 kc.; 5 KW, DA, unlimited time. (B-P-3740)

### DESIGNATED FOR HEARING

Frank R. Gibson, Lake Charles, La.—Ordered that application (B3-P-3840), be designated for hearing in a consolidated proceeding with applications of The Times Picayune Publishing Co., New Orleans; Roy Hofheinz, et al., d/b as La. Broadcasting Co., New Orleans, and J. G. Long, et al., d/b as Bay City Broadcasting Co., McAllen, Texas.

The Times Picayune Pub. Co., New Orleans, La.—Ordered that application (B3-P-4167) for a new station, be designated for hearing in a consolidated proceeding with applications of Frank R. Gibson, Roy Hofheinz, et al., d/b as La. Broadcasting Co., and J. G. Long, et al., d/b as Bay City Broadcasting Co., McAllen, Texas.

Roy Hofheinz and W. N. Hooper, a partnership, d/b as La. Broadcasting Co., New Orleans, La.—Ordered that application (B3-P-4260), for a new station, be designated for hearing in a consolidated proceeding with applications of The Times Picayune Pub. Co., Frank R. Gibson, and Bay City Broadcasting Co.

J. G. Long, James A. Clements and Travis C. Dodd, a partnership, d/b as Bay City Broadcasting Co., McAllen, Texas—Ordered that application (B3-P-4339), for a new station, be designated for hearing in a consolidated proceeding with applications of The Times Picayune Pub. Co., La. Broadcasting Co., and Frank R. Gibson.

Commonwealth Broadcasting Corp., Danville, Ky.—Ordered that application (B2-P-4040) for a new station, be designated for hearing in a consolidated proceeding with application of Danville Broadcasting Co.

Danville Broadcasting Co., Danville, Ky.—Ordered that application (B2-P-4264), for a new station, be designated for hearing in a consolidated proceeding with application of Commonwealth Broadcasting Corp.

Radio Broadcasting, Inc., Hot Springs, Ark.—Ordered that application (B3-P-3915) for a new station, be designated for hearing in a consolidated proceeding with application of Arkansas Valley Broadcast Co., Ft. Smith, Ark. (B3-P-4200)

Arkansas Valley Broadcast Co., Fort Smith, Ark.—Ordered that application (B3-P-4200) be designated for hearing in a consolidated proceeding with above listed application of Radio Broadcasting, Inc.

Green Bay Broadcasting Co., Green Bay, Wis.—Ordered that application of Green Bay Broadcasting Co. (B4-P-4272) and application of Green Bay Newspaper Co. (B4-P-4350), be designated for hearing in a consolidated proceeding.

### LICENSE RENEWALS

The following relay broadcast stations were granted renewal of licenses for the regular period:

WBWB, Banks of the Wabash, Inc.; WEHN, The Evening News Assn.; WEIH, WEII, Indianapolis Broadcasting, Inc.; KDAS, KARM, The George Harm Station; KEJL, National Broadcasting Co., Inc.; WELW, WELX, WFIL Broadcasting Co.

The following stations were granted renewal of licenses for the period ending August 1, 1947:

WBTH, Williamson, W. Va.; WGIL, Galesburg, Ill.; WDWS, Champaign, Ill.; and WHYN, Holyoke, Mas.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal of license, in no event later than April 1, 1946:

KADA, Ada, Okla.; KAST, Astoria, Ore.; KBTM, Jonesboro, Ark.; KCMC, Texarkana, Texas; KCRS, Midland,

Texas; KFDA, Amarillo, Texas; KFIO, Spokane; KFJB, Marshalltown, Iowa; KFUN, Las Vegas, New Mexico; KFND, Naampa, Idaho; KGDE, Fergus Falls, Minn.; KGEK, Sterling, Colo.; KGFJ, Los Angeles; WCBT, Roanoke Rapids, N. C.; KGGI, Little Rock; KHAS, Hastings, Neb.; KHBC, Hilo, T. H.; KODL, The Dalles, Ore.; KMLB, Monroe, La.; KOOS, Coos Bay, Ore.; KPHO, Phoenix, Ariz.; KPOW, Powell, Wyo.; KSUN, Lowell, Ariz.; KTHT, Houston, Texas; KVCV, Redding, Cal.; KVEC, San Luis Obispo, Cal.; KVNU, Logan, Utah; KWG, Stockton, Cal.; WHTB, Talladega, Ala.; WIBC, Bloomington, Ill.; KXO, El Centro, Cal.; KWNO, Winona, Minn.; WAIM, Anderson, S. C.; WAJR, Morgantown, W. Va.; WAYX, Waycross, Ga.; WBPZ, Ponca City, Okla.; WBHP, Huntsville, Ala.; WBLI, Dalton, Ga.; WBOC, Salisbury, Md.; WBOW, Terre Haute; WCAT, Rapid City, So. Dak.; WCED, DuBois, Pa.; WCLO, Janesville, Wis.; WCOL, Columbus, Ohio; KYSM, Mankato, Minn.; WCPO, Cincinnati; WDLF, Panama City, Fla.; WDSM, Superior, Wis.; WENY, Elmira, N. Y.; WERC, Erie, Pa.; WESX, Salem, Mass.; WFAS, and auxiliary, White Plains, N. Y.; WFVA, Fredericksburg, Va.; WHBY, Appleton, Wis.; WHLN, Harlan, Ky.; WHOP, Hopkinsville, Ky.; WIBX, Utica, N. Y.; WIL, St. Louis, Mo.; WISE, Asheville, N. C.; WITH, Baltimore; WIEF, Grand Rapids, Mich.; WJNO, West Palm Beach; WJOB, Hammond, Ind.; WJRD, Tuscaloosa, Ala.; WKBO, Harrisburg, Pa.; WLOF, Orlando, Fla.; WLOG, Logan, W. Va.; WLVA, Lynchburg, Va.; WMOB, Mobile, Ala.; WMFR, High Point, N. C.; WMPC, Lapeer, Mich.; WRBL, Columbus, Ga.; WTHH, Hartford, Conn.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon applications for renewal of license, for the period ending April 1, 1946:

KABC, San Antonio; KATE, Albert Lea, Minn.; KBIX, Muskogee, Okla.; KBKR, Baker, Ore.; KBON, Omaha; KBPS, Portland, Ore.; KBST, Big Spring, Texas; KBUR, Burlington, Iowa; KDAL, Duluth; KDB, Santa Barbara, Cal.; KDNT, Denton, Texas; KDRO, Sedalia, Mo.; KEYS, Corpus Christi; KFAM, St. Cloud, Minn.; KFFA, Helena, Ark.; KFIZ, Fon du Lac, Wis.; KFYO, Lubbock, Texas; KGFF, Shawnee, Okla.; KGFL, Roswell, New Mexico; KGKB, Tyler, Texas; KGKY, Scottsbluff, Neb.; KGLU, Safford, Ariz.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Cal.; KLBH, La Grande, Ore.; KLUF, Galveston, Texas; KMYC, Marysville, Cal.; KMYR, Denver; KNEL, Brady, Texas; KNET, Palestine, Texas; KNOW, Austin, Texas; KOAL, Price, Utah; KOCA, Kilgore, Texas; KOCY, Oklahoma City; KONO, San Antonio; KORE, Eugene, Ore.; KOTN, Pine Bluff, Ark.; KOVC, Valley City, N. Dak.; KPAB, Laredo, Texas; KPDN, Pampa, Texas; KPLC, Lake Charles, La.; KPLT, Paris, Texas; KRBC, Abilene, Texas; KRBM, Bozeman, Mont.; KRIC, Beaumont, Texas; KRLC, Lewiston, Idaho; KRNR, Roseburg, Ore.; KSAM, Huntsville, Texas; KSAN, San Francisco; KTBI, Tacoma, Wash.; KTOK, Oklahoma City; KTRI, Sioux City, Iowa; KVAK, Atchison, Kans.; KVAL, Brownsville, Texas; KTOH, Lihue, Hawaii; KVFD, Fort Dodge, Iowa; KVOE, Vernon, Texas; KVWC, Vernon, Texas; KWAL, Wallace, Idaho; KWBW, Hutchinson, Kans.; KWEW, Hobbs, New Mexico; KYCA, Prescott, Ariz.; KYOS, Merced, Cal.; WABY, Albany, N. Y.; WACO, Waco, Texas; WAGM, Presque Isle, Maine; WAOW, Vincennes, Ind.; WARM, Scranton, Pa.; WASK, Lafayette, Ind.; WATL, Atlanta, Ga.; WATW, Ashland, Wis.; WAZL, Hazleton, Pa.; WBAB, Atlantic City; WBLK, Clarksburg, W. Va.; WBNY, Buffalo; WBTA, Batavia, N. Y.; WCBS, Springfield, Ill.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WCRS, Greenwood, S. C.; WDAN, Danville, Ill.; WDBC, Escanaba, Mich.; WDEF, Chattanooga, Tenn.; WDNC, Durham, N. C.; WEED, Rocky Mount, N. C.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WFIG, Sumter, S. C.; WFMI, Youngstown, Ohio; WFNC, Fayetteville, N. C.; WFOR, Hattiesburg, Miss.; WFPG, Atlantic City; KGAL, Lancaster, Pa.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGL, Ft. Wayne; WGNC, Gastonia, N. C.; WGRC, Louisville, Ky.; WGOV, Valdosta, Ga.; WGPC, Albany, Ga.; WGRM, Greenwood, Miss.; WGTG, Greenville, N. C.; WHBB, Selma, Ala.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHDL, Town of Allegany, N. Y.; WHFC, Cicero, Ill.; WHIT, New Bern, N. C.; WILLB, Vir-

(Continued on next page)

ginia, Minn.: WHMA, Anniston, Ala.; WIBG, Glenside, Pa.; WIBM, Jackson, Mich.; WIGM, Medford, Wis.; WILM, Wilmington, Del.; WINC, Winchester, Va.; WJBK, Detroit; WJBY, Gadsden, Ala.; WJHO, Opelika, Ala.; WJLB, Detroit; WJMC, Rice Lake, Wis.; WJMS, Ironwood, Mich.; WJPA, Washington, Pa.; WJXX, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKBB, Dubuque; WKBV, Richmond, Ind.; WKBZ, Muskegon, Mich.; WKEU, Griffin, Ga.; WKIP, Poughkeepsie; WKNY, Kingston, N. Y.; WKRO, Cairo, Ill.; WLAP, Lexington, Ky.; WLAV, Grand Rapids; WLAY, Muscle Shoals City, Ala.; WLEU, Erie, Pa.; WLLH and Synch. Amplifier, Lowell, Mass.; WLPN, Suffolk, Va.; WMAS, Springfield, Mass.; WMBH, Joplin, Mo.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WMFJ, Daytona Beach; WMGA, Moultrie, Ga.; WMJM, Cordele, Ga.; WMOG, Brunswick, Ga.; WMRC, Greenville, S. C.; WMRF, Lewistown, Pa.; WMRN, Marion, Ohio; WMVA, Martinsville, Va.; WNAB, Bridgeport, Conn.; WNBH, New Bedford, Mass.; WNEW and auxiliary, New York City; WNLC, New London, Conn.; WNOE, New Orleans; WOLS, Florence, S. C.; WOLF, Syracuse; WOMI, Owensboro, Ky.; WOPI, Bristol, Tenn.; WOSH, Oshkosh, Wis.; WOV and auxiliary, New York City; WPAD, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRGA, Rome, Ga.; WRJN, Racine, Wis.; WRLO, Toccoa, Ga.; WSAM, Saginaw, Mich.; WSAP, Portsmouth, Va.; WSBC, Chicago; WSLI, Jackson, Miss.; WSPB, Sarasota, Fla.; WSTP, Salisbury, N. C.; WTEL, Philadelphia; WTMC, Ocala, Fla.; WTMV, E. St. Louis, Ill.; WTOL, Toledo; WWDC and Syn. Amplifier, Washington, D. C.; WWSW and auxiliary, Pittsburgh, Pa.

WPTZ—Philco Radio and Television Corp., Philadelphia, Pa.—Granted renewal of commercial television station license for the period ending no later than Feb. 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

Licenses for the following commercial television stations were extended upon a temporary basis only, pending determination upon applications for renewal of licenses, for the period ending April 1, 1946:

WBKB, Chicago, Ill.; WCBW, New York City; WABD, New York City; WRGB, Schenectady; WNBTV, New York City.

The following experimental television stations were granted renewal of licenses for the period ending February 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651:

W2XEM, New York, N. Y.; W3XWT, Washington, D. C.; W3XE, Springfield Township, Pa.; W3XPD, W3XPE, W3XPF, W3XPG, W3XPH, W3XPI, W3XPK, W3XPL, area of Central Md., Northeast Md., Southeast Pa. and D. C.; W10XP, W10XPA, W10XPB, W10XPC, W10XPR, area of Washington, D. C., Philadelphia and New York City.

Licenses for the following experimental television broadcast stations were extended upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, for the period ending April 1, 1946:

W9XBB, W9XBK, W9XBT, W9XPR, Balaban & Katz, Chicago; W2XCB, W2XCS, Columbia Broadcasting System, Inc., New York; W2XVT, Allen B. DuMont Labs, Inc., Passaic, N. J.; W2XWV, W10XKT, Allen B. DuMont Labs, Inc., New York; W2XGE, W2XI, General Electric Co., Schenectady; W6XAO, W6XDU, Don Lee Broadcasting System, area of Los Angeles; W2XMT, Metropolitan Television, Inc., New York; W2XBT, W2XBU, National Broadcasting Co., Inc. New York; W10XAD, W10XAE, W10XAF, Philco Radio and Television Corp., area of Washington, Philadelphia and New York; W3XAD, W3XEP, RCA, Camden, N. J.; W9XU1, State Univ. of Iowa, Iowa City; W2XJT, Jamaica Radio and Television Co., Jamaica, L. I.; W6XLA, W6XYZ, Television Productions, Inc., Los Angeles; W9XZV, Zenith Radio Corp., Chicago.

W8XWI—Guy S. Cornish, area of Cincinnati—License for public address relay class II experimental broadcast station, was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending April 1, 1946.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station, was further extended upon a tem-

porary basis only, pending determination upon application for renewal of license, for the period ending April 1, 1946.

## NOTICES OF HEARING MAILED BY DOCKET SECTION

NEW—Norfolk Broadcasting Corporation, Norfolk, Va.—1220 kc., 250 watts, daytime.  
 WJOL—WCLS, Incorporated, Joliet, Ill.—For renewal of license.  
 WHP—WHP, Incorporated, Harrisburg, Pa.—580 kc., 5 KW, unlimited DA-night.  
 NEW—James A. Noe, Shreveport, La.—1550 kc., 250 watts, unlimited.  
 NEW—Frank H. Ford, Shreveport, La.—1550 kc., 250 watts, unlimited.  
 NEW—James Robert Meachem, Elmira, N. Y.—1450 kc., 250 watts, unlimited.  
 NEW—Thomas J. Watson, Endicott, N. Y.—1420 kc., 250 watts, unlimited.

## MISCELLANEOUS

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Adopted order granting petition for reconsideration and grant of application for construction permit (Docket 6367), and ordered that application to increase power from 100 to 250 watts be granted, upon condition that the action be without prejudice to any action which the Commission may ultimately take upon the applications for renewal of license and for approval of transfer of control which are now pending before the Commission.

WNVA—Blanfox Radio Co., Inc., Norton, Va.—Granted modification of construction permit for approval of antenna and approval of transmitter location at 1½ miles west of city limits, Norton. The permittee is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules; conditions.

WRDN—Great Trails Broadcasting Corp., area of Dayton, Ohio—Present relay station license was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending April 1, 1946.

KGKO—KGKO Broadcasting Co., Fort Worth, Texas; WBAP—Carter Publications, Inc., Fort Worth, Texas; WFAA—A. H. Belo Corp., Dallas, Texas—Upon consideration of a joint petition requesting postponement of oral argument now set for January 24, on application for renewal of licenses of these stations, the Commission ordered that oral argument be postponed until further order of the Commission.

Community Broadcasting Co., Oak Park, Ill.—Ordered that the application of Community Broadcasting Co. (Docket 7155) be designated for hearing in a consolidated proceeding with application of Wm. L. Klein, et al, d/b as Beloit Broadcasting Co., The Elgin Broadcasting Co. and Vincent G. Cofey, Elgin, Ill., to be held in Washington on Feb. 7th; and further ordered that the bills of particulars heretofore issued in these proceedings be enlarged to include the application of Community Broadcasting Co.

Vincent G. Cofey, Elgin, Ill.—Ordered that the application of Vincent G. Cofey (Docket 7154) be designated for hearing in a consolidated proceeding with application of Wm. L. Klein, et al, d/b as Beloit Broadcasting Co., The Elgin Broadcasting Co. and Community Broadcasting Co., to be held in Washington on Feb. 7th, and further ordered that the bills of particulars heretofore issued in these proceedings be enlarged to include the application of Vincent G. Cofey.

Voice of Augusta, Inc., et al, Augusta, Ga.—Ordered that the hearing on applications of Voice of Augusta, Inc., the Augusta Chronicle Broadcasting Co., Savannah Valley Broadcasting Co. and Ga.-Carolina Broadcasting Co., now scheduled for Feb. 11-13, be scheduled for Feb. 9-13 at Augusta.

(Continued on next page)



- Times Publishing Co.—Granted motion to dismiss without prejudice application for a new station. (B2-P-3773; Docket 6900)
- Wendell Mayes, et al. d/b as Odessa Broadcasting Co., Odessa, Texas—Adopted order granting petition requesting leave to amend its application (Docket 6943): accepted the amendment and ordered that the application, as amended, be removed from the hearing docket.
- Sunland Broadcasting Co., El Paso, Texas—Adopted order granting petition to dismiss without prejudice its application for a new station. (B3-P-4290; Docket 7073)
- El Paso Broadcasting Co., El Paso, Texas—Adopted order granting petition to dismiss without prejudice its application for a new station (B3-P-4129; Docket 6875).
- WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Ordered that temporary extension of license for station WBAX be further extended from Feb. 1 to April 1, 1946, pending determination upon application for license. (Docket 6723)
- WOKO—WOKO, Inc., Albany, N. Y.—Ordered, upon the Commission's own motion, that the special temporary authorization for the continued operation of station WOKO be extended to March 30, 1946.
- Truett Kimzey, Greenville, Texas—Granted request to use call letters KGVV for new station granted on November 30, 1945.
- WWDC—Capital Broadcasting Co., Washington, D. C.—Granted an extension of the authority for waiver of Secs. 2.53 and 13.61 of the Commission's Rules so as to permit operation of the synchronous amplifier of Station WWDC by remote control from main transmitter location, for the period ending in no event later than April 1, 1946, upon the same terms and conditions as the existing authorization for such operation.
- WDBJ—Times World Corp., Roanoke, Va.—Granted petition for leave to intervene in the hearing on applications of WBOC, Salisbury, Md., and The Eastern Shore Broadcasting Co., Preston, Md., now scheduled for consolidated hearing on January 24-25.
- WHIS—Daily Telegraph Printing Co., Bluefield, W. Va.—Granted motion requesting dismissal of application for C. P., and application (B2-P-4141) was dismissed without prejudice.
- Central Broadcasting Corp., Corpus Christi, Texas—Granted motion for dismissal without prejudice of application for construction permit, and the application (B3-P-4110) was so dismissed.
- Marcus Loew Booking Agency, Washington, D. C.—Granted motion to dismiss without prejudice application (B1-PCT-104) for a new television station.
- Trinidad Broadcasting Corp., Trinidad, Colo.—Granted construction permit for a new station (B5-P-4219) to operate on 1280 kc., 1 KW day, 500 watts night, unlimited time.
- H. L. Corley, tr/as Corley Radio and Sound Service, Trinidad, Colo.—Granted construction permit for a new station to operate on 1240 kc., 250 watts, unlimited time. (B5-P-3892)
- WICA—Estate of C. A. Rowley, Deceased, (Transferor), Robert B. Rowley and Donald C. Rowley, Trustees under the will of C. A. Rowley, Deceased (Transferees), WICA, Inc. (Licensee), Ashtabula, Ohio—Granted consent to transfer of control of WICA, Inc., licensee of station WICA, from estate of C. A. Rowley, deceased, to Robert B. and Donald C. Rowley, as executors under the will of C. A. Rowley, deceased. Reserved for decision at a later date the question whether the transfer should be approved to Robert B. and Donald C. Rowley in their capacity as trustees.
- WEBR—WEBR, Inc., Buffalo, N. Y.—Ordered that application (B1-P-3926) for a construction permit to change frequency from 1340 to 970 kc. be designated for hearing in a consolidated proceeding with applications of WICA, Inc. (B2-P-3081) requesting frequency 970 kc. with 1 KW power, unlimited time, and WWSW, Inc. (B2-P-3055) requesting frequency 970 kc. with 5 KW power, unlimited time.
- WICA—WICA, Inc., Ashtabula, Ohio; WWSW—WWSW, Inc., Pittsburgh, Pa.—Adopted an order designating for further hearing in consolidation with application of WEBR for 970 kc., the applications of WICA (Docket 6120) and WWSW (Docket 6121), requesting the 970 frequency.
- Joe L. Smith, Charleston, W. Va.—Denied petition to consolidate applications of James H. McKee (Docket 6836), Capitol Broadcasting Corp. (Docket 6837), and Chemical City Broadcasting Co. (Docket 6838), applicants for a new station at Charleston, already designated for hearing, with applications of WGKV, Kanawha Valley Broadcasting Co. (Docket 6558), and WCHS, Charleston Broadcasting Co. (Docket 6611) for renewal of licenses, with petitioner's application (Docket 6677), for a new station, heretofore designated for consolidated hearing with applications of James H. McKee, et al, listed above.

## ACTION ON MOTIONS

The following action was taken by Commissioner Wills today:

- James F. Hopkins, Inc., Ann Arbor, Mich.—Granted motion to amend application for new station (Docket 6230), and the amendment was accepted.
- Hazlewood, Inc., Deland, Fla.—Granted motion to dismiss without prejudice application for new station (Docket 6704).
- WMIL Broadcasting Co., Milwaukee, Wis.—Granted petition insofar as it requests leave to amend and remove from the hearing docket; the amendment was accepted and the application (B4-P-3660) was removed from the hearing docket.
- Harold Thomas, Waterbury, Conn.—Granted petition to dismiss without prejudice application for a new station. (Docket 6856)
- WLOF—Hazlewood, Inc., Orlando, Fla.—Granted motion for leave to amend its application (B3-P-3973), and the amendment was accepted.
- Queen City Broadcasting, Inc., Cincinnati, Ohio—Granted motion and amended motion to take depositions in re its application (B2-P-4103).
- WGTM—Penn Thomas Watson, Wilson, N. C.—Granted motion to take deposition in the hearing now scheduled for Feb. 25-28 and March 8 at Washington, limiting the number of witnesses to 25 and to be taken at conclusion of depositions at Goldsboro.
- WIIC—United Broadcasting Co., Columbus, Ohio—Granted petition to intervene in the hearing now scheduled for Feb. 18 on applications of WCPO, WLAP and Queen City Broadcasting, Inc.
- Queen City Broadcasting, Inc., Cincinnati, Ohio—Granted petition for leave to amend its application (B2-P-4103), and the amendment was accepted.
- Virginia-Carolina Broadcasting Corp., Danville, Va.—Granted motion to take depositions in the consolidated hearing now scheduled for Feb. 21-27, upon movant's application for CP (B2-P-4113), et al.
- William L. Klein, Oak Park, Ill.—Granted petition for leave to amend application (B4-P-4075), and the amendment was accepted.
- WHLS—Port Huron Broadcasting Co., Port Huron, Mich.—Granted petition for waiver of Sec. 1.382(b) of the Commission's Rules, and accepted petitioner's late appearance in re (Docket 6987).
- Community Broadcasting Co., Oak Park, Ill.—Granted motion for leave to take depositions in re hearing now scheduled for Feb. 7-9 upon movant's application for CP (Docket 7155).
- KXOK—Star-Times Publishing Co., St. Louis, Mo.—Granted petition for leave to intervene in the hearing on applications of WCPO, Queen City Broadcasting, Inc., and WLAP.
- James S. Rivers, d/b as Southeastern Broadcasting System, East Point, Ga.—Granted motion to dismiss without prejudice application for CP (Docket 7068).
- Charlotte Broadcasting Co., Charlotte, N. C.—Granted motion for leave to amend its application (B3-P-3847), and the amendment was accepted.

(Continued on next page)

WFMJ—The WFMJ Broadcasting Co., Youngstown, Ohio—Granted petition to intervene in the hearing on Old Dominion Broadcasting Corp., Piedmont Broadcasting Corp., and WCSC's applications.

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Granted motion to take depositions in re application (B3-P-3914).

WSAV—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Granted motion to take depositions in the hearing now scheduled for Feb. 25-March 8 re Docket 6804.

Moline Dispatch Pub. Co., Moline, Ill.—Denied motion insofar as it requests leave to take the testimony of Harry A. Sward for submission in evidence in re the proceeding in Dockets 6888-6891; and ordered that insofar as motion requests leave to take deposition of Clarabell Sward, who will testify concerning her legal and other qualifications to act as officer and director of the Moline Dispatch Pub. Co., and as to her participation in construction and operation of the station proposed, it is granted.

The Commission took the following action on January 24:

Wyoming Valley Broadcasting Co., Wilkes-Barre, Pa.—Granted petition insofar as it requests petitioner's application be designated for hearing in consolidation with application of Joseph L. Maguire, et al., d/b as Miners' Broadcasting Service, and in the matter of Hazleton Broadcasting Service, Inc.; further ordered that petitioner's application (B2-P-4396) be designated for hearing in a consolidated proceeding with application of Miners' Broadcasting Service (Docket 7089) and the Hazleton Broadcasting Service, Inc. (WAZL) (Docket 7090), to be heard in Washington, D. C., on February 4; and further ordered that the Bills of Particulars heretofore adopted in these proceedings be amended to include the Wyoming Valley Broadcasting Co.

Joseph L. Maguire, et al., d/b as Miners' Broadcasting Service, Pottsville, Pa.—Adopted order granting petition requesting that the hearing on its application be set for the earliest possible time, and ordered that hearing in re application of Miners' Broadcasting Service (Docket 7089), and in the matter of WAZL (Docket 7090) heretofore designated for hearing for March 4, be designated to be held in Washington, D. C., on February 4, 1946.

#### REPORT OF APPLICATIONS FOR BROADCAST SERVICES ACCEPTED FOR FILING

KPDN—C. H. Hoiles, Harry Hoiles & Jane Hoiles, a partnership d/b as Radio Station KPDN, Pampa, Texas—Construction permit to increase power from 100 watts to 250 watts and install new transmitter. (1340 kc.)

WJNC—Louis N. Howard & Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—License to cover construction permit (B3-P-3860) which authorized a new standard broadcast station. (1240 kc.)

WJNC—Louis N. Howard & Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—Authority to determine operating power by direct measurement of antenna power. (1240 kc.)

WJOI—Clyde W. Anderson & Joe T. Van Sandt, d/b as Florence Broadcasting Co., Florence, Ala.—Modification of construction permit (B3-P-4211 which authorized a new station) for approval of transmitter location and approval of antenna. (1340 kc.)

Central Illinois Radio Corp., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency from 1340 to 1290 kc., increase power from 250 watts day and night to 5 KW day and night, install new transmitter and directional antenna for day and night use, change transmitter location and make changes in corporate structure.

#### APPLICATION DISMISSED

Leo E. Owens, McAllen, Texas—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW and daytime hours of operation. (Request of attorney)

#### APPLICATIONS FOR STANDARD BROADCAST FACILITIES TENDERED FOR FILING

KRIC—KRIC, Inc., Beaumont, Texas—Construction permit to change frequency from 1450 kc. to 1470 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location.

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Construction permit to increase power from 10 KW to 50 KW, make changes in transmitting equipment and install directional antenna for day and night use. (1560 kc.)

Metropolitan Broadcasting Corp., Washington, D. C.—Construction permit for a new standard broadcast station to be operated on 570 kc., power of 250 watts and daytime hours of operation.

Frank E. Pellegrin & Homer H. Gruenther, Oak Ridge, Tenn.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

Corpus Christi Broadcasting Co., Inc.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

#### APPLICATIONS FILED AT FCC

##### 550 Kilocycles

NEW—Atlantic Radio Corporation, Boston, Mass.—Construction permit for a new standard broadcast station to be operated on 1200 kc., power of 5 KW and unlimited hours of operation. Amended to change frequency from 1200 kc. to 550 kc. and change type of antenna.

##### 850 Kilocycles

KEEU—Berks Broadcasting Company, Reading, Pa.—Construction permit to change hours of operation from daytime to unlimited time, install new transmitter and directional antenna for night use and change transmitter location from Spring Township (near Reading), Pa., to approximately 1.2 miles NW of Wyomissing, Reading, Pa.

##### 910 Kilocycles

KPOF—Pillar of Fire (a corporation), near Denver, Colo.—Construction permit to increase power from 1 KW day and night to 1 KW night and 5 KW day and install new transmitter.

##### 1020 Kilocycles

KFVD—Standard Broadcasting Company, Los Angeles, Calif.—Modification of construction permit (B5-P-3808, which authorized installation of new transmitter, increase in power and change transmitter location) for changes in transmitting equipment and antenna.

##### 1060 Kilocycles

NEW—Orlando Daily Newspapers, Inc., Orlando, Fla.—Construction permit for a new standard broadcast station to be operated on 1060 kc., power of 1 KW, 5 KW day, directional antenna night and unlimited hours of operation. Amended to change frequency from 1060 to 990 kc., increase power from 1 KW night and 5 KW day to 5 KW night and 10 KW day and change type of transmitter employing directional antenna for day and night use.

(Continued on next page)

### 1230 Kilocycles

NEW—Lewis Windmuller, Allentown, Pa. (P. O. 4310-37th St., N. W., Washington, D. C.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

NEW—H. L. Corley, tr/as Corley Radio & Sound Service, Trinidad, Colo.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended to change transmitter location.

WMOX—Birney Imes, Jr., Meridian, Miss.—Modification of construction permit (B3-P-3588, which authorized a new standard broadcast station) for installation of new transmitter, approval of antenna and approval of transmitter location and to specify studio location.

### 1270 Kilocycles

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Construction permit to increase power from 1 KW day and night to 5 KW day and 1 KW night, install new transmitter and change studio location.

### 1340 Kilocycles

KSIL—Dorrance D. Roderick, Silver City, N. M.—Modification of construction permit (B5-P-4041 which authorized a new station) for approval of transmitter and studio locations at Cactus Avenue & 17th Street, Silver City, New Mexico, and approval of antenna.

KMYR—KMYR Broadcasting Company, Denver Colo.—Authority to determine operating power by direct measurement of antenna power.

WJOL—WCLS, Inc., Joliet, Ill.—Modification of license to change corporate name to Joliet Broadcasting Company.

WFHR—William F. Huffman, Wisconsin Rapids, Wisc.—Construction permit to install a new vertical antenna.

### 1400 Kilocycles

KTMC—McAlester Broadcasting Co., a co-partnership composed of C. E. Wilson and P. D. Jackson, McAlester, Okla.—Modification of construction permit (B3-P-4027 which authorized a new station) for change in type of transmitter, antenna and studio location.

KIUN—Jack W. Hawkins & Barney H. Hubbs, Pecos, Texas—Construction permit to increase power from 100 watts to 250 watts and make changes in transmitting equipment.

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio—Construction permit to install a new transmitter.

WARM—Union Broadcasting Company, Scranton, Pa.—Authority to determine operating power by direct measurement of antenna power.

### 1450 Kilocycles

NEW—Jim Golding & Ben H. Guill, a partnership, d/b as Voice of Borger, Borger, Texas (P. O. Temp. % Jim Golding, Box 3003, Amarillo, Texas)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1450 to 1230 kc., request facilities from KFDA and change type of transmitter.

KSMA—Hugh G. Shurtliff, Charles A. Shurtliff, Mareby Cardella (Della) Shurtliff, & Cleo Agnes Center, Santa Maria, Calif.—Modification of construction permit (B5-P-3804 which authorized a new station) for change in studio location.

KONP—Evening News Press, Inc., Port Angeles, Wash.—Modification of license to change corporate name to Radio Pacific, Inc.

NEW—Charles W. Balthrope, San Antonio, Texas (P. O. Route #3, Box 384)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. (Facilities to be relinquished by KABC.)

### 1470 Kilocycles

WSAR—The Fall River Broadcasting Company, Inc., Fall River, Mass.—Construction permit to change frequency from 1480 kc. to 1470 kc., increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use and change transmitter location from South Somerset, Mass., to Portsmouth, Rhode Island.

### 1480 Kilocycles

WHBC—The Ohio Broadcasting Co., Canton, Ohio—Construction permit to install a new transmitter.

### 1490 Kilocycles

NEW—Elmer R. Noll & Frank A. Dieringer, d/b as Chillicothe Broadcasting Co., Chillicothe, Ohio (P. O. Temp. % Frank A. Dieringer, 205 Griswold Drive, Youngstown 7, Ohio)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 100 watts and unlimited hours of operation.

NEW—Samuel R. Sague, Cleveland Heights, Ohio (P. O. Temp. 4 Victory Drive, Hamilton, Ohio)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. (Call "WSBR" reserved.)

KVAL—Radio Station KKEW, Ltd., Brownsville, Texas—Modification of license to increase power from 100 watts night and 250 watts day to 250 watts day and night.

### 1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Modification of construction permit (B3-P-4080 which authorized increase in power, installation of new transmitter and directional antenna for night use and change transmitter location) for change in transmitter location.

### 1550 Kilocycles

NEW—Radio Springfield, Inc., Springfield, Ill.—Construction permit for a new standard broadcast station to be operated on 1550 kc., power of 250 watts and unlimited hours of operation. Amended to increase power from 250 watts day and night to 1 KW day and night, change type of transmitter, install directional antenna for day and night use and specify transmitter location.

### 1560 Kilocycles

NEW—Washita Valley Broadcasting Corp., Chickasha, Okla. (P. O. Temp. c/o George C. Robinson, 2709 So. Adams St., Fort Worth, Texas)—Construction permit for a new standard broadcast station to be operated on 1560 kc., power of 250 watts and unlimited hours of operation.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—Construction permit to change frequency from 1340 to 1560 kc., increase power from 250 watts to 1 KW, install new transmitter, new vertical antenna and ground system, and change transmitter location.

### 1590 Kilocycles

NEW—Caprock Broadcasting Company, Lubbock, Texas—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 500 watts directional antenna and unlimited hours of operation. Amended to change frequency from 550 to 1590 kc., increase power from 500 watts to 1 KW, change transmitter location and make changes in directional antenna.

### FM APPLICATIONS

NEW—Puerto Rico Communications Authority, Rio Piedras, Puerto Rico (P. O. Salvador Brau between San Jose & Cristo Sts., San Juan, Puerto Rico)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #290, 105.9 mc.

(Continued on next page)

**NEW**—Puerto Rico Communications Authority, Rio Piedras, Puerto Rico (P. O. Salvador Brau between San Jose & Cristo Sts., San Juan, Puerto Rico)—Construction permit for a new FM (Rural) broadcast station to be operated on Channel #221, 92.1 mc. and coverage of 3,423 square miles.

**KGBS**—Harbenito Broadcasting Co., Harlingen, Texas—Construction permit to install new vertical antenna (with FM antenna mounted on top).

**WMRF**—Lewistown Broadcasting Co., Lewistown, Pa.—Construction permit to change transmitter location, install new vertical antenna and ground system. (Contingent on grant of application for new FM station.)

### MISCELLANEOUS APPLICATIONS

**KWLC**—Luther College, Decorah, Iowa—Modification of license to change hours of operation from daytime to specified hours. (Contingent on grant of application for new station at Decorah, Iowa, filed by Telegraph-Herald.)

**KL1Z**—E. Thomas O'Brien, Mildred O'Brien Chalberg, John Chalberg, John Chalberg, Mabel O'Brien Smith & William Graham, d/b as Brainerd Broadcasting Co., Brainerd, Minn.—Modification of construction permit (B4-P-3991 which authorized a new station) for approval of transmitter location at SE corner Oak St. & Beach St., Brainerd, Minnesota, and approval of antenna.

## Federal Trade Commission Docket

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**McKesson & Robbins, Incorporated**, Bridgeport, Conn., trading as Golden Brown Chemical Co., is charged in a complaint with falsely representing to its prospective agents that by purchasing specified quantities of certain toilet articles they will receive other items of merchandise "free." (5415)

**Package Advertising Co.**—A complaint has been issued charging Henry J. Taylor, trading as Package Advertising Co., 230 Park Avenue, New York, with unlawful use of patents and so-called license agreements as a means of fixing and maintaining uniform zone prices for printed waxed paper bands used by the baking industry as a part of the wrappers for bread and cake. (5416)

### CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

**Dearborn Supply Co.**—After reopening its proceeding against Dearborn Supply Company, Chicago, and taking additional testimony in the matter, the Commission has issued a second supplemental order directing the company to cease and desist from disseminating advertisements which fail to reveal the harmful potentialities of its cosmetic preparation Mercolized Wax Cream, formerly designated Mercolized Wax. (3593)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Astor Pictures Corp.**, 130 West 46th Street, New York, stipulated that it will cease and desist from certain unfair

and deceptive practices in connection with its business of reissuing motion picture films. The stipulation was also signed by three individuals connected with the corporation, Robert M. Savini, Jacques Kopfstein and Fred Bellin. (4138)

**Henry Centrovetz**, 101 Essex Street, New York, manufacturer of umbrellas, stipulated that he will cease and desist from advertising, branding, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing such fact by use of the word "rayon," and, when a product is composed in part of rayon, and in part of other material, from failing to disclose in immediate connection with the word "rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight beginning with the largest single constituent. ((4136)

**Marion H. Davis et al.**—Two stipulations have been entered into in which the respective respondents agree to cease and desist from certain misrepresentations in connection with the sale of an insecticide spraying device designated "The Killer" or "Electro Sprayer."

One stipulation (4139) was entered into by Marion H. Davis and Kenneth Hendryx, trading as Marion H. Davis & Co., 1212 Mary Street, Jacksonville, Fla., and the other (4140) by Electro Spray Corp., 3129 East Seventh Street, Oakland, Calif.

**Dermatological Products Corp.**, trading as Glenn Products Co., 110 Observer Highway, Hoboken, N. J., and Samuel Thomas, Maurice C. Thomas and Philip C. Thomas, associated with the corporation, entered into an amended stipulation in which they agree to discontinue using, in connection with the sale of Dr. Thomas' Ointment, the words "leg sores" or "old leg sores," or other terms of similar implication, as descriptive of the conditions for which their product is offered as a treatment or cure or as a palliative. (4074)

**Fox Fur Co., Inc.**, 425 Seventh Street, N. W., Washington, D. C., entered into a stipulation to cease and desist from using the terms "Natural Civit Cat," "Civit Cat" or "Civit," or other words of like meaning, to designate furs or fur garments made of the peltries of the little spotted skunk, or of any peltries other than civet; and from the use of the words "Blended Marmink" or "Marmink," or any other fictitious animal designation or coined fur-connoting term as descriptive of or in connection with its fur products. (4133)

**John G. Gasteiger, et al.**—A stipulation to cease and desist from certain misrepresentations in connection with the sale of Klearcure, a preparation advertised as aiding in the curing of concrete, has been entered into by John G. Gasteiger, 41-04 159th Street, Flushing, N. Y.; National Automotive Fibres, Inc., 19925 Hoover Avenue, Detroit, and National Concrete Curing Materials Co., Inc., Newark, N. J. (4135)

**Globe Laboratories**, Fort Worth, Texas, stipulated that in connection with the sale of its preparation designated "A-C-Tol," advertised as an effective poultry stimulant and vermifuge, it will cease and desist from certain statements. (4137)

**Jack Leese**, 551 Fifth Avenue, New York, trading as Jalle and as Jennings Company, engaged in the sale of perfumes, stipulated that he will discontinue the use of the words "French Imported Essence" as descriptive of perfumes not composed wholly of essence imported from France. (4130)

**Eleanor Schultz** and George Baden, trading as E. G. Sales & Manufacturing Co., 355 East 149 Street, New York, entered into a stipulation to discontinue the following practices in connection with the sale of a device designated "E. G. Super-charger," designed for use with the ignition systems of internal combustion engines. (4131)

**Vacu-Matic Carburetor Co.**, Wauwatosa, Wis., engaged in the sale of an automobile polish designated "Master Glaze," has entered into a stipulation to discontinue using the words "free," "gift," "present" or any other term of similar meaning to describe or refer to merchandise which is not a gratuity, and the prospective recipient is required as a consideration to purchase some other article or articles or render some service in order to obtain the same. (4134)



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 14, No. 5, February 4, 1946

## Music

### LEA BILL GOES TO HOUSE FLOOR

The amended Lea Bill (H. R. 5117) which was recently reported out of the House Interstate and Foreign Commerce Committee (see NAB REPORTS, p. 53) has had its way cleared for House consideration by the Rules Committee which gave the bill right of way to the floor after hearing the Interstate and Foreign Commerce Committee's report. No date has been set for House consideration.

The report on the bill is herewith reprinted in full:

#### REPORT

[To accompany H. R. 5117]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 5117) to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 4, in lines 15 to 18, inclusive, strike out—  
shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not more than two years or by a fine of not more than \$5,000—

and insert in lieu thereof—

shall, upon conviction thereof, be punished by imprisonment for not more than one year or by a fine of not more than \$1,000.

#### General Statement

For some years the radio broadcasters of the Nation have been harassed by ever-increasing extortionate and racketeering demands to which they have been forced to yield by coercive methods. The tributes thus exacted are now measured by millions of dollars.

These exactions have not been in compensation for services performed for the broadcasters or in settlement of any obligations due from them. They have not been made for the enforcement of any rights due those who demanded them.

The object of this proposed legislation is to put an end to these exactions for the protection of the broadcasting industry and for the integrity of the Nation.

#### Evils at Which Directed

Broadcasting has become one of the great industries of our time. It is now one of the chief means of communication of our Nation. It is one of our greatest implements for free speech. It promptly carries news to the remotest sections of the country. It is a forum for the discussion of our political, economic, and social problems. It is a source of information, education, entertainment, music,

culture, and a vehicle for the messages of all religions, utilized by practically every home in the Nation.

In recent years the broadcasting industry has been subjected to extortionate demands enforced by coercive methods which increasingly threaten to restrict and handicap it in performing its rightful functions to the Nation.

Those making these demands, empowered by organized groups, not only have exacted tributes from the broadcasters but have assumed and exerted the power to say what shall and shall not be communicated over the radio. True, they have limited their dominations and demands to purposes which serve their particular groups, but nevertheless they have set a pattern for a like power of private control exerted for mercenary purposes over other phases of the broadcasting industry of the Nation. The same power exercised for other purposes, if permitted, might make the right of free speech only a name and establish censorship of broadcasting for private gain.

Those who make these demands subordinate the rights of the people of the Nation to an untrammelled broadcasting service to their own mercenary purposes. They in effect say to the broadcasters, and say to the makers of recordings, "You must pay this tribute or we will not permit you to give this service to the Nation." An effective power behind the threat is the boycott and strike.

#### American Federation of Musicians

The make-up and operation of the American Federation of Musicians scarcely justifies its classification as a labor union. Applicants for membership are received without conforming to any qualification of a musician. Only about one-third of them make their living primarily by musical service. The voting privileges of members are so allocated as to permit a minority domination through grossly unequal allotment of voting power.

In most cases demands of the character dealt with by this proposed legislation have been made on behalf of the American Federation of Musicians by James C. Petrillo, its president.

The bylaws of the American Federation of Musicians empower its president to promulgate and issue executive orders—

which shall be conclusive and binding upon all members and/or locals; any such order may by its terms (a) enforce the constitution, bylaws, standing resolutions or other laws, resolutions or rules of the federation; or (b) may annul and set aside same or any portion thereof, except such which treat with the finances of the organization, and substitute therefor other and different provisions of his own making.

The federation thus composed is so organized that its membership has little control over its management or policy.

#### Coercive Practices

The local broadcasters of the Nation are greatly dependent on the networks for rounding out their programs. This situation has augmented the coercive power of the Federation of Musicians in forcing compliance with its demands. Through coercive efforts, including boycotts and strikes and threats of boycotts and strikes against broadcasters, the networks and those who furnish materials for broad-

(Continued on next page)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAional 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Don E. Petty, *General Counsel*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

casters, the industry has been forced to comply rather than suffer the penalizations that would follow a refusal to submit to these extortionate demands.

Among other things, the following demands upon the broadcasting industry have thus been made in recent years: That broadcasters employ persons in excess of the number wanted; that in lieu of failure to employ such persons the broadcaster should pay to the federation sums of money equivalent to or greater than funds required for the employment of members of the federation; that payments for services already performed and fully paid for should be repeated; that payments should be made for services not performed; that broadcasters should refrain from broadcasting noncompensated, noncommercial educational or cultural programs; that broadcasters should refrain from broadcasting musical programs of foreign origin; that tributes should be paid for using recordings, transcriptions, and other materials used for broadcasting; that restrictions should be placed on the manufacture and use of recordings or transcriptions for the purpose of restricting or preventing the use of such materials for broadcasting; that tributes should be paid for recordings previously paid for; that dual orchestras should be employed for a single broadcast over two or more outlets; that over 400 small broadcast stations in the country having no live orchestras would be compelled to employ such orchestras; that the use of voluntary noncompensated orchestras be barred from broadcasts unless an orchestra of the Federation of Musicians were also employed or that the union was paid an equivalent or greater amount than the regular charge for a federation orchestra.

Some of these demands began several years ago but in recent years they have become more frequent and for enlarged purposes and amounts. These boycotts and strikes and threats have coerced compliance with a number of these demands, with pending demands now being greater than ever before. The amount of money extorted from the broadcasting industry by these methods, without moral right, has reached millions of dollars in amount and if demands now pending were granted it would, by these racketeering and extortion methods, require the broadcasting industry to pay tribute probably much in excess of \$20,000,000 a year for peace against these boycotts, strikes, and threats.

The broadcasting industry has been surrendering to these demands for tribute to avoid the greater losses that would result from failure to comply.

#### *Moral Quality of Practices Justifies Penalization*

Under the terms of this bill certain specified types of coercive practices and demands are made unlawful. These prohibited practices are made misdemeanors and punishable as such.

The practices thus made unlawful are those directly affecting the broadcasting industry. By specific provisions of the bill it is not to be held to make unlawful the enforcement or attempted enforcement, by means lawfully employed, of any contract right or legal obligation.

The perpetration of the offenses penalized by this bill involve moral turpitude akin to that of larceny, embezzlement, the acquisition of another's property by false pre-

tenses, racketeering, and extortion. They are not within the legitimate activities of any organized association of individuals for the cooperative purpose of their accomplishment.

The right to strike for a lawful purpose cannot be twisted into a right to combine together to commit crimes.

The moral quality of the offenses defined in the bill fully justifies their penalization.

These extortionate exactions from the broadcasting industry have been and are being accomplished by means of threats, intimidation, and coercive power of boycotts and strikes and threats of boycotts and strikes.

The practices proposed to be prohibited by this legislation are to prevent only the unlawful acts as defined in this bill. A strike is a privilege or right exercised for lawful purposes. The law does not contemplate that strikes shall be used as a cloak for the commission of crimes. The provisions of this bill define these unlawful practices and penalize their perpetration.

The restrictions imposed are not a limitation upon the legitimate activities of any association or combination of individuals. There is no more sanctity in crime committed by a combination of individuals than by an individual perpetrator.

#### *Power and Duty of Congress*

Congress clearly has the power and the duty of protecting the public against such exactions.

The greatest exponent of Anglo-Saxon law declared that a law is a rule of conduct prescribed by the supreme power in the state commanding what is right and prohibiting what is wrong. The first fundamental under this approach is as to whether or not the act to be prohibited is wrong. In view of the record that has been made the answer to that question cannot be one of doubt. Conceding these practices are of such moral quality as to deserve condemnation as unlawful, the right and duty of Congress to suppress them are equally clear.

This bill provides no unjust limitation on the right to strike. The law recognizes the right to strike for lawful purposes and in a lawful manner. The right to strike should be exercised as other rights of the citizen. We have the right of free speech but that is not a justification for slander. We have the right to bear arms but that is not a justification of murder. Any persons may properly organize for lawful purposes but criminal purposes are beyond their legitimate function.

#### *A Disservice to Labor*

The offenses committed in the name of the American Federation of Musicians are a great disservice to legitimate labor organizations as well as to the public.

The situation presented by this legislation should call for the support of all branches of organized labor to give their condemnation to such outrageous practices committed in the name of Labor. Legitimate labor organizations cannot afford to give their condonation to such practices or approve of them by assuming their defense.

It is incredible to believe that in the long run such practices as those hereby inhibited can redound to the credit or advantage of any organization which yields itself to these sordid methods.

#### *A Typical Approach*

A characteristic assumption of those who make these demands is carried in a wire from Mr. Petrillo to the networks in October 1945, as follows:

This is to advise you that after the meeting between your company and the American Federation of Musicians held in my office the matter was further discussed and we came to the final conclusion that beginning Monday, October 29, 1945, wherever musicians play for FM broadcasting and AM broadcasting simultaneously the same number of men must be employed for FM broadcasting as are employed for AM broadcasting, which means a double crew must be employed. Kindly govern yourself accordingly.

The absurdity of such a demand is apparent. Two orchestras required for simultaneous broadcast would be an

*(Continued on next page)*

anomaly. It is reported that 1 of the networks has a staff orchestra of 95 pieces and compliance with this order would require the employment of 190 musicians to needlessly duplicate and embarrass the work of one orchestra.

A circumstance that gave impetus to this legislation was an edict directed at a music school in Michigan, which prohibited a broadcast by a school orchestra unless a tribute of three times the usual price of an orchestra of the federation was paid for that privilege. The Vandenberg bill which passed the Senate and the Dondero bill introduced in the House were outgrowths of that circumstance.

#### Conclusion

The coercive character of the methods followed in the name of the American Federation of Musicians is attested by the indisputable fact of the millions of dollars mulcted from the broadcasting industry in recent years. Time after time broadcasters have paid tribute, and otherwise acceded, to these extortionate demands rather than suffer the greater hardships and losses that refusal to comply would involve. These tributes and other exactions were not payments for services or to satisfy an obligation owed to those who demanded them. They were the price paid for the peace of being relieved from the penalties of refusal. As a reward the broadcasting industry has been confronted with more and greater demands of equal viciousness.

It is the responsibility of the Congress to take effective action to stem the rising tide of unconscionable demands upon the broadcasting industry, against which, in the present state of the law, that industry is powerless to defend itself. To the end of meeting that responsibility, prompt enactment into law of the bill here reported is strongly recommended.

#### Explanation of the Provisions of the Bill by Subsections

The bill proposes to add to title V of the Communications Act of 1934 a new section 506, containing subsections (a) to (e), inclusive.

##### Subsection (a)

This subsection makes it unlawful to coerce, compel, or constrain (or to attempt to coerce, compel, or constrain) any radio-station licensee to do any one or more of the things specified in paragraphs (1) to (6), inclusive, of the subsection, whether such actual or attempted coercion, compulsion, or constraint is exerted by the use, or threat of the use, of force, violence, intimidation, or duress, or whether it is exerted by the use or threat of the use, of any other means (whether or not of the same character as force, violence, intimidation, or duress).

It has been necessary to use the broad language "or by the use or express or implied threat of the use of other means" in order to make the legislation effective. It was necessary to use language broad enough to embrace actual or threatened boycotts and actual or threatened strikes, because these, as well as action or threatened action of like character, could well be among the means by which

the coercion, compulsion, or constraint prohibited by the bill may be accomplished or attempted to be accomplished. If the language were not this broad the legislation would fail to accomplish its purpose.

This subsection does not prohibit the right to strike or to withhold services, or force individuals to work against their will or desire. It will place no limitation whatever on the use of strikes for the accomplishment of legitimate objectives, such as wage increases or better working conditions. The subsection does not prohibit strikes *as such*. What it does do is to prohibit the accomplishment, by actual or attempted coercion, compulsion, or constraint, of certain unconscionable and wrongful objectives, regardless of the means used. A strike or threat of a strike is one method by which it is possible to exert or attempt to exert such coercion, compulsion or constraint, and, if it is the method used, the wrongful character of the offense is the same as though other means had been used.

The acts or things specified in paragraphs (1) to (6), inclusive, which it is made unlawful to coerce, compel or constrain, or attempt to coerce, compel or constrain, a licensee to do, are as follows:

(1) To employ or agree to employ, in connection with the conduct of the broadcasting business of such licensee, any person or persons in excess of the number of employees wanted by such licensee; or

(2) To pay or give or agree to pay or give any money or other thing of value in lieu of giving, or on account of failure to give, employment to any person or persons, in connection with the conduct of the broadcasting business of such licensee, in excess of the number of employees wanted by such licensee; or

(3) To pay or agree to pay more than once for services performed in connection with the conduct of the broadcasting business of such licensee; or

(4) To pay or give or agree to pay or give any money or other thing of value for services, in connection with the conduct of the broadcasting business of such licensee, which are not to be performed; or

(5) To refrain, or agree to refrain, from broadcasting or from permitting the broadcasting of a noncommercial educational or cultural program in connection with which the participants receive no money or other thing of value for their services, other than their actual expenses, and such licensee neither pays nor gives any money or other thing of value for the privilege of broadcasting such program nor receives any money or other thing of value on account of the broadcasting of such program; or

(6) To refrain, or agree to refrain, from broadcasting or permitting the broadcasting of any radio communication originating outside the United States.

##### Subsection (b)

This subsection makes it unlawful to coerce, compel, or constrain (or to attempt to coerce, compel, or constrain)

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## DISTRICT MEETINGS AHEAD

12th District	Feb. 4-5	Tulsa Hotel	Tulsa, Okla.
6th District	Feb. 7-8	Peabody Hotel	Memphis, Tenn.
11th District	March 18-19	Radisson Hotel	Minneapolis, Minn.
8th District	March 21-22	Pantlind Hotel	Grand Rapids, Mich.
9th District	March 25-26	Palmer House	Chicago, Illinois
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Cavalier Hotel	Virginia Beach, Va.
2nd District	April 25-26	Roosevelt Hotel	New York, N. Y.
5th District	April 29-30	San Carlos Hotel	Pensacola, Florida
1st District	May 13-14	Hotel Statler	Boston, Massachusetts
3rd District	May 16-17	Bellevue Stratford Hotel	Philadelphia, Pa.

*General Penalty*

any radio-station licensee, or any other person, to do any one or more of the things specified in paragraphs (1) to (3), inclusive, of the subsection, whether such actual or attempted coercion, compulsion, or constraint is exerted by the use, or threat of the use, of force, violence, intimidation, or duress, or whether it is exerted by the use, or threat of the use, of any other means (whether or not of the character as force, violence, intimidation, or duress).

It will be noted that subsection (a), discussed above, applies only in the case of actual or attempted coercion, compulsion, or constraint upon a licensee. Because of the nature of the acts or things referred to in paragraphs (1) to (3), inclusive, of this subsection, however, it has been necessary to make this subsection applicable to actual or attempted coercion, compulsion, or constraint upon a licensee or upon any other person, but the acts or things set forth in paragraphs (1) to (3), inclusive, all have a direct relationship to radio broadcasting.

What has been said above in the discussion of subsection (a) with regard to the language "or by the use or express or implied threat of the use of other means" is equally applicable in the case of this subsection.

The things specified in paragraphs (1) to (3), inclusive, of this subsection, which it is made unlawful to coerce, compel, or constrain, or attempt to coerce, compel, or constrain, a licensee or any other person to do, are as follows:

(1) To pay or agree to pay tribute for the privilege of, or on account of, producing, preparing, manufacturing, selling, buying, renting, operating, using, or maintaining recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in broadcasting or in the production, preparation, performance, or presentation of a program or programs for broadcasting; or

(2) To accede to or impose any restriction upon such production, preparation, manufacture, sale, purchase, rental, operation, use, or maintenance, if such restriction is for the purpose of preventing or limiting the use of such articles, equipment, machines, or materials in broadcasting; or

(3) To pay or agree to pay tribute on account of the broadcasting, by means of recordings or transcriptions, of a program previously broadcast, payment having been made, or agreed to be made, for the services actually rendered in the performance of such program.

*Subsection (c)*

It is provided by this subsection that the provisions of subsection (a) or (b) shall not be held to make unlawful the enforcement or attempted enforcement, by means lawfully employed, of any contract right or legal obligation.

*Subsection (d)*

This subsection, as proposed to be amended by the committee, provides that whoever willfully violates any provision of subsection (a) or (b) shall upon conviction thereof be punished by imprisonment for not more than 1 year or by a fine of not more than \$1,000, or both, thus making the offense a misdemeanor. In the bill as introduced the offense would have been a felony and punishment would have been by imprisonment for not more than 2 years or by a fine of not more than \$5,000, or both.

*Subsection (e)*

This subsection contains provisions to insure that the term "licensee," as used in the proposed new section 506, includes the owner or owners, and the person or persons having control or management, of the radio station in respect of which a station license has been granted.

*Changes in Existing Law*

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (new matter is printed in *italics*, existing law in which no change is proposed is shown in roman):

*General Penalty*

SECTION 501. Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than \$10,000 or by imprisonment for a term of not more than two years, or both.

*Violations of Rules, Regulations, and so Forth*

SEC. 502. Any person who willfully and knowingly violates any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become a party, shall, in addition to any other penalties provided by law, be punished, upon conviction thereof, by a fine of not more than \$500 for each and every day during which such offense occurs.

*Forfeiture in Cases of Rebates and Offsets*

SEC. 503. Any person who shall deliver messages for interstate or foreign transmission to any carrier, or for whom as sender or receiver, any such carrier shall transmit any interstate or foreign wire or radio communication, who shall knowingly by employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, receive or accept from such common carrier any sum of money or any other valuable consideration as a rebate or offset against the regular charges for transmission of such messages as fixed by the schedules of charges provided for in this Act, shall in addition to any other penalty provided by this Act forfeit to the United States a sum of money three times the amount of money so received or accepted and three times the value of any other consideration so received or accepted, to be ascertained by the trial court; and in the trial of said action all such rebates or other considerations so received or accepted for a period of six years prior to the commencement of the action, may be included therein, and the amount recovered shall be three times the total amount of money, or three times the total value of such consideration, so received or accepted, or both, as the case may be.

*Provisions Relating to Forfeitures*

SEC. 504. (a) The forfeiture provided for in this Act shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where the person or carrier has its principal operating office or in any district through which the line or system of the carrier runs: *Provided*, That in the case of forfeiture by a ship, said forfeiture may also be recoverable by way of libel in any district in which such ship shall arrive or depart. Such forfeiture shall be in addition to any other general or specific penalties herein provided. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures under this Act. The costs and expenses of such prosecutions shall be paid from the appropriation for the expenses of the courts of the United States.

(b) The forfeitures imposed by title III, part II of this Act shall be subject to remission or mitigation by the Commission, upon application therefor, under such regulations and methods of ascertaining the facts as may seem to it advisable, and, if suit has been instituted, the Attorney General, upon request of the Commission, shall direct the discontinuance of any prosecution to re-

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cover such forfeitures: *Provided, however,* That no forfeiture shall be remitted or mitigated after determination by a court of competent jurisdiction.

#### Venue of Offenses

SEC. 505. The trial of any offense under this Act shall be in the district in which it is committed; or if the offense is committed upon the high seas, or out of the jurisdiction of any particular State or district, the trial shall be in the district where the offender may be found or into which he shall be first brought. Whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, inquired of, tried, determined, and punished in either jurisdiction in the same manner as if the offense had been actually and wholly committed therein.

#### Coercive Practices Affecting Broadcasting

SEC. 506. (a) *It shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation, or duress, or by the use or express or implied threat of the use of other means, to coerce, compel, or constrain or attempt to coerce, compel, or constrain a licensee—*

(1) *to employ or agree to employ, in connection with the conduct of the broadcasting business of such licensee, any person or persons in excess of the number of employees wanted by such licensee; or*

(2) *to pay or give or agree to pay or give any money or other thing of value in lieu of giving, or on account of failure to give, employment to any person or persons, in connection with the conduct of the broadcasting business of such licensee, in excess of the number of employees wanted by such licensee; or*

(3) *to pay or agree to pay more than once for services performed in connection with the conduct of the broadcasting business of such licensee; or*

(4) *to pay or give or agree to pay or give any money or other thing of value for services, in connection with the conduct of the broadcasting business of such licensee, which are not to be performed; or*

(5) *to refrain, or agree to refrain, from broadcasting or from permitting the broadcasting of a noncommercial educational or cultural program in connection with which the participants receive no money or other thing of value for their services, other than their actual expenses, and such licensee neither pays nor gives any money or other thing of value for the privilege of broadcasting such program nor receives any money or other thing of value on account of the broadcasting of such program; or*

(6) *to refrain, or agree to refrain, from broadcasting or permitting the broadcasting of any radio communication originating outside the United States.*

(b) *It shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation or duress, or by the use or express or implied threat of the use of other means, to coerce, compel or constrain or attempt to coerce, compel or constrain a licensee or any other person—*

(1) *to pay or agree to pay tribute for the privilege of, or on account of, producing, preparing, manufacturing, selling, buying, renting, operating, using, or maintaining recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in broadcasting or in the production, preparation, performance, or presentation of a program or programs for broadcasting; or*

(2) *to accede to or impose any restriction upon such production, preparation, manufacture, sale, purchase, rental, operation, use, or maintenance, if such restriction is for the purpose of preventing or limiting the use of such articles, equipment, machines, or materials in broadcasting; or*

(3) *to pay or agree to pay tribute on account of the broadcasting, by means of recordings or transcriptions, of a program previously broadcast, payment having been made, or agreed to be made, for the services actually rendered in the performance of such program.*

(c) *The provisions of subsection (a) or (b) of this section shall not be held to make unlawful the enforcement or attempted enforcement, by means lawfully employed, of any contract right or legal obligation.*

(d) *Whoever willfully violates any provision of subsection (a) or (b) of this section shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not more than two years or by a fine of not more than \$5,000, or both.*

(e) *As used in this section the term "licensee" includes the owner or owners, and the person or persons having control or management, of the radio station in respect of which a station license was granted.*

## Engineering

### RADAR MOON CONTACT MAY IMPROVE BROADCASTING

Signal Corps scientists believe that the first practical result of the Army's radar contact with the moon likely will be improvement in broadcasting, according to a story by a UP writer in the *Washington Post*, Jan. 27.

The article follows:

"The first practical result of the Army's radar contact with the moon is likely to be improvement of radio communications, Signal Corps scientists said last night.

"When the radar impulses reflected from the moon were recorded at the Army's New Jersey experiment station on January 10, it proved what scientists have long suspected—that ultra-short radio waves will penetrate the ionosphere, the multilayered, electrically charged upper atmosphere.

"With this fact established, scientists will be able to use radar to chart much more precisely the effects of the ionosphere on radio waves of varying lengths.

"When the ionosphere is fully charted, great improvements in many forms of radio communications will be possible, particularly in elimination of the so-called 'skip zone.' This is an area in which the radio signals of a particular transmitter are not heard, either because they strike the ionosphere at a too-oblique angle and penetrate it or because they are reflected at an angle that sends them past the skip zone.

"With a full knowledge of the characteristics of the ionosphere, scientists say they should be able to adjust radio waves to avoid the skip zone entirely.

"The ionosphere is composed of at least four layers of atmosphere carrying electrical charges of varying strength. The lower layer begins about 18 miles above the earth. The next is about 75 miles from the earth's surface, and the topmost two, 110 and 250 miles respectively.

"Waves of different lengths are reflected from different layers, until finally the high frequency, ultra-short waves penetrate the final layer and are not reflected. These are the waves bounced off the moon and recorded by Army radar.

"The skip zone is one of the knottiest problems of present-day radio communication. Even commercial broadcasting stations may find their programs clearly audible 500 miles from the transmitter but impossible to receive 400 miles away because of the skip zone."

### ARMY UNFOLDS FURTHER RADIO-RADAR RESULTS

The Army has developed a radio-controlled rocket which has reached vertically 50 miles from the earth. Lt. Gen. Leven H. Campbell, retiring Chief of Ordnance, reported this Wednesday (29). The War Department announced at the same time that the Army Signal Corps, following up its feat of flashing radar beams to the moon, has em-

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barked upon a long-range research program to develop further information and techniques for radar study of the moon.

Announcement also has been made of the reception of electro-magnetic wave emanations from the sun. They are to be explored for further technical information.

### ENGINEERS AVAILABLE

During the war, NAB cooperated with OWI in the recruitment of radio engineers for overseas service. Recently, we have been asked to reverse this procedure and assist several former OWI engineers in the securing of private employment. We are advised that the four engineers whose names and experience are outlined below are seeking positions at the present time. Broadcasters may communicate directly with the men in whom they may be interested at their home addresses.

NAB has made no investigation of the qualifications or previous experience of these engineers. However, we are informed that, insofar as their OWI experience is concerned, the essential facts are supported by official records.

Hugh A. Bondy, 158 Hope Street, Ridgewood, New Jersey—  
Age 38

Holds first-class radiotelephone license. Engineering school graduate. OWI—September 1942 to August 1945. Assistant chief engineer on installation of second Algiers 50 kilowatt transmitter. In charge of installation of third 50 kilowatt Algiers transmitter. Planned 100 kilowatt marine installation. Chief engineer Rome short wave plant during entire OWI reconstruction and operation. Repaired 11 damaged OWI broadcast transmitters (1 to 5 kilowatts AM, 500 watts FM). WNEW—5 years. Engineer, supervisor, assistant to chief engineer of 10 kilowatt station operating 24 hours daily. 1930-1937, engineer engaged in radio and audio equipment design and manufacturers.

Gabriel Franco, 1315 Avenue Y, Brooklyn 29, N. Y.—  
Age 41

Position with broadcasting studio or transmitter is desired by a first-class radiotelephone and second-class radiotelegraph licensee. Formerly with Mackay Radio and Telegraph Company where a broad knowledge in electronics was added to his background. Presently with OWI since October 1943, as Senior Radiophoto Operator and Technician. Constructed numerous and various electronic equipment for the successful broadcasting of radiophoto.

Benjamin Tessler, 3001 W. 29th Street, Brooklyn, N. Y.—  
Age 31

Recently returned from extensive outpost assignment licensed engineer desires position. Five years of experience consists of broadcasting, test engineering in the plant, installation in the field and field representation for the manufacturer. Familiar with high and low power transmitters; medium, S.W. and U.H.F. Some experience in studio and control room construction.

Fred H. Turner, 1604 Metropolitan Avenue, Bronx 62, N. Y.—Age 36

Graduate of Mechanics Institute, Manhattan College—Radio Engineering 2 years. OWI since May 1944, radio engineer, studio operation, master control, recording, playback, field operations and maintenance. Engineer English and/or foreign language broadcasts on long, medium and short wave transmitters (50kw). Complete knowledge studio and recording operations, equipment. 1942-1944 War Department, radio engineer, research and development at the National Bureau of Standards on radar units and proximity fuse. Established operating and test procedures. 1928-1942, Consolidated Edison Co., N. Y.—engineering inspection, replacing and repair of metering devices and transformer equipment. Design, test and calibrate meter recording devices under rigid PSC standards. Record and correlate data on tests made at laboratory. Compile all reports.

## Accounting

### REVERCOMB RETURNS TO NAB

Everett E. Revercomb, who left NAB in June, 1943, to enter the service, has returned to resume his duties as auditor. He was recently released from the Navy with the rank of Lt., j. g., having entered as an Ensign. During his period of service he was attached to the Office of Naval Communications.

Revercomb is well known to broadcasters, having served previously for 8 years as NAB Auditor from 1935 to 1943.

## Programming

### ASSOCIATION OF WOMEN DIRECTORS TO HOLD ANNUAL MEETING IN NEW YORK MAR. 15-16-17

The AWD will hold its annual three-day meeting at the Hotel Roosevelt, New York, March 15, 16, and 17.

Highlighted by a fashion show at the Waldorf-Astoria Hotel and a conducted tour through the Good Housekeeping Institute, the important three-day meeting is expected to attract a record attendance of women directors from radio stations and networks throughout the country.

Outstanding women leaders including Dorothy Thompson, Elsa Maxwell, Lisa Serhio, Mary Margaret McBride, and Kate Smith will take part in a panel discussion on the topic "Does Radio Sell Ideas?"

Full details are being published in the AWD *Beam* which is off the press next week. Meanwhile, women directors are urged to see their station managers now. Notify AWD Headquarters, c/o NAB, 535 5th Avenue, New York City, of your intention to come. This is most important so that reservations may be made. Hotel reservations will be allotted on a first come first served basis.

### AGRICULTURE SECRETARY PRAISES RADIO FARM SERVICE

Secretary of Agriculture Clinton P. Anderson, featured speaker at the inaugural of the new WJZ Farm News program, told listeners that since the establishment of radio in the United States, the American farmer has been given valuable information by various radio stations.

"Never has it been more important for the American farmer to be well informed on the issues of the day; on the domestic and international factors influencing agriculture; or on the techniques of efficient farm production.

"In 1946 farmers in the United States must provide the food and fiber to feed and clothe our own population of 140 million people, and in addition the nation looks to its farmers to provide our share of the things needed by our allies and the war-torn countries which have been liberated from the enemy.

"The farmer will need to use all the tools available to him in 1946, he needs information from various branches of the government, the Land Grant Colleges and state experiment stations, and the county extension services, to help him in his task. All this information is available, but it takes careful analysis and a broad knowledge of the factors involved to present the information in such a way

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that it will be practical and understandable. To render such a service to farm people is at once a challenge and an opportunity.

"Just as the Department of Agriculture is interested in nationwide dissemination of some of its information, so there is also the need for interpreting this information for smaller areas of the country. It is in rendering this type of service on a regional basis that an individual radio station, working closely with the state Land Grant Colleges, can offer a unique and helpful service.

"As Secretary of Agriculture, I welcome the earnest and thoughtful endeavor of radio stations in their efforts to serve the best interests of the American farmer."

## Broadcast Advertising

*The function of the Department of Broadcast Advertising is to help sell more radio time—locally, regionally, nationally. Recognizing that the whole structure of the American system of radio is dependent upon the steady flow of revenue from the sale of commercial time, this department, guided by our Sales Managers Executive Committee, guided also by the chairman of the Sales Managers Division of each of NAB's Seventeen Districts, devotes its efforts toward boosting that revenue; any other aims and objectives are secondary to that all-important one.*

### NEW SALES HELP

Broadcasters attending the NAB district meetings are showing keen interest in a "Radio Advertising Check List." Frank E. Pellegrin, Director of Broadcast Advertising, is showing and explaining the new sales department aid during his Sales Managers and Small Market Stations sessions at the meetings. The new piece is still in rough draft and will not be made available until a sizeable number of broadcasters and interested committees have had a chance to approve it. However, stations from the coast area have already written to NAB headquarters requesting copies. Since only a limited printing was made on the rough form, stations cannot be served with the necessary supply as yet. Slight changes undoubtedly will be made in keeping with suggestions of broadcasters. When finally approved, it will fill a need of long standing. The check list is intended for use by salesmen. It will help the station agent to approach, analyze, sell and hold a radio client. The check list is intended for every firm the salesmen call on. It was devised by Mr. Pellegrin. Stations writing to NAB are requesting that they be placed on the mailing list for approved copies when they are available.

### PROMOTION

The Promotion Division, under the supervision of Hugh M. Higgins, is preparing success stories on the use of Broadcast advertising. Tangible evidence of radio's effectiveness in the promotion of every type and kind of merchandise by all business firms and organizations. Many stations are submitting stories of successful campaigns in their areas. The entire industry is invited to swell this flow of valuable information. Stations desiring proof on "Radio gets Results" should write to Mr. Higgins. These may be used to influence new accounts and promote new lines of merchandise.

### ICE CO-OP PLAN CATCHES ON

A flood of replies resulted from the news released last week that NAB is securing ice advertising copy and transcriptions through the National Association of Ice Industries. While the ice association is placing its national campaign in printed media, it is possible through these efforts that individual stations may be successful in landing advertising contracts from the local ice dealers. Copy and transcriptions are expected to be made available within the next two weeks.

### JOSKE REPORT BEING PREPARED

Lee Hart, Assistant Director of Broadcast Advertising in charge of Retail Radio Advertising, is now busily engaged in preparing data for the report on the Joske Clinical Test of Retail Broadcast Advertising. Due to the considerable volume of material and the wide interest in the test, phases of the work will be made available before the complete results of the study are compiled.

### SMALL MARKETS

Small Market Stations are having lively discussions at NAB district meetings. These broadcasters are determined to eliminate the present reference of "small" to this group of stations. Herewith is a letter dated Jan. 28th written by John Alexander, general manager, KODY, North Platte, Neb., to J. Allen Brown at NAB headquarters in Washington. A copy was forwarded by Mr. Alexander to Marshall Pengra, Chairman of the group's executive committee, at KRNR, Roseburg, Ore. Its contents should be of interest to all NAB members:

"The Tenth District Meeting of the NAB, which was held in Omaha last Friday and Saturday, was very successful, and I think the Small Market Stations session also went off quite well.

"It was brought up again at this meeting that the Small Market Stations' name should be changed and I, personally, am heartily in accord with this suggestion. I feel that such a name for the largest group of stations in America is negative selling of the worst kind and I sincerely trust that NAB and the Executive Committee of Small Market Stations will do everything in their power to change the name as soon as possible. To date I have heard no better suggestion than 'Community Stations.'

"I am interested in the above and if I can be of any assistance in accomplishing this task, please let me know."

### RANKIN WOULD OUTLAW ALCOHOLIC BEVERAGE ADVERTISING

Rep. Rankin (Miss.) has introduced a Bill (HR-5238) in the House which would outlaw broadcast advertising of alcoholic beverages (REPORTS, p. 57).

Text of the Bill, which was referred to the Committee on Interstate and Foreign Commerce, follows in full:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934, as amended, is amended by inserting after section 316 thereof a new section as follows:

#### "ADVERTISING OF ALCOHOLIC BEVERAGES

"SEC. 316A. 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 operating any such station shall knowingly permit the broadcasting of any advertisement of any alcoholic beverage. Any person 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, for each day during which such offense occurs."

## District Meetings

### 10TH DISTRICT

Called to order by District Director John J. Gillin, Jr., WOW, the NAB 10th District meeting was held in Omaha January 25-26. An address, *Looking Ahead with NAB*, was delivered by President Justin Miller and discussions followed on public relations with E. K. Hartenbower, KCMO, presiding. Discussions also were held on labor relations, and the unsolved music problem. Hugh M. Feltis, BMB president, gave the progress report on that organization. On the first day of the meeting, broadcasters joined with the combined Kiwanis clubs of Omaha at a luncheon, with President Miller as the featured speaker. A reception followed after the close of the day's session.

On the second day, a Small Market stations report was given by Frank Pellegrin, NAB director of broadcast advertising, who also led a discussion on the subject of small market stations. Mr. Pellegrin also spoke on the work of the broadcast advertising department. A Sales Managers' Clinic and Program Managers' report were followed by a discussion on the daylight savings time problem and a report by NAB executives on agricultural broadcasting.

Mr. Gillin was drafted for another two-year term as 10th District director and was unanimously elected by acclamation.

The two-day meeting was followed by a reception given by Omaha stations KBAN, KOIL, KFAB, KOWH, and WOW at the Omaha Athletic Club.

Following are the resolutions adopted and a list of those who attended the meeting:

*Whereas*, variations in time in the different areas of the nation vitally affect radio broadcasting and result in serious confusion in the radio listening audience, and,

*Whereas*, this confusion could be eliminated by the establishment of nationwide uniformity in time observance,

*Now Therefore*, be it resolved by the broadcasters of the Tenth District (Iowa, Missouri and Nebraska) in session assembled this 26th day of January, 1946, to urge the National Association of Broadcasters to seek the adoption by Congress of uniform time legislation applicable to all of the states, insular possessions and territories.

*Whereas*, John J. Gillin, Jr., President and General Manager of Radio Station WOW, in cooperation with Gordon Gray, General Manager of Radio Station KOIL, Harry Burke, General Manager of Radio Station KFAB, Bernard C. Corrigan, Manager of Radio Station KOWH, and Paul R. Fry, Manager of Radio Station KBON, have cooperated in the arrangements for this District meeting and,

*Whereas*, the meeting has been a successful one from the standpoint of business accomplishment and a most pleasant one in the matter of entertainment,

*Now Therefore*, be it resolved by the Tenth District broadcasters, in session assembled this 26th day of January, 1946, that a vote of sincere thanks be extended to these gentlemen and their stations for their splendid hospitality.

*Whereas*, a committee of the Board appointed to select a president for the National Association of Broadcasters, recommended to the Board the Honorable Justin Miller, former Associate Justice of the Court of Appeals for the District of Columbia, and

*Whereas*, the Board, pursuant to the recommendation of its committee, has employed Justin Miller as president for a term of five years,

*Now Therefore*, be it resolved by the broadcasters of the Tenth District in session assembled this 26th day of January, 1946, that the committee be highly commended

for its choice of Justin Miller, and that the Board be likewise praised for the selection of Judge Miller as president of the National Association of Broadcasters.

*Whereas*, the commercial sections of the Standards of Practice of the National Association of Broadcasters have recently been revised by the Board upon the recommendation of the NAB Standards of Practice Committee, to the end that the commercial content of many programs will be better balanced,

*Now, Therefore*, be it resolved by the broadcasters in session assembled this 26th day of January, 1946, that we hereby commend the Board and the Committee for its action in thus revising the Code, pledge our support to it, and urge all broadcasters to give it their support.

*Whereas*, programs are a most important element in radio broadcasting and constitute the basis upon which the operation of stations in the public interest is judged, and

*Whereas*, the Board of Directors has delegated to President Justin Miller authority within his discretion to establish a Program Department within NAB,

*Now, Therefore*, be it resolved by the broadcasters of the Tenth District in session assembled this 26th day of January, 1946, that President Miller be urged to immediately proceed with the organization of such a Department.

### Registration:

H. G. Alexander, Gates Radio; John Alexander, KODY; M. R. Aldridge, KFRU; C. E. Arney, Jr., NAB; Lewis H. Avery, Lewis H. Avery, Inc.; David Bain, RCA Victor; Eugene A. Bartlett, Graybar Elec.; Frosty Blair, KOIL; E. Hale Bondurant, WHO; L. J. Bormann, AP; Edward Breen, KVFD; Lyle Bremser, KFAB; Nelson Brorby, BMB; Harry Burke, KFAB; Craig Campbell, INS; Wendell Campbell, KMOX; Jim Carpenter, WKBB; Frank E. Chizzini, NBC; Arthur B. Church, KMBC; P. H. Clark, RCA; James H. Connolly, ABC; B. C. Corrigan, KOWH; Wayne W. Cribb, KHMO; M. Crozhan, KOIL; Lowry Crites, BMB; Lyle De Moss, WOW; W. P. Dietz, KFAB; Robert Dillon, KRNT; Betty Dixon, KFOR; Dietrich Dirks, KTRI; Bob Dooley, KFAB; Melvin Drake, KFOR; Jack Dumond, KXEL; Joe Dumond, KXEL; Fred E. Ebener, WOW; Wm. Edholm, KOIL; F. C. Eighmey, KGLO; Ralph Evans, WHO; Harold Fair, WHO; Hugh Feltis, BMB; L. O. Fitzgibbons, WOC; Gene Flaherty, KSCJ; Paul Fry, KBON; Jerry Gill, AP; John J. Gillin, Jr., WOW; Ken Gordon, KDTH; Doug. Grant, WMT; Gordon Gray, KOIL; G. G. Griswold, KFEQ; Gus Hagenah, Standard Radio; Edward W. Hamlin, KSD; John Harrison, KFOR; E. K. Hartenbower, KOMO; Ralph S. Hatcher, CBS; Carl Haverlin, MBS; Wick Heath, KMMJ; Clair Heyer, Radio Market Guide; George J. Higgins, KSO; L. L. Hilliard, KDKY; Phil Hoffman, KRNT; Harold Hughes, KOIL; Dick Hull, WOI; J. J. Isaacson, WOW; George W. Johnston, SESAC, Inc.; Bill Johnson, KOIL; A. W. Kaney, NBC; Don E. Kassner, KXEL; Scotty Keck, NBC; Les Kennon, KWTO; Karl Koerper, KMBC; Al Larson, WOW; Rex Lathem, KMMJ; Edmund J. Linehan, KSO; Maury Long, Broadcasting Magazine; Buryl Lottridge, WOD; G. B. McDermott, KBUR; Mrs. G. B. McDermott, KBUR; Bert Masterson, UP; A. L. Marlin, BMI; James A. Mahoney, MBC; Bill Martin, KMMJ; Earl E. May, KMA; Edward W. May, KMA; M. M. Meyers, WOW; Charles Miller, KRNT; Justin Miller, NAB; L. A. "Jiggs" Miller, KFAB; Soren Munkhof, WOW; A. M. Nicoll, KOIL; Ray Olson, WOW; Em Owen, KXEL; Kenneth M. Parke, WIL; Harry Peck, KOIL; Frank E. Pellegrin, NAB; Howard O. Peterson, KMA; Ernest S. Priesman, KBON; Wm. Quarton, WMT; J. D. Rankin, Jr., KMA; Carter Ringlep, KMOX; Glenn G. Rippen, KMMJ; Harold E. Roll, KFAB; Manuel Rosenberg, The Advertiser; Mrs. Manuel Rosenberg, The Advertiser; Russ Rullman, Caples Co.; Owen Saddler, KMA; Robert P. Samardick, WOW; Ben B. Sanders, KICD; John T. Schilling, WHB; Morgan Sexton, KROS; John S. Shafer, KVFD; Frank Shopen, Omaha World-Herald; Harold Soderlund, KFAB; Elizabeth Sammons, KSCF; Ken Stewart, KFOR; Harold Storm, WOW; Charles T.

(Continued on next page)

Stuart, KOIL; Frank Stubbs, KFNF; Donald D. Sullivan, WMT; David V. Sutton, KMOX; Lawrence Swars, Noble & Swars, Inc.; Art Thomas, WJAG; Chet Thomas, KXOK; Anson E. Thomas, KGFV; John A. Toothill, Burn Smith Co.; R. B. "Bob" Uhrig, Graybar Elec. Co.; Lumir Urban, KORN; Duane L. Watts, KHAS; G. Pearson Ward, KTTS; George W. Webber, KDTH; Dick Welna, KBON; Elizabeth Whitehead, KOZY; Earl C. Williams, KFAB; Bill Wiseman, WOW; Woody Woods, WHO; Guy E. Yeldell, KSD.

## 14TH DISTRICT

Highlighted by a first day luncheon address by Governor John C. Vivian of Colorado who expressed the belief that, "Communications, particularly radio, will play a vitally important role in reconversion," the NAB 14th District meeting was held in Denver Monday and Tuesday (28-29).

District Director Hugh B. Terry, KLZ, was re-elected by acclamation. NAB activities were discussed in an address by President Justin Miller, who also spoke to broadcasters and members of the Lions club at a luncheon. Public relations matters were discussed by C. E. Arney, Jr., NAB secretary and treasurer. Progress report on BMB was given by Hugh Feltis, president of that organization, and Arney spoke on the daylight savings time problem.

A special presentation featured a play-back of a 45 minute transcription of the MBS *American Forum of the Air* program, "How Can We Keep Radio Free," which originated in St. Paul on December 4 under the auspices of the Womens Institute of St. Paul. Participants in this Forum program (see NAB special anniversary bulletin No. 24), were A. D. Willard, Jr., NAB executive vice president, and Sydney Kaye, BMI general counsel, who opposed the viewpoints of FCC Commissioner Clifford J. Durr and Elmer A. Benson, chairman of the National Citizens Political Action Committee Executive Council, and former Governor of Minnesota.

The Denver radio stations were hosts at a reception and dance which was given at the Broadmoor country club after the conclusion of the first day's sessions.

During the second day of the meeting, discussions were held and reports were given on all phases of broadcasting, including a small market stations report by NAB's director of broadcast advertising, Frank Pellegrin; a program managers' report by Ralph Hardy, KSL; a sales managers' clinic, and an engineering session which was presided over by Robert Owen, KOA, District engineering chairman.

Following are the resolutions adopted and a list of those in attendance at the meeting:

WHEREAS, the desire to improve the commercial phase of radio broadcasting is unanimous among all members of the NAB 14th district; now be it hereby resolved that the NAB Sales Managers Committee continue in its efforts to improve the quality of the commercial phase of radio broadcasting through the elimination of cow-catcher and hitch-hiker announcements.

WHEREAS, time is a dominant consideration in the operations of the broadcasting industry and materially affects the ability of the station licensees to serve the public interest, and

WHEREAS, the listening public is subjected to confusion and uncertainty by periodic time changes; now, therefore, Be It Resolved, that we urge the NAB to use its best effort to secure the cooperation of all other industries and agencies similarly affected as is radio by time changes and seek federal legislation to establish uniform time throughout the state, territories and insular possessions and also seek to bring about voluntary cooperation within the industry to establish uniform time.

WHEREAS, BMI is a continuing example of what can be accomplished by an aroused industry acting in cooperation, and, whereas we are convinced that the best interest of the Industry can best be served by an aggressive, intel-

ligent BMI and, whereas, we are conversant with the fact that BMI's strength is derived directly and solely from the support we of the Industry extend it, be it resolved that we, therefore, in District 14 pledge to BMI our active support and cooperation in all matters which will tend to add strength and effectiveness to its operations in our behalf.

WHEREAS Broadcast Measurement Bureau is now established as a living organism through the cooperation of the four A's, the ANA and the Broadcasters, be it resolved that this fine start be made permanent, and thus more valuable and that steps be taken at once looking to a 1947 survey.

WHEREAS broadcasters of the fourteenth district of the National Association of Broadcasters have completed one of the most successful district meetings in many years, be it resolved that the sincere thanks of all those attending, go to the Denver broadcasting station operators for their hospitality and thoughtful arrangements, to the Manager and staff of the Brown Palace Hotel for their cooperation in making the meeting a success, and to District Director Hugh B. Terry for his excellent conduct of the sessions.

WHEREAS, his excellency, Governor John C. Vivian of Colorado, and R. L. Rickenbaugh, gave their time and enthusiasm in addressing the 14th NAB district meeting, be it resolved that the thanks of this group be addressed to Governor Vivian and R. L. Rickenbaugh.

WHEREAS, the National Association of Broadcasters has been extremely fortunate in securing the services of one as esteemed as Justice Justin Miller, and whereas the members of the 14th NAB district have been happy to have Justice Miller in attendance at their district meeting, and, whereas Justice Miller has shown a phenomenal grasp of the many and complex problems of the Industry; be it resolved that the broadcasters of the 14th NAB district pledge their complete and wholehearted support of Justice Miller and his assistants.

## Registration:

Gene Ackerley, KID; C. E. Arney, Jr., NAB; Tom Atherstone, KFEL; Lewis H. Avery, Lewis H. Avery, Inc.; David Bain, RCA; Frank K. Baker, KDYL; John Baldwin, KDYL; Maxson I. Bevins, KGHF; Ben Bezoff, KMYR; Frank Bishop, KFEL; Del Brandt, KPOW; Melvin Brorby, BMB; Joe B. Carrigan, KWFT; Jim Carroll, KWYO; Frank E. Chizzini, NBC; Fran Conrad, ABC; V. W. Corbett, KVOD; H. L. Corley; H. L. Corley, Jr.; Charles Crabtree, Radio Sales; Mark C. Crandall, KFEL; Lowry Crites, BMB; Robert J. Dean, KOTA; Glenn Dolberg, BMI; Ward Dorrell, C. E. Hooper; T. C. Ekrem, KVOD; Hugh Feltis, BMB; Earle C. Ferguson, KOA; Henry H. Fletcher, KSEI; W. F. Flinn, KRJF.

Frank Flynn, KFBC; E. S. Foster, AP; Mrs. Mildred Fuller, KFXJ; Florence M. Gardner, KTFI; A. L. Glasman, KLO; Paul O. Godt, KFEL; Wm. C. Grove, KFBC; W. Clark Grove, KFBC; Roscoe A. Grover, KSUB; Gus Hagenah, Standard Radio; Donald Hathaway, KDFN; E. M. Halliday, KID; Mel Hallock, KWYO; Ralph W. Hardy, KSL; Ralph Hatcher, CBS; Carl Haverlin, MBS; Con. Hecker, KVOD; Clair Heyer, Radio Market Guide; Charles Howell, KFSJ; Rex Howell, KFSJ; Frank E. Hurt, KFXD; George A. Kercher, Edward Petry & Co., Inc.; Jack Weir Lewis, Rky. Mtn. Radio Council; Maury Long, Broadcasting Mag.

James R. MacPherson, KOA; Don McCaig, KFEL; Duncan A. McColl, KOA; H. L. McCracken, KQRS; Lynn A. McKinlay, KSL; Frank McLatchy, KSL; Arch L. Madsen, KSL; James A. Mahoney, Mutual; Don F. Martin, AP; Justin Miller, NAB; A. J. Meyer, KPOW; A. G. Meyer, KMYR; A. J. Meyer, Jr., KPOW; Elwood Meyer, KMYR; Clarence C. Moore, KOA; A. J. Mosby, KGVO; Joe Myers, KFEL; Gene O'Fallon, KFEL; R. H. Owen, KOA; Dolores Plested, KMYR; Frank E. Pellegrin, NAB; Jennings Pierce, NBC.

William D. Pyle, KVOD; O. P. Soule, KTFI; Everett Shupe, KVOR; Burt Service, SESAC Inc.; Ben H. Stanton, KVOD; Lawrence Swars, Noble & Swars, Inc.; Don Tannehill, KRJF; Hugh Terry, KLZ; Clifton A. Tolboe,

(Continued on next page)

KOVO; Walter Wagstaff, KIDO; Ralph C. Wentworth, BMI; Arthur K. White, KPOF; J. P. Wilkins, KFBB; Ed. Yocum, KGHL; Lloyd Yoder, KOZ.

He married Iola Harriet Pardee in 1932. They have two children, Stephen Pardee 6, and Don Edward 9.

Mr. Petty is a partner in the Los Angeles law firm of Scarborough and Petty.

### REPORT ON 13TH DISTRICT MEET WILL BE GIVEN NEXT WEEK

As NAB REPORTS goes to press, the 13th District meeting was in progress in Dallas, Thursday and Friday (Jan. 31-Feb. 1).

A full report on this meeting will be given in next week's issue.

### NEW MEXICO TAX HEARINGS SET FOR FEB. 18

A hearing will be held before a three judge Federal Court in Albuquerque, N. M., on Feb. 18 to decide (1) whether the radio stations in New Mexico are doing a business in interstate commerce, (2) if the court decides they are doing such a business, whether or not the New Mexico gross sales tax law is a proper exercise of the taxing power of the state.

Previous reports on this case appear in NAB REPORTS (Vol. 13, pp. 520-560).

### ROSENMAN JOINS GOLDMARK, COLIN, KAYE

Announcement has been made that Judge Samuel I. Rosenman, who became well-known as confidential advisor to Presidents Roosevelt and Truman, has joined the law firm which formerly operated as Goldmark, Colin and Kaye, and which now becomes Rosenman, Goldmark, Colin and Kaye. Judge Rosenman's affiliation with the firm became effective February 1.

Firm member Sydney Kaye is well-known to broadcasters as BMI General Counsel; Ralph F. Colin is network counsel and member of the CBS board.

## Legal

### PETTY NOW NAB GENERAL COUNSEL

Don E. Petty assumed his duties as NAB general counsel Friday (1). Announcement of Mr. Petty's appointment was made by President Justin Miller during the meeting of the NAB board of directors, Hollywood, January 3-4. He succeeds John Morgan Davis who last December asked that his resignation be accepted so that he might devote full time to his private law practice in Philadelphia.

Mr. Petty, who practiced law in Los Angeles from 1933 to 1943, was released from the Navy Jan. 10 with the rank of Lieutenant Commander. Serving in the Navy since 1943 when he entered as a Lieutenant (j.g.), Petty was attached to the office of the Under Secretary and later to the Assistant Secretary's office in the Bureau of Aeronautics and Office of Research and Invention as a Negotiator of Business Deals.

He is a native of southern California and was graduated from Pasadena high school in 1926. He entered the University of Southern California in the same year, and was graduated in 1932 with the degrees of A.B. and LL.B. While in attendance at the university, Petty was manager of the Division of Radio Adult Education and president of the College of Liberal Arts.

He was president of the Los Angeles Junior Chamber of Commerce in 1942 and a member of the senior Chamber of Commerce. He is well known in southern California as an able speaker.

## FM

The Commission today granted eight additional FM stations bringing the total conditional FM grants to 298.

At the same time the Commission designated for hearing two applications for Buffalo, N. Y.—Buffalo Broadcasting Corp. (B1-PH-400), and Buffalo Broadcasting Corp. (B1-PH-678)—to be heard in a consolidated proceeding.

Following is a list of the grants:

<i>City</i>	<i>Grantee</i>	<i>Interest in Standard Station</i>	<i>Type of FM Station</i>
MARYLAND			
Hagerstown.....	Hagerstown Broadcasting Co.....	WJEJ	Metropolitan
MISSOURI			
St. Louis.....	St. Louis University.....	WEW	Metropolitan
NEW YORK			
Syracuse.....	Radio Projects, Inc.....	—	Metropolitan
NORTH CAROLINA			
Charlotte.....	Southeastern Broadcasting Co.....	WBT	Metropolitan
Gastonia.....	F. C. Todd.....	WGNC	Metropolitan, Possibly Rural
OHIO			
Columbus.....	Lloyd A. Pixley, et al, d/b as The Pixleys.....	WCOL	Metropolitan
OREGON			
Medford.....	Medford Printing Co.....	KRRR	Community
PENNSYLVANIA			
Clearfield.....	Airplane & Marine Instruments, Inc.....	—	Metropolitan

## FCC

Lee Farran, who Monday (28) assumed the position of assistant to Earl Minderman, director of information for the Commission, is a former Ohio newspaper and publicity man and was recently discharged from the Army, as Master Sergeant, having served since 1941, mostly in the South Pacific area.

He served in the public relations section of the 37th Infantry Division, the Third Army Headquarters and the South Pacific Base Command, specializing in radio. After returning from the South Pacific area, Mr. Farran served in the public relations section of the Selective Service headquarters in Mississippi.

## News

News written for the ear is also best for eye absorption. This was the opinion advanced by news and radio men who attended the Council on Radio Journalism's series of three one-day meetings in Columbus, Jan. 24-25-26. Included in the meetings were sessions held by the American Association of Schools and Departments of Journalism, and the American Association of Teachers of Journalism.

The assertion that ear-copy also makes the best eye-copy resulted in a concensus prediction that the eventual yardstick for news writing, whether for broadcasting or printed publication, will be "forget your eye—how does your ear like it." Stated in other terms, this means that radio style offers the best pattern for news writers regardless of the media of dissemination.

Appointments to 3 year terms on the Council on Radio Journalism were: William Brooks, director of news and special events, NBC; Paul White, director of public Affairs and news broadcasts, CBS; Fred S. Seibert, director School of Journalism, University of Illinois; and Kenneth Bartlett, director of the radio workshop and professor of journalism, Syracuse University.

The Council voted to put on two half-day work sessions on May 4-5 at the Institute for Education by Radio to be held in Columbus. Council members Paul White, and Mitchell Charnley of the University of Minnesota, are the respective chairmen of these sessions.

Preliminary matters attending the incorporation of the Council were disposed of during the session. This action had been approved last Sept. by the NAB Radio News Committee, and by educator members of the Council.

Council officers, who will serve without compensation, include: Mr. Seibert, Chairman; Wilbur Schramm, director, school of journalism University of Iowa, Vice Chairman; and Arthur Stringer, NAB, Sec. and Treas.

Members of the American Association of Teachers of Journalism held a round table discussion Saturday (26) on "Instruction in Radio," with Paul H. Wagner, Ohio University, Athens, as chairman. Participants were: Everett Holles, CBS, Chicago; Frank Schooley, University of Illinois; Stringer, White; and Ralph Worden, director of news, WGAR Cleveland.

Paul Thompson, University of Texas, was elected president of the American Association of Schools and Departments of Journalism.

## SIXTH ANNUAL BROADCASTING ENGINEERING CONFERENCE

The Broadcast Engineering Conference is resuming its activities after a lapse of three war years, and the Sixth Annual Meeting will be held in Campbell Hall on the Ohio State University campus during the week of March 18-23, 1946. Since Dr. W. L. Everitt, Director of the Conference, is now Head of the Department of Electrical Engineering at the University of Illinois, the meetings henceforth will be sponsored jointly by the Electrical Engineering Departments of the Ohio State University and of the University of Illinois, with meetings alternating between Columbus and Urbana. The Conference will continue to receive the cooperation of the National Association of Broadcasters and of the Institute of Radio Engineers.

Emphasis in the 1946 program will be placed upon the impact of developments since 1942 on operating problems in broadcast engineering including F-M and television. A number of symposia have been planned to deal with the more pressing of the station problems introduced by the increasing use of F-M and of television broadcasting.

An exhibition of the products of manufacturers has been arranged and much new equipment will be on display. Wartime developments are reflected in improved techniques and the use of new materials, which will be of interest to all.

### General Information

*Fee*—The fee for the Conference for 1946 is \$15.00. (This fee will be reduced to \$12.00 for those who make payment before March 4.)

*Living Accommodations*—The Fort Hayes Hotel has again offered special accommodations for the Conference. Rooms with twin beds are available at \$5.75 per night, double rooms at \$5.25 per night, and single rooms at \$3.25 per night. Please state your preference as to accommodations on the registration card.

*Recreation*—The gymnasium and swimming pools of the University will again be available to members of the Conference.

*The Banquet*—Thursday, March 21, in the Ballroom at the Fort Hayes Hotel.

*Registration*—The plans for a Conference like this are greatly facilitated if we know how many are coming. We have made registration simple this year by using the return postal card form. Please help us by sending in the registration card as soon as possible.

If you have not received the registration card, you may register by writing to Professor E. M. Boone, Department of Electrical Engineering, Ohio State University, Columbus, Ohio. Be sure to enclose the registration fee and state the hotel accommodations desired and your dates of arrival and departure. Professor Boone may also be contacted for any additional information you may desire concerning the Broadcast Engineering Conference.

### Program

All meetings to be held in Campbell Hall Auditorium  
The Ohio State University

#### Monday, March 18

9:00 a. m. to 11:00 a. m.—Contributions of War Developments to Broadcasting—A. B. Chamberlain, Chief Engineer, Columbia Broadcasting System.

11:00 a. m. to 1:00 p. m.—Symposium on Broadcast Maintenance Problems—A. J. Ebel, Chief Engineer, University of Illinois Radio Service, *Chairman*.

2:30 p. m. to 4:30 p. m.—Design of Broadcast Studios with Irregular Boundary Surfaces.

(Continued on next page)

## Tuesday, March 19

- 9:00 a. m. to 11:00 a. m.—Antenna Patterns and the Antennalyzer—George H. Brown, Research Engineer, Radio Corporation of America.
- 11:00 a. m. to 1:00 p. m.—Symposium on Recording Techniques—Lynn Smeby, Associate Director, Operational Research Staff, Office of the Chief Signal Officer, U. S. War Department.
- 2:30 p. m. to 4:30 p. m.—General Acoustical Problems in Broadcasting—E. J. Content, Station WOR.

## Wednesday, March 20

- 9:00 a. m. to 11:00 a. m.—Symposium on VHF Antenna and Coupling Circuits—E. C. Jordan, Department of Electrical Engineering, University of Illinois, *Chairman*.
- 11:00 a. m. to 1:00 p. m.—Symposium on Television Station Operation—Robert E. Shelby, National Broadcasting Company, *Chairman*.
- 2:30 p. m. to 4:30 p. m.—Radio Relays for F-M and Television.

## Thursday, March 21

- 9:00 a. m. to 11:00 a. m.—Stratovision—Ralph Harmon, Westinghouse Electric Corporation, and representatives from Glenn L. Martin Aircraft Co.
- 11:00 a. m. to 1:00 p. m.—Round Table and Question Box—A. D. Ring, Consulting Engineer, *Chairman*; John Willoughby, Assistant Chief Engineer, Federal Communications Commission, in charge of Broadcasting; also representative chief engineers from broadcasting stations.
- 2:30 p. m. to 4:30 p. m.—Interconnecting Facilities for F-M and Television Broadcasting—H. I. Romnes and W. E. Bloecker, American Telephone and Telegraph Company.

## Friday, March 22

- 9:00 a. m. to 11:00 a. m.—High Powered Tubes for VHF Operation—W. W. Salisbury, Collins Radio Company.
- 11:00 a. m. to 1:00 p. m.—Symposium on F-M Operating Problems—Phillip B. Laeser, Milwaukee Journal Company, *Chairman*.
- 2:30 p. m. to 4:30 p. m.—Symposium on F-M Monitors—R. C. Higgy, Director WOSU, Ohio State University, *Chairman*; D. B. Sinclair, General Radio Company; Frank Gunther, Radio Engineering Laboratories; H. R. Summerhayes, Jr., General Electric Company.

## Saturday, March 23

- 9:00 a. m. to 11:00 a. m.—Symposium on F-M Modulation Methods—W. L. Everitt, Head, Department of Electrical Engineering, University of Illinois, *Chairman*.
- 11:00 a. m. to 1:00 p. m.—Symposium on Field Experiences in VHF Propagation—Raymond M. Wilmotte, Consulting Engineer, *Chairman*.

## Tuesday, March 19, 8:00 p. m.

Popular Scientific Lecture, University Hall, The Ohio State University.

## Thursday, March 21, 6:30 p. m.

Banquet, Fort Hayes Hotel.

## WHY THE FEDERAL COMMUNICATIONS COMMISSION?

*Address by Commissioner Paul A. Walker, Vice Chairman of the Federal Communications Commission, before the Thirteenth (Texas) District of the National Association of Broadcasters, Dallas, Texas, January 31, 1946.*

The Federal Communications Commission was the outgrowth of social, economic and psychological forces which

had been at work for many years. It was the crystallization of public sentiment which had been growing since the early twenties, a feeling that telephone and telegraph as well as radio were so vital to individual and national needs that they ought to be regulated by the Government in the public interest.

Following the first World War, there was a rapid development in communications. During the last 7 months of 1922, the number of regular broadcasting stations increased from 5 to 320 and the number of receiving sets jumped from less than 200,000 to 1,500,000.

People everywhere listened in wonderment to programs coming through the ether. As early as 1919, Station WHA at the University of Wisconsin was broadcasting weather and market reports. On November 5, 1920, Station KDKA in Pittsburgh broadcast for the first time the national election returns. Station WJZ in New York broadcast for the first time a World Series game. WLW's powerful station in Cincinnati was building a large audience by broadcasting varied programs and talent including popular orchestra and vocal music. For the first time in history, a speech made in the Halls of Congress was broadcast when President Harding read his message on December 8, 1922. On March 4, 1925, President Coolidge broadcast his inaugural address to the nation over a network of more than 30 stations and Graham McNamee thrilled millions of listeners with his dramatic account of the inaugural ceremonies.

People were not only listening to radio programs; thousands of them were transmitting over amateur stations licensed by the Department of Commerce. By December, 1922, nearly 17,000 amateur licenses had been granted. In basements, attics and other places in homes all over the land, American citizens, fascinated with the wonders of the ether, were playing and experimenting with radio. From this activity was to come some of the greatest improvements in the art. It was the hour of radio referred to by a current writer as a "stupendous social revolution."

The telephone industry was also making rapid progress. The Bell System and independent companies were extending their lines throughout the nation. In 1924, one Bell System official proudly referred to the fact that his company was averaging more than 40 million local and long distance calls per day and had an investment of more than 2 billion dollars in plant and equipment.

With the continued growth of cities and metropolitan areas, expanding industries, and developments in transportation, life in America was taking on a highly complex pattern. It was far removed from the simple life of the early American Indians who found smoke rings and fire-arrows adequate to meet their needs for long distance communication. Radio, telephone and telegraph had facilitated this remarkable social and economic growth and had become an indispensable part of a highly developed civilization. Communication lines had become the nerve threads through which the organization of a great democratic nation of 120 million people was made to function.

More and more the average citizen realized this. He became increasingly conscious of the fact that his individual comfort and happiness as well as that of the community and nation were dependent upon the efficiency of these communications. The security of his job, family, home, the welfare of his local, state and Federal government—all were tied up with communications service. In the language of the courts, these modern mercuries were "clothed with the public interest," and the citizen was giving more attention to the manner in which they were managed and operated.

He became more critical. He was particularly concerned about disruptions in radio service. The hissing and howling sounds caused by static and station interference ruined his radio reception. "Dante's Inferno can be no worse than the noises that come to us here in the peninsula of Florida," wrote one distraught listener to Secretary of Commerce Hoover.

The free and unrestrained transmissions of radio operators on ships at sea, too often interfered with the music, speeches, baseball scores, weather reports, market infor-

*(Continued on next page)*



mation that thousands of persons were trying to get with their radio receivers at home.

There were other radio annoyances. Offensive advertising was one. In 1922, a prominent writer in a radio magazine wrote: "Suppose a delightful soprano voice has just sung your favorite song, 'Kiss Me Again.' Then, all of a sudden, a voice says, 'Good morning! Have you used Hare's soap?'"

"People will not stand having their evening entertainment horned into by excited voices describing somebody's pet hair net, shoes, or possibly a way to get in and out of the water without getting your feet wet," fretted another writer.

There was also complaint against censorship. Political speakers, for example, didn't like the idea of having to submit manuscripts to station managers, who often deleted portions of the speeches. There was also growing feeling against monopoly in the radio industry. Frequent editorials in newspapers and magazines deplored the growing concentration of control in a few large companies. There were grumbings about propagandists, religious zealots and unprincipled persons "with axes to grind," seeking to "reach radio audiences with their peculiar brands of publicity." There were protests against radio programs not in good taste, and the excessive use of phonograph recordings was vehemently condemned.

While public criticism of telephone and telegraph service was growing in the early twenties, it did not reach a high peak until later. In 1922, Clyde M. Reed, then Chairman of the Kansas Public Utilities Commission, said at the annual convention of the National Association of Railroad and Utilities Commissioners that in personal correspondence and in personal conferences with members of state commissions he had found that there was practically "a universal belief that the rates charged the public by the Bell Companies," were greater than "sound business policy and economics would justify." Felix Frankfurter, then a professor of law at Harvard University, wrote in 1930 that criticism had been voiced "against the failure of utility rates to reflect decreased operating costs due to technological improvements," and lamented the general breakdown of utility regulation in the states.

The decade from 1920 to 1930 was a period of tremendous growth in communications during which the public demanded that its interests be more adequately protected. General chaos in the ether, high rates for telephone and telegraph service, growing monopoly and other disturbing elements prompted citizens to write letters to newspapers, to the Secretary of Commerce, the Interstate Commerce Commission, and to Congress demanding that laws be passed and rules made to bring order out of what was described by one writer as a "conglomerate mess."

The authority to regulate radio was then lodged in the Secretary of Commerce, but that authority was so limited that there was little the Secretary could do. In 1922, he called a conference of radio experts to discuss the possibilities of legislation. A bill along the lines discussed at the Conference was drafted but the House and Senate did not agree on the legislation and chaos in the ether continued.

Congress continued to study the problem and the Secretary of Commerce continued to call conferences. At the Fourth Annual Radio Conference in 1925, he reiterated the need for effective regulation and stated a fact and philosophy that were to become the basis of effective regulation from that day to this. It is that "the ether is a public medium, and its use must be for public benefit. The dominant element for consideration in the radio field is, and always will be, the great body of the listening public, millions in number, countrywide in distribution."

Two important developments the following year made new legislation imperative. A Federal Court held that a station owner could not be punished for disregarding a frequency assignment made by the Secretary of Commerce. Shortly afterwards, the Attorney General sounded the death knell for regulation under the then existing law when he ruled that the Act of 1912 gave the Secretary no authority to limit frequency, power or time used by any station.

The public was fed up on the nightly chorus of heterodyne squeals caused by a multiplicity of broadcasters oper-

ating on the same channels. Congress felt impelled to act and in 1927 it passed the Radio Act setting up a Federal Radio Commission. This Commission established the regular broadcasting band from 550 to 1,500 kilocycles and provided for a 10 kilocycle separation between stations. A general reallocation of frequencies brought about a more equitable distribution of radio facilities throughout the country and eliminated much of the station interference.

President Roosevelt early manifested an interest in radio regulation and in 1933 initiated a study for the purpose of determining what should be done to bring about more effective regulation of radio communication as well as other kinds of interstate and foreign communication. Out of his study came the recommendation that a Federal Communications Commission be established to which would be transferred all existing authority over interstate and foreign communications.

This was not a new idea. As early as 1925, the official spokesman for the broadcasting industry had said:

"Communications today, including telephone, cable and radio, have reached such tremendous proportions and are such a vital factor in our daily civilized life that they merit a separate commission to function only in control of these mediums. . . ."

This is precisely what President Roosevelt recommended to Congress almost 10 years later. Accordingly, on June 19, 1934, Congress enacted and the President approved the Communications Act, which created the Federal Communications Commission with jurisdiction to regulate interstate and foreign communication by wire and radio.

Thus it was that the basic radio law was established. It was not an over-night job. It grew out of experience, trial and error, long and careful study by many experts. It can be said that it represented in 1934 the best collective judgment of scientific, industrial, governmental and Congressional leaders and for the most part had the support of the general public. The law had developed slowly but represented healthy democratic growth.

The story of how the FCC was brought into being is the story of society's struggle to achieve the maximum benefits from communications under a system of free, democratic enterprise. The American people chose private ownership and management but insisted that regulatory processes be provided to protect the public interest.

The problems in communications which brought into existence the Federal Radio Commission and later the Federal Communications Commission, have not been completely solved. Much progress, however, has been made. Regulation and technological improvements make it possible to avoid a great deal of the static so bothersome in the early twenties. By the systematic assignment of frequencies and the establishment of good engineering standards, a large part of the station interference has been eliminated and the quality of radio reception generally has been improved.

In the struggle to bring order out of chaos, there has been much controversy but I believe that gains in the public interest have been made. Out of the processes of regulation and the pressures of public opinion have emerged certain standards of performance that have improved radio, telephone and telegraph service.

Today, after many years of growth and development, the Federal Communications Commission still remains a comparatively small organization, judged by the size of the regulatory tasks which Congress has imposed upon it. It is made up of 7 commissioners, one appointed each year with no more than four affiliated with one political party. In all, the Commission has approximately 1200 employees, including clerical and stenographic help. Of its employees, approximately 60 per cent are in Washington and the remaining 40 per cent scattered throughout the United States, its territories and possessions.

Under the Communications Act, the Commission has three major functions—broadcasting, common carrier, and safety and special service functions.

The magnitude of the present tasks of the Commission is suggested by the size of the industries which it regulates. Today there are more than 1,000 standard, FM and television broadcasting stations on the air as compared with only 5 in the early part of 1922, not to mention a host of

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safety, experimental and other types of stations now in operation. The capitalization of the American telephone industry today is between 6 and 7 billion dollars, whereas in 1924 it was less than one third of this figure. In addition, there is the telegraph industry and the new problems of regulation which the recent consolidation of that industry has brought about.

Out of the War have come many important technological developments which will greatly expand communications and further add to the regulatory tasks of the Commission. A discussion of the developments which are soon to come will give you a better idea of the importance of this agency and the big job which it will be called upon to do.

In the near future, we shall have a much larger number of radio stations operating in the country and the Commission will be faced with many more regulatory responsibilities and problems. FM or frequency modulation, a new radio technique developed in the 1930's, is on the verge of a tremendous expansion, so great that it may soon rival or even surpass our present system of broadcasting. It has a number of advantages. It makes possible the reduction to a minimum of all static, both natural and man made, is freer from station interference, brings a faithful reproduction of the entire range of tones, and makes possible a vast increase in the number of broadcast stations.

Approximately 700 applications for new FM broadcast stations are on file with the Federal Communications Commission or have recently been granted. Conservative estimates indicate that the number of FM stations will approach 2,000 by the end of 1947 as compared with about 950 standard broadcast stations now in operation.

Commercial television is apparently ready to move ahead. The Commission recently set aside new bands of frequencies between 480 and 920 megacycles for experimentation and development. These bands will provide ample space for excellent pictures in black and white and in natural colors. By the use of mobile units and relay techniques, it will be possible to transmit to homes throughout the nation pictures of important events, such as the inauguration of the President, a national political convention, or a parade on Fifth Avenue. As you probably know, the recent Army-Navy football game was televised from Philadelphia, and was carried by coaxial cable to New York and relayed by television transmitters to receivers in that area. We shall not only hear in our homes outstanding actors, musicians, scientists and statesmen but shall see them as well.

Despite this expansion into FM and television, standard broadcasting as we know it today is proving also extremely attractive to new interests. More than 500 applications for new standard broadcast stations are on file or have been recently granted; and the Commission is also faced with hundreds of applications for increased power or improved facilities from existing standard broadcast stations. When these new standard broadcast stations are added to the FM and television stations which are anticipated, the over-whelming expansion of broadcast services to the public can be appreciated.

Radar, the new technique which had so much to do with winning the war, will have important peacetime applications. With radar it is possible to detect objects several hundred miles away, calculate their speed if they are moving, and note their direction. By the use of radar, an airplane pilot lost in fog can know if he is approaching hazardous obstructions such as a mountain or a tall building. A ship lost at sea can detect the approach of other ships and determine at any moment the exact distance to shore or to obstacles in its path. Eventually, trains, buses and taxicabs may be equipped with radar.

The recent improvement in transmitters, receivers and highly directional antennas for use on the higher frequencies will make possible the inauguration of nationwide radio relay systems. Many of you can remember the earliest type of antenna. It was simply a wire attached to two poles. With that crude type of aerial much of the radiated energy was wasted. A large part of it was lost in the direction of the planets. The stress of war, however, demanded improvements in antenna design, particularly in radar which would permit the concentrated flow of all

the transmitted energy along a single narrow path to a given point or area. The result is that a 1,000 watt transmitter sending a signal to a certain receiver may attain as high as 100,000 watts of effective radiated power. This means that with low power transmitters, we can send radio, telegraph, telephone, and other types of signals across the country along a direct route of relay stations, say thirty miles apart, instead of sending them over wires strung on closely-spaced poles.

The efficiency and economy of this new point-to-point radio technique is at once apparent. Numerous telegraph messages as well as telephone calls may be sent simultaneously over a single band of frequencies. The relay stations will be placed on unattended towers and will operate automatically. Despite the fact that each station will receive and transmit each signal set in motion, no appreciable delay or interference will be encountered and improved operation will result. Less equipment will be required. The costs of maintaining poles and wires will be largely eliminated and the rates for service should be materially reduced.

By this system it also will be possible to send FM or frequency modulation broadcasts, radio photos, television and facsimile transmissions. This has special significance for the telegraph industry. Telefax apparatus may be placed in office buildings, hotels, railroad stations, airports and other public places where facsimile messages can be dropped in slots and transmitted directly to Western Union offices where they will be relayed with the speed of light to their destinations. This will obviate much of the delay and inefficiency which sometimes characterize our present system of manual operation.

The application of a new technique known as "pulse time modulation" to radio relay promises to improve telephone and telegraph service still further. Pulse time modulation makes use of an interesting fact about the human eye and ear. A motion picture is made up of a series of separate pictures, run off so fast that we see them as continuous and moving. On the same principle we hear a series of pulse like signals. Instead of sending out an unbroken stream of energy, the transmitter sends out a series of separate signals at frequent intervals. When these separate pulses are recombined in the receiver we hear them as a continuous sound. The result is that the transmitter is used for only a very small fraction of the time to send a particular signal. The time between pulses is left available for a second signal. As many as 24 telephone messages can be transmitted at the same time by one transmitter on a single band of frequencies. The economy of this new technique may be considerable since it increases the potential utilization of a radio frequency.

Another development which will provide additional facilities for long distance communication is the extension of coaxial cable systems throughout the country. The coaxial cable has demonstrated its dependability for transmitting telephone, telegraph, television or other signals. The operation of coaxial channels is similar to "carrier on wire," where radio added to wire circuits increases greatly their carrying capacity.

These new developments should mean better telegraph and telephone service at lower costs. In passing, I might mention that in 1934, the year the Federal Communications Commission was created, the long distance toll rate for daytime station-to-station calls between New York and San Francisco was \$9.00. The present rate for a similar call is \$2.50, or a reduction of more than 70 per cent. This is also the maximum rate for any similar call between points in the United States. Beginning February 1, 1946, a daytime station-to-station call from Dallas to Washington, D. C., will cost \$1.90 as contrasted with a rate of \$4.25 in 1936.

By the application of new facilities and techniques which have come out of recent research, we can expect to have wider use of certain special types of communication services which have heretofore been available only to a limited extent. One of these which has dramatic possibilities is the Citizen's Radio. By this plan, citizens may share fre-

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quencies on a cooperative basis and talk with one another by means of a portable device equipped with both a transmitter and receiver. This device, known as a walkie-talkie during the war, has been the object of much discussion in recent months.

Thus by means of radio, citizens in the same community may move from place to place and maintain two-way conversation. A doctor making calls may keep in touch with his office or the hospital. The milkman or grocer on his delivery route can keep in communication with the manager at the dairy or store. The farmer as he works in the field can talk with his wife at the house several miles away, or can communicate with other workers in the fields and better organize and coordinate his farming.

These instruments will be compactly built so as to be carried with comparative ease and made at costs that many of our citizens can afford. The Federal Communications Commission has already assigned a band of frequencies for walkie-talkie transmission and it should not be long until many of them will be in use. The "handie-talkie" operates on the same principle as the walkie-talkie but is much smaller in design. In fact it may be placed in the overcoat pocket. This miniature marvel has been successfully used in Washington and other places and holds great promise for mobile communications.

Recent experiments have proved that radio communication from front to rear of trains, from train to train, as well as from railway station to train can be used effectively. The safety and security implications of this are very great. With radio, train crews will have an efficient means of instantly communicating with one another. This should greatly improve service, reduce the hazards of travel and save life and property.

Now that we have these many new improvements in communications, my fervent hope is that they will speedily be made available to all our people. The recent technological progress is a tribute to the genius and enterprise of our scientists and leaders, but it will be a greater tribute to all concerned to see that the mass of the people realize the full benefit of this progress. Its real significance is that we can bring new comforts and conveniences to every citizen and by providing a greater abundance of communications facilities can further strengthen our democratic way of life.

Radio has already contributed greatly to the education of our people but there are almost limitless possibilities ahead. The Federal Communications Commission has recently allocated 20 channels for non-commercial educational FM broadcasting. By systematic planning this space in the spectrum can easily accommodate hundreds of new educational stations. A large number of public schools, colleges and universities are planning to apply for stations and the United States Office of Education advises that most states are planning statewide educational broadcasting systems.

The Commission and its staff are working day and night to process the many new applications for standard, FM, television and other types of stations. It recently announced the scheduling of hearings on 271 radio matters during January, February and March, 1946. A hearing calendar was set up and a definite date for each of these matters was set. The schedule provides for 5 sets of hearings, 3 in Washington and 2 in the field, running simultaneously throughout the first 3 months of 1946. The pressure of work becomes increasingly great but it is the desire of the Commission to process all applications as speedily as possible so that the new improvements in the radio art can be brought to the American people at the earliest possible moment.

Under the impetus of war, new technological levels have been reached. The big job before us now is to see that these highly developed communications devices contribute to the greater security and comfort of all the people and at the same time help us achieve higher levels of culture and civilization.

No agency in the Government is faced with more crucial regulatory problems, with greater challenge than the Federal Communications Commission. We earnestly solicit the interest and cooperation of the broadcasters to the end that communications may become increasingly useful to all.

## Miscellany

### PRESIDENT TRUMAN GUEST AT RADIO CORRESPONDENTS ANNUAL DINNER

President Truman and virtually every top official of the government were guests of the Radio Correspondents Association at its annual dinner held Saturday (26) in Washington.

They were entertained by ten stars of radio and stage in a program arranged by the four major networks. The dinner is held each year by the Washington correspondents of the networks and independent radio stations. Richard Harkness, NBC commentator, is president of the Association.

In addition to the President, the guest list included most of the Cabinet and the Supreme Court, the heads of government agencies and Congressional leaders. The guest list totaled more than 150.

Lowell Thomas, NBC commentator, was master of ceremonies for the program and the entertainers included Igor Gorin, baritone; The Hartmans, dancers; Jimmy Edmundson, comedian; Evelyn Knight, singer; Sgt. Eugene List, pianist; Larry Storch, mimic-comedian; the Acromaniacs, acrobats; Harvey Stone, comedian; Dr. Frank Black conducting an NBC orchestra; and the U. S. Marine Band.

NAB staff members who attended were: A. D. Willard, Jr.; Ed M. Kirby; J. Allen Brown; Willard D. Egolf; Hugh M. Higgins; Milton J. Kibler; Bruce Starkey and Arthur C. Stringer.

### ARNOUX ELECTED WTAR PRESIDENT

Campbell Arnoux, who has long been identified with station WTAR, Norfolk, as general manager, has been elected president of WTAR Radio Corp. He succeeds Paul S. Huber, who moves up as new chairman of the board.

Arnoux, serving also as NAB 4th District Director, came to WTAR in 1934 from KTHS, Hot Springs, Ark., which he had installed and directed. Before his KTHS affiliation, he had been at WBAP as chief announcer, editor and program director. He is well known in network circles as a member of the NBC stations planning and advisory committee.

### MORENCY NOW WTIC VICE PRESIDENT

Paul W. Morency, NAB 1st District Director, has been made a vice president of the Travelers Broadcasting Service Corp., owners and operators of WTIC, Hartford, according to an announcement by J. W. Randall, president of the Travelers companies.

Mr. Morency has been general manager of WTIC since 1929. He served for a time as assistant secretary and more recently as secretary of the corporation.

Mr. Morency saw service in World War I including 18 months with the field artillery in France. He was then connected with the advertising department of a Chicago newspaper and a Chicago radio station. During 1927-1928 he was manager of NAB field service and has since continued to be active in the Association, serving on the executive committee and various other committees, in addition to his membership on the Board.

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## NBC-UCLA RADIO INSTITUTE

The fourth annual Radio Institute, conducted by the University of California at Los Angeles in cooperation with NBC, will open its 6-weeks session June 24.

All of the eight courses offered will be taught by NBC personnel and will be held in NBC's Hollywood studios, Sunset and Vine. These courses will include: Radio News and Special Events Preparation, Radio Announcing, Radio Time Sales, Control Room Operations, Radio in Education, Radio Production Direction, Radio Writing, and History and Survey of Broadcasting.

A comparable course is also to be opened again this year at Stanford University and Northwestern University.

The institute is supervised by Sidney N. Strotz, vice-president in charge of the western division of NBC; Jennings Pierce, manager of public service and station relations of NBC's western division, and Dr. J. Harold Williams, director of the summer session at U. C. L. A.

A prerequisite for enrollment in the institute is some practical interest in radio or comparable field, and the number of students accepted for most of the courses is limited.

Tuition fee covering the entire course is \$75, and registration will be opened at the U. C. L. A. campus June 22.

### 67 TURNOUT FOR WHYN RADIO COURSE

Sixty-seven persons comprised the large and greatly interested group which turned out recently for the first meeting of the course in radio technics and dramatics offered at WHYN's South Hadley Falls studios. Jay Heitin, program director, and John Vondell, music director, of the WHYN staff, teach the 16-week course being conducted under the auspices of the Massachusetts Department of Education, University Extension. People were present from Holyoke, South Hadley Falls and Center, Chicopee, Chicopee Falls, Williamsett, Fairview, Springfield Longmeadow, Northampton, Ludlow, Westfield, Sunderland, Easthampton, Feeding Hills, and Windsor Locks, Conn.

### WROK TRANSCRIBES FOR STATIONS IN SWEDEN

The contributions of Swedish residents to life in an American city are being told radio listeners in Sweden via a series of programs transcribed by WROK, Rockford, for Sven-Olof Sandberg, noted Swedish composer and opera singer, who visited Rockford last fall.

As a city with a large percentage of people of Swedish descent, Rockford was selected by Sandberg as the subject of eight broadcasts currently being aired by stations throughout Sweden. Arranged by WROK and Rockford's most prominent Scandinavians, the programs feature talks and interviews concerning contributions by Swedes to civic and industrial life in the Illinois city and the perpetuation of Swedish customs in a typical American community.

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 4. They are subject to change.

## Monday, February 4

### Consolidated Hearing

- NEW—James F. Hopkins, Inc., Ann Arbor, Mich.—C. P. 1600 kc., 250 watts, unlimited.
- NEW—Myron E. Kluge and Dean H. Wickstrom, a partnership d/b as Valley Broadcasting Co., Pomona, Calif.—C. P. 1600 kc., 500 watts, unlimited.
- NEW—Sabine Area Broadcasting Corp., Orange, Texas—C. P. 1600 kc., 250 watts, unlimited.
- NEW—WOOP, Inc., Dayton, Ohio—C. P. 1600 kc., 5 KW, unlimited.
- NEW—Charlotte Broadcasting Co., Charlotte, N. C.—C. P. 1600 kc., 1 KW, unlimited DA-night and day.
- NEW—Burlington-Graham Broadcasting Co., Burlington, N. C.—C. P. 1600 kc., 500 watts night, 1 KW day, unlimited.
- NEW—McClatchy Broadcasting Co., Modesto, Calif.—C. P. 1600 kc., 250 watts, unlimited.
- NEW—United Broadcasting Co., Inc., Montgomery, Ala.—C. P. 1600 kc., 1 KW, unlimited.
- NEW—Roy A. Lundquist and D. G. Wilde, co-partners, d/b as The Skagit Valley Broadcasting Co., Mt. Vernon, Wash.—C. P. 1600 kc., 250 watts, unlimited.
- NEW—The Gazette Co., Cedar Rapids, Iowa—C. P. 1600 kc., 5 KW, unlimited DA-night.
- WWRL—Long Island Broadcasting Corp., Woodside, L. I., N. Y.—C. P. 1600 kc., 5 KW, unlimited DA-night and day.
- NEW—San Joaquin Broadcasters, Inc., Modesto, Calif.—C. P. 1600 kc., 250 watts, unlimited.
- NEW—Piedmont Carolina Broadcasting Co., Reidsville, N. C.—C. P. 1600 kc., 500 watts night, 1 KW day, unlimited.
- NEW—Diamond State Broadcast Corp., Dover, Del.—C. P. 1340 kc., 250 watts, unlimited.
- NEW—John W. Grenoble, Joseph L. Maguire, John T. Maguire and Kenneth F. Maguire d/b as Miners Broadcasting Service, Pottsville, Pa.—C. P. 1450 kc., 250 watts, unlimited.
- WAZL—In the matter of modification of broadcast license of Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Order to show cause.
- NEW—Wyoming Valley Broadcasting Co., Wilkes-Barre, Pa.
- NEW—Edwin Conrad and Ralph O'Connor, partners d/b as Four Lakes Broadcasters, Madison, Wis.—C. P. 1600 kc., 1 KW, unlimited.
- To Be Held Before Commissioner Durr in the Coconino County Court Room, Flagstaff, Arizona.
- NEW—N. Pratt Smith, Flagstaff, Ariz.—C. P. 1340 kc., 250 watts, unlimited.
- NEW—James L. Stapleton, Jesse Martin Neil, Jr., and Duard K. Nowlin, d/b as Grand Canyon Broadcasting Co., Flagstaff, Ariz.—C. P. 1340 kc., 250 watts, unlimited.
- To Be Held Before Commissioner Walker, Dallas Light and Power Company, Dallas, Texas
- NEW—Howard W. Davis, tr/as The Walmas Co., Corpus Christi, Texas—C. P. 1230 kc., 250 watts, unlimited.
- NEW—R. F. & W. Broadcasting Corp., Corpus Christi, Texas—C. P. 1230 kc., 250 watts, unlimited.

## Wednesday, February 6

- To Be Held Before Commissioner Denny, Orangeburg County Court House, Orangeburg, South Carolina
- NEW—The Observer Radio Co., Orangeburg, S. C.—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Orangeburg Broadcasting Corporation, Orangeburg, S. C.—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Edisto Broadcasting Co., Orangeburg, S. C.—C. P. 1450 kc., 250 watts, unlimited.

### Consolidated Hearing

- To Be Held Before Commissioner Walker, Mercantile Bank Building, Dallas, Texas.
- NEW—Valley Broadcasting Assn., Inc., McAllen, Texas—C. P. 910 kc., 1 KW, unlimited DA-night and day.

(Continued on next page)

NEW—Howard W. Davis, McAllen, Texas—C. P. 910 kc., 1 KW, unlimited DA-night.  
 KEEW—Radio Station KEEW, Ltd., Brownsville, Texas—C. P. 910 kc., 1 KW, unlimited DA-night and day.  
 KRRV—Red River Valley Broadcasting Corp., Sherman, Texas—C. P. 910 kc., 5 KW, unlimited DA-night and day.

### Thursday, February 7

#### Consolidated Hearing

NEW—George A. Ralston and Jerry C. Miller, d/b as Elgin Broadcasting Co., Elgin, Ill.—C. P. 1490 kc., 250 watts, unlimited.  
 NEW—William L. Klein, Oak Park, Ill.—C. P. 1490 kc., 250 watts, unlimited.  
 NEW—Sidney H. Bliss, tr/as Beloit Broadcasting Co., Beloit, Wis.—C. P. 1490 kc., 100 watts, unlimited.  
 NEW—Vincent G. Coffey, Elgin, Ill.—C. P. 1490 kc., 250 watts, unlimited.  
 NEW—Community Broadcasting Co., Oak Park, Ill.—C. P. 1490 kc., 250 watts, unlimited.

### Friday, February 8

#### Consolidated Hearing

To Be Held Before Commissioner Durr, City Counsel Chamber, City Hall, Tucson, Arizona  
 NEW—Old Pueblo Broadcasting Co., Tucson, Ariz.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—Sun Country Broadcasting Co., Tucson, Ariz.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—The Catalina Broadcasting Co., Tucson, Ariz.—C. P. 1340 kc., 250 watts, unlimited.

### Saturday, February 9

To Be Held Before Commissioner Denny, Federal Court Room, Post Office Building, Augusta, Georgia  
 NEW—Voice of Augusta, Inc., Augusta, Ga.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—The Augusta Chronicle Broadcasting Co., Augusta, Ga.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—Savannah Valley Broadcasting Co., Augusta, Ga.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—Georgia-Carolina Broadcasting Co., Augusta, Ga.—C. P. 1340 kc., 250 watts, unlimited.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Granted construction permit for a new station to operate on 1550 kc., 250 watts, daytime. (B4-P-3806)  
 WCOL—Lloyd A. Pixley, et al., d/b as The Pixleys, Columbus, Ohio.—Granted construction permit to install new transmitter and vertical antenna and change transmitter location from 33 North High St. to 600 feet south of the factory building at 565 West Goodale St., Columbus. (B2-P-3972)  
 KRNR—News-Review Co., Roseburg, Ore.—Granted construction permit to install new vertical antenna. (B5-P-4007)  
 KOMA—KOMA, Inc., Oklahoma City, Okla.—Granted modification of construction permit (B3-P-4080) which authorized increase in power, etc., for change in transmitter location from on Highway #77, 7½ miles south of Oklahoma City, to one mile west of Highway #77, approximately 9 miles south of Oklahoma City. (B3-MP-1833)  
 WOLS—The Florence Broadcasting Co., Inc., Florence, S. C.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1675)

WCNC—Albemarle Broadcasting Co., Elizabeth City, N. C.—Granted construction permit to install a new transmitter. (B3-P-4325)  
 WKWF—John M. Spottswood, Key West, Fla.—Granted license (B3-L-1911) to cover CP (B3-P-3768) which authorized a new station to operate on 1600 kc., 500 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1732) The licensee is granted a waiver of Secs. 3.65 (b) and 3.60 of the Commission's rules; conditions.  
 WMFR—James E. Lambeth, et al., d/b as Radio Station WMFR, High Point, N. C.—Granted license (B3-L-1920) to cover CP which authorized move of transmitter and studios. (B3-L-1920)

### DESIGNATED FOR HEARING

Orlando Daily Newspapers, Inc., Orlando, Fla.; Fred W. Mizer, Orlando, Fla.—Designated for hearing in a consolidated proceeding, the application of Orlando Daily Newspapers, Inc., for CP to use 990 kc., 5 KW, 10 KW-LS, DA, U, and application of Fred W. Mizer to use 990 kc., 1 KW, DA-N, U.  
 Midstate Broadcasting Co., Peoria, Ill.; Lake Broadcasting Co., Gary, Ind.—Designated for consolidated hearing the applications of Midstate Broadcasting Co. to use 1560 kc., 1 KW, U, and Lake Broadcasting Co. for the same frequency, with 500 watts night, 1 KW-LS.  
 Chester E. Daly, Cleveland, Ohio; Samuel R. Sague, Cleveland Heights, Ohio.—Designated for hearing in a consolidated proceeding the applications of Chester E. Daly (B2-P-3994) and Samuel R. Sague (B2-P-4377), both seeking to operate on 1490 kc., 250 watts, unlimited time.  
 Thomas H. Todd, et al., d/b as Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.; West Alabama Broadcasting Co., Tuscaloosa, Ala.—Designated for hearing in a consolidated proceeding the applications of Thomas H. Todd, et al., d/b as Tuscaloosa Broadcasting Co. (B3-P-4071), and West Alabama Broadcasting Co. (B3-P-4286), both requesting frequency of 1450 kc., 250 watts, unlimited time.  
 Easton Publishing Co., Easton, Pa.; Louis Windmuller, Allentown, Pa.; Steel City Broadcasting Co., Bethlehem, Pa.—Designated for hearing in a consolidated proceeding the applications of Easton Publishing Co. (B2-P-4212), Lewis Windmuller (B2-P-4371), and Steel City Broadcasting Co., all seeking to operate on 1230 kc., 250 watts, unlimited time.  
 Liberty Broadcasting Co. (John J. Laux, et al.), Pittsburgh, Pa.—Designated for hearing (Comr. Jett voting to grant), application for a new station to operate on 730 kc., 1 KW, daytime only. (B2-P-3797)

### LICENSE RENEWALS

The following relay broadcast stations were granted renewal of licenses for the regular period:

WEPA, Edwin H. Armstrong; WBWB, Banks of the Wabash, Inc.; WEHN, The Evening News Assn.; WEIH, WEIL, Indianapolis Broadcasting, Inc.; KDAS, KARM, the George Harm Station; KEJJ, NBC; WELW, WELX, WFIL Broadcasting Co.; WCZR, Zenith Radio Corp.

Licenses for the following relay stations were extended upon a temporary basis only, pending receipt of and determination upon applications for renewal, for the period ending April 1, 1946:

Radio Station WMFR, WHPT; Ben S. McGlashan, KABG; Mo. Broadcasting Corp., KIFF; Winona Radio Service, KBQA; WIBX, Inc., WAIJ, WAIY; WJNO, Inc., WJAE; Columbus Broadcasting Co., WBLR; Jonas Weiland, WAXL.

Licenses for the following relay stations were further extended upon a temporary basis only, pending determination upon applications for renewal of licenses, for the period ending April 1, 1946:

Adirondack Broadcasting Co., Inc., WODJ; Airfan Radio Corp., Ltd., KEHP; American Broadcasting Corp., WEGD.

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WEGA, WKRK; Earle C. Anthony, Inc., WEGA; Ariz. Broadcasting Co., Inc., KAOU; A. H. Belo Corp., KEGE, KFAA; Berks Broadcasting Co., WEGP; The Birmingham News Co., WJOT; Donald A. Burton, WEGS; Carter Publications, Inc., KEGH, KEGI, KNED; Charleston Broadcasting Co., WADA, WEGW, WEGX; Evansville on the Air, Inc., WAUT, WAUY, WEGG; The Fort Industry Co., WRET; Ga. School of Technology, WQER; The Champaign News-Gazette, Inc., WBGH; The Hampden-Hampshire Corp., WIIHC; Intermountain Broadcasting Corp., KEHO; KGKO Broadcasting Co., KAXY, KEIF, KEIG, KEJR, KEJS; KRIC, Inc., KAOV, KEGD; KTAR Broadcasting Co., KEIM; Don Lee Broadcasting System, KAOY, KEGN; Loyola Univ., WEIT, WEIU; Ben S. McGlashan, KEIQ, KEIR; Merced Broadcasting Co., KRME; Miami Valley Broadcasting Corp., WEIZ; The Nat'l Life and Accident Ins. Co., WEOF, WNRB; Nichols and Warinner, Inc., KEIV; Pinellas Broadcasting Co., WERB; Puget Sound Broadcasting Co., Inc., KEJN; Racine Broadcasting Corp., WEHT, WELT; Radio Service Corp. of Utah, KEGU; Radio Station KFII Co., KEGV; Reading Broadcasting Co., WEHZ, WEKL, WEKM; Red River Broadcasting Co., Inc., KBTA, KBTB; Redwood Broadcasting Co., Inc., KIDN; Richmond Radio Corp., WEOH; Rome Broadcasting Corp., WRGG; The Scioto Broadcasting Co., WAVB; Allen T. Simmons, WEKQ; South Bend Tribune, WEKR; Southeastern Broadcasting Co., WEHI; Port Huron Broadcasting Co., WMWB; Symons Broadcasting Co., WEGZ; Tarrant Broadcasting Co., KEGT; WLAC Broadcasting Service, WAUW; WAVE, Inc., WELC; WCBS, Inc., WMFZ; WDRG, Inc., WELM; W. Va. Broadcasting Corp., WELV; WFAM, Inc., WLIR; WFBM, Inc., WEIJ, WEIK; WGAL, Inc., WELY; Wichita Broadcasters, KPAK; WJW, Inc., WENI; WOAX, Inc., WTNK.

#### NOTICES OF HEARING MAILED BY DOCKET SECTION

NEW—Joe L. Smith, Jr., Charleston, W. Va.—1400 kc., 250 watts, unlimited.  
Correction to notice of hearing in:  
NEW—Central Illinois Radio Corp., Peoria, Ill.—1290 kc., 5 KW, unlimited DA-night and day.  
NEW—Palladium Publishing Co., Benton Harbor, Mich.—1060 kc., 250 watts, daytime.  
NEW—Myles H. Johns, Milwaukee, Wis.—1060 kc., 1 KW, daytime.  
KARM—KARM, The George Harm Station, a corporation, Fresno, Calif.—For construction permit to change frequency from 1430 kc. to 1030 kc., make changes in DA system.  
KFRE—J. E. Rodman, Fresno, Calif.—For construction permit to increase power from 250 watts to 1 KW, change frequency from 1340 to 1060 kc.  
NEW—Texoma Broadcasting Co., Wichita Falls, Texas—970 kc., 1 KW, daytime.  
NEW—Darrold Alexander Cannan tr/as Wichtex Broadcasting Co., Wichita Falls, Texas—990 kc., 1 KW, daytime.  
NEW—John C. McCormack, George D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox and W. E. Antony d/b as Oklahoma Television and Broadcasting Co., Tulsa, Okla.—990 kc., 1 KW, unlimited DA-night.  
NEW—R. F. & W. Broadcasting Co., Corpus Christi, Texas—1230 kc., 250 watts, unlimited.  
NEW—The Sandusky Broadcasting Co., Sandusky, Ohio—1450 kc., 250 watts, unlimited.  
NEW—Lake Erie Broadcasting Co., Sandusky, Ohio—1450 kc., 250 watts, unlimited.  
NEW—Corpus Christi Broadcasting Co., Inc., Corpus Christi, Texas—1230 kc., 250 watts, unlimited.  
WFMJ—WFMJ Broadcasting Co., Youngstown, Ohio—1390 kc., 5 KW, unlimited DA-night.  
WICA—WICA, Inc., Ashtabula, Ohio—970 kc., 1 KW, unlimited.  
WWSW—WWSW, Inc., Pittsburgh, Pa.—970 kc., 5 KW, unlimited.  
WEBR—WEBR, Inc., Buffalo, N. Y.—970 kc., 5 KW, unlimited.  
NEW—News-Journal Corp., Daytona Beach, Fla.—1340 kc., 250 watts, unlimited.  
NEW—Vincent G. Cofey, Elgin, Ill.—1490 kc., 250 watts, unlimited.

NEW—Community Broadcasting Co., Oak Park, Ill.—1490 kc., 250 watts, unlimited.  
NEW—Green Bay Broadcasting Co., Green Bay, Wis.—1400 kc., 250 watts, unlimited.  
NEW—Green Bay Newspaper Co., Green Bay, Wis.—1400 kc., 250 watts, unlimited.  
NEW—Commonwealth Broadcasting Corp., Danville, Ky.—1230 kc., 100 watts, unlimited.  
NEW—Danville Broadcasting Co., Danville, Ky.—1230 kc., 100 watts, unlimited.  
NEW—Harold T. Gray et al. d/b as Wyoming Valley Broadcasting Co., Wilkes-Barre, Pa.—1490 kc., 250 watts, unlimited.

Notices of hearing were mailed by the Document Section on Wednesday (30) to the following applicants for FM facilities in Chicago, Illinois:

NEW—Syndicate Theatres, Inc., Columbus, Ind.—1130 kc., 500 watts, daytime.  
NEW—Universal Broadcasting Co., Inc., Indianapolis, Ind.—1130 kc., 10 KW, unlimited DA-night and day.  
NEW—Radio Broadcasting, Inc., Hot Springs, Ark.—740 kc., 1 KW night, 10 KW day, unlimited DA-night.  
NEW—Arkansas Valley Broadcast Co., Ft. Smith, Ark.—740 kc., 1 KW, unlimited DA-night.  
NEW—Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—1490 kc.  
NEW—Southern Media Corp., Coral Gables, Fla.—1490 kc.  
NEW—Miami Beach Publishing Co., Miami Beach, Fla.—1490 kc.  
NEW—Frank R. Gibson, Lake Charles, La.—1580 kc., 1 KW, unlimited DA-night.  
NEW—The Times Picayune Publishing Co., New Orleans, La.—1560 kc., 500 watts night, 1 KW day, unlimited.  
NEW—Roy Hofheinz and W. N. Hooper, a partnership, d/b as Louisiana Broadcasting Co., New Orleans, La.—1580 kc., 5 KW, unlimited DA-night and day.  
NEW—J. G. Long, James A. Clements and Travis C. Dodd, a partnership, d/b as Bay City Broadcasting Co., McAllen, Texas—1580 kc., 50 KW, unlimited.

Johnson-Kennedy Radio Corp., Chicago, Ill.  
Knight Radio Corp., Chicago, Ill.  
Lincoln-Belmont Pub. Co. & Myers Pub. Co., Chicago, Ill.  
National Broadcasting Co., Inc., Chicago, Ill.  
Oak Park Realty & Amusement Co., Chicago, Ill.  
Oak Park Realty & Amusement Co., Chicago, Ill.  
Raytheon Manufacturing Co., Chicago, Ill.  
Telair Co., Chicago, Ill.  
Radio Station WAIT, Chicago, Ill.  
Radio Station WGES, Chicago, Ill.  
WJJD, Inc., Chicago, Ill.  
Radio Station WSBC, Chicago, Ill.  
Agricultural Broadcasting Co., Chicago, Ill.  
Amalgamated Broadcasting System, Inc., Chicago, Ill.  
American Broadcasting Co., Inc., Chicago, Ill.  
Balaban & Katz Corp., Chicago, Ill.  
Chicago Federation of Labor, Chicago, Ill.  
Drivers Journal Publishing Co., Chicago, Ill.  
Dual Engineering Corp., Chicago, Ill.  
Intl. Union, United Automobile, Aircraft & Agri. Imple. Wkrs. of America (UAW-CIO) Chicago, Ill.

#### MISCELLANEOUS ACTIONS

The Bay Broadcasting Co., Sandusky, Ohio.—Granted petition to designate its application (B2-P-4387) for hearing in a consolidated proceeding with applications in Dockets 7003 and 7004, The Lake Erie Broadcasting Co., and The Sandusky Broadcasting Co., and adopted an order designating The Bay Broadcasting Co. application for hearing in this consolidated proceeding.

KTSA—Sunshine Broadcasting Co., San Antonio, Texas.—Adopted an order ordering that application of KTSA (B3-P-4399) for CP to make certain changes in its antenna system and to increase power from 5 KW-LS, 1 KW night, non-directional, to 5 KW-LS non-directional, and 5 KW night, directional, be designated for hearing in a consolidated proceeding with applications of WOPI: The Constitution Publishing Co.; New Mexico Publishing Co.; Shenandoah Valley Broadcasting

(Continued on next page)

- Corp., WWSA; Booth Radio Stations, Inc.; Federated Publications, Inc., WJIM; Montana Broadcasting and Television Co., and KSD, scheduled to be heard Feb. 25-28, March 1-3, and further ordered that the orders heretofore issued in the consolidated proceedings be amended to include application of Sunshine Broadcasting Co.
- Skagit Valley Broadcasting Co., Inc., Mt. Vernon, Wash.—Denied petition requesting that its application (B5-P-4050) for a new station be severed from the 1600 kc. hearing scheduled for Feb. 4-8, 11-15, and that application be granted.
- Van Curler Broadcasting Corp., Albany, N. Y.—Granted petition requesting that its application (B1-P-4395) for a new station to operate on 1460 kc., 5 KW, unlimited time, be designated for consolidated hearing with applications of Fort Orange Broadcasting Co., Inc.; WHEC, and Albany Broadcasting Co., Inc. Further ordered that the Bill of Particulars heretofore issued in these proceedings be amended to include the Van Curler Broadcasting Co. application.
- KROY—Royal Miller, et al., d/b as Royal Miller Radio, Sacramento, Calif.—Adopted an order designating for hearing in a consolidated proceeding with the applications of KFRE and KARM, the application of KROY (B5-P-4253) for a CP to change frequency from 1240 to 1060 kc., increase power from 250 watts to 5 KW, unlimited time.
- KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Granted petition to reinstate and grant application (B5-MP-1602), for modification of construction permit (which authorized operation with 50 KW, U, DA N, on 1000 kc.), for approval of transmitter site and directional antenna for night use, subject to conditions requiring approval of antenna.
- Edwin Conrad and Ralph R. O'Connor, co-partners, d/b as Four Lakes Broadcasters, Madison, Wis.—Adopted an order designating for hearing in a consolidated proceeding with the applications of James F. Hopkins, Inc.; Valley Broadcasting Corp.; United Broadcasting Co.; McClatchy Broadcasting Co.; Charlotte Broadcasting Co.; WCOP, Inc.; Sabine Area Broadcasting Corp.; Burlington-Graham Broadcasting Co.; Skagit Valley Broadcasting Co.; San Joaquin Broadcasters, Inc.; Gazette Co.; WWRL, and Piedmont Carolina Broadcasting Co., the application of Four Lakes Broadcasters (B4-P-4366) for a new station to operate on 1600 kc., 1 KW, unlimited time, DA.
- W9XZC—Zenith Radio Corp., Chicago, Ill.—Granted modification (B4-MPVB-142) of CP which authorized a new experimental television broadcast station, for extension of completion date from 2-19-46 to 8-19-46 only. This permit is granted upon an experimental basis only, conditions: and subject to changes in frequency assignment which may result from proceedings in Docket 6651.
- KUSC—University of Southern California, Los Angeles, Calif.—Granted modification (B5-MPED-27) of CP which authorized a new noncommercial educational broadcast station, for extension of commencement and completion dates from 6-21-45 and 12-21-45 to 12-21-45 and 6-21-46, only.
- W10XWB, W10XWC, W10XWD, W10XWE—Westinghouse Radio Stations, Inc., Portable-Mobile, to be used within continental U. S.—Granted licenses to cover permits authorizing four new developmental broadcast stations; frequencies that may be assigned by Commission's Chief Engineer from time to time; power 5 KW (peak). Licenses are granted upon an experimental basis only; conditions. (B2-LEX-33-34-35-36)
- Stephen R. Rintoul, Stamford, Conn.—Construction permit for a new FM (Community) Broadcast Station to be operated on frequency to be selected by Chief Engineer of FCC and coverage of 1,065 square miles (request of attorney).
- a new station (B3-P-4398) for hearing with applications of Howard W. Davis, tr/as Walmae Co., and R. F. & W. Broadcasting Co., Corpus Christi, scheduled to be heard February 4-5.
- Aeronautical Radio, Inc., New York City.—Ordered that the hearing on applications of Aeronautical Radio, Inc., for new aeronautical radio facilities at New York, be continued upon the Commission's own motion, from February 18 to February 25, 1946.
- WCSC—John M. Rivers, Charleston, S. C.—Granted petition insofar as it requests leave to amend application (Docket 6939) so as to specify the use of a modified directional antenna, and to incorporate revised engineering data relating to such modifications, but denied the petition requesting removal from hearing docket.
- WREN—The Wren Broadcasting Co., Topeka, Kans., et al.—Ordered that the hearing now scheduled for February 21-27 at Washington, be postponed to February 22-27, including Saturday, February 23, in re applications of WREN, WGL, Midwest Broadcasting Co., Virginia-Carolina Broadcasting Corp., and Homer Rodeheaver.
- Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted petition requesting leave to amend application (Docket 6975), so as to specify new transmitter site, and to incorporate therein correct data as to trans. site; and to add to application Engineering Appendix III, and the amendment was accepted.
- KMA—May Broadcasting Co., Shenandoah, Iowa.—Granted petition for leave to intervene in the consolidated hearing now scheduled for March 4-5 on applications of KOVO, United Broadcasting Co., and KROW, Inc.
- Huntington Broadcasting Corp., Huntington, W. Va.; Greater Huntington Radio Corp., Huntington, W. Va.—Ordered that further hearing in re these applications for the purpose of taking engineering testimony, will be held in the offices of Comr. Denny on February 1, 1946, at 10 a. m.
- The Middlesboro Broadcasting Co., Middlesboro, Ky.—Granted petition requesting leave to amend its application (B2-P-4036) so as to specify frequency 1450 instead of 1490 kc. The amendment submitted was accepted and the application as amended, was removed from the hearing docket.
- KUTA—Utah Broadcasting Co., Salt Lake City, Utah.—Granted petition requesting leave to intervene and enlarge the issues in re applications of Telegram Publishing Co., Salt Lake City (B5-P-4180), and James B. Littlejohn, Ogden, Utah (B5-P-4249), and for waiver of Sec. 1.385(d) of the Commission's Rules.
- Muscatine Broadcasting Co., Muscatine, Iowa—Granted petition to dismiss without prejudice its application (B4-P-4145) for a new station.
- WPOR—Centennial Broadcasting Co., Portland, Maine—Granted petition for leave to intervene in the consolidated hearing upon the application of Templeton Radio Mfg. Corp's application (B1-P-4146), scheduled for consolidated hearing on March 4-8, and for enlargement of the issues upon said application.
- Montana Broadcasting and Television Co., Butte, Mont.—Denied motion for order to take depositions of David G. Smith and Jack L. Powers in re their application (B5-P-3993), scheduled for hearing in a consolidated proceeding Feb. 25-March 8.
- Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Myers, Brockton, Mass.—Granted motion requesting leave to amend their application (B1-P-3819), so as to include Alfred L. Duncombe as a partner, and the amendment was accepted.
- Burlington-Graham Broadcasting Co., Burlington, N. C.—Granted petition to dismiss without prejudice application (B3-P-4026) for a new station.
- KOIL—Central States Broadcasting Co., Omaha, Neb.—Granted petition for leave to intervene in the consolidated proceeding scheduled for March 25-27 on four Peoria applications.
- Greater Peoria Radiobroadcasters, Inc., Peoria, Ill.—Granted motion for leave to amend its application (B4-P-3680) so as to provide a modified directional

(Continued on next page)

## ACTION ON MOTIONS

- Corpus Christi Broadcasting Co., Inc., Corpus Christi, Texas.—Granted petition to consolidate its application for

antenna and to show revised engineering data in connection with amendment.

Fort Orange Broadcasting Co., Inc., Albany, N. Y.—Granted petition for leave to amend its application (B1-P-4020), so as to show non-directional operation daytime, and use of DA at night, instead of DA day and night, as originally specified.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted petition for leave to amend application for construction permit (B2-P-3898), so as to specify directive antennas for day and night operations, and to make other changes to show revised engineering data.

Mt. Vernon Radio & Television Co., Mt. Vernon, Ill.—Granted petition for leave to file late appearance in re application (B4-P-4265) and the Commission waived Sec. 1.384 of the Rules and accepted written appearance.

McClatchy Broadcasting Co., Modesto, Calif.—Granted petition to dismiss without prejudice its application for construction permit (B5-P-3800) involving frequency 1600 kc., and scheduled for consolidated hearing Feb. 4-15.

The New Mexico Publishing Co., Santa Fe, N. M.—Granted petition for leave to amend its application (B5-P-3932), so as to specify frequency 1400 kc., with 250 watts power instead of 550 kc., with 1 KW, and make other changes so as to show revised costs of initial installation, etc. The amendment was accepted and the application removed from hearing docket.

Everglades Broadcasting Co., Ft. Lauderdale, Fla.—Granted petition for leave to amend application (B3-P-4258), so as to move the site of proposed station to Miami instead of Ft. Lauderdale as originally proposed.

Montana Broadcasting and Television Co., Anaconda, Mont.—Granted petition requesting leave to amend its application (B5-P-3993), so as to change site of its main studio and transmitter site from Anaconda to Butte.

Joe L. Smith, Jr., Charleston, W. Va., The Capitol Broadcasting Co., Charleston, W. Va., Chemical City Broadcasting Co., Charleston, W. Va.—Upon agreement by all interested parties ordered that the hearing on these applications be assigned for further hearing before Commissioner Denny in Washington D. C., on March 25-27, at 10 a. m.

James H. McKee, Charleston, W. Va.—Ordered that application (B2-P-3738) for a new station be dismissed without prejudice as applicant has indicated he no longer desires consideration of his application. (Action taken 1-25)

Skagit Valley Broadcasting Co., Mt. Vernon, Wash.—Granted petition for dismissal without prejudice of its application (B5-P-4050) for a new station.

day and night use. Amended, to specify transmitter site in Roaring Creek Township, Pa.

### 600 Kilocycles

NEW—Central Broadcasting Corp., Flint, Mich. (P. O. 2363 Penobscot Bldg., Detroit, Mich.)—Construction permit for a new standard broadcast station to be operated on 600 kc., power of 1 KW, directional antenna and unlimited hours of operation.

KROD—Dorrance D. Roderick, El Paso, Texas.—Voluntary assignment of license to Roderick Broadcasting Corp.

### 630 Kilocycles

NEW—Henry C. Putnam, John D. Keating and J. Elroy McCaw, a partnership, d/b as The Island Broadcasting Co., Honolulu, T. H. (P. O. 1939 St. Louis Drive.)—Construction permit for a new standard broadcast station to be operated on 630 kc., power of 5 KW and unlimited hours of operation.

### 710 Kilocycles

WGBS—The Fort Industry Company, Miami, Fla.—Construction permit to increase power from 10 KW to 50 KW, install new transmitter and directional antenna for day and night use and change transmitter location.

### 730 Kilocycles

NEW—Regional Broadcasting Co., Chicopee, Mass. (P. O. 225 High St., Holyoke, Mass.)—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 1 KW and daytime hours of operation. (Call "WACE" reserved.)

### 790 Kilocycles

WMC—Memphis Publishing Company, Memphis, Tenn.—License to cover construction permit (B3-P-3958) which authorized installation of new transmitter.

### 900 Kilocycles

KLCN—Harold L. Sudbury, Blytheville, Ark.—Construction permit to install a new transmitter.

### 940 Kilocycles

NEW—Puerto Rico Communications Authority, Municipality of Roi Piedras, Puerto Rico. (P. O. Salvador Brau between San Jose and Cristo Sts., San Juan, Puerto Rico.)—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 10 KW, directional antenna and unlimited hours of operation.

### 1060 Kilocycles

NEW—Stark Broadcasting Corp., Canton, Ohio. (P. O. 2547 Broad Ave, N.W.)—Construction permit for a new standard broadcast station to be operated on 1060 kc., power of 1 KW and daytime hours of operation.

### 1070 Kilocycles

NEW—Monona Broadcasting Co., Madison, Wis. (P. O. 15 East Main St.)—Construction permit for a new standard broadcast station to be operated on 1070 kc., power of 10 KW, directional antenna night and unlimited hours of operation.

### 1150 Kilocycles

KSAL—KSAL, Inc., Salina, Kansas—Authority to determine operating power by direct measurement of antenna power.

### 1230 Kilocycles

WMOB—S. B. Quigley, Mobile, Ala.—Voluntary assignment of license to Nunn Broadcasting Corporation.  
WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Construction permit to install new transmitter

(Continued on next page)

## Federal Trade Commission Docket

### APPLICATIONS ACCEPTED FOR FILING

#### 550 Kilocycles

NEW—Booth Radio Stations, Inc., Saginaw, Mich.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, directional antenna and unlimited hours of operation. Amended, to change type number of transmitter.

#### 580 Kilocycles

NEW—Crescent Broadcast Corp., Shenandoah, Pa.—Construction permit for a new standard broadcast station to be operated on 580 kc., power of 1 KW and daytime hours of operation. Amended, to change power from 1 KW to 5 KW, change time of operation from daytime to unlimited time, change type of transmitter and transmitter location and directional antenna for



(WE 451-AL) and vertical antenna and change transmitter location.

NEW—Penn Lincoln Broadcasting Co., Inc., Williamsport, Pa. (P. O. 2942 So. Columbus St., Apt. B-2, Arlington, Va.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—Glens Falls Publicity Corp., Glens Falls, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency from 1450 to 1230 kc. and change power from 250 to 100 watts.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Modification of construction permit (B3-P-2939, which authorized change in frequency, increase in power, changes in transmitting equipment, installation of directional antenna for night use, and change in transmitter location, for increase in power from 1 KW day and night (employing directional antenna night) to 5 KW day and 1 KW night (employing directional antenna night) and installation of new transmitter.

### 1240 Kilocycles

WGBG—Harry H. Carman, Freeport, N. Y.—Construction permit to install new vertical antenna (with FM antenna mounted on top) and ground system.

### 1290 Kilocycles

NEW—Greater Peoria Radiobroadcasters, Inc., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1290 kc., power of 1 KW, directional antenna for day and night and unlimited hours of operation. Amended: to install approved transmitter.

### 1340 Kilocycles

NEW—Walter A. Graham, Tifton, Ga.—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency from 1300 to 1340 kc.

KFYO—Plains Radio Broadcasting Co., Lubbock, Texas—Construction permit to change frequency from 1340 to 790 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use, and change transmitter location.

NEW—Audrain Broadcasting Corp., Mexico, Mo. (P. O. 115 West Monroe St.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. (Facilities to be relinquished by KHMO)

### 1360 Kilocycles

NEW—Dr. Leskie Haltom Luck & Myron Birdsel "Patt" McDonald, d/b as Luck-McDonald Co., Ft. Worth, Texas (P. O. 9th & Houston Sts.)—Construction permit for a new standard broadcast station to be operated on 1360 kc., power of 1 KW, directional antenna and unlimited hours of operation.

NEW—Mon-Yough Broadcasting Co., McKeesport, Pa.—Construction permit for a new standard broadcast station to be operated on 1360 kc., power of 1 KW, directional antenna night and unlimited hours of operation. Amended: to make changes in directional antenna system for night operation.

NEW—Booth Radio Stations, Inc., Lansing, Mich.—Construction permit for a new standard broadcast station to be operated on 1360 kc. power of 1 KW, directional antenna and unlimited hours of operation. Amended: to make changes in directional antenna system.

### 1420 Kilocycles

KNOW—Frontier Broadcasting Co., Inc., Austin, Texas—Construction permit to change frequency from 1490 to 860 kc., increase power from 250 watts day and night to 5 KW day, and 1 KW night, install new transmitter and directional antenna for night use and change transmitter location. Amended: to change

frequency from 860 kc. to 1420 kc., make changes in directional antenna for night use and change transmitter location.

### 1430 Kilocycles

NEW—Leo H. Beckley & Louise L. Beckley, d/b as Beckley Radio Co., Mount Vernon, Wash. (P. O. Officers' Row, Quarters 12, Fort Lawton, Wash.)—Construction permit for a new standard broadcast station to be operated on 1430 kc., power of 500 watts and daytime hours of operation. (Call "KBRC" reserved)

### 1440 Kilocycles

KEYS—Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co., Corpus Christi, Texas.—Construction permit to change frequency from 1490 kc. to 1440 kc., increase power from 250 watts day and night to 1 KW night and 5 KW day, install new transmitter and directional antenna for night use and change transmitter location. Amended, to make change in directional antenna system.

NEW—S. H. Patterson, Topeka, Kans.—Construction permit for a new standard broadcast station to be operated on 1440 kc., power of 500 watts day and 1 KW night and unlimited hours of operation. Amended, to change power from 500 watts day and 1 KW night to 5 KW day and night, install new transmitter and directional antenna for night use and change transmitter location.

KFMB—The Jack Gross Broadcasting Co., San Diego, Calif.—Construction permit to change frequency from 1450 to 1440 kc., increase power from 250 watts to 1 KW and make changes in transmitting equipment. (Facilities to be relinquished by KPRO.)

### 1450 Kilocycles

NEW—Rahall Broadcasting Company, Inc., Beckley, W. Va. (P. O. 216 Main Street.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Authority to determine operating power by direct measurement of antenna power.

NEW—Ronald B. Woodyard, Utica, N. Y. (P. O. 1400 W. Stroop Rd., Dayton, Ohio.)—Construction permit for a synchronous amplifier to be operated with a new standard broadcast station at Utica, N. Y. (File No. B1-P-3636) to be operated on 1450 kc., power of 50 watts and unlimited hours of operation.

### 1490 Kilocycles

NEW—Douglas L. Craddock, Leaksville, N. C. (P. O. Boulevard St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 100 watts and unlimited hours of operation.

### 1510 Kilocycles

NEW—Methodist Radio Parish, Inc., Flint, Mich.—Construction permit for a new standard broadcast station to be operated on 1500 kc., power of 250 watts and daytime hours of operation. Amended, to change frequency from 1500 to 1510 kc.

### 1540 Kilocycles

NEW—P. C. Wilson, Canton, Ohio.—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and daytime hours of operation. Amended, to change frequency from 1300 to 1540 kc.

### 1550 Kilocycles

NEW—Amphlett Printing Co., San Mateo, Calif.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended, to change fre-

*(Continued on next page)*

quency from 1490 to 1550 kc., and make changes in antenna system.

### 1560 Kilocycles

NEW—Unity Corporation, Inc., Toledo, Ohio. (P. O. 1014 Edison Bldg.)—Construction permit for a new standard broadcast station to be operated on 1560 kc., power of 1 KW and daytime hours of operation.

### 870 Kilocycles

NEW—Donnelly C. Reeves, Hanford, Calif. (P. O. 225 Linden, Visalia, Calif.)—Construction permit for a new standard broadcast station to be operated on 870 kc., power of 250 watts and daytime hours of operation.

### 1010 Kilocycles

NEW—WHOW, Inc., Baltimore, Md. (P. O. 313 N. Charles St.)—Construction permit for a new standard broadcast station to be operated on 1010 kc., power of 250 watts and daytime hours of operation.

### 1030 Kilocycles

NEW—Marion Radio Corporation, Marion, Ind. (P. O. 201 First National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 1030 kc., power of 1 KW and daytime hours of operation.

### 1110 Kilocycles

NEW—Bay City Broadcasting Co., a partnership composed of J. A. Clements, T. C. Dodd and John George Long, Bay City, Texas.—Construction permit for a new standard broadcast station to be operated on 1110 kc., power of 1 KW and unlimited hours of operation. Amended, to change hours of operation from unlimited time to daytime.

### 1150 Kilocycles

NEW—Laurence W. Harry, tr/as Fostoria Broadcasting Co., Fostoria, Ohio. (P. O. 125 South Main St.)—Construction permit for a new standard broadcast station to be operated on 1150 kc., power of 1 KW and daytime hours of operation.

### 1210 Kilocycles

NEW—Abraham Kofman and Sara F. Kofman, co-partners, d/b as Times-Star Publishing Company, Alameda, Calif. (P. O. 1511 Park Street.)—Construction permit for a new standard broadcast station to be operated on 1210 kc., power of 1 KW and daytime hours of operation.

### 1230 Kilocycles

NEW—Missouri Valley Broadcasting Corp., St. Joseph, Mo. (P. O. 407 Tootle Bldg., 6th and Francis Sts.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. (call "KRES" reserved.)

### 1240 Kilocycles

NEW—Walter W. Bankhead, Jasper, Ala. (P. O. Box 987.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—Harrison Broadcasting Corp., Harrison, Ark. (P. O. Harrison, Ark.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

### 1340 Kilocycles

WCMI—The Ashland Broadcasting Co., Ashland, Ky.—Construction permit to install synchronous amplifier at 625 Huntington St., Huntington, Va., to operate on 1340 kc., with 250 watts power, unlimited time, synchronized with Radio Station WCMI, Ashland, Ky.

NEW—Andalusia Broadcasting Co., Inc., Andalusia, Ala. (P. O. c/o Tracy Wilder.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

NEW—C. R. Bellati, Stillwater, Okla. (P. O. 512 Husband St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

## MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

WJJD—WJJD, Incorporated, Chicago, Ill.—Construction permit to increase power from 20 KW (limited time) to 50 KW (limited time) and install new transmitter and directional antenna for day and night use.

WCR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction permit to increase power from 5 KW day and 1 KW night (employing directional antenna night) to 5 KW day and night, and make changes in directional antenna for night use.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Construction permit to decrease power of auxiliary transmitter from 2½ KW to 1 KW and install new auxiliary transmitter.

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for night use.

## APPLICATIONS TENDERED FOR FILING

NEW—Worth Broadcasting Co., Fort Worth, Texas—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 5 KW and daytime hours of operation.

NEW—Stark Broadcasting Corp., Canton, Ohio—Construction permit for a new standard broadcast station to be operated on 1060 kc., power of 1 KW and daytime hours of operation.

NEW—The Central Connecticut Broadcasting Co., New Britain, Conn.—Construction permit for a new standard broadcast station to be operated on 910 kc., power of 5 KW, directional antenna night, and unlimited hours of operation.

NEW—Old Colony Broadcasting Co., Inc., Brockton, Mass.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—N. Joe Rahall, Sam G. Rahall, Farris E. Rahall and Deem F. Rahall, a partnership d/b as Allentown Broadcasting Co., Allentown, Pa.—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 1 KW and daytime hours of operation.

WMOB—S. B. Quigley, Mobile, Ala.—Construction permit to change frequency from 1230 kc. to 550 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for day and night use and change transmitter location.

NEW—H. M. Suthard and P. M. Mullins, d/b as Mayfield Broadcasting Co., Mayfield, Ky.—Construction permit for a new standard broadcast station to be operated on 1320 kc., power of 1 KW and daytime hours of operation.

NEW—The Tower Realty Co., Baltimore, Md.—Construction permit for a new standard broadcast station to be operated on 680 kc., power of 5 KW., directional antenna night and unlimited hours of operation.

WAPO—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Assignment of license to Ramon G. Patterson, Louise Patterson Pursley, Ramon G. Patterson, executor and Louise Patterson Pursley, executrix of the estate of Joda Patterson, deceased, d/b as WAPO Broadcasting Service.

(Continued on next page)

NEW—WLBG, Inc., Laurens, S. C.—Construction permit for a new standard broadcast station to be operated on 820 kc., power of 250 watts and daytime hours of operation.
WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kansas—Construction permit to change frequency from 580 kc. to 540 kc., increase power from 5 KW to 500 KW, install new transmitter and directional antenna for day and night use and change transmitter location.
KROY—Luther E. Gibson, d/b as Gibson Broadcasting Co., Sacramento, Calif.—Application to purchase Radio Station KROY.
NEW—Mosby's, Inc., Anaconda, Mont.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
NEW—Mitchell C. Tackley, tr/as North Country Broadcasting Co., Malone, N. Y.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
NEW—Steel City Broadcasting Company of Bethlehem, Pennsylvania, Inc., Allentown, Pa.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
NEW—Crawford County Broadcasting Corp., Meadville, Pa.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Consumers Company** and **Material Service Corporation**, both of Chicago, are charged in a complaint with conspiring to restrain trade and to enhance prices in the interstate sale of crushed dolomite limestone, fluxing stone, building stone, aggregate, sand, gravel and other building materials, and fuel. (5418)

**Ben Levy** and **Frances Levy**, trading as **Goldwyn Co.** and as **John Baker Co.**, 731 Plymouth Court, Chicago, are charged in a complaint with selling to wholesalers, jobbers and retailers assortments of merchandise so packed and assembled as to involve the use of games of chance, gift enterprises or lottery schemes when the merchandise is resold to the purchasing and consuming public. (5417)

### STIPULATIONS

During the past week the Commission announced no stipulations.

### CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

**Marvel Equipment Mfg. Co., Inc.**—An order prohibiting certain misrepresentations in connection with the sale of railway switch heaters, for use in keeping switches free from snow and ice, has been issued against **Marvel Equipment Manufacturers, Inc.**, 224 South Michigan Avenue, Chicago. (5372)

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# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 14, No. 6, February 11, 1946

## Engineering

### NARBA CONFERENCE IN PROGRESS

The North American Regional Broadcasting Engineering Conference opened its scheduled meeting (see NAB REPORTS, p. 56) in Washington on Monday (4). Sessions are continuing this week.

FCC Commissioner E. K. Jett was elected Permanent Chairman.

A welcoming address was delivered by Mr. Francis Colt deWolf, chief of the Telecommunications Division of the Department of State.

A general desire to renew the agreement was expressed by all the nations involved, with the exception of Cuba, whose delegates indicated that they wished to examine certain phases of the situation in closer detail. NAB President Justin Miller has issued invitations to all delegates and others concerned in the Conference to attend a reception at which NAB will act as host. T. A. M. Craven, Cowles Radio Station, is representing the NAB.

Further developments will be given in next week's REPORTS.

## Broadcast Advertising

### HOW MANY FOR HOW MUCH?

The NAB cost comparison presentation, "How Many for How Much" is making quite an impression in advertising circles around the nation.

Herewith are excerpts of a review by Don Pitt of the presentation appearing in *Ad Age* (Jan. 14 issue), the official publication of the San Francisco Advertising Club:

"Radio reared up and answered back last week, after twenty years' silence on the question of competitive costs in national advertising, when the visual presentation, "How Many for How Much" was simultaneously tossed like an atomic bomb into advertising circles here and in New York.

"Springing a New Year's surprise at last Wednesday's meeting, Frank E. Pellegrin, Director of Broadcast Advertising, National Association of Broadcasters, switched from the milder topic, 'The Contrast Between American and European Radio' to a graphic presentation of what a radio dollar buys today, and revealed at its first public showing the rebuttal by organized radio to the claims of newspaper and magazine advertising.

"Radio has not talked much about competition in the last twenty years,' said Pellegrin, 'Choosing rather to tell its

own hows and wherefores.' He said that six months ago radio was prodded into action after a Media Men's Club of New York heard presentations by newspapers and magazines and asked radio to reply. 'We didn't bring it up,' Pellegrin smiled, 'We were invited—and here it is!' "Ten years ago the national advertising box score read: Newspapers 42%, Magazines 32%, Radio 17%, and others 9%.

### Score Today

"The scoreboard now places them like this: Magazines 34%, RADIO 33% and Newspapers 24%, others 9%.

### Newspapers Taken Apart

"Underscoring the story with graphic visual charts, he related how full major network advertising was now delivered a potential of 28,135,000 families versus newspaper's 19,901,375. Even though he conceded that newspapers could assure that their ads were noted by 3,184,000 families against the networks' 2,982,000, radio was delivering that advertising at a cost of \$5.30 per thousand families to newspapers' \$8.21, a saving of 45%.

"It was the sort of presentation that called all the plays and had many Ad Clubbers wide-eyed. Radio men were lamenting that the surprise staging of the story hadn't given them an opportunity to fill the hall with clients. 'We could have jammed it to the walls,' they were saying on the way out.

### Round Two: Magazines

"Four major women's magazines with a combined circulation of 13,750,000 with 43% noting the ads, came up with an average advertising cost per thousand families of \$7.20—against radio's \$5.30. Then a broad base of four weekly magazines, *Life*, *Saturday Evening Post*, *Collier's* and *Liberty*, entered the ring with a circulation of 11,323,024, to be left-jabbed by Pellegrin with a cost-comparative of \$8.75 against radio's \$5.30 per thousand families.

### How Many?

"He finally punched home 'How Many for How Much?' with the conclusion that an advertising dollar now buys 189 families via radio, 139 through women's magazines, 122 through newspapers and 114 through the four named weeklies.

### Rebuttal?

"We asked Mr. Pellegrin afterwards if newspapers and magazines had had an opportunity for rebuttal, since this was the first public showing of his data, to which he replied: 'Rebuttal? This is it! WE'RE answering THEM. If you mean re-rebuttal, I expect they will have their chance.'

### NAB Headquarters Besieged

J. Allen Brown, Assistant Director of Broadcast Advertising, reveals that while Mr. Pellegrin has been making the presentation on the tour of NAB district meetings, headquarters in Washington have been besieged with

(Continued on next page)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.*

C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egoft, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

requests for this particular presentation. Plans for a brochure on the comparison will be taken up when Mr. Pellegrin returns to Washington soon.

## F-M Department

### ALLOCATION BULLETIN 19 ON WAY

Special Allocation Hearings Bulletin No. 19 is being printed and will soon be mailed to NAB members.

Bulletin 19 contains the testimony given before the Commission in a hearing held Jan. 18-19, 1945, to determine whether frequencies in the 42 to 50 megacycle band should be set aside for FM broadcast in addition to the assignment already made to FM in the 88 to 108 megacycles band.

Since the issuance of Special Allocation Hearings Bulletin No. 18, which was mailed to NAB members on Aug. 31, 1945, with an announcement that it would conclude the series, further hearings have been held by the Commission.

So that you may have available a complete record of the testimony, with its valuable technical information, we are continuing with bulletin No. 19. Other bulletins may follow.

### CONFERENCES ON ENGINEERING DETAILS OF FM APPLICATIONS

In reviewing the engineering details of FM broadcast applications, including those conditionally granted and those still pending, and in preparing for the issuance of construction permits, the Commission has found a number of instances where the proposed service area appears to be inconsistent with the plan of allocation of metropolitan and rural FM channels. In some cases, the proposed equipment appears to make inadequate use of the channels. Since the majority of pending applications were filed prior to the present FM rules, or are otherwise incomplete concerning proposed service areas, additional data is often required by the Commission in determining the appropriate service areas to be established for the cities concerned.

In order to obtain more information on this subject and to make the best use of the FM band, the Commission will hold informal conferences with grantees and applicants. In cases where sufficient information is on file for the Commission to proceed, construction permits will be issued without the need for conferences. The Commission will request conferences where necessary as rapidly as its work load permits.

## Programming

### WAC-PUBLIC INTEREST ALLOCATIONS WEEK OF FEBRUARY 17-24

NAB is cooperating with the War Advertising Council, to which it is a contributing member, in providing an orderly coordination for the furtherance of radio projects in the public interest, both governmental and non-governmental.

The cooperative effort is further extended by close liaison with the Media Department of the Office of War Mobilization and Reconversion. In the NAB WEEKLY REPORTS will be published a list of both national and regional allocations, together with pertinent background material which will help program managers quickly determine the best means of programming these important messages.

For the week of February 17-24, National Brotherhood Week holds the spotlight.

Proclaimed annually by the President of the United States, Brotherhood Week is observed throughout the nation as a pledge to unity and to the recognition of the dignity and rights of each individual, whatever his race, creed, or national background. Brotherhood Week is sponsored by the National Conference of Christians and Jews, and has been supported by such men as Newton D. Baker, Basil O'Connor, Harold Stassen, Edward Stettinius, Thomas Lamont, Thomas J. Watson, William Green, Philip Murray, Eric Johnston, Paul G. Hoffman, Myron C. Taylor, Albert D. Lasker, Cleveland E. Dodge, General Jonathan Wainwright. Since 1928 the Conference has carried on a community program to diminish hate and prejudice, and build avenues of inter-faith and inter-group cooperation. The goal is the cultivation by Americans of the "practice of brotherhood"—the total elimination of group hatreds which kill the democratic spirit. Local committees will recruit individual Americans to pledge themselves to take a definite stand for brotherhood. State governors and local mayors and city and county officials will participate in nation-wide observances. This year, when the atomic bomb has underlined the indispensability of brotherhood for the survival of the human race, Brotherhood Week stresses the principle of "teamwork—in peace as in war" under the slogan "Join the American Brotherhood." If Americans have sufficient good-will and the disposition to work together, they can solve any postwar problem that may arise.

### IMPORTANT REMINDER:

### ANNUAL MEETING, AWD, MARCH 15-17

Station managers are urged to send their women staff members to a three-day conference, March 15th through 17th, Hotel Roosevelt, New York City, as announced last week. Top-flight executives of major industries and agencies, such as the Grocery Manufacturers of America, the Needlecraft Bureau, the Pan-American Coffee Bureau, the Millinery Fashion Bureau, J. Walter Thompson, N. W. Ayer, and the Good Housekeeping Institute, will entertain the delegates as well as furnish them with valuable information. The annual business meeting will be addressed by NAB and agency executives. On March 16th, their annual campaign will be launched—"Women's Responsibility in the Communicative Arts." Awards will be made to four outstanding women in other media. Walter Lippmann will address the luncheon and a panel of national women commentators will discuss "How Does Radio Sell Ideas?" Dr. Lyman Bryson will be moderator. Workshops and round-tables are also scheduled.

(Continued on next page)

This is the first national meeting of AWD in four years. Rooms for the first fifty women who register have been set aside by the Roosevelt Hotel. Some of the dinners and luncheons must be limited in number so the first persons making reservations will be assigned. Act now—this is an important event for radio—an opportunity to bring prestige to your station and colorful material to your program content.

### HOAX PROGRAM SCARES PARIS

Reminiscent of the famous Orson Welles 1937 Invasion from Mars program, France's official radio network went on the air Monday (4) with an atomic-bomb-scare program that reduced Paris to a state of near-terror, and which has resulted in demands for resignation of the director by an indignant French press.

The program was built around supposed A-bomb experiments in America. The professor carrying on the experiments was said to have lost control of his apparatus and the French were warned that a wave of atomic disintegration was rolling over the Atlantic toward France.

An announcement followed stating that the whole thing was a joke, and that a Jean Nocher was the perpetrator. Subsequent periodic announcements failed to dispel the fears of the populace.

Later, an irritated mob invaded the streets and the radio headquarters had to be protected by the Army.

### MINE SAFETY E.T. SERIES PLANNED

A transcribed series on mine safety is planned by the Bureau of Mines since several fatal disasters in coal mining areas indicate the need for a better understanding of safety measures. Willett Kempton, director of the Radio Section of the Department of the Interior, wrote broadcasters in 50 coal mine communities last week to ascertain their preferences for the format of such a series.

"The Bureau of Mines has made safety material available to mining areas for 35 years," Mr. Kempton pointed out, "but never before has it attempted to circulate this information through a radio series. In planning such a program, this bureau of the Interior Department wants the advice of broadcasters in the communities involved; with it, we can produce a series of maximum usefulness to the stations and to all listeners concerned with coal mining."

The question of sponsorship for the new Government series, will be "up to the individual stations," Kempton said. "The important thing is to reach listeners who are most directly concerned with the number of fatalities and the human and economic waste which result from mine

disasters. Whether the story of mine safety is aired as a sustainer or booked commercially is of little moment to the Department of the Interior."

## Legal

### NAB INTERVENES IN TAX PROBLEM

Dealing with a proposal that generally would involve any station which was incorporated in 1936-1939 but which did not commence business until 1940, Don E. Petty, NAB General Counsel, has presented to the Joint Committee on Internal Revenue Taxation for Post-War Taxation at the Hearings on Section 722 of the Internal Revenue Code on Tuesday (7) the following statement:

MR. CHAIRMAN, GENTLEMEN:

I am Don Petty, of Washington, D. C., General Counsel of the National Association of Broadcasters, appearing on behalf of the members of that Association.

*Problem:* A corporation organized during 1939 but which did not commence business until after January 1, 1940, is excluded from relief under Section 722.

(a) Section 722 (B) (4) applies only to taxpayers who ". . . either during or immediately prior to the base period, commenced business . . ." (Underlining ours). The Bureau of Internal Revenue in its Bulletin on Section 722 at pages 44 and 45 has construed literally the statutory word "commenced" (as distinguished from "in existence" or "mere organizational activities such as incorporation or the issuance of capital stock").

(b) In its Bulletin, at page 130, the Bureau limits Section 722(C) to "Domestic Corporations coming into existence after December 31, 1939 . . ." (Underlining ours). Hence, a corporation in existence, i. e., organized prior to December 31, 1939, cannot qualify under this Section.

*Recommendation:* It is recommended that the hiatus existing in Section 722 be removed by amending said Section so that there will not be discrimination against corporations organized "during or immediately prior to the base period," i. e., prior to December 31, 1939, but which do not commence business until after January 1, 1940.

### THE ESQUIRE CASE AND FREE SPEECH

Because the recent decision of the Supreme Court in connection with the *Esquire Magazine* case bears pertinently on the whole subject of free speech, below is reprinted in full the text of that decision for the information and guidance of the membership:

(Continued on next page)

## DISTRICT MEETINGS AHEAD

11th District	March 18-19	Rodisson Hotel	Minneapolis, Minn.
8th District	March 21-22	Pontlind Hotel	Grand Rapids, Mich.
9th District	March 25-26	Polmer House	Chicago, Illinois
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Covolier Hotel	Virginia Beach, Va.
2nd District	April 25-26	Roosevelt Hotel	New York, N. Y.
5th District	April 29-30	San Carlos Hotel	Pensacola, Florida
1st District	May 13-14	Hotel Statler	Boston, Massachusetts
3rd District	May 16-17	Bellevue Strotford Hotel	Philadelphia, Pa.

SUPREME COURT OF THE UNITED STATES

No. 399.—OCTOBER TERM, 1945.

ROBERT E. HANNEGAN, as Postmaster General of the United States, *Petitioner*,

*vs.*

ESQUIRE, INC.

On Writ of Certiorari to the United States Court of Appeals for the District of Columbia.

[February 4, 1946.]

Mr. Justice DOUGLAS delivered the opinion of the Court.

Congress has made obscene material nonmailable (35 Stat. 1129, 18 U. S. C. § 334), and has applied criminal sanctions for the enforcement of that policy. It has divided mailable matter into four classes, periodical publications constituting the second class.<sup>1</sup> § 7 of the Classification Act of 1879, 20 Stat. 358, 43 Stat. 1067, 39 U. S. C. § 221. And it has specified four conditions upon which a publication shall be admitted to the second-class. § 14 of the Classification Act of 1879, 20 Stat. 358, 48 Stat. 928, 39 U. S. C. § 226. The Fourth condition, which is the only one relevant here,<sup>2</sup> provides:

"Except as otherwise provided by law, the conditions upon which a publication shall be admitted to the second class are as follows . . . Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers. Nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates."

Respondent is the publisher of *Esquire Magazine*, a monthly periodical which was granted a second-class permit in 1933. In 1943, pursuant to the Act of March 3, 1901, 31 Stat. 1107, 39 U. S. C. § 232, a citation was issued to respondent by the then Postmaster General (for whom the present Postmaster General has now been substituted as petitioner) to show cause why that permit should not be suspended or revoked.<sup>3</sup> A hearing was held before a board designated by the then Postmaster General.<sup>4</sup> The board recommended that the permit not be revoked. Petitioner's predecessor took a different view. He did not find that *Esquire Magazine* contained obscene material and therefore was nonmailable. He revoked its second-class permit because he found that it did not comply with the Fourth condition. The gist of his holding is contained in the following excerpt from his opinion:

"The plain language of this statute does not assume that a publication must in fact be 'obscene' within the intendment of the postal obscenity statutes before it can be found not to be 'originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry.'

"Writings and pictures may be indecent, vulgar, and risqué and still not be obscene in a technical sense. Such writings and pictures may be in that obscure and treacherous borderland zone where the average person

hesitates to find them technically obscene, but still may see ample proof that they are morally improper and not for the public welfare and the public good. When such writings or pictures occur in isolated instances their dangerous tendencies and malignant qualities may be considered of lesser importance.

"When, however, they become a dominant and systematic feature they most certainly cannot be said to be for the public good, and a publication which uses them in that manner is not making the 'special contribution to the public welfare' which Congress intended by the Fourth condition.

"A publication to enjoy these unique mail privileges and special preferences is bound to do more than refrain from disseminating material which is obscene or bordering on the obscene. It is under a positive duty to contribute to the public good and the public welfare."

Respondent thereupon sued in the District Court for the District of Columbia to enjoin the revocation order. The parties stipulated at a pre-trial conference that the suit would not be defended on the ground that *Esquire Magazine* was obscene or was for any other reason nonmailable.<sup>5</sup> The District Court denied the injunction and dismissed the complaint. 55 F. Supp. 1015. The Court of Appeals reversed. 151 F. 2d 49. The case is here on a petition for a writ of certiorari which we granted because of the importance of the problem in the administration of the postal laws.

The issues of *Esquire Magazine* under attack are those for January to November inclusive of 1943. The material complained of embraces in bulk only a small percentage of those issues.<sup>6</sup> Regular features of the magazine (called "The Magazine for Men") include articles on topics of current interest, short stories, sports articles or stories, short articles by men prominent in various fields of activities, articles about men prominent in the news, a book review department headed by the late William Lyon Phelps, a theatrical department headed by George Jean Nathan, a department on the lively arts by Gilbert Seldes, a department devoted to men's clothing, and pictorial features, including war action paintings, color photographs of dogs and water colors or etchings of game birds and reproductions of famous paintings, prints and drawings. There was very little in these features which was challenged. But petitioner's predecessor found that the objectionable items, though a small percentage of the total bulk, were regular recurrent features which gave the magazine its dominant tone or characteristic. These include jokes, cartoons, pictures, articles, and poems. They were said to reflect the smoking-room type of humor, featuring, in the main, sex. Some witnesses found the challenged items highly objectionable, calling them salacious and indecent. Others thought they were only racy and risqué. Some condemned them as being merely in poor taste. Other witnesses could find no objection to them.

An examination of the items makes plain, we think, that the controversy is not whether the magazine publishes "information of a public character" or is devoted to "literature" or to the "arts". It is whether the contents are "good" or "bad". To uphold the order of revocation would, therefore, grant the Postmaster General a power of censorship. Such a power is so abhorrent to our traditions that a purpose to grant it should not be easily inferred.

The second-class privilege is a form of subsidy.<sup>7</sup> From the beginning Congress has allowed special rates to certain classes of publications. The Act of February 20, 1792, 1 Stat. 232, 238, granted newspapers a more favorable rate. These were extended to magazines and pamphlets by the Act of May 8, 1794, 1 Stat. 354, 362. Prior to the Classification Act of 1879, periodicals were put into the second-class,<sup>8</sup> which by the Act of March 2, 1863, 12 Stat. 701,

<sup>5</sup> It was not contended that *Esquire Magazine* does not comply with the first three conditions of 39 U. S. C. § 226, set forth in note 2, *supra*.

<sup>6</sup> Items taking up a part or all of 86 pages out of a total of 1972 pages.

<sup>7</sup> It was found to be worth \$500,000 a year to *Esquire Magazine*. "A newspaper editor fears being put out of business by the administrative denial of the second-class mailing privilege much more than the prospect of prison subject to a jury trial." Chafee, *Freedom of Speech* (1920), p. 199.

<sup>8</sup> Rates on periodicals, designed primarily for advertising purposes or for free circulation, were increased by the Act of July 12, 1876, 19 Stat. 78, 82.

<sup>1</sup> "mailable matter of the second class shall embrace all newspapers and other periodical publications which are issued at stated intervals, and as frequently as four times a year and are within the conditions named in sections twelve and fourteen." § 10 of the Classification Act of 1879, 20 Stat. 358, 39 U. S. C. § 224. For other periodical publications which are included in second-class matter, see 37 Stat. 550, 39 U. S. C. § 229; 31 Stat. 660, 39 U. S. C. § 230.

<sup>2</sup> The first three conditions are:

"First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively. Second. It must be issued from a known office of publication. Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications: *Provided*, That publications produced by the stencil, mimeograph, or hectograph process or in imitation of typewriting shall not be regarded as printed within the meaning of the clause."

<sup>3</sup> Sec. 1 of that Act provides:

"When any publication has been accorded second-class mail privileges, the same shall not be suspended or annulled until a hearing shall have been granted to the parties interested."

<sup>4</sup> See 7 Fed. Reg. 3001.

(Continued on next page)



705, included "all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign." That Act plainly adopted a strictly objective test and left no discretion to the postal authorities to withhold the second-class privilege from a mailable newspaper or periodical because it failed to meet some standard of worth or value or propriety. There is nothing in the language or history of the Classification Act of 1879 which suggests that Congress in that law made any basic change in its treatment of second-class mail, let alone such an abrupt and radical change as would be entailed by the inauguration of even a limited form of censorship.

The postal laws make a clear-cut division between mailable and nonmailable material. The four classes of mailable matter are generally described by objective standards which refer in part to their contents, but not to the quality of their contents.<sup>9</sup> The more particular descriptions of the first,<sup>10</sup> third,<sup>11</sup> and fourth<sup>12</sup> classes follow the same pattern, as do the first three conditions specified for second-class matter.<sup>13</sup> If, therefore, the Fourth condition is read in the context of the postal laws of which it is an integral part, it, too, must be taken to supply standards which relate to the format of the publication and to the nature of its contents, but not to their quality, worth, or value. In that view, "literature" or the "arts" mean no more than productions which convey ideas by words, pictures, or drawings.

If the Fourth condition is read in that way, it is plain that Congress made no radical or basic change in the type of regulation which it adopted for second-class mail in 1879. The inauguration of even a limited type of censorship would have been such a startling change as to have left some traces in the legislative history. But we find none. Congressman Money, a member of the Postal Committee who defended the bill on the floor of the House, stated that it was "nothing but a simplification of the postal code. There are no new powers granted to the Department by this bill, none whatever." 8 Cong. Rec. 2134. The bill contained registration provisions which were opposed on the ground that they might be the inception of a censorship of the press. *Id.*, p. 2137. These were deleted. *Id.*, pp. 2137, 2138. It is difficult to imagine that the Congress, having deleted them for fear of censorship, gave the Postmaster General by the Fourth condition discretion to deny periodicals the second-class rate, if in his view they did not contribute to the public good. Congress Money indeed referred to "the daily newspapers, with their load of gossip and scandal and every-day topics that are floating through the press" as being entitled without question to the second-class privilege. *Id.*, p. 2135. To the charge that the bill imposed a censorship, he pointed out that it only withheld the privileged rate from publications "made up simply of advertising concerns not intended for public education"; and added:

<sup>9</sup> Sec. 7 of the Classification Act of 1879, as amended, 39 U. S. C. § 221 provides:

"Mailable matter shall be divided into four classes:

"First, written matter;

"Second, periodical publications;

"Third, miscellaneous printed matter and other mailable matter not in the first, second, or fourth classes;

"Fourth, merchandise and other mailable matter weighing not less than eight ounces and not in any other class."

<sup>10</sup> *First class.* "Mailable matter of the first class shall embrace letters, postal cards, and all matters wholly or partly in writing . . ." 39 U. S. C. § 222.

<sup>11</sup> *Third Class.* "Mail matter of the third class shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets, and manuscript copy accompanying same, merchandise (including farm and factory products) and all other mailable matter not included in the first or second class, or in the fourth class . . ." 39 U. S. C. § 235.

<sup>12</sup> *Fourth class.* "Mail matter of the fourth class shall weigh in excess of eight ounces, and shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets and manuscript copy accompanying same, merchandise (including farm and factory products), and all other mailable matter not included in the first or second class, or in the third class as defined in section 235 of this title, not exceeding eleven pounds in weight, nor greater in size than seventy-two inches in length and girth combined, nor in form or kind likely to injure the person of any postal employee or damage the mail equipment or other mail matter and not of a character perishable within a period reasonably required for transportation and delivery." 39 U. S. C. § 240.

<sup>13</sup> See note 2, *supra*.

"We know the reason for which papers are allowed to go at a low rate of postage, amounting almost to the franking privilege, is because they are the most efficient educators of our people. It is because they go into general circulation and are intended for the dissemination of useful knowledge such as will promote the prosperity and the best interests of the people all over the country. Then all this vast mass of matter is excluded from that low rate of postage. I say, instead of being a censorship upon the press, it is for the protection of the legitimate journals of the country." *Id.*, 2135.

The policy of Congress has been clear. It has been to encourage the distribution of periodicals which disseminated "information of a public character" or which were devoted to "literature, the sciences, arts, or some special industry," because it was thought that those publications as a class contributed to the public good.<sup>14</sup> The standards prescribed in the Fourth condition have been criticized, but not on the ground that they provide for censorship.<sup>15</sup> As stated by the Postal Commission of 1911, H. Doc. 559, 62nd Cong., 2d Sess., p. 142:

"The original object in placing on second-class matter a rate far below that on any other class of mail was to encourage the dissemination of news and of current literature of educational value. This object has been only in part attained. The low rate has helped to stimulate an enormous mass of periodicals, many of which are of little utility for the cause of popular education. Others are of excellent quality, but the experience of the post office has shown the impossibility of making a satisfactory test based upon literary or educational values. To attempt to do so would be to set up a censorship of the press. Of necessity the words of the statute—'devoted to literature, the sciences, arts, or some special industry'—must have a broad interpretation."

We may assume that Congress has a broad power of classification and need not open second-class mail to publications of all types. The categories of publications entitled to that classification have indeed varied through the years.<sup>16</sup> And the Court held in *Ex parte Jackson*, 96 U. S. 727, that Congress could constitutionally make it a crime to send fraudulent or obscene material through the mails. But grave constitutional questions are immediately raised once it is said that the use of the mails is a privilege which may be extended or withheld on any grounds whatsoever. See the dissents of Mr. Justice Brandeis and Mr. Justice Holmes in *Milwaukee Publishing Co. v. Burleson*, 255 U. S. 407, 421-423, 430-432, 437-438. Under that view the second-class rate could be granted on condition that certain economic or political ideas not be disseminated. The provisions of the Fourth condition would have to be far more explicit for us to assume that Congress made such a radical departure from our traditions<sup>17</sup> and undertook to clothe the

<sup>14</sup> See *Lewis Publishing Co. v. Morgan*, 229 U. S. 288, 301; Annual Report of Postmaster General (1892), p. 71.

<sup>15</sup> See Report of the Postal Commission of 1906, H. Doc. 608, 59th Cong., 2d Sess., pp. xxxvi-xxxvii.

"But in what way can it be said that a requirement that a certain printed matter should be 'devoted to literature' serves to mark it off from anything else that can be put into print. There is practically no form of expression of the human mind that can not be brought within the scope of 'public information,' 'literature, the sciences, art, or some special industry.' It would have been just as effective and just as reasonable for the statute to have said, 'devoted to the interests of humanity,' or 'devoted to the development of civilization,' or 'devoted to human intellectual activity.'

"The prime defect in the statute is, then, that it defines not by qualities but by purposes, and the purpose described is so broad as to include everything and exclude nothing.

"With the exception of a few instances where the publication has been excluded because the information was deemed not to be public, no periodical has ever been classified by the application of tests of this kind. Any attempt to apply them generally would simply end in a press censorship."

<sup>16</sup> As we have seen, the Fourth condition bars admission to second-class privileges of publications "designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates." Publications of state departments of agriculture were not granted the special rate until the Act of June 6, 1900, 31 Stat. 660, 39 U. S. C. § 230. And that was not done for publications of benevolent and fraternal societies, of institutions of learning, trade unions, strictly professional, literary, historical and scientific societies until the Act of August 24, 1912, 37 Stat. 550, 39 U. S. C. § 229.

<sup>17</sup> See *Deutsch, Freedom of the Press and of the Mails*, 36 Mich. L. Rev. 703, 715-727.

(Continued on next page)

Postmaster General with the power to supervise the tastes of the reading public of the country.<sup>18</sup>

It is plain, as we have said, that the favorable second-class rates were granted periodicals meeting the requirements of the Fourth condition, so that the public good might be served through a dissemination of the class of periodicals described. But that is a far cry from assuming that Congress had any idea that each applicant for the second-class rate must convince the Postmaster General that his publication positively contributes to the public good or public welfare. Under our system of government there is an accommodation for the widest varieties of tastes and ideas.<sup>19</sup> What is good literature, what has educational value, what is refined public information, what is good art, varies with individuals as it does from one generation to another. There doubtless would be a contrariety of views<sup>20</sup> concerning Cervantes' *Don Quixote*, Shakespeare's *Venus & Adonis*, or Zola's *Nana*. But a requirement that literature or art conform to some norm prescribed by an official smacks of an ideology foreign to our system. The basic values implicit in the requirements of the Fourth condition can be served only by uncensored distribution of literature. From the multitude of competing offerings the public will pick and choose. What seems to one to be trash may have for others fleeting or even enduring values. But to withdraw the second-class rate from this publication today because its contents seemed to one official not good for the public would sanction withdrawal of the second-class rate tomorrow from another periodical whose social or economic views seemed harmful to another official. The validity of the obscenity laws is recognition that the mails may not be used to satisfy all tastes, no matter how perverted. But Congress has left the Postmaster General with no power to prescribe standards for the literature or the art which a mailable periodical disseminates.

This is not to say that there is nothing left to the Postmaster General under the Fourth condition. It is his duty to "execute all laws relative to the Postal Service." Rev. Stat. § 396, 5 U. S. C. § 369. For example, questions will arise as they did in *Houghton v. Payne*, 194 U. S. 88; *Bates & Guild Co. v. Payne*, 194 U. S. 106, and *Smith v. Hitchcock*, 226 U. S. 53, whether the publication which seeks the favorable second-class rate is a periodical as defined in the Fourth condition or a book or other type of

<sup>18</sup> When Congress has been concerned with the content of matter passing through the mails, it has enacted criminal statutes making, for example, obscene material (35 Stat. 1129, 18 U. S. C. § 344), fraudulent material (35 Stat. 1130, 18 U. S. C. § 338), and seditious literature (40 Stat. 230, 18 U. S. C. § 334) nonmailable in any class. And it has granted the Postmaster General power to refuse to deliver mail for any person whom he finds to be using the mails in conducting lotteries or fraudulent schemes. Rev. Stat. 3929, 39 U. S. C. § 259.

But that power has been zealously watched and strictly confined. See, for example, S. Rep. 118, 24th Cong., 1st Sess., reporting adversely on the recommendation of President Jackson that a law be passed prohibiting the use of the mails for the transmission of publications intended to instigate the slaves to insurrection. It was said, p. 3:

"But to understand more fully the extent of the control which the right of prohibiting circulation through the mail would give to the Government over the press, it must be borne in mind, that the power of Congress over the Post Office and the mail is an exclusive power. It must also be remembered that Congress, in the exercise of this power, may declare any road or navigable water to be a post road; and that, by the act of 1825, it is provided 'that no stage, or other vehicle which regularly performs trips on a post road, or on a road parallel to it, shall carry letters.' The same provision extends to packets, boats, or other vessels, on navigable waters. Like provision may be extended to newspapers and pamphlets; which, if it be admitted that Congress has the right to discriminate in reference to their character, what papers shall or what shall not be transmitted by the mail, would subject the freedom of the press, on all subjects, political, moral, and religious, completely to its will and pleasure. It would, in fact, in some respects, more effectually control the freedom of the press than any sedition law, however severe its penalties. The mandate of the Government alone would be sufficient to close the door against circulation through the mail, and thus, at its sole will and pleasure, might intercept all communications between the press and the people . . ."

<sup>19</sup> "The foolish judgments of Lord Eldon about one hundred years ago, proscribing the works of Byron and Southey, and the finding by the jury under a charge by Lord Denman that the publication of Shelley's 'Queen Mab' was an indictable offense are a warning to all who have to determine the limits of the field within which authors may exercise themselves." *United States v. One Book Entitled Ulysses*, 72 F. 2d 705, 708.

<sup>20</sup> In the present case petitioner's predecessor said in his report: "when the polls of public opinion submitted by the publication are examined, it is found that these pictures were characterized as obscene or indecent by 19 to 22% of the persons interviewed, and that 20 to 26% of the persons polled would object to having them in their homes."

publication. And it may appear that the information contained in a periodical may not be of a "public character." But the power to determine whether a periodical (which is mailable) contains information of a public character, literature or art does not include the further power to determine whether the contents meet some standard of the public good or welfare.

*Affirmed.*

Mr. Justice JACKSON took no part in the consideration or decision of this case.

## SUPREME COURT OF THE UNITED STATES

No. 399.—OCTOBER TERM, 1945.

ROBERT E. HANNEGAN, as Postmaster General of the United States, *Petitioner*,

*vs.*

ESQUIRE, INC.

[February 4, 1946.]

On Writ of Certiorari to the United States Court of Appeals for the District of Columbia.

Mr. Justice FRANKFURTER, concurring.

The case lies within very narrow confines. The publication under scrutiny is a periodical. It is therefore entitled to the special rates accorded by Congress provided it is published "for the dissemination of information of a public character, or devoted to literature, the sciences, art . . ." If it be devoted to "literature" it becomes unnecessary to consider how small an infusion of "information of a public character" entitles a periodical to the second-class mail rates when the bulk of its contents would not otherwise satisfy the Congressional conditions.

Congress has neither defined its conception of "literature" nor has it authorized the Postmaster General to do so. But it has placed a limitation upon what is to be deemed "literature" for a privilege which the Court rightly calls a form of subsidy. Matters that are declared non-mailable (Criminal Code § 211; 35 Stat. 1129, 36 Stat. 1339; 18 U. S. C. § 334) are of course not "literature" within the scope of the second-class privilege. But the Postmaster General does not contend that the periodical with which we are concerned was nonmailable. He merely contends that it was not devoted to the kind of "literature" or "art" which may claim the subsidy of second-class matter. But since Congress has seen fit to allow "literature" conveyed by periodicals to have the second-class privilege without making any allowable classification of "literature," except only that nonmailable matter as defined by § 211 of the Criminal Code is excluded, the area of "literature, the sciences, arts" includes all composition of words, pictorial representation, or notations that are intelligible to any portion of the population, no matter whether their appeal is extensive or esoteric. Since the Postmaster General disavows the nonmailability of the issues of the periodical he had before him and since Congress did not qualify "literature, the sciences, arts" by any standards of taste or edification or public elevation, the Postmaster General exceeded his powers in denying this periodical a second-class permit.

It seems to me important strictly to confine discussion in this case because its radiations touch, on the one hand, the very basis of a free society, that of the right of expression beyond the conventions of the day, and, on the other hand, the freedom of society from constitutional compulsion to subsidize enterprise, whether in the world of matter or of mind. While one may entirely agree with Mr. Justice Holmes, in *Leach v. Carlile*, 258 U. S. 138, 140, as to the extent to which the First Amendment forbids control of the post so far as sealed letters are concerned, one confronts an entirely different set of questions in considering the basis on which the Government may grant or withhold subsidies through low postal rates, and huge subsidies, if one is to judge by the glimpse afforded by the present case. It will be time enough to consider such questions when the Court cannot escape decision upon them.

## District Meetings

### 13TH DISTRICT

The 13th District Meeting was held in Dallas Jan. 31, Feb. 1, with Director Martin B. Campbell, WFAA presiding. An address by President Justin Miller was followed by discussions on all phases of industry matters.

Unanimous approval of the program outlined by President Miller for the industry was expressed by attending members, who commended the Board of Directors on his selection to head the NAB.

Members of the 13th District urged all stations within the District to become members of BMB, and further urged BMB to continue its periodic station coverage studies.

Continuance of full active support of BMI was pledged.

Following are the resolutions adopted, and a list of those who attended the two-day meeting:

WHEREAS, the Board of Directors of the National Association of Broadcasters has elected the Honorable Justin Miller as President for a five-year term beginning October 1, 1945, and

WHEREAS, the outcome of plans and objectives of the Association as presented to the Broadcasters of the 13th District by the said Justin Miller represent a constructive program to enable the industry to operate most effectively in the public interest, now

THEREFORE, BE IT RESOLVED by the Broadcasters of the 13th District in session assembled this first day of February, 1946, that we heartily commend the Board of Directors for its action in selecting Justin Miller and pledge to him our wholehearted and continuing support, and co-operation.

WHEREAS BMB is in the process of making its first station coverage study and

WHEREAS there is an increased demand for a standard and authoritative study

BE IT RESOLVED that the 13th District urges all stations within the District to become members of BMB and further urges that BMB continue its periodic station coverage studies.

WHEREAS BMI was created and supported by the broadcasting industry

WHEREAS the interests of the industry can best be served by maintaining BMI at a high degree of efficiency and

WHEREAS the degree of this effectiveness is in direct proportion to the active cooperation and use of BMI music by the broadcasters

BE IT RESOLVED that the members of the 13th District extend to BMI their fullest active support and cooperation during the coming year.

WHEREAS in the past for the purpose of a better understanding of NAB-non-member stations within the 13th District have been invited to all sessions of the 13th District meetings and

WHEREAS that purpose seems to have been accomplished to the extent of almost unanimous membership

THEREFORE BE IT RESOLVED that all future business sessions of NAB District Meetings be confined to NAB members only.

WHEREAS the radio industry is confronted once again with the semi-annual chaos as a result of the adoption of daylight saving time in certain areas of the country and

WHEREAS the adoption of non-uniform time greatly inconveniences a large segment of the radio audience and causes a general disruption of local program service

THEREFORE BE IT RESOLVED that the 13th District urges NAB and its members to lend every effort, through every proper channel, to insure the adoption of

regulations to guarantee uniform time throughout the country.

WHEREAS the Research Committee of the NAB is making a study of the standards and methods of listener research

BE IT RESOLVED that the 13th District urges the Research Committee of NAB to continue its development of standards and techniques of radio audience research.

WHEREAS the TBA and the Dallas Stations and the Baker Hotel have acted as hosts for this convention and provided accommodations and entertainment under most trying conditions

BE IT RESOLVED that the members of the 13th District extends its hearty appreciation for the excellent service and entertainment.

WHEREAS under extremely crowded conditions this two-day meeting of the 13th District was planned and arranged by District Director Martin B. Campbell therefore

BE IT RESOLVED that the member stations and guests extend to Director Campbell our sincere appreciation.

*Registration:* Sheldon Hickox, NBC; Frank Pellegrin, NAB; Howard Barrett, KRBC; Jack Wallace, KBST; Jim Crocker, KRLD; Jim Douglas, General Electric; King H. Roberson, KTRH; Mrs. W. P. Hobby, KPRC; George W. Johnson, KTSA; Dick Cook, International News Service; Burton Bishop, KTEM; Frank Mayborn, KTEM; B. O. Cannon; W. P. Wright; Jim Turner, KTBC; Boyd Kelley, KPLT; Justin Anderson, AP; Charlie Jordan, WRR; Archie Taylor, KRGV; George Johnston, SESAC; Ralph Maddox, WFAA/KGKO; Eugene Roth, KONO; A. L. Piere, KWFT; Joseph Carrigan, KWFT; Lee Clough, KLUF; Martin Campbell, WFAA/KGKO; Justin Miller, NAB; C. E. Arney, Jr., NAB.

Hugh Feltis, BMB; Carl Haverlin, Mutual; Ralph Wentworth, BMI; Pierre Weis, Lang-Worth; C. K. Beaver, WOAI; Hugh Halff, WOAI; Kern Tips, KPRC; Frank Smith, KXYZ; Bill Bennett, KXYZ; Bob Bugh, KRIS; Ike Eikner, KRIS; Roy Suber, KVAL; Cecil Beardon, WTAW; Jack Keasler, Taylor-Howe-Snowden; Rhea Howard, Times Publishing Co.; T. E. Dillahunty, KCMC; Guy C. Hutchinson, Consulting Engineer; Karl Lambertz, WFAA/KGKO; Ward Dorrell, C. E. Hooper; M. H. Coleman, KNOW; George Kercher, Edward Petry & Co.; Beauford Jester, KWTX.

George Cranston, WBAP/KGKO; Harold Hough, Fort Worth Star-Telegram; Jack Pritchett, WBAP/KGKO; Wilbur Douglas, WFAA/KGKO; R. G. Terrill, KSKY; Frank O. Myers, KCMC; Lewis O. Seibert, KGKL; Myrl Stein, KGKL; Frank Jones, KGKL; W. J. Harpole, KVOP; R. W. Carpenter, Mutual; Aubrey Escoc, KAND; Pat Adelman, KTBC; Russ Lamb, KFJZ; Aubrey Jackson, KGNC; Rex Preist, KTSA; Cecil Trigg, KROD; Jerry Fisher, KVIC; Jim Connolly, American Broadcasting; Charlie Woodson, KBWD; R. K. Flynn, KRLD; Marie Finney, State Department of Education; Wendell Mayes, KBWD; Ralph Hatcher, CBS; James H. Lawson, Jr., East-West Broadcasting; Keith Baldwin, WFAA/WBAP; J. H. Hubbard, KXOX; Harlow Roberts, AAAA-BMB; C. B. Locke, KFDM.

Clyde Rembert, KRLD; Pete Teddlie, WRR; Forrest Clough, KFJZ; Bill Laurie, KNET; J. M. McDonald, KCRS; Howard Roberson, KFDA; George Harding, Branham Co.; Tilford Jones, KXYZ; James Curtis, KFRO; J. C. Kellam, KTBC; Lawrence Swars, Noble & Swars; Dale Drake, WRR; Roy Terry, KOCA; Fred Peery, WOAI; Carr P. Collins, Jr., KWBU; Roy George, KRLD; H. T. Wheeler, KPRC; Jack McGrew, KPRC; Tom Whitehead; Harry Leadingham, AP; R. A. Cortez, KCOR; Hardy Harvey, KNOW; L. L. Hendrick, IRRV; Barney Lovin, WDAY; W. E. Wilcox, KRRV; B. V. Hammonds, KRRV; Wm. A. Roberts, KRLD; Clyde Pemberton, KFJZ.

G. E. Zimmerman, KARK; Gerald King, Standard; Carr P. Collins, KWBU; Hilda Packer, KWBU; Dorothy Craid, KWBU; Wade Barnes, NBC; A. L. Chilton, KSKY; Wm. Witty, RCA; O. L. Ted Taylor, KGNC; Tom Paterson, Taylor-Howe-Snowden; DeWitt Landis, KFYO; Clyde Melville, Taylor-Howe-Snowden; Ray Hollingsworth, KGNC; Clair Heyer, Radio Market Guide; Maury Long,

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Broadcasting Mag.; J. C. Rothwell, KSAM; N. A. Hallenstein, FCC; Lester Spillane, FCC; A. Frank Hamm, Graybar; N. J. Stowell, Graybar; Charles W. Balthrope, KABC; W. P. Jackson, KABC; Dave Russell, KFDM; R. Lee Glasgow, WACO; B. F. Orr, KTRH; Jas. G. Ulmer, KGKB.

## 12TH DISTRICT

William B. Way, KVOO, was unanimously elected as 12th District Director at the District Meeting held in Tulsa Feb. 4-5.

Full discussion of all industry matters occupied most of the two-day sessions, with addresses by President Miller, A. D. Willard, Jr., NAB Executive Vice President; Frank Pellegrin, Director of Broadcast Advertising; Hugh Feltis, President of BMB, and others prominent in the field of broadcasting.

The resolutions adopted, and a list of those attending the meeting, follow:

BE IT RESOLVED, That the members of the Twelfth (12th) District of the National Association of Broadcasters extends appreciation for the thoughtful manner in which the District Directors have handled the arrangements for this meeting, February 4th and 5th, 1946.

WHEREAS the Research Committee of the NAB is making a study of the standards and methods of listener research,

BE IT RESOLVED that the Twelfth (12th) District urges the Research Committee of NAB to continue its development of standards and techniques of radio audience research, provided that qualified personnel is selected and provided that a precept of their scope of operation is outlined in detail by the National Committee of NAB.

WHEREAS BMI was created and is supported by the broadcasting industry, and

WHEREAS the interests of the industry can best be served by maintaining BMI at a high degree of efficiency, and

WHEREAS, the degree of this effectiveness is in direct proportion to the active cooperation and use of BMI music by the broadcasters,

BE IT RESOLVED that the members of the Twelfth (12th) District extend to BMI their fullest active support and cooperation during the coming year, 1946.

WHEREAS, the Board of Directors of the National Association of Broadcasters elected the Honorable Justin Miller as President for a five year term beginning October 1, 1945, and

WHEREAS, the outcome of plans and objectives of the Association as presented to the Broadcasters of the Twelfth (12th) District by the said Justin Miller represent a constructive program to enable the industry to operate more effectively in the public interest, convenience, and necessity,

THEREFORE, BE IT RESOLVED by the Broadcasters of the Twelfth (12th) District in session assembled this fifth (5th) day of February, 1946, that we heartily commend W. B. Way, and the other members of the Board of Directors for its action in selecting Justin Miller, President, and pledge to him our wholehearted and continuing support and cooperation.

WHEREAS the existing network contracts with affiliated stations refer to New York City time,

BE IT RESOLVED that all future network contracts use the wording "standard" or "Uniform" time.

WHEREAS, BMB is in the process of making its first Station coverage study of audience listening, and

WHEREAS there is an increased demand for a standard and authoritative study of radio listening,

BE IT RESOLVED that the Twelfth (12th) District urges all stations within the District to become members of BMB and further urges that BMB continue its periodic station coverage studies on a six month or yearly basis,

provided the first survey is completely satisfactory to all parties concerned.

WHEREAS the radio industry is again confronted with the semi-annual chaos as a result of the adoption of daylight saving time in certain areas of the country, and

WHEREAS the adoption of non-uniform time greatly inconveniences a large segment of the radio audience and causes a general disruption of local programs, especially local public interest features, and

WHEREAS the practice of shifting programs twice yearly is detrimental to listener, client, and the radio industry,

THEREFORE, BE IT RESOLVED that until the President of the United States proclaims a uniform time, or until Congress approves a law to insure that all sections of the country operate on an equitable time zone, that the networks and independent radio stations continue to maintain broadcast schedules on standard time.

BE IT RESOLVED that Justin Miller, in his capacity as President of the National Association of Broadcasters, bring to the attention of the President of the United States the great inconvenience and confusion occasioned the radio audience and the radio stations of the country by the lack of uniform time.

AND, BE IT FURTHER RESOLVED, that he (the President of the United States) be urged to use his wartime powers to assure uniform time pending efforts to obtain legislation by the Congress to achieve this purpose permanently.

*Registration:* Sadie Adoon, KTUL; Bud Akin, KTUL; Helen Alvarez, KTUL; Ellis Atteberry, KCKN; Owen Balch, John E. Person Co.; Wade Barnes, NBC Recording; Hillis Bell, KVOO; Joe Bernard, KOMA; Tams Bixby, Jr., KBIX; L. A. Blust, Jr., KTUL; John Bondeson, WREN; Matt Bonebraae, KOCY; Olin Bragg, KTOK; Gustav Brandborg, KVOO; Verl Bratton, WREN; Kenyon Brown, KOMA; Paul A. Bruner, KBIX; Pat Buford, KHBG; Bill Bryan, KOMA; Dick Campbell, KOME; A. H. Caperton, ANA, Dr. Pepper Co.; R. W. Carpenter, Mutual Broadcasting; Adelaide L. Carrell, WBBZ; J. Fred Case, KWON; Mrs. J. Fred Case, KWON; Plez Clark, KFH; Grover Cobb, KSAL; James H. Connolly, ABC;

J. C. Denious, KGNO; Herbert Denny, Standard Radio; A. L. Donaldson, KTMC; Ward Dorrell, C. E. Hooper, Inc.; Jim Douglas, General Electric; J. Howard Engle, KOME; Maxine Eddy, KGFF; Wendell Elliot, KTSW; Bob Enoch, KTOK; John Esau, KTUL; Hugh Feltis, BMB; Martin Garber, KCRC; Mrs. M. C. Garber, KCRC; Jerry Gill, AP; George Gow, KFH; Maxae Graham, KTSW; James M. Griffith, KADA; Harold Grimes, KOME; Howard Hamilton, KVOO; Carl Haverlin, MBS; Clair Heyer, Radio Market Guide; Sheldon Hickox, NBC; Herschel Holland, KGNO; P. E. Jackson, KTMC; Karl Janssen, KTUL; Ray Jenson, KSAL; George Johnston, SESAC;

Alex Keese, KTOK; George Ketcham, KTUL; Jerry King, Standard Radio; R. J. Laubengayer, KSAL; Sherman P. Lawton, University of Oklahoma; Leo Legleiper, KGVB; Bob Lindsey, KFBI; Maury Long, Broadcasting Magazine; Clark Luther, KFH; Frank J. Lynch, KTOK; Bill McClarin, KVOO; D. W. McCoy, KFBI; Peter McDonald, KSAL; Clyde B. Melville, Taylor-Howe-Snowden; Albert E. Mickel; Justin Miller, NAB; Ken Miller, KVOO; David Milsten, KVOO-KTUL-KOME; Vernon Morelock, AAAA; Clem Morgan, KVGB; M. M. Murdock, KFH; Allen Page, KOMA; Frank E. Pellegrin, NAB; Tom Peterson, Taylor-Howe-Snowden; Russell Porter, KTSW; Mrs. Miriam Porter, KTSW; Bert Powell, KGGF; K. W. Pyle, KFBI; Jim Randolph, KVOO; Perry Reed, KVGB; Vernon E. Reed, KFH;

Fred Schwartz, KOME; Harry Schwartz, KOME; E. Fred Scraper, KFH; Bill Schudt, CBS; John Steele, KSWO; L. W. Stinson, KVOO; P. A. Sugg, WKY; Lawrence Swars, Nobel & Swars; George Tarter, KOCY; Jack Todd, KANS; Les Vanvorhis, KGNO; W. B. Way, KVOO; Pierre Weis, Lang-Worth; S. E. White, WKY; Ralph Wentworth, BMI; A. D. Willard, Jr., NAB; C. E. Wilson, KTMC; William Wyse, KWBW.

*(Continued on next page)*

## 6TH DISTRICT

### Harris Elected Director

The 6th District meeting, scheduled for Thursday, Friday (7-8), was in progress in Memphis as NAB REPORTS went to press. A flash received at NAB Headquarters just before going to press reported that Wiley Harris, WJDX, Jackson, Mississippi, was unanimously elected 6th District Director for the term beginning after the 1946 NAB convention. A full report of the proceedings will be given next week.

## Miscellany

### BANNERMAN URGES MORE DEMOCRATIC RADIO FOR CANADA

Of interest to broadcasters is an address *Broadcasting and Democracy*, delivered recently before the Whitby, Ontario, Rotary Club by Glen Bannerman, well known throughout the industry for his outstanding performance as president of the Canadian Association of Broadcasters.

The text of Mr. Bannerman's address follows in full:

"Even as atomic energy can be developed to destroy humanity or to increase standards of living, the comparatively new means of communicating ideas by broadcasting can also be used for evil or good. In fact, it has already been used to promote evil by the now destroyed German Reich.

"In its technical development, broadcasting stands ready at the command of men to observe either the best or the worst interests of humanity. It is the minds and thoughts of men and women which determine the way broadcasting will serve humanity. We are each responsible in our own way for the type of service which radio broadcasting renders in Canada. If we permit it to become highly centralized under the control of a few individuals, no matter how intelligent they may be, there is always danger of abuse. There is always danger that under these conditions broadcasting might be used to serve what the controlling group may think is the best interest of the Canadian people. What one or more persons think is in the best interest of the Canadian people is not necessarily so. That is why in a democracy no small centralized group of people are ever allowed for long to impose their ideas on the whole people without being subject to criticism and to change to the extent in which the citizens take an interest in the matter.

#### Listeners Should Dictate

"I have always been of the opinion that the strength of democracy lies in the variety of communities which make up the whole country. Provided the desires and wishes of each community can make themselves felt upon the actions of regional and central authority, that authority will not get very far out of line before it is corrected. It is because of this belief that I am of the opinion that the privately owned broadcasting stations in the many communities of Canada are an important factor in our democratic way of life. This is especially true, provided these privately owned stations have the freedom to serve the interests of their communities. Their only masters as to what they broadcast should be the listeners in their respective communities.

"From this background of thinking, let us take a look at the setup of radio broadcasting in Canada. There are presently 98 broadcasting stations in operation, with an additional 8 or 10 authorized but not yet operating. Of the 98 stations, 88 are privately owned and 10 are owned by the Canadian Broadcasting Corporation. In 1936, the people of Canada, through their Members in the Parliament of Canada, authorized the setting up of the Canadian

Broadcasting Corporation with complete control over all broadcasting in Canada. No person or persons can operate a broadcasting station in Canada until their application to do so has been approved, first by the Board of Governors of the Canadian Broadcasting Corporation, then by the minister responsible for the Radio Control Division of the Department of Transport, and finally by Order-in-Council of the Cabinet.

"Because the number of radio broadcasting frequencies is limited and because their frequencies are international in their use, control over the establishment of broadcasting stations is essential, irrespective of how the control is set up.

#### Extent of Government Control

"Other controls allocated by the Government under the Broadcast Act are specifically:

- (a) To control the establishment and operation of chains or networks of stations in Canada.
- (b) To prescribe the periods to be reserved periodically by any private station for the broadcasting of programmes of the Corporation.
- (c) To control the character of any and all programmes broadcast by the Corporation or private stations.
- (d) To determine the proportion of time which may be devoted to advertising in any programme broadcast by the stations of the Corporation or by private stations and to control the character of such advertising.
- (e) To prescribe the proportion of time which may be devoted to political broadcasts by private stations and the stations of the Corporation, and to assign such time on an equitable basis to all parties and rival candidates.

"Under the authority of these clauses, the Canadian Broadcasting Corporation has reserved to itself the exclusive right to establish permanent networks in Canada. It has also reserved to itself the sole right to rent telegraph or telephone lines from the line companies for the purpose of linking up two or more stations. Even where two privately owned stations desire to be linked together for a one-time commercial or sustaining programme, application with all details of the programme must be made to the Canadian Broadcasting Corporation for the renting of a line.

"Presently, the Canadian Broadcasting Corporation controls and operates two networks in English-speaking Canada and one network in the French language in the Province of Quebec. A majority of the privately owned stations are affiliated with one or the other of these networks.

#### Monopoly Is Complete

"It is apparent from these facts that the Corporation has a complete monopoly of all network broadcasting. While they broadcast over these networks both sustaining and commercially sponsored programmes originating in Canada and in the United States, any programme which, for one reason or another, officials of the CBC do not approve cannot be broadcast in Canada. This means, in fact, that you and I, as free men in our Canadian democracy, do not have the right at all times to decide for ourselves whether we shall or shall not listen to a given programme. That decision, in the case of some programmes, is made for us by officials of the Corporation. You may say, "But don't the networks in the United States exercise the same right in deciding what programmes they will or will not carry?" That is correct, but there are five independent national networks in the United States. If, for one reason or another, one of the networks does not wish to carry a given programme, any of the other networks may decide to carry it and it will only be dropped if they find that the listeners are not interested in such a programme. In Canada, if the CBC decides against carrying a given programme, there is no way in which you or I can decide whether or not we wish to listen to it, unless the programme originates in the United States and we are near enough to the border to tune in to a U. S. station.

(Continued on next page)

"I question whether a system which even in some degree precludes free men and women from making their own decisions is in the best interest of a democratic way of living. I must admit that no matter how intelligent and sincere they may be, I resent four or five people deciding for me whether or not I may or may not listen to a given programme. That is something as a citizen with the rights of citizenship I feel I should decide for myself.

### Competition Needed

"What is the solution to this question? I have always believed that if there are to be two networks in Canada the ideal solution would be one network operated by the Canadian Broadcasting Corporation and one network operated independently by private interests, both subject to the same controls but both competing for talent, programmes commercially sponsored and sustaining, and both competing for audience. This type of competition would, I believe, stimulate better service to Canadian citizens by both networks. Not all people, and, in fact, not all broadcasters, agree with this point of view, but I am optimistic enough to believe that in time the suggestions I have made concerning the two networks will become a fact.

"It must not be thought from what I have said that I hold any views to the effect that the CBC has not made any contribution to broadcasting in Canada. In fact, they have made a real contribution because they have been placed in a position to make that contribution. Their personnel are fine and sincere people and they have worked hard in increasing the value of broadcasting as they see it for the Canadian people.

"At the same time, we should not lose sight of the great improvements and the contributions that the privately owned stations in our country have made to Canadian broadcasting. Their contributions to the public interest during the war years has established a record of which they have every right to be proud. Within the restrictions imposed upon them, they have served their communities and the public at large in a way that is worthy of high praise.

"Broadcasting is a growing and developing art as well as a business and the private stations will always be found in the forefront in improving their operations with sound ideas and plans.

### Problems to Consider

"The entire broadcasting industry, including the CBC and the privately owned stations, faces many mutual problems. Take the question of programming the broadcast day, for example. They must seek to please a large number of listeners with widely varying tastes in music and drama. They try to provide something for every listener, symphony and chamber music for those who like it, jazz and swing for those of different musical tastes.

"Unfortunately, no way has been found to provide symphony music all the time for those who like it and at the same time jazz and swing all the time for those who like that type of music. Sixteen hours a day is the average broadcast day and there are not sufficient networks or stations for them to broadcast only the programmes that one segment of the audience likes without depriving the others of their fair share of programmes to meet their desires and tastes.

"Have you ever gone into a store selling magazines? At one end you will find the *Atlantic Monthly*, *Harper's*, and similar intellectual journals. Along the way you will find *MacLeans*, *New World*, *Saturday Evening Post*, etc., then the detective and adventure stories, together with magazines such as *True Story*. I venture to say that the people who enjoy reading *Atlantic Monthly* have probably never read a *True Story* magazine, if, indeed, they have ever heard of it. Yet on this continent there are thousands of people who read *True Story* to every one who reads *Atlantic Monthly*. Yet, gentlemen, this range of magazine readership is largely indicative of the audience which the broadcasting stations in Canada must try to please with their programmes during every day, 365 days a year. It is not an easy task and is not understood by many of our people.

### Handling Advertising

"Much has been written and said for and against the advertising of goods and services by radio broadcasting. The privately owned stations of Canada, through their Association, the Canadian Association of Broadcasters, take the position that it is just as important to bring to their listeners information as to goods and services available for their comfort, need and enjoyment as it is to bring them information of events and happenings in the world at large and in their own communities.

"The Code of Ethics of the Canadian Association of Broadcasters sets it forth as follows:

"Recognizing the service that commercial sponsors render to listeners in making known to them the goods and services available in their communities, and realizing that the story of such goods and services goes into the intimacy of the listeners' home, it shall be the responsibility of member stations and their sales representatives to work with advertisers and agencies in improving the technique of telling the advertising story, so that such stories shall be in good taste, shall be simple, truthful and believable, and shall not offend what is generally accepted as the standard of morality."

"No one, most of all the private broadcasters, will claim that the present day technique of telling the advertising story is perfect. Some is good, some indifferent, and I venture to say, year by year less is bad.

"The advertising technique in broadcasting is comparatively new. It is different from other media such as newspapers and magazines. Advertisers, advertising agencies, and broadcasters alike have had to learn from experience ways to improve the telling of the story. There has been great improvement over the years. There will be greater improvement as time goes on, because joint committees of advertisers, advertising agencies, and the broadcasting industry are presently at work studying this question in an effort to reach the ideal set forth in the Canadian Association of Broadcasters Code of Ethics.

"I have attempted today to give you some of the highlights of the broadcasting industry in relation to democracy. They are only highlights, for the industry has many facets. New technical developments are on the way. How well they will serve us depends upon the alertness of every individual to see that their control and operation is in tune with our ideas of democratic operation. At all times we must insist on the right of our citizens by their listening habits to determine in the final analysis the programme structure of any broadcasting station."

### KOPF HEADS NBC NETWORK SALES

The promotion of Harry C. Kopf, vice-president and general manager of the NBC Central Division headquarters in Chicago, to vice-president in charge of network sales, effective April 1, was announced this week by Niles Trammell, president of NBC. Kopf, who succeeds Roy C. Witmer, named staff vice-president on special assignments, will move to New York and will be succeeded by I. E. Showerman, NBC Eastern Division sales manager.

Kopf is a member of the NAB Public Relations Committee.

### 1004 STANDARD BROADCAST STATIONS

Since the last publication of the monthly comparative table of standard broadcast stations (October 5 REPORTS), the changes for Sept., Oct., Nov. and Dec. have been issued by the FCC.

During Sept., one station was licensed to operate and two construction permits were issued; Oct., three were licensed and six construction permits were issued; Nov., one licensed, 19 given construction permits; and during Dec., one was licensed with 20 receiving permits for construction. A 13-month comparative table follows:

(Continued on next page)

	1945												1946
	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1
Operating .....	919	921	923	924	925	928	931	933	934	935	938	939	940
Construction ...	24	24	22	21	23	23	24	24	23	24	27	45	64
	943	945	945	945	948	951	955	957	957	959	965	984	1004

During October, 2 C. P. FM stations were licensed:

53 COMMERCIAL FM STATIONS                      9 COMMERCIAL TELEVISION STATIONS

	Jan. 1, 1946		Jan. 1, 1946	
Operating .....	48		6	
Construction .....	5		3	
	53		9	

(FM Conditional Grants 298)



### JAMES NOW PORTER'S SPECIAL ASSISTANT

Lieutenant W. Ervin James, USNR, former assistant secretary of the Commission, who has been in service during the past two years, today entered upon his duties as special assistant to Chairman Paul A. Porter.

Lieutenant James joined the Commission staff in 1941 as assistant to Commissioner Clifford J. Durr. He became assistant secretary of the Commission in 1943. After receiving his Navy commission in 1944, Lieutenant James took his indoctrination course at Fort Schuyler, New York, and spent several months in the Naval Communications School at Harvard University. On the completion of his course at Harvard, he was attached to the battleship U. S. S. *Nevada*, where he was communications watch officer, legal officer, and aide to the executive officer. He saw action at Iwo Jima, Okinawa, and with the Third Fleet in the East China Sea.

Lieutenant James is a native of Montgomery, Alabama, and is a member of the bar of that state and of the District of Columbia Bar. Four of his brothers, Earl, Edward, Wilbur and Franklin, were also in the services. He is married and has one son, Walter Ervin II. The Jameses live at 1210 Martha Custis Drive, Alexandria, Virginia.

### FCC GRANTS EXTENSION ON FILING OF TRANSFER PROCEDURE BRIEFS

The Commission issued the following announcement on Thursday (7):

The Commission adopted an order granting request of National Association of Broadcasters for a thirty-day extension of time within which briefs might be filed in the matter of Promulgation of Rules and Regulations concerning the procedure to be followed by the Commission in passing upon assignments of license or transfers of control of corporate licensees (Docket 7071); and ordered that the time for filing briefs be extended until March 15, 1946.

### APPLICATIONS IN CONFLICT WITH RULES DISMISSED

On Feb. 1, 1946, the Commission adopted four orders dismissing without prejudice a number of applications which involved direct conflicts with Commission Rules. The orders, however, provide procedures for reinstatement of the dismissed applications at the conclusion of general legislative proceedings now pending before the Commis-

sion. In the event the Commission's Rules are subsequently modified, suitable notice will be afforded all interested persons and a period will be provided in which to file competing applications. In the interest of orderly administration it is desired to emphasize that pending applications inconsistent with the Commission's Rules do not afford parties any equities or priorities on the frequency.

The applications thus dismissed are divided into four categories: (1) Those involving conflict with Section 3.25(a) in that they request duplicate nighttime operation on channels reserved for the exclusive nighttime use of one station only; (2) Applications involving conflict with Section 3.25(d) since nighttime operation is requested on a channel available for daytime operation only, in the United States; (3) Applications involving conflict with Section 3.22 which propose operation with a power in excess of 50 kw., the maximum permitted by Commission Rules; and (4) Applications requesting the use of frequencies for standard broadcast stations which are not presently included in the frequencies allocated for that service.

All interested parties affected by these orders have been or will be afforded opportunity to present evidence for consideration in connection with the Clear Channel and General Allocation Hearings. However, parties will not be permitted to offer evidence in those hearings on the merits of particular applications.

With respect to applications proposing operation in accordance with present rules on the frequencies listed under Section 3.25(a) (i.e., those requesting limited time or daytime only assignments), the Commission has been concerned with the possibility that a grant of a large number of such applications would further complicate the problems that are involved in the Clear Channel Hearing. Further study of this matter has resulted in the conclusion that in many instances placing additional daytime only stations on the U. S. 1-A channels may not unduly complicate the problems, and accordingly all such applications will be considered individually on their merits. When no conflict with a resolution of the general problems that are at issue in the Clear Channel hearing can be foreseen, additional daytime assignments on U. S. 1-A channels may be made before conclusion of the hearing. It is, however, possible to foresee that severe complications may arise by authorizing the operation of additional limited time stations, and such applications will be given careful consideration with a view to determining the possible complications, and in the event they can be foreseen, the applications may be conditionally granted for daytime operation only.

The orders, and applications affected, follow:

#### *In re Applications of:*

Iowa State College of Agriculture and Mechanical Arts (WOI), Ames, Iowa; for construction permit.

George D. Wray, Allen D. Morris, P. E. Furlow and John C. McCormack, d/b as Radio Station KTBS (KTBS), Shreveport, Louisiana; for construction permit.

United Broadcasting Company (WHKK), Akron, Ohio; for modification of license.

KXRO, Inc. (KXRO), Aberdeen, Washington; for construction permit.

World Publishing Company (KOWH), Omaha, Nebraska; for construction permit.

Pacific Coast Broadcasting Company (KPAS), Pasadena, California; for construction permit.

The St. Louis University (WEW), St. Louis, Missouri; for construction permit.

American Radiotelephone Company (KXA), Seattle, Washington; for construction permit.

Seattle Broadcasting Company (KOL), Seattle, Washington; for construction permit.

E. L. Kick and Roger B. Payne, d b as Farwest Broadcasting Company (New), Bellingham, Washington; for construction permit.

(Continued on next page)

Skagit Valley Broadcasters, Inc. (New), Mount Vernon, Washington; for construction permit.

Broadcasting Corporation of America (KPRO), Riverside, California; for construction permit.

Milwaukee Broadcasting Company (Partnership) (WEMP), Milwaukee, Wisconsin; for construction permit.

West Central Broadcasting Company (New), Tulsa, Oklahoma; for construction permit.

Palo Alto Radio Station, Inc. (KYA); San Francisco, California; for construction permit.

KOIN, Inc. (KOIN), Portland, Oregon; for construction permit.

KXL Broadcaster (KXL), Portland, Oregon; for modification of license.

A. Frank Katzentine (WKAT), Miami Beach, Florida; for construction permit.

Intermountain Broadcasting Corporation (KDYL), Salt Lake City, Utah; for construction permit.

Louis Wasmer (KGA), Spokane, Washington; for construction permit.

### Order

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of February, 1946;

The Commission having under consideration the above-entitled applications for construction permits; and

WHEREAS, it appears that each of these applications requests the unlimited time use of a channel listed in Section 3.25(a) of the Commission's Rules and that such channels, commonly designated as I-A channels, are available for assignment to only one station, unlimited time; and

WHEREAS, a grant of each of these applications would be inconsistent with Section 3.25(a) since each channel requested is already assigned to an existing station for unlimited time operation; and

WHEREAS, the Commission is now engaged in a general hearing entitled "In the Matter of Clear Channel Broadcasting in the Standard Broadcast Band (Docket No. 6741)," and has included among the issues therein the following:

"Whether the number of clear channels should be increased or decreased and what frequencies in the standard broadcast band shall be designated as I-A channels and as I-B channels.";

WHEREAS, the above applicants have had or will have opportunity to offer evidence in the foregoing hearing,

Now, therefore, IT IS ORDERED, that the above-entitled applications BE AND THEY ARE HEREBY DISMISSED WITHOUT PREJUDICE to the filing of a petition for reinstatement after the conclusion of the proceeding in Docket No. 6741.

*In re Application of:*

Midland Broadcasting Company (KMBC), Kansas City, Missouri; for construction permit.

The Community Broadcasting Company (WTOL), Toledo, Ohio; for construction permit.

Topeka Broadcasting Association, Inc. (WIBW), Topeka, Kansas; for construction permit.

### Order

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of February, 1946;

The Commission having under consideration the above-entitled applications for construction permits; and

WHEREAS, it appears that each of these applications requests the use of the frequency 540 kilocycles; and that under the Commission's Rules governing the allocation of frequencies, this frequency is not available for assignment to standard broadcast stations; and

WHEREAS, the matter of the allocation of the frequency 540 kc. is in issue in the Commission's pending general proceeding entitled "In the Matter of Allocation of Frequencies to the various classes of Non-Governmental Services in the Radio Spectrum from 10 kc. to 30,000,000 kc." (Docket No. 6651);

WHEREAS, the above applicants have had or will have opportunity to offer evidence in the foregoing hearing,

Now, therefore, IT IS ORDERED, that the above-entitled applications BE AND THEY ARE HEREBY DISMISSED WITHOUT PREJUDICE, to the filing of a petition for reinstatement after the conclusion of the proceeding in Docket No. 6651.

*In re Application of:*

Southland Industries, Inc. (WOAI), San Antonio, Texas; for construction permit.

### Order

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of February, 1946;

The Commission having under consideration the above-entitled application for construction permit; and

WHEREAS, it appears that this application requests power in excess of 50 kilowatts; and

WHEREAS, a grant of such application would be inconsistent with Section 3.22(a) of the Commission's Rules which provides a maximum of 50 kw. power; and

WHEREAS, the Commission is now engaged in a general hearing entitled "In the Matter of Clear Channel Broadcasting in the Standard Broadcast Band (Docket No. 6741)," and has included among the issues therein, the following:

"What minimum power and what maximum power should be required or authorized for operation on clear channels";

WHEREAS, the above applicant has had or will have opportunity to offer evidence in the foregoing hearing,

Now, therefore, IT IS ORDERED, that the above-entitled application BE AND IT IS HEREBY DISMISSED WITHOUT PREJUDICE, to the filing of a petition for reinstatement after the conclusion of the proceeding in Docket No. 6741.

BY THE COMMISSION,

T. J. SLOWIE, *Secretary.*

*In re Application of:*

Capital Broadcasting Company (WWDC), Washington, D. C.; for construction permit.

### Order

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of February, 1946;

The Commission having under consideration the above-entitled application for construction permit; and

WHEREAS, it appears that this application requests the unlimited time use of a channel listed in Section 3.25(d) of the Commission's Rules; and

WHEREAS, a grant of this application would be inconsistent with Section 3.25(d) and Appendix I of the North American Regional Broadcasting Agreement since the channel requested is not available for assignment to unlimited time stations in the United States; and

WHEREAS, the Commission is now engaged in a general hearing entitled "In the Matter of Clear Channel Broadcasting in the Standard Broadcast Band" (Docket No. 6741) and has included among the issues therein the following:

1. What recommendation concerning the matters covered by this order the Commission should make to the Department of State for changes in provisions of the North American Regional Broadcasting Agreement.
2. Whether the number of clear channels should be increased or decreased and what frequencies in the standard broadcast band shall be designated as 1-A channels and as 1-B channels; and

WHEREAS, the above applicant has had or will have opportunity to offer evidence in the foregoing hearing.

WHEREAS, the United States is now participating in a series of international conferences concerning the revision and extension of the provisions of the North American Regional Broadcasting Agreement;

(Continued on next page)



Now, therefore, IT IS ORDERED, that the above-entitled application BE AND IT IS HEREBY DISMISSED WITHOUT PREJUDICE, to the filing of a petition for reinstatement after the conclusion of the proceeding in Docket No. 6741.

BY THE COMMISSION,  
T. J. SLOWIE,  
*Secretary.*

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 11. They are subject to change.

#### Monday, February 11

##### Consolidated Hearing

Before Commissioner Wills

To Be Held in Civil Service Examination Room, Federal Building, Miami, Florida

- NEW—Southern Media Corp., Coral Gables, Fla.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—Miami Beach Publishing Co., Miami Beach, Fla.—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Cedar Rapids Broadcasting Corp., Inc., Cedar Rapids, Iowa—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Radio Corporation of Cedar Rapids, Cedar Rapids, Iowa—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Moline Dispatch Publishing Co., Moline, Ill.—C. P. 1450 kc., 250 watts, unlimited.

#### Thursday, February 14

To Be Held Before Commissioner Denny, Civil Service Room, U. S. P. O. Building, Savannah, Georgia

- NEW—A. C. Neff, Savannah, Ga.—C. P. 1400 kc., 250 watts, unlimited.  
NEW—Atlantic Broadcasting Co., Savannah, Ga.—C. P. 1400 kc., 250 watts, unlimited.  
NEW—Chatham Broadcasting Co., Savannah, Ga.—C. P. 1400 kc., 250 watts, unlimited.

#### Friday, February 15

- NEW—Rupert W. Bradford & Harry F. Pihl, a partnership d/b as Bradford & Pihl, Bemidji, Minn.—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Russell E. Kaliher, Bemidji, Minn.—C. P. 1450 kc., 250 watts, unlimited.

##### Consolidated Hearing

Before Commissioner Wills

To Be Held in Civil Service Room, Federal Building, Miami, Florida

- NEW—Peninsula Broadcasting Corp., Coral Gables, Fla.—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Everglades Broadcasting Co., Miami, Fla.—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Paul Brake, Miami, Fla.—C. P. 1450 kc., 250 watts, unlimited.

#### Monday, February 11

- NEW—Valdosta Broadcasting Co., Valdosta, Ga.—C. P. 950 kc., 1 KW night,\* 5 KW day, unlimited DA-night.  
WLOF—Hazlewood, Inc., Orlando, Fla.—C. P. 950 kc., 5 KW, unlimited DA-night.  
NEW—E. T. Wright, Orlando, Fla.—C. P. 950 kc., 1 KW, unlimited DA-night.

WGOV—E. D. Rivers, Valdosta, Ga.—C. P. 950 kc., 1 KW, unlimited DA-night.

To Be Held Before Commissioner Walker, Federal Court Room, Federal Building, Dallas, Texas

- NEW—Permian Basin Broadcasting Co., Odessa, Texas—C. P. 1450 kc., 250 watts, unlimited.  
NEW—Southwestern Broadcasting Corp., Odessa, Texas—C. P. 1450 kc., 250 watts, unlimited.

#### Wednesday, February 13

- NEW—Albert S. Drohlich & Robert A. Drohlich, d/b as Drohlich Brothers, Flint, Michigan—C. P. 1470 kc., 1 KW, unlimited DA-night and day.  
NEW—Booth Radio Stations, Inc., Grand Rapids, Mich.—C. P. 1470 kc., 1 KW, unlimited DA-night and day.  
To Be Held Before Commissioner Walker, Harrison County Courtroom, Marshall, Texas  
NEW—Marshall Broadcasting Co., Marshall, Texas—C. P. 1450 kc., 250 watts, unlimited.  
NEW—KVOM, Inc., Marshall, Texas—C. P. 1450 kc., 250 watts, unlimited.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

- NEW—Air Time, Inc., Joplin, Mo.—Granted construction permit for a new station to operate on 1230 kc., 250 watts, unlimited time. (B4-P-4237)  
NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—Granted construction permit for a new standard noncommercial broadcast station to operate on 900 kc., 1 KW, daytime only. (B3-P-3681) (The program plans for this station include local entertainment, educational, agricultural, fraternal, news, public service and Protestant (including Negro) religious programs. Cost of operation to be financed by subscriptions totalling \$600 a week and by public contributions.)  
NEW—C. H. Fisher and B. N. Phillips, d/b as Valley Broadcasting Co., Eugene, Ore.—Granted construction permit for new station to operate on 1400 kc., 250 watts, unlimited time. (B5-P-3754)  
KODK—Edwin A. Kraft, Kodiak, Alaska—Granted construction permit for a new standard broadcast station to operate on 1230 kc., 250 watts, unlimited time. (B-P-3279).  
NEW—Natrona County Tribune, Casper, Wyo.—Granted construction permit for a new station to operate on 1230 kc., 250 watts, unlimited time. (B5-P-4301)  
NEW—Vermont Broadcasting Corp., Burlington, Vt.—Granted construction permit for new station to operate on 1230 kc., 250 watts, unlimited time. (B1-P-4183)  
WSBT—The South Bend Tribune, South Bend, Ind.—Granted construction permit to increase power from 1 to 5 KW., unlimited time, install a new transmitter and make certain changes in directional antenna system for day and night use. (B4-P-4294)  
KOAL—Eastern Utah Broadcasting Co., Price, Utah—Granted construction permit to change frequency from 1450 to 1230 kc., 250 watts, unlimited time. (B5-P-3960)  
KGHI—KGHI Broadcasting Service, Little Rock, Ark.—Granted construction permit in part, to install new antenna and ground system, and change transmitter and studio locations. (That part of CP requesting change in frequency from 1230 to 1240 kc., was not granted.) (B3-P-3953)  
KFBI—The Farmers & Bankers Broadcasting Corp, Wichita, Kans.—Granted construction permit to increase day-
- (Continued on next page)

time power from 5 KW-LS to 10 KW, on 1070 kc., 1 KW night, unlimited. (B4-P-3820)

**KQV**—Allegheny Broadcasting Corp., Pittsburgh, Pa.—Granted construction permit to increase power from 1 to 5 KW, change transmitter location, install new transmitter, and install directional antenna system for day and night use. (B2-P-3992)

**WOL**—Cowles Broadcasting Co., Washington, D. C.—Granted construction permit to increase power from 1 to 5 KW, on 1260 kc., unlimited time; directional antenna. (B1-P-4004)

### DESIGNATED FOR HEARING

**WHBC**—The Ohio Broadcasting Co., Canton, Ohio—Designated for consolidated hearing with applications of Central Broadcasting Co. (B4-P-3809; Docket 6940) and Wise State Broadcasting Co. (B4-P-4039; Docket 6941), the application of WHBC (B2-P-3939) for construction permit to increase power from 1 to 5 KW, install a new transmitter, and make changes in equipment.

**KRIC**—KRIC, Inc., Beaumont, Texas—Granted petition to have its application (B3-P-4410) for a construction permit to change frequency from 1450 to 1470 kc., increase power from 250 watts to 5 KW, designated for consolidated hearing with four other Texas applications, and the Commission ordered the application of KRIC designated in a consolidated proceeding with applications of San Jacinto Broadcasting Co., Houston, KRBC, Abilene, Agr. and Mechanical College of Texas, College Station, Texas, and KPLC, Lake Charles, La., and further ordered that the Bills of Particulars issued in connection with these applications be enlarged to include the KRIC application.

**WNEW**—Greater New York Broadcasting Corp., New York City—Designated applications of WNEW for renewal of license (B1-R-1049) and for construction permit (B1-P-4309) to increase power from 10 to 50 KW on frequency 1130 kc., for hearing in a consolidated proceeding with the application of Missionary Society of St. Paul the Apostle for a construction permit for a new station to operate on 1130 kc., 10 KW.

Missionary Society of St. Paul The Apostle, New York City—Designated application (B1-P-4234) for a new station, for hearing in a consolidated proceeding with the application of WNEW listed above.

**WKEU**—Radio Station WKEU, Griffin, Ga.—Designated for hearing application for amendment to construction permit, license to cover construction permit (B3-L-1827) authority to determine operating power by direct measurement (B3-Z-1625), and application for renewal of license (B3-R-819).

**WADC**—Allen T. Simmons, Village of Tallmadge, Ohio—Adopted order designating for hearing application for construction permit to change frequency from 1350 kc. to 1220 kc. and increase power from 5 KW to 50 KW, to be heard in consolidated proceeding with application of The WGAR Broadcasting Co. for construction permit to increase power of Station WGAR from 5 KW to 50 KW on frequency 1220 kc. (B2-P-4243) (Action taken 2/1/46.)

Old Colony Broadcasting Co., Inc., Brockton, Mass.—Granted petition to have its application (B1-P-4411) for a new station, designated for consolidated hearing with other applications in the Boston area, and ordered the application of Old Colony Broadcasting Company requesting the frequency 1450 kc., 250 watts power, unlimited time, designated for hearing in a consolidated proceeding with applications of Bay State Beacon, Inc., Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Meyers, Cur-Nan Company, Plymouth County Broadcasting Corp., all at Brockton, and The Templeton Radio Mfg. Corp., Boston.

Gulf Broadcasting Co., Inc., Mobile, Ala.: Gillette & Jesse Gilbert Burton, Jr., a partnership known as Burton Broadcasting Co., Mobile—Adopted orders designating these two applications for hearing in a consolidated proceeding. Both applicants request frequency 1340 kc., 250 watts, unlimited time. (B3-P-3728; and B3-P-4233)

Narragansett Broadcasting Co., Fall River, Mass.—Granted petition to have its application (B1-P-4409), designated for hearing in a consolidated proceeding with applications of Bay State Broadcasting Co., South-eastern Mass. Broadcasting Corp., New Bedford, Mass., all applicants requesting the frequency 1400 kc., 250 watts, and further ordered that the Bills of Particulars issued in connection with these applications be enlarged to include the application of Narragansett Broadcasting Co.

Citrus Belt Broadcasters, Inc., Winter Haven, Fla.; Winter Haven Broadcasting Co., Winter Haven, Fla.—Adopted an order designating these two applications for hearing in a consolidated proceeding. Both applicants request the frequency 1490 kc., with 250 watts power, unlimited time. (B3-P-4331; and B3-P-4332)

**WHAT**—Independence Broadcasting Co., Philadelphia, Pa.—Granted petition of WHAT to consolidate for hearing its application to change operation from 1340 kc., 100 watts, share time WTEL, to 820 kc., 1 KW, daytime with applications of Camden Broadcasting Co., Camden, N. J.; Chambersburg Broadcasting Co., Chambersburg, Pa., and Crescent Broadcasting Corp., Philadelphia, and ordered these applications designated for hearing in a consolidated proceeding, and the bills of particulars issued be amended to include WHAT.

Medford Printing Co., Medford, Ore.: S. W. McCreedy, Medford, Ore.—Ordered that the applications of Medford Printing Co. (B5-P-4188) and S. W. McCreedy requesting a new station to operate on 1230 kc., 250 watts, unlimited time, be designated for hearing in a consolidated proceeding.

The Commission ordered the following applications, all requesting use of frequency 1550 kc., for hearing in a consolidated proceeding:

Radio Station WSOC, Inc. (WSOC), Charlotte, N. C., to change from 1240 to 1500 kc., increase power from 250 watts to 50 KW and employ a directional antenna at night. (B3-P-3818)

Radio Springfield, Inc., Springfield, Ill., for a new station to operate on 1550 kc., 1 KW, DA, unlimited time. (B4-P-3822)

Atlanta Radio Enterprises, Inc., Atlanta, Ga., for a new station to use 1550 kc., 10 KW, unlimited time, DA-N. (B3-P-4257)

Hampden-Hampshire Corp. (WHYN), Holyoke, Mass., construction permit to change frequency from 1400 to 1550 kc., increase power from 250 watts to 10 KW, unlimited time DA. (B1-P-4347)

WCBS, Decatur, Ill., for a new station to use 1550 kc., 250 watts, unlimited time. (B4-P-4349)

The following applications, all designated for hearing, are listed in order of channel requests:

### 550 Kilocycles

Designated in a consolidated proceeding with other applications requesting the 550 channel, scheduled to be heard in Washington on February 25, are the applications of Capital City Broadcasting Corp., Baton Rouge, La. (B3-P-4433), and Public Service Broadcasting Corp., Knoxville, Tenn. (B3-P-4434), both requesting 550 kc., 1 KW, directional antenna, unlimited time.

### 790 Kilocycles

Designated for hearing the application of KPHO, Phoenix Broadcasting, Inc., Phoenix, Ariz., for construction permit to change frequency from 1230 to 790 kc., increase power from 250 watts to 5 KW, install a new transmitter and DA, and change the transmitter location in Phoenix. (B5-P-3799)

Designated for consolidated hearing the applications of Lee Segall Broadcasting Co. for a new station at Houston, Texas, to operate on 790 kc., 1 KW, daytime (B3-P-4182); Texas Star Broadcasting Co. (KTHT), Houston (B3-P-4361), application to change frequency from 1230 to 790 kc., increase power from 250 watts to 5 KW day, 1 KW night, install new transmitter and DA for night use and change

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transmitter location; Lubbock County Broadcasting Co., Lubbock, Texas, for a new station to operate on **790 kc.**, 1 KW, DA night use, unlimited time (B3-P-4062); Plains Radio Broadcasting Co. (KFYO), Lubbock, Texas, for a construction permit to change frequency from 1340 to **790 kc.**, increase power from 250 watts to 5 KW, install a new transmitter and DA for night use, and change transmitter location at Lubbock, and Veterans' Broadcasting Co., a partnership, Houston, Texas, for a new station to use frequency **1230 kc.**, 250 watts unlimited time (B3-P-4362), contingent upon grant of KTHH's application to change frequency from 1230 to **790 kc.**

### 830 Kilocycles

Designated for hearing in a consolidated proceeding the application of Southern Calif. Broadcasting Co. (KWKW), San Gabriel, Calif., for construction permit to change frequency from 1430 to **830 kc.**, increase power from 1 to 5 KW, install new transmitter and antenna, and change transmitter location; and application of Orange County Broadcasting Co., Santa Ana, Calif., for construction permit for a new station to operate on **830 kc.**, 5 KW, daytime only. (B5-P-4242)

### 850 Kilocycles

Designated for hearing in a consolidated proceeding the application of The A. S. Abell Co., Baltimore, Md. (B1-P-4297), for a construction permit for a new station to operate on **850 kc.**, 1 KW, DA, unlimited time, and the application of Berks Broadcasting Co. (WEEU), Reading, Pa., for a construction permit to change its hours from daytime to unlimited, install a new transmitter and DA for night use, and change transmitter location of station operating on **850 kc.**

### 940 Kilocycles

Designated for hearing the application of Bluegrass Broadcasting Co., Inc., for a new station at Versailles, Ky., to operate on **940 kc.**, 1 KW, unlimited time. (B2-P-4315)

### 950 Kilocycles

Designated for hearing in a consolidated proceeding the application of Radio Americas Corp., Mayaguez, P. R., for a new station (B-P-4296) to operate on **950 kc.**, 1 KW, unlimited time, with application of Puerto Rico Communications Authority for a new station at Piedras, P. R., to operate on frequency **940 kc.**, 10 KW, DA, unlimited time. (B-P-4397)

### 960 Kilocycles

Designated for consolidated hearing the application of Lubbock Broadcasting Co., Lubbock, Texas, for a new station to operate on **960 kc.**, 1 KW, daytime only, with application of Worth Broadcasting Co. (B3-P-4448), for a new station at Fort Worth, Texas, **960 kc.**, 5 KW, daytime only.

### 980 Kilocycles

Designated for consolidated hearing the application of Skyland Broadcasting Corp. (B2-P-3748), for a new station at Dayton, Ohio, to operate on **980 kc.**, with 5 KW, DA, unlimited time, with application of Ohio-Michigan Broadcasting Co. (B2-P-4046), for a new station at Toledo, Ohio, on the same frequency with 5 KW power and DA for night time, unlimited time, and application of Greater Muskegon Broadcasters, Inc. (B2-P-3977), for a new station at Muskegon, Mich., to operate on **980 kc.**, 1 KW, daytime only.

### 1030 Kilocycles

Designated for consolidated hearing the application of Fort Wayne Broadcasting, Inc. (B4-P-4178) for a new station at Fort Wayne, Ind., and the application of Marion Radio Corp. (B4-P-4429), for a new station in Marion, Ind., both requesting frequency **1030 kc.**, with 1 KW power, daytime only.

### 1050 and 1070 Kilocycles

Designated for hearing in the same consolidated proceeding including applications of Palladium Publishing Co.,

Benton Harbor, Mich., and Myles H. Johns, Milwaukee, Wis., the applications of William L. Lipman, for a new station at Kenosha, Wisc., to use frequency **1050 kc.**, 250 watts, daytime only (B4-P-4436), and application of Monona Broadcasting Co. (B4-P-4404), for a new station at Madison, Wis., to operate on frequency **1070 kc.**, with 10 KW, DA at night, unlimited time.

### 1060 Kilocycles

Designated for hearing the application of Westinghouse Radio Stations, Inc. (KYW), Philadelphia, Pa., for a construction permit to install a new directional antenna system retaining its present frequency of **1060 kc.**, and its present power of 50 KW, unlimited time. (B2-P-3855)

### 1080 Kilocycles

Designated for hearing the application of Lake Superior Broadcasting Co. (B4-P-4278), for a new station at Duluth, Minn., to operate on **1080 kc.**, 10 KW, directional antenna, unlimited time.

Designated for consolidated hearing the application of Mid-America Broadcasting Corp. (B2-P-2760), for a new station at Louisville, Ky., to operate on **1080 kc.**, 1 KW night, 5 KW-LS, DA, unlimited time, with application of Kentucky Broadcasting Corp., Inc. (WINN), Louisville (B2-P-4169), to change frequency from 1240 to **1080 kc.**, increase power from 250 watts to 1 KW night, 5 KW day, install new transmitter and directional antenna, and change transmitter location.

### 1090 Kilocycles

Designated for consolidated hearing the application of W. Wright Esch, (WMFJ), Daytona Beach, Fla. (B3-P-4320), to change frequency from 1450 to **1090 kc.**, increase power from 250 watts to 1 KW, install a new transmitter and directional antenna for night use, and change transmitter location, with application of KTHS (B3-P-3814; Docket 7086), already in hearing docket, to move station to West Memphis, Ark., increase power, etc., on frequency **1090 kc.**

### 1150 Kilocycles

Designated for consolidated hearing the application of Fostoria Broadcasting Co. (B2-P-4430), Fostoria, Ohio, for a new station to operate on **1150 kc.**, with 1 KW, daytime only, with application of Northwestern Ohio Broadcasting Corp. (B2-P-4447), for a new station at Lima, Ohio, on frequency **1150 kc.**, with 1 KW power, directional antenna, unlimited time.

### 1170 Kilocycles

Designated for hearing in a consolidated proceeding the applications of Finley-McKinnon Broadcasting Co. (B5-P-3705), for a new station at San Diego, Cal., with the application of Valley Broadcasting Co. (B5-P-4202), for a new station at San Jose, Cal., both requesting frequency **1170 kc.**, with 5 KW, DA, unlimited time.

### 1230 Kilocycles

Designated the application of New England Broadcasting Co. (B1-P-4196), for a new station at Worcester, Mass., requesting frequency **1230 kc.**, 250 watts power, unlimited time, for consolidated hearing in the same proceeding with applications for Woonsocket, R. I., Norwich and Waterbury, Conn., to be heard February 25-March 1.

Designated for hearing in a consolidated proceeding the application of Richard T. Sampson (B5-P-4442), for a new station at Oceanside, Cal., to operate on **1230 kc.**, 100 watts power, unlimited time, with application of John Gordon Studebaker, et al., d/b as Studebaker Broadcasting Co. (B5-P-3910), for a new station at San Diego, to operate on **1230 kc.**, with 250 watts, unlimited time.

### 1320 Kilocycles

Designated for hearing in a consolidated proceeding the application of Harold Thomas (WATR), (B1-P-3950), to change studio location of WATR from Waterbury, Conn., to Springfield, Mass., and increase power from 1 to 5 KW.

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install a new transmitter and DA, on its present frequency of 1320 kc., with application of WMAS, Inc. (WMAS), Springfield, Mass. (B1-P-4313), to change frequency from 1450 to 1320 kc., increase power from 250 watts to 5 KW, install a new transmitter and a directional antenna, and change transmitter location at Springfield.

### 1340 Kilocycles

Designated for hearing the application of The Ashland Broadcasting Co. (WCMI), (B2-P-4422), for construction permit to install a synchronous amplifier at Huntington, W. Va., operating on the frequency 1340 kc., with 250 watts power, unlimited time, synchronized with station, WCMI, Ashland, Ky.

Designated for hearing in a consolidated proceeding application of WestTex Broadcasting Co. (B3-P-4437), San Angelo, Texas, with application of Abilene Broadcasting Co. (B3-P-4438), Abilene, Texas, both requesting new stations to operate on 1340 kc., with 250 watts power, unlimited time.

### 1360 Kilocycles

Designated for hearing in a consolidated proceeding the applications of Luck-McDonald Co. (B3-P-4413) and Fort Worth Broadcasting Co. (B3-P-4439), both requesting a new station at Fort Worth, Texas, to operate on 1360 kc., 1 KW power, unlimited time, directional antenna.

### 1420, 1430 and 1440 Kilocycles

Designated for hearing the application of North Jersey Radio, Inc. (B1-P-4306), for a new station at Newark, N. J., to operate on the frequency 1430 kc., 5 KW, directional antenna at night, unlimited time.

Designated for hearing in a consolidated proceeding the application of The Capital Broadcasting Co. (B1-P-4318), for a new station at Annapolis, Md., to operate on 1430 kc., with 100 watts night, 250 watts-LS, unlimited time, with application of The Chesapeake Radio Corp. (B1-P-4139), for a new station at Annapolis to operate on 1440 kc., 250 watts, daytime only, and the application of Baltimore Broadcasting Corp. (WCBM), Baltimore, Md. (B1-P-3969), for a consolidated permit to change frequency from 1400 to 1420 kc., increase power from 250 watts to 5 KW, and install a new transmitter and directional antenna.

### 1450 Kilocycles

Designated for hearing in a consolidated proceeding the application of Thomas G. Harris, individually and as Trustee for Coleman Gay, et al., (B3-P-4355), Austin, Texas, with application of Charles W. Balthrope (B3-P-4375), San Antonio, both requesting new stations to operate on 1450 kc., 250 watts unlimited time, in Austin and San Antonio, respectively.

Designated for hearing in a consolidated proceeding the application of Meridian Broadcasting Co., Meridian, Miss. (B3-P-4174), with application of Duke H. Thornton (B3-P-4449), Philadelphia, Miss., both applicants requesting frequency 1450 kc., 250 watts, unlimited time.

### 1490 Kilocycles

Designated for hearing in a consolidated proceeding with application of WDNC, to be heard in a consolidated proceeding on March 8-16 in Washington, D. C., involving applications of Rebel Broadcasting Co., et al., the application of Public Information Corp. (B3-P-4431), for a new station at Durham, N. C., to operate on 1490 kc., with 250 watts power, unlimited time, contingent upon the grant of WDNC's application to change frequency from 1490 to 620 kc.

Designated for hearing in a consolidated proceeding the application of John W. Davis (B5-P-4299), for a new station at Portland, Ore., with application of John H. Fitzgibbon, Roy Jarman and Temple V. Ehmsen (B5-P-4432) for a new station at Oregon City, Ore., both applicants requesting frequency 1490 kc., 250 watts power, unlimited time.

Designated for hearing in a consolidated proceeding the application of Andalusia Broadcasting Co. (B3-P-4445), for a new station at Andalusia, Ala., with application of Troy Broadcasting Corp. (B3-P-4446), for a new station at Troy,

Ala., both requesting use of frequency 1490 kc., with 250 watts power, unlimited time.

Designated for hearing the application of Collinson-Wingate Broadcasting Co. (B4-P-4440), for a new station at Topeka, Kans., to operate on 1490 kc., 250 watts, unlimited time, in a consolidated proceeding with applications of Wichita Broadcasting Co., Inc., et al., requesting the frequency 1490 kc.; to be heard in Wichita on March 11-19.

### 1520 Kilocycles

Designated for hearing the application of Radio Air Ways, Inc. (B5-P-3771), for a new station at Eugene, Oregon, to operate on 1520 kc., with 1 KW power, unlimited time.

### 1540 Kilocycles

Designated for hearing in a consolidated proceeding the application of Henry F. Fett (B2-P-4441), with application of Suburban Broadcasting (B2-P-4232), both applicants for a new station in Dearborn, Mich., to operate on frequency 1450 kc., 1 KW, daytime only.

### 1560 Kilocycles

Designated for hearing the application of New Laurel Radio Station, Inc., (WAML), Laurel, Miss. (B3-P-4369), for a construction permit to change frequency from 1340 to 1560 kc., increase power from 250 watts to 1 KW, install a new transmitter and a new antenna and ground system, and change transmitter location at Laurel.

## LICENSE RENEWALS

Granted renewal of following station licenses for the period ending August 1, 1947:

WARM, Scranton, Pa.; WJLB, Detroit, Mich.; KRLC, Lewiston, Idaho; WHLB, Virginia, Minn.; WHDF, Calumet, Mich.; KFVD, Fort Dodge, Iowa.

## MISCELLANEOUS ACTIONS

WPTZ—Philco Radio & Television Corp., Philadelphia, Pa.; W3XPD, W3XPE, W3XPF, W3XPG, W3XPH, W3XPI, W3XPK, W3XPL—Portable-Mobile, area of Central Md., N.E. Md., S.E. Pa. & D. C.; W10XP, W10XPA, W10XPB, W10XPC, W10XPR—Portable-Mobile, area of Wash., D. C., Phila. and New York; W3XE, W3XF—Springfield Twp., Pa.; W10XAD, W10XAE, W10XAF—Portable, area of Wash., D. C., Phila. and New York, N. Y.; W3XAF—Arlington, Va.—Granted modification of television license and/or construction permit to change corporate name to Philco Products, Inc.

W10XWA—Westinghouse Radio Stations, Inc., Portable-Mobile, to be used within continental U. S.—Granted license to cover construction permit which authorized a new developmental broadcast station, upon an experimental basis only; conditions. Frequencies that may be assigned by Commission's Chief Engineer from time to time; power 5 KW peak; emission: A0, A1, A2, A3, A4, A5, special and special for FM.

WJWC—J. W. Woodruff, et al., d/b as Columbus Broadcasting Co., area of Columbus, Ga.—Granted license to cover construction permit covering new relay broadcast station to be used with standard station WBBL; freqs. 1622, 2058, 2150, 2790 kc.; 15 watts.

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.; John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—Adopted an order denying application of Ashbacker Radio Corp. for special service authorization to operate station WKBZ on 1230 kc. for the remainder of its current license term in lieu of operation on 1490 kc., the frequency presently assigned to and used by said station, and also application filed by Fetzer Broadcasting Co. requesting temporary authority for operation of station WJEF on 1230 kc.; and further ordered that the temporary authority be and is issued to Fetzer Broadcasting Co. for operation of station WJEF, Grand Rapids, Mich.,

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- as previously authorized, pending outcome of the consolidated hearing referred to above, provided, however, that the said temporary authority shall be subject to cancellation at any time by the Commission without notice or hearing should it appear upon the basis of the said hearing that a grant of the application of the Ashbacker Radio Corp. for a construction permit (B2-P-3609), would better serve the public interest than a grant of the application of Fetzer Broadcasting Co. (B2-P-3590).
- WKBZ**—Ashbacker Radio Corp., Muskegon, Mich.—Adopted an order setting forth the issues on which the hearing in the above application of Ashbacker Radio Corp. shall be held in consolidation with hearing upon the application of Fetzer Broadcasting Co.
- E. T. Wright, Orlando, Fla.**—Adopted order granting motion for leave to amend application for construction permit so as to specify a frequency of 1230 instead of 950 kc. and make certain other changes, and ordered that the application, as amended, be retained on the hearing docket to be heard in a consolidated proceeding with applications of Valdosta Broadcasting Co., Hazelwood, Inc. (WLOF), and E. D. Rivers (WGOV) scheduled for February 11, 1946. (Docket No. 7111)
- John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.**—Adopted order setting aside and vacating the grant made on June 27, 1944, for a new station (B2-P-3590) and license to cover same granted Feb. 5, 1945 (B2-L-1855), to operate on 1230 kc., 250 watts, unlimited time, and ordered that said application be designated for hearing in a consolidated proceeding with application of Ashbacker Radio Corp. (B2-P-3609)
- Marshall Broadcasting Co., Marshall, Texas, and KVOM, Inc., Marshall, Texas**—Adopted order granting petition of Marshall Broadcasting Co. for leave to amend its application to show corrected and additional data and to remove from hearing docket; accepted amendment filed simultaneously with the petition; and removed application as amended from hearing docket (Docket 6706). The Commission further ordered that the petition of KVOM, Inc., to dismiss without prejudice its application for construction permit be granted. (B3-P-3717; Docket 6707)
- WGAR**—The WGAR Broadcasting Co., Cleveland, Ohio—Adopted an order directing that a conditional authorization be issued to WGAR Broadcasting Co. for the operation of station WGAR on 1220 kc. with 50 KW power, unlimited time, and for the installation of a new transmitter and a new directional antenna for day and night use at the site specified in the instant application; and further ordered that such conditional authorization shall be subject to being withdrawn if at the conclusion of the consolidated hearing upon the applications of WADC and WGAR, it is shown that public interest will be better served by a grant of the Simmons application. (Action taken 2/1/46.)
- KHQ**—Louis Wasmer (Transferor), Spokane Chronicle Co. (Transferee), Louis Wasmer, Inc. (Licensee), Spokane, Wash.—Granted consent to voluntary transfer of control of Louis Wasmer, Inc., licensee of station KHQ, from Louis Wasmer to Spokane Chronicle Co., for the consideration of \$1,295,000 plus an amount equal to the net profits of the licensee from Jan. 1, 1945 to closing date. (B5-TC-468)
- WARM**—Lou Poller (Transferor), Martiu F. Memolo (Transferee), Union Broadcasting Co. (Licensee), Scranton, Pa.—Granted consent to voluntary transfer of control of Union Broadcasting Co., licensee of station WARM, from Lou Poller to Martin F. Memolo, for a consideration of \$50,000 cash now on deposit in escrow, of which \$25,000 was taken from funds on hand and balance obtained through 5% bank loan payable \$2,000 monthly. (B2-TC-469)
- so as to change the orientation and phasing of the DA in daytime operation, and add supplemental engineering data.
- San Bernadino Broadcasting Co., San Bernadino, Calif.**—Granted motion to take deposition in re application (B5-P-3908), limiting to 25 the number of witnesses.
- KFXM**—Lee Bros. Broadcasting Co., San Bernadino, Calif.—Granted authority to take depositions in re application (B5-P-4093), limiting to 25 the number of witnesses.
- United Broadcasting Co., Ogden, Utah**—Granted motion for leave to amend application (B5-P-4107), so as to specify the frequency 1490 instead of 960 kc., and to make other changes concerning engineering exhibit.
- WQXR**—Interstate Broadcasting Co., Inc., Long Island, City, N. Y.—Granted petition for leave to intervene in the consolidated proceeding scheduled for Feb. 4, in re application of WWRL and others applying for 1600 kc.
- WDNC**—Durham Radio Corp., Durham, N. C.—Granted motion to take depositions in re its application. (B3-P-3107)
- Mt. Vernon Radio & Tele. Co., Mt. Vernon, Ill.**—Granted motion for leave to amend its application (B4-P-4265), so as to change Exhibit B relating to stock ownership, etc.
- WLAP**—American Broadcasting Corp., Lexington, Ky.—Granted motion for leave to take depositions in re its application (B2-P-4102).
- WGOV**—E. D. Rivers, Valdosta, Ga.—Granted motion for leave to amend his application (B3-P-3213) so as to specify a new DA system; power of 5 KW daytime; 1 KW night, instead of 1 KW day and night, and make other changes.
- Nashville Broadcasting Co., Nashville, Tenn.**—Granted request to dismiss application (B2-P-3190) without prejudice.
- J. O. Emmerich, Bogalusa, La.**—Granted petition to dismiss without prejudice application (B3-P-3805) for a new station.
- The following action was taken by Commissioner Denny on February 1
- WKY**—WKY Radiophone Co., Oklahoma City, Okla.—Granted motion insofar as it requests leave to intervene in the hearing upon application of KSEI (Docket 6865), but denied insofar as it requests enlargement of issues in the case.
- WLOF**—Hazlewood, Inc., E. T. Wright, Orlando, Fla.—Upon consideration of petitions of WLOF and E. T. Wright for reconsideration and grant of their applications, it was ordered that the application of WLOF (Docket 6864, B3-P-3973) and application of E. T. Wright (Docket 7111, B3-P-4268), be removed from the hearing docket, and the petitions for reconsideration and grant were denied. It was further ordered that the bills of particulars heretofore issued in these proceedings be amended to delete these two applications from the proceedings.
- Western Union Teleg. Co.**—Granted petition for continuance of oral argument in re the rules relating to Sec. 214 of the Act, and ordered continuance of oral argument from Feb. 21 to May 21, 1946, and the time for filing a statement by any person desiring to be represented at such oral argument as required in the Commission's Order of Jan. 16, to be extended to April 6, 1946. (Action taken 2-8.)
- KSD**—Pulitzer Publishing Co., St. Louis, Mo.—Denied motion requesting amendment of hearing notice issued in re application (B4-P-4089), so as to strike the first issue, which deals with technical, financial and other qualifications of applicant. (Action taken 2-7.)
- Arkansas-Oklahoma Broadcasting Corp., Fort Smith, Ark.**—Granted petition insofar as it requests opening of the record in re applications of petitioner and Donald W. Reynolds; denied insofar as petition requests leave to take depositions of Milton W. Woodward, without prejudice, however, to the presentation by petitioner of the testimony only of Milton W. Woodward at a further hearing in this matter on Feb. 28, at Wash-

(Continued on next page)

### ACTION ON MOTIONS

- WSLS**—Roanoke Broadcasting Corp., Roanoke, Va.—Granted motion for leave to amend application (B2-P-4095)

ington, said further hearing to be limited to the purposes hereby stated. (Action taken 2-7.)

Roger T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co., Daytona Beach, Fla.—Granted motion for leave to amend application (B3-P-4122) so as to add Rodger T. Peacock, Jr., to the partnership, and substitute said partnership of Roderick T. Peacock, Sr., and and Rodger T. Peacock, Jr., a partnership, trading as Daytona Beach Broadcasting Co., for Rodger T. Peacock, Sr., trading as Daytona Beach Broadcasting Co.; to add articles of partnership to the application, and to make other changes.

## TELEVISION

The Commission enbanc on February 1 set for hearing the following applications for television stations in metropolitan districts. In these cases, the number of applicants exceed the channels allocated under the Commission's Report of November 21, 1945:

### New York-Northeastern New Jersey (7 channels—Metropolitan)

American Broadcasting Co., Inc. (B1-PCT-79); Bamberger Broadcasting Service, Inc. (B1-PCT-15); Bremer Broadcasting Corp. (Newark) (B1-PCT-57); Debs Memorial Radio Fund, Inc. (B1-PCT-116); Palmer K. & Lois C. Leberman (B1-PCT-129); Marcus Loew Booking Agency (B1-PCT-105); Metropolitan Television, Inc. (B1-PCT-12); News Syndicate Co., Inc. (B1-PCT-83); Philco Radio & Television Corp. (B1-PCT-37); Raytheon Mfg. Co. (B1-PCT-115); Sherron Metallic Corp. (Huntington, N. Y.) (B1-PCT-149); Twentieth Century Fox-Film Corp. (B1-PCT-132); Westchester Broadcasting Corp. (White Plains, N. Y.) (B1-PCT-58); WLIB, Inc. (B1-PCT-114).

(There are three licensed commercial television broadcast stations in New York City, namely, WNBT (NBC), WCBW (CBS), and WABD (Allen B. DuMont Lab., Inc.)

### Los Angeles—7 Channels—Metropolitan

American Broadcasting Co., Inc. (B5-PCT-81); Earl C. Anthony, Inc. (B5-MPCT-12); Walt Disney Productions (Burbank) (B5-PCT-156); Consolidated Broadcasting Corp., Ltd. (B5-PCT-70); Fox West Coast Theatres (B5-PCT-142); Hughes Productions, Division of Hughes Tool Co. (B5-PCT-17); Don Lee Broadcasting System (B5-MPCT-18); Metro-Goldwyn-Mayer Studios, Inc. (B5-PCT-106); National Broadcasting Co., Inc. (B5-PCT-24); Television Productions, Inc. (B5-PCT-160); The Times-Mirror Co. (B5-PCT-92); Warner Bros. Broadcasting Corp. (B5-PCT-66); Dorothy S. Thackrey (B5-PCT-165).

### Philadelphia—4 Channels—Metropolitan

Bamberger Broadcasting Service, Inc. (B2-PCT-42); Wm. Penn Broadcasting Co. (B2-PCT-150); Pennsylvania Broadcasting Co. (B2-PCT-97); Philadelphia Daily News, Inc. (B2-PCT-119); The Philadelphia Inquirer, a Division of Triangle Publications, Inc. (B2-PCT-73); Seaboard Radio Broadcasting Corp. (B2-PCT-72); WCAU Broadcasting Co. (B2-PCT-13); WDAS Broadcasting Station, Inc. (B2-PCT-74); Westinghouse Radio Stations, Inc. (B2-PCT-34); WFIL Broadcasting Co. (B2-PCT-53).

(There is one licensed commercial television station in Philadelphia, namely WPTZ, Philco Radio & Television Corp.)

### Detroit—5 Channels—Metropolitan

The Evening News Assn. (B2-PCT-100); International Detrola Corp. (B2-PCT-44); The Jam Handy Organization, Inc. (B2-PCT-54); King Trendle Broadcasting Corp. (B2-PCT-45); United Detroit Theatres Corp. (B2-PCT-50); WJR, The Goodwill Station (B2-PCT-55).

### San Francisco-Oakland—6 Channels—Metropolitan

American Broadcasting Co., Inc. (B5-PCT-158); The Associated Broadcasters, Inc. (B5-PCT-46); Don Lee Broadcasting System (B5-PCT-22); Hearst Publications, Inc. (B5-PCT-162); Hughes Productions, Division of Hughes

Tool Co. (B5-PCT-18); Television Productions, Inc. (B5-PCT-151); Dorothy S. Thackrey (B5-PCT-164).

### Pittsburgh—4 Channels—Metropolitan

Allegheny Broadcasting Corp (B2-PCT-147); Allen B. DuMont Lab., Inc. (B2-PCT-139); Scripps-Howard Radio, Inc. (B2-PCT-122); WCAE, Inc. (B2-PCT-143); Westinghouse Radio Stations, Inc. (B2-PCT-35).

### Cleveland—5 Channels—Metropolitan

Allen B. DuMont Lab., Inc. (B2-PCT-161); National Broadcasting Co., Inc. (B2-PCT-23); Scripps-Howard Radio, Inc. (B2-PCT-121); United Broadcasting Co. (B2-PCT-77); The WGAR Broadcasting Co. (B2-PCT-59); WJW, Inc. (B2-PCT-146).

### Baltimore—3 Channels—Metropolitan

Hearst Radio, Inc. (B1-PCT-68); Maryland Broadcasting Co. (B1-PCT-109); The Tower Realty Co. (B1-PCT-39); Jos. M. Zamoiski Co. (B1-PCT-61).

### Providence—1 Channel—Metropolitan

The Outlet Co. (B1-PCT-87); The Yankee Network, Inc. (B1-PCT-101).

### Harrisburg—1 Channel—Metropolitan

WHP, Inc. (B2-PCT-154); Keystone Broadcasting Corp. (B2-PCT-135).

### Lancaster—1 Channel—Community

Lancaster Television Corp. (B2-PCT-145); WGAL, Inc. (B2-PCT-138).

## Federal Communications Commission Applications

### APPLICATIONS ACCEPTED FOR FILING

#### 500 Kilocycles

NEW—Capital City Broadcasting Corp., Baton Rouge, La. (P. O. 1849 North Street, Baton Rouge, La.)—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, directional antenna night and unlimited hours of operation.

#### 600 Kilocycles

KFSD—Airfan Radio Corporation, Ltd., San Diego, Calif.—License to cover construction permit (B5-P-3877) which authorized installation of a new transmitter.

#### 630 Kilocycles

NEW—Washington Broadcasters, Inc., Spokane, Wash. (P. O. Temp. 921 Tower Bldg., Washington 5, D. C.)—Construction permit for a new standard broadcast station to be operated on 630 kc., power of 5 KW, directional antenna and unlimited hours of operation.

#### 950 Kilocycles

WLOF—Hazelwood, Inc., Orlando, Fla.—Construction permit to change frequency from 1230 to 950 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna and change transmitter location from near Orlando, Fla., to near Orlovista, Fla. Amended to change type of transmitter and to provide the use of directional antenna for day and night operation.

#### 1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026, as modified, which authorized increase in power, installation of new

*(Continued on next page)*

transmitter and changes in directional antenna for day and night use) for extension of completion date from 2-28-46 to 5-29-46.

### 1230 Kilocycles

- KWTX**—Beauford H. Jester, Individually and as Trustee for W. W. Callan, Dewitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert E. Levy, Ross M. Sams & Davis Stribling, Waco, Texas—Modification of construction permit (B3-P-3176, which authorized a new standard broadcast station) for approval of antenna and transmitter location, specify studio location and to correct name of Robert G. Levy to read Robert E. Levy.
- NEW**—Illmo Broadcasting Corp, Quincy, Ill. (P. O. 1000 Monroe St.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
- WDSM**—WDSM, Incorporated, Superior, Wis.—Voluntary transfer of control of licensee corporation from James J. Conroy, Roland C. Buck, George W. Welles, Jr., Victoria B. Conroy and Joseph H. Weisberg to Ridson, Incorporated.
- WFAS**—Westchester Broadcasting Corp., White Plains, N. Y.—Construction permit to move the present licensed main transmitter from corner Post Road & Chester Avenue, White Plains, New York, to Secor Road, 2.8 miles west of White Plains, Town of Greenburgh, New York, to be used as an auxiliary, with power of 250 watts.
- NEW**—Tidewater Broadcasting Corp., Norfolk, Va. (P. O. Johnson Abbitt Bldg., 317 Bank St.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 100 watts and unlimited hours of operation.

### 1280 Kilocycles

- WMRO**—Martin R. O'Brien, Aurora, Ill.—Voluntary assignment of license to WMRO, Inc.

### 1340 Kilocycles

- WMFF**—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Construction permit to install new transmitter.
- WBRK**—Mouroe B. England, Pittsfield, Mass.—Voluntary assignment of license to Western Massachusetts Broadcasting Company.

### 1390 Kilocycles

- KNOE**—James A. Noe, Monroe, La.—Modification of construction permit (B3-S-1203, which authorized change in frequency) for change in frequency from 1230 to 1390 kc., increase power from 250 watts to 5 KW and installation of new transmitter and directional antenna for night use.

### 1400 Kilocycles

- KGVL**—Truett Kimzey, Greenville, Texas—Modification of construction permit (B3-P-3343, which authorized a new standard broadcast station) for approval of antenna and transmitter location and to specify studio location.
- KHON**—Aloha Broadcasting Co., Ltd., Honolulu, T. H.—Modification of construction permit (B-P-3736, which authorized a new standard broadcast station) for changes in transmitting equipment, approval of antenna and approval of transmitter and studio locations.

### 1410 Kilocycles

- KWYO**—Big Horn Broadcasting Co., Inc., Sheridan, Wyo.—Construction permit to change frequency from 1400 kc. to 1410 kc., increase power from 250 watts day and night to 1 KW day and 50 watts night, install new transmitter and make changes in vertical antenna.

### 1490 Kilocycles

- WKAY**—Glasgow Broadcasting Co., Glasgow, Ky.—Modification of construction permit (B2-P-4008, which

authorized a new standard broadcast station) to make changes in transmitting equipment, for approval of antenna and transmitter and studio locations.

- WMGR**—S. Marvin Griffin, Bainbridge, Ga.—Modification of construction permit (B3-P-3893, which authorized a new standard broadcast station) for changes in transmitting equipment, approval of transmitter location and change studio location and approval of antenna.
- NEW**—Joseph Triner, Charles M. Hickman, George Herrmann, Jr., Edward J. Faltysek and William L. Klein, d/b as Village Broadcasting Co., Oak Park, Ill.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended to change name of applicant from William L. Klein to Joseph Triner, Charles M. Hickman, George Herrmann, Jr., Edward J. Faltysek and William L. Klein, d/b as Village Broadcasting Co.

### 1590 Kilocycles

- KVGB**—KVGB, Inc., Great Bend, Kansas—Construction permit to change frequency from 1400 kc. to 1590 kc., increase power from 250 watts to 1 KW and install new transmitter.
- NEW**—Ojai Broadcasting Co., Ventura, Calif. (P. O. 1109 Rowan Bldg., 458 S. Spring St., Los Angeles, Calif.)—Construction permit for a new standard broadcast station to be operated on 1590 kc., power of 1 KW and unlimited hours of operation. (Call "KFVO" reserved.)

### APPLICATIONS TENDERED FOR FILING

- WEST**—Associated Broadcasters, Inc., Easton, Pa.—Construction permit to change frequency from 1400 kc. to 1230 kc.
- NEW**—E. L. Roberts, Gadsden, Ala.—Construction permit for a new standard broadcast station to be operated on 1350 kc., power of 1 KW, directional antenna and unlimited hours of operation.
- NEW**—Voice of Dixie, Inc., Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on 690 kc., power of 10 KW, directional antenna night and unlimited hours of operation.
- NEW**—Kentucky Lake Broadcasting System, Inc., Paris, Tenn.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- KGCO**—Mandan Radio Association, Mandan, N. D.—Construction permit to increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use.
- NEW**—Sierra Broadcasting Service, a partnership consisting of Leonard R. Trainer and Reginald H. Shirk, Hot Springs, N. Mex.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- KNAK**—Granite District Radio Broadcasting Company, Salt Lake City, Utah.—Construction permit to change frequency from 1400 to 1280 kc., increase power from 250 watts to 500 watts and make changes in transmitting equipment.
- NEW**—Rogue Valley Broadcasting Co., Inc., Ashland, Ore.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- NEW**—J. Paul Stone and R. M. Ware, Jr., Fitzgerald, Ga.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.
- NEW**—A. J. Fletcher, Greensboro, N. C.—Construction permit for a new standard broadcast station to be operated on 850 kc., power of 1 KW and daytime hours of operation.
- NEW**—George Dyson, Jr., d/b as The Alton Broadcasting Co., Alton, Ill.—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and daytime hours of operation.

(Continued on next page)

NEW—Northern States Broadcasting Co., Fargo, N. D.—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 5 KW. Directional antenna night and unlimited hours of operation.

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Construction permit to increase power from 1 KW night, 5 KW daytime to 5 KW day and night using directional antenna for day and night.

NEW—Alvin E. Nelson, Inc., San Francisco, Calif.—Construction permit for a new standard broadcast station to be operated on 1030 kc., power of 50 KW, directional antenna and unlimited hours of operation.

WDEV—Lloyd E. Squier and William G. Ricker, d/b as Radio Station WDEV, Waterbury, Vt.—Construction permit to change hours of operation from daytime to unlimited, install directional antenna for day and night use.

NEW—Jose E. del Valle, Santurce, P. R.—Construction permit for a new standard broadcast station to be operated on 740 kc., power of 10 KW, directional antenna and unlimited hours of operation.

WBBB—Alamance Broadcasting Co., Inc., Burlington, N. C.—Construction permit to change frequency from 920 to 940 kc., increase hours of operation from daytime to unlimited using 1 KW day and night and install directional antenna for night use.

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Construction permit to change frequency from 1230 to 930 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location.

NEW—W. Walter Tison, Tampa, Fla.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—R. E. Northcutt, W. L. Gillmor and W. C. Turner, d/b as the General Broadcasting Company, Independence, Mo.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

KMMJ—KMMJ, Inc., Grand Island, Nebr.—Construction permit to increase power from 1 KW to 10 KW, install new transmitter.

NEW—Northern Kentucky Airwaves Corp., Covington, Ky.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation.

WLAV—Leonard A. Versluis, Grand Rapids, Mich.—Construction permit to change frequency from 1340 to 930 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location.

WIHK—United Broadcasting Company, Cleveland, Ohio.—Construction permit to change frequency from 1420 to 640 kc., increase power from 5 KW to 50 KW, install new transmitter, install directional antenna for day and night use and change transmitter location.

WIHK—United Broadcasting Company, Akron, Ohio.—Construction permit to change frequency from 640 to 1420 kc., increase power from 1 KW to 5 KW, change hours of operation from limited to unlimited, install new transmitter and directional antenna for day and night use and change transmitter location. (Contingent upon grant of WIHK application for 640 kc.)

NEW—Carroll-Grayson Broadcasting Corp., Galax, Va.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

NEW—Shawnee Broadcasting Company, Chillicothe, Ohio.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Kenneth Kesterson and Charles Penix, a partnership, d/b as Radio Engineering Service, Pine Bluff, Ark.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

NEW—Mary C. Hamilton (Mrs. G. W.), William B. Davies, Fielding H. Atchley, Robert E. McCallum, Jr., d/b as Hub City Broadcasting Co., Jackson, Tenn.—Con-

struction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Southwest Broadcasters, Inc., Raton, N. M.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—John A. Fagerstedt, Weiser, Idaho.—Construction permit for a new standard broadcast station to be operated on 550 to 1600 kc., power of 250 watts and unlimited hours of operation.

Empire Newspapers-Radio Co., Endicott, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

Express Publishing Company, San Antonio, Texas.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

East-West Broadcasting Company, a partnership composed of John C. Griffith, James H. Lawson, Jr., James G. Ulmer, James G. Ulmer, Jr., M. Ward Bailey and T. S. Christopher, Fort Worth, Texas.—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 250 watts and unlimited hours of operation.

James C. Wallentine, d/b as The Uintah Broadcasting Company, Vernal, Utah.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

Radio & Television Broadcasting Company of Idaho, Pocatello, Idaho.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

#### MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

NEW—The Capital Broadcasting Co., Annapolis, Md. (P. O. Carvel Hall Hotel, King George St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #261, 100.1 mc. or as assigned by FCC and coverage of 11,700 square miles.

NEW—Trent Broadcast Corp., Trenton, N. J. (P. O. 35 West State St.)—Construction permit for new FM broadcast station to be operated on frequency to be specified and coverage of 9,260 square miles.

W2XDK—Sherron Metallic Corp., Brooklyn, N. Y.—Modification of construction permit (B1-PVB-142) which authorized a new experimental television broadcast station for extension of completion date from 1-22-46 to 7-1-46.

WBGO—The Board of Education of Newark in the County of Essex, Newark, N. J.—Modification of construction permit (B1-PED-50) which authorized a new noncommercial educational broadcast station for extension of completion date from 2-12-46 to 8-12-46.

WBGO—The Board of Education of Newark in the County of Essex—Modification of construction permit (B1-PED-50) which authorized a new noncommercial educational broadcast station for change in antenna system.

W9XEK—Courier-Journal & Louisville Times Co., Louisville, Ky.—Modification of construction permit (B2-PEX-66, which authorized change in frequency, transmitter, emission, antenna and increase power) for extension of completion date from 1-22-46 to 3-22-46.

NEW—KJBS Broadcasters, a partnership consisting of William B. Dolph, Elizabeth N. Bingham, Helen S. Mark, Alice H. Lewis, Glenna G. Dolph, Edwin P. Franklin, D. Worth Clark and Hope D. Pettey, San Francisco, Calif.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 44.7 mc. and coverage of 7,557 square miles. Amended to change frequency from 44.7 mc. to Channel #253, 98.5 mc.

WLAR—Lowell F. Arterburn, tr/as Athens Broadcasting Co., Athens, Tenn.—Modification of construction permit (B3-P-3929, which authorized a new standard broad-

(Continued on next page)



cast station) for approval of antenna and approval of transmitter and studio locations.

**NEW**—George Bennett, Russell Bennett and Hal Douglas, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark.—Modification of construction permit (B3-P-4218, which authorized a new standard broadcast station) for approval of antenna and approval of transmitter location.

**KGKO**—KGKO Broadcasting Co., Fort Worth, Texas—Involuntary assignment of license to Carter Publications, Inc., and A. H. Belo Corporation. (Call "KERA" reserved for A. H. Belo Corp.)

**KFYR**—Meyer Broadcasting Co., Bismarck, N. D.—Construction permit to install new transmitter.

**NEW**—KCMO Broadcasting Co., Kansas City, Mo. (P. O. 1515 Commerce Trust Bldg. 922 Walnut St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #40, 95.9 mc. and coverage to be determined. Amended to change type of transmitter.

**NEW**—Belvedere Broadcasting Corp., Baltimore, Md. (P. O. 1408 Kingsway Road)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be determined by FCC.

**NEW**—WINX Broadcasting Co., Washington, D. C. (P. O. Eighth & Eye Sts., N. W.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #262, 100.3 mc. and coverage of 12,419 square miles.

**NEW**—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction permit for a new FM broadcast station to be operated on frequency to be determined by FCC and coverage of 4,650 square miles. Amended to change antenna system.

**NEW**—Monroe B. England, Pittsfield, Mass.—Voluntary assignment of conditional grant of construction permit for a new Metropolitan FM station to Western Massachusetts Broadcasting Company.

**NEW**—WAVE, Inc., Louisville, Ky.—Construction permit for a new commercial television broadcast station to be operated on Channel #1, 50-56 mc. and ESR of 1,720. Amended to change frequency from Channel #1, 50-56 mc. to Channel #5, 76-82 mc.

**NEW**—Midwest Broadcasting Co., Milwaukee, Wis. (P. O. 800 Brunder Bldg.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC. (Call "WPAW" reserved.)

**WTMJ-FM**—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Construction permit to change type transmitter and antenna system.

**NEW**—Frank E. Hurt & Son, a Partnership composed of Frank E. Hurt & Edward P. Hurt, Nampa, Idaho (P. O. 1024-12th Avenue So.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #240, 95.9 mc., and coverage of 7,000 square miles.

**Cowles Broadcasting Co.**, Wheaton, Md. (P. O. 1627 K St., N. W., Washington, D. C.)—Construction permit for a new developmental broadcast station to be operated on 107.7 mc. or any frequency selected by the Commission between 106-108 mc., power of 1 KW and special for facsimile emission.

**WKNE**—WKNE Corporation, Keene, N. H.—Voluntary transfer of control of licensee corporation from Harry C. Wilder, Mark S. Wilder, Helen W. Miller, Frank Lyman, Jr., David Carpenter, N. L. Kidd, George W. Smith and Philip H. Faulkner, to Joseph K. Close, Lyman Spitzer, Abbott K. Spencer and Robert T. Colwell. (1290 kc.)

**Eagle Printing Company, Inc.**, Butler, Pa.—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage not specified. Amended to specify frequency as to be determined by FCC, coverage as 13,780 square miles, change class of station from Community to Metropolitan and specify population, transmitter site and antenna system.

**Skyway Broadcasting Corporation**, Asheville, N. C. (P. O. % Chas. G. Lee, Legal Bldg., Asheville, N. C.)—Con-

struction permit for a new standard broadcast station to be operated on 1380 kc., power of 5 KW day and and 1 KW night, directional antenna night and unlimited hours of operation.

**State Broadcasting Company**, Oklahoma City, Okla. (P. O. Oklahoma City, Okla.)—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 1 KW and daytime hours of operation.

**Radio Asheville, Inc.**, Asheville, N. C. (P. O. Geo. H. Wright, Wachovia Bank Building.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended, re stockholders. (Call "WCRA" reserved.)

### APPLICATION RETURNED

**The Northern Kentucky Radio Corp.**, Covington, Ky.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation.

### APPLICATIONS FOR RENEWAL OF STANDARD BROADCAST STATION LICENSES

**Marshall Electric Company**, Marshalltown, Iowa, KFJB.  
**Amarillo Broadcasting Corp.**, Amarillo, Texas, KFDA.  
**Spokane Broadcasting Corp.**, Spokane, Wash., KFIO.  
**Dalton Broadcasting Corporation**, Dalton, Ga., WBLJ.  
**Nebraska Broadcasting Company**, Hastings, Nebr., KHAS.  
**WCBT, Inc.**, Roanoke Rapids, N. C., WCBT.  
**Millard Bidson**, Independent Executor of Estate of Clarence Scharbauer, deceased, Midland, Texas, KCRS.  
**Keystone Broadcasting Corp.**, Harrisburg, Pa., WKBO.  
**J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr.**, d/b as Columbus Broadcasting Company, Columbus, Ga., WRBL.  
**Fredericksburg Broadcasting Corp.**, Fredericksburg, Va., WFVA.  
**Valradio, Inc.**, El Centro, Calif., KXO.  
**North Shore Broadcasting Company**, Salem, Mass., WESX.

### FM APPLICATIONS

**NEW**—Amarillo Broadcasting Corp., Amarillo, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 45.1 mc. and coverage of 5,600 square miles. Amended to change transmitter site and antenna system.

**NEW**—Independence Broadcasting Co., Philadelphia, Pa.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel 78, 103.5 mc. and coverage to conform population. Amended to specify studio site.

**NEW**—Midwest F. M. Network, Inc., Milwaukee, Wis.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #55, 98.9 mc. and coverage to be assigned. Amended to change antenna system and specify max. 3 KW transmitter.

## Federal Trade Commission Docket

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**Ever Charge Products.** A complaint alleging misrepresentation of the effectiveness of a powdered preparation  
*(Continued on next page)*

designated "Ever-Charge," for use in storage batteries, has been issued against Irving A. Grubman, trading as Ever-Charge Products, 2806 West Ninth Street, Los Angeles. (5419)

### CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Henry Berg, Bessie Berg, Robert Berg and Harold Berg,** members of a copartnership trading as Berg Sales Co., 119 South Wells Street, Chicago, stipulated that in connection with the sale of leather billfolds they will cease and desist from selling or otherwise disposing of their merchandise by means of a game of chance, gift enterprise or lottery scheme. (4143)

**Burns Cuboid Co., Inc.,** 414 East Fourth Street, Santa Ana, Calif., has entered into a stipulation to discontinue misrepresenting the therapeutic properties of a device desig-

nated "Cuboids," advertised as capable of mitigating or curing disabilities of the feet. (4142)

**Homasote Co., Inc.,** West Trenton, N. J., stipulated that it will cease and desist from certain misrepresentations in connection with the sale of Homasote Board, designed for use in the construction of prefabricated houses. (4144)

**Raymor Food Products Co.,** 179 North Michigan Avenue, Chicago, stipulated that they will cease and desist from misrepresenting the therapeutic properties of their Raymor drug preparations. (4141)

### FTC CASE CLOSED

The Federal Trade Commission has closed without prejudice the case growing out of its complaint which charged Identification Plate and Machine Co., Inc., and its officers, John B. Pollard and Robert C. Fairberg, with misrepresentation in connection with the sale of name plates and stamping machines.

The case was closed because the charter of the corporate respondent has been dissolved and the whereabouts of the individual respondents are unknown.

When the complaint was issued the respondents had their place of business at 133 West 25th Street, New York.

### PORTER SUCCEEDS BOWLES AS OPA HEAD DENNY ACTING FCC CHAIRMAN

In a sweeping administrative shake-up, Paul Porter was taken from his post as Chairman of the FCC last night by President Truman and appointed chief of the OPA to succeed Chester Bowles, who has been named chief of the Office of Economic Stabilization.

Charles R. Denny, Jr., was made acting chairman of the FCC.

### DISPUTE OVER FCC HOLDS UP APPROVAL ON APPROPRIATIONS BILL

A last minute dispute over funds for the Federal Communications Commission upset Senate plans for action Wed. (13) for the annual appropriation for this and other independent agencies. Senator McKellar said previous plans for action on the \$5,000,000,000 appropriation would be delayed until the committee considered reducing the FCC funds. Chairman Paul A. Porter was called before an unusual closed session of the McKellar Funds Subcommittee.

"Senator Stewart thought we are getting too much money," Porter remarked. "I guess I'll have to come back." The subcommittee session was unusual because previously the Senate Appropriations Committee had approved House action of voting FCC \$5,560,000, a reduction of \$501,000 below the President's budget recommendations, without hearing the FCC representatives. The bill went to the Senate with complete report and printed hearings before the subcommittee was recalled. Senators who attended the closed subcommittee session said Chairman McKellar questioned in detail various activities of FCC, including continuation of monitoring of many radio transmissions now the hostilities have ended.

"This Agency asked for nearly a million dollars more than it got last year during the war," McKellar stated. "We're going to have to look into that before we act on the bill."

## International

### CUBA MAKES DEMANDS AT NARBA CONFERENCE

As NAB REPORTS goes to press word comes that the Cuban delegation at the Second North American Regional Broadcasting Conference have submitted a proposal which

calls for a breakdown of eight clear channels and eight regionals on which they request added power.

The outcome of these demands, and further progress on the Conference, will be given in next week's REPORTS.

## Music

### NAB-AFM COMMITTEES TO MEET APRIL 8

An exchange of letters between James C. Petrillo, president of the American Federation of Musicians, and President Justin Miller has resulted in a meeting being scheduled for April 8th of representatives of the two organizations. The text of Mr. Petrillo's letter, and President Miller's reply follows:

AMERICAN FEDERATION OF MUSICIANS  
of the United States and Canada  
Office of the President  
570 Lexington Avenue, New York 22, N. Y.

February 6th, 1946.

Mr. Justin Miller, President  
National Association of Broadcasters  
1760 N Street, Northwest  
Washington, D. C.

DEAR MR. MILLER:

Since our meeting in Chicago I have been endeavoring to make arrangements for the International Executive Board of the American Federation of Musicians to meet with the Music Committee of the National Association of Broadcasters, and other groups wishing to transact business with our Executive Board.

Plans are now being made to hold this meeting in our headquarters at 570 Lexington Avenue, New York City, beginning April 8th, 1946. I have scheduled the Music Committee of the National Association of Broadcasters for Monday, April 8th, at 2:30 p. m., with no other appointments for the remainder of this session.

While other matters of business are scheduled for Tuesday, April 9th, making it impossible to meet with your group that day, we can, no doubt, arrange for additional time at some later period in the week, if necessary.

Our committee will consist of approximately fourteen, including all of the officers of the Federation, the Executive Board and my assistants.

Will you please confirm this appointment at your convenience?

With kindest personal regards, I am

Sincerely yours,

/s/ JAMES C. PETRILLO,  
President.

JCP:NMH

(Continued on next page)



The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## NATIONAL ASSOCIATION OF BROADCASTERS

1760 N Street, Northwest

Washington, D. C.

February 14, 1946.

Mr. James C. Petrillo  
President, American Federation of Musicians  
570 Lexington Avenue  
New York, New York

DEAR MR. PETRILLO:

Your letter of February 6th awaited me upon my return from a series of NAB District meetings. I am happy to accept your invitation and will meet with you in New York City on April 8th, at 2:30 p. m.

In addition to the members of our Special Committee, I shall bring with me one or two members of my staff. We shall also be available for an adjourned meeting with you on April 10th, if it seems desirable.

Our Committee is widely representative of the broadcasting industry, including as it does, representatives of the major networks and their affiliated stations, the clear channel stations, regional stations, small stations, independent stations and FM stations, as well as the members of NAB's standing committee on Employee-Employer Relations. Consequently, the Special Committee which will meet with yours consists of twenty-six members.

I am pleased that it will be possible for the full membership of both committees to come together at this first meeting. I assume, however, that because of the many-sided nature of the problem which we must solve, it will be necessary for us to select smaller committees to carry on negotiations at later meetings.

With best wishes for the success of our endeavors, I am

Sincerely yours,

/s/ JUSTIN MILLER.

JM:hf

The NAB Special Committee, with one member to be appointed later, is as follows:

Frank White, CBS; Frank Mullen, NBC; Mark Woods, ABC; Robert Swezey, MBS; E. E. Hill, WTAG, Worcester, Mass.; G. Richard Shafto, WIS, Columbia, S. C.; Theodore C. Streibert, WOR, New York, N. Y.; William T. Lane, WAGE, Syracuse, N. Y.; Paul Morency, WTIC, Hartford, Conn.; T. A. M. Craven, Cowles Broadcasting Co., Washington, D. C.; J. Harold Ryan, Fort Industries, Toledo, Ohio; Clair McCollough, WGAL, Lancaster, Pa.; Marshall Pengra, KENR, Roseburg, Oregon; Wayne Coy, WINX, Washington, D. C.; Walter Damm, WTMJ, Milwaukee, Wis.; John Elmer, WCBM, Baltimore, Md.; John Fetzer, WKZO, Kalamazoo, Mich.; John MacDonald, NBC; Harry Le Poidevin, WRJN, Racine, Wis.; Frank King, WMBR, Jacksonville, Fla.; Howard Lane, Field Enterprises, Inc., Chicago, Ill.; Calvin J. Smith, KFAC, Los Angeles, Calif.; William Fay, WHAM, Rochester, N. Y.; J. O. Maland, WHO, Des Moines, Iowa; F. W. Borton, WQAM, Miami, Fla.

## LEA BILL BEFORE HOUSE FEBRUARY 22

The Lea Bill (H. R. 5117) will reach the floor of the House for consideration on next Friday (22). This announcement was made shortly after Rep. Cox (D., Ga.) from the Committee on Rules reported a resolution (H. Res. 524, [Report No. 1567]) on the bill which was referred to the House Calendar. Full text of the resolution is given below.

Committee minority views on the bill were submitted earlier by Rep. Vito Marcantonio (Am. Labor Party, N. Y.) member of the Committee on Interstate and Foreign Commerce of which Mr. Lea, author of the bill, is chairman. This minority report also is printed below. The majority report of the Committee on Interstate and Foreign Commerce was published in NAB REPORTS on Feb. 4 (p. 71).

### Resolution (Committee on Rules)

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5117) to amend title V of the Communications Act of 1934 so as to prohibit certain coercive practices affecting radio broadcasting, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of the bill (H. R. 5117) the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill (S. 63), and it shall then be in order to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H. R. 5117.

### Minority Views (Interstate and Foreign Commerce Committee)

"This bill, like so many other antilabor bills being introduced today, while purporting to be directed at certain activities and practices, in fact goes far beyond such activities and practices and penalizes the legitimate methods and objectives of labor. This bill is a flagrant case in point. Although purportedly directed against the much publicized activities of Mr. Petrillo, of the AFL Musicians' Union, the scope of the bill is such as to cover any and all employees of the broadcasting industry. Although the bill piously purports to prohibit force and violence, its prohibitions go far beyond any force and violence. This is evident from the language of the majority report itself, which states the bill prohibits the use of any other means 'whether or not of the same character as force, violence, intimidation, or duress.'

"The bill, accordingly, should not be considered or debated as an anti-Petrillo bill. Whatever views one may hold as to the desirability or wisdom of Mr. Petrillo's conduct, this bill must be condemned and defeated as an anti-labor bill dealing only in part with such conduct.

"No such bill as this is needed to prohibit force and violence. Such conduct is clearly illegal in every State and adequately punishable by the States. But the bill goes further and prohibits the use of 'any other means.' This could include, for example, the making of a speech, the issuance of a pamphlet, or the use of 'any other means,' to publicize a dispute or disagreement with a broadcaster. It could include the threat of an individual to quit his job. It could include the threat of any thing which would displease the station owner, and therefore might lead him to make a different decision. So sweeping a provision is a clear in-

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fringement of the constitutional rights of speech and press and a substantial impairment of the freedom of action of individuals, which we have come to cherish as bulwarks of democracy.

"Nor are the objectives prohibited by this act immoral or of such a motive as to be characterized as criminal, or to merit punishment of a \$1,000 fine or imprisonment up to a year. For example, the bill would make it unlawful to seek by any means to compel the station owner to hire more employees than are 'wanted' by the station owner. Thus, if the owner insists on piling great burdens of work on one or a small number of its technical or maintenance or other category of employees, the employees involved would be prohibited from seeking to induce the owner to lighten their burden of work by increasing the size of their crew. Where it is the contention of any group of employees that health and safety conditions are such as to require additional employees, they could be forbidden to press the issue with the employer radio station. This result is an outrageous restriction on the inalienable rights of radio employees. Further, can it be said that when, in these times, men band together to protect the employment and spread of employment in their profession or trade, that such conduct is criminal? Can a request of a performer who makes a recording that he be paid by a broadcaster (who can well afford to pay) for the use of that recording be characterized as immoral? Can this Congress condemn these practices, as does the majority report, 'as akin to that of larceny, embezzlement, the acquisition of another's property by false pretenses, racketeering, and extortion'? These are clearly legitimate objectives and aspirations. It would be more fitting for Congress in this period to provide for and protect workingmen in their efforts to secure full employment, higher wages, and improved working conditions rather than to condemn as criminal, as does this bill, their efforts at self-help to achieve these objectives.

"We may differ widely as to the wisdom and desirability of these objectives. But to condemn as criminal the peaceful organization and campaign to achieve these objectives by publicity or other means is to strike at the very heart and purpose of trade-union activity.

"To oppose this bill is not to support the activities of Mr. Petrillo. It is to recognize the rights of men under our society to organize peacefully to protect their economic interests. It is to refuse to reverse the entire legislative trend for the past 30 years, beginning with the Clayton Act, to protect the peaceful organization of labor, and the efforts of labor, by combination and organization, to promote the welfare of workingmen. (See *U. S. v. Hutcheson*, 312 U. S. 219; *U. S. v. Am. Fed. of Musicians*, 318 U. S. 741, affirming per curiam 47 F. Supp. 304.)

"We are not fulfilling our obligations as the responsible legislative body of these United States if we permit ourselves to lose sight of this basic concept. If we permit ourselves to be stampeded by the outcry against one individual into overriding the basic rights of the working people of this Nation, we will have betrayed the trust and confidence which has been placed in us by the American people.

VITO MARCANTONIO."

## Employee-Employer Department

### NLRB RULES OUT BLANKET AFRA CONTRACTS FOR SMALL STATIONS

A clarification of the proper representation of small station employees in bargaining units was brought out in the recent decision of the National Labor Relations Board on the petition filed by the American Federation of Radio Artists in connection with its bargaining with the Badger Broadcasting Co. (WIBA), Madison, Wis.

The union sought to include in its activities all station personnel, excepting two janitors, not covered by the station's agreements with the International Brotherhood of Electrical Workers and the American Federation of Musicians. Thus, they claimed exclusive bargaining representation for all full-time and part-time announcers, salesmen and office workers, excluding only technicians, musicians and supervisors.

Arguing that salesmen and office employees have duties and interests unrelated to those of announcers, and pointing to the fact that heretofore AFRA had confined its organizational activities in the broadcasting industry to actors, singers and announcers, WIBA officials opposed the inclusion of the other employees in the same unit with announcers.

The Board ruled that "all full-time and part-time announcers and commentators . . . including those employees who, in addition to other functions, do regular or part-time work before the microphone as announcers or commentators, but excluding salesmen, office employees, and all supervisory employees . . . constitute a unit appropriate for the purposes of collective bargaining. . . ." Two exceptions were made in the exemptions in the cases of a salesman and an office employee who also prepare and present daily 15-minute programs. By mutual agreement of AFRA and WIBA officials, George R. Stephenson, a part-time commentator, who is an officer and director of the *Capital Times* newspaper, which owns the station, was excluded from the ruling covering part-time commentators. It was agreed that his interests are identified with management.

Continuity writers were considered as being in the general classification of office employees and exempted from the group.

Commenting on AFRA's claim that, because of the station's small size, all three groups of employees in its proposed unit do diversified and integrated work closely re-

(Continued on next page)

## DISTRICT MEETINGS AHEAD

11th District	March 18-19	Radisson Hotel	Minneapolis, Minn.
8th District	March 21-22	Pantlind Hotel	Grand Rapids, Mich.
9th District	March 25-26	Palmer House	Chicago, Illinois
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Cavalier Hotel	Virginia Beach, Va.
2nd District	April 25-26	Roosevelt Hotel	New York, N. Y.
5th District	April 29-30	San Carlos Hotel	Pensacola, Florida
1st District	May 13-14	Hotel Statler	Boston, Massachusetts
3rd District	May 16-17	Bellevue Stratford Hotel	Philadelphia, Pa.

lated to broadcasting and should be included in one group, the Board stated: "While the record indicates, as asserted by the Union, that the three groups . . . perform, for the most part, diversified functions which result in more closely integrated work than would probably be found in a larger radio station with more employees and a clearer segregation of work, we do not consider such integration controlling. The desire of the Union to include the salesmen and the office employees in the same unit with announcers clearly does not conform to the well-established bargaining pattern with respect to radio station employees."

The official citation of the case is: *Matter of Badger Broadcasting Co. (WIBA Radio Station)* and *American Federation of Radio Artists, A. F. of L.*, Case No. 13-R-3146, 64 N.L.R.B., No. 237

Complete text of the ruling will be sent to you on request. Please address such requests to NAB Employee-Employer Relations Dept.

## Programming

### ENTIRE INDUSTRY INCLUDED IN PLANS FOR COVERAGE OF ATOM BOMB TEST

Planning for radio coverage of the atomic bomb experiments in the Pacific got under way at a conference of newsmen and Army and Navy officials Monday, Feb. 11. The industry was represented by Paul White, CBS; William Brooks, NBC; Thomas Velotta, ABC; Tom Slater, MBS; Leon Goldstein, Associated-WMCA; Ted Cott, WNEW; Fox Case, WTOP-CBS, and J. Allen Brown of NAB representing the non-network stations desiring coverage of this history-making event.

Those attending the conference were requested to form committees to choose the representatives for their respective media. Selected by the broadcasters to head their group, Fox Case of WTOP, Washington, will coordinate all requests for radio representation and present them to the Army and Navy.

Due to the extended communications lines necessary, the number of correspondents permitted to be on the scene will be limited to a total of 140 men from all the various news media. It will take from 12 to 14 days by boat to transport the representatives and their equipment to the spot in the Pacific where the tests will be made.

Safety will be the paramount consideration governing the methods of coverage to be worked out. Observers probably will be stationed on land, in high-flying planes and on ships anchored at a safe distance from the scene of bombing. Security will be covered by a briefing of correspondents before the tests.

Further developments will be given in NAB REPORTS.

### AD COUNCIL ALLOCATIONS—FEB. 25-MARCH 3

The Advertising Council has announced the allocations for the period Feb. 25—Mar. 3. Fact sheets have been mailed to all broadcasters.

The allocations and condensed fact sheets follow:

#### Network Allocations

Red Cross Fund	—Fact Sheet No. 14
Building Our New Army	—Fact Sheet No. 2
Help Keep Our Economy Stable	—Fact Sheet No. 3

#### National Spot Allocations

March 15th Income Taxes	—Fact Sheet No. 13
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### 1946 Red Cross Fund Drive (Ad Council Fact Sheet No. 14)

To the people of the United States from General Dwight D. Eisenhower, Chief of Staff, United States Army:

"During my years with our troops in Great Britain, North Africa and on the European Continent, I developed a warm admiration for the friendly, understanding and highly efficient services performed by the American Red Cross for our fighting men. The close of hostilities brought no conclusion to the necessary function of that organization with the Army. The work must continue as long as our troops are stationed in foreign lands. Our troops overseas now have the vital mission of securing the peace. The Red Cross activities in Army hospitals and the program of clubs, recreation centers and welfare must go on through the period of occupation according to changing needs. Normal amenities of life are so lacking in the occupied zones that the American soldier has, in most cases, only what we send him. In this country, services have increased to our men still in hospitals. The needs of veterans and their families have broadened with the return of soldiers to civilian life. A particularly valuable service rendered by the Red Cross is the discovery of cases of unusual hardship among families of men still in uniform, and sending to the War Department reports upon which discharge may be accomplished. For this service I am particularly grateful. I express the earnest hope of the Army that the American public will continue its generous support of the Red Cross during 1946." The foregoing message from General Eisenhower graphically outlines the continuing responsibilities of the Red Cross to the men who made peace possible. To them must be added the victims of unforeseeable floods, fires, tornadoes and other disasters right here at home whom the Red Cross must stand ready to provide with emergency food, clothing and shelter as it has so faithfully done in the past. During the month of March the American people will be asked to contribute \$100,000,000 needed by the American Red Cross to carry out this vast program of service to our occupying forces, hospitalized servicemen, veterans and civilians in need. While the sum is only half that required last year, the urgency of war no longer exists as a compelling campaign factor. *This year's campaign, therefore, is going to require the same imaginative, hard-hitting promotion that radio gave to eight successful War Loans and war-time Red Cross campaigns. Radio's job during this drive is to bring home to the American people the realization that the need for the services of the Red Cross did not end with the coming of peace . . . that the continuation of these services is a matter of vital concern to serviceman and civilian alike.* Emphasis should be placed on the fact that such services are performed by the American people through their own organization—the American Red Cross, which has no other means of support than the voluntary contributions of the public.

### Building Our New Army (Ad Council Fact Sheet No. 2)

Congress has authorized a peace-time American Army larger and better trained than ever before in history. This Army, vitally necessary for reasons which will be presently explained, is now being recruited by voluntary enlistment. *But the Army's present recruiting drive for over one million men by July first 1946 may fail unless public attitudes can be changed and changed quickly.* The Army itself is conducting a large-scale direct recruiting drive using paid advertising in various media, but it urgently asks help in a concurrent backdrop campaign, for which its own resources are inadequate, to build prestige for the new Regular Army and its personnel in the public mind, and particularly in the minds of potential recruits, their families and their friends. Very bluntly, the objective of this campaign is to change the old attitude of Americans toward their Army. By explaining the purpose and character of the new Regular Army being formed since victory in World War II, and by paying tribute to the young men now joining it to guard world peace, your program can help the Army's recruiting drive achieve the goal it seeks. Except in war time Americans have always had a poor opinion of peacetime soldiers.

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Many people thought that men joined the Army because they couldn't get jobs anywhere else—because they didn't like to think for themselves—because they were incompetent. These are just a few of the old notions which circulated easily in the years before blitzkrieg. Actually, the new American Army of today is a compact, carefully chosen group of skilled technicians. Young men seeking to enter must have brains and ability. They must be able to understand and profit by technical training that is second to none. They must be capable of leadership. They must be all this because the task before them is the maintenance of that peace for which thousands of other young Americans have already died. Point out that they are guardians of peace—Congress has authorized our new large and expertly trained Army in order to enforce the peace and fulfill our obligations as a member of the United Nations Organization. Point out that the new Regular Army soldier is a skilled technician—he works with advanced techniques and equipment in at least one of many specialized fields, and his competence equals and often exceeds the skill demanded in some of the best paid civilian trades. Illustrate the kind of work they do as guardians of peace and architect of our country's safety.

*Help Keep Our Economy Stable* (Ad Council Fact Sheet No. 3)

In his recent report on the first 100 days of reconversion, President Truman concluded: "Inflationary pressures are still great, and danger signals pointing to a further building up through the winter and spring are the rise of real estate, wholesale and raw materials prices. We must continue to hold the line. We cannot permit inflation." The greatest inflationary pressures we face today are those stemming from the unprecedented demand for and the short supply of (1) housing, (2) clothing and (3) durable goods. Although rent control regulations still exist in most areas the demand for housing is so great that people are tempted to ignore rent ceiling in their eagerness to provide shelter for themselves and their families. During the next few months the clothing supply will be the tightest since before the war, a situation that is being further complicated by thousands of newly discharged veterans who are unable to find even a minimum of civilian clothing in the stores. The durable goods picture is a trifle brighter—more refrigerators, automobiles, washing machines, vacuum cleaners, radios, etc., are on the way. Here again, however, demand and purchasing power still exceed the supply and an inflationary black market is the potential result unless people curb their desires to want the first of everything that appears on the market at any price. *Urge listeners to spend sensibly and to cooperate with all price and rent control regulations.*

### 5th ANNUAL NBC-NORTHWESTERN U RADIO INSTITUTE OPENS JUNE 24

Eleven courses in advanced radio instruction will be given at the six-week session of the fifth annual NBC-Northwestern University Summer Radio Institute opening June 24, according to an announcement by Miss Judith Waller, public service director of the NBC Central Division and co-director of the institute.

In addition to the 11 courses, all of which carry full university credit, six special evening lectures will be presented by the institute this year. Only certain qualified groups of persons desiring further training in the radio industry will be accepted for enrollment this year.

Tuition fee will again be \$100 for the entire course. Classes will be held at the NBC Merchandise Mart studios in Chicago, while evening lectures are to be held at the Northwestern campus at Evanston, Ill.

Inquiries and requests for application blanks should be directed to Armand Hunter, Summer Radio Institute, School of Speech, Northwestern University, Evanston, Ill.

### TEACHERS AND NEWS DIRECTORS PRAISE INTERNSHIPS—FULL REPORT MAILED TO MEMBERS

Opinions of news directors and teachers on last summer's radio news internships has been documented in a brochure titled "Report on Radio News Internships," which NAB is distributing this week to all stations.

On the basis of documented statements of all concerned, the first planned cooperation between broadcasters and college teachers of journalism was an unqualified success. This cooperation took the form of radio news internships at radio stations during the summer of 1945. At these internships radio news directors were the "professors" who taught the journalism teachers.

This long range program to improve radio news was executed by the Council on Radio Journalism which was created by joint action of the National Association of Broadcasters and the American Association of Schools and Departments of Journalism. Financing of the internship program was provided by the individual station managements in their desire to contribute to the public interest through industry improvement.

Applications for 1946 internships are now being solicited from faculty members of journalism schools.

#### High Lights from the Report

*Fred M. Parris, Kansas State College:* "The radio industry is entering a new era. The American public has been educated to the habit of getting news speedily and by ear. . . . To keep astride of this gain, radio newsrooms are going to demand more and even better work from its personnel.

"That's where we journalism instructors come in. That's where the internships offered by member stations of the National Association of Broadcasters will prove to be a great advantage both to the instructor and his school, and the radio industry itself." Mr. Parris interned at WFAA, Dallas, under News Editor Hugo Speck.

*Willis C. Tucker, University of Kentucky:* "If the average internship is like that at WGAR, Cleveland, it is much more valuable than a similar period spent at a regular job in a radio newsroom. The internship method gives a comprehensive view of radio news and its relationship to radio in general. It affords a perspective which might be long denied to a man whose energies are concentrated upon a single job in radio. . . . One who goes through such a course inevitably discards some of his earlier opinions about radio news because he is unable to verify them. He also finds that some of his convictions have been deepened by firsthand evidence." Teacher at WGAR was News Editor Ralph Worden.

*Everett W. Withers, Washington and Lee University:* "A radio internship is invaluable to anyone who teaches radio journalism, and I believe the newspaper editor would benefit by serving one too. . . . I believe the radio internship plan one that promises to assist the school in graduating students who can before long do a yeoman-like job of editing, and who will also be better reporters." Mr. Withers interned at WTIC, Hartford, under News Editor Tom Eaton.

*Elmer F. Beth, University of Kansas:* "Radio people are planning with confidence and with determination to keep in step with the times. Schools of journalism have a new job ahead—to give young people practical training in radio. The intelligent and wholehearted cooperation of the broadcasters, made manifest in the internship program, is going to help get that new job done right." Mr.

*(Continued on next page)*

Beth interned at KMBC, Kansas City, under News Director Erle Smith.

*Archie R. Harney, University of Idaho:* In his documentation Mr. Harney said of his teacher, Ted Meyers, KFI, Los Angeles: "He is a college course in himself." This just about expresses what all of the professional teachers thought of their individual instructors.

*Robert L. Mossholder, University of Omaha:* "College teachers of journalism will find it difficult to do an adequate job of instructing their students in writing radio news unless they themselves have had an opportunity of securing first hand experience under the guidance of men who have demonstrated their ability as writers of radio copy. That is why I should like to see the NAB internship project made an annual summer program." Mr. Mossholder interned at WOW, Omaha, under Director of News Soren Munkhof.

*Leonard L. Jermain, University of Oregon:* "I feel that we now (after internship) can offer a really substantial and worthwhile course to prepare journalism students for journalism work in the field of radio. . . . It is obvious though that the subject should not be taught without applied experience. By the same token it is obvious that the willingness and cooperation of the radio station in furthering such a project is necessary and indispensable. In this respect, then, KOIN (Portland) has done a real service, for it requires some effort on the part of busy personnel to instruct outsiders." News Editor Lester Halpin was "professor."

*Frank E. Schooley, University of Illinois:* "As one of the first internes, I voice wholehearted approval of the idea and the practice. To others teaching radio journalism, I commend the internships." Mr. Schooley interned at WSYR, Syracuse, under Vice President and News Director E. R. Vadeboncoeur.

*Olaf J. Bue, Montana State University:* ". . . In these and other endless discussions there was recurrent affirmation of the conviction that news must be entrusted only to professional news personnel. On the one hand it would seem socially criminal to place the great instrument of radio in clumsy or unwitting hands. Conversely, it would seem the height of folly to entrust maintenance of valued news audiences to any but the best available talent. We concluded that the news audiences in the future are going to those stations which do the best job of gathering, selecting, writing and rewriting the news of their own respective areas. . . . And now with the super-drama of war passed, it becomes even more certain that few are going to listen to shoddy reading of copy torn indiscriminately out of a teletype . . . the end result (of radio news internships) is bound to be graduates more readily competent to prepare a good news program, more surely capable of contributing an imaginative share to the industry's advancement." Mr. Bue interned at KVOO, Tulsa, under News Editor Ken Miller.

## NEWS DEPT. ET LECTURES HELP STUDENTS

Transcribed lectures by members of station radio news departments for the benefit of journalism students are becoming a teaching tool in schools and departments of journalism.

C. W. Myers, president, KOIN, Portland, Ore., has just authorized the preparation of such transcriptions, with the lecture series being prepared by members of KOIN news staff. KOIN's Jim Wyatt reports that Dean George Turnbull of the University of Oregon School of Journalism, a 1945 radio news interne, at KOIN, is most enthusiastic about the arrangements. This school is located 150 miles

from Portland, which eliminates the possibility of frequent lectures delivered in person.

## KVOO's ET for Montana State

The Montana State University made good use of the 45-minute transcription of a round table news clinic made in KVOO studios, Tulsa, last summer.

Olaf J. Bue, Montana State University's radio news interne at the station was moderator. The entire KVOO staff participated. Upon leading questions from the moderator newsmen were thus able to record their viewpoint for the benefit of college journalism students. Professor Bue has since reported that the innovation was remarkably successful.

## Engineering

### BUREAU OF STANDARDS SETS MICROWAVE FREQUENCY YARDSTICK

The National Bureau of Standards has established radio frequency standards covering the microwave range up to 33,000 megacycles per second bringing a degree of order out of the mushroom-like wartime developments that are revolutionizing the whole field of radio, according to the Department of Commerce.

This frequency range is approximately 30,000 times higher than the present broadcast band.

Frequency standards have been set up covering the microwave range continuously with an accuracy of one part in ten million. This sounds like high precision but even it appears somewhat crude when compared with fixed standards made available throughout what are known as the ultra high frequency and super high frequency bands with an accuracy better than one part in a hundred million. These fixed frequencies cover the two bands at intervals of approximately one per cent. By coincidence this is the normal separation between stations operating in the conventional broadcast band.

An enormous number of new channels have been opened up by means of the microwaves. The high degree of precision in frequency standards mentioned above is necessary in order to make available the largest possible number of usable channels and reduce interference to a minimum.

The length range of microwaves has not been specifically defined. Generally speaking, microwaves extend from 10 centimeters—4 inches—down. Currently experts of the Radio Section of the Bureau of Standards are approaching the millimeter region. A millimeter is about a twenty-fifth of an inch in length.

This frequency standards project was undertaken in April 1944 at the request of the Joint Communications Board with funds supplied by the Army and Navy. Technical assistance and equipment were given by the Radiation Laboratory of the Massachusetts Institute of Technology, set up by the National Defense Research Committee, now the Office of Scientific Research and Development. The Radiation Laboratory had established a system of frequency standards. The Bureau of Standards was also assisted by a technical group appointed by the Army and Navy which rendered effective liaison service.

The work of other organizations, including the Naval Research Laboratory, Bell Telephone Laboratories, Radio Corporation of America, Sperry Gyroscope Co., General Electric Co., and Western Electric Co., was carefully reviewed and studied and a reference library of reports from these and other sources was established.

(Continued on next page)



Frequency standards promise to be of constructive benefit to the country as a whole. They not only help the Army and Navy, Federal Communications Commission, Civil Aeronautics Administration and other Government agencies but are of vital importance to the expansion of industry into the microwave part of the radio spectrum, to television, to future radar development, to research and to global aviation. In the more distant future they are expected to be important in the development of long range rockets and other long range missiles and in opening up still higher frequencies in the spectrum.

Many important industrial companies have indicated their active interest in the frequency standards program and the Radio Section of the Bureau has in its files numerous commendatory letters from industrial executives and engineers. One large producer of high precision instruments whose wartime production for the armed forces has been greatly reduced has announced plans for the manufacture of frequency meters and other microwave equipment. This will provide many jobs in a field of production new to the company.

Microwave equipment of the Allied armed forces played a vital part in the defeat of Germany and Japan. Information now being released indicates that Allied developments in this field were so far ahead of those of our enemies as to leave no room for comparison.

The microwave frequency standards are derived from the national primary standards of frequency established and maintained by the Bureau of Standards. The primary standard consists of seven isolated quartz-crystal oscillators. The output of any one of these oscillators by a process of frequency multiplication, frequency conversion and harmonic selection is made to give standard frequencies as high as desired.

The frequency of each of the seven oscillators constituting the primary standard is determined by continuous and automatic comparison with the entire group and with the official time signals. The average frequency value is based upon and agrees precisely with the average U. S. Naval Observatory time signals. The output from one or more isolated oscillators is distributed to laboratory equipment and higher or lower standard frequencies are derived as needed.

Services of the Bureau in connection with microwave frequency standards include measurements, tests and information on instruments which are in turn used as standards to test and measure considerable numbers of other instruments. These services are available without charge to the Army and Navy and other Government agencies. Frequency standards are available to the public on payment of fees fixed in accordance with the long-established policy of the Bureau of Standards.

At the request of the Joint Communications Board, the Bureau's program was extended to cover related matters and active work is being done looking to the development of accurate primary reference standards and precision measurement technique for power, voltage, impedance, attenuation and field intensity at all frequencies.

## **D. C. COMMISSIONERS APPROVE TELE TOWER IN WASHINGTON**

At its meeting Tuesday (12) the Board of Commissioners of the District of Columbia, confirming the action of the Board of Zoning Adjustment and in line with the recommendation of the National Capital Park and Planning Commission, approved the application of Bamberger Broadcasting Services, Inc., for a height of 300 feet above ground for a proposed television tower at 40th Street and Brandywine Street, N. W., in Washington.

Under the law, the Commissioners are restricted solely to passing on the height of such towers, and have no jurisdiction over their location.

The action of the Commissioners does not mean the approval of any particular structural plan. No such plan has yet been submitted. If and when it is submitted, it would require a permit from the District Government, and would be carefully studied to insure a safe structure.

Neither does the approval mean necessarily that the installation will be built, for this depends upon the separate approval of the Federal Communications Commission. The Bamberger Broadcasting Services, Inc., and five other companies, now have such applications before FCC, which has not yet announced its decision. Concurrently, two of the companies (Bamberger and NBC) submitted their applications to the Board of Zoning Adjustment and the Board of Commissioners. The Board of Zoning Adjustment has approved both. The Commissioners have now approved Bamberger. They still have NBC under advisement.

The National Capital Park & Planning Commission, dealing with the general question of the heights of television towers, recommended at its last meeting that the Board of Commissioners approve them as high as FCC considered necessary for good service, but no higher. The Board of Commissioners felt that this was a sound policy. Accordingly they called into consultation the chief engineer of the FCC. He stated the view of FCC, that such towers should be about 500 feet above the average height of the territory they serve. The Bamberger plan just about meets this requirement, being some 480 feet above average height of the territory it would serve; although it would only be 300 feet above the ground, at the point where the company wishes to build it.

## **Broadcast Advertising**

### **SMALL MARKET STATIONS**

#### ***Religious Programming***

In December, 1945, eleven stations in NAB District II (New York State), falling in the small market station classification, were sent questionnaires by A. E. Spokes, WJTN Jamestown, Committee Chairman, regarding their religious programming. Nine of the eleven stations contacted returned reports.

#### ***Commercial Programs***

Commercial religious programs averaged two hours and fifty-one minutes weekly. One station reported no commercial religious programs, in keeping with their policy. The low station reported one hour and thirty minutes a week, while the high station revealed a total of seven hours and fifteen minutes weekly.

#### ***Sustaining Programs***

The survey brought out that the average sustaining religious time was three hours and eleven minutes. The low station carried one hour and thirty minutes. The high station reported four hours and forty-five minutes weekly.

*(Continued on next page)*

## Apportioning Time

Mr. Spokes stated that the method most used by stations for apportioning sustaining time to religious groups is through the co-operation of a Ministerial Alliance or Council of Churches.

## Caliber of Commercial Programs

Commercial religious programs, generally speaking, are of a high caliber. Few exceptions were cited but the general consensus was that production and performance of commercial religious programs were satisfactory, according to the survey.

## Station or Church as Program Producer?

Three stations indicated that they had a given format for their sustaining religious programs, but allowed the church groups to build and produce their own programs with some station supervision. One progressive station produces the complete sustaining period with the minister giving a short opening, a short sermon and a prayer or benediction at the end of the program.

*(NAB District II small market stations are to be commended for making possible this religious survey and passing it on to the entire industry.)*

## PREDICTION BY THE KEYSTONE BROADCASTING SYSTEM

"The next two years will probably be the greatest in the history of radio. Gross time billing has reached its highest figure to date, exceeding four hundred million dollars for 1945. And radio has surpassed newspapers as the Number 1 medium for national advertisers

"On the other side of this picture is the increased competition in radio for the available business. The FCC has said that within 18 months there will probably be a total of 2,000 AM and FM stations on the air—300 more than the total number of daily newspapers in the U. S. This figure may go even higher when one stops to think that one of the major transmitter manufacturers is said to be talking about a complete FM plant that will sell in the neighborhood of \$2,800.

"What does all this mean to the small market station? It means that many of these new stations will go into the small markets in competition with the established station. It means that although the picture is rosy right now, the small market stations must be more aggressive, intensify programming efforts, and expand research and promotion.

"In this competitive era just ahead of us, the national advertiser will be a more important factor in the small market picture since these advertisers are intent on building sales and distribution in the Beyond-Metropolitan markets."

The above statement was distributed by The Keystone Broadcasting System and is reprinted here as a matter of interest to the membership.

## PERSONNEL TRAINING

Morgan Sexton, General Manager of Radio Station KROS, the Mutual affiliate in Clinton, Iowa, reports that he has been successful in getting the permission of the International Brotherhood of Electrical Workers, which represents their technical staff, to use two part-time boys as Engineers on Remote Control broadcasts. "We have the Speech Teachers of our three High Schools recommend boys for these positions from the Junior and Senior

Classes. We audition the boys and pick those with the most mature voices and with the necessary intelligence to break in as apprentice announcers, and we give them from four to eight hours a week on the air during our afternoon or evening time.

"It gives us two announcers that can be called on in emergencies and during vacation months and has been very successful. Usually by the time these boys graduate, they are ready to accept a full time job as announcers and several of them have gone on to get second and third class tickets as operators."

## SYNDICATED TRANSCRIBED SHOWS

A January issue of *Variety* carried a story "WEE-WATTERS WANT PLATTERS." This was a review of the frequently discussed "Why can't the producers make syndicated transcribed shows cheap enough for economical use by small stations?"

*Variety* reported that such shows with MUSIC are now priced at \$10 to \$25 a disc, which means that small stations are paying anywhere from half to twice as much as they charge for time to their sponsors.

*Variety* makes no distinction in a 250 watter as to size of its market.

## Questions

Will small market stations pay \$2.50 each for a five time a week syndicated show, provided a show becomes available at that price?

Will stations pay \$4.00 each for a three time a week show? (Depending of course on name stars, top production, etc.)

Will stations consider using syndicated shows that have already been used a number of times by larger stations?

Have any of you had any experience with these type shows on small market stations? Your recommendations?

J. Allen Brown of NAB invites comments from stations on syndicated programs. Send in a report on your experience, requirements and ideas.

## ADVERTISING AS A CAREER

"It is not surprising that many ambitious veterans are thinking of advertising as a career.

"It's a glamorous field. It involves huge sums of money—more than two billion dollars a year. It shapes people's desires and their standard of living. It calls for initiative, imagination, creative thinking, and expression. It pays better than perhaps any other field, the men and women who rise to its top.

"But let's face the facts.

"The advertising field is extremely limited in number of jobs. There are probably less than 60,000 advertising jobs altogether in the whole U. S. or, 1/10 of 1% of all jobs! It is difficult to enter, and competition is extremely keen after you get in. Pay for its routine positions is little if any higher than in other fields, and more is demanded of the worker. Most of the few places now open will be filled by experienced men returning to them from the armed services. Inexperienced men and women will find it difficult to obtain jobs in advertising."—ELON G. BORTON.

If you have friends who are still determined to try it, Alfred T. Falk, Director, Bureau of Research and Education, Advertising Federation of America, gives you extremely helpful information in the booklet "Jobs in Advertising." Elon G. Borton, AFA President, recommends that veterans read it and then seek the counsel of some experienced advertising people who can discuss your situation with you. Copies of the booklet are obtainable through NAB.

## Miscellany

### BRAZIL DECORATES TOMLINSON

Brazil's highest decoration to non-Brazilians, the National Order of the Southern Cross, *Cruzeiro do Sul*, was conferred upon Edward Tomlinson, NBC Commentator and Inter-American advisor, at the ceremonies at the Brazilian Chancery, last Thursday. Fernando Lobo, Charge d'Affaires, made the presentation before a group of high government, diplomatic, radio and press representatives.

### PANGBORN-COX PROMOTED AT KGW

Portland, Ore.—M. J. Frey, general manager of the Oregonian Publishing Company has announced the appointment of H. Quenton Cox, former assistant manager of KGW, to the post of station manager. He succeeds Arden X. Pangborn, who becomes business manager of the *Morning Oregonian*.

### MRS. GELHORN NEW PRESIDENT ST. LOUIS COUNCIL

Dorothy Lewis, NAB Coordinator of Listener Activity, announces that Mrs. George Gelhorn is the new president of the St. Louis Radio Council.

Mrs. Gelhorn, who succeeds Mrs. Kenneth Teasdale, resides at 4366 McPherson Ave., St. Louis 8.

### WILLS SPEAKS ON RADIO IN OUR DAILY LIFE

Commissioner William H. Wills of the FCC delivered the following address, *Radio Broadcasting and the Daily Life of the American People*, over WIOD, Miami, on Wednesday (12):

"When Station WIOD asked me to speak to you here this evening on the important part which radio broadcasting plays in the daily life of the American people, and on the future possibilities of American broadcasting, I welcomed the opportunity.

"For as a member of the Federal Communications Commission for the past six months, I have come to be increasingly impressed by the extent to which radio has ceased for so many people to be merely a luxury or a convenience, and has become instead a necessity.

"The Federal Communications Commission, as you know, licenses American broadcasting stations, and makes rules and regulations governing their technical operation.

"In connection with proposed rules and regulations, we recently requested the Department of Agriculture to make a sample study of rural people, to determine their attitudes toward radio broadcasting, and one of the questions which the Department of Agriculture asked was this:

"How much difference would it make to you if your set gave out and you were not able to listen at all for a month or more?"

"I need not tell you that the answers were overwhelmingly to the credit of radio broadcasting.

"The vast majority of listeners throughout the areas sampled stated that to be without their radios for a month or more would be an overwhelming loss. One farm wife living in an isolated rural region said: 'I simply couldn't stay home alone . . . I am alone so much of the time, I look upon my radio as my companion.' Another listener reported: 'It would make an awful difference. It would be just like going back to old-fashioned kerosene lamps. I am just lost when the radio is broken.' Still another farm family explained: 'We need the radio very much . . . we have a mile of bad road between the house and the mailbox, and sometimes only get the mail once a week.'

"Under such circumstances, you can readily see that the radio forms the only daily link with the outside world. Indeed, as still another listener expressed it, losing the radio would be almost as disturbing as losing a member of the family.

"Why has broadcasting, not only in the United States but in many other countries of the world, achieved so great a hold on listeners? Why do families throughout the world who cannot afford even such conveniences as central heating, running water, or an occasional movie, nevertheless make sacrifices to buy and maintain their radio receivers?"

"I can give you no short answer to this question, but I would like to cover briefly some of the features which make radio so indispensable.

"First and foremost, as every radio survey shows, radio is valued because it brings listeners the news. During the war, this reliance on radio for moment-to-moment information concerning the progress of our forces in Europe and in the Far East was an unprecedented national phenomenon. Not only in homes, but in stores and office buildings, and even in taxicabs, radios were turned on for the latest developments on the battlefronts, on the high seas, and in the world capitals. In many homes during the long watches of the night, the radio was kept on till dawn, while wives or parents listened for some scrap of news about their loved ones overseas. The American people generally came to rely on radio not merely for prompt news, but for unbiased presentation.

"Since V-J Day, of course, our thirst for news has not been pitched at so feverish a level; but news broadcasts continue, I am confident, to be one of the major features for which listeners value their radio receivers. In the period of domestic and international decisions through which we are now passing, and for the indefinite future, the American people have a stake and a concern. As a self-governing people, we must also be a well-informed people. Radio, by bringing the news to the remotest portions of the United States, serves to inform every citizen, enabling him to carry out his responsibilities as a citizen in a democracy.

"After news, most listener surveys indicate that entertainment is a major source of listener enjoyment of radio broadcasting. The entertainment value of broadcasting is so obvious, and so universally appreciated, that I shall not dwell on it; except to point out that healthy entertainment is a necessary as well as an enjoyable feature in our national life. We tend to think of ourselves as a happy, self-confident people, whose worries are little worries, and who face the future with confidence and with eagerness. It may well be that these optimistic and expansive qualities result in no small measure from the fact that whenever we want or need a good hearty laugh or a quiet soul-warming smile, we can get it by turning a radio dial.

"As entertainment, moreover, radio can afford an important outlet for our dramatists, our actors and singers and the other artists whose appeal is to the ear. Perhaps much more can still be done in utilizing the artistic talents of the country through radio entertainment; but certainly broadcasting has already shown the extent to which its entertainment function can be a part of the artistic life of the nation.

"Perhaps equally important with news and entertainment is the function of radio as a public forum for the discussion of public issues. In my own State of Vermont, the town meetings a century ago provided the facilities by which citizens could come together to discuss not only their local problems but the problems of the state, the nation, and the world.

"As the country grew, and as the population of the United States became predominantly urban, such means for discussion have become fewer and fewer, but they are still the backbone of our democracy. Radio does not have the intimacy of the town meeting, and it suffers from the disadvantage that inevitably a few must talk and many must only listen. Nevertheless, in the discussion of public issues, radio techniques can be and have been devised to provide for public participation, and to provide tremendous audiences for public discussion. The use of radio during political campaigns, which are in essence nationwide debates, is well known; and at least some broadcast stations have found it possible similarly to let their facilities be utilized for local discussions of local problems. Certainly without radio's contribution to a wider understanding of

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local, state, national, and international issues, our country would be the poorer.

"It is hardly necessary for me to catalog the many other ways in which radio broadcasting has entwined itself with our daily needs and wants. As a technique for education, it is excelled only by the actual classroom. As a way of arousing the public to the needs of such organizations as the Red Cross, the USO, local community funds, and other worthy organizations, it has proved its unequalled value. To farmers, radio can and should bring the information which they so urgently need—weather reports, crop and market reports, and specific farm information.

"Finally, and perhaps most important, radio can be and is a force binding us together as a nation, and ironing out those regional differences which might otherwise spell disaster. When folks listen to the same songs and stories, laugh at the same jokes and cry at the same catastrophes, it is hard to believe that any force can ever arise sufficient to tear them asunder or to weaken their allegiance to the same basic principles upon which our society rests.

"And what of the future? Can we hereafter expect better, worse, or more of the same service from American broadcasting? The answer, it seems to me, lies first of all in certain technical developments which I should like briefly to discuss.

"Heretofore, substantially all American broadcasting has been conducted through fewer than 1,000 standard broadcast stations. We are today on the eve of a development which can, and I hope will, revolutionize the possibilities of public service in radio broadcasting. These developments are FM broadcasting, noncommercial educational FM broadcasting, television broadcasting, and facsimile broadcasting. Let me describe these four very briefly.

"First of all, FM broadcasting is a new technique which provides at least four major advantages over broadcasting as we now know it. FM affords a remarkably static-free broadcast service—a feature especially important here in the South, where standard broadcasting is peculiarly subject to static interference. Again, FM greatly reduces the possibility of interference among stations. Also, well-designed FM receivers can reproduce faithfully both the highest and the lowest musical notes, so that what you hear will sound less and less like a radio, more and more like living music. Finally, and perhaps most important, FM makes it possible for the Federal Communications Commission to license at least 2,000 more FM broadcast stations—double the number of standard broadcast stations now on the air. The possibilities for greater freedom of speech and greater public service on the air through this increase in the number of stations can hardly be exaggerated.

"In its Rules and Regulations, the Commission has reserved 20 per cent of all the FM channels for the exclusive use of noncommercial educational FM broadcast stations.

"These stations will be licensed exclusively to educational institutions, for the furtherance of their educational aims, and for transmitting educational and entertainment programs to the general public.

"Educational institutions were among the pioneers of American broadcasting; and we can certainly hope that with the development of educational FM stations, new trails in public service will be blazed.

"Third, we are faced with the immediate development of television which will enable you, seated in your homes, to be eye witnesses of events throughout the country, and perhaps eventually throughout the world.

"Finally, facsimile broadcasting, which makes it possible to deliver into your homes by radio a reproduction of the pictures and text of any printed page, affords still another technical possibility for the radio service of the future.

"Mere technical facilities, of course, do not by themselves assure improved public service. Radio in all its forms can be misused as well as used in the public interest.

"That is why the Congress has established a Federal Communications Commission directed to safeguard the public concern with broadcasting by granting licenses only to licensees who will operate 'in the public interest, convenience, and necessity'; and that is why Congress has

provided that title to the radio channels shall remain in the American people.

"It was a wise provision when it was first laid down in 1927; and I am confident also that for the future, as in the past, radio will hold the attention and interest of listeners everywhere, and we will continue to say—as listeners reported in the recent survey—'I couldn't live without it.'"

## District Meetings

### 6th DISTRICT

With a record breaking attendance of members participating, Wiley P. Harris, WJDX, Jackson, Miss., was elected NAB 6th District Director at the 6th District Meeting in Memphis, Feb. 7-8. He succeeds Hoyt B. Wooten, WREC, Memphis, who asked that his name be withdrawn from consideration for reelection.

The 6th District membership unanimously expressed its deep appreciation of the able manner in which Mr. Wooten served as Director during the past four strenuous wartime years, and commended him particularly upon his untiring efforts and diligent representation of the affairs of the District and the industry as a whole on the NAB Board.

Wholehearted support was pledged to President Miller in a resolution which emphasized the keen awareness he has demonstrated of the problems of the industry and of the responsibilities of his office. Confidence was expressed that NAB under Judge Miller's leadership will continue to progress as the truly representative organization of the industry and that it will constantly broaden his scope in the interest of broadcasters and the public they serve.

Discussions were held on all phases of the industry. NAB representatives reviewed the past progress of the Association and outlined the aggressive new policies and aims of the organization in behalf of its members as they face the promising horizon of postwar expansion into new fields of opportunity for contributing to the public interest.

Progress reports were given on BMB and BMI by representative of those organizations, and general approval was accorded by the members. The Board was urged to continue its support of BMB. BMI's outstanding contribution to the industry in relieving it from the encroachments of the music licensing monopoly was especially cited, and active support and cooperation was pledged for the future.

Stating a belief that a great service would be rendered to the listeners of the Nation through the adoption of uniform time throughout the land, members unanimously requested that the desirability of such uniform time be brought to the attention of the President of the U. S. by NAB President Miller, and that diligent consideration in the interest of permanent uniform time legislation be continued by NAB.

The resolutions adopted by 6th District members and a list of those registered at the meeting follow:

*Whereas* the success of any trade association is due, in a large measure, to the caliber of men who serve as its directors, and,

*Whereas* the affairs of the Sixth District of the NAB have been capably and efficiently handled during the past four years, strenuous as they were during war time; therefore, the members of the Sixth District of the NAB, in convention assembled at Memphis, February 7 and 8, 1946, do hereby express to their retiring Director, Hoyt Wooten, sincere appreciation for his untiring efforts and his diligent representation of the affairs of this District on the Board of the National Association of Broadcasters.

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Whereas the members of the Sixth District of NAB have enjoyed rich hospitality during the meeting of the Sixth District, held February 7 and 8, 1946, in Memphis, Tennessee, and,

Whereas such hospitality has been so graciously extended by the four radio stations of Memphis, Tennessee; therefore, be it resolved that the Sixth District of NAB extend its wholehearted thanks to WREC, WMC, WMPS and WHBQ for contributing so much to the success of the meeting.

Whereas the National Association of Broadcasters was fortunate enough to secure the services of the Honorable Justin Miller as President of the Association,

Whereas in a short period of time President Miller has demonstrated a keen awareness of the problems of the Radio Industry and of the responsibilities of his office, which augurs well for an active, progressive trade association; therefore, be it resolved that the radio stations comprising the Sixth District of the NAB pledge to Judge Miller their wholehearted support and cooperation to the end that the National Association of Broadcasters will continue to be the truly representative organization of the Industry and be able to broaden the scope of its representation.

Whereas there has long been a need in the Radio Industry for a uniform, concise and accurate measurement of the radio audience of the American broadcasting stations, and,

Whereas the National Association of Broadcasters, together with the AAAA and the AFA, have agreed upon the Broadcast Measurement Bureau, and,

Whereas BMB has been in existence now approximately one year and intends to release its first measurements late in this year; therefore, be it resolved that the members of the Sixth District of NAB re-affirm our faith in BMB and urge all radio stations within the District to become members of BMB, and we further urge that the Board of Directors of the National Association of Broadcasters continue their support of Broadcast Measurement Bureau in its future studies, annually or semi-annually, with the provision that the first study proves itself to be a satisfactory method of audience measurement.

Whereas Broadcast Music, Inc., was created by the Broadcasters as a final effort to achieve relief from the encroachments of a long established monopoly in the field of music licensing, and,

Whereas BMI is the one sure guarantee against the reestablishment of this monopoly; be it resolved that the members of District 6 pledge their active support and cooperation to BMI.

Whereas the American people are caused great inconvenience, annoyance and confusion by the semi-annual shift of time in some sections of the country, and,

Whereas a more enjoyable service could be rendered the radio listening population by the adoption of a uniform time; therefore, be it resolved that Justin Miller, in his capacity as President of the NAB, bring to the attention of the President of the United States this great inconvenience and confusion, and be it further resolved that Justin Miller, at his discretion, urge the President of the United States to use his war time powers to assure uniform time, pending efforts by NAB to obtain legislation by the Congress to achieve this purpose permanently.

#### **Registration:**

*Arkansas:* Wilfred McKinney, Leon Sipes, KELD, El Dorado; Bill Slates, Pat Garner, KEPW, Fort Smith; Sam Anderson, Quinn Floyd, Bill Tappan, KFFA, Helena; Roy Judge, Harris Owen, K. F. Tracy, KLRA, Little Rock; Julian Haas, KARK, Little Rock; Ken Kellam, Edward Appler, KTHS, Hot Springs; Jack Parish, KOTN, Pine Bluff; Jay Beard, KBTM, Jonesboro; Phillip G. Baer, John F. Wells, KXLR, Little Rock.

*Louisiana:* George Thomas, KVOL, Lafayette; J. C. Liner, Jr., KMLB, Monroe; W. H. Allen, KALB, Alexandria; Fred Weber, WDSU, New Orleans; Harold Wheelahan, WSMB, New Orleans; Louis Read, W. H. Summerville, J. D. Bloom, Tom Holbrook, WWL, New

Orleans; T. B. Lanford, KRMD, Shreveport; Fred Ohl, KWKH, Shreveport; Jay Anderson, KTBS, Shreveport.

*Mississippi:* Hugh Smith, WJXN, Jackson; Wiley P. Harris, WJDX, Jackson; L. M. Sepaugh, WSLI, Jackson; David Segal, WROX, Clarksdale; Bob McRaney, James Eatherton, WCBI, Columbus; Emmet McMurry, WJPR, Greenville; C. J. Wright, WFOR, Hattiesburg; George Blumenstock, WSKB, McComb; Ward Coleman, WAML, Laurel; Bob Evans, WELO, Tupelo; O. W. Jones, WQBC, Vicksburg; Gene Tibbett, WMOX, Meridian.

*New York:* William Schudt, CBS; Carl Haverlin, MBS; Harry LeBrun, MBS; Pete Schloss, ABC; Carl Cannon, Dan Donny, NBC; Hugh Feltis, BMB; Larry Swars, Noble & Swars; Pierre Weis, Langworth Feature Programs; Ralph Wentworth, BMI; James Kyler, SESAC.

*Illinois (Chicago):* Frank Chizzini, NBC Radio Recording; Robert Elrick, BMI; Gus Hagenah, Standard Radio; John Toothill, Burn-Smith Co.; William Rambeau, William Rambeau Co.; Otto Stadleman, Needham, Louis & Brorby; Clair Heyer, Tom Farrell, *Radio Market Guide*.

*Texas:* Alex Keese, Taylor, Howe, Snowden, Amarillo; Clyde Melville, Taylor, Howe, Snowden, Dallas; Bill Witty, RCA, Dallas; George Harding, Branham, Dallas.

*Washington, D. C.:* Justin Miller, A. D. Willard, Frank Pellegrin, NAB; Maury Long, *Broadcasting Magazine*.

*Georgia:* Stanley Witaker, Clifford Marshall, United Press, Atlanta.

*Tennessee:* W. A. Wilson, Fey Rogers, WOPI, Bristol; J. M. Beasley, M. L. Medley, WHUB, Cookeville; Bill Williams, WJZM, Clarksville; Ken Marsh, WJHL, Johnson City; Jess Swicegood, WKBT, Kingsport; Charles De Vois, John Hart, WBIR, Knoxville; O. L. Smith, WNOX, Knoxville; Earl Winger, Norman Thomas, Carter Parham, WDOO, Chattanooga; E. A. Alburty, Doc Pournelle, Bill Reeves, WHBQ, Memphis; Henry Slavick, Bob Atherton, Clifford Goodman, Joe Eggleston, E. C. Frase, Walter Frase, John Cleghorn, WMC, Memphis; W. B. Read, Jimmy Klair, Harold Krelstein, Fred Christensen, Betty Joan Thomas, William Rudner, F. S. Chamberlin, WMPS, Memphis; Hoyt B. Wooten, Hollis Wooten, Roy Wooten, S. D. Wooten, Jr., Gladys Anderson, Mildred Allen, Milton H. Brame, Wilson Raney, WREC, Memphis; F. C. Sowell, Truman Ward, J. D. Binns, Paul Oliphant, WLAC, Nashville; Jack Draughon, Otis Roush, WSIX, Nashville; Harry Stone, Jack Stapp, John McDonald, Dean Upton, Albert Gibson, Carl Jenkins, WSM, Nashville; Sidney Nichols, Branham Co., Memphis; Wayne Berry, R. B. Sayre, Graybar Electric Co., Memphis; J. W. Oxendine, Western Union, Memphis; Mary Oppenheim, *The Advertiser*, Memphis; Charles H. Brown, Ralston-Purina, Nashville.

*Missouri:* George Kercher, Edward Petry & Co., St. Louis; H. H. Harris, Graybar Electric Co., St. Louis.

## **F-M Department**

### **ALLOCATIONS BULLETIN 19 WITH THIS ISSUE NAB REPORTS**

As announced in last week's REPORTS (p. 96), Special Allocation Hearings Bulletin No. 19 accompanies this edition of NAB REPORTS to all members. This 92 page bulletin contains the testimony given before the Commission Jan. 18-19 in a hearing held to determine whether frequencies in the 42-50 megacycles band should be set aside for FM in addition to those already assigned in the 88-108 band.

A previous announcement had been made by NAB with the issuance of Bulletin 18 that no further Special Allocation Bulletins would be published. However, further hearings have been held, and it is NAB's earnest desire that all broadcasters be kept fully abreast of the proceedings and that they have a complete transcript of the testimony for their permanent station records.

*(Continued on next page)*

## FM GRANTS MOUNT TO 323

The Commission on Wednesday (13) granted 19 FM stations, bringing the total conditional grants to 323. At the same time four applications were designated for hearing, one for Washington, D. C., two for Roanoke and one for Danville, Va. Following is a list of the grants:

City	Grantee	Interest in Standard Station	Type of FM Station
<b>ALABAMA</b>			
Anniston.....	Harry M. Ayers.....	WHMA	Metropolitan, possibly Rural
<b>CALIFORNIA</b>			
Alameda.....	Abraham and Sara Kofman, d/b as Times-Star Publishing Co.....	—	Metropolitan
Berkeley.....	Central Calif. Broadcasters, Inc.....	KRE	Metropolitan
Oakland.....	Tribune Building Co.....	KLX	Metropolitan
Oakland.....	Warner Brothers.....	KWBR	Metropolitan
San Francisco.....	The Associated Broadcasters, Inc.....	KSFO	Metropolitan
<b>IOWA</b>			
Des Moines.....	Cowles Broadcasting Co.....	KRNT, etc.	Metropolitan, possibly Rural
<b>MICHIGAN</b>			
Detroit.....	WJR, The Goodwill Station, Inc.....	WJR	Metropolitan
Detroit.....	UAW-CIO Broadcasting Corp. of Mich.....	—	Metropolitan
Detroit.....	King-Trendle Broadcasting Corp.....	WXYZ	Metropolitan
Pontiac.....	Pontiac Broadcasting Co.....	WCAR	Metropolitan
<b>NEW JERSEY</b>			
Trenton.....	Mercer Broadcasting Co.....	—	Metropolitan
<b>NEW YORK</b>			
Buffalo.....	Roy L. Albertson.....	WBNY	Metropolitan
Rochester.....	Amalgamated Broadcasting System, Inc.....	—	Metropolitan
<b>NORTH CAROLINA</b>			
Fayetteville.....	Cape Fear Broadcasting Co.....	WFNC	Metropolitan
<b>PENNSYLVANIA</b>			
Forks Township, Nr. Easton.	Easton Publishing Co.....	—	Community
Uniontown.....	Uniontown Newspapers, Inc.....	—	Metropolitan, possibly Rural
<b>TENNESSEE</b>			
Chattanooga.....	Unity Broadcasting Corp. of Tenn.....	—	Metropolitan
Johnson City.....	WJHL, Inc.....	WJHL	Metropolitan

### DESIGNATED FOR HEARING

Theodore Granik, Washington, D. C. Adopted an order designating this application for hearing to be consolidated with applications of Marcus Loew Booking Agency et al (Dockets 7189-7201 inclusive), scheduled to be heard March 11; and further ordered that the issues in the consolidated proceedings be amended to include this application (B1-PH-815).

Designated for consolidated hearing the applications of Roanoke Broadcasting Corp. (B2-PH-477), Times-World Corp. (B2-PH-388) both of Roanoke, and Piedmont Broadcasting Corp. (B2-PH-495), Danville, Va.

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 18. They are subject to change.

#### Monday, February 18

- NEW—Albany Broadcasting Company, Inc., Albany, N. Y.—C. P. 1460 kc., 500 watts night, 1 KW day, unlimited.
- NEW—Fort Orange Broadcasting Company, Inc., Albany, N. Y.—C. P. 1460 kc., 5 KW, unlimited DA-night and day.
- WHEC—WHEC, Inc., Rochester, N. Y.—C. P. 1460 kc., 5 KW, unlimited DA-night.
- NEW—Van Curler Broadcasting Corp., Albany, N. Y.—C. P. 1460 kc., 5 KW night,\* 5 KW day, unlimited DA-night.
- WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—C. P. 630 kc., 100 watts night, 250 watts day, unlimited.

NEW—Queen City Broadcasting, Inc., Cincinnati, Ohio.—C. P. 630 kc., 1 KW night, 5 KW day, unlimited DA-night and day.

WLAP—American Broadcasting Corp., Lexington, Ky.—C. P. 630 kc., 1 KW night, 5 KW day, unlimited DA-night and day.

#### Consolidated Hearing

Before Commissioner Wakefield, Council Chamber, City Hall, Pensacola, Florida

NEW—Ruth Braden Weber, d/b as Escambia Broadcasting Co., Pensacola, Florida—C. P. 1450 kc., 250 watts, unlimited.

NEW—Gulfport Broadcasting Co., Inc., Pensacola, Florida—C. P. 1450 kc., 250 watts, unlimited.

NEW—W. O. Pape, tr/as Pape Broadcasting Co., Pensacola, Florida—C. P. 1450 kc., 250 watts, unlimited.

#### Tuesday, February 19

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license. 590 kc., 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license. 1510 kc., 10 KW, unlimited DA-night.

(Continued on next page)

## Wednesday, February 20

### Further Hearing

- NEW—City of Sebring, Florida, Sebring, Fla.—C. P. 1430 kc., 1 KW, unlimited.
- NEW—A. Frank Katzentine, Orlando, Fla.—C. P. 1420 kc., 5 KW, unlimited DA-night.
- WRBI—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Columbus, Ga.—C. P. 1420 kc., 5 KW, DA-night, unlimited.
- NEW—Muscogee Broadcasting Co., Columbus, Ga.—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Chattahoochee Broadcasting Co., Columbus, Ga.—C. P. 1460 kc., 1 KW, DA-day and night, unlimited.
- WWPG—Palm Beach Broadcasting Corp., Palm Beach, Fla.—C. P. 1420 kc., 1 KW, unlimited.
- WMBR—Florida Broadcasting Co., Jacksonville, Fla.—C. P. 1460 kc., 5 KW, unlimited DA-night.
- WLAK—S. O. Ward, tr/as Radio Station WLAK, Lakeland, Fla.—C. P. 1430 kc., 1 KW, unlimited.
- NEW—Georgia-Alabama Broadcasting Corp., Columbus, Ga.—C. P. 1450 kc., 250 watts, unlimited.

### Consolidated Hearing

To Be Held Before Commissioner Wills, Mayor's Office,  
City Hall, Daytona Beach, Florida

- NEW—Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co., Daytona Beach, Fla.—C. P. 1340 kc., 250 watts, unlimited.
- NEW—Wade R. Sperry, Edgar J. Sperry and Josephine T. Sperry, co-partners, d/b as Daytona Beach Broadcasting Co., Daytona Beach, Fla.—C. P. 1340 kc., 250 watts, unlimited.
- NEW—News-Journal Corp., Daytona Beach, Fla.—C. P. 1340 kc., 250 watts, unlimited.

## Friday, February 22

- WREN—The WREN Broadcasting Co., Topeka, Kans.—C. P. 1250 kc., 5 KW night, 5 KW day, S-KFKU.
- NEW—Midwest Broadcasting Co., Milwaukee, Wis.—C. P. 1250 kc., 5 KW, unlimited, DA-day and night.
- WGL—Farnsworth Television & Radio Corp., Fort Wayne, Ind.—C. P. 1250 kc., 1 KW, unlimited DA-day and night.
- NEW—Virginia-Carolina Broadcasting Corp., Danville, Va.—C. P. 1250 kc., 1 KW night, 5 KW day, unlimited DA-night.
- NEW—Homer Rodeheaver, Winona Lake, Ind.—C. P. 1250 kc., 1 KW, unlimited DA-night and day.

Before Commissioner Wakefield, Court Room, City Hall,  
Main Street and East Howard Avenue, Biloxi, Miss.

- NEW—WGCM Broadcasting Co., a co-partnership composed of Hugh O. Jones, Wm. E. Jones and James O. Jones, Biloxi, Miss.—C. P. 1490 kc., 250 watts, unlimited.
- NEW—WLOX Broadcasting Co., Biloxi, Miss.—C. P. 1490 kc., 250 watts, unlimited.

## Saturday, February 23

Before Commissioner Wills, County Commissioner's Room,  
Volusia County Court House, Deland, Fla.

- NEW—James S. Rivers, d/b as Southeastern Broadcasting System, Sanford, Fla.—C. P. 1400 kc., 250 watts, unlimited.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

- NEW—G. W. Covington, Jr., Selma, Ala.—Granted construction permit for a new station to operate on 1340 kc., 250 watts, unlimited time. (B3-P-4001)

- NEW—Southland Broadcasting Co., Laurel, Miss.—Granted construction permit for a new station to operate on 1490 kc., 250 watts, unlimited time. (B3-P-4035)
- NEW—Herbert Herff, Memphis, Tenn.—Granted construction permit for a new station to operate on 1340 kc., 250 watts, unlimited time. (B3-P-3944) Subject to approval of transmitter site and design.
- NEW—Don C. Foote, et al., d/b as Billings Broadcasting Co., Billings, Mont.—Granted construction permit for a new station to operate on 1240 kc., 250 watts power, unlimited time. (B5-P-4238) Subject to selection of a transmitter site and filing of modification of permit therefor.
- NEW—Eastern Radio Corp., Reading, Pa.—Granted construction permit for new station to operate on 1240 kc., 250 watts, unlimited time; subject to waiver of Secs. 3.55 and 3.60 of Commission's rules, and to selection of approved transmitter site. (B2-P-3761)
- WBRY—American-Republican, Inc., Waterbury, Conn.—Granted construction permit to increase power from 1 to 5KW, unlimited time, operating on 1590 kc., directional antenna. (B1-P-4302)
- WKRZ—Kenneth Edward Runnekamp, Oil City, Pa.—Granted modification of construction permit (B2-P-3723) which authorized a new station, for changes in transmitting equipment, approval of antenna, and approval of transmitter and studio locations at Veach Bldg., 232-36 Seneca St., Oil City, Pa. (B2-MP-1826) The permittee hereunder is granted a waiver of Sec. 3.60 of the Commission's rules; conditions.
- WHBC—The Ohio Broadcasting Co., Canton, Ohio—Granted construction permit to install a new transmitter. (B2-P-4367)
- KVAL—Radio Station KEEW, Ltd., Brownsville, Texas—Granted modification of license (B3-ML-1225), to increase nighttime power from 100 to 250 watts on 1490 kc.

### NON-COMMERCIAL EDUCATIONAL BROADCAST

- NEW—State of Wisconsin—State Radio Council, Madison, Wis.—Granted construction permits for two new non-commercial educational broadcast stations (B4-PED-59 and B4-PED-60); frequencies to be assigned by the Chief Engineer of the Commission; 3 KW and 10 KW power, special omission for FM. This is to be two units in a proposed state-wide educational FM network eventually to include seven such broadcasting stations. These stations are to be located at Madison and Delafield, Wis., with main studios for both stations on the campus at the University of Wisconsin, Madison.

### MISCELLANEOUS ACTIONS

- Fort Orange Broadcasting Co., Inc., Albany, N. Y.; Van Curler Broadcasting Corp., Albany, N. Y.—Granted in part joint petition for continuance of consolidated hearing on petitioners' applications and that of the Albany Broadcasting Co., Inc., now scheduled for February 18, and ordered that said hearings be continued for a period of 30 days.
- Harold T. Gray, et al, d/b as Wyoming Valley Broadcasting Co., Wilkes-Barre, Pa.—Granted motion for leave to amend application for construction permit (B2-P-4396), so as to specify the frequency 1450 kc. instead of 1490 kc. as presently requested; ordered the record re-opened in the matter of applications of Miners' Broadcasting Service, Pottsville, and WAZL, Hazleton, and scheduled said matters for further consolidated hearing on February 23, with movant's application, as amended.
- WHEC—WHEC, Inc., Rochester, N. Y.—Denied petition to reconsider and grant without hearing application B1-P-6948; on Commission's own motion severed application from consolidated hearing with applications for stations in Albany; retained on docket for hearing on February 18 on issues heretofore published; Albany applicants made parties to this hearing.

(Continued on next page)

Virginia-Carolina Broadcasting Corp., Danville, Va.—Granted petition to sever its application (Docket 6797) for a new station, from the consolidated proceeding with applications of Farnsworth Television and Radio Corp., et al, all requesting 1250 kc. with directional antenna.

Moline Broadcasting Co., Moline, Ill.—Adopted an order denying petition for reconsideration and grant of application (B4-P-3678) for a new station to operate on 1230 kc., 250 watts, unlimited time.

James S. Rivers, d/b as Southeastern Broadcasting System, Sanford, Fla.—Denied petition to grant without a hearing its application (B3-P-4225) for a new station to use 1400 kc., 250 watts, unlimited time.

Peterson and Company, Lexington, Ky.—Adopted an order denying petitioner's request that their application for a new station be designated for hearing in a consolidated proceeding with the application of The Kentucky Broadcasting Co.

WACO—Frontier Broadcasting Co., Inc., Waco, Texas—Denied special service authority to operate on 1460 kc. with 250 watts power, for a period of 90 days. (B3-SSA-140)

### DESIGNATED FOR HEARING

Alvin E. Nelson, Inc., San Francisco, Calif.—Granted petition requesting that its application (B5-P-4467) for a new station to operate on 1030 kc., 50 KW, unlimited time, be designated for hearing in a consolidated proceeding with applications of KARM, KFRE and KROY, involving frequency 1060 kc.

Tidewater Broadcasting Corp., Norfolk, Va.: Norfolk Broadcasting Co., Norfolk, Va.—Designated for hearing in a consolidated proceeding the applications of Tidewater Broadcasting Co. (B2-P-4456) and Norfolk Broadcasting Co. (B2-P-3794), requesting a new station at Norfolk to use frequency 1230 kc., 100 watts, unlimited time, and 1220 kc., 250 watts, daytime only, respectively.

Express Publishing Co., San Antonio, Texas—Granted petition requesting that its application for a new station (B3-P-4471) to use 1450 kc., 250 watts, unlimited time, be designated for hearing in a consolidated proceeding heretofore set on applications for use of the same frequency.

Empire Newspapers-Radio, Inc., Endicott, N. Y.—Granted petition requesting that its application for a new station (B1-P-4470) to use 1450 kc., 250 watts, unlimited time, be designated for hearing in the consolidated proceedings heretofore set on applications for use of the same frequency.

United Broadcasting Co., Ogden, Utah—Granted petition requesting that its application (B5-P-4107) for a new station to operate on 1490 kc., 250 watts, unlimited time, be designated for hearing in the consolidated proceedings heretofore set for applications to use the same frequency.

Cuyahoga Broadcasting Co., Cleveland, Ohio—Designated for hearing application of Cuyahoga Broadcasting Co. (B2-P-4468) for a new station to use 1490 kc., 250 watts, in a consolidated proceeding with applications of Chester E. Daly, Cleveland, and Samuel R. Sague, Cleveland Heights, all requesting the same facilities.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Adopted an order granting petition of WGR requesting that its application (B1-P-4424) for a construction permit to increase nighttime power from 1 to 5 KW, and to modify its directional antenna, be designated for hearing in a consolidated proceeding with other applications requesting use of 550 kc.; ordered that WGR's application be so designated, and further ordered that the bills of particulars heretofore issued in these proceedings be amended to include WGR's application.

KCRS—Millard Eidson, independent Executor of the Estate of Clarence Scharbauer, deceased, Midland, Texas—Granted petition requesting that its application (B3-P-4474) to change frequency from 1230 to 550 kc., and increase power from 250 watts to 5 KW, DA, be designated for hearing with other applications in the 550 kc. proceedings scheduled to be heard Feb. 25-March 8 in Washington.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Designated for hearing with five other applications involving use of frequency 790 kc., the application of WEAU (B4-P-4312) to increase power to 5 KW day and night—and make changes in directional antenna for night.

WAKR—Summit Radio Corp., Akron, Ohio—Designated for hearing application for construction permit (B2-P-3834), for changes in directional antenna for night use and for changes in ground system.

### ACTIONS ON MOTIONS

WLOF—Hazelwood, Inc., Orlando, Fla.; E. T. Wright, Orlando, Fla.—Upon consideration of petitions of WLOF and E. T. Wright for reconsideration and grant of their applications, it was ordered that the application of WLOF (Docket 6864, B3-P-3973) and application of E. T. Wright (Docket 7111; B3-P-4268), be removed from the hearing docket, and the petitions for reconsideration and grant were denied. It was further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to delete these two applications from the proceedings.

KSD—Pulitzer Publishing Co., St. Louis, Mo.—Denied motion requesting amendment of hearing notice issued in re application B4-P-4089, so as to strike the first issue, which deals with technical, financial and other qualifications of applicant.

Arkansas-Oklahoma Broadcasting Corp., Fort Smith, Ark.—Granted petition insofar as it requests opening of the record in re applications of petitioner and Donald W. Reynolds; denied insofar as petition requests leave to take depositions of Milton W. Woodward, without prejudice, however, to the presentation by petitioner of the testimony only of Milton W. Woodward at a further hearing in this matter on Feb. 28, at Washington, said further hearing to be limited to the purposes hereby stated.

Rodger T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co., Daytona Beach, Fla.—Granted motion for leave to amend application (B3-P-4122) so as to add Rodger T. Peacock, Jr., to the partnership, and substitute said partnership of Roderick T. Peacock, Sr., and Rodger T. Peacock, Jr., a partnership, trading as Daytona Beach Broadcasting Co., for Rodger T. Peacock, Sr., trading as Daytona Beach Broadcasting Co.; to add articles of partnership to the application, and to make other changes.

Radiohio, Inc., Springfield, Ohio—Granted request to dismiss without prejudice application (B2-PH-525) for a new FM station.

WOOP, Inc., Dayton, Ohio—Granted petition insofar as it requests leave to amend its application (B2-P-398) so as to request frequency 1150 kc. instead of 1600 kc., with DA day and night; removal from hearing docket and other relief. The amendment was accepted and application removed from the hearing docket.

James A. Brown, et al, a partnership, d/b as Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—Granted petition for leave to amend its application (B3-P-3654) so as to specify the transmitter site "site to be determined" instead of the presently specified site in Coral Gables, and the amendment was accepted.

KSD—Pulitzer Publishing Co., St. Louis, Mo.—Granted motion to amend application for construction permit (B4-P-4089) so as to specify a new transmitter site and modified antenna system, and the amendment was accepted.

Midwest Broadcasting Co., Milwaukee, Wisc.—Granted motion to amend application for construction permit (B4-P-3746) so as to provide alteration of DA, using a different pattern for day and night operation, and the amendment was accepted.

San Joaquin Broadcasters, Inc., Modesto, Calif.—Granted motion to dismiss without prejudice application for a new station (B5-P-4066).

KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted motion to take depositions in re movant's application for construction permit (B3-P-3626).

Palladium Publishing Co., Benton Harbor, Mich.—Granted motion for leave to amend its application for con-

*(Continued on next page)*



struction permit (B2-P-1023), so as to specify power of 100 watts instead of 250 watts; to specify an exact transmitter site, etc., and the amendment was accepted.

The Templeton Radio Mfg. Corp., Boston, Mass.—Granted petition for leave to amend its application (B1-P-4146) so as to specify frequency 1090 kc. instead of 1450 kc., and to add Ivon B. Newman to the Corp. as a director and stockholder, and to make other changes. The amendment was accepted and the application as amended, was removed from the hearing docket.

KHQ—Louis Wasmer, Inc., Spokane, Wash.; KGA—Louis Wasmer, Spokane, Wash.—Granted joint petition for continuance of hearing on applications for renewal of licenses scheduled for Feb. 19, and continued same to April 18, 1946.

Sabine Area Broadcasting Corp., Orange, Texas—Granted motion to dismiss without prejudice its application for construction permit (B3-P-4011).

WICA—WICA, Inc., Ashtabula, Ohio—Granted petition requesting leave to amend application (B2-P-3081) so as to specify 5 KW power daytime instead of 1 KW daytime, and the amendment was accepted.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted motion to take depositions in re application (B3-P-4100), hearing on which is scheduled for March 8-16.

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted petition requesting leave to intervene in the consolidated hearing on applications of WLAP, WCPO and Queen City Broadcasting, Inc.

Constitution Publishing Co., Atlanta, Ga.—Granted petition to amend its application (B3-P-4086), so as to change pattern of directional antenna, and to specify 5 KW power day and night instead of 1 KW night, 5 KW day, and the amendment was accepted.

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Granted petition for leave to amend its application (B3-P-3914) so as to revise the estimated installation costs, etc., and the amendment was accepted.

WLAP—American Broadcasting Corp., Lexington, Ky.—Granted motion for leave to amend its application for construction permit (B2-P-4102), so as to change the antenna site; change pattern of proposed DA, etc.; said amendment was accepted together with petition covering the matters, and Sec. 1.254 of the Commission's rules was waived.

Chesapeake Radio Corp., Annapolis, Md.—Ordered application (B1-P-4139) as amended removed from the hearing docket, since change in frequency request to 810 kc. is not now in conflict with others in the consolidated proceeding.

Press Wireless, Inc.—Upon consideration of motion requesting continuance of hearing in re Docket 6539, in the matter of rates and charges for communication service, the Commission ordered that the hearing scheduled for February 18 be continued to March 18.

### LICENSE RENEWALS

WLLH—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Granted renewal of license for the period ending February 1, 1947.

WTEL—Phila. Broadcasting Service, Philadelphia, Pa.—Granted renewal of license for the period ending February 1, 1947.

WRAK—WRAK, Inc., Williamsport, Pa.—Granted renewal of license for the period ending August 1, 1947.

### DOCKET CASE DECISIONS

The Federal Communications Commission announces its Proposed Decision (B-232) looking toward a grant of the application for assignment of license of Station WPRP, Ponce, Puerto Rico, from Julio M. Conesa to the Voice of Porto Rico, Inc., a corporation composed of Julio M. Conesa, Andres Grillasca, Francisco Susoni and Felipe Segarra (Docket No. 6685). The Commission made provision that until the assignment of the WPRP license is made, the station will be continued on a temporary license for a period

not to exceed 90 days from the time the decision becomes final.

At the same time, the Commission proposes to deny without prejudice the application of Consolidated Broadcasting Corporation for a construction permit for a new standard broadcast station at Ponce, Puerto Rico, requesting the facilities of Station WPRP (Docket No. 6686).

The applications of Julio M. Conesa for construction permit to increase power of Station WPRP to 5 KW (Docket No. 5678), for approval of transmitter site (Docket No. 6107), and for change in transmitter site for 250 watt operation (Docket No. 6684) were dismissed, since there was no evidence presented in support of these requests.

## Federal Communications Commission Applications

### APPLICATIONS ACCEPTED FOR FILING

#### 600 Kilocycles

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa—License to cover construction permit (B4-P-4002) which authorized installation of a new transmitter.

#### 630 Kilocycles

NEW—Queen City Broadcasting, Inc., Cincinnati, Ohio—Construction permit for a new standard broadcast station to be operated on 630 kc., power of 5 KW, directional antenna and unlimited hours of operation. Amended: to change requested power from 5 KW day and night to 5 KW day and 1 KW night, make changes in directional antenna system and change transmitter location.

#### 710 Kilocycles

WGBS—The Fort Industry Co., Miami, Fla.—Construction permit to increase power from 10 KW to 50 KW, install new transmitter and directional antenna for day and night use, and change transmitter location. Amended: to install new transmitter.

#### 730 Kilocycles

NEW—State Broadcasting Co., Oklahoma City, Okla. (P. O. Oklahoma City, Okla.)—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 1 KW and daytime hours of operation.

#### 810 Kilocycles

NEW—Tri City Broadcasting Co., McKeesport, Pa. (P. O. 3326 Versailles Ave., McKeesport, Pa.)—Construction permit for a new standard broadcast station to be operated on 810 kc., power of 1 KW and daytime hours of operation.

#### 1200 Kilocycles

NEW—Charles A. Sprague, Glenn R. Thayer and William W. Behrman, d/b as WMIL Broadcasting Co., Milwaukee, Wisc.—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 250 watts and daytime hours of operation. Amended: to show William W. Behrman a partner instead of Eleanor M. Behrman, to change frequency from 940 to 1200 kc., and make changes in antenna system.

#### 1230 Kilocycles

KXO—Valradio, Inc., El Centro, Calif.—Construction permit to install new transmitter, new vertical antenna and ground system and change transmitter and studio locations.

(Continued on next page)

### 1290 Kilocycles

WKNE—WKNE Corp., Keene, N. H.—Voluntary transfer of control of licensee corporation from Harry C. Wilder, Mark S. Wilder, Helen W. Miller, Frank Lyman, Jr., David Carpenter, N. L. Kidd, George W. Smith and Philip H. Faulkner to Joseph K. Close, Lyman Spitzer, Abbott K. Spencer and Robert T. Colwell.

### 1380 Kilocycles

NEW—Skyway Broadcasting Corp., Asheville, N. C. (P. O. c/o Chas. G. Lee, Legal Bldg., Asheville, N. C.)—Construction permit for a new standard broadcast station to be operated on 1380 kc., power of 5 KW day and 1 KW night, directional antenna night and unlimited hours of operation.

### 1390 Kilocycles

NEW—Capital City Broadcasting Co., Des Moines, Iowa—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency from 1600 to 1390 kc., increase power from 250 watts day and night to 1 KW day and night, install new transmitter and directional antenna for day and night use and change transmitter location.

### 1400 Kilocycles

NEW—Marvin Glazer and Sylvan Fox, co-partners, d/b as Fox Broadcasting Co., Alexandria, La. (P. O. 702 Monroe St., or P. O. Box 309)—Construction permit for a new standard Broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

NEW—D. O. Kinnie, Visalia, Calif. (P. O. 614 East Main St.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

### 1450 Kilocycles

NEW—Radio Asheville, Inc., Asheville, N. C. (P. O. Geo. II. Wright, Wachovia Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re stockholders. (Call "WCRA" reserved)

### 1490 Kilocycles

NEW—James D. Asher, Morton R. Wade and Martin Anastasi, d/b as The Asher Broadcasting Service, Quincy, Mass. (P. O. Granite Trust Bldg., Norfolk, Mass.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. (Call "WJDA" reserved)

NEW—Electronics Corporation of Puerto Rico, Mayaguez, Puerto Rico (P. O. Roosevelt No. 8, P. O. Box 791)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Frank E. Pellegrin and Homer H. Gruenther, d/b as Pellegrin & Gruenther, Oak Ridge, Tenn. (P. O. Temp. Room 1020, Tower Bldg., 1401 K St., N. W., Washington, D. C.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

### FM APPLICATIONS ACCEPTED FOR FILING

NEW—Giddens & Rester, a Partnership composed of Kenneth R. Giddens & T. J. Rester, Mobile, Ala. (P. O. Downtown Theatre Bldg., 205 Government St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by chief engineer of FCC and coverage to be determined.

NEW—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC.

NEW—Observer Publishing Co., Washington, Pa.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be determined. Amended to specify frequency as Channel #259, 99.7 mc., coverage as 9,650 square miles, population as 2,239,185 and specify transmitter site and type of transmitter.

NEW—Fred B. Wilson & Channing Cope, d/b as Wilson & Cope, Atlanta, Ga. (Temp. P. O. 75 Marietta St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #223, 92.5 mc. or as directed by FCC and coverage of 18,100 square miles. Amended to change name from Fred B. Wilson & Channing Cope to Fred B. Wilson & Channing Cope, d/b as Wilson & Cope.

NEW—Gazette Printing Co., Janesville, Wis. (P. O. 200-204 E. Milwaukee St.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned.

NEW—KWHN Broadcasting Co., Inc., Fort Smith, Ark. (P. O. Box 799)—Construction permit for a new FM (Rural or Metropolitan) broadcast station to be operated on frequency to be assigned in 100 mc. band and coverage of 15,000 square miles.

NEW—Fountain of Youth Broadcasting Co., St. Augustine, Fla. (P. O. Fountain of Youth Park)—Construction permit for a new FM broadcast station to be operated on 92-106 mc. and coverage of 2,580 square miles.

NEW—Southern Media Corp., Coral Gables, Fla. (P. O. 1235-38 Ingraham Bldg, Miami, Fla.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency to be selected by chief engineer of FCC and coverage to be determined.

NEW—J. M. Bryan & Smith Davis, co-partners d/b as Spartanburg Broadcasting Company, Spartanburg, S. C. (P. O. 291 East Main St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be determined.

NEW—UAW-CIO Broadcasting Corp. of Michigan, Detroit, Mich.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 43.1 mc. and coverage of 22,750 square miles. Amended to change name from International Union United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO) R. J. Thomas, Pres., to UAW-CIO Broadcasting Corp. of Michigan.

NEW—Ohio Valley Broadcasting Corp., Parkersburg, W. Va. (P. O. Grinter Bldg., 701½ Market St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage not specified.

NEW—Lucian E. Kinn, Fostoria, Ohio (P. O. 963 N. Union St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be selected by FCC and coverage of 7,925 square miles.

NEW—Eagle Printing Company, Inc., Butler, Pa.—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage not specified. Amended to specify frequency as to be determined by FCC, coverage as 13,780 square miles, change class of station from Community to Metropolitan and specify population, transmitter site and antenna system.

WTMJ—The Journal Company (The Milwaukee Journal), Richfield, Wis.—Construction permit to increase service area from 8,500 to 16,287 square miles, specify frequency as 92.3 mc., install new equipment, change antenna system and specify a Rural FM station.

NEW—Redwood Broadcasting Company, Inc., Eureka, Calif. (P. O. Box 1021, Eureka, Calif.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be selected by chief engineer of FCC.

NEW—Unity Broadcasting Corporation of Tennessee, Chat-

(Continued on next page)

tanooga, Tenn.—Construction permit for a new FM (Community) broadcast station to be operated on frequency to be assigned by chief engineer of FCC. Amended to change class of station from Community to Metropolitan.

- NEW—M. H. White and H. R. Wiecking d/b as Winona Radio Service, Winona, Minn.—Construction permit for a new FM (Rural) Broadcast station to be operated on frequency to be assigned in 100 mc. band, and coverage of 12,850 square miles.
- NEW—Tribune Printing Co., Beaver Falls, Pa.—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be determined. Amended to specify frequency as Channel #285, 104.9 mc., transmitter site and type of transmitter.
- NEW—Monroe Broadcasting Co., Inc., Rochester, N. Y.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC.
- NEW—WKST, Inc., New Castle, Pa.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned in 100 mc. band and coverage 10,220 square miles.
- NEW—Lewistown Broadcasting Co., Lewistown, Pa. (P. O. 5 West Market St.)—Construction permit for a new FM broadcast station to be operated on Channel #250, 97.9 mc., or as assigned and coverage of 3,909 square miles, or as assigned.
- NEW—Charleston Broadcasting Co., Clarksburg, W. Va. (P. O. 1016 Lee St.)—Construction permit for a new FM (Metropolitan) broadcast station.
- WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Construction permit to specify frequency as Channel #258, 99.5 mc. and coverage as 12,200 square miles, install new transmitter and new antenna, and change transmitter location, and request metropolitan station.
- NEW—Eastern Carolina Broadcasting Co., Inc., Goldsboro, N. C. (P. O. Borden Bldg., Walnut and James Sts.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned in 100 mc. band and coverage of 9,860 square miles.

#### MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

- W3XI—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Washington, D. C.—License to cover construction permit (B1-PEX-43, as modified) which authorized a new developmental broadcast station.
- W9XEV—Evansville On The Air, Inc., Glenwood, Ind.—License to cover construction permit (B4-PEX-52, as modified) which authorized a new developmental broadcast station.
- NEW—Pennsylvania Broadcasting Co., Area of Philadelphia, Pa. (P. O. 35 South 9th St., Philadelphia 7, Pa.)—Construction permit for a new relay broadcast station to be operated on 156.75, 158.40, 159.30 & 161.10 mc., power of 15 watts and special for FM emission.
- NEW—Cowles Broadcasting Co., Wheaton, Md. (P. O. 1627 K St., Washington, D. C.)—Construction permit for a new developmental broadcast station to be operated on frequency between 485-600 mc. as assigned by the FCC, power of not more than 3 KW and not less than 400 watts and special for television emission.
- NEW—Agricultural & Mechanical College of Texas, College Station, Texas (P. O. College Station, Texas)—Construction permit for a new non-commercial educational broadcast station to be operated on frequency to be assigned by FCC and power of 1 KW.
- NEW—Maison Blanche Co., New Orleans, La. (P. O. Canal & Dauphine Sts.)—Construction permit for a new commercial television broadcast station to be operated on Channel #1, 50-56 mc. and ESR of 1430. Amended to change frequency from Channel #1, 50-56 mc. to Channel #4, 66-72 mc.
- Federal Telecommunication Laboratories, Inc., New York, N. Y. (P. O. 67 Broad Street)—Construction permit for a new developmental broadcast station to be operated on frequency 930 mc., power of 30 watts and unlimited hours of operation.

#### APPLICATIONS TENDERED FOR FILING

- NEW—East-West Broadcasting Co., a partnership composed of John C. Griffith, James H. Lawson, Jr., James G. Ulmer, James G. Ulmer, Jr., M. Ward Bailey & T. S. Christopher, Fort Worth, Texas—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 250 watts and unlimited hours of operation.
- NEW—James C. Wallentine, d/b as The Uintah Broadcasting Co., Vernal, Utah—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—Radio & Television Broadcasting Company of Idaho, Pocatello, Idaho—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.
- NEW—Empire Newspapers-Radio, Inc., Endicott, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—Express Publishing Co., San Antonio, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—Volunteer State Broadcasting Co., Inc., Nashville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 5 KW, directional antenna night and unlimited hours of operation.
- KCRS—Millard Eidson, Independent Executor of the Estate of Clarence Scharbauer, Deceased, Midland, Texas—Construction permit to change frequency from 1230 kc. to 550 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use.
- KGKB—Jas. G. Ulmer, Tyler, Texas—Application resubmitted for voluntary assignment of license to Jas. G. Ulmer & James G. Ulmer, Jr., d/b as East Texas Broadcasting Company.
- NEW—La Crosse Broadcasting Co., La Crosse, Wis.—Construction permit for a new standard broadcast station to be operated on 580 kc., power of 5 KW, directional antenna and unlimited hours of operation.
- NEW—Boise Broadcasting Co., Boise, Idaho—Construction permit for a new standard broadcast station to be operated on 630 kc., power of 5 KW, directional antenna and unlimited hours of operation.
- WTRY—Troy Broadcasting Co., Inc., Troy, N. Y.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use and change transmitter location.
- WKRC—The Cincinnati Times-Star Co., Cincinnati, Ohio—Construction permit to increase power from 1 KW night, 5 KW daytime to 5 KW day and night, install new transmitter and directional antenna for day and night use and change transmitter location.
- NEW—Tri-Suburban Broadcasting Corp., Silver Spring, Md.—Construction permit for a new standard Broadcast station to be operated on 1050 kc., power of 1 KW, daytime hours of operation.
- NEW—Lee Broadcasting Corp., Sanford, N. C.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 1 KW, daytime hours of operation.
- NEW—Ross & Co., a partnership consisting of Edmund Key III, Emerson H. Lee, Clark Ross, Jr., and John Morton Taylor, Marshall, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts, unlimited hours of operation.
- NEW—Redege Broadcasting Co., Hendersonville, N. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts, unlimited hours of operation.
- WMLT—George T. Morris and J. Newton Thompson d/b as Dublin Broadcasting Co., Dublin, Ga.—Voluntary assignment of license to George T. Morris tr/as Dublin Broadcasting Co. (1340 kc.)
- NEW—Edward J. Jansen and Jessica L. Longston d/b as

(Continued on next page)

Livingston Broadcasters, Livingston, Mont.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, unlimited hours of operation.

KLCN—Harold L. Sudbury, Blytheville, Ark.—Construction permit to change frequency from 900 kc., to 570 kc., change hours of operation from daytime to unlimited using power of 1 KW day and 500 watts night, install directional antenna for night use and change transmitter location.

KASA—Southwest Broadcasting Co., Elk City, Okla.—Transfer of control of licensee corporation from Hoyt Houck and Walter G. Russell to Lonnie J. Preston.

NEW—Copper City Radio Co., Inc., Butte, Mont.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation.

NEW—Yellowstone Amusement Co., Livingston, Mont.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

KTNM—Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston d/b as Tucumcari Broadcasting Co., Tucumcari, N. Mex.—Voluntary assignment of license to Hoyt Houck, Robert D. Houck and Walter G. Russell d/b as Tucumcari Broadcasting Co.

Twin City Broadcasting Co., Inc., Augusta, Maine—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

Oneida Broadcasting Co., Rhinelander, Wisc.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

Radio Television Corp., Medford, Ore.—Construction permit for a new standard broadcast station to be operated on 1270 kc., power of 5 KW, directional antenna night and unlimited hours of operation.

## Federal Trade Commission Docket

No complaints, cease and desist orders, or stipulations were issued this week by the Commission.

### FTC COMPLAINTS DISMISSED

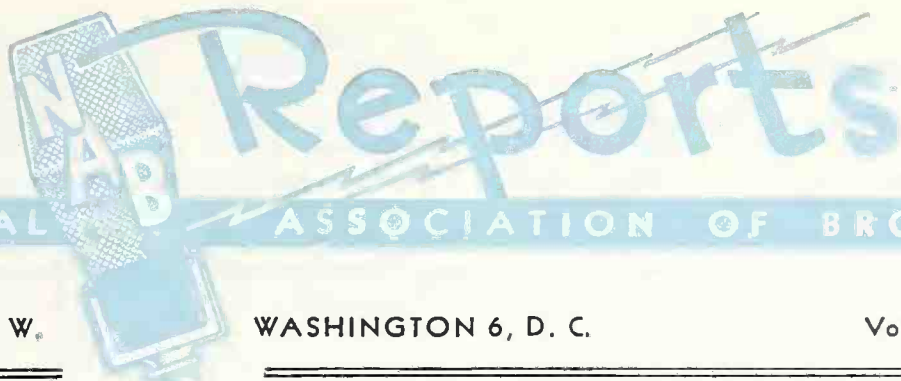
**Paperboard Products**—The Commission has issued an order dismissing without prejudice its complaint charging National Paperboard Association, Chicago, and its officers and member manufacturers with a combination to eliminate price competition, restrict production and monopolize the manufacture and sale of paperboard and paperboard products.

The complaint also was dismissed without prejudice as to Frederick G. Becker, Inc., Chicago, and its officers, who were charged with participating in the conspiracy.

The Commission entered its order disposing of the case after it had given consideration to the respondents' petition and motion to dismiss the complaint. (5359)

**Waxed Paper Products**—The Commission has issued an order dismissing without prejudice its complaint charging American Waxed Paper Association, its officers and member manufacturers with a combination to restrain trade and fix prices in the sale of waxed paper products.

The order of dismissal was issued after the Commission had given consideration to the respondents' motion to dismiss the complaint. (5149)



## Music

### LEA BILL PASSES HOUSE 222 TO 43

The Lea Bill (H. R. 5117) overwhelmingly passed the House 222 to 43 late Thursday night as NAB REPORTS went to press.

The legislation will now go to a Senate and House conference committee for final drafting.

## Engineering

### NARBA CONFERENCE STILL ON

The NARBA conference was still in session Thursday (21) as NAB Reports went to press with the belief generally expressed by delegates that a compromise between the Bahamas, Cuba and United States would be reached sometime Monday (25), under which Cuba will acquire a 640 kc channel from the Bahamas, which will be supplied with another channel. Provisions called for Cuba protecting class 1A stations in the United States under this arrangement. It was stated as likely that four or five class 2A stations and eight regional with rights in excess of 5 kw's will go to Cuba under the arrangement.

### REPORT ON SURPLUS RADIO EQUIPMENT

Total declarations of surplus Government radio, electronic and communication equipment and of electrical machinery and equipment are expected to exceed a value of three billion dollars in original cost, but much of this property will not be salable and will be suitable only for salvage or scrap, the Surplus Property Administration informed Congress in an interim report Wednesday (20).

The interim report was submitted in conformity with Section 19 of the Surplus Property Act which requires SPA to report to Congress on specified classes of surplus property and to recommend programs for its disposal. The report was dated Jan. 31, the day before SPA was consolidated with War Assets Corporation, and meanwhile has been in the process of being printed for presentation to Congress.

"Much of the surplus radio and electrical equipment will consist of items of special character not readily adaptable to peacetime use, and will be suitable only for salvage or scrap," the report said. "Some equipment and parts will be salable after modification and a certain proportion will be directly salable.

"Radio and electronic equipment is expected to provide a relatively small proportion of commercially salable material, since it includes not only many special types of radio transmitters, receivers, tubes, and parts, but also radar and other related devices for which no large peacetime use has yet been developed.

"Electrical machinery and equipment comprises a larger proportion of items of standard design and general industrial applicability, such as motors, generators and transformers, for which a definite market can be found.

"The long-deferred demand for civilian type radio and electrical products, a high postwar level of general industrial activity, and the development of new applications for electronic and electrical equipment will play a part in providing a market for salable surplus radio and electrical equipment. The marketability of surplus equipment differs widely as between detailed categories."

The Government bought approximately 19 billion dollars worth of radio and electrical equipment for war purposes, the report said. Of this, about 10.7 billion was for radio, electronic and communication equipment, and 8.3 billion for electrical machinery and equipment. Much of the latter represents installations in Government-owned industrial plants, and may not appear separately as surplus.

Wartime expansion of plants in the radio and electrical equipment fields cost about \$900,000,000, of which approximately \$565,000,000 represented investment of Government funds. Thirteen of these plants cost the Government more than \$5,000,000 each, representing a total expenditure of about \$87,000,000. Five of these plants have been declared surplus, and one has already been sold to its wartime operator.

"The interim character of the report," SPA explained, "is dictated by the fact that, while certain disposal procedures are in effect, a wholly adequate plan of disposal has not yet been fully completed. It therefore appears advisable to inform the Congress of the present status of disposal procedures and measures under consideration for improving and supplementing them, leaving to a later date the description of a complete program."

Discussing disposal methods, the report said, "In the case of radio and electronic equipment, a system of central evaluation panels is used to aid in the preliminary determination of salability, whereas for electrical machinery and equipment, there are salvage and inspection committees located in the regional offices of the disposal agency. The improvement of these systems is now underway.

"Direct sales methods are used for the disposal of radio and electrical equipment, particularly where priority claimants are involved. The additional methods of disposal used for radio, electronics and communication equipment differ substantially from those used for electrical machinery and equipment.

"The basic method of disposal in the case of radio and electronic equipment involves agreements entered into by

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1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

the disposal agency with the original manufacturer of the equipment, or with a manufacturer who is willing to handle other products besides his own. This channel is used because of the multiplicity of parts, their highly technical nature, coupled with requirements for inspection, testing, and reworking, for which the manufacturers have specialized facilities and personnel.

"The manufacturer-agents are reimbursed for all reason-

able expenses and receive a commission except on sales to priority claimants. Among the drawbacks to this method have been the comparatively limited industry participation, and the high cost to the Government of inspection and handling of equipment. This suggests the employment by the disposal agency of increased direct selling or of additional sales methods such as the utilization of commercial and sales organizations under merchandising agency contracts.

"In the disposal of electrical machinery and equipment, the predominant method at the present time is that of direct sale to priority claimants and to the general public. For bulk items, the method of sale through dealers is also widely employed, either by negotiation, upon a bid basis, or upon a fixed price basis. In the latter case, where items are in long supply a discount may be offered to the dealers. It is probable that prompt and wide distribution may be facilitated by additional methods, such as sale through agents or approved brokers upon a commission basis.

"The disposal of radio and electrical equipment presents handling and merchandising problems of great complexity, and existing procedures are not wholly adequate. A later report will present a disposal program embodying contemplated improvements."

The status of government-owned radio and electrical equipment plants costing the government more than \$5,000,000 each is shown by the following table:

<i>Wartime Operator and Location</i>	<i>Owning Agency</i>	<i>Chief Products</i>	<i>Date declared Surplus</i>	<i>Land and Buildings</i>	<i>Machinery and other</i>	<i>Total</i>
Tantalum Defense Corp., Chicago, Illinois	Air Corps	Basic metal Products	.....	\$3,113,307	\$2,228,419	\$5,341,726
General Electric Co., Fitchburg, Mass.	DPC	Auxiliary Turbines	1/ 5/46	1,801,028	3,477,463	5,278,792
Sylvania Electric Products, Ipswich, Mass.	Navy	Radio	.....	.....	.....	5,167,000 (est.)
General Electric Co., Pittsfield, Mass.	Navy	D. C. Motors	.....	2,942,000	3,281,000	6,223,000 (est.)
General Cable Corp., St. Louis, Mo.	DPC	Signal Corps field wire	.....	1,780,678	3,411,721	5,192,400
Western Electric, New York	Air Corps	Radio	.....	.....	.....	7,032,000 (est.)
General Electric Co., Schenectady, N. Y.	.....	Radio & Radar	.....	.....	.....	7,398,000 (est.)
General Electric Co., Syracuse, N. Y.	DPC	Turbo-Electric Drives	11/30/45	7,791,133	8,477,471	12,268,404
National Carbon Co., Morganton, N. C.	DPC	Graphite Electrodes (prelim.)	1/ 5/46	2,369,538	4,374,079	6,743,617
General Motors Corp., Kings Mills, Ohio	Navy	Diesel Engine Starting motors	1/17/46	2,633,000	2,586,000	5,219,000 (est.)
General Electric Co., Erie, Pa.	DPC	Propulsion Turbines	1/21/46	2,295,455	4,681,472	6,980,927 (sold)
Radio Corps of America, Lancaster, Pa.	Navy	Power and Special Tubes	.....	2,978,000	4,514,000	7,492,000 (est.)
Western Electric Co., Eau Claire, Wis.	DPC	Radio	.....	6,171,715	612,667	6,784,382 <sup>a</sup>
Grand Total						\$87,121,248

<sup>a</sup> Some Equipment not included in this figure.

### AMATEURS CITED IN WAR OBSERVING PROJECTS

During the war, radio amateurs of the United States participated in three observing projects sponsored by the Bureau of Standards, the object of which was to obtain basic data urgently needed in making radio propagation predictions for the Allied Armed Forces. The first two projects called NBS-ARRL projects I and II, were organized under the joint auspices of the National Bureau of

Standards and the American Radio Relay League, the national organization of the radio amateurs of the United States, and most of the participating observers were ARRL members. The third project, known as the WWV Observing Project, was organized independently of the NBS-ARRL projects, but was later joined by a number of NBS-ARRL Project II participants.

NBS-ARRL Project I was started on July 1, 1941, and

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terminated on June 30, 1943. Project II ran from July 1, 1943 to June 30, 1944. "Regional Coordinators," selected by the ARRL headquarters staff, organized amateurs in their vicinities into observation groups for monitoring the radio-frequency spectrum between 1,500 and 30,000 kilocycles for two 2-hour periods each week, one in the daytime around noon, and one after dark.

The intensity, readability, and background noise intensity, as well as the distance and direction of each observed station, were reported to the Bureau, where the data were analyzed and the results used in checking predictions of world-wide radio propagation conditions for the Allied Armed Forces and commercial radio communications companies engaged in war work.

The WWV Observing Project was organized in December 1943 and terminated on June 30, 1945. Its object was to obtain data on the reception of the Bureau's standard-frequency broadcast station WWV at various distances and in different directions. Observers were recruited from amateur and professional radiomen who had expressed an interest in the WWV broadcasts, and later from participants in the NBS-ARRL projects. Observers were requested to tune in on WWV as often as possible at approximately one-hour intervals and to record ratings of the intensity, readability, fading, and background noise intensity. The results of this project were also used in checking predictions of world-wide radio propagation conditions.

Most of the participants in these projects had regular full-time jobs and were therefore able to make their observations only during spare time. Many went without sleep to maintain their observing schedules and used precious hours on Sundays and days off, but they did it gladly as a patriotic service without thought of pay or recognition.

Through these projects United States radio amateurs contributed data to the war effort that could have been obtained in no other way. In addition, they have increased the sum total of knowledge of radio wave propagation and communication, and this will benefit everyone in days to come.

### TELEVISION RELAYED FROM BLIMP

Schenectady, N. Y.—General Electric engineers have been experimenting with television relay equipment installed in a blimp operating between Schenectady and New York to determine the practicability of the idea and to check on the possibility of increased relay range of a station at varying altitudes.

The experiments are part of a broad General Electric research and engineering program which calls for the investigation of all methods of relaying—whether by ground or air "booster" stations—to arrive at the most economical and dependable system for the widest distribution of television and FM radio programs.

Results from the blimp experiments are not conclusive as yet, having been temporarily postponed because of the strike at G.E., but expected to be continued when the strike is over.

General Electric worked with Globe Wireless, Ltd., in the relay tests, using a blimp of the Goodyear Tire and Rubber Company. This was operated between Schenectady and New York City over territory which G.E. and Globe Wireless will operate an experimental radio relay network. Early experimental work on the relay network was carried on by G.E. and the International Business Machines Corp. The latter has transferred its work in the project to Globe Wireless, Ltd., where it will be carried on under the supervision of Vice President Walter S. Lemmon.

## Legal

### NEW MEXICO TAX CASE HEARD IN ALBUQUERQUE

The New Mexico tax case (see NAB REPORTS, vol. 13, pp. 520 and 562), in which stations KSUN, Las Vegas; KGFL, Roswell; KWEW, Hobbs; KTNM, Tucumcari, are contesting the State's attempt to impose upon stations a privilege tax, and the requirement that stations take out a license to do or continue to do business in the State, came to trial before a three-judge Federal court in Albuquerque, Monday and Tuesday (18-19).

The court took the matter under advisement, and requested the plaintiff stations to file an additional brief within ten days.

The case was argued by counsel headed by Lake Frazier for the stations, with John Morgan Davis and Milton J. Kibler of NAB, assisting in the role of friend of the court.

On the first day of the trial, Howard Frazier, NAB engineering consultant, testified and W. E. Whitmore, manager, KGFL, testified as to cards and letters received from as far away as New Zealand and the court received the testimony.

Mr. Kibler is going on to Roswell where State trials concerning the same situation will be held.

### PRINTING TRADES PRESIDENT WANTS RADIO PENALIZED

Renewing a 1941 try, the International Allied Printing Trades Association is again attempting to impose upon radio a franchise tax, patterned to confine net profits of stations to a 15 per cent limit, based on actual sales.

A letter has been sent to the association membership by John B. Haggerty, president of the IAPTA, who suggests that the members, said to total 190,000 skilled craftsmen in the United States and Canada, urged their Congressional representatives to give favorable consideration to the tax.

House passage was obtained on an earlier measure designed substantially to attain this same end, but failed to pass the Senate.

In the renewed attempt, Mr. Haggerty describes radio as being in unfair competition with a large segment of the printing industry. In his letter he quotes alleged well-disposed expressions of members of both branches of Congress, "favoring the levying of a franchise tax." In large measure, these quotations were lifted from the recent appropriations hearing, during which former FCC Chairman Paul A. Porter was cross-examined.

It was stated by Mr. Haggerty that he understood the House Ways and Means Committee will soon take under consideration the formulation of a new tax law and he points out that one means of reducing the public debt would be for the government to impose the radio franchise tax.

Suggested legislation would provide that all net profit in excess of 15 per cent on the actual investment, with a limitation of not more than \$25,000 for salary, bonuses, etc., to any one executive be skimmed off through taxes.

This latest campaign to penalize radio, companion to the press in the vital function of safeguarding freedom of speech, is accompanied by an explanatory contention that radio advertising before the war had deprived multitudes of printing trades craftsmen of job opportunities

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through a shifting of national advertising from printed publications to the newer medium of radio.

The International Allied Printing Trades Association is made up of the powerful International Typographical Union, International Printing Pressmen and Assistants Union, International Brotherhood of Book Binders, International Stereotypers and Electrotypers Union, and International Photo-Engravers.

## FCC

### SENATE CONFIRMS PORTER AS OPA HEAD

President Truman's selection of former FCC Chairman Paul A. Porter as the head of OPA to succeed Chester Bowles, who was at the same time named Chief of the Office of Economic Stabilization, was confirmed by the Senate Thursday (21).

### FCC EXTENDS TIME ON FILING OF STATION TRANSFER BRIEFS

The Commission has issued the following order:

Docket No. 7071

In the Matter of Promulgation of Rules and Regulations concerning the procedure to be followed by the Commission in passing upon assignments of license or transfers of control of corporate licensees.

#### ORDER

The Commission having under consideration a request of National Association of Broadcasters, dated January 31, 1946, for a thirty-day extension of time within which briefs might be filed in the above-entitled cause,

*It Is Ordered*, This 6th day of February, 1946, that the request is granted and that the time for filing briefs is extended until March 15, 1946.

FEDERAL COMMUNICATIONS COMMISSION

T. J. SLOWIE,  
*Secretary.*

### FCC NOTIFIES DON LEE SYSTEM NETWORK RULES APPLY

The Commission has issued a release containing the following letter dated Feb. 15, signed Secretary T. J. Slowie, by direction of the Commission, and addressed to the Don Lee Broadcasting System, Hollywood, California:

"It appears upon examination of the files of several of your affiliated stations that you have been indulging in practices which may be in violation of the provisions of the Commission's regulation 3.104, relative to network option time, both in failing to give your affiliates the 56-days' notice of the exercise of your option which is required by the said regulation, and in compelling your affiliates to option to you more than the permissible maximum number of hours in each segment of the broadcast day.

"Accordingly, the Commission has today designated for hearing upon issues to be specified the pending applications for renewal of your licenses for the operation of station KGB at San Diego and station KDB at Santa Barbara. You are directed, also, pursuant to the provisions of sections 1.362 and 3.220 of the Commission's rules and regulations, to file within 30 days from the date of this letter applications for renewal of your present licenses for the operation of station KFRC at San Francisco and stations KHJ and KHJ-FM at Los Angeles."

### COMMISSION APPROVES WFIL SALE—DURR DISSENTS

The sale of WFIL and WFIL-FM, Philadelphia, to Triangle Publications, Incorporated, was approved on Monday (18) by the Commission. Under the AVCO ruling, the transaction was opened to competitive bidding but no one other than the purchaser, publisher of the Philadelphia *Inquirer* and other publications, submitted a bid. The Commission has issued the dissenting remarks of Commissioner Durr in the following release:

"Section 310(b) of the Communications Act of 1934 expressly provides that no broadcast station license shall be transferred 'unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing.' (Italics supplied in the release.)

"In my opinion, the Commission, in approving the transfer of licenses here involved, did not have before it that 'full information' which the Act so clearly requires. On the contrary, the limited information presented to the Commission serves, in itself, to point to the need of further inquiry.

"It is true that the action taken in this case is not inconsistent with the majority action approving the transfer of control of the Crosley Corporation to the Aviation Corporation (FCC Docket No. 6767), but the doctrine of *stare decisis* does not apply to administrative agencies\* and the Commission cannot, by its own decision, minimize the statutory responsibility imposed upon it by Congress.

"The radio facilities involved in this proceeding are standard broadcasting station WFIL which operates on 560 kc. with 1 kw. power, unlimited time; station WFIL-FM, a frequency modulation station, and two relay stations, all in Philadelphia, Pennsylvania. The present book value of all the broadcast facilities being transferred is, according to information furnished by the Commission's Accounting Department, \$148,192 and the original cost, \$365,000. During the year 1943, the transferor earned net profits, before federal income taxes, of \$210,435 on its broadcast operations, and for 1944, such profits amounted to \$308,633. Since FM stations are, at the present time, generally operating at a loss because of the limited number of FM receivers in the hands of the listening public, it is reasonable to assume that the net profits attributable to the standard broadcast operations alone were even higher than the figures given.

"The consideration being paid for the properties is \$1,900,000. Upon consummation of the transaction, transferee proposes to record on its books as 'intangible broadcast property,' the amount of \$391,308, representing the difference between the book value of the tangible properties and their replacement costs estimated at approximately \$539,000. The remaining \$1,360,500 of the consideration, after certain adjustments, will be recorded as 'good will.'

"When broadcast facilities having a total book value of a little more than \$148,000 sell for \$1,900,000, and when a relatively small one kilowatt station earns over \$300,000 net profits, before federal income taxes, in one year, two questions would seem logically to present themselves:

"1. Is the purchaser buying only the seller's properties and the going-concern value created by the seller's own investment and effort, or is it buying also—and principally—a license to use one of the limited number of standard broadcast channels assigned to the Philadelphia agency and an assured right to use one of the limited FM channels assigned to the same area which might otherwise have to be sought in competition with other applicants? Radio channels are public property and it is the responsibility of the Commission to see to it that they do not become the subject of private trafficking.

"2. What effect will the higher price being paid for the facilities have upon the operations of the transferee 'in the public interest, convenience and necessity'? It is

\* *Virginian Railway Co. v. U. S.*, 272 U. S. 658, 665; *American Chicle Co. v. U. S.*, 316 U. S. 451, 455; *Northern Pacific Railway Co. v. U. S.*, 41 F. Supp. 439, 446, affirmed, 316 U. S. 346; *Shawmut Association v. Securities and Exchange Commission*, 146 F. (2d) 791, 796 (C.C.A. 1).

(Continued on next page)



reasonable to assume that anyone purchasing broadcasting facilities expects to earn at least a reasonable return upon his investment and the higher the investment, the greater will be the pressures toward excessive commercialization of broadcast time. In view of the extraordinarily high profits earned by a relatively small station, it is pertinent to inquire whether such profits have been obtained by rendering an extraordinarily good public service, or rather, at the expense of the public interest, convenience and necessity which all broadcast licensees are required to serve.

"In all applications for broadcast station licenses, the Commission requires detailed information as to the proposed program service of the applicant and specific information as to the amount of time to be devoted to commercial and sustaining programs, recorded and live programs and time to be devoted to educational, religious, civic, fraternal, and other public purposes. Yet in passing upon the transfer application in the present case, the members of the Commission had before them no information of any kind whatsoever concerning the program service now being rendered by the transferor or the proposed service of the transferee, except a statement of the transferee, paraphrased in a staff report that the 'primary objective in the acquisition of the station is to do as effective a public service in the broadcast field as is now being done by the newspaper' (the Philadelphia *Inquirer*, which is owned by transferee along with several magazines, the New York *Morning Telegram*, and the *Daily Racing Form*).

"In view of the concern of the Commission with an applicant's proposed program service where the Commission itself is selecting the licensee, it would seem that at least equal concern should be manifested in instances where the licensee is being selected not by the Commission but by one retiring from the broadcasting business."

## FM Department

### TRIAL PATTERN FOR FM ASSIGNMENTS OKAY, SAYS FCC

On Monday (18) the Commission announced that after three months of experience in making assignments of FM

channels, it appears that the tentative allocation plan being followed provides the necessary degree of flexibility and is working out satisfactorily.

In issuing the plan on December 19, 1945, the Commission pointed out that the plan was being published as a guide. "The Commission wishes to emphasize that this allocation pattern is tentative only, that the channels listed for particular cities (and their areas) will not be followed in a hard and fast manner and that departures will be made from the plan whenever it is found desirable or necessary to do so," the allocation announcement stated.

As examples of the manner in which this arrangement is enabling the Commission to assign channels according to the special needs of various areas, the Commission cited the following instances:

One of the 12 metropolitan channels tentatively allocated to Washington, D. C. area has been assigned to an applicant in Winchester, Va., leaving 11 channels in Washington for 14 applicants. A hearing is scheduled for these applications on March 11.

One of the 15 metropolitan channels tentatively allocated to the Philadelphia area has been assigned to an applicant in Atlantic City, N. J. Seven applications are pending in this Philadelphia area.

One of the five metropolitan channels tentatively allocated to the York, Pa., area has been assigned to an applicant in Hagerstown, Md. Two applications have been granted in York and one is pending.

Similar readjustments will be made from time to time as circumstances may require.

As of today, conditional grants have been assigned to 328 applicants, in addition to the 53 grants in the new band to pre-war licensees; 120 applications have been set for hearing, leaving 284 applications still to be acted on.

### 330 FM GRANTS

The FCC has granted seven additional FM stations for the State of Maryland, six in Baltimore and one in Annapolis, bringing the total FM conditional grants to 328. It also designated for hearing applications for four stations in other areas. The grants are as follows:

City	Grantee	Interest in Standard Station	Type of FM Station
CALIFORNIA			
San Luis Obispo.....	Christina M. Jacobson, tr/as The Valley Electric Co.....	KVEC	Metropolitan
ILLINOIS			
Evanston.....	Sentinel Radio Corp.....	—	Community
MISSISSIPPI			
Clarksdale.....	Birney Imes, Sr.....	WROX	Metropolitan
OREGON			
Portland.....	Kale, Inc.....	KALE	Metropolitan
SOUTH CAROLINA			
Rock Hill.....	York County Broadcasting Co.....	WRHI	Community
TEXAS			
College Station.....	Agricultural and Mechanical College of Texas.....	WTAW	Metropolitan
MARYLAND			
Annapolis.....	The Capital Broadcasting Co.....	—	Metropolitan
Baltimore.....	The Monumental Radio Co.....	WCAO	Metropolitan
Baltimore.....	Baltimore Broadcasting Corp.....	WCBM	Metropolitan
Baltimore.....	Maryland Broadcasting Co.....	WITH	Metropolitan
Baltimore.....	Belvedere Broadcasting Corp.....	—	Metropolitan
Baltimore.....	The Baltimore Radio Show, Inc.....	WFBR	Metropolitan
Baltimore.....	The A. S. Abell Company.....	—	Metropolitan

The effect of these conditional grants is to announce the fact that the Commission has examined the qualifications of the respective applicants, has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each application for its engineering details, and in each individual circumstance a grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

Under this procedure grantees are enabled to proceed promptly with their preliminary plans for obtaining certain items of equipment, programming and other details necessary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection.

Amendment:

"In the announcement made February 4, KALE, Inc., was shown to have received a grant of a Metropolitan station. The Commission has modified this to Metropolitan, possibly rural type of station, instead.

### SET FOR HEARING

The following are applicants for the 11 metropolitan channels allocated for Washington, D. C.: Marcus Loew Booking Agency; Mid-Coastal Broadcasting Co.; The Crosley Corp.; Everett L. Dillard tr/as Commercial Radio Eqpt. Co.; Capitol Broadcasting Co.; Cowles Broadcasting Co.; Eleanor Patterson, tr/as The Times Herald; National Broadcasting Co., Inc.; Metropolitan Broadcasting Co.; Potomac Cooperative Federation, Inc.; Evening Star Broadcasting Co., Inc., FM Development Foundation, and WINX Broadcasting Co., Inc.

The following are applicants competing for the six remaining channels for the Pittsburgh, Pa., area. (Eight channels have been made available for Pittsburgh, but two have already been assigned, one to station KDKA-FM and the other to WTNT, existing stations.) WCAE, Inc.; Scripps Howard Radio, Inc.; Allegheny Broadcasting Corp.; Liberty Broadcasting Co.; West Virginia Radio Corp.; Pittsburgh Radio Supply House; David Rosenblum, tr/as Butler Broadcasting Co.; Eagle Printing Co., Inc., Butler, Pa., and Beaver County Broadcasting Corp., Beaver Falls, Pa.

Applicants for the nine remaining channels out of 20 allotted to the New York City area, are: WBXX Broadcasting Co.; News Syndicate Co., Inc.; WMCA, Inc.; Greater New York Broadcasting Corp.; Debs Memorial Fund, Inc.; American Broadcasting Co., Inc.; Hearst Radio, Inc.; Bernard Fein; WLIB, Inc.; Peoples Radio Foundation, Inc.; Supreme Broadcasting System, Inc.; New York Sun Broadcasting Co., Inc.; Metropolitan Broadcasting Service; National Maritime Union Broadcasting Co., Inc.; Amalgamated Broadcasting System, Inc.; Book-of-the-Mouth Club Broadcasting Corp.; Unity Broadcasting Corp. of New York; Frequency Broadcasting Corp.; Elias I. Godofsky.

Applicants for Newark, N. J.: North Jersey Radio, Inc.; UAW-CIO; Radio Projects, Inc., and Atlantic Broadcasting Co., and North Jersey Broadcasting Co., Inc., Paterson, N. J.

(The 11 FM metropolitan stations now operating in the New York City area are: WFMN, WQXQ, WABF, WGYN, WFGG (WGHF), WHNF, WNYC-FM, WBAM, WABC-FM, WEAF-FM, and WAAW.)

Applicants for the Dayton-Springfield, Ohio, area, competing for the five channels there, are:

The Crosley Corp.; Great Trails Broadcasting Corp., Miami Valley Broadcasting Corp., all for Dayton, and Unity Corp., Inc.; Radio Voice of Springfield, Inc., and RadiOhio, Inc., for Springfield.

## Broadcast Advertising

### PELEGRIN'S MEDIA COST PRESENTATION IS SOCKO!

Metropolitan and small market stations have been forwarding requests to NAB headquarters for copies of the

media cost presentation, "How Much for How Many," given by Frank E. Pellegrin, director of broadcast advertising, in San Francisco. The tremendous interest in the presentation has caused *Broadcasting Magazine* to do a special story. (See February 25th issue.)

### Supply of "Ice Age" Platters Exhausted

Stations were quick to respond to the offer of a free audition record of "This Is the Ice Age." (NAB REPORTS, January 28th issue.) The National Association of Ice Industries has informed the NAB that the supply of discs has been exhausted. Transcription concerns have already contacted the NAB department of broadcast advertising relative to producing new platters for the ice industry on a co-op plan for sponsorship by the local ice dealer. Stations interested in the new transcriptions should make their wishes known to NAB.

### Cohen Brothers Constructs Modern Radio Theatre Due to Success of WMBR Production, "Styles in Tempo"

"Styles in Tempo," a creation of the program department of WMBR, the CBS affiliate in Jacksonville, Fla., has met with such success in department store merchandising that Cohen Brothers, the sponsor, has constructed within the "big store" a completely equipped and beautiful radio theatre. Frank King, WMBR president and general manager, who has closely supervised the entire production, admits that Cohen's has gone to considerable expense along with the radio station in the production of this 30-minute five day-a-week broadcast from Jacksonville's largest store. Col. R. L. Stitner, Cohen's vice president and general merchandise manager, has seen to it that "his" "Styles in Tempo" has received the best of everything, including full page newspaper promotion pieces.

### Stars of Show

Kay Stanley, "glamor gal" and fashion expert, makes a terrific impression with her sophisticated manner, tossing off an occasional bit of smooth repartee with the boys of the cast, and modeling the Cohen Brothers lovely fashions like a Powers' model. (Mr. Powers, Kay is "under contract" to WMBR.)

The cast consists of but five persons, including Miss Stanley; an announcer and a musical trio—but so adept is every member at "doubling" that the radio audience gets the impression that the cast is at least twice its size. Alan Holmes, formerly with Blue Barron and Tommy Tucker orchestras, is director of the musical trio, playing fourteen instruments. Having served as a New York orchestra leader and artist-demonstrator of the Hammond organ, Roger Van Duzer is exceptionally qualified to "double" on the piano and Hammond organ in a manner that is indeed brilliant. Ralph Munroe, Jacksonville's widely known accordion artist and teacher, proves delightfully versatile on the accordion and vibrophone.

"Styles in Tempo," now going into its third 13-week cycle, is believed to be the first program of its kind to succeed in the South. New audience participation idea will call for SRO signs. *Intelligent sales planning, working in close harmony with good radio programming, results in a production that has high sponsor and station identification.*

### SMALL MARKET STATIONS

#### Simon Goldman, WJTN, Comments on Syndicated Shows

Jamestown, New York's, WJTN management has this to say: "Our experience has been that we can sell good transcribed shows if the price is within reason, but some of the

*(Continued on next page)*

prices asked for a 15-minute musical show today run more than "time" for one thing, and, secondly, we can build a show from our transcribed library which will satisfy the sponsor; and we can do it at a cost within reason, and, thirdly, with such wonderful "talk" shows available on the network on a cooperative basis at a reasonable cost, it is virtually impossible for our salesmen to go out and face a sponsor with an asking price of \$10.00 for a 15-minute transcribed show on a five-day-a-week basis.

I believe that any small market station will pay \$2.50 each, for a 5-time-a-week syndicated show and, at that price, will be able to sell it, providing, of course, that the show is good and is salable. I also feel that \$4.00 for a 3-time-a-week show is not out of line.

As to your question (see NAB REPORTS, February 18th issue) about using shows that have been used on larger stations, the answer is unequivocally "Yes." Our audience is loyal to us and, therefore, no matter how often a show may have been played on large city stations, even in nearby areas, it is still a virgin show in our own area, so that will have no bearing on its value to us.

Our experience with syndicated transcribed shows has been that we have sold very few. At the present time, we are running *Five Minute Mysteries*, three days a week, *Dick and Jeannie*, five days a week, and we have already sold *Easy Aces*, starting in March.

I believe that you are doing a service, not only to the stations, but to the transcription people in making this study. You will be able to convincingly prove, after you get replies from the various stations, that transcription producers can tap a large market and thus get their marginal income that they do not now get by making these shows available at a reasonable figure.

### John Brown University Radio Courses

KUOA, 5000 watt independent, Siloam Springs, Ark., operates as a part of the John Brown University vocational training plan, which includes all phases of radio station work. The University curriculum offers bachelor of arts with a major in English for script and radio writers; major in speech for announcers; bachelor of science with major in business for salesmen and managers; major in engineering for engineers.

Schoolwork is standard college material. Every student is required to work three or four hours each day on KUOA which operates as a commercial broadcast station. Station has a staff of twenty-five students, and salaried executives. Students get more than the usual day to day work of running the station because it is non-network. The program has been in operation with KUOA for more than ten years and is limited to students enrolled in the John Brown University. Many graduates take their places in the industry. *This reservoir of college-trained radio personnel should be of special interest to small market stations.*

### Radio Cuts in on Newspaper Ad Budget

"Radio Wins a New Friend" in Bennett Furniture Co., Clarksdale, Miss. WROX, the ABC affiliate, is doing an excellent job. The furniture concern has cut newspaper budget to the bone and now uses 19 news periods, a 30-minute Children's Hour, and a one-and-a-half hour Barn Dance weekly. David M. Siegal, WROX station manager, and staff are increasing the Delta's appreciation of broadcast advertising with such progressive activity. (Radio Showmanship, February issue.)

### Joske Clinical Test

The Joske Radio Advisory Committee met at NAB headquarters last week to draw up a format, discuss current data, and establish over-all policies to be followed. All

material, before being released to the industry, must be approved by Joske's Department Store, San Antonio, Tex.

Attending the Washington session were Cecil Beaver, WOAI San Antonio, advisory committee chairman; Lewis H. Avery, head of the station representative firm bearing his name; Walter Johnson, WTIC Hartford; Frank E. Pellegrin, NAB director of broadcast advertising; Robert C. Coleson, Hugh M. Higgins, Miss Lee Hart and J. Allen Brown of the NAB executive staff. Next committee meeting is set for New York on March 12th.

## Programming

### OWMR ALLOCATIONS

The following government agencies have requested help from the Media Programming Division of the Office of War Mobilization and Reconversion for these programs:

*Department of Interior—Says "Easy on Travel to Alaska"*

According to Willett Kempton, Interior's radio director, Alaskan officials are worried over rose-colored publicity stories about the Territory; they are fearful of a summer-land rush which would prove disastrous to the Territory, if too many would-be pioneers head for the North Country without adequate preparations to survive a life of rugged self-reliance. A recent survey shows that several hundred thousand people are planning to head to Alaska in the very near future.

Six live spots and a fact sheet on opportunities for the average man in Alaska are being sent to all stations by the Radio Section of the Department of the Interior.

Pitch of the radio spots is that there are opportunities in Alaska for men with patience, background and capital, but gold nuggets cannot be picked up at random along the over-rated Alaskan Highway. Pay-off is to get all the facts before starting to seek your fortune on America's last frontier.

These might be plugged during the week of March 11 to 17, and any time thereafter.

*Department of Agriculture—Asks Observance of 4-H Club Week (March 2-10)*

This is the week the 1,750,000 rural boys and girls in 4-H Clubs nationwide have set to bring life in each local community to their "win-the-peace" goals.

The Department of Agriculture is sending directly to all station managers announcements explaining the meaning of the 4-H Club. Stations covering rural areas will be especially interested in featuring the spots.

*U. S. Public Health Service—Asks "Help for Hospitals"*

The Hospital crisis is still acute, and will continue to be so for many months. Almost 70% of all hospitals are dangerously understaffed. Badly needed are nurses, nurses' aides, non-nursing personnel, and student nurses.

U. S. Public Health Service is sending announcements directly to you. Please use them. *This is Important!*

*Office of War Mobilization and Reconversion—National Housing Agency—Veterans' Administration—Office of Price Administration . . . to mention a few of the agencies . . . are all 100% behind "Lick the Housing Shortage!"*

The housing shortage continues to be a national crisis . . . but veterans are hardest hit. Announcements have recently been mailed to you. Continue to plug "Give veterans first chance on vacancies"; "Share your home with a veteran"; and "Seek expert advice before you build or buy." This program is national, immediate, and along with "Help for Hospitals", affects the lives directly or indirectly of a vast amount of our population. You have

*(Continued on next page)*

helped, and still can help, by frequent use of the spots already sent you.

*The Departments of Agriculture, State and Commerce Come Forward with—"Food for Peace!"*

Much of the world is so near starvation President Truman has ordered that drastic steps be taken to conserve food—particularly bread. Administrative action has been taken by the Agriculture, State and Commerce Departments. The Advertising Council and the Media Programming Division of OWMR are now making plans for a nationwide campaign. Every housewife will be asked to do three things—first to purchase no more food than she needs—second to serve no more than will be eaten—and third to store all food so none will spoil. Simultaneously campaigns will be directed to industry and to farmers.

Spot announcements are now being prepared and will soon be sent to you.

National Association of Broadcasters' continuing cooperation is proving most helpful. Any suggestions from Station Managers to the Media Programming Division of Office of War Mobilization and Reconversion as to the type of announcements, or Fact Sheets submitted would be appreciated.

### AD COUNCIL ALLOCATIONS—MARCH 4-10

Following are the public interest campaigns scheduled by The Advertising Council on the Network Allocation and National Spot Plans during the week of March 4-10, 1946. A brief resume of each Fact Sheet is given for your information.

#### 1946 Red Cross Fund Drive (Fact Sheet No. 14)

To the people of the United States from Gen. Dwight D. Eisenhower, Chief of Staff, United States Army: "The Red Cross activities in Army hospitals and the program of clubs, recreation centers and welfare must go on through the period of occupation according to changing needs. Normal amenities of life are so lacking in the occupied zones that the American soldier has, in most cases, only what we send him. I express the earnest hope of the Army that the American public will continue its generous support of the Red Cross during 1946." This message from General Eisenhower outlines the continuing responsibilities of the Red Cross to the men who made peace possible. To them must be added the victims of unforeseeable floods, fires, tornadoes and other disasters right here at home whom the Red Cross must stand ready to provide with emergency food, clothing and shelter as it has so faithfully done in the past. During the month of March the American people will be asked to contribute \$100,000,000 needed by the American Red Cross to carry out this vast program of service to our occupying forces, hospitalized servicemen, veterans and civilians in need.

#### Hospitals Need Help (Fact Sheet No. 9)

Today, hospitals all over America are being forced to turn away patients because of a shortage of nurses and non-nursing personnel. Two out of three hospitals have had to close beds, entire wards and operating rooms. Many nurses are greatly overworked and many have to do non-professional tasks, thereby cutting down the number of hours of nursing care per patient. The situation is worse even than during the war and if allowed to continue, it will seriously affect the physical and mental health of the nation. In order to help relieve the nursing shortage inactive graduate registered nurses should be urged to check with their nearest hospital at once, and to return to duty if and where needed; young women between the ages of 17 and 35 should be reminded that nursing is a lifetime career, and urged to apply to their local hospital for com-

plete information concerning Student Nurses Education; inactive Red Cross Nurses' Aides should be urged to return to duty; and it should be pointed out that hospital jobs are open for such auxiliary and non-nursing personnel as laundrymen, chefs, electricians, plumbers, janitors, orderlies.

#### Homes for Veterans (Fact Sheet No. 5)

America faces a critical housing shortage—and its veterans are the worst sufferers. They feel the pinch of the shortage more acutely because they interrupted their lives to go into the Armed Services. It is simply a matter of fair play to help them, in every way possible to locate homes in which they can live with their families as they return to civilian life. It is estimated that more than two million veterans' families will be looking for places to live in 1946. Until construction gets rolling, by all means the most important source of housing for veterans consists of vacancies which become available in the existing housing supply. Urge listeners to help ease the housing situation by "staying put" if they possibly can so that a maximum number of veterans can find living places in the existing housing supply, sharing their homes with veterans' families if they can possibly do so and listing vacancies and houses for sale at the veterans' housing referral center, if one exists in their community, so that veterans can get first chance at them.

#### March 15th Income Tax (Fact Sheet No. 13)

Before the night of March 15th, about 50 million people are required by law to file their 1945 income tax returns. As it has demonstrated in the past, *radio can be especially helpful in overcoming false impressions of many people that recent legislation or the pay-as-you-go system excuses them from filing, and can effectively assist both its listeners and the Government in establishing the simple facts of "who, what, when, and where" in connection with March 15th tax returns.* Remind listeners that they must file a final tax return by March 15 if their income was \$500 or more during 1945. The only exception is enlisted personnel who served in the armed forces during the year. Remind them, too, that withholding does not relieve anyone of the responsibility of filing. Tell them where they can get forms if they have not already received them and also where to file. Urge them to file their returns early—especially those who may require assistance in filling out their returns. Urge them to do it today.

## Miscellany

#### KOIN MAN IN DEMAND AS SPEAKER

Portland, Ore.—A speaking itinerary of Red Cross talks which culminates before a combined meeting of the Chamber of Commerce and civic clubs in Salem, Ore., March 4, is making a prominent platform figure out of Marc Bowman, promotion director of KOIN, Portland.

During the war Bowman served overseas for two years with the public relations department of the American Red Cross. Since his return last August, he has been kept busy addressing audiences throughout the Northwest. In addition to the Salem engagement, he has dates before county Red Cross chapters and service groups in Baker, Ontario, and The Dalles, Ore.

*(Continued on next page)*

## DOROTHY LEWIS APPOINTED TO WOMEN'S COUNCIL

The National Council of Women has announced the appointment of Dorothy Lewis, NAB Coordinator of Listener Activity, to the post of Vice Convenor of Radio for the International Council of Women, and states that she has been invited to attend the first world congress of the organization in five years, to be held in Brussels in June. About 200 women from all countries have received invitations.

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 25. They are subject to change.

#### Monday, February 25

- WREN—The WREN Broadcasting Co., Topeka, Kans.—C. P. 1250 kc., 5 KW night, 5 KW day S-KFKU.  
NEW—Midwest Broadcasting Co., Milwaukee, Wisc.—C. P. 1250 kc., 5 KW, unlimited DA-day and night.  
WGL—Farnsworth Television & Radio Corp., Fort Wayne, Ind.—C. P. 1250 kc., 1 KW, unlimited DA-day and night.  
NEW—Homer Rodeheaver, Winona Lake, Ind.—C. P. 1250 kc., 1 KW, unlimited DA-night and day.  
WGTM—Penn Thomas Watson, Wilson, N. C.—C. P. 590 kc., 5 KW, unlimited DA-night and day.  
WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—C. P. 590 kc., 5 KW, unlimited DA-night and day.  
WFTC—Jonas Weiland, Kinston, N. C.—C. P. 590 kc., 5 KW, unlimited DA-night.  
WSLS—Roanoke Broadcasting Corp., Roanoke, Va.—C. P. 590 kc., 1 KW, unlimited DA-night and day.  
WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—C. P. 610 kc., 1 KW, unlimited DA-night and day.  
WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—C. P. 550 kc., 500 watts night, 1 KW day, unlimited DA-day and night.  
NEW—The Constitution Publishing Co., Atlanta, Ga.—C. P. 550 kc., 1 KW night, 5 KW day, unlimited DA-night.  
WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—C. P. 550 kc., 1 KW, unlimited DA-night.  
NEW—Booth Radio Stations, Inc., Saginaw, Mich.—C. P. 550 kc., 1 KW, unlimited DA-night and day.  
NEW—Federated Publications, Inc., Lansing, Mich.—C. P. 550 kc., 1 KW, unlimited DA-night and day.  
WJIM—WJIM, Inc., Lansing, Mich.—C. P. 550 kc., 1 KW, unlimited DA-night and day.  
NEW—Montana Broadcasting & Television Co., Butte, Mont.—C. P. 550 kc., 1 KW, unlimited.  
KSD—Pulitzer Publishing Co., St. Louis, Mo.—C. P. 550 kc., 5 KW, unlimited DA-night.  
KTSA—Sunshine Broadcasting Co., San Antonio, Texas.—C. P. 550 kc., 5 KW night, 5 KW day, unlimited DA-night.

#### Consolidated Hearing

Before Commissioner Wakefield, Courtroom, City Hall,  
Bogalusa, Louisiana

- NEW—John L. Plummer, tr/as, John L. Plummer Enterprises, Bogalusa, La.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—I. K. Corkern, Bogalusa, La.—C. P. 1490 kc., 250 watts, unlimited.

#### Consolidated Hearing

Before Commissioner Durr, Civil Service Examination Room,  
Federal Building, Waterbury, Connecticut,  
on February 25-27, 1946

- NEW—Bernard Lee Blum, Waterbury, Conn.—C. P. 1240 kc., 250 watts, unlimited.  
NEW—Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Meyers, Waterbury, Conn.—C. P. 1240 kc., 250 watts, unlimited.

To Be Held in Council Chambers, City Hall, Norwich,  
Connecticut, on February 28, 1946

- NEW—Norwich Broadcasting Co., a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Conn.—C. P. 1240 kc., 250 watts, unlimited.

To Be Held in Council Chambers, City Hall, Woonsocket,  
Rhode Island, on March 1, 1946

- NEW—Associated Electronic Enterprises, Woonsocket, R. I.—C. P. 1240 kc., 250 watts, unlimited.

To Be Held in Court Room, 5th Floor, Federal Bldg.,  
Worcester, Massachusetts

- NEW—New England Broadcasting Co., Worcester, Mass.—C. P. 1230 kc., 250 watts, unlimited.

#### Tuesday, February 26

##### Further Consolidated Hearing

- NEW—George A. Ralston and Jerry C. Miller, d/b as The Elgin Broadcasting Co., Elgin, Ill.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—Joseph Triner et al., d/b as Village Broadcasting Co., Oak Park, Ill.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—Sidney H. Bliss, tr/as Beloit Broadcasting Co., Beloit, Wisc.—C. P. 1490 kc., 100 watts, unlimited.  
NEW—Vincent G. Cofey, Elgin, Ill.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—Community Broadcasting Co., Oak Park, Ill.—C. P. 1490 kc., watts, unlimited.

#### Wednesday, February 27

##### Consolidated Hearing

Before Mr. Diebler, Municipal Room, City Hall, Altoona,  
Pennsylvania

- NEW—Altoona Broadcasting Co., Altoona, Penna.—C. P. 1240 kc., 250 watts, unlimited.  
NEW—Roy F. Thompson, tr/as Thompson Broadcasting Co., Altoona, Penna.—C. P. 1240 kc., 250 watts, unlimited.

#### Thursday, February 28

To Be Held Before Commissioner Wakefield, in Room 211,  
U. S. Post Office Building, Alexandria, Louisiana

- NEW—Central Louisiana Broadcasting Corp., Alexandria, La.—C. P. 1490 kc., 250 watts, unlimited.  
NEW—WJPS, Inc., Evansville, Ind.—C. P. 1330 kc., 1 KW, unlimited, DA-night and day.  
NEW—Tri-State Broadcasting Corp., Evansville, Ind.—C. P. 1330 kc., 5 KW, unlimited DA-night and day.  
NEW—Booth Radio Stations, Inc., Flint, Mich.—C. P. 1330 kc., 1 KW, unlimited DA-night and day.  
NEW—Wabash Valley Broadcasting Corp., Terre Haute, Ind.—C. P. 1350 kc., 5 KW, unlimited DA-night and day.  
NEW—West Central Broadcasting Co., Peoria, Ill.—C. P. 1350 kc., 1 KW, unlimited DA-night and day.

##### Further Hearing

- NEW—Arkansas-Oklahoma Broadcasting Corp., Ft. Smith, Ark.—C. P. 1230 kc., 250 watts, unlimited.  
NEW—Donald W. Reynolds, Ft. Smith, Ark.—C. P. 1230 kc., 250 watts, unlimited.

(Continued on next page)

Friday, March 1

To Be Held in Berks County Court House, 6th and Court Streets, Reading, Pennsylvania

WRAW—Raymond A. Gaul, and Harold O. Landis, Transferees; WGAL, Inc., and Keystone Broadcasting Corp., Transferees; Reading Broadcasting Co., Licensee (WRAW), Reading, Pa.—For transfer of control of licensee corporation.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

- WPDQ—Jacksonville Broadcasting Co., Jacksonville, Fla.—Granted construction permit (B5-P-3801) to change frequency from 1270 to 600 kc., install a new directional antenna for night use, and install new ground system: 5 KW unlimited time.
- KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Granted modification of construction permit, which authorized installation of new transmitter, etc., for changes in transmitting equipment and antenna. This authority is granted subject to the express condition that permittee herein shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external and cross modulation. (B5-MP-1832)
- WMC—Memphis Publishing Co., Memphis, Tenn.—Granted license to cover CP which authorized installation of a new transmitter. (B3-L-1922)
- KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted construction permit to decrease power of auxiliary transmitter from 2½ to 1 KW and install new auxiliary transmitter. (B4-P-4412)
- WARM—Union Broadcasting Co., Scranton, Pa.—Granted authority to determine operating power by direct measurement of antenna power. (B2-P-1747)
- NEW—Alamance Broadcasting Co., Portable-Mobile, Area of Burlington, N. C.—Granted construction permit for new relay broadcast station to be used with standard station WBBB; frequencies 30.82, 33.74, 35.82 and 37.98 mc.; power 2 watts.
- NEW—Radiophone Broadcasting Station WOPI, Inc., Portable, Area of Bristol, Tenn., and Bristol, Va.—Granted construction permit for new relay broadcast station to be used with standard station WBBB; frequencies 30.82, 33.74, 35.82 and 37.98 mc.; power 2 watts.
- KLCN—Harold L. Sudbury, Blytheville, Ark.—Granted construction permit to install a new transmitter, upon express condition that no operation of the station may occur between local sunset and local sunrise. (B3-P-4386)
- KTMC—McAlester Broadcasting Co., a Co-Partnership, composed of C. E. Wilson and F. D. Jackson, McAlester, Okla.—Granted modification of construction permit which authorized a new station, for change in type of transmitter and antenna and change studio location from Aldridge Hotel to Municipal Bldg., 1st and Washington Sts., McAlester. This authority is granted conditional upon submission of a more detailed program showing prior to issuance of license. (B3-MP-1837)

### DESIGNATED FOR HEARING

- WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Granted petition for leave to amend application (Docket 6804) to specify 970 kc. instead of 550 kc., and designate for hearing in the consolidated proceeding involving other applications for 970 kc.
- KGB—Don Lee Broadcasting System, San Diego, Calif.; KDB, Santa Barbara, Calif.—Designated for hearing applications for renewal of licenses of stations KGB and KDB, and directed Don Lee Broadcasting System

to file renewal applications for stations KFRC, San Francisco, KHJ, Los Angeles, and KHJ-FM, Los Angeles, within 30 days.

Virginia Broadcasting Corp., Roanoke, Va.—Granted petition for leave to amend its application so as to request frequency 610 instead of 620 kc., and make certain other amendments; removed from hearing docket and re-designated same for consolidated hearing with applications of WSLs (Docket 6869), WGTM (Docket 6866), WGBR (Docket 6867), WFTC (Docket 6868), and WLVA (Docket 6870).

WMOB—S. B. Quigley, Mobile, Ala.; WKRC—Cincinnati Times Star Co., Cincinnati, Ohio—Granted petitions requesting that application of WMOB (B3-P-4484) to change frequency to 550 kc. and increase power to 1 KW, and application of WKRC (B2-P-4483); to increase operating power to 5 KW day and night using 550 kc., be consolidated in the 550 kc. hearing now scheduled for Feb. 25-March 8 in Washington, D. C.

WBAI—Hearst Radio, Inc., Baltimore, Md.—Designated for hearing application for renewal of license (B1-R-152).

O. E. Richardson et al., d/b as Radio Station WJOB, Chicago, Ill.—Designated application for hearing to be consolidated with hearings on applications of the Agricultural Broadcasting Co., et al., for new FM stations in Chicago, and ordered that the order heretofore issued in the consolidated proceedings be amended to include the application of O. E. Richardson, et al., (B4-PH-224).

Central Illinois Radio Corp., Peoria, Ill.—Designated for hearing application (B4-PH-819) to be consolidated with the hearing on applications of Peoria Broadcasting Co., et al., for new FM stations in Peoria, and ordered that the order heretofore issued in the consolidated proceedings be amended to include the application of Central Illinois Radio Corp.

Bieberbach Broadcasting Corp., Waltham, Mass.—Designated for hearing application (B1-PH-818) to be consolidated with the hearing on applications of Fidelity Broadcasting Corp., et al., and Columbia Broadcasting System, for new FM stations in Boston, and ordered that the order heretofore issued in the consolidated proceedings be amended to include the application of Bieberbach Broadcasting Corp.

Skyland Broadcasting Corp., Dayton, Ohio—Designated for hearing application (B2-PH-820) to be consolidated with hearings on applications of The Crosley Corp., et al., for new FM stations in Dayton and Springfield, Ohio, areas, and ordered that the order heretofore issued in the consolidated proceedings be amended to include the application of Skyland Broadcasting Corp.

### ACTIONS ON MOTIONS

Thomas J. Watson, Endicott, N. Y.—Granted motion to dismiss without prejudice application (B1-P-1679) for a new station.

Philco Radio & Television Corp., Philadelphia, Pa.—Granted motion for leave to amend application for new television station, so as to change the name of applicant Corporation from Philco Radio & Television Corp. to Philco Products, Inc., and the amendment was accepted.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted petition requesting leave to amend application (B3-P-4100) so as to change transmitter site, add exhibits, etc., and the amendment covering the matters was accepted.

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Petition requesting leave to amend application (B3-P-3608) so as to specify frequency 850 kc. instead of 550 kc., was considered as a petition to dismiss without prejudice; the petition was granted and application (B3-P-3608) was dismissed without prejudice.

Bernard Lec Blum, Waterbury, Conn.—Granted motion to dismiss without prejudice application (B1-P-4079) for a new station.

(Continued on next page)

- Virginia Broadcasting Corp., Roanoke, Va.—Granted petition requesting leave to amend its application (B2-P-3964) so as to reflect a change in the amount of common stock ownership of five of the six stockholders in corporation, and the amendment was accepted.
- Booth Radio Stations, Inc., Saginaw, Mich.—Granted petition for leave to amend its application (B2-P-4088), so as to specify the frequency 790 instead of 550 kc., substitute revised engineering report, etc. The amendment was accepted and application as amended, removed from hearing docket.
- KHUB—Southern Utah Broadcasting Co., Cedar City, Utah—Granted petition for leave to amend application (B5-P-3854), so as to show that certain officers and directors of applicant corporation have become stockholders in Idaho Radio Corp.; to show certain changes in engineering report to reflect the fact that operation is to be unlimited day and night; to show new site, etc., and the amendment was accepted.
- WGTM—Penn Thomas Watson, Wilson, N. C.—Granted petition requesting leave to amend his application (B3-P-3848), so as to show a change in the phasing of the daytime directional antenna system, etc., and the amendment was accepted.
- KOAC—Oregon State Agr. College, Corvallis, Ore.—Dismissed petition requesting leave to intervene in the hearing on the application of Montana Broadcasting and Television Co., for a new station in Butte, Mont. (B5-P-3993), since the petitioner was made a party to the hearing by action of the full Commission on January 20.
- Federated Publications, Inc., Lansing, Mich.—Granted motion for leave to dismiss without prejudice its application for a new station (B2-P-4010).
- WSAV, Inc., Savannah, Ga.—Granted petition for leave to intervene in the hearing on applications of WLAP, et al., scheduled for hearing Feb. 18-20, and Sec. 1.385(d) of the Commission's rules was waived. (Action taken 2-14.)
- WJPS, Inc., Evansville, Ind.—Granted petition requesting leave to take depositions in re its application (B4-P-3293). (Action taken 2-18.)
- Pape Broadcasting Co., Pensacola, Fla.—Granted petition to dismiss without prejudice application for a new station (B3-P-4081).
- Joseph M. Viana, Woonsocket, R. I.—Adopted an order designating for hearing in a consolidated proceeding with applications of Norwich Broadcasting Co., et al., scheduled for Feb. 27 at Waterbury, Feb. 28 at Norwich, March 1 at Woonsocket, and March 2 at Worcester, Mass., ordered that the Viana application (B1-P-4493) be heard at further proceedings to be held in Washington at a date to be later designated; and further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to include application of Joseph M. Viana, requesting 1240 kc., 250 watts, unlimited time.
- KGGM—New Mexico Broadcasting Co., Albuquerque, N. M.—Granted motion for leave to amend application (B5-P-2918) so as to specify the frequency 610 instead of 590 kc.; change engineering data, etc., and the amendment was accepted and application removed from the hearing docket.
- WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—The Commission, on its own motion, ordered that WCAU become a party intervener in the consolidated hearing on applications of Easton Publishing Co., Easton, Pa., and Lewis Windmuller, and Steel City Broadcasting Co., Inc., Bethlehem, Pa.
- WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Granted petition for leave to amend application (B2-P-3753) so as to correct typographical errors appearing in amended engineering report, etc., and the amendment was accepted.
- WWSW—WWSW, Inc., Pittsburgh, Pa.—Granted petition for leave to amend application (B2-P-3055), so as to specify a new directional antenna array, etc., and the amendment was accepted.
- Dual Engineering Corp., Chicago, Ill.—Granted petition for waiver of Sec. 1.384 of the Commission's rules and accept late, applicant's written appearance in re application (B4-PH-644). The rules were waived and petitioner's written appearance accepted.
- Capital City Broadcasting Corp., Baton Rouge, La.—Granted petition for dismissal without prejudice of application for a new station (B3-P-4433).
- WMPJ—W. Wright Esch, Daytona Beach, Fla.—Granted motion requesting leave to amend application (B3-P-4320), so as to correct data with reference to area and population, etc., and the amendment was accepted.
- KRBC—Reporter Broadcasting Co., Abilene, Texas—Granted motion for leave to take depositions in re application for construction permit (B3-P-2553).
- Cur-Nau Co., Brockton, Mass.—Granted motion for leave to amend its application (B1-P-4054), so as to specify a new transmitter site and new antenna system, etc., and the amendment was accepted.

## MISCELLANEOUS ACTIONS

- WPOR—Centennial Broadcasting Co., Portland, Maine—Granted modification of CP which authorized a new station, for approval of antenna and approval of transmitter and studio locations at adjacent to intersection of Baxter Blvd. and Forest Ave., Portland, Me. (B1-MP-1827). The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations; conditions.
- WMVG—Jere M. Moore, Milledgeville, Ga.—Granted modification of CP (B3-P-3883) for approval of transmitter location at north side of Fishing Creek, west of Wayne St., Milledgeville, Ga., approval of antenna, changes in transmitting equipment and change studio location from 11½ East Hancock St., Milledgeville, to Main Academic Bldg of G.M.C., intersection of Jefferson and Washington Sts., Milledgeville. (B3-MP-1830)
- WRAW—Raymond A. Gaul and Harold O. Landis (Transferees) WGAL, Inc. and Keystone Broadcasting Corp. (Transferees), Reading Broadcasting Co. (Licensee), Reading, Pa.—Granted petition for reconsideration and grant without hearing, of application (B2-TC-457), for consent to transfer control of Reading Broadcasting Co., licensee of WRAW, from Raymond Gaul and Harold O. Landis, to WGAL, Inc., and Keystone Broadcasting Corp. (on condition that transferee dispose of their interest in station WAZL), for a consideration of \$100,000, representing 212 shares or about 57% of voting stock.
- WFIL—WFIL Broadcasting Co. (Assignee), Triangle Publications, Inc. (The Phila. Inquirer Division), (Assignor), Philadelphia, Pa.—Granted (Commissioner Durr dissenting) consent to assignment of license for standard station WFIL (B2-AL-501), FM station license WFIL-FM (B2-ALH-4), and relay station licenses WELX and WELW, (B2-ALRE-39), from WFIL Broadcasting Co. to Triangle Publications, Inc. (The Phila. Inquirer Division), for the consideration of \$1,900,000. (No competing application involving the facilities of this station has been filed.)
- WHBQ—WHBQ, Inc., Memphis, Tenn.—Granted renewal of license for the period ending August 1, 1947 (Comr. Durr voting for further inquiry).
- WGST—Regents of the University System of Ga., for and on behalf of Ga. School of Technology, Atlanta, Ga.—Granted further extension to March 18, 1946, of temporary license of WGST.
- John L. Plummer tr/as John L. Plummer Enterprises, Bogalusa, La.—Denied petition to consolidate application (Docket 6892) and application of I. K. Corkern (Docket 6894), both requesting a new station at Bogalusa, in hearing with applications of WLOX Broadcasting Co. (Docket 6882) and WGM Broadcasting Co. (Docket 6881), applicants for a new station in Biloxi, Miss., without prejudice to applicants filing petitions to intervene in the respective proceeding to which they are not parties.
- WOI—Iowa State College of Agr. and Mechanic Arts, Ames, Iowa—Granted appeal from decision of Motions Commissioner on January 25 denying SSA to operate from 7:15 to 9:15 CST, February 15, 18 and 23, and granted the SSA.

# Federal Communications Commission Applications

## APPLICATIONS ACCEPTED FOR FILING

### 590 Kilocycles

NEW—San Bernardino Broadcasting Co., Inc., San Bernardino, Calif.—Construction permit for a new standard broadcast station to be operated on 590 kc., power of 1 KW, directional antenna and unlimited hours of operation. Amended: re stockholder and director.

WSLS—Roanoke Broadcasting Corp., Roanoke, Va.—Construction permit to change frequency from 1240 kc. to 590 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for day and night use and change transmitter location. Amended: to make changes in directional antenna during daytime use.

### 610 Kilocycles

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Construction permit to increase power from 1 KW day and night to 5 KW day and night, install new transmitter and make changes in directional antenna for night use. Amended: to change type of transmitter.

### 630 Kilocycles

NEW—Boise Broadcasting Co., Boise, Idaho (P. O. 1906 W. Jefferson)—Construction permit for a new standard broadcast station to be operated on 630 kc., power of 5 KW, directional antenna and unlimited hours of operation.

WTMA—Atlantic Coast Broadcasting Co.,—Charleston, S. C.—Construction permit to change frequency from 1250 to 630 kc., increase power from 1 KW to 5 KW, install new transmitter, make changes in directional antenna for night use and change transmitter location. Amended: to change transmitter location.

### 680 Kilocycles

NEW—The Tower Realty Co., Baltimore, Md. (P. O. 222 East Baltimore St.)—Construction permit for a new standard broadcast station to be operated on 680 kc., power of 5 KW, directional antenna night and unlimited hours of operation.

### 810 Kilocycles

NEW—The Chesapeake Radio Corp., Annapolis, Md.—Construction permit for a new standard broadcast station to be operated on 1440 kc., power of 250 watts and daytime of operation. Amended: to change frequency from 1440 to 810 kc.

### 890 Kilocycles

NEW—Bay Cities Radio Corp., Santa Monica, Calif.—Construction permit for a new standard broadcast station to be operated on 890 kc., power of 1 KW and daytime hours of operation. Amended to specify transmitter and studio locations and specify antenna system.

### 920 Kilocycles

NEW—Ben Nedow tr/as Ector County Broadcasting Co., Odessa, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1450 kc. to 920 kc., power from 250 watts to 1 KW, hours of operation from unlimited to daytime, change type of transmitter and specify transmitter site.

### 940 Kilocycles

NEW—Mt. Vernon Radio and Television Co., Mt. Vernon, Ill.—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 1 KW and daytime hours of operation. Amended re stock ownership and to correct name of one director.

### 1020 Kilocycles

New—Kaw Broadcasting, Inc., Topeka, Kans.—Construction permit for a new standard broadcast station to be operated on 1020 kc., power of 1 KW, and daytime hours of operation. Amended: to change frequency from 1020 to 730 kc., and make changes in antenna system.

### 1150 Kilocycles

WAPO—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Involuntary assignment of license to Ramon G. Patterson, Louise Patterson Pursley, Ramon G. Patterson, Executor and Louise Patterson Pursley, executrix of the estate of Joda Patterson, deceased, d/b as WAPO Broadcasting Service.

WAEA—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, area of Chattanooga, Tenn.—Involuntary assignment of license to Ramon G. Patterson, Louise Patterson Pursley, Ramon G. Patterson, executor and Louise Patterson Pursley, executrix of the estate of Joda Patterson, deceased, d/b as WAPO Broadcasting Service.

W4XCT—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Dade County, Georgia, near Chattanooga, Tenn.—Involuntary assignment of license to Ramon G. Patterson, Louise Patterson Pursley, Ramon G. Patterson, executor, and Louise Patterson Pursley, executrix of the estate of Joda Patterson, deceased, d/b as WAPO Broadcasting Service.

### 1230 Kilocycles

NEW—Capital Broadcasting Co., Lewistown, Mont. (P. O. 513 Main Street)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

NEW—Harrison Broadcasting Corp., Harrison, Ark.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended to make changes in transmitting equipment.

WBEJ—Robert W. Rounsaville and George M. Clark, d/b as Elizabethton Broadcasting Co., Elizabethton, Tenn.—Modification of construction permit (B3-P-3971, which authorized a new standard broadcast station) for change in type of transmitter, approval of antenna and transmitter location.

### 1300 Kilocycles

NEW—Newnan Broadcasting Co., a partnership, composed of D. T. Manget, Evan W. Thomasson, James Thomasson and Ida A. Thomasson, Newnan, Ga. (P. O. Newnan, Ga.)—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW, directional antenna night and unlimited hours of operation.

### 1340 Kilocycles

NEW—Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co., Daytona Beach, Fla.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended to change name of applicant from Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co. to Roderick T. Peacock, Sr. and Roderick T. Peacock, Jr., a partnership, d/b as Daytona Beach Broadcasting Co.

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### 1360 Kilocycles

NEW—Community Broadcasting Service, Inc., Vineland, N. J. (P. O. 916 W. State St., Trenton, N. J.)—Construction permit for a new standard broadcast station to be operated on 1360 kc., power of 1 KW and daytime hours of operation. (Call "WWBZ" reserved.)

### 1370 Kilocycles

NEW—FM Radio & Television Corp., San Jose, Calif.—Construction permit for a new standard broadcast station to be operated on 1370 kc., power of 500 watts, 1 KW local sunrise and unlimited hours of operation. Amended to change power from 500 watts, 1 KW local sunrise to 1 KW day and night, install directional antenna for day and night use and specify transmitter site.

### 1400 Kilocycles

NEW—Chatham Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. Amended re stockholders.

NEW—The New Mexico Publishing Co., Santa Fe, N. M.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, directional antenna and unlimited hours of operation. (Call "KSNM" reserved.) Amended to change frequency from 550 to 1400 kc., decrease power from 1 KW day and night to 250 watts day and night, install new transmitter and vertical antenna and change transmitter location.

NEW—Peach Bowl Broadcasters, a partnership composed of Beverly B. Ballard, Dewey Allread, Jr., and Clyde L. Goodnight, Yuba City, Calif. (P. O. 558 A St.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. (Call "KUBA" reserved)

### 1450 Kilocycles

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Boughton, and Kirke M. Beall, d/b as Escambia Broadcasting Co., Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. (Call "WBSR" reserved.) Amended to change name of Ruth Braden Weber to Ruth Braden.

NEW—Wendell Mayes, C. C. Woodson and J. S. McBeath, d/b as Odessa Broadcasting Co., Odessa, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1450 kc. to 1360 kc., change power from 250 watts to 5 KW, hours of operation from unlimited time to daytime, change type of transmitter, antenna changes and specify transmitter location.

KFLW—Herald Publishing Company of Klamath Falls, Klamath Falls, Ore.—Modification of construction permit (B5-P-3684, as modified, which authorized a new standard broadcast station) for extension of completion date from 3-3-46 to 5-3-46.

NEW—Chanticleer Broadcasting Co., New Brunswick, N. J. (P. O. 1 Elm Row)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

WGOV—E. D. Rivers, Valdosta, Ga.—Construction permit to change frequency from 1450 kc. to 940 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location. Amended: to change requested power from 1 KW day and night to 1 KW night and 5 KW daytime and make changes in directional antenna for day and night use, and change type of transmitter.

NEW—City of Jacksonville, Jacksonville, Fla.—Construction permit for a new FM broadcast station to be

operated on 98 mc., and coverage of 13,720 square miles. Amended: to change transmitter location.

### 1460 Kilocycles

NEW—Fort Orange Broadcasting Co., Inc., Albany, N. Y.—Construction permit for a new standard broadcast station to be operated on 1460 kc., power of 5 KW, directional antenna and unlimited hours of operation. Amended to use directional antenna night only instead of directional antenna day and night.

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—Construction permit to change frequency from 1450 to 1460 kc., increase power from 250 watts to 1 KW. Amended to change power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use and change transmitter location.

### 1490 Kilocycles

NEW—Alfred Dorman, Statesboro, Ga. (P. O. 318 Savannah Ave.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Jas. A. Brown, Ronald C. Johnson, Elbert B. Griffis, Bert Graulich, Chas. H. Johnson, Wm. A. Johnson, Jas. E. Brooker, Chas. E. Cross, Alden J. Woodworth, Frank E. Sater & Frank J. Beougher, d/b as Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended to change transmitter location.

KGKB—Jas. G. Ulmer, Tyler, Texas—Voluntary assignment of license to Jas. G. Ulmer and Son, d/b as East Texas broadcasting Company. Amended to change name of assignee from Jas. G. Ulmer and Son, d/b as East Texas Broadcasting Company to Jas. G. Ulmer and Son, d/b as East Texas Broadcasting Company.

NEW—Louis Levand, Max Levand, John Levand, d/b as The Wichita Beacon Broadcasting Co., Wichita, Kan.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended to change transmitter site.

NEW—KAKE Broadcasting Co., Inc., Wichita, Kan.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended to change name of applicant from KAIR Broadcasting Co., Inc. to KAKE Broadcasting Co., Inc.

NEW—Bleecker P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins, El Paso, Texas—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1340 kc. to 1490 kc.

### 1520 Kilocycles

NEW—Eastern Broadcasting Co., Long Island, N. Y.—Construction permit for a new standard broadcast station to be operated on 1520 kc., power of 1 KW and limited hours of operation. Amended re officers, directors and stockholders.

### 1600 Kilocycles

NEW—Charlotte Broadcasting Co., Charlotte, N. C.—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 1 KW and unlimited hours of operation. DA. Amended re stockholders and change type of transmitter.

NEW—James F. Hopkins, Inc., Ann Arbor, Mich.—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 250 watts and unlimited hours of operation. Amended to change requested power from 250 watts to 1 KW, change type of transmitter, install directional antenna for day and night use and specify transmitter location.

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## FM APPLICATIONS ACCEPTED FOR FILING

- NEW—John D. Gold, Daisy H. Gold and Elizabeth G. Swindell, d/b as P. D. Gold Publishing Co., Wilson, N. C.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on any frequency between 92 and 106 mc. as may be assigned by FCC and coverage of 8,180 square miles.
- NEW—Clarence H. Frey and Robert O. Greever, Logan, W. Va. (P. O. Box 720)—Construction permit for a new FM (Metropolitan) broadcast station.
- NEW—Enterprise Publishing Co., Brockton, Mass. (P. O. 60 Main St.)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #286, 105.1 mc.
- NEW—Scranton-Wilkes-Barre-Pittston Broadcasting Co., Inc., Wilkes-Barre, Pa. (P. O. 156 Prospect St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC.
- NEW—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va. (P. O. Newman Bldg.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC and coverage of 28,800 square miles.
- NEW—Suffolk Broadcasting Corp., Coram, N. Y.—Construction permit for a new FM (Community) broadcast station to be operated on  $\pm 98.0$  mc.

## TELEVISION APPLICATIONS ACCEPTED FOR FILING

- NEW—Philco Radio & Television Corp., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 78000-84000 kc. and ESR to be determined. Amended: to change frequency from Channel #4, 78000-84000 kc. to Channel #4, 66-72 mc., specify ESR as 930, specify type of transmitter and antenna system and transmitter location as Arlington County, Va.
- NEW—The Fort Industry Co., Toledo, Ohio (P. O. 506 New Center Bldg., Detroit, Mich.)—Construction permit for a new commercial television broadcast station to be operated on Channel #13, 210-216 mc., with power of 5 KW (peak) for visual and 5 KW for aural.
- NEW—The Conestoga Television Assn., Inc., Lancaster County, Penna. (P. O. c/o Philip A. Richards, R.F.D. #5)—Construction permit for a new experimental television relay broadcast station to be operated on 590-610 mc., with power of 25 watts for aural and 200 watts (peak) for visual.
- NEW—Continental Television Corp.—Construction permit for a new experimental television broadcast station to be operated on Channel #7, 174-180 mc., Channel #9, 186-192 mc., and Channel # 11, 210-216 mc., 495-515, 630-660 and 780-830 mc., and AO, A3, A5 and special emission.

## MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

- KTLO—Metro-Goldwyn-Mayer Studios, Inc., Los Angeles, Calif.—Construction permit to specify frequency as Channel #261, 100.1 mc., and change type of transmitter and antenna system.
- KCNL—Gila Broadcasting Co., Safford, Ariz.—License to cover construction permit (B5-PRE-450) which authorized a new relay broadcast station.
- WCSC—John M. Rivers, Charleston, S. C.—Construction permit to increase power from 1 KW day and 500 watts night to 5 KW day and night, install new transmitter and directional antenna for night use, and change transmitter location. Amended: to make changes in directional antenna for night use.

## APPLICATIONS TENDERED FOR FILING

- WAAT—Bremer Broadcasting Corp., Newark, N. J.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for night use.
- Joseph M. Viana, Woonsocket, R. I.—Construction permit

for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

- The Altus Broadcasting Co., Altus, Okla.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
- Walter L. Edwards, Porterville, Calif.—Construction permit for a new standard broadcast station to be operated on 1590 kc., power of 1 KW and unlimited hours of operation.
- Maui Publishing Co., Ltd., Wailuku, T. H.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW and unlimited hours of operation.
- WPAT—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Construction permit to increase power from 1 KW to 5 KW, change hours of operation from daytime to unlimited, install new transmitter and directional antenna for day and night use.
- Harry J. W. Kiessling, Carl F. Stroehmann, Frank E. Plankenhorn and William P. Wilson, partners, d/b as Williamsport Radio Broadcasting Associates, Williamsport, Pa.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- Hot Springs Broadcasting Co., Hot Springs, Ark.—Construction permit for a new standard broadcast station to be operated on 1090 kc., power of 50 KW, directional antenna and unlimited hours of operation. (Facilities of KTHS)
- John Raymond Barlett, d/b "Radio South," Quitman, Ga.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- George Arthur Smith, Jackson, Tenn.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- Caribbean Broadcasting Corp., Arecibo, Puerto Rico—Construction permit for a new standard broadcast station to be operated on 1280 kc., power of 1 KW and unlimited hours of operation.
- The Yankee Network, Inc., Portland, Maine—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- WAYS—Inter-City Advertising Co., Charlotte, N. C.—Construction permit to increase power from 1 KW day and night to 1 KW night and 5 KW day, and install new transmitter.
- John P. Rabb, Lenoir, N. C.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- KGKL—KGKL, Inc., San Angelo, Texas—Construction permit to change frequency from 1400 kc. to 960 kc, increase power from 250 watts to 1 KW night, 5 KW daytime, install new transmitter and directional antenna for night use and change transmitter location.
- Billy Averitte Laurie, Jacksonville, Texas—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 100 watts, and unlimited hours of operation.
- Frank E. Fowler, Craig Siegfried, Charles Siegfried and Cedric Siegfried, d/b as The Blue Valley Co., Independence, Mo.—Construction permit for a new standard broadcast station to be operated on 1510 kc., power of 1 KW, and daytime hours of operation.
- Southwest Broadcasting Co., a partnership composed of Wm. Calvin Montgomery, Chas. E. Jones, James A. Clements, John W. Newman and Richard J. Higgins, Eastland, Texas—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation.
- WACO-KNOW—Frontier Broadcasting Co., Inc., Austin and Waco, Texas—Transfer of 30% of common stock of licensee corporation from E. S. Fentress and Charles E. Marsh to C. C. Woodson and Wendell Mayes.
- Charles R. Love, Calexico, Calif.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.

# Federal Trade Commission Docket

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Arden Jewelry Manufacturing Co., Inc.**, 99 Stewart Street, Providence, R. I., and its officers, Fred Abrams and Leo Weiner, are charged in a complaint issued by the Commission with failing to disclose the foreign origin of imitation pearl necklaces and other articles of jewelry they sell. (5422)

**Crown Zellerbach Corp.**, San Francisco, and its wholly owned subsidiaries, Zellerbach Paper Co., San Francisco, and General Paper Co., Los Angeles, are charged in a complaint issued by the Commission with violating the Robinson-Patman Act by knowingly inducing and receiving price discriminations from sellers of paper and paper products. (5421)

**Union Fishermen's Co-Operative Packing Co.**—The Commission has issued a complaint charging Union Fishermen's Co-Operative Packing Co., Astoria, Oreg., with violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of seafood products. The respondent corporation is engaged in packing, selling and distributing canned Columbia River salmon and tuna fish and other seafood products. (5420)

## FTC CASE CLOSED

The Commission has closed without prejudice the case growing out of its complaint charging L. & C. Hardtmuth, Inc., Bloomsbury, N. J., and its sales agency, Koh-I-Noor Pencil Co., Inc., New York City, with misrepresentation in connection with the sale of lead pencils.

The case was closed after the respondents had expressed their intention in writing to be bound by the Trade Practice Conference Rules promulgated by the Commission for the Wood Cased Lead Pencil Industry on June 29, 1945, and had furnished satisfactory evidence of such intention. (4875)

## CEASE AND DESIST ORDERS

No cease and desist orders or stipulations were issued this week by the Commission.



# NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 14, No. 9, March 4, 1946

## MILLER CONFERS WITH TRUMAN, HOOVER, 11 OTHERS ON WORLD FOOD PROBLEM

NAB President Justin Miller on Friday (1) joined with 11 others prominent in the life of the Nation in accompanying former President Herbert Hoover to the White House in response to a request from President Truman that they meet him to confer on ways and means of alleviating the serious food shortage in Europe and Asia.

Moving with a suddenness that allowed only two days for preparation and travel on the part of the conferees, President Truman issued the invitations on Wednesday, asking that they join with him in the East Wing of the White House at 3 p. m. on Friday. His invitation to Mr. Hoover reached the former President while he was fishing off Florida. When he accepted, a Navy plane was put at his disposal for his trip to Washington.

President Truman's telegram to Miller and the others read as follows: "I am sure you are familiar with the acute need for foodstuffs in the war-torn countries of Europe and Asia. Our national self-respect and our duties as human being demand that we do all possible to stop the spread of famine.

"I have directed the agencies of Government to do everything possible to this end. But Government alone is not enough.

"We cannot meet this situation without an aggressive voluntary program on the part of private citizens to reduce food consumption in this country.

"I am asking you and a very few other public spirited citizens to meet in the East Wing of the White House at 3 o'clock, Friday afternoon, March 1, to work out means for supporting such a voluntary program. Former President Hoover has accepted my invitation and will be there. I count on your support.

"HARRY S. TRUMAN."

Those invited by the President in addition to Mr. Hoover and NAB President Miller were:

Sheldon Clark, vice president of the Sinclair Oil Co. and honorary president of the Navy League of the United States.

Clarence Francis, chairman of the board, General Foods Corp.

Dr. George H. Gallup, director of the Gallup Poll and connected with Young & Rubicam.

Henry R. Luce of *Time*, *Life* and *Fortune*.

James W. Young of the J. Walter Thompson Co. and chairman of the board of directors of the Advertising Council.

Dr. William I. Meyers of Cornell University and formerly governor of the Farm Credit Administration here in Washington.

Chester W. Davis of this city, president of the St. Louis Federal Reserve Bank and in 1943 War Food Administrator.

Eugene Meyer, editor and publisher of the *Washington Post*, formerly Farm Loan Commissioner, governor of the Federal Reserve Board and chairman of the Reconstruction Finance Corp.

Mrs. Anna Lord Strauss, president of the League of Women Voters.

Mrs. Emily G. Dickinson, president of the Federation of Women's Clubs.

Eric Johnston, president of the United States Chamber of Commerce and president of the Motion Picture Producers and Distributors of America, Hollywood, Calif.

## Music

### LEA BILL IN RULES COMMITTEE

The Lea Bill (HR-5117) which passed the House Thursday (21) by an overwhelming majority of 222 to 43 (see NAB REPORTS, p. 135), is back in the Rules Committee due to a negative vote entered by Rept. Marcantonio (Am. Labor Party—N. Y.) when unanimous approval was asked on conferees selected for the Senate and House Conference Committee who were to prepare final draft of the bill for Senate action.

The Rules Committee must now prepare a ruling which will go to the House floor for debate before the bill goes on to the Conference Committee.

The Senate has already agreed upon conferees, who are as follows: Senators, Edwin C. Johnson (D. Col.); James M. Tunnell (D. Del.); Francis J. Myers (D. Pa.); Wallace H. White, Jr. (R. Maine); Warren R. Austin (R. Vt.).

## Engineering

### NARBA CONFERENCE SIGNS INTERIM PACT

An Interim Agreement covering the standard broadcast band in the North American Region was signed Monday (25) in the final plenary session of the Second North American Regional Broadcasting Conference, following more than three weeks of deliberations.

Members of the various delegations signed the agreement at 1:45 p. m. in the following order: F. H. Soward and G. C. W. Browne for Canada; Sr. Carlos Maristany, Dr. Luis Machado and Sr. N. G. Mendoza for Cuba; Sr. Jose Ramon Rodriguez for the Dominican Republic; A. D. Hodgson for His Majesty's Government in the United Kingdom in respect of the Bahama Islands; H. J. Clarke for His Majesty's Government in the United Kingdom in respect of Newfoundland; Colonel Rafael Avila Camacho (with reservations) for Mexico; E. K. Jett and Harvey Otterman for the United States.

(Continued on next page)

Justin Miller, *President*  
 A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*;  
 John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*;  
 Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*;  
 Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*;  
 Arthur C. Stringer, *Director of Promotion.*

Provision was made for a representative of the government of Haiti to sign the document at some future date. The reservations requested by the Mexican delegation were with respect to the creation of a committee of engineers to collaborate in checking broadcasting stations in the various countries to insure against international interference. Mexico merely desired time to check its laws before becoming a member of this committee.

The Interim Agreement, or Modus Vivendi, will be in force for a period of three years beginning March 29, 1946, unless a new NARBA is signed and ratified before its expiration. The document also provides for convening the third NARBA conference in Canada in 1947.

Under terms of the Interim Agreement, Cuba is permitted to make limited use of 10 clear channels (five belong to the United States), and eight regionals.

The agreement provides for the establishment of a permanent NARBA Engineering Committee, composed of one expert from each of the following countries: Canada, Cuba, Mexico and the United States. The committee will act as trouble-shooters, rendering assistance in the solution of interference cases and other broadcasting engineering problems. When necessary members will inspect facilities to insure that adequate provision is made to prevent radiation toward other countries in excess of the acceptable maximum.

Commissioner E. K. Jett of the FCC, head of the United States delegation and permanent chairman of the conference, said "the spirit of compromise has prevailed throughout the conference."

"We all agreed on one point," Commissioner Jett declared, "that without international cooperation, broadcasting in the standard band would soon be in chaos."

Other speakers at the final session included: Francis Colt deWolf, Telecommunications Division, State Department; Dr. Luis Machado, Cuba; Sr. Carlos Maristany, Cuba; Colonel R. A. Comacho, Mexico.

### FCC TO BE REPRESENTED AT DUBLIN CONFERENCE

In view of its regulatory responsibilities in the field of international communications and in view of its responsibility to promote safety through the use of wire radio communication, the Commission will be represented in the United States Delegation to the North Atlantic Route Service Conference convening in Dublin, Ireland, on March 4, 1946. Mr. Wm. N. Krebs, Chief of the Safety and Special Services Branch of the Engineering Department of the Commission, will attend the conference as a delegate. Mr. E. L. White, Chief of the Aviation Division of that Branch, will also attend as an observer.

This conference is sponsored by the Provisional International Civil Aviation Organization for the purpose of

establishing an organization to facilitate civil air operations in the North Atlantic area, and is the first of several conferences which will set up similar organizations to cover nine other regions of the world. A meeting of Caribbean area countries is tentatively scheduled the latter part of May, to be held either in the United States or Cuba.

The principal subjects to be considered at Dublin are communication and navigation radio aids, search and rescue, traffic control, meteorology, and airdromes and ground aids. It is anticipated that the conference will last approximately three weeks.

### BUREAU OF STANDARDS ANNOUNCES NEW RESEARCH DEPARTMENT

In order to broaden the scope of the work of the Ordnance Development Division of the National Bureau of Standards an Electronics Section has been set up to handle projects involving electronics research and engineering not necessarily related to ordnance, according to the Department of Commerce.

The work of the new section includes electron tube research and development, application of electronic circuits, and radiation. These projects are at present supported largely by funds transferred from the Army Ordnance Department and the Navy Bureau of Ordnance. It is expected, however, that new projects will accrue to the section under the sponsorship of civilian agencies of the Government, so that it should become the Bureau's center for general development work in applied electronics.

An electronics instrumentation service is being offered by the Electronics Section. This service aims to assist the entire Bureau in the development, design or specification of measuring and control equipment employing electron tubes. It is the belief of the Bureau that this service by experienced personnel will prove of value in assuring full use of the advantages afforded by electronic instrumentation.

Robert D. Huntoon is in charge of the Electronics Section. He has served in various capacities in the Ordnance Development Division since 1941 and during 1944-1945 was attached to the War Department as Expert Consultant to the Secretary of War.

He performed his doctoral work at the University of Iowa, receiving his degree in 1938, after which he taught nuclear physics at New York University and engaged in research work on electron tubes at a large electric products manufacturing establishment.

### AAF TO EXPERIMENT WITH RADAR AGAINST GERMAN V-2 BOMBS

Danger of atom bombardment of our great cities and industrial centers by long-range stratosphere rockets may be considerably lessened if Army Air Forces efforts to "track" captured German V-2's by the use of "moon radar" and other devices are successful in experiments to be held this summer.

White Sands proving ground in New Mexico will provide a desert setting for tests in which the AAF will pit its "radar brains" against the V-2's. These rockets will be sent streaming 90 miles into the stratosphere by Army Ordnance; and the AAF, in cooperation with the Signal Corps, will attempt to plot their course from the moment of discharge to the moment of impact.

Every known means of radar detection, including those devices used recently in reaching the moon, will be utilized by the AAF in an effort to "keep a finger" on these 3000-miles-per-hour missiles as they arch across the sky. If this tracking is successful, according to AAF experts, it will

*(Continued on next page)*

then be possible to devise some means of exploding the V-2's harmlessly in mid-air before they can reach their targets—probably by interception with "counter-attack" rockets.

Officers and civilians from Watson laboratories, the ground radar laboratory of the Air Technical Service Command at Wright Field, and, if practicable, enlisted personnel from the European occupational air force, will man the radar equipment for the AAF. In attempting to track the rockets in flight from every possible angle, AAF technicians hope to determine which radar devices are best able to trace the aerial route of these sky-torpedoes against which no highly effective means of defense now is available.

"A means must be found," said Brigadier General William L. Richardson, Chief of the Guided Missiles Division, Air Staff—3, "to defend our country against a sudden enemy rocket attack, and this must be done as quickly as possible. We want to develop a means whereby we can intercept incoming enemy rockets in mid-air. We cannot hope to do this, however, until we discover a method of tracing their course through the sky and predetermining their arc of flight. Once we accomplish this, it will be possible to design a 'counterattack' rocket which will be controlled by radar and will be capable of intercepting the enemy rocket at a predetermined point in its course.

"The Air Force has been working on rocket defense ever since the first German V-2 landed accidentally in Sweden back in the Autumn of 1943. We hope to come to some definite conclusions this summer concerning radar's ability to track these rockets effectively. Whatever these conclusions may be the AAF will go on with its research until a way is found to stop the V-2's, either by interception or by some other means."

Gen. Richardson pointed out that the AAF is conducting extensive research in the developing and tactical use of offensive guiding missiles, as well as evolving a defense system against rocket attack. The First Experimental Guided Missiles Group was activated recently by the AAF. The functions of the group, which is commanded by Col. Harvey T. Alness, former commander of the Seventh Bomb Group in India, will be the development of tactics and techniques of guided missile operations, training of personnel development of organizational and equipment requirements, and demonstration of guided missiles in the AAF program.

#### **LEGION OF MERIT AWARDED CBS CHIEF ENGINEER**

For having broken a design and production deadlock when airborne radar equipment was urgently needed by the U. S. Fleet to combat Jap air action, A. B. Chamberlain, Chief Engineer of CBS, has been awarded the Legion of Merit by Navy Secretary James Forrestal.

## **Programming**

#### **AD COUNCIL, OWMR ALLOCATIONS— MARCH 11-17**

The following four public interest campaigns have been given top priority on Network Radio Allocation Plans during the week of March 11-17 by The Advertising Council and the Media Programming Division of the OWMR. A brief resume of each Fact Sheet is given below:

#### **1946 Red Cross Fund Drive (Fact Sheet No. 14)**

To the people of the United States from General Dwight D. Eisenhower, Chief of Staff, United States Army: "The

Red Cross activities in Army hospitals and the program of clubs, recreation centers and welfare must go on through the period of occupation according to changing needs. Normal amenities of life are so lacking in the occupied zones that the American soldier has, in most cases, only what we send him. I express the earnest hope of the Army that the American public will continue its generous support of the Red Cross during 1946." This message from General Eisenhower outlines the continuing responsibilities of the Red Cross to the men who made peace possible. To them must be added the victims of unforeseeable floods, fires, tornadoes and other disasters right here at home whom the Red Cross must stand ready to provide with emergency food, clothing and shelter as it has so faithfully done in the past. During the month of March the American people will be asked to contribute \$100,000,000 needed by the American Red Cross to carry out this vast program of service to our occupying forces, hospitalized servicemen, veterans and civilians in need.

#### **Housing—"Boom and Bust?" (Fact Sheet No. 7A)**

America's critical housing shortage constitutes one of the most potentially explosive inflationary situations of the reconversion period. A bold and vigorous program has been developed to whip that shortage. But even under that program the urgent demand for homes will far exceed the number that can be built for months to come. And in addition to the urgent demand by returning veterans and others, there are millions of Americans who would like to buy or build or remodel if they could. Under these conditions the threat of inflation in housing and building materials is more menacing than in any other section of the economy. Within limits people in urgent need of shelter are tempted to pay almost any price for it. It would be presumptuous for anyone to urge a man not to buy or build when he has the money and his family is without a place to live. However, it is in the interest of the Nation as well as the home-seeker that he be told of the dangers involved in buying or building at inflated prices. During the period when the demand for housing is abnormally high and production is low, there are two alternatives open to us—to start a "boom-bust" cycle by frantically bidding up the prices of the limited housing supply, or to put the brakes on housing inflation by postponing buying or building if we do not urgently need a new house and by securing expert advice if we do build or buy.

#### **Help Keep Our Economy Stable (Fact Sheet No. 3)**

The greatest inflationary pressures we face today are those stemming from the unprecedented demand for and the short supply of (1) housing, (2) clothing and (3) durable goods. Although rent control regulations still exist in most areas the demand for housing is so great that people are tempted to ignore rent ceiling in their eagerness to provide shelter for themselves and their families. During the next few months the clothing supply will be the tightest since before the war, a situation that is being further complicated by thousands of newly discharged veterans who are unable to find even a minimum of civilian clothing in the stores. The durable goods picture is a trifle brighter—more refrigerators, automobiles, washing machines, vacuum cleaners, radios, etc., are on the way. Here again, however, demand and purchasing power still exceed the supply and an inflationary black market is the potential result unless people curb their desires to own the first of everything that appears on the market at any price. Urge listeners to spend sensibly and to cooperate with all price and rent control regulations.

#### **Building Our New Army (Fact Sheet No. 2)**

Congress has authorized a peace-time American Army larger and better trained than ever before in history.

*(Continued on next page)*

This Army, vitally necessary for reasons which will be presently explained, is now being recruited by voluntary enlistment. But the Army's present recruiting drive for over one million men by July first 1946 may fail unless public attitudes can be changed and changed quickly. The Army itself is conducting a large-scale direct recruiting drive using paid advertising in various media, but it urgently asks help in a concurrent backdrop campaign, for which its own resources are inadequate, to build prestige for the new Regular Army and its personnel in the public mind, and particularly in the minds of potential recruits, their families and their friends. Very bluntly, the objective of this campaign is to change the old attitude of Americans toward their Army. By explaining the purpose and character of the new Regular Army being formed since victory in World War II, and by paying tribute to the young men now joining it to guard world peace, radio can help the Army's recruiting drive achieve the goal it seeks. Point out that the new Regular Army soldier is a skilled technician—he works with advanced techniques and equipment in at least one of many specialized fields, and his competence equals and often exceeds the skill demanded in some of the best paid civilian trades. Illustrate the kind of work they do as guardians of peace and architects of our country's safety.

### MORNING AND AFTERNOON LISTENING SURPASSES "V-E DAY" RECORD

The volume of afternoon radio listening has surpassed the record set during the "V-E Day" period while morning listening has climbed to the highest point since then, Cooperative Analysis of Broadcasting announced last week.

CAB revealed that since mid-December there has been a greater number of sets-in-use during weekday afternoons than during the two-week period including "V-E Day." Tabulations were based on nationwide interviewing in 81 cities over two-week periods. The CAB February 19 report showed the average percent of sets-in-use was 15.8, an increase of 0.3 from the "V-E Day" record of 15.5. The average sets-in-use for December-January was 15.6 and for January was 15.7, both ratings above the victory period.

Weekday morning listening was three points below the 18.2 record of the "V-E Day" period but was the highest figure since then. The latest CAB report showed an average percent of sets-in-use of 15.2, an increase

of one full percentage point since the previous report two weeks ago.

Both morning and afternoon listening averages of the latest report were 0.4 above the figures recorded during the corresponding period last year.

### WFIL COOPERATES WITH RADIO REPAIR ASSOCIATION

Philadelphia—Station WFIL and the Philadelphia Radio Service Men's Association have drawn up a unique contract designed to use the facilities of their allied industries for their mutual benefit.

The Association is a voluntary organization of independent radio repair men from the metropolitan and suburban areas, who have joined together for a better, more efficient coverage of the city's radio repair work. Through their advertising on WFIL, PRSMA's work as an association has increased tremendously in the last few months. Now, instead of calling radio repair men at random, Philadelphians call PRSMA to get prompt service from the most competent worker in their immediate vicinity.

The new agreement provides for WFIL to supply commercial spots, a new musical program on WFIL and WFIL-FM, promotion of the association via car and bus cards—and phone service on all customer inquiries about the organization which come through the station's switchboard as a result of commercial announcements.

In return PRSMA members will display in preferred window locations WFIL and WFIL-FM placards calling attention to special events, etc., include inserts supplied by WFIL in outgoing mail to customers, and distribute survey questionnaires to customers whose sets they service.

## FM Department

### 15 MORE FM GRANTS—TOTAL 345

The Commission, by a Board composed of Acting Chairman Denny and Commissioners Walker and Jett, on Wednesday (27) granted 15 additional FM stations and designated one application for hearing. This brings total conditional grants to 345.

Following are grants made:

<i>City</i>	<i>Grantee</i>	<i>Interest in Standard Station</i>	<i>Type of FM Station</i>
FLORIDA			
Jacksonville.....	City of Jacksonville.....	WJAX	Metropolitan
Jacksonville.....	Jacksonville Broadcasting Co.....	WPDQ	Metropolitan
IDAHO			
Nampa.....	Frank E. Hurt and Son.....	KFXD	Metropolitan
INDIANA			
Terre Haute.....	Wabash Valley Broadcasting Corp.....	—	Metropolitan
KANSAS			
Wichita.....	Louis Levand, Max Levand and John Levand, d/b as Wichita Beacon Broadcasting Co.....	—	Metropolitan
NEW HAMPSHIRE			
Manchester.....	The Radio Voice of New Hampshire, Inc.....	WMUR	Metropolitan
PENNSYLVANIA			
Lewistown.....	Lewistown Broadcasting Co.....	WMRE	Metropolitan
TEXAS			
Abilene.....	The Reporter Broadcasting Co.....	KRBC	Metropolitan
Dallas.....	KRLD Radio Corp.....	KRLD	Metropolitan, possibly Rural
Dallas.....	A. H. Belo Corp.....	WFAA	Metropolitan
Fort Worth.....	Carter Publications, Inc.....	WBAP	Metropolitan, possibly Rural
Houston.....	Lee Segall Broadcasting Co.....	—	Metropolitan
Tyler.....	East Texas Broadcasting Co.....	KGKB	Metropolitan
Vernon.....	Northwestern Broadcasting Co.....	KVWC	Metropolitan
WISCONSIN			
Milwaukee.....	Midwest Broadcasting Co.....	—	Metropolitan



## DESIGNATED FOR HEARING

Chesapeake Broadcasting Co. Adopted order designating application for hearing in consolidation with applications of Marcus Loew  
Washington, D. C. Booking Agency, et al, for new FM stations in Washington, D. C., to be held March 11, and ordered  
that the issues in the consolidated proceedings be amended to include the application of Chesapeake  
Broadcasting Co.

**FCC**

### DENNY PREDICTS 100 TELE STATIONS BY 1947— 2000 FM'S IN 3 YEARS

Charles R. Denny, Acting Chairman of the Commission, predicted Wednesday (27) that 100 television stations will be on the air by the end of 1947. Within three years, Mr. Denny said in an interview with an AP correspondent, 2,000 FM stations probably will be built.

"By the end of 1946," he said, "all the applications for television stations before the Commission will be cleared out. There are now 140.

"About 100 television stations probably will be broadcasting by the end of 1947. This figure likely will include seven in New York City and northeastern New Jersey, seven in Los Angeles, four in Philadelphia, four in Washington, D. C., five in Detroit, six in San Francisco-Oakland, four in Pittsburgh, five in Cleveland and three in Baltimore.

"Television networks will come just about as soon as we get the stations—but the networks will be small at first," Denny said.

"Reports to the Commission," Denny said, "indicate that one or more manufacturers will have sets on sale in sizeable volume by the middle of this year.

"The future of sound broadcasting will center on FM," he said. "I predict that FM to a large extent will replace standard broadcasting in the years to come."

### FCC REQUESTS PICTURE OF '46 PRODUCTION FROM SET MANUFACTURERS

The Commission has sent out a questionnaire to radio manufacturers requesting them to send in information on present plans for the manufacture of radio receivers during 1946. It is stated in an accompanying letter that the response will be used in preparing industry-wide totals.

The questionnaire itemizes various types of receivers in the AM, FM, Television bands and also includes FM adaptors suitable for attachment to AM sets to permit reception in the 80-108 mc. FM band, as well as converters which will change over FM sets built for reception in the 42-50 mc. band to permit reception in the 80-108 mc. band.

### FIRST RAILROAD RADIO GRANT

Acting upon the first application for railroad radio authorization submitted pursuant to the establishment of Rules and Regulations Governing Railroad Radio Service, Part 16, the Federal Communications Commission on Wednesday (27) granted a construction permit to the Denver and Rio Grande Western Railroad Company, Denver, Colorado, for 32 new mobile units as train (end-to-end) stations in this newly established service.

Operation will be on the frequency 159.81 megacycles, with 50 watts input power to final radio stage, employing special emission for FM (telephony).

The application was made on behalf of the Denver and

Rio Grande Western Railroad Company by Wilson McCarthy and Henry Swan, its trustees.

Extended experimentation has been made regarding use of railroad radio for safety purposes for several years, and many experimental authorizations have been previously issued to railroads and manufacturers, but this is the first grant since the regular railroad radio service was established by the Commission on December 31, 1945.

## Broadcast Advertising

### PER INQUIRY AND FREE TIME

Radio stations have reported that the Allan H. Miller Agency, Toledo, has attempted to place contracts for "Dentral," a plastic reliner for false teeth, on a per inquiry basis.

NAB Department of Broadcast Advertising informed the agency that the radio industry is adverse to this type of advertising, and that NAB adopted a resolution at the 1942 Convention condemning such practices on the basis of being unsound broadcasting.

The Miller Agency went so far as to mail stations a reprint of a station's Sales Manager's letter that apparently encouraged per inquiry advertising in radio. Upon being informed by NAB of the letter's use, the sales executive informed NAB:

"It is needless to say that my letter to Mr. Allen Miller of the Miller Agency was not supposed to be used for promotion purposes. He assured me that it would not be. I have already attended to this matter and you may be sure that neither our station nor myself wish to promote anything along P. I. lines. We have never accepted P. I. business since I have been identified with the station and I am certainly not in favor of it."

Mr. Miller informed NAB: "Is my face red! We had an experience with a 'per inquiry' deal some considerable time ago and the rule is that we are not interested. However, this particular deal offering the product Dentral for broadcast purposes to stations on a 'per inquiry' deal was arranged without my approval. *Please be advised that as of this date Dentral has contracted with us to buy time on a regular basis on the series of stations we have mutually agreed upon.*"

### NATIONAL NEEDLECRAFT BUREAU

Tom Fizdale, Inc., a New York City publicity firm, representing the National Needlecraft Bureau, interested in increasing home sewing, etc., has offered an elaborate promotion called "The Sixth Annual National Home Sewing Contest." The publicity firm states that the contest is being conducted in 50 of our leading cities in the North, South, East and West.

NAB informed Tom Fizdale, Inc., that giving free time for such enterprises is not in keeping with the radio industry's policy. NAB urged that the National Needlecraft Bureau use paid advertising on radio stations.

*(Continued on next page)*

Win Nathanson, president of the publicity firm, replied to NAB Department of Broadcast Advertising that: "The National Sewing Contest is sponsored by the National Needlecraft Bureau, a non-profit trade association representing manufacturers of thread, fabrics, patterns and, in fact, anything that has to do with sewing and needlecraft arts. We furnish cash prizes and national awards to the stations, and full assistance and information in carrying on local contests. It is of particular interest for you to know that almost in all cases local stations have sold sponsorship of the contest, usually to a department store, or some advertiser with a message directed to women. This brings revenue to the stations and, at the same time, they are rendering a real public service, as, in no way, is this contest commercial—no brand names, nothing of that sort is mentioned."

Mr. Nathanson added "we hope this information will explain the National Sewing Contest and that you do not consider it a 'space grabbing' idea."

### Real Estate Dealer—Commercial or Sustaining?

An effort to obtain free time from radio stations is being made by the National Association of Real Estate Boards of Washington, D. C., which has planned a series of four quarter-hour transcriptions. Approach to stations is usually made by the local representative of the community's real estate board, with a request for free time. Some NAB member stations have reported that after discussion, the local real estate board has *purchased* the time for the transcribed series, which discusses the national housing situation and the services offered by real estate dealers.

An NAB representative contacted the office of Walton Onslow, Director of Public Relations, National Association of Real Estate Boards, Washington, D. C. The NAREB revealed that an "opinion poll" letter had gone out to local real estate boards across the nation, to ascertain if local boards were interested in the proposed series of transcriptions in their behalf on the National Housing situation, etc.

The real estate boards' headquarters informed its members "In some cases you might obtain time on your local station free, as a public service. In other cases time will have to be bought." The letter pointed out that the real estate boards in metropolitan cities were financially able to pay for these platters, whereas their smaller boards, not as able financially to buy time, might be able to get free time in the guise of a "public service."

### Electric Fan Section N. E. M. A.

Alexander Hazard Williams, New York City, representing the Electric Fan section of the National Electric Manufacturers Association, has offered stations a transcription containing a comedy sketch by Ernest Truax and Hope Emerson. The N. E. M. A., through its agent, sought free time on the basis that theirs is an educational campaign to give the public some idea of the varied uses of electric fans and other electric equipment.

Their purpose in sending the transcriptions out was "for providing (1) Entertainment. (2) Service to the public. (3) Service to the electric equipment dealers in your city."

The NAB has written the agent urging the use of broadcasting on a rate card basis.

**The NAB believes that sound advertising is the most effective and almost the only economical way to introduce a new product, an improvement in old products, and new uses for existing articles.**

### Veterans of Victory

Better Business Bureau and stations have sent inquiries to NAB relative to the reliability of the National Radio Features' series, "Veterans of Victory."

The Veterans Administration informed the NAB that it "does not authorize or endorse any radio programs." However, the radio division of the Veterans Administration has informed us that they are "cooperating" with this concern on their "Veterans of Victory." William T. Comer, director, coordination and planning, Veterans Administration, makes an appearance on one of the discs. The Veterans Administration informs us that "it is a legitimate program."

The radio division of the United States Treasury Department, according to Lieutenant David Levy, Radio Chief, has no knowledge of "Veterans of Victory" or its producer, National Radio Features. Therefore they have not worked with the producer in any way, according to Lieutenant Levy.

### Wire-Recorder Broadcast Sponsored

Radio Station WGST, CBS affiliate, Atlanta, has inaugurated a new type of program, using a wire recorder to record interviews with the riders direct from street cars and busses in transit. The recordings are made several times during the day and played back over the air at 6:30 P. M. the same night so that the people interviewed can hear themselves on the air. The interviewing is done by two of WGST's ablest announcers, Jimmy Kirby and Francis Harden, and the program is called "The Man on the Street Car." The show is a "natural" for its sponsor, The Georgia Power Company. The sponsor and WGST are cooperating in an all-out publicity and promotion job on this program.

WGST has installed outdoor poster boards, scheduled newspaper ads and courtesy plugs, printed envelopes for the interviews calling attention to the program and expressing appreciation for the interview. Twelve street car tokens are enclosed in each envelope as a gift from the Georgia Power Company. Display cards with actual photographs of a street car broadcast are being placed in the main office and the branch offices of the Georgia Power Company in greater Atlanta.

### J. Nelson Rupard, KTSW, Re Syndicated Shows

Emporia, Kansas', station management offers an expression on syndicated transcribed shows for small market stations to the effect: "We want better shows to increase the audience for our advertiser and our station. But they must be *better* shows to justify any increased production and program charges.

"In our own stumbling way we've learned to produce some pretty listenable programs, first with records and in later years from transcription libraries. The transcription service is a necessity and the rental is a flat fee. Programs from these services are usually produced (on the smaller stations) by announcers who would otherwise be around only for station breaks. The cost to the station for such a program is not great.

"In a sense, the problem then becomes mathematical. If a local transcribed program earns an audience rating of 4.2, then a syndicated program that carries a talent charge of one-half the time charge must necessarily produce a rating of 6.4, a stronger sales impact, or other advantages.

"Unfortunately many syndicated programs carry a talent charge equal to or better than the time charge. And some haven't paid out at a talent charge of one-half the time charge.

"For the most part the quality of the syndicated programs has been good; they have compared favorably with network cooperative programs which have been highly successful. But talent costs for most network cooperatives has been less than half the time charge.

"The problem seems largely a matter of basic transcrip-

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tion costs complicated, perhaps, by AFRA and AFM recording regulations. The suggestion that smaller stations repeat transcribed features after they have been run on larger stations does not seem a happy solution. Without going into the ramifications of audience appeal and station prestige of such repeats, accept the plea that most small stations just wouldn't relish the idea of eating at the second table. Better things have been tasted through network cooperative programs.

"Since the actual pressing cost does represent a considerable portion of the local charge, isn't there another way of routing such features to the stations? Perhaps without giving preference to the larger stations (it seems movie distributors handle films in this manner) or a series exclusively for the use of smaller stations.

"We need syndicated programs to deliver a greater sales impact to more listeners for more local advertisers in a limited broadcast day. But to meet competition, the increased audience or other advantages must be proportionate to the increased cost to local advertisers.

"Until it is, small stations will go right on selling network cooperatives and locally built recorded and transcribed shows."

## HOW TO IMPROVE YOUR DEALER-HELP ADVERTISING

MAXSON I. BEVENS

*Commercial Manager, KGHF*

*Before his advent into radio, Maxson I. Bevens, Commercial Manager of Station KGHF, Pueblo, Colorado, through his knowledge and practical application of sound advertising principles, built up a well deserved reputation as an expert in retail merchandising.*

*Drawing on that experience and his many years in broadcasting, he writes in this article on a subject that is of more than passing interest to radio sales and continuity departments.*

*The NAB wishes to thank Advertising & Selling for permission to reprint this article which first appeared in the February issue of that magazine.*

Retailing is a complicated business, and a man can know a lot about national advertising without having much idea about the little things that increase sales in the thousands of stores of all sizes where the consumer responds more or less to the appeals of the advertiser.

Since the payoff occurs in the retail store, it seems logical that more consideration of how the merchant can be assisted to help cash in on national advertising may be of value.

I have seen a lot of radio copy, sent out to dealers for them to use at their own expense on local stations. A few manufacturers make co-operative allowances, more send out copy with no allowances, and a far greater number simply do not bother to encourage use of radio for their products. Most of the copy I have seen is of little value, and much of it is pretty terrible.

Several retail advertisers whom I have questioned have told me that very little of the display advertising they receive from manufacturers is what they need. One thoroughly experienced advertising manager of a department store went into detail about a leading line of cosmetics and beauty treatment items. He said, in effect, "Their ads are no good for us. They aren't *selling* ads and are not set up to help *us*. The manufacturer hogs the whole ad. After all, we are not interested in building only his business; we also want to build ours. We let the ads lie around until we discover we are about to lose our allowance; then I shove one into the paper. Even at that, I doubt if it is profitable to pay even half price for the space. Half the space, written in our own country style, would sell a lot more goods."

## Unanimity of Criticism

That attitude is not confined to one department store or to one line. Every retailer I have talked with agrees that it applies to most lines in greater or less degree.

Aside from the fact that almost any man will admit that he can do a better job than you can, there must be other reasons for the unanimity of criticism.

Advertising agencies make their money on the time and space they buy. As a merchant, I always put my best efforts on the lines that made me most money, so I assume advertising agencies do likewise. Their research is directed toward producing more effective national advertising. Their best people work on the ads that make them most money. Dealer-help advertising probably gets little research, and less attention than national advertising. It is a chore that must be done, but probably with little enthusiasm. It becomes the stepchild of the agency, and I can see no reason for blaming the agency.

Without personal knowledge of retailing, and without research to indicate otherwise, the agency probably does not realize that the technique of national advertising is not efficiently productive at the retail level.

National advertising is largely consumer acceptance advertising. The prospect may come to accept the quality of the product, but until she is induced to go to her dealer and buy, that consumer acceptance is worthless. That purchase is the equivalent of the signature on the dotted line, which every salesman recognizes as the only thing worth while. The function of retail advertising is to persuade the prospect to go to her dealer and ask for the item. It is *selling* advertising, action advertising, and not consumer acceptance advertising.

As long as the prospect's acceptance of the item is passive, she may purchase if she sees the item on her dealer's counters. But suppose your line is sold at the Grand, while the prospect has the habit of shopping at the Leader. You need more than consumer acceptance to break her habit of shopping at the Grand—to send the prospect to the Leader to try a new and unfamiliar brand. The merchant understands this, and sets up his advertising accordingly. It is a retail problem, which the manufacturer and his agency need to understand if the dealer-help advertising does the job it should do.

Every advertiser should fix this thought firmly in his mind, and never forget it: The dealer is not interested in building your business! He is interested in building HIS. Give him consumer acceptance mats or radio copy with a little space or time for him to attach his name as a kind of afterthought, and his enthusiasm will register exactly zero. Give him action copy in which your product is a reason for coming to his store, and he will use it whether you pay part of the cost or not. The primary purpose of retail advertising is to build traffic.

To elaborate a little further, suppose the dealer has two brands of face powder, side by side. Each sells at a dollar, each pays 40 per cent gross profit. The dealer does not care a tinker's dam which brand the customer buys. That's why so many houses pay part or all of a saleswoman's salary—to provide the incentive that otherwise does not exist for that saleswoman to favor her own line over that of a competitor.

When planning advertising, the dealer has a different problem. It is not a case of choice between brands by a customer, but competition for traffic. If your advertising will pull customers to the Leader instead of the Grand, you will get the breaks.

I mentioned earlier that most of the radio copy received by the retailer was very poor. It consists largely of general claims of excellence that could be duplicated by every competitive product, and usually is. It becomes then, a

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battle of wits, to see who can do the cleverest writing and use the most powerful adjectives.

In the case of toiletries or wearing apparel for women, the copy is quite likely to be a conglomeration of appeals to vanity, resulting in fancy writing and what might be called "glamour copy" which sounds fantastic when it comes from the lips of Johnny Jones. You see, Johnny is on the local station all the time, talking about glasses on credit, Doolittle's pills, automobile repair service, Milkmaid bread and so on. The listeners feel they know him. He is a personage, a personality. And there is nothing convincing about glamour copy when it comes from Johnny. It does not ring true. I have my doubts about it when it comes from New York or Hollywood, but that's out of my territory.

And as I said before, it does not treat the item as a part of the Leader, a reason for shopping there. It treats it as an item, separate from the store, but the copy finally admits that the items can be found at the Leader.

To illustrate some of the faults found in such dealer-help radio copy, I give you below an announcement planned for a woman announcer, which came to my desk:

"You know, make-up and cosmetics are two different things. Make-up merely changes your coloring . . . but a true cosmetic really beautifies. And just out—is a brand new shade of lipstick that has this true cosmetic knack of making almost every woman more lovely. It's (Manufacturer) (Product Name)—a new, clear, red shade . . . a true red red . . . lively on your lips as a happy song. A singing ringing red—that's (Product Name)! Discover its magic for yourself. See how it intensifies all your coloring . . . lifts your beauty to new, more vivid tones. Here's new excitement . . . new enchantment for you! Wake up . . . make up with (Product Name)! Catching on like a flame . . . spreading over the country like wild-fire—this bright, spark-red (Product Name) is a beauty—discovery it wouldn't do to miss. Today ask for (Manufacturer) new (Product Name) at Blank's cosmetic counter. Only One Dollar, plus tax (Product Name) was created for you by (Manufacturer), of New York."

And all that about a lipstick color! So obviously exaggerated that it loses all sincerity, it simply will not bring in enough customers to justify itself. Furthermore, the dealer who purchases the time just barely gets into the announcement at the end. Of course, a case could be made for the announcement, but the copy writer will not have the opportunity. The merchant wants to dominate the advertising, and if you want him to run your copy, you will humor him. As an illustration of how it can be done, here is a sample, not as an illustration of a finished product, but to illustrate how to get the dealer to use the copy, without losing the effect of the manufacturer.

"Look to Blank to give you each new aid to greater loveliness! Now Blank presents (Manufacturer's Name) (Product Name)—a new and vivid color for your lips, etc., etc."

A slight concession will get you preference when copy for radio is being prepared for broadcast.

One other criticism which can be leveled against most dealer-help advertising is that it is not sufficiently flexible. I have seen some mat services that could be adapted to the needs of the store and to the style of its advertising, but they are a small minority. Most mats are spotlight mats that it is not practical to change. Little provision is made for a share in the "omnibus ads" that are used by so many stores on so many occasions. With proper cooperation by the manufacturer, and the right kind of promotion, the dealer might easily use more space than is covered by his allowance.

Setting up a flexible system of dealer-help advertising does not seem to me to present serious difficulty, but there

is not room here for detailed discussion of this subject. Radio copy also can easily be made more flexible and made to arrive at the store when it is most likely to be used.

The advantages of fitting dealer-help advertising to the needs of the dealer are so many and so obvious that one would expect this phase of the advertising cycle to receive much more attention, and a greater part of the advertising budget. Whether or not the job can be done efficiently and adequately by the same agency that handles the account for direct placement with media is a question I would not attempt to answer. You can be sure, however, that those manufacturers who first see the potentialities of working closely with dealers, and who develop proper ways and means, will reap a rich reward.

## News

### RUSSIA TIGHTENS CENSORSHIP

Moscow—Censorship of news dispatches and radio commentaries from Russia became effective March 1 under supervision of the Administration for Affairs of Literature and Publication, the authority which directs the Soviet radio and press and is known as "Glavit." Dispatches written in Russia for publication or broadcast abroad thus will undergo the same censorship authority as material written for internal consumption in Russia. The Associated Press was informed that telegrams should be submitted as now in two copies, one for transmission and one for censorship. The foreign office will continue to be the authority to which foreign correspondents are accredited. Interviews, trips and other facilities to foreign newsmen will continue under the jurisdiction of the press department of the foreign office.

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 4. They are subject to change.

#### Monday, March 4

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P. 1490 kc., 100 watts, unlimited.

#### Monday, March 4

Consolidated Hearing

WICA—WICA, Inc., Ashtabula, Ohio—C. P. 970 kc., 1 KW night, 1 KW day, unlimited DA-night.

WWSW—WWSW, Inc., Pittsburgh, Pa.—C. P. 970 kc., 5 KW, unlimited DA-day and night.

WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—C. P. 970 kc., 5 KW, unlimited DA-night.

WEBR—WEBR, Inc., Buffalo, N. Y.—C. P. 970 kc., 5 KW, unlimited.

#### Monday, March 4

Consolidated Hearing

To Be Heard Before Commissioner Wills in Council Chamber, City Hall, Brockton, Massachusetts

NEW—Bay State Beacon, Inc., Brockton, Mass.—C. P. 1450 kc., 250 watts, unlimited.

(Continued on next page)

- NEW—Mitchell G. Meyers, Reuben E. Arouhein, and Milton H. Meyers, Brockton, Mass.—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Cur-Nan Co., Brockton, Mass.—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Plymouth County Broadcasting Corp., Brockton, Mass.—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Old Colony Broadcasting Co., Inc., Brockton, Mass.—C. P.—1450 kc., 250 watts, unlimited.

### Friday, March 8

- WDNC—Durham Radio Corp., Durham, N. C.—C. P. 620 kc., 1 KW night, 5 KW day, unlimited DA-day and night.
- NEW—Charles H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Co., Jackson, Miss.—C. P. 620 kc., 1 KW night, 5 KW day, unlimited DA-night.
- WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P. 620 kc., 1 KW night, 5 KW day, unlimited DA-night and day.
- WROL—S. E. Adcock, tr'as Stuart Broadcasting Co., Knoxville, Tenn.—C. P. 620 kc., 5 KW, unlimited DA-night and day.
- NEW—Virginia Broadcasting Corp., Roanoke, Va.—C. P. 620 kc., 1 KW., unlimited DA-night and day.
- KWFT—Wichita Broadcasters, a partnership, Joe B. Carrigan, Mrs. Joe B. Carrigan, P. K. Smith, trustee, P. K. Smith, Mrs. Claude M. Simpson, Jr., Wichita Falls, Texas—C. P. 620 kc., 5 KW night, 5 KW day, unlimited DA-night.

### Friday, March 8

- NEW—Diamond State Broadcast Corp., Dover, Del.—C. P. 1340 kc., 250 watts, unlimited.

### Friday, March 8

- KVAN—Vancouver Radio Corp., Vancouver, Wash.—C. P. 930 kc., 1 KW night and day, unlimited DA-day and night.
- KSEI—Radio Service Corp., Pocatello, Idaho—C. P. 930 kc., 5 KW, unlimited DA-night.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

- NEW—W. W. Couch, Jr., S. H. Campbell, Jr., and W. H. Lancaster, Jr., Durham, N. C.—Granted construction permit for a new station to operate on 1310 kc., 1 KW, daytime only. (B3-P-4323)
- NEW—Durham Broadcasting Co., Inc., Durham, N. C.—Granted construction permit for a new station to operate on 730 kc., 500 watts, daytime. (B3-P-3592)
- NEW—Davenport Broadcasting Co., Inc., Davenport, Iowa. Granted construction permit for a new Class II standard station to operate on 750 kc., 250 watts, daytime only. (B4-P-4194)
- NEW—Unity Corp., Inc., Toledo, Ohio.—Granted construction permit for a new station to operate on 1560 kc., 1 KW, daytime only. (B2-P-4417)
- NEW—Hobart Stephenson, Centralia, Ill.—Granted construction permit for a new station to operate on 1210 kc., 1 KW, daytime only, employing a non-directional antenna. (B4-P-3920)
- NEW—The Kentucky Broadcasting Co., Lexington, Ky.—Granted application for construction permit for new station to operate on 1300 kc., 1 KW, unlimited time, directional antenna night.
- NEW—Carter C. Peterson, Savannah, Ga.—Granted application for construction permit for new station to operate on 1450 kc., 250 watts, unlimited time; conditionally. (B3-P-4245)

- NEW—Central Louisiana Broadcasting Corp., Alexandria, La.—Granted application for construction permit for new station to operate on 1490 kc., 250 watts, unlimited time. (B3-P-3722)
- NEW—Harrison Broadcasting Corp., Harrison, Ark.—Granted application for construction permit for new station to operate on 1240 kc., 250 watts, unlimited time. (B3-P-4414)
- NEW—Walter W. Bankhead, Jasper, Ala.—Granted application for construction permit for new station to operate on 1240 kc., 250 watts, unlimited time. (B3-P-4420)
- NEW—Rio Grande Broadcasting Co., Inc., Albuquerque, N. Mex.—Granted application for construction permit for new station to operate on 1450 kc., 250 watts, unlimited time. (B5-P-3793)
- KIUN—Jack W. Hawkins and Barney H. Hbbs, Pecos, Tex.—Granted application for construction permit to increase power from 100 to 250 watts and make changes in transmitter. (B3-P-4358)
- KPDN—C. H. Hoiles, et al, d/b as Radio Station KPDN, Pampa, Tex.—Granted application for construction permit to increase power from 100 to 250 watts and install new transmitter. (B3-P-4390)
- WLWL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted application for construction permit for change in operation from 1330 kc., 1 KW, directional antenna night, unlimited time, to 1330 kc., 5 KW, directional antenna, unlimited time. (B4-P-3570)
- NEW—The Times-Mirror Co., Pasadena, Calif.—Granted construction permit for a new experimental television broadcast station to be operated on frequencies to be assigned by the Commission's Chief Engineer: A3, A5 Special and Special emission for frequency modulation; power (visual) 1 KW peak (aural), 5000 watts. (B5-PVB-161)
- NEW—United Broadcasting Co., Cleveland, Ohio.—Granted construction permit for a new developmental broadcast station: frequencies to be assigned by the Commission's Chief Engineer from time to time; 1 KW power. (B2-PEX-89)

### NONCOMMERCIAL EDUCATIONAL BROADCAST

- The Board of Education of the City of Detroit, Detroit, Mich.—Granted construction permit for new station: subject to Commission approval of transmitter, antenna details, and frequency and modulation monitors; channel to be assigned by the Commission's Chief Engineer. (B2-PED-34)
- Oklahoma Agricultural and Mechanical College, Stillwater, Okla.—Granted application for construction permit for a new noncommercial educational broadcast station, subject to approval by the Commission of transmitter details and of frequency and modulation monitors. (B3-PED-58)

### DESIGNATED FOR HEARING

- Designated for consolidated hearing the following applications requesting use of 550 kc., unlimited time, to be heard with other 550 kc. proceedings previously scheduled:
- Atlantic Radio Corp., Boston, Mass. (B1-P-4372), 550 kc., 5 KW, unlimited time; WDEV Radio Station (WDEV), Waterbury, Vt. (B1-P-4492), 550 kc., 1 KW, unlimited time; Oregon State Agricultural College (KOAC), Corvallis, Ore. (B5-ML-1229), 550 kc., 5 KW, unlimited time, directional antenna.
- WGAC—The Twin States Broadcasting Co., Augusta, Ga.—Designated for hearing application for construction permit to change frequency from 1240 to 580 kc., to increase power from 250 watts unlimited to 1 KW night, 5 KW-LS, and change location of transmitter. (B3-P-3789)
- James A. Noe, Lake Charles, La.—Designated for hearing application for a new station to operate on 1230 kc., 100 watts, unlimited time; site to be determined. (B3-P-3888)

(Continued on next page)

Santa Clara Broadcasting Co., San Jose, Calif.—Designated for hearing application for new station to operate on 1010 kc., 1 KW, daytime only. (B5-P-3937)

Elmer R. Noll and Frank A. Dieringer, a partnership, d/b as Chillicothe Broadcasting Co., Chillicothe, Ohio.—Designated for hearing in a consolidated proceeding with application of Shawnee Broadcasting Co., application of Chillicothe Broadcasting Co. (B2-P-4370), to use 1490 kc., 100 watts, unlimited time. Shawnee Broadcasting Co. also requests 1490 kc., 250 watts, unlimited time.

Mansfield Journal Co., Mansfield, Ohio; The Lorain Journal Co., Lorain, Ohio.—Designated for consolidated hearing the applications of Mansfield Journal Co. for a new station in Mansfield, Ohio, to operate on 1510 kc., 250 watts, daytime (B2-P-4275), and application of The Lorain Journal Co. for a new station at Lorain, to operate on 1140 kc., 250 watts, daytime. (B2-P-4276).

Kenneth Kesterson and Charles Penix, d/b as Radio Engineering Service, Pine Bluff, Ark.—Designated for hearing in consolidation with application of Arkansas Democrat, Little Rock, the application of Radio Engineering Service (B3-P-4498), both requesting use of 1400 kc., 250 watts, unlimited time; hearing to be held in Little Rock on March 22.

### DOCKET CASE ACTION

The Federal Communications Commission announces its Proposed Decision (B-228), proposing to deny the application of Harold H. Thoms for a construction permit for a new standard broadcast station at Durham, North Carolina, to operate on 1580 kc. with 1 KW power, unlimited time. (Docket No. 6638)

The frequency 1580 kc. requested by this applicant is allocated, under the North American Regional Broadcasting Agreement, to Canada as a Class I-A channel for assignment to a station in the Province of Quebec. In carrying out this country's treaty obligations to Canada, the Commission's rules provide that those clear channels, including 1580 kc., to which Canada has priority of use, may be assigned only to Class II stations in the United States "located not less than 650 miles from the nearest Canadian Border and which will not deliver over 5 microvolts per meter ground wave or 25 microvolts per meter 10 per cent time sky wave at any point on said border." Durham, N. C., is situated not more than 450 miles from the nearest point on the Canadian boundary.

### LICENSE RENEWALS

Granted renewal of license of following stations for the period ending August 1, 1947:

WMFD, Wilmington, N. C. (B3-R-845); WRDO, Augusta, Maine (B1-R-804); WBNY, Buffalo, N. Y. (B1-R-879); WJZM, Clarksville, Tenn. (B3-R-1152); WCNC, Elizabeth City, N. C.\* (B3-R-1023) \*Commissioner Durr voting for inquiry.

Granted further extension of following licenses upon a temporary basis only, pending determination upon applications for renewal of license, in no event beyond May 1, 1946:

KALE, Portland, Ore.; KDYL, main and auxiliary, Salt Lake City, Utah; KFAC, Los Angeles, Calif.; KFBB, Great Falls, Mont.; KFGQ, Boone, Iowa; KFH, Wichita, Kans.; KFJZ, main and auxiliary, Fort Worth, Tex.; KFOX, Long Beach, Calif.; KGB, San Diego, Calif.; KGBX, Springfield, Mo.; KGCU, Mandan, N. D.; KGGM, Albuquerque, N. Mex.; KGLO, Mason City, Iowa; KGVO, Missoula, Mont.; KGHF, Pueblo, Colo.; KHSL, Chico, Calif.; KIID, Idaho Falls, Idaho; KIT, Yakima, Wash.; KMO, main and auxiliary, Tacoma, Wash.; KOIL, Omaha, Nebr.; KOL, Seattle, Wash.; KOB, Albuquerque, N. Mex.; KPMC, Bakersfield, Calif.; KRGV, Weslaco, Tex.; KRIS, Corpus Christi, Tex.; KRLD, Dallas, Tex.; KRNT, Des Moines, Iowa; KSCJ, main and auxiliary, Sioux City, Iowa; KSRO, Santa Rosa, Calif.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KVOA, Tucson, Ariz.; KVOR, Colorado Springs, Colo.; KWBR, Oakland, Calif.; KXYZ, main and auxiliary, Houston, Tex.; KYA, San Francisco, Calif.;

WADC, Village of Tallmadge, Ohio; WATR, Waterbury, Conn.; WBAL, main and auxiliary, Baltimore, Md.; WBBR, Brooklyn, N. Y.; WBT, Charlotte, N. C.; WDBG, Minneapolis, Minn.; WDO, Chattanooga, Tenn.; WDRC, Hartford, Conn.; WDSU, main and auxiliary, New Orleans, La.; WEBC, main and auxiliary, Duluth, Minn.; WEVD, main and auxiliary, New York, N. Y.; WFBC, Greenville, S. C.; WFBM, main and auxiliary, Indianapolis; WFIN, Findlay, Ohio; WHAZ, Troy, N. Y.; WHBF, main and auxiliary, Rock Island, Ill.; WHBL, Sheboygan, Wisc.; WHIO, Dayton, Ohio; WHKY, Hickory, N. C.; WHLD, Niagara Falls, N. Y.; WIBA, Madison, Wisc.; WINS, main and auxiliary, New York, N. Y.; WISH, Indianapolis, Ind.; WJAS, Pittsburgh, Pa.; WJDX, Jackson, Miss.; WJHP, Jacksonville Fla.; WKAT, main and auxiliary, Miami Beach, Fla.; WKNE, Keene, N. H.; WKST, New Castle, Pa.; WLOL, Minneapolis, Minn.; WMRO, Aurora, Ill.; WNAC main and auxiliary, Boston, Mass.; WNB, Binghamton, N. Y.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan, P. R.; WOL, Main and auxiliary, Washington, D. C.; WOOD main and auxiliary, Grand Rapids, Mich.; WORC, Worcester, Mass.; WORK, York, Pa.; WPDQ, Jacksonville, Fla.; WRR main and auxiliary, Dallas, Tex.; WSAI Main and synchronous amplifier, Cincinnati, Ohio; WSKB, McComb, Miss.; WSMB, New Orleans, La.; WSPR, Springfield, Mass.; WTAQ, Green Bay, Wisc.; WTCN, Minneapolis, Minn.; WTOC, Savannah, Ga.; WWVA, Wheeling, W. Va.; WXYZ, main and auxiliary, Detroit, Mich.; WFBR, main and auxiliary, Baltimore, Md.

### FACSIMILE BROADCAST

Granted renewal of licenses for period ending March 1, 1947, subject to change in frequency assignment which may result from proceedings in Docket No. 6651: WXSUM, WBNS, Inc., Columbus, Ohio; W9XWT, Courier-Journal and Louisville Times Co., Louisville, Ky.

WEOH—Richmond Radio Corp., area of Richmond, Va.—Granted renewal of relay station license.

KEGU—Radio Service Corp. of Utah, area of Salt Lake City—Granted renewal of relay station license.

Licenses for the following relay stations were further extended upon a temporary basis only for the period ending May 1, 1946, pending determination upon applications for renewal:

Central States Broadcasting Co., KABJ, KAQV, KAQW and KAQX; City of Dallas, KWRD; Harris County Broadcast Co., KIIS; Head of the Lakes Broadcasting Co., WBGL; Findlay Radio Co., WJYK; Intermountain Broadcasting Corp., KALO; A. Frank Katzentine, WAFK; Lamar Life Ins. Co., WAXJ; Miami Valley Broadcasting Corp., WMVB; Minn. Broadcasting Corp., WAFY, WAFZ; Nichols & Warner, Inc., KADB, KBLE, KIFO; Martin R. O'Brien, WAOE; Radio Service Corp. of Utah, KNEF; Savannah Broadcasting Co., WAXH, WSCC; Seattle Broadcasting Co., KIEF, KIEG; Allen T. Simmons, WATS; Southeastern Broadcasting System, Inc., WCBE; Tarrant Broadcasting Co., KAAD; W. Va. Broadcasting Corp., WAAH; WFBM, Inc., WIPL, WIPM, WNEI; WOKO, Inc., WMWA; WSMB, Inc., WSMA, WSMC.

WNB—National Broadcasting Co., Inc., New York, N. Y.—Granted renewal of commercial television broadcast station license for the period ending February 1, 1947, subject to change in frequency assignment which may result from proceedings in Docket 6651.

Granted renewal of following experimental television broadcast station licenses for the period ending February 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651:

W6XAO, W6XDU, Don Lee Broadcasting System; W2XBT, W2XBU, National Broadcasting Co., Inc.; W9XZV, Zenith Radio Corp.

The following stations were granted renewal of licenses for the period ending February 1, 1948:

WCRS, Greenwood, S. C.; WPPG, Atlantic City, N. J.; KNET, Palestine, Texas; KMYC, Marysville, Cal.; KOAL, Price, Utah; KLBM, La Grande, Ore.; KDNT, Denton, Texas; WFMJ, Youngstown, Ohio.

(Continued on next page)

The following stations were granted renewals for the period ending August 1, 1947:

- WSAM, Saginaw, Mich.; KGFL, Roswell, N. Mexico; WATL, Atlanta, Ga.
- WFIG—Radio Station WFIG, Inc., Sumpter, S. C.—Granted renewal of license for the period ending February 1, 1947.
- KGFF—KGFF Broadcasting Co., Inc., Shawnee, Okla.—Granted renewal of license for the period ending February 1, 1948.
- WELO—Birney Imes, Jr., Tupelo, Miss.—Granted renewal of license for the period ending August 1, 1948.
- WOL—Cowles Broadcasting Co., Washington, D. C.—Granted renewal of license for the period ending November 1, 1948.

### MISCELLANEOUS ACTIONS

- KJBS—KJBS Broadcasters, a partnership, consisting of Wm. B. Dolph, et al., San Francisco, Cal.—Granted license to cover construction permit which authorized installation of a new transmitter and increase in power to 1 KW. (B5-L-1919)
- KSAL—KSAL, Inc., Salina, Kans.—Granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1751)
- WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio—Granted construction permit to install a new transmitter. (B2-P-4368)
- WJOL—WCLS, Inc., Joliet, Ill.—Granted modification of license to change corporate name to Joliet Broadcasting Co. This license is granted upon a temporary basis only and upon the express condition that it is subject to whatever action may be taken by the Commission upon the pending application for renewal of license of WJOL. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station is or will be in the public interest beyond the express terms hereof. (B4-ML-1224)
- KSMA—Hugh G. Shurtliff, et al., Santa Maria, Cal.—Granted modification of construction permit, which authorized a new station, for change in studio location to U. S. Highway 101, 1½ miles north of center of Santa Maria, Cal., the location of transmitter site. (B5-MP-1834) Also waiver of Secs. 3.55(b) and 3.60 granted; conditions.
- NEW—Loyola University, area of New Orleans, La., and vicinity—Granted construction permit for new relay station; frequencies 1622, 2058, 2150 and 2790 kc.; 15 watts. (B3-PRY-308)
- W9XFT—Farnsworth Television & Radio Corp., Fort Wayne, Ind.—Granted construction permit to reinstate construction permit for a new experimental television station (which was granted December 19, 1944 and permitted to lapse in 1945). (B4-PVB-160)
- Granted waiver of Rule 3.661(a) to all existing commercial television broadcast stations until July 1, 1946, which requires each television broadcast station to render not less than two hours in any given broadcast day and a minimum of 28 hours program service per week.
- WMOG—Coastal Broadcasting Co., Brunswick, Ga.—Granted modification of license to increase operating power from 100 watts night, 250 watts day, to 250 watts unlimited time. (B3-ML-1223) Station operates on 1490 kc.
- WREN—WREN Broadcasting Co., Lawrence, Kansas—Adopted order denying petition requesting that its application for a construction permit for authority to move its Station WREN from Lawrence to Topeka and to use 5 KW with a directional antenna, unlimited time, be granted insofar as it requests authority to remove the station. (Docket 6703)
- WMLL—Evansville on the Air, Inc., Evansville, Ind.—Granted further extension of license for FM station WMLL upon a temporary basis only, pending determination upon application for renewal of license in no event later than May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

- WWNC—Asheville Citizens-Times Co., Inc., Asheville, N. C.—Adopted order granting petition for reinstatement of applications for construction permit to change operation from 570 kc., 1 KW unlimited time, to 570 kc., 5 KW, directional antenna night, unlimited time, and for modification thereof for approval of transmitter location and directional antenna; and granted said applications. (B3-P-2644; B3-MP-1437; Docket 6433)
- KONP—Evening News Press, Inc., Port Angeles, Wash.—Granted modification of license to change corporate name to Radio Pacific, Inc. Licensee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules; conditions. (B5-ML-1227)
- W9NEK—Courier-Journal and Louisville Times Co., Eastwood, Ky.—Granted modification of CP which authorized change in frequency, etc., of Exp. Relay station, for extension of completion date to 3-22-46. (B2-MPEX-25)
- WRLL—L. J. Duncan, et al., d/b as Valley Broadcasting Co. (assignor), L. J. Duncan, Leila A. Duncan and Josephine Rawls, d/b as Valley Broadcasting Co. (assignee) West Point, Ga.—Granted consent to voluntary assignment of license of Station WRLL from L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A. Pill, d/b as Valley Broadcasting Company, to L. J. Duncan, Leila A. Duncan and Josephine Rawls, d/b as Valley Broadcasting Co., for a consideration of \$6,400 for the 28% interest being sold. (B3-AL-512)
- WDAK—L. J. Duncan, et al., d/b as Valley Broadcasting Co. (assignor), Radio Columbus, Inc. (assignee) Columbus, Ga.—Granted consent to voluntary assignment of license of Station WDAK from L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A. Pill, d/b as Valley Broadcasting Co., to Radio Columbus, Inc., a newly formed corporation consisting of Allen M. Woodall, Ernest Black, Rufus M. Lackey, Margaret A. Pill, H. S. Durden and David E. Dunn, for a consideration of \$200,000. (B3-AL-513)
- KMTR—Marilynne Dalton Alcorn, et al. (transferors), Mrs. Dorothy Thackrey (transferee), KMTR Radio Corp. (licensee), Los Angeles, Calif.—Granted consent to transfer control of KMTR Radio Corporation, licensee of Station KMTR from Marilynne Dalton Alcorn, Reed E. Callister, Gloria Dalton, J. F. T. O'Connor, Edward J. O'Connor and William V. O'Connor, to Mrs. Dorothy Thackrey, for a consideration of \$280,312 for 74¾% or 747½ shares. (B5-TC-471)
- KGKL—KGKL, Inc., San Angelo, Texas—Granted petition of KGKL requesting that its application (B3-P-4502) to change operating assignment to 960 kc., 1 KW, 5 KW-LS, unlimited time, be designated for consolidated hearing with applications of Lubbock Broadcasting Co., Lubbock, Texas (B3-P-3796) and Worth Broadcasting Co., Fort Worth, Texas (B3-P-4448), which were designated for consolidated hearing on Feb. 1.
- Pinnacle Broadcasting Co., Middlesboro, Ky.—Granted petition requesting that its application (B2-P-4501) be designated for hearing in a consolidated proceeding with the application of Cumberland Gap Broadcasting Co., Middlesboro, Ky. Both applicants request 1490 kc., 250 watts, unlimited time.
- A. M. Garrison, et al., a partnership d/b as Tifton Broadcasting Co., Tifton, Ga.—Granted petition requesting that its application (B3-P-4503) be designated for hearing in a consolidated proceeding with application of Walter A. Graham, applicant for a new station in Tifton.
- WFCL—Pawtucket Broadcasting Co., Pawtucket, R. I.—Granted motion of WFCL to dismiss the petition of WCBM for reconsideration of the Commission's action of January 16 granting without hearing the application of WFCL to increase power from 1 to 5KW, and to designate that application for hearing, and the petition of WCBM for reconsideration and hearing was dismissed.

(Continued on next page)

The Fort Industry Co., Fort Lauderdale, Fla.—Granted authority to use call letters WFTL for new station granted on January 16.

WSRR—The Western Conn. Broadcasting Co., Stamford, Conn.—Granted request to change call letters of station WSRR to WSTC.

Whiteville Broadcasting Co. Whiteville, N. C.—Granted authority to use call letters WENC for new station authorized on January 9.

The Commission having under consideration the applications requesting the frequency 550 kc., which applications have been designated for hearing in a consolidated proceeding which began on February 25; ordered that the Bills of Particulars issued in connection with these applications be enlarged to include the following issue:

"To determine the most efficient and equitable manner in which the 550 kc. regional frequency may be utilized."

The Commission further ordered that the engineering testimony to be presented in said consolidated proceeding be postponed until April 1, 1946, and further ordered that any amendments to the applications shall be submitted to the Commission prior to March 20.

**Yellow Cab Company of Philadelphia, Pa.**, was granted authority to construct one land station and one portable mobile unit in the Class II Experimental Service for the purpose of developing a radio communication taxicab dispatching system. The land station will be installed in Philadelphia and the mobile unit in a cab operating in that city. The equipment will be leased to the cab company by Raymond Rosen and Company. (S37-PE-A; S36-PE-A)

**The Cleveland Automobile Club Company of Cleveland, Ohio**, was granted application for authority to construct one land station and four portable mobile units for the purpose of developing an urban mobile communications system. The land station is to be installed in Cleveland and the portable mobile units are to be installed in service trucks operated by The Cleveland Automobile Club Company in the vicinity of Cleveland. These service trucks attend to the emergency calls of the club members. This represents the first experimental grant for this type of use. (S28-PE-A; S29-PE-A)

### ACTION ON MOTIONS

Bamberger Broadcasting Service, Inc., Philadelphia, Pa.—Granted motion to dismiss without prejudice its application for commercial television station. (B2-PCT-42)

WMOB—S. B. Quigley, Mobile, Ala.—Granted motion to dismiss without prejudice application for a new station. (B3-P-4484)

Warner Bros. Broadcasting Corp., Hollywood, Cal.—Granted petition for leave to amend its application for commercial television station, so as to specify a new transmitter and site, and assignment of Channel No. 5 instead of No. 3, etc., and the amendment was accepted.

Phoenix Broadcasting, Inc., Phoenix, Ariz.—Granted motion to dismiss without prejudice its application (B5-P-3799) for a new station.

Central La. Broadcasting Corp., Alexandria, La.—Dismissed petition requesting postponement of hearing scheduled for Feb. 28. This petition has become moot since the application was granted on Feb. 20.

Fred O. Grimwood, Bloomington, Ind.—Granted petition requesting leave to amend its application (B4-P-3856), so as to specify power of 250 watts instead of 100 watts, etc., and the amendment was accepted.

KSEI—Radio Service Corp., Pocatello, Idaho—Granted motion for continuance of hearing now scheduled for March 8, continuing same to April 15, in re applications of KSEI and KVAN.

Danville Broadcasting Co., Danville, Ky.—Granted petition requesting leave to amend its application (B2-P-4264) so as to specify 250 watts instead of 100 watts, show revised engineering data, etc. The amendment filed was accepted and issues in notice of hearing relating to use of 100 watts deleted from said notice.

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Granted motion to take depositions in re its application (B5-P-3854).

KOVO—KOVO Broadcasting Co., Provo, Utah—Granted motion to take depositions in re application (B5-P-3667).

KRBC—Reporter Broadcasting Co., Abilene, Texas—Granted petition requesting permission for T. J. McMahon to appear as attorney in the deposition proceedings to be held March 15.

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Granted motion for postponement of hearing now scheduled for March 12 in re applications of WKBZ and Fetzer Broadcasting Co., and continued said hearing to April 11.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted petition insofar as it requests leave to intervene in the hearing on application of KOAC, Corvallis, Ore., and waiver of Sec. 1.254 of the Commission's Rules: denied petition insofar as it requests inclusion upon this application: "To determine whether the operation of Station KOAC as proposed would involve objectionable interference with station KOY, Phoenix, Ariz., and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations."

Ohio Mich. Broadcasting Corp., Toledo, Ohio—Granted petition for leave to intervene in the consolidated hearing scheduled for March 4 in re applications of WICA, Inc., et al.

Fred O. Grimwood, Bloomington, Ind.—Granted motion requesting continuance of hearing now scheduled for March 4, and continued same to May 7.

The following actions were taken by Commissioner Durr on the dates shown:

Public Information Corp., Durham, N. C.—Granted motion requesting leave to take depositions and waiver of Sec. 1.221 of Commission's rules, in hearing now scheduled for March 8-16, upon movant's application for a new station. (Action taken 2-26)

Altoona Broadcasting Co., Altoona, Pa.; Thompson Broadcasting Co., Altoona, Pa.—Ordered that the hearing on these cases now scheduled for February 27 and 28 at Altoona, be postponed to March 22 and 23 at Altoona. (Action taken 2-21)

Columbia Broadcasting System, Boston, Mass., et al.; Harvey Radio Labs., Inc., Cambridge, Mass., et al.—Ordered that the hearing now scheduled in Boston for March 11 on applications for new FM stations, be continued to April 2, 1946. (Action taken 2-20)

## Federal Communications Commission Applications

### APPLICATIONS ACCEPTED FOR FILING

#### 550 Kilocycles

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Company, Anaconda, Mont.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW and unlimited hours of operation, using a directional antenna at night. Amended: to make changes in transmitting equipment and directional antenna for night use and change transmitter and studio locations from Anaconda, Montana, to Butte, Montana.

#### 580 Kilocycles

NEW—La Crosse Broadcasting Co., La Crosse, Wis. (P.O. 515, State Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 580 kc., power of 1 KW and unlimited hours of operation, using directional antenna day and night.

(Continued on next page)



### 600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Modification of construction permit (B4-P-3906, which authorized increase in power, installation of new transmitter and directional antenna and change in transmitter and studio locations) for change in type of transmitter.

### 610 Kilocycles

WHKC—United Broadcasting Co., Columbus, Ohio—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for night use.

### 630 Kilocycles

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Construction permit to change frequency from 1230 kc. to 630 kc., increase power from 100 watts night and 250 watts daytime to 1 KW night and 5 KW daytime, install new transmitter and directional antenna for day and night use and change transmitter location. Amended, re change in transmitter location and changes in directional antenna system for day and night use.

WSAV—WSAV, Inc., Savannah, Ga.—Construction permit to change frequency from 1340 kc. to 630 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location. Amended, re changes in directional antenna, night.

### 730 Kilocycles

WOHS—Western Carolina Radio Corp., Shelby, N. C.—Modification of construction permit (B3-P-3767, which authorized a new standard broadcast station) for approval of antenna and transmitter location and change studio location.

### 770 Kilocycles

WCAL—St. Olaf College, Northfield, Minn.—Modification of license to change hours of operation from daytime, sharing with KUOM to daytime. (Facilities to be relinquished by KUOM.)

### 790 Kilocycles

NEW—Northern States Broadcasting Co., Fargo, N. Dak. (P. O. 63½ Broadway)—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 5 KW, and unlimited hours of operation using directional antenna at night.

### 830 Kilocycles

NEW—City of New York, Municipal Broadcasting System, New York, N. Y.—Extension of special service authorization to operate additional time between the hours of 6:00 a. m., EST, and sunrise at New York, N. Y., and between the hours of sunset at Minneapolis, Minn., and 10:00 p. m., EST, using directional antenna designed therefor, for the period beginning March 2, 1946.

### 850 Kilocycles

NEW—A. J. Fletcher, Greensboro, N. C. (P.O. Box 1406, Raleigh, N. C.).—Construction permit for a new standard broadcast station to be operated on 850 kc., power of 1 KW and daytime hours of operation.

### 910 Kilocycles

NEW—The Central Connecticut Broadcasting Company, New Britain, Conn. (P.O. 87, W. Main St.).—Construction permit for a new standard broadcast station to be operated on 910 kc., power of 5 KW and unlimited hours of operation, using directional antenna at night.

### 930 Kilocycles

WSLI—Standard Life Broadcasting Co., Jackson, Miss.—Construction permit to change frequency from 1450 to

930 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use, and change transmitter location. Amended, re changes in directional antenna.

### 940 Kilocycles

KLPM—John B. Cooley, Ethel H. Cooley and Carroll W. Baker, d/b as Minot Broadcasting Company, Minot, N. Dak.—Construction permit to change frequency from 1390 to 940 kc., change power from 1 KW day and night to 5 KW day and 1 KW night, and install new transmitter and directional antenna for night use. Amended, to omit request for change in frequency and installation of directional antenna.

### 950 Kilocycles

NEW—Valdosta Broadcasting Co., Valdosta, Ga.—Construction permit for a new standard broadcast station to be operated on 950 kc., power of 1 KW night and 5 KW daytime, unlimited hours of operation, using directional antenna at night. Amended, to change transmitter location and changes in directional antenna system for day and night use.

### 960 Kilocycles

NEW—West Memphis Broadcasting Corp., West Memphis, Ark. (P.O. West Memphis, Ark.).—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 1 KW and daytime hours of operation.

### 970 Kilocycles

NEW—Sun River Broadcasters, Inc., Great Falls, Mont. (P.O. c/o Henry Fletcher, KSEI, Pocatello, Idaho).—Construction permit for a new standard broadcast station to be operated on 970 kc., power of 5 KW and unlimited hours of operation, using directional antenna at night.

### 1140 Kilocycles

KSOO—Sioux Falls Broadcast Association, Inc., Sioux Falls, S. Dak.—Involuntary transfer of control of licensee corporation from Joseph Henkin, deceased, to Morton H. Henkin and Ruth J. Henkin, executors of the estate of Joseph Henkin, deceased.

### 1230 Kilocycles

KELO—Sioux Falls Broadcast Association, Inc., Sioux Falls, S. Dak.—Involuntary transfer of control of licensee corporation from Joseph Henkin, deceased, to Morton J. Henkin, executors of the estate of Joseph Henkin, deceased.

NEW—Mosby's Incorporated, Anaconda, Mont. (P. O. 132 W. Front St., Missoula, Mont.).—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Construction permit to change frequency from 1400 kc. to 1230 kc.

NEW—Dickinson Publishing Co., Dickinson, N. Dak. (P.O. 127 First St.).—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

WCLO—Gazette Printing Company, Janesville, Wis.—Voluntary assignment of license to Southern Wisconsin Radio, Inc.

### 1240 Kilocycles

NEW—Union City Broadcasting Co., Inc., Union City, Tenn. (P.O. c/o A. B. Robinson, Box 309, Jackson, Tenn.).—Construction permit for a new standard broadcast station to be operated on 1240 kc., with power of 250 watts and unlimited hours of operation.

KASA—Southwest Broadcasting Company, Elk City, Okla.—Voluntary transfer of control of licensee corporation from Walter G. Russell and Hoyt Houck to Lonnie J.

(Continued on next page)

Preston (8438 shares common stock—75% outstanding).

- NEW—Radio and Television Broadcasting Company of Idaho, Pocatello, Idaho (P. O. Route #2, Yellowstone Highway)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

### 1270 Kilocycles

- KGCU—Mandan Radio Association, Mandan, N. Dak.—Construction permit to increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use.

### 1290 Kilocycles

- NEW—Greater Peoria Radiobroadcasters, Inc., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1290 kc., power of 1 KW and unlimited hours of operation, using a directional antenna day and night. Amended, to change power from 1 KW day and night to 1 KW night and 5 KW daytime, change type of transmitter, changes in directional antenna system for day and night use, and change transmitter location.

### 1300 Kilocycles

- NEW—George Dyson, Jr., tr. as The Alton Broadcasting Co., Alton, Ill. (P. O. Rushville State Bank Bldg., Rushville, Ill.)—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and daytime hours of operation.

### 1320 Kilocycles

- NEW—H. M. Suthard and P. M. Mullins d/b as Mayfield Broadcasting Co., Mayfield, Ky. (P. O. c/o H. M. Suthard, Wingo, Ky.)—Construction permit for a new standard broadcast station to be operated on 1320 kc., power of 1 KW, and daytime hours of operation.

### 1340 Kilocycles

- WMLT—George T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Voluntary assignment of license to George T. Morris, tr/as Dublin Broadcasting Co.
- WNCA—Richard M. Arnold, Jack O. K. Barfield, James M. Earnest, Albin F. Knight and J. Alfred Miller, d/b as Community Broadcasting Company, Asheville, N. C.—Modification of construction permit (B3-P-4281, which authorized a new standard broadcast station) for change of type of transmitter, approval of antenna, transmitter and studio locations.

### 1350 Kilocycles

- KID—Idaho Radio Corp., Idaho Falls, Idaho—Authority to install new automatic frequency control unit.

### 1370 Kilocycles

- NEW—United Broadcasting Co., a co-partnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram, San Jose, Calif.—Construction permit for a new standard broadcast station to be operated on 1380 kc., power of 250 watts, and unlimited hours of operation. Amended: to change frequency to 1370 kc., power of 1 KW, change type of transmitter, install directional antenna for day and night use and specify transmitter and studio locations.

### 1400 Kilocycles

- NEW—Rogue Valley Broadcasting Co., Inc., Ashland, Ore. (P. O. 1160 Helman Road)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- WMBC—Mississippi Broadcasting Co., Inc., Macon, Miss.—Modification of construction permit (B3-P-3612 which authorizes construction of a new standard broadcast station) for approval of transmitter and studio locations and antenna and change type of transmitter.

- NEW—Carroll-Grayson Broadcasting Corp., Galax, Va. (P. O. c/o John W. Shultz, Martinsville, Va.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

### 1420 Kilocycles

- NEW—Valley Broadcasting Co., Stockton, Calif.—Construction permit for a new standard broadcast station to be operated on 1420 kc., power of 1 KW and unlimited hours of operation using directional antenna at night. Amended: re change in directors and stockholders.

### 1450 Kilocycles

- WDAD—Indiana Broadcast, Inc., Indiana, Penna.—License to cover construction permit (B2-P-3864 as modified) for a new standard broadcast station and authority to determine operating power by direct measurement of antenna power. Amended: to cover construction permit as modified by B2-MP-1824 for change in type of transmitter and omit request for studio move as requested by above license application.
- WKXL—Charles M. Dale, Concord, N. H.—Modification of construction permit (B1-P-4229, which authorized a new Standard Broadcast Station) for approval of antenna and approval of transmitter and studio locations.
- NEW—Everglades Broadcasting Co., Ft. Lauderdale, Fla. (P. O. 119 NE 39th St., Miami, Fla.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts, and unlimited hours of operation. Amended: to change location of transmitter and studio from Ft. Lauderdale, Florida, to Miami, Florida.
- NEW—Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Meyers, Brockton, Mass.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: to add name of Alfred Leslie Duncombe to name of partnership.
- NEW—Utica Observer-Dispatch, Inc., Utica, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in officers and stockholders, change type of transmitter and specify studio location.
- WHSC—Hartsville Broadcasting Co., Hartsville, S. C.—Modification of construction permit (B3-P-4222 which authorized construction of a new standard broadcast station) for change in type of transmitter and approval of antenna and transmitter and studio location.
- NEW—John W. Grenoble, Joseph L. Maguire, John T. Maguire and Kenneth F. Maguire d/b as Miners Broadcasting Service, Pottsville, Penna.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: to change name of applicant to Joseph L. Maguire, Kenneth Maguire, John T. Maguire, John Grenoble, Evan Evans, Patrick J. McCall, James Koch and James J. Carran d/b as Miners' Broadcasting Service.

### 1460 Kilocycles

- WKBO—Keystone Broadcasting Corp., Harrisburg, Penna.—Construction permit to change frequency from 1230 kc. to 1460 kc., increase power from 250 watts to 1 KW night and 5 KW daytime, install new transmitter and directional antenna for night use and change transmitter location. (Contingent on grant of WHP application B2-P-4334.)

### 1490 Kilocycles

- NEW—W. Walter Tison, Tampa, Fla. (P. O. 901 S. Newport)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—James J. Murray, Lewisburg, Tenn. (P. O. 101 E. Commerce St.)—Construction permit for a new stand-

*(Continued on next page)*

- ard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—United Broadcasting Co., Ogden, Utah—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency to 1490 kc.
- WFKY—Frankfort Broadcasting Co., Frankfort, Ky.—Modification of construction permit (B2-P-4072 which authorized a new standard broadcast station) for change in type of transmitter.
- WTWS—Airplane & Marine Instruments, Inc., Clearfield, Penna.—Modification of construction permit (B2-P-4165 which authorized construction of a new standard broadcast station) for approval of antenna and transmitter and studio locations.
- WARD—Central Broadcasting Co., Inc., Johnstown, Penna.—Modification of construction permit (B2-P-3732 which authorized a new standard broadcast station) for change in type of transmitter and approval of transmitter and studio location and antenna.
- NEW—Mary C. Hamilton (Mrs. G. W.), William B. Davies, Fielding H. Atchley and Robert E. McCallum, Jr., d/b as Hub City Broadcasting Co., Jackson, Tenn. (P. O. Box 1645)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—Charles Wilbur Lamar, Jr., Houma, La. (P. O. 3200 Scenic Highway, Baton Rouge, La.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.
- WJBK—James F. Hopkins, Inc., Detroit, Mich.—Construction permit to install new vertical antenna and mount FM antenna on top and change transmitter location.
- NEW—R. E. Northcutt, W. L. Gillmor and W. C. Turner, a partnership, d/b as General Broadcasting Co., Independence, Mo. (P. O. 317 W. Maple St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. (Call "KTNA" reserved.)

### 1530 Kilocycles

- NEW—Patrick Joseph Stanton, Philadelphia, Penna. (P. O. 1211 Chestnut St.)—Construction permit for a new standard broadcast station to be operated on 1530 kc., power of 10 KW, and daytime hours of operation.

### 1540 Kilocycles

- NEW—W. J. Marshall, Cleveland, Ohio (P. O. West 9th and Lakeside Ave.)—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 1 KW and daytime hours of operation.
- NEW—N. Joe Rahall, Sam G. Rahall, Farris E. Rahall and Deem F. Rahall, a partnership d/b as Allentown Broadcasting Co., Allentown, Penna. (P. O. 214½ Main St., Beckley, W. Va.)—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 1 KW and daytime hours of operation.
- NEW—Far-West Broadcasting Co., a partnership composed of John C. Griffith, James H. Lawson, Jr., James G. Ulmer, James G. Ulmer, Jr., M. Ward Bailey and T. S. Christopher, Fort Worth, Texas (P. O. 806 First National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 250 watts and unlimited hours of operation.
- NEW—Berks Broadcasting Co., Reading, Pa. (P. O. 533 Penn St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by Chief Engineer of FCC and coverage to be determined.
- WBCZ—WHEB, Inc., Portable-Mobile.—License to reinstate relay broadcast station.

### 1560 Kilocycles

- WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Construction permit to make changes in transmitting equipment and increase power from 10 KW to 50 KW.

## FM APPLICATIONS ACCEPTED FOR FILING

- NEW—Dairyland's Broadcasting Service, Inc., Marshfield, Wisc. (P. O. North End of Central Avenue)—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC.
- NEW—Tri-City Broadcasting Co., Bellaire, Ohio (P. O. 3266 Guernsey St.)—Construction permit for a new FM (Metropolitan) broadcast station.
- NEW—WSAZ, Inc., Huntington, W. Va.—Construction permit for a new FM (Metropolitan) broadcast station. Amended: to specify antenna system.
- NEW—Radio Americas Corp., San Juan, P. R. (P. O. 4 Muella St., Mayaguez, P. R.)—Construction permit for a new FM (Community) Broadcast Station to be operated on Channel #286 (105.1 mc.).
- NEW—Mitchell G. Meyers, Ruben E. Aronheim and Milton H. Meyers (P. O. c/o WEIM, 717 Main St., Fitchburg, Mass.)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #281 (104.1 mc.), with coverage of 3,220 square miles.
- NEW—Penn Thomas Watson, Wilson, N. Car. (P. O. Box 976)—Construction permit for a new FM (Rural) broadcast station to be operated with a coverage of 14,100 square miles.
- NEW—Northwest Georgia Broadcasting Co., Cedartown, Ga. (P. O. West Theatre Bldg.)—Construction permit for a new FM broadcast station.
- NEW—Dairyland's Broadcasting Service, Inc., Wisconsin Rapids, Wisc. (P. O. North End of Central Ave., Marshfield, Wisc.)—Construction permit for a new FM (Community) broadcast station.
- NEW—Dairyland's Broadcasting Service, Inc., Stevens Point, Wisc.—Construction permit for a new FM (Community) broadcast station.

## MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

- NEW—Mississippi Broadcasting Co., Inc.—Construction permit for a new relay broadcast station to be operated on 1606, 2022, 2102 and 2758 kc., power of 50 watts and A3 emission. Amended: to change frequencies to 1606, 2074, 2102, 2758 kc.
- NEW—The Trustees of the University of Pennsylvania, Philadelphia, Penna. (P. O. 3446 Walnut Street)—Construction permit for a new non-commercial educational broadcast station to be operated on 42.9 mc., and power of 10 KW.
- NEW—Radio Station WOW, Inc., Omaha, Nebr.—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (66-72 mc.) and ESR of 1500. Amended: to change frequency to Channel #3 (60-66 mc.).

## APPLICATIONS TENDERED FOR FILING

- NEW—Antilles Broadcasting System, Inc., Rio Piedras, Puerto Rico—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 5 KW and unlimited hours of operation.
- NEW—Clearwater Broadcasting Co., Inc., Clearwater, Fla.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. (Contingent on grant of WLAK application for 1430 kc.)
- NEW—Civic Broadcasting Corp., Anderson, Ind.—Construction permit for a new standard broadcast station to be operated on 1470 kc., power of 1 KW and daytime hours of operation.
- NEW—Glen H. Smith and Herbert H. Lee, d/b as Lee-Smith Broadcasting Co., Faribault, Minn.—Construction permit for a new standard broadcast station to be operated on 920 kc., power of 100 watts night and 250 watts daytime and unlimited hours of operation.
- KFJI—KFJI Broadcasters, Klamath Falls, Oregon—Construction permit to change frequency from 1240 kc. to 1150 kc., increase power from 100 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location.
- WBRK—Leon Podolsky, Pittsfield, Mass.—Application to
- (Continued on next page)

- purchase radio station WBRK and conditional grant of construction permit for a new Metropolitan FM broadcast station issued to Monroe B. England. (1340 kc.)
- WPAR—Ohio Valley Broadcasting Corp., Parkersburg, W. Va.—Transfer of control of licensee corporation from Charleston Broadcasting Company to News Publishing Company. (1450 kc.)
- NEW—Madisonville Broadcasting Company, Inc., Madisonville, Ky.—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 250 watts and daytime hours of operation.
- NEW—Northern Kentucky Radio Corp., Inc., Covington, Ky.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation. (Application re-submitted.)
- NEW—Eugene J. Roth, Jack L. Pink and James M. Brown, d/b as Radio Broadcasting Associates, a partnership, Houston, Texas—Construction permit for a new standard broadcast station to be operated on 1180 kc., power of 250 watts and daytime hours of operation.
- NEW—Ogden Broadcasting Co., Inc., Ogden, Utah—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—Mario Acosta, Mayaguez, Puerto Rico—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—The Tri-State Broadcasting Co., Cumberland, Md.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—James R. Doss, Jr., Decatur, Ala.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.
- NEW—Gila Broadcasting Company, Silver City, N. Mex.—Construction permit for a new standard broadcast station to be operated on 1280 kc., power of 1 KW and unlimited hours of operation.
- NEW—Mayfield Broadcasting Co., Inc., Mayfield, Ky.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation.
- NEW—Peoples Broadcasting Corp., near Worthington, Ohio—Construction permit for a new standard broadcast station to be operated on 880 kc., power of 5 KW and daytime hours of operation.
- WLSL—Roanoke Broadcasting Corp., Roanoke, Va.—Acquisition of control of licensee corporation by Shenandoah Life Insurance Co., Inc., by purchase of stock from Junius Parker Fishburn. (1240 kc.)
- NEW—E. P. Nicholson, Jr., and John Wallbrecht, a partnership, d/b as Pinnacle Broadcasting Co., Middlesboro, Ky.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—Richard E. Adams, James H. Shoemaker and Albert A. Anderson d/b as Coastal Broadcasting Co., Charleston, S. Car.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—General Newspapers, Inc., Gadsden, Ala.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation.
- NEW—A. M. Garrison, Kenneth T. Mallory and K. N. Moseley, a partnership, d/b as Tifton Broadcasting Co., Tifton, Ga.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—Victor John Morgan and William M. Goza, Jr., d/b as The Springtime City Broadcasting Co., Clearwater, Fla.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
- WNBH—Bristol Broadcasting Co., Inc., New Bedford, Mass.—Construction permit to change frequency from 1340 kc., to 550 kc., and increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location.
- WOCB—Bristol Broadcasting Co., Inc., New Bedford, Mass.—Construction permit to change frequency from 1240 kc. to 1340 kc. (contingent upon grant of WNBH to change from 1340 kc. to 550 kc.)
- NEW—P. B. Huff, d/b as The Hazard Broadcasting System, Hazard, Ky.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—James R. Doss, Jr., Bessemer, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—James R. Doss, Jr., Huntsville, Ala.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—Frederic LeMieux, III, Claude S. Maenza and Edna Capo LeMieux, d/b as Gulf State Broadcasting Co., Crowley, La.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—Plains Empire Broadcasting Co., Amarillo, Texas—Construction permit for a new standard broadcast station to be operated on 1320 kc., power of 500 watts night and 1 KW daytime, and unlimited hours of operation using directional antenna at night.

## Federal Trade Commission Docket

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**Consolidated Grocers Corp.**—The Commission has issued a complaint alleging as unlawful the acquisition by Consolidated Grocers Corp., 135 South LaSalle Street, Chicago, of the capital stock of three corporations which competed with it in the wholesaling of grocery products. (5423)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Frenco Laboratories**—Chester D. French, trading as Frenco Laboratories, 159 Terrace Avenue, Nogales, Ariz., has been ordered by the Commission to cease and desist from disseminating false advertisements concerning the therapeutic properties of medicinal preparations he sells under the names of Pap-Tabs, Py-O-Ten, and Pap-Tea. The principal ingredient in Pap-Tabs and Py-O-Ten is papain, a drug derived from the juice of the fruit of the papaya tree. Pap-Tea is the dried, cured, ground and blended leaves of the papaya tree.

**The Lane Drug Co.**—The Federal Trade Commission has ordered The Lane Drug Co., 397 Phillips Avenue, Toledo, Ohio, to discontinue disseminating advertisements which represent that the vitamin preparation they sell under the name of Calcium Pantothenate Tablets is an anti-gray hair vitamin which will restore the original natural color to gray hair. (5389)

**M. Portnow**—Felix Portnow, trading as M. Portnow, 445 Grand Street, New York, engaged in the manufacture and sale of trusses, has been ordered by the Commission to cease and desist from disseminating false advertisements concerning the effectiveness of his trusses in the treatment of ruptures or hernias. (4887)

### STIPULATIONS

During the past week the Commission has announced no stipulations.



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 14, No. 10, March 11, 1946

## ***A Statement Regarding the F. C. C. Report on "Public Service Respon- sibility of Broadcast Licensees"***

By JUSTIN MILLER, *President, NAB*

"The Report released by the Federal Communications Commission, under date of March 7, 1946, concerning radio programming, reflects a philosophy of government control which raises grave questions of constitutionality. The report overlooks, completely, freedom of speech in radio broadcasting, which was a primary consideration in the mind of Congress when it passed the Communications Act.

"Considered from every angle, the report reveals a lack of faith in the American system of free radio and a desire to impose artificial and arbitrary controls over what the people of this country shall hear. It indicates a reversion to that type of government control and regulation from which our forefathers struggled to escape. In this instance, just as with the issue of freedom of the press, there can be no compromise.

"Highlighting a few examples of inadequate programming, the report then proceeds to indict the entire radio broadcasting industry. Relying upon its own administrative practices, it now asserts powers far beyond those given to it by Congress and inconsistent with the constitutional limitations under which Congress acted.

"The radio broadcasters of this country fully recognize their responsibility to the American people. In a bare quarter century of existence this industry has accomplished incomparably more than has any other industrial or professional group, in a similar period of time, in development of its standards of performance. An honest, objective comparison of radio programs today with those of ten years ago will demonstrate this fact beyond question.

"The radio broadcasters recognize, frankly, that they, like all other human beings and institutions, are far from perfect. Both as individual licensees, and through their national association, they will continue in the future, as they have in the past, to improve both their programs and other phases of broadcasting.

"On the other hand, the broadcasters are fully aware that they are the champions of the people in resisting both direct and indirect encroachments of government upon the freedom of speech. Encroachments which in their inception may seem innocuous to many people—and which, perhaps, may seem justified in the light of isolated instances of bad taste or poor judgment—nevertheless strike at the very heart of our system of broadcasting and constitute bold steps toward government domination which may eventually deprive us of fundamental rights."



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAational 2080

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*; Charles E. Batson, *Director of Information*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Don E. Petty, *General Counsel*; Arthur C. Stringer, *Director of Promotion*.

## FCC TO IMPOSE FOUR-WAY PROGRAM CONTROL ON LICENSEES

The Federal Communications Commission, Thursday, released a 139-page mimeograph report on "Public Service Responsibility of Broadcast Licensees." The Commission undertook what it described as steps to reduce advertising "excesses" on radio stations and further announced that in issuing and renewing the licenses of radio stations it would give particular attention to four program service factors affecting the public interest:

1. Programming of sustaining programs, including network sustaining programs.
2. The carrying of real live programs.
3. The carrying of programs devoted to the discussion of public issues.
4. Elimination of advertising excesses.

In the future application forms, the Commission will require the applicant for a new station to state how much time he proposes to devote to advertising matter in any one hour. In reporting program service by radio stations, the Commission stated: "This, by itself, will not result in the elimination of some of the particular excess. This is a matter in which self-regulation by the industry may properly be sought and, indeed, expected. As the broadcasting industry itself has insisted, the public interest clearly requires that the amount of time devoted to advertising material shall bear a reasonable relationship to the amount of time devoted to programs."

The Commission devoted considerable space in this release undertaking to justify the Commission's action and jurisdiction with respect to program service. (See President Miller's statement on this page.)

The report declared that the sustaining program has five distinctive and outstanding functions:

1. To secure for the station or network a means by which, in the over-all structure of its program service, it can achieve a *balanced* interpretation of public needs.
2. To provide programs which by their very nature may not be sponsored with propriety.
3. To provide programs for significant minority tastes and interests.
4. To provide programs devoted to the needs and purposes of nonprofit organizations.
5. To provide a field for experiment in new types of programs, secure from the restrictions that obtain with reference to programs in which the advertiser's interest in selling goods predominates.

The Commission's report had this to say about the place of advertising in the American system of broadcasting:

### *"Value of advertising"*

"Advertising represents the only source of revenue for most American broadcasting stations, and is therefore an indispensable part of our system of broadcasting. In return for spending some 397 million dollars per year on

Pursuant to the procedure stated in its Report on Public Service Responsibility of Broadcast Licensee, the Federal Communications Commission announced Friday that it was requesting approximately 300 radio broadcast stations now operating on temporary licenses to submit their program logs, with a percentage analysis thereof, for a composite week in 1945—namely, Monday, January 15; Tuesday, March 13; Wednesday, April 25; Thursday, June 7; Friday, August 10; Saturday, October 13; and Sunday, December 9.

Copies of the program forms, with definitions of "commercial," "sustaining," "network" and other types of programs, discussed at pages 133-137 of the Report, are being included in letters sent to stations now on temporary license with the request that the information called for therein be supplied by March 29, 1946, in order to expedite action on renewal applications.

It is believed that the new procedure outlined in the Report will enable the Commission to dispose of the backlog of pending renewal applications and to remain current thereafter. Although some of the 300 stations now operating on temporary licenses have been placed in that status because of engineering, accounting and legal problems, most of them are on temporary because it has not been possible with the press of other work for the Commission's limited staff to process the renewal applications and to make detailed breakdowns under the old procedure. Rather than divert manpower needed for hearing work and the processing of AM and FM applications, the Commission deemed it preferable to issue temporary licenses pending the adoption of the more expeditious procedure outlined in the Report issued Thursday.

American broadcasting, the advertiser can expect that his name and wares will be effectively made known to the public.

"Advertising in general, moreover, and radio advertising in particular, plays an essential role in the distribution of goods and services within our economy. During the postwar era if manufacturers are to dispose of the tremendous output of which our postwar industry will be capable, they must keep their products before the public.

"Finally, informative advertising which gives reliable factual data concerning available goods and services is itself of direct benefit to the listener in his role as consumer. Consumer knowledge of the new and improved products which contribute to a higher standard of living is one of the steps toward achieving that higher standard of living.

"However, the fact that advertisers have a legitimate interest and place in the American system of broadcasting does not mean that broadcasting should be run solely in the interest of the advertisers rather than that of the listeners. Throughout the history of broadcasting, a limitation on the amount and character of advertising has been one element of 'public interest'."

In its summary and conclusions for future Commission policy the report invoked the assistance to the public as well as self-regulation by the industry itself in carrying out the proposal delegating that "force outside the broadcasting industry has a role to play in improved program

*(Continued on next page)*

service." The report delegated that there was a place for professional radio critics as well as radio literary councils and made specific reference to the council set-up under NAB conferences in Cleveland, Ohio, and Madison, Wisconsin.

In its *procedural proposals* the report stated:

### Procedural Proposals

In carrying out the above objectives, the Commission proposes to continue substantially unchanged its present basic licensing procedures—namely, the requiring of a written application setting forth the proposed program service of the station, the consideration of that application on its merits, and subsequently the comparison of promise and performance when an application is received for a renewal of the station license. The ends sought can best be achieved, so far as presently appears, by appropriate modification of the particular forms and procedures currently in use and by a generally more careful consideration of renewal applications.

The particular procedural changes proposed are set forth below. They will not be introduced immediately or simultaneously, but rather from time to time as circumstances warrant. Meanwhile, the Commission invites comment from licensees and from the public.

#### 1. *Uniform Definitions and Program Logs.*

The Commission has always recognized certain basic categories of programs—e.g., commercial and sustaining, network, transcribed, recorded, local, live, etc. Such classifications must, under Regulation 3,404, be shown upon the face of the program log required to be kept by each standard broadcast station; and the Commission, like its predecessor, has always required data concerning such program classifications in its application forms.

Examination of logs shows, however, that there is no uniformity or agreement concerning what constitutes a "commercial" program, a "sustaining" program, a "network" program, etc. Accordingly, the Commission will adopt uniform definitions of basic program terms and classes, which are to be used in all presentations to the Commission. The proposed definitions are set forth below.

A *commercial program* (C) is any program the time for which is paid for by a sponsor or any program which is interrupted by a spot announcement (as defined below), at intervals of less than 15 minutes. A network program shall be classified as "commercial" if it is commercially sponsored on the network, even though the particular station is not paid for carrying it—unless all commercial announcements have been deleted from the program by the station.

(It will be noted that any program which is *interrupted* by a commercial announcement is classified as a commercial program, even though the purchaser of the interrupting announcement has not also purchased the time preceding and following. The result is to classify so-called "participating" programs as commercial. Without such a rule, a 15-minute program may contain 5 or even more minutes of advertising and still be classified as "sustaining." Under the proposed definition, a program may be classified as "sustaining" although preceded and followed by spot announcements, but if a spot announcement *interrupts* a program, the program must be classified as "commercial.")

A *sustaining program* (S) is any program which is *neither* paid for by a sponsor *nor* interrupted by a spot announcement (as defined below).

A *network program* (N) is any program furnished to the station by a network or another station. Transcribed delayed broadcasts of network programs are classified as "network," not "recorded." Programs are classified as network whether furnished by a nationwide, regional, or special network or by another station.

A *recorded program* (R) is any program which uses phonograph records, electrical transcriptions, or other means of mechanical reproduction in whole or in part—except where the recording is wholly incidental to the program and is limited to background sounds, sound ef-

(Continued on next page)

## AN IMPORTANT MESSAGE

To All Radio Executives:

The President of the United States has requested the radio industry to conduct another urgent public interest campaign.

Our mission this time is to help prevent the death of millions of human beings around the world who, already lean with hunger, face certain starvation unless we of America share with them from our bountiful larder. We must make our people aware of their responsibility in meeting this crisis.

The initiative you have already shown in getting this vital campaign underway is a tribute to the industry. In explaining *why*, a good job has been begun. I hope, through the resourcefulness of your staffs, you will do an equally outstanding job of explaining ways in which food can be conserved.

As a member of the Famine Emergency Committee, representing radio, I have pledged to the President the full support of the industry. I know that American radio will have no reason to apologize for its efforts when this fight against famine has been won.

We know that free radio is most effective. Here is another opportunity for us to prove it to the American people.

Sincerely,

JUSTIN MILLER, *President,*  
National Association of  
Broadcasters.

facts, identifying themes, musical "bridges," etc. A program part transcribed or recorded and part live is classified as "recorded" unless the recordings are wholly incidental, as above. A transcribed delayed broadcast of a network program, however, is not classified as "recorded" but as "network."

A *wire* program (W) is any program the text of which is distributed to a number of stations by telegraph, teletype, or similar means, and read in whole or in part by a local announcer. Programs distributed by the wire news services are "wire" programs. A news program which is part wire and in part of local non-syndicated origin is classified as "wire" if more than half of the program is usually devoted to the reading verbatim of the syndicated wire text, but is classified as "live" if more than half is usually devoted to local news or comment.

(The above is a new program category. Programs in this category resemble network and transcribed programs in the respect that they are syndicated to scores or hundreds of stations. They resemble local live programs only in the respect that the words are vocalized by a local voice; the text is not local but syndicated. Such programs have an important role in broadcasting, especially in the dissemination of news. With respect to stations not affiliated with a network, the wire program for timely matter, plus the transcription for less urgent broadcasts affords a close approach to the services of a regular network. The only difficulty is that with respect to program classifications heretofore, the wire program has been merged with the local live program, which it resembles only superficially, preventing a statistical analysis of either. By establishing definitions for "wire commercial" and "wire sustaining," the Commission expects to make possible statistical studies with respect to such programs, and also to make more significant the statistical studies with respect to the "local live commercial" and "local live sustaining" categories.)

A *local live* program (L) is any local program which uses live talent exclusively, whether originating in the station's studios or by remote control. Programs furnished to a station by a network or another station, however, are not classified as "live" but as "network." A program which uses recordings in whole or in part, except in a wholly incidental manner, should not be classified as "live" but as "recorded." Wire programs, as defined above, should likewise not be classified as "live."

A *sustaining-public service announcement* (PSA) is an announcement which is not paid for by a sponsor and which is devoted to a nonprofit cause—e.g., war bonds, Red Cross, public health, civic announcements, etc. Promotional, "courtesy," participating announcements, etc. should not be classified as "sustaining public service announcements" but as "spot announcements." War Bond, Red Cross, civic and similar announcements for which the station receives remuneration should not be classified as "sustaining public service announcements" but as "spot announcements."

A *spot announcement* (SA) is any announcement which is neither a sustaining public service announcement (as above defined) nor a station identification announcement (call letters and location). An announcement should be classified as a "spot announcement," whether or not the station receives remuneration, unless it is devoted to a nonprofit cause. Sponsored time signals, sponsored weather announcements, etc. are spot announcements. Unsponsored time signals, weather announcements, etc., are program matter and not classified as announcements. Station identification announcements should *not* be classified as either sustaining public service or spot announcements, if limited to call letters, location, and identification of the licensee and network.

The Commission further proposes to amend Regulation 3.404 to provide in part that the program log shall contain:

An entry classifying each program as "network commercial," (NC); "network sustaining" (NS); "recorded commercial" (RC); "recorded sustaining" (RS); "wire commercial" (WC); "wire sustaining" (WS); "local live commercial" (LC); or "local live sustaining" (LS); and classifying each announcement as "spot announcement"

(SA) or "sustaining public service announcement" (PSA).

The adoption of uniform definitions will make possible a fairer comparison of program representations and performance, and better statistical analyses.

## 2. Segments of the Broadcast Day.

The Commission has always recognized, as has the industry, that different segments of the broadcast day have different characteristics, and that different types of programming are therefore permissible. For example, the *NAB Code*, until recently, and many stations permit a greater proportion of advertising during the day than at night. The Commission's Chain Broadcasting Regulations recognize four segments: 8 a.m.-1 p.m., 1 p.m.-6 p.m., 6 p.m.-11 p.m., and all other hours. Most stations make distinctions of hours in their rate cards.

In general, sustaining and live programs have tended to be crowded out of the best listening hours from 6 to 11 p.m., and also in a degree out of the period from 8 a.m. to 6 p.m. At least some stations have improved the ratios shown in reports to the Commission, but not the service rendered the public, by crowding sustaining programs into the hours after 11 p.m. and before dawn when listeners are few and sponsors fewer still. Clearly the responsibility for public service cannot be met by broadcasting public service programs only during such hours. A well-balanced program structure requires balance during the best listening hours.

Statistical convenience requires that categories be kept to a minimum. In general, the segments of the broadcast day established in the Chain Broadcasting Regulations appear satisfactory, except that no good purpose appears to be served in connection with program analysis by calculating separately the segments from 8 a.m. to 1 p.m. and from 1 p.m. to 6 p.m. Accordingly, for present purposes it is proposed to merge these segments, so that the broadcast day will be composed of three segments only: 8 a.m.-6 p.m., 6 p.m.-11 p.m., and all other hours.

The categories set forth above, plus the segments herein defined, make possible a standard program log analysis in the following form:

	8 a. m. 6 p. m.	6 p. m. 11 p. m.	All other	
			Hours	Total
Network commercial (NC) . . .				
Network sustaining (NS) . . .				
Recorded commercial (RC) . .				
Recorded sustaining (RS) . . .				
Wire commercial (WC) . . . . .				
Wire sustaining (WS) . . . . .				
Live commercial (LC) . . . . .				
Live sustaining (LS) . . . . .				
Total . . . . .				(1)
No. of Spot Announcements (SA) . . . . .				
No. of Sustaining Public Service Announcements (PSA) .				

<sup>1</sup> Totals should equal full operating time during each segment.

The above schedule will be uniformly utilized in Commission application forms and annual report forms in lieu of the various types of schedules now prevailing. In using it, stations may calculate the length of programs to the nearest five minutes.

(Continued on next page)



### 3. Annual Reports and Statistics

For some years, the Commission has called for a statement of the number of hours devoted to various classes of programs each year, in connection with the Annual Financial Reports of broadcast stations and networks. Requiring such figures for an entire year may constitute a considerable accounting burden on the stations, and may therefore impair the quality of the reports. Accordingly, the Commission proposes hereafter to require these data in the Annual Financial Reports only for one week.

To make the proposed week as representative as possible of the year as a whole, the Commission will utilize a procedure heretofore sometimes used by stations in presentations to the Commission. At the end of each year, it will select at random a Monday in January or February, a Tuesday in March, a Wednesday in April, a Thursday in May or June, a Friday in July or August, a Saturday in September or October, and a Sunday in November or December, and will ask for detailed program analyses for these seven days. The particular days chosen will vary from year to year, and will be drawn so as to avoid holidays and other atypical occasions.

The information requested will be in terms of the definitions and time periods set forth above. Statistical summaries and trends will be published annually.

The Commission will also call upon the networks for quarterly statements of the stations carrying and failing to carry network sustaining programs during a sample week in each quarter.

### 4. Revision of Application Forms

Since the establishment of the Federal Radio Commission, applicants for new stations have been required to set forth their program plans, and applications have been granted in part on the basis of representations concerning program plans. Applications for renewal of license, assignment of license, transfer of control of licensee corporation, and modification of license have similarly included, in various forms, representations concerning program service rendered or to be rendered. The program service questions now asked on the Commission's application forms are not uniform, and not closely integrated with current Commission policy respecting program service. It is proposed, accordingly, to revise the program service questions on all Commission forms to bring them into line with the policies set forth in this report.

Specifically, applicants for new stations will be required to fill out, as part of Form 301 or Form 319, a showing of their proposed program structure, utilizing the uniform schedule set forth above (p. 137). Applicants for renewal of license, consent to transfer of assignment, and modification of license will be required to fill out the same uniform schedule, both for a sample week under their previous licenses, and as an indication of their proposed operation if the application in question is granted.

The Commission, of course, recognizes that there is need for flexibility in broadcast operation. An application to the Commission should not be a straightjacket preventing a licensee from rendering an even better service than originally proposed. To provide the necessary flexibility, the information supplied in the uniform schedule will be treated as a responsible estimate rather than a binding

pledge. However, attention should be called to the fact that the need for trustworthiness is at least as important with respect to representations concerning program service as with respect to statements concerning financial matters.

Stations will also be asked whether they propose to render a well-balanced program service, or to specialize in programs of a particular type or addressed to a particular audience. If their proposal is for a specialized rather than a balanced program service, a showing will be requested concerning the relative need for such service in the community as compared with the need for an additional station affording a balanced program service. On renewal, stations which have proposed a specialized service will be expected to show the extent to which they have in fact fulfilled their proposals during the period of their license.

Stations affiliated with a network will further be required to list network sustaining programs not carried during a representative week, and the programs carried in place of such programs.

If the Commission is able to determine from an examination of the application that a grant will serve the public interest, it will grant forthwith, as heretofore. If the Commission is unable to make such a determination on the basis of the application it will, as heretofore, designate the application for hearing.

### 5. Action on Renewals

With the above changes in Commission forms and procedures, the Commission will have available in connection with renewal applications, specific data relevant to the finding of public interest required by the statute.

First, it will have available all the data concerning engineering, legal, accounting and other matters, as heretofore.

Second, it will have available a responsible estimate of the overall program structure appropriate for the station in question, as estimated by the licensee himself when making his previous application.

Third, it will have available affirmative representations of the licensee concerning the time to be devoted to sustaining programs, live programs, discussion programs, and advertising matter.

Fourth, it will have available from the annual reports to the Commission data concerning the actual program structure of the station during a sample week in each year under the existing license.

Fifth, it will have available a statement of the overall program structure of the station during a week immediately preceding the filing of the application being considered, and information concerning the carrying of network sustaining programs.

Sixth, it will have available the station's representations concerning program service under the license applied for.

If the Commission is able to determine on the basis of the data thus available that a grant will serve the public interest, it will continue as heretofore, to grant forthwith; otherwise, as heretofore, it will designate the renewal application for hearing."

The full text of this 139-page document is being reprinted for distribution to the membership next week.

## DISTRICT MEETINGS AHEAD

11th District	March 18-19	Radisson Hotel	Minneapolis, Minn.
8th District	March 21-22	Pantlind Hotel	Grand Rapids, Mich.
9th District	March 25-26	Palmer House	Chicago, Illinois
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Cavalier Hotel	Virginia Beach, Va.
2nd District	April 25-26	Roosevelt Hotel	New York, N. Y.
5th District	April 29-30	San Carlos Hotel	Pensacola, Florida
1st District	May 13-14	Hotel Statler	Boston, Massachusetts
3rd District	May 16-17	Bellevue Stratford Hotel	Philadelphia, Pa.

## Music

### LEA BILL MAY REACH CONFERENCE TUESDAY

The Lea Bill may next Tuesday reach the Senate and House Conference for which it was destined after receiving recent overwhelming passage by the House, 222 to 43—this was the opinion expressed by Speaker of the House Rayburn at the press conference on Friday (8).

The Bill was last week side-tracked (See NAB REPORTS p. 151) to the House Rules Committee due to a negative vote entered by Rep. Marcantino (Am. Labor Party—N. Y.) when unanimous approval was asked of House Conferees selected for the Senate and House Conference Committee, which was to prepare a final draft of the Bill for Senate action.

It is expected that the formal action on the House ruling made necessary by this deferment will be swift and the Bill then will immediately go to conference.

## Broadcast Advertising

### Standard Contract Committee to Meet

Members of the NAB Sales Managers Subcommittee on Standard Contract Form will meet in New York March 12 with a subcommittee of the AAAA, in an effort to iron out differences still deadlocking the two groups in their efforts to renegotiate a new standard contract form for spot broadcasting.

Previous meetings have resulted in agreement on most points, but several issues still remain. If the committees reach full agreement at this meeting, the proposed new form would then go to the boards of directors and memberships of the NAB and AAAA for ratification, a process that would require several months. Meanwhile, stations and agencies are using the standard form adopted in 1942.

Members of the NAB subcommittee are Walter Johnson, WTIC, chairman; Lewis H. Avery, station representative, New York; Sam H. Bennett, KMBC, Kansas City; Ben Laird, formerly of WOSH, Oshkosh, Wis., and now a new station applicant; Howard Meighan, CBS, New York, and James McConnell, chairman of the Sales Managers Executive Committee, NBC, New York. Also attending for the NAB will be John Morgan Davis and Donald Petty, counsels, and Frank E. Pellegrin, Director of Broadcast Advertising.

### Army Day

Stations are reminded that Army Day observance April 6, is a public interest promotion which offers many programs for possible local sponsorship.

### Additional Joske Research Planned

Additional research is under way and more is planned during 1946 in connection with the study of radio advertising for retailers being conducted in San Antonio, Texas, by Joske's of Texas department store.

In progress is a consumer-attitude survey by Crossley, Inc., parallel to a study made of San Antonio residents before the department store undertook its extensive use of radio in 1945. Purpose of this survey is to learn what effect, if any, the year's use of radio had upon consumer attitudes and buying habits.

Also planned is a series of checks and measurements within the store, to determine relative effectiveness of radio and newspaper advertising of specific items, lines, departments and store services. For this purpose the NAB intends to engage a full-time research assistant who will remain at the store for approximately six months, to conduct and supervise the tests. Search for a qualified research assistant is now in progress. NAB members knowing of anyone thus qualified are invited to write the Department of Broadcast Advertising.

While some testing was done during 1945, research of this type was not extensive due to the unusual and erratic shortages of merchandise, which, the Joske committee felt, would serve to nullify any results shown. Therefore it was decided to postpone this phase of the study until a more nearly normal situation would prevail.

Also in progress is the year-end audit of the department store's sales for its fiscal year ending January 31, 1946, being conducted by the auditing firm of Ernst & Ernst. From this report information will be sought on comparative sales increases or decreases by departments receiving a greater or lesser share of radio advertising.

### Air Force and the Retailer Film Active

The film, "Air Force and the Retailer," analyzing the problems of retail selling and distribution, is being loaned to stations at no charge. This is part of the presentation originally sponsored by the NAB Retail Promotion Committee.

"The History and Development of Retailing" featuring Sheldon R. Coons, former Gimbel Brothers and Lord & Thomas executive, and "Why Radio Works," based on a 5-year study and special research by Dr. Paul Lazarsfeld of Columbia University's office of Radio Research, are still available for showings.

These two reels on sound motion picture 16mm film may be secured by writing to the NAB Department of Broadcast Advertising. Projection machines will have to be rented in your own locality. The film showing takes about an hour.

### Syndicated Transcriptions Interest Ralph Hanson, KUIN

Ralph Hanson, General Manager, KUIN, Grants Pass, Oregon, writes:

"We find it very difficult to sell a transcribed series when the cost per transcription is greater than station time, this in spite of the added production, etc. The \$2.50 rate per program (Feb. 18th NAB REPORTS) would enable us to sell a greater number of these programs. We are, at the present time, carrying a transcribed series at \$3.00 per program, and for outstanding shows, could handle the \$4.00 rate for a three time a week program.

"You may definitely consider this station much in favor of a \$2.50 or \$3.00 rate, for fifteen minute shows, and have our assurance that we could sell a greater number of programs at these rates."

Small market stations' problems related to suitable syndicated transcribed shows at reasonable prices have been presented by J. Allen Brown of NAB to transcription producers. From all indications, the Department of Broadcast Advertising will soon report the availability of syndicated shows from top producers at a new low price. All stations are invited to comment on the subject.

### New Case Histories Ready

The Department of Broadcast Advertising mimeographs case histories called "Radio Gets Results," available free to member stations on request. When writing, specify the types of business for which case histories are desired. Released this week are stories on:

*(Continued on next page)*

W. H. Roland Store, Springfield, Ill. (women's and children's apparel specialties), sponsoring *all newscasts* for 52 weeks on WCBS, Springfield.

Second National Bank, Paterson, N. J., using "The High School Reporter" 15 minutes Saturdays, on WPAT, Paterson.

Louis Hanssen's Sons, Davenport, Ia (hardware), sponsoring "Dr. Fixit," 5 minutes daily, on WOC, Davenport.

Krank Shave Kreem Co., Chicago, Ill. (shaving cream), sponsoring man-on-the-street show 15 minutes daily, on WJJD, Chicago, plus time on three other Chicago stations.

Service Optical, Des Moines, Ia. (opticians), using five announcements daily on KSO, Des Moines.

Send *YOUR* radio success stories to the NAB. Help the other fellow—help radio!

### Optician Uses Sound Approach

*Good sales idea:* Service Optical, Des Moines, Ia., uses five spot announcements daily, six days a week, over KSO to sell its optical service. The sponsor states his own reasons for using radio as follows:

"Radio alone uses spoken salesmanship and radio alone carries the impact, the inflections, warmth and convictions of the human voice. And we have a strong conviction that *those businesses which offer the public personal services should be advertised in a personal way.* . . . Radio is the only advertising medium *which places no eye strain on the customer*, and that makes it a logical advertising medium for people in our business. . . ."

If interested, write the NAB for Service Optical case history giving full details.

## Programming

### SET 4 RADIO NEWS CLINICS

Four radio news clinics, all west of the Mississippi, will be held during the March 22-28 period.

Series begins with the Iowa clinic in Cedar Rapids, at the Roosevelt Hotel, Friday (22).

Three Texas radio news clinics will be held in Houston, March 26; Fort Worth, 27; and San Antonio, 28.

#### Iowa Clinics

Following news clinic conversations with NAB headquarters, John J. Gillin, Jr., 10th district director, and president, WOW, Omaha, consulted with J. O. Maland, president, Iowa Broadcasters Association, and general manager, WHO, Des Moines.

Beryl Lottridge, vice president, WOC, Davenport, agreed to take over the clinic chairmanship and William B. Quarton, general manager, WMT, aided by Doug Grant, program manager, the chairmanship of local arrangements.

In addition to personal invitations to all Iowa stations, Mr. Lottridge invited Wilbur Schramm, director, School of Journalism, University of Iowa, and vice chairman of the Council on Radio Journalism, K. R. Marvin, head, Department of Technical Journalism, Iowa State College, and Richard B. Hull of Iowa State's radio station WOI. All have accepted.

#### Texas Clinics

Martin B. Campbell, managing director, WFAA, Dallas, and director of NAB District 13, appointed Jack McGrew, program director, KPRC, Houston, general chairman of the Texas clinics.

Ken McClure, WOAI, is chairman of the San Antonio meeting and James Byron, WBAP, of the Fort Worth clinic.

Earlier this week Chairman McGrew reported 22 firms and two provisional acceptances with many more expected well in advance of first roll call. The following are among the stations so far registered:

#### San Antonio Radio News Clinic

Austin	KNOW-KTBC
Brownsville	KVAL
(provisional)	
Corpus Christi	KRIS
(provisional)	
Lubbock	KFYO
San Antonio	KABC-KMAC-KONO-KTSA-KOAI
Weslaco	KRGV

#### Fort Worth Clinic

Amarillo	KGNC
Dallas	KRLD-KSKY-WFAA-WRR
Fort Worth	KFJZ-KGKO-WBAP

#### Houston Clinic

Beaumont	KFDM
Houston	KXYZ-KPRC-KTHT-KTRH

Arthur Stringer will represent the NAB Radio News Committee at all 4 clinics.

### CHIEF DECRIES EXCLUSIVITY IN ARMY-NAVY GAME BROADCAST

An AP dispatch states that Rep. Chelf (D-Ky.) has asked West Point and Annapolis Athletic Associations to discontinue their policy of selling exclusive rights for coverage of the annual Army-Navy football game to one network.

All broadcasting companies, he wrote the Associations, should have an opportunity to carry the event play by play "inasmuch as this great game is played between two teams which the Government directly supports through the medium of appropriations of public funds."

### ARMY DAY OBSERVANCE

SATURDAY, APRIL 6, 1946

1946 Army Day observance is a public interest project of serious importance. You can put your best efforts behind the 1946 Army Day, April 6, with the knowledge and certainty that your station and your industry can do the job and do it best.

#### Cooperation from Army Personnel

This Army Day will be celebrated for the first time since 1941. The President has issued the Army Day Proclamation. General Eisenhower has called on the military commanders throughout the United States to do everything in their power to make the day a memorable one. This subject is covered in his letter printed below.

#### Purpose of 1946 Army Day

This year's observance will recognize the great accomplishments of the Army through honoring veterans of World War I and World War II. In addition the Army hopes that the country will be reminded that the Army has done more than defend the country, has made vast contributions to national progress. This is important because it will be made clear to our NEW ARMY now forming that it, too, has unusual opportunities for service during the days ahead. (Continued on next page)

## What to Do Now

Since General Eisenhower's official request went to Commanding Generals of the Army Ground, Army Air and Service Forces, February 14, broadcasters in the vicinity of Army establishments may make Army contacts now.

In the event no civilian group has taken the lead in local Army Day celebration, you have the option of calling the event to the attention of proper persons or yourself taking over.

This deserves to be the most successful Army Day in the history of the nation.

### EISENHOWER'S LETTER

WAR DEPARTMENT  
OFFICE OF CHIEF OF STAFF  
Washington 25, D. C.

SUBJECT: Observance of Army Day

TO: Commanding Generals:  
Army Ground Forces  
Army Air Forces  
Army Service Forces

By Presidential proclamation, 6 April is designated each year as Army Day. For the first time since 1941, the Army will be able to give its full attention to the celebration, and it is my personal desire that commanders throughout the United States take the initiative in making the day a memorable one. While sponsorship of civic celebrations must be in the hands of civilian leaders of each community, commanders of posts, camps and stations may appropriately suggest that such celebrations be arranged and offer cooperation to the extent of their resources in troops, bands, and equipment, and in arranging for Army speakers to address meetings. While I realize that in numerous cases there will be limitations on the extent of actual troop participation possible, I desire that every reasonable effort be made to insure effective representation of Army personnel.

The object of these ceremonies should be to recognize the great accomplishments of the Army through honoring the veterans of World War I and World War II. Through the cooperation of veterans' organizations, all former members of the Army, now returned to civilian life, should be encouraged to wear the uniform and participate in parades and other ceremonies. Such arrangements should be sought as will permit the participation by as many members of the community as possible in honoring the wartime Army.

DWIGHT D. EISENHOWER,  
*Chief of Staff, U. S. Army.*

### AD COUNCIL—OWMR ALLOCATIONS—MAR. 18-24

The following four public interest campaigns have been given top priority on Network Radio Allocation Plans during the week of March 18-24 by the Advertising Council and the Media Programming Division of the OWMR. A brief resume of each Fact Sheet is given below:

#### 1946 Red Cross Fund Drive (Fact Sheet No. 14)

To the people of the United States from General Dwight D. Eisenhower, Chief of Staff, United States Army: "The Red Cross activities in Army hospitals and the program of clubs, recreation centers and welfare must go on through the period of occupation according to changing needs. Normal amenities of life are so lacking in the occupied zones that the American soldier has, in most cases, only what we send him. I express the earnest hope of the Army that the American public will continue its generous support of the Red Cross during 1946." This message from General Eisenhower outlines the continuing responsibilities of the Red Cross to the men who made peace possible. To them must be added the victims of unfore-

seeable floods, fires, tornadoes and other disasters right here at home whom the Red Cross must stand ready to provide with emergency food, clothing and shelter as it has so faithfully done in the past. During the month of March the American people will be asked to contribute \$100,000,000 needed by the American Red Cross to carry out this vast program of service to our occupying forces, hospitalized servicemen, veterans and civilians in need.

#### Homes for Veterans (Fact Sheet No. 5)

America faces a critical housing shortage—and its veterans are the worst sufferers. They feel the pinch of the shortage more acutely because they interrupted their lives to go into the Armed Services. It is simply a matter of fair play to help them, in every way possible, to locate homes in which they can live with their families as they return to civilian life. It is estimated that 1,600,000 of the married veterans who will have been released by December 31, 1946, have no established homes to which to return. It appears that more than 2,000,000 veterans' families will be looking for places to live in 1946. The Federal Government is taking a number of measures to relieve the veterans' housing situation. But until construction gets rolling, by all means the most important source of housing for veterans consists of vacancies which become available in the existing housing supply. Urge listeners to help ease the housing situation by "staying put," if they possibly can, so that a maximum number of veterans can find living places in the existing housing supply; sharing their homes with veterans' families; and listing vacancies and houses for sale at the veterans' housing referral center, if one exists in their community, so that veterans can get first chance at them.

#### Safety on the Highways (Fact Sheet No. 15)

Slaughter on our highways is skyrocketing. Right now smash-ups have reached an all-time high or more than one a minute—all day—every day of the year. Last year traffic accidents killed 28,500, injured 921,500 more, according to the National Safety Council. That is more than a million traffic casualties a year. The cost in dollars was \$1,450,000,000—almost 1½ billion dollars. In the four months after gas rationing ended, traffic deaths jumped 37%. Unless something is done about it, accidents will multiply alarmingly in coming months. Your station can help "put the brakes" on America's rising traffic death toll. Make each listener realize he is a potential accident victim. Point out as specifically as time will allow the little, thoughtless chances he may be taking today—this week—jaywalking—trying to beat the light—speeding—driving when he has had a few drinks—neglecting repairs on his car—ignoring signals at crossings. Your aim is to make each listener decide right then and there *never* again to take even a "little" chance with injury or death.

#### Fat Salvage (Fact Sheet No. 18)

Only by continuing their magnificent job of fat salvage can housewives help return to store shelves plentiful supplies of soap and hundreds of other things they've been waiting for. Fats and oils are just as important to the production of peace-time goods as they were for munitions, and supplies of industrial fats are far short of demands and needs. Domestic production, which has never been able to compensate fully for the loss of imports from the Pacific, is down this year and it may take many months to bring imports back to peace-time levels. Meanwhile, there is a tremendous demand for fats and oils. They are urgently needed in the manufacture of soap and nearly all other consumer goods—nylons, refrigerators, automobiles, paints. American women can actually help themselves to get the peace-time products they want and need in greater abundance and sooner by keeping up their good work in salvaging fats. They are asked to Save every drop of used fat by draining pans, skimming soups, melting down trimmings of meat—pour immediately into the salvage can—re-use those suitable for cooking, and salvage whatever is left—turn in the fat salvage container to their meat dealers promptly. They'll get four cents for every pound turned in.

*(Continued on next page)*

## RETURN OF VETERANS RAISES LISTENING 40% IN 17-35 AGE BRACKET

Radio's unseen audience, enlarged by millions of returned veterans, had 40.8 per cent more men listeners aged 17 through 35 during Jan. this year than it had in Jan. 1945, Cooperative Analysis of Broadcasting announces.

Changes in the composition of nationwide radio audiences are described in CAB's latest report which gives the first 1946 breakdown of listeners. Discharged servicemen have caused most of the "reconversion" of radio audiences. It was stated last week by President Truman that more than 7,500,000 persons have been discharged from military service since hostilities ended.

In the 17 through 35-year-old age group, CAB reported that the number of men listeners increased 44.7 per cent for nighttime listening, 36.7 per cent for Monday through Friday daytime listening, and 35.8 per cent for weekend daytime listening. Considering Sunday night only, the number of men listeners was 53 per cent greater than in Jan. 1945.

Listening by men of all ages was 12.2 per cent greater this Jan. than a year ago.

The number of women and children listening to the radio remained much the same but the total listening audience—men, women and children—was appreciably higher this Jan. than a year ago.

Sunday night programs get the most listeners per listening home. In Jan. this year the highest number of listeners was 3.4 for the period 6:45 to 7 p. m. Sunday. A year earlier the highest number also came on Sunday night but was only 2.8.

Nighttime Monday through Friday listening ranged from 2.2 to 2.5 listeners per listening home this Jan. In most cases the number of listeners averaged an increase of one-tenth over Jan. 1945 figures—in other words, an increase of one person for every 10 homes listening.

Noontime and late afternoon weekday listening audiences were also higher than in Jan. 1945. During the first month of 1946 the average listeners per listening home was 1.7 at noon, compared with 1.6 a year earlier. Late afternoon listening ranged from 1.9 to 2.2 in Jan. this year, compared with 1.8 to 2.1 last year.

Saturday daytime listening this Jan. never dropped below 2.0 listeners per listening home while a year earlier there were five 15-minute periods when listening was 1.9 persons per listening home.

## FINAL PEABODY SELECTIONS

Final selections of the winners of the George Foster Peabody Radio Awards were to be made this past week-end in New York City by the members of the national advisory board, to whom the recommendations of the University of Georgia's faculty screening committee have been forwarded.

The University was to be represented at the meeting of the national board by Dean John E. Drewry of the Henry W. Grady School of Journalism, the unit of the University which administers the Peabody Awards.

Members of this national board are Edward Weeks, editor, *Atlantic Monthly*, Boston, chairman; John H. Benson, formerly president, American Association of Advertising Agencies, New York City; Dr. Ralph Casey, director, School of Journalism, University of Minnesota, Minneapolis; Jonathan Daniels, editor, Raleigh (N. C.) *News and Observer*; Mark Ethridge, publisher, Louisville (Ky.) *Courier-Journal and Times*; Earl J. Glade, mayor of Salt Lake City, Utah; Joseph Henry Jackson, literary editor, San Francisco (Cal.) *Chronicle*; Waldemar Kaempffert, science editor, *New York Times*; Dr. I. Keith Tyler, director of radio education, Ohio State University, Colum-

bus; Mrs. Elizabeth Ames, executive secretary, "Yaddo," Saratoga Springs, New York; and Dixon Wecter, professor of English, University of California, and associate fellow, Huntington Museum, Los Angeles.

Only ten of the 48 states are not represented in the more than 200 entries, including two from foreign countries, from which the winners will be chosen. In addition to these entries, scores of programs have been recommended for consideration by listening-post committees set up each year throughout the United States. These listening-post committees are located in 36 states.

All of these entries and listening-post recommendations have been carefully screened by a University committee appointed by President Harmon W. Caldwell, and consisting of M. Tyus Butler, assistant professor of journalism, chairman; Miss Carolyn Vance, assistant professor of radio; Ralph Roger Williams, instructor in radio; John E. Taldmadge, assistant professor of journalism; James E. Fleming, assistant professor of sociology; George F. Blair, acting head of drama; Michael Angelo McDowell, assistant professor of music; Dr. Paul Morrow, professor of education; Mrs. Glenn Sutton, associate professor of education; and Miss Emily Jones, instructor of education.

In the final selections, recognition will be given to both programs and stations. Awards are to be made in the following categories: 1. Public interest programming by a regional station, 2. Public interest programming by a local station, 3. Outstanding reporting and interpretation of the news, 4. Outstanding entertainment in drama, 5. Outstanding entertainment in music, 6. Outstanding educational program, and 7. Outstanding children's program.

The Peabody awards are designed to recognize the most disinterested and meritorious public service rendered each year by the broadcasting industry, and to perpetuate the memory of George Foster Peabody, benefactor and life trustee of the University of Georgia, and friend of educational progress everywhere.

States represented in the current entries are Georgia, 4; Tennessee, 2; Texas, 3; North Carolina, 5; South Carolina, 3; Alabama, 1; Virginia, 2; Maryland, 1; Louisiana, 1; Florida, 1; Ohio, 8; Kentucky, 5; Pennsylvania, 11; West Virginia, 1; Indiana, 1; Michigan, 1; Oregon, 4; Washington, 3; California, 9; Arizona, 2; Utah, 4; Colorado, 1; Wisconsin, 1; Iowa, 15; Minnesota, 1; Missouri, 12; South Dakota, 1; Nebraska, 8; Oklahoma, 1; Kansas, 4; New York, 30; Connecticut, 5; Massachusetts, 9; New Hampshire, 2; Maine, 1; New Jersey, 1; Illinois, 8; and the District of Columbia, 1. Italy and Canada are each represented with 1 entry.

## AMERICAN LEGION THANKS INDUSTRY

The American Legion has expressed appreciation to the Radio industry for carrying its program series "This is Our Duty." In a letter to the President of NAB this week Mr. Robert A. Drohlich, National Public Relations Division of the Legion, wrote in part:

"We wish to express our thanks to your organization and to the radio industry for the very splendid cooperation which we are receiving and to assure you that we of the American Legion will be glad to cooperate with you in any undertaking which will assure the maintenance of a free and democratic method of broadcasting in the United States."

The American Legion's magazine, "The National Legionnaire," is currently running a series of articles concerning the program. The following appeared in the February edition:

"Radio generally is accepting the air programs of The American Legion in behalf of the veterans and the nation with generosity and willing cooperation. The programs are used by radio as a public service and as assistance to

(Continued on next page)

the men who served their country, and for the benefit of the nation.

"The American Legion and its affiliate organizations are deeply grateful for this service by radio. The individual Legionnaires and veterans are also grateful.

"Expression of this gratitude will be appreciated by radio.

"So when you hear an American Legion program on the air call or write the radio station immediately and express your thanks for this volunteer service.

"Let radio know in a big way that you do appreciate its cooperation.

"Did you hear a Legion program today, or tonight?"

"Did you hear one within the past week?"

"Then express your thanks!"

"Write the station!"

"Please do so now!"

## Information Department

### BATSON NAMED DIRECTOR OF INFORMATION

Charles A. Batson this week was named Director of Information, heading the new Department of Information, which replaces the former NAB News Bureau.

The change was authorized by the NAB Board of Directors at its last meeting upon the recommendation of Ed Kirby, NAB Counsellor in Public Relations. It is expected a full time Director of Public Relations will be named in the near future under which the Department of Information will function.

Mr. Batson was just recently released from the Army where he had the rank of Major. He served with distinction in ETO and in North Africa and Italy. Going in on the original North African invasion, he became a radio public relations officer. Shortly thereafter, he and Major A. M. Warfield set up the first system of *voice-casting*, by which means war correspondents filed their copy over radio circuits to New York. Major Batson was one of the first to use the wire recorder for front line combat reporting which was introduced by Kirby in North Africa in 1943 when he was Chief of the Radio Branch of the War Department. Batson wrote and produced many memorable broadcasts, including the North African portions of the Army Hour. Upon relief from two years duty overseas, he was named Executive Officer of the Radio Branch in the War Department.

Mr. Batson is a graduate of Furman University. He had a wide experience in radio station operation, as a program manager, news editor, and special events man, before entering the Army in 1941.

## FM Department

### FCC RELEASES TEXT OF DECISION DENYING ADDED FM BAND

The Commission on March 5 released the full text of its decision denying a request for a second FM band of frequencies in the 44-50 mc. segment of the spectrum.

Previous announcement of this decision was made in NAB REPORTS (p. 57) on January 28, at which time it was promised that the text of the decision would be reprinted in REPORTS as soon as it was made available by the Commission.

The decision follows:

## FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

Docket No. 6651

In the Matter of Allocation of Frequencies to the Various Classes of Non-Governmental Services in the Radio Spectrum from 10 kilocycles to 30,000,000 kilocycles.

### Report of the Commission

In its reports, dated May 25 and June 27, 1945, the Commission announced its final allocation of 90 channels in the band from 88 to 106 megacycles for FM broadcasting; and on August 24, 1945, this assignment was further expanded to provide 10 additional channels in Area I, the northeastern portion of the United States, between 106 and 108 megacycles. The history of the proceeding, the evidence upon which this allocation was based, and the Commission's reasoning, have been fully set forth in reports, dated January 15, 1945, May 25, 1945, June 27, 1945, and August 24, 1945, and need not here be reviewed.

On January 2, 1946, the Zenith Radio Corporation petitioned the Commission to make an additional allocation for FM broadcasting of 40 channels between 42 and 50 megacycles (subsequently amended to specify 30 channels between 44 and 50 mc.). The Zenith petition was joined in by the General Electric Company, and had the support of Major Edwin H. Armstrong, the inventor who pioneered in FM broadcasting. On January 3, 1946, the petition was designated for hearing and was heard on January 18 and 19, 1946, before the Commission *en banc*. The notice of hearing specified the following issues:

1. Whether the band 42 megacycles to 50 megacycles, or any part of it, should be made available for FM broadcasting in addition to the assignment already made to FM in the 88 to 108 megacycle band.

2. If any portion of such band is made available for FM broadcasting, whether such frequencies should be available for Non-Commercial Educational, Community, Metropolitan and Rural FM stations or only for Rural FM stations, and whether such frequencies should be available for FM stations in the entire United States or only in Area II.

3. To obtain information concerning the additional cost of FM receivers if the band 42 megacycles to 50 megacycles, or any part of it, is made available for FM broadcasting in addition to the band 88 to 108 megacycles.

In its Report, dated May 25, 1945, the Commission stated (p. 81):

"In making an allocation for FM, it is the Commission's purpose to make provision for a service which will not be simply a new and improved broadcast service but which will be the finest aural broadcast service which is attainable under the present state of the radio art. The Commission confidently expects that in the years to come this new service will develop to a point where there may be between 1,000 and 3,000 FM transmitters and between 50 million and 100 million FM receivers in the hands of the public. In planning for such a service it is obviously of the utmost importance that the allocation be made in the portion of the spectrum which is best suited for that purpose. With respect to allocations for other broadcast services it has sometimes been necessary to make compromises between various services competing for particular parts of the spectrum. However, with respect to FM the Commission is prepared to assign to it that portion of the spectrum which is shown to be best suited to its requirements. The Commission feels that it must proceed on this basis because it seems clear that this important new broadcast service will remain permanently in the portion of the spectrum to which it is assigned as a result of this hearing."

This statement still represents the Commission's basic policy with respect to FM broadcasting.

The Zenith petition, in essence, proposes that FM broadcasting shall proceed simultaneously in two bands, one from 44 to 50 megacycles, and the other from 88 to 108 megacycles. The objections to this dual-band allocation

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tion appear decisive. It was the general consensus of those who testified at the hearing that adding a second band decreases the over-all efficiency of set performance. It is necessary to sacrifice some sensitivity and stability if two FM bands are incorporated in one receiver, and other complications arise such as antenna dimensions.

Furthermore, if two FM bands are approved, one or the other but not both will be licensed in many areas. However, all sets would have two bands thereby imposing a "dead" band on millions of set owners. The added cost to a purchaser of such a two-band set would be from \$1.50 to \$6.00 or more and on an annual basis for all users this added cost would run into millions of dollars.

Moreover, a two-band FM system will have an unpredictable effect upon the listening habits of the public in that it would require that the listener switch to select one band or the other unless this operation were done by automatic means. Habits of listening on one band to the exclusion of the other might well develop, which would complicate further the problems of assigning frequencies to FM stations.

Another factor which should merit consideration—but which is by no means conclusive—is that a few manufacturers have proceeded with plans to build two-band sets. This would give them a competitive advantage over other manufacturers who have proceeded with a view of producing one-band sets in accordance with the Commission's June 1945 allocation. The delay in producing two-band sets would range from four weeks to five months. As is pointed out later, there are no advantages to a two-band receiver which would warrant the Commission in requiring this delay.

Accordingly, the Commission concludes that FM broadcasting can proceed on a sounder basis in one band rather than in two bands.

In the course of the hearing, it was alleged that, at least in some parts of the country, the demand for FM channels exceeded the number of channels available from 88 to 108 megacycles and that, therefore, a second band should be added. On the basis of the record now before us and the needs of other radio services, the Commission is not able to determine that the public interest requires additional channels for FM broadcasting. The Commission has considered the requests and needs of the various services for channels in this portion of the spectrum and has concluded that the existing allocation provides a fair and equitable distribution of channels among these services. The evidence does indicate, moreover, that in the event additional channels prove necessary, they can later be added to the present band. The feasibility of expanding an existing broadcast band by the addition of contiguous channels is shown by the fact that the boundaries of the standard broadcast band have been expanded from time to time without undue difficulty.

There remains only the question whether new evidence has been introduced in the course of the January 18-19 hearing which can cause the Commission to determine that its previous decision to allocate the region from 88 to 108 megacycles to FM broadcasting was mistaken and that the propagation characteristics of a lower band are so superior to the propagation characteristics of the 88-108 megacycle band as to cause the Commission to reconsider and alter its basic allocation. The Commission has given the fullest possible consideration to this proposal, and has determined to maintain FM in the 88-108 megacycle band only after a careful reconsideration of all the evidence.

Perhaps the most significant feature of the January 18-19 hearings was the unanimity with which all parties agreed that FM broadcasting in the region presently assigned, from 88 to 108 megacycles, will provide an excellent, interference-free and static-free service over substantial areas. Further, the evidence was conclusive that receivers in the medium-price range will shortly be available for the reception of signals in this band, and that transmitting equipment for the band will also shortly be available.

The three major factors which the Commission considered in its previous decision to place FM in the 88-108 megacycle band were (1) sporadic E interference, (2) F2 layer interference, and (3) extent of coverage. These may be considered in order.

(1) *Sporadic E Interference.*—With respect to sporadic E, which the Commission predicted would cause serious interference in the lower band, new evidence submitted consisted of measurements made during the past year by the Commission at several locations throughout the United States and measurements made by the Zenith Radio Corporation monitoring station at Deerfield, Illinois, during a period of approximately two months. Whereas the Zenith observations showed only a limited amount of sporadic E reception, the Commission's recordings show that during the past year the occurrences of sporadic E transmission were in substantial agreement with the recordings made previously and given in the Commission's report of May 25, 1945. All parties agreed that sporadic E would not be a disadvantage in the upper band. The only new point raised with respect to sporadic E was the statement of Major Armstrong that in his opinion tropospheric enhancement of the signals of FM stations operating in the lower band would occur towards the periphery of their service areas at approximately the times when sporadic E interference would be at its height. Major Armstrong stated that this tropospheric enhancement would serve to reduce the amount of sporadic E interference to be anticipated in the lower band. No quantitative data concerning the extent of this offsetting factor were introduced. It would occur only toward the periphery of the service area, and would not affect the predictions concerning sporadic E nearer to the transmitter. Mr. Norton agreed that this would have some compensating effect, but that no quantitative determination could be made since the extent of the simultaneous occurrence of the two phenomena either with respect to time or degree is not known. Finally, it should be noted that the tropospheric enhancement theory is not a ground for moving the FM allocation. At best, it merely reduces one of the handicaps of the lower band as compared with the upper band.

(2) *F2 Layer Interference.*—With respect to F2 layer interference, no new evidence or testimony was introduced, except the testimony of Mr. Norton that the sunspot cycle now on the rise has continued to show marked similarities to the sunspot cycle which reached a maximum in 1778, and that hence we may anticipate during the coming decade F2 interference even in excess of predictions heretofore made. Recent Bureau of Standards reports indicate that in April 1946 the ionosphere will be capable of supporting F2 transmission of frequencies between 44 and 56 megacycles for 50 percent of the time during mid-day hours, in certain areas which must be considered in allocating frequencies in the United States. The disastrous effects anticipated from F2 interference have been set forth in the May 25, 1945 report at page 63.

(3) *Extent of coverage.*—With respect to extent of coverage, it should first be noted that all witnesses agree, and all the evidence shows, that in the present state of the art service to farmers situated at a great distance from metropolitan areas must continue to come primarily from standard broadcast stations. At the best, assuming an FM station with an antenna height of 1,000 feet and with 300,000 watts effective radiated power, the most optimistic prediction of anticipated range in the lower band is 100 miles. Secondary service rendered many hundreds of miles from the transmitters of standard broadcast stations is not to be expected from FM stations either in the upper or lower band.

Measurements made by the Zenith Radio Corporation at Deerfield, Illinois, and by the Federal Communications Commission at Andalusia, Pennsylvania, on transmitters operating in the upper and lower bands were introduced in evidence. Witnesses for the Zenith Radio Corporation and others testified that in their opinion these measurements supported the assertion that, in general, stations in the lower band would serve a much larger range than stations in the 88-108 megacycle band. They stated that in general the area served by an FM station in the higher band would be 60% less than for a comparable station on the lower band but admitted that this opinion was more or less of an estimate. The Commission is unable to accept this opinion.

In the first place, the measurements were limited to one  
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receiver location in the Deerfield instance and one receiver location in the Andalusia instance. Predictions for the entire service area of a station or for the country as a whole cannot properly be based upon two receiver locations.

Second, the Deerfield measurements at a fixed receiver location on the lower band were in striking contrast to the "proof of performance" measurements made pursuant to Commission Standards of Good Engineering Practice and filed by the licensee of the station in question in 1943, before this proceeding was instituted. The Deerfield measurements on the lower band were similarly in disagreement with other "proof of performance" measurements and data accumulated with respect to propagation in the lower band. Where a single series of measurements thus conflicts with the volume of data available, it obviously cannot be considered as conclusive by the Commission.

Third, the analysis made of the Deerfield measurements defined "satisfactory service" in the upper band as 10 microvolts per meter, but accepted a signal only one-half as strong as satisfactory in the lower band. While it is true that with specially designed antennas it is theoretically possible to produce as strong a signal at the receiver terminals with 5 microvolts per meter in the lower band as with 10 microvolts per meter in the upper band, for two-band operation with signals of such low intensity a separate antenna will be required for each band, with the consequent complication in antenna structure and the inconvenience of switching antennas with changes from one band to the other. It is believed that such an arrangement would be the exception rather than the rule and that the theoretical advantages would not be achieved in practice. This claimed advantage of the lower band further assumes the same receiver sensitivity in each band. As a witness for petitioner conceded, this is not true with respect to its own two-band receiver exhibited in the course of the hearing, which requires 20-25 microvolts in the lower band and only 10 microvolts in the upper band. It should also be pointed out that where noise or station interference exists, the low frequency antenna will pick up twice as much interference as on the higher band and consequently there is no effective gain so long as the internal receiver noise is not the limiting condition.

Fourth, the Deerfield measurements were made at a point considerably beyond the service areas of the stations measured. The standard of 10 microvolts per meter for the higher band and 5 microvolts per meter for the lower band were considerably too low to supply satisfactory service on either band. The Commission's Standards specify a median field of at least 50 microvolts per meter, and no evidence was introduced that the lower band would show superiority on the basis of a 50 microvolt per meter signal strength standard. In addition, no evidence was presented to show that at or within the recognized service contours the drop-outs would be greater on one frequency or the other, since the measurements were made at a point beyond these contours. These measurements were made

during the summer and early fall, a period during which tropospheric transmission is above average; it should be borne in mind that year-round service cannot be predicted upon the basis of summer measurements where the troposphere is concerned. Accordingly, the Deerfield measurements can at best be considered as indicating that, in a region so far from the transmitter that satisfactory FM service is doubtful in either band, the service in the lower band is somewhat less unsatisfactory than the service in the upper band for the period of observations.

The Andalusia measurements were similarly inconclusive due in part to the fact that they were made in one place only, in part to the fact that the Empire State Building may have interfered with the transmission paths of the signals in question, and in part to the fact that there is some doubt concerning the interpretation of the results during a period of several hours. As in the case of the Deerfield measurements, the Andalusia measurements were made beyond the service area of the stations measured on any of the bands, and accordingly serve only to indicate that at a point where all bands are unsatisfactory, some bands are less satisfactory than others. Finally, the Andalusia tests were not consistent with the Deerfield tests in that the median value of the 46.7 megacycle frequency was less than the median value at 83.75 megacycles, whereas at Deerfield the lower frequency provided the higher median field.

Accordingly, the Commission is unable to find that the Deerfield and the Andalusia measurements constitute a sufficient basis for service area predictions.

Summarizing, the Commission concludes that whether or not sporadic E in the lower band will be as intense as was predicted in earlier reports, there will still be a substantial problem of sporadic E interference in the lower band, and no similar problem in the upper band. The Commission further concludes that F2 interference may be a serious problem in the lower band and will not affect service in the upper band. With respect to extent of coverage, the Commission is unable to find that the lower band shows any substantial advantage over the upper band, within the expected service areas of FM broadcast stations. With respect to service to rural areas, the Commission concludes that in the present state of the art and considering the present economics of broadcasting, service to farmers situated at a great distance from cities must continue to come for the greater part from standard broadcast stations.

There is nothing whatever in the present proceeding which casts any doubt upon the ability of the FM stations in the 88-108 megacycle band to render a superior, interference-free and static-free service over ranges of 60 miles, and perhaps in excess thereof. Despite earlier warnings and predictions, the salient fact is that the band assigned to FM broadcasting by the Commission will furnish an excellent service, and the industry has proceeded with notable dispatch to design and produce FM transmitting and receiving equipment which will render excellent service to the American people in the band assigned.

### FM GRANTS REACH 352

The Commission en banc on March 7 granted seven additional FM stations, bringing the total conditional grants to 352. Following are the grants made:

<i>City</i>	<i>Grantee</i>	<i>Interest in Standard Station</i>	<i>Type of FM Station</i>
<b>CALIFORNIA</b>			
Eureka . . . . .	Redwood Broadcasting Co., Inc. . . . .	KIEM	Metropolitan
San Francisco . . . . .	American Broadcasting Co., Inc. . . . .	KGO	Metropolitan
<b>FLORIDA</b>			
Jacksonville . . . . .	The Metropolis Company (*) . . . . .	WJHP	Metropolitan
<b>MINNESOTA</b>			
Winona . . . . .	M. H. White and H. R. Wiecking, d/b as Winona Radio Service. . . . .	KWNO	Metropolitan, possibly Rural
<b>MISSOURI</b>			
Kansas City . . . . .	KCMO Broadcasting Co. . . . .	KCMO	Metropolitan
<b>PENNSYLVANIA</b>			
New Castle . . . . .	WKST, Inc. . . . .	WKST	Metropolitan
Washington . . . . .	Observer Publishing Co. . . . .	—	Metropolitan

\* Commissioner Durr voted for Hearing.



## EDUCATIONAL FM RULES

The Commission on March 7 ordered promulgation of rules and regulations for the non-commercial educational FM broadcast service for which 20 channels were allocated in the Allocation Report of June 27, 1945.

These proposed rules are to be made public as a basis for consideration and discussion before final adoption. All non-commercial educational FM broadcast licensees, permittees, applicants, and others are invited to submit their comments and suggestions in writing to the Office of the Secretary within 60 days.

It is contemplated that no hearings or oral argument will be held on the proposed rules unless there is a demand from interested parties.

In the absence of protests within 60 days, the rules and regulations will be promulgated in final form.

## Legal

### PRINTERS INK OPPOSES TAX PENALTY ON RADIO

Pointing out that imposition of a tax to limit profits of radio stations recently proposed by John B. Haggerty, president of the Allied Printing Trades Association (see NAB REPORTS, p. 137), might well serve as a dangerous precedent for the introduction of suicidal attempts by magazines, newspapers, farm and business papers to foster similar legislation against each other, the following editorial appears in the March 1 issue of *Printers Ink*:

Once again the International Allied Printing Trades Assn. is urging Congress to enact a radio franchise tax. In 1941 John B. Haggerty, head of the I.A.P.T.A., which consists of five printing crafts unions, tried to put through similar legislation but failed.

Mr. Haggerty's current version of a tax on radio is designed to confine net profits of radio stations to a 15% limit based on actual sales, and it would limit salary, bonuses, etc., for any one executive of a station to \$25,000. All the rest of a station's income would go to the government for reduction of the public debt.

Once again Mr. Haggerty trots out as his big argument for the radio tax the wickedness of radio in depriving so many printing-trades craftsmen of job opportunities through a shifting of national advertising from printed publications to the newer medium of radio.

Mr. Haggerty's current proposal could, we suppose, be dismissed on the ground that it didn't get anywhere in 1941 and probably will not get anywhere now.

However, because Mr. Haggerty seems persistent, because his latest proposal is even more drastic than his previous one, and because a certain amount of Congressional support for the radio tax is indicated, it is once again necessary to squelch the specious arguments that are being advanced in justification of the proposed tax.

That any of the printed media, in spite of the superficial appeal of such a tax to their self-interest, will hop upon the Haggerty bandwagon is unthinkable.

That radio as an advertising medium provides strong competition, direct or indirect, to every printed medium is a fact that everybody in the business recognizes and admits. But, as *Printers' Ink* pointed out in attacking Mr. Haggerty's proposal in 1941, "An advertising medium is the same as any other kind of business; if it cannot make its way against the encroachments of competition, it will have to broaden its appeal, change its base or expand its sphere of usefulness. Under no circumstances has it a right to expect the government to fly to its defense."

Certainly printed media will not desire to benefit themselves through a discriminatory tax against another adver-

tising medium any more than they would support discriminatory taxation in other business.

Involved in the radio tax is the same principle that lay behind Congressman Patman's once grandiose scheme to tax the chain stores out of existence and thus give the independent retailer a better chance. Involved is the same reasoning that lay behind the effort 30 years or so ago to have Congress tax the retail mail-order houses out of business.

It should also be remembered that what is sauce for the goose is sauce for the gander. The proposed tax could set a precedent whereby magazines, newspapers, farm papers or business papers might attempt to foster legislation against each other for the reason that one medium is robbing another of revenue or jobs.

Radio as an industry has created many, many more jobs for American workers than have been lost to the printing trades through its success.

We hope that printed media will realize that it is to their own selfish interest to oppose Mr. Haggerty's legislation; that they will naturally prefer to meet all their competition, including other classes of printed media, on a freely competitive basis in which the government does not call the tune.

### FCC REJECTS WOV TRANSFER

The Federal Communications Commission announces its final Decision (B-209) denying the application for consent to the transfer of control of Wodaam Corporation, licensee of Station WOV, New York, N. Y., from Arde Bulova and Harry D. Henshel, transferors, to Murray Mester and Meyer Mester, transferees.

Full text of the decision follows:

#### *Findings of Fact*

1. This proceeding arose upon the application of Arde Bulova and Harry D. Henshel, transferors, and Murray Mester and Meyer Mester, transferees, for the Commission's consent to the transfer of control of Wodaam Corporation, licensee of Station WOV, New York, N. Y. The application was filed on December 31, 1943. It was returned to the applicants with a request for further information and was refiled with the necessary supplemental data on February 8, 1944. Additional financial data was requested by the Commission which the applicants furnished on March 25, 1944. On May 9, 1944, the Commission designated the application for hearing for the following reasons set forth in the Notice of Hearing:

1. To obtain full information with reference to the qualifications of the proposed transferees.

2. To obtain full information with reference to all contracts, agreements or understandings which have been executed or entered into relative to the transfer of stock in the licensee corporation.

3. To obtain full information with respect to any relationship operation of Station WOV would have with other business enterprises of the proposed transferees, including information as to the extent to which WOV would be used for furtherance of other business interests of the transferees.

4. To obtain full information with respect to the service proposed to be rendered by Station WOV under the control of proposed transferee.

5. To obtain full information as to whether or not, under the control of proposed transferees, the time of Station WOV would be sold through time brokers or through other arrangements of similar character.

6. To obtain full information as to the manner in which the operation of Station WOV would be supervised.

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest would be served by granting the instant application.

2. On July 5, 1944, Richard E. O'Dea, holder of a 25 per cent stock interest in the licensee corporation, was permitted to intervene in the hearing thereafter held before Commissioner Clifford J. Durr, on July 6 and 7, 1944. The hearing record was held open at the request of the parties for the purpose of obtaining and submitting

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various depositions, the last two of which were submitted on September 26, 1944. Thereafter, the applicants submitted their proposed findings of fact and conclusions. On November 10, 1944, the intervener filed proposed findings and conclusions.

3. Station WOV operates on 1280 kc with 5 kw power. It is licensed to Wodaam Corporation, incorporated in New Jersey. The entire authorized, issued and outstanding stock of the licensee corporation consists of 200 shares of Class A and 1,000 shares of Class B common stock of the same par value. This application requests consent of the Commission to the transfer of control of Wodaam Corporation from the transferors to the transferees pursuant to agreements dated March 18, 1942 and November 11, 1943, providing for the conveyance to Murray and Meyer Mester of 600 shares of Class B stock in Wodaam Corporation owned by Arde Bulova<sup>1</sup> and the entire stock owned by Harry D. Henshel in two holding companies, B.I.O.W. Broadcasting Corporation and WAAM, Inc., which together own 100<sup>2</sup> shares of Class A and 200 shares of Class B stock in Wodaam. The intervener, O'Dea, owns and will retain the rest of the Wodaam stock consisting of 100 shares, Class A, and 200 shares, Class B.

4. Under the first agreement of March 18, 1942, the transferors agreed to sell their interests in Wodaam Corporation and the holding companies to the transferee brothers at a price of \$300,000. The transferees proposed to take, as individuals, equal amounts of the stock involved. Previously existing corporate merger agreements between O'Dea, WAAM, Inc., and Wodaam Corporation dated June 3, 1933, and between Wodaam and W.B.O. Broadcasting Corporation dated August 16, 1938, provided that the Wodaam stockholders would "not sell their stock unless first offered" upon the same terms to the remaining stockholders of Wodaam for a period of 60 days. In view of this provision, the transferors, on March 19, 1942, obtained a waiver from O'Dea releasing his preferential 60-day right to purchase the stock on the same terms as those provided in the March 18, 1942, agreement. Subsequently, on March 30, 1942, the transferors and transferees filed an application with this Commission requesting the transfer of control of the licensee corporation to the Mester brothers. On July 14, 1942, the Commission designated this application for hearing, whereupon, on motion of all of the parties to the proceeding, the Commission on August 18, 1942, granted their request to dismiss the application without prejudice.

5. On November 23, 1943, the Commission, after having issued advance notice, adopted its Rule 3.35 prohibiting multiple ownership of stations in the same primary service area except upon a showing of public interest, convenience and necessity. Inasmuch as the transferors, Bulova and Henshel, own a controlling interest in Greater New York Broadcasting Corporation, the licensee of Station WNEW which operates in the same primary service area as that served by WOV, the transferors and transferees executed another contract on November 11, 1943 "restoring" the sales agreement of March 18, 1942, and retaining the same sales price of \$300,000 but modifying several contract provisions in certain respects, such as providing for new instalment payment dates. No further waiver of option was obtained from Richard O'Dea with respect to his claim of preference under the merger contracts of June 3, 1933, and August 16, 1938. Upon learning of the agreement of the transferors and transferees to "restore" the March 18, 1942, sale, O'Dea, on December 24, 1943, after stating his position at a Board of Directors meeting of Wodaam Corporation on December 22, 1943, formally revoked in writing his waiver of option agreeing and consenting to the sale referred to in the agreement of March 18, 1942. Thereafter, on December 31, 1943, pursuant to the November 11, 1943, agreement, the applicants filed the instant application with the Commission for consent to the transfer of the corporate control of WOV. O'Dea, who has been actively connected with radio station operations since 1925, was subsequently allowed to intervene and opposes transfer of control of the corporation to the Mester brothers on the ground that it would jeopardize his interest and is not in the public interest.

<sup>1</sup> Includes three qualifying shares held in the names of others acting as corporate officers.

<sup>2</sup> Includes two qualifying shares held by individuals.

6. Under the schedule submitted at the July 1944 hearing, Station WOV operates daily, except Sunday,<sup>3</sup> from 6:45 a. m. to 12:00 midnight. Out of a broadcast day of 17 hours and 15 minutes, about 13 hours or approximately 75 per cent of the WOV broadcast time on Monday through Friday is devoted entirely to commercial programs, while on Saturday 83 per cent of the programs are sponsored. In addition, almost all of the "sustaining time" is preceded or interspersed with 2 or 3 commercial spot announcements each 15 minutes. In view of the spot rates charged by the station, the broadcast revenue is thus substantial from "sustaining" as well as commercial time.

7. During the first six months of 1943, the station suffered operating losses of \$8,600 plus depreciation charges of \$15,600, or a net loss of \$24,200. The financial statement supplementing the application shows a net loss of \$37,377 for the year which includes depreciation charges of \$30,693. During the first six months of 1944, the station returned an operating profit of \$25,200 with depreciation charges of \$15,600, leaving a net profit of \$9,600 for that period. Although expenses as a whole increased in 1944, an increase in income of 45 per cent over 1943 resulted in the change to a profit status.

8. From 8:30 a. m. to 6:00 p. m. the station's programs are entirely in the Italian language. It appears that approximately 14 per cent of the population in the WOV primary service area, or 1,780,024 persons, are of Italian extraction while some 323,713 persons in the secondary area are Italian. In this connection, WOV has received various awards for its program service and received the Variety plaque for "fostering racial goodwill and understanding" during the year 1943.

9. The station does not dispose of broadcast time to time brokers for resale but nevertheless approximately 90 per cent of the programs are prepared by advertising agencies subject to station review and monitoring. The Balbo Oil Company, owned by Murray and Meyer Mester, sponsors a 15-minute Italian musical program on WOV six days a week. Four times each weeknight, in five-minute periods, the station presents a syndicated program in English called "People Know Everything," wherein persons selected from the telephone book are called and awarded money if they can answer certain questions correctly. Without deciding whether this program is a lottery, it is a program designed to attract listeners by prizes rather than by quality of content. The program, purchased from a producer in Chicago, is carried independently of WOV by numerous other stations.

10. Murray and Meyer Mester were not born in the United States but immigrated to this country as minors and derived citizenship through the naturalization of their father. They are largely "selfeducated." Since 1933, they have been engaged as partners in the edible oil business, first doing business under the name of the Modern Packing Company and subsequently, and at the present time, under the name of the Balbo Oil Company. They are not engaged in any other business except the business of producing, processing and selling edible oils. Murray Mester's net worth is in excess of \$548,000, and Meyer Mester's net worth exceeds \$500,000. The assets of the Balbo Oil Company, which are equally divided between the Mester brothers and are included in their net worth, exceed its liabilities by some \$730,000.

11. The Mester brothers have never had an interest of any sort in a broadcast station license or in the management of a radio station. However, at the beginning of their oil business in 1933, and for several years thereafter, Meyer Mester arranged for their radio advertising on station-prepared programs. Five or six years ago they retained an agency which handles Italian programs for various sponsors, to produce their programs for them. Since that time, Meyer Mester has discussed program propositions with the agency and has approved or disapproved program matters in certain instances. For at least the last nine years the Balbo Oil Company has sponsored an Italian language program on WOV running gen-

<sup>3</sup> WOV does not operate on Sundays because the 1280 kc. frequency in the same service area is assigned on that day to Station WHBI, Newark, New Jersey.

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erally 15 minutes each day. At the time of the hearing, Balbo Oil was also sponsoring programs and spot announcements on eight other stations in the Italian language, on one station in the Spanish language, and on one station in Greek.

12. The Mester brothers have not made any definite plans for the operation of WOV in the event that this transfer is granted but merely plan to continue the present policies of the station after acquiring control of the license. They plan to continue the same sales policies under a uniform rate card; they definitely do not intend to sell time to time brokers for resale; they plan to continue to sell time to other edible oil companies which now advertise on the station; they do not contemplate increasing the use of Station WOV as an advertising medium for Balbo Oil; they do not seek to identify the station with their oil business; they generally plan to render the same service that is now being rendered; they propose to retain present management and personnel as far as possible; and they expect to become acquainted with the operations first before initiating any changes. Both expect to devote some time personally to the supervision of the station. Without having arranged to retain any persons in particular, they plan to employ men "who would know what is what." They also expressed a vague and indefinite proposal to seek the advice of an advisory board, as yet unselected, to aid in determining station policy. They tentatively propose to have prominent men in the Italian community present talks on subjects such as Americanization and intend to encourage the forum type of discussion. They "believe in selling more time" as a means of increasing the profits of the station.

13. Murray Mester showed no knowledge whatsoever of the Communications Act of 1934, or of the Rules and Regulations of the Federal Communications Commission, and has neither examined nor been advised on the laws relating to the licensing and operation of standard broadcast stations.<sup>4</sup> The Mesters have made no effort to interest those who are now employed by the station to continue in their present employment if the transfer is granted, and, in fact, had not even met Weil, the present manager of WOV, until a week before the hearing. Other than planning to act as directors themselves, they have not considered any other persons as directors of Wodaam Corporation. Murray Mester did not understand the holding company arrangements through which they were to obtain control of part of the Wodaam stock and had never even heard of the two holding companies B.I.O.W. Broadcasting Corporation and WAAM, Inc. The Mesters had not met with, or spoken to, Richard E. O'Dea, the intervener and holder of a 25 per cent stock interest in Wodaam Corporation, since the first negotiations in 1942.

14. Before the hearing, Commission counsel requested the transferees to have available at the hearing information relating to difficulties in which the Balbo Oil Company had become involved with the Food and Drug Administration and other government bodies. Instead of offering these records, Murray Mester testified, on direct examination, as follows:

"Q. Now, have you ever been a party to a suit in a Federal court involving anti-trust or Federal Trade Commission proceedings?

"A. No, sir.

"Q. Have you ever been found guilty of felony or a crime involving moral turpitude?

"A. No, sir."

No further exposition or explanation was offered by the transferees during direct testimony. However, on cross-examination by counsel for the intervener, Murray Mester admitted that a few months ago a shipment of "Cellini" Brand oil produced by Mester brothers and packed in cans labeled "one gallon net" was condemned by State of Connecticut food authorities for shortage in volume, that a forfeiture was imposed and that the balance of the shipment was returned for "cracking" and repacking. He also admitted, on cross-examination, that their oil company had trouble with the United States Food and

<sup>4</sup> In their application (p. 35), the transferees state that "They have a keen appreciation not only of the commercial but of the pedagogical and cultural possibilities of radio, and have always shown an interest in forums and discussions."

Drug Administration in 1933 in connection with a brand of oil they produced and labeled "Tipo Lucca" because the name and olive branch design "was misleading" and "indicates a lucca type" of oil from Italy when this was not the case. In this connection, Murray Mester stated that there were only "two condemnations" involving their "Tipo Lucca" product, and that there were "no others other than those two cases." He also claimed that other packers of edible oils at that time were engaging in similar practices.

15. On cross-examination, he also referred to a California case arising in 1940 or 1941, stating that 1500 or 1600 cases of oil which they had shipped to California in cans labeled 80 per cent salad and 20 per cent olive oil, were required by the state authorities to be relabeled because it was found by the authorities that the olive oil content was only 15 per cent. In this case the Mester brothers were required to relabel the product, showing the particular amounts of cotton, peanut, olive and other oils contained in the cans. On further cross-examination, Murray Mester admitted that on September 9, 1943, he and his brother signed a stipulation with the Federal Trade Commission agreeing to cease and desist from representing that the oil they were selling contained 20 per cent pure olive oil. However, he stated at the hearing that at the time they signed the stipulation they did so for the reason that they had already discontinued packing the particular mixture because of the olive oil shortage. In mitigation of these difficulties with the food authorities, Murray Mester declared that "the Balbo Oil Company does today, and has for the past several years, approximately 3 million dollars a year business more or less. You state four or five facts which are so horrible. We sell in Canada, Puerto Rico, Cuba and every state in the United States, merchandise."

16. As a matter of fact, the Mester brothers either individually or as a partnership have been involved in at least 5 seizure and condemnation proceedings instituted by the United States Food and Drug Administration, as follows:

(1) Case No. 21651, *United States v. Sixteen Cans of Salad Oil*, filed August 30, 1933, in the United States District Court for New Jersey, involved, according to the notice of judgment, a product called "La Deliziosa" oil "which consisted chiefly of domestic cottonseed oil and which was labeled in a deceptive manner to indicate that it consisted of imported olive oil. Sample cans taken from the lot were found to contain less than 1 gallon, the labeled volume." On or about July 18, 1933, sixteen cans of "La Deliziosa" oil were shipped in interstate commerce by the Modern Packing Company, Brooklyn, New York. At that time, Murray Mester was doing business individually under the Modern Packing Company name. The cans were labeled "One Gallon Net Olio Finissimo Garantito La Deliziosa Brand Permiato All'Esposizione di Roma 1924 Italia" and bore the design of an olive branch and a medal bearing the picture of the King of Italy. The article was condemned by the Food and Drug Administration which alleged that the product was adulterated because it consisted essentially of cottonseed oil, whereas the label indicated that it was olive oil. Misbranding was alleged for that reason and for the further reasons that the article purported to be a foreign product when not, that the sample cans did not contain one gallon net, and that they failed to bear a clear, conspicuous statement of the quantity of the contents of the oil. On November 1, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

On cross-examination by Commission counsel, Murray Mester had denied that the Modern Packing Company ever "had a La Deliziosa Brand" of oil. But after persistent questioning and confrontation with irrefutable testimony and evidence, he finally admitted that he had sold "a little La Deliziosa oil" and admitted that his Modern Packing Company was the company described. He claimed that the article was packed by another man, one Salvatore Esposito, and that he himself merely shipped it. He stated, however, that he "sold this gentleman [Salvatore Esposito] the bulk oil that he used to pack." Murray Mester was asked whether he remembered appearing at a hearing relating

(Continued on next page)

to the seizure of the La Deliziosa products. He answered, "No. At no hearing of anything concerning the La Deliziosa products did I appear anywhere at any time in." An official member of the Interstate Division of the Food and Drug Administration, Federal Security Agency, who has been with the Administration for 15 years, testified that the official files of that Agency show that the La Deliziosa oil was seized shortly after August 30, 1933, that Murray Mester was then the sole owner of the Modern Packing Company, Brooklyn, New York, and that Murray Mester appeared at the hearing held in New York on October 28, 1933. The official also stated that in Federal Food and Drug Administration cases, the violation of law occurs in the shipment in interstate commerce of the adulterated or misbranded article.

(2) Case No. 21862, *United States v. 29 Cans and 29 Cans of Salad Oil*, filed November 17 and 21, 1933, in the United States District Court for New Jersey, involved 58 cans of "Olio Fino Balbo Brand Tipo Lucca" shipped in interstate commerce on or about November 6 and 14, 1933, by the Modern Packing Company. The brand name, designs of olive branches and coat of arms with crown were carried on the label and an inconspicuous statement: "Twenty Percent Olive Oil and Eighty Percent Salad Oil" appeared at the bottom of the label. The notice of judgment described the article as "a product which consisted chiefly of domestic cottonseed oil, but which was labeled in a deceptive manner, conveying the impression that it consisted of imported olive oil." On December 21, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

(3) Case No. 21963, *United States v. 151 Cans of Salad Oil*, filed January 18, 1934, in the United States District Court for New Jersey involved 151 cans of "Olio Fino Balbo Brand Tipo Lucca" shipped in interstate commerce on or about October 2 and 16, 1934, by the Modern Packing Company. Designs of olive branches, coat of arms and crown, as well as the brand name appeared on the label. The article was described in the notice of judgment as "a product which was labeled to convey the impression that it was imported olive oil but which was found to consist largely of domestic cottonseed oil." The misleading impression was allegedly not corrected by the inconspicuous statement at the bottom of the label stating "Twenty percent Olive Oil and Eighty Percent Salad Oil." On January 29, 1934, Murray Mester, trading as the Modern Packing Company, claimant, having admitted the allegations of the libel and having consented to entry of a decree condemning the property, judgment was entered ordering that the product be released to the claimant upon the payment of costs and execution of a \$100 bond, conditioned in part that the product be repacked in cans labeled to show its true nature.

(4) Case No. 23325, *United States v. Five, One-Half Gallon Cans, et al., of Salad Oil*, filed October 4, 1934, in the United States District Court for New Jersey, involved a seizure of 5 half-gallon cans, 23 quarter-gallon cans and 15 gallon cans of salad oil shipped in interstate commerce on or about May 22, July 9, and August 7, 1934, by the Modern Packing Company. Some of the articles were labeled in part "Olio Fino Balbo Brand Tipo Lucca" and others "Olio Fino La Preziosa Brand Tipo Lucca," together with designs of olive branches and a coat of arms with crown. An inconspicuous statement appeared at the bottom of the labels stating "Twenty Percent Olive Oil, Eighty Percent Salad Oil." The notice of judgment described it as "a product that consisted of domestic cottonseed oil and olive oil, consisting essentially of domestic cottonseed oil, which was labeled to convey the impression that it was olive oil of foreign origin." No claimant appeared for the property. On November 16, 1934, judgment was entered condemning the Balbo brand and ordering that it be destroyed. On December 20, 1934, the remaining lot was ordered delivered to charitable or relief organizations.

(5) Case No. 23378, *United States v. 9 Cases and 29 Cases of Salad Oil*, filed October 23, 1934, in the United States District Court for the Eastern District of Pennsylvania, involved a seizure of 38 cases of salad oil shipped

in interstate commerce by the Modern Packing Company on or about April 16, 1934. The article was alleged to be misbranded because of the statement "Olio Fino Brand Tipo Lucca" together with the designs of olive branches and coat of arms with crown appearing on the label. The notice of judgment described it as "a product consisting essentially of domestic cottonseed oil with some peanut oil and some olive oil present, that was labeled to convey the impression that it was imported olive oil." The misleading impression was allegedly not corrected by the inconspicuous statement at the bottom of the label stating "Twenty Percent Olive Oil, Eighty Percent Salad Oil." On November 8, 1934, S. Alioto & Sons, Philadelphia, Pennsylvania, a dealer, having appeared as claimant, judgment of condemnation and forfeiture was entered, and it was ordered that the product be released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

17. Recently the Mesters were involved in two cases, arising in Connecticut, one of which was referred to in Murray Mester's testimony. The one mentioned was a local case entitled *State of Connecticut v. Nicholas Perrelli, d/b/a Perrilli Bros.*, filed on May 9, 1944, in the City Court of New Haven, City of New Haven, Connecticut. This case involved a shortage of volume in 2,239 one-gallon cans of Cellini Brand Olive Oil packed by the Balbo Oil Company. 1,999 cans were ordered returned to the claimant to be reprocessed by the Balbo Oil Company for repacking under state supervision, in cans properly marked as to net volume. 240 cans valued at \$1,380 were condemned and forfeited to the use of the State of Connecticut. The Mester brothers were also the packers and shippers responsible in a Connecticut federal case entitled *United States v. 95 Cans, more or less, of an article labeled in part, "One Gallon Net Cellini Brand Pure Olive Oil \* \* \**, case No. 4215 Adm., F. D. C. No. 12432, filed on May 25, 1944, in the United States District Court for Connecticut. These olive oil products packed by the Balbo Oil Company in cans marked "One Gallon Net" were likewise seized and condemned because of a shortage of volume. In both Connecticut cases Murray Mester blamed the shortages on variances of weight in the containers caused by war conditions and on inexperienced help.

18. With respect to the Federal Trade Commission matter mentioned by Murray Mester on cross-examination, it appears that on September 9, 1943, Murray and Meyer Mester signed a stipulation of facts and agreement to cease and desist, F. T. C. No. 3728, which states in part as follows:

In the course and conduct of their business as described in Paragraph One hereof, Murray Mester and Meyer Mester, in connection with the sale and distribution of their said edible oil, have disseminated or caused to be disseminated, by United States Mails, the radio or otherwise in commerce as defined by the Federal Trade Commission Act, for the purpose of inducing or which were likely to induce the purchase of such product, or by other means for the purpose of inducing or which were likely to induce the purchase thereof in commerce as aforesaid, certain advertising representations in the Italian language, the English translations of which are as follows:

Balbo Oil always contains 20% pure olive oil; the high percentage of pure refined olive oil it contains gives it a genuine fragrance which makes it very tasty.

*As a matter of fact, said product did not contain "20% pure olive oil" or 20 percent olive oil or any approximation thereof;*<sup>5</sup> and the statement "The high percentage of pure refined olive oil it contains" is misleading insofar as it tends or may tend to convey the belief or impression that the olive oil content of the product is greater than is actually a fact.

IT IS HEREBY AGREED by Murray Mester and Meyer Mester, individually or trading as Balbo Oil Company or under any other trade name or style, in connection with the sale and distribution in commerce as defined by said Act, or the advertising by means

<sup>5</sup> Italics supplied.

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and in the manner above set forth of their cooking or edible oil, that they and each of them will forthwith cease and desist from representing that 20 percent of the content thereof consists of olive oil unless or until 20 percent does consist of olive oil; and from any representation the effect of which tends or may tend to convey the belief or impression that the olive oil content of said cooking or edible oil is greater than or in excess of actual olive oil content thereof.

19. Finally, at the time of the hearing, the Mesters were defendants in a proceeding brought against them by the Office of Price Administration, in which the Government charged that they had violated maximum price regulations in selling salad oil and had failed to keep a statement of ceiling prices available for inspection on the premises, as required pursuant to the Emergency Price Control Act of 1942. *Chester Bowles, Price Administrator, Office of Price Administration, Plaintiffs v. Meyer Mester and Murray Mester Co-partners, doing business under the firm name and style of Balbo Oil Company, Defendants*, in the District Court of the United States for the Eastern District of New York, Civil No. 3746, filed April 7, 1944. We have been informed by the transferees' attorneys that on or about March 21, 1945, this action was disposed of by settlement under which the transferees paid the sum of \$3,742.05 to the United States Government.

#### Conclusions

1. Under Sections 308(b) and 309a) of the Communications Act of 1934, the Commission, in exercising its authority over applications for station licenses, is directed to examine into "the citizenship, character, and financial, technical, and other qualifications of the applicant to operate the station," and "the purposes for which the station is to be used", and to hold a hearing on any application, if necessary, in order to determine whether "public interest, convenience, or necessity would be served by the granting thereof." Under Section 310(b), it is provided that the license and rights therein granted shall not be transferred in any manner, "or indirectly by transfer of control of any corporation holding such license, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing."

2. The transferees have come to this Commission seeking to assume the responsibilities and enjoy the privileges of a broadcast license but they have shown no understanding whatsoever of the provisions of the Communications Act and the rules and regulations of the Commission applicable to their operations. They showed only the vaguest acquaintance with the present operations of Station WOV and were equally vague as to their plans for its future operation in the event they should be approved as licensees. They expect to run the station as a secondary business investment relying primarily on others than themselves to carry out their license obligations. They propose to increase the station's profits "by selling more time" even though the station's schedule already shows that 75% of the broadcast time on week days and 83% on Saturdays is devoted entirely to commercial programs and most of the "sustaining" programs are heavily interspersed with commercial spot announcements. Cf. *In the Matter of R. R. Jackman, et al*, 5 F. C. C. 496 (1938). From their own testimony, it must be concluded that they have no adequate conception of the public responsibilities of the station licensee which they are seeking to assume.

3. Also at the hearing, the transferees revealed an extreme lack of candor in testifying under oath as to their numerous difficulties with various governmental bodies. It is quite reasonable to assume that similar conduct could be expected of them in the submission of future reports to the Commission if the proposed transfer were granted. The interest of the Commission in station operation is a continuing one, and in carrying out its licensing authority the Commission must rely primarily on statements made by station licensees. "Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy." *In the Matter of Western Gateway Broadcasting Corp., et al.*, 9 F. C. C. 92, 102 (1942); *In the Matter of the Mayflower Broadcasting*

*Corp.*, 8 F. C. C. 33, 338 (1940); *In the Matter of John H. Stenger, Jr.*, 8 F. C. C. 434, 444 (1940)

4. In addition, the transferees, in carrying on their edible oil business, have violated and disregarded the regulatory laws of the states and the federal government. Isolated and inadvertent violations of such laws are not, of course, in themselves, sufficient grounds for finding that an applicant is disqualified as a broadcast licensee. However, the violations of the applicants in the instant case have been numerous and extended over their entire business career. Many of these violations were clearly not matters of inadvertence. A broadcast license carries with it grave public obligations and a sense of public responsibility is therefore an essential qualification for any licensee. The sense of public responsibility which an applicant has shown in his private business dealings must therefore be given considerable weight in determining the degree of public responsibility which he, as a broadcaster, would bring to bear in his broadcast operations.

5. From a careful examination and review of all of the material facts relating to the technical and general qualifications of the transferees, we find that the applicants do not possess those qualifications essential to operate Station WOV in the public interest. It is not necessary to show that the applicants have been adjudged guilty of criminal misconduct before finding that they are not qualified to hold a station license. It is sufficient to find in the instant case that the transferees have not established adequate technical, character, and other qualifications to convince this Commission that they are capable of being entrusted with the duties and privileges inherent in a radio station license.

6. The Commission concludes that transfer of control of Wodaam Corporation to the transferees would not serve the public interest, convenience, or necessity. The application, therefore, should be denied.

FEDERAL COMMUNICATIONS COMMISSION.

/s/ T. J. SLOWIE, *Secretary*.

## Engineering

### NAB ENGINEERING COMMITTEE MEETS MARCH 20

The NAB Engineering Committee will hold a meeting in connection with the Broadcast Engineering Conference at the Fort Hayes Hotel, Columbus, Ohio, on the evening of March 20, 1946. The meeting, held in the Gold Room, will begin promptly at 7:30 P. M.

The Engineering Committee comprises the members of the Executive Engineering Committee and a District Engineering chairman from each of the seventeen NAB districts. This marks the resumption of the prewar custom of holding a meeting of this committee in conjunction with the Broadcast Engineering Conference each year.

All those attending the Broadcast Engineering Conference are invited to be present at the Engineering Committee Meeting which will be devoted to open forum discussion of industry technical problems.

### GERMAN CONDENSER-MAKING MACHINE ON WAY TO U. S.

An ingenious German machine which may revolutionize the manufacture of condensers for radio, radar, and other electric and electronic equipment is en route to the United States, the Office of the Publication Board announced today. On arrival here, it will be available for inspection by any American manufacturer who is interested in production possibilities. It is estimated that any present manufacturer of fixed paper condensers could

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adopt the new process with an additional capital outlay of \$25,000.

Several years ago the Robert Bosch Company of Stuttgart, Germany, undertook development of fixed paper condensers in which the usual metal foil is replaced by a very thin, vaporized zinc coating, applied directly onto the paper dielectric. Machines were developed to make the new product, and more than 50,000,000 condensers, for use in both alternating and direct current circuits, were turned out by the Bosch Company during the war.

One great advantage of this type of condenser is that it heals automatically after an electrical breakdown, so that an adequate insulating margin is again established. Numerous breakdowns may occur before the effective value of the condenser is reduced below the workable limit. Because of this, metallized paper capacitors may be operated at from 25 to 50 percent higher voltages than is possible with paper and foil capacitors.

The metallized paper capacitors are about 40 percent smaller than the paper and foil type, and it is believed that production costs will be about 20 percent less.

The process is covered by U. S. Patent 2,244,090, in the custody of the Alien Property Custodian. Patent information alone is insufficient to enable a manufacturer to adopt the process, and the Custodian therefore requested the Technical Industrial Intelligence Branch to obtain additional information at the Bosch plant in Stuttgart. TIIB assigned as investigator, Frederic E. Henderson, Superintendent of Manufacturing Engineering of the Western Electric Company at Baltimore. His report is now available from the Office of the Publication Board, Department of Commerce (PB 421; 6 pages; mimeographed, 10 cents).

No information is yet available on the date the Bosch machinery will arrive. When it does, present plans call for a public showing to be arranged by the Publication Board and the U. S. Army Signal Corps.

## Television

### WESTINGHOUSE GETS FIRST CBS COLOR TELE RIGHTS

First licenses to embody CBS ultra-high frequency color inventions in television receivers and studio apparatus have been granted to the Westinghouse Electric Corporation. Arrangements, on a patent royalty basis, are for five years and provide for an extension of the agreement.

Royalties to CBS, as stipulated, range from 25 cents to one dollar on receiving sets, depending on the retail price, and one percent of the net selling price of complete color television transmitter studio apparatus. These low royalties are the total recompense demanded by Columbia to permit addition of its color inventions in television.

### FCC ANNOUNCES D. C. TELE GRANTS

The Commission, on Thursday (7), tentatively granted permits for new television stations in Washington to the Bamberger Broadcasting Service, Inc., The Evening Star Broadcasting Co., and The National Broadcasting Co., Inc.

The Capital Broadcasting Company's application tentatively was denied and the Commission deferred a decision on the applications of Allen B. Dumont Laboratories, Inc., and Philco Products, Inc.

Philco, Dumont and the Capital Co. have 20 days in which to request oral argument on the proposed decision.

If they do not, the Commission finally will grant the applications of Bamberger, The Evening Star Broadcasting Co., and NBC, and will choose between Philco and Dumont.

(Full text of the decision, which is expected to set the pattern for issuance of licenses through the Nation, follows:

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington 25, D. C.

In the Matter of

Bamberger Broadcasting Service, Inc., New York, N. Y.,  
For Construction Permit

Docket No. 7014, File No. B1-PCT-41

Capital Broadcasting Company, Washington, D. C., For  
Construction Permit

Docket No. 7015, File No. B1-PCT-36

Allen B. Dumont Laboratories, Inc., Passaic, N. J., For  
Construction Permit

Docket No. 7016, File No. B1-PCT-16

The Evening Star Broadcasting Company, Washington,  
D. C., For Construction Permit

Docket No. 7017, File No. B1-PCT-141

National Broadcasting Company, Inc., New York, N. Y.,  
For Construction Permit

Docket No. 7019, File No. B1-PCT-19

Philco Products, Inc., Philadelphia, Pa., For Construc-  
tion Permit

Docket No. 7021, File No. B1-PCT-38

#### Appearances

*Frank Scott and Charles H. Singer*, on behalf of Bamberger Broadcasting Service, Inc.; *W. Theodore Pierson and Ralph L. Walker*, on behalf of Capital Broadcasting Company; *William A. Roberts*, on behalf of Allen B. Dumont Laboratories, Inc.; *D. M. Patrick and Karl A. Smith*, on behalf of The Evening Star Broadcasting Company; *John T. Cahill, Charles F. Detmar, Jr., and Gustav Margraf*, on behalf of the National Broadcasting Company; *Louis G. Caldwell*, on behalf of the Philco Products, Inc.; *Harry M. Plotkin*, on behalf of the Federal Communications Commission.

#### PROPOSED DECISION

##### *Preliminary Statement*

This proceeding involves the allocation of the four available commercial television channels in Washington, D. C. Six applicants have applied for these four channels. They are Bamberger Broadcasting Service, Inc., Capital Broadcasting Company, Allen B. Dumont Laboratories, Inc., The Evening Star Broadcasting Company, National Broadcasting Company, Inc., and Philco Products, Inc. Hearings were held on their applications on January 21, 22, and 23, 1946. All of the parties have waived their right to file proposed findings of fact and conclusions of law.

##### *Application of Bamberger Broadcasting Service, Inc.*

##### *Docket No. 7014*

1. Bamberger Broadcasting Service, Inc., of New York, N. Y., is a wholly-owned subsidiary of L. Bamberger & Company, a retail department store in Newark, N. J., which, in turn, is wholly-owned by R. H. Macy and Co., Inc., a retail department store in New York City. The consolidated balance sheet of R. H. Macy and its subsidiaries as of July 28, 1945, indicates its total stock and surplus to be worth \$62,348,200.06. The combined balance sheet of the applicant shows a total capital and surplus on December 29, 1945, of \$1,184,573.37. Bamberger Broadcasting Service owns a 50 kw. AM station,

*(Continued on next page)*

WOR, and an FM station, WBAM, both in New York City. It is affiliated with the Mutual Broadcasting network and owns about 20% of its stock. Mr. McCosker, chairman of the applicant's Board of Directors, is also chairman of the Mutual Board. Bamberger Broadcasting Service has an application pending before this Commission for a television station in New York City and for one in Philadelphia but at the hearing it stated that it intends to withdraw the Philadelphia application.

2. The applicant proposes to make Washington programs of national interest available to Mutual affiliates with television stations and possibly to the Yankee Network; these arrangements, however, are only in the discussion stage. Mutual at present has an AM affiliate in Washington, WOL, which has not made an application for a commercial television station.

3. The applicant has purchased land located at Brandywine and 40th Streets, N. W., Washington, D. C., at a cost of \$43,000. While plans for the transmitter and tower which are to be located there have been drawn, no site has been chosen for studio facilities, which are intended to be located in downtown Washington. The 5000 microvolt contour, assuming a radiated power of 30.25 kilowatts, will embrace 975 square miles with a population of 907,776. Within the 500 microvolt contour, there will be included 4,350 square miles with a net coverage of 1,145,079 people. These calculations are made for Channel 5, 76-82 megacycles, which has been requested by the applicant.<sup>1</sup> The total estimated cost of the proposed equipment, construction and installation is \$503,400, the cost of the transmitting plant being estimated at \$238,400, studio and offices at \$205,000 and field equipment at \$60,000.

4. The estimated cost of operation for the first year on a 28-hour schedule of programming is \$547,308, of which technical expense will amount to \$174,320 and program expense \$312,860. For the second year, a minimum rise of 10% in cost of operation is expected. No projected income from the sale of time has been estimated. No special refinancing is expected to be made in connection with the proposed station; expenses in the pre-profit period will be borne by both the applicant and Macy.

5. Although the applicant has been operating WOR since 1922 and WBAM since 1940, neither it nor any of its affiliates has ever owned or controlled the operation of a television station. However, since 1943, employees of the applicant have had experience in the operation of television studio and console equipment in connection with the production of television programs over WABD—the DuMont station in New York City—and WRGB—the General Electric station in Schenectady. Over 50 hours of live programs were produced by these employees who have become familiar with all phases of television operation except the television transmitter. Key employees will supervise the operation of the Washington station and at the same time will continue their work in New York. It is proposed that a local resident, as yet not engaged, will manage the station and a full time program executive will be employed for Washington. Twenty-six of 32 people planned to be employed in the engineering department of the Washington station have been named.

6. A program organization of 29 persons is planned and a minimum 28-hour weekly schedule of programs is proposed. Some of the programs have already been televised by employees of applicant and other programs will include local and public events. Programs will be relayed from New York City by coaxial cable when such facilities are available.

*Application of Capital Broadcasting Company  
Docket No. 7015*

1. The Capital Broadcasting Company is a family corporation. Ninety-five percent of its stock is owned by Joseph Katz, its president. Ben Strouse, his son-in-law, is vice-president-general manager and owns 2½% of its

<sup>1</sup> Unless otherwise indicated, the coverage figures used in these findings are those given by the applicants at the hearing, and all have been made substantially in accordance with the methods prescribed by the Commission's Standards of Good Engineering Practice. These figures may, therefore, be used for comparative purposes and there is no necessity at this time for the Commission to find whether or not the applicants will, in fact, serve the actual number of persons or areas claimed by them.

stock. Charles Harrison is secretary and owns 2½% of its stock. Kate Katz, wife, and Ruth Strouse, daughter, of Joseph Katz, are treasurer and assistant treasurer, respectively. These persons are all residents of Baltimore, Maryland. Mr. Katz, his wife and daughter own 94.12% of the Joseph Katz Co., an advertising agency in Baltimore, Maryland, and New York, N. Y., Mr. Katz himself owning 51.47% of the stock. Ben Strouse has a 26¼% interest in a retail music store in Baltimore, Maryland. The net worth of the Joseph Katz Company as of October 31, 1945, was \$364,202.86 and the total capital stock and surplus of the applicant as of November 30, 1945, was \$83,748.82. During the last seven or eight years, the Joseph Katz Company has had a net income before taxes of \$100,000 to \$125,000 per year.

2. Capital Broadcasting Company is the licensee of station WWDC, in Washington, D. C., and has an application pending for change in frequency and increase in power to 50 kw. It also has applied for an FM station for Washington, D. C. In addition, Joseph Katz and Ben Strouse each have a 25% interest in WHOW, Inc., which has applied for an AM station in Baltimore, Maryland, and which proposes to file an FM application for the same city.

3. The applicant has an option for a site one mile north of Silver Spring, Montgomery County, Maryland, at which it intends to locate both its present AM transmitter and its proposed television transmitter. No evidence was offered concerning the location of studio facilities. The 5000 microvolt contour, assuming a radiated power output of 12.2 kilowatts, will embrace 744 square miles with a population of 926,667. Within the 500 microvolt contour there will be included 3,880 square miles with a net coverage of 1,185,358 people. These calculations are made for Channel 4, 66-72 megacycles, which has been requested by the applicant.

4. The estimated construction costs of the applicant are \$276,810, which includes transmitting, film, studio, master control and pickup equipment. Estimated television operating costs for the three years 1947, 1948 and 1949 are \$675,900. These funds are proposed to be made available to applicant in the following manner:

An initial loan in 1946 from Joseph Katz Co.	\$170,000
Another loan in 1947 from Joseph Katz Co.	150,000
Estimated profit WWDC after taxes 1946	48,000
Estimated profit WWDC before television expense 1947, 1948, 1949	240,000
Estimated revenue from television 1947	75,000
Estimated revenue from television 1948	150,000
Estimated revenue from television 1949	200,000
<b>Total</b>	<b>\$1,033,000</b>

This total is about 10% larger than the total estimated expenses of \$952,710 during the same period. To make up any additional and unexpected television deficits, Mr. Joseph Katz has further pledged another \$300,000. Arrangements have been made for a credit purchase of necessary apparatus.

5. With respect to the \$80,000 in annual profits before taxes which WWDC expects to make, it should be pointed out that in no year has WWDC succeeded in making such profits. At the hearing applicant justified this estimate on the intention of the Joseph Katz Co. to forego the payment of agency fees from WWDC in connection with sale of time; Mr. Katz to waive his whole salary from WWDC; Mr. Strouse to take a reduction in salary of \$10,000; and in a saving of \$8,000 by reductions in promotional expenses. Applicant's estimate of profits is based further on the opinion of applicant's officers that the advertising revenues of WWDC in post-war years will remain the same or grow larger even if the Commission licenses as many as twelve FM stations to serve Washington. At present, 70-75% of WWDC's programs are already commercial.

6. Applicant's estimate of revenue from television operations for 1947 is based upon a rate of \$100 an hour for 14 hours a week. Applicant's estimate of revenue from television during the first three years of operation is based upon conversation with advertisers and a prediction of one officer that 20,000 and of another that 100,000 tele-

*(Continued on next page)*

vision receivers would be in use in Washington by 1948. Television program costs will be low through the extra effort of applicant's employees.

7. While the applicant has several years experience in AM broadcasting, it has never owned or controlled the operation of a television station. Its proposed staff includes Ben Strouse as general manager of all applicant's activities, Ira Walsh as television manager, and Don Beville as technical director. E. Arthur Hungerford, Jr., will be employed four days each month as television adviser. Mr. Walsh, who will also be in charge of programming, has had some experience in the production of television programs from 1938 until 1941. Mr. Beville has not had any experience in the operation of a television station, but he stated that he has become familiar with the literature in the field. It is proposed to employ a technical staff of 22 people in connection with television activities. This staff will be trained under the supervision of Mr. Walsh and Mr. Beville at the Capital Radio Engineering Institute with the applicant paying for one-half the cost of course of study.

8. A program organization of 18 persons is planned under the direction of Mr. Walsh and a weekly schedule of 28 hours of programs is proposed. Many shows now produced over WWDC will be adapted to television broadcasting and the program will include local and public events. No plans have been made for the televising of programs originating from outside of Washington.

*Application of Allen B. DuMont Laboratories, Inc.—  
Docket No. 7016*

The stock of Allen B. DuMont Laboratories, Inc., Passaic, New Jersey, is divided into two groups, Class A and Class B. There are 1,046,040 shares of Class A stock issued, which is held by about 8,000 stockholders, of whom only five persons own more than 1% of the total. Allen B. DuMont owns 92,050 Class A shares, and Paramount Pictures, Inc., owns 43,200 Class A shares beneficially but not of record. All of the 560,000 shares of Class B stock is owned by Paramount. Class A stock elects four of seven directors and also the president and vice president. Allen B. DuMont is president and Leonard F. Cramer is vice president. Class B stock elects three directors and also the secretary and treasurer. The secretary is Bernard Goodwin and the treasurer is Paul Raibourn.

2. A condensed balance sheet of the applicant as of December 2, 1945, shows the value of its capital stock and surplus as \$2,814,647 with current assets of \$3,455,265 and current liabilities of \$1,160,303. DuMont manufactures radio appliances including television receivers. It is the licensee of commercial television station WABD in New York City and has applied for commercial television stations in Cleveland, Cincinnati, and Pittsburgh, all of which would be connected with the Washington and New York stations into a network.

3. Applicant at the present time operates experimental television station W3XWT in Washington on Channel No. 5, 76-82 megacycles. This station is located at the Harrington Hotel in downtown Washington. This same site under lease for four more years is to be used for its proposed commercial television station and plans have been made for the construction of transmission and studio facilities at that place. The antenna is to be placed on a tower already built on the premises and will be 250 feet above sea level. Assuming an effective radiated power 6.15 kilowatts, the 5000 microvolt contour will embrace 125 square miles with a population of 737,000. There will be included within the 500 microvolt contour 512 square miles with a coverage of 847,000 people. These calculations have been made for Channel 5, 76-82 megacycles, which has been requested by the applicant.<sup>2</sup> At the hearing applicant stated that a higher antenna with resulting wider coverage would ultimately be desirable, but that in the early stages it felt it was expedient to keep the transmitter near the conveniently located studio for purposes of experiments on the transmitter. Further during this period the lower height would make the antenna more easily accessible than in the case of a higher

<sup>2</sup> Applicant did not submit figures as to coverage at the hearing. The figures used in this finding are those contained in the application.

antenna. Appellant also stated that the choice of antenna site was based on the strong signal it will give in downtown Washington, the large expense that has gone into the construction of present facilities there and the fact that operation could begin sooner than if a new location was chosen. The applicant estimates coverage effectiveness to be very large so far as the marketing and buying power of metropolitan Washington is concerned. In the future, if it believes the need exists, a change will be made. At present it feels the coverage is adequate.

4. Applicant has had extensive experience in the technical and production aspects of television. It will have available many trained persons to operate the proposed Washington station. It has made plans for the use of only 31 persons in the operation of its station because of the experience of the personnel and the fact that many of its network programs will originate in New York.

5. A capital investment of approximately \$115,000 has been made in the Washington experimental station. The estimated capital investment required for the commercial station is \$396,355, including studio, transmission and pickup equipment. The operating costs the first year are estimated at \$396,052, the second year, \$321,907.72. The income from television operations for the first year is estimated to be \$224,465 and \$614,732.30 for the second year. Both estimates are based on network operation. The applicant estimates that 33,000 receivers will be in Washington by the end of 1948 and that until 15,000 are in use, the station will have an operating deficit. The proposed advertising rate would be \$180 per half hour the first year and \$297 for the second year based on the estimated number of receivers in use.

6. Applicant has made plans for a minimum weekly program schedule of 28 hours which will make use of its experimental facilities and past experience in both production and transmission. The program will include local and public events. In the first year of operation an average of 13½ hours of commercial shows and 14 hours of sustaining shows are planned. Use will be made of the coaxial cable or relays for its network and the station will televise shows originating from outside of Washington.

*Application of The Evening Star Broadcasting Company—  
Docket No. 7017*

1. The Evening Star Broadcasting Company of Washington, D. C., is a wholly-owned subsidiary of the Evening Star Newspaper Company of Washington, D. C. Samuel Kauffman, president of the applicant company is treasurer of the newspaper company. The editor of the paper is Theodore W. Noyes, the president, Frank B. Noyes, and the secretary, R. M. Kauffman. B. M. McKelway, a director of the paper, is vice president of applicant and W. R. Little, comptroller of the paper, is secretary-treasurer. All but 2½ percent of the paper's stock owned by Mr. McKelway is held by descendants of its founders. All the officers and directors of both the paper and the applicant have been Washington residents for many years, some all their lives. As of December 13, 1945, the balance sheet of the Evening Star indicated its capital stock and surplus to be \$5,642,511.57. The capital and surplus of the applicant as of December 31, 1945, was \$316,032.74. The applicant is the licensee of station WMAL in Washington, which is an affiliate of the American Broadcasting Company network. It is proposed to affiliate the television station with some network but no commitments have been made in this regard.

2. The applicant has an option for the lease of a site at the campus of American University located at Massachusetts and Nebraska Avenues, N.W., Washington, D. C., on which it would build a transmitter, station and tower for television and FM. By agreement the applicant's facilities will be made available to the university for instructional purposes. The university will be allowed to broadcast without cost programs in furtherance of its educational program. A studio would be built on the campus in a building costing between \$50,000 to \$60,000, while the cost of the other technical improvements on the university campus is estimated at \$180,000 to \$190,000. Applicant has purchased a site at the corner of 12th and K Streets, N.W., Washington, D. C., on which it intends to

*(Continued on next page)*



erect a million dollar office building to house its present AM operations and any television and FM operations it may have. Studios here would cost \$100,000. The 5000 microvolt contour, assuming a radiated power of 14.25 kilowatts, will embrace over 816 square miles with a population of 891,421. There will be included within the 500 microvolt contour, 3,930 square miles with a net coverage of 1,082,936 people. These calculations are based on the use of Channel 4, 66-72 megacycles, which was requested by the applicant.

3. The paper has authorized the purchase of all or any part of an issue of bonds by the applicant in a total amount not to exceed \$800,000, when and as the same may be offered by the broadcasting company. No public offering of these debentures is contemplated. Further unsecured loans from the paper to the applicant are also authorized. To finance the cost of its new million dollar building, a mortgage already over subscribed will be taken from local Washington banks in the amount of about \$700,000 to \$750,000. The estimated cost of the first year's operations are from \$300,000 to \$500,000. No estimates of future revenue have been made.

4. Applicant has never owned or controlled the operation of a television station. It plans to use its present AM staff, supplementing it with whatever personnel is necessary. If the television operations are separate it estimates it would need 42 people in the program department and 30 engineers. The cost of the additional personnel is estimated at \$216,000 a year. No television programming plans have been made on the grounds that the applicant prefers in the beginning to experiment with all types of programs and techniques. Its general manager has had radio experience in Washington for the last 23 years and it is proposed to have a balanced program with proper emphasis on local and public events. For some time all programs will be sustaining and originate only in Washington.

*Application of National Broadcasting Company—  
Docket No. 7019*

1. The National Broadcasting Company, Inc., is a wholly-owned subsidiary of Radio Corporation of America. NBC owns and operates six stations engaged in AM broadcasting—including WRC, Washington, D. C.—an FM station in New York, and one television station, WNBT, New York. In addition, NBC operates a number of shortwave broadcasting stations and a network of about 155 affiliated AM stations. A consolidated balance sheet of RCA and its domestic subsidiaries as of November 30, 1945, indicates its capital stock and surplus to be worth \$93,951,258. A preliminary balance sheet at December 31, 1945, shows the capital stock and surplus of the applicant as \$8,614,960.60. NBC has plans for a national television network of independently owned affiliated stations. Applications have been filed for television stations in Cleveland, Chicago and Los Angeles, as well as the instant application. Applications have been filed for FM stations in Washington, D. C., Cleveland, Chicago, Denver and San Francisco.

2. In December, 1941, National Broadcasting Company received a construction permit for a commercial television station that was to be located at the Wardman Park Hotel in Washington, D. C., the site of its experimental station, whose license lapsed in June, 1942. The construction permit for the commercial station was surrendered because the war made it impossible to complete the station. The presently proposed station is to be located at this same site, the Wardman Park Hotel, on which the applicant has an option on space for a transmitter, studio and antenna. Plans have been made and the proposed cost of the transmitter is \$117,000, audio-video facilities, \$106,000, live talent theater, \$91,700 and field equipment \$60,000. Architectural costs are to be \$140,000. Additional studio space will be used in applicant's premises on 14th Street and New York Avenue, N.W., Washington, D. C. The 5000 microvolt contour, assuming a radiated power of 13.3 kilowatts, will embrace 575 square miles with a population of 850,000. There will be included within the 500 microvolt contour 3,370 square miles with a net coverage of 1,153,000 people. These calculations have been made for Channel 4, 66-72 megacycles, which has been requested by the applicant.

3. Applicant has had extensive experience in the tech-

nical and production aspects of television. It will have available many trained persons to operate the proposed Washington station. A detailed plan for a large staff has been completed and many experienced persons who will occupy supervisory positions have already been named. Applicant's general manager in Washington has had many years of radio experience in Washington.

4. Applicant has made available the total sum of \$520,000 for the installation of its Washington television station. Its estimated operating expenses for a 28-hour a week program of network operation is \$61,000 per month; for 67 hours a week, \$113,438 per month. Its estimated revenue, based on 28 hours of operation per week, is \$25,972 for the first year. Deficits will be made up from regular operating funds and surpluses of NBC.

5. Applicant has made plans for a minimum 28-hour weekly program which will make use of its experimental facilities and past experience in both production and transmission. The program will include local and public events. Use will be made of the coaxial cable for its network to televise programs originating from outside of Washington.

*Application of Philco Products, Inc.  
Docket No. 7021*

1. Philco Products, Inc., is a wholly-owned subsidiary of the Philco Corporation, manufacturer of radio and other electrical appliances, including television receivers. Philco Products is the national distributor of the parent manufacturing corporation and has a special division to handle broadcasting operations. The balance sheet of Philco Corporation at December 31, 1944, showed a total capital stock and surplus of \$16,696,595 while that of Philco Products showed a capital stock and surplus of \$9,671,711, which should be added to the undetermined 1945 profit to show its present financial status. With few exceptions, the officers of the two corporations are the same and the directors of both are exactly the same. Twelve persons or firms own more than 1% of the total stock, 1,372,143 shares, of which the largest holder is Cross and Co. with 1.98%. Applicant owns and operates a commercial television station WPTZ in Philadelphia. Except for the latter and the proposed Washington station, it does not intend to own or operate any other commercial television stations. It has at present an experimental television station in Philadelphia, 18 experimental television relay broadcast licenses and special temporary authorizations for a test transmitter and two point-to-point communication systems. It will connect the Philadelphia and Washington stations either by its own relay system in which it has already invested \$150,000 or by coaxial cable.

2. Applicant has purchased a site in Arlington County, Virginia upon which it proposes to erect at a cost of \$167,000 a building to house its television station, including transmission and some of its studio facilities. Its antenna will be located on a tower already erected on the site. In addition to these facilities a studio in downtown Washington will be obtained. The total cost, including building, transmission and studio facilities and pickup equipment for the proposed station is estimated at \$528,423. The 5000 microvolt contour, assuming a radiated power of 3.34 kilowatts, will embrace 350 square miles with a population of 847,000. Within the 500 microvolt contour there will be included 2,640 square miles with a net coverage of 1,002,000 people. The calculations have been made for Channel 4, 66-72 megacycles, which has been requested by the applicant.<sup>3</sup>

3. Applicant has had extensive experience in the technical and production aspects of television. It will have available many trained persons to operate the proposed Washington station. It has made plans for a technical and production staff of 190 people at maximum operation. In the beginning a somewhat smaller staff of about 135 is expected to be adequate for satisfactory service. A local resident, as yet unengaged will be employed as general manager.

4. Philco Corporation will furnish such sums as will

<sup>3</sup> The population estimate contained in this finding is based upon the 1940 census. Applicant utilized figures based upon estimated population for the District of Columbia as of July 1, 1944.

*(Continued on next page)*

be necessary to construct and operate applicant's proposed station. Its monthly cost of operation is estimated at \$61,500 per month or about \$750,000 a year. No estimate has been made of revenue from operation of the station but a maximum ceiling of 60% has been set on commercial programs.

5. Applicant has made plans for a weekly program of 37 $\frac{3}{4}$  hours at full-fledged operation and will make use of its experimental facilities and past experience in both production and transmission. The program will include both local and public events. Programs originating in Philadelphia will be presented in Washington.

#### *Conclusions of Law*

1. The Commission has consistently held that where the number of applicants exceeds the facilities available, in choosing among the applicants preference will be given other factors being substantially equal to local interests. In the Commission's opinion, maximum opportunity for local expression and development of community activity is afforded by licensing local persons who are qualified rather than persons from other cities. In this case, the Evening Star Broadcasting Company is the only local interest. The Capital Broadcasting Company is the licensee of a local station but all of its stockholders reside in Baltimore, and aside from their interests in WWDC have their business interests outside of Washington. As to the Evening Star Broadcasting Company, it has selected a transmitter site which will render service to the entire metropolitan area of Washington and has made extensive plans for downtown studios. It is well equipped financially to undertake the construction and operation of a television station. Although it has had no experience in the operation of a television station, it has had extensive experience in the operation of an AM station in Washington. The Commission concludes that the Evening Star Broadcasting Company is qualified to operate a television station. The Commission also concludes that since the Evening Star Broadcasting Company is composed of local people, public interest, convenience, or necessity would be served by the issuance of a construction permit to it.

2. The remaining five applicants fall into two groups. In the first group is Bamberger Broadcasting Service and Capital Broadcasting Company—which are not the licensees of any commercial television stations—and in the second group are National Broadcasting Company, Allen B. DuMont Laboratories, Inc., and Philco Products, each of which is the licensee of one commercial television station. The Commission is of the opinion that where there is a choice between two applicants, one of whom has a television station and another which does not, public interest is better served by granting a license to the newcomer other factors being substantially equal rather than to the person already having a television station. Under this policy, it is possible for the maximum number of qualified people to participate in television and not have it restricted to a few large interests.

3. Considering the application of Bamberger Broadcasting Service it appears that it has selected a transmitter site which will render service to the entire metropolitan area of Washington. It is well equipped financially to undertake the construction and operation of a television station. Although it is not, and has not been, the licensee of a television station, its personnel have acquired experience in television operations through presentation of television programs over WABD and WRGB. The Commission concludes that the Bamberger Broadcasting Service is qualified to operate a television station. The Commission also concludes that since the Bamberger Broadcasting Service has no other television station, public interest, convenience or necessity would be served by the issuance of a construction permit to it.

4. As to the Capital Broadcasting Company, it appears that it has selected a transmitter site which will render service to the entire metropolitan area of Washington. While its proposed television manager has had some experience in television operations, the organization as a whole seems to have very little experience in the operation of a television broadcast station in Washington. It has had experience in the operation of an AM station in Washington. A serious question arises in the case of the finan-

cial qualifications of Capital Broadcasting Co. On the basis of its present balance sheet, Capital Broadcasting Co. concededly is not financially qualified to operate a television station, and although it proposes to sell time on its television station at an early date, admittedly this will not be enough to support the operation of the station. In order to meet this deficiency, the principal stockholder has proposed to make extensive loans to the station, to forego agency commissions for the sale of time on WWDC, and to waive any salary from the station. In addition, the manager of the station has proposed, if necessary, to take a salary reduction of \$10,000 a year. Economies in the operation of the station are also proposed. Even this will not produce sufficient revenue unless WWDC is capable of making \$80,000 a year before taxes. Applicant has stated that it believes it can make such a profit despite the fact that it has never made any such profits even during the war years when it has sold as much as 70 to 75% of its time. The Commission is of the opinion that on the basis of the foregoing facts, serious question is raised concerning the financial qualifications of Capital Broadcasting Co. to construct and operate a commercial television station at this time. The inability of Capital Broadcasting Co. to construct and successfully operate a television station depends too much upon the ability of Station WWDC to earn money at a higher rate than it has ever earned before. The Commission is of the opinion that with the repeal of the excess profits tax, with the greater availability of facilities in advertising media competitive with radio, and with the expectation that in the near future the Commission will license as many as 12 FM stations in Washington, it is extremely doubtful that WWDC can maintain such a high earning rate without unduly degrading its program service. In addition, the successful operation of a television station by Capital Broadcasting Company is dependent to a great extent upon the applicant's ability successfully to sell time on its television station at an early date and on its ability to maintain its operating expenses at a point substantially lower than that suggested by any of the other applicants. The Commission is of the opinion that it is much too early at this stage to predict with an accuracy what the operating revenues of television stations are going to be or what television expenses are likely to be. The Commission is not convinced by the showing made by Capital Broadcasting Company that it will be in a position not only to construct its television station but to operate it for several years in the event that television should not get started as quickly as the applicant thinks it will, or in the event that it should not be possible to operate WWDC as profitably as applicant predicts. In view of these facts and in view of the fact that there are other applicants who are well qualified to construct and operate a television station in Washington at this time, the Commission does not believe that public interest, convenience, or necessity would be served by the issuance of a construction permit to Capital Broadcasting Company.

5. That leaves the choice for the two remaining television channels between National Broadcasting Company, Allen B. DuMont Laboratories, Inc., and Philco Products, Inc. The first two each own a commercial television station in New York City, and Philco is the licensee of a commercial television station in Philadelphia. All three applicants have extensive experience in television and all three would be qualified to construct and operate a television station in Washington. On the basis of the site chosen National Broadcasting Company and Philco Products, Inc., would render service to a substantially greater area and population than Allen B. DuMont Laboratories, Inc. As a matter of fact the coverage proposed by the DuMont station, amounting to 98.5% of the population in the metropolitan area of the District of Columbia, is smaller than that of any other application involved in this proceeding.

6. The importance of Washington as an origination center of programs for a television network was stressed at the hearing. Since Washington is the nation's capital, there are many important events occurring here which are of great interest to audiences throughout the United States. The Commission is of the opinion that the effec-

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tive operation of a nation-wide television network will be greatly aided by network ownership of a television station in Washington. It should be noted that this finding is limited to television only where much developmental and experimental work remains to be done. Nothing herein said is to be construed as a finding concerning network ownership of AM or FM stations. National Broadcasting Company has proposed a television nation-wide network and has had extensive experience in the operation of a nation-wide AM network. Philco proposes to conduct an experimental relay service between Philadelphia and Washington but has no plans for a nation-wide network. DuMont has no plans for a nation-wide network but expects to connect its New York station into a network with television stations in Washington, Pittsburgh, Cleveland and Cincinnati, if these applications are granted. The National Broadcasting Company application for a television station in Washington should, therefore, be preferred over that of Philco and DuMont. So far as Philco is concerned the ownership of a television station in Washington is not associated with the operation of a network, except possibly to connect its Washington and Philadelphia stations. So far as DuMont is concerned, while it does have plans for a network, it is only of a very limited sort and is to be composed of apparently only five DuMont stations and not of many independently affiliated stations as in the case of National Broadcasting Company. Moreover, as has already been pointed out, the site proposed in the DuMont application is substantially inferior to that proposed by National Broadcasting Company. Accordingly, a construction permit should issue to National Broadcasting Company.

7. This leaves the choice for the final channel between DuMont and Philco, both of which are qualified to construct and operate a television station in Washington. In favor of DuMont is the fact that a Washington outlet would be of assistance in connection with the network operation which DuMont proposes. In favor of Philco is the fact that the site it proposes is superior to that proposed by DuMont. Also, the ownership of a station in Washington would be helpful in connection with the experimentation being conducted by Philco in relaying programs between Washington and Philadelphia. The Commission is unable at this time to make a choice between Philco and DuMont and accordingly defers a decision on this point until after the conclusion of oral argument on this proposed decision in which Philco and DuMont may present their views.

8. The Commission is not unmindful of the fact that a grant of the DuMont application would make possible the establishment of a commercial television service in Washington at an earlier date than is otherwise possible because DuMont is already operating an experimental station in Washington. The Commission believes that this factor should not be controlling for two reasons. In the first place, the Commission has consistently declared that the issuance of an authorization for an experimental station is for experimental purposes only, and may not be used by the applicant as an entering wedge for securing a license for a commercial station. Therefore, the application of Allen B. DuMont Laboratories, Inc., must be considered on the same basis as the other applications—as though it were not the licensee of an experimental station. In the second place, the establishment of television in Washington at an early date should be possible because National Broadcasting Company has all the equipment necessary for the installation of a television station.

9. There remains for consideration the question of what channels should be assigned to the successful applicants. From the evidence at the hearing it appeared that equipment for Channels No. 4 and 5 will be available at an earlier date than for Channels No. 7 and 9. National Broadcasting Company has requested Channel No. 4 and has stated that it has on hand the equipment for that channel and that this equipment cannot readily be used on any other channel. In the interest of the early establishment of television in Washington, Channel No. 4 should be granted to National Broadcasting Company. So far as Channel No. 5 is concerned DuMont has applied for this channel and could start operation at an early date if its application were granted. Philco Products, Inc., has ap-

plied for Channel No. 4. However it does not have the equipment for this channel on hand and although it states that it has such equipment on order, it should be possible to convert this equipment for operation on Channel No. 5 as readily as on Channel No. 4. Moreover, Philco Products has its tower already constructed and if its application were granted it could proceed expeditiously with the construction of a station. Since neither Bamberger Broadcasting Service, Inc., nor the Evening Star Broadcasting Company—the other two successful applicants—have any equipment on order or towers constructed, the Commission is of the opinion that the early establishment of television in Washington will be advanced if Channel No. 5 is reserved for assignment to either DuMont or Philco, whichever is the successful applicant. This leaves Channels No. 7 and 9. There appears to be no substantial difference between these two frequencies. Channel No. 7 will be granted to the Evening Star Broadcasting Company and Channel No. 9 will be granted to Bamberger Broadcasting Service.

10. All construction permits to be issued will be expressly conditioned upon a showing that the transmitter site chosen complies with the Rules and Regulations of the Civil Aeronautics Administration.

FEDERAL COMMUNICATIONS COMMISSION.

(S) T. J. SLOWIE,  
Secretary.

## William H. Wills

Commissioner William H. Wills of the FCC died suddenly of a heart attack at Brockton, Mass., early last Thursday morning, March 6. A former Governor of Vermont for two terms, Mr. Wills had served for less than eight months as a member of the Commission.

No announcement had been made Friday concerning a successor. With the recent appointment of Chairman Paul A. Porter to head OPA, Governor Wills' death leaves the Commission with two vacancies.

Justin Miller, President of NAB, made the following statement on the day of Commissioner Wills' death:

"The death of Governor William H. Wills early today represents a deep loss to the broadcasting industry. His service as a member of the Federal Communications Commission was grievously short but his constructive work for the industry was known and appreciated by American broadcasters, who mourn his untimely passing."

On the same day the FCC adopted this resolution:

"The Commission is saddened to learn of the death today of William Henry Wills, a member of the Federal Communications Commission since July 23, 1945.

"In the time during which Commissioner Wills was a member of the Commission, the diligence and understanding with which he applied himself to its work, and the graciousness with which he treated all who came in contact with him have earned for him the regard and affection of his fellow Commissioners, members of the Commission staff, and the communications industry.

"BE IT RESOLVED, That a copy of this expression of the Commission's deep sorrow on his death be entered on the permanent minutes of the Commission, and that a copy be mailed to his family."

Paul A. Porter expressed his distress at Governor Wills' death and praised his "contribution to communications development."

The Commissioner began his political career in 1919, when, as a Republican, he was elected as a State Representative in Vermont. He became a State Senator in 1931 and served two terms. He served as Lieutenant Governor

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from 1939 to 1940, and was elected Governor in 1941 and 1943."

Governor Wills is survived by his wife and one daughter, Mrs. Anne Pikes.

### PORTER SAYS KY. GRANT WAS ROUTINE

In an interview with a representative of the Associated Press on Thursday (7), Paul A. Porter, former Chairman of the Commission, denied that a license was granted the Kentucky Broadcasting Co., for a radio station at Lexington, Ky., because of his personal friendship with the company's shareholders.

Porter told a reporter there was "no truth" in published reports that the application was approved as a favor to Edward Pritchard, Jr. Pritchard is a law partner of Philip Ardery, company president. His father, E. F. Pritchard, Sr., and brother, Henry Pritchard, both of Paris, and Ardery, are shareholders in the company.

"The license was granted as a routine matter," said Porter. "The case came up in a routine way and has been pending for eight months. Approval was recommended unanimously by the FCC Accounting, Engineering, and Legal staffs, as in other cases when there is no opposition the license was granted."

### SECTION 1.231(d) AMENDED BY COMMISSION

The Commission on Thursday (7) amended Section 1.231(d) by providing that proposed findings of fact and conclusions of law by parties shall be filed within 20 days after the record of the hearing is closed by the presiding officer. The present rule provides for the filing of such proposed findings within 20 days after the record is filed in the Office of the Secretary which, in many cases, has resulted in much delay.

The Commission further provided that with respect to cases where the hearing had been held and the record closed before the effective date of this public notice, and where the record has not yet been filed, parties in such cases who have requested the opportunity to file proposed findings or who have been directed to do so may have 20 days from the date of this public notice within which to file their proposed findings of fact and conclusions of law.

Section 1.231(d), as amended, now reads as follows:

*"Findings proposed by parties.*—Within 20 days from the date when the record in the hearing is closed by the presiding officer, each party to the proceedings shall file with the Commission proposed findings of fact and conclusions which shall be served upon all parties participating in the hearing in the manner provided in section 1.141. Failure to file proposed findings of fact and conclusions by any such party within the time so required, shall be deemed a waiver by such party of any right of further participation in the proceeding, including oral argument if any is held."

In broadcast cases the interim procedure specified in the Commission's public notice of December 5, 1945, will still continue to be followed for the time being. Under that procedure parties are not required to file proposed findings of fact and conclusions of law with the Commission unless they are specifically directed to do so by the Commission or unless they request the opportunity to do so.

### CALUMET APPLICATION DENIED

The Commission announces its final Decision (B-209) denying the application of the Calumet Broadcasting Corporation for construction permit for a new standard broadcast station at Hammond, Indiana, to operate on the frequency 1520 kilocycles, 5 kilowatts, daytime only. (Docket No. 6583)

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 11. They are subject to change.

#### Monday, March 11

KOVO—KOVO Broadcasting Co., Provo, Utah—C. P. 960 kc., 1 KW, unlimited.

KROW—KROW, Inc., Oakland, Calif.—C. P. 960 kc., 5 KW, unlimited DA-night.

Before Commissioner Walker

To Be Held at Wichita, Kansas

NEW—Wichita Broadcasting Co., Inc., Wichita, Kan.—C. P. 1490 kc., 250 watts, unlimited.

NEW—Air Capital Broadcasting Co., Inc., Wichita, Kan.—C. P. 1490 kc., 250 watts, unlimited.

NEW—Louis Levand, Max Levand, John Levand, d/b as The Wichita Beacon Broadcasting Co., Wichita, Kan.—C. P. 1490 kc., 250 watts, unlimited.

NEW—KAKE Broadcasting Co., Inc., Wichita, Kan.—C. P. 1490 kc., 250 watts, unlimited.

NEW—KTOP, Inc., Topeka, Kan.—C. P. 1490 kc., 250 watts, unlimited.

KTSW—Emporia Broadcasting Co., Inc., Emporia, Kan.—C. P. 1490 kc., 250 watts, unlimited.

NEW—Adelaide Lillian Carrell, Wichita, Kan.—C. P. 1490 kc., 250 watts, unlimited.

NEW—Collinson-Wingate Broadcasting Co., 9th and Kansas Ave., Topeka, Kan.—C. P. 1490 kc., 250 watts, unlimited.

Consolidated Hearing

NEW—Marcus Loew Booking Agency, Washington, D. C.—For FM facilities.

NEW—Mid-Coastal Broadcasting Co., Washington, D. C.—For FM facilities.

NEW—The Crosley Corp. Washington, D. C.—For FM facilities.

NEW—Commercial Radio Equipment Co., Everett L. Dillard, tr/as., 1399 F St., N. W., Washington, D. C.—For FM facilities.

NEW—Capital Broadcasting Co., Washington, D. C.—For FM facilities.

NEW—Cowles Broadcasting Co., 1627 K. St., N. W., Washington, D. C.—For FM facilities.

NEW—The Times Herald, Elcanor Patterson, tr/as, Washington, D. C.—For FM facilities.

NEW—National Broadcasting Co., Inc., Washington, D. C.—For FM facilities.

NEW—Metropolitan Broadcasting Corp., Washington, D. C.—For FM facilities.

Consolidated Hearing

NEW—Potomac Cooperative Federation, Inc., Washington, D. C.—For FM facilities.

NEW—The Evening Star Broadcasting Co., Washington, D. C.—For FM facilities.

NEW—WINX Broadcasting Co., Washington, D. C.—For FM facilities.

NEW—FM Development Foundation, Edwin G. Armstrong, C. M. Jansky, Jr., and Stuart L. Bailey, d/b as, Washington, D. C.—For FM facilities.

NEW—Theodore Granik, Washington, D. C.—For FM facilities.

#### Tuesday, March 12

Consolidated Hearing

WKBZ—Ashbacher Radio Corp., Muskegon, Mich.—C. P. 1230 kc., 250 watts, unlimited.

(Continued on next page)

NEW—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—C. P. and license. 1230 kc., 250 watts, unlimited.

### Friday, March 15

NEW—Peoples Broadcasting Co., Lancaster, Pa.—C. P. 1270 kc., 1 KW., daytime.

NEW—Lester P. Etter and H. Raymond Stadiem, d/b as Lebanon Broadcasting Co., Lebanon, Pa.—C. P. 1270 kc., 1 KW., daytime.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

WJNC—Jacksonville Broadcasting Co., Jacksonville, N. C.—Granted license to cover CP authorizing a new station to operate on 1240 kc., 250 watts, unlimited time. (B3-L-1923); also granted authority to determine operating power by direct measurement. (B3-Z-1749). The license hereunder is granted a waiver of Sec. 3.55(b) of the Commission's Rules; conditions.

WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted construction permit to install a new transmitter. (B1-P-4461)

YINS—Hearst Radio, Inc., New York City—Granted modification of construction permit authorizing increase in power to 50 KW, for extension of completion date to 5-29-46. This permit is granted subject to such conditions as the Chief Engineer shall deem necessary to determine that the directional antenna pattern is obtained and maintained, and subject further to the express condition that permittee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation.

WMOX—Birney Ives, Jr., Meridian, Miss.—Granted modification of construction permit which authorized a new station, for installation of a new transmitter, approval of antenna, approval of transmitter location at City Limits, Southeast of Meridian, Miss., and to specify studio location as Radio Center Bldg., corner 9th St. and 23rd Ave., Meridian. (B3-MP-1839)

WGST—Regents of the University System of Ga., for and on behalf of Ga. School of Tech., Atlanta, Ga.—Granted construction permits (B3-P-4287 and B3-P-4288) and licenses to cover same (B3-L-1917 and B3-L-1918) for main and auxiliary transmitters to operate on 920 kc., 1 KW, 5KW-LS, unlimited time; and authority to determine operating power by direct measurement. (B3-Z-1744)

NEW—Bay City Broadcasting Co., Bay City, Texas—Granted construction permit for a new station to operate on 1110 kc., 1 KW, daytime. (B3-P-4012)

### DESIGNATED FOR HEARINGS

Joseph T. Connolly, George Lewis and David P. Gullette, Williamsport, Pa.—Designated for hearing in a consolidated proceeding with application of Penn Lincoln Broadcasting Co., Inc., the application of Connolly and Gullette (B2-P-4298) for a new station to operate on 1340 kc., 250 watts, unlimited time.

Penn Lincoln Broadcasting Co., Inc., Williamsport, Pa.—Designated for consolidated hearing with above application (B2-P-4298) the application of Penn Lincoln Broadcasting Co., Inc. (B2-P-4394), for a new station to operate on 1230 kc., 250 watts, unlimited time.

### LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending February 1, 1948:

KFIZ, Fond du Lac, Wis.; WAZL, Hazleton, Pa.; WAOV, Vincennes, Ind.; KATE, Albert Lea, Minn.; KBPS, Portland, Ore.; KFAM, St. Cloud, Minn.; KGLU, Safford, Ariz.

KOCA—Oil Capitol Broadcasting Assn., Kilgore, Texas—Granted renewal of license for the period ending August 1, 1946.

WFOR—Forrest Broadcasting Co., Hattiesburg, Miss.—Granted renewal of license for the period ending August 1, 1947.

WINC—Richard Field Lewis, Jr., Winchester, Va.—Granted renewal of license for the period ending August 1, 1947.

KPMC—Pioneer Mercantile Co., Bakersfield, Cal.—Granted renewal of license for the period ending May 1, 1948.

### MISCELLANEOUS ACTIONS

WCAT—So. Dak. School of Mines and Technology, Rapid City, So. Dak.—Granted special temporary authority to remain silent for a period beginning March 9 to March 18, as the instructional period will be suspended. (B4-S-649)

Central Ill. Radio Corp., Peoria, Ill.—Granted petition requesting leave to amend application for construction permit, so as to change directional antenna design, etc., and the amendment was accepted.

Central Broadcasting Co., Madison, Wis.—Granted petition requesting leave to amend its application (Docket 6940), so as to change the name of applicant to "Radio Wisconsin, Inc." Also to include new financial statements, etc., and the amendment was accepted.

Sandusky Broadcasting Co., Sandusky, Ohio—Granted motion requesting leave to amend its application (Docket 7003), so as to show sale of additional stock; change in re officers and directors, and changes in the plan for the antenna, and the amendment was accepted.

WJBC—Radio Station WJBC, Bloomington, Ill.—Granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1745)

WIBG—Seaboard Radio Corp., Glenside, Pa.—Adopted memorandum opinion granting application for license to cover construction permit as modified (B2-L-1766), and associated application for authority to determine operating power by direct measurement of antenna power, subject to such further order as may be necessary to insure compliance with NARBA.

WIND—Johnson-Kennedy Radio Corp., Chicago, Ill.—Adopted an order granting consent to transfer of control of station WIND from Ralph L. Atlass, et al. (transferors), to The Chicago Daily News, Inc. (transferee).

Peoples Broadcasting Co., Lancaster, Pa.; Lester P. Etter and H. Raymond Stadiem, d/b as Lebanon Broadcasting Co., Lebanon, Pa.—Granted petition of Peoples Broadcasting Co. requesting that the frequency 1320 kc. be assigned to Lebanon Broadcasting Co., and that the Commission reconsider and grant application of Peoples Broadcasting Co. The Commission ordered that application of Peoples Broadcasting Co. (B2-P-4044) for a new station to operate on 1270 kc., 1 KW daytime, be granted, and further ordered that the application of Lebanon Broadcasting Co. for a new station in Lebanon, Pa., to operate on 1320 kc., 1 KW, daytime only, be granted conditionally subject to the filing of an amendment by this applicant specifying the use of frequency 1320 kc., and indicating its assent to such grant and also subject to approval of proposed antenna location by CAA.

Diamond State Broadcast Corp., Dover, Del.—Denied petition requesting leave to amend application, cancel hearing, remove from hearing docket and grant application as amended (to operate on 1340 kc., with 100 watts power unlimited time), without hearing.

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Granted petition to reconsider and grant application as amended, and granted construction permit for change in operation from 1490 kc., 250 watts, to 810 kc., 1 KW, daytime only; site to be determined. (B5-P-3795)

(Continued on next page)

## ACTION ON MOTIONS

- The Torrington Broadcasting Co., Torrington, Conn.—Granted petition requesting leave to amend its application for construction permit (Docket 6895), so as to show a transfer of the majority stock ownership from Jos. R. Schifui to his son, Gerardo T. Schifini, and his son-in-law Jos. A. Ciccaglione, and the amendment was accepted.
- KROW, Inc., Oakland, Cal.—Granted petition requesting leave to amend its application (B5-P-4283) so as to remove Philip G. Lasky as a stockholder in the applicant corporation, etc., and the amendment was accepted.
- WJPS, Inc., Evansville, Ind.—Granted petition requesting leave to amend its application for construction permit (B4-P-3293) so as to specify power of 5 KW day, 1KW night; change location of transmitter site; change specifications for antenna design, etc., and the amendment was accepted.
- San Bernardino Broadcasting Co., Inc., San Bernardino, Cal.—Granted petition requesting authority to advance the date for taking depositions from Thursday, Feb. 28 to Wednesday, Feb. 27, 1946.
- Public Information Corp., Durham, N. C.—Granted permission for William B. Umstead, an attorney of the Bar of the Supreme Court of N. C., to appear and examine on behalf of movant the persons named in the motion filed requesting an order to take depositions.
- Maryland Broadcasting Co., Baltimore, Md.—Granted petition to dismiss without prejudice its application for a new television station (B1-PCT-109).
- WROL—S. E. Adcock, tr/as Stuart Broadcasting Co., Knoxville, Tenn.—Granted petition to amend its application for construction permit (Docket 6968), so as to show a slightly modified DA pattern.
- The Crosley Corp., Washington, D. C.—Granted petition to dismiss without prejudice its application for a new FM station (B1-PH-448).
- Mt. Vernon Radio and Television Co., Mt. Vernon, Ill.—Granted petition for leave to intervene in the hearing on application of Southern Ill. Broadcasting Co., for a new station in Centralia, Ill.
- KFSD—Airfan Radio Corp., Ltd., San Diego, Cal.—Granted petition to intervene in the hearing on applications of KFXM, San Bernardino, and the San Bernardino Broadcasting Co., now scheduled for March 18-23.
- Robert Lex Easley, Laurens, S. C.—Granted petition to dismiss without prejudice application (B3-P-3875) for a new station.
- Eleanor Patterson, tr/as The Times Herald, Washington, D. C.—Granted motion to dismiss without prejudice application for new FM station (B1-PH-259).
- KFYR—Myer Broadcasting Co., Bismarck, N. Dak.—Granted petition for leave to intervene in the hearing on application of KOAC, Corvallis, Ore. (B5-ML-1229), for modification of license.
- Metropolitan Broadcasting Corp., Washington, D. C.—Granted motion to amend application for a new FM station, so as to increase capital stock, show revised engineering data, etc.
- WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted petition requesting a two-week extension of the time within which to file the Proposed Findings in re Docket 6975, and the time for filing same was extended to March 27, in Docket 6975 and Docket 6974. WSAV, Inc., Savannah, the other applicant in this proceeding.
- Raytheon Mfg. Co., Waltham, Mass.—Granted motion for leave to amend its application for a new FM station so as to show revised financial data, etc.
- WNBH—Bristol Broadcasting Co., Inc., New Bedford, Mass.—Granted petition for leave to intervene in the hearing on applications of Atlantic Radio Corp., Boston, and Station WDEV, Waterbury, Vt., requesting use of 550 kc., presently being heard in Washington.
- FM Development Foundation, Vienna, Va.—Granted petition to dismiss without prejudice application (B1-PH-190) for a new FM station.
- Potomac Cooperative Fed., Inc., Washington, D. C.—Granted petition for leave to amend application for a new FM station, to change name of applicant from Potomac Cooperative Federation, Inc., to Potomac Broadcasting Cooperative, Inc., to complete financial arrangements in re application, etc.
- Chesapeake Broadcasting Co., Washington, D. C.—Granted petition for leave to amend application for FM station, so as to include complete engineering data, etc.
- Cowles Broadcasting Co., Washington, D. C.—Granted leave to amend application for FM station so as to set out in full the engineering data required.
- KWFT—Wichita Broadcasters, a partnership, Wichita Falls, Texas—Granted petition insofar as it requests leave to amend its application (Docket 6970), so as to specify a revised DA array; denied petition insofar as it requests grant of application without hearing; and/or revision of the issues in the consolidated hearing re 620 kc. by eliminating engineering issues; and/or postponement of consolidated hearing re 620 kc. scheduled for March 8.
- Central Broadcasting Co., Madison, Wis.—Granted petition requesting leave to amend application for CP so as to change nighttime power from 500 watts to 1KW; make changes in DA, etc.

## Federal Communications Commission Applications

### APPLICATIONS ACCEPTED FOR FILING

#### 550 Kilocycles

- NEW—Maui Publishing Co., Ltd., Wailuku, T. H. (P. O. 33 High St.)—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, and unlimited hours of operation. (Call KMVI reserved)

#### 570 Kilocycles

- KLCN—Harold L. Sudbury, Blytheville, Ark.—Construction permit to change frequency from 900 kc. to 570 kc., power from 1 KW to 500 watts night and 1 KW daytime and hours of operation from daytime to unlimited time, install directional antenna for night use and change transmitter and studio locations.

#### 580 Kilocycles

- WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kan.—Construction permit to mount FM antenna on top of No. 1 element of directional antenna system.

#### 640 Kilocycles

- WHK—United Broadcasting Co., Cleveland, Ohio—Construction permit to change frequency from 1420 kc. to 640 kc., increase power from 5 KW (employing directional antenna at night) to 50 KW, install new transmitter and directional antenna for day and night use and change transmitter location. (Contingent on grant of WHK B2-P-4530)

#### 740 Kilocycles

- NEW—Angel Ramos and Jose Coll Vidal, a partnership, d/b as El Mundo Broadcasting Co., San Juan, Puerto Rico (P. O. 2 Barbosa St.)—Construction permit for a new standard broadcast station to be operated on 740 kc., power of 10 KW, directional antenna, and unlimited hours of operation.

#### 750 Kilocycles

- KMMJ—KMMJ, Inc., Grand Island, Nebr.—Construction permit to increase power from 1 KW (limited time) to 10 KW (limited time) and install new transmitter.

(Continued on next page)

### 930 Kilocycles

WOLS—Florence Broadcasting Co., Inc., Florence, S. C.—Construction permit to change frequency from 1230 kc. to 930 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location.

### 940 Kilocycles

KUOM—University of Minnesota, Minneapolis, Minn.—Construction permit to change frequency from 770 to 940 kc., power from 5 KW day to 250 watts night and 5 KW daytime and daytime-S-WCAL to unlimited hours of operation.

WBBB—Alliance Broadcasting Co., Inc., Burlington, N. C.—Construction permit to change frequency from 920 kc. to 940 kc., change hours of operation from daytime to unlimited time using 1 KW day and night and install directional antenna for night use.

### 1050 Kilocycles

NEW—Tri-Suburban Broadcasting Corp., Silver Spring, Md. (P. O. 6720 Conway Ave.)—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 1 KW and daytime hours of operation.

NEW—Northern Kentucky Airwaves Corp., Covington, Ky. (P. O. 503 First National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation.

NEW—Lee Broadcasting Corp., Sanford, N. C. (P. O. 1001 Sunset Ave., Rocky Mount, N. C.)—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 1 KW, and daytime hours of operation.

### 1090 Kilocycles

NEW—The Templeton Radio Mfg. Corp., Boston, Mass.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts (with 250 watts satellite stations at Brockton, Quincy and Saugus, Massachusetts, and 100 watts satellite station at Belmont, Massachusetts), and unlimited hours of operation. Amended: to change frequency from 1450 kc. to 1090 kc., power from 250 watts to 1 KW, hours of operation from unlimited time to daytime, specify type of transmitter, change transmitter location from East Boston, Massachusetts, to Malden, Massachusetts, antenna changes and to omit request for four satellite stations.

### 1230 Kilocycles

NEW—Southwest Broadcasting Co., a partnership, composed of William Calvin Montgomery, Charles E. Jones, James A. Clements, John W. Newman and Richard J. Higgins, Eastland, Texas (P. O. Box 336, Angleton, Tex.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation.

NEW—Plains Empire Broadcasting Co., Amarillo, Texas (P. O. Temp. c/o Lonnie J. Preston, 407 Arch Terrace, Amarillo, Tex.)—Construction permit for a new standard broadcast station to be operated on 1320 kc., power of 500 watts night and 1 KW day, directional antenna night, and unlimited hours of operation.

NEW—The Altus Broadcasting Co., Altus, Okla. (P. O. 220 W. Commerce St.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation.

### 1280 Kilocycles

NEW—Caribbean Broadcasting Corp., Arecibo, Puerto Rico (P. O. Box 248)—Construction permit for a new standard broadcast station to be operated on 1280 kc., power of 1 KW, and unlimited hours of operation.

### 1300 Kilocycles

NEW—Volunteer State Broadcasting Co., Inc., Nashville, Tenn. (P. O. Commerce Union Bank Bldg.)—Con-

struction permit for a new standard broadcast station to be operated on 1300 kc., power of 5 KW, and unlimited hours of operation, employing directional antenna for night use.

### 1340 Kilocycles

WLAV—Leonard A. Versluis, Grand Rapids, Mich.—Construction permit to change frequency from 1340 kc. to 930 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use, and change transmitter location.

NEW—Harry J. W. Kiessling, Carl F. Stroehmann, Frank E. Plankenhorn and William P. Wilson, a partnership d/b as Williamsport Radio Broadcasting Associates, Williamsport, Penna. (P. O. 429 Pine St.)—Construction permit for a new broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

NEW—Kentucky Lake Broadcasting System, Inc., Paris, Tenn. (P. O. Box 240)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation.

NEW—Twin City Broadcasting Co., Inc., Augusta, Maine (P. O. 223 Lisbon St., Lewiston, Me.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation.

NEW—Clearwater Broadcasting Co., Inc., Clearwater, Fla. (P. O. Box 1139)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. (Contingent on grant of WLAK-B3-P-4307).

NEW—Edward J. Jansen and Jessica L. Longston d/b as Livingston Broadcasters, Livingston, Mont. (P. O. 1702 N. Prospect St., Tacoma, Wash.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation.

### 1360 Kilocycles

KMO—Carl E. Haymond, Tacoma, Wash.—Authority to make changes in automatic frequency control equipment.

### 1400 Kilocycles

NEW—Billy Averitte Laurie, Jacksonville, Texas (P. O. Temp. P. O. Box 649, Palestine, Texas)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 100 watts and unlimited hours of operation.

NEW—Sierra Broadcasting Service, a partnership composed of Leonard R. Trainer and Reginald H. Shirk, Hot Springs, New Mexico (P. O. 907 Juniper St.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation.

### 1420 Kilocycles

WHKK—United Broadcasting Co., Akron, Ohio—Construction permit to change frequency from 640 kc. to 1420 kc., increase power from 1 KW (employing directional antenna day and night) to 5 KW, change hours of operation from limited time to unlimited time, install new transmitter and new directional antenna for day and night use and change transmitter location. (Contingent on grant of WHK. R2-P-4529)

### 1450 Kilocycles

WAGC—Gordon W. Gambill, Hubert M. Martin, Humphrey B. Heywood and R. T. Russell, d/b as Tennessee Valley Broadcasting Co., Chattanooga, Tenn.—License to cover construction permit (B3-P-3716) which authorized construction of a new standard broadcast station.

WAGC—Gordon W. Gambill, Hubert M. Martin, Humphrey B. Heywood and R. T. Russell, d/b as Tennessee Valley Broadcasting Co., Chattanooga, Tenn.—Authority to

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determine operating power by direct measurement of antenna power.

- WTBO—Aurelia S. Becker and Charles Z. Heskett, d/b as Cumberland Broadcasting Co., Cumberland, Md.—License to cover construction permit (B1-P-3869) which authorized changes in transmitting equipment.
- NEW—Sun Country Broadcasting Co., Phoenix, Ariz. (P. O. 74 East Pierson St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts, and unlimited hours of operation.
- KSMA—Hugh G. Shurtliff, Charles A. Shurtliff, Mareby Cardella (Della) Shurtliff and Cleo Agnes Center, Santa Maria, Calif.—License to cover construction permit (B5-P-3804 as modified) which authorized construction of a new standard broadcast station.
- KSMA—Hugh G. Shurtliff, Charles A. Shurtliff, Mareby Cardella (Della) Shurtliff and Cleo Agnes Center, Santa Maria, Calif.—Authority to determine operating power by direct measurement of antenna power.

#### 1490 Kilocycles

- NEW—Copper City Radio Co., Butte, Mont. (P. O. Box 1218, c/o J. V. Nicholas)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation. Amended: to change frequency from 1230 kc. to 1490 kc.
- NEW—John Raymond Barlett, tr/as Radio South, Quitman, Ga. (P. O. 303 N. Patterson St., Valdosta, Ga.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.

#### 1590 Kilocycles

- NEW—Walter L. Edwards, Porterville, Calif. (P. O. 1609 Beverly Drive, Visalia, Calif.)—Construction permit for a new standard broadcast station to be operated on 1590 kc., power of 1 KW, and unlimited hours of operation.

#### FM APPLICATIONS ACCEPTED FOR FILING

- NEW—The New Britain Broadcasting Co., New Britain, Conn. (P. O. 272 Main St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency  $\pm 98.0$  mc. and coverage of 11,500 square miles.
- NEW—The Argus-Press Co., Owosso, Mich. (P. O. 201 E. Exchange St.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency as assigned by FCC and coverage of 1,937 square miles.
- NEW—The Everett Broadcasting Co., Inc., Everett, Wash. (P. O. State Highway No. 1)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC.
- NEW—Luther E. Gibson, Salinas, Calif.—Construction permit for a new FM (Rural) broadcast station to be operated on frequency and coverage to be supplied. Amended: to specify frequency as Channel #280, 103.9 mc., transmitter site and make changes in antenna system.
- NEW—Geo. T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Construction permit for a new FM (Rural) Broadcast station to be operated on 48.9 mc. and coverage of 5,000 square miles. Amended: to change name from Geo. T. Morris Wilmer D. Lanier and J. Newton Thompson, d/d as Dublin Broadcasting Co. to George T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Co., change frequency from 48.9 mc. to Channel #228, 93.5 mc. or as assigned by FCC, coverage from 5,000 square miles to 3,690 square miles, specify population and class of station as rural and change type of transmitter.
- NEW—John W. Grenoble, Joseph L. Maguire, John T. Maguire and Kenneth F. Maguire d/b as Miners Broadcasting Service, Pottsville, Penna.—Construction permit for a new FM (Metropolitan) broadcast station

to be operated with coverage of 12,600 square miles. Amended: to change name of applicant to Joseph L. Maguire, Kenneth Maguire, John T. Maguire, John Grenoble, Evan Evans, Patrick J. McCall, James Koch and James J. Curran d/b as Miners' Broadcasting Service.

- NEW—Community Broadcasting Co., Toledo, Ohio (P. O. Bell Bldg., 709 Madison Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #260 (99.9 mc.), with coverage of 14,300 square miles.
- NEW—Hazelwood, Inc., Orlando, Fla. (P. O. Angebilt Hotel)—Construction permit for a new FM (Metropolitan) Broadcast station to be operated with coverage of 7,343 square miles.
- NEW—Southern Oregon Broadcasting Co., Grants Pass, Ore. (P. O. c/o Amos E. Voorhies, Box 43)—Construction permit for a new FM (Metropolitan-Rural) broadcast station.

#### MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

- WMFT—Tri-Cities Broadcast Co., Florence, Ala.—Modification of construction permit (B3-P-4049, which authorized a new standard broadcast station) to make changes in transmitting equipment, approval of antenna and approval of transmitter and studio locations.
- KTIS—Oil Center Broadcasting Co., Odessa, Texas—Modification of construction permit (B3-P-4246, which authorized a new standard broadcast station) to change type of transmitter and type of towers and extend commencement and completion dates from 3-16-46 and 9-16-46 respectively to 60 days after grant and 180 days thereafter, respectively.

#### APPLICATIONS TENDERED FOR FILING

- NEW—Gonzales Broadcasting Co., a partnership consisting of Lawrence M. Walshak and Frank Wilson, Jr., Gonzales, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—James W. Gilford, Phoenix, Ariz.—Construction permit for a new standard broadcast station to be operated on frequency to be determined, power of 250 watts and unlimited hours of operation.
- WCNH—Concord Broadcasting Corp., Concord, N. H.—Modification of construction permit to change location from a site to be determined at Concord, New Hampshire, to Manchester, New Hampshire.
- NEW—California-Nevada Broadcasting Co., a partnership composed of Hubert Q. Joucken and David McKay, Vallejo, Calif.—Construction permit for a new standard broadcast station to be operated on 850 kc., power of 250 watts and daytime hours of operation.
- NEW—A. Dwight Newton and W. H. Wood, co-partners, d/b as San Joaquin Broadcasting Co., Stockton, Calif.—Construction permit for a new standard broadcast station to be operated on 1420 kc., power of 1 KW, directional antenna and unlimited hours of operation.
- NEW—The Huntsville Times Co., Inc., Huntsville, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.
- NEW—Dickinson Radio Assn., Dickinson, N. Dak.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
- NEW—Robert L. Weeks, Red Bluff, Calif.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation.
- NEW—Taylor Broadcasting Co., Taylor, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—John H. Schultz, Marshall True, Paul A. Wnorowski, Marvin M. Mollring and John W. Lewis, Jr., a partnership, d/b as WBEL Broadcasting Co., Bellville,

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III.—Construction permit for a new standard broadcast station to be operated on 1060 kc., power of 250 watts and daytime hours of operation.

NEW—Idaho Falls Broadcasting Co., Idaho Falls, Idaho—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—Arizona Radio & Television, Inc., Mesa, Ariz.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Construction permit to change from 1 KW day and night to 1 KW night and 5 KW day, change transmitter and transmitter site. (570 kc.)

KFBB—Buttrely Broadcast, Inc., Great Falls, Mont.—Transfer of control of licensee of Station KFBB, from F. A. Buttrely to Fred Birch. (1310 kc.)

KGVO—Mosby's, Inc., Missoula, Mont.—Change in frequency from 1290 kc. to 970 kc, increase in power from 5 KW day, 1 KW night to 5 KW day and night, install new transmitter and directional antenna for night use and change transmitter location.

## Federal Trade Commission Docket

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Kittieland Studios and Beacon Studios**—Misrepresentation of the price, terms of sale and quality of colored photograph enlargements is alleged by the Commission in a complaint against George D. Newman, trading as Kittieland Studios and Beacon Studios, 30 Huntington Avenue, Boston. He also operates branch studios at 175 State Street, Springfield, Mass., and 115 Bank Street, New London, Conn. (5425)

**Perma-Plastic-Seal-Company**—Elmer L. Boyd, Herma Lou Boyd, and Elizabeth Epps, individually and trading as Perma-Plastic-Seal-Company, with their principal offices at 1818 Buhl Building, Detroit, Mich., formerly located at Grosse Pointe, Mich., selling and distributing paints and varnishes designated as Perma-Plastic-Seal, are charged in a complaint issued by the Federal Trade Commission with misrepresentation. (5424)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist order last week:

**Italian Accordion Manufacturing Co.**—An order prohibiting certain misrepresentations in connection with the sale of accordions, concertinas and other musical instruments has been issued by the Commission against Walter Zulawinski and Louise Zulawinski, trading as Italian Accordion Manufacturing Co. and as Italia & P. Soprani Accordion Manufacturing Co., 323 West Polk Street, Chicago. (5330)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Floret Products Co., Inc.**—336 Canal Street, New York, selling a medicinal preparation designated "Italina," has stipulated that it will cease representing that the preparation will cleanse the stomach of impurities; and will discontinue publishing any advertisement that fails to reveal that the preparation should not be used in the case of nausea, vomit-

ing, abdominal pain or other symptoms of appendicitis, provided, that such advertisement need only contain the statement: "CAUTION: Use only as directed," if and when the directions for use, whether appearing on the label or in the labeling, contain a caution or warning to the same effect. (03299)

**Perfect Brush Manufacturing Co., Inc., and Zigmund Zauberman**, 22 Wooster Street, New York City, manufacturing and distributing varnish, paint and calcimine brushes, have stipulated to cease and desist from marking, stamping or branding brushes with the words "Pure Bristles," or words of similar import, when such brushes are composed in whole or in part of materials other than bristles; and from representing that brushes containing used or second-hand bristles are composed of all new materials by failure to stamp on an exposed surface of the handles thereof, in conspicuous and legible terms that cannot be obliterated without mutilating the handles, that the bristles are second-hand or used, as the case may be; provided, that if the brushing part of a brush contains bristles in substantial part and also other materials, and the word "bristles" is used to describe the bristle content, then the word "bristles" shall be immediately accompanied by some other word or term printed in equally conspicuous type so as to disclose clearly that the brushing part of the brush is not composed wholly of bristles; and provided further, that if the brushing part of the brush is composed in whole or in part of material other than bristles, which as a result of processing simulates bristles, then a clear and nondeceptive disclosure of its true composition shall be made by branding, stamping or otherwise marking the handle or ferrule of the brush with the name of each of the constituent materials, as for example, "Horsehair and Bristles" or "60% Horsehair and 40% Bristles." (4145)

**Superior Paint & Varnish Works**—Justin Goldman and Louis Goldman, trading as Superior Paint & Varnish Works, 2256 North Elston Avenue, Chicago, and Kenosha, Wis., manufacturing and distributing paints and varnishes, including a product formerly designated "Synflo Synthetic Enamel" and since 1943 sold as "Synflo Liquid Plastic Enamel," have stipulated to cease and desist from use of the word "plastic" as a trade designation for or as descriptive of their product and from representing by use of the term "plastic," or of any simulation thereof, that the product or the coating, film or finish produced by its use, possesses the characteristics of hardness, strength, resistance and wearing qualities generally associated by the consuming public with articles customarily accepted under the designation "plastics." (4146)

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## COAST-TO-COAST SURVEY SHOWS OVERWHELMING PUBLIC APPROVAL FOR JOB U. S. BROADCASTERS ARE DOING

Radio's popularity with the American public was dramatically documented Wednesday (13) when the National Opinion Research Center of the University of Denver, Denver, Colorado, released the highlights of its nationwide survey "of popular reactions to the radio as an integral part of American life."

"More than 8 out of 10 people in the United States believe that radio is doing either an excellent or a good job in the community," the survey shows.

The initial NORC release, covering highlights of the study, is being printed in Bulletin form by NAB. A copy is enclosed herewith. The complete report will be published in book form early this summer by the University of North Carolina Press.

NAB cooperated with the NORC in undertaking this survey. The findings will be used extensively by NAB in its public relations activities. A sixteen millimeter documentary film and varied card displays are planned.

## Annual Membership Meeting Set

Chicago, Oct. 21 to 24 inclusive—That is the place and time finally set for the annual membership meeting or convention of the National Association of Broadcasters. Headquarters will again be at the Palmer House, although some activities may be scheduled at the Stevens as well.

The Hilton Hotels, operators of both the Palmer House and the Stevens, have been most cooperative in working out the preliminary details in connection with the convention. A considerable block of rooms of various types has been set aside by each hotel for exclusive control by NAB in behalf of its membership. No reservations for rooms in these blocks will be accepted by either hotel until the same is cleared through NAB headquarters.

Well in advance of the dates of the meeting, preregistration forms for the convention, together with hotel reservation forms, will be sent to all members, active and associate. These forms will provide a means whereby accurate information regarding the type of accommodation desired, persons to attend, length of stay, etc., may be indicated. No reservations, other than those cleared on these forms will be accepted by the hotels.

It is requested that members withhold their requests for

hotel rooms in connection with the convention until they have received these forms. It will facilitate the matter from both the standpoint of the hotels and NAB headquarters. Your cooperation will be appreciated.

Plans are now being perfected for the development of an agenda which will include all of the important matters affecting the industry. It is likely that the annual banquet will be resumed and an important announcement regarding this should be forthcoming well in advance of convention time.

### Music

#### LEA BILL NOW IN SENATE-HOUSE CONFERENCE

House action on Tuesday (12) sent the Lea Bill (H. R. 5117) to a Senate-House Conference Committee which will be responsible for redrafting it for Senate action. In send-

*(Continued on next page)*

Justin Miller, *President*  
 A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*; Charles E. Batson, *Director of Information*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Don E. Petty, *General Counsel*; Arthur C. Stringer, *Director of Promotion*.

ing the Bill to Conference, the House responded 309 to 39 in a roll call vote which was demanded by Rep. Marcan-tonio (A. L., N. Y.) (see NAB REPORTS, p. 151). House Conferees who were selected are: Clarence F. Lea, Chair-man (D., Cal.); Alfred L. Bulwinkle (D., N. Car.); Oren Harris (D., Ark.); Charles A. Wolverton (R., N. J.); Clarence C. Brown (R., Ohio).

The Senate had previously agreed to the Conference pro-cedure, and named the following Senators who will collabo-rate with the abovementioned House Conferees: Edwin C. Johnson (D., Col.); James M. Tunnell (D., Del.); Francis J. Myers (D., Pa.); Wallace H. White, Jr. (R., Maine); Warren R. Austin (R., Vt.).

## Legal

### NAB FILES BRIEF OPPOSING FCC PROPOSED TRANSFER RULE

On Friday (15) NAB filed a brief with the Commission objecting to the proposed section 1.388 of its rules and regulations (see NAB REPORTS, vol. 14, p. 38) which would require radio station licensees or holders of construc-tion permits to give public notice of any proposed transfer of their station and invite competing bids. The brief, signed by General Counsel Don Petty, Milton J. Kibler, and Iver H. Peterson, as attorneys for NAB, denies that the Commission has the legal authority to adopt the rule, points out that it is not in the public interest, and also argues that if the rule is adopted a broader provision for exemptions from the rule should be included. Oral argu-ment before the full Commission is requested and probably will be granted at some future date.

The text of the brief is as follows:

BEFORE THE  
 FEDERAL COMMUNICATIONS COMMISSION  
 WASHINGTON, D. C.  
 DOCKET NO. 7071

In the matter of promulgation of Rules and Regulations concerning the procedure to be followed by the Commis-sion in passing upon assignments of licenses or transfers of control of corporate licensees

BRIEF OF

NATIONAL ASSOCIATION OF BROADCASTERS

The National Association of Broadcasters, herein called NAB, as an interested party, with a membership of some 715 radio stations and construction permittees, all of whom

are vitally interested in and will be seriously affected by Proposed Section 1.388 of the Commission's Rules and Reg-ulations, files this brief in protest of the Proposed Rule.

NAB also requests that it be afforded opportunity to present oral argument to the Commission *en banc* as to why the Proposed Rule should not be adopted either in its proposed form or at all.

## I

### GENERAL STATEMENT

NAB has seriously considered the advisability of the Commission's Proposed Rule Section 1.388 (11 Fed. Reg. 890) relating to transfers, and denies that the Commis-sion has the authority to adopt the rule.<sup>1</sup> It is incon-sistent with the provisions of the Act, and particularly Section 310(b), and the long and consistent history of administration of the Act and preceding legislation; and, finally, we believe that the Proposed Rule will be detri-mental to the broadcasting industry and to the public interest.

## II

### THE PROPOSED RULE EXCEEDS THE COMMISSION'S STATUTORY AUTHORITY

Presumably the Proposed Rule is an attempted exercise by the Commission of its power under Section 303(f) and (r) to make rules and regulations, "not inconsistent with law . . . to carry out the provisions of this Act," subject to the standard that "public convenience, interest, or nec-essity" requires that the action be taken. The provision of the Act sought to be carried out is Section 310(b), which reads as follows:

The station license required hereby, the frequencies authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily dis-posed of, or indirectly by transfer of control of any corporation holding such license, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing.

In this Section, the only one in the Act relating to the transfer of licenses,<sup>2</sup> Congress defined the scope of the Commission's authority as well as the ambit of its in-quiry. The Commission is directed to give its consent in writing if, after "securing full information", it decides that "said transfer is in the public interest" (emphasis supplied). The meaning of the Section is plain: The Commission is required to obtain full information about *the transfer proposed* and either grant or refuse its con-sent to "said transfer." The subject of the inquiry is the propriety of the transaction proposed by the licensee or permittee and his proposed transferee or assignee; it is

<sup>1</sup> Subsection (d) of the Proposed Rule, as published in the *Federal Register*, is ambiguous. It is not clear, from a careful reading of the second sentence in this subsection, whether the Commission, in denying the proposed transfer, (1) will then state that it will consent to a transfer to another designated competing applicant or (2) will reserve its expression of consent until the licensee and such other com-peting applicant come before it for approval of a contract of assign-ment. The impact of the rule upon licensees and proposed transferees will, of course, differ depending upon the procedure intended. In the appendix to the Order entered on December 13, 1945, this portion of subsection (d) reads: ". . . an order will be entered . . . stating that the Commission's consent to an assignment of the license or construction permit or to the transfer of control of the corporate licensee or per-mittee to such competing applicant will be given provided the licensee or permittee and such competing applicant enter into and file with the Commission within 30 days from the date of such order a contract. . . ." The italicized words in the foregoing quotation are omitted from the text of the Commission's Public Notice dated January 16, 1946, as well as from the text appearing in 11 Fed. Reg. 890. Even assuming that the correct text is as appears in the appendix to the Order of December 13, 1945, the ambiguity referred to is not completely resolved. In other words, is it intended that the Commission's consent will be given as a matter of course, and *without further inquiry*, to an assignment or transfer to the designated competing applicant if a contract is filed within the prescribed period embodying the same terms and conditions as in the transfer denied (assuming the Commission has not disapproved the proposed terms and conditions)?

<sup>2</sup> For the purposes of this discussion we assume, although we do not concede, that the Commission has similar authority with respect to construction permits by reason of the provision in Section 319(b) that the "rights under any such permit shall not be assigned or otherwise transferred to any person without the approval of the Commission."

(Continued on next page)

not whether some other possible arrangement would be equally or more in the public interest. If the transfer or assignment proposed meets the test of "public convenience, interest, or necessity", that transfer shall be approved.

Nor do we find any support for the procedure proposed by the Commission by reference to other sections of the Communications Act. The Act is detailed and explicit in defining the procedure to be followed by the Commission in connection with original applications for license, renewal applications, requests for modification of licenses, and revocation proceedings. Surely the Congress would have spoken in clear and unmistakable terms had it intended that the Commission should institute a system of publicly auctioning licenses and permits whenever a licensee or permittee desired to effect a transfer and where such a procedure would leave the transferor with no recourse if a transfer satisfactory to him were not effected. Administrative authority to act upon such a basic question of policy must find more substantial support than a tenuous inference in order to be sustainable.<sup>3</sup>

We conclude, therefore, that the Proposed Rule is in excess of the authority conferred upon the Commission by the Act, not only by reference to Section 310(b)—the only provision relating to transfers—but also by clear inference from the Act as a whole. In sum, the Proposed Rule is not an exercise of the rule-making power vested in the Commission, but an attempted exercise of the legislative function of the Congress.

### III

#### THE PROPOSED RULE IS NOT IN THE PUBLIC INTEREST

In the absence of a statement by the Commission in support of the Proposed Rule, indicating the considerations impelling its promulgation, we are somewhat at a disadvantage in addressing ourselves to the broad and fundamental question whether the Proposed Rule is in the public interest.

We are advised by the Public Notice issued January 16, 1946, that the Proposed Rule "has been promulgated . . . in accordance with the Commission's decision in the AVCO case." We fail to discover in that decision any data demonstrating (a) that public interest has not been served by the procedure utilized in the past, or (b) that public interest will be better served, to appropriate a phrase from the majority opinion, by "reversing seventeen years of precedent and establishing new policies."

It cannot be supposed, nor does the performance record of radio stations in this country and of the Commission itself indicate, that the Commission has been approving transfers *contrary* to the public interest and in violation of Congressional direction. Reference is made in the AVCO case to the fact that more than half of the existing licensees "were not selected by the Commission on the basis of competitive applications but instead were selected by some transferor." Undoubtedly this is the case (if we disregard subsequent renewals to transferees), but we suggest that the Commission has consented to each such transfer, after deciding "that said transfer is in the public interest." Section 310(b). Moreover, since the statute limits the term of a license to a maximum of 3 years, the Commission has full opportunity to scrutinize the performance of the licensee at the time renewal of the license is sought. The Commission's action upon renewal applications "shall be limited to and governed by the same considerations and practice which affect the granting of original licenses." Section 307(d). And the names of licensees, the duration of their license, and all other relevant information are public, and well known or readily ascertainable by present or prospective licensees. Cer-

<sup>3</sup> Nor do we find any support for the Proposed Rule in the long history of administration of Federal legislation in the broadcasting field, by the Commission and its predecessors. On the contrary, the Commission recognized, in the AVCO case, that the procedure now proposed was a reversal of consistent and settled practice. *Matter of Powell Crosley, Jr., Transferor, and the Aviation Corporation, Transferee*, Docket No. 6767. The suggestion in the majority opinion in that case that "any change in policy as fundamental as the one advocated . . . should . . . be brought about by legislation or by rules and regulations of general applicability" (emphasis supplied), is of dubious validity. Manifestly the two methods suggested are not of equal efficacy; administrative rule-making is not of the same stature as an express legislative enactment.

tainly there has not been, nor is there now, anything to deter a person desirous of entering the broadcasting field from filing a competing application at the time a licensee seeks renewal. Thus it is patently clear that the "theory of competition" has had, and now has, full scope, and that public interest is protected in accordance with Congressional intent.

The Proposed Rule in practice would lead to a less satisfactory choice of licensees; and it would discourage the sale of stations when it would actually be in the public interest for the station to be sold. It should be pointed out that the more restrictions placed around a sale the fewer, and in many instances, the more speculatively inclined, will be the persons who will enter the radio broadcasting field.

Reference to the following Section of this brief will disclose the multitude of situations in which the suggested procedure will obviously be contrary to "public convenience, interest, or necessity". We invite careful consideration of the impact of the rule in the circumstances which we shall next discuss, none of which is in the least a remote or speculative possibility.

### IV

#### IF ADOPTED, THE PROPOSED RULE SHOULD INCLUDE ADDITIONAL EXCEPTIONS

Should the Commission decide to place this rule into effect, despite its lack of statutory authority and though contrary to the public interest, the exceptions enumerated in Subsection (e) are inadequate for all practical purposes.

The following illustrations of problems which will inevitably arise and will require compliance with the procedure of the Proposed Rule, while not representing an exhaustive enumeration, demonstrate the futility of trying to create adequate specific exceptions.

1. Property rights involved in domestic relations, whether arising out of divorce or separate maintenance proceedings, property settlement agreements, or otherwise.

2. Property rights such as dower rights or community property rights arising under the laws of the various States.

3. Property rights arising out of operation of law or by agreement creating or relating to tenancy in common or to joint tenancy.

4. The transfer of property as a result of death, depending upon State laws, whether by will or by operation of law or otherwise, and the numerous resulting problems relating to beneficiaries' rights; to will contests; to the creation and subsequent termination of life estates; to the remainderman's interest; and to testamentary trusts, either charitable or otherwise.

5. Guardianship proceedings, whether relating to minors or to incompetents.

6. Problems arising out of partnership relations such as: dissolution, by death, decree or otherwise; limited partners; sale of an interest by one of several partners; sale of interest by one partner to the remaining partner; or the repurchase by one partner of his prior interest in a partnership.

7. Problems arising out of corporate licenses such as: sales of stock to employees; sales or transfers of stock, whether by operation of law or otherwise where it will or will not result in transfer of control of the corporation.

8. Problems relating to trusts, whether arising by operation of law, or otherwise, and the interests of trustees and beneficiaries thereunder.

9. Gifts.

10. Receivership by decree or otherwise.

11. Bankruptcy of licensee, whether individual, partnership or corporation.

12. Mortgagor-mortgagee situations.

13. Judgments, either monetary or otherwise, against individual licensee, one of several partners when partnership is licensee, or against partnership or against corporate licensee.

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14. Transfers by or to local, state, or Federal governmental agencies or organizations.

15. Transfers by or to educational or eleemosynary institutions.

16. Transfer where action of governmental bureau or authority is necessary.

17. Transfers where time is of the essence due to illness, tax problems, decline of broadcasting station service during uncertain "waiting period", or financial or market reasons. Of course, time is usually of the essence in all transfer cases. We urge, therefore, that consideration be given to reducing the waiting period in the Proposed Rule in the interest of avoiding a deterioration of broadcast service and reducing the necessity of parties making various essential arrangements on a tentative basis.

18. The many situations which will arise where there will be direct conflict between the Proposed Rule and local or state laws.

In view of the foregoing, we suggest that exceptions be provided for in general terms and that the following clause be incorporated as Subsection (e) to cover necessary and proper exceptions.

(e) The provisions of this section shall apply only in cases where the transfer in question arises out of the voluntary contractual arrangement of two or more parties. This section shall not apply to any gift, to any testamentary disposition, to any case where the transfer of the licensee's or permittee's physical assets or any part thereof involved is effected by operation of law, or to any corporate reorganization or any other assignment or transfer that does not involve any change in beneficial ownership. Nor shall the procedure provided for in this section apply in any case in which the Commission finds, from the application or other information before it, that such procedure would work an undue hardship upon the parties involved, or would not effectuate the purposes of the Act, or would be unnecessary in that the transfer proposed would be made on the proposed conditions only to the proposed transferee.

## V

### CONCLUSION

In conclusion, it is respectfully submitted that the Proposed Rule concerns itself with a serious policy question which should be left for Congress to decide, and which is beyond the authority of the Commission to decide. The Commission has been granted the power to determine whether a proposed "said transfer" is or is not in the public interest. The Proposed Rule is not essential to that determination, but on the contrary, is legislation which is in the Congressional domain.

If, notwithstanding the foregoing, the Commission adopts the Proposed Rule, it is respectfully submitted that in any event it will work a hardship and injustice unless the broad exceptions listed in Point IV are incorporated as a part of the Rule.

Respectfully submitted.

DON PETTY, General Counsel

MILTON J. KIBLER

IVAR H. PETERSON

*Attorneys for National  
Association of Broadcasters.*

March 15, 1946.

**FCC**

### FCC SCHEDULES 341 HEARINGS

The following release, with attachments as mentioned, was received by NAB as REPORTS went to press:

"The Commission announces the scheduling of hearings on 341 matters during April, May, June, and July, 1946. The hearing calendar fixes a definite hearing date for

every broadcast application on which the Commission, prior to March 1, 1946, ordered that a hearing be held. The hearing schedule for the second quarter of 1946, as for the first quarter, provides for five sets of hearings running simultaneously—three in Washington and two in the field. The new calendar also includes a complete schedule of hearings (135) for the month of March, consisting of cases previously listed for that month (in the hearing calendar for the first quarter of 1946) with enough new cases to fill the gaps in the original schedule.

"Attachment No. 1 is an alphabetical list of the matters scheduled for hearing, giving docket number, date on which consolidated hearing will begin, and place of hearing. Presiding officers for particular hearings in Washington and in the field will be determined at a later date, it having been found impractical to make designations several months in advance.

"Attachment No. 2 is the hearing calendar for March, April, May, June, and July, 1946, showing the docket number of the matters scheduled for each day of those months and the place of hearing.

"Attachment No. 3 lists in numerical order the docket number of the matters on which hearings are being scheduled together with the date and place of hearing.

"An effort has been made not to schedule new broadcast hearings for the period from April 1 to April 15, this period being reserved for the taking of adjourned engineering testimony in cases when non-technical evidence has already been presented but the records not yet closed. The only exceptions to this principle are two groups of hearings which were originally scheduled for March and which were unavoidably postponed. The last two weeks in April have been similarly set aside for the Clear Channel proceeding (Docket No. 6741) being heard by the Commission *en banc*; consequently all other cases scheduled during that period will be heard by members of the staff. It will likewise be necessary, in order to maintain a quorum of the Commission in Washington, for staff members to preside at some of the field hearings set for May, June, and July.

"In scheduling hearings in broadcast matters the Commission has arranged to hold most of the television, FM, and 250-watt AM applications in the community affected. Hearings involving substantial engineering questions have been scheduled for Washington because it is felt that both from the standpoint of the Commission's Engineering Department and the private engineering consultants that such questions can best be heard in Washington. And even in those cases which are set for hearing in the field it is contemplated that at the discretion of the presiding officer evidence on *substantial* engineering questions will be heard in Washington either before or after the session in the field.

"In scheduling these hearings the Commission has made every effort to avoid setting for hearing on the same day two matters in which, according to the Commission's records, the same individual attorney is appearing. It has, however, been impossible to avoid conflicts with respect to law firms and in some instances the same firm of attorneys is scheduled to appear in as many as three simultaneous hearings. However, in all such cases the firms involved are known to have at least three members who are admitted to practice before the Commission.

"The Commission has arranged the hearing schedule upon the premise that no hearing on a single broadcast application—including direct testimony and cross-examination—shall consume more than one full hearing day. Experience with the calendar for the first quarter of 1946, arranged on a similar basis, has demonstrated that one day is more than adequate, especially in cases when pre-trial conferences are held. Accordingly, for consolidated proceedings involving two applications the Commission has allotted two days, where there are three applications three days are set aside, etc. Parties are urged to prepare and present their cases in a manner which will permit the maintenance of this schedule.

"In view of the crowded condition of the hearing docket it will not be possible for the Commission to entertain requests that particular hearings be postponed for a specified period of time, such as 30 days. Such postponements would inevitably result in conflicts with other hearings which are today being scheduled. Accordingly, if for good

*(Continued on next page)*

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cause shown it appears that a case cannot be heard on the date specified in the attached calendar, it will be removed from the calendar for rescheduling at a subsequent date, later in the summer or early fall.

"Copies of this notice are being mailed to all parties concerned."

[*Editor's Note:* This release, and the attachments mentioned therein, reached the NAB too late to permit inclusion of the list referred to as "Attachment No. 1" in this week's issue of **REPORTS**. It will be published at an early date.]

### WIGGLESWORTH ATTACKS FCC—DENNY REPLIES

Replying to charges made by Rep. Richard B. Wigglesworth (R., Mass.) on the floor of the House on Wednesday (13) concerning practices of the FCC, Acting Chairman of the Commission Charles R. Denny told an AP reporter that "Mr. Wigglesworth's charges are entirely without any legitimate basis." "He doesn't have the facts," said Denny.

Denny's reply referred specifically to statements made by Wigglesworth to the effect that a license for a radio station at Lexington, Ky., had been granted the Kentucky Broadcasting Co. as a favor to "the father of a political friend" of former FCC Chairman Paul A. Porter. Wigglesworth said that "the party so favored by Mr. Porter before he left the Commission to become administrator of the Office of Price Administration was Mr. Edward F. Pritchard, the father of Edward F. Pritchard, Jr., general counsel for the Democratic National Committee."

Porter had previously asserted that there was "no truth" to similar earlier charges concerning the grant. (See **NAB REPORTS**, p. 190.)

Mr. Wigglesworth's statement on the House floor, as contained in a release from his office, follows:

"MR. CHAIRMAN: Members of the House will recall, long and well, I trust, the House Select Committee of the 78th Congress appointed to investigate and report on the transactions and activities of the Federal Communications Commission; how that Committee, again and again, was thwarted in its efforts to gather pertinent information, by Presidential and other administration edicts which gagged Army, Navy, and civilian personnel; how officials of the Government, past and present, including those of the Federal Communications Commission itself, repeatedly sought to, and did, block the Committee in the discharge of the duties imposed upon it by the Congress; and how, administration pressure, together with resort by the majority members of the Committee to postponements, executive sessions, and other unusual tactics, forced the resignation of two of the Committee's counsel and prevented the public disclosure of important facts concerning the Commission's activities and the conduct of its officials and employees.

"The House Select Committee did, however, accomplish some good in disclosing to the Congress and the public that the Federal Communications Commission in divers ways had shown favoritism to, and bestowed political rewards upon, persons and concerns high in Administration favor; and that, by threats and intimidation in the field of radio station licensing and license renewals, the Commission had so operated as to dictate and control the content of radio programs, despite the fact that section 326 of the Federal Communications Act in the plainest of terms denies to the Commission all powers of censorship over radio programs.

"One of the most publicized matters brought to the attention of the House Select Committee was the sale of the Government-owned radio frequency, known as Station WMCA by Donald A. Flamm to Edward J. Noble.

"It was shown to my entire satisfaction at least that, through pressure brought presumably for the protection of certain Administration favorites, including the well-known Thomas Gardner Corcoran (Tommy the 'Cork'), William J. Dempsey, and William C. Koplovitz, the Select Committee, acting by and through the majority of its members, first postponed hearings on the complaint of Flamm that he had been coerced into selling his station to Noble

by improper representations by Noble, and his attorneys, Dempsey and Poplovitz; and then directed, when the matter was finally heard by the Committee, that the hearing be held behind closed doors, with the evidence adduced never being published either to the House or the public.

"The majority of the Committee, taking what I conceived to be a strained view of the testimony, reported no substantial irregularities in the sale of Station WMCA to Noble by Flamm.

"Among other things, the majority found:

"That Flamm was under no pressure, coercion, or duress when he finally signed the contract for the sale of his station to Mr. Noble;"

"That it found "nothing to censure in the contract of Mr. Edward J. Noble;" and

"That the Federal Communications Commission cannot be charged with failure to investigate rumors of pressure on Flamm when Flamm himself, by his attorneys, submitted nothing to the Federal Communications Commission to justify an inquiry."

"I took occasion to file minority views on the subject, which were printed with the report of the Committee. Among other things, I said:

"In my judgment, the Commission cannot escape condemnation for its conduct in this case. Either the Commission was guilty of gross negligence, and failed to live up to the trust reposed in it, or it was guilty of malfeasance in office.

"I disagree most emphatically with the conclusions of the majority in this connection, shown to me for the first time 2 hours before the time limit for filing this report."

"As shown by the hearings before the Select Committee, Flamm brought an action in New York City against Noble for the wrongful acts of Noble and his attorneys. That suit has recently resulted in a verdict of \$350,000 in Flamm's favor. The verdict, of course, reflects what a jury of the peers of Flamm and Noble thought of the controversy, and is directly contrary to the findings of the majority of the Select Committee.

"The Committee hearings disclosed that the Federal Communications Commission approved the sale and transfer of radio station WMCA to Noble without hearing Flamm's complaint that he had been fraudulently coerced into agreeing to the sale; and that the action of the Commission in approving the transfer was taken in the face of knowledge, or the means of knowledge, of widespread charges that the sale was not a proper one.

"The principal part of Flamm's complaint was that Noble, through Dempsey and Koplovitz, his attorneys, had represented that unless Flamm sold the station at Noble's price, they had sufficient influence with the Commission to apply for and obtain, and that they would apply for and obtain, Flamm's assigned frequency without paying anything for the station.

"And be it remembered that, when these representations were made, Dempsey and Koplovitz had but recently left the Commission in their capacities of General Counsel and Assistant General Counsel, respectively.

"Certainly, Mr. Chairman, the verdict of the New York jury leaves the Federal Communications Commission and others concerned in a sorry light.

"There can be little doubt, Mr. Chairman, that the labors of the House Select Committee produced some good. Despite the difficulties encountered, much was accomplished and enough was developed to indicate clearly an imperative need for improvement in the standards of administration by the Commission and for remedial legislation.

"The investigation unquestionably contributed to the retirement to private life of the Federal Communication Commission's former chairman, James Lawrence Fly.

"Mr. Fly was succeeded by Mr. Paul A. Porter, previously a high official of the Democratic National Committee, as well as the prior holder of other Federal offices of importance. Mr. Porter's incumbency was of short duration. It is worthy of note, however, that one of his last, if not his last, official acts was to cause the granting to a political friend, or to the father of a political friend, without any hearing before the Commission, of a radio station license in the State of Kentucky for the use of a frequency said

(Continued on next page)

to have been sought by an existing radio station licensee over a period of some seven years.

"The party so favored by Mr. Porter before he left the Commission to become Administrator of the Office of Price Administration was Mr. Edward F. Pritchard, the father of Edward F. Pritchard, Jr., General Counsel for the Democratic National Committee, by appointment of Mr. Hannegan, and high in the councils of the Administration.

"The present Acting Chairman of the Federal Communications Commission is Mr. Charles R. Denny, who throughout the long days of the Select Committee's hearings, fought the Commission's battle as its Chief Counsel, and sought to conceal its shortcomings.

"The Federal Communications Commission has requested vastly more funds for the fiscal year 1947 than were appropriated for it in war years, when it professed to be engaged in indispensable war work.

"Its claim for increased peacetime and postwar funds is predicated largely upon anticipated work incident to new discoveries and improvements in the radio art, although there is no clear showing as to how much the regulatory work incident to such discoveries and improvements has actually increased or will increase in the next fiscal year.

"The Commission has just completed and distributed a report consisting of 139 pages, entitled 'Public Service Responsibility of Broadcasting Licensees.'

"This report has been construed by some as indicating an intent by the Federal Communications Commission to assume an unlawful control over what the people shall and shall not hear over the air.

"While time for detailed study has not been available, this report makes it clear that the Federal Communications Commission in the past has renewed the licenses of those who had obtained their original licenses on the basis of false representations; and has renewed the licenses of those whom the Commission now cites as having operated not in the public interest but for private profit.

"The report also offers striking testimony of the extent to which radio time on Sundays has been used for commercial purposes.

"Twenty-five Columbia Broadcasting System stations have devoted from ninety to ninety-five per cent of their time and twenty-eight National Broadcasting Company stations from eighty to ninety per cent of their time to money-making programs on a Sunday.

"I repeat, as I stated in my minority views, that there is an imperative need for improvement in standards of administration by the Commission and for remedial legislation. Both are essential to impartial and efficient regulation and to equality of opportunity and freedom of speech over the radio, one of the greatest single factors in the Nation today in terms of the preservation or destruction of our American way of life."

## Research

### KENNETH H. BAKER NAMED NAB DIRECTOR OF RESEARCH

Justin Miller, President of the National Association of Broadcasters, announced today the appointment of Mr. Kenneth H. Baker as NAB Director of Research.

Mr. Baker is at present a member of the faculty of Ohio State University. He will join the NAB April 1.

The new Director of Research has had considerable experience in this field. His radio research has included listening habits, market surveys, and panel studies. On other subjects he has conducted opinion polls and studied attitude measurement.

In addition to Ohio State University Mr. Baker has taught at Northwestern University and Ohio Wesleyan University. His education and his teaching experience have been mainly in the field of psychology.

Mr. Baker received his Doctor of Philosophy degree from Ohio State University and did further graduate study

at Northwestern University. He served in the Army during World War II, where he established and directed Office of Strategic Services training, attended the Command and General Staff School, and spent thirteen months overseas in special operations and intelligence.

## Engineering

### PLANS OF 15 STATIONS APPROVED

The Federal Communications Commission on Wednesday (13) approved the basic engineering plans submitted by 15 applicants for FM stations thereby enabling them to place orders for transmitters and antennas and to make other engineering arrangements. In some cases antenna structures are subject to approval by the Civil Aeronautics Administration. Notification of the Commission's action is being sent to each of these applicants together with specific requests for further engineering information required by the Commission.

Previously, these applicants had been given conditional grants subject to further review of engineering details and program plans before further action by the Commission.

Each of these applicants is being sent a copy of the FCC Report of March 7 entitled "Public Service Responsibility of Broadcast Licensees" and an appropriate form on which he may make representations concerning his program plans.

This action leaves 337 conditional FM grants to be acted upon and 285 FM applications on which no action has yet been taken by the Commission.

Following is the list of applications for which engineering approval was granted by the Commission:

#### Alabama

Johnston Broadcasting Co., Birmingham, Ala.—Granted CP for a Metropolitan station. Effective radiated power: 40 KW; antenna height above average terrain: 750 ft.; Channel: 93.5 Mc. (No. 228).

#### Florida

Florida Broadcasting Co., Jacksonville, Fla.—Granted CP for a Metropolitan station. Channel: 95.9 Mc. (No. 240); effective radiated power: 20 KW; antenna height above average terrain: 500 ft.

Isle of Dreams Broadcasting Co., Miami, Fla.—Granted CP for Metropolitan station. Channel: 97.5 Mc. (No. 248); effective radiated power: 34.0 KW; antenna height above average terrain: 346 ft.

#### Georgia

Southeastern Broadcasting Co., Macon, Ga.—Granted CP for Metropolitan station. Channel: 101.9 Mc. (No. 270); effective radiated power: 36.0 KW; antenna height above average terrain: 437 ft.

Frank R. Pidcock, Jr., N. Moultrie, Ga.—Granted CP for Metropolitan station. Channel: 100.3 Mc. (No. 262); effective radiated power: 10.4 KW; antenna height above average terrain: 401 ft.

Georgia-Alabama Broadcasting Corp., Columbus, Ga.—Granted CP for Metropolitan station. Channel: 96.3 Mc. (No. 242); effective radiated power: 9.4 KW; antenna height above average terrain: 602 ft.

Middle Georgia Broadcasting Co., Macon, Ga.—Granted CP for new Metropolitan station. Channel: 102.3 Mc. (No. 272); effective radiated power: 36.0 KW; antenna height above average terrain: 441 ft.

#### Iowa

Burlington Broadcasting Co., Burlington, Iowa.—Granted CP for Metropolitan station. Channel: 99.3 Mc.

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(No. 257); effective radiated power: 19.2 KW; antenna height above average terrain: 538 ft.

Central Broadcasting Co., Des Moines, Iowa.—Granted CP for Rural station. Channel: 100.5 Mc. (No. 263); effective radiated power 134 KW; antenna height above average terrain: 583 ft.

Telegraph Herald, Dubuque, Iowa.—Granted CP for Rural station. Channel: 99.9 Mc. (No. 260); effective radiated power: 180 KW; antenna height above average terrain: 662 ft.

#### Minnesota

KSTP, Inc., St. Paul, Minn.—Granted CP for Rural station. Channel: 102.1 Mc. (No. 271); effective radiated power: 318 KW; antenna height above average terrain: 764 ft.

#### Missouri

Missouri Broadcasting Corp., St. Louis, Mo.—Granted CP for Metropolitan station. Channel: 92.1 Mc. (No. 221); effective radiated power: 32.3 KW; antenna height above average terrain: 475 ft.

Thomas Patrick, Inc., St. Louis, Mo.—Granted CP for Rural station. Channel: 95.3 Mc. (No. 237); effective radiated power: 188 KW; antenna height above average terrain: 472 ft.

St. Louis University, St. Louis, Mo.—Granted CP for Metropolitan station. Channel: 94.1 Mc. (No. 231); effective radiated power: 42.6 KW; antenna height above average terrain: 525 ft.

#### Nebraska

World Publishing Co., Omaha, Neb.—Granted CP for Rural station. Channel: 92.5 Mc. (No. 223); effective radiated power: 160 KW; antenna height above average terrain: 584 ft.

### AMATEURS GET ADDED BANDS

The Commission on Wednesday (13) announced the assignment for amateur use of three additional frequency bands, one of which, the 3700 to 4000 kilocycle band, is the first band below 25 megacycles to be available for amateurs since they were reactivated last year.

The 3700 to 4000 kilocycle band is available for amateur stations within the continental United States on April 1, 1946, 3 a. m., E. S. T. The other two bands, 235 to 240 megacycles and 27.185 to 27.455 megacycles, are available immediately for amateur stations in both continental United States and its territories and possessions. The emissions that may be employed on these bands and the restrictions and limitations imposed on their use are set forth in Order No. 130-D adopted by the Commission today.

As the Commission in its postwar reallocation of frequencies, in Docket No. 6651, has not made any final decision with respect to frequencies below 25 megacycles, the assignment of the band 3700 to 4000 kilocycles is subject to the Commission's decision in that proceeding. The frequency band 27.185 to 27.455 megacycles has been definitely allocated to the amateurs for such use as they can make of the band in view of the fact that it is also allocated to and is in use by scientific, industrial and medical apparatus. The assignment of the band 235 to 240 megacycles is an interim assignment, expected to be effective until January 1, 1949. About that date, it is expected that the 220 to 225 megacycle band temporarily in use for radar distance indicators used for safety purpose but ear-marked for amateurs in the Commission's postwar reallocation plan, can be assigned for use by amateurs in lieu of the 235 to 240 megacycle band.

On Friday (15) the Commission made public additional information regarding the temporary allocation of the band 235-240 megacycles to the amateur service.

The 235 to 240 megacycle allocation to the amateur service is on a temporary basis, terminating not later than January 1, 1949, at which time the amateur station operation on this frequency band will move to the 220-225

megacycle band in accordance with the Commission's postwar allocation plan.

The temporary allocation at 235-240 megacycles came about as a result of an interim plan for accommodating a British 200 megacycle radar distance indicator system at United States gateways of International Aviation Routes, and within interference distance of the United States-Canadian border.

United States and British experts agree that the radar distance indicator should occupy a position in the spectrum at 1000 megacycles or higher but the interim 200 megacycle allocation will permit use of present British 200 megacycle radar distance indicator equipment until the higher frequency development and production can get under way.

An "Arrangement between the United States of America and the British Commonwealth and Empire Concerning Radio Distance Indicators" was signed by representatives of both countries on February 7, 1946, which embodies the following points:

1. The United States and British Commonwealth will jointly prosecute the development of an ultimate system to operate in the vicinity of 1000 megacycles or higher, the precise frequency band to be selected not later than January 1, 1947.

2. The British Commonwealth will shift to the ultimate system at the earliest practical date.

3. The United States will permit interim use of the band 216-23 megacycles for the British indicator system at specific U. S. gateways of International Air Routes and within interference range of the United States-Canadian border. The interim use at these locations will terminate not later than January 1, 1949.

4. While the United States Allocation table above 25 megacycles is not to be modified as a result of this arrangement, an interim allocation for the period ending January 1, 1949, has been effected as follows:

216-231 Mc Radar Distance Indicators;

231-236 Mc Government (in areas within interference range of the distance indicator);

235-240 Mc Amateur (in U. S. and Canada).

## News

### 40 STATIONS SIGN FOR TEXAS CLINIC

At least 40 Texas stations will attend the 3 Texas radio news clinics to be held on March 26-27-28, respectively, at Houston, Fort Worth, and San Antonio. That was the count on Thursday (14), according to a wire from Jack McGrew, KPRC, Houston, general clinic chairman. He expects additional attendance to be registered well in advance of the meetings.

Twelve stations have registered for the Houston clinic, 17 for Fort Worth clinic and 11 for San Antonio clinic.

### Leading Educators Invited

Paul B. Thompson, chairman, Department of Journalism, University of Texas; Professor J. Willard Ridings, Department of Journalism, Texas Christian College, Fort Worth; Professor Lester Jordon, Department of Journalism, Southern Methodist University, Dallas; and N. S. Patterson, head of the Journalism Department, University of Houston, have been invited to attend a clinic of their choice.

The Houston clinic will be held at the Rice Hotel; the Fort Worth clinic at the Worth Hotel and the San Antonio clinic at the St. Anthony. Latter selection was made by Ken McClure, WOAI, San Antonio chairman, and the Fort

(Continued on next page)

Worth, selection by James Byron, WBAP, Fort Worth chairman.

### BIG TURN OUT FOR IOWA NEWS CLINIC

As of Wednesday (13), fifteen Iowa and two Nebraska stations had declared their intention of participating in the NAB-Iowa radio news clinic at Cedar Rapids, on Friday, March 22. These stations are:

<b>Iowa</b>	KDTH—Dubuque
WOI—Ames	WSUI—Iowa City
KFGQ—Boone	KFJB—Marshalltown
KBUR—Burlington	KGLO—Mason City
WMT—Cedar Rapids	KMA—Shenandoah
KROS—Clinton	KXEL—Waterloo
WOC—Davenport	
KRNT—Des Moines	<b>Nebraska</b>
KSO—Des Moines	KOIL—Omaha
WHO—Des Moines	WOW—Omaha

Stations are to have from one to five representatives present. General Chairman Buryl Lottridge, vice president, WOC, Davenport, said that additional stations would be in attendance.

#### Clinic Agenda

Subjects to be discussed at the clinic include:

General construction of newscasts—local vs. regional vs. national vs. international vs. features—with percentages, in what order, and time of day. (unassigned) (Opinions on audience reaction will guide this discussion.)

University of Iowa special survey—Wilbur Schramm, WSUI. (Other information about surveys in general to be included in this period.)

Radio news writing and rewriting. Bob Redeen, WOC, Davenport.

Methods of securing and handling radio news correspondents—local and regional. Doug Grant, WMT, Cedar Rapids.

A farm news formula for local and regional stations. Henry B. Hook, KGLO, Mason City.

The education and training of radio newsmen. (Hull, WOI, Marvin, WOI, Schramm, WSUI.)

The station men in the state should give a quick, concise outline of the education, ability, characteristics, and formal training that they expect of a graduate news man from either of the two State schools.

A desirable balance between international and domestic news stories today as compared with the war years. Jack Shelley, WHO, Des Moines.

Mechanical devices for augmenting news coverage and presentation. Bill Ray, WMAQ, Chicago.

Libel laws and ethics. (unassigned) (Wilbur Schramm will distribute copies of an outline on this subject that has been prepared by a University of Iowa professor.) The discussion will include opinions on ethics and good taste in handling sensational stories for the radio audience.

Round table discussion of individual problems not covered previously.

Recapitulation of the day's discussions.

## FM Department

### PROPOSED NC EDUCATIONAL FM RULES

The Commission on Thursday (14) ordered that the proposed rules and regulations concerning noncommercial edu-

cational FM broadcasting be made public for consideration and discussion.

The order, signed by T. J. Slowie, Secretary, and the proposed rules, as released by the Commission, follow:

### BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D. C.

DOCKET NO. 7424

In the Matter of Promulgation of Rules and Regulations for the Noncommercial Educational FM Broadcast Service

#### ORDER

Whereas, the Commission on June 27, 1945, issued its final report allocating 20 channels for noncommercial educational FM broadcasting; and

Whereas, it is desirable that rules and regulations concerning noncommercial educational FM broadcasting be promulgated and codified at an early date;

Now, therefore, it is ordered, this 7th day of March, 1946, that the attached proposed rules and regulations be made public as a basis for consideration and discussion. Noncommercial educational FM broadcast licensees, permittees, applicants, and others are invited to submit their comments and suggestions, in writing, to the office of the Secretary, within 60 days from the date of this order. It is not contemplated that hearings or oral argument will be held on the proposed rules and regulations unless there is a demand from parties in interest.

In the absence of protests within 60 days, rules and regulations in final form will be promulgated.

#### Text of Commission's Release:

Sections 4.131-4.137 of the Commission's Rules and Standards of Good Engineering Practice applicable to Non-Commercial Educational Broadcast Stations would be repealed and the following rules substituted therefor.

#### Proposed Rules Governing Non-Commercial Educational FM Broadcast Stations

#### CLASSIFICATION OF STATIONS AND ALLOCATION OF FREQUENCIES

§ 3.501 *Channels available for assignment.*—The channels available for noncommercial educational FM broadcasting are listed in the table below, together with numerical designations for convenience:

Frequency (mc.)	Channel No.
88.1	201
88.3	202
88.5	203
88.7	204
88.9	205
89.1	206
89.3	207
89.5	208
89.7	209
89.9	210
90.1	211
90.3	212
90.5	213
90.7	214
90.9	215
91.1	216
91.3	217
91.5	218
91.7	219
91.9	220

§ 3.502 *State-wide plans.*—In considering the assignment of a channel for a noncommercial educational FM broadcast station, the Commission will take into consid-

(Continued on next page)

eration the extent to which each application meets the requirements of any state-wide plan for noncommercial educational FM broadcast stations filed with the Commission, provided that such plans afford fair treatment to public and private educational institutions, urban and rural, at the primary, secondary, higher, and adult educational levels, and appear otherwise fair and equitable, and *provided* further that such plans can be coordinated with those of other states concerned.

§ 3.503 *Operation and Service*.—The operation of, and the service furnished by, noncommercial educational FM broadcast stations shall be governed by the following:

(a) A noncommercial educational FM broadcast station will be licensed only to a nonprofit educational organization and upon a showing that the station will be used for the advancement of an educational program.

(b) Each station may transmit programs directed to specific schools in the system for use in connection with the regular courses as well as routine and administrative material pertaining to the school system and may transmit educational and entertainment programs to the public.

(c) Each station shall furnish a nonprofit and noncommercial broadcast service. No commercial program shall be transmitted nor shall commercial announcements of any character be made. A station shall not transmit the programs of other classes of broadcast stations unless all commercial announcements, and all commercial advertising in the continuity are eliminated.

§ 3.504 *Channel Power and Service Area*.—The channel operating power and service area of each noncommercial educational FM broadcast station shall be determined by the Commission. In such determination, the Commission shall consider all relevant factors including (1) the area served by the applicant's existing educational facilities; (2) the channel, power and service area proposed in the application; and (3) the provisions of any state-wide plan on file with the Commission, which meets the requirements of Section 3.502.

§ 3.505 *"Standards of Good Engineering Practice"*.—The Standards of Good Engineering Practice concerning FM Broadcast Stations shall be applicable to Noncommercial Educational FM Broadcast Stations except for Section 2 concerning engineering standards of allocation. Section 2, however, provides a guide regarding methods that should be used in calculating the service area of a noncommercial educational FM broadcast station.

## RULES GOVERNING ADMINISTRATIVE PROCEDURE

§ 3.510 *Application for Noncommercial Educational FM Broadcast Stations*.—Each applicant for a construction permit for a new noncommercial educational FM broadcast station, change in facilities of any existing noncommercial educational FM broadcast station, or noncommercial educational FM broadcast station license or modification of license shall file with the Commission in Washington, D. C., two copies of applications on the appropriate form designated by the Commission and a like number of exhibits and other papers incorporated therein and made a part thereof. Only the original copy need be sworn to. If the application is for a construction permit for a new noncommercial educational FM broadcast station, Form FCC No. 340 should be filed; for a noncommercial educational FM license, Form FCC No. 341<sup>1</sup> should be filed; and for modification of a noncommercial educational FM license or for change in facilities of an existing noncommercial educational FM broadcast station, Form FCC No. 342<sup>1</sup> should be filed.

§ 3.511 *Full disclosures*.—Each application shall contain full and complete disclosures with regard to all matters and things required to be disclosed by the application forms.

§ 3.512 *Installation or removal of apparatus*.—Applications for construction permit or modification thereof, involving removal of existing transmitting apparatus and/or installation of new transmitting apparatus, shall be filed

<sup>1</sup> Will be issued by the Commission at a later date. Appropriate forms to be employed may be obtained from the Commission on request.

at least 60 days prior to the contemplated removal and/or installation.

§ 3.513 *Period of construction*.—Each construction permit will specify a maximum of eight months from the date of granting thereof as the time within which construction of the station shall be completed and the station ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case.

§ 3.514 *Forfeiture of construction permits: extension of time*.—

(a) A construction permit shall be automatically forfeited if the station is not ready for operation within the time specified therein or within such further time as the Commission may have allowed for completion, and a notation of the forfeiture of any construction permit under this provision will be placed in the records of the Commission as of the expiration date.

(b) Any application<sup>2</sup> for extension of time within which to construct a station shall be filed at least thirty days prior to the expiration date of such permit if the facts supporting such application for extension are known to the applicant in time to permit such filing. In other cases such applications will be accepted upon a showing satisfactory to the Commission of sufficient reasons for filing within less than thirty days prior to the expiration date. Such applications will be granted upon a specific and detailed showing that the failure to complete was due to causes not under the control of the grantee, or upon a specific and detailed showing of other matters sufficient to justify the extension.

§ 3.515 *Equipment tests*.—

(a) Upon completion of construction for a noncommercial educational FM broadcast station in exact accordance with the terms of the construction permit, the technical provisions of the application therefor and the rules and regulations and Standards of Good Engineering Practice concerning FM broadcast stations and prior to filing of application for license, the permittee is authorized to test the equipment for a period not to exceed 30 days: *Provided*, that the inspector in charge of the district in which the station is located and the Commission are notified 2 days in advance of the beginning of tests.

(b) The Commission may notify the permittee to conduct no tests or may cancel, suspend, or change the date of beginning for the period of such tests as and when such action may appear to be in the public interest, convenience and necessity.

§ 3.516 *Program tests*.—

(a) When construction and equipment tests are completed in exact accordance with the terms of the construction permit, the technical provisions of the application therefor, and the rules and regulations and Standards of Good Engineering Practice concerning FM broadcast stations, and after application for station license has been filed with the Commission showing the transmitter to be in satisfactory operating condition, the permittee is authorized to conduct program tests in exact accordance with the terms of the construction permit for a period not to exceed 30 days: *Provided*, that the inspector in charge of the district in which the station is located and the Commission are notified 2 days in advance of the beginning of such tests.

(b) The Commission reserves the right to cancel such tests or suspend, or change the date of beginning for the period of such tests as and when such action may appear to be in the public interest, convenience, and necessity by notifying the permittee.

(c) The authorization for tests embodied in this section or Section 3.515 shall not be construed as constituting a license to operate but as a necessary part of the construction.

§ 3.517 *Normal licence period*.—All noncommercial educational FM broadcast station licenses will be issued so as to expire at the hour of 3 a.m. E.S.T. and will be issued for a normal license period of 1 year.

§ 3.518 *License, simultaneous modification and renewal*.—When an application is granted by the Commission

<sup>2</sup> Form FCC No. 701.

(Continued on next page)

necessitating the issuance of a modified license less than 60 days prior to the expiration date of the license sought to be modified, and an application for renewal of said license is granted subsequent or prior thereto (but within 30 days of expiration of the present license) the modified license as well as the renewal license shall be issued to conform to the combined action of the Commission.

§ 3.519 *Renewals of license.*—

(a) Unless otherwise directed by the Commission, each application for renewal of license shall be filed at least 60 days prior to the expiration date of the license sought to be renewed (Form FCC No. 343).

(b) Whenever the Commission regards an application for a renewal of license as essential to the proper conduct of a hearing or investigation, and specifically directs that it be filed by a date certain, such application shall be filed within the time thus specified. If the licensee fails to file such application within the prescribed time, the hearing or investigation shall proceed as if such renewal application had been received.

§ 3.520 *Temporary extension of station licensees.*—Where there is pending before the Commission any application, investigation, or proceeding which, after hearing, might lead to or make necessary the modification of, revocation of, or the refusal to renew an existing non-commercial educational FM license, the Commission may, in its discretion, grant a temporary extension of such license; *Provided, however,* That no such temporary extension shall be construed as a finding by the Commission that the operation of any radio station thereunder will serve public interest, convenience, and necessity beyond the express terms of such temporary extension of license; *And provided further,* That such temporary extension of license will in no wise affect or limit the action of the Commission with respect to any pending application or proceeding.

§ 3.521 *Repetitious applications.*—

(a) Where an applicant has been afforded an opportunity to be heard with respect to a particular application for a new commercial educational FM broadcast station, or for change of existing service or facilities, and the Commission has, after hearing or default, denied the application or dismissed it with prejudice, the Commission will not consider another application for a station of the same class to serve in whole or in part the same area, by the same applicant or by his successor or assignee, or on behalf of or for the benefit of the original parties in interest, until after the lapse of 12 months from the effective date of the Commission's order.

(b) Where an appeal has been taken from the action of the Commission in denying a particular application, another application for the same class of broadcast station and for the same area, in whole or in part, filed by the same applicant or by his successor or assignee, or on behalf of or for the benefit of the original parties in interest, will not be considered until after the final disposition of such appeal.

§ 3.522 *Assignment or transfer of control.*—Application for consent to assignment of a noncommercial educational FM construction permit or license or for consent to voluntary transfer of control of a corporation holding a noncommercial educational FM construction permit or license shall be filed with the Commission on Form FCC No. 314 (assignment of license) and Form FCC No. 315 (transfer of control) at least 60 days prior to the contemplated effective date of assignment or transfer of control.

## RULES RELATING TO EQUIPMENT

§ 3.551 *Transmitter power.*—The rated power and the operating power range of transmitters shall be in accordance with the Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.552 *Frequency monitor.*—The licensee of each non-commercial educational FM broadcast station shall have in operation at the transmitter an approved frequency monitor independent of the frequency control of the transmitter. For detailed requirements thereof see Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.553 *Modulation monitor.*—The licensee of each non-commercial educational FM broadcast station shall have in operation at the transmitter an approved modulation monitor. For detailed requirements thereof see Standard of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.554 *Required transmitter performance.*—The construction, installation, operation, and performance of the noncommercial educational FM broadcast transmitter system shall be in accordance with the Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.555 *Auxiliary Transmitter.*—Upon showing that a need exists for the use of an auxiliary transmitter in addition to the regular transmitter of a broadcast station, a license therefor may be issued provided that:

(a) An auxiliary transmitter may be installed either at the same location as the main transmitter or at another location.

(b) A licensed operator shall be in control whenever an auxiliary transmitter is placed in operation.

(c) The auxiliary transmitter shall be maintained so that it may be placed into immediate operation at any time for the following purposes:

(1) The transmission of the regular programs upon the failure of the main transmitter.

(2) The transmission of regular programs during maintenance or modification<sup>3</sup> work on the main transmitter, necessitating discontinuance of its operation for a period not to exceed five days.

(3) Upon request by a duly authorized representative of the Commission.

(d) The auxiliary transmitter shall be tested at least once each week to determine that it is in proper operating condition and that it is adjusted to the proper frequency, except that in case of operation in accordance with paragraph (c) of this section during any week, the test in that week may be omitted provided the operation under paragraph (c) is satisfactory. A record shall be kept of the time and result of each test.

(e) The auxiliary transmitter shall be equipped with satisfactory control equipment which will enable the maintenance of the frequency emitted by the station within the limits prescribed by these regulations.

(f) The operating power of an auxiliary transmitter may be less than the authorized power of the main transmitter, but in no event shall it be greater than such power.

§ 3.556 *Alternate main Transmitters.*—The licensee of a noncommercial educational FM broadcast station may be licensed for alternate main transmitters provided that a technical need<sup>4</sup> for such alternate transmitters is shown and that the following conditions are met:

(a) Both transmitters are located at the same place.

(b) Both transmitters shall have the same power rating.

(c) Both transmitters shall meet the construction, installation, operation, and performance requirements of the Standards of Good Engineering Practice concerning FM Broadcast Stations.

§ 3.557 *Changes in equipment and antenna system.*—Licensees of noncommercial educational FM broadcast stations shall observe the following provisions with regard to changes in equipment and antenna system:

(a) No changes in equipment shall be made:

(1) That would result in the emission of signals outside of the authorized channel.

(2) That would result in the external performance of the transmitter being in disagreement with that prescribed in the Standards of Good Engineering Practice concerning FM Broadcast Stations.

(b) Specific authority, upon filing formal application

<sup>3</sup>This includes the equipment changes which may be made without authority as set forth elsewhere in the Rules and Regulations and the Standards of Good Engineering Practice or as authorized by the Commission by letter or by construction permit. Where such operation is required for periods in excess of 5 days, request therefore shall be in accordance with section 1.365.

<sup>4</sup>Such as licensees maintaining 24-hour schedule and needing alternate operation for maintenance, or where developmental work requires alternate operation.

(Continued on next page)

(Form FCC No. 342) therefore, is required for a change in service area or for any of the following changes:

(1) Changes involving an increase or decrease in the power rating of the transmitter.

(2) A replacement of the transmitter as a whole.

(3) Change in the location of the transmitting antenna.

(4) Change in antenna system, including transmission line.

(5) Change in location of main studio, if it is proposed to move the main studio to a different city from that specified in the license.

(6) Change in the power delivered to the antenna.

(7) Change in frequency control and/or modulation system.

(c) Specific authority, upon filing *informal* request therefor, is required for a change in the indicating instruments installed to measure transmitter power output, except by instruments of the same maximum scale reading and accuracy.

(d) Other changes, except as above provided for in this section or in the Standards of Good Engineering Practice concerning FM Broadcast Stations, may be made at any time without the authority of the Commission, provided that the Commission shall be promptly notified thereof and such changes shall be shown in the next application for renewal of license.

#### RULE RELATING TO TECHNICAL OPERATION

§ 3.561 *Hours of Operation.*—(a) Each noncommercial educational FM broadcast station shall be licensed for unlimited time operation; (b) each application shall show the minimum hours of operation proposed; and each licensee shall promptly notify the Commission whenever it does not operate as many hours per week as set forth in its application; (c) the hours of actual operation during a license period shall be taken into consideration in considering the renewal of noncommercial educational FM broadcast licenses wherever it appears that the channels available for such stations are insufficient to meet the demand.

§ 3.562 *Experimental Operation.*—The period between 12:00 midnight, and 6 a. m., local standard time, may be used for experimental purposes in testing and maintaining apparatus by the licensee of any noncommercial educational FM broadcast station on its assigned frequency and not in excess of its authorized power, without specific authorization from the Commission.

§ 3.563 *Station Inspection.*—The licensee of any noncommercial educational FM broadcast station shall make the station available for inspection by representatives of the Commission at any reasonable hour.

§ 3.564 *Station license, posting of.*—The original of each station license shall be posted in the transmitter room.

§ 3.565 *Operator requirements.*—If the transmitter power rating is 1 kilowatt or less, one or more licensed radiotelephone second class operators shall be on duty at the place where the transmitting apparatus of each station is located and in actual charge thereof. If the transmitter power rating is in excess of 1 kilowatt, one or more licensed radiotelephone first class operators shall be on duty. The original license (or Form FCC No. 759) of each station operator shall be posted at the place where he is on duty. The licensed operator on duty and in charge of an FM broadcast transmitter may, at the discretion of the licensee, be employed for other duties or for the operation of another station or stations in accordance with the class of operator's license which he holds and by the rules and regulations governing such stations. However, such duties shall in no wise interfere with the operation of the broadcast transmitter.<sup>5</sup>

§ 3.566 *Facsimile broadcasting and Multiplex transmission.*—Transmission of simplex facsimile on FM channels may be permitted upon application to the Commission. The Commission may grant experimental authority to a noncommercial educational FM broadcast station for the multiplex transmission of facsimile or other signals and aural broadcast programs, provided that the transmission

<sup>5</sup> For additional information regarding operator licenses see Section 13 of the Commission's Rules.

of facsimile or other signals does not reduce the quality of the aural program, and that a filter or other additional equipment is not required for receivers not equipped to receive facsimile or other signals.

§ 3.567 *Operating power: how determined.*—The operating power, and the requirements for maintenance thereof, of each noncommercial educational FM broadcast station shall be determined by the methods prescribed in the Standards of Good Engineering Practice concerning FM broadcast stations.

§ 3.568 *Modulation.*—The percentage of modulation of all stations shall be maintained as high as possible consistent with good quality of transmission and good broadcast practice and in no case less than 85 percent or more than 100 percent on peaks of frequent recurrence during any selection which normally is transmitted at the highest level of the program under consideration.

§ 3.569 *Frequency tolerance.*—The center frequency of each noncommercial educational FM broadcast station shall be maintained within 2000 cycles of the assigned center frequency.

§ 3.570 *Inspection of tower lights and associated control equipment.*—The licensee of any noncommercial educational FM broadcast station which has an antenna or antenna supporting structure(s) required to be illuminated pursuant to the provisions of section 303(2) of the Communications Act of 1934, as amended:

(a) Shall make a visual observation of the tower lights at least once each 24 hours to insure that all such lights are functioning properly.

(b) Shall report immediately by telephone or telegraph to the nearest Airways Communication Station or office of the Civil Aeronautics Administration any observed failure of the tower lights, not corrected within 30 minutes, regardless of the cause of such failure. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) Shall inspect at intervals of at least once each 3 months all flashing or rotating beacons and automatic lighting control devices to insure that such apparatus is functioning properly as required.

#### OTHER RULES RELATING TO OPERATION

§ 3.581 *Logs.*—The licensee of each noncommercial educational FM broadcast station shall maintain program and operating logs and shall require entries to be made as follows:

(a) In the program log:

(1) An entry of the time each station identification announcement (call letters and location) is made.

(2) An entry briefly describing each program broadcast, such as "music," "drama," "speech," etc., together with the name or title thereof, with the time of the beginning and ending of the complete program. If a mechanical record is used, the entry shall show the exact nature thereof, such as "record," "transcription," etc., and the time it is announced. If the program is of network origin, its source shall be indicated. If the broadcast is under the auspices of an institution or organization other than the licensee, its name shall be noted.

(b) In the operating log:

(1) An entry of the time the station begins to supply power to the antenna, and the time it stops.

(2) An entry of the time the program service begins and ends.

(3) An entry of each interruption to the carrier wave, its cause and duration.

(4) An entry of the following each 30 minutes:

(i) Operating constants of last radio stage (total plate current and plate voltage).

(ii) Transmission line current or voltage.

(iii) Frequency monitor reading.

(5) A log must be kept of all operation during the experimental period. If the entries required above are not applicable thereto, then the entries shall be made so as to fully describe the operation.

(c) Where an antenna or antenna supporting struc-

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ture(s) is required to be illuminated the licensee shall make entries in the radio station log appropriate to the requirements of section 3.570 as follows:

(1) The time the tower lights are turned on and off if manually controlled.

(2) The time the daily visual observation of the tower lights was made.

(3) In the event of any observed failure of a tower light:

(i) Nature of such failure.

(ii) Time the failure was observed.

(iii) Time and nature of the adjustments, repairs or replacements made.

(iv) Time notice was given to Airways Communications Station (C.A.A.) of any tower light failure not corrected within thirty minutes.

(v) Time notice was given to the Airways Communication Station (C.A.A.) that the required illumination was resumed.

(4) Upon completion of the periodic inspection (required at least once each three months):

(i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices.

(ii) Any adjustments, replacements or repairs made to insure compliance with the lighting requirements.

§ 3.582 *Logs, retention of.*—Logs of noncommercial educational FM broadcast stations shall be retained by the licensee for a period of 2 years.

§ 3.583 *Logs, by whom kept.*—Each log shall be kept by the person or persons competent to do so, having actual knowledge of the facts required, who shall sign the log when starting duty and again when going off duty. The logs shall be made available upon request by an authorized representative of the Commission.

§ 3.584 *Log form.*—The log shall be kept in an orderly manner, in suitable form, and in such detail that the data required for the particular class of station concerned are readily available. Key letters or abbreviations may be used if proper meaning or explanation is contained elsewhere in the log.

§ 3.585 *Correction of logs.*—No log or portion thereof shall be obliterated, or willfully destroyed within the period of retention provided by the rules. Any necessary correction may be made only by the person originating the entry who shall strike out the erroneous portion, initial the correction made, and indicate the date of correction.

§ 3.586 *Rough logs.*—Rough logs may be transcribed into condensed form, but in such case the original log or memoranda and all portions thereof shall be preserved and made a part of the complete log.

§ 3.587 *Station identification.*—(a) A Licensee of a non-commercial educational FM broadcast station shall make at least the following station identification announcements (call letters and location): (1) at the beginning and ending of each time of operation; and (2) within 5 minutes of each hour and each half hour during operation; provided,

(b) Such identification announcement need not be made on the hour or half hour when to make such announcement would interrupt a single continuous program of longer duration than 30 minutes. In such cases the identification announcement shall be made at the beginning of the program, at the first interruption of the continuity, and at the conclusion of the program.

(c) In making the identification announcement, the call letters shall be given only on the channel of the station identified thereby.

§ 3.588 *Mechanical reproductions.*—Each program broadcast which consists in whole or in part of one or more mechanical reproductions shall be so announced.

(a) Each such program of longer duration than 30 minutes, consisting in whole or in part of one or more mechanical reproductions, shall be identified by appropriate announcement at the beginning of the program, at each 30-minute interval and at the conclusion of the program; *Provided, however,* that the identifying announcement at each 30-minute interval is not required in case of a mechanical reproduction consisting of a single continuous program of longer than 30 minutes.

(b) Each such program of a longer duration than 5

minutes and not in excess of 30 minutes, consisting in whole or in part of one or more mechanical reproductions, shall be identified by an appropriate announcement at the beginning and end of the program.

(c) Each such program of five minutes or less, consisting in whole or in part of mechanical reproductions, shall be identified by appropriate announcement immediately preceding the use thereof.

(d) In case a mechanical reproduction is used for background music, sound effects, station identification, or program identification, no announcement of the mechanical reproduction is required.

(e) The exact form of identifying announcement is not prescribed, but the language shall be clear and in terms commonly used and understood. A licensee shall not attempt affirmatively to create the impression of live talent when using mechanical reproductions.

§ 3.591 *Rebroadcast.*—A noncommercial educational FM broadcast station may rebroadcast the program of any broadcast station providing it first procures the express authority of the licensee originating the program or programs.<sup>6</sup>

## Broadcast Advertising

### How Advertising Helps You

*Prepared by Advertisers' Club of Cincinnati*

During the past many years there have been a lot of high sounding claims made for advertising—a lot of things have been said against it—and many fancy definitions have been given it. Here are the facts about advertising—the facts about how advertising creates jobs, about the way advertising ensures quality, and the truth about the effects of advertising on the price you pay for things. You can form your own conclusions.

Advertising, frankly, is a way to get people to do things. To buy the things offered for sale—to influence people to think well of a company—to try new ideas—to invest in War Bonds, donate blood, and save fats—to maintain American standards of living by encouraging the purchase of things made by American labor.

Advertising's power was illustrated by the way it helped so tremendously with the War Bond drives, waste salvage campaign, blood donor work, recruitment, and many others.

In addition to this direct war effort advertising, many companies devoted large portions of their advertising to ideas that "sold" a war project and their own name at the same time.

Many companies helped the home front by suggesting ways to keep equipment in good running order. This all adds up to a great job, that tackled a great variety of problems.

Now, how will advertising help create jobs with the war over? Peacetime prosperity will require a high level of employment and income. This can be attained only if people have the urge to buy, and convert that urge into actual purchases. This urge—this desire for cars and washing machines and travel and clothing—must be kept alive by advertising.

Advertising will help do this by creating demand for the products advertised. This demand will make possible the mass production which is so largely responsible for America's high standard of living. This mass production, in turn, will lower prices and create jobs.

Or to put it another way, companies that fail to advertise, lose business and create unemployment.

<sup>6</sup> See Sections 3.503(c) and 3.587(c). (Continued on next page)



## First World War Advertising

For example, during the First World War, seventeen important companies stopped or greatly reduced advertising. Six companies sold out or were absorbed by competitors. One failed and went out of business—one went into receivership—one was deflated 97 per cent in personnel—one lost 81 per cent of its sales volume—one ended with two customers—three completely lost their industry leadership—one was operated by the banks—two found that competitors had grown at their expense.

We won't cry about the disappearance of these firms, but we can lament the loss of employment by those who had worked loyally at their jobs.

## Advertising Costs

Now, what about the price we pay for advertised goods? Does advertising add to the cost or lower it?

In a recent survey by the Institute of Public Opinion, of thousands of typical consumers, it was found that 46 per cent believe advertising lowers prices, 42 per cent believe it raises prices, 12 per cent weren't sure.

Take twelve products of popular consumption and estimate how much you think the national advertising costs on each item.

First, a 5¢ glass of what is probably the best known of all soft drinks.

Next a quart of fresh milk—next, a can of the best known soup—an automobile—a package of cigarettes—a \$2 watch—a bed sheet retailing at \$1.75—a dozen oranges—a \$10 pair of famous-make shoes—a top-favorite breakfast cereal—a 7¢ cake of extremely popular soap—and finally a \$1.95 shirt.

All right now let's see how you scored.

Here are the correct amounts:

That soft drink, 16/1,000 of a cent a glass; the milk, 7/100 of a cent a quart; the soup, 36/1,000 of a cent a can; the car, 4¢ per dollar of the F. O. B. price; the cigarettes, ½ of a cent a pack; the watch, 5¢ per \$2 watch; the \$1.75 sheet, 1¢ per sheet; the oranges, 4/10 of a cent per dozen; the shoes, 25¢ per \$10 pair; the cereal, 3/10¢ per box; the soap, 1/5 of a cent per cake; the shirt, 64/100 of a cent.

Did you guess too high? Don't be ashamed if you did, because 99 out of 100 guesses are too high—usually much too high. The misunderstanding about advertising costs is a common American illusion.

Are even these tiny amounts added to the cost of goods? The fact of the matter is, these fractions of a cent actually lower the price you pay for the article—because advertising increases the demand, thus making possible the mass production that America is famous for. And the economies of mass production are passed on to you because of the natural forces of American free competition.

Still another angle to remember is that your newspapers, magazines and radio would cost you far more (or might be saddled with Government-subsidized control) if they carried no advertising. For instance, it costs one big daily newspaper \$40 a year per copy to prepare the papers that sell for \$8 a subscription. The *Saturday Evening Post*, when it sold for a nickel, cost 25¢ a copy to produce.

## Advertising Saves You Money

There's still one other important way advertising helps you. It's simply this: A widely advertised article is usually a dependable, reliable, good-value product. Doesn't your own experience bear this out?

That's because the manufacturer who puts his own label on his product has thereby placed all his eggs in one basket, and you can bet that he will guard that basket. He has staked his reputation and his sales on the belief

that the public will be satisfied with what he has offered for sale, and has put his name to it with his advertising.

When a company advertises its soap or its razor blades, it usually tells about the special virtues of its product. The advertiser makes these promises publicly and he has to make good because he has created a tremendous asset for himself in this brand name of his and he has to protect that advertised name.

So the advertising furnishes the incentive to make good—to keep the quality up. If you do have any complaints about advertising, voice them and voice them to the proper party. If you don't like a certain ad or a radio commercial, tell the advertiser—he wants to please you in order to sell you. Or if you think certain advertising overstates the case, tell your Better Business Bureau (which, incidentally, is maintained by membership of private companies who earnestly want honesty in all business dealings).

There you have the FACTS on how advertising helps YOU—by having helped the war effort; by creating more jobs and thus increasing national prosperity; by giving you greater dependability and reliable quality; by LOWERING THE COST OF THE THINGS YOU BUY. All that advertising asks in return is that you UNDERSTAND these facts about how it works.

## Programming

### DU PONT AWARDS

The fourth annual presentation of the Alfred I. Du Pont Radio Awards was made Saturday (9) at a dinner in New York. The dinner was given by Mrs. Alfred I. Du Pont, widow of the late industrialist and philanthropist in whose memory the awards are given.

The award for stations of more than 5-kw went to KDKA, Pittsburgh; for stations of 5-kw or less, to WNAX, Yankton. The commentator-report award went to Lowell Thomas of NBC. Each award carries one thousand dollars in cash.

The award for station KDKA was accepted by A. W. Robertson, chairman of the board of the Westinghouse Electric Corporation, which owns the station.

The award for WNAX was accepted by General Luther Hill, executive vice president of the Cowles Broadcasting Company and vice president of the Des Moines *Register*. General Hill represented Gardner Cowles, Jr., who was unable to attend the presentation because of the recent death of his father.

A trust fund was set up for the Du Pont awards in 1943 and is a permanent endowment. The rules are drawn so that F-M and Television can enter later as they develop. The awards for stations are based on public interest programming to the communities they serve. A station, in order to be considered for an award, must make a formal entry and prepare an exhibit.

### ARMY DAY FACT SHEETS MAILED

The War Department this week mailed to all stations in the country a twenty page fact sheet for use in building programs in connection with Army Day, which will be celebrated this April 6th.

Attention was called by the Radio Branch of the War Department's Bureau of Public Relations to the fact that most radio transcription services are supplying their sub-

*(Continued on next page)*

scribing stations with special programs designed for use on Army Day.

Arthur Stringer, NAB Director of Promotion, has urged all stations to make Army Day a model of public interest promotion.

## Miscellany

### RUSSELL SAYS NBC TO START EARLY D. C. TELE SERVICE

The National Broadcasting Company is accepting its responsibility to start regular television service in the nation's capital at the earliest possible date now that the FCC has approved the NBC application, says Frank M. Russell, the network's vice president in charge of its Washington office.

"Our new Washington television station will come under the direct supervision of Carleton D. Smith, manager of WRC," Mr. Russell states. "Anticipating this new service, specialized personnel is in the process of being trained by Mr. Smith and his staff. This training will be intensified and additional personnel with television experience will be obtained."

### W. VA. BROADCASTERS ASSOCIATION FORMED

West Virginia broadcasters met in Charleston on Saturday (9) for the purpose of forming the West Virginia Broadcasters Association. All stations were represented at the meeting.

Howard L. Chernoff, general manager of the West Virginia Network, was elected president. The executive committee is composed of Harold Shaw, WBRW, Welch; John Phillips, WGKV, Charleston; Joe L. Smith, Jr., WJLS, Beckley, and Stanton P. Kettler, WMMM, Fairmont.

After organizing the association, the broadcasters discussed mutual problems affecting the industry, and, after discussing the time problem from all angles, the association agreed that "it appears to be in the best interests of the people of the state of West Virginia for the broadcasters of the state concertedly to adopt Daylight Saving Time as a controlling time by which to program their stations."

All W. Va. stations therefore are joining the major networks in adopting daylight saving time for the period of Apr. 28 through Sept. 29. The time change was unanimously voted.

The association's resolution points out that "by the adoption of D. S. T., the broadcasters of the state can continue to bring to the people of West Virginia the same variety and high quality of programs of entertainment, education, religion and programs in the public interest."

## Ad Council—OWMR Allocations

March 25-31

The following three public interest campaigns have been given top priority on Network Radio Allocation Plans during the week of March 25-31 by the Advertising Council and the Media Programming Division of the OWMR. A brief resume of each Fact Sheet is given below:

### Help Keep Our Economy Stable

In his recent report on the first 100 days of reconversion, President Truman concluded: "Inflationary pressures are still great, and danger signals pointing to a further building up through the winter and spring are the rise of real estate, wholesale and raw materials prices. We must continue to hold the line. We cannot permit inflation." The greatest inflationary pressures we face today are those stemming from the unprecedented demand for and the short supply of (1) housing, (2) clothing and (3) durable goods. Although rent control regulations still exist in most areas the demand for housing is so great that people are tempted to ignore rent ceiling in their eagerness to provide shelter for themselves and their families. During the next few months the clothing supply will be the tightest since before the war, a situation that is being further complicated by thousands of newly discharged veterans who are unable to find even a minimum of civilian clothing in the stores. The durable goods picture is a trifle brighter—more refrigerators, automobiles, washing machines, vacuum cleaners, radios, etc., are on the way. Here again, however, demand and purchasing power still exceed the supply and an inflationary black market is the potential result unless people curb their desires to own the first of everything that appears on the market at any price. Urge listeners to spend sensibly and to cooperate with all price and rent control regulations. (Fact Sheet No. 3)

### United States Savings Bonds

As a result of the United States Treasury's decision to extend its wartime bonds and stamp program into the peacetime era, individuals can now continue to purchase bonds paying the same rate of interest as those sold during the war. These securities now known as U. S. Savings Bonds and Savings Stamps will include the wartime F and G bonds as well as the popular Series E bonds which return four dollars for every three invested, when the bonds mature. The success and convenience of the Payroll Savings Plan during the war years have resulted in its continued maintenance by business and industry throughout the nation. The Treasury is also encouraging the continuance of the savings bonds and stamps program so successfully carried on in the schools. Similarly, all regular bond issuing agents will be urged to continue to sell U. S. Savings Bonds. The high rate of interest of U. S. Savings Bonds, their sound investment values and their ready availability offer the individual investor the ideal way of saving for the future. Radio can perform a valuable service to its listeners by informing them of (1) the continued sale of U. S. Savings Bonds and Stamps; (2) their availability through continuation of the Payroll Savings Plan and other regular purchase facilities and (3) their many advantages as an investment. (Fact Sheet No. 11)

### Help Prevent Forest Fires

A tremendous amount of this nation's timber, instead of going up in sorely needed houses, is going up in smoke. The pulp potential from that timber is being reduced to ashes instead of newsprint and rayon. Much of the soil in which that timber flourished lies blackened and barren, inviting erosion and floods. Landscapes are disfigured and recreational areas turned into expanses of charred stumps. And burned forests mean fewer jobs in sawmills, factories, and constructions. Only ten per cent of these fires were due to lightning, spontaneous combustion or other natural and unavoidable causes. The remaining 90 percent were due to the thoughtlessness and carelessness of average Americans who live in or near forest and wooded areas, who work in or near them, or who visit or travel through them. The spring and summer seasons of 1946 will call for greater care than ever in preventing forest fires. Shorter working hours will make more week-end trips possible. Warm weather is a powerful inducement to seek out wooded areas. More people will be vacationing in 1946 than during any of the wartime years. Everyone, therefore, should memorize and follow these four rules

(Continued on next page)

of forest fire prevention: 1. Crush out cigarette, cigar and pipe ashes. 2. Break matches in two after using. 3. Drown all camp fires; then stir and drown again. 4. Find out the law before using fire. (Fact sheet No. 16.)

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 18th. They are subject to change.

#### Monday, March 18

##### Consolidated Hearing

- NEW—The Capital Broadcasting Co., Annapolis, Md.—C. P. 1430 kc., 100 watts night, 250 watts day, unlimited.
- WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—C. P. to change frequency, increase power, install new transmitter and DA for day and night use. 1420 kc., 5 KW, unlimited, DA-night and day.
- KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—C. P. 590 kc., 250 watts night 1 KW day, unlimited.
- NEW—San Bernardino Broadcasting Co., Inc., San Bernardino, Calif.—C. P. 590 kc., 1 KW, unlimited, DA-night and day.
- KFXM—J. C. Lee & E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—C. P. 590 kc., 1 KW, unlimited, DA-night.
- NEW—Nevada Radio & Television Co., Reno, Nev.—C. P. 590 kc., 1 KW, unlimited, DA-night.
- NEW—The Star Broadcasting Co., Inc., Pueblo, Colo.—C. P. 590 kc., 1 KW, unlimited, DA-night.

#### Tuesday, March 19

##### Oral Argument Before the Commission

- NEW—Air-Waves, Inc., Baton Rouge, La.—C. P. 1400 kc., 250 watts, unlimited.
- NEW—Louisiana Communications, Inc., Baton Rouge, La.—C. P. 1400 kc., 250 watts, unlimited.
- NEW—Southern Tier Radio Service, Inc., Binghamton, N. Y.—C. P. 1490 kc., 250 watts, unlimited
- NEW—Binghamton Press Co., Inc., Binghamton, N. Y.—C. P. 1490 kc., 250 watts, unlimited.
- NEW—Joseph H. McGilvra et al., d/b as Binghamton Broadcasting Co., Binghamton, N. Y.—C. P. 1450 kc., 250 watts, unlimited.
- WGBF—Evansville on the Air, Inc., Evansville, Ind.—Renewal of license. 1280 kc. 1 KW night, 5 KW day, unlimited.

#### March 18, 19, 20 and 21

- To Be Held in City Court Room, City Hall, Danbury, Conn., on March 18, 19, and 20  
and City Hall Courtroom, Torrington, Conn., on March 21
- NEW—The Torrington Broadcasting, Inc., Torrington, Conn.—C. P. 1490 kc., 250 watts, unlimited.
- NEW—Murray L. Grossman, tr/as The Danbury Broadcasting Co., Danbury, Conn.—C. P. 1490 kc., 250 watts, unlimited.
- NEW—The Berkshire Broadcasting Corp., Danbury, Conn.—C. P. 1490 kc., 250 watts, unlimited.
- NEW—Frank Parker, Danbury, Conn.—C. P. 1490 kc., 100 watts, unlimited.

#### March 21, 22 and 23

To Be Held in City Commission Chambers, City Hall,  
Sandusky, Ohio

- NEW—The Sandusky Broadcasting Co., Sandusky, Ohio—C. P. 1450 kc., 250 watts, unlimited.

- NEW—Lake Erie Broadcasting Co., Sandusky, Ohio—C. P. 1450 kc., 250 watts, unlimited.
- NEW—The Bay Broadcasting Co., Sandusky, Ohio—C. P. 1450 kc., 250 watts, unlimited.

#### Thursday, March 21

- NEW—Albany Broadcasting Co., Inc., Albany, N. Y.—C. P. 1460 kc., 5 KW, unlimited, DA-night.
- WHEC—WHEC, Inc., Rochester, N. Y.—C. P. 1460 kc., 5 KW, unlimited, DA-night.
- NEW—Van Curler Broadcasting Corp., Albany, N. Y.—C. P. 1460 kc., 5 KW night, 5KW day, unlimited, directional antenna.

#### Friday, March 22

##### Consolidated Hearing

Before David H. Deibler, Municipal Room, City Hall,  
Altoona, Pennsylvania

- NEW—Altoona Broadcasting Co., Altoona, Penna.—C. P. 1240 kc., 250 watts, unlimited.
- NEW—Roy F. Thompson, tr/as Thompson Broadcasting Co., Altoona, Penna.—C. P. 1240 kc., 250 watts, unlimited.

##### Before Commissioner Walker

To Be Held at County Court House, Little Rock, Arkansas

- NEW—Arkansas Democrat Co., Little Rock, Ark.—C. P. 1400 kc., 250 watts, unlimited.
- NEW—Radio Engineering Service, 108 N. Pine St., Pine Bluff, Ark.—C. P. 1400 kc., 250 watts, unlimited.

##### Before Commissioner Wakefield

To Be Held in City Commission Chambers, City Hall

- NEW—The Sandusky Broadcasting Co., Sandusky, Ohio—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Lake Erie Broadcasting Co., Sandusky, Ohio—C. P. 1450 kc., 250 watts, unlimited.
- NEW—The Bay Broadcasting Co., Sandusky, Ohio—C. P. 1450 kc., 250 watts, unlimited.

## Federal Communications Commission Actions

### APPLICATIONS GRANTED

- KTOK—O. L. Taylor (assignor), KTOK, Inc. (assignee), Oklahoma City, Okla.—Granted consent to voluntary assignment of license of station KTOK from O. L. Taylor to KTOK, Inc., a newly formed corporation whose outstanding capital stock will be owned 100 percent by assignor, O. L. Taylor (B3-AL-515).
- Rahall Broadcasting Co., Inc., Norristown, Pa.—Granted application for construction permit for a new station to operate on 1110 kc., 500 watts, daytime, on condition that permittee accept interference condition which may result if application (B2-P-4170) of The Bethlehem Globe Publishing Co., is subsequently granted.
- Douglas L. Craddock, Leaksville, N. C.—Granted construction permit for a new station to operate on 1490 kc., 100 watts, unlimited time. (B3-P-4405)
- Fox Broadcasting Co., Alexandria, La.—Granted construction permit for a new station to operate on 1400 kc., 250 watts, unlimited time. (B3-P-4473)
- Andalusia Broadcasting Co., Inc., Andalusia, Ala.—Granted construction permit for a new station to operate on 1340 kc., 250 watts, unlimited time. (B3-P-4416)
- The Independent School Dist. of The City of El Paso, Texas, El Paso, Texas—Granted construction permit for a new noncommercial educational broadcast station; frequencies to be assigned by the Commission's Chief

*(Continued on next page)*

Engineer; power 2.15 KW, subject to approval of transmitter, frequency and modulation monitors and antenna details. (B3-PED-57)

Sacramento City Unified School District, Sacramento, Calif.—Granted construction permit for a new non-commercial educational FM station; frequencies to be assigned by the Commission's Chief Engineer; power 0.37 KW, subject to Commission approval of transmitter, antenna, frequency and modulation monitors; site subject to CAA approval. (B5-PED-48)

Kans. State College of Agr. and Applied Science, Manhattan, Kans.—Granted construction permit for a new experimental television broadcast station; frequencies that may be assigned by the Commission's Chief Engineer from time to time; power: Aural 200 watts; visual 400 watts (peak); A5 and special emission for frequency modulation. (B4-PVB-164)

NEW—Wayne M. Nelson, Rockingham, N. C.—Granted construction permit for a new station to operate on 900 kc., 1 KW, daytime. (B3-P-4052)

NEW—High Point Enterprise, Inc., High Point, N. C.—Granted construction permit for a new station to operate on 830 kc., 1 KW, daytime. (B3-P-4199)

NEW—Sierra Broadcasting Co., Reno, Nev.—Granted construction permit for a new station to operate on 1340 kc., 250 watts, unlimited time. (B5-P-3824)

NEW—Reno Broadcasting Co., Reno, Nev.—Granted construction permit for a new station to operate on 920 kc., 1 KW, unlimited time, DA-night. (B5-P-3720)

KVEC—Christian M. Jacobson tr/as The Valley Electric Co., San Luis Obispo, Cal.—Granted construction permit for change in operation of station KVEC, from 1230 kc., 250 watts unlimited time; to 920 kc., 500 watts night, 1 KW-LS, unlimited time. (B5-P-4279)

NEW—J. E. Rodman, Bakersfield, Cal.—Granted construction permit for a new station to operate on 1230 kc., 250 watts, unlimited time. (B5-P-3758)

NEW—Leslie Henry Hacker, Paso Robles, Cal.—Granted construction permit for a new station to operate on 1230 kc., 250 watts, unlimited time. (B5-P-4284)

NEW—Bremerton Broadcast Co., Bremerton, Wash.—Granted construction permit for a new station to operate on 1490 kc., 250 watts, unlimited time. (B5-P-4031)

NEW—The New Britain Broadcasting Co., New Britain, Conn.—Granted construction permit for a new station to operate on 840 kc., 1 KW, daytime. (B1-P-4021)

NEW—Monroe Broadcasting Co., Inc., Rochester, N. Y.—Granted construction permit for a new station to operate on 680 kc., 250 watts, daytime. (B1-P-4285)

KGLU—Gila Broadcasting Co., Safford, Ariz.—Granted construction permit to change frequency from 1450 to 1480 kc., and increase power from 250 watts to 1 KW, install new transmitter and change the transmitter location; unlimited time. (B5-P-3955)

NEW—Rahall Broadcasting Co., Inc., Beckley, W. Va.—Granted construction permit for a new station to operate on 1450 kc., 250 watts, unlimited time. (B2-P-4400)

NEW—Missouri Valley Broadcasting Corp., St. Joseph, Mo.—Granted construction permit for a new station to operate on 1230 kc., 250 watts, unlimited time. (B4-P-4402)

NEW—Washita Valley Broadcasting Corp., Chickasha, Okla.—Granted construction permit for a new station to operate on 1560 kc., 250 watts, unlimited time. (B3-P-4373)

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Cal.—Granted construction permit for change in operation from 1490 kc, 250 watts, unlimited time, to 1480 kc., 1 KW, DA, unlimited time. (B5-P-3482) Conditions.

### TELEVISION LICENSES

Licenses for the following experimental Television broadcast stations were renewed for the period ending February 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651:

Balaban & Katz Corp., W9XBB, W9XBBK, W9XBT, W9XPR; Columbia Broadcasting System, Inc., W2XCB,

W2XCS; Allen B. DuMont Labs., Inc., W2XWV, W10XKT; General Electric Co., W2XI, W2XGE; Radio Corp. of America, W3XEP, W3XAD; State Univ. of Iowa, W9XUI; Television Productions, Inc., W6XLA, W6XYZ.

WKBK—Balaban & Katz Corp., Chicago, Ill.—Granted renewal of commercial television broadcast station license for the period ending Feb. 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

WCBW—Columbia Broadcasting System, Inc., New York City—Granted renewal of commercial television broadcast station license for the period ending Feb. 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

WABD—Allen B. DuMont Labs., Inc., New York City—Granted renewal of commercial television broadcast station license for the period ending Feb. 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

WRGB—General Electric Co., Schenectady, N. Y.—Granted renewal of commercial television broadcast station license for the period ending Feb. 1, 1947, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

### DESIGNATED FOR HEARING

C. R. Bellatti, Stillwater, Okla.—Designated for hearing application for a new station to operate on 1490 kc., 250 watts, unlimited time. (B3-P-4426)

Howard W. Davis tr/as The Walmae Co., Austin, Texas—Designated for hearing application for a new station to operate on 1240 kc., 250 watts, unlimited time. (B3-P-4068)

### MISCELLANEOUS

Marcus Loew Booking Agency, Washington, D. C.—Granted petition for leave to amend its application for an FM construction permit, so as to specify a new transmitter site; a revised antenna system; new equipment; revised engineering data on coverage, etc., and the amendment was accepted. (Docket No. 7189)

W2XDK—Sherron Metallic Corp., Brooklyn, N. Y.—Granted modification of construction permit for new experimental television broadcast station, for extension of completion date to 7-1-46. (B1-MPVB-145)

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa—Granted license to cover construction permit (B4-L-1925) which authorized installation of a new transmitter.

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Granted license to cover CP which authorized installation of a new transmitter. (B5-L-1924)

KHON—Aloha Broadcasting Co., Ltd., Honolulu, T. H.—Granted modification of construction permit which authorized a new station, for changes in transmitting equipment, approval of antenna, and approval of transmitter and studio locations at 1810 Mahanoe, Honolulu. (B-MP-1845)

WIHK—United Broadcasting Co., Cleveland, Ohio—Granted authority to determine operating power by direct measurement of antenna power.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Granted authority to determine operating power by direct measurement of antenna power.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted construction permit to install a new transmitter. (B4-P-4458)

WPBK—Potomac Broadcasting Corp., Alexandria, Va.—Granted license to cover CP which authorized a new station to operate on 730 kc., 250 watts, day time; also authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules; conditions. (B2-L-1921; B2-Z-1746)

KGVL—Truett Kimzey, Greenville, Texas—Granted modification of CP, which authorized a new station, for approval of antenna, approval of transmitter location

(Continued on next page)

- at 2.2 mi. north of Hunt County Courthouse on W. side of Highway 34, Greenville, and to specify studio location at Suite 444, Graham Fagg Bldg., Greenville. The permittee is granted a waiver of Sec. 3.60 of the Commission's rules; conditions. (B3-MP-1845)
- WCAX Broadcasting Corp., Burlington, Vt.**—Adopted order granting request that WCAX Broadcasting Corp. be relieved of the requirement that it file proposed findings in the proceeding on its application in Docket 6793, without affecting its right to except to findings filed by other parties and to participate in any oral argument or other further proceedings which may be directed.
- KNOW**—Frontier Broadcasting Co., Austin, Texas; WACO—Frontier Broadcasting Co., Waco, Texas—Placed in the pending file application (B3-TC-478) for consent to transfer control of Frontier Broadcasting Co. from E. S. Fentress and Charles E. Marsh to C. C. Woodson and Wendell Mayes, awaiting adoption of rules as indicated in the Crosley decision, or until applicant elects to follow procedure outlined in Public Notice of October 3, 1945.
- W9XZN**—Zenith Radio Corp., Chicago, Ill.—Granted authority to delete all records relative to authorization for a new developmental broadcast station granted Sept. 25, 1945, cancel authorization and delete call letters.
- Arkansas-Okla. Broadcasting Corp., Ft. Smith, Ark.; Donald W. Reynolds, Ft. Smith, Ark.**—Ordered that the record in this proceeding be reopened, and that a further hearing be held on the following issue: "To obtain full information to determine whether Donald W. Reynolds or any newspaper owned or controlled by him was engaged in practices designed to substantially lessen competition and tending to create a monopoly in the newspaper advertising business in the City of Ft. Smith; and to determine what hearing such information may have on the qualifications of Donald W. Reynolds to be the licensee of a radio broadcasting station." (Action taken 3-7)
- Richard T. Sampson, Oceanside, Calif.**—Upon consideration of petition of Richard T. Sampson to amend application for CP, it was ordered the petition be considered as a petition for dismissal without prejudice, pursuant to the Commission's January 5, 1946, Public Notice, and the Commission dismissed application (B5-P-4442) without prejudice to the right of applicant to request reinstatement upon the filing of a proper petition, accompanied by the amendment necessary to complete the application. (Action taken 3/6)
- Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Washington, D. C.**—Granted petition for leave to amend application for an FM construction permit, so as to specify a transmitter site; supply complete engineering data, etc., and the amendment was accepted.
- Theodore Granik, Washington, D. C.**—Granted petition for leave to amend his application for an FM construction permit, so as to add to the application an engineering affidavit which incorporates into the application by reference, except as to requested frequency, the engineering study accompanying the application of Potomac Broadcasting Cooperative, Inc. (Docket 7198), and the amendment was accepted.
- Fort Orange Broadcasting Co., Inc., Albany, N. Y.**—Granted petition for a further continuance of hearing in re petitioner's application and that of Albany Broadcasting Co., Inc., and Van Curler Broadcasting Corp., and continued the hearing to May 13.
- Diamond State Broadcast Corp., Dover, Del.**—Ordered that the motion filed by Diamond State Broadcast Corp. for continuance of hearing on its application (Docket 7012) be considered as a petition for dismissal without prejudice, pursuant to the Commission's January 5, 1946, Public Notice; and the application (B3-P-4217) was dismissed without prejudice to the right of applicant to request reinstatement upon the filing of a proper petition, accompanied by such amendments as movant may desire to file.
- Nevada Radio and Television Co., Reno, Nev.**—Granted motion for dismissal without prejudice of its application for CP, and the application (B5-P-3832) for a new station was dismissed without prejudice, subject to the right of petitioner to request reinstatement of its application pursuant to the Commission's January 5, 1946, Public Notice.
- Ventura Broadcasters, Inc., Ventura, Calif.**—Granted petition for leave to take depositions in re petitioner's application (B5-P-3807) and the application of Coast Ventura, Inc. (B5-P-3725)
- WCBM**—Baltimore Broadcasting Corp., Baltimore, Md.; The Capitol Broadcasting Co., Annapolis, Md.—Granted motion of WCBM for a 30-day continuance of hearing in re their applications (Docket 7372 and 7371), and the hearing was continued to April 17.
- WCAB, Inc., Pittsburgh, Pa.**—Granted petition for waiver of Sec. 1.384 of the Commission's rules, and accepted petitioner's written appearance late, in re application (Docket 7202).
- Columbia Broadcasting System, Inc., Boston, Mass.**—Granted motion requesting leave to amend its application for a new FM station, so as to show revised information as to officers, etc., and the amendment was accepted.
- The Associated Broadcasters, Inc., San Francisco, Calif.**—Granted motion for waiver of Sec. 1.384 of the Commission's Rules, and accepted late the written appearance of movant.
- Booth Radio Stations, Inc., Grand Rapids, Mich.**—Granted petition (1) for leave to amend application (Docket 6957) for new station, so as to specify new transmitter site, etc.; (2) to reopen the record in this matter, and (3) scheduled a further hearing for April 16, for the purpose only of adducing testimony as to applicant's new transmitter site and the new engineering data as shown in amendment which was accepted.
- Midwest Broadcasting Co., Milwaukee, Wis.**—Granted petition for leave to amend its application for a new station (Docket 6795), so as to show substitution of R. C. Borchert as stockholder and director of applicant corporation in place of Herbert S. Uihlein, etc., and the amendment was accepted.
- Harold H. Thoms, Durham, N. C.**—Granted motion for extension of time in which to file exceptions and request oral argument in re his application (Docket 6638); and the time within which exceptions may be filed and oral argument requested was extended to April 15.
- Richard T. Sampson, Oceanside, Calif.**—Upon consideration of a petition of Richard T. Sampson to amend his application, the Commission ordered that this petition be considered as a petition for dismissal without prejudice of application (B5-P-4442), pursuant to the Commission's January 5, 1946, Public Notice; and the application was dismissed without prejudice to the right of applicant to request reinstatement upon the filing of a proper petition, accompanied by the amendment necessary to complete the application.
- KPLC**—Calcasieu Broadcasting Co., Lake Charles, La.—Granted petition requesting permission for Vance Plauche, an attorney of the Bar of the State of La., to appear specially on behalf of petitioner in the deposition proceeding to be held in Lake Charles on March 11.
- KNOW**—Frontier Broadcasting Co., Inc., Austin, Texas; Thomas G. Harris, Austin, Texas; Charles W. Balthrope, San Antonio, Texas; Express Publishing Co., San Antonio, Texas—Adopted an order designating for hearing application (B3-P-4042) of KNOW to change frequency from 1490 to 1420 kc., increase power from 250 watts to 1 KW, 5 KW-LS, install DA for night use, unlimited time, in consolidation with applications of Thomas G. Harris (B3-P-4355), Charles W. Balthrope (B3-P-4375) and Express Publishing Co. (B3-P-4471), requesting the same facilities in San Antonio, and that the Bills of Particulars previously issued be amended to include application of KNOW.
- Ogden Broadcasting Co., Inc., Ogden, Utah**—Adopted order granting petition of Ogden Broadcasting Co., Inc., requesting that its application (B5-P-4553) for a new

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station to operate on 1490 kc., 250 watts unlimited time, be designated for hearing in a consolidated proceeding with applications of United Broadcasting Co., Ogden; Telegram Publishing Co., Salt Lake City; and James B. Littlejohn, Ogden, all requesting 1490 kc., 250 watts, unlimited time; further ordered the application of Ogden Broadcasting Co. designated in a consolidated proceeding with above applications, and that the Bills of Particulars previously issued in these proceedings be amended to include the application of Ogden Broadcasting Co., Inc.

Caprock Broadcasting Co., Lubbock, Texas; KVGB—KVGB, Inc., Great Bend, Kansas—Adopted an order designating for hearing the application (B3-P-4090) of Caprock Broadcasting Co. in a consolidated proceeding with the application of KVGB (B4-P-4459), Great Bend, Kansas, to increase power from 250 watts to 1 KW, and change frequency from 1400 to 1590 kc.

Redege Broadcasting Co., A Partnership, Hendersonville, N. C.; Radio Asheville, Inc., Asheville, N.C.—Adopted order granting petition of Redege Broadcasting Co. requesting that its application (B3-P-4532), 1450 kc., 250 watts, unlimited time, be designated for hearing in consolidation with application of Radio Asheville, Inc., requesting the same facilities (B3-P-4407); and further ordered these applications designated in a consolidated proceeding.

United Broadcasting Co., Inc., Silver Spring, Md.; The Tower Realty Co., Baltimore, Md.—Adopted orders designating for hearing in a consolidated proceeding the application of United Broadcasting Co., Inc. (B1-P-4030) 690 kc., 1 KW, limited time, with application (B1-P-4490) of The Tower Realty Co. 680 kc., 5 KW, unlimited time; and granted petition of WPTF that they be made a party to this proceeding.

WJR, The Goodwill Stations, Inc., Detroit, Mich.—Granted petition to dismiss without prejudice its application (Docket 7280) for a new television station.

The WGAR Broadcasting Co., Cleveland, Ohio—Granted petition to dismiss without prejudice its application (Docket 7297) for a commercial television station.

Telegram Publishing Co., Salt Lake City, Utah—Granted petition for leave to amend its application (Docket 7057) so as to specify frequency 1230 instead of 1490 kc.; change exhibits, etc. The amendment was accepted and application removed from hearing docket.

The Yankee Network, Inc., Providence, R. I.—Granted motion to dismiss without prejudice its application (Docket 7304) for a new television station.

WADC—Allen T. Simmons, Tallmadge, Ohio; The WGAR Broadcasting Co., Cleveland, Ohio—Granted motion to continue hearing now scheduled for March 25 to April 24, 1946. (Dockets 7320 and 7319)

Fetzer Broadcasting Co., Grand Rapids, Mich.—Granted motion to take depositions in re its application for a new station (Docket 7387); exceptions noted by Ashbacker Radio Corp.

WSAY—Brown Radio Service and Lab. (Gordon P. Brown, Owner), Rochester, N. Y.—Dismissed petition of WSAY for leave to intervene in the hearing on application of WHEC, Inc. (Docket 6948). This petition was rendered moot by Commission's action on March 6 in granting WHEC's application, subject to condition they shall make satisfactory adjustment of any adverse effect on WSAY antenna system.

The Berkshire Broadcasting Corp., Danbury, Conn.—Granted petition for leave to amend its application (Docket 6897) for a new station, so as to show changes in stock distribution; changes in transmitter site, etc.

WIBC—Indiana Broadcasting Corp., Indianapolis, Ind.—Adopted an order granting petition of WIBC that its application (B4-P-4319) for a CP to increase power from 5 to 50 KW, be designated for hearing in a consolidated proceeding with applications of Mid-America Broadcasting Corp., & Ky. Broadcasting Corp., Inc., WINN, both requesting frequency 1080 kc., with 1 KW night, 5 KW day, DA, unlimited time, at Louisville; further ordered that application of WIBC be designated for hearing in a consolidated proceeding with the above applications, and that the

Bills of Particulars heretofore issued in these proceedings be amended to include application of WIBC.

WEST—Associated Broadcasters, Inc., Easton, Pa.; Easton Publishing Co., Easton, Pa.; Lewis Windmuller, Allentown, Pa.; Steel City Broadcasting Co. of Bethlehem, Inc., Allentown, Pa.—Adopted an order designating for hearing application (B2-P-4517) of WEST to change frequency from 1400 to 1230 kc., operating with 250 watts, unlimited time, in a consolidated proceeding with the applications of Easton Pub. Co., Lewis Windmuller and Steel City Broadcasting Co. of Bethlehem, Inc., heretofore designated for hearing in a consolidated proceeding; ordered the WEST application designated in this consolidated proceeding, and that the Bills of Particulars heretofore issued in these proceedings be amended to include WEST's application.

Newnan Broadcasting Co., Newnan, Ga.; Volunteer State Broadcasting Co., Inc., Nashville, Tenn.—Adopted an order designating for hearing application (B3-P-4487) of Newnan Broadcasting Co. for a new station to operate on 1300 kc., 1 KW, unlimited time, DA-night, in consolidation with application (B3-P-4531) of Volunteer State Broadcasting Co., Inc., Nashville, to use 1300 kc., 5 KW, unlimited time, DA-night.

KMTR—KMTR Radio Corp., Los Angeles, Cal.—Adopted an order granting petition of KMTR requesting that its application (B5-P-4583) to increase power from 1 to 5 KW-D and 1 KW-N, unlimited time on its present frequency, 570 kc., be designated for hearing with six applications all requesting use of frequency 590 kc. at their respective locations; further ordered KMTR's application be designated for hearing in a consolidated proceeding with these applications, and that the Bills of Particulars heretofore issued in these proceedings be amended to include the KMTR application.

KORE—Eugene Broadcast Station, Eugene, Ore.—Granted renewal of license for the period ending Feb. 1, 1948.

KTRI—Sioux City Broadcasting Co., Sioux City, Iowa—Granted renewal of license for the period ending Feb. 1, 1948.

Paris Broadcasting Co., Paris, Tenn.; Kentucky Lake Broadcasting System, Inc., Paris, Tenn.—Adopted orders granting petition of Paris Broadcasting Co. that its application (B3-P-4566) be designated for hearing in consolidation with application of Kentucky Lake Broadcasting System, Inc. (B3-P-4528), both requesting frequency 1340 kc., 250 watts, unlimited time.

Gonzales Broadcasting Co., Gonzales, Texas; Taylor Broadcasting Co., Taylor, Texas—Adopted orders granting petitions of Gonzales Broadcasting Co. and Taylor Broadcasting Co. requesting that their applications (B3-P-4546 and B3-P-4567) for new stations to use frequency 1450 kc., 250 watts, unlimited time at their respective locations, be designated for hearing in the consolidated proceedings heretofore scheduled on the applications of Thomas G. Harris, trustee for Coleman Gay, et al., Austin, Texas; Chas. W. Balthrope, San Antonio, and Express Publishing Co., San Antonio, and the Commission further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to include the Gonzales and Taylor applications.

Gilbert H. Kaynor and Howard W. Kaynor, co-partners, d/b as Kittitas Valley Broadcasting Station, Ellensburg, Wash.—Granted request to delete all records relative to authorization granted Nov. 28, 1945, for a new station to operate on 1400 kc., 250 watts, unlimited time, and cancelled said authorization.

WHEC—WHEC, Inc., Rochester, N. Y.—Adopted an order granting petition (Comr. Durr for hearing), for reconsideration and grant of application (B1-P-3976), to increase power from 500 watts night, 1 KW-LS, to 5 KW on 1460 kc., unlimited time, DA; ordered that said petition be granted subject to the condition that applicant shall make satisfactory adjustment of any adverse effect on the WSAY antenna system and adjustment of any cross modulation problems, and

(Continued on next page)

subject to approval by the CAA of the proposed antenna site.

- WRRF—Tar Heel Broadcasting System, Inc., Washington, N. C.—Granted construction permit to increase power from 1 to 5 KW, daytime only, on the frequency 930 kc. (B3-P-3954)
- W6XYZ—Television Productions, Inc., Los Angeles, Cal.—Granted construction permit to change transmitter site of experimental television station from Los Angeles to Pasadena, Cal. (B5-PVB-163)
- W6XLA—Television Productions, Inc., Los Angeles, Cal.—Granted construction permit to change frequency of relay experimental television station from Ch. #11 and 12 to frequency that may be assigned by the Commission's Chief Engineer from time to time; add aural transmitter with special emission for FM, 50 watts, and change type of visual transmitter from RL-210-1 to REL-2V. (B5-PVB-162)

### ACTIONS ON MOTIONS

- WCAE, Inc., Pittsburgh, Pa.—Granted petition for waiver of Sec. 1.384 of the Commission's rules, and accepted petitioner's written appearance late, in re application (Docket 7202).
- Columbia Broadcasting System, Inc., Boston, Mass.—Granted motion requesting leave to amend its application for a new FM station, so as to show revised information as to officers, etc., and the amendment was accepted.
- The Associated Broadcasters, Inc., San Francisco, Cal.—Granted motion for waiver of Sec. 1.384 of the Commission's Rules, and accepted late the written appearance of movant.
- Booth Radio Stations, Inc., Grand Rapids, Mich.—Granted petition (1) for leave to amend application (Docket 6957) for new station, so as to specify new transmitter site, etc.; (2) to reopen the record in this matter, and (3) scheduled a further hearing for April 16, for the purpose only of adducing testimony as to applicant's new transmitter site and the new engineering data as shown in amendments which was accepted.
- Midwest Broadcasting Co., Milwaukee, Wis.—Granted petition for leave to amend its application for a new station (Docket 6795), so as to show substitution of R. C. Borchert as stockholder and director of applicant corporation in place of Herbert S. Uihlein, etc., and the amendment was accepted.
- Harold H. Thoms, Durham, N. C.—Granted motion for extension of time in which to file exceptions and request oral argument in re his application (Docket 6638); and the time within which exceptions may be filed and oral argument requested was extended to April 15.
- Ventura Broadcasters, Inc., Ventura, Cal.—Granted petition for leave to take depositions in re petitioner's application (B5-P-3807) and the application of Coast Ventura, Inc. (B5-P-3725)
- WCBM—Baltimore Broadcasting Corp., Baltimore, Md.; The Capital Broadcasting Co., Annapolis, Md.—Granted motion of WCBM for a 30-day continuance of hearing in re their applications (Docket 7372 and 7371), and the hearing was continued to April 17.
- Fort Orange Broadcasting Co., Inc., Albany, N. Y.—Granted petition for a further continuance of hearing in re petitioner's application and that of Albany Broadcasting Co., Inc., and Van Curler Broadcasting Corp., and continued the hearing to May 13.
- Diamond State Broadcast Corp., Dover, Del.—Ordered that the motion filed by Diamond State Broadcast Corp. for continuance of hearing on its application (Docket 7012), be considered as a petition for dismissal without prejudice, pursuant to the Commission's January 5, 1946, Public Notice; and the application (B3-P-4217) was dismissed without prejudice to the right of applicant to request reinstatement upon the filing of a proper petition, accompanied by such amendments as movant may desire to file.
- Nevada Radio and Television Co., Reno, Nev.—Granted motion for dismissal without prejudice of its application for CP, and the application (B5-P-3832) for a new sta-

tion was dismissed without prejudice, subject to the right of petitioner to request reinstatement of its application pursuant to the Commission's January 5 1946 Public Notice.

- Richard T. Sampson, Oceanside, Cal.—Upon consideration of a petition of Richard T. Sampson to amend his application, the Commission ordered that this petition be considered as a petition for dismissal without prejudice of application (B5-P-442), pursuant to the Commission's January 5, 1946 Public Notice; and the application was dismissed without prejudice to the right of applicant to request reinstatement upon the filing of a proper petition, accompanied by the amendment necessary to complete the application.
- KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted petition requesting permission for Vance Plauche, an attorney of the Bar of the State of La., to appear specially on behalf of petitioner in the deposition proceeding to be held in Lake Charles on March 11.
- WJR—The Goodwill Stations, Inc., Detroit, Mich.—Granted petition to dismiss without prejudice its application (Docket 7280) for a new television station.
- The WGAR Broadcasting Co., Cleveland, Ohio—Granted petition to dismiss without prejudice its application (Docket 7297) for a commercial television station.
- Telegram Publishing Co., Salt Lake City, Utah—Granted petition for leave to amend its application (Docket 7057) so as to specify frequency 1230 instead of 1490 kc.; change exhibits, etc. The amendment was accepted and application removed from hearing docket.
- The Yankee Network, Inc., Providence, R. I.—Granted motion to dismiss without prejudice its application (Docket 7304) for a new television station.
- WADC—Allen T. Simmons, Tallmadge, Ohio: The WGAR Broadcasting Co., Cleveland, Ohio—Granted motion to continue hearing now scheduled for March 25 to April 24, 1946. (Dockets 7320 and 7319)
- Petzor Broadcasting Co., Grand Rapids, Mich.—Granted motion to take depositions in re its application for a new station (Docket 7387); exceptions noted by Ashbacker Radio Corp.
- WSAY—Brown Radio Service and Lab. (Gordon P. Brown, owner), Rochester, N. Y.—Dismissed petition of WSAY for leave to intervene in the hearing on application of WHEC, Inc. (Docket 6948). This petition was rendered moot by Commission's action on March 6 in granting WHEC's application, subject to condition they shall make satisfactory adjustment of any adverse effect on WSAY antenna system.
- The Berkshire Broadcasting Corp., Danbury, Conn.—Granted petition for leave to amend its application (Docket 6897) for a new station, so as to show changes in stock distribution; changes in transmitter site, etc.

## Federal Communications Commission Applications

### APPLICATIONS FILED AT FCC

#### 570 Kilocycles

- NEW—Metropolitan Broadcasting Corp., Washington, D. C. (P. O. 1743 G St., N. W.)—Construction permit for a new standard broadcast station to be operated on 570 kc., power of 250 watts and daytime hours of operation.

#### 590 Kilocycles

- KGGM—New Mexico Broadcasting Co., Inc., Albuquerque, N. M.—Construction permit to change frequency from 1260 to 590 kc., increase power from 1 KW to 1 KW night and 5 KW day, install new transmitter and directional antenna for night use and change transmitter location. Amended to change frequency from  
(Continued on next page)

590 to 610 kc., change power from 1 KW night and 5 KW day to 5 KW day and night, change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

**KSUB**—Southern Utah Broadcasting Co., Cedar City, Utah—Construction permit to change frequency from 1340 to 590 kc., increase power from 250 watts day and night to 1 KW day and install new transmitter. Amended: to change requested power from 1 KW day and 250 watts night to 1 KW day and night, install directional antenna for night use and change transmitter location.

### 610 Kilocycles

**NEW**—Virginia Broadcasting Corp., Roanoke, Va.—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW, directional antenna and unlimited hours of operation. Amended: to change frequency from 620 kc., to 610 kc., changes in directional antenna and change in stock ownership.

**WAYS**—Inter-City Advertising Co., Charlotte, N. C.—Construction permit to increase power from 1 KW day and night to 1 KW night and 5 KW day using directional antenna day and night and install new transmitter.

### 620 Kilocycles

**WRAL**—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to change frequency from 1240 to 620 kc., increase power from 250 watts day and night to 1 KW night and 5 KW day, install new transmitter and directional antenna for day and night use and change transmitter location. Amended: to change transmitter location.

### 630 Kilocycles

**WLAP**—American Broadcasting Corp., Lexington, Ky.—Construction permit to change frequency from 1450 to 630 kc., increase power from 250 watts day and night to 5 KW day and 1 KW night, install new transmitter and directional antenna for day and night use. Amended: to change transmitter location and make changes in directional antenna for day and night use.

### 710 Kilocycles

**WOR**—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit to install new directional antenna for day and night use.

### 730 Kilocycles

**NEW**—Madisonville Broadcasting Co., Inc., Madisonville, Ky. (P. O. Box 450, Taylor Bldg., Paducah, Ky.)—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 250 watts and daytime hours of operation.

### 790 Kilocycles

**NEW**—Booth Radio Stations, Inc., Saginaw, Mich.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, directional antenna and unlimited hours of operation. Amended: to change frequency from 550 to 790 kc., and changes in directional antenna.

### 820 Kilocycles

**NEW**—WLBG, Inc., Laurens, S. C. (P. O. Laurens, S. C.)—Construction permit for a new standard broadcast station to be operated on 820 kc., power of 250 watts and daytime hours of operation. (Call "WLBG" reserved)

### 920 Kilocycles

**NEW**—Glen H. Smith and Herbert H. Lee, d/b as Lee-Smith Broadcast Co., Faribault, Minn. (P. O. 1054 Blair Ave., St. Paul 4, Minn.)—Construction permit for a new standard broadcast station to be operated on 920 kc., power of 100 watts day and 250 watts night and unlimited hours of operation.

### 950 Kilocycles

**NEW**—E. T. Wright, Orlando, Fla.—Construction permit for a new standard broadcast station to be operated on 950 kc., power of 1 KW, directional antenna night and unlimited hours of operation. Amended: to change frequency from 950 kc., to 1230 kc., power from 1 KW to 250 watts, change type of transmitter and antenna and change transmitter location. (Contingent on grant of WLOF—B3-P-3973)

### 1030 Kilocycles

**KWSC**—State College of Washington, Pullman, Wash.—Construction permit to change frequency from 1250 kc., to 1030 kc., change power from 5 KW day and 1 KW night and hours of operation from S-KTW to unlimited time and make changes in vertical antenna. Amended: to omit request for change in power and install directional antenna for night use.

### 1050 Kilocycles

**NEW**—The Northern Kentucky Radio Corp., Covington, Ky.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation.

### 1060 Kilocycles

**NEW**—Palladium Publishing Co., Benton Harbor, Mich.—Construction permit for a new standard broadcast station to be operated on 1060 kc., power of 250 watts and daytime hours of operation. Amended: to change power from 250 watts to 1 KW, change type of transmitter and antenna and change transmitter location.

### 1110 Kilocycles

**KFAB**—KFAB Broadcasting Co., Omaha, Neb.—Construction permit to install auxiliary transmitter to be operated on 1110 kc., power of 5 KW and employing directional antenna night.

### 1150 Kilocycles

**KFJI**—KFJI Broadcasters, Klamath Falls, Ore.—Construction permit to change frequency from 1240 to 1150 kc., increase power from 100 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location.

### 1180 Kilocycles

**NEW**—Eugene J. Roth, Jack L. Pink and James M. Brown d/b as Radio Broadcasting Associates, Houston, Texas (P. O. Buffalo Drive at Waugh Drive)—Construction permit for a new standard broadcast station to be operated on 1180 kc., power of 250 watts and daytime hours of operation.

### 1230 Kilocycles

**NEW**—Danville Broadcasting Co., Danville, Ky.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 100 watts and unlimited hours of operation. Amended: to change power from 100 watts to 250 watts.

**NEW**—Dickinson Radio Assn., Dickinson, N. Dak. (P. O. c/o W. H. Walton)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

**KNEI**—George H. Thomas, James J. Davison, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Modification of construction permit (B3-P-3861, which authorized a new standard broadcast station) for approval of antenna, transmitter and studio locations.

(Continued on next page)



## 1250 Kilocycles

**KNAK**—Granite District Radio Broadcasting Co., Salt Lake City, Utah—Construction permit to change frequency from 1400 to 1280 kc., increase power from 250 watts to 500 watts and make changes in transmitting equipment and vertical antenna.

## 1290 Kilocycles

**NEW**—Central Illinois Radio Corp., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1290 kc., power of 5 KW, directional antenna and unlimited hours of operation. Amended: re changes in directional antenna.

## 1340 Kilocycles

**NEW**—Yellowstone Amusement Co., Livingston, Montana (P. O. Box 422)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. (Call "KPRK" reserved)

**NEW**—P. B. Huff, tr/as The Hazard Broadcasting System, Hazard, Ky. (P. O. Main St.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

**NEW**—John P. Rabb, Lenoir, North Carolina (P. O. 257 N. Main St.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

**KCMJ**—Richard W. Joy and Donald C. McBain, d/b as Palm Springs Broadcasting Co., Palm Springs, Cal.—License to cover construction permit (B3-P-3867) which authorized a new standard broadcast station.

**NEW**—Mario Acosta, Mayaguez, P. R. (P. O. Once de Agosta 82)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

**KCMJ**—Richard W. Joy and Donald C. McBain, d/b as Palm Springs Broadcasting Co., Palm Springs, Cal.—Authority to determine operating power by direct measurement of antenna power.

## 1450 Kilocycles

**NEW**—Richard E. Adams, James H. Shoemaker and Albert A. Anderson, d/b as Coastal Broadcasting Co., Charleston, S. C. (P. O. Temp. c/o Lt. Comdr. Richard E. Adams, 1634 Fitzgerald Lane, Alexandria, Va.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts, and unlimited hours of operation.

**NEW**—The Sankusky Broadcasting Co., Sandusky, Ohio—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in director and stockholders, changes in antenna and transmitter location.

**KBNE**—Boulder City Broadcasting Co., Boulder City, Nev.—License to cover construction permit (B5-P-3899, which authorized a new standard broadcast station) and specify studio location as 701 Avenue R, Boulder City, Nevada.

**KBNE**—Boulder City Broadcasting Co., Boulder City, Nev.—Authority to determine operating power by direct measurement of antenna power.

**NEW**—Frederic Lemieux, III, Claude S. Maenza and Edna Capo Lemieux, d/b as Gulf State Broadcasting Co., Crowley, La. (P. O. 720 Weiblen Place, New Orleans 19, La.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

**WBHF**—W. R. Frier, Cartersville, Ga.—Modification of construction permit (B3-P-4064, which authorized a new standard broadcast station) for approval of antenna and transmitter location and to change studio location.

**KXLR**—Arkansas Airwaves Co., North Little Rock, Ark.—Modification of construction permit (B3-P-4067 which authorized a new standard broadcast station) to change type of transmitter and change studio location.

## 1470 Kilocycles

**NEW**—Civic Broadcasting Corp., Anderson, Ind. (P. O. 707 W. Fifth St.)—Construction permit for a new standard broadcast station to be operated on 1470 kc., power of 1 KW and daytime hours of operation. (Call "WCBC" reserved)

## 1490 Kilocycles

**NEW**—Mitchell C. Tackley, tr/as North Country Broadcasting Co., Malone, N. Y. (P. O. 96 West Main St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

**NEW**—The Yankee Network, Inc., Portland, Maine (P. O. 21 Brookline Ave., Boston, Mass.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

**NEW**—Crawford County Broadcasting Corp., Meadville, Penna. (P. O. 915 Diamond Sq.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

**NEW**—The Torrington Broadcasting Co., Inc., Torrington, Conn.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: re change in officers and stockholders.

## 1600 Kilocycles

**NEW**—Capitol Radio Corp., Des Moines, Iowa—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 1 KW, and unlimited hours of operation. Amended: to change frequency from 1600 kc. to 1150 kc., and change in officers and directors.

## FM APPLICATIONS

**NEW**—WHBY, Inc., Green Bay, Wisc. (Bellin Bldg.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 92-106 mc. band and coverage of 6,941 square miles.

**NEW**—The Journal Company (The Milwaukee Journal), Wausau, Wisconsin (P. O. 333 West State St., Milwaukee 1, Wisc.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be determined and coverage of 17,250 square miles.

**NEW**—Portsmouth Star Publishing Corp., Portsmouth, Va. (P. O. 101 High St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #263, 100.5 mc., and coverage of 4,763 square miles.

**NEW**—Brattleboro Publishing Co., Brattleboro, Vt. (P. O. 73 Main St.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency to be determined by Chief Engineer of FCC.

**NEW**—WJMC, Inc., Rice Lake, Wisc. (P. O. John and Main St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by FCC and coverage of 4,902 square miles.

**NEW**—Edwin C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif. (P. O. California State Life Bldg., 10th and Jay Sts.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency as assigned by FCC and coverage of 9,870 square miles.

**NEW**—Twin City Broadcasting Corp., Longview, Wash. (P. O. 14th and Hudson Sts.)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #282, 104.3 mc.

**NEW**—WLEU Broadcasting Corp., Erie, Penna. (P. O. Commerce Bldg., 12th and State Sts.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by the FCC and coverage of 5,450 square miles.

*(Continued on next page)*

NEW—Burlington Graham Broadcasting Co., Burlington, N. C. (P. O. State Theatre Bldg.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #267, 101.3 mc., or as assigned by FCC and coverage of 4,352.96 square miles or as assigned by FCC.

NEW—R. F. Story and Bennett Story, d/b as Democrat Printing Co., Durant, Okla. (P. O. 129 North 3rd Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 92.1 to 103.9 mc. band as selected by Chief Engineer of FCC and coverage of 7,700 square miles.

NEW—J. K. Patrick, Earl B. Braswell, Tate Wright and C. A. Rowland, d/b as J. K. Patrick & Co., Athens, Ga.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 42.5 mc. and coverage of 40 square miles. Amended: to change frequency from 42.5 mc., to Channel #223, 92.5 mc., coverage from 40 square miles to 5,538.9 square miles, specify population and studio and transmitter locations and antenna system, change type of transmitter and specify type of station as Metropolitan.

NEW—Utica Observer-Dispatch, Inc., Utica, N. Y. (P. O. Oriskany Plaza)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by Chief Engineer of FCC and coverage of 10,200 square miles.

NEW—William F. Huffman, Wisconsin Rapids, Wis. (P. O. 1031 Fourth St., So.)—Construction permit for a new FM broadcast station to be operated on frequency to be assigned by FCC and coverage of 3,832 square miles.

NEW—Seattle Broadcast Co., Seattle, Wash. (P. O. 1220 Third Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—Parker Brothers, Inc., Ahsokie, N. C. (P. O. Corner McGlohon and North Sts.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency to be determined by the FCC.

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C. (P. O. 130 South Salisbury)—Construction permit for a new FM (Rural) Broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC and coverage to be determined.

NEW—R. G. Le Tourneau, Toccoa, Ga. (P. O. c/o Radio Station WRLC, Prather Bridge Road)—Construction permit for a new FM (Rural) broadcast station to be operated on Channel #249 97.7 mc., and coverage of 10,922 square miles.

NEW—Voice of Augusta, Inc., Augusta, Ga. (P. O. 1008 Southern Finance Bldg.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—WMPS, Inc., Memphis, Tenn. (P. O. 62 N. Main St.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned and coverage to be determined.

NEW—Joseph M. Viana, Woonsocket, R. I. (P. O. 13-17 Social St.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency to be determined by Chief Engineer of FCC.

WAAW—Bremer Broadcasting Corp., Newark, N. J.—Modification of construction permit (B1-PH-72, which authorized new high frequency broadcast station) for move of transmitter location from Montclair, N. J., to West Orange, N. J., and for extension of commencement and completion dates from 3-27-42 and 9-27-42 to 60 days after grant thereof and 180 days thereafter, respectively, move main studio, change type of transmitter, change coverage from 6,200 square miles to 10,000 square miles and make changes in antenna system. Amended: to change studio location, specify frequency as Channel #39, 95.7 mc., change coverage from 10,000 to 10,100 square miles and make changes in antenna system.

NEW—Kingsport Broadcasting Co., Inc., Kingsport, Tenn. (P. O. 222 Commerce St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #271, 102.1 mc., and coverage of 20,850 square miles.

NEW—Oscar C. Hirseh, Cape Girardeau, Mo. (P. O. 324 Broadway)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC and coverage of 6,709 square miles.

NEW—Central Broadcasting Co., Wausau, Wis. (P. O. Wausau, Wis.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned by FCC and coverage of 19,113 square miles.

NEW—J. E. Richmond, Homer W. Wood, Percy M. Whiteside, Morley M. Maddox & Charles A. Whitmore, d/b as Tulare-Kings Counties Radio Associates, Fresno, Cal. (P. O. Box 511, Visalia, Cal.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #270, 101.9 mc., and coverage of 6,880 square miles.

### TELEVISION APPLICATION

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 66-72 mc. Amended: to change frequency from Channel #4, 66-72 mc. to Channel #5, 76-82 mc.

### MISCELLANEOUS APPLICATIONS

NEW—KRLD Radio Corp., Area of Dallas, Texas (P. O. Adolphus Hotel, Dallas, Texas)—Construction permit for a new relay broadcast station to be operated on 30.82, 33.74, 35.82 & 37.98 mc., power of 2 watts and A3 emission.

NEW—KRLD Radio Corp., Area of Dallas, Texas (P. O. Adolphus Hotel, Dallas, Texas)—Construction permit for a new relay broadcast station to be operated on 156.75, 158.40, 159.30 & 161.10 mc., power of 25 watts and special for FM emission.

NEW—KRLD Radio Corp., Area of Dallas, Texas (P. O. Adolphus Hotel, Dallas, Texas)—Construction permit for a new relay broadcast station to be operated on 30.82, 33.74, 35.82 & 37.98 mc., power of 25 watts and A3 emission.

NEW—American Broadcasting Co., Inc., Area of New York City (P. O. 30 Rockefeller Plaza, New York 20, N. Y.)—Construction permit for a new relay broadcast station to be operated on 31.22, 35.62, 37.02 & 39.26 mc., power of 50 watts and A3 emission.

W1XHR—Harvey Radio Laboratories, Inc., Cambridge, Mass.—License to cover construction permit (B1-PEX-60, as modified) which authorized a new developmental broadcast station.

W3XAF—Philco Products, Inc., Arlington County, Va.—Modification of construction permit (B2-PVB-124, as modified which authorized a new experimental broadcast station) for extension of commencement and completion dates only from 9-16-45 and 3-16-46 to 3-16-46 and 9-16-46.

WBPV—National Broadcasting Co., Inc., Cleveland, Ohio—License to cover construction permit (B2-PRY-303) which authorized a new relay broadcast station.

W9XJN—Joseph F. Novy, Riverside Ill.—License to cover construction permit (B4-PEX-65) which authorized a new developmental broadcast station.

KVOE—The Voice of The Orange Empire, Inc., Ltd., Santa Ana, Cal.—Construction permit to install new vertical antenna.

KVMV—Radio Sales Corporation, Twin Falls, Idaho—Modification of construction permit (B5-P-4048, which authorized a new standard broadcast station) to change main studio location and change antenna from series to shunt fed.

NEW—Textile Broadcasting Co., Area of Greenville, S. C. (P. O. Box 1499, Greenville, S. C.)—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150 and 2790 kc., power of 125 watts and A3 emission.

NEW—KRIC, Inc., Area of SE Texas—Construction permit for a new relay broadcast station to be operated on frequency not specified, power of 15 watts and A3 emission. Amended: to specify frequencies as 31.22, 35.62, 37.02 and 39.26 mc. (Continued on next page)

## APPLICATIONS TENDERED FOR FILING

- NEW—The Corbin Times-Tribune, Inc., Corbin, Ky.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- NEW—Clearwater Radio Broadcasters, Inc., Clearwater, Fla.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. (Contingent on grant of WLAK for change in frequency from 1340 kc. to 1430 kc.)
- NEW—A. W. Langill, B. J. Colbert & I. E. Rasmus, Co-partners, d/b as The Eau Claire-Chippewa Broadcasting Co., Eau Claire, Wis.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—Evanston Broadcasting Company, Evanston, Ill.—Construction permit for a new standard broadcast station to be operated on 1590 kc., power of 1 KW and daytime hours of operation.
- NEW—Enterprise Publishing Co., Brockton, Mass.—Construction permit for a new standard broadcast station to be operated on 1110 kc., power of 250 watts and unlimited hours of operation.
- NEW—Appalachian Broadcasting Corp., Bristol, Va.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- WSAM—Saginaw Broadcasting Co., Saginaw, Mich.—Construct a synchronous amplifier at Bay City, Michigan to operate with power of 100 watts. (1400 kc.)
- NEW—The Joseph F. Biddle Publishing Co., Huntingdon, Pa.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- NEW—Paris Broadcasting Co., Paris, Tenn.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—WFCB, Inc., Superior, Wis.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—Interstate Radio, Inc., Moscow, Idaho—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—Pocatello Broadcasting Co., Pocatello, Idaho—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.
- NEW—W. Albert Lee, Houston, Texas—Construction permit for a new standard broadcast station to be operated on 610 kc., power of 5 KW, directional antenna night and unlimited hours of operation.
- KGFL, Inc., Roswell, N. M.—Application to increase power from 100 watts to 250 watts and install new transmitter.

NEW—Grass Valley-Nevada City Broadcasters, Inc., Grass Valley, Calif.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

## Federal Trade Commission Docket

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist orders should not be issued against it.

**M. B. Waterman & Co., et al.**—A complaint alleging misrepresentation in the sale of crucifixes, medals and novelty merchandise has been issued against M. B. Waterman & Co., 333 South Market Street, Chicago, and its officers, Max B. Waterman, Dorothea Waterman and Julius W. Kohn. The individual respondents also trade as W. B. Light Company, Pardon Cross Company, Bernard's of Waterman & Company, Not Inc., The Religious House, Glow-light Company, Pardon Cross Company, Bernard's of California, Nature's Wonder, Glo-Sheen Flowers, and Glo-Sheen's Flowers Company. (5426)

### CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

**Pemco Corp., et al.**—Five manufacturers of porcelain enamel in its raw state, known to the trade as "frit," have been ordered to cease and desist from engaging in or continuing a conspiracy pursuant to which they have fixed prices and employed other restraint-of-trade practices in violation of the Federal Trade Commission Act.

Pricing practices of the manufacturers which were found by the Commission to be discriminatory as between different purchasers of frit, and in violation of the Robinson-Patman Act, also are prohibited by the order.

Manufacturers named in the order, and who were found to produce approximately 96 percent of all the commercial frit manufactured in the United States, are Ferro Enamel Corp., Cleveland; Pemco Corp., Baltimore; The O. Hommel Co., Carnegie, Pa.; Chicago Vitreous Enamel Product Co., Cicero, Ill.; and Ingram-Richardson Mfg. Co. of Indiana, Frankfort, Ind. The order also is directed against the business management firm of Steveson, Jordan & Harrison, Inc., 19 West 44th Street, New York, and its director, Harry L. Moody, who were found to have participated in the manufacturers' price-fixing combination. Moody and the firm specialize in the management of trade associations. (5155)

1948年11月11日  
星期四

### 1948年11月11日 星期四

11/11

今日无事，照常上课。  
下午放学后，与同学去操场散步。  
操场上的落叶已经很多了，踩上去沙沙作响。  
天气有些微凉，但阳光依然温暖。  
想到即将到来的圣诞节，心里有些期待。  
希望家人和朋友都能平安健康。

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## BROADCASTERS OF TWO NAB DISTRICTS CHALLENGE FCC REPORT

The first two NAB district meetings held since issuance by the FCC of its report on "Public Service Responsibility of Broadcast Licensees" brought forth unanimous protests against the report from the forty-four member stations represented.

At the 11th district meeting in Minneapolis sixty-five broadcasters, representing twenty-three stations in Minnesota, North Dakota, South Dakota, Northern Wisconsin and part of Michigan unanimously adopted a resolution challenging the Commission's assertion of authority in this respect.

In Grand Rapids, with twenty-one of twenty-four member stations represented, broadcasters of the eighth district unanimously adopted a resolution calling upon Congress to clarify the FCC law to definitely determine the Commission's powers respecting programs.

The 11th district resolution, prepared by a committee headed by Barney Lavin, WDAY, and including Ken Hance, KSTP, and Robert Fincher, WNAX, followed a three hour discussion in an open session. The resolution follows.

"WHEREAS, The Federal Communications Commission has promulgated a report entitled, "Public Service Responsibility of Broadcast Licensees" in which it asserts the right to exercise through its licensing power a large measure of control over program policies and program content of each individual licensee which amounts to an assumption of the right of censorship by the said FCC and is contrary to both the letter and the spirit of the Federal Communications Act, and,

"WHEREAS, The Congress in legislating to regulate radio broadcasting clearly and expressly provided that it should operate as an institution of free enterprise and that there should be no censorship of the contents of programs, and,

"WHEREAS, The American system of broadcasting in the quarter century of its operation has brought to the listening audience a program service unequalled in quality, variety and general informative and educational value and uniformly acceptable to the vast majority of listeners, and

"WHEREAS, The industry has instituted standards of self-regulation and control designed to improve the quality and bring about more balanced program schedules and such voluntary plan of self-regulation, subjected to continuing scrutiny and supervision is consistent with our national ideals and traditions, and

"WHEREAS, Radio broadcasting is one of the greatest mediums of mass communication yet devised and under the plan of free enterprise has consistently been used as a medium for the free expression of divergent views on all kinds of issues and to further freedom of speech and expression, now therefore

"BE IT RESOLVED, by the broadcasters of the 11th NAB District, comprising licensees in the states of Minnesota, North Dakota, South Dakota, northern Wisconsin and part of Michigan, in session assembled this 19th day of

## BRUCE McCONNELL NAMED EIGHTH DISTRICT DIRECTOR

C. Bruce McConnell, WISH, Indianapolis, was elected Director of 8th NAB District at the meeting of member stations from that district last Thursday and Friday in Grand Rapids, Michigan. He succeeds John Fetzer, WKZO, Director for the past eight years, whose service was praised in a resolution adopted at the meeting.

Mr. McConnell will assume his new duties in October for a two-year term.

Full reports of the 8th District Meeting had not reached Washington at the time Reports went to press but will be carried in next week's edition.

March, 1946, that we challenge this assertion of authority and view it as a step in the direction of complete Government control and domination of radio and an invasion of the rights of freedom of speech and,

"BE IT FURTHER RESOLVED, That we call upon the National Association of Broadcasters to take every action necessary to bring about the retraction of this policy or a judicial or congressional definition of the powers of the FCC which will prevent any control of programs, and

"BE IT FURTHER RESOLVED, That we call upon each and every individual licensee fully to inform himself concerning the legal, social, political and economic implications of the FCC report and the adoption of every possible measure for the protection of the rights of the American people in free and untrammelled radio."

In the absence of Ed Hayek, 11th District Director, who was confined to his home by illness, A. E. Joscelyn, WCCO, took charge of arrangements and presided over all sessions.

Justin Miller, President, C. E. Arney, Jr., Secretary-Treasurer, and Frank Pellegrin, Director of Broadcast Advertising, represented NAB.

Hugh Feltis, BMB president, aided by Linnea Nelson, speaking for the agencies and Robert Elrick for the advertisers, reported on the progress of BMB. Another resolution dealt with this subject. It follows:

"WHEREAS, The broadcasting industry through the National Association of Broadcasters joined with advertisers through the Association of National Advertisers and other agencies through the American Association of Advertising Agencies in developing a standard method of measuring station coverage, and

"WHEREAS, Broadcast Measurement Bureau in carrying out this standard method will perform an indispensable

*(Continued on next page)*

Justin Miller, *President*  
 A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM Dept. and Government Relations*; Charles A. Batson, *Director of Information*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Acting Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Don E. Petty, *General Counsel*; Arthur C. Stringer, *Director of Promotion*.

and constructive service to radio as an advertising medium and enable it better to operate in the public interest, now therefore

"BE IT RESOLVED by the broadcasters of the 11th NAB District in session assembled this 19th day of March, 1946, that we heartily commend the activity and progress of BMB; extend a vote of appreciation to its Directors and officers, and strongly urge all stations not now subscribing to BMB to do so in order that complete industry statistics may be available, and

"BE IT FURTHER RESOLVED that we extend a vote of thanks to Linnea Nelson, Bob Elrick and Hugh Feltis for the splendid contribution which they made to the program of this meeting."

[Editor's Note: The 8th District meeting also adopted resolutions endorsing BMB as well as BMI. Details were not available as REPORTS went to press, but next week's issue will carry complete coverage.]

Those who registered for the meeting were: Frank E. Chizzini, Chicago, Ill., NBC; Paul Clark, Chicago, Ill., RCA; James H. Connolly, Chicago, Ill., ABC; Robert F. Elrick, Chicago, Ill., BMB; Tom Farrell, Chicago, Ill., Radio Market Guide; Gus Hagenah, Chicago, Ill., Standard Radio; Ralph Hatcher, Chicago, Ill., CBS; Scotty Keck, Chicago, Ill., NBC; James Mahoney, Chicago, Ill., MBS; Fred Sample, Chicago, Ill., Broadcasting; J. W. Huss, Ironwood, Mich., WJMS; Don Mathers, Duluth, Minn., KDAL; Odin S. Ramsland, Duluth, Minn., KDAL; H. E. Westmoreland, Duluth, Minn., WEBC; Norman Boggs, Minneapolis, WLOL; Tom Dawson, Minneapolis, WCCO; Richard Day, Minneapolis, WDGY; Alfred J. Harding, Minneapolis, KSTP; A. E. Joselyn, Minneapolis, WCCO; Sam L. Levitan, Minneapolis, KSTP; Sig Mickelson, Minneapolis, WCCO; Miller Robertson, Minneapolis, KSTP; Steve Stevens, Minneapolis, KSTP; Wallace E. Stone, Minneapolis, Minneapolis Times; R. B. Sturtevant, Minneapolis, Westinghouse Electric; F. Van Koynenberg, Minneapolis, WTCN; Carl S. Ward, Minneapolis, WCCO; Lee L. Whiting, Minneapolis, WDGY; Gene Wilkey, Minneapolis, WCCO; E. W. Ziebarth, Minneapolis, WCCO.

Ken Hance, St. Paul, KSTP; Stanley E. Hubbard, St. Paul, KSTP; B. Harland Ohde, St. Paul, KSJB; Warner C. Tidemann, Albert Lea, Minn., KATE; John Meagher, Mankato, Minn., KYSM; Bob Gardner, Mankato, Minn., KYSM; Manny Marget, Moorhead, Minn., KVOX; L. A. Mair, Rochester, Minn., KROC; Fred Schilplin, St. Cloud, Minn., KFAM; F. C. Schilplin, St. Cloud, Minn., KFAM; H. W. Linder, Willmar, Minn., KWLM; Gordon W. Clossway, Winona, Minn., KWNO; M. H. White, Minona, Minn., KWNO; O. H. Balch, Kansas City, Mo., J. E. Pearson Co.

Hugh Feltis, New York, N. Y., BMB; James F. Kyler, New York, N. Y., SESAC, Inc.; A. W. Marlin, New York, N. Y., BMI; John Mayo, New York, N. Y., Langworth Library Service; Linnea Nelson, New York, N. Y., BMB; Jack Dunn, Fargo, N. D., WDAY; F. E. Fitzsimonds, Bismarck, N. D., KFYZ; Elmer Hanson, Grand Forks, N. D., KILO; Barney Lavin, Fargo, N. D., WDAY; Dalton Le Masurier, Grand Forks, N. D., KILO; T. P. McElroy, Grand Forks, N. D., KILO.

Robert R. Tinchler, Yankton, S. D., WNAX; Sam Fantle,

Jr., Sioux Falls, S. D., KSOO; George Hahn, Sioux Falls, S. D., KSOO; Morton Henkin, Sioux Falls, S. D., KSOO; C. E. Arney, Jr., Washington, D. C., NAB; Justin Miller, Washington, D. C., NAB; Frank E. Pellegrin, Washington, D. C., NAB; Howard Dahl, LaCrosse, Wis., WKBH; George Frechette, Wisconsin Rapids, Wis., WFHR.

## NATIONWIDE DAYLIGHT SAVING TIME FOR THIS SUMMER PROPOSED IN CONGRESS

A bill to provide national daylight saving time from April to October this year was introduced in the House of Representatives Thursday (21) by Congressman James G. Fulton of Pennsylvania. It was referred immediately to the Committee on Interstate and Foreign Commerce.

In a brief speech before the House, Congressman Fulton referred to the proposed bill (H. R. 5843) as a means "to assist in preventing starvation abroad and increase domestic garden food production by giving an extra hour to continue the victory-garden program."

Mentioning that he had spent several months in Europe last year, Mr. Fulton said that since the United States abandoned daylight-saving time last fall "a lot has happened, and a greater realization has come to the country concerning the terrible conditions and starvation abroad."

"This extra hour each day will provide extra food and save urgently needed coal for assisting our good allies and those in need the coming winter," Representative Fulton added.

The proposed bill would provide for advancement of clocks one hour on the last Sunday in April (28) and return to standard time the last Sunday in October (27). This measure applies only to the current year.

## ROSEL HYDE NEW FCC COMMISSIONER

President Truman on Thursday (21) announced that Rosel H. Hyde, general counsel for the Federal Communications Commission, has been appointed to membership on the Commission. He fills the vacancy created by the recent death of William H. Wills.

The President said that Commissioner Charles E. Denny will continue as Acting Chairman.

Mr. Hyde has had 18 years of experience with the Commission and its predecessor, the Federal Radio Commission, to which he came in 1928 soon after its establishment. From November 1928 to September 1930 he was chief of the Docket Section and reorganized docket procedures into the system still in use by the FCC.

By 1932, Mr. Hyde was an examiner in the law Department and in 1934, when the Federal Communications Commission was organized, was transferred to the new Commission as an attorney-examiner and assigned to hear both common carrier and broadcast matters.

During his years at the Commission, Mr. Hyde has taken a leading role in all studies undertaken by the Commission in the development of its rules and regulations and particularly in handling of individual applications covering all broadcast services. He played an active part in the first general radio allocation hearings of 1928, was chairman of the Staff Committee making recommendations to Congress in 1935 on allocation of radio facilities to non-profit organizations, handled much of the network investigation, clear-channel and super-power radio station studies.

In October 1942, Mr. Hyde became assistant general counsel in charge of broadcast matters. He became general counsel in April, 1945.

Mr. Hyde was born in 1900 on a farm near Downey, Idaho, the site of an original homestead claim staked out by his father, attended high school in Salt Lake City, Utah, and later studied at the Utah Agricultural College.

At the age of 24, he was manager of the state bank in Downey. In 1924, having qualified for a clerkship in a

(Continued on next page)

competitive Civil Service examination, he left Idaho for Washington and a job with the Civil Service Commission. The following year, he transferred to the Office of Public Buildings and Public Parks. During 1924, Mr. Hyde studied accounting at night and in 1925 enrolled at the George Washington University Law School at night. He was graduated from the Law School in 1929.

He is married to the former Mary Henderson of Arimo, Idaho. They have three sons, Rosel, Jr., George Richard, and William Henderson.

## FM Department

### COMMISSION GRANTS 8 FM CP'S IN D. C.

For frequencies, etc., see Federal Communications Commission Actions elsewhere in this issue

Setting a probable pattern for the granting of Metropolitan FM construction permits in other sections of the

country, the Commission on Wednesday (20) granted 8 such permits to applicants in the District of Columbia. Three other applications were not acted upon, but were passed for further study.

A public notice released by the Commission stated that Commissioner Durr felt that not more than 6 stations in the Washington, or District of Columbia, area should be granted at this time, but the Commission having taken a different view he concurred in the issuance of an order by the Commission granting 8.

The successful applicants were: Commercial Radio Equipment Co., Cowles Broadcasting Co., National Broadcasting Company, Inc., Metropolitan Broadcasting Corp., Potomac Broadcasting Cooperative, The Evening Star Broadcasting Co., WINX Broadcasting Co., and Theodore Granik, all of Washington.

Applications which were not acted upon, but which were held for further study were those of the Mid-Coastal Broadcasting Co., Capital Broadcasting Co., and the Chesapeake Broadcasting Co., all of Washington. Commissioners Jett and Denny voted for a grant of the application of the Capital Broadcasting Co.

Present at the hearing were Commissioners Denny, Acting Chairman; Wakefield, Durr and Jett.

### 362 CONDITIONAL FM GRANTS NOW

The Commission en banc on Wednesday (20) granted 10 additional FM stations, bringing the total to 362 conditional grants to date. At the same time 7 applications were designated for hearing making a total of 129 applications now in hearing status.

Following are the grants made:

City	Grantee	Interest in Standard Station	Type of FM Station
<b>ALABAMA</b>			
Mobile	Giddens and Rester, a partnership	—	Metropolitan
<b>CONNECTICUT</b>			
Waterbury	Harold Thomas	WATR	Metropolitan
<b>MICHIGAN</b>			
Battle Creek	Federated Publications, Inc.	WELL	Metropolitan
<b>NEW YORK</b>			
Coram	Suffolk Broadcasting Corp.	—	Community
Rochester	Monroe Broadcasting Co., Inc.	—	Metropolitan
<b>NORTH DAKOTA</b>			
Fargo	KVOX Broadcasting Co.	KVOX	Metropolitan, possibly Rural
<b>PENNSYLVANIA</b>			
Wilkes-Barre	Scranton-Wilkes-Barre-Pittston Broadcasting Co., Inc.	—	Metropolitan
<b>TENNESSEE</b>			
Chattanooga	Joda Patterson et al d/b as WAPO Broadcasting Co.	WAPO	Metropolitan
Chattanooga	Mark K. Wilson	—	Metropolitan
<b>WEST VIRGINIA</b>			
Logan	Clarence H. Frey and Robert O. Greever	WLOG	Metropolitan

### DESIGNATED FOR HEARING

Moraine Broadcasters, Inc. Adopted an order designating for hearing in a consolidated proceeding with applications of the Crosley Dayton, Ohio. Corp. et al, (Dockets 7235-7239 incl. and 7409); and further ordered that the order heretofore issued in the consolidated proceedings be amended to include the application of Moraine Broadcasters, Inc.

Adopted an order designating for hearing in a consolidated proceeding, the applications of The Yankee Network Inc., The Traveler's Broadcasting Service Corp., Harry F. Guggenheim and Harold Thomas, all for stations in Bridgeport, Conn., and applications of Danbury News-Times Co., Danbury, Conn., and The Western Conn. Broadcasting Co., Stamford, Conn.

### PETITION DENIED

Miami Valley Broadcasting Corp. Denied petition requesting that its application for FM metropolitan station be removed from Dayton, Ohio. the hearing docket and granted without hearing.

## Employer – Employee Relations

### STATIONS TO RECEIVE NEW WAGE-HOUR MANUAL

The NAB Employer-Employee Relations Department is currently preparing a new Manual, for station use, concerning the "Fair Labor Standards Act," usually known as the Wage and Hour Act. Distribution is planned for later this week.

This new publication will be a comprehensive and up-to-date guide for broadcasters in applying the act to radio operations.

## Music

Preliminary Conference action on the Lea-Vandenberg Bill (HR5117-S63) began Thursday (28) when the joint Senate-House Conference members met in customary closed session.

The meeting was resumed on Friday and adjourned until Tuesday (26).

## Legal

### NEW MEXICO TAX CASE DISMISSED WITHOUT PREJUDICE

The U. S. District Court, District of New Mexico, has dismissed without prejudice to "the institutions of actions in the courts of the state," the several actions brought by New Mexico radio stations which sought to have set aside a New Mexico act which imposes a license and privilege tax upon radio stations.

Citing the Johnson Act, which bars Federal Courts from entertaining any suit enjoining a state from the collection of its taxes, the Court, in rendering its opinion, held that the radio stations were engaged in interstate commerce, a contention vigorously contested by the State's attorney during the trial. The Court also declared that the tax in question was a privilege or excise tax, another contention highly contested by the State's attorney. The Court did not, however, render an opinion as to the validity of the tax, but dismissed the actions under the provisions of the Johnson Act without prejudice to the rights of the stations to bring suit in the New Mexico state courts.

## News

### STEWART CHAIRMAN OF NAB NEW YORK NEWS CLINIC

Elliott Stewart, executive vice president of station WIBX, Utica, has been named general chairman of the NAB Radio News Clinic to be held in Utica for New York broadcasters on Wednesday, April 10.

Appointment of Mr. Stewart was made by Kolin Hager, NAB District 2 Director and general manager of WGY Schenectady.

The one-day session will be held at the Hotel Utica.

E. R. Vadeboncoeur, chairman of the NAB Radio News Committee and vice president of WSYR, Syracuse, said that other clinics are to be held in Wisconsin, Nebraska, and Washington State.

## Television

### NAVY ANNOUNCES BATTLE USES OF TELEVISION

The Navy revealed Thursday (21) that television already has an extensive and successful battle record, and demonstrated at the Naval Air Station, Anacostia, D. C., how it has been used.

Those present at Anacostia were able to see panoramic views of the vicinity of Washington, Baltimore and Annapolis, Md., as television-equipped Navy planes flew over those three areas and transmitted to receivers at the Naval Air Station.

Airborne television is militarily useful both for extending the range of vision beyond the horizon and for guiding missiles into enemy targets. The first time the latter use was employed in battle, two Japanese ships were sunk off Bougainville.

"The military television developments," the Navy Department announced, "were the result of joint efforts of . . . the Navy Department and the Research and Development Laboratory of the Radio Corporation of America in conjunction with the National Broadcasting Company."

Brigadier General David Sarnoff, President of RCA, predicted vast industrial applications for airborne television.

In discussing the past and future uses, Rear Admiral Leslie C. Stevens, Assistant Chief of the Navy's Bureau of Aeronautics, announced that "Television equipment . . . will see considerable use in the *Project Crossroads* test of the atomic bomb. As can well be imagined, television will report in detail close-in pictures of the explosion and data which human observers could not have access to."

Admiral Stevens explained that the Navy's first successful airborne television flights were made in 1941 and television's capabilities in controlling pilotless aircraft were demonstrated successfully in 1942.

The military equipment is divided into two classifications, "Ring" and "Bloc" television. "Ring" television is so named because it uses a special radio-electronic camera that can be moved with the freedom of an ordinary newsreel camera. It is the most powerful of airborne equipment having a range of over two hundred miles when broadcasting at an altitude of 15,000 feet. It is carried in a Martin JM-1 airplane, powered with Wright engines which maintain an average cruising speed of 200 miles an hour. Two cameras are carried, one in the nose bombardier nacelle and one in the waist of the fuselage.

The use of "Ring" television heralds a new era of combat reconnaissance because it can flash battle actions back to central headquarters, where commanding officers previously have been forced to rely upon verbal reports to determine the course of action to be taken. An entire beachhead, for example, could be relayed by television to show the actual scene of battle to the officers controlling the attack strategy.

"Bloc" television is a lighter short-range type of equipment. The camera is fixed in the nose of a Beechcraft

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JRB airplane. The image is transmitted from 15 to 20 miles and the equipment would be used in advanced field operations. The panning effect with "Bloc" equipment is accomplished by the pilot moving the controls of the aircraft so that the television camera screens the desired target.

In its early stage of development "Bloc" was used by Special Task Air Group One, during the attacks on Bougainville and Rabaul. The targets there were successfully relayed back some 15 miles. Another use made of this type equipment during the war was in the guiding of controlled missiles. A "Bloc" camera was installed in the nose of the missile and the receiving screen was mounted before a television operator seated beside the control operator in specially adapted Grumman Avengers. In this manner the missile could be followed and directed. Two Japanese vessels were sunk off Bougainville in the initial use of this adaptation.

## Engineering

### BROADCAST ENGINEERS MEETING IN COLUMBUS

The Sixth Broadcast Engineering Conference has been in session during this entire week on the campus of Ohio State University. The final session closing the Conference will be held early Saturday afternoon, March 23.

As in previous years, the conferences have been under the direction of Dr. W. L. Everitt, Head of the Department of Electrical Engineering of the University of Illinois, assisted by the Associate Director, Professor E. M. Boone of Ohio State University, Department of Electrical Engineering. The conference this year was sponsored jointly by the two state universities, the Institute of Radio Engineers and the National Association of Broadcasters. It is estimated that total attendance at the conference will exceed 400 of the nation's top-notch broadcast engineering executives.

Technical sessions are conducted daily from 9:00 a. m. until 4:30 p. m. and have been well attended throughout the week. The auditorium of Campbell Hall has been filled nearly to capacity at most sessions.

A. B. Chamberlain, CBS Chief Engineer, opened the conference Monday morning with his paper entitled "Contributions of War Developments to Broadcasting." An outstanding development applicable to the new color television was described by Chamberlain as "improved UHF high gain, broad band, horizontally polarized omnidirectional or directional antennas, the result of wartime radar and counter measure systems development work necessary to meet military requirements."

"Other improvements applicable to television," he said, "are better and lower cost cathode ray tubes, camera pickup tubes about one hundred times more sensitive than before, sight and sound on a single transmitter carrier, stagger tuned wide band amplifiers, crystal con-

verters, oscillator circuits, discriminator circuits, electronic relays, video amplifiers, and new high intensity projection tubes for home projection of television pictures."

"World War II has demonstrated in no uncertain fashion," said Chamberlain, "what concentrated research development, design and large scale production and use may accomplish when unlimited financing and stark necessity exists. Great strides have been made in electronics during the last five years—ten or more years work at the prewar rate of work have been compressed in a few years."

As in previous years, there was great interest in the "Round Table and Question Box" held on Thursday, March 21. This is the meeting at which engineers of the FCC and the industry get together for discussion of common problems. The Round Table Meeting was presided over by Howard S. Frazier, NAB Acting Director of Engineering. Others seated on the stage were John Willoughby, FCC Assistant Chief Engineer in Charge of Broadcasting, Edward A. Allen, Jr., Assistant Chief, FCC Division of Technical Information, Daniel Gellerup of WTMG and R. Morris Pierce of WGAR, Cleveland.

The NAB Engineering Committee met on Wednesday evening, March 20, in the Fort Hayes Hotel with attendance of about 35 members and guests. NAB Executive Engineering Committee Chairman G. Porter Houston presided. Minutes of the meeting will be distributed to those in attendance and to the absentee members of the Committee.

At the suggestion of Karl Hoffman, Chief Engineer of the Buffalo Broadcasting Corporation, a meeting was held for the purpose of discussing Mr. Hoffman's proposal to organize a society of broadcast engineering executives. This meeting was well attended and resulted in the appointment of a small committee to further explore the proposal. The committee adopted as a suggested name "The Society of Executive Broadcast Engineers." There was a unanimity of those present that such an organization can do much to improve the professional standards of engineering administration in the broadcast field. It was suggested that the purpose of this society could be partially expressed in the following declaration which was adopted, "A Society for the furtherance of ethical and professional standards of executive broadcast engineers." Mr. James Schultz, Chief Engineer of WCAE, Pittsburgh, was elected chairman of the temporary committee.

### FCC AMENDS 3.25 TO CONFORM TO NARBA PROVISION

The Federal Communications Commission (by a Board composed of Acting Chairman Denny and Commissioners Durr and Wakefield) has amended Section 3.25(c) of its Rules so as to conform that subsection to the North American Regional Broadcasting Agreement.

The subsection as amended reads as follows, with amended portion in italics:

"Section 3.25 . . .

(c) For Class II stations which will not deliver over 5 microvolts per meter ground wave or 25 microvolts

*(Continued on next page)*

## DISTRICT MEETINGS AHEAD

9th District	March 25-26	Palmer House	Chicago, Illinois
7th District	March 28-29	Gibson Hotel	Cincinnati, Ohio
4th District	April 11-12	Cavalier Hotel	Virginia Beach, Va.
2nd District	April 25-26	Roosevelt Hotel	New York, N. Y.
5th District	April 29-30	San Carlos Hotel	Pensacola, Florida
1st District	May 13-14	Hotel Statler	Boston, Massachusetts
3rd District	May 16-17	Bellevue Stratford Hotel	Philadelphia, Pa.

per meter 10 per cent time sky wave at any point on said border, and provided that such stations *operating nighttime (i.e., sunset to sunrise at the location of the Class II station)* are located not less than 650 miles from the nearest Canadian border, 690, 740, 860, 990, 1010<sup>1a</sup>, and 1580 kilocycles.

## OPA MOVES TO EASE TUBE SITUATION

Radio tube manufacturers now may sell on an adjustable pricing basis until increased ceiling prices for radio tubes become effective, the Office of Price Administration has announced.

The adjustable pricing provision allows manufacturers of radio tubes to make an agreement with buyers for the delivery of the tubes at prices to be adjusted upward after OPA issues an action increasing the ceiling prices of radio tubes.

The action will allow a manufacturers' price increase of 15.5 per cent over the present ceiling prices for radio receiving tubes sold as original equipment to radio set producers. It also will allow a manufacturers' increase of 20 per cent over the October 1, 1941, prices for radio receiving tubes when sold to wholesalers and retailers.

Furthermore, these price increases may be applied to special purpose tubes of a type similar to radio receiving tubes. Such tubes generally are used in the production of public address systems, amplifiers, hearing aids, etc.

This advance announcement of price increases is made so that radio tube manufacturers will know immediately how much increase they are to be allowed, OPA said.

The increased manufacturers' prices will not increase the retail price of radio tubes because wholesalers and retailers will be required to absorb the manufacturers' increase. No decision has been made regarding the effect of the action on prices for radio sets, OPA said.

These manufacturers' price increases were based on a recent survey of the industry and they meet the provisions of the Government's new wage-price policy. They include increases in basic wage rates and material costs since October 1, 1941.

Several months ago, a manufacturers' price increase of 10.4 per cent over the October 1, 1941, prices was granted on sales of radio receiving tubes when sold as original equipment for the production of radio sets. Coupled with the new increase of 15.5 per cent, manufacturers will receive a total increase of 27.5 per cent over their October 1, 1941, prices on such sales.

Under the new action distributors and retailers will be required to share in absorbing the manufacturers' price increase. As a result, wholesalers' margins will be reduced from 37.5 per cent to 28.6 per cent. Retailers' mark-ups will be reduced from 40 per cent to 37 per cent.

## Promotion

### NEWSPAPERS INCREASE RADIO COLUMN SPACE

A significant trend to more intelligent use of radio space in newspapers as illustrated by a more than 100 per cent increase in the number of daily newspapers using radio columns in addition to listing services in 1945, was shown in the annual daily newspaper survey conducted by the NBC Central Division Press Department.

Results of the survey of over 750 newspapers in the 22 states served by the Central Division Press Department,

<sup>1a</sup>A station on 1010 kilocycles shall protect a class 1-B station at Havana, Cuba.

were compiled by Jack Ryan, manager of the department.

Figures for 1945 showed that 111 newspapers are now using radio columns in addition to program listings and highlights, as compared to 47 newspapers in this category in 1944. Thirteen newspapers added radio columns for the first time, while five increased column space. Only one newspaper which had previously used all services, dropped its radio column.

There also was a substantial increase in the number of newspapers using radio pictures as well as other services. Seven newspapers allotted space for pictures for the first time, and five increased picture space.

Most of the new publications in this field are newspapers which previously had printed listings and highlights only, thus proving the contention that use of radio space tends to become more intelligent once a newspaper has been convinced of the basic value of using radio information, Ryan said.

Among those newspapers which in 1945 added daily radio columns to their pages as well as other radio services were the Chicago Sun, the Detroit News, and the Indianapolis Star.

## Programming

### INTERNATIONAL SHORTWAVE NET TO COVER UNO MEET

The International Broadcasting Division of the State Department has established an exclusive shortwave network for the coverage of the United Nations Organization Security Council, which meets March 25th at Hunter College in New York City.

The plan for overseas coverage which will involve approximately forty members of the International Broadcasting Division consists of two types of programming

First will be the actual coverage of the Security Council meetings in their entirety. An exclusive network has been set up for this purpose with a running translation and description in French and English broadcast by "Voice of America" announcers: David Penn (English) and Fernand Auberjonois (French). The announcers will keep their coverage within the scope of straight reporting.

In addition, some eighteen different language programs with established shortwave audiences throughout the world have been designated to cover UNO. Recapitulations of the day's Security Council happenings, background and descriptive material, statements by delegates and other speakers, plus special events will be carried. The length of the portions of these programs devoted to UNO within the framework of the normal broadcast schedule will be determined by the significance of the day's events at Hunter. In other words, because of the flexibility of the Security Council meetings, these programs may on some occasions be devoted largely to UNO proceedings; on other days when news is slow, UNO reporting may be broadcast to a lesser extent.

Although the International Broadcasting Division has been programming in 25 languages approximately 64 broadcast hours a day to Europe, Latin America and the Far East, this complete coverage developed for the Security Council meetings exceeds any one plan previously attempted.

This type of complete coverage emanating from the UNO broadcasting center at Hunter College, in scope, is an unprecedented event in American radio. The set-up will

*(Continued on next page)*

not compete with existing radio stations or news services but the IBD personnel is prepared to cooperate and supply all domestic stations with background material and special events. IBD expects to reach the widest radio audience in the world.

The project is under the direction of John W. Ogilvie, Chief of the International Broadcasting Division, and Wilfred Roberts, Associate Chief. Actual operations will be under Werner Michel, Chief of Programming, Dorothy Van Doren, News; Hal Janis, Special Events; and J. Arthur Lazell, as UNO Coordinator for IBD.

Stations, frequencies and coverage for the exclusive network provided by the International Broadcasting Division of the State Department to be used for the Security Council broadcasts effective March 25th:

**W.N.R.I.**

13050 kilocycles—22/97 meters available 5:45 a. m. to 6:00 p. m. 9750 kilocycles—3077 meters—available 6:15 p. m.—conclusion (45 degree antenna; greatest strength, Berlin; good reception, Germany, low countries, France, Italy, Balkans, North Africa).

**W.O.O.C.**

15200 kilocycles—19.74 meters—available 5:45 a. m.-4:45 p. m. 9650 kilocycles—3.09 meters—available 5:00 a. m. to 7:00 p. m. 6120 kilocycles—49.03 meters available 7:15 p. m.—conclusion (52 degree antenna; greatest strength Paris; good reception, France, London, Germany, North Italy, Balkans, etc.).

**W.N.R.X.**

(14560 kilocycles—20.60 meters—(available 5:45 a. m. to 3:45 p. m. (45 degree antenna; see W.R.R.I. above (7250 kilocycles—41.38 meters available 4:00 p. m. to conclusion (55 degree antenna; greatest strength South Europe, good reception, Italy, Greece, Central Europe, etc.).

Language programs and time for news and special events on a daily basis presented by the international broadcasting division of the State Department to be used for complete UNO coverage effective March 25th:

- |                            |                   |
|----------------------------|-------------------|
| 1. Austrian                | 7:15- 7:30 a. m.  |
| 2. Bulgarian               | 11:00-11:10 a. m. |
| 3. Czech                   | 3:00- 3:30 p. m.  |
| 4. French                  | 6:00- 6:15 p. m.  |
| 5. German                  | 7:15- 7:30 a. m.  |
| 6. Greek                   | 2:10- 2:30 p. m.  |
| 7. Hungarian               | 3:30- 3:45 p. m.  |
| 8. Italian                 | 1:00- 1:15 p. m.  |
| 9. Polish                  | 6:15- 6:30 a. m.  |
| 10. Rumanian               | 2:30- 2:45 p. m.  |
| 11. Spanish                | 3:30- 4:00 p. m.  |
| 12. Yugoslavian            | 11:20-11:30 a. m. |
| 13. Portuguese             | South America     |
| 14. Spanish                | South America     |
| 15. Cantonese and Mandarin |                   |
| 16. Japanese               |                   |
| 17. Chinese                |                   |
| 18. Tagolog (Philippines)  |                   |

**BOYS-GIRLS WEEK, APR. 27-MAY 4**

National Boys and Girls Week will be observed in the United States from April 27 to May 4, 1946. The celebration will mark the 26th annual observance of this event.

With the theme, "Building for Tomorrow with the Youth of Today," the program is designed to focus the attention of the public on the problems, interests, and recreations of youth, and on the part played by the home, church, school, and youth-serving organizations in the development of character and good citizenship in growing boys and girls.

The activities planned for the observance emphasize important factors in the growth of youth, including citizen-

ship training, education, recreation, occupational guidance, home life, religious education, health and safety, tolerance and understanding among nations and peoples, and membership in boys' and girls' organizations.

Information about Boys and Girls Week, including a poster and a Manual of Suggestions, may be obtained from the National Boys and Girls Week Committee, 35 E. Wacker Drive, Chicago 1, Illinois.

**Listener Activity**

**750 ATTEND AWD ANNUAL MEETING**

Marked by a record attendance of 750 guests, the Association of Women Directors of NAB held its annual meeting in New York March 15-16-17. Women's Responsibility in the Communicative Arts was stressed throughout the meeting and selected as the theme for the AWD 1946 campaign.

NAB President Justin Miller extended greetings from the industry to the AWD members. Addresses were delivered by AWD President Alma Kitchell; Dorothy Lewis, AWD vice president, and NAB coordinator of listener activity, Fannie Hurst, noted author; and Frank Pellegrin, NAB director of broadcast advertising.

Speaking on the problems that confront women broadcasters, Linnea J. Nelson, of the J. Walter Thompson Co., addressed the meeting on the opening day. Miss Nelson pointed out with great emphasis that "You women broadcasters are in a marvelous position to keep the women listeners of America abreast of the times . . . in relation to their everyday living. And all of you have learned to do this in a way that the women can understand."

Dorothy Lewis outlined the objectives of the 1946 AWD program, speaking in particular of the possibilities for enlargement of public interest activity in behalf of public health, child welfare, and education. "In reaching great numbers of people with information," said Mrs. Lewis, "We must avoid profundities and develop more realistic and compelling techniques."

At the AWD Sunday morning breakfast different tables were designated for 90 women broadcasters. Presiding over these round table discussions were: Margaret Cuthbert, NBC; Grace Johnson, ABC; Frances Farmer Wilder, CBS; Elsie Dick, MBS; and Eleanor Sanger, WQXR, for the independent stations.

The morning business meeting, presided over by Alma Kitchell, AWD president, WJZ, New York, was largely attended. Reports from officers and chairmen were made. A by-law providing that all AWD presidents be made Active Life Members was passed. Dorothy Lewis, founder of AWD, was made an Active Life Member. A committee on by-laws will consider changes in membership status. The Public Relations Committee report will be circulated to the membership later on.

At noon, the Board of Directors met for luncheon to continue the business meeting. Attending were: Alma Kitchell, President; Mildred Bailey, Elizabeth Hart, and Dorothy Lewis, Vice-President. District Chairmen: 1st District, Nell Daugherty, WSTC; 2nd, Inez Quinn (for Hazel Cowles) WHAM; 4th, Ruth Crane, WMAL; 6th, Marjorie Cooney, WSM; 10th, Peggy Cave, KSD; 11th, Darragh Aldrich, WCCO; 14th, Evadna Hammersley, KOA; and Violet Short, KTSA, San Antonio.

# Broadcast Advertising

## SMALL MARKET STATIONS

### Producers' Views on Syndicated Shows

Syndicated transcribed shows, suitably produced and priced, have been subjects for discussion for several years among management in the small market stations (NAB REPORTS, P. 140 and 156). J. Allen Brown, Assistant Director Broadcast Advertising, has presented the problems of these stations to a cross-section of transcription producers. All the producers were very much interested in the small city station's cases and were quick to show their willingness to serve these stations in every way possible. Herewith are some of the replays.

### Standard Radio

"Recent NAB REPORTS have contained statements made by small market station operators indicating interest in the availability of a series of 15-minute transcribed shows which they could purchase at a nominally low price.

Standard Radio has provided an answer to this problem with *Star-Shows*. Early in January we announced the availability of a series of package shows which we offer to our subscribers for commercial use, at exceptionally low cost. Rates are determined mainly with a price range varying from a minimum of \$1.00 to a maximum of \$2.00 per show.

A member of the 1946 NAB Flea Circus, I attended all the meetings on the West Coast and heard Frank Pellegrin's comments regarding low cost transcribed shows. Broadcasters response to the announcement that the *Star-Shows* were available was enthusiastic.—Gus Hagenah."

### World Broadcasting System, Inc.

"We think that we have the closest approach attained by anyone to the answer of the price question on special shows for small markets.

Some of our "Audi-Flex" World Features run as low as \$1.18 per 15-minute broadcast for 156 programs. The top price for an "Audi-Flex" in this class market is \$4.80.

World is very much interested in any means, ways or suggestions for supplying low cost transcribed programs to stations and any information you receive from stations that you can supply as well will be appreciated.—A. B. Sambrook, station relations manager."

### Harry S. Goodman Radio Productions

"I have your letter of March 11th relative to syndicated shows and under separate cover we are sending you a catalog and brochures of a number of our programs.

We have always served the small stations entirely to their satisfaction because we base our costs for our programs on population. We sell 15-minute programs for as low as \$3.50 a program.

I am thankful for your suggestion to have us send you this material because I know that you must come in contact with a number of inquiries from time to time.

We will be very happy to cooperate to the fullest extent. If you want to hear any of the programs, just let us know and we'll send audition discs that you request. The enclosed price list, while not complete, will give you an idea of our rates.—Harry S. Goodman."

### Arthur B. Church Productions

"Ever since we inaugurated The Texas Rangers Library we have made a special deal for small stations in small markets.

"Specifically this special deal applies to stations of 100 w and 250 w where the station is the only one in its small city. On rare occasions we even apply this rate to

1,000 w daytime stations such as WDW in Tuscola, Illinois.

"The price on these stations is normally \$15.00 weekly, that being the price for counties of 100,000 population or under. The special deal is if stations of the category mentioned in the previous paragraph—if the station will give us a non-cancellable 52 week contract we will sell them the service for \$520.00 yearly. This, of course, is \$10.00 weekly and represents a 33 1/3% discount. Our reason for doing this is solely to help the small station have a network caliber programs at a price they can afford.

"All our contracts permit the use of the library a maximum of three hours per week. Thus you can see that these small stations taking advantage of our 52 week non-cancellable contract can have a top quality program which they can sell for less than a \$1.00 per quarter hour. Certainly nothing can be fairer.

"Under separate cover you are being sent a sample program prepared from The Texas Rangers Library and packed with the disc will be found a catalog of the Library, a brochure and the price list for the entire United States. This gives you the fundamental information about the Library.—George E. Halley, manager, syndicated features."

### NBC Radio-Recording Division

"I think that we have quite a story for the small market groups and also for the program directors. I do not know what the agenda calls for at the meetings, but if possible I think that our men should sit in on these meetings.

"On our Syndicated Programs we have paid particular attention to the small market stations and have set up rates which many members of this group have told us are right in line with what they have been seeking for transcribed shows.

"At the same time, we have constantly improved the quality of our programs so that I think now we have a real story to tell them.

"I discussed your question with Mr. Egner and both of us feel that a little personal chat about the requirements of the small market stations and how we are meeting them would be very beneficial both to you and to us. Won't you drop me a line and let me know when you plan to be in New York as we are anxious to go into this matter further with you.—Willis B. Parsons, manager, Thesarus and Syndicated sales."

### Frederic W. Ziv Company

"Naturally, we are most interested in your study of the availability and price of transcriptions for small city stations and we are pleased to give you the information you request.

"We certainly agree with your statement that 'Small market stations have for several years been interested in syndicated transcribed shows for their operations.' We are happy to say that many, many small market stations are fine, long-time customers of ours. In fact, we have devoted a great deal of thought and study in assisting small market stations to serve the prospective sponsors in their markets. The happy result is that today our programs are being broadcast on 48 stations in markets under 15,000 population.

"I note that in your NAB REPORT of February 18th you ask small market stations if they will pay \$2.50 each for a five-times-a-week syndicated show. Let us look at that from the side of the transcription producer.

"If the pressing *only* cost \$1.00 per program and if the music royalty is *only* 25¢ per tune (and the program features five melodies), these two items alone will amount to at least \$2.25. What about talent (such as Barry Wood—Kenny Baker—Easy Aces—Vincent Lopez' orchestra—The Modernaires, etc.), scripts, production, arrangements, overhead, promotion?

"If we were to name the greatest single advantage transcriptions give the local advertiser, it would be the opportunity to sponsor locally a program which will compete with his national competitor. The local baker can buy a Chevrolet truck at the same price as the national bakers. But when it comes to radio, the local baker, butcher, or

(Continued on next page)

candlestick maker does not have the talent available. Because talent, as you know, gravitates toward the production centers—New York and Hollywood. When sponsors buy one of our programs, they realize the opportunity to present a complete program featuring name entertainers on programs written, produced, and emceed by topflight New York writers and arrangers so that they may compete with the network programs. We know from our experience in selling to many small local sponsors that the sponsors themselves *can and will* pay a reasonable price for these network-calibre programs.

"A small city sponsor may buy Easy Aces on a five-per-week basis for a cost of \$5.40 per program. Why should the station or sponsor expect to buy a program of this calibre, one of the world's most popular comedy teams, the *only transcribed* program selected in the most recent Radio Editors' Poll as one of their favorite 15-minute programs, for less than \$5.40 per episode? It is our experience that these sponsors *do not* object to this price. Easy Aces is now running in such small markets as Albert Lea, Minn.; Natchez, Miss.; Butler, Pa.; Holyoke, Mass.; Lake Charles, La.; Fairmont, W. Va.; Yakima, Wash.; Vancouver, Wash.; Poplar Bluff, Mo.; Paducah, Ky.; Cairo, Champaign, and Herrin, Ill., etc.

"Many small city sponsors use the Korn Koblbers at a cost of \$5.00 per episode, whether on a one or five-per-week basis; one of the Ziv operas, Dearest Mother, may be purchased for the small city market at a cost of \$4.50 per episode, while programs of the calibre of The Barry Wood Show featuring, in addition to Barry Wood, Margaret Whiting, the Melody Maids, Henry Sylvern and the orchestra, cost the small city sponsor a price of \$7.20 per episode on a five-per-week basis. Are these prices too high for sponsors such as a department store in the small city who has always supported newspapers? Would the radio stations be right in cheapening the value of their medium by insisting upon lower prices?

"Our experience is that stations are happy to have our programs and recommend that their sponsors pay our price. For example, let us look at a recent week one of our representatives spent in Rapid City, South Dakota, a city of 13,000, working with Stan Lieberman of Radio Station KOTA. We believe that this is an excellent sample market. In one week's time, Korn Koblbers started on the air for a local retailer, Manhunt for a local baker, Sincerely Kenny Baker for a local candy company, Calling All Girls for the local department store, and Boston Blackie for the local jeweler. Ask Stan Lieberman what he thinks about the prices and quality of Ziv programs. He reports to us that every one of his sponsors are happy with the program they are using, have gone "all-out" on promotion, using the extensive material we send them such as photographs, mats and proofs of ads, suggested advertisements, publicity, give-away booklets, etc., on truck signs, window displays, and point-of-sale displays.

"Pleasure Parade is one of our most expensive programs, necessarily because of the lavish array of talent, such as Vincent Lopez, Dick Brown, Bob Kennedy, Jimmy Wallington, Milton Cross, The Glenn Miller Modernaires, Lillian Cornell, guest stars, and a 20 piece orchestra. Small city sponsors may buy this program at a cost of \$8.00 per program on a five-per-week basis. To cite a few localities where Pleasure Parade is regularly heard on the air, we point to Bluefield and Williamson, W. Va.; Johnstown, Pa.; Lima, Ohio; Bristol, Tenn.; Easton, Pa.; Clarksburg, W. Va.

"When stations and sponsors in cities such as Marysville, Calif. (7,381), Grand Junction, Colo. (12,479), Dublin, Ga. (7,814), Griffin, Ga. (13,222), Milledgeville, Ga. (6,778—currently using *three* different Ziv shows), Moultrie, Ga. (10,147), Emporia, Kansas, and some 42 other markets under 15,000 population can buy Ziv programs, we are not convinced that our prices are out of reach.—Pat Murphy."

### Unethical Radio Deal Reported

It has been brought to the attention of NAB that a number of stations and communities have been subjected to a radio deal involving the dubbing of music and entertainment from U. S. Treasury transcriptions.

Stations are approached by individuals who appear to represent a national radio production concern with offices in Detroit, Houston, Hollywood and other radio centers. The radio management is informed that this firm represents a large number of advertisers. These representatives produce dozens of the most flattering letters repeatedly from radio stations over the country to back up their claim. A "pitch" is based on a list containing about a hundred names of the largest national advertisers, and the radio producer's salesmen represent themselves as being in the city to arrange for radio time for certain patriotic programs and spot announcements publicizing the programs. They usually state that they have secured the cooperation of local dealers to pass out literature, etc. They represent to the station management that no solicitation for money is to be made from the local dealer, as financing is usually done by the national advertisers.

However, without the station manager's knowledge, these operators immediately start working communities nearby and gradually work in to your home city, using private telephone lines.

By the time these operators work their way into the home city of the radio station the deception is discovered and the station manager finds out that a couple hundred merchants in the area of the station have been victimized along with the reputation of the radio station. It has been reported that amounts ranging from \$7.50 to \$24.50 each have been secured from merchants in the area of various stations.

Station management is cautioned to verify all such promotions and check on the credentials on any radio producer representatives.

### 1945 NETWORK TIME SALES 128 MILLIONS

Preliminary reports submitted to the Federal Communications Commission by the four major networks indicate the revenues from the sale of radio time (before deducting commissions to agencies) by these networks amounted to \$128,533,216 for 1945. Approximately \$19,398,273 was paid in commissions to agencies. The net time sales which amounted to the remainder, or \$109,134,943, were divided between payments to affiliated stations in the amount of \$57,398,609 and a balance retained by the networks in the amount of \$51,736,334.

The above figures indicate that total major network time sales have increased 1.7% over the 1944 total of \$126,330,491—the previous all-time high; that payments to affiliated stations decreased 2.6% from the 1944 total of \$58,900,856, and that the balance retained by the networks was an increase of 6.6% over the total of \$48,537,428 reported for the year 1944.

The total time sales for previous years by these networks follow:

1944—	\$126,330,491
1943—	100,051,718
1942—	84,383,571
1941—	79,621,534
1940—	71,919,428

(It will be remembered that the Blue Network was separated from the Red Network in 1942.)

At the year-end 1945, the four major networks had a total of 762 affiliated stations compared with 730 as of December 31, 1944. This number includes stations affiliated with one or more networks.

During the year, Mutual affiliated 23 additional stations, bringing its total to 267; Columbia added 8 affiliates, making a total of 151; American deleted 2 affiliates, making a total of 192; and National picked up 3, making a total of 152. The number of stations shown as affiliated with each network includes stations that are on two or more networks.

## Ad Council — OWMR Allocations

APRIL 1-7

The following three public interest campaigns have been given top priority on Network Radio Allocation Plans during the week of April 1-7 by The Advertising Council and the Media Programming Division of the OWMR. A brief resume of each Fact Sheet is given below:

### Building Our New Army

Congress has authorized a peace-time American Army larger and better trained than ever before in history. This Army is now being recruited by voluntary enlistment. *But the Army's present recruiting drive for over one million men by July first 1946 may fail unless public attitudes can be changed and changed quickly.* The Army itself is conducting a large-scale direct recruiting drive using paid advertising in various media, but it urgently asks help in a concurrent backdrop campaign, for which its own resources are inadequate, to build prestige for the new Regular Army and its personnel in the public mind, and particularly in the minds of potential recruits, their families and their friends. By explaining the purpose and character of the new Regular Army being formed since victory in World War II, and by paying tribute to the young men now joining it to guard world peace, your programs can help the Army's recruiting drive achieve the goal it seeks. Actually, the new American Army of today is a compact, carefully chosen group of skilled technicians. Young men seeking to enter must have brains and ability. They must be able to understand and profit by technical training that is second to none. They must be capable of leadership. They must be all this because the task before them is the maintenance of that peace for which thousands of other young Americans have already died. (Fact Sheet No. 2)

### Hospitals Need Help

Today, hospitals all over America are being forced to turn away patients because of a shortage of nurses and non-nursing personnel. Two out of three hospitals have had to close beds, entire wards and operating rooms. Many nurses are greatly overworked and many have to do non-professional tasks, thereby cutting down the number of hours of nursing care per patient. The situation is worse even than during the war and if allowed to continue, it will seriously affect the physical and mental health of the nation. Explain that although specific needs may vary in different localities, all hospitals urgently need some kind of help immediately and that we cannot afford to let our hospitals close down for lack of it. Urge *inactive* graduate registered nurses to check with their nearest hospital at once, and to return to duty if and where needed. Remind young women between the ages of 17 and 35 that nursing is a lifetime career, and urge them to apply to their local hospital for complete information concerning Student Nurses Education. Urge *inactive* Red Cross Nurses Aides to return to duty. Point out that hospital jobs are open for such auxiliary and nonnursing personnel as laundrymen, chefs, electricians, plumbers, janitors, orderlies. Urge qualified workers to investigate these openings *now*, as their services are desperately needed. (Fact Sheet No. 9)

### Fat Salvage

Only by continuing their magnificent job of fat salvage can housewives help return to store shelves plentiful supplies of soap and hundreds of other things they've been waiting for. Fats and oils are just as important to the production of peace-time goods as they were for munitions, and supplies of industrial fats are far short of demands and needs. Domestic production, which has never been able to compensate fully for the loss of imports from the Pacific, is down this year and it may take many months to bring

imports back to peace-time levels. Meanwhile, there is a tremendous demand for fats and oils. They are urgently needed in the manufacture of soap and nearly all other consumer goods—nylons, refrigerators, automobiles, paints. American women can actually help themselves to get the peace-time products they want and need in greater abundance and sooner by keeping their good work in salvaging fats. They are asked to: save every drop of used fat by draining pans, skimming soups, melting down trimmings of meat—pour immediately into the salvage can—re-use those suitable for cooking, and salvage whatever is left—turn in the fat salvage containers to their meat dealers promptly. They'll get four cents for every pound turned in. (Fact Sheet No. 18)

## Schedule of Hearings

Broadcast hearings on applications for AM, FM, and television as scheduled by the Commission beginning March 18 (see NAB REPORTS p. 202) and continuing through April, May, June and July are given below:

### A

- A. S. Abell Co., Baltimore, Md. (7338), June 6, D. C.
- Abilene Bcstg. Co. (KFDA), Abilene, Tex. (7367), June 14, Abilene, Tex.
- Agricultural Bcstg. Co. (WLS), Chicago (7135), June 3, Chicago.
- Agricultural & Mechanical College of Tex. (WTAP), (6760), Mar. 25, D. C.
- The Akron Radio Corp., Akron, Ohio (7050), April 22, Cleveland
- Albany Bcstg. Co., Albany, N. Y. (6946), Mar. 21, D. C.
- Albuquerque Bcstg. Co. (KOB), Albuquerque, N. M. (6584), "Continued pending outcome clear channel hearing"
- Albuquerque Bcstg. Co. (KOB), Albuquerque, N. M. (6585), "Continued pending outcome clear channel hearing"
- Allegheny Bcstg. Corp. (KQV), Pittsburgh, Pa. (7204), April 15, Pittsburgh
- Allegheny Bcstg. Corp. (KQV), Pittsburgh, Pa. (7287), April 25, Pittsburgh
- Altoona Bcstg. Co., Altoona, Pa. (6697), Mar. 22, Altoona
- Amalgamated Bcstg. Ssystem, Chicago, Ill. (7136), June 3, Chicago
- Amalgamated Bcstg. System, Inc., New York (7226), July 1, New York
- ABC, Chicago, Ill. (7137), June 3, Chicago
- ABC, Los Angeles, Calif. (7259), May 20, Los Angeles
- ABC, New York (7217), July 1, New York
- ABC, New York (7245), June 3, D. C.
- ABC, San Francisco, Calif. (7284), July 15, San Francisco
- Andalusia Bcstg. Co., Andalusia, Ala. (7380), June 3, Andalusia, Ala.
- Earl C. Anthony (KFI), Los Angeles (7254), May 20, Los Angeles
- Arkansas-Democrat Co., Little Rock, Ark. (6731), Mar. 22, Little Rock
- Arkansas Valley Bcst. Co., Fort Smith, Ark. (7157), May 27, D. C.
- Ashbacker Radio Corp (WKBZ), Muskegon, Mich. (6628), April 11, D. C.
- The Ashland Bcstg. Co. (WCMI), Huntington, W. Va. (7356), May 31, D. C.
- The Associated Broadcasters (KSFJ), San Francisco, Calif. (7282), July 15, San Francisco.
- Atlanta Radio Enterprises, Atlanta, Ga. (7324), May 13, D. C.
- Atlantic Bcstg. Co., Jersey City (7233), July 1, New York

### B

- Balaban & Katz Co., Chicago, Ill. (7138), June 3, Chicago.
- Charles W. Balthrope, San Antonio, Tex. (7374), June 10, San Antonio

(Continued on next page)

Baltimore Bcstg. Corp. (WCBM), Baltimore, Md. (7372), Mar. 18, D. C.  
 Bamberger Bcstg. Service (WOR), New York (7241), June 3, D. C.  
 J. G. Long, James A. Clements & Travis C. Dodd, a partnership, d/b as Bay City Bcstg. Co., McAllen, Tex. (7163), May 20, D. C.  
 The Bay Bcstg. Co., Sandusky, Ohio (7172), Mar. 22, Sandusky, Ohio.  
 The Bay State Bcstg. Co., P. O. 229 Coffin Ave., New Bedford, Mass. (7054), June 20, New Bedford and Fall River.  
 Beaver County Bcstg. Corp., Beaver Falls, Pa. (7210), April 15, Pittsburgh, Pa.  
 Berks Bcstg. Co. (WEEU), Reading, Pa. (7339), June 6, D. C.  
 The Berkshire Bcstg. Corp. (6897), Mar. 18, Danbury and Torrington  
 The Wm. H. Block Co., Indianapolis, Ind. (7030), May 13, Indianapolis  
 Bieberback Bcstg. Co., Waltham, Mass. (7410), April 2, Boston  
 Book-of-the-Month Club Bcstg. Corp., New York (7227), July 1, New York  
 Bremer Bcstg. Corp. (WAAT), Newark (7243), June 3, D. C.  
 The Buffalo Bcstg. Corp. (WGR), Buffalo (7122), Mar. 1, D. C.  
 Buffalo Bcstg. Corp. (WGR), Buffalo (7187), May 10, D. C.  
 Buffalo Bcstg. Corp. (WGR), Buffalo (7188), May 10, D. C.  
 Gillette & Jesse Gilbert Burton, Ja., a partnership known as Burton Bcstg. Co. (7314), June 6, Mobile  
 David Rosenblum, tr/as Butler Bcstg. Co. (WISR), Butler, Pa. (7208), April 15, Pittsburgh

### C

Calcasieu Bcstg. Co. (KPLC), (6664), Mar. 25, D. C.  
 Camden Bcstg. Co., Camden, N. J. (7065), April 22, D. C.  
 Capitol Bcstg. Corp., Charleston, W. Va. (6837), Cont'd to Mar. 25, D. C.  
 The Capital Bcstg. Co., Annapolis, Md. (7371), Mar. 18, D. C.  
 Capitol Bcstg. Corp. (WISH), Indianapolis, Ind. (7035), May 13, Indianapolis  
 Central Bcstg. Co., Madison, Wis. (6940), Mar. 29, Madison  
 Central Bcstg. Co. (WEAU), Eau Claire, Wis. (7216), May 27, D. C.  
 Central Illinois Radio Corp., Peoria, Ill. (7408), July 5, Peoria  
 The Central Kentucky Bcstg. Co. (6908), Mar. 25, Lexington, Ky.  
 Chambersburg Bcstg. Co., Chambersburg, Pa. (7066), April 22, D. C.  
 Chemical City Bcstg. Co., Charleston, W. Va. (6838), Cont'd to Mar. 25, D. C.  
 Cherry & Webb Bcstg. Co. (WPRO), Providence, R. I. (7024), June 10, Providence  
 Chicago Federation of Labor (WCFL), Chicago (7139), June 3, Chicago  
 d/b as Chillicothe Bcstg. Co., Chillicothe, Ohio (7414), June 27, D. C.  
 Citrus Belt Broadcasters, Inc., Winter Haven, Fla. (7310), May 27, D. C.  
 Clear Channel (6741), April 15, D. C.  
 Cleveland Bcstg. Co., Cleveland (7046), April 22, Cleveland  
 Colonial Bcstg. Co., Providence, R. I. (7028), June 10, Providence  
 CBS, Boston (6024), April 2, Boston  
 Commonwealth Bcstg. Corp., Danville, Ky. (7164), July 12, Danville  
 Consolidated Bcstg. Corp. Ltd., Los Angeles (7258), May 20, Los Angeles  
 The Covington News, East Point, Ga. (Covington), (7067), May 23, D. C.  
 Crescent Broadcast Corp., Philadelphia (7096), Apr. 22, D. C.

The Crosley Corp. (WLW), Dayton, Ohio (7235), May 6, Dayton and Springfield  
 Cumberland Gap Bcstg. Co., Middleboro, Ky. (7001), April 1, Middleboro, Ky.  
 Cuyahoga Bcstg. Co., Cleveland (7393), June 24, Cleveland

### D

Chester E. Daly, Cleveland (7155), June 24, Cleveland  
 The Danbury Bcstg. Co. (6896), Mar. 18, Danbury and Torrington  
 Danville Bcstg. Co., Danville, Ky. (7165), July 12, Danville  
 John W. Davis, Portland, Ore. (7378), June 27, Portland  
 Debs Memorial Fund, Inc. (WEVD), New York, N. Y. (6178), July 1, New York  
 Debs Memorial Fund, Inc. (WEVD), New York (7250), June 3, D. C.  
 Deep South Bcstg. Corp., New Orleans (7117), June 24, D. C.  
 Don Lee Bcstg. System (KHJ), Los Angeles, Calif. (7255), May 20, Los Angeles  
 Don Lee Bcstg. System (KFRC), San Francisco (7281), July 15, San Francisco  
 Don Lee Bcstg. System (KGB), San Diego, Calif. (7398), June 17, D. C.  
 Don Lee Bcstg. System (KDB), Santa Barbara, Calif. (7399), June 17, D. C.  
 Drivers Journal Pub. Co. (WAAF), Chicago, Ill. (7140), June 3, Chicago  
 Dual Engineering Co., Chicago, Ill. (7141), June 3, Chicago  
 Allen B. Du Mont Labs., Cleveland, Ohio (7293), May 13, Cleveland  
 Allen B. Du Mont Labs., Pittsburgh (7288), April 25, Pittsburgh

### E

Eagle-Gazette Co., Lancaster, Ohio (6732), June 7, D. C.  
 Eagle Printing Co., Butler, Pa. (7209), Apr. 15, Pittsburgh  
 Easley, Robert Lex, Laurens, S. C. (7062), May 23, Laurens, S. C.  
 East Tennessee Bcstg. Co. (6906), Mar. 29, Knoxville, Tenn.  
 Eastern Carolina Bcstg. Co. (WGBR), Goldsboro, N. C. (6867), Feb. 25, D. C.  
 Easton Publishing Co., Easton, Pa. (7179), May 8, D. C.  
 Empire Newspapers-Radio, Inc., Endicott, N. Y. (7392), May 1, Elmira, Endicott, N. Y.  
 W. Wright Esch (WMFJ), Daytona Beach, Fla. (7355), May 13, D. C.  
 Evansville on the Air, Inc., Evansville, Ind. (WEOK-WGBF), (7031), May 13, Indianapolis  
 The Evening News Assn. (WWJ), Detroit, Mich. (7275), Mar. 25, Field 1  
 Express Publishing Co., San Antonio, Tex. (7391), June 10, San Antonio

### F

Farnsworth Television & Radio Corp. (WGL), Ft. Wayne, Ind. (7084), June 27, Ft. Wayne  
 Bernard Fein, New York (7219), July 1, New York  
 Henry F. Fett, Dearborn, Mich. (7384), June 19, D. C.  
 Fetzer Bcstg. Co. (WJEF), Grand Rapids, Mich. (7387), April 11, D. C.  
 Fidelity Bcstg. Co., Boston (6990), April 2, Boston  
 Larry Finley & Clinton D. McKinnon d/b as Finley-McKinnon Broadcasting Co., San Diego, Cal. (7358), June 12, D. C.  
 John F. Fitzgibbon, Roy Jarman and Temple V. Ehmsen, Oregon City, Ore. (7379), June 27, Oregon City  
 Frank H. Ford, Shreveport, La. (7114), June 6, Shreveport  
 Fort Orange Bcstg. Co., Albany, N. Y. (6947), Mar. 21, D. C.  
 Fort Wayne Bcstg. Co., Fort Wayne, Ind. (7348), June 10, D. C.  
 Fort Worth Bcstg. Co., Fort Worth, Tex. (7369), June 17, D. C.

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Fostoria Bestg. Co., Fostoria, Ohio (7356), June 12, D. C.  
Fox West Coast Theatres, Los Angeles (7262), May 20,  
Los Angeles  
Freeport Bcstg. Co., Freeport, Ill. (7064), July 1, Free-  
port  
Frequency Bestg. Corp., Brooklyn (6182), July 1, New  
York

## G

Frank R. Gibson, Lake Charles, La. (7160), May 20, D. C.  
Elias I. Godofsky, Brooklyn, N. Y. (7229), July 1, New  
York  
Walter A. Graham, Tifton, Ga. (6918), April 18, D. C.  
Great Trails Bestg. Corp., Dayton, Ohio (7236), May 6,  
Dayton and Springfield  
Greater New York Bcstg. Corp. (WNEW), New York  
(6179), July 1, New York  
Greater New York Bcstg. Corp. (WNEW), New York  
(7317), May 20, D. C.  
Greater New York Bcstg. Corp. (WNEW), New York  
(7318), May 20, D. C.  
Greater Peoria Radio Broadcasters, Inc., Peoria (6709),  
Mar. 25, Peoria  
Green Bay Bestg. Co., Green Bay, Wis. (7158), April 15,  
D. C.  
Green Bay Newspaper Co., Green Bay, Wis. (7159),  
April 15, D. C.  
Fred O. Grimwood (6753), May 7, D. C.  
Gulf Bestg. Co., Mobile, Ala. (7313), June 6, Mobile

## H

The Hampden-Hampshire Corp. (WHYN), Holyoke,  
Mass. (7325), May 13, D. C.  
The George Harm Station (KARM), Fresno, Calif.  
(7124), May 13, D. C.  
Thomas G. Harris, Individually and as Trustee for Cole-  
man Gay, James P. Alexander, E. G. Kingsbery, Rex D.  
Kitchens, W. T. Saunders, Spender J. Scott and Oswald  
G. Wolf (7373), June 10, Austin, Tex.  
Harvey Radio Labs., Boston (6997), April 2, Boston  
Hearst Publications, San Francisco, Calif. (7285), July  
15, San Francisco  
Hearst Radio, Baltimore (7299), May 6, D. C.  
Hearst Radio (WBAL), Baltimore (7400), April 15, D.C.  
Hearst Radio (WINS), New York (7218), July 1, New  
York  
Hirsch Battery & Radio Co. (KFVS), Cape Girardeau,  
Mo. (7130), May 1, D. C.  
Hughes Productions (Div. of Hughes Tool Co.), Los  
Angeles (6370), May 20, Los Angeles  
Hughes Productions (Div. of Hughes Tool Co., San Fran-  
cisco (6371), July 15, San Francisco

## I

Illinois Valley Bcstg. Co., Peoria, Ill. (6710), Mar. 25,  
Peoria  
Independence Bcstg. Co. (WHAT), Philadelphia (7309),  
April 22, D. C.  
Indiana Bestg. Corp., Indianapolis, Ind. (7034), May 13,  
Indianapolis  
Indianapolis Broadcasters, Indianapolis, Ind. (7037), May  
13, Indianapolis  
International Detrola Corp., Detroit (7276), Mar. 25,  
Field No. 1  
International Union, United Automobile Aircraft & Agri-  
cultural Implement Workers of America (UAW-CIO),  
Cleveland (7042), April 22, Cleveland  
International Union, United Automobile Aircraft & Agri-  
cultural Implement Workers of America (UAW-CIO),  
Chicago (7142), June 3, Chicago  
International Union, United Automobile Aircraft & Agri-  
cultural Implement Workers of America (UAW-CIO),  
Newark (7231), July 1, New York

## J

The Jam Handy Organization, Detroit (7277), Mar. 25,  
Field No. 1  
James Valley Broadcast Co., Huron, S. D. (7055), May  
6, D. C.

Myles H. Johns, Milwaukee, Wis. (7119), Mar. 27, D. C.  
Johnson-Kennedy Radio Corp. (WIND), Chicago (7143),  
June 3, Chicago

## K

Kankakee Daily Journal, Kankakee, Ill. (7072), April  
26, D. C.  
Kentucky Bestg. Corp. (WINN), Louisville (7354), April  
22, D. C.  
Keystone Bestg. Corp. (WKBO), Harrisburg, Pa. (7306),  
April 15, Harrisburg  
Garvice D. Kincaid (6909), Mar. 25, Lexington  
King Trendle Bestg. Corp. (WXYZ), Detroit (7278), Mar.  
25, Field No. 1  
Kingsport Bcstg. Co. (WKPT), Kingsport, Tenn. (6249),  
May 31, D. C.  
KGKL Inc., San Angelo, Tex. (7419), June 5, D. C.  
Knight Radio Corp., Akron, Ohio (7051), April 22, Cleve-  
land  
Knight Radio Corp., Chicago (7144), June 3, Chicago  
KRIC, Inc. (7321), Mar. 25, D. C.  
KWKW, Pasadena, Calif. (6737), April 18, D. C.

## L

Lake Bcstg. Co. Gary, Ind. (7185), May 23, D. C.  
Lake Erie Bcstg. Co. (7004), Mar. 22, Sandusky, Ohio  
Lake Superior Bcstg. Co., Duluth, Minn. (7353), May  
24, D. C.  
Lancaster Television Corp., Lancaster, Pa. (7307), April  
18, Lancaster  
Palmer K. & Lois C. Leberman, New York (7251), June  
3, D. C.  
Lee Bros. Bcstg. Co. (6812), Mar. 18, D. C.  
Liberty Bcstg. Co. (John J. Laux, et al), Pittsburgh  
(7169), April 26, D. C.  
J. J. Laux, R. Teitlebaum, Myer Wiesenthal, Alex Teitle-  
baum, Louis Berkman, Jack N. Berkman, C. C. Swarin-  
gen, J. Troesch & J. L. Meridian, partners d/b as Lib-  
erty Broadcasting Co., Pittsburgh (7205), April 15,  
Pittsburgh  
Lincoln-Belmont Pub. Co. & Myers Pub. Co., Chicago  
(7145), June 3, Chicago  
Linders, Harry Willard, Marshall, Minn. (7056), May  
6, D. C.  
Lipman, William L., Kenosha, Wis. (7350), May 27, D. C.  
Littlejohn, James B., Ogden, Utah (7058), June 20, Ogden.  
Lorraine Journal Co., Lorraine, Ohio (7418), June 24,  
D. C.  
Roy Hofheinz & W. N. Hopper, a partnership, d/b as Loui-  
siana Bcstg. Co., New Orleans (7162), May 20, D. C.  
Lubbock Bestg. Co., Lubbock, Tex. (7343), June 5, D. C.  
G. H. Nelson, Wendell Mayes, and C. C. Woodson, d/b as  
Lubbock County Bestg. Co., Lubbock, Tex. (7334), May  
27, D. C.  
Dr. Leskie Halton Luck and Myron Birdsell "Patt" Mc-  
Donald d/b as Luck-McDonald Co. (7368), June 17, D. C.

## M

S. W. McCready, Medford, Ore. (7328), June 25, Medford  
F. F. McNaughton, Peoria, Ill. (6713), Mar. 25, Peoria  
F. F. McNaughton, Peoria, Ill. (7103), July 5, Peoria  
Mansfield Journal Co., Mansfield, Ohio (7417), June 24,  
25, D. C.  
Marcus Loew Booking Agency, New York (7247), June  
3, D. C.  
Marion Radio Corp., Marion, Ind. (7349), June 10, 11,  
D. C.  
Maryland Bcstg. Co., Baltimore (7300), May 6, D. C.  
Mass. Bcstg. Co., Boston (6996), Apr. 2, Boston  
James Robert Meachem, Elmira, N. Y. (7121), May 1,  
Elmira, Endicott, N. Y.

In the Matter of Promulgation of rules and regulations  
concerning procedure to be followed by Com. in passing  
upon assignment of license or transfers of control to  
corporate licensees. (7071), Rules proceeding; no date  
Medford Printing Co., Medford, Ore. (7327), June 25,  
Medford

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Meridian Bcstg. Co., Meridian, Miss. (7375), June 3, Meridian  
 Metro-Goldwyn-Mayer Studios, Inc., Los Angeles (7261), May 20 to June 1, Los Angeles  
 Metropolitan Bcstg. Service, New York (7224), July 1, New York  
 Miami Valley Bcstg. Corp., Dayton, Ohio (7237), May 6, Dayton, Springfield  
 Mid-American Bcstg. Corp. (WINK), Louisville, Ky. (6040), April 22, D. C.  
 Mid-State Bcstg. Co., Peoria, Ill. (7104), July 5, Peoria  
 Midstate Bcstg. Co., Peoria, Ill. (7184), May 23, D. C.  
 Midwest Bcstg. Co., Mount Vernon, Ill. (7059), April 24, D. C.  
 Midwest FM Network, Ft. Wayne, Ind. (7083), June 27, Ft. Wayne  
 Midwest FM Network, Peoria, Ill. (7106), July 5, Peoria  
 Missionary Society of St. Paul the Apostle, New York (7316), May 20, D. C.  
 Fred W. Mizer, Orlando, Fla. (7183), May 20, D. C.  
 Moline Bcstg. Co., Moline, Ill. (6699), April 17, D. C.  
 Monona Bcstg. Co., Madison, Wis. (7351), March 27, D. C.  
 Mt. Vernon Radio and Television Co., Mt. Vernon, Ill. (7060), April 24, D. C.

## N

Narragansett Bcstg. Co., Fall River, Mass. (7312), June 20, Fall River.  
 NBC, Cleveland (7294), May 13, Cleveland  
 NBC, Los Angeles (7256), May 20, Los Angeles  
 NBC, Chicago (7146), June 3, Chicago  
 NBC, Cleveland (7039), April 22, Cleveland  
 National Maritime Union Bcstg. Co., Inc., New York, (7225), July 1, New York  
 Alvin E. Nelson, Inc., San Francisco (7389), May 13, D. C.  
 Nevada Radio & Television Co. (6813), March 18, D. C.  
 Newberry Bcstg. Co., Newberry, S. C. (7061), May 23, Newberry  
 New Laurel Radio Station, Inc. (WAML), Laurel, Miss. (7292), May 24, D. C.  
 News-Syndicate Co., New York (6175), July 1, New York  
 News-Syndicate Co., New York (7246), D. C.  
 New York Sun Bcstg. Co., New York (7223), July 1, New York  
 N. M. U. Bcstg. Co., New York (7225), July 1, New York  
 Noe, James A. (WNOE), New Orleans (6346), June 24, D. C.  
 James A. Noe, Shreveport, La. (7113), June 6, Shreveport  
 James A. Noe, Lake Charles, La. (7416), June 26, D. C.  
 Non-Commercial Educational FM Rules (7424), Rules proceeding; no date  
 Norfolk Bcstg. Corp., Norfolk, Va. (7087), April 4, D. C.  
 Northeastern Indiana Bcstg. Co., Ft. Wayne, Ind. (7085), June 27, Ft. Wayne  
 Northern Corp. (WMEX), Boston, Mass. (6992), April 2, Boston  
 North Jersey Radio, Inc., Newark (7230), July 1, New York  
 North Jersey Radio, Inc., Newark, N. J. (7370), June 14, D. C.  
 North Jersey Bcstg. Co., Paterson, N. J. (7234), July 1, New York

## O

Northside Bcstg. Co. (WGRC), New Albany, Ind. (6052), May 31, D. C.  
 Northwestern Ohio Bcstg. Corp., Lima, Ohio (7357), June 12, D. C.  
 Oak Park Realty & Amusement Co., Chicago (7147), June 3, Chicago  
 The Ohio Bcstg. Co. (WHBC), Canton, Ohio (7186), Mar. 29, Madison, Wis.  
 Oklahoma Television & Bcstg. Co., Tulsa, Okla. (7128), May 1, D. C.  
 Orange County Bcstg. Co., Santa Ana, Calif. (7337), April 18, D. C.  
 Orlando Daily Newspapers, Inc., Orlando, Fla. (7182), May 20, D. C.  
 The Outlet Co. (WJAR), Providence, R. I. (6015), June 10, Providence

The Outlet Co. (WJAR), Providence, R. I. (7303), June 17, Providence

## P

The Palladium Publishing Co., Benton Harbor, Mich. (7118), Mar. 27, D. C.  
 Frank Parker (6986), March 18, Danbury, Torrington  
 Pawtucket Bcstg. Co. (WFCI), Providence, R. I. (7029), June 10, Providence  
 Wm. Penn Bcstg. Co. (WPEN), Philadelphia (7274), June 17, D. C.  
 Pennsylvania Bcstg. Co. (WIP), Philadelphia (7272), June 17, D. C.  
 Peoples Radio Foundation, New York (7221), July 1, New York  
 Peoria Bcstg. Co. (WMBD), Peoria (7102), July 5, Peoria  
 Peterson & Co. (6907), Mar. 25, Lexington, Ky.  
 Philadelphia Daily News, Inc., Philadelphia (7273), June 17, D. C.  
 The Philadelphia Inquirer, A Division of Triangle Publications, Inc., Philadelphia (7270), June 17, D. C.  
 Philco Radio & Television Corp., New York (7242), June 3, D. C.  
 Kenneth Kesterson & Chas. Denix d/b as Radio Engineering Service, Pine Bluff, Ark. (7422), Mar. 22, Little Rock.  
 Piedmont Bcstg. Corp. (WBTM), Danville, Va. (7394), June 6, D. C.  
 Pinnacle Bcstg. Co., Middlesboro, Ky. (7420), April 1, Middlesboro  
 Pittsburg Radio supply House (WJAS), Pittsburg (7207), April 15, Pittsburgh  
 Plains Radio Bcstg. Co. (KFYO), Lubbock, Tex. (7335), May 27, D. C.  
 Port Huron Bcstg. Co. (WHLS), Port Huron, Mich. (6987), June 9, D. C.  
 Providence Journal Co., Providence, R. I. (7025), June 10, Providence  
 Pueblo Radio Co., Inc., Pueblo, Colo. (7092), June 17, Pueblo  
 Puerto Rico Communications Authority, Rio Piedras, P. R. (7342), June 3, D. C.

## R

Radio Americas Corp., Mayaguez, P. R. (7341), June 3, D. C.  
 Radio Air Ways, Eugene, Ore. (7383), June 14, D. C.  
 Radio Bcstg. Co. (KTHS), West Memphis, Ark. (7086), May 13, D. C.  
 Radio Bcstg., Inc. (KTHS), Hot Springs, Ark. (7156), May 27, D. C.  
 Radio Peoria, Peoria, Ill. (7105), July 5, Peoria  
 Radio Projects, Newark, N. J. (7232), July 1, New York  
 Radio Service Corp. (6865), April 15, D. C.  
 Radio Springfield, Springfield, Ill. (7323), May 13, D. C.  
 Radio Station WAIT, Chicago (7150), June 3, Chicago.  
 Radio Station WGES, Chicago (7151), June 20, Chicago  
 Radio Station WJOB, Chicago (7407), June 3, Chicago  
 Radio Station WSBC, Chicago (7153), June 3, Chicago  
 Radio Voice of Springfield, Inc. (WIZE), Springfield, Ohio (7239), May 6, Dayton-Springfield  
 Raytheon Mfg. Co., Boston, Mass. (6998), April 2, Boston  
 Raytheon Mfg. Co., New York (7249), June 3, D. C.  
 Raytheon Mfg. Co., Chicago (7148), June 3, Chicago  
 Reporter Bcstg. Co. (5968), March 25, D. C.  
 O. E. Richardson et al. d/b as Radio Station WJOB, Chicago (7407), June 3, Chicago  
 Roanoke Bcstg. Corp. (WSLS), Roanoke, Va. (7395), May 6, D. C.  
 Roderick Dorrance D., Pueblo, Colo. (7091), June 17, Pueblo  
 Rodman, J. E. (KFRE), Fresno, Calif. (7125), May 13, D. C.  
 Royal Miller Radio (KROY), Sacramento, Calif. (7170), May 13, D. C.

## S

Sague, Samuel R., Cleveland Heights, Ohio (7176), June 24, Cleveland

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Sampson, Richard T., Oceanside, Calif. (7361), March 28, D. C.  
 San Bernardino Bestg. Co. (6811), March 18, D. C.  
 San Jacinto Bestg. Co. (6725), March 25, D. C.  
 Sandusky Bestg. Co. (7003), March 22, Sandusky, Ohio  
 Santa Clair Bestg. Co., San Jose, Calif. (7413), May 13, D. C.  
 Scripps-Howard Radio, Cleveland (7044), April 22, Cleveland  
 Scripps-Howard Radio, Indianapolis, Ind. (7033), May 13, Indianapolis  
 Scripps-Howard Radio, Pittsburgh (7203), April 15, Pittsburgh  
 Scripps-Howard Radio, Pittsburgh (7289), March 25, Pittsburgh  
 Scripps-Howard Radio, Cleveland (7295), May 13, Cleveland  
 Seaboard Radio Bestg. Corp. (WIBG), Philadelphia (7269), June 17, D. C.  
 Segal, Lee Bestg. Co., Houston, Texas (7332), May 27, D. C.  
 Shawnee Bestg. Co., Chillicothe, Ohio (7415), June 27, D. C.  
 Sherron Metallic Corp., Huntington, N. Y. (7253), June 3, D. C.  
 Simmons, Allen T. (WADC), Akron, Ohio (7047), April 22, Cleveland  
 Simmons, Allen T. (WADC), Village of Tallmadge, Ohio (7319), March 25  
 Skyland Bestg. Corp., Dayton, Ohio (7345), May 1, D. C.  
 Skyland Bestg. Corp., Dayton, Ohio (7409), May 6, Dayton-Springfield  
 Smith, Joe L. Jr. (WJLS), Charleston, W. Va. (6677), March 25, D. C.  
 Smoky Mountain Bestg. Co. (6905), March 29, Knoxville, Tenn.  
 Rivers, James S., d/b as Southeastern Bestg. System (7074), May 10, D. C.  
 Southeastern Mass. Bestg. Corp., New Bedford, Mass. (7053), June 6, New Bedford, Fall River, Mass.  
 Southern California Bestg. Co. (KWKW), Pasadena, Calif. (6737), April 18, D. C.  
 Southern Ill. Bestg. Co., Centralia, Ill. (7129), May 1, D. C.  
 Southern Utah Bestg. Co. (6759), March 18, D. C.  
 Star Bestg. Co. (6814), March 18, D. C.  
 Steel City Bestg. Co., Bethlehem, Pa. (7181), May 8, D. C.  
 Studebaker, John Gordon & Studebaker, John Ward, d/b as Studebaker Bestg. Co., San Diego, Calif. (7362), March 28, D. C.  
 Frederick A. Knorr, Harvey R. Hansen and William H. McCoy, d/b as Suburban Bestg., Dearborn, Mich. (7385), June 19, D. C.  
 Summit Radio Corp. (WAKR), Akron, Ohio (7048), April 22, Cleveland  
 Summit Radio Corp. (WAKR), Akron, Ohio (7214), May 3, D. C.  
 Supreme Bestg. System, New York (7222), July 1, New York  
 Syndicate Theatres, Columbus, Ind. (7099), April 29, D. C.

## T

Telair Co., Akron, Ohio (7052), April 22, Cleveland  
 Telair Co., Chicago (7149), June 3, Chicago  
 Telair Co., Cleveland (7045), April 22, Cleveland  
 Telegram Publishing Co., Salt Lake City (7057), June 20, Ogden, Utah  
 Television Productions, Los Angeles (7264), May 20, Los Angeles  
 Television Productions, San Francisco (7283), July 15, San Francisco  
 Templeton Radio Mfg. Corp., Boston (6995), April 2, Boston  
 Roy M. Hofheinz & W. N. Hooper, d/b as Texas Star Bestg. Co., Houston, Tex. (7333), May 27, D. C.  
 Texoma Bestg. Co., Wichita Falls, Tex. (7126), May 1, D. C.  
 Thackery, Dorothy S., Los Angeles (7265), May 20, Los Angeles

Thackery, Dorothy S., San Francisco (7286), July 15, San Francisco  
 Thomas, Harold (WATR), Waterbury, Conn. (7363), June 10, D. C.  
 Thompson Bestg. Co., Altoona, Pa. (6698), March 22, Altoona  
 Thornton, Duke H., Philadelphia, Miss. (7376), June 3, Philadelphia, Miss.  
 Tidewater Bestg. Corp., Norfolk, Va. (7390), April 29, D. C.  
 d/b as Tifton Bestg. Co., Tifton, Ga. (7421), April 18, D. C.  
 Times-Mirror Co., The, Los Angeles (7260), May 20, Los Angeles  
 Times Picayune Publishing Co., The, New Orleans (7161), May 20, D. C.  
 Times-World Corp. (WDBJ), Roanoke, Va. (7396), May 6, D. C.  
 Torrington Bestg. Inc. (6895), March 18, Danbury, Torrington  
 Troy Bestg. Corp., Troy, Ala. (7381), June 3, Troy, Ala.  
 Todd, Thomas H., et al d/b as Tuscaloosa Bestg. Co., Tuscaloosa, Ala. (7177), May 31, Tuscaloosa, Ala.  
 Twentieth Century Fox-Film Corp., New York (7252), June 3, D. C.

## U

United Bestg. Co. (WHKK), Akron (7038), April 22, Cleveland  
 United Bestg. Co. (WHK), Cleveland (7049), April 22, Cleveland  
 United Bestg. Co. (WHK), Cleveland (7296), May 13, Cleveland  
 United Bestg. Co., Ogden, Utah (6885), June 20, Ogden  
 United Detroit Theatres Corp., Detroit (7279), March 25, Detroit  
 United Garage & Service Corp., Cleveland (7041), April 22, Cleveland  
 Unity Bestg. Corp. of Mass., Boston (6994), April 2, Boston  
 Unity Bestg. Corp. of New York, New York (7228), July 1, New York  
 Unity Corp., Springfield, Ohio (7238), May 6, Dayton-Springfield, Ohio  
 Universal Bestg. Co., Indianapolis (7036), May 13, Indianapolis  
 Universal Bestg. Co., Indianapolis (7100), April 29, D. C.

## V

E. L. Barker, Claribel Barker, T. H. Canfield, Opal A. Canfield & Chas. J. O'Brien Jr., d/b as Valley Bestg. Co., San Jose, Calif. (7359), June 12, D. C.  
 Vancouver Radio Corp. (KVAN), (6566), April 15, D. C.  
 Van Curler Bestg. Corp., Albany, N. Y. (7173), March 21, D. C.  
 Veterans Bestg. Co., Houston, Tex. (7336), May 27, D. C.

## W

Walt Disney Productions, Burbank, Calif. (7263), May 20, Los Angeles  
 Warner Bros. Bestg. Corp., Los Angeles (7257), May 20, Los Angeles  
 Wasmer, Louis, Inc. (6612), May 22, D. C.  
 Wasmer, Louis, Inc. (6613), May 22, D. C.  
 WBAL, Baltimore, Renewal (7400), April 15, D. C.  
 WBNX Bestg. Co., New York (6013), July 1, New York  
 WCAE, Inc., Pittsburgh (7202), April 15, Pittsburgh  
 WCAU Bestg. Co., Philadelphia (6369), June 17, D. C.  
 WCBS, Inc., Decatur, Ill. (7326), May 13, D. C.  
 WCLS, Inc., Joliet, Ill. (6983), March 29, D. C.  
 WDAS Bestg. Station, Philadelphia (7271), June 17, D. C.  
 West Ala. Bestg. Co., Tuscaloosa, Ala. (7178), May 31, Tuscaloosa, Ala.  
 Westchester Bestg. Corp., White Plains, N. Y. (7244), June 3, D. C.  
 Ingham S. Roberts, Joe N. Westherby, B. P. Bludworth & J. Edward Johnson d/b as Westex Bestg. Co., San Angelo, Tex. (7366), June 14, San Angelo.

(Continued on next page)

Westinghouse Radio Stations, Inc. (KYW), Philadelphia (7266), June 17, D. C.  
 Westinghouse Radio Stations, Inc. (KYW), Philadelphia (7352), May 29, D. C.  
 Westinghouse Radio Stations, Inc. (KDKA), Pittsburgh (7291), April 23, Pittsburgh  
 West Virginia Radio Corp., Pittsburgh (7206), April 15, Pittsburgh  
 WFBM, Inc., Indianapolis (7032), May 13, Indianapolis  
 WFIL Bestg. Co., Philadelphia (7268), June 17, D. C.  
 WGAL, Inc., Lancaster, Pa. (7308), April 18, Lancaster  
 WGAR Bestg. Co., Cleveland (7043), April 22, Cleveland  
 WGAR Bestg. Co., Cleveland (7297), May 13, Cleveland  
 WGAR Bestg. Co., Cleveland (7320), March 25, D. C.  
 WHEC, Inc., Rochester, N. Y. (6948), March 21, D. C.  
 WHP, Inc., Harrisburg, Pa. (7305), April 15, Harrisburg  
 Wichtex Bestg. Co., Wichita Falls, Tex. (7127), May 1, D. C.  
 Windmuller, Louis, Allentown (7180), May 8, D. C.  
 Winter Haven Bestg. Co., Winter Haven, Fla. (7311), May 27, D. C.  
 Wisconsin State Bestg. Co. (6941), March 29, Madison, Wis.  
 WJJD, Inc., Chicago (7152), June 3, Chicago  
 WJR, the Goodwill Station, Detroit (7280), March 25, Field No. 1  
 WJW, Cleveland (7040), April 22, Cleveland  
 WJW, Cleveland (7298), May 13, Cleveland  
 WKEU, Griffin, Ga. (7211), May 27, Griffin  
 WKEU, Griffin, Ga. (7212), May 27, Griffin  
 WKEU, Griffin, Ga. (7213), May 27, Griffin  
 WLIB, New York (7248), June 3, D. C.  
 WLIB, New York (7220), July 1, New York  
 WMAS, Springfield, Mass. (7364), June 10, D. C.  
 WMCA, New York (6177), July 1, New York  
 Worth Bestg. Co., Fort Worth, Tex. (7344), June 5, D. C.  
 Wright Radio Corp., Chicago (7144), June 3, Chicago.  
 WSOC, Charlotte, N. C. (7322), May 13, D. C.  
 WVNK, Bestg. Co., New York (6013), July 1, New York

**Y**

Yankee Network, The, Providence, R. I. (7027), June 10, Providence  
 Yankee Network, The, Boston (6993), April 2, Boston  
 Yankee Network, The, Providence, R. I. (7304), June 17, Providence

**Z**

Zamoiski, Jos. M. Co., Baltimore, Md. (7302), May 6, D. C.  
 Zweifel, Kenneth G., Freeport, Ill. (7063), July 1, Freeport

**Federal Communications  
 Commission Docket**

**HEARINGS**

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 25. They are subject to change.

**Monday, March 25**

KRBC—Reporter Broadcasting Co., 984 Fourth St., Hilton Hotel, Abilene, Texas—C. P. 1470 kc., 1 KW night, 1 KW day, DA-night, unlimited.  
 KPLC—Calcasieu Broadcasting Co. (T. B. Lanford, R. M. Dean and L. M. Sepaugh), Lake Charles, La.—C. P. 1470 kc., 1 KW, unlimited.  
 NEW—H. C. Cockburn, tr/as San Jacinto Broadcasting Co., Houston, Texas.—C. P. 1470 kc., 1 KW, unlimited.  
 WTAU—Agricultural & Mechanical College, College Station, Texas—C. P. 1470 kc., 1 KW, unlimited.  
 KRIC—KRIC, Inc., Beaumont, Texas—C. P. 1470 kc., 5 KW, unlimited. Directional antenna for night use.

To Be Held at Lexington, Ky., in the Federal Building  
 NEW—Frank D. Peterson, Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah and Thomas Graham, d/b as Peterson & Co., Lexington, Ky.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—The Central Kentucky Broadcasting Co., Lexington, Ky.—C. P. 1340 kc., 250 watts, unlimited.  
 NEW—Garvice D. Kincaid, Lexington, Ky.—C. P. 1340 kc., 250 watts, unlimited.

**Further Consolidated Hearing**

To Be Held in Washington, D. C.

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—C. P. 1460 kc., 1 KW, unlimited.  
 NEW—California Broadcasters, Inc., Bakersfield, Calif.—C. P. 1460 kc., 1 KW, unlimited, DA-night and day.  
 NEW—Bakersfield Broadcasting Co., Bakersfield, Calif.—C. P. 1490 kc., 250 watts, unlimited.  
 NEW—L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co., Santa Cruz, Calif.—C. P. 1460 kc., 500 watts, unlimited.  
 KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—C. P. 1460 kc., 1 KW, unlimited.  
 NEW—San Jose Broadcasting Co., San Jose, Calif.—C. P. 1500 kc., 1 KW, unlimited, DA-night and day.  
 NEW—Mission Broadcasting Co., San Jose, Calif.—C. P. 1490 kc., 250 watts, unlimited.

**Consolidated Hearing**

To Be Held Before Samuel Miller in Assembly Room, City Hall, Peoria, Illinois

NEW—Greater Peoria Radiobroadcasters, Inc., Peoria, Ill.—C. P. 1290 kc., 1 KW, unlimited, DA-night and day.  
 NEW—Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain & Timothy W. Swain, d/b as Illinois Valley Broadcasting Co., Peoria, Ill.—C. P. 1290 kc., 1 KW, unlimited, DA-night and day.  
 NEW—F. F. McNaughton, Peoria, Ill.—C. P. 1290 kc., 1 KW, daytime.  
 NEW—Central Illinois Radio Corporation, Peoria, Ill.—C. P. 1290 kc., 5 KW, unlimited, DA-day and night.

**Further Hearing in Washington, D. C.**

NEW—Joe L. Smith, Jr., Charleston, W. Va.—C. P. 1400 kc., 250 watts, unlimited.  
 NEW—Capitol Broadcasting Corp., Charleston, W. Va.—C. P. 1240 kc., 250 watts, unlimited.  
 NEW—Gus Zaharis and Penelope Zaharis, d/b as Chemical City Broadcasting Co., Charleston, W. Va.—C. P. 1240 kc., 250 watts, unlimited.

**Consolidated Hearing**

WSOC—Radio Station WSOC, Inc., Belmont, N. C.—C. P. 1550 kc., 50 KW.  
 NEW—Radio Springfield, Inc., Springfield, Ill.—C. P. 1550 kc., 1 KW.  
 NEW—Atlanta Radio Enterprises, Inc., Atlanta, Ga.—C. P. 1550 kc.  
 WHYX—Hampden-Hampshire Corporation, The, Holyoke, Mass.—C. P. 1550 kc., 10 KW.  
 NEW—WCBS, Inc., Decatur, Ill.—C. P. 1550 kc., 250 watts, unlimited.

**Wednesday, March 27-30**

**Consolidated Hearing**

NEW—Palladium Publishing Co., Benton Harbor, Mich.—C. P. 1060 kc., 1000 watts, daytime.  
 NEW—Myles H. Johns, Milwaukee, Wis.—C. P. 1060 kc., 1 KW, daytime.  
 NEW—William L. Lipman, Kenosha, Wis.—C. P. 1050 kc., 250 watts, daytime only.  
 NEW—Monona Broadcasting Co., Madison, Wis.—C. P. 1070 kc., 10 KW, DA-night, unlimited.

**Thursday, March 28**

NEW—Studebaker Broadcasting Co. (John Gordon and John Ward Studebaker), San Diego, Calif.—C. P. 1230 kc., 250 watts, unlimited.

*(Continued on next page)*

## Friday, March 29

To Be Held at Knoxville, Tenn., in Room 214,  
New Post Office Bldg.

- NEW—Smoky Mountain Broadcasting Co., Knoxville, Tenn.—C. P. 1340 kc., 250 watts, unlimited.  
NEW—Clarence Beaman, Jr., tr/as East Tennessee Broadcasting Co., Knoxville, Tenn.—C. P. 1340 kc., 250 watts, unlimited.  
WJOL—WCLS, Inc., Joliet, Ill.—Renewal of license. 1340 kc., 250 watts, unlimited.

### Consolidated Hearing

To Be Held in Madison, Wisconsin, in Hearing Room,  
State Capitol

- NEW—Central Broadcasting Co., Madison, Wis.—C. P. 1480 kc., 500 watts night, 1 KW day, unlimited, DA-night.  
NEW—Wisconsin State Broadcasting Co., Madison, Wis.—C. P. 1480 kc., 1 KW night, 1 KW day, unlimited, DA-night and day.  
WIBC—The Ohio Broadcasting Co., Canton, Ohio—C. P. 1490 kc., 5 KW, unlimited, DA-night.

### Further Hearing

- WGTM—Penn Thomas Watson, Wilson, N. C.—C. P. 590 kc., 5 KW, unlimited, DA-night and day.  
WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—C. P. 590 kc., 5 KW, unlimited, DA-night and day.  
WFTC—Jonas Weiland, Kinston, N. C.—C. P. 590 kc., 5 KW, unlimited, DA-night.  
WSLS—Roanoke Broadcasting Corp., Lynchburg, Va.—610 kc., 1 KW, unlimited, DA-night and day.  
WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—C. P. 610 kc., 1 KW, unlimited, DA-night and day.  
NEW—Virginia Broadcasting Corp., Roanoke, Va.—C. P. 610 kc., 1 KW, unlimited, DA-night and day.

## Federal Communications Commission Actions

### AM APPLICATIONS GRANTED

- NEW—Regional Broadcasting Company, Chicopee, Mass.—Granted construction permit for a new station to operate daytime only on 730 kc., 1 KW. (B1-P-4408)  
NEW—Broadcasting Corp. of America, Indo, Calif.—Granted construction permit for a new station to operate unlimited time on 1400 kc., with 250 watts power. (B5-P-4055)  
NEW—Blue Ridge Broadcasting Corp., Roanoke, Va.—Granted construction permit for a new station to operate unlimited time on 1490 kc., with 250 watts power. (B2-P-3917)  
WSPR—WSPR, Inc., Springfield, Mass.—Granted construction permit to increase nighttime power from 500 watts to 1 KW, and make changes in directional antenna; no change in present daytime power of 1 KW. (B1-P-3949)  
WCOP—Mass. Broadcasting Corp., Boston, Mass.—Granted construction permit to increase power from 500 watts to 5 KW, change transmitter location, make changes in transmitting equipment, and install new directional antenna system for day and night use. (B1-P-4003)  
WLAW—Hildreth & Rogers Co., Lawrence, Mass.—Granted construction permit to increase power from 5 to 50 KW, install a new transmitter, make changes in directional antenna for day and night use, and change transmitter location. (B1-P-3941)  
WHNC—Henderson Radio Corp., Henderson, N. C.—Granted construction permit to increase power from 250 watts to 1 KW on frequency of 890 kc., and install new transmitter. (B3-P-4354)  
WWDC—Capital Broadcasting Co., Washington, D. C.—Granted construction permit to increase power of

- synchronous amplifier from 100 to 250 watts, and to make changes in transmitting equipment. (B1-P-3995)  
NEW—Amphlett Printing Co., San Mateo, Calif.—Granted construction permit for a new station to operate unlimited time on 1550 kc., 250 watts; site to be determined. (B5-P-3912)  
NEW—Warren, Davis, Yaeger & Ford, Inc., Bloomington, Ind.—Granted construction permit for a new station to operate daytime on 1010 kc., 1 KW. (B4-P-3980)  
NEW—Mississippi Broadcasting Co., Inc., Jackson, Miss.—Granted construction permit for a new station to operate unlimited time on 1400 kc., 100 watts. (B3-P-3642)  
NEW—Pacific Frontier Broadcasting Co., Ltd., Honolulu, T. H.—Granted construction permit for a new station to operate unlimited time on 690 kc., 10 KW. (B-P-4308)  
WMPS—WMPS, Inc., Memphis, Tenn.—Granted construction permit to change frequency from 1460 to 680 kc., increase power from 500 watts night and 1 KW day, to 5 KW night, 10 KW day, install new transmitter and DA for night use, and change transmitter location. (B3-P-4310)

### ACTION ON MOTIONS

- Danbury Broadcasting Co., Danbury, Conn.—Granted petition to dismiss without prejudice application for a new station. (B1-P-4017)  
International Detrola Corp., Detroit, Mich.—Granted petition to dismiss without prejudice application for new commercial television station. (B2-PCT-44)  
San Bernardino Broadcasting Co., Inc., San Bernardino, Calif.—Granted petition requesting leave to amend its application (Docket 6811) for a new station, so as to specify a modified DA: to reflect revised engineering data, etc., and the amendment was accepted.  
King Trendle Broadcasting Corp., Detroit, Mich.—Granted motion for continuance of hearing now scheduled at Detroit for March 25-30, in recommercial television application of applicant and four others, and continued same to April 24. (Action taken 3-14.)

The Commission on March 11 denied a joint motion of the 11 applicants for new FM stations in Washington, D. C., requesting severance of their respective applications from the consolidated hearing heretofore ordered in these matters.

- San Bernardino Broadcasting Co., Inc., San Bernardino, Calif.—Granted petition requesting leave to amend its application (Docket 6811), so as to show withdrawal of Calif. Broadcasters, Inc., as a stockholder of applicant corporation and resignation of its nominee Lewis Allen Weiss as a director; show distribution of stock, etc., and the amendment was accepted.

### DESIGNATED FOR HEARING

- James D. Asher et al., d/b as The Asher Broadcasting Service, Quincy, Mass.—Designated for hearing application for a new station to operate on 1490 kc., 250 watts, unlimited time. (B1-P-4466)  
Peach Bowl Broadcasters, a partnership composed of Beverly B. Ballard, Dewey Allread, Jr., and Clyde I. Goodnight, Yuba City, Calif.—Designated for hearing application for a new station to operate on 1400 kc., 250 watts, unlimited time. (B5-P-4488)  
Herman Radner, Dearborn, Mich.—Designated for hearing petition to reinstate application for a new station to operate on 680 kc., 250 watts power, daytime only. (B2-P-3180; Docket 6220)

### LICENSES EXTENDED

Granted further extension of following licenses upon a temporary basis only, pending determination upon applications for renewal of license in no event later than June 1, 1946:

- KABC, San Antonio, Texas; KADA, near Ada, Okla.; KAST, Astoria, Ore.; KBLX, Muskogee, Okla.; KBKR, Baker, Ore.; KBON, Omaha, Neb.; KBST, Big Spring,

(Continued on next page)

Texas; KBTM, Jonesboro, Ark.; KBUR, Burlington, Iowa; KCMC, Texarkana, Texas; KCRS, Midland, Texas; KDAL, Duluth, Minn.; KDRO, Sedalia, Mo.; KEYS, Corpus Christi, Texas; KFDA, Amarillo, Texas; KFFA, Helena, Ark.; KFIO, Spokane, Wash.; KFJB, Marshalltown, Iowa; KFUN, near Las Vegas, N. Mex.; KFXD, Nampa, Idaho; KFYO, Lubbock, Texas; KGDE, Fergus Falls, Minn.; KGEK, Sterling, Colo.; KGFJ, Los Angeles, Calif.; KGHI, Little Rock, Ark.; KGKB, Tyler, Texas; KGKY, Scottsbluff, Nebr.; KHAS, Hastings, Nebr.; KHBC, Hilo, Hawaii; KHMO, Hannibal, Mo.; KHUB, near Watsonville, Calif.; KLUF, near Galveston, Texas; KMLB, Monroe, La.; KMYR, Denver, Colo.; KNEL, Brady, Texas; KNOW, Austin, Texas; KOCY, Oklahoma City, Okla.; KODL, The Dalles, Ore.; KONO, San Antonio, Texas; KOOS, Coos Bay, Ore.; KOTN, Pine Bluff, Ark.; KOVC, Valley City, N. Dak.; KPAB, Laredo, Texas; KPDN, Pampa, Texas; KPHO, Phoenix, Ariz.; KPLC, Lake Charles, La.; KPLT, Paris, Texas; KPOW, Powell, Wyo.; KRBC, Abilene, Texas; KRBM, Bozeman, Mont.; KRIC, Beaumont, Texas; KRNR, Roseburg, Ore.; KSAN, near Huntsville, Texas; KSAN, San Francisco, Calif.; KSUN, Lowell, Ariz.; KTBI, Tacoma, Wash.; KTHT, Houston, Texas; KTOH, Lihu, Hawaii; KTOK, Oklahoma City, Okla.; KVAK, Atchison, Kans.; KVAL, Brownsville, Texas; KVCV, near Redding, Calif.; KVEC, San Luis Obispo, Calif.; KVNU, Logan, Utah; KYOE, Vernon, Texas; KVWC, Vernon, Texas; KWAL, Wallace, Idaho; KWBW, Hutchinson, Kans.; KWEW, Hobbs, N. Mex.; KWG, Stockton, Calif.; KWNO, Winona, Minn.; KXO, El Centro, Calif.; KYCA, Prescott, Ariz.; KYOS, near Merced, Calif.; KYSM, Mankato, Minn.; WABY, Albany, N. Y.; WACO, Waco, Texas; KAGM, Presque Isle, Maine; WAIM, Anderson, S. C.; WAJR, Morgantown, W. Va.; WASK, Lafayette, Ind.; WATW, Ashland, Wisc.; WBAB, Atlantic City, N. J.; WAYX, Waycross, Ga.; WBBZ, Ponca City, Okla.; WBHP, Huntsville, Ala.; WBLJ, Dalton, Ga.; WBIK, Clarksburg, W. Va.; WBOC, Salisbury, Md.; WBOW, Terre Haute, Ind.; WBTA, Batavia, N. Y.; WCAT, Rapid City, S. D.; WCBS, Springfield, Ill.; WOBT, Roanoke Rapids, N. C.; WCED, DuBois, Pa.; WCLO, Janesville, Wisc.; WCOL, Columbus, Ohio; WCOS, Columbia, S. C.; WCPO, Cincinnati, Ohio; WDAN, Danville, Ill.; WDBC, Escanaba, Mich.; WDEF, Chattanooga, Tenn.; WDLP, Panama City, Fla.; WDNC, Durham, N. C.; WDSM, Superior, Wisc.; WEED, near Rocky Mount, N. C.; WENY, Elmira, N. Y.; WEOA, Evansville, Ind.; WERC, Erie, Pa.; WESX, Salem, Mass.; WFAS, main and auxiliary, White Plains, N. Y.; WFNC, Fayetteville, N. C.; WFTC, Kinston, N. C.; WFYA, Fredericksburg, Va.; WGAL, Lancaster, Pa.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGL, Fort Wayne, Ind.; WGNC, Gastonia, N. C.; WGOV, Valdosta, Ga.; WGPC, Albany, Ga.; WGRC, Louisville, Ky.; WGRM, Greenwood, Miss.; WGTC, near Greenville, N. C.; WHBB, Selma, Ala.; WHBY, Appleton, Wisc.; WHDL, Town of Allegheny, N. Y.; WHFC, Cicero, Ill.; WHDL, New Bern, N. C.; WHLN, Harlan, Ky.; WHMA, Anniston, Ala.; WHOP, Hopkinsville, Ky.; WHTB, Talladega, Ala.; WIBG, Glenside, Pa.; WIBM, Jackson, Mich.; WIBX, Utica, N. Y.; WIGM, near Medford, Wisc.; WIL, St. Louis, Mo.; WILM, Wilmington, Dela.; WING, Dayton, Ohio; WISE, Asheville, N. C.; WITH, Baltimore, Md.; WJBC, Bloomington, Ill.; WJBK, main and auxiliary, Detroit, Mich.; WJBY, Gadsden, Ala.; WJHO, Opelika, Ala.; WJMC, Rice Lake, Wisc.; WJMS, Ironwood, Mich.; WJNO, West Palm Beach, Fla.; WJOB, Hammond, Ind.; WJPA, Washington, Pa.; WJRD, Tuscaloosa, Ala.; WJXN, Jackson, Miss.; WKBB, Dubuque, Iowa; WKBO, Harrisburg, Pa.; WKBV, Richmond, Ind.; WKBZ, Muskegon, Mich.; WKIP, Poughkeepsie, N. Y.; WKNY, Kingston, N. Y.; WKRO, near Cairo, Ill.; WLAP, Lexington, Ky.; WLAV, Grand Rapids, Mich.; WLAY, Muscle Shoals City, Ala.; WLEU, Erie, Pa.; WLOF, Orlando, Fla.; WLOG, Logan, W. Va.; WLP, Suffolk, Va.; WLVA, Lynchburg, Va.; WMAS, Springfield, Mass.; WMBH, Joplin, Mo.; WMBR, Jacksonville, Fla.; WMFJ, Daytona Beach, Fla.; WMGA, near Moultrie, Ga.; WMFR, High Point, N. C.; WMJM, Cordele, Ga.; WMOB, Mobile, Ala.; WMOG, Brunswick, Ga.; WMPC, Lapeer, Mich.; WMRC, Greenville, S. C.; WMRF, Lewistown, Pa.; WMRN, near Marion, Ohio; WMVA, near Martinsville, Va.; WNAB, Bridgeport, Conn.; WNBH, New Bedford, Mass.; WNLC, New London, Conn.; WNOE, New Orleans, La.; WOLF,

Syracuse, N. Y.; WOLS, Florence, S. C.; WOMI, Owensboro, Ky.; WOPI, Bristol, Tenn.; WOSH, Oshkosh, Wisc.; WOV, main and auxiliary, New York, N. Y.; WPAD, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WRBL, Columbus, Ga.; WRGA, Rome, Ga.; WRJN, Racine, Wisc.; WRLC, Toccoa, Ga.; WSAP, Portsmouth, Va.; WSLI, Jackson, Miss.; WSPB, Sarasota, Fla.; WSTP, Salisbury, N. C.; WTHH, Hartford, Conn.; WTMC, Ocala, Fla.; WTMV, East St. Louis, Ill.; WTOL, Toledo, Ohio; WWDC, main and synchronous amplifier, Washington, D. C.; WWSW, main and auxiliary, Pittsburgh, Pa.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted extension of authority to WWDC for waiver of Sections 2.53 and 13.61 of the Commission's Rules so as to permit operation of the synchronous amplifier of Station WWDC by remote control from the main transmitter location, for the period April 1 to not later than June 1, 1946, upon the same terms and conditions as existing authorization for such operation.

WBNT—National Broadcasting Co., Inc., New York, N. Y.—Granted further extension of commercial television station license upon a temporary basis only, pending determination upon application for renewal of license in no event beyond June 1, 1946.

Granted further extension of following experimental television broadcast station licenses upon a temporary basis only, pending determination upon applications for renewal of license in no event later than June 1, 1946:

Allen B. DuMont Labs., W2XVT, Passaic, N. J.; Don Lee Broadcasting System, W6XAO and W6XDU, Los Angeles, Calif.; General Electric Co., W2XGE, Schenectady, N. Y.; Metropolitan Television, Inc., W2XMT, New York City; National Broadcasting Co., Inc., W2XBT and W2XBU, New York, N. Y.; Philco Products Inc., W10XAD, W10XAE, W10XAF, area of Washington, D. C., Philadelphia, Pa. and New York City; Zenith Radio Corp., W9XZV, Chicago, Ill.

W8XWI—Guy S. Cornish, area of Cincinnati, Ohio—Granted further extension of license of public address relay class II experimental broadcast station, upon a temporary basis only, pending determination upon application for renewal of license, in no event beyond June 1, 1946.

Granted extension of licenses of following ST broadcast stations upon a temporary basis only, pending receipt of and/or determination upon applications for renewal of licenses, in no event later than June 1, 1946:

Capitol Broadcasting Co., Inc., W2XEO, Schenectady, N. Y.; General Electric Co., W2XBD, Schenectady, N. Y.; W4XGG, Gordon Gray, Winston-Salem, N. C.; The Moody Bible Institute of Chicago, W9XMB, Chicago, Ill.

W2XWE—WOKO, Inc., Albany, N. Y.—Granted further extension of license of facsimile broadcast station upon a temporary basis only, pending determination upon application for renewal of license in no event beyond June 1, 1946.

## MISCELLANEOUS ACTIONS

KWTX—Beauford H. Jester, individually and as trustee for W. W. Callan, et al., Waco, Texas.—Granted modification of CP, which authorized a new station, for approval of antenna, approval of transmitter location on Pierrard Road, 0.25 mi. SW of 12th St., Waco, and to specify studio location as 108½ So. 6th St., Waco, and to correct name of Robert G. Levy to read Robert E. Levy. (B3-MP-1846)

KMYR—KMYR Broadcasting Co., Denver, Colo.—Granted authority to determine operating power by direct measurement of antenna power. (B5-Z-1748)

W3XL—Commercial Radio Eqpt. Co., Washington, D. C.—Granted license to cover CP which authorized a new developmental broadcast station; frequencies as may be assigned by Commission's Chief Engineer; 250 watts; emission: AO, special for FM. The license is granted upon an experimental basis only, condition. (B1-LEX-39)

WFKY—Frankford Broadcasting Co., Frankford, Ky.—Granted modification of CP, which authorized a new station, to install a new type of transmitter. (B2-MP-1855) (Action taken 3-7)

(Continued on next page)

- KMTR—KMTR Radio Corp., Los Angeles, Cal.—Granted authority to change call letters of station from KMTR to KLAC.
- The Altus Broadcasting Co., Altus, Okla.; Southwest Broadcasting Co., a partnership, Eastland, Texas—Ordered that the application of The Altus Broadcasting Co. (B3-P-4545), for a new station to operate on 1230 kc., 250 watts, unlimited time, be designated for consolidated hearing with application of Southwest Broadcasting Co., requesting the same facilities at Eastland, Texas.
- KOIN—C. W. Myers, Josephine Hunt, Gertrude E. Myers, and KOIN, Inc., Trustee (transferor), Field Enterprises, Inc. (transferee); KOIN, Inc. (licensee), Portland, Ore.—Granted consent to voluntary transfer of control of KOIN, Inc., from C. W. Myers, et al. to Field Enterprises, Inc., for a consideration of \$943,967 (plus any increase in the net worth of licensee between August 31, 1945, and closing date), for all outstanding capital stock of KOIN, Inc. (B5-TC-470)
- KBND—Bend Bulletin (assignor), Central Oregon Broadcasting Co. (assignee), Bend, Ore.—Adopted memo opinion granting consent to voluntary assignment of license of station KBND from Bend Bulletin to Central Oregon Broadcasting Co. (B5-AL-507)
- KHJ—KHJ-FM—Don Lee Broadcasting System, Los Angeles, Cal.; KGB—San Diego, Cal.; KFRC—San Francisco; KDB—Santa Barbara, Cal.—Adopted an order denying petition to reconsider and set aside Commission's action of February 15, 1946, which directed a hearing on the then pending applications for renewal of licenses of stations KGB and KDB and which ordered filing of applications for renewals of licenses of stations KHJ, KHJ-FM and KFRC; and further ordered that petitioner's application for renewal of license for station KHJ be filed on or before April 10, 1946.
- Churchill Tabernacle, Buffalo, N. Y.—Adopted an order denying petition of Churchill Tabernacle for rehearing directed against the Commission's decision adopted December 19, 1945, in the matter of applications of Buffalo Broadcasting Corp., radio stations WKBW and WGR, for renewal of licenses of main and auxiliary transmitters.
- Kankakee Daily Journal Co., Kankakee, Ill.—Granted petition to reconsider and grant application (B4-P-4013), for construction permit for a new station to operate on 1320 kc., with 1 KW, daytime only.
- Oil Center Broadcasting Co., Odessa, Texas—Granted authority to change call letters for new station authorized on January 16, 1946, from KTIS to KRIG.
- Mrs. Lois M. Daniels, Brawley, Calif.—Granted request for withdrawal of construction permit which was granted on December 13, 1945, and authorized deletion of all records relative to this authorization and cancellation of same.
- KSD—Pulitzer Publishing Co., St. Louis, Mo.—Granted motion requesting continuance of hearing now scheduled for April 1, for the taking of engineering testimony on movant's application for construction permit in consolidation with 12 other applicants for use of the 550 kc.; continued hearing to April 8, and the time for filing amendments in connection with the engineering data to March 29.
- Ashbacker Radio Corp., Muskegon, Mich.—Denied motion for review of action of the Presiding Officer of the Motions Docket on March 14, granting motion of Fetzer Broadcasting Co., Grand Rapids, for leave to take depositions in the hearing in re their application and that of Ashbacker Radio Corp., and sustained the action of the Presiding Officer of March 14 granting the motion to take depositions.
- Wabash Valley Broadcasting Corp., Terre Haute, Ind.; West Central Broadcasting Co., Peoria, Ill.—Granted joint petition of Wabash Valley Broadcasting Corp. and West Central Broadcasting Co., for severance of their applications from the consolidated proceeding involving their applications and those of Booth Radio Stations, Inc., Tri-State Broadcasting Corp. and WJPS, Inc., provided, however, that the said applications shall remain in hearing status and subject to such further proceedings as may be ordered by the Commission; and the Commission on its own motion ordered that the consolidated hearing with respect to the applications of Wabash Valley and West Central heretofore adjourned to March 22, be continued until April 15, 1946.
- Mario Acosta, Mayaguez, P. R., and Jose Bechara, Jr., Mauaguez, P. R.—Ordered that applications of Mario Acosta and Jose Bechara, Jr., be designated for hearing in a consolidated proceeding. Both applicants request frequency 1340 kc., 250 watts, unlimited time.
- W. Walter Tison, Tampa, Fla.—Ordered that application of W. Walter Tison be designated for hearing in a consolidated proceeding with applications of Citrus Belt Broadcasters, Inc., and Winter Haven Broadcasting Co., both requesting the same facilities at Winter Haven (1490 kc., 250 watts, U.); and further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to include applications of W. Walter Tison.
- Chanticleer Broadcasting Co., New Brunswick, N. J.—Ordered that application of Chanticleer Broadcasting Co., for a new station to operate on 1450 kc., 250 watts, U., be designated for hearing in a consolidated proceeding with application of No. Jersey Radio, Inc., requesting 1430 kc., 5 KW, DA-night unlimited time, at Newark, N. J., and that the Bill of Particulars hereto issued in re No. Jersey Radio, Inc., be amended to include application of Chanticleer Broadcasting Co.
- Audrain Broadcasting Corp., Mexico, Mo.—Ordered that the application (B4-P-4401) of Audrain Broadcasting Corp., for a new station to operate on frequency 1340 kc., 250 watts, unlimited time, be designated for hearing in a consolidated proceeding with applications of William L. Lipman, (Docket 7350), and four others, and further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to include application of Audrain Broadcasting Corp.
- KHMO—The Courier-Post Pub. Co., Hannibal, Mo.—Ordered that the application of KHMO (B4-P-4352) for a construction permit to change frequency from 1340 to 1070 kc., and increase power from 250 watts to 1 KW night, 5 KW day, DA for night use, unlimited time, be designated for hearing in a consolidated proceeding with applications of Audrain Broadcasting Corp., William L. Lipman, et al., and further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to include the application of KHMO.
- KUOM—Independent Broadcasting Co., Des Moines, Iowa.—University of Minnesota, Minneapolis, Minn.—Ordered that the application of Independent Broadcasting Co. (Docket 6734), for a construction permit for a new station to operate on 940 kc., with 10 KW, daytime only, be designated for hearing in a consolidated proceeding with application of KUOM for a CP requesting cancellation of its present time-sharing agreement with station WCAL, and change of frequency to 940 kc., with 5 KW day, 250 watts night, at Minneapolis.
- Kaw Broadcasting, Inc., Topeka, Kans.; State Broadcasting Co., Oklahoma City, Okla.—Ordered that application (B4-P-3989) of Kaw Broadcasting, Inc., for a new station to operate on 730 kc., 1 KW, daytime only, be designated for hearing in a consolidated proceeding with application of State Broadcasting Co., requesting the same facilities at Oklahoma City.
- George Dyson, Jr., d/b as The Alton Broadcasting Co., Alton, Ill.—Ordered that application (B4-P-4518) of Alton Broadcasting Co. for a new station to operate on 1300 kc., 1 KW, unlimited time, be designated for hearing in a consolidated proceeding with applications of 4 Peoria applicants requesting 1290 kc., and further ordered that the Bills of Particulars heretofore issued in these proceedings be amended to include the Alton Broadcasting Co. application.

#### FM APPLICATIONS GRANTED

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of March, 1946;

(Continued on next page)

The Commission having under consideration the above-entitled applications for construction permits for new metropolitan FM broadcast stations in Washington, D. C., and the evidence adduced at the hearing held on these applications on March 11-15, 1946, and being satisfied that public interest, convenience, and necessity would be served by grants thereof;

IT IS ORDERED, That these applications BE, AND THE SAME ARE HEREBY GRANTED, subject to approval of antenna and site by the Civil Aeronautics Administration in each case, and subject also to the following terms and conditions:

(1) Commercial Radio Equipment Company—101.3 mc. (No. 267); effective radiated power: 20 KW; antenna height above average terrain: 500 feet.

(2) Cowles Broadcasting Company—100.5 mc. (No. 263); effective radiated power: 20 KW; subject to the filing of an application for modification of construction permit for approval of an antenna height 500 feet above average terrain.

(3) National Broadcasting Company, Inc.—94.5 mc. (No. 233); effective radiated power: 20 KW; antenna height above average terrain: 500 feet; subject to the condition that the permittee shall satisfy legitimate complaints of blanketing including objectionable cross-modulation.

(4) Metropolitan Broadcasting Corporation—101.7 mc. (No. 269); effective radiated power: 20 KW; antenna height above average terrain: 500 feet.

(5) Potomac Broadcasting Cooperative, Inc.—93.3 mc. (No. 227); effective radiated power: 20 KW; antenna height above average terrain: 500 feet; subject to filing of application specifying exact transmitter site and for approval of technical features of proposed installation.

(6) The Evening Star Broadcasting Company—94.1 mc. (No. 231); effective radiated power: 20 KW; antenna height above average terrain: 500 feet; subject to the condition that the permittee shall satisfy legitimate complaints of blanketing, including objectionable cross-modulation.

(7) WINX Broadcasting Company—102.1 mc. (No. 271); effective radiated power: 20 KW; antenna height above average terrain: 500 feet; subject to the approval of the site on the basis of field measurements indicating field intensity in business and residential districts of Washington.

(8) Theodore Granik—93.7 mc. (No. 229); effective radiated power: 20 KW; antenna height above average terrain: 500 feet; subject to filing of application specifying exact transmitter site and for approval of technical features of proposed installation.

## Federal Communications Commission Applications

### APPLICATIONS ACCEPTED FOR FILING

#### 550 Kilocycles

NEW—The Constitution Publishing Co., Atlanta, Ga.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 5 KW day and 1 KW night, directional antenna night and unlimited hours of operation. Amended, to change power from 5 KW day and 1 KW night to 5 KW day and night and make changes in directional antenna for night use.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Construction permit to increase power from 5 KW day and 1 KW night to 5 KW day and night, install new transmitter and new directional antenna for night use, and change transmitter location. Amended, to change transmitter location and changes in directional antenna.

#### 560 Kilocycles

WFIL—Triangle Publications, Inc. (The Philadelphia Inquirer Division), Philadelphia, Pa.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use, and change transmitter location. Amended, to change name of applicant from WFIL Broadcasting Company to Triangle Publications, Inc. (The Phila-

delphia Inquirer Division), change transmitter location and make changes in directional antenna system.

#### 620 Kilocycles

KWFT—Wichita Broadcasters, a partnership, Joe B. Carrigan, Mrs. Joe B. Carrigan, P. K. Smith, Trustee, P. K. Smith, Mrs. Claude M. Simpson, Jr., Wichita Falls, Texas.—Construction permit to increase power from 5 KW day and 1 KW night, employing directional antenna day and night, to 5 KW day and night and changes in directional antenna for night use only. Amended, re changes in directional antenna.

WROL—S. E. Adcock, tr/as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to increase power from 1 KW day and 500 watts night to 5 KW day and night, make changes in transmitting equipment and directional antenna. Amended, re changes in directional antenna.

#### 690 Kilocycles

NEW—Voice of Dixie, Inc., Birmingham, Ala. (P. O. Temp. 2208 Dartmouth Ave., Bessemer, Ala.)—Construction permit for a new standard broadcast station to be operated on 690 kc., power of 10 KW, directional antenna night and unlimited hours of operation.

#### 740 Kilocycles

NEW—Jose E. del Valle, Santurce, Puerto Rico. (P. O. P. O. Box 3902, San Juan, Puerto Rico.)—Construction permit for a new standard broadcast station to be operated on 740 kc., power of 10 KW, directional antenna and unlimited hours of operation.

NEW—Antilles Broadcasting System, Inc., Rio Piedras, P. R. (P. O. 77 Munoz Rivera St.)—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 5 KW and unlimited hours of operation. (Call letters "WWPR" reserved.)

#### 860 Kilocycles

NEW—Northern Virginia Broadcasters, Inc., Arlington, Va. (P. O. 4274 South 35th St.)—Construction permit for a new standard broadcast station to be operated on 860 kc., power of 1 KW and daytime hours of operation.

KONO—Eugene J. Roth, tr/as Mission Broadcasting Co., San Antonio, Texas.—Construction permit to change frequency from 1400 kc. to 860 kc., increase power from 250 watts to 1 KW night, 5 KW day, install new transmitter and directional antenna for night use and change transmitter location.

#### 930 Kilocycles

WPAT—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Construction permit to change hours of operation from daytime to unlimited time, increase power from 1 KW day to 5 KW day and night, install directional antenna for day and night use and install new transmitter.

#### 970 Kilocycles

WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Construction permit for change in hours of operation from daytime to unlimited time, installation of directional antenna for night use and change in transmitter location. Amended, to change frequency from 550 to 970 kc., increase power from 1 KW to 5 KW, install new transmitter, changes in directional antenna for night use and change transmitter location.

KGVO—Mosby's, Inc., Missoula, Mont.—Construction permit to change frequency from 1290 kc. to 970 kc., increase power from 5 KW day and 1 KW night to 5 KW day and night, install directional antenna for night use and change transmitter location.

#### 980 Kilocycles

WTRY—Troy Broadcasting Company, Inc., Troy, N. Y.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and new directional

(Continued on next page)

antenna for day and night use and change transmitter location.

#### 1040 Kilocycles

NEW—Northern Ohio Broadcasting Co., Amherst, Ohio.—Construction permit for a new standard broadcast station to be operated on 1040 kc., power of 1 KW and limited hours of operation. Amended, to change hours of operation from limited time to daytime only.

#### 1090 Kilocycles

NEW—Hot Springs Broadcasting Co., Hot Springs, Ark. (P. O. City Hall Building).—Construction permit for a new standard broadcast station to be operated on 1090 kc., power of 50 KW, directional antenna night and unlimited hours of operation. (Facilities of KTHS requested.)

#### 1100 Kilocycles

NEW—Louis P. Myers and Gertrude Jo Myers, d/b as Howdy Folks Broadcasters, Tulsa, Okla. (P. O. 902 Palace Building).—Construction permit for a new standard broadcast station to be operated on 1100 kc., power of 5 KW and daytime hours of operation.

#### 1230 Kilocycles

NEW—Idaho Falls Broadcasting Co., Idaho Falls, Idaho. (P. O. 295 13th St.).—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—The Americus Broadcasting Co., Americus, Ga. (P. O. 109 Windsor Ave.).—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—R. F. & W. Broadcasting Co., Corpus Christi, Texas.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. Amended, re change in directors, officers and stockholders.

#### 1240 Kilocycles

NEW—J. Paul Stone and R. M. Ware, Jr., Fitzgerald, Ga. (P. O. c/o Stone Oil Co.).—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—Telegraph Herald, Decorah, Iowa. (P. O. 8th Ave. at Bluff St., Dubuque, Iowa).—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and specified hours of operation. (Contingent on grant of KWLC's application B-4-31L-1226.)

NEW—The Oneida Broadcasting Co., Rhineland, Wis. (P. O. 29 Frederick St.).—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

#### 1250 Kilocycles

NEW—Midwest Broadcasting Co., Milwaukee, Wis.—Construction permit for a new standard broadcast station to be operated on 1250 kc., power of 5 KW, directional antenna and unlimited hours of operation. Amended: re changes in directional antenna.

#### 1330 Kilocycles

NEW—WJPS, Inc., Evansville, Ind.—Construction permit for a new standard broadcast station to be operated on 1330 kc., power of 1 KW and unlimited hours of operation. Amended: to change power from 1 KW day and night to 5 KW day and 1 KW night, change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

#### 1340 Kilocycles

WNBH—Bristol Broadcasting Co., Inc., New Bedford, Mass.—Construction permit to change frequency from 1340 kc. to 550 kc., increase power from 250 watts unlimited time, to 5 KW unlimited time, install new

transmitter and directional antenna day and night, and change transmitter location.

WOCB—Bristol Broadcasting Co., Inc., West Yarmouth, nr. Hyannis, Mass.—Construction permit to change frequency from 1340 kc. to 1340 kc. (Contingent on grant of WNBH application to change to 550 kc.)

NEW—James C. Wallentine, tr/as The Uintah Broadcasting Co., Vernal, Utah (P. O. 564 North Second East, Logan, Utah)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

NEW—Harry C. Butcher, Santa Barbara, Calif. (P. O. 4435 Garfield St. N. W., Washington, D. C.).—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

#### 1350 Kilocycles

NEW—E. L. Roberts, Gadsden, Ala. (P. O. Pioneer Life Bldg.).—Construction permit for a new standard broadcast station to be operated on 1350 kc., power of 1 KW, directional antenna and unlimited hours of operation.

#### 1400 Kilocycles

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Authority to determine operating power of direct measurement of antenna power.

NEW—The Joseph F. Biddle Publishing Co., Huntingdon, Penna. (P. O. 325 Penn St.).—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. (Call letters "WHUN" reserved)

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—License to cover construction permit (B3-P-3878) which authorized change in transmitter location and changes in antenna.

#### 1450 Kilocycles

NEW—Harold T. Gray, Gerald L. Wise, Vernon L. Wise, Roy E. Morgan, Thomas P. Shelburne, Leon Schwartz, Dr. Isaiah C. Morgan and Mitchell Jenkins, d/b as Wyoming Valley Broadcasting Co., Wilkes-Barre, Penna.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency from 1490 to 1450 kc.

NEW—Cur-Nam Co., Brockton, Mass.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: to change transmitter and studio locations and make changes in antenna.

K1DNT—Harwell V. Shepard, Denton, Texas—License to cover construction permit (B3-P-3600), which authorized changes in transmitting equipment and increase power from 100 watts to 250 watts.

NEW—Marshall Broadcasting Co., Marshall, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re stockholders.

KFLW—Herald Publishing Company of Klamath Falls, Klamath Falls, Ore.—Modification of construction permit (B5-P-3684, as modified, which authorized a new standard broadcast station) to install new type of transmitter and extend commencement and completion dates from 9-3-45 and 5-3-46 to 30 days after date of grant and 60 days thereafter, respectively.

NEW—The Middleboro Broadcasting Company, Middleboro, Ky.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended, to change frequency from 1490 kc. to 1450 kc.

#### 1460 Kilocycles

NEW—L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co., Santa Cruz, Calif.—Construction permit for a new standard broadcast station to be operated on 1460 kc., power of 500 watts and unlimited hours of operation.

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Amended: to change power from 500 watts to 1 KW, make changes in transmitter and install directional antenna for day and night use.

### 1480 Kilocycles

NEW—Carleton W. Morris, Douglas, Ariz. (P. O. Box C, Lowell, Ariz.)—Construction permit for a new standard broadcast station to be operated on 1480 kc., power of 1 KW and unlimited hours of operation.

NEW—Radio Wisconsin, Inc., Madison, Wisc.—Construction permit for a new standard broadcast station to be operated on 1480 kc., power of 500 watts night and 1 KW day, directional antenna and unlimited hours of operation. Amended: to change name of applicant from Central Broadcasting Co. to Radio Wisconsin, Incorporated, power from 500 watts night and 1 KW day to 1 KW day and night, and make changes in directional antenna for night use.

### 1490 Kilocycles

NEW—The Huntsville Times Co., Inc., Huntsville, Ala. (P. O. Corner Holmes and Greene Sts.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Walla Walla Broadcasting Co., Walla Walla, Wash. (P. O. 358 U. S. National Bank Bldg., Portland, Ore.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 100 watts and unlimited hours of operation. Amended: to change power from 100 watts to 250 watts and make changes in transmitting equipment.

### 1510 Kilocycles

NEW—Frank E. Fowler, Craig Siegfried, Cedric Siegfried, and Charles Siegfried, a partnership, d/b as The Blue Valley Co., Independence, Missouri (P. O. 310 North Osage St.)—Construction permit for a new standard broadcast station to be operated on 1510 kc., power of 1 KW and daytime hours of operation. (Call letters "KIMO" reserved)

### 1540 Kilocycles

NEW—Patron Broadcasting Co., Inc., Albany, N. Y. (P. O. 11 No. Pearl St.)—Construction permit for a new standard broadcast station to be operated on 1540 kc., power of 10 KW, directional antenna and unlimited hours of operation.

### 1590 Kilocycles

NEW—Evanston Broadcasting Co., Evanston, Ill. (P. O. 423 Kedzie St.)—Construction permit for a new standard broadcast station to be operated on 1590 kc., power of 1 KW and daytime hours of operation.

## MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

WWLH—Loyola University, New Orleans, La.—License to cover construction permit (B3-PRY-308) which authorized a new relay broadcast station.

KRSC—Radio Sales Corp., Seattle, Wash.—Authority to determine operating power by direct measurement of antenna power.

KFXJ—R. G. Howell and Charles Howell, d/b as Western Slope Broadcasting Co., Grand Junction, Colo.—Authority to determine operating power by direct measurement of antenna power.

W3XEP—Radio Corporation of America, Camden, N. J.—Modification of license to request additional frequency of Channel #12, 204-210 mc.

WEDC—Emil Denmark, Inc., Chicago, Ill.—Authority to determine operating power by direct measurement of antenna power.

NEW—Junto, Inc., Philadelphia, Pa. (P. O. 16 S. 10th St.)—

Construction permit for a new non-commercial educational broadcast station to be operated on frequency to be assigned by FCC, power of 8300 watts and special for FM emission.

W9XEK—Courier-Journal & Louisville Times Co., Eastwood, Ky.—Modification of construction permit (B2-PEX-66, as modified, which authorized change in frequency, transmitter, emission, antenna and increase power) for extension of completion date from 3-22-46 to 5-22-46.

## FM APPLICATIONS ACCEPTED FOR FILING

NEW—Altoona Broadcasting Co., Altoona, Pa. (P. O. 1501 Eleventh Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #264, 100.7 mc. and coverage of 1,735 square miles.

NEW—William Wyse, Stanley Marsh and Bess Wyse, d/b as The Nation's Center Broadcasting Co., Hutchinson, Kans. (P. O. 101 East Avenue A.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by Chief Engineer FCC and coverage to be determined.

NEW—Palm Beach Broadcasting Corp., Palm Beach, Fla. (P. O. South Ocean Blvd.)—Construction permit for a new FM (Metropolitan) broadcast station, frequency to be assigned by the FCC.

NEW—Lancaster Broadcasting Co., Lancaster, S. C. (P. O. Box 551.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned by FCC and coverage of 11,100 square miles.

NEW—N. Joe Rahall, Sam G. Rahall, Farris E. Rahall, Deem F. Rahall, a partnership, tr/as Allentown Broadcasting Co., Allentown, Pa. (P. O. Temp. address, 214½ Main St., Beckley, W. Va.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by Chief Engineer of FCC and coverage of 13,280 square miles.

NEW—Southeastern Ohio Broadcasters, Inc., Zanesville, Ohio. (P. O. Lind Arcade Building.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—Harold O. Bishop, Harrisburg, Pa.—Construction permit for a new FM (Community) broadcast station to be operated on Channel #246, 97.1 mc. Amended, to change power of transmitter from 1 KW to 250 watts and specify type of station as community.

NEW—The Chronicle Publishing Co., San Francisco, Calif. (P. O. 907 Mission St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned and coverage of 23,057 square miles.

NEW—Saviers Electrical Products Corp., Reno, Nev. (P. O. Box 531.)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #281, 104.1 mc. and coverage of 314 square miles.

NEW—WSMB, Inc., New Orleans, La. (P. O. 901 Canal St.)—Construction permit for a new FM (Rural) broadcast station to be operated on Channel #233, 94.5 mc. and coverage of 12,860 square miles.

NEW—Harwell V. Shepard, Denton, Texas. (P. O. 300 W. Ross St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #237, 95.3 mc., Channel #239, 95.7 mc. or as assigned and coverage of 5,305 square miles.

NEW—Express Publishing Co., San Antonio, Texas. (P. O. Avenue E and Third St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #253, 98.5 mc. and coverage of 27,266 square miles.

NEW—The Fort Industry Co., Lima, Ohio. (P. O. 506 New Center Bldg., Detroit, Mich.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—Tri-Suburban Broadcasting Corp., Silver Spring, Md. (P. O. 6720 Conway Ave., Takoma Park, Md.)—Construction permit for a new FM (Community) broad-

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cast station to be operated on Channel #288, 105.5 mc. or as assigned by FCC.

- NEW—Connecticut Radio Foundation, Inc., (P. O. 221 Orange St., New Haven, Conn.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC.
- NEW—Dairyland's Broadcasting Service, Inc., Wisconsin Rapids, Wis.—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC. Amended, to specify studio location.
- NEW—Dairyland's Broadcasting Service, Inc., Stevens Point, Wis.—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC. Amended, to specify studio location.
- NEW—The Bowling Green Broadcasting Co., Bowling Green, Ky. (P. O. 901 Fairview Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC and coverage to be determined by FCC (approximately 7,500 square miles).
- NEW—Plymouth County Broadcasting Corp., Brockton, Mass. (P. O. 106 Main St., room 315.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC and coverage of 2,460 square miles.
- NEW—WMPS, Inc., Memphis, Tenn.—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned and coverage to be determined. Amended, to change frequency from "to be assigned" to Channel #226, 93.1 mc.
- NEW—Gazette Printing Company, Janesville, Wis.—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned. Amended, to change power from 10 KW to 3 KW.
- NEW—Southern Oregon Broadcasting Company, Grants Pass, Ore.—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be selected by Chief Engineer of FCC. Amended, to specify class of station as Rural.

### TELEVISION APPLICATIONS ACCEPTED FOR FILING

- NEW—The A. S. Abell Company, Baltimore, Md. (P. O. Baltimore and Charles Sts.)—Construction permit for a new commercial television broadcast station to be operated on Channel #2, 54-60 mc. and ESR of 1640.
- NEW—Philco Products, Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 66-72 mc. and ESR of 930. Amended, to change corporate name to Philco Products, Incorporated.

### APPLICATIONS TENDERED FOR FILING

- NEW—V. L. Rossi and John D. Rossi, d/b as Bee Broadcasting Co., Beeville, Texas—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—Paul F. Braden, Middletown, Ohio—Construction permit for a new standard broadcast station to be operated on 910 kc., power of 1 KW, and daytime hours of operation.
- NEW—The General Broadcasting Corp., Altoona, Penna.—Construction permit for a new standard broadcast station to be operated on 1430 kc., power of 1 KW, directional antenna and unlimited hours of operation.
- WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Construction permit to change frequency from 1430 kc. to 1190 kc., increase power from 5 KW to 50 KW, install new transmitter and change transmitter location. (Requesting facilities of Station WOWO)
- KELO—Sioux Falls Broadcasting Assn., Inc., Sioux Falls, S. D.—Application for consent to the assignment of license of Station KELO from Sioux Falls Broadcast Association, Inc., to Midcontinent Broadcasting Co.
- KSOO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. D.

—Construction permit to increase power from 5 KW to 10 KW, install new transmitter and directional antenna for night use, unlimited hours of operation and change transmitter location.

- NEW—J. O. Fly, Sr., George F. Fly, Harvard P. Smith and Robert W. Rounsaville d/b as Shelbyville Broadcasting Co., Shelbyville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- NEW—Southern Broadcasting Co., Charleston, S. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts, and unlimited hours of operation.
- WLW—The Crosley Corp., Cincinnati, Ohio—Voluntary assignment of license to Crosley Broadcasting Corporation.
- NEW—Cream City Broadcasting Co., Inc., Milwaukee, Wis.—Construction permit for a new standard broadcast station to be operated on 1290 kc., power of 250 watts and daytime hours of operation.
- NEW—J. Herbert Hollister, Boulder, Colo.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.
- NEW—J. Herbert Hollister, Ft. Collins, Colo.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—Eastern Idaho Broadcasting & Television Co., Idaho Falls, Idaho—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.
- NEW—Eastern Idaho Broadcasting & Television Co., Pocatello, Idaho—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.
- NEW—Bullard, Metcalf & Goodlette, Hazard, Ky.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation.
- NEW—W. C. Lucas and Roy Cox d/b as Asheboro Broadcasting Co., Asheboro, N. C.—Construction permit for a new standard broadcast station to be operated on 1260 kc., power of 1 KW and daytime hours of operation.
- NEW—El Paso Broadcasting Co., El Paso, Texas.—Construction permit for a new standard broadcast station to be operated on 1560 kc., power of 500 watts night and 1 KW day and unlimited hours of operation.

## Federal Trade Commission Docket

The Federal Trade Commission issued no complaints nor any cease or desist orders last week.

### STIPULATIONS

During the past week the Commission announced the following stipulations:

**Certified Electrical Corp.**, Warren, Pa., engaged in the sale of electrical products, including incandescent and fluorescent lamps and fuses, stipulated that it will cease and desist from representing in any manner that it manufactures such products, unless it actually owns and operates or directly and absolutely controls a plant where the products it sells are made. (4147)

**Newell Co.**, St. Louis, Mo., entered into a supplemental stipulation in which it agrees to discontinue the dissemination of advertisements which do not disclose the possible harmful effects of an alleged treatment for the tobacco habit designated "Tobacco Redeemer." The treatment consists of a combination of drug preparations and dietary information. (040)